Church and State Relationships in Education in Utah

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CHURCH AND STATE RELATIONSHIPS IN
EDUCATION IN UTAH

by

James R. Clark

A dissertation submitted in partial fulfillment
of the requirements for the degree
of
DOCTOR OF EDUCATION
in
Educational Administration

UTAH STATE UNIVERSITY
Logan, Utah

1958
Approved:

Major Professor

Head of Department

Dean of Graduate School
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by

James R. Clark
Grateful acknowledgment is made to Dr. E. A. Jacobsen of Utah State University who first suggested this study and directed its preliminary formulation; to Dr. John C. Carlisle, major professor, who served as chairman of the committee during the major portion of the study; and to Dr. S. George Ellsworth for his untiring personal interest and efforts as thesis director. To the other members of the committee, Milton R. Merrill, Dr. Arden Frandsen, and Dr. William P. Lewis, the author acknowledges indebtedness for their help and encouragement.

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INTRODUCTION

Any study in historical interpretation is made in terms of the climate of opinion and background of the investigator or author. Because this climate of opinion and certain basic underlying assumptions will inevitably influence the study, these basic assumptions need to be stated at the outset as a guide to both the investigator and the reader.

Basic assumptions

Certain assumptions basic to this study are:

1. that there is a mutual interaction between school systems and the society they seek to serve;

2. that the educational philosophies that direct educational systems within society are determined not alone by educational theorists, administrators and teachers, but also by the impact of political, social, economic, religious and other forces within the social structure;

3. that in the American democratic system, compromise and adjustment of differing points of view are not only the expected but the accepted order of society;

4. that there is no single "American way" in education with respect to religion unless it is that of "state and local control (of education) with freedom to experiment."

The study treats a highly controversial area in American education as it applies to the State of Utah. The proper relation between Church and State in the field of education has not yet been settled, nor is it likely ever to be with any finality. In two most recent cases involving
the legal issues of Church and State in education (McCullum vs. Board of Education, 333 U. S. 203 and Zorach v. Clawson, 343 U. S. 306) the United States Supreme Court has written split opinions. The 1956 White House Conference on Education found that religion and segregation were the two current issues in American education which involved "basic disagreements which the Committee did not resolve satisfactorily, partly because of the limited time at its disposal for complete discussion of the many intricacies of the different points of view represented on the Committee."

This study of Church and State relationships in education in Utah seeks to outline the history of this mutual interaction of school and society; to trace the formulation of educational philosophies and policies regarding Church and State in education in Utah; and to outline and discuss the history and development of a series of compromises and adjustments which make up the history of the interrelationships between public and private denominational education in Utah over the past 110 years. This history is a turbulent one. It is not easy to acquire enough detachment in such an area of conflict and controversy to see the basic strands in the line of development unless it is realized from the outset that in such vital fields as Church and State, varieties of strongly held opinions are natural. An American educational philosopher, Theodore Brameld, has said:

Because education is always an agent of the wider culture that creates and sustains it, the conflicts, confusions, pressures and counterpressures that permeate the wider culture are bound to appear also in education. (2, p. 36-40)

On the subject of the interrelationship of Church and State in America, this statement in a book on the Church and State in the Modern World
edited by Henry P. Van Dusen is pertinent:

In this democratic America the Church is so embedded in society that it cannot altogether be separated from it. You cannot have a sharp distinction between the group of the Church and the same people who form a more or less controlling element in the State. (6, p. 36)

Utah became a Territory of the United States in 1850. It was admitted into the union of the states in 1896. It was settled in 1847 primarily by members of one church—the Church of Jesus Christ of Latter-day Saints, hereafter designated as the L.D.S. Church, or the Mormon Church. Relatively small non-Mormon minority groups have made substantial contributions to Utah's history from its earliest days. Today Utah is cosmopolitan in population and many of the problems arising in earlier years through clashes in basic religious, political, social, and economic philosophies and ideologies have found satisfactory compromises and adjustments, but not before many heated words and arguments, action and counter-action affecting all phases of society had torn the body politic almost to shreds.

Something needs to be said about a point of view on pressure and counter-pressure groups that operate in the American democracy. If the attitude is taken that all pressure groups are inherently bad or evil, this will likely adversely color the interpretation that is placed on events in American history. If, on the other hand, a view is taken that pressure groups are a necessary part of the democratic system, although they may at times be misused, this again will impart a somewhat different interpretation to historical events. The view taken in this study, for purposes of interpretation of the events in Utah's educational history, is essentially that expressed by an eminent Utah political scientist,
Dean Milton R. Merrill of Utah State University in the Sixteenth Annual Faculty Research Lecture in 1956. From this lecture entitled The Political Process the following is taken:

The essential element in a democratic system which makes even limited freedom possible ... is compromise - accommodation. ... Conflicts of interests are the human condition ... the peaceful conciliation of conflicts is the magnificent role of politics.

In considerable degree, conflicts are resolved from the diverse character of our society with its multiplicity of interests. Interests accept the uneasy security of innumerable and transitory compromises because that is the best they can get without the use of force. Happily, no single interest often has the available force to stifle or destroy opposition.

There is one thing history supports if it does not prove. It is that man is diverse, many sided, individual; and that he cannot alone and unaided discover absolute truth. An individual man can find what he considers truth for himself, but no one can discover anything that is true to everyone. [The] Christian must be skeptical that this can ever be done. According to this doctrine, the Son of God himself and in person revealed the divine order. But the revelation has not been universally accepted, and on the basis of history, never will be as long as men are still human. From the past we can assume that man will always be various and diverse, . . . .

(5, p. 3)

W. E. Cowley, Professor of Higher Education at Stanford University, points up the influence of power groups in our society and in education in these succinct words: "The power available to any group of people at any given time determines the nature of its education and of all of its other social enterprises (4, p. 168)."

A basic viewpoint needs also to be expressed regarding the "American way" in education with respect to religion. As a prerequisite to this study of Church and State relationships in education in Utah the literature pertaining to the broader field of Church and State relationships in education in the United States was carefully reviewed. There were
found to be divergencies of opinion in the legal, philosophical and administrative aspects of this problem. There was found to be not one but at least five distinguishable, but overlapping, legal doctrines with their accompanying philosophies, programs and curriculums. According to a study by Freeman R. Butts, The American Tradition in Religion and Education (1950) (3) sponsored by the Institute of Church and State, there are historically two main points of view on Church and State relations in the United States. The first point of view is that cooperation between Church and State is proper and legal in the United States. The second point of view is that the constitution of the United States calls for a complete separation of Church and State. A third point of view taken by some is that no matter what history shows, the American people should decide the issues only on the present merits of the case. Dr. Butts takes a point of view in favor of complete separation of Church and State.

Almost a directly opposite view from that of Dr. Butts, based on many of the same facts of history, was taken in a monograph prepared by the Committee on Religion and Education of the American Council on Education and published in 1947 under the title: The Relation of Religion to Public Education; the Basic Principles (1).

This report cites numerous illustrations of diverse practices in the various states of the Union which tend to disprove any contention of a uniformity of practice—pointing out, for instance that Bible reading in schools is required in an equal number of states as those in which it is prohibited by law. Released time, credit for Bible study, religious exercises in public schools, free test-books and free transportation for parochial school students are other areas discussed where there is no
sharp separation of Church and State in education in practice and law.

Perhaps the key point of the whole report of the committee on Religion and Education of the American Council is this statement:

The situation ... may be interpreted as indicating that there is in fact an "American way" in education with respect to religion, namely state and local control, with freedom to experiment ... But with respect to religion the exercise of local initiative is hampered by fear of infringing some national policy or precedent concerning the relation between church and state. There is no such explicit precedent.* We should like to see more trust imposed in the people to manage their schools, under prescribed academic standards.

Secondly, we think no essential principle is violated by the released time plan, as long as it is operated within the limits of the school laws of the state, and under the principle of local option in matters not specifically covered by law. (1, pp. 53-54)

On this point of the legality and the tradition of a doctrine of "cooperation" vs. a doctrine of an "impregnable wall of separation" between Church and State in education in the United States, the bulk of the evidence seems to be on the side of the American Council and the doctrine of "cooperation" and against the "impregnable wall" doctrine. This point is a vital one for a proper understanding and interpretation of the history of Church and State relationships in education in the United States and in Utah.

In Utah, as in the nation, the process of definition of the doctrine of acceptable relationships between Church and State in education has been going on since the first settlements and the issues are still not resolved and clarified to the satisfaction of any one group.

*Italics supplied.
But this is the strength of the American democracy. This ebb and flow, this freedom to experiment must ever be in the consciousness of anyone who would seek to rightly interpret historical events in a democracy or a republic such as ours.

These four assumptions, then, will constantly be kept in mind as the report progresses, that in our American democracy:

(1) there is a mutual interaction between school systems and the society they seek to serve;

(2) the educational philosophies that direct educational systems within society are determined not alone by educational theorists, administrators and teachers, but also by the impact of political, social, economic, religious and other forces within the social structure;

(3) compromise and adjustment of differing points of view are not only the expected but the accepted order of society; and

(4) there is no single "American way" in education with respect to religion unless it is that of "state and local control with freedom to experiment."
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(1) American Council on Education: Committee on Religion and Education. The relation of religion to public education; the basic principles. Washington, American Council on Education, 1947. 54 p.


SECTION ONE

CERTAIN CONCEPTS OF SCHOOL AND SOCIETY IN UTAH AS THEY RELATE TO THE
PROBLEM OF CHURCH AND STATE RELATIONSHIPS IN EDUCATION

Introduction

Fundamental to an understanding of the development of education in Utah, as in other states and localities is an understanding of the society that shaped the educational policy and was in turn served by the schools that developed in that particular society. In Section I of this study, four patterns or policies for society and for education in Territorial Utah will be reviewed: (1) Mormon, (2) Roman Catholic, (3) Protestant, and (4) Territorial and Federal. The interplay of these patterns and policies began in the late territorial period and proceeded through a series of modifications and adjustments. The history of the interplay of these patterns and policies on each other over the entire period of Utah's history will be treated in Section II.

In Utah, at least during the territorial period from 1847 to 1896, the formative idea or concept of society so far as the leaders of the major group of people was concerned was the Mormon projection of the concept of the Kingdom of God with its accompanying political theory of legitimacy promulgated by Joseph Smith, Brigham Young, John Taylor and other early leaders of the Mormon Church.

Mormon leaders have repeatedly said that in the philosophy of Mormonism there is no way of separating the spiritual from the temporal, which sometimes may be another way of saying Church and State, or Church and society. Other groups living in Utah from its earliest history have
found that these statements were literally true. The union of Church and State and polygamy were the two most controversial ideas and practices in Territorial Utah, and the repercussions of those debates continued beyond statehood and faint echoes may still be heard.

When the Mormons moved west from Illinois in 1846–47 they not only brought with them their basic educational philosophy and the nucleus of the resulting school system, but they also had formulated a political and civil theory of society and of Church and State relationships in which that educational system was expected to function. When they organized the provisional State of Deseret before they were accorded territorial status by the United States government, it was not a temporary expedient nor an example of American frontier democracy adjusting to a new region. It was the planned carrying out of the doctrine of the Kingdom of God, a civil-religious form of government that was eventually to have at its head, Christ, the King. This religio-civil doctrine of the Kingdom of God was formulated and promulgated by Joseph Smith and other Mormon leaders in the East in the period from 1830 to 1846 and then carried westward with the Mormon pioneers in 1847 to develop and take shape in the territorial period. In 1874 Brigham Young declared publicly that a few months before the death of Joseph Smith in 1844, he, Joseph Smith, had received a revelation setting forth a "full and complete organization to this Kingdom" and that its "constitution was given by revelation." This Kingdom of God was a religio-civil form of government and is not to be confused or identified with the Mormon Church as such, which is a religious organization. In current Mormon literature the Church is often referred to as the Kingdom and the distinction between the two terms and the two entities has been
virtually lost even to the majority of Mormons today.

It was well known and generally conceded that the insistence of the Mormons on the concept of Church and State relationships under this embryonic **Kingdom of God**, though less well-known now, also contributed heavily to the strained relations with non-Mormons.

The Mormons held as tenaciously to one as they did to the other during the first 40 years of Utah history, claiming for both the status of divine instruction received by direct revelation from God.

During the early territorial period, 1847-1869, the schools that existed in Utah were either established by or were largely under the influence of the Mormon Church or of individual members of that Church and operated within its concept of Church-State relations under the **Kingdom of God** doctrine and philosophy. The educational philosophy enunciated by the Mormon Church leaders during this period also reflects a larger and futuristic background beyond the current educational needs or goals of the society of that day, as will be shown later in this study. That philosophy in a sense was dichotomous. It was strongly vocational and mundane for the needs of the immediate present but also strongly academic and eternalistic because of the long-range goals envisioned in the **Kingdom of God** doctrine and concept.

Beginning in the later territorial period from 1870 to 1895, and continuing on into the present, Utah had four school systems: (1) the territorial and state schools, over which there has been a Mormon-"Gentile" fight for control from the late 1870's; (2) the Mormon church school system, beginning in the 1870's to become separate and apart from the territorial system; (3) the mission schools of the Protestant churches,
at least in part, dedicated to the conversion of the Mormons to Christianity; and (4) the Roman Catholic school system.

In 1890 Utah's first free public school law was passed by a predominantly Mormon legislature under the prodding of a very vocal non-Mormon minority representation.

As the public school system grew after 1890, adjustments among the four school systems were made but the four systems still remain in Utah today though with some alterations and with modified structures and curriculums.

Another evidence of the difficulty of separating the spiritual from the temporal in educational matters in Utah, as elsewhere, has been the general effect of the nation's and of the local and state economic patterns on the various educational systems in Utah. Not all of the adjustments in Utah's educational system or systems have come about as a result of compromises or adjustments of clashes of religious, educational, or political philosophy per se. Many of them stem from adjusting the outlay for education to the financial resources at the command of the Territory, or of its people and later to the resources of the State. The same is true of the various churches that have been engaged in educational work in Utah.

A recent doctorial study by DeBoer (3, p. 80) attributes the present remarkable system and standing of education in Utah "in the absence of the evidence to the contrary" to the educational philosophy of the Mormon people. It is still a question as to whether this is too simple a solution. How can one measure, for example, the effect of over a hundred years of non-Mormon needling and stimulation against the effect of a Mormon
educational concept that "the glory of God is intelligence" and "man is saved no faster than he gains knowledge?" Had the Mormons been left alone with their admittedly lofty educational ideals and philosophy would they have achieved as much as they did under the influence of the non-Mormon counter-irritant?
CHAPTER I

THE KINGDOM OF GOD—THE MORMON CONCEPT OF THE IDEAL

SOCIETY AND GOVERNMENT

If the first basic assumption of this study is correct that there is a mutual interaction between school systems and the society they seek to serve, then a study of the goals of the society is basic to a study of the goals of education within that society. The societal goals of the Mormon Church and people, the dominant group in Territorial Utah, and of other groups, then, become vital for an understanding of the goals in education in the Territory. These goals and policies for the various groups will be treated in this and the succeeding four chapters of this study. These goals, whether of society or of education as far as the dominant group is concerned, are embodied in the Mormon concept of the establishment of a system or society which they called the Kingdom of God. As has been pointed out in the overview to this section of the study, the concept of the Kingdom of God is distinct from the Church of Jesus Christ of Latter-day Saints and this distinction clearly appears in Mormon literature of the territorial period in Utah, and before, although the two terms Church and Kingdom have become virtually synonomous in present Mormon literature and public address.

The immediate task, then, is to clearly define and outline the concept of the Kingdom of God as the framework for the society which the Mormons were seeking to establish and hence for the educational system that would serve such a society. This concept is enunciated in the public addresses
and papers of the Mormon leadership and was well known to the non-Mormon inhabitants of Utah throughout the territorial period.

The concept of the *Kingdom of God* as a political, social, economic and religious order for society did not grow out of the conditions found in Utah, although local conditions did shape the functioning and the measure of the success in realizing the ideals of the concept. As will be presently shown, the concept of the *Kingdom of God* as a civil-religious form of government which was to be established first among the Latter-day Saints in the United States and eventually to spread world-wide, had its genesis almost from the organization of the Mormon Church in the state of New York in 1830. The theory of the *Kingdom of God* developed by "revelation" and adaptation until it was given basic organizational structure by Joseph Smith in 1844, fourteen years after the Church was organized. The basic organizational structure or system of control for the *Kingdom* was known by a number of names, the chief of which was the General Council or Council of Fifty. This organizational structure and its practical operation will be discussed in the next chapter.

**Distinction between the Kingdom of God and the Church of Jesus Christ of Latter-day Saints**

The distinction between the Kingdom of God and the Church of Jesus Christ of Latter-day Saints as organizations functioning in society is rather clearly stated on a number of occasions by L.D.S. Church leaders. Hosea Stout, close associate of Brigham Young, reports a portion of a sermon of the Church President in 1849 as follows:

He said . . . that there was a difference in being in the Kingdom of God on this earth and being in the Church of Jesus Christ of Latter-day Saints. That in the Kingdom of God on earth all men had a right to, and would be protected
in his religion be that what it would and no man would be allowed to molest or abuse or ridicule anyone on account of his religion or manner of worship. (10, p. 288)

In (1866) discussing with the Saints the nature of the Kingdom of God, President Brigham Young pointed out that although the Church of Jesus Christ was already established, the establishment of the Kingdom of God was then in progress:

It may be asked what I mean by the Kingdom of God. The Church of Jesus Christ has been established now for many years, and the Kingdom of God has got to be established, even that kingdom which will circumscribe all the kingdoms of this world. It will yet give laws to every nation that exists upon the earth. This is the kingdom that Daniel, the prophet, saw should be set up in the last days.

... If the Latter-day Saints think, when the kingdom of God is established on earth, that all the inhabitants of the earth will join the church called Latter-day Saints, they are gregariously mistaken. I presume there will be as many sects and parties then as now. Still, when the Kingdom of God triumphs, every knee shall bow and every tongue confess that Jesus is the Christ, to the glory of the Father. Even the Jews will do it then; but will the Jews and Gentiles be obliged to belong to the Church of Jesus Christ of Latter-day Saints? No; not by any means. (17, pp. 273-282)

In one of the key sermons that deal with the concept of the Kingdom of God, Brigham Young not only drew the distinction between the organization of the Mormon Church and the organization of the Kingdom of God, but he outlined the successive steps in the gradual completion of each separate organization down to 1874, first pointing out the Church organization:

Here is the Church of Jesus Christ of Latter-day Saints, organized with its rules, regulations and degrees, with the quorums of the holy Priesthood, from the First Presidency to the teachers and deacons; here we are, an organization. God called upon Joseph, he called upon Oliver Cowdery, then others were called through Joseph, the Church was organized, he with his two counselors comprised the First Presidency. In a few years the Quorum of the Twelve was organized, the High Council was organized, the High Priests' quorum was organized, the Seventies' quorums were organized, the Priests' quorum, the
Teachers' quorum and the Deacons'. This is what we are in the habit of calling the Kingdom of God. (20, pp. 154-160)

Brigham Young then made it clear that the habit and custom of some in confusing this terminology was in error. The two organizations and their purposes and functions were distinct. Of the Kingdom of God as a distinct entity and organization he then goes on to say:

The Prophet [Joseph Smith] gave a full and complete organization to this kingdom the spring before he was killed. This kingdom is the kingdom that Daniel spoke of, which was to be set up in the last days. (20, pp. 154-160)

The distinction between the Church of Jesus Christ of Latter-day Saints and the Kingdom of God becomes even more clear in Brigham Young's discussion of the function or purpose of the two organizations in relation to those who are not Mormons or members of the Church of Jesus Christ of Latter-day Saints. He first defines the relationship that is to exist between the Kingdom of God and members of various religious denominations or those of no religion:

... it is the kingdom that is to be held by the servants of God, to rule the nations of the earth, to send forth those laws and ordinances that shall be suitable and shall apply themselves to the Church of Jesus Christ of Latter-day Saints; that will apply themselves to the mother Church, "the Holy Catholic Church"; they will commend themselves to every Protestant church upon the earth; they will commend themselves to every class of infidels, and will throw their protecting arms around the whole human family, protecting them in their rights. If they wish to worship a white dog, they will have the privilege; if they wish to worship the sun they will have the privilege; if they wish to worship a man they will have the privilege; and if they wish to worship the "unknown God" they will have the privilege. This kingdom will circumscribe them all and will issue laws and ordinances to protect them in their rights—every right that ever people, sect and person can enjoy, and the full liberty that God has granted to them without molestation. (20, pp. 154-160)

It is to be noted in this statement, as in his statement of 1866 previously quoted, that Brigham Young makes it distinctly clear that under
the Kingdom of God there is to be not only theoretical freedom of religion or irreligion, but that the laws of the Kingdom of God are to be of such fundamental nature or adaptability that denominationalism is to continue. In other sermons he projects this denominationalism into the Christian Millennium.

By contrast, Brigham Young then makes it clear to his audience, the majority of whom were Latter-day Saints, that the Church of Jesus Christ was organized and governed for different purposes than the Kingdom of God;

This Church of Jesus Christ of Latter-day Saints is organized for the building up of this Church alone; it is not for the building up of Catholicism, it is not for promoting any or all of the dissentients from the Mother Church, it is alone for the Church of Jesus Christ of Latter-day Saints and for no other body of people. When we organize according to these laws and ordinances we make this people one, we do not bring in the Methodists, Presbyterians or Calvinists, they are independent of themselves. But the Kingdom of God, when it is established and bears rule, will defend the Methodists in their rights just as much as the Latter-day Saints, but it will not allow them to infringe upon the rights of their neighbors; this will be prohibited. (20, pp. 154-160)

While he was presiding over the Church of Jesus Christ of Latter-day Saints as President of the Quorum of Twelve Apostles, John Taylor drew the distinction between the Church and the Kingdom in these terms:

... God has established his Church, and we sometimes say his kingdom. What do we mean by "the kingdom of God?" I wish somebody would tell me what we mean by using that term. There is the Church of God and the Kingdom of God. The Church, of course, refers more particularly to spiritual things, and the kingdom to temporal rule and government and management and to temporal affairs. If it does not, what does it mean, I would like some one to tell me? We sometimes preach about "the kingdoms of this world becoming the kingdoms of our God and his Christ," don't we? Will the kingdom of God be the kingdom of men? I think not. (12, pp. 166-170)

Just as Brigham Young in 1874 had discussed the implications
religiously of the concept of the Kingdom of God for relationships between various denominations, so George Q. Cannon, Delegate to Congress for the Territory of Utah in an address to the General Conference of the Mormon Church in 1879, discussed its implications for relationships politically:

But suppose the Latter-day Saints had control; suppose their ideas were fulfilled, that is, that we, as it is destined that we shall be, were the people who uphold Constitutional government upon this continent, who restored the government to its primitive condition when all the political parties shall have fallen into chaos; would we feel at liberty to say that none but the Latter-day Saints should be elected to offices of trust and responsibility? No. Joseph Smith set the pattern; he taught the brethren who were with him better ideas; you well-informed Latter-day Saints know that there are two powers which God has restored in these last days. One is the Church of God, the other the Kingdom of God. A man may belong to the Kingdom of God and yet not be a member of the Church of God.* In the Kingdom of God, using it in a political sense, there may be heathens and pagans and Mohammedans and Latter-day Saints and Presbyterians and Episcopalians and Catholics and men of every creed. Will they legislate for the Church of Jesus Christ of Latter-day Saints alone? Will the laws that they enact protect us alone and not protect others? No. Why? Because God is the Father of all. . . . When he establishes his kingdom it will protect all in their equal rights. . . . (2, p. 197)

In other words, just as there were to be a variety of religious opinion in the Kingdom of God, there was to be a variety of political opinion and belief. Just as there were to be various religious denominations, there were to be various political parties.

By contrast again, the Mormon doctrine of unity was seemingly expected to apply within the Church during this period as much to political as to religious matters and the teachings of Christ to his disciples on oneness recorded in the seventeenth chapter of John frequently found re-echo in political instructions for guidance of the members of the Church of Jesus Christ of Latter-day Saints.

*Italics supplied.
Brigham Young in characteristic style and language, while the Saints were still in Nauvoo had said:

... A spirit has been manifest to divide the Saints; it was manifest in the last election; it was said if they did not look out, the Saints on the flat would beat the Saints on the hill.

Great God! How such a thing looks! That the Saints should be afraid of beating one another in the election, or being beat.

... If any of you wish to know how to have your bread fall butter side up, butter it on both sides, and then it will fall butter side up. Oppose this work, and it will roll over you. (16, p. 328)

In a sermon in 1871 on "One-Man Power," President Young explained the concept of religious and political unity as held by the Latter-day Saints in terms of the war in heaven recorded in the book of Revelations and ended with this comment:

Are the heavens one? Yes. Although we have a short account, in what are called the Scriptures of truth, that on a certain occasion there was a little confusion in heaven. The Lord has revealed something of this in these latter days. What was the result? One-third part of the hosts of heaven walked out. I do not think the election lasted a great while, if they had two candidates, and it appears they had; and I do not think they stopped long at the polls or were very long counting the votes to find out who would be president or who would not, for they turned them out. Was there any reason for this? Would it be democratic to get up an election in heaven and have opposition? Why yes, according to the feelings and understandings of the political world it would be very democratic; but I would say to the political world, if they were before me, that the opposition they are so anxious to promote contains the seeds of destruction of the government we live in. (19, pp. 91-98)

It seems fairly well established from the public utterances of Mormon leaders that the Church of God or the Church of Jesus Christ of Latter-day Saints and the Kingdom of God are two distinct organizations. One might have membership in the Kingdom of God without membership in the
Church of Jesus Christ of Latter-day Saints. As will be developed in the next chapter one might also have a seat on the Council of Fifty, the governing body of the Kingdom of God without membership in the Mormon Church.

The Kingdom of God was to be composed of all peoples—Mormon and non-Mormons who were seeking good ends. Membership in the Church of God, or the Church of Jesus Christ of Latter-day Saints, on the other hand was restrictive in the sense that a unity in faith and religious ordinances and doctrines was requisite and if their ideals were realized, eventual unity, but not necessarily in politics, economics, education and all social issues.

Importance of the Mormon concept of the Kingdom for an understanding of the early educational system in Utah

Two significant studies of education in Utah seem to agree that the origin of the Mormon school system as it developed in Territorial Utah can be traced to Nauvoo, Illinois, the Mormon center just prior to the settlement of Utah. They seem not to be agreed as to the origin of the idea for the centralized school system that was set up in 1849 under the control of the University of Deseret Board of Regents. Both Bennion (1, pp. 32-33) and Moffitt (6, pp. 7-9) seem to agree that the University of Nauvoo and its control over all levels of education was the pattern for the educational system in early Utah, but they seem to disagree on the origin of the idea for the University of Nauvoo and its centralized control.

Bennion maintains that "this system of centralized control was a departure from the New England traditions which Mormon institutions usually followed" and that the Mormons probably took their plans from the French
system which had been adopted by the educational system of the state of New York with its Board of Regents of the University of New York.

Moffitt, on the other hand, leaned toward a view that the highly centralized control through a theocratic form of government in Nauvoo would have produced the centralized school system, pointing out that the University of Nauvoo was more than "an institution of learning." He maintained that "the inauguration of the university was fundamentally the establishment of authority 'with perpetual succession' among members of the church, to administer and approve all education within the 'city of the saints'."

When it actually came to setting up the educational system of Nauvoo, and hence of Utah, the Mormon leaders may well have copied from the New York rather than from the New England pattern of education as Dr. Bennion suggests. At least it can be pointed out that Orson Spencer, Professor of Church History, Belle-Lettres and Oratory, in the University of Nauvoo and later first Chancellor of the University of Deseret and thereby first Superintendent of Territorial Schools in Utah, was a graduate of the theological Seminary at Hamilton, New York.

But it must also be remembered that both Mormon and non-Mormon writers and speakers of the territorial period in Utah and even before the movement west were convinced that the Latter-day Saints were a peculiar people and subscribed to a political, social, and economic system which was quite distinct from anything else in America or Europe at the time. Indeed, one of the main charges that the non-Mormons in Utah leveled against the Mormons was that they had taken both their marriage system and their system of government from the Old Testament and were thus out of harmony with the
New Testament, Christian traditions, and with the American system.

Neither Moffitt nor Bennion seemed to notice or be aware of the fact that there was a definite concept of society called the Kingdom of God which had developed in Mormon theology and political philosophy and which, by 1844 if not earlier, was beginning to produce concrete results in the structural patterns and control of institutions associated with the Mormon society.

Edward W. Tullidge, Mormon historian, reviewing the sociological implications of the Kingdom of God concept wrote in 1889:

"In my present touches [mere suggestions in fact] of the vast sociological problem, nascent in the rise, growth, and destiny of the Mormon people, of which I design some day to fully treat, I have here to affirm, as an initial idea, that the Mormon people have a distinct and peculiar civilization of their own to evolve in the present age. This affirmation, indeed, was the very starting of the Mormon mission in the world; and, so long as that mission was manifested in its apostolic phases among the nations, this cardinal idea, of the creation of a new civilization growing out of the mission of Mormonism, obtained in the mind and life performance of every Latter-day Elder. . . .

. . . Typically this young Mormon Israel was to be to the people of America what Joseph of Egypt was to his brethren—the divine boy who dreamt out God Almighty's purposes and brought salvation to his father's house, notwithstanding his brethren cast him into a pit, conspired against his young life, and finally sold him into slavery to get rid of this mischievous spirit of divinity, as they esteemed it, with which their younger brother was possessed, and which sought to meddle in their affairs. . . .

. . . In fine from the beginning to the end, the apostolic mission of Mormonism is to be manifested in this creation and evolution of a new civilization, both for the present age and succeeding ages; and when Mormonism is not thus manifested, then it is not fulfilling its own distinctive mission and divine calling, whether viewed in its embodiment as a church or (as) a prospective state. (15, pp. 154-155)
Origin and characteristics of the Kingdom of God concept

Although admittedly there is a danger of pushing a concept too far and reading one's own interpretations into utterances of former generations, it does seem clear after a study is made of the public addresses of the Mormon leaders from 1830 to 1896 that the concept of the Kingdom of God did not originate after the westward migration but that it came west with the Mormon pioneers as did the educational system designed to serve that Kingdom. The controlling body of the Kingdom, or the Council of Fifty, was formally organized in March 1842, in Nauvoo as will be discussed in the next chapter of this study, but the concept for the Kingdom of God seemingly goes back to 1830.

Characteristics of the Kingdom of God. Certain characteristics of this concept become clear as one reads a rather voluminous literature dealing with the subject.

(1) The Kingdom of God to be established is the kingdom predicted by the Old Testament prophet Daniel as the stone cut out of the mountains without hands which should consume all kingdoms.

(2) The Kingdom of God is the government of God on the earth and as such is to eventually absorb all other governments.

(3) The Kingdom of God is to include as members and officers non-Mormons as well as Mormons.

(4) The Kingdom of God will protect all peoples in their civil and religious rights including the right to differ.

(5) The Kingdom of God rests politically on the doctrine of legitimacy expressed succinctly in these words of John Taylor:

"Let us now notice our political position in the world. What are we going to do? We are going to possess the earth. Why? Because it belongs to Jesus Christ, and he belongs to us, and we to him. We are all one, and will take the kingdom and possess it under the whole heavens, and
reign over it for ever and ever. Now, ye kings and emperors, help yourselves, if you can. This is the truth, and it may as well be told at this time as at any other." (JD 1:230, April 8, 1853)

(6) The Kingdom of God is a state and a political, social and economic system which touches all phases of human life.

(7) The Kingdom of God has its own revealed Constitution which is either identical with or analogous to the inspired Constitution of the United States. There is some doubt from the literature on the point of whether the two documents are identical, i.e., the Constitution of the United States, written according to Mormon belief, under inspiration of God in 1787 and the Constitution of the Kingdom of God, given by revelation to Joseph Smith in 1842-44. No copy of the latter is at present available.

(8) The Kingdom of God, though composed of non-Mormons as well as Mormons is to be presided over in ultimate authority by the Mormon priesthood as representatives of Jesus Christ who is its King.

(9) The establishment of the Kingdom of God necessitated the "gathering" of the Saints. If membership in the Church of Christ alone had been involved the converts could all have stayed in their own localities and nations.

With at least these characteristics in mind, which are summarized out of the reading of numerous Mormon sermons on the Kingdom of God, it is possible to trace the concept back almost to the organization of the Mormon Church in 1830.

In a Conference sermon in Nauvoo in April 1844, Sidney Rigdon, close associate of Joseph Smith in the founding of Mormonism, had this to say in retrospect:

... I recollect in the year 1830 I met the whole Church of Christ in a little old log-house about 20 feet square, near Waterloo, N. Y., and we began to talk about the Kingdom of God as if we had the world at our command. [Note the similarity between this statement and the political doctrine of legitimacy from John Taylor quoted previously.] We talked with great confidence, and talked
big things. Although we were not many people, we had big feelings.

We knew fourteen years ago that the Church would become as large as it is today. . . . We began to talk like men in authority and power. We looked upon the men of the earth as grasshoppers. . . . And when men would say we wanted to upset the Government, although we were not enough to well man a farm, or meet a woman with a milk pail, all the Elders, all the members met in conference in a room twenty feet square. . . .

We talked about people coming as doves to the windows; and that nations should flock unto it; that they should come boding to the standard of Jesus, saying, "Our fathers have taught falsehoods and things in which there is no profit," and of whole nations being born in one day. We talked such big things that men could not bear them. . . . So we were obliged to retire to our secret chamber and commune ourselves with God.

. . . I discover one thing: Mankind have labored under one universal mistake about this—viz., salvation was distinct from government, i.e., that I can build a Church without government, and that thing has power to save me!

When God sets up a system of salvation, He sets up a system of government. When I speak of a government, I mean what I say. I mean a government that shall rule over temporal and spiritual affairs. . . .

The law of God is far more righteous than the laws of the land. The kingdom of God does not interfere with the laws of the land, but keeps itself by its own laws. (8, pp. 288-296)

John Taylor, another early convert to the Mormon Church and close associate of Joseph Smith, talked retrospectively in a General Conference of the Church in 1863 about the early attempts and experiences of the Saints in seeking to establish the Kingdom of God:

Here are comparatively a few people in the valleys of Utah who are talking of seeing a kingdom set up, not only in these mountains but which shall rule over the whole earth, that like a little stone hewn out of the mountains without hands, shall become a great nation and fill the whole earth. They look for this with an unwavering, unshaken confidence. They had confidence in this when they
were driven from Jackson County, in Missouri; and from Nauvoo, in Illinois, and they had as much confidence in it when they were struggling here for a very existence, and did not know where the next mouthful of bread should come from. Their confidence did not fail them when armies came up against them to destroy them, and the power and influence of the United States were arrayed against them. There is a certain unchanging, fixed principle in the bosoms of the Elders of Israel that God is at the helm, and that no power, no reverses, no influence can be brought to bear against the kingdom of God that will withstand its onward progress, but its course is onward until the kingdoms of this world shall become the kingdoms of our God and his Christ, and he shall reign with universal empire, and the kingdoms, and the greatness of the kingdoms under the whole of the heavens will be given to the Saints of the Most High God. It is impossible to make the Saints swerve in the least from this feeling. It is in them a principle of life, vitality, and revelation. (13, pp. 257-261)

Old Testament prophecy fulfilled

It seems fairly clear that the concept of the Kingdom of God which was to form the basis and ideals for the Mormon society in Utah, in the territorial period, had its origin with Joseph Smith as early as 1830 and was believed to be the fulfillment of the Old Testament prophecy of the prophet Daniel. The most explicit explanation and application of this ancient prophecy to this modern Kingdom is found in a sermon of Orson Pratt in 1872. To this interpretation and justification for Mormon theocracy the non-Mormons in Utah vehemently objected. The entire sermon bears reading for an understanding of the scriptural basis on which the Mormons were trying to build the Kingdom. It is notable that the sermon was directed primarily at the "strangers" or non-Mormons in the congregation. Many non-Mormons attended the Mormon Conferences regularly. It was vital that they be fully informed as to Mormon political and religious philosophy and goals in order to compete with or live within the Mormon society. The somewhat lengthy sermon will be briefed here:
I will call the attention of this congregation to a portion of prophecy which will be found in the 44th and 45th verses of the 2nd chapter of the book of Daniel:

> And in the days of these kings shall the God of heaven set up a kingdom, which shall never be destroyed; and the kingdom shall not be left to other people, but it shall break in pieces and consume all these kingdoms, and it shall stand forever.

For as much as thou sawest the stone was cut out of the mountain without hands, and that it brake in pieces the iron, the brass, the clay, the silver, and the gold; the great God hath made known unto the king what shall come to pass hereafter; and the dream is certain, and the interpretation thereof sure.

I have often, in my remarks in former times, addressed the Latter-day Saints upon these passages; but as there are some strangers in our midst who have not, perhaps, heard our views in regard to setting up the kingdom of God in the latter times, it may not be amiss for us to set forth before them the views of the Latter-day Saints in regard to this prediction. We have, during the last six thousand years, or nearly so, had a very great variety of human governments established on the earth. Governments began to be established in the days of our first parents. As they lived to be very aged—or almost a thousand years before they were taken from the earth, they saw their children multiplying around them in vast numbers, and governments began to be established. Among these governments, however, was maintained also the government of God—a patriarchal government, that continued with the righteous from the days of Adam down till the days of Enoch, and for a short period after his days. This government was patriarchal in its nature, or, in other words, directed and dictated by the Creator of man—the great Lawgiver. He directed and counseled his servants, and they obeyed his counsels. In other words, a divine government existed on the earth in those ancient times; but at length about the period of the death of Adam, or a little after, human governments rooted out of the earth the government of God, mankind apostatized from the great principles which were revealed from heaven, and all flesh corrupted its way in the sight of God to that degree, that the just anger of their Creator was kindled against them, and he decreed that they should be swept off from the face of the earth by a flood of waters. Again, after this great destruction, a divine government was organized on the earth, Noah being the great Patriarch, Revelator, and Prophet, to whom was given laws and institutions for the government of his posterity. This order, however, continued only for a short period of time, and human governments again prevailed. The Lord sought, from time to time, in the midst of these human governments, to select a people who would
give heed to his law and be governed by him as the Being who had the right to govern; inasmuch as he had created the earth and the inhabitants thereof, he had the right to give laws and institutions for the government of man. But few, indeed, there were that gave heed to these divine institutions. The Lord, at length, called out a people from Egypt, and took upon himself the power, and gave revelation to them in a very conspicuous and wonderful manner. He came down in the sight of some twenty-five hundred thousand people, and gave them laws; they heard these laws proclaimed from Mount Sinai. However, they quickly corrupted themselves in the sight of God.

After the days of Moses the children of Israel, from time to time, corrupted themselves before the Most High; they would not abide even in the lower law; but there were a few individuals in the various generations of Israel, such as Prophets, Schools of Prophets, which received the higher law, and obtained the higher priesthood, and were blessed of the Lord.

While they were in captivity in Babylon the Lord raised up Daniel, the Prophet, from whose words I have taken my text. Daniel had the great privilege given unto him of knowing concerning the rise and fall of kingdoms and empires, of beholding the kingdoms of the earth, from his day, down until that universal kingdom of God should be established on the earth never more to be destroyed.

Do we wish to understand the geographical position of the great image? If we do, we must consider the head located in Asia; the breast and arms of silver a little west of the great Babylonian Empire, the belly and thighs of brass still westward; the legs of iron and the modern kingdoms composing the feet and toes, part of iron and part of clay, as extending throughout Europe and branching across the Atlantic Ocean, and extending from the East Sea even to the West, from the Atlantic unto the Pacific. This will constitute the location of the great image, running westward.

The image being now complete, all that we need now is to find something that will represent the stone cut out of the mountain without hands, something distinct entirely from the image, having no fellowship with it, that has not grown out of it, and that has no authority that comes from it, but a distinct and entirely separate government that should be established in some mountain. "Thou sawest until that stone was cut out of the mountain without hands." What shall that stone do? It shall smite the image upon the feet and toes, not upon the head, at first, not upon the breast and arms of
silver, not upon the belly and thighs of brass, not upon the modern kingdoms of Europe that have grown out of the legs of iron, but shall smite upon the feet and toes of the great image; there is where it is to commence its attack.

Now let us inquire, for a few moments, how or in what manner this kingdom, called the stone cut out of the mountain, commences this severe attack. Is it to be with weapons of a carnal nature, with sword in hand and weapons of warfare to wage a war against the kingdoms or governments of the earth? No, indeed! Connected with the kingdom or stone cut out of the mountain without hands is a power superior to that of carnal weapons—the power of truth, for the kingdom of God cannot be organized on earth without truth being sent down from heaven, without authority being given from the Most High; without men again being called to the Holy Priesthood and Apostleship. . . .

This prophecy of Daniel will give a true understanding of the matter to our wise men and statesmen, and all who desire to know the future destiny of the American government, the European governments, and all the kingdoms of the earth. Their destiny is total destruction from our earth, no matter how great or powerful they may become. Though our nation may grasp on the right hand and on the left; though it may annex the British possessions, and extend its dominions to the south and grasp the whole of this great western hemisphere, and although our nation shall become as powerful in population as in extent of territory, its destiny is foretold in the saying of the Prophet Daniel, "They shall become like chaff of the summer threshing floor, the wind shall carry them away and no place shall be found for them." So with the kingdoms of Europe, so with the kingdoms of Western Asia and Eastern Europe.

Let us now say a few words in regard to this stone which shall be cut out of the mountain without hands. Now there must be something very peculiar in regard to the organization of the latter-day kingdom that is never to be destroyed. All these other governments that I have named have been the production of human hands, that is, of human ingenuity, human wisdom—the power of uninspired men has been exerted to the uttermost in the establishment of human governments, consequently all has been done by human ingenuity and power. No so with the little stone. Man has nothing to do with the organization of that kingdom. Hear what the Prophet has said: "In the days of these kings the God of heaven shall set up a kingdom." It is not to be done by human means or power, or by the wisdom of man, neither by mighty conquests by the sword; but it is to be done by him that rules on high, who is King of kings and Lord of lords. . . . He it is that will give laws; he it is that will give commandment; he it is that will organize that
Having learned, then, that the kingdom built up by our Savior and his Apostles did not fulfill this prophecy; that kingdom itself was rooted out of the earth, and every vestige of its authority destroyed, and that nothing in the shape or appearance of the kingdom of God has existed for some sixteen or seventeen centuries past...

... We therefore contend, and rightfully too, that we are the only people in America, in Europe, in Asia, in Africa and in the islands of the sea that are testifying to the fulfillment of the prophecy that was uttered by John the Revelator. We have no need then, to inquire whether all these contending sects are the kingdom of God or not, for this is the only people that bear a testimony to the coming of the angel with the Gospel. Consequently, this is the only people that need engage our attention or investigations in regard to setting up the latter-day kingdom.

(7, pp. 67-76)

It may be noticed that this interpretation of the prophecy of Daniel is unique in that it seeks to place the image geographically with the toes of the image in the Western Hemisphere. In other words, the stone is to roll forth from the United States, or the Western Hemisphere where the Mormon Church was founded and the Kingdom of God is to gain influence and power first in this hemisphere and then in the Old World. This raises again the thorny question of the relationship of the Kingdom of God seeking establishment by the Mormons and the United States government established under what the Mormons believe to be a divinely inspired Constitution.

Did the Mormons seek to overthrow the United States government? What a question! If nothing else, these sermons and writings of John Taylor give lie to that ancient controversy, long since happily settled. (4, p. xxix)

So wrote G. Homer Durham, prominent Utah political scientist echoing the commonly accepted view of most of the historians of Utah of the present day. But if the Mormons were not seeking through their concept of the
Kingdom of God to overthrow the government of the United States, how can the two concepts of government be reconciled?

Relationship between the Constitution of the United States, the government of the United States and the Kingdom of God

Briefly stated, the Mormon view has been that the original Constitution of the United States as it came from the hands of our founding fathers in 1787 was an inspired document and contained within it were all the necessary principles of government to assure the equal protection of rights that are contemplated under the Kingdom of God. Time and again, however, the Mormon leaders have pointed out infractions of the original Constitution or imperfections on the part of the administrators of government in the United State which have nullified the effect of the divinely inspired Constitution. For example, Orson Hyde, in his last public discourse delivered at Mount Pleasant in 1878 said:

... The government of the United States, on paper, is an institution approaching as near perfection as any ever ordained by man; but when its administration drifts into the hands of unscrupulous and dishonest politicians, it becomes an engine of oppression and very unequal in its bearing. (5, p. 97)

And after nearly a half century of conflict in Utah between the officials of the federal government and the people of Utah, the First Presidency of the Church of Jesus Christ of Latter-day Saints in an official message to the Mormon people and to the world in 1886 wrote as follows:

The question arises, What shall we do? Shall we, because of the inconsiderate action of Congress, of the judiciary and other Federal officers, array ourselves against the nation, and sacrifice our loyalty to the greatest nation which is now in existence? Certainly not. Joseph Smith told us that "the Constitution of the United States was given by
inspiration of God." Is it less true today than it was then? What shall we do? Have they passed "test oaths" which are forbidden in that Constitution? Yes. Have they not "prohibited the free exercise of 'our' religion?" Yes. . . .

... But because of this misrule and perversion of the Constitution, and of the rights of American citizens shall we be inimical to that Constitution or the institutions of the country to which we owe allegiance? Certainly not. (11, pp. 1-2)

Non-Mormon opposition to the establishment of the Kingdom of God

Eloquent testimony as to the tenacity of the Latter-day Saints in their efforts to establish that system of society known as the Kingdom of God is borne by numerous opposers of the Mormon view. In 1885 the Salt Lake Tribune published a 16-page pamphlet entitled "The Mormon Conspiracy to Establish an Independent Empire to be Called the Kingdom of God on Earth; the Conspiracy Exposed by the Writings, Sermons and Legislative Acts of the Prophets and Apostles of the Church." (16)

The pamphlet impugns the motives of the Mormon leaders and advocates the idea of Mormon disloyalty to the United States. It is quite commonly accepted that the Mormons have now been cleared from this charge. The pamphlet remains, however, as interesting documentation to the concept of the Kingdom of God as the dominant influence in Utah society all during the territorial period, an influence against which the non-Mormons were constantly fighting in all phases of activity—political, economic, social, education, and religious.

If, as has been indicated, the Kingdom of God was distinct from the Church of Jesus Christ of Latter-day Saints, though controlled primarily by its priesthood; if this kingdom as well as the Mormon system of education migrated west with the Mormons; if it was this concept with its
Old Testament emphasis which aroused the opposition of the non-Mormon population in Territorial Utah; and if this concept shaped the society in Utah in which the schools were to function, then we had best know more about the agencies of control that were set up to govern the Kingdom of God. That board of control or government was generally known as the Council of Fifty, although it at times was called the General Council, or simply the Council. In our discussion of the origin, organization, and operation of the Council of Fifty in the next chapter, we can better see the relationship of the Kingdom of God to actual planning and operation of society in Territorial Utah and to its educational system.

Aims and ideals of the Kingdom of God

The sermons of the leaders of the L.D.S. Church contained in the 26 volumes of the *Journal of Discourses* covering the period from 1851 to 1886 taken as a whole, give a well-rounded picture of the aims and ideals of the Mormon people in establishing the Kingdom of God. Prominent in those sermons are the aims and ideals of the Kingdom of God in all of its ramifications, political, economic, social, and educational. Although perhaps not all-inclusive, the following are some of the main aims and ideals of the Kingdom as gleaned from these voluminous sermons.

1. The ultimate aim of the Kingdom of God was the establishment of a world society based on the justice and equality of the Gospel of Jesus Christ, personally administered by him. In that society the doctrine of free agency was to operate. Freedom of choice was to govern the actions of individuals and groups, but it was to be a freedom based on responsibility and respect for the rights of all. It was the hope of this society that all would acknowledge and accept Christ as their King and lawgiver,
but none were to be coerced, yet all would ultimately acknowledge his leadership. It was recognized that this state of society within the Kingdom would not likely be reached until well into the Christian Millennium.

(2) Short of this ultimate goal there apparently was a secondary and more immediate goal—the building of such a society among the Latter-day Saints and their friends. This society again, was to function on the principle of free agency with responsibility. This society was to be so perfect itself that its people became one politically, economically, socially, and educationally, but without robbing the individual of free agency and individuality. The people were to be one in all things because through a system of education they would become convinced that such unity was for their own best interests and happiness here and in the next state of existence beyond the grave. If the Latter-day Saints could unite in establishing this ideal society they then would serve as a pattern for the entire world.

(3) This society was not to be established separate and apart from the world, but was to function in the world. It was to follow the scriptural injunction to be in the world but not to partake of its weaknesses. Being in the world, the Kingdom of God was to direct its membership in all phases of life, short of final ecclesiastical authority which was retained by the Church of Jesus Christ of Latter-day Saints.

(4) Relative to governments and politics, the ultimate aims of the Kingdom of God recognized only one legitimate government on the earth—ordinate and inferior, including the government of the United States even though its Constitution was divinely inspired. Uniquely, the government of the United States was recognized, however, as divinely approved in
principles and was intended to serve until the Government of God could be established.

(5) Since the government of God which was to control the Kingdom of God was revolutionary in many of its principles and practices, so far as the practices of men and of governments were concerned, it was not to be expected that as the establishment of the Kingdom of God progressed that it could avoid conflicts with established human institutions and governments. On this point an early (1834) pronouncement of the First Presidency of the Church of Jesus Christ of Latter-day Saints had said:

It is not our intention by these remarks, to attempt to place the law of men on a parallel with the law of heaven; because we do not consider that it is formed in the same wisdom and propriety; . . . were a king to extend his dominion over the habitable earth, and send forth his laws which were of the most perfect kind, and command his subjects one and all to yield obedience to the same, and add as a reward to those who obeyed them, that at a certain period they should be called to attend the marriage of his son, who in due time was to receive the kingdom, they would be made equal with him in the same; and fix as a penalty for disobedience that every individual guilty of it should be cast out at the marriage feast, and have no part or portion with his government, what rational mind could for a moment accuse the king with injustice for punishing such rebellious subject? . . . Certainly, then, those two classes of men could not hold the reins of the same government at the same time in peace; for internal jars, broils and discords would rack it to the center. . . . (9, p. 6)

(6) The "Gentiles" and the Kingdom of God.

It is pertinent from what is said in (5) above about expected "internal jars, broils, and discords" to ask how the Mormons were taught to regard those who were not members of their Church under the concept of the Kingdom of God. As has been previously pointed out in the chapter, non-Mormons were to be members of that Kingdom. What was to be the policy and attitude, the ideal, that would allow Mormons and non-Mormons to work in harmony and peace within the Kingdom while still retaining their separate and distinct
identities and religious affiliations. At least a partial answer to this question is to be found in a sermon preached by Brigham Young the year before the completion of the transcontinental railroad which it was anticipated would bring many more non-Mormons to Utah. It must be remembered in reading the sermon that the Mormons, contrary to some popularly held opinions, even today, had never been isolated from the non-Mormons in the Great Basin. When they came in 1847 the Mormons found a non-Mormon group near the present site of Ogden under Miles Goodyear. The gold rush of 1849 brought a constant stream of non-Mormon migrants through Utah from whom the Mormons greatly benefited economically. Colonel Steptoe arrive in Utah in 1854 with a command of non-Mormon soldiers. In 1857 Albert Sidney Johnston came with non-Mormon U.S. troops. Edward Patrick Connor spent some years in Utah as the head of a detachment of non-Mormon United States troops. The isolation of the Mormons in the Great Basin is a fiction.

The sermon of Brigham Young in 1868 must be understood as not only a statement of future policy, but as is evident, as a reprimand to the Saints for past actions and terminology over the years from 1847 to 1868, and for their attitude or carelessness in not distinguishing correctly the motives of various non-Mormon groups and individuals. Too many Mormons had been in the habit of considering all non-Mormons as "Gentiles" or enemies. Brigham Young was anxious to correct this error in judgment and terminology among his followers.

He began his sermon by giving credit for his understanding of the proper relationships of men and nations, of peoples and governments to instructions he had received in public and private from Joseph Smith. He then went on to say:
... I want, now to say a few words with regard to a term that is frequently used in our midst. I refer to the term "Gentile." I have explained this a great many times to the elders both in public and in private, and I was surprized at the use made of the term this afternoon. "Gentile," or "gentilism," applies only to those who reject the gospel, and will not submit to and receive the plan of salvation. It does not apply to any only those who are opposed to God and His Kingdom. When the Jews, as a nation, were in their glory, they called the nations around them Gentiles. Why? Because they were opposed to the laws and precepts that the Lord through Abraham, Isaac, Jacob, and Moses, had revealed for the guidance of Israel. But it does not apply to this or any other nations, simply because they are not of our faith; and in fact, in these days, on account of their conduct, the term could be more properly applied to the Jews than to any other people; but it does not apply to them for they are of the chosen seed. Among the nations of the earth there is a great mixture, but there are many millions that we shall yet gather into this Church. (18, p. 271)

The distinction which Brigham Young seems to be desirous of having the Latter-day Saints make here between "Israel" and the "Gentiles" is couched not in terms of blood or descent from an Old Testament chosen people, which the Mormons claimed as a heritage, but the distinction is to be drawn in terms of attitudes and actions of people towards the purposes of the Kingdom of God. Those who oppose the Kingdom of God are "Gentiles" regardless of blood or ancestry. Those who support or join the Kingdom are of the bold, again regardless of blood or lineage. It is in this sense that Brigham Young is here using the term "Gentiles" in reference to non-Mormons and the Kingdom of God and it is in this sense of action and attitude toward the Kingdom rather than birth into the Kingdom that he wishes his followers to use the term. This connotation applies as a distinction not only in contrast to birth and lineage, but also in contrast to baptism and Church membership as is made clear in

*italics supplied.*
Brigham Young's further elaboration of the theme:

Remember this, O ye Elders of Israel, and do not apply the term "Gentile" to a man because he is not baptized. There are some of pure gentile blood will come into this Church. There are a few already, but very few. . . . Whoever has been in our Councils referring in all probability to the presiding councils of the Kingdom of God would never make the application of "Gentile" to a man or woman, simply because he or she was not baptized, for that has nothing to do with it one way or the other. I want the brethren to lean this. . . . (18, p. 272)

After turning to another theme of immediate interest, the projected foreign mission call of Albert Carrington, President Young returned to his theme of "gentilism" and proper relationships with those not of the Mormon faith:

. . . A few words now with reference to the isolation that Brother Carrington has been talking about. . . . Are we isolated? No, I do not think we are. We are right in the great highway from sea to sea. And instead of the railroad being any detriment to us, all I have to regret is that they tried to get it on the north side of the Lake; we want it in this city where it belongs. . . .

. . . the statesmen of this nation—those of them who have brains—are looking at the industry of this people; they admire it. Is this preaching? Yes, and there are many amongst them that we shall gather in yet. They would come now by thousands and thousands, if the Latter-day Saints were only popular. "What, these honorable men?" Yes, they would say, "I want to be baptized. I admire your industry, and your skill in governing. You have a system of governing that is not to be found anywhere else. You know how to govern cities, territories, or a world, and I would like to join you. . . .

. . . in our intercourse with outsiders—do not call them gentiles—let our example be such as is worthy of imitation; then every one among them who is honest will say, "I guess you are right, I think I will come and stay with you. . . .

. . . Can we extend this? Yes, to other towns, counties, through the Territory, to other Territories, through the mountains and plains until the earth is redeemed and sanctified and the people enjoy the rights and privileges God has designed for them.

. . . Now when Zion is built up and reigns, the question may arise with some, will all be Latter-day Saints? No. Will
there be this variety of classes and faiths that we now behold? I do not know whether there will be as many, or whether there will be more. There may be more societies than 666 for aught I know. But be that as it may, Jesus has gone to prepare mansions for every creature. (18, p. 274)

From this statement of aims and ideals of the Kingdom of God a clearer picture of objectives and motivations for action should be apparent as the study moves forward to detail the interaction of Mormons and non-Mormons in their Church and State relationships. The controversies and adjustments all stem back to the attempt of the Mormons to carry out one or more of these aims and ideals of the Kingdom to convert the world to "Mormonism," and to keep the ranks of the Church intact. On the other hand, many of the non-Mormons became "Gentiles" by opposing these ideals and aims which they labeled as disloyal and not in the American tradition. They also sought to redeem the Mormons ecclesiastically from what they considered to be a gross perversion of Christianity.
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(9) Smith, Joseph. Epistle of the Presidency of the High Priesthood to the brethren in Christ Jesus, scattered from Zion—scattered abroad from the land of their inheritance. History of the Church 2:4-24.


(14) The Mormon conspiracy to establish an independent empire to be called the Kingdom of God on earth. Salt Lake City: The Tribune Co., 1885.


(18) Young, Brigham. Gentile or gentilism. Remarks by President Brigham Young, delivered in the new tabernacle, August 16, 1868. Journal of Discourses 12:270-274.


(20) Young, Brigham. The United Order is the order of the kingdom. Journal of Discourses 17:154-160. August 9, 1874.
The Church of Jesus Christ of Latter-day Saints has two centralized presiding councils. The council of the First Presidency of the Church and the Council of the Twelve Apostles. These two councils bear equal authority although the President of the Church as along as he lives and holds the office has final authority.

The ultimate authority in the Kingdom of God, as envisaged in Mormon literature, was Christ, the King. He had delegated his authority over both the Church and the Kingdom to the President of the Church who held the keys of the Priesthood. In practical operation the Kingdom of God was directed by a council of approximately fifty members, some of whom were not members of the Church and who therefore did not hold the priesthood, but who were apparently willing to be governed by the priesthood through the Council of Fifty. Likewise, non-Mormons could become members of the Kingdom of God provided, seemingly, that they were willing to recognize ultimately the leadership of the Mormon priesthood though they did not necessarily need to join the Church. As will be seen later, this Council of Fifty was not to direct the organization nor the activities of the Church of Jesus Christ of Latter-day Saints, although it was to direct the members and non-members in their temporal affairs. Membership in the presiding councils of the Church would not seemingly bring automatic membership in the Council of Fifty.

It is difficult to establish the exact differences in lines of
authority between the Church and the Kingdom of God first, because our
knowledge of many of the details of the operation of the Council of Fifty
are yet lacking and second because both the Church organization and officers
and the Kingdom and its officers, apparently dealt with temporal matters.
It has been well established from Mormon scriptures and from long practice
that Mormon bishops are to deal with the every day temporal affairs of
members. It is not certain, however, from what information has survived
or is available, whether or not the Kingdom of God had or has to have a
duplicate set of officers functioning on the Ward or Stake level or whether
the bishops were to function or did function in a dual capacity and office
simultaneously in the Church and in the Kingdom. It is clear that at the
higher eschelons of command there was a separation functionally between
the Church and the Kingdom as to personnel, council meetings and activities;
apparently, however, not without some overlapping. If more exact informa-
tion were available we might find that the cleavage between the two
organizations was more distinct, and might be better able to clearly define
the separate functions of each organization.

Theoretically and futuristically the Kingdom of God was to embrace
all nations under one government, subject ot the supreme lawgiver of the
earth, namely, Jesus the Christ. But functionally it seems that we would
expect the Council of Fifty, or its equivalent, with its mixed Mormon and
non-Mormon membership would preside over and direct the affairs of the
Kingdom under the personal direction of Christ, the King, who at that
period will personally exercise the keys of the priesthood on the earth.
These conclusions seem evident from a careful reading of numbers of Mormon
sermons dealing with the Kingdom of God.
Date of the origin of the Council of Fifty

According to a copy of the minutes of the Council of Fifty for April 10, 1880* the Council of Fifty was organized April 7, 1842 (12, p. 1). But according to the "History of Brigham Young" published in the Millennial Star for May 21, 1864, the date is given as March 11, 1844 (24, p. 328). Joseph Smith in his History of the Church (19, p. 260) records the organization of a "special council" on March 11, 1844, the same day that Brigham Young indicates that the Council "composed of about fifty members, several of whom were not members of the Church" was organized. Benjamin F. Johnson, close intimate of Joseph Smith, writing in 1903 of his experiences in Nauvoo, indicates that the organization took place in Nauvoo early in 1844 in an assembly room, common to the meeting of a council, or select circle of the Prophet's most trusted friends, but not all of the constituted authorities of the Church "... and that at times the council would exceed fifty in number ..." (3, pp. 7-9). Brigham Young in a sermon delivered in 1874 said that: "The Prophet gave a full and complete organization to this kingdom the spring before he was killed" (25, p. 55). The testimony of those who were members of the Council of Fifty in Nauvoo including Joseph Smith, Brigham Young, and Benjamin F. Johnson, is that the Council of Fifty was organized in the spring of 1844, but more specifically on March 11th. There is also the testimony we have that is reported to be a copy of the minutes of the Council itself for 1880 setting a date of April 7, 1842.

Official name of the Council of Fifty

The formal or official name of the presiding Council of the Kingdom

*From a typewritten copy on file in the Brigham Young University Library from a copy in the L.D.S. Church Historian's office.
of God is given in slightly different versions in different sources. The name which was apparently used by members within the course of the meetings of the Council is indicative of the nature of the Council and of the Kingdom over which it presided.

(1) As given by John D. Lee, member of the Council in his daily diary for March 3, 1849.

"... Repeated the Name of this council. 'Verily thus saith the Lord, by this Name ye shall be called. The Kingdom of God and its Laws and Justice and Judgment in my hands.' Signed. Ah man Christ. (6, pp. 97-98)

(2) As given in the Minutes of the Council for April 10, 1880:

"The name given this council on the day it was organized by the Lord... was read from the revelations as follows: 'The Kingdom of God and His Laws with the keys and powers thereof and Judgment in the hands of his servants.'" (12, p. 1)

Nature and purposes of the Council of Fifty

Some indication of the nature of the Council of Fifty is found in the diaries and letters of men who were members of the Council and two brief extracts from the minutes of the Council. The minute books of the Council, which were consulted on March 29, 1880, by Franklin D. Richards and L. John Nuttall are not now available. Fortunately, however, several members of the Council kept daily diaries and recorded in them are minutes or descriptions of the actions of the Council. The diaries of Hosea Stout, John D. Lee, L. John Nuttall, and a letter of Benjamin F. Johnson in addition to the entries in the daily histories of Joseph Smith and Brigham Young when combined allow a fairly accurate reconstruction of the nature, purposes, and functions of the Council. It is on these primary sources that the discussion in this chapter is based.
Perhaps the most condensed statement of the nature and purpose of the Council of Fifty is found in the diary of John D. Lee under the date of November, 1848:

This council alluded to is the Municipal department of the Kingdom of God set upon the earth, and from which all Law emanates, for the rule, government, and control of all Nations, Kingdoms and tongues and People under the whole heavens but not to control the Priesthood but to counsel, deliberate, and plan for the general good and upbuilding of the Kingdom of God on the Earth. (7, p. 80)

On the day of the organization of the Council Nauvoo, Illinois, March 11, 1844, Brigham Young recorded the following in his daily history:

Joseph commenced the organization of a Council for the purpose of taking into consideration the necessary steps to obtain redress for the wrongs which had been inflicted upon us by our persecutors, and also the best manner to settle our people in some distant and unoccupied territory; were we could enjoy our civil and religious rights, without being subject to constant oppression and mobocracy, under the protection of our own laws, subject to the Constitution.

The Council was composed of about fifty members, several of whom were not members of the Church.

We prepared several memorials to Congress for redress of grievances, and used every available means to inform ourselves of the unoccupied territory open to settlers.

We held a number of sessions, and investigated the principles upon which our national government is founded; and the true foundation and principles of all governments. (26, p. 328)

An entry in Joseph Smith's history under this same date of March 11, 1844, confirms the account given by Brigham Young. Smith indicates the organization of a "Special Council" whose responsibilities he outlines as follows:

... to take into consideration ... the best policy for this people to adopt to obtain their rights from the nation and insure protection for themselves and children;
and to secure a resting place in the mountains, or some other uninhabited region, where we can enjoy the liberty of conscience guaranteed to us by the Constitution of our country, rendered doubly sacred by the precious blood of our fathers, and denied to us by the present authorities who have smuggled themselves into power in the states and nation. (16, pp. 260-261)

Benjamin F. Johnson was a member of the Council of Fifty as originally organized in Nauvoo, Illinois. He continued as a member in Utah in 1848 and is listed as one of the early members of the Council in 1880. He had a long and continued membership in the Council and a close association with its officers. At the instance of the First Presidency of the Church in 1903 he wrote, at the age of 85, an account of his early experiences at Nauvoo. Among the activities he mentions are those of the Council of Fifty:

... Its sittings were always strictly private, and all its rules were carefully and promptly observed. ... I was present at every session, and being about the youngest member of that Council, I was deeply impressed with all that transpired, or was taught by the Prophet. (3, p. 8)

The Council of Fifty, then, was the municipal or the civil governing department or arm of the Kingdom of God on the earth. It was the body from which the civil law given by God for the government of men on the earth was to emanate. It was charged with the responsibility of seeing that men were protected in their God-given rights as individuals and as free men in all phases and activities of life and with the inauguration and carrying out of such plans and government as would assure cooperation and unity as well as freedom. In order to properly carry out these responsibilities the Council met in study as well as business sessions where they were to become thoroughly familiar with the Constitution and laws of the United States and of all nations in order to properly understand the relationship between these laws and the laws of God given by revelation
for the temporal governance of men on the earth. It was not, then, to act solely on revelation apart from the circumstances and human laws. It was not to set up and operate a system of laws designed to function "separate and apart" from the world in which men lived. Its sessions were private and guarded by a set of rules designed to insure secrecy. Its meetings were "closed session hearings." Its members were influential men in both Church and State. Membership in the Council of Fifty was considered a high honor as evidenced by the following short note evidently from the pen of Francis M. Lyman, who became a member of the Council of Fifty on October 10, 1880, and a member of the Council of Twelve Apostles on October 27, 1880: "October 10, 1880 Minutes of the Council of Fifty: Being called into the Council appears to me to be one of the greatest steps in my life. F.M.L." (12, p. 1)

**Functions and activities of the Council of Fifty**

Two factors should be kept in mind in considering the functions and activities of the Council of Fifty: (1) The meetings were considered to be guarded with secrecy. We should not expect, then, a complete account of the activities and decisions of the Council to be recorded even in private diaries not intended for publication since even these sources might be subject to scrutiny by members of the immediate families. (2) Although the above is true, by using the personal diaries of five different members it may be possible to get a cross-section of activities that might not be available even in the Council records, unless they were kept in utmost detail. On the subject of the secrecy of the meetings, perhaps two examples will illustrate the care that was taken to insure such privacy and secrecy. Both examples are recorded in the diary of John D. Lee for
March 1849. In the first instance the Council of Fifty was meeting in a legislative capacity on March 3rd, at the W. W. Phelps school room. John D. Lee recorded President Brigham Young as saying "that he did not feel like talking much here, as they were exposed to eavesdroppers." The second example of measures to insure secrecy involved charges of breaking the rules of secrecy of the Council on the part of certain members. The incident and the resulting action is recorded by John D. Lee as follows:

... Council convened at the house of H. C. Kimble [Heber C. Kimball]. The meeting having been called to order by the President [Brigham Young] arose and said that a member of the council had been guilty of divulging the secrets of this council and that John Pack was charged with it and related that Jackson Redin had been to H. C. Kimble, O. P. Rockwell, and others and told that John Pack had warned him to leave this place forth with or he would not have the liberty, intimating that his life was in danger. O. P. Rockwell, and others bore record to the same. Counselor Pack pled innocence so far as revealing anything to Redin that belonged to this Council. Said that he had some conversation with Redding about a debt that he owed him, in which he told Jack that his past life was so dishonest that it had rendered his person unsafe.

After Counselor Morley and others had spoken, Pres. B.Y. took the floor. Said that Bro. Pack had not wisdom enough to keep the Secrets of the Council locked up in his own Breast and there was others. Cahoons - Father is another man that is not fit to Sit in the councils of the Gods. Members of this council should be men of firmness and integrity, and when they leave this council room that the things that belong to this council should be as safe as though it was locked up in the silent vaults of Eternity, but such things must be overcome or the men who indulge in them will be dropped from this council. I mean just what I say. J. Pack pled for Forgiveness, Said try me a little longer. Then, if I don't prove true, deal with me as you think proper, if it is to cut my head off, and wept bitterly like a child. His request was granted.

The council then proceeded to business. ... (8, pp. 103-104)
By "sitting in" with a number of the members of the Council of Fifty some idea of the breadth and scope of the activities of the Council and its ramifications can be formed.

As has already been indicated, the Council was vitally concerned with law in general and with the legal rights of men and their protection. The entries from Joseph Smith and Brigham Young at the inauguration of the Council on March 11, 1844, already quoted, demonstrate this interest. These entries also speak of plans for future colonization and settlement of the Mormon people in some section of the North American continent where they could build such a government and society as would secure their political and religious rights which they felt were guaranteed them under the U. S. Constitution but denied them by "the present authorities who have smuggled themselves into power in the states and nation," to quote Joseph Smith. They believed that once established, this society and Kingdom could then gradually be extended to encompass the world.

The various functions of the Council of Fifty, and hence of the Kingdom of God, can perhaps best be seen by first classifying them into broad areas of activity such as colonization, politics and government, education, economics and taxation, and interrelationships between Mormons and non-Mormons and then by supplying on a chronological basis some illustrative examples from the diaries mentioned.

The Council of Fifty and colonization

As early as 1844, if not before, the leaders of the L.D.S. Church and particularly Joseph Smith had realized that their position in Illinois was fast becoming untenable and that once more they would be under the necessity of moving to some new location. His statement to the Council of
Fifty at its organization March 11, 1844, indicates that the time had arrived for implementing a plan for such removal and colonization "in the mountains, or some uninhabited region." It is not the province of this dissertation to deal with details of such plans only as they might affect Church and State relations, particularly in education, but considering the variety of environments considered for future colonization, one cannot help wonder what effect colonization at certain of these sites might have had on the educational program of the Mormon people. It is sufficient for the purpose here to state rather categorically that as the Council of Fifty in Nauvoo considered possible sites for the future location of the Mormon group and society they gave serious consideration to Texas, to Vancouver Island, to Oregon, to California, and to the Salt Lake Valley. On March 11, 1844, they considered special letters from George Miller and Lyman Wight relating to the subject. On March 14th they sent Lucien Woodworth on a mission of investigation to Texas. On May 3, 1844, Lucien Woodworth was back in Nauvoo and reported the results of his mission to Texas to the Council. On May 6, 1844, the Council voted to send Lucien Woodworth back to Texas, presumably for additional scouting and investigation. On May 13, 1844, the Council read a letter they had received from Orson Hyde in Washington, D. C., reporting his conversations on colonization with Stephen A. Douglas.

He is ripe for Oregon and California. He said he would resign his seat in Congress if he could command the force that Mr. Smith could, and would be on the march to the country in a month. . . . Judge Douglas says he would equally as soon go to the country without an act of Congress as with; "and that in five years a noble state might be formed; and then if they would not receive us into the Union, we would have a government of our own." In case of removal to that country, Nauvoo is the place of general rendezvous. (17, p. 369)
After the death of Joseph Smith on June 27, 1844, the Council continued to function in directing the civil affairs of the Mormon people. Hosea Stout reports that in a meeting of the Council on January 30, 1845, Brother George Miller informed the Council that he had received propositions from a friend of his offering to have a petition sent to Congress to have a tract of land set up to us; and be organized into a Territorial Government of our own, with the privilege of making our own laws, not, however, to be repugnant to the laws of the United States. The matter will most likely be spoken of hereafter.

From entries in the *Journal History of the Mormon Church* and the diaries of John D. Lee for 1847-1849, it seems certain that it was the Council of Fifty that organized and directed the westward migration, as they had investigated and planned it. This planned migration was evidently based on an ancient Israelitish pattern of government and organization found in Exodus 18:13-27. The people were organized into companies of tens, fifties, hundreds, and thousands. However, as has been stressed before, the final authority still rested in the L.D.S. priesthood and so the Mormons were instructed in a revelation given through Brigham Young, January 14, 1847, that not only the Latter-day Saints, but "those who journey with them" be organized into companies, with a covenant and promise to keep all the commandments and statutes of the Lord our God.

Let the companies be organized with captains of hundreds, captains of fifties, and captains of tens, with a president and his two counselors at their head, under the direction of the Twelve Apostles." (Doc. & Cov. 136:2-3). The present Church Historian, Joseph Fielding Smith indicates that out of a total of 148 in the original company "two of the pioneers were not members of the Church."
Hosea Stout records that in a meeting of the Council held in Great Salt Lake City on December 3, 1848, President Brigham Young, who was also now the president of the Council of Fifty "explained the object of the exploring expedition now being raised, which was to look out a good place to locate a settlement on the Gulf of California and a road from thence to this place" (21, p. 280).

The next March (1849) the Council of Fifty had under consideration the settlement of "Eutah" valley. The plans and purposes for the colonization were set forth in a meeting of the Council on March 10, 1849. As briefly told by John D. Lee, the policy decided on was to send

... some 30 families to the Eutah valley to settle and put in spring crops, open a fishery, introduce schools,* teach the Natives how to cultivate the soil, raise cattle in fine to improve their Morals, to make Fishers of them, & then the Saints can buy the Fish of them for a trifle, which will preserve their feelings good as they claim the right to Fish.

... Some few names were suggested. (9, p. 100)

Then on March 17th, John D. Lee records that:

The names of those that were candidates for the Eutah valley were Read making about 33 head of Families. ... The chairman said that Some of this council with himself would likely go to the valley to select a place for the settling of this small colony, & probably would be gone some 6 day(s). (9, p. 102)

A comparison of the membership rolls of the Council of Fifty and the names of the heads of various colonizing expeditions suggests, if it does not establish, a close relationship between the Council of Fifty and the Mormon colonization of the Great Basin.

Orson Pratt, speaking after 30 years of such directed colonization summed up the usefulness of such practical experience gained by those so

*Italics supplied to emphasize that the establishment of schools was definitely a part of the colonization scheme directed by the Council.
called and sent out as colonizers to the future effectiveness of the
Kingdom of God in these words:

... Men have been sent, year after year, to form new settle-
ments, and to do this kind of work, and that kind, without
being specially ordained to accomplish those particular duties.
What for? To see whether they would manifest that the Spirit
of the living God was law. We also read that Zion is to
become glorious, in times to come, that the nations that are
afar off will say to one another, "Surely Zion is the City
of our God; for the Lord is there; his power is there, his
glory is there," etc. (13, p. 11)

The Council of Fifty and politics and government

In later chapters the details of the workings of politics and govern-
ment and the interplay between Church and State agencies as they affected
education will be considered. What will be set forth here is a list of
some of the types of activities in politics and government that were the
directive province of the Council of Fifty under the general concept of
the Kingdom of God.

(1) The Council of Fifty initiated and supervised the preparation of
memorials to Congress both for a redress of grievances and as petitions
for the granting of self-government and statehood to the people of Deseret
or of Utah. According to the diaries of Joseph Smith, Brigham Young, and
John D. Lee, such memorials were an order of business of the Council on
the following dates and for the following purposes:

March 11, 1844: Prepared several memorials to Congress for redress
of grievances.

March 21, 1844: Willard Richards appointed to draw up memorial to
Congress.

March 26, 1844: Memorial drawn by Willard Richards read, discussed,
and approved by the Council.
April 4, 1844: Orson Hyde sent to Washington with memorial.

May 13, 1844: The Council read and considered a letter from Orson Hyde reporting his progress with the memorial in Washington, D.C.

Dec. 9, 1848: The Council of Fifty decided to petition Congress for a territorial government with their own officers.

Jan. 6, 1849: The Council considered a report of a committee setting the boundaries of the State of Deseret as petitioned for.

It is difficult if not impossible to trace the actions of the Council of Fifty after the organization of the Territory of Utah in 1850 from sources at present available. However, there are good reasons to believe that it continued to function throughout the territorial period in Utah. A close study of the membership rolls of this Council, so far as they can at present be reconstructed, would indicate a close parallel between the Council of Fifty and the officers of the State of Deseret. It is quite generally known to students of Utah history that the State of Deseret and its legislature was continued as an organization for 20 years after the setting up of the territorial government of Utah. Some have called this the "ghost" government. In reality the government of the Territory of Utah was the de jure government but the government of the State of Deseret was the de facto government of the Territory from 1850 to 1870 if not later. That this government of the State of Deseret seemingly became the outward civil arm of the Kingdom of God rather than the territorial government of Utah seems rather conclusive from statements of Brigham Young and from federal officials sent to Utah who attempted to operate the territorial government. It was this de facto government of Deseret which continued the practice of the Council of Fifty of preparing and presenting petitions
to Congress for statehood. The records of the Legislative Council of the State of Deseret show the following action in the attempt to obtain statehood: "December 27, 1849: Memorial of the Legislative Council of Provisional government of Deseret, praying for admission into the Union as a State, or for a Territorial Government."

On March 28, 1851, the legislature of the State of Deseret passed a formal motion dissolving the State of Deseret and returning the Council House which had been built originally by the L.D.S. Church and which on occasion housed the Council of Fifty and the provisional government of Deseret, to the Church. The motion of dissolution did not end the government of the State of Deseret, however. It went on holding legislative sessions for another 20 years and its executive officer, Brigham Young, governor of the State of Deseret continued to present annual messages to the legislature of Deseret even though non-Mormon governors, federally appointed, were attempting to govern the Territory of Utah. In January 1862, the State of Deseret called and held a constitutional convention at which another memorial for statehood was drafted and sent to Congress. The outcome of such a memorial and petition was not clear on March 9, 1862, when Brigham Young in a public address in a religious gathering made the following revealing statement which makes it quite clear that the ideas and principles espoused in the Council of Fifty and the Kingdom of God were still very much in operation. He said:

The kingdom of God has sustained me a good while, and I mean to stick to it. We shall form a State Government, and you need not fear any consequences that may arise from such a course. You may tell your neighbors that in this step we do not violate any law, not in the least transcend the bounds of our rights...
When Mr. Fillmore appointed me Governor of Utah, I proclaimed openly that my Priesthood should govern and control that office. I am of the same mind today. We have not received our election return; but, should I be elected Governor of the State of Deseret, that office shall be sustained and controlled by the power of the eternal Priesthood of the Son of God, or I will walk the office under my feet. Hear it, both Saint and sinner, and send it to the uttermost parts of the earth, that whatever office I hold from any Government on this earth shall honor the Government of heaven, or I will not hold it. . . . (27, pp. 38-40)

In a message to the Senate and House of Representatives of the State of Deseret convened on January 19, 1863, Brigham Young as governor of the State of Deseret presented a public message in which he referred to the 1862 memorial to Congress and to the favorable action it had received in the House Committee on Territories. He ascribed the failure of Deseret to gain statehood to a busy Congress "heavily burdened with duties pertaining to the conduct of the war" (28, p. 136).

What is intensely interesting and enlightening is the fact that the same day, January 19, 1863, Brigham Young as governor (de facto) of the State of Deseret also delivered a special private message to the General Assembly of the State of Deseret. This message appears to establish the fact that the organization of the Council of Fifty and of the Kingdom of God had been kept and had taken the form of the State of Deseret. Again Brigham Young deals with the memorial to Congress, but he goes far beyond his presentation in the public message and clearly outlines the reason for the existence of the de facto government of Deseret.

Many may not be able to tell why we are in this capacity. I do not think that you see this thing as it is. Our organization will be kept up. We may not do much at present in this capacity, yet what we have done or will do will have its effect.

*Evidently not all of the members of the legislature of Deseret realized that a change of name but not of purpose or organization from the Council of Fifty had thus occurred.
Our Constitution which we have sent to Washington has been
closely scanned by Members of Congress. . . .

This body of men will give laws to the nations of the
earth. We meet here in our second Annual Legislature,**
and I do not care whether you pass any laws this Session
or not, but I do not wish to lose one inch of ground you
have gained in your organization, but hold fast to it, for
this is the Kingdom of God, and we are the friends of God
and you will find that much will grow out of this organiza-
tion. But I will say that without the inspirations and
revelations of God, our acts are of no use. We are called
the State Legislature, but when the time comes, we shall be
called the Kingdom of God. Our government is going to pieces,
and it will be like water that is spilt upon the ground
that cannot be gathered. If we do not take care of our-
selves, no one will take care of us. . . .

I do not care whether you sit one day or not. But I
do not want you to lose any part of this Government which
you have organized. For the time will come when we will
give laws to the nations of the earth. Joseph Smith organ-
ized this government before, in Nauvoo, and he said if we
did our duty, we should prevail over all our enemies. We
should get all things ready, and when the time comes, we
should let the water on to the wheel and start the machine
in motion. (29, p. 1)

Pertinent passages in this statement of Brigham Young have been under-
lined to emphasize the similarity of the concepts here expressed and the
concepts and purposes of the Council of Fifty at its organization in 1844.
Highly significant is Brigham Young's positive statement of identification
of the General Assembly of the State of Deseret of 1863 as the government
organized before in Nauvoo by Joseph Smith. From this statement it seems
to be established that the governing body of the Kingdom of God in 1863
was the General Assembly of the State of Deseret.

When Governor Brigham Young presented his message to the legislature
of the State of Deseret in 1865, he again referred to the memorials for
statehood that had been presented to Congress reporting that it "has not

**This "state" legislature had been formally dissolved in 1851. It evi-
dently was reorganized in 1861.
deemed it proper to admit Deseret into the family of States" (30, p. 1). Brigham Young was not defeated, however. He suggested that the legislature of the State of Deseret continue their practice of enacting that the laws of the Territory of Utah "be in full force and virtue in the law in the State of Deseret."

The recognition of the existence of this *de facto* government of Deseret is not hard to find among the reports of the federally appointed governors of the Territory of Utah. For example, James Duane Doty, governor of the Territory of Utah in 1865, wrote to William H. Seward, Secretary of State of the United States as follows:

The Legislative Assembly of the Territory closed its session, ... with apparent satisfaction to its members and to the public.

There are three distinct governments in this Territory: the Church, the Military, and the civil. In the exercise of their several powers collisions cannot always be avoided; but I am glad that I am enabled to report that during the past year none have occurred. If each would confine itself strictly to its duties, the proper authority of each would be undisputed, and no difficulty would occur.

But the leaders of "the church," under the Territorial Laws, have appointment and control in fact through its members, of all of the civil and militia officers not appointed by the President of the United States. ... the same party, in 1861, formed an Independent government called the State of Deseret whose boundaries include Utah and portions of Nevada and Arizona. This form of government is preserved by annual elections of all of the State officers; the Legislature being composed of the same men who are elected to the Territorial Legislature, and who by resolution, re-enact the same Laws for the "State," which have been enacted for the Territory of Utah.

For the information of the Department I herewith transmit a copy of a paper containing the proceedings of the Governor and Legislature of this embryo State as a session held in this city on the 23rd of this month, by which it will be perceived this fourth government is now fully inaugurated. (2, p. 1)  

Signed] James Duane Doty

Enclosure: 1865 Jan. 24, Salt Lake Daily Telegraph
Five years later another federally appointed governor of Utah Territory complained bitterly to a member of Congress, Hon. S. M. Cullom, author of an anti-polygamy bill in these words:

... I find that my office is a mere sinecure. By artful legislation of the dominant power, a most miserable skeleton of it barely remains. As affairs now stand the oath I have taken to execute the laws is nothing more than a useless form. A mockery. A farce. For without the enactment by Congress, of a statute containing the main features of the bill which you introduced on the subject of Utah, I am rendered almost powerless. ... It is hard to be nominally a Governor of Utah. Brigham Young is permitted to exercise the power of law giver. ... (15, p. 1)

The foregoing discussion seems to establish without much doubt that there was organized in Nauvoo, Illinois, on March 11, 1844, a Council of Fifty which was to direct the temporal and political affairs of the Latter-day Saints. It is certain from the evidence that it was this body that formulated policies and handled relations with the federal government.

In the formulation of policies for relationships with the federal government the L.D.S. leaders sought the assistance in New York and Washington of prominent non-Mormons who were experienced politicians and statesmen. The list of such "friends" and allies is a most interesting one. Some of the names to appear on the list are James Gordon Bennett, powerful publisher of the New York Herald, Stephen A. Douglas, Col. Thomas I. Kane, and others.

It is to be remembered that neither the Kingdom of God nor the Council of Fifty was to be composed exclusively of Mormons. Although definite documentation is yet lacking, reason would indicate that such men as Col. Thomas I. Kane would be members of the Council of Fifty, or if not members, closely allied with it. This seems especially likely in light of the advice, counsel and service rendered by Col. Kane both during the Nauvoo period and after the Mormons migrated to Utah. He was their constant
adviser on political matters throughout the early territorial period.

In an interview between Kane and Wilford Woodruff in Philadelphia in November 1849, Kane gave this advice:

You must not commit yourselves to any party, but keep a close mouth with all parties, and the most discreet and wise course must be pursued, in order to do anything at all. . . . I am fully decided upon that point—that you must have officers of yourselves, and not military politicians strutting around in your midst and usurping authority over you. . . .

You are better without any government from the hands of Congress than with a Territorial government. The political intrigues of government officers will be against you. You can govern yourselves better than they can govern you. . . .

Brigham Young should be your Governor. His head is not filled with law books and lawyers' tactics, but he has the power to see through men and things. . . . (4, p. 1)

Did the concept of the Kingdom of God and its governing Council of Fifty contemplate a union of Church and State?

The Mormons had been charged with uniting Church and State in both the Missouri and Nauvoo periods before the organization of the Council of Fifty in March 1844. Any charge of this kind, then, after that date would not be a new charge necessarily resulting from such an organization. It is perhaps not without significance, however, that one of the first petitions filed with the U. S. Senate against the proposed State of Deseret as proposed by the Council of Fifty, was that filed by William Smith, brother of Joseph Smith, and one-time member of the First Presidency of the Church. In a petition filed and referred to the Committee on Territories on December 31, 1849, William Smith and associates said:

Your petitioners know most assuredly that Salt Lake Mormonism is diametrically in opposition to the pure principles of virtue, liberty, and equality, and that the rulers
of the Salt Lake Church are bitter and inveterate enemies of our government. They entertain treasonable designs against the liberties of American free born sons and daughters of freedom. They have elected Brigham Young, [who is the president of their church] to be the Governor of the proposed State of Deseret. Their intention is to unite church and state and whilst the political power of the Roman pontiff is passing away, the American tyrant is endeavoring to establish a new order of political popery in the recesses of the mountains of America. . . . (18, p. 1)

Although it may be true that William Smith's motives may have been tinged with religious bias, the question remains—Were the "Salt Lake Mormons" intent on uniting Church and State and setting up a temporal, political kingdom as well as expanding the Mormon Church and its ecclesiastical doctrines and system? Were they, in seeking to establish the State of Deseret, seeking to provide provisional government until the American system of government could be extended to this territory, or did they have in mind new laws—the "Law that should go forth from Zion" to eventually govern all the world?

In his message to the legislature of the State of Deseret, December 2, 1850, Governor Brigham Young said:

. . . It is probably known to you that Congress has passed an Act to establish the Territory of Utah, and provide for taking the census of Deseret; but as yet, no official announcements have been made; consequently the government of Deseret will continue in all its departments, until such time as it shall be superseded by an organization contemplated under the act of congress. . . . Forgive a single allusion to the past. The oppressed became the oppressor, and the oppressed again go forth to form new communities, new settlements, and new governments. Hence we are here, amid these vast mountains and solitary plains; hence we are here, assembled in solemn council to frame laws for the organization and rule of communities; and, what gives zest to the picture, devise laws and regulations as shall perpetuate, guarantee, and sustain, in time to come our free and glorious institutions to the latest generation. . . . (31, p. 190)

The following March (1851) the State of Deseret was formally dissolved. A portion of the dissolving resolution of March 28, 1851, reads:
That, whereas, the State House in Great Salt Lake City having been originally designed for a "Council House," and erected by and at the expense of the "Church of Jesus Christ of Latter-day Saints," for the purpose, as well as to accommodate the Provisional Government; that we now do relinquish unto said Church the aforesaid building; rendering unto them our thanks for the free use thereof during the past session. . . . (26, p. 4)

Brigham Young, Mormon governor of the Territory of Utah, continued to present his annual messages to the Mormon Legislative Assembly. What had happened to the Council of Fifty and the concept of the Kingdom of God? Were they superseded now that a civil government had been established for the Territory by the U. S. Congress, or were they the power behind the civil government and hence behind the philosophy and control of the schools? The State of Deseret had been formally dissolved in March 1851, but did it still continue to exist? Brigham Young's statement of 1863 before cited: "I do not wish you to lose one inch of ground you have gained in your organization" gives credence to the idea that it did. Did Utah now have a theocratic or a democratic form of government?

On July 8, 1855, Orson Pratt, member of the Quorum of the Twelve Apostles of the Mormon Church, said in a discourse delivered in the Bowery in Salt Lake City:

"The subject of the coming of the kingdom of God, and its organization upon the earth, is one of vast importance to the present generation. . . . And when that time comes, all governments, and systems of government, that have been organized . . . contrary to the order of heaven, or in other words—all governments that have not been theocratical in their nature, but that have been organized in a greater or less degree by man's wisdom, will be done away.

. . . the government of heaven would not have been separated from the government of men, or in other words, there would not have been two kinds, one called ecclesiastical, and the other a civil government; but inasmuch as they have rebelled, and have become corrupt and wicked . . . ."
All good principles and laws have emanated from the Almighty, and have come to men by inspiration from Him. For instance, the government of the United States, or Constitution, came from Him. . . . Why did not the Lord, at that time, introduce a perfect government—a theocracy? It was simply because the people were not prepared for it—they were too corrupt; . . . This government, then, was organized to suit the people and the circumstances in which they were placed, until they were prepared to receive a more perfect one.

But will the government of the United States continue forever? No, it is not sufficiently perfect. . . . But some may inquire, is it right—is it lawful for another government to be organized within the United States, of a theocratical nature? Yes, perfectly so! . . . Brethren, in saying these things, do we feel like excluding all outsiders, so called? No, God does not design it; He never intended that this people should live exclusively by themselves. . . . We need not think that we can get into any place where we will not be associated with the Gentiles; for the Lord intends that we shall be among them all through this mortal state, even in the Millennium we find that there will be two classes of beings upon the earth. (14, pp. 70-71)

In the last paragraph of this discourse as here quoted, is found again the fundamental principle on which the Council of Fifty was organized. Was territorial status then looked upon as a temporary expedient, an inferior form of government to be worked with until a superior civil theocratic state could be established?

As is well known, some officials who were not Mormons did not fare well in the Mormon territory and so reported to Washington. Then came 1857, Johnstone's Army, the "Mormon War" and a non-Mormon governor, Alfred Cumming.

Did the Mormon theory of the Kingdom of God have a place for a non-Mormon governor? Yes, it did. So long as federal appointees worked with the Mormons to accomplish the Mormon goals politically and civilly, which is the same as saying theocratically, the non-Mormon became a part of the government of the Kingdom of God. Alfred Cumming, perhaps, would fit well
into this pattern as would some of the other federal governors.

The relationships between the Council of Fifty and educational policy and development in Utah can well be left for a more extended treatment later in the dissertation. The influence of the Council of Fifty in the interrelationships between Mormons and non-Mormons has already been touched upon lightly in the foregoing discussion. It likewise will receive more extended notice in Section II of the study.

Since economics and taxation do bear a direct relationship to the educational programs offered in any given state, a few indications will be made at this point of their relationship to the Council of Fifty.

**The Council of Fifty and economic and taxation policies**

In the struggle for the establishment of free public tax-supported schools in Utah it was often said that the Mormons were against tax-supported schools. In many respects this was a just accusation. The support for schools in the United States prior to the nineteenth century had come largely from church, private, and tuition funds. The Mormons seemingly carried this tradition with them rather than the newer practice of public, tax-supported schools. But the Latter-day Saints also had three possible sources of revenue for the support of any civil or social project in which they had a vital interest. First was the revenue to be derived from local subscription, or in the case of education, from local subscriptions and tuition. This system of support was operated as an important part of the Mormon system of revenues from its earliest organization down to the present time. The central headquarters of the Mormon Church has never attempted to raise, control, or disperse all of the revenues that have gone into building and operating of the Church nor of its educational or social
Local initiative and support has always been a major part of the pattern of economic support for any enterprises that have received Church support or direction.

Second, the Church had at its disposal central tithing funds and those funds derived from the investment of tithing and other funds.

Third, in the territorial period in Utah, and even before in Nauvoo, the Council of Fifty through its control of civil agencies had control of the levying, assessment and collection of public taxes.

It seems that in periods of crisis when public funds were not available or collectible or when reliance on such funds would endanger the control that the Latter-day Saints had over the economics of their society, the Council of Fifty or its leadership shifted the financial burden for civil government and projects from public tax revenues to tithing or Church revenues. There are enough indications in the minutes of the Council of this practice to allow a tentative answer to be suggested as to why more stress in Territorial Utah was not laid on tax-supported schools when every governor of the Territory urged the passage of such legislation.

An example of the Church coming to the rescue, financially, of the civil government in Nauvoo is found in the minutes of the General Council for November 11, 1844, as recorded by Hosea Stout, chief of police:

... At nine met with a General Council at the Masonic Hall, composed of the Twelve, the High Council of the Church, Trustee-in-Trust of the Church, Mayor of the City, the Police, and some of the Officers of the Legion, to take into consideration the general welfare of the City and regulate the police ... when it was agreed that the Trustee-in-Trust for the Church should pay the police all that was due them from the City and redeem or pay all the Treasurer's orders which had been issued to pay the police heretofore. ... (20, p. 8)
Brigham Young's attitude in 1849 on public works and civil revenues is reflected in the minutes of a meeting of the Council of Fifty held on February 9th:

... The subject of Public works was then discussed and finally voted that a Public revenue should be raised by Taxation for the purpose of Erecting Bridges, opening roads and all other public purposes, and that one per cent should be the Tax on all property. A city lot (that) cost 1\frac{1}{2} dollars on which one and a half cents is required, but should there be $100 worth of improvement on a Lot, then the tax due on it is one dollar. Pres. B. Y. said, at no time since the rise of this church has money ever been so plenty as at this present time, and that he would rather raise the Tax to 1\frac{3}{4} per ct., then reduce it to \frac{3}{4} per ct. ... (10, p. 88)

Whether it was the failure of the people to pay the proposed taxes or their inability to support two systems of revenue in pioneer Utah or the desire for closer control of the economy of the Territory that prompted Brigham Young's proposal in his governor's message to the Legislative Assembly of Deseret on January 13, 1858, is not entirely clear. The fact remains that he did propose to that body that if "the people will pay their Tything, which has never been done as yet, I would be willing to drop the Taxing of our Property and let all such things be done through the tithing office, &c" (32, p. 144). His proposal would undoubtedly include the schools. Such a bill

... to repeal Territorial Taxes was introduced in the Legislative Assembly of the Territory of Utah five days later [January 18th] and on motions of W. W. Phelps, Willard Richards, Mr. Peacock and Albert Carrington, the bill was received, passed its first and second readings and passed by its title. (23, pp. 53-54)

According to an entry in the diary of John D. Lee the bill provided for the collection of delinquent territorial taxes which were to be used to liquidate the debts incurred in consequence of the recent troubles with the
United States "then let all Public works be done through the Tything Office and let the mail be carried through the same channel" (22, p. 145).

The Council of Fifty and civil and religious bodies

Table 1 shows some of these relationships for the Nauvoo period when the Council of Fifty was being organized and began its direction of colonization, education and civil government. In this and the succeeding tables the list of memberships in the Council of Fifty, so far as it can be determined from available sources is given in the first, or left-hand column. The names of the members are capitalized and this same capitalization is carried through with each member to show their memberships in other governing civil and educational bodies. The high percentage of members of the Council of Fifty on some of the other governing bodies is indicative of the close coordination and control that this Council exercised in the society under the concept of the Kingdom of God.

Table 2 indicates the same relationships for the period in Utah under the State of Deseret, 1848-49. It is to be noted that there are discrepancies between the lists of officers nominated in the Council of Fifty and those elected by the people on March 12, 1849. Neff in his History of Utah was aware of the nominations on March 4th and the election on March 12th, but apparently did not have access to the entry for December 9, 1848. This places the actual selection of the officers for the State of Deseret by the Council of Fifty at a date earlier than has been supposed. The Council of Fifty took time to work out some of its problems. Its decisions were not always unanimous (5, p. 8) and it, like most other governing bodies, reserved the right to change its collective mind on occasions. However, it is notable that the Council ended up with the complete slate of its members
as the officers of the State of Deseret. This was not necessarily so, however. The principle on which the Council operated in its relationships with other committees and governing bodies was laid down in a rule promulgated by Brigham Young in a meeting of the Council on February 17, 1849, when the matter of memberships in various governing bodies and committees arose. The subject under discussion was a committee to direct and control the South Farm. President Young appointed Amasa Lyman to nominate a committee. After the nominations were made President Young laid down the following ruling:

Pres. B. Young said he had no objection to the men, provided J. D. Lee is the chairman of that committee, and further said that when a man was taken out of this Council to do business, let that man be the chairman of whatever committee he may belong to thus the chairman can report to the Council. (11, p. 90)

This ruling and practice would allow the Council of Fifty to know what each of the various agencies of government, civil, political, economic, and educational were doing and to influence their decisions without having complete control of personnel.

The principle enunciated by Brigham Young is more in evidence on table 3 when a wider selection of Mormon leadership was available and as the non-Mormons began to secure seats on these civil and educational bodies.

Table 4 needs a special word of explanation. The membership of the Council of Fifty for 1848-49 has been listed in the left-hand column for quick comparison, but the capitalization of names of members of the Council of Fifty in the other columns takes into consideration the rolls of the Council for both 1848-49 and 1880. It is significant that four out of six of the territorial delegates to Congress from Utah were members of the Council of Fifty and there is good reason, though not specific documentation
to add the name of John T. Caine to the list. J. F. Kinney was a non-Mormon judge who was highly sympathetic to the Mormon cause and did admirable service for them in Washington. An example of this close control of the persons selected and elected as territorial delegates is given in this quotation from Brigham Young:

    We have sent a delegate to Congress during the past six years, and has there ever been an opposing vote in his election? No. The people only want to know who the right man is, and then they will support him. Dr. Bernhisel is our delegate; and has it cost him thousands of dollars to gain his election? No; it has not cost him a single dollar; no, not so much as a red cent. We think that he is the most suitable man for us to send to Washington, and we say, "Let us send him," and he is unanimously elected. And if we had a thousand officers to elect—if we had to elect the President of the United States, you would never see a dissenting vote.

    Parties in our Government have no better idea than to think the republic stands all the firmer upon opposition; but I say that it is not so. A republican Government consists in letting the people rule by their united voice, without a dissension,—in learning what is for the best, and unitedly doing it. That is true republicanism. (33, pp. 226-227)

Four out of eight Territorial Superintendents of Public Schools were members of the Council of Fifty.

In summary it might be said that a history of Church and State relationships in education in Utah, at least during the territorial period, cannot be written with significant understanding without a knowledge of the concept of the Kingdom of God and of the all-pervading influence of the Council of Fifty.
Table 1. Interlocking memberships of Council of Fifty and civil and educational officers, Nauvoo, Illinois, 1841-1844

<table>
<thead>
<tr>
<th>Council of Fifty</th>
<th>School Officials</th>
<th>Civil officers</th>
<th>Officer of Pioneer Co.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nauvoo, 1844</td>
<td>Nauvoo, 1841</td>
<td>Nauvoo, 1845</td>
<td>1846-47</td>
</tr>
<tr>
<td>BABBITT, A. W.</td>
<td>Adams, James</td>
<td>BENT, SAMUEL</td>
<td>Benson, Ezra T.</td>
</tr>
<tr>
<td>BADLAM, A.</td>
<td>Barnett, J. T.</td>
<td>Fullmer, D.</td>
<td>Brown, John</td>
</tr>
<tr>
<td>BENT, SAMUEL</td>
<td>Bennett, J. C.</td>
<td>Harris G. W.</td>
<td>Bullock, Thomas</td>
</tr>
<tr>
<td>BERNHISL, J. M.</td>
<td>Billings, T.</td>
<td>HUNTER, E.</td>
<td>Case, James</td>
</tr>
<tr>
<td>BROWN, URIAH</td>
<td>Foster, R. D.</td>
<td>MILLER, G.</td>
<td>Egan, Howard</td>
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<td>CAROON, R.</td>
<td>Galland, I.</td>
<td>Pack, John</td>
<td>Everett, Addison</td>
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<td>Goddard, S. H.</td>
<td>PHELPS, W. W.</td>
<td>Goddard, Stephen G.</td>
</tr>
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<td>Green, J. P.</td>
<td>RICH, C. C.</td>
<td>Harmon, A. M.</td>
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<td>Richards, P.</td>
<td>Higbee, John S.</td>
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<td>Knight, L. M.</td>
<td>SPENCER, O.</td>
<td>MINBALL, R. C.</td>
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<td>Knight, V.</td>
<td>WHITNEY, N. K.</td>
<td>Lewis, Tarlton</td>
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<td>Wright, J. C.</td>
<td>Markham, Stephen</td>
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<td>MARKS, W.</td>
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Sources:
Column 1: Compiled from lists given in History of the Church by Joseph Smith, Vol. 6, and diary of Hosea Stout.
Table 2. Interlocking memberships of Council of Fifty and civil and educational officers, 1848-1849

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Sources:
Column 1: Compiled from lists in diaries of John D. Lee and Hosea Stout.
Column 2: Diary of John D. Lee 1:80 (December 9, 1848)
Column 3: Diary of John D. Lee 1:98-99 (March 4, 1849)
Column 5: Neff, Andrew L. History of Utah, 1847-1869, p. 115.
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Sources:
Column 1: Minutes of the Council of Fifty, October 10, 1880.
Column 2: Minutes of the Council of Fifty, October 10, 1880.
Column 4: Ibid.
Column 5: Utah Legislative Assembly Journal of proceedings of the Constitutional Convention, 1882.
Column 6: Ibid.
Column 7: Address of the Central Committee to the People's Party of Utah Territory, April 4, 1887.
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Sources:

Column 1: Compiled from lists in diaries of John D. Lee and Hosea Stout.
Column 2: "Utah, Deseret University," MS., (Bancroft Library), p. 3.
Column 5: Compiled from official election returns, Executive Documents, Utah State Archives.
Column 6: Ibid.
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(3) Johnson, Benjamin F. Letter to Elder George S. Gibbs, of Salt Lake City, Utah, from the late Benjamin F. Johnson of Mesa, Arizona, Written in 1903 at the instance of the First Presidency of the Church. (Typewritten copy on file at the Brigham Young University Library). pp. 7-9.


(5) Lee, John D. Diary 1:8. "Thereupon by motion of D. H. Spencer, seconded by J. D. Lee, it was voted that the report of the (cattle) committee be accepted and the committee discharged. Pres. B. Young and W. W. Phelps voted in the negative as usual, then assigned their reasons."


(12) Minutes of the Council of Fifty, Saturday April 10, 1880. Typed from a typewritten copy in the Brigham Young University Library. 1 p.


(18) Smith, William, et al. "Petition of Wm. Smith and others, members of the Church of Latter-day Saints, against the admission of the Salt Lake Mormons into the Union as a State." U.S. Congress. Senate. Territorial Papers 1789-1873; Utah, December 31, 1849-June 11, 1870. Microfile copy of the records in the National Archives. No. 200-Rel. 15.


(20) Stout, Hosea. *Diaries of Hosea Stout 6-8:8 (November 11, 1844).* Typescript copy in the Brigham Young University Library.


(22) Utah. Legislative Assembly. *Territorial Tax.* Minutes of Legislative Assembly recorded in brief in diaries of John D. Lee 1:145. Entry for January 19, 1858.


(31) Young, Brigham. Governor's message, Deseret, December 2, 1850. (As quoted in Dale L. Morgan, The State of Deseret, Utah Historical Quarterly, 8:190-194).

(32) Young, Brigham. Message of the Governor of the State of Deseret to the Legislative Assembly, January 13, 1858. (Recorded in brief in the diaries of John D. Lee, 1:144).

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CHAPTER III

A GENERAL OVERVIEW OF MORMON EDUCATIONAL PHILOSOPHY AND POLICY
FOR THE KINGDOM OF GOD

The usual discussion of Mormon educational philosophy begins with two quotations from Joseph Smith. "The Glory of God is Intelligence" and "Man is saved no faster than he gains knowledge." Unhappily these expressions have almost come to be thought of as shibboleths to an understanding of Mormon education philosophy and achievements. Important though these expressions are in crystallizing some of the long-range objectives, their constant repetition as expressions of Mormon philosophy must not prevent us from asking a mere fundamental question: What, specifically, did the Mormon system of education within the Kingdom of God hope to accomplish? If the answer to this question can be clearly stated, then in the second section of the study the question of the degree of accomplishment of these specific aims and of the effects of intervening forces preventing the accomplishment or altering or modifying them can more clearly be seen and stated.

For the Latter-day Saint leadership in Territorial Utah there were at least two types of goals permeating all that was attempted and accomplished in all phases of life and activity. The first and more immediate goal of education was to teach methods of subjugation of the immediate physical surroundings that would bring a livelihood to the people. This goal aimed at getting the Latter-day Saints firmly established in their new surroundings. The longer range goals of the Kingdom obviously could
not be accomplished without first reaching this objective. A Zion which could not sustain itself would certainly never "give laws to the nations."
The specific aims of the educational system accompanying this first goal were to train men, women and children in the manual arts, in agriculture, in manufacturing, and in cooperative effort and living—not forgetting their religious training—in order that they might become self-sustaining and "eat their bread by the sweat of their brow."

Some writers seem to see this very practical goal as constituting the paramount goal and philosophy of education of Brigham Young and certain other Mormon leaders who are thereby considered to be the "practical" Mormon leaders. Bennion (1, p. 99) maintains, however, that there were other Mormon leaders with an opposite educational philosophy in which the classics, languages, philosophy, and scientific theory were to receive major emphasis. Orson Pratt, Parley P. Pratt and Orson Hyde are listed, among others, as the classicists who were supposed to be in opposition to Brigham Young, John Taylor, Heber C. Kimball and other practical leaders.

A thorough understanding of the concept of the Kingdom of God as a long-range all-inclusive program for the gradual but eventual subduing of the entire earth in preparation for the second coming of Christ to rule as King, removes the necessity of dividing Mormon leadership into two camps of educational philosophy. Indeed, a more careful reading of the entire body of public utterances of the Mormon leadership for the territorial period in Utah shows that the so-called practical Mormon leaders talked as much about the place of languages, scientific theory and the humanities in the total scheme of Mormon education for the Kingdom
of God as they did about agricultural practices, manual arts and the more practical education.

The second and long-range goal of Mormon education within the Kingdom of God was that of developing a society in all its ramifications that would be capable and worthy of "giving laws"—political, economic, social, religious, or educational—to all the world.

The Mormon policy of education under the Kingdom of God in Territorial Utah may be discussed under the following headings:

(1) The general composition and educational background of the Mormon population to be educated as the leadership for establishing the Kingdom of God.

(2) Some educational goals deemed appropriate for the education of the Mormon population.

(3) The contribution to be made to the Kingdom of God and to all the inhabitants of the earth by a population so educated.

The general composition of Mormon population in Territorial Utah

Some insight into the composition of the population of Territorial Utah can be gained from broad statistical studies of nationality, trade, or profession and occupations. A study or an appraisal of diaries and journals kept by the early populace of Utah provides added insights into their educational backgrounds, training, and aspirations. A sampling of biographical data on the educational training of leaders and populace provides further clues to the composition of the population and the educational needs to be met in preparing the Mormon population to be leaders in the Kingdom of God.
Composition of the population of Utah in 1850

In his annual report for 1852 the Secretary of the Interior of the United States commenting on the value of the nativity tables of the population of the states and territories as shown in the 1850 federal census, wrote:

Another interesting branch of this inquiry is that which concerns the inter-migration of our native citizens among the States. The tables presenting a view of this movement will be most useful and valuable in tracing the progress of the different portions of the country. The facts developed will show how far one section has impressed its own characteristics and peculiar customs on others. . . . (19, pp. 480-481)

According to the tables referred to above, the Territory of Utah in 1850 had a total population of 11,354. Surprisingly enough, in light of the fact that wide-scale settlement and colonization had begun only three years before, the Census of 1850 lists 1,381, or one out of every eight persons as having been born in the territory. An additional 7,974 were born in the United States outside of Utah, and 1,990 were foreign born. Thirty-two states and at least 19 foreign countries were represented in the population of Utah for 1850. Six states (New York, Illinois, Iowa, Ohio, Pennsylvania, and Missouri) listed in their numerical order lead the contributors of native population to Utah with the six states contributing 6,207 out of the total of 7,974. Only one state (New York) contributed more people than the local born Utah population. Of the foreign born population in 1850 the British Isles and British America contributed 1,857 out of a total of 1,990. Practically all of the people in Utah in 1850 were members of the L.D.S. Church.

Effects of immigration on the Mormon population of territorial Utah

Gustive O. Larsen indicates that out of 21,911 emigrants sailing from
Liverpool, England up to 1855: "...19,535 were British; 2,000 were Scandinavian; 125 were French; 125 were Italian; 100 were German ..."

(8, pp. 242-243).

He also quotes a statistical report for 1878 published in the *Millennial Star*, official organ of the European missions, which lists 15,000 converts from the United States; 4,000 in Canada; 3,000 in the Pacific Islands, and 2,000 miscellaneous. Larson concluded that:

The "spirit of the gathering" was turning the hearts of such men and women toward "Zion" by tens of thousands. As the Perpetual Emigrating Fund Company helped them in their journey to the Great Basin, the world looked on to ask what kind of people were thus being poured into the social mold of Mormonism. The answer has been varied and until further study is made of individual family traits preserved through posterity, must confine itself to such broad considerations as nationality, trade or profession, and the general character of the immigrants as a group. (8, pp. 242-243)

A number of studies have been made of the general composition of the Mormon population in Territorial Utah. One such study was an essential part of a Master's thesis in 1938 on "The Soil as One Factor in Early Mormon Colonization" completed by Newbern I. Butt, former assistant to the Director of the Utah State Agricultural College Experiment Station. His study pointed out the close relationship that existed between the composition of the population of early Utah and the problems arising therefrom for the field of agricultural education. Writing of the place of agriculture in Mormon history, Butt concluded that:

When a newcomer who was not a farmer entered a Mormon community he was likely to be so completely overwhelmed with the spirit of agriculture that any previous social prejudice against this occupation would be swept away. Farming was the popular occupation, often practiced as a side line by those in other trades. . . .

Perhaps the majority of the early converts were farmers. After the Gospel reached the Atlantic seaboard, however, and
especially after the great migration from Europe began, this occupational status was almost reversed. There appears to be no reliable information concerning this before 1850, but a study of the ship lists found in the Church Historian's office between that date and 1868 ... gave the percentages in the following table: (2, pp. 5-6)

Table 5. Occupations of L.D.S. immigrants

<table>
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<tr>
<th>Per cent who were:</th>
<th>1850-51</th>
<th>1852-55</th>
<th>1861-63</th>
<th>1868</th>
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<td>10.0</td>
<td>6.2</td>
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<td>Laborers (Unclassified)</td>
<td>19.4</td>
<td>19.9</td>
<td>23.3</td>
<td>30.4</td>
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<tr>
<td>Laborers (Skilled)</td>
<td>16.8</td>
<td>24.4</td>
<td>20.8</td>
<td>28.0</td>
</tr>
<tr>
<td>Miners</td>
<td>12.5</td>
<td>10.4</td>
<td>8.3</td>
<td>22.4</td>
</tr>
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<td>Building Trades</td>
<td>12.9</td>
<td>14.6</td>
<td>10.6</td>
<td>?</td>
</tr>
<tr>
<td>Manufacturing Industries</td>
<td>17.2</td>
<td>13.7</td>
<td>15.2</td>
<td>11.2</td>
</tr>
<tr>
<td>Service Employments</td>
<td>8.2</td>
<td>5.1</td>
<td>9.2</td>
<td>1.9</td>
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<td>Professional</td>
<td>2.9</td>
<td>8.2</td>
<td>2.5</td>
<td>?</td>
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<tr>
<td>Total number of persons</td>
<td>511</td>
<td>473</td>
<td>480</td>
<td>161</td>
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</table>

Gustive O. Larson in Prelude to the Kingdom gives a detailed listing of occupations of heads of families of those emigrating from Liverpool from 1849 to 1852, inclusive. He found that the occupation appeared in the following order of frequency:

- laborers 207
- miners 96
- farmers 68
- shoemakers 54
- tailors 39
- ministers 38
- weavers 38
- blacksmiths 36
- ironworkers 36
- carpenters 33
- colliers 26
- shipwrights 22
- engineers 22
- masons 21
- bakers 19
- gardeners 16
- mariners 16
- bricklayers 14
- cloth worker 13
- brickmakers 12
- butchers 10
- boilermakers 10
- mechanics 9
- spinners 9
- servants 9
- millers 9
- stonemasons 9
- millwrights 8
- plasterers 8
- wheelwrights 8
- tin plate work 8
- millwrights 8
- drapers 8

rotters 8
- knitters 8
- cordwainers 6
- shepherds 6
- clerks 6
- plumbers 6
- grooms 6
- shopmen 5
- stonemasons 5
- dyers 5
- watchmakers 5
- cutters 5
- cabinetmakers 4
- grocers 4
- glassmakers 4
- printers 4
- miscellaneous 110
Butt interprets the findings given in his table above as a great challenge to Mormon leadership to convert a population almost overnight from one that was, at least as far as foreign emigration is concerned, largely the laboring and mechanical trades to one that was agricultural. He suggests that this problem of re-education of practically an entire population took place on a wide scale largely through the travels of the leading officials of the Mormon Church and through instructions over the pulpit in local religious meetings. He maintains that such a method "was the only satisfactory way to spread correct practices to what in some communities was almost totally a non-agricultural audience which must in a few months' time adapt themselves to profitable farming practices or starve."

Butt concluded that L.D.S. methods of agricultural education were effective largely because the majority of the Mormon leaders had traveled extensively both in the United States and in foreign countries and had wide agricultural experience. Comparing this program of agricultural education with that in the United States in 1938, Butt concluded: "The methods amounted to agricultural extension work on a scale which puts to shame the present day scanty audiences and unheeded advice."

Gustive O. Larson, on the other hand, in studying Mormon planned emigration policies for the European converts felt that there was definite evidence of occupational selection in the composition of the Mormon emigrant populations. He writes that "Occupations represented in the immigrant list might well have varied according to demand." He quotes instructions from Brigham Young in Utah to Orson Pratt in England calling for the deliberate selection of companies of woolen manufacturers, cotton
manufacturers, potters, silk manufacturers, iron manufacturers, and printers to be found among the converts in Europe and sent to Utah. Larson mentioned that such selection of immigrant populations is evidence of a planned economic base in Utah larger than agricultural pursuits. Under such a program they would not all need to be re-educated. He quotes Jules Remy, an early visitor to Utah as saying that from 1850 to 1854 28 per cent of the emigrants to Utah were laborers, 14 per cent miners, 27 per cent mechanics, and that among every 100 there would be a school teacher, a dancing master, a doctor, a dentist, and a retired army officer.

Whether Butt is nearer the truth in his suggestion that the immediate task of education in Territorial Utah was the re-education of the adult population in a vast program of agricultural extension work or whether Larson is closer to the truth that the population of Utah was carefully selected for use in both agricultural, manufacturing, and mechanical pursuits, the fact remains that in the sermons and writings of the Mormon leadership there was clearly enunciated an immediate goal—an emphasis in education centering around vocational education or as some have termed it "practical" education. This was the first and foremost educational task for establishing the Kingdom of God in the Great Basin.

Some statements of prominent Mormon leaders on their own educational background and training

Mormon leaders readily admitted their personal inadequacies and the lack of opportunities for formal educational training. In a public address in the old Tabernacle in 1854, Heber C. Kimball said:

I am not what the world calls a learned man; neither is President Young. We never went to any college except the one sustained by the Latter-day Saints, and we have been in that from the beginning. . . .
President Young and I were born of poor, but honest and industrious parents, in the State of Vermont, when it was new; and we have been in new regions of country from that day to the present time, except when we were in the British Isles preaching the gospel of salvation. ... We have cleared and subdued the land at various points from Vermont to this place, so that we have had no opportunity for becoming what the world calls educated. (7, pp. 105-106)

Brigham Young also apologized personally for the lack of formal schooling. In 1870 he recalled that as a youth he had lived in New York in the same neighborhood with those who had assisted Robert Fulton in building his steamboat, but he confessed his own lack of educational opportunities in these words:

If it would be any satisfaction to any man in the world to know what advantages President Young has had, I will say that I used to have the privilege of cutting down the hemlock, beech and maple trees with my father and my brothers; and then rolling them together, burning the logs, splitting the rails, and fencing the little fields. I wonder if any of you ever did this? You who came from England, or from the rich prairies of Illinois or Missouri never did. Well, this was my education. "Did you not go to school?" Yes; I went eleven days, that was the extent of my schooling. (23, p. 170)

However, earlier in the same month he had defended the ability of the Latter-day Saints with little or no advantages of formal schooling to learn rapidly when given opportunities:

... When we look at the Latter-day Saints and remember that they have been taken from the coal pits, from the ironworks, from the streets, from the kitchens and from the barns and factories and from hard service in the countries where they formerly lived, we cannot wonder at their ignorance. But when they are brought together they soon become scholars. (24, pp. 38-39)

What Brigham Young meant in this instance by the term scholars, was not necessarily those versed in the learning to be found in books but in the lessons to be learned in the "great book of nature." To him the most immediate educational goal for the thousands of foreign and native born
immigrants in Teritorial Utah was "to procure a sustenance for themselves and families . . . also to learn the object of their being, of the creation of the earth, and how to organize the elements so as to subserve their own wants and necessities." (11, pp. 3-5)

The educational background of Lorenzo Snow, early convert to Mormonism and later the fifth president of the L.D.S. Church, is given by his sister, Eliza R. Snow Smith in these words:

With the exception of one term in High School in Revenna, Ohio, also a special term of tuition under a Hebrew Professor, he completed his scholastic training in Oberlin College, which at the time was exclusively a Presbyterian institution . . . .

A short time before leaving Oberlin, he wrote, asking me many questions concerning revealed religion, at the same time saying, "If there is nothing better than is to be found here in Oberlin College, goodbye to all religions."

I answered his questions, and knowing he intended crowning his studies with a thorough knowledge of Hebrew, invited him to come to Kirtland at the close of his term in Oberlin, as a school was, soon to commence there, under the tuition of an able Hebrew professor, for the sole study of that language. Accordingly he came, but not with the most distant idea of embracing the faith of the Latter-day Saints, of which were most of the Hebrew students, with whom, including apostles and the Prophet Joseph, he became familiarly associated; while he studied the dead language of the ancient Hebrews. . . .

(5, pp. 7-8)

Mormon educational goals in Territorial Utah

At least three themes from Mormon literature dealing with the educational programs of Mormon society within the Kingdom of God in Territorial Utah must be kept in mind in an attempt to understand the educational history of the Territory and State of Utah. The first two of these might be said to constitute a Mormon educational dichotomy.

The first theme is a combined apology on the part of the older generation of Mormons for a lack of formal education and a blank statement that
though they had not had the advantages of formal schooling, revelation from God or the Holy Ghost had made up the difference. In fact, their knowledge thus obtained was said in many instances to be superior to formal schooling.

The second theme applied to the young and rising generation of Mormons. It was frankly admitted that the older generation of Mormons had lacked formal schooling and this lacuna had been compensated for by direct knowledge and revelation of "the Spirit." It was also unequivocally stated that such lack of formal schooling could not be tolerated for the younger generation. The Mormon leadership sensed that there would come a new day, in fact, they intended to make sure that this new day did come, in which the Mormons would assume world leadership as envisioned in the concept of the Kingdom of God previously discussed in this study. In such a society experience in "splitting rails" or "riding the range" would not suffice and seemingly revelation was not expected to make up all of the difference. Hence, what was good enough for the Mormon father by way of formal education, was not good enough for his Mormon son. The coming progress of the Kingdom of God would demand far superior formal schooling and education.

The third theme in a sense combined the other two. It is perhaps epitomized in an oft-repeated statement of Brigham Young to Karl G. Maeser in 1875 that he should not attempt to teach the multiplication tables without the Spirit of the Lord. In such a program, religious education in line with Mormon doctrine and teachings, must permeate the entire educational structure. It was the sincere and oftimes adamant insistence by the Mormons on this third educational goal that made the Mormon established but tax-supported "public" schools of Territorial Utah unacceptable to the
parents of non-Mormon children.

Some direct statements on each of these three themes may further clarify their application by Mormon leadership to conditions in Territorial Utah. These quotations also give some evidence for a strong current of anti-intellectualism running through segments of the Mormon populace.

Jedediah M. Grant treated the first theme in a lecture delivered in the Social Hall in Salt Lake City on May 30, 1855. The title of the lecture was entitled appropriately enough, "The Holy Spirit, and Human Learning and Science." A few paragraphs from this lecture bear repeating here:

... With all the study I have exercised, with all the books I have read and the experience I have had, I never have been able to convey, with any degree of force, the ideas presented to my mind, without the Spirit of the Lord. ...

Take the wisest statesmen and philosophers there are in the world, and with all the knowledge they may acquire upon astronomy, philosophy, or any other branch of science known among the children of men, and they will come far short of a perfect knowledge of science in all its parts and bearings. If we could call up father Abraham, I suppose he could teach us more philosophy and astronomy in one day, than those to whom I have alluded could teach you in years. Call up Daniel, and he would tell us he learned more in one vision, concerning the history of the Medes and Persians, and of the Romans, and others, than modern historians could learn by reading for years. ... When I have trusted in books, or in my own acquirements that I have gleaned from reading and the productions of different authors, [for I used to be fond of reading the works of Brown, Abercrombie, Locke, Watts, and other metaphysical writers] I was sure to be foiled in my attempt, for all would leave me. ... But whenever I have trusted in the Lord, and relied on Him for strength, it has come out right. I want the Saints of God, when they come to school to be filled with the Holy Spirit; ... You may read all the books in the universe, and study all you can upon the science of astronomy, chemistry, and theology, and make those sciences interwoven in your very nature, till they are like a straight-jacket upon you, and you may be wrapped up in them and bound hand and foot, and after all they will not let you into the fountain of all knowledge. ...

Why was it that Joseph could take the wisest Elder that ever travelled and preached, and as it were circumscribe his very thoughts? Simply because he had the Holy Ghost. Why can
our President [Brigham Young] do the same? Is it because he has read books for years? No. But he has sought his God, and the Holy Ghost is in him. . . . Then, I say, that man knows the most who enjoys the greatest portion of the Holy Spirit. (25, p. 116)

He elaborated upon this theme by pointing out to the people that they might "read all the books in the universe" and still not be let into the fountain of all knowledge. Here, then, is an expression of the idea that in the last analysis, formal schooling had not prepared the early leaders of the Mormon Church for their positions of ecclesiastical leadership but they had been prepared by a revelation from heaven. In light of the dominance of the prophecies of Daniel in the scheme for the Kingdom of God, discussed earlier, it is significant for our understanding of Mormon educational thought that in this instance the foreknowledge of Daniel gained by dreams is placed in a position superior to the afterknowledge of later historians on the empires of the Medes, Persians, and Romans.

Other Mormon leaders from time to time reiterated this same theme. When Brigham Young in 1867 announced the beginning of a School of the Prophets he said:

You have read, probably, that we are starting the school of the prophets. We have been in this school all the time. The revelations of the Lord Jesus Christ to the human family is all the learning we can ever possess. Much of this knowledge is obtained from books, which have been written by men who have contemplated deeply on various subject, and the revelations of Jesus have opened their minds, whether they knew it or acknowledged it or not. We will start this school of the prophets to increase in knowledge. (20, p. 7)

Three years later Brigham Young again addressed himself to this particular theme:
... I would ask my friends or foes, no matter which—I mean those who do not believe as I do—those who look upon us as a set of fanatics, I would ask a few questions of the world of mankind, of the greatest philosophers, of the greatest geniuses, and of the men of the most profound knowledge on the face of the earth. "Can you tell me where you get your knowledge?" Say some, "The school-master taught me thus and so; my mother taught me thus and so; or I have learned it from books..."

Now, I ask the wise, where did you get your wisdom? Was it taught you? Yes, I say it was taught you. By your professors in college? No, it was taught you by the influence of the spirit that is in men, and the inspiration of the Spirit of God giveth it understanding; and every creature can thus add intelligence to intelligence... (23, pp. 170-172)

A second theme of Mormon educational theory and practice in Territorial Utah was concerned with the divergency that existed between the demands for formal schooling made on two generations of Mormons—the generation that came West in the exodus, and the generation that was born in Utah.

The older generation might, and did, excuse themselves for their lack of formal education by the exigencies of the times. Their education had been largely a blend of practical experience in "taming the wilderness" and direct inspiration and revelation from God and from the Holy Ghost. With some notable exceptions that we have already mentioned, this constituted the education of the older generation. The Mormon leaders were not content, however, to allow the younger generation to grow up without formal schooling in books and in the learning of the world. What was good enough for father was not good enough for his son in the eyes of the leading authorities of the Mormon Church. In the local communities, however, where the older generation was perhaps still a little closer to the actual necessity of maintaining an economic foothold, formal schooling or book learning
may not have bulked so large in importance. At least this is indicated in the tone of some of the religious sermons of Mormon leadership and is re-echoed in the annual messages of Brigham Young as the first governor of Utah and in the message of later non-Mormon governors. Historians have been at somewhat of a loss to explain why the governors of Utah and the high officials of the Mormon Church were constantly urging the establishment of schools and yet had to constantly repeat their urging if the Mormon people were converted to education and formal schooling. Some have accused the Mormon leadership of insincerity in their utterances. Others have pictured a battle within Mormondom between the advocates of "practical" education and the advocates of formal or "classical" education.

However, Heber C. Kimball, counselor to Brigham Young, pointed out differences in the needs for education of two generations:

We have cleared and subdued the land at various points from Vermont to this place, so that we have had no opportunity for becoming what the world calls educated. . . .

The circumstances I have named rendered it impossible for me to obtain the education of this world; yet the education we have received from God has qualified me and my brethren to instruct kings and rulers and to bring to naught the wis­dome of their wise men.

I do not wish you to understand from these remarks that you may, with propriety, relax your endeavors to educate your children when you have an opportunity. I should have educated my children; but I have been poor and penniless. . . . This would not have been the case could I have retained my posses­sions. . . . (7, pp. 106-107)

Brigham Young, the same year, as governor of the Territory of Utah pointed out in his annual message to the legislature that education was a subject of such vast importance that it could be neglected by the people of Utah only at very grave peril and that it "involves trusts of too
weighty consideration to be neglected for any reasons at present existing" (22, p. 376). He further made it clear that the rising generation in Utah was soon to "become our representatives upon the earth, and will, if neglected, recoil with bitterness upon our own heads, when too late to remedy."

He continued to plead the urgency of the cause bluntly stating that up to then the cause of education of youth had received little encouragement from the Legislative Assembly. Most of the efforts in education in Utah up to that point he said had been expended by private interests and while commending these interests for their far-sightedness he made it plain that the people of Utah could not afford to leave the education of its citizens wholly to the home, the Church, and private agencies.

Orson Hyde, member of the Quorum of Twelve Apostles of the L. D. S. Church, conducted a semi-private school in the Council House in 1855. In his opening lecture to the school he clearly outlined his educational philosophy and aims. In talking of the future demands of the society that his school was designed to serve he drew an illustration from the life and education of Brigham Young and then applied his illustration to the rising generation in the Kingdom of God, a generation which he hoped to serve through the establishment of his school. He said:

Were I now to refer you to our highly-esteemed Governor and President, . . . and ask him if he has not more use for scientific knowledge now, since the increased cares and responsibilities of both Church and State are resting upon him, together with the planning of public works, machinery, and fortifications against the Indians, &c., than when he embraced this Gospel, some twenty-five years ago, and went preaching without "purse or script"; and what do you imagine would be his answer? (6, pp. 271-272)

The answer in the mind of Orson Hyde was clear. Brigham Young as
governor of the Territory of Utah and as President of the Church of Jesus Christ of Latter-day Saints could not hope to get along on the 11 days of schooling he had received before joining the L.D.S. Church. With a vastly increased responsibility must go an increased knowledge and education gained either by direct revelation, by individual effort and study, by formal schooling and courses, or by a combination of all three. Schools of the Prophets, adult education ventures, had been established from the days of Kirtland, Ohio, to fill this lacune for the older generation, but how was the younger generation to be educated? Orson Hyde continued his opening lecture with a statement of some of the educational needs of the rising Mormon generation. First, the Church was now beginning to attract world-wide attention.

Apply, then, this same principle and course of reasoning to the Church, and what answer do we discover? When she was in her infancy, she did not attract the attention and gaze of the world. She had little use for scientific knowledge, and little or no time to acquire it; but having become stronger in her intellectual and physical organization, by force of unavoidable circumstances, such a mobocracy by earth's degenerate sons, and the bounteous blessings of a generous Providence upon the loyal subjects of his eternal laws, she begins to have greater use for science, and is more eligibly suited to acquire it in these peaceful valleys than when buffeted in the States upon the waves of political strife and religious intolerance.

... There is, however, a Power above, high over all, that scrutinizes all our acts and doings with an eye that never sleeps. We are not only watched over with fatherly care at home, but other nations cast an occasional glance at us. Their kings and their queens dream of us, and God showeth them some things as they are and as they will be. There will be Daniels and Mordecais in their courts, and, no doubt, Hamans, too. (6, pp. 272-273)

Secondly, as the Mormon Church attracted world-wide attention and sought to be the instrumentality in establishing the Kingdom of God, the
need for political acumen and hence for education would grow.

The political world is about to fall and crumble in pieces, in consequence of the great amount of repulsion which its parts possess. The religious world, also, like Babel's mighty empire, or like the millstone which the angel cast into the sea, will sink in the whirlpools of conflicting interests and sentiments, and her remains be "like the gleaning of grapes when the vintage is done." As saviours on Mount Zion and as restorers of every just and holy law, whether emanating from heaven, from nature, or from the legislative councils of the earth, let us become qualified to act well our part in the great and eventful scenes that will open to our view, and not sacrifice our birthright at the shrine of an unpardonable indifference in relation to qualifications that come within our grasp. (6, pp. 275-276)

Why should the younger generation in Zion or the Kingdom of God be trained in all the arts and sciences? Why was not religious education enough? Brigham Young answered, that as the younger generation of Mormons went out into the world they should be so trained that they could mingle with the best in the societies to which they were called and intelligibly and sensibly present the principles of truth to mankind, for said he, "All truth is the offspring of heaven and is incorporated in the religion which we have embraced" (26, p. 221).

In the words of George A. Smith, another early Mormon advocate of a wide education: "We shall thus lay the foundation of a great, polished, and highly civilized people, setting an example worthy of imitation in all things to all nations" (12, p. 145).

-George Q. Cannon, territorial delegate from Utah to the United States Congress in an address delivered at Hooperville in 1881, discoursed on this same theme:

You need not think, you parents because you have got through life with little or a meager education, that your children ought not to expect more than you possessed in starting life. You do not know anything about the future that lies before them. The
boys and girls of today, if they are prepared for it, will have opportunities of moving in the higher circles of society; boys will be required to go among the leading men of the nations; and how embarrassing it would be for them if they should not be qualified for it. But they should be. Every day the prospect is widening, the field is opening up before us, and men of this kind are needed all the time. We need them for legislators; we need them for Apostles, Presidents, Bishops and Counselors; we need them for every department of life. They should be cultivated so that they will be capable of discharging these duties and filling any position. (3, pp. 287-288)

The attitude of Mormon leaders toward education that was not directed by and permeated with their own religious philosophy was early expressed. In giving an historical address in 1868, George A. Smith spoke of the early experience of the Mormons in the East with non-Mormon schools in these words:

We sent our children to school to Mr. Bates, a Presbyterian minister, who soon after went into court and bore false witness against the Elders, and further testified on oath that every "Mormon" was intellectually insane. This lesson did admonish us not to longer intrust the education of our youth to canting hypocrites. (13, p. 106)

Whether it was this experience, related by George A. Smith, which called forth a revelation through Joseph Smith to William W. Phelps at Kirtland in June 1831, is not clear, but the revelation now recorded as Section 55 of the Doctrine and Covenants reads in part:

And again, you shall be ordained to assist my servant Oliver Cowdery to do the work of printing, and of selecting and writing books for schools in this church, that little children also may receive instruction before me as is pleasing unto me. (Doctrine and Covenants, 55:4)

This commandment that the school books to be used in the Mormon schools should be written by those specially called and ordained to that work seems to make it clear that almost from the first year of the Mormon Church it was expected that the Mormons would not only develop their own educational
philosophy but that they would write and provide their own peculiar educational materials to be used in their own day schools.

But the Mormon philosophy of education was also strongly permeated by a theme of seeking truth from every source. Five years after his arrival in Salt Lake City, Brigham Young addressed the Saints in this vein:

There are a great many branches of education: some go to college to learn languages, some to study law, some to study physics, and some to study astronomy, and various other branches of science. We want every branch of science taught in this place that is taught in the world. But our favorite study is that branch which particularly belongs to the Elders of Israel—namely, theology. Every Elder should become a profound theologian—should understand this branch better than all the world. There is no Elder who has the power of God upon him but understands more of the principles of theology than all the world put together. (27, pp. 314-315)

Brigham Young had said in 1852 that "We want every branch of science taught in this place that is taught in the world." Orson Pratt in 1860 rehearsed this theme explaining why science was an integral part, along with theology, of the educational scheme of the Latter-day Saints:

The study of science is the study of something eternal. If we study astronomy, we study the works of God. If we study chemistry, geology, optics, or any other branch of science, every new truth we come to the understanding of, is eternal; it is a part of the great system of universal truth. It is truth that exists throughout universal nature; and God is the dispenser of all truth—scientific, religious, and political.

Let us combine these two together; let us learn to train our minds religiously and scientifically. . . . (10, pp. 154-155)

Use of Mormon scripture in Utah schools

In April 1867, Daniel H. Wells said in General Conference:

I would have no objection to seeing the standard works of the Church introduced into our schools, that our children may be taught more pertaining to the principles of the gospel in the future than they are at present. And let one test of fitness on the part of those who teach be a thorough acquaintance with and love for the principles of the gospel which we
have received. . . . (22, pp. 376-378)

This same theme found open advocacy in the October 1867 General Conference in the words of Erastus Snow:

I cannot speak too highly in favor of those good books that have been recommended to our schools—the Bible, Book of Mormon, Book of Doctrine and Covenants, and all other good books, but especially those that contain the history of the dealings of God with his people from the beginning of the world to the present time, as well as the teachings of the prophets and apostles; for the foundation of all true education is the wisdom and knowledge of God. . . . (14, p. 178)

With the completion of the transcontinental railroad at Promontory Point in 1869 both Mormons and non-Mormons became increasingly conscious of a divergence of viewpoint between them as to the proper educational materials to be used in the territorial schools. The details of this controversy will be discussed later in the report.

Noting the trend in other parts of the United States in 1870 to remove Bible teachings from the public schools, Brigham Young clarified the Mormon point of view on its use in the territorial schools of Utah which were under Mormon control at the time, in these words:

Will we do away with the Bible? We will not; though the Christian world are actually coming to the point that they will dismiss the Bible from their schools; and by and by they will dismiss it from their pulpits and get one to suit themselves. . . . (28, p. 213)

There would be many Christians in Utah not of the Mormon faith who would have agreed with Brigham Young if the matter had rested solely on the inclusion of the Bible in the study materials for the territorial schools.

It was when he put his own utterances, his own sermons on a par with the Bible as scripture that he understandably aroused the ire of
non-Mormons not only in Utah but elsewhere in the nation.

In January 1870, he declared in a public sermon that:

I have never yet preached a sermon and sent it out to the children of men, that they may not call Scripture. Let me have the privilege of correcting a sermon, and it is as good Scripture as they deserve. . . . Let this go to the people with "Thus saith the Lord" and if they do not obey it, you will see the chastening hand of the Lord upon them. (29, pp. 87-88)

The above statement made in January 1870, had evidently been spread far and wide over the United States, for Brigham Young defended his stand taken in January in the October 1870 General Conference of the Church in these words:

I will make a statement here that has been brought against me as a crime, perhaps, or as a fault of my life. . . . in the councils of the nations—that Brigham Young has said "when he sends forth his discourses to the world they may call them Scripture." I say now, when they are copied and approved by me they are as good Scripture as is couched in this Bible, and if you want to read revelation, read the sayings of him who knows the mind of God. (30, pp. 261-262)

Such sermons as he here refers to were published in the Deseret News, and in the Journal of Discourses. Would not a Mormon teacher in the territorial schools, whose test of fitness was "a thorough acquaintance with and love for the principles of the gospel which we have received" feel obligated to use such "scripture" along with the Bible, Book of Mormon, and Doctrine and Covenants in the territorial schools which were under Mormon control? The non-Mormons charged that this was the case. There is no basis for denial that such were the facts.

Three years later in General Conference, addressing himself particularly to the ladies of the Relief Society, he treated the subject of both educational materials and qualifications of teachers. The Mormons were still in control of territorial public schools. He urged that the women
of the communities in Utah replace the men generally in clerical duties in the stores and in the local production of school books including writing, editing, and setting of the type. He said:

We want to make our own school books. We are paying now from thirty thousand to sixty thousand dollars a year for school books that can be made here just as well as to send and buy them abroad. . . . I can pick hundreds and hundreds of women out of this congregation that could go into a shop and make type just as well as men. . . . And they can learn to set type, and they can learn how to write for our school books. We have plenty of men and women that know how to write books, and how to teach too. We have just as good school teachers here as any in the world. (31, pp. 15-16)

But the influx of non-Mormons as a result of the coming of the rail-road in 1869 was already beginning to be felt. Non-Mormon school teachers were coming into the local Mormon communities. These teachers were generally well trained. Some of the Mormon bishops were also school trustees and had evidently been so unwise in the eyes of the President of the Mormon Church as to employ some of these non-Mormon teachers in the local schools. As was usual with reprimands coming from Brigham Young, this one was sharp and to the point:

While I am on this subject I will say that I am ashamed of our Bishops, who cannot have anybody but a stranger for a school teacher. Let a "Mormon" come along, who can read all around and over and under him, and who, as far as learning is concerned, is his superior in every way, but because he, the "Mormon," does not come in the guise of a stranger, the Bishop will not hear him. Bishops, I wish you would just resign your offices if you cannot learn any better than to get such charac ters into your school houses. Not but what there is once in a while a good man that comes along as a school teacher who is not a "Mormon": but, as a general thing, what have these men done? They have planted the seeds of infidelity in the hearts of the children, decoyed the hearts of their female pupils and led them to ruin, and they have turned round and cursed us. That is the character of some of the men our Bishops get into their school houses. There are many of our Bishops not fit to set type, measure tape, or to teach a scholar. That is saying a good deal for the Bishops, is it not? But it is a
fact. In many instances they have not wisdom enough to guide themselves one day without getting into error. They do not know truth from error, they do not know a Saint from a Sinner, or righteousness from unrighteousness.

Will you, Relief Societies, devote your time and talents and take hold of this business. (30, pp. 261-262)

In the fall of 1877, John Taylor, now head of the L.D.S. Church, was elected Territorial Superintendent of Schools. He said in Ogden shortly after his election:

You have elected me Superintendent of Common Schools, and I feel a good deal of interest in the welfare of Common schools, and also in all of our institutions of learning, where good education can be had, for I feel interested in our youth, and I take this opportunity to speak to the whole country in relation to this matter. . . . I hope that this whole county will go at this matter in all good faith, and where you lack good school houses put them up; and when you have already the school-house, but lack the furniture, get it and try to make the school-house comfortable for the children; and then good teachers who are good Latter-day Saints. Shall we have them, or shall we employ teachers that will turn the infant minds of our children away from the principles of the Gospel, and perhaps lead them to darkness and death? Some say, "You ought to be very generous, quite as liberal and generous as others." I think so. But if some of these liberal people, who talk so much about liberality, would show a little more of it, we would appreciate it a little better. I would like to know if a Methodist would send his children to a Roman Catholic School, or vice-versa, I think not. Do either send their children to "Mormon" schools, or employ "Mormon" teachers. I think not. . . . But would we interfere with other religious denominations? No. Prevent them from sending their children where and to whom they please? No. . . . They can take their course, and we want the same privilege. . . . (15, pp. 248-249)

The interpretation of this address seems inescapable. There is little doubt that John Taylor as the elected Territorial Superintendent of District Schools considered these common schools to be the school system of the Kingdom of God and hence to be the schools to be operated under the religious influence of the Mormon people.

At the next General Conference of the Mormon Church in April 1878,
John Taylor again addressed the people on the subject of education.

We want also to be alive in the cause of education. We are commanded of the Lord to obtain knowledge, both by study and by faith, seeking it out of the best books. . . . We want to compile the intelligence and literacy of this people in book form, as well as in teaching and preaching; adopting all good and useful books we can obtain; and what we need and cannot obtain, make them. And instead of doing as many of the world do, take the works of God, to try to prove that there is no God; we want to prove by God's works that he does exist, that he lives and rules and holds us, as it were, in the hollow of his hand. . . .

. . . I am also pleased to witness the degree of intelligence and studiousness manifested in our young people; it is creditable and praiseworthy. We want to lead them on and encourage them to study correct principles, so that when the responsibility of bearing off the Church and Kingdom of God shall pass from us to them, they may be prepared for it, and carry on to a glorious and triumphant consummation. And that we may stand in regard to education and literacy, the sciences, the arts and intelligence of every kind, as high above the nations of the earth, as we do today in regard to religious matters. (16, p. 310)

The concluding sentence of the above quotation has been the ever-recurrent theme of Mormon education from the days of Joseph Smith and Brigham Young until the present time. This goal of excellence in education seems to be still bright today among the Mormons but there is less talk now of that education resulting in the Mormons giving "laws to the nations." Mormons are prominent in leadership in many fields of endeavor but the teaching that this superiority or this leadership is to result in the establishment of the kind of a Kingdom visualized by Mormon leadership in the territorial period does not seem to be as clear-cut.

John Taylor's first term as Territorial Superintendent of District Schools expired in 1879 and he was up for re-election that fall. The Mormons also had controlled the offices of the County Superintendents of

*Italics supplied.
District Schools in most counties but had lost the contest for that office in Tooele County the previous election. Speaking in Kaysville in March of 1879, John Taylor called for a unity of political effort among the Mormons in the coming election. Again he used the theme of the establishment of the Kingdom of God and of the necessity for control by the Latter-day Saints of the materials of education to be used in the territorial schools:

I have heard lots of you preach this "Out of Zion shall go forth the law, and the word of the Lord from Jerusalem." Shall it? O, yes... The law cannot go forth from Zion unless it is made in Zion, can it? Who is going to make that law?

... I wish we had our own text books, published by ourselves and read by our children. I think such things are indicated in the Doctrine and Covenants. Then let us have our high schools, that our children may be taught in the common branches, that we may be as far ahead of the world in regard to literacy, mechanism, the arts and sciences, and everything else, as we are now in regard to religious principles. (17, pp. 166-170)

During the latter part of John Taylor's second two-year term of office as Territorial Superintendent of District Schools, his private secretary, L. John Nuttall's diary contains numerous references during 1880 and 1881 to his handling of territorial school affairs for President Taylor.

About one week before the people of Utah went to the polls in August 1881 a very interesting and somewhat revealing event took place on the corner of Main Street and South Temple in Salt Lake City. L. John Nuttall met John Sharp of the Central Committee of the (Mormon) People's Party. Sharp said to Nuttall: "I have just received the resignation of Hon. John Taylor to the nomination of Territorial Superintendent of District Schools—and have thought to put your name in nomination, will you accept if I do?" Nuttall answered: "Yes." Sharp said: "That will do." (9, p. 12). Each man went his way. A week later the territorial elections
were held. The official canvass of votes cast for Territorial Superinten-
dent of Schools gave the following results: for L. J. Nuttall—13,268
votes; for John Taylor—929 votes; for J. M. Coyner (non-Mormon educator
and Protestant minister)—259 votes (21, pp. 410–411).

What had happened? Had the People's Party reached all but the 929
voters and appraised them of the last minute switch in candidates or had
they had the plan well worked out but kept private until the week before
elections. Whatever explanation might be given for this bit of political
adroitness, one thing seems certain: The Mormons still controlled the
election of the Territorial Superintendent of Schools in 1881.

The office of Superintendent of Territorial Schools had changed hands
from President John Taylor to his private secretary, but the educational
themes of President John Taylor's sermons did not change. In an address
in Box Elder County later that fall he asked the people if they had a
school. They answered "Yes."

"Have you a good teacher?" — "A pretty good teacher."
"Well, then, I would educate my children. The teacher should
be a man or woman who fears God, who not only teaches grammar
and the common branches of education but the principles of
the Gospel as well, that our children may grow up in the fear
of God."(18, pp. 315-316)

In 1882 the Utah Commission took over the reins of the de jure
government in Utah and remained until statehood in 1896. L. John Nuttall
was elected as Territorial Superintendent of Schools for two additional
terms, in 1883 and 1885. In 1887 P. L. Williams, a non-Mormon was elected
to this office. Events moved rapidly. By 1890 the non-Mormon minority
in Utah had succeeded in wresting control of the district schools from
the Mormons and had pressured the passage of the first free public school
law through a predominantly Mormon Territorial Legislature. Evidently reading the handwriting on the wall, the Mormon leaders had two years before organized the first L.D.S. General Church Board of Education. This centralized Board of Education on October 29, 1890, issued an official statement of policy which marks one of the turning points in Church and State relationships in education in Utah and may be said to make a new era in education in the territory. The Mormon scheme and philosophy of education for the Kingdom of God may have been arrested short of its goal, or at least turned into another channel. The fault was not laid entirely at the doors of the non-Mormon opposition, strong though this force had been. The First Presidency of the L.D.S. Church wrote in 1890:

Salt Lake City, Utah
October 29, 1890

To the Presidents of Stakes, Bishops and all to whom it may concern:

... The all-absorbing motive that led the great majority of the Latter-day Saints to forsake their homes in the various nations to dwell in these mountain valleys was an ardent desire to serve the Lord more perfectly and with a better understanding. In too many instances, in the course of the years, this grand objective has been lost sight of in the toil for daily existence, and less noble aims have largely taken the place of the endeavor to learn the ways of the Lord and of the effort to walk in His paths. This benumbing influence in our spiritual life is widely felt in our homes, and more particularly affects our children, whose faith in the great latter-day work has not been developed and strengthened by the experience which their elders have had in lands beyond the borders of Zion. Nor does the training of our youth in the District Schools increase their feelings of devotion to God and love for His cause, for, as is well known, all teachings of religious character are rigorously excluded from the studies permitted in these institutions.

To lessen this great evil, and counteract the tendencies that grow out of a Godless education, the Church Schools of the Saints have been established. ... (4, pp. 3-5)
Summary

The usual discussion of Mormon educational philosophy tends to stop with two much-quoted expressions: "The Glory of God is Intelligence," and "Man is Saved No Faster Than He Gains Knowledge."

Among the Mormons in Territorial Utah there seem to have been two main types of educational goals. The first was to teach methods of subjugation of the immediate surroundings. The second was a long-range goal and an all-inclusive program for the eventual subduing of all the earth preparatory to the Second Coming of Jesus Christ. This second goal included the development of a society in all of its ramifications that would be capable of giving laws—political, economic, social, and religious—to all the world.

In this chapter the Mormon policy for education under the concept of the Kingdom of God has been discussed under three broad headings:

(1) The general composition of the population to be educated.

(2) Some of the educational qualifications and opportunities of the Mormon leadership.

(3) Mormon goals for education.

Several conclusions seem justified from the evidence presented:

(1) The Mormon leadership was committed to a policy of secular education equal to or superior to any given elsewhere in the world. However, the teaching of secular subjects as well as theology in the schools must be done under the guidance of Church leaders and in harmony with the "revealed religion" of the Mormons.

(2) In talks on Mormon goals and philosophy in education, a recurring theme was that the Latter-day Saints sought truth
from all sources.

(3) The point was also stressed, however, that Latter-day Saints might also get much, if not all, of their education directly by the "spirit of God." This point of view coupled with the two points immediately above seems to constitute a dichotomy in Mormon educational philosophy.

(4) Since the Mormons were in the majority in Territorial Utah they apparently saw no inconsistency in an educational policy that treated public school and church school as synonymous.

(5) The 40 years of educational effort that the Mormons put into their philosophy of education for the Kingdom of God did not come to full fruition, perhaps partly because of the dichotomy in the above four conclusions. They accomplished much that is worthy of notice.
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CHAPTER IV

UTAH - CHRISTIAN MISSION FIELD - PURPOSES AND POLICIES OF ROMAN CATHOLIC AND PROTESTANT EDUCATION IN UTAH

Father Kenny, Superintendent of Diocesan Schools of the Roman Catholic Church in Utah in a personal interview, pointed to a fact that is sometimes overlooked by Utah historians. Utah since 1847 has been Zion to the Mormons. It has been the center of the Christian world from which missionaries have been sent out to gather the Saints into the fold. To the Roman Catholic and Protestant churches, Utah has ever been and still is a mission field (13, p. v). Thus, the religious groups in Utah from its earliest settlement have been looking at the problems of Utah and of education in Utah out of different sets of eyes.

A major contribution to the educational work of the Roman Catholic Church in Utah has been made by the Sisters of the Holy Cross. At the one hundredth anniversary in 1941 of the founding of this religious order, His Excellency, The Most Reverend John J. Mitty, Archbishop of San Francisco, wrote:

In 1875 the Mormon Territory of Utah, with its ten Catholic families, was a part of the far flung Archdiocese of San Francisco. Caring for the Catholic people in this outpost of the Archdiocese was an intrepid priest, Lawrence Scanlan. To his aid in his work for souls he called the Sisters of the Holy Cross from Notre Dame, Indiana. From the June day in 1875 when two Sisters arrived in Salt Lake City until today the Sisters have transmitted their message of knowledge, of culture, of charity, and of faith to the people of the mission dioceses of the West.

Women of indomitable courage, of urban culture, of Christ-like charity have founded schools and hospitals in Utah, in Idaho, and in California; women of quiet and beautiful dignity, of
gracious modesty have worked for the furtherance of Christian education and Christian charity in their schools and hospitals. (13, p. v)

Equally frank, but perhaps less diplomatic, about Utah as a field for active proselyting was an advertisement appearing in the Pacific Coast edition of the Wall Street Journal on May 1954. Another Catholic order, the Trappists, had begun a monastery in Huntsville, Utah. The Friends of the Trappists with headquarters in River Forest, Illinois, placed the advertisement in the Wall Street Journal appealing for funds to help build the monastery. The advertisement was a take-off on the words of Brigham Young when he and the Mormon pioneers entered Salt Lake Valley. It was made clear the the Mormons were not the only "Saints." The advertisement read in part:

WILL YOU HELP THE LATTER DAY SAINTS?

"THIS IS THE PLACE!" cried Brigham Young when he and his band of intrepid followers arrived in the valley of the Great Salt Lake on July 24, 1847. Since that memorable day the State of Utah has ever been synonymous with the Church of the Latter Day Saints of Jesus Christ, a stronghold of Mormonism and center of a world wide missionary activity.

"This is the place!" cried Dom Frederic Dunne when almost one hundred years later, on March 3, 1947, he first set eyes on the Parke Ranch ... nestling high in the Wasatch Mountains. ... As soon as the Trappist Abbot dressed as a layman, had transacted the necessary business, the Parke Ranch became the site for the Abbey of Our Lady of the Holy Trinity. A new type of saint had entered the Mormon territory. ... .

Do you wish to help these "latter day saints" in the contemplative apostolate among their Mormon neighbors? If so, send your offering, great or small, to the Reverend Father Abbott—Rt. Rev. M. Maurice Lans ... Abbey of Our Lady of the Holy Trinity, Huntsville, Utah. (16, p. 6)

In 1951 the Intermountain Catholic Register (10, pp. 1-3) reviewed the 60-year history of the Salt Lake City Diocese. It pointed out that
in the normal development of the Roman Catholic Church in any given missionary area there is frequently a space of time when the wisdom of setting up a permanent Bishopric is in question. As a temporary measure it is not uncommon to erect a Vicariate Apostolic. The Church then awaits the outcome. If growth and progress justify the vicariate is raised to a diocese. The proposition to establish a Catholic vicariate of Utah was first broached at the Second Plenary Council of Baltimore in 1866, three years before the completion of the transcontinental railroad. According to the Register there was a recognized need in the then fluid state of the American West for several vicariates to protect the religious interests of thousands of Roman Catholics who were flocking into the unsettled regions of the frontier following the advance of the railroads or seeking precious metals in the newly explored mountains. Although at this time the Roman Catholic Church had no more than the merest foothold in the Mormon center, it was the promise of the permanency of the Mormon settlements and particularly Salt Lake City "the largest community between the Missouri and the Pacific Coast and the only permanent one" that caused the recommendation to be made that Salt Lake City be established as the center of the Vicariate of Utah. Denver, Colorado, however, had a larger Catholic population and Utah was annexed to the Colorado vicariate where it remained until 1871 when Bishop Machebeuf requested that it be transferred to the Archbishop of San Francisco. In 1884 at the Third Plenary Council of Baltimore, Archbishop Riordan again proposed the creation of the Vicariate of Utah covering Utah and Nevada. This wish was fulfilled on September 16, 1886. On June 27, 1887 the Very Reverend Lawrence Scanlan was consecrated Titular Bishop of Laranda and Vicar Apostolic of Utah. The period of Utah's
probation as a vicariate was five years and in 1891 the Catholic Diocese of Salt Lake City was erected.

It is estimated that in 1873 there were 800 Catholics in Utah Territory and that in the 18 years from 1873 to 1891 the Catholic Church in Utah grew to a population of approximately 8,000. In the 60 years from 1891 to 1951 it increased from 8,000 to 25,000. In 1956 Utah had a Catholic population of 31,400 with an enrollment in Catholic schools of 2,087 elementary; 589 high school, and 132 college students (4).

As a review is made of the history of the Roman Catholic Diocese of Utah it becomes apparent that it has almost wholly lacked any rural Catholic population. At least one Catholic historian considered this as unfortunate because of a resultant low birthrate and a consequent dependence for any significant growth on immigration of Catholics into the state (10, p. 1).

The fate of Catholic parishes and of Catholic schools in Utah has thus largely depended on the healthy growth and continuance of Utah's mining and industrial communities. A few examples should illustrate this point.

In 1891 Salt Lake City had one parish. Its schools were St. Mary Academy on First West, All Hallows' College at Fourth East and Second South, and the parochial school in the basement of the Holy Cross Hospital. In 1951 it had seven parishes. Its schools included St. Mary-of-the-Wasatch, a girl's school of collegiate grade; Judge Memorial, a co-educational grade and high school, and the new Cathedral School dedicated in 1949.

In Ogden, second city of the diocese, the wooden church of the pioneer period, still used in 1891, was soon to be replaced by the stone St. Joseph's. So far as is known, the first parochial school in Utah was established in Ogden in 1877. Sacred Heart Academy is now the provincial
headquarters of the Sisters of the Holy Cross for Utah, California and Idaho. The new parish school was completed in 1925.

Two active and flourishing parishes in the last decade of the nineteenth century illustrate the changing fortunes of the Catholic Church and schools in Utah as populations and economic conditions changed. Park City and Eureka in the 1880's and 1890's were strong Catholic centers with parochial schools. In both the gradual decline of the mines and of the Catholic population necessitated the closing of the schools.

Bingham Canyon, on the other hand, was a poorly supported mission in 1891. In 1951 it was one of the largest diocesan parishes in point of actual Catholic population with two churches, a convent, school, and social hall.

Carbon County, hardly known as a Catholic center in 1891, has witnessed a rapid growth of the Catholic Church. Helper became the site of the first church in the area and today Price is a parish with its church and schools—grammar, junior high, and high school.

Corinne, railroad head and one of the earliest Catholic centers, has "declined from parish to mission status" (10, p. 33).

Davis County, having a large population for years "innocent of any Catholic influence," has now with the coming of military installations a parish under Franciscan auspices and has recently built a new elementary school which is expanding rapidly (10, p. 3).

At Milford and Richfield, in the heart of missionary Utah, the Dominicans are at work developing parish life and farther to the southwest at Cedar City, another parish center is carrying on the work begun in that area at the famous but now abandoned Silver Reef mines. (10, p. 3)

In 1937 His Excellency, Bishop Duane C. Hunt invited the missionary
Paulist Fathers to come to Utah. Bishop Hunt, himself a convert from the Methodist to the Catholic faith had written a short time before:

As a convert, the work of bringing the whole of Christendom into the unity of Catholicism has been a leading absorption of my priestly life. Now, as Bishop of a diocese, where the Church, if it is to grow, must find its increase primarily in the field of conversion, my interest is all the more real. (10, p. 3)

There can be little doubt from these facts and this statement of Bishop Hunt that the Catholic Church views Utah as a mission field and the conversion of the people of Utah, Mormon or otherwise, to the fold of Catholicism as her obligation and duty. She, the Roman Catholic Church, could take no other stand and still be true to her historic past and convictions.

Catholic policy for Christian education

About the time the Mormons were getting firmly established in Utah the First Plenary Council of Baltimore, May 9, 1853, had laid down one of the fundamental rules which has since governed the progress of Catholic education in the United States. The Council had stated: "We exhort the bishops that they take steps to establish a parish school in connection with every church in their diocese" (21, p. 61).

If the size of the parish does not immediately justify the establishment of a parochial school, usually certain orders of catechetical Sisters are requested to work in the parish, to hold vacation schools and otherwise prepare the way for the establishment of a parochial school. If the services of the catechetical Sisters are not available this preparatory work is often done by the priests of the parish with the assistance of Catholic laity. This pattern has been and is being followed today in establishing the Catholic parochial schools in Utah.
Brief citations from certain other laws of the Catholic Church with reference to the necessity of religious education and the establishment of Catholic schools should be helpful in understanding the purpose and philosophy of Catholic education in Utah.

From the instructions addressed to the American Bishops, November 24, 1875:

There is nothing so necessary as that Catholics should have schools of their own, and these in no wise inferior to the public schools. No pains, therefore, are to be spared to found Catholic schools where they are wanting, to enlarge and equip and arrange them more and more perfectly that they may be put on an equality with the public schools, both in their teaching and managements. (12, p. 62)

From the Third Plenary Council of Baltimore, November 9, 1884, is this statement of obligation resting on Catholic parents: "All Catholic parents are bound to send their children to the parish school unless it is evident that sufficient training in religion is given either in their own home or in other Catholic schools" (1).

The Catholic Code of Canon Law also ordains, on the subject of the education of Catholic children:

(Canon 1113) Parents are bound by a more grave obligation to provide to the best of their ability for the religious and moral as well as the physical and civil, education of their children and for their temporal well-being.

(Canon 1372) From childhood, all the faithful must be so educated that not only are they taught nothing contrary to faith and morals, but that religious and moral training takes the chief place.

(Canon 1375) The Church has the right to establish schools of every grade, not only elementary schools, but high schools and colleges.

(Canon 1379) It is desirable that a Catholic university be founded wherever the public universities are not imbued with Catholic teaching and feeling. (12, p. 62)
The above laws are some of the principal ones governing the development of Catholic education. Catholic clergy and laity in Utah seem to have made sincere efforts to carry out these laws in the development of Catholic educational system for the Diocese of Utah.

Perhaps the most notable statement on the aims and philosophy of Catholic education is the Encyclical of His Holiness Pope Pius XI--Christian Education of Youth (Divini Illius Magistri) issued December 31, 1929. One or two passages are particularly pertinent for our understanding of the Catholic point of view on Church and State relationships in education. His Holiness, Pope Pius XI, wrote of the duties and accomplishment of the Catholic Church in the education of Catholics:

The extent of the Church's mission in the field of education is such as to embrace every nation, without exception, according to the command of Christ: "Teach ye all nations;" and there is no power on earth that may lawfully oppose her or stand in her way. In the first place, it extends over all the Faithful, or whom she has anxious care as a tender mother. For these she has throughout the centuries created and conducted an immense number of schools and institutions in every branch of learning. (8, p. 4)

However, the obligations of the Catholic Church in education are not confined to the faithful or to the members of the Catholic Church. Since the Catholic Church asserts herself to be the universal church, the Catholic Church, the One True Church, she views her obligations as extending to the conversion and education of those outside the fold as well.

But if we wonder that the Church in all times has been able to gather about her and educate hundreds, thousands, millions of students, no less wonderful is it to bear in mind that she had done not only in the field of education, but that also of true and genuine erudition.

All this the Church has been able to do because her mission to educate extends equally to those outside the fold, seeing that
all men are called to enter the kingdom of God and reach eternal salvation. Just as today when her missions scatter schools by the thousands in districts and countries not yet Christian ... so in every age the Church by her missionaries has educated to Christian life and to civilization the various peoples which now constitute the Christian nations of the civilized world.

Hence it is evident that both by right and in fact the mission to educate belongs pre-eminently to the Church, and that no one free from prejudice can have a reasonable motive for opposing or impeding the Church in this her work, of which the world today enjoys the precious advantages. (8, p. 8)

In his Encyclical Pius XI also raises and answers from the Catholic point of view the question: "To whom does education belong?"

Education is essentially a social and not a mere individual activity. Now there are three necessary societies, distinct from one another and yet harmoniously combined by God, into which man is born: two, namely the family and civil society, belong to the natural order; the third, the Church, to the supernatural order.

In the first place comes the family, instituted directly by God for its peculiar purpose, the generation and formation of offspring; for this reason it has priority of nature and therefore of rights over civil society. Nevertheless, the family is an imperfect society, since it has not in itself all the means for its own complete development; whereas civil society is a perfect society, having in itself all means for its peculiar end, which is the temporal well-being of the community.

The third society, into which man is born when through Baptism he receives the Divine life of grace, is the Church; a society of the supernatural order and of universal extent; a perfect society, because it has in itself all the means required for its own end, which is the eternal salvation of mankind; hence it is supreme in its own domain.

Consequently, education, which is concerned with man as a whole, individually and socially, in the order of nature and in the order of grace, necessarily belong to all these three societies, in due proportion.

And first of all education belongs pre-eminently to the Church by reason of a double title in the supernatural order, conferred exclusively upon her by God Himself; absolutely superior therefore to any other title in the natural order. (8, p. 17)
This statement of the view of the Catholic Church toward the family, civil society and the place of the Church seems basic to any understanding of Church and State relations in education. Throughout Utah history the Catholic Church has seemed to go its own way educationally. Perhaps there was more in common in the Mormon and Catholic views of what the nature of education should be and of the place of the Church in that education. There also seem to be some common elements in the Mormon concept of the Kingdom of God, and its relationship to civil governments as outlined in Chapter 2 of this study, and the Catholic view of the relation between Church and State as outlined in the Encyclical of Leo XIII "Immortale Dei." On November 1, 1885, Leo XIII wrote as follows:

God has divided the government of the human race between two authorities, ecclesiastic and civil, establishing one over things Divine, the other over things human. Both are supreme, each in its own domain; each has its own fixed boundaries which limit its activities. (9, pp. 16-17)

This statement of the Catholic view of civil and divine governments might recall a paragraph or two from an announcement of Mormon beliefs on the same subject:

We believe that governments were instituted of God for the benefit of man; and that he holds men accountable for their acts in relation to them, both in making laws and administering them, for the good and safety of society.

We believe that all religious societies have a right to deal with their members for disorderly conduct, according to the rules and regulations of such society ... but we do not believe that any religious society has authority to try men on their right of property or life. ... 

We believe it just to preach the gospel to the nations of the earth, and warn the righteous to save themselves from the corruption of the world; ... (14, p. 1)

However, each church has held tenaciously that it was the true and
universal church. Pope Pius XI in further discussing the Christian education of youth quoted Leo XIII to the effect that everything in human affairs that is in any way sacred belongs within the jurisdiction of the church. Since education is so inextricably bound up with the welfare of the individual as well as society, education belongs within the province of the Church rather than the State. Pius XI applied this teaching to Church and State relationships in education in these words:

Whoever refuses to admit these principles, and hence to apply them to education, must necessarily deny that Christ had founded His Church for the eternal salvation of mankind, and maintain instead that civil society and the State are not subject to God and to His law, natural and Divine. Such a doctrine is manifestly impious, contrary to right reason, and, especially in this matter of education, extremely harmful to the proper training of youth, and disastrous as well for civil society as for the well-being of all mankind. (8, p. 17)

It is further pointed out by Pius XI that historically the school as a social institution was a creation of the family and the Church long before the State stepped into the field. Hence the school considered in its historical origin is an institution subsidiary and complementary to the family and the Church. From this point of view the so-called "neutral" or "lay" school from which religion is excluded, is contrary to the fundamental principles of education which would train the "whole man." Similarly, Catholics cannot approve the "mixed" school in which students are provided separate religious instruction, but receive other lessons in common with non-Catholic pupils from non-Catholic teachers. Religion must be in very truth the foundation and crown of the youth's entire training.

Philosophically, then, it seems that schools established respectively by the Mormons and Catholics in Territorial Utah must of necessity have
been regarded in much the same light by these two groups. Each was sponsoring Church schools, regardless of other titles given to the territorial schools. The protest, therefore, that was made by incoming Protestants that there were no "public" schools in Utah before 1890 had a philosophical as well as a historical basis.

Mormon and Catholic relationships in territorial Utah

If educational philosophies having some common elements had not made for more or less harmonious working relationships between the Mormons and the Catholics in early Utah, perhaps the personal equation found in the personalities of the leadership of the two groups would have tended to accomplish this end. A third factor leading to mutual appreciation was the common lot of being persecuted religions. Both Mormon and Catholic historians seem to be aware of these factors in Mormon–Catholic relationships.

Before the Mormons moved west to Utah they wrote of common ground that they felt they shared with Catholics. In a letter signed by Willard Richards, John M. Bernhisel, W. W. Phelps and Lucien Foster, members of the Mormon Central Campaign Committee, during the presidential election of 1844 to Hugh Clark, Alderman, Philadelphia, sympathy was expressed for Catholics who were being mobbed in Philadelphia—the city of "brotherly love." After referring to the mobbings that the Mormons had suffered in Missouri, the latter said:

The Mormons and the Catholics are the most obnoxious to the sectarian world of any people, and are the only two who have not persecuted each other and others in these United States, and the only two who have suffered from the cruel hand of mobocracy for their religion under the name of foreigners. (2, p. 404)

Bishop Robert J. Dwyer, without doubt the foremost Catholic historian
of Utah, refers with evident approval in his life of Lawrence Scanlan, first Catholic Bishop of Utah, to the part played by Bishop Scanlan in amicable Mormon-Catholic relations:

Early in his career in the stronghold of Mormonism, the young priest \( \text{he had just turned 30} \) seems to have determined a course of action toward the Latter-day Saints from which he rarely varied in all the subsequent years. He would live among them on terms of cordiality, avoiding intimacy on the one hand, and the antagonism on the other. Among his predecessors, Father Kelly seems to have shared some of the Gentile bitterness toward Brigham Young and his followers, and occasionally, as time went on, Scanlan detected a like tendency on the part of several of his associates in the Utah priesthood. He never encouraged it. He took no part in the anti-Mormon crusade, though there was never any doubt as to his stand on the issue of polygamy. He came to Utah too late to know Brigham Young in the latter's prime, but years later, at the unveiling of the famous monument to the great colonizer and leader, he referred with no little feeling to Young's personal benevolence toward him and his fellow Catholics in the days when the Church was struggling to obtain a foothold in Utah. (3, pp. 13-14)

Bishop Dwyer's own wide experience and amicable relationships with various groups in Utah would seem to have followed the example set by Bishop Scanlan. On the other hand Patrick Edward Connor, commander of federal troops in Territorial Utah, was one of the arch denouncers of the Mormons. Certainly his \text{Daily Union Vedette} was rabidly anti-Mormon. Of him Dwyer writes:

Patrick Connor, brevetted a brigadier general on his retirement from active service, was at the height of his career as the founder and chief promoter of the mining industry, but his Catholicism, to the distress of his devout wife and family, was rather nominal. (3, p. 17)

Perhaps the most widely cited example of amicable Mormon and Catholic relations in Utah, used by both Catholic and Mormon historians, is an incident that occurred in St. George in 1879. Details of the incident vary with the historians but all seem to agree that it was the very friendly
relations between the two groups that allowed Father Scanlan's celebration of High Mass in the Mormon St. George tabernacle with the Mormon choir rendering Peter's Mass in Latin. Bishop Dwyer writes that the priest's text was appropriate: "True adorers of God adore Him in spirit and in truth" (10, pp. 1-3).

It should not be concluded from this short discussion of Mormon and Catholic relationships that the two churches, both strongly centralized in authority and both strongly asserting themselves to be the only true church, had joined in any ecumenical venture, movement, or feeling. But each, it would seem, had decided to live with the other on terms of cordiality "avoiding intimacy on the one hand, and antagonism on the other."

More recently a Catholic agency has published a pamphlet which shows a map of Utah blackened out and labeled "a foreign mission close to home" (15, p. 1).

**Protestant views of Utah as a religious and educational mission field**

The Protestant religious and educational workers in their service in Utah were dedicated people. They were dedicated to the cause of Christian enlightenment in Mormon darkened Utah. One cannot read their letters and reports without gaining an appreciation of the spirit of self-sacrifice that went into the work of the early Protestant school teachers and missionaries—for both callings were most often combined in one person. In their eyes Utah desperately needed conversion to Christianity. To them the Mormon religion was certainly not Christian. Theirs was the task to educate and to lead the Mormons back into the light of Christ. They had but little hope for the older generation of Mormons, but they were convinced that through a series of mission schools which they began to establish rapidly
in the 1870's and 1880's, they might yet save the younger generation of Mormons and perhaps through them some of the older generation.*

A veteran of many battles, the Reverend Dr. William M. Paden wrote rather apologetically of the situation in 1921:

We have perhaps a bare hundred missionaries at work in winning Utah for the religion of Christ. Utah has 1,800 at work trying to win the members or adherents of our Christian churches beyond the mountains to the religion of Joseph Smith. Shame upon us if we do not have more zeal and power in our testimony for Jesus the Christ, than they have in their testimony for Joseph the Prophet. (7, p. 8)

What did this long-drawn-out religious controversy have to do with education in Utah? Quite simply this: The territorial schools were until the 1890's largely under the control or influence of the Mormon Church. Mormon scriptures and books had been advocated for use in these schools as was outlined in Chapter 3 of this report. To counter the Mormon influence in the territorial schools and to convert Mormons to Christianity the Protestant churches each established a series of mission schools beginning with St. Mark's Episcopal school in 1867. The dual purpose of the Presbyterian schools becomes clearly evident in the very form of the reports made by the school teachers to the District Missionary Head from the early 1880's through to at least as late as 1915, and in reports made in the 1880's by the various Protestant churches in Utah to the Utah Commission and the Secretary of Interior of the United States. For example, the report form for school teachers of the Presbyterian Church in Utah in 1887 to the District Missionary (5) called for the following information and

*The William M. Paden - George W. Martin Collection at Westminster College in Salt Lake City is rich in original letters, reports, and pamphlets of Protestant missionaries, school teachers, and educators.
the report for St. George reads as follows:

1. Total number enrolled in day school since Sept. 1st. 15
2. No. of day pupils both of whose parents are Mormons 12
3. No. of day pupils one of whose parents is Mormon 3
4. No. of day pupils from apostate Mormon homes 0
5. No. of day pupils from "Gentile" homes 0
6. No. of day pupils who belong to your Sabbath schl. 10
7. Monthly average belonging to Sabbath school 9
8. Do you read sermons to the people?

It is notable that in St. George in 1887 the pupils of the Presbyterian schools were drawn predominantly from the Mormon population. In much of the literature put out by Protestant leadership in Utah both for local and for national consumption, the conversion of the Mormons was portrayed as one of the prime goals of the Protestant mission schools. It was on this basis even into the 1920's, 1930's, and 1940's that appeals for funds were made in the East.* Church supported education for their own children in Utah has always been part of the educational program of the Protestant churches, although another important goal was that of conversion of the Mormons.

The Presbyterian school teachers' annual reports for 1887 (11) are particularly a rich source for comments of individual teachers which give insight into the problems being encountered in their attempts to carry out an educational program among the Mormons. The day school teachers in most instances were expected to conduct a Sabbath school also and read sermons at Sunday evening services between the sometimes infrequent visits of the ministers whose responsibilities covered many communities and vast distances considering the mode of transportation of the times. Many of the school teachers felt that the day school plus the Sabbath school was a full load.

*A carefully kept scrapbook of fund raising campaign literature distributed in the East from the early 1880's almost to date is on file in the archives of Westminster College, Salt Lake City.
without the sermon reading. They felt that their dual role as teacher and missionary in the day school and their Sunday duties in the Sabbath school was as taxing as one person's health would stand, yet the majority of them were sincere and devoted men and women, willing to go the extra mile. No one who has read the "off the cuff" comments of these Protestant school teachers would ever accuse them of insincerity of purpose.

A few examples of these individual comments from the reports for 1887 give typical case studies of the problems of a Protestant school teacher in Mormon Utah.

Mrs. A. E. Blackburn, school teacher in St. George, commented on the strenuousness of the dual responsibilities of missionary and school teacher:

"Mr. Cort told Miss Curry he would advise us not to have meetings. But if I had the strength I would try. It is too much for one person to do all that is needed to be done. The day school and Sabbath School have taxed my strength all that it would bear. . . . Is there any way I can forward the good work where it is cooler when I must leave the heat here? (11, p. 5)

Miss M. E. Knox in Fillmore was anticipating an explosive "parent-teacher conference" evidently over the teaching of the Bible in her day school when she wrote to the Presbyterian District Supervisor. She was very frank in reporting her intended defense of the place of religious education in day schools:

"Although we do not have evening meetings and read sermons still we use sermons adapted for children taken from the book called "Children's Meetings." A friend told us the other day that Mr. Kelly, Quintin's father, was coming to talk with us about the study of the Bible in the day school. He of course is very bitter against it and we hardly think he will come but if he should we shall tell him very frankly that we cannot do differently and if he wishes them to know nothing of the Bible, the place for them is not in our school. (11, p. 6)

The report and letter do not make the religious affiliation of Mr.
Kelly known or if he had any church affiliations but it is clear that Miss Knox was not going to change the curriculum and eliminate the reading of sermons and the study of the Bible in her day school because of the opposition of certain parents. They would have to take the curriculum and Bible reading as they found it or send their children elsewhere for their schooling.

Miss P. J. Hart, school teacher at Kaysville in 1887, reported a total enrollment of 40 pupils in her day school. Thirty of these children were listed as coming from Mormon homes where both parents were Mormons. An additional four had one parent a Mormon and three are listed as coming from apostate Mormon homes, leaving only three of "Gentile" parentage.

Miss Hart's comments on these statistics are enlightening:

I have answered these questions to the best of my ability, not being yet thoroughly acquainted with the people.

In regard to No. 2 [both parents Mormons] I wish to say that the greater number of these I consider to be simply, nominal Mormons. They show a kindly interest in the Mission school and its work; but so far as I know their names have not been taken from the Rollbook of the Mormon Church.

My answer to No. 5 [Gentile parentage] means, those who have never been Mormons, not necessarily Christians. In regard to No. 8, it was upon the advice of Rev. R. C. McNiece that I did not begin an evening service for the people. The work of both day and Sabbath school has been heavy for one; and I have found it as he predicted, quite equal to my strength. (11, p. 9)

Evidence of at least some competition among the various Protestant schools in addition to the larger competition with the Mormon controlled educational system is found in the comments of Miss Mary Clemens in her report on the Hyrum, Utah Presbyterian day school:

There was some complaint about paying $0.75 per term, tuition, and since they are expecting the Methodists to
open a free school here, I reduced the tuition to 50 cts. per term. I don't know whether I should have done so or not. (11, p. 10)

An interpretation to the term "outsider" quite different than that employed by the Mormons is given in the comments made by Miss F. E. Baker, Presbyterian school teacher in Samaria, Utah. She lived and taught in a strictly Mormon community. To her "outsiders" were those Mormons who had "come out from under the Bishop's rule."

Great as were the obstacles of conducting a mission day school in a Mormon community, Miss Baker was not discouraged. The conversions of the Mormons to Christianity and the weaning of them away from their false Christianity was worth every effort of the Protestant school teacher:

This has been one of the many places where the people have never heard of aught but Mormonism. Many who believe in Adam as God. No real Gentile population—but there are many outsiders, those who have come out from under the Bishop's rule this year and of church bondage—they have all winter held their own dances. Quite a company that I would pray might be led—by God's truth to seek a higher mode of living. But we will not falter—and while we cannot understand why our progress is so slow in convincing those we deal with—we can only consecrate our whole being to more earnest work. That all teachers may be led to see how much grace we need to walk before the people that our Father may be honored and we may daily receive rich returns of peace and Joy in being even thought worthy to be of the least of His servants ready to do his will. (11, p. 12)

If these Protestant missionary school teachers were to accomplish their goals they needed to keep in close touch with Mormon movements and have their fingers on the Mormon pulse. They frequently attended Mormon meetings, particularly Stake and General Conferences whenever occasion permitted. Since theirs was a militant crusade they generally sought rather than avoided contact with local Mormon leaders. How much this rather close contact plus the social pressures of the Mormon communities in which they
lived affected their zeal and perhaps unconsciously modified their curriculum or curriculums and approach in their schools is difficult to measure at this distance. At least one Protestant school teacher of the later territorial period expressed the need for constant vigilance to guard against slipping into complacency and allowing residence in the Mormon communities to blunt the zeal that teachers should feel. In a letter to the Superintendent of Presbyterian Missions and Schools in Utah, J. A. Olmstead, teacher at Richfield in 1881, wrote:

I have found from experience, that it is only when I am burdened for souls, when I carry them to the throne of Grace and will take no denial, that God answers my conversions, and oh, my dear Brother, I feel that the Lord is going to do great things for Utah soon! And I sometimes think that what I do, I must do quickly, for the time is short...

I attended Mormon Conference a week ago today. The people say it was superior to anything they ever had before...

Mr. Beal of Manti called us wolves, said he understood one had got into Richfield, but that didn't hurt my feelings at all. It was not till one of the speakers said, in referring to the school, that no great harm was being done now, only a few papers being distributed, no direct teaching as he could see, but there might be in the future, from other sources. That aroused me and then one of my pupils had told that I was not teaching religion.

I came to my room, and on bended knee asked my Heavenly Father's forgiveness, if I had lived amongst this people eight months and they could not tell that both by example and precept I am trying to teach the religion of Jesus.

I concluded that it was time for a rigid self-examination. I went to the President of this Stake and told him I am teaching religion and what I do, I am willing everybody should know, I do not hide in a corner.

I told him, if it is true, that he and his people have more light than I, which they claim, then his responsibility is greater, and it was his duty to pray God that he would show me the light, and enable me to see as they do. On the contrary, if I have the greater light, which I know I have, then my responsibility is greater, and the Lord requires that I do all I can,
to lead them into the light.

He acknowledged I was right, and gave me certain references in the Bible and the Doctrine and Covenants, latest edition. I had one of the old ones and wanted to compare the two.

If it were possible, I am more confirmed than before in my belief.

... Join with me, dear friends, at Manti in praying for Richfield, and if one could realize the worth of an immortal soul and have it before us always that Christ died for just such sinners, then I think we would be up and doing. ... (6)

The Presbyterians were not the only Protestant group to have mission schools in Utah but they have been quoted from more extensively because the archives are available for Presbyterian schools. The memoirs of the first Baptist missionary in Utah are on file in the archives of the American Baptist Home Mission Society in New York City. They tell a similar story to that of the Presbyterian archives. Dr. Dwight Spence in his memoirs written sometime after 1904 says of his early experiences in Utah:

I arrived in Ogden, January 1, 1881, and at once began to look around for Baptists. ...

My first feeling was that of isolation and discouragement. I found myself in a Mormon kingdom larger by one-third than all of New England, and having a population of 300,000. The priesthood of the Mormon Church numbered 25,000 and their forces were well disciplined and under perfect control. The legislature was made up entirely of Mormons; every municipal and town officer, and all the school teachers were of the same faith. ...

The following April I attended their semi-annual Conference at Salt Lake City. The audience numbered 10,000, and the reports of money raised, work done, temples built, and missionaries employed, were far from encouraging to a lone missionary with no financial backing, no place of worship, and not more than a score of followers. (14, pp. 8-9)

At least as early as 1883 the various Protestant groups in Utah had discovered that competition among themselves would accomplish little against the solid front of the Mormon Church and its system of schools.
The wife of a prominent Utah mining man of Park City, Mrs. William M. Ferry addressed the Women's Synodical Committee of the Home Mission Society of the Presbyterian Church of Michigan in Ann Arbor in October of that year. She quoted the Episcopal Bishop of Utah, Bishop Tuttle as saying regarding the work of the Episcopal Church in towns where other Protestant denominations had already established a church and school:

There is no room for two. I have church people among these, but the New West Commission [Congregationalist] have begun this work here. We have need to concentrate our strength where it would be peril to divide. (4, p. 8)

Mrs. Ferry continued by saying that the Protestant mission schools had the sanction of the "best men of Utah" and referred to the warm reception she had received at the railroad station from Governor Murray when she had arrived in Utah. She quoted the Salt Lake Tribune: "The teachers in these schools are all missionaries." Of the Protestant mission schools as the cornerstone of all other work of the churches in Utah, Mrs. Ferry said:

From the first to last the priesthood (Mormon) bitterly opposed our schools; yet all the hold our Missions have is these feeble beginnings. The teacher goes into the "solid" Mormon settlement and works alone, amid opposition, with a few little ones, usually of the poorer class, whose parents cannot pay the twenty-five cents per week required at the Mormon schools. The children are jeered at and called offensive names, but the school grows, the teacher finds, through the child, the mother; she goes into their homes, and not infrequently, becomes the confidant of their sorrows. The minister comes, and the little Church is planted. In no instance, I think, have we ever relinquished ground where a school has once been started. We cannot afford to . . . . (4, p. 10)

In the late 1880's the competition between Mormon and Protestant schools became intense. Up to this point the Mormons had had almost exclusive control also of the territorial "public" schools.
There seems little doubt that the Roman Catholic Church has considered and now considers Utah a mission field with the responsibility placed upon her to convert its inhabitants, Mormons and non-Mormons, to Catholicism. The present Catholic Bishop of Salt Lake City, His Excellency, Bishop Duane G. Hunt is on public record with the statement that the Roman Catholic Church must grow in Utah "primarily in the field of conversion."

The fate of Roman Catholic schools in Utah seems to have been quite closely tied to the economic successes and failures of the mining and industrial development of the Territory and State, since there has never been a sizable rural Roman Catholic population in Utah.

At least on the surface, the relations between the Roman Catholic and Mormon Church in Utah have been more cordial than have the relations between the Protestant and Mormon churches.

Mormon and Catholic philosophies of education have some common meeting points. Both philosophies are perennialistic. Persecution of the two religious groups in America also seems to have given Mormons and Catholics some mutual sympathies. More recently some Roman Catholic agencies in Utah seem to have taken a more militant attitude toward the Mormons.

In the eyes of Protestant missionary school teachers in Utah it has always been a field that demanded militant missionary efforts and methods.

Protestant schools established in Utah were mission schools having as one important goal the conversion of Mormon children to Christianity. They also educated a smaller number of Protestant children. At least 50 per cent, if not more, of the pupils in Protestant schools in Utah were
children of Mormon parentage.

Protestant school teachers in Utah served in the dual capacity of missionaries and school teachers in the day schools established by their respective denominations. Generally speaking, the Protestant school teachers in Utah were a high type of self-sacrificing workers devoted to a cause in which they sincerely believed—a cause diametrically opposed to Mormonism and the major group of people in Utah.
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(4) Ferry, Mrs. William M. Our schools in Utah. Paper read before the Women's Synodical Committee and the Synodical Home Missionary Society of the Presbyterian Church of Michigan, Ann Arbor, October 11, 1883. From the original in the Wm. M. Paden-G. W. Martin collection, Westminster College, Salt Lake City, Utah.


(7) Paden, Rev. Dr. Wm. M. Missions among the Mormons—why? Board of Home Missions of the Presbyterian Church in the U.S.A. New York, 1921.


(9) Pope Leo XIII. Imortale Dei. As quoted in Pius XI. Christian Education of Youth. 1936.


(11) Reports of various school teachers to the District Missionary of the Presbyterian Church in Utah, 1887. From original copies of the reports on file in the Wm. M. Paden-G. W. Martin collection at Westminster College, Salt Lake City, Utah.


(14) Spencer, Dwight. Memoir of experiences as a Baptist missionary in Utah and other sections of the West, 1881-1896. (From typescript copy—Bancroft Library manuscripts P-F 323).


With some significant exceptions the patterns of development of public education in Utah over the past 100 years have followed the national trend of a gradual shift from private and church-supported education to public tax-supported and controlled education for a majority of the school children and students of the state. Today only two states in the Union, North Carolina and South Carolina have a smaller percentage of school children in non-public schools (16).

One hundred and ten years ago the Mormons brought to Utah an educational philosophy which was both pragmatic and perennialistic. Early schools established in Utah were of the private, denominational and common school types. In reality there seem to have been at least five types of schools established in Utah before 1867 when the first non-Mormon schools were founded.

First came the voluntary, privately operated schools such as those established by Mary Jane Dilworth and Moses Thatcher in 1847. These were public schools in the sense that they served anyone residing within the confines of the colony and because they were given encouragement by the entire community. These schools were usually taught gratis and had no tuition and no tax revenues.

The second type of schools was the private venture school. These were operated largely by Mormon teachers and educators who did so as a means of
adding to their subsistence or as full-time self-sustaining occupations. These schools were public so far as admission was concerned and operated almost exclusively from tuition fees.

The third type of school operated by the Mormons was the ward school. These are frequently mentioned as being almost synonymous with the common schools. These schools were sponsored by the bishops of the Mormon ecclesiastical wards and were usually held in a building that was both church and school. They were private schools, technically, because they were sponsored as church affiliates and taught theology. They were public schools in that they served the entire community. They were non-legal so far as territorial statutes were concerned and were technically not a part of the territorial school organization although as one traveled from community to community in territorial Utah he might have been hard put to determine which were ward schools and which were district schools.

The fourth type of school in Utah before 1867 was the territorial public, or common school. The administration of these schools was controlled by enactments of the Territorial Legislatures of 1850, 1851, 1852, 1854, and 1861. In 1865 provision was made for a Superintendent of Common Schools to be elected by a vote of the Territorial Legislature.

In addition to the four types of schools just described which took care of the general or common school education of the people, there was a wide variety of special schools. The Schools of the Prophets, the Deseret Dramatic Association, the Polysophical Institution, and the Universal Scientific Society are all mentioned as having been organized by 1855. Certain academies, such as the Union Academy which was established in 1860 and operated on Mormon tithing funds, might be considered to be special
types of schools. They became the prototype for the later system of Mormon academies.

According to a report of the Superintendent of Common Schools, by 1869 there were 169 public school districts in Utah designed to serve 24,138 children between the ages of 4 and 16 years. The average daily attendance was 10,618. Forty-four per cent of the population of Utah attended school and the average school year was 7\frac{1}{2} months. There were 175 male teachers and 169 female teachers in these common schools whose salaries totaled $79,679.62. Tax revenues for the year appropriated for the operation of these schools is reported to have been only $7,001.33. The Superintendent's report shows, however, that $35,143.70 in building funds were raised (16, pp. 2-5).

One hundred years ago in America the term common school was used in much the same way and with a similar connotation to the term public school of today, but with this significant difference: The term common school then did not necessarily imply a tuition-free, tax-supported school as does the term public school today.

It was not until 1865 in Utah that there was any substantial indication by statute that tax money could be used to pay school teachers' wages in the common schools (7). Utah was not necessarily an exception to the national practice in this regard.

A legal definition for the term "common schools" was not made in Utah until the 1868 Legislative Assembly defined them as:

\[\ldots\text{ all schools organized by the direction of the Board of Trustees in the respective School Districts of this Territory, which are under the supervision of said Trustees, shall be known, in law, by the name and title of Common Schools, and shall be entitled to a just and equitable proportion of any public fund. }\ldots\] (8)
The term *free* school is today synonymous with tax-supported public school. One hundred years ago the term *free* school carried an entirely different connotation. The *Cyclopedia of Education* reviews the American usage of this term and its changing connotations:

In colonial America the term appears frequently... A careful examination of the local records... indicate that the term "free" was not used in connection with schools except in the sense of free from tuition charges, though such schools were not always under the direct control of nor directly supported by the government. In other words, a free school was not necessarily a public school in the later use of that term... it is evident that tuition was paid in "free schools," but only by children of wealthy gentlemen...

In the early nineteenth century free school became synonymous with charity school, and though it was used to avoid the opprobrium of the other term, it has come to have much the same stigma attached to it... The discrimination caused by tuition charges survived longer in rural regions than in the city, and were not finally abolished (in New York) by statute until 1867, after an agitation of three or four decades for free schools. In some states the final establishment of "free" schools, as contrasted with public schools, did not occur until after this date, and in general, outside of New England, this stage of compulsory freedom from tuition charges was not reached until after the Civil War period. (12, p. 161)

A lack of understanding of this change in the meaning of the term "free schools" has evidently caused some later writers (5, pp. 321-342) to assail Brigham Young, governor of the Territory of Utah and president of the Mormon Church as a foe of free public schools as that term is now understood. There were very few free public schools in western America in Brigham Young's day and the battle for their establishment was by no means over in the East when Brigham Young died in 1877. A careful study of his utterances both as governor of Utah and as Church president provides ample evidence that he used the term "free school" in the sense that it was being used in America generally in the nineteenth century as synonymous with
charity or pauper school. He was therefore in favor of public or common schools and did much to promote them but he was not in favor of free schools as the term was then defined. In this regard he certainly was in harmony with many of his contemporary pioneering Americans who were strongly opposed to a system of support for education which seemed to place a premium on indolence and laziness on the part of parents and others willing to shift the economic burden and responsibilities for education onto other shoulders in the guise of "free" public education. In his fourth annual message as governor of the Territory of Utah, Brigham Young said of education in the new territory:

... So far as my knowledge extends in relation to the subject, children have had the benefit of Common Schools; this blessing is secured to them by the operation of law.

The subject of Education has probably received as much attention in this as in any other newly settled State or Territory. In almost all the Wards and Districts, good school houses have been erected, and Schools maintained a part of the year. . . .

As a Territory, we have peace, and extensive ability exists with the People, to establish, and sustain good Common Schools in every Ward, and District, not only three, or six months in a year, as appears at present most common; but ten, or eleven wherein every child, no matter how poor, may find admittance. Schools for teachers, Mathematical Schools, and Schools wherein the higher branches are taught, should also be kept in successful operation, in all of the principal towns. . . . (13, p. 7)

In a discourse which he delivered as president of the Mormon Church at the semi-annual Conference of the Church held in the Temple in St. George the spring before his death, Brigham Young answered the critics who had been pegging away at him during his entire public career over his attitude towards school in these words:

May of you may have heard what certain journalists have had to say about Brigham Young being opposed to free schools.
I am opposed to free education as much as I am opposed to taking away the property of one man and giving it to another who knows not how to take care of it. But when you come to the fact, I will venture to say that I school ten children to every one that those do who complain so much of me. I now pay the school fees of a number of children who are either orphans or sons and daughters of poor people. But in aiding and blessing the poor I do not believe in allowing my charities to go through the hands of a set of robbers who pocket nine-tenths themselves, and give one-tenth to the poor. Therein is the difference between us. Would I encourage free schools by taxation? No! That is not in keeping with the nature of our work; we should be as one family, our hearts and hands united in the bonds of the everlasting covenant; our interests alike, our children receiving equal opportunities in the school-room and college. (17, p. 352)

Certain unique influences and features in public education in Utah

Federally appointed territorial officials as well as the leaders of the religious bodies in Utah were acutely aware of certain significant exceptions or peculiar situations that blocked the development of free, tax-supported schools for Utah during the last half of the nineteenth century when other states and territories were moving more rapidly toward the establishment of non-sectarian public school systems.

The coming of the transcontinental railroad in 1869 opened a new era in Utah's educational history. With the exception of two schools established in Salt Lake City in 1867 by the Protestant Episcopal Church, the Mormons had established the schools in the territory, public and private. In 1870 with the establishment of an additional Protestant Episcopal school in Ogden and the establishment of the Methodist Rocky Mountain Seminary in Salt Lake City, there began a triangular rivalry in education in Utah between these Protestant schools, the Mormon schools, and the Mormon-controlled public schools.

In the period for 1869 to 1881 the Mormons evidently still relied
heavily on their control of the territorial schools to meet their educational needs and goals. Legislation passed in 1874 established a pattern of territorial financial support to local school districts and an act of 1876 provided for the popular election of the Territorial Superintendent of Schools for two-year terms. The Mormons also controlled the election of the County Superintendents of Schools until 1887 and the Edmunds-Tucker Act when the administrative control went into "Gentile" hands.

But the struggle for the control of Utah's public school system from 1869 to 1887 and even beyond was vigorous and a drawn-out battle characterized by at least two dominant features.

First, there was the militant predilection of the major church groups for their own educational philosophy and their own educational systems for the reasons previously discussed in chapters three and four of this study. However, this predilection of the Mormons and other church groups for their own educational systems with a resultant clash with other church groups and with public educational agencies is not entirely unique to Utah and the Mormons. Studies made of Church and State relationships in education in five other states by investigators of the Roman Catholic faith show that the Roman Catholics met somewhat similar problems to those met by the Mormons in Utah in the states of New York (3), Maryland (10), Connecticut (9), Illinois (6), and California (4). The play of these religious predilections on educational planning in Utah was particularly and notably intense.
The existence of polygamy and the strong influence of the Mormon Church in civil affairs bordering on the union of Church and State was effectively used by non-Mormons in Utah, by federal officials and by certain members of the national Congress to block admission of Utah into the Union until such a time as the Mormons were ready to concede their error in these two practices and express a willingness to give up their practice. This the Mormons did with the practice of polygamy in 1890. The disavowal of the idea of a union of Church and State came in 1895. Public manifestoes of the First Presidency and the Quorum of the Twelve Apostles of the church announced both changes.

Who bore the financial burden of education in territorial Utah—public denominational schools?

A discussion of public education in Utah would not be complete without asking and seeking to answer the question: "Who bore the financial burden of education in territorial Utah?" J. C. Moffitt in his excellent study of the History of Public Education in Utah indicates that the records for answering this question are scanty or non-existent for the early years of the period. He has summarized in tabular form the principal sources of school revenue for the years immediately preceding and those immediately following the passage of the first Free Public School Act of 1890.

Non-Mormons have contended that it was not until the passage of this Act that Utah had a free tax-supported school system. Mormons have claimed that Utah had had a public school system, commensurate with her ability to support such a system, from near the beginning of the territorial period.

Governor Arthur L. Thomas reported to the Secretary of the Interior of the United States in 1889 that:
While Utah has a very fair system of public schools, they fall short of what it should be. The tax collected for the support of these schools does not pay one-half the expenses for maintaining these schools.

There is little prospect—in fact there is no prospect that this will be changed. I am led to this conclusion by the fact that the Mormon people, with almost entire unanimity, are quietly preparing for denominational schools, in which their children may be taught Mormon theology in addition to the ordinary branches of education. (14, pp. 84-85)

Thus even the matter of financial support for public schools was, it seemed to Governor Thomas, inextricably tied up with Mormon theology.

A year later at least part of Governor Thomas' predictions came true. The Territorial Legislature passed the uniform free school act and the Mormon Church made public announcement that it intended to establish its own system of Church schools "to counteract the tendencies that grow out of a Godless education" (2, pp. 3-5).

The principal sources of public school revenue for the years immediately preceding and for those immediately following the passage of the first free public school act in Utah are given by Moffitt in table 6.

In interpreting this table, Moffitt called attention to the 500 percent increase in the district school tax in the seven-year period and to the upward climb in the revenues derived from the territorial tax. He indicated that the large proportion of school revenues derived from the sale of bonds during the last three years came to meet a needed construction program for public school buildings.

This heavy increase in need for school building construction following the free public school act of 1890 might be understandable in light of two factors: First, the fact that many of the school buildings in Utah in the early territorial period were joint-use or Ward school buildings.
Table 6. Principal sources of school revenue preceding and following the Free School Act of 1890 (11, p. 136)

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>District tax</th>
<th>Territorial tax</th>
<th>Common school tax</th>
<th>Tuition</th>
<th>Donations</th>
<th>Rent</th>
<th>Totals</th>
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<tr>
<td>1888</td>
<td>56,265.97</td>
<td>104,189.35</td>
<td>7,970.37</td>
<td>60,894.86</td>
<td>3,903.81</td>
<td>4,447.36</td>
<td>293,080.09</td>
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<td>1889</td>
<td>114,500.30</td>
<td>129,346.15</td>
<td>2,181.04</td>
<td>55,719.67</td>
<td>3,023.09</td>
<td>11,857.11</td>
<td>369,434.22</td>
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<td>123,774.08</td>
<td>135,476.06</td>
<td>5,633.40</td>
<td>48,189.59</td>
<td>4,302.19</td>
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<td>244,309.92</td>
<td>269,436.34</td>
<td>50,312.77</td>
<td>45,131.27</td>
<td>Bonds Sold</td>
<td></td>
<td>667,528.43</td>
</tr>
<tr>
<td>1892</td>
<td>214,256.61</td>
<td>351,238.55</td>
<td>149,227.33</td>
<td>31,876.78</td>
<td>658,656.43</td>
<td></td>
<td>1,510,433.20</td>
</tr>
<tr>
<td>1893</td>
<td>296,848.02</td>
<td>48,576.42</td>
<td>139,296.09</td>
<td>64,549.00</td>
<td>277,803.58</td>
<td></td>
<td>1,565,146.29</td>
</tr>
<tr>
<td>1894</td>
<td>283,566.41</td>
<td>302,995.90</td>
<td>174,900.49</td>
<td>33,333.74</td>
<td>314,661.10</td>
<td></td>
<td>1,291,131.61</td>
</tr>
</tbody>
</table>
which were largely built with Church funds or community funds which were so often synonymous. Second, with the establishment of the L.D.S. General Church Board of Education in 1888 and the expansion of the L.D.S. school system, these joint use buildings would now be needed in the Church school system. The public school system and the Mormon school system had thus been given a bill of divorcement by the action of the L.D.S. Church in 1888 and the Territorial Legislature in 1890. They must now begin to operate separately in separate buildings and separate curriculums.

Several other facts brought out by Moffitt's table are worth noting. In the period revenue from the common school tax rose from a low of $2,181.04 in 1889 to a high of $174,900.49 in 1894. Tuition fees on the other hand dropped, although proportionately less, from $60,894.86 in 1888 to $33,333.74 in 1894. Donations to public schools seemingly ceased abruptly and entirely according to table 6 following the passage of the 1890 Free Public School Act. A total of $6,126,565.61 in revenue was available for the building and operation of the public or common schools in the Territory of Utah in the seven-year period from 1888 to 1894.

Comparable statistics on the amount expended in the territory for education for the same seven-year period by private and denominational schools is not available. Governor Arthur L. Thomas in his report to the Secretary of Interior in 1892 submitted a statement of the amount that had been expended for schools in Utah by the various religious denominations, other than the Mormons, presumably from the date of their establishment up to June 1892. This may have included all expenditures from the date of the establishment of the first non-Mormon school in 1867,
but it may have covered only the period when reports were submitted to the governor and the Utah Commission by these schools, which would be from 1882. If the latter dates are used (1882-1892) then the periods become somewhat comparable. His report lists the following expenditures for schools by all of the religious denominations in Utah with the exception of the Mormons (15, pp. 242-245):

Table 7. Amounts expended for schools to June 1892 by religious bodies other than the Church of Jesus Christ of Latter-day Saints

<table>
<thead>
<tr>
<th>Denomination</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Methodist</td>
<td>$361,100.00</td>
</tr>
<tr>
<td>Episcopal</td>
<td>22,000.00</td>
</tr>
<tr>
<td>Catholic</td>
<td>563,000.00</td>
</tr>
<tr>
<td>Congregational</td>
<td>421,169.00</td>
</tr>
<tr>
<td>Swedish Lutheran</td>
<td>16,500.00</td>
</tr>
<tr>
<td>Baptist</td>
<td>13,000.00</td>
</tr>
<tr>
<td>Presbyterian</td>
<td>404,150.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,800,919.00</strong></td>
</tr>
</tbody>
</table>

There is some reason to believe that these figures given by Governor Thomas are either somewhat inaccurate or else conservative. Bane (1) quotes some statistics direct from a report of the Congregational New West Education Commission which was organized in 1879 which indicates that from 1879 to 1893 this educational agency in Utah alone expended a total of $757,421.40. This divergence between the Thomas report and the New West
report, however, might be reconciled if the Thomas report covers only the 10-year period from 1882 to 1892. The New West report covers four additional years which might conceivably account for the difference. One is hard-pressed, however, to accept the $22,000.00 as the total expenditures for the Episcopal Church which was the pioneer in denominational education in Utah and was operating at least five schools during the period including Rowland Hall, the surviving Episcopal school in Utah.

It is probably not far from the mark to estimate that non-Mormon denominational schools in Utah spent approximately $2,000,000.00 for education in Utah for the 10-year period from 1882 to 1892, while the Territory of Utah spent just over $6,000,000.00 on public schools for the shorter but overlapping period of seven years from 1888 to 1894. No statistics are available on expenditures for Mormon education for a comparable period and indeed until the legal separation of Church and State in education in Utah in 1890 it is doubtful if one could separate the two categories or sources of school revenue strictly. Although not for a comparable period it might be of some value to point out that after the establishment of the Mormon Church school system in 1888 the annual expenditures rose until in 1903, the earliest figure available, shows an expenditure of $100,444.00; by 1913 this had risen to $371,541.00 and the total for the years from 1901 to 1915 is given in the General Conference report for 1916 as $3,714,455.00.

Bane drew the conclusion from his excellent study of the "Development of Education in Utah, 1870-1895," that:

The much publicised conflict between Mormon and Gentile elements without doubt delayed the development of public schools of the Territory and prevented for several decades the establishment
of a system of public secondary schools, but on the other hand, it had the beneficial effect of causing the anti-Mormon religionists throughout the country to contribute liberally to the education of Utah children. The exact amount of the total contribution from outside sources cannot, of course, be determined, but there is every reason to believe on the basis of the fragmentary evidence we have that well over two million dollars was contributed by people outside the borders of the State and several other millions were undoubtedly raised by contending religionists within the State before the Church School Systems established between 1870 and 1896 were largely liquidated. (1, p. 247)

The interrelationships of public and denominational schools and education was also discussed by Governor Thomas in his report to the Secretary of the Interior in 1892, two years after the passage of the first free public school law in Utah:

The steady increase in the number of pupils attending the public schools during the year ending June, 1890, continued during the year ending June, 1891.

The free school law has stimulated the cause of public education in every part of the Territory.

Denominational schools still exist in different parts of the Territory, though I have been informed there is a steady decrease in the number of pupils attending them. I believe it is the intention of nearly all the denominational schools to gradually withdraw from competition with the public schools.

In my last report I referred to the fact of denominational schools having been established by the Mormon Church board of education in competition with the public schools. The statement was severely criticized by the organ of the church, and it was intimated that the statement was not true. Since then I have received reports from such schools, which show conclusively that many of them are teaching the same class of studies as the public schools.

The time must soon come when denominational schools will have to give way before the public schools. (15, p. 245)

Eventually denominational schools did give way before tax-supported free public schools, first on the elementary, then on the secondary, and finally on the junior college level in Utah. But it was not for a long
time that the tendency of the people of Utah to depend on church-sponsored schools was changed and public schools won their allegiance. It was not until 1896 that the legislature made any specific provision for public high schools and in 1900 there were but six such high schools in the state. During the school year 1910–1911 the Mormon secondary schools still enrolled more secondary school students than did the public high schools.

Bane (1) concluded in his study that:

The marked retardation in the development of public high schools in Utah, which characterized the first twenty years after Statehood, was without doubt caused in a large measure by the presence in the State of a large number of church school plants constructed during the Territorial period.

In summarizing his excellent chapter on the establishment of free schools in Utah, Moffitt wrote:

Free schools in Utah, as in other parts of the nation, came slowly. The poverty of the people, their isolation from progressive school systems elsewhere, and the lack of well-trained educational leaders, all contributed to this retardation. The 1890 school law and a complete reorganization of the schools into a state organization in 1896 under general state administration, directed by constitutional mandate, in which the legislature was given responsibility of determining the methods by which the schools are financed, launched Utah schools more vigorously toward their present status of being free to all children below the high school. (11, p. 116)

Summary

Common school, public school, tax-supported school, free school—these terms are all used synonymously today to mean the accepted practice in public education in Utah. One hundred years ago they had separate connotations. It is difficult, if not impossible, to assess the significance of the struggle for the establishment of public education in Utah and the nation and to correctly interpret the utterances of religious, educational, and governmental leaders of 100 years ago unless this change
in the connotation of these educational terms is kept clearly in mind. Brigham Young and John Taylor, for example, were strong advocates of common schools and of public schools but they were opposed to free schools and tax-supported schools which to them had the connotation of pauper or charity schools. They were not unique in this point of view, the opposition to free or pauper schools being quite general at the time.

In many phases of the development of public education, Utah has followed the national trends. In some respects at least the development of education in Utah has been rather unique among the states.

The 45-year delay in the favorable action of Congress on the petition of the people of Utah for admission into the Union had a blighting effect on the development of many public institutions including tax-supported public schools. The long awaited settlement of the twin issues of the practice of polygamy and the unity of Church and State under the Mormons in Utah lost to Utah what little revenue for public education she might have realized through the immediate designation and sale of surveyed public school sections of land.

Records of the yearly totals of expenditures for education in Utah before 1900 do not seem to exist, but from available records it appears that the non-Mormon denominational schools spent at least two million dollars on the education of Utah's school children during a 10-year period from 1882 to 1892. Public school expenditures for a shorter but somewhat comparable period of seven years from 1888 to 1894 amounted to just over six million dollars.

No accurate records seem to exist on the expenditures of the Mormon Church for education before 1900.
The passage of the free public school law of 1890 marked a vital turning point in the history of education in the Territory and State of Utah.

Eventually denominational and private and semi-public schools gave way before tax-supported free public schools but this came only after Utah had attained Statehood.

In 1896 the Constitution of the State of Utah established a state educational organization which led to Utah's schools eventually being free to all children below the high school.
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(1) Bane, Laverne Clarence. The development of education in Utah, 1870-1896. (Doctor's Dissertation. Education Dept.) Stanford University, 1940.

(2) Church of Jesus Christ of Latter-day Saints. First Presidency and General Church Board of Education. Outlines for Religion Class Work No. 4. Salt Lake City, Utah: Deseret News Press, 1901.


(7) Laws of the Territory of Utah, 1865. Sec. 12 of an Act Consolidating and Amending the School Laws.

(8) Laws of the Territory of Utah, 1868. Chapter 22, Sec. 1.


(13) Utah. Governor (Brigham Young). Governor's message, December 11, 1854.


SUMMARY OF SECTION ONE

At the beginning of this study four basic assumptions were set forth to be kept constantly in mind as the investigation and report progressed. These were:

1. that there is a mutual interaction between school systems and the society they seek to serve;

2. that the educational philosophies and policies that direct educational systems within society are determined not alone by educational theorists, administrators and teachers, but also by the impact of political, social, economic, religious and other forces within the social structure;

3. that compromise and adjustment of differing points of view is not only the expected but the accepted order of society in the American democracy and its varied school systems; and

4. that there is no single "American" way in education with respect to religion and the State in education unless it is that of state and local control with freedom to experiment.

In the Introduction it was stated that the purpose of Section One would be to give a general overview of four points of view or patterns of society with their educational philosophies and/or policies. These were the Mormon, Roman Catholic, Protestant, and State and federal points of view.

In Chapter I the Mormon concept of the ideal society and government—the Kingdom of God—was outlined and its main aims and ideal were listed:
The ultimate aim of the Mormon Kingdom of God was the establishment of a world society based on the justice and equality of the Gospel of Jesus Christ personally administered on the earth by Him at his Second Coming.

Short of this ultimate goal was a secondary and more immediate goal of building such a society among the Latter-day Saints in the Great Basin.

This society was to function in the world, not separate and apart from it. It was to be the leavening agent to change world civilization.

Relative to governments and politics, the ultimate aims of the Kingdom of God recognized only one legitimate government on the earth—the government of God, administered through the agency of the Mormon priesthood until Jesus Christ should come to reign personally upon the earth. God had, however, inspired the formation of earthly governments and particularly the Constitution of the United States.

This Kingdom of God and this government of God were recognized by early Mormon leadership to be revolutionary in comparison to man-made systems and they expected opposition in attempting to set up the Kingdom of God including its educational system.

The Kingdom of God would include god-fearing non-Mormons as well as Mormons. Only those opposed to the establishment of this order were to be known as "Gentiles."

The concept of the Kingdom of God was a dominant influence in Utah
society all during the territorial period in Utah, an influence against which the non-Mormons were constantly fighting in all phases of activity: political, economic, social, educational, and religious.

The concept of the Kingdom of God as a political, social, economic, religious, and educational order for society did not grow out of the conditions found in Utah, although local conditions did shape the functioning and the measure of success in realizing the goals of the concept.

This Kingdom of God was distinct from the Church of Jesus Christ of Latter-day Saints, though controlled primarily by its priesthood. The organizational pattern of this Kingdom as well as the Mormon system of education migrated West with the Mormon pioneers. It was this concept with its strong Old Testament emphasis which aroused the opposition of the non-Mormon population of Utah and of the nation. It was this concept which shaped the dominant society in Utah in the territorial period and it was in this society that all schools, private, denominational, semi-public, common, or territorial functioned at least until Statehood, if not beyond.

The organization and functioning of the General Council or Council of Fifty, governing body of the Kingdom of God, was discussed in Chapter II. This General Council, or Council of Fifty, directed the activities of the Kingdom of God. As envisaged by its founder and organizer, Joseph Smith, this Council, composed of approximately fifty members—sometimes more, sometimes less—was not to direct the organization nor the activities of the Church of Jesus Christ of Latter-day Saints although it was to direct the Mormons and the non-Mormons in their temporal affairs. Membership in the presiding councils of the Church did not seemingly bring
automatic membership in this General Council nor was membership in the
presiding councils of the Mormon Church requisite for a seat on the
General Council since non-Mormons might belong to both the Kingdom of God
and its governing body of the Council of Fifty.

It is clear that at the higher eschelons of command there was a
separation of function between Mormon Church councils and the General
Council, but evidence is not available to trace the separation down to
lower levels of ecclesiastical or civil activities in the wards and stakes
of the Mormon Church or the cities and counties of the Territory of Utah.

The Council of Fifty, or General Council, was the municipal or the
civil governing arm for the Kingdom of God on the earth. It was the body
from which the civil law given by God for the government of men on the
earth was to emanate. It was charged with the responsibility of seeing
that men were protected in their God-given rights in all phases of life
and activity in order that there would be a proper environment in which
the society of the Kingdom of God might be established, grow and flourish.

The various functions of the Council of Fifty and hence of the Kingdom
of God can be seen in the diaries of several men who were members and
leaders in this Council. Principal among these are the journal histories
of Joseph Smith and Brigham Young and the diaries of John D. Lee, Hosea
Stout, and L. John Nuttall.

This Council was largely instrumental in directing such broad areas
of activity as colonization; politics and government; economics, includ­
ing the temporal affairs of such movements as the Law of Consecration,
the United Order, etc.; taxation; education; and the interrelationships
between Mormons and non-Mormons. Not only did the Council of Fifty plan
and direct the westward exodus of the Mormon pioneers in 1844–1847 but
members of this Council were the heads of each of the many exploring and
colonizing groups sent out from Salt Lake City to colonize the Great Basin.
The Council of Fifty initiated and supervised the preparation of memorials
to Congress. At least by 1863, if not before, it became synonymous with
the legislature of the State of Deseret and was said by Brigham Young to
be the "body of men (who) will give laws to the nations of the earth."
In 1865 the federally appointed governor of the Territory of Utah officially
recognized the existence of this fourth and de facto government of the
territory, listing the other three as "the Church, the military, and the
civil."

Under such a Mormon program of civil and ecclesiastical control the
establishment of a system of common but not free schools as the terms were
then understood, was not only feasible but desirable since such schools
would operate under the direction of the Mormon controlled Council of
Fifty, the Mormon controlled Territorial Legislature, and the de facto
government of the State of Deseret. This state of affairs continued
until at least 1870, if not 1880, and beyond.

Since the Council of Fifty also controlled economic and tax problems
in the Territory and since they also could, if occasion arose, call upon
three possible sources of revenue: (1) local subscription and local tuition;
(2) central tithing funds and revenues; and (3) the levying, assessment
and collection of public taxes, it was easy for them to combine these
three sources of revenue or shift the financial burden from one to the
other as it became necessary or expedient in order to retain control of
the schools of the Territory where their philosophy of education including
religious education would prevail.

All of this was seemingly done by an interlocking system of memberships between the Council of Fifty and the civil and educational officers of the Territory of Utah.

Mormon educational philosophy and policy for the Kingdom of God as discussed in Chapter III portrayed at least two types of goals permeating all that was attempted and accomplished in all phases of life and activity.

The first and more immediate goal of education was to teach methods of subjugation of the immediate physical surroundings. This is sometimes referred to as the "practical" educational philosophy and usually attributed to Brigham Young and John Taylor. The specific aims of the educational system accompanying this first goal were to train men, women and children in the manual arts, in agriculture, in manufacturing, and in cooperative enterprises—not forgetting religious training—in order that they might become self-sustaining in the Great Basin.

The second and long-range goal of Mormon education within the Kingdom of God was that of developing a society in all of its ramifications that would be capable and worthy of giving laws—political, economic, social, scientific, religious, and educational—to all the world.

A thorough understanding of the concept of the Kingdom of God and a more careful reading of the entire body of public utterances of Mormon leadership for the territorial period in Utah removes the necessity found by some writers and investigators of dividing Mormon leadership into the "practical" and the "classical" camps of educational philosophy.

Three themes for the educational program for Mormon and world society under the Kingdom of God which originated in the territorial period may
still be heard today. These three themes must constantly be kept in mind and reconciliations made or one will fail to understand the educational history of the Territory and State of Utah.

The first two of these three themes might be said to form a Mormon dichotomy in educational philosophy.

The first theme was that a lack of formal schooling would not necessarily hamper the individual in his program of real education since if one were sufficiently humble and receptive to the promptings of the Spirit of the Holy Ghost and receptive of individual revelation from God, such inspiration and guidance and such knowledge might be imparted which would equal, yea, surpass that obtained by formal study and education.

The second theme, emphasizing the growing importance of secular education for each succeeding generation of Mormon students was stressed in Utah as the first generation of Utah-born Mormons began to be of school age. It perhaps receives its greatest emphasis today from professional educators and scholars of the Mormon Church, although Church leaders outside the field of education also stress the necessity for young people of the Church to get a good secular education.

These were at least the main educational goals or the education policies for the Mormon education under the concept of the Kingdom of God. The Mormons were determined to reach these goals. The non-Mormon population of Utah did not share in these goals, hence arose a conflict in educational philosophy and practice carried over into the period of statehood and which vitally affected Church and State relationships in education in Utah.

Forty years of vigorous effort on the part of Mormon leadership to
put their "practical" as well as their long-range educational philosophy and goals into effect under the Kingdom of God did not come to full fruition. They accomplished much that is worthy of notice.

Both the Roman Catholic hierarchy and the Protestant leadership in Utah have always considered Mormon territory a legitimate field for missionary work. The present Roman Catholic Bishop of Salt Lake City, Duane G. Hunt, is on public record that the Catholic Church must grow in Utah primarily by conversions. The Protestant leadership has always demanded militant missionary efforts to redeem Utah from the scourge of un-Christian Mormonism.

At least on the surface the relations between the Roman Catholic and the Mormon Churches has been more cordial in Utah than have relations between Protestants and Mormons.

Mormon and Catholic philosophies of education seem to have more common meeting points than Mormon and Protestant philosophies. Both Catholic and Mormon religious philosophies express themselves in the educational philosophy of perennialism and some classicism, while historically Protestant education has usually been in the forefront in its advocacy of relativism, secularism, and pragmatism. Mormon philosophy of education has also had pragmatic underpinnings.

Protestant schools established in Utah in the territorial period were primarily mission schools having as a goal the conversion of Mormon children to Christianity. They educated a smaller number of Protestant children. At least 50 per cent, if not more, of the pupils in Protestant schools in Utah were children of Mormon parentage.

Protestant school teachers in Utah served in the dual capacity of
missionaries and school teachers in the day schools established by their respective denominations. In the late territorial and early statehood periods there were some efforts by a division of territory or spheres of influence.

Generally speaking, the Protestant and Catholic school teachers in Utah have been a high type of self-sacrificing worker devoted to a cause in which they sincerely believed. This cause seemed diametrically opposed to Mormonism and the major group of population in Utah.

Public school, common school, free school, tax-supported school—these terms are all used synonymously now to designate the accepted practice in public education. One hundred years ago the terms had separate connotations. It is difficult, if not impossible, to assess the significance of the struggle for the establishment of free, tax-supported public education in Utah and in the nation and to correctly interpret the utterances of government, religious, and educational leaders of 100 years ago unless this change in connotation of educational terms is constantly kept clearly in mind.

One hundred years ago Brigham Young and John Taylor, for example, were advocates of common schools which were public schools. They were not alone in their opposition to pauper or free schools; in fact, the term free school was invented to avoid the opprobrium of the pauper school.

In many phases of the development of public education, Utah has followed national trends. In some respects, at least, she has been somewhat unique among the states.

The 45-year delay in favorable action by the national Congress in granting statehood to Utah had a blighting effect on the development of
many public institutions including tax-supported free public schools.

The long dispute over the twin issues of the practice of polygamy and the union of Church and State in Utah delayed the establishment of non-sectarian tax-supported schools in Utah for nearly half a century.

The passage of the free public school law in Utah in 1890 marked a vital turning point in the history of education in the Territory and State. Eventually denominational, private, and semi-public schools gave way before tax-supported free public schools. By 1896 and statehood, Utah had a state educational organization under constitutional mandate.

Records for the compilation of accurate yearly summaries of total expenditures for public education in Utah in the territorial period in Utah do not seem to exist. No accurate records are available on expenditures of the Mormon Church for education before 1900.

From what records are available it appears that non-Mormon denominational schools expended approximately two million dollars on the education of Utah's children during a 13-year period from 1879 to 1893, while public school expenditure for a shorter seven-year period from 1888 to 1895 amounted to just over six million dollars.

It is not claimed that the Mormon, Catholic, and Protestant groups and the federal and territorial officials were the only groups who were concerned with the development of education in Utah, but there is every reason to believe from a study of the available records that they were the main influential groups that affected the course of Utah's educational history. In Section Two an attempt is made to show relationships between these four groups and to assess the effects of this interplay for the history of Church and State relationships in education in Utah.
The general stream of development of each of these four segments of Utah's population and its educational history has been charted in Section One. Succeeding chapters will treat in more detail the interrelations of these groups.
SECTION TWO
THE INTERPLAY OF CHURCH AND STATE AGENCIES AS THEY INFLUENCED THE DEVELOPMENT OF EDUCATION IN UTAH 1847-1957

Introduction

In Section One consideration was given to the basic philosophical patterns and policies of major state and religious agencies interested in shaping the educational development of the Territory and State of Utah. The Mormon, Catholic, Protestant, and state and federal patterns and policies were outlined and discussed in some detail. Reference was also made, when demanded for understanding, of certain interrelationships and interplays between these groups.

The purpose of Section Two is to outline the relationships and interactions among these four groups, so far as records of their decisions and actions are available, and to attempt an appraisal of the effects of these interrelationships in shaping the total picture of the development of education in Utah over the past 110 years.

No claim is made to completeness and all-inclusiveness of the evidence. It is not asserted that all of the factors and forces that influenced education in Utah from 1847 to 1957 have been surveyed in the course of the study. No attempt has been made to outline in detail what took place in the individual school room as these four forces or agencies met and adjusted to each other. It is not claimed that the complete history of the interactions between these four groups or agencies is here set forth and evaluated. What has been attempted is a determination of the key turning
points in these relationships and in the development of education in Utah and an appraisal of the part played by each of four educational agencies in the state: Mormon, Catholic, Protestant, and state and federal agencies.

The turning points in the educational history of Utah have largely been a part of or an outgrowth of the larger factors of the political, social, and economic developments and adjustments of the society in which the schools existed. There seem to have been six major turning points or periods in the history of Church and State relationships in education in Utah.

The first of these periods was inaugurated by the arrival of the Mormon pioneers in the Great Basin in 1847. It may be considered as having ended as the transcontinental railroad was nearing completion in 1868. During this first period the Mormons controlled virtually all education in the Territory of Utah although from the beginning there had been non-Mormon residents in the territory.

The second period began with the driving of the Golden Spike at Promontory Point in 1869, signalling the completion of the transcontinental railroad and ending an important phase of Utah's "isolation." It may be said to have ended in 1881 with the rousing defeat of the Protestant educator, J. M. Coyner in his candidacy for the office of Territorial Superintendent of Schools and the decision of national leaders under the advice and promptings of such influential men as former President Rutherford B. Hayes to settle the Mormon question by "radical" methods.

The third period in the history of Church and State relationships in education began in 1882 with the passage of the Edmunds Act and the reorganization of the territorial government as recommended by former President
Hayes and others. This was accomplished by the appointment of the Utah Commission, a committee of five federally-appointed administrators who were to supervise and control elections in Utah according to the provisions of the Edmunds Act. The period may be said to have ended in 1895 with the passage of the Enabling Act which would give Utah statehood.

The fourth period in Utah's educational history was launched with the coming of statehood and the uniform school law in 1896. The decision of the L.D.S. Church Board of Education in 1920 to close many of its academies because of financial reasons and a felt necessity of adjustment to the growing state or public educational system, and to concentrate its educational efforts and budget in the field of teacher education and weekday religious education for high school students marks the closing of this period.

The fifth period in the history of Church and State relationships in education in Utah began in 1921 with the passage of a law by the State Legislature prohibiting the teaching of sectarian doctrines in public schools and requiring that these schools be kept free from sectarian control. This year also marked the beginning of a series of discussions on a necessary readjustment or curtailment of the L.D.S. Church school system. The end of the fifth period was marked, in 1933, by the transfer of the junior colleges operated by the L.D.S. Church at Ephraim, Ogden, and St. George to the State of Utah and the withdrawal of the L.D.S. Church from the junior college field. It also saw the completion of the task assigned to Joseph F. Merrill, Church Commissioner of Education, to carry out the mandate of the L.D.S. General Church Board of Education to reorganize and re-orient the Mormon educational system to a changed economic situation.
to changed conditions in society, and to changed relationships in Church and State in education in Utah.

The sixth period in Church and State relationships in education began in 1934 with the state operation of the former L.D.S. junior colleges. For the purposes of this study the end of this period might be said to have come in 1953-54 with the proposal of the Governor of the State of Utah, as a part of his economy program, that the former L.D.S. junior colleges operated by the state from 1932 to 1954, be returned to the L.D.S. Church and that the state withdraw from the junior college field. A few developments since 1953 will be mentioned at the close of the study in an attempt to indicate some of the continuing trends in Church and State relationships in education in Utah.
While it would be inaccurate to say that there were none but Mormon educators and teachers and no schools but Mormon schools in Utah before 1869, it is accurate to say that there was a virtual Mormon monopoly of education. It was not until the close of this period that non-Mormons made any serious challenges and inroads upon this monopoly and the Mormon leaders sounded their first note of alarm. This does not mean that the problem of Church and State relations in education did not arise early in the period, especially after the arrival of a non-Mormon governor in 1858, but the Mormon monopoly or control in political affairs was so absolute that the federally-appointed non-Mormon territorial officials readily recognized and publicly acknowledged their ineffectiveness against the Mormon majority. Whatever happened or didn't happen, then, to education in Utah before 1867, may be said to be a Mormon affair.

The all-pervading General Council or Council of Fifty directed the establishment of schools in the new Mormon colonies established in Utah following the establishment of a few private schools in the central colony of Salt Lake City in 1847. To this council the establishment of schools was all a part of the colonizing effort along with the putting in of spring crops, opening a fishery on the Timpanogos River, teaching the native Indians how to cultivate the soil, raise cattle, and improve their morals. (8, pp. 107-108). This homely bit of educational philosophy
seemed to have guided much of the educational effort during this first period in Utah's history from 1847 to 1868. It was this reluctance on the part of the practical minded Mormon colonizers to run faster than they had means and direction in educational matters that gave the "Gentiles" so much ammunition.

Until September 9, 1850, the Mormons in Utah had their own government, the State of Deseret, but on that date the United States Congress chose to make Utah a territory of the United States rather than a sovereign state, thus dashing the hopes of the Mormon people for self-government. Certain provisions in the "Act to establish a territorial government for Utah" (9, pp. 27-37) were to have far reaching effects on later Church and State relationships in Utah.

The Act left the final authority in the hands of the President of the United States who could remove the governor for cause at any time. The governor in turn had veto powers over the laws passed by the territorial legislature. Under normal circumstances this would have meant the separation of Church and State, but in Utah the appointment of the first governor of the territory by President Millard Fillmore took a peculiar twist. He appointed as governor the president of the Mormon Church. If there had been none but Mormons in the territory, this might have worked out satisfactorily in practice, even though some might consider it to be a violation on the basis of principle of a so-called American doctrine of the separation of Church and State.

The union of Church and State

Brigham Young, according to a later public statement, frankly told President Fillmore at the time he appointed him governor of Utah that he
was openly proclaiming "that my Priesthood should govern and control that office" (30, p. 38). This was frankly and openly a union of Church and State and it can be assumed that it would apply to education as well as to other functions of State. The federal government, after Brigham Young, appointed only non-Mormons as governor. Brigham Young was replaced by Governor Cumming in 1858. In 1862 he expected to be elected governor of the State of Deseret for which the Mormons had again petitioned Congress. He again reiterated his statement made in 1850 when he said "that office (of governor of the State of Deseret) shall be sustained and controlled by the power of the eternal Priesthood of the Son of God, or I will walk the office under my feet" (30, p. 38).

When Nevada presented a petition to Congress requesting statehood and the annexation of Utah in the process, in 1867, Brigham Young told the Congressional Delegate from Utah:

Change the name from Nevada to Deseret. Go ahead, and we will have our State government. They do not have more than one-quarter or one-third the people there that we have in Utah, and I rather think the majority would rule in this case. . . . I believe that Governor Cumming came to the conclusion that he was the Governor of the Territory as domain; but that Brigham Young was Governor of the people. They have to acknowledge this, no matter whom they may send here. (31, p. 324)

When Governor Cumming sent a message to the people of Utah from Fort Bridger in September 1857, he assured the Mormons that he came among them with "no prejudices or enmities" and that he could assure them that their own "peculiar mode of serving God" was a sacred right guaranteed by the Constitution of the United States and that it was not to be his disposition as the representative of the general government in the territory to interfere with this right (10, pp. 71-72).
All seemingly went well through the administrations of the first two governors so far as relationships between the executive and the legislative branches of government as provided for in Section 2 of the Organic Act of the Territory of Utah of 1850.

The Organic Act also provided in Section 6 that the laws passed by the legislative assembly should be submitted to Congress and if disapproved should be null and void. Section 7 provided that "all township, district and country officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such a manner as shall be provided by the governor and legislative assembly of the Territory of Utah." This provision left open the manner of selecting, appointing or electing many of the territorial officers, including school officers. Acting within this broad leeway, the Mormon territorial legislature, with the acquiescence of the Mormon governor, in 1851 created the office of Superintendent of Common Schools. In 1852 the legislature provided by law for local school districts and trustees and in 1854 made the appointment of a Superintendent of Common Schools by the territorial legislature mandatory. In 1860 the Mormon territorial legislature created the office of County Superintendent of Common Schools and the law was signed by Governor Cumming. In 1865 the former appointive office of Territorial Superintendent of Common Schools was made elective by the territorial legislature, thus participation in the selection of this important school officer was broadened while still retaining control of the office by the Mormon legislature.

**Federal objections to Mormon control in Utah**

President James Buchanan in his First Annual Message to Congress in
1857 spoke of Mormon control of affairs in Utah in non-conciliatory words:

The people of Utah almost exclusively belong to this church, and believing with a fanatical spirit that he (Brigham Young) is governor of the Territory by divine appointment, they obey his commands as if these were direct revelations from Heaven. . . . With the religious opinions of the Mormons, as long as they remained mere opinions, however deplorable in themselves and revolting to the moral and religious sentiments of all Christendom, I had no right to interfere. Actions alone, when in violation of the Constitution and laws of the United States, become the legitimate subjects for the jurisdiction of the civil magistrate. (2, pp. 2985-2986)

President Buchanan's message found an answer in a memorial from the members and officers of the legislative assembly of the Territory of Utah to the President and Congress of the United States in January 1858. Charging the national administration with acting without investigating local conditions and the wishes of the Mormon majority in civil affairs, the memorial asked:

Please let us know what you want of us before you prepare your halters to hang, or "apply the knife to cut out the loathsome and disgusting ulcer." Do you wish us to deny our God and renounce our religion? That we shall not do. We are at defiance of earth and hell to prove that we have done aught to offend the good. (11)

Direct federal intervention in local government in Utah

The next significant move in Church and State relationships in Utah, affecting also education and the schools, was the rather sudden repeal on January 8, 1858, of all territorial taxes and the preparations of the Mormon Church in a special meeting in the tabernacle on January 19th to assume from tithing and other Church revenues the costs of operating the civil government including the schools (4, 8, 12). This action later proved extremely embarrassing to Governor Cumming when he found himself, in 1860, without revenues to even pay the territorial legislature their
mileage and per diem and had appealed to the federal treasury in vain (13, 14, 29).

Church and State relations were getting worse. While Governor Cumming in Utah was trying to smooth the troubled water, President Buchanan continued his criticism of the Mormon stand and influence in his Presidential Proclamation of April 6, 1858.

Fellow citizens of Utah . . . the land you live upon was purchased by the United States and paid for out of their treasury; the proprietary right and title to it is in them, and not in you. . . . Do not deceive yourselves nor try to mislead others by propagating the idea that this is a crusade against your religion. The Constitution and laws of this country can take no notice of your creed, whether it be true or false. That is a question between your God and yourselves, in which I disclaim all right to interfere. (3, p. 3025)

An intimate glimpse into the political maneuvering of the hectic year of 1858 is given in letters from Elizabeth Wells Randall Cumming, wife and confidential secretary of the Governor of Utah, to her sister-in-law, Anne Eliza Cumming Smith.

On May 28, 1858, she wrote to her sister-in-law:

I have been his only secretary since we came to Utah—so all his dispatches to Washington, I read, & had to copy—so knew all he was doing. I saw what terrible work was being done here [Camp Scott] and wrote to A. [Alfred] by return express warning him how his civil officials were marring & endeavoring to mar his course of action—annoying and exasperating at the very moment they ought to wait. (5).

On July 9th she wrote Anne from Great Salt Lake City: "We have all been amused with the New York & other papers today. The quantity of news about Utah, but amid all the falsehoods, it is strange that not one single truth should be told, yet such is the fact" (6).

An intimate glimpse of the problem through the eyes of this First Lady of Utah is found in another letter to her sister-in-law penned on
September 24, 1858:

... Alfred is very well, and is very busy, of course. He has some annoyances, now and then, from "gentiles" who (certain ones of them) endeavour to bring on quarrels with Mormons—desiring to bring on a war here—men without a profession or business, who live, nobody knows how—... Alfred has had no trouble from Mormons. The community, en masse, seem to be thankful, that if they cannot have their adored Brigham Young for Governor, they have, in his stead, one, who they all seem to regard as a just & honorable man, who will not betray their interests. Feeling thus, all that a people can do to make his stay here comfortable, they do—from Brigham Young, down to the most humble member of the community—I do not mean by pleasant words, & festivities, &c., but by entering into, & endeavoring to carry out his views. ... Alfred has insisted on restitution being made by the Mormons to all Gentiles, who have complained of losses at their hands. They have never yet refused to make it—where restitution was possible & if there has been any hesitation about it, in consequence of the enormously high prices of many articles here at this time, Brigham signs an order, which must be obeyed, as salvation depends on Brigham. As the Pope can excommunicate a Catholic—so Brigham "cuts off" from "the Church."

... As for themselves personally, they are, so far as my observation goes, generally ignorant, fanatical, superstitious and possessing profound disdain for the religious beliefs of the rest of the world—but all these last qualities are their own business, not mine—so far as we are concerned, they are all that we ought to ask. (7)

Federal acts of intervention in Utah began on July 11, 1857, when Lewis Cass, Secretary of State, appointed Alfred Cumming governor of Utah with these instruction:

... With any peculiar opinions of the inhabitants, however deplorable in themselves or revolting to the public sentiment of the country, the Executive Govt. has no legitimate concern, and no desire to interfere. Our social and political institutions recognize the utmost freedom of discussion, and men are justly obnoxious to legal penalties for their actions only and not for their opinions. The sentiment so happily expressed by Mr. Jefferson, that, error of opinion may be safely tolerated, where reason is left free to combat it, meets the ready concurrence of the American people. (3)

But an army was on the march to Utah. Two months later came a fanfare and proclamation from the Mormons. Brigham Young announced to the Saints
and to all the world:

... For the last twenty-five years we have trusted officials of the Government; from Constables and Justices to Judges, Governors and Presidents, only to be scorned, held in derision, insulted and betrayed. ... If the Constitutional rights which pertain unto us as American citizens were extended to Utah, according to the spirit and meaning thereof, and fairly and impartially administered, it is all that we could ask, all that we have ever asked.

Our opponents have availed themselves of prejudice existing against us because of our religious faith, to send out a formidable host to accomplish our destruction. (15, pp. 57-58)

The U.S. Army that fall was camped outside the gates. In his last official message to the territorial legislature in December 1857, as governor of the Territory of Utah, Brigham Young commended the people of Utah for their past performances in education and outlined their future educational objectives:

Our schools, to those unacquainted with the facts and circumstances connected therewith, may seem not to have received the attention which their importance demands, at the same time each Ward throughout the Territory has provided one or more comfortable school-houses commensurate with the number of pupils to be accommodated; and proportionately more has been done in Utah for the true enlightenment of the rising generation, than has ever been accomplished under like conditions in any other portion of the Union. And aside from the stated hours and exercises of the schools, education is constantly obtained from books, from conversation, from reflection, at home, abroad, in highways and byways, and its developments implant the desire for still higher attainments. Academies, colleges and universities will arise at the summoning wand of increasing wealth and leisure for learned acquirements until, ere long, we shall as far outstrip the world in every branch of true science as we now do in that knowledge which savoreth of eternal lives. In this great cause, also, your influence and example can be made productive of much good, even though your judgment should lead you, during your present session, to waive direct legislation upon this subject. (16, p. 63)

This challenge thrown out to the people of Utah in a time of extreme crisis and threat of war in 1857 was to echo again and again in statements of the objectives of Mormon education down through a hundred years to 1958:
"we shall as far outstrip the world in every branch of true science as we now do in that knowledge which savoreth of eternal lives." This slogan still echoes in Mormon education in 1958. It can be found repeated time after time in Mormon sermons on education of the past hundred years.

Here again was that long-range goal in education for the Mormon Kingdom of God discussed in Chapter 3 of this study.

Governor Cumming evidently was not quite so sanguine that such a long-range goal would produce the educational qualifications required for immediate needs. In 1858 he reminded the legislative assembly of the Territory of Utah that with the threat of civil war passed, and peace, health and general prosperity restored, they might well turn their attention to the "necessity of extending the benefit of common schools to every child in the territory." He recommended the levying of a general tax on the people specifically for the support of common schools. He re-echoed the "enlightened public" doctrine of American education in these words:

On the proper education of its youth depends the prosperity and happiness of a community. The statistical reports of the prisons in this and other countries, show that the proportion of crime is in an inverse ratio to the amount of proper education received. (17, p. 92)

In the April General Conference of the Mormon Church in 1860 President Brigham Young outlined the educational policy for the Union Academy which was to be supported by the tithing funds of the Church. He evidently had meant what he had said as governor in 1857 about "the desire for still higher attainments" through the establishment of "academies, colleges and universities." He charted the course of the Union Academy in these words:

... we shall devote the large building on the east side of Union Square to school purposes. Tuition will be free, and the school will begin tomorrow morning, with Orson Pratt, jun.,
and James Cobb, teachers, under the supervision of Orson Pratt, sen. The Union Academy is designed exclusively for boys and young men. So soon as we have a suitable building, we intend to open an Academy for females, in which they will be taught the common branches of English education, music, and preferably some of the modern languages.

As I have remarked, there will be no charge for tuition in the Union Academy, and we shall learn whether the young men will go to school and qualify themselves for doing business and becoming useful in the world.

We should be a people of profound learning pertaining to the things of the world. We should be familiar with the various languages, for we wish to send to the different nations and to the islands of the sea. We wish missionaries who may go to France to be able to speak the French language fluently, and those who may go to Germany, Italy, Spain, and so on to all nations, to be familiar with the languages of those nations.

We also wish them to understand the geography, habits, customs, and laws of nations and kingdoms, whether they be barbarians or civilized. This is recommended in the revelations given to us. (32, pp. 39-40)

Here was an early charter for higher education in the Church of Jesus Christ of Latter-day Saints. Many have thought of Brigham Young Academy established by the Church president in 1875 as constituting the beginning of Mormon higher education and it is listed on Bennion's list of academies as the first L.D.S. academy established (1, p. 147).

Mormon higher education in Utah really began with the University of Deseret in 1849, augmented by the Union Academy in 1860, and continued with the Brigham Young Academy in 1875 and the Brigham Young College in 1877. Unlike some of its successors, however, this academy seems to have been (a) tuition free, (b) centrally rather than locally sponsored and supported, and (c) supported entirely from tithing funds.

Governor Cumming reacted to President Young's Conference sermon in his message to the territorial legislature that same fall. It was fine,
said Governor Cumming, for the Mormons to establish a college and they were to be commended for it. He was also pleased with evidences of increasing interest in the subject of education. He commended the Mormon legislature for the many "large and spacious school houses" in Salt Lake City and throughout the territory. But, said Governor Cumming, the fact remains that "as yet you have no free or common schools." Again the governor pleaded, as he had each year, for an appropriation of a portion of the territorial revenue for the establishment and maintenance of free schools. Said he:

The future destiny of your children for weal or woe depends on their moral and intellectual culture. The children of the rich and poor are equally in need of it. Some system should therefore be adopted, which will enable every child to obtain these inestimable benefits. It is evident that persons who are competent to undertake the dignified and difficult task of education, should be recompensed with certainty and liberality. (18, p. 14)

The governor seemingly was also quick to sense that the Mormon monopoly in Utah would someday pass. With keen insight he could see that a change and adjustment in relationships was bound to come. That change in relationship came sooner than one might have expected. On December 10, 1861, after the new governor, John W. Dawson, had been in the territory three days, he delivered a message to the legislative assembly in which he said:

The great question now before the American people and the world is shall this great and beneficent government . . . be now destroyed by the hands of its own sons. Men of Utah! what answer will you make? . . .

That mind which is enslaved is not a free agent; nor can it enjoy freedom. When the will is a vassal, nothing is more degrading. A mind not its own cannot be free—it is a slave and in chains, though so well gilded as not to be self-seen. And it is in such a state of society that encroachments on private rights are common, and permanent mischief hourly deplored.
Without education and intelligence general and diffuse, the best constitution and government, and laws the most wise, can never, in a democratic government, have permanent claims to longevity, nor the people, peace, tranquility or justice. (19, p. 9)

Governor Dawson remained in the territory a bare three weeks, but that was long enough to challenge the Mormons on their freedom of thought and to veto a bill passed by the Mormon legislature providing for a convention for the formation of a constitution and state government (20, p. 208). Conditions and relations in Utah had already altered. This was the first serious blow to Mormon pride and Mormon dominance since the peaceful settlement of the issue of federal armed intervention in 1857-58. The good offices of the pacific Governor Cumming were gone and Mormon and non-Mormon relationships now began to take a new turn.

The Mormons countered the move of Dawson and the rising tide of non-Mormon opposition by reorganizing or reviving the territorial legislature of the State of Deseret in 1861. On January 18, 1863, Brigham Young delivered a private message to the legislature which is perhaps one of the most significant utterances made by him. The members of the general assembly of the de facto State of Deseret were clearly told who were the real rulers of Utah. The concept of the Kingdom of God was not dead. The General Council or Council of Fifty was not dead. It was the real government of Utah. The territorial legislature and the federal officials were the government in name only. True, the Mormons might have to bide their time, but time would tell who the real directors of civilization were. The general assembly of the State of Deseret was the Kingdom of God. Not one inch of ground was to be surrendered. The government of the United States was going to pieces and it would be "like water that is spilt upon
the ground that cannot be gathered; ... we are called the State Legislature, but when the time comes we shall be called the Kingdom of God" (33, p. 1).

But, said acting Governor Reed, in his message to the territorial legislature that fall:

... the dawn of a new era is already opening upon the Territory, and the shifting scenes around us ... will render necessary at an early day, another compilation of laws, as they will require other, and perhaps different laws from those now on the Statute books. ... This Territory, now so far removed from the East and the West by lofty mountains and barren plains, will, when this great work [the Pacific Railroad] shall have been consummated, be the highway of the commerce of the world and the great resting place and depot of the nation. (21, p. 131)

The following December 1864, Governor Doty reminded his Mormon territorial legislature that:

Schools, and the means of education, ought to be provided in every settlement in the Territory. Without this is done, the mass of the people will soon become grossly ignorant, the abject slaves of wealth and power, and the miserable dupes of every charlatan in religion or in politics. (22, p. 159)

A week later he wrote his famous letter to the President of the United States charging that there were three governments in Utah: "The Mormon Church; the military; and the civil" (23), and on January 28, 1865, he complained of a fourth government in Utah—the State of Deseret—in a letter to W. H. Seward, Secretary of State of the United States (24).

There is no mistaking that this fourth government existed. On January 23, 1865, Brigham Young had delivered his fourth annual message to this re-activated legislature of the State of Deseret, and had reported that:

Since I last had the pleasure of addressing you, Deseret has continued to rapidly advance in that path of progress
and development which she has ever undeviatingly pursued since her first settlement. . . . In order that everything may be in readiness when Congress shall recognize our State organization . . . I would respectfully suggest that you enact that the laws now in force in the Territory of Utah be in full force and virtue in law in the State of Deseret. (34)

This and almost identical statements made in other messages to the legislature of the State of Deseret seem to make it abundantly clear that Brigham Young was in control of both the territorial legislature of Utah and the State legislature of Deseret.

One item of legislation passed by the territorial legislature and evidently approved by blanket vote by the legislature of Deseret in 1865 was to have far-reaching effects on education in Utah. On January 13, 1865, Governor James Duane Doty transmitted to the Secretary of the Interior of the United States a resolution passed by the legislature of the Territory of Utah expressing its acceptance of the provisions of the Morrill Act of 1862 as amended April 14, 1864, providing for Land-Grant Colleges. Governor Doty said in his letter of transmittal:

... in behalf of the Territory, I respectfully make application for the apportionments of land and its selection to which the Territory is entitled by these acts; and if there is no public land within the Territory which is subject to the grant that script may be issued as is provided. (25, p. 164)

Seemingly, the Mormons were not averse to federal aid to education in 1865, indeed as they had not been averse to applying for federal funds for the operation of the University of Deseret from 1850. The present Utah State University, formerly Utah State Agricultural College, is an outgrowth of this resolution, although the legislation actually establishing the college was not passed for another 23 years when the Lund Act was passed by the territorial legislature and signed by Governor West on
March 8, 1888.

The quick response, by the Mormons to the idea of the Morrill Act in 1865 may have indicated one or more of several reactions. It might have meant a realization on the part of Mormon leadership of their inability to further carry the financial burden of education in Utah. It might have meant a change of policy towards state-controlled education at least on the higher levels. It might have meant simply that with an agricultural base for the economy in Utah at the time, a land-grant college could do that which the "paper" University of Deseret was never designed to do and could never have done from 1850 to 1865. Repeated efforts to obtain federal funds for the operation of the University of Deseret had failed and it had offered no instruction from 1852 until its reorganization in 1867 and the issuance of its first catalogue in 1868-69.

By December 1865, Utah once more had a different governor. His message to the territorial legislature made a strong plea for the cause of education and common schools. Governor Durkee pointed out that the foremost duty of the State is to give every child within its jurisdiction a suitable education. He asserted boldly, perhaps partly in answer to the Mormon philosophy, that primary responsibility for education must rest with the parents and the Church, that experience had demonstrated that "parents and guardians cannot in all cases be safely charged with the execution of this important trust... It is my settled conviction, that the property of a State or Territory should be taxed to defray all expenses of the education of its children" (26, p. 186).

Governor Durkee was free to admit, however, that the time had not yet arrived in Utah when such a free school system could advantageously
be established and maintained. In place of the school revenue law that had been passed at the last legislature providing for the levy of a tax of not more than two per cent for common schools, Governor Durkee proposed that the legislature pass a law that would provide for an annual territorial and county tax of two dollars for each child between the ages of four and 18 years of age in the territory.

In 1866 the Mormon legislature of the territory provided by law that the Territorial Superintendent of Common Schools should be elected annually by the legislative assembly and that the County Superintendents of Common Schools should be elected at the general election in August for the term of two years. The Act further provided that the territorial and county superintendents "shall decide what text books shall be adopted in the schools" (27, p. 219).

Thus the Mormons tightened their control of the common schools of the territory.

In December 1866, Governor Durkee reminded the legislature of his recommendations of the previous year on education and hoped that although federal funds were not available from the sale of school lands, that the legislature would find some means of making "education free to all children within the territory" (28, p. 220).

Impact of "Gentiles" on Mormon economics

On December 23, 1866, Brigham Young in a public address sounded a new note of alarm to the Latter-day Saint concerning "Gentile" infiltration of Mormon society in Utah and called for the Saints to carefully distinguish between true and false friends among the "Gentile" minority. His sermon on the nature of the Kingdom of God is one of the key documents for the
understanding of Mormon policy on Church and State and Mormon and "Gentile" relationships in Utah in the late 1860's.

There has been considerable said of late touching a class of men that are here who call themselves "gentiles." I do not know whether they are "gentiles" or not; I have no doubt some of them are. I do not think they know the meaning of the term they apply to themselves. (35, p. 273)

Latter-day Saints were urged by President Young to distinguish between the enemies and the friends of the Mormons among the so-called "Gentiles." Of the former he said:

... there are men here who ... will do all they can to wrest our possessions from us. Men of this class have followed us like bloodhounds in all our wanderings as a people from the beginning to this day; and I have thought for sometime that I should lift my voice to the Latter-day Saints to become sufficiently of one heart and one mind to let this class of men severely alone. I say, from merchants, lawyers, editors, farmers, mechanics, and all individuals who will give succor to such a class of men and to the paper which they have published here, withdraw your support. (35, p. 277)

This was the weapon of economic boycott to be used against those "Gentiles" in Utah who were now known to be the enemies of the Mormons. Brigham Young placed this economic advice within the framework of a religious prohibition for faithful members of the Kingdom of God when in the same paragraph he quoted the New Testament statement of Christ:

"He that receiveth you, receiveth me; and he that receiveth me, receiveth him that sent me."

Later in the sermon he asked the question: Do you think the Father and the Son are agreed in their political views and their financial operations? He answered that every Christian should say "yes"—"and we cannot be one, in the sense Jesus prayed for us to be without this" (35, p. 280).

Going to the subject of education and the financial support of the
schools, President Young asserted that:

The Bishop of the 13th Ward tried to collect school taxes from some of the "Gentile" population. They refused to pay, and suits were commenced before the District Court. That court decided that we had no right to make a law to collect taxes to build school houses. In any of our neighboring Territories an opposite decision would have been given. (35, p. 282)

Was it the paying of taxes to build school houses that the "Gentiles" objected to, or was it that they were being asked to pay them to a Mormon Bishop for building a ward school, though territorial law was being used as a basis for collection?

The Saints were, however, counseled not to be indiscriminate in their economic and social boycotts.

My counsel to the Latter-day Saints is to let all merchants alone who seek to do evil to this people. Those who will do well, deal righteously and justly, will be one with us in our financial affairs. There is nothing uncommon in this of course. We see it carried out in almost every city in the Union. The Roman Catholics will deal with their friends in preference to their enemies. The same may be said of the Methodists, and of almost every religious sect in Christendom. . . .

If the Latter-day Saints will live their religion, they will increase in political and commercial strength and influence, power and glory on this earth, until we shall be above and entirely out of reach of those miserable creatures who are continually seeking our overthrow. . . . (35, p. 280)

The threat of non-Mormon teachers in the schools

The "miserable creatures" continually seeking the overthrow of the Mormon regime in Utah evidently were not confined to "merchants, lawyers, editors, farmers, and mechanics." Some "miserable" non-Mormon or "Gentile" school teachers had evidently also entered the Mormon territory and had begun to challenge the educational controls of the Mormon Church.

Brigham Young gave several discourses on the subject and requested other
Mormon leaders to follow suit. Brigham Young's sermons were flavored with colorful adjectives as he expressed his disgust with the Mormon bishops for lack of judgment in the selection of teachers for the local schools. He said in the first place that he hoped that the brethren would be careful to follow the instructions given by his counselor, Daniel H. Wells, about

... introducing into our schools the Bible, Book of Mormon, Doctrine and Covenants, and the Standard works of the Church, and all works pertaining to our faith, that our children may become acquainted with its principles, and that our young men, when they go out to preach, may not be so ignorant as they have been hitherto. (36, p. 406)

Even more alarming, however, to the President of the Mormon Church was what he considered to be a threat to the whole foundation of Mormon educational philosophy and the faith of the young people of his Church by the beginnings of an influx of "Gentile" school teachers into the territory and into the schools of the territory. Extracts from two of these colorful sermons express his disgust. In an April 6, 1867, session of General Conference he expressed his disapproval of both the type of "Gentile" teachers being hired and of the short-sightedness of the Mormon bishops who were instrumental in their being hired:

The foolishness of the people here has waxed so strong that unless they get something that is bought in New York it is not good for anything. It makes me think of our brethren, the school teachers. We have brethren here who understand the languages of the nations of the earth, and the various branches of education taught in the world, as well as any man or men out of the Church. But if the man possessing the best talent we have among us were to go to some of our Bishops and say, "Can I keep your school?" The answer would be, "Yes, if you will work for nothing, find sic--feed yourself, and pay the children for going." But bring a poor, miserable, rotten-hearted, cursed gentile, and they will lick the dust off his shoes to have him keep school, when he does not know half as much as the Elders in Israel know. This would not
apply to every case, but it does to a great many. You go
to our brethren, and ask them if they can get their pay for
keeping school, and they will tell you they cannot. Ask them
if they can get a school, and they will reply, "No, we are
looked down upon as something inferior." Why is this? Be-
cause the folly and wickedness of the people have waxed so
strong that nothing is of any account unless it is imported.
(37, p. 353)

All was not well in Zion. The Mormons had seemingly begun to
assimilate the "ways of the world." Education was one of the keystones
of the religion of the Latter-day Saints. The religious doctrines of
Mormonism were tied up with everyday living. It was better to leave a
child in ignorance of the learning of the world than to have him taught
and tutored by those who did not believe as the Mormons believed. To the
Mormon, as to the Catholic, true education included instructing the soul
as well as the mind. Understanding the Mormon concept of the Kingdom of
God and its mission in the world and the claim of the Church of Jesus
Christ of Latter-day Saints to be the only true Church of Christ, one
can readily understand the concern of Brigham Young as Mormon control of
the education of its children began to slip through their fingers. To
the Mormons more than the three R's or academic training was at stake.
President Young felt that the eternal salvation of the children sent to
school under such "Gentile" teachers was at stake, hence his somewhat
colorful and frank denunciation of some of his bishops.

In a later session of the same General Conference he again returned
to this theme:

In all . . . branches of science and education we should
know as much as any people in the world. We have them within
our reach, for we have as good teachers as can be found on
the face of the earth, if our Bishops would only employ and
pay them, but they will not.
Let a miserable little, smooth-faced, beardless, good-for-nothing Gentile come along, without regard for either truth or honesty, and they will pay him when they will not pay a Latter-day Saint.

Think of these things. Introduce every kind of useful studies into our schools. I have been urging upon our young men for years to get up classes for the study of law. The laws of this Territory, of the United States, of the different States, of England, and foreign lands. Do this instead of riding over the prairies hunting and wasting your time, which is property that belongs to the Lord our God. (38, p. 374)

Well there it was, the beginning of the Mormon dilemma in education. The "Gentile" camel had now pushed its head into the Mormon tent in Utah. Would it eventually get all the way in?

In a review by the Venerable W. F. Bulkley, Episcopal Bishop of Utah, of the history of the Episcopal Church in Utah, it is stated that the first Episcopal-Day school was established by the Rev. Messrs. Poote and Haskins in Salt Lake City on June 30, 1867 (38). This school, St. Mark's Day School, was also, so far as can be determined, the first day school established by a religious group or church in Utah, other than the Mormon schools.

As the first period in the history of Church and State relationships in education in Utah drew to a close, a new factor, Protestant education, had been added to the picture.

Summary

While it would be inaccurate to say that the only teachers, educators, or schools in Utah before 1869 were those claiming membership or allegiance to the Mormon Church, it is accurate to say the Brigham Young as Governor of the State of Deseret, and for a short time Governor of the Territory of Utah, and as President of the Mormon Church, did wield a dominant influence
in both Church and State education in Utah during the period from 1847 to 1868.

It was not until near the close of this period that the non-Mormons or "Gentiles" made any serious challenges to or inroad upon the Mormon monopoly.

The problem of Church and State relationships in education did arise fairly early in the period, especially after the arrival of the first non-Mormon governor of the territory in 1858, but the Mormon control of political affairs in the territory seemed so complete that Governor Cumming, an astute politician or statesman, chose to work with the Mormon majority rather than in opposition to it.

Succeeding non-Mormon governors were either not as astute as Cumming or less tractable and a seesaw battle began with the governors urging the Mormons to greater efforts in the establishment of free, common schools, and Brigham Young and other Mormon leaders countering these recommendations by expressions of satisfaction with the schools of Utah.

During the last two or three years of the period there began a two-pronged "Gentile" attack on the Mormon monopoly which caused Brigham Young to call for an economic boycott of "Gentile enemies" of the Church in Utah and to publicly denounce Mormon bishops for hiring "Gentile" teachers for their schools in preference to Mormon teachers who were considered by the Church President to be far superior in qualifications.

In 1867 the first non-Mormon denominational school in Utah was established by the Protestant Episcopal Church.

The period ended on a note of expectancy as to what the impact of these new forces and the completion of the transcontinental railroad would be on Mormon society and Mormon education in Utah.
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CHAPTER VII

THE PIONEERING PERIOD FOR NON-MORMON DENOMINATIONAL SCHOOLS AND THE BEGINNINGS OF THE RIVALRY FOR THE CONTROL OF PUBLIC EDUCATION IN UTAH, 1869-1881

The coming of the transcontinental railroad in 1869 opened a new era in Utah's educational history by bringing a new influx of non-Mormons into the territory. Two schools were established in Salt Lake City in 1867 by the Protestant Episcopal Church, otherwise the Mormons had established all the private schools in the territory and had controlled the common or public schools.

With the establishment of an additional Episcopal school in Ogden in 1870 and the founding of the Methodist Rocky Mountain Seminary in Salt Lake City in the same year, the "Gentiles" began to challenge the virtual monopoly of education held by the Mormons.

The main issues in education in Utah for the period from 1869 to 1881 were those of federal versus local support for education; Bible reading, prayers, and religious teachings in the public schools; the religious affiliations of public school teachers; and the influence of the Mormons on the political control of the major school offices and officers in the territory. In all of these issues there seems to have been a major dividing line with the Mormons on the one side and the federal government, the non-Mormon territorial officials, and the major Protestant denominations in Utah on the other. The rivalry between the Mormons and the Protestant "Gentiles" on these issues was to continue for some decades.
During this period the "Gentiles" also began to lay plans for increasing their influence in the common or public schools. This was partly accomplished during this period by the placement of non-Mormon teachers in the public schools and the election of some non-Mormon school officials. There was also a movement to remove the Bible and other books of Mormon scripture from the public schools and to make the public schools non-sectarian.

Mormon and Catholic relations in education following the establishment of the first Catholic schools in Utah in 1875 seem to have been less strained than Mormon and Protestant relations. This may have been due in part to the personality and policies of Utah's first Catholic clergy and in part to the manner of financial support accorded Catholic schools which did not call for a nation-wide anti-Mormon campaign to raise funds such as the Protestants indulged in for the support of their schools.

Rt. Reverend Robert J. Dwyer, a native-born Utahn and the foremost Catholic historian of the state, has discussed this contrast in relations between Mormon and Catholic and Mormon and Protestant. In his doctor's dissertation, The Gentile Comes to Utah, Reverend Dwyer maintained that "alone among the Gentile religious groups, the Catholic Church in Utah was substantially able to maintain its organization without special financial aid from outside sources" (2, p. 41). He further said that "Catholic schools, unlike the Protestant mission institutions, were supported by tuition." He admitted that there were occasional blasts from Mormon leaders against the Catholic school in the territorial period, but he maintained that despite these blasts the Catholic schools were largely patronized by children of Mormon parentage. "For different," says Father
Federal versus local support for education, 1869-1881

Federal versus local support for education seems to have been one of the major problems in education in Utah during the 1870's. In the report of the Territorial Superintendent of Schools for January 1869, Robert L. Campbell complained that the United States government, which in law and in fact was the guardian of the people of Utah, had failed to carry out the duties and obligations expected of a guardian by failing to make federal funds available for education in Utah. He wrote:

It is said that the Territories sustain the relationship of wards to the General Government. What would be thought of a guardian, in whose possession there were munificent legacies, specially designed for education purposes, who would turn round and say to his ward, "True, there are liberal provisions made for your education, but these grants are not usually given to wards until they become of age." Would not the ward have just cause of complaint? That the most liberal and free Government on earth should thus act toward its wards, is indeed astonishing.

I would recommend that Congress be memorialized on this subject, setting forth the educational claims of Utah. ... (23, p. 3)

Governor Edwin Higgin in his January 1869 message to the territorial legislature complained as vehemently that the people of Utah had refused to adequately tax themselves to pay for their children's education. He said:

In his report for the year 1864, the Superintendent states that he "does not favor education by taxation, because, while the sentiments of the people are favorable to education, they are equally unfavorable to taxation," and that "while under the present regulations many tax themselves from one to four per cent, and pay it willingly to the school teacher, they would feel very differently were the Territory to assume the assessment and collection of such a heavy tax." While taxation is vexatious it is submitted whether, considering the great importance of the
subject, it is better to allow the prejudices of a few against paying a required amount to a Territorial officer, to subvert the interests of the public generally, by depriving a portion of the children in the Territory of school privileges.

All classes of persons are interested, directly or indirectly, in the establishment of Free Schools--directly by having children of their own to educate, or indirectly by the obligations under which every member of society is placed to favor all enterprises tending to the common weal. . . .

It is therefore suggested that the Act of 1866 be amended so as to allow the assessment and collection of a sum sufficient for the support of Free Schools throughout the Territory, to be assessed in connection with other Territorial Taxes, and that the provisions of the same be required to be carried out. . . . (24, p. 291)

Federal versus local support for education is a perennial problem in the United States.

George A. Smith, first counselor to Brigham Young, preached a sermon in the tabernacle in Salt Lake City in June 1869, which throws further light on the attitudes of Mormon leadership towards this important issue in education. He pointed out that the Latter-day Saints had built "commodius school houses" in every ward of the various settlements throughout the territory. The initial support for education, then, in Utah had rested directly on the people and had been sponsored largely by ecclesiastical authority. He believed that it was about time that the federal government, who had refused to grant statehood so that the people of Utah could establish their own system of public schools under their own support and control, came through on its obligations as a guardian of the people of the Territory of Utah. He asserted that "almost every newly settled country has received certain donations in land and money to aid them in the support of their schools." He called attention to the difference in treatment accorded by the federal government to Oregon where early settlers were granted from
160 to 640 acres of land and liberal donations of land were made available to promote the cause of education and the treatment accorded Utah.

We have struggled with all our power and might to maintain that morality and uprightness which pertain to the Kingdom of God, and to place all men and women in that high position which God designs them to occupy, and to prevent them being led astray by the immoral tendencies which are abroad in the world; but while doing so we have had to contend with obstacles of every kind. (13, p. 86)

Bible and religious teachings in public schools

Another of the vital problems in American education in the 1870s was the issue of religious influences and teachings and the use of the Bible in common or public schools. The seventh annual message of President Ulysses S. Grant (3), delivered immediately after he had visited Utah in 1875, dealt in part with Church and State relationships in education. This message not only aroused the ire and opposition of the Mormons in Utah, but it also called forth bitter denunciations from Catholic officials and educators across the nation. The message contained a recommendation that all church property in the United States be taxed to support the public schools. Later in the same message he made four specific recommendations as follows:

First. That the States shall be required to afford the opportunity of a good common-school education to every child within their limits.

Second. No sectarian tenets shall ever be taught in any school supported in whole or in part by the State, nation, or by the proceeds of any tax levied upon any community. Make education compulsory so far as to deprive all persons who can not read and write from becoming voters after the year 1890, disfranchising none, however, on grounds of illiteracy who may be voters at the time this amendment takes effect.

Third. Declare church and state forever separate and distinct, but each free within their proper spheres; and that all church property shall bear its own proportion of taxation.
Fourth. Drive out licensed immorality, such as polygamy and the importation of women for illegitimate purposes. (3, pp. 4309-4310)

These four recommendations all had obvious references to conditions which his recent visit to Utah had brought into focus. These recommendations did not receive whole-hearted approval and enthusiastic response either in Congress or in the nation at large. Catholic writers were quick to point out the danger to private and denominational education in the United States. Such a program would, they felt, have taxed private education out of existence.

Bible and religious teachings in the schools of Utah, 1869-1881

The Territorial Superintendent of Common Schools reported in 1869 that "although the scriptures are not taught in our common schools, save what extracts are found in our readers, yet it is advised that all teachers open and close their exercises by prayers, and that principles of morality and good order be inculcated in all the schools" (23, p. 3).

Superintendent Campbell seems to imply almost by way of apology, that the people of Utah—at least the Mormons—were now accepting a half-loaf because they could not present the whole of their religious teachings in the public schools.

Orson Pratt, prominent Mormon leader and educator, boldly asserted, in the same year, that the Constitution of the United States was so framed by the founding fathers as to give freedom of religious worship and the right to believe in "any Bible principle which the Almighty has revealed in any age of the world to the human family." He maintained that "there is no restriction nor limitation so far as Bible religion is concerned."

He said that it was:
no matter according to the Constitution whether we believe in the patriarchal part of the Bible, in the Mosaic or in the Christian part; whether we believe in one-half, two-thirds, or in the whole of it; that is nobody's business. The Constitution never granted power to Congress to prescribe what part of the Bible any people should believe in or reject. (12, p. 183)

In July 1870, Brigham Young publicly stated his objections to the removal of the Bible from the public schools and warned of the dangers involved:

Unless we believe the Gospel of Jesus Christ and obey its ordinances we have no promise of the life to come. . . . We cannot build and plan for ourselves. . . . Can we devise any other means and plan of salvation? We cannot. Will we do away with the Bible? We will not; though the Christian world are actually coming to the point that they will dismiss the Bible from their schools; and by and by they will dismiss it from their pulpits and get one to suit themselves; they will hew out for themselves cisterns that will hold no water. (33, p. 213)

The Bible was recommended as the foundation of the sciences and laws of all Christian nations. As such President George A. Smith instructed the Saints in 1874 to "see that it is on every table, in every household, in every pulpit, and that it is the school book of every family throughout the Territory" (14, p. 256).

In giving instructions to the Saints in Bear Lake in 1880, Erastus Snow spoke frankly to the Mormon bishops and to the school trustees of the area. He said that trustees should be chosen from the most energetic men. He instructed the Saints to choose and elect as school trustees:

. . . men who will take an interest in the welfare of the children . . . and who will see that good and suitable books are provided, especially the Bible and Book of Mormon. Now do not be afraid to see the good books which God has given unto us in the hands of your school children; do not be afraid of the teacher who will open school by prayers, and who will encourage faith in God, and morality, and everything that makes people good citizens. And I beseech the people generally to encourage the
combined efforts of the County Superintendent and the trustees and school-teachers in establishing good schools in your midst. (16, pp. 119-120)

The sermons of Brigham Young, Orson Pratt and Erastus Snow, three of the highest authorities of the Mormon Church plus the statement of the Mormon Superintendent of Territorial Schools indicate that chinks in the Mormon armor were beginning to show up.

The religious affiliations of public school teachers in Utah, 1869-1881

The second chink in the Mormon armor is revealed in the concern of the Mormon leadership over the continued hiring of "Gentile" teachers in nominally Mormon-controlled schools. This practice by some Mormon bishops and school trustees had already drawn sharp reprimands for the Saints from Brigham Young in 1867.

In 1869 Governor Higgins suggested the propriety of legislation establishing a Territorial Normal School "for the purpose of preparing competent teachers for the schools of the different districts." He thought that one of the advantages of having teachers attend a publicly sponsored normal school would be the fact that teachers so trained would then have a "uniform and requisite knowledge . . . of those branches necessary to the proper development of the minds of the young." Governor Higgins maintained that teachers so trained would give the public confidence "that proper measures are being taken for the advancement of the educational interests of the country" (24).

The following year another governor, S. A. Mann, included in his message to the Mormon territorial legislature a statement on sectarian influences on teachers and schools that was more pointed.

It has been found in older and more experienced communities that public schools are most successfully conducted apart from all
sectsarian influences and that they should not be used in the means to inculcate any particular creed or faith except that sound morality which teaches "that we should not do unto others that which we would not that others should do unto us." (25, p. 337)

In 1872 a different governor, George L. Woods, asserted that Utah was destined soon to take a high rank in the sisterhood of states but before she could do so some important social and educational questions including differing points of view would have to be reconciled. It was his contention that the school in the civil system was the link connecting the family with the State. He said by implication, that the dominant church in Utah had absorbed the schools and thus had usurped functions of the State. He maintained the view that "if one class of persons can violate one law with impunity and shield themselves behind the bulwarks of religious toleration, another class can do the same with some other law, and so on until religious dogmas are made to take the place of the Constitution and law and anarchy would ensue." He charged that:

... advocates of such a theory would invoke religious toleration to devour the very source from which religious toleration emanates. If there has been undue excitement in this Territory recently which has threatened the public peace, disturbed commercial transactions and provoked criticism from abroad, doubtless it has been in part in consequence of a violation of this law. (26, pp. 1-2)

In a later message in 1874, Governor Woods scored the idea that a church—any church, whether Mormon, Catholic, Episcopal, Presbyterian, or Methodist—had a right, when its members were in the majority in a community or territory, to dictate and control the expenditures of public revenues and to establish policies for public institutions beneficial to their own interests. He said that:

It is a violation of the fundamental doctrines upon which the Republic is founded, to permit any Church or the people of any religious belief, to share any privileges which are not
accorded, alike, to all. It is not sufficient to say that where a large majority of the people are of a particular religious faith, they, possessing the political power, have the right to control the revenues of a country in such a manner, as, to them, may seem just and proper. Governments were not established for the benefit of majorities, but for the purpose of protecting minorities. Individual rights, and not collective rights constitute the true foundations of all just governments. Hence it follows that if there is any number of men, however small that number may be, who object to the monies acquired in this way being used by any church, for any purpose whatever, where they do not receive an equal benefit therefrom, with every other citizen, it is the duty of the law-making power to correct the evil, and protect them in their rights.  
(26, p. 45)  

The Mormon majority in Utah, however, was not ready to concede to this view expressed by Governor Woods. In April 1873, President Brigham Young had said in an address on school books and free schools that "we want our own school books. . . . This is carrying out the plan and principles of building up Zion, whether you know it or not" (34, p. 15).  

Later in the same conference address President Young leveled another blast at what he considered to be the poor judgment of Mormon bishops in hiring school teachers. Speaking in favor of the Mormon school teacher, though rustic in dress and manner in contrast to the well-dressed "Gentile" Brigham Young said:  

What better is the man that can dress himself nicely and labor in a school house six hours a day, than the man who works ten or twelve hours a day hewing rock? Is he any better? No, he is not. Are you going to pay him for his good looks? That is what some of our Bishops want to do. If they can get a man, no matter what his moral qualities may be, whose shirt front is well starched and ironed, they will say—"Bless me, you are a delightful little man! What a smooth shirt you have got, and you have a ring on your finger—. You are going to teach our school for us." And along comes a stalwart man, axe in hand, going to chop wood, and, if he asks, "Do you want a school teacher?" though he may know five times more than the dandy, he is told, "No, no, we have one engaged."  

I want to cuff you Bishops back and forth until you get your brains turned right side up. (34, p. 20)
In a Stake Conference in Ogden, Utah, a short two months after his
election as Territorial Superintendent of District Schools in 1877, Presi-
dent John Taylor outlined some of his educational policies and philosophy.
He made it plain that although he was speaking in a Mormon ecclesiastical
meeting, he was speaking to "the whole county" and in his capacity as
territorial superintendent. He then proceeded directly to a discussion of
Church and State relations in education, upholding the rights of the Mormon
majority to set the policies for the territorial schools he said:

You have elected me Superintendent of Common Schools, and
I feel a good deal of interest in the welfare of Common Schools,
and also in all of our institutions of learning, where good edu-
cation can be had, for I feel interested in our youth, and I
take this opportunity to speak to the whole country in relation
to this matter. I can perceive quite an interest in educational
matters, manifesting itself in our brethren who preside here;
and I am much gratified in it.

I hope that this whole country will go at this matter in
all good faith, and where you lack good school-houses put them
up; and when you have already the school-house, but lack furni-
ture, get it and try to make the school-house comfortable for
the children; and then hire good teachers who are good Latter-
day Saints.*

Shall we have them, or shall we employ teachers that will
turn the infant minds of our children away from the principles
of the Gospel, and perhaps lead them to darkness and death?

Some say, "You ought to be very generous, quite as liberal
and generous as others." I think so. But if some of these
liberal people, who talk so much about liberality, would show
a little more of it, we would appreciate it a little better.

I would like to know if a Methodist would send his children
to a Roman Catholic School, or vice versa? I think not. Do
either send children to "Mormon" schools, or employ "Mormon"
teachers? I think not. Do we object to it? No, we do not; we
accord all classes going to the ends of the earth to gather
people to Zion, in order that they may learn more perfectly of
His ways and walk in His paths, shall we then allow our children

*Italics supplied.
to be at the mercy of those who would lead them down to death again? God forbid! Let our teachers be men of God, men of honor and integrity, and let us afford our children such learning as will place our community in the front ranks in educational as well as religious matters.

But would we interfere with other religious denominations? No. Prevent them from sending their children where and to whom they please? No. . . . They can take their course, and we want the same privilege. (18, pp. 248-249)

This statement of John Taylor must be read in terms of the Mormon concept of society for Utah—the Kingdom of God. It may seem strange to some today that a Territorial Superintendent of Public Schools would thus publicly serve notice on the "Gentile" minority that the public schools were to be run for the benefit of the majority, including the inculcation of religious teachings of the majority group with the minority forced to seek educational training for their children either in Mormon-controlled public schools or by establishing their own private denominational schools, but that seems to be the tenor of this public pronouncement of John Taylor.

In the spring before his first term of office as territorial superintendent was to end, John Taylor reiterated his stand on education in an address delivered in the April General Conference. He said that it was the duty of the Latter-day Saints to study the principles of education and to get the very best teachers to teach their children.

See that they are men and women who fear God and keep his commandments. We do not want men or women to teach the children of the Latter-day Saints who are not Latter-day Saints themselves. Hear it, you Elders of Israel and you School-Trustees! We want none of these things. (19, p. 179)

A week later in a public address he asked the people in Sanpete County this question:

We do not want outside folks to teach our children, do we? I think not. We do not want them to teach us how to get
to heaven, do we? If we did, it would be of no use, for they do not know the way. Well, then, we do not want them to tamper with the minds of our little ones. You will see the day that Zion will be as far ahead of the outside world in everything pertaining to learning of every kind as we are today in regard to religious matters. (22, p. 100)

That fall (1879) President John Taylor was re-elected as Territorial Superintendent of Schools. The official canvass of the votes shows 14,469 votes for John Taylor, two votes for a Professor Wetherell, one vote for his rival of 1877 (M. V. Ashbrook), and 107 votes for John R. Park (23, p. 268).

Records are not available which permit a determination of the religious affiliations of each individual public school teacher in Utah for the period 1869-1881, but the public utterances of these prominent Mormon leaders seems sufficient evidence for the fact that the "Gentiles" had begun to penetrate the otherwise all-Mormon public schools to the concern of Mormon leadership.

In addition to the problems of Bible reading, prayers and the religious affiliations of the teachers in the public schools, there was also the problem of the political control of school offices and officers on the territorial and county levels. Here again the battle lines were beginning to be drawn, in this period, between the Mormon majority and the non-Mormon minority.

Mormon and "Gentile" influences in the election of territorial and county school officials

According to Roberts (13, pp. 318, 372-373) certain "Gentiles" and a group of apostate Mormons in Utah organized a society in the early 1870's for the avowed purpose of breaking the control of the Mormon theocracy over economic, political, and educational affairs in the territory. The Mormons
usually referred to this group as the "Ring."

An insight into the beginnings of the "Gentile" political maneuverings to wrest control from the Mormons is contained in two letters from Corinne, Utah, the new "Gentile" community in northern Utah and transcontinental rail head. One letter (17) suggested that the "Gentiles" have a separate land office. The "Gentiles" in their new capital at Corinne would thus not have to go through the land office in the Mormon capital in Salt Lake City. The second of the two letters from David J. Tooby of Corinne, one of the leaders of the "Ring," to Hon. George A. Black, Secretary of Utah Territory, invited Black to attend a mass meeting to be held the last week in December 1870, in Corinne for the purpose of petitioning Congress to remove the capital of Utah Territory from Salt Lake City to the new "Gentile" capital of Corinne (24). Both of these movements so far as is known, were abortive, but the letters indicate the thinking of the new "Gentile" elements.

By January of 1871, the "Gentile Ring" was sufficiently organized and active against the Mormon majority to call forth public notice from George Q. Cannon, prominent Mormon ecclesiastical and political leader. He notified the "Ring" that they might "fix snares and nets, and arrange toils and think they are going to stop the work of God" but he warned them they would eventually be "covered with shame and confusion" while those they opposed would continue to rise in strength and power "until their influence will be felt, not only in Utah Territory, but from sea to sea, and give them time enough, it will be felt throughout the length and breadth of the earth" (1, p. 29).

It was not just the "Ring" however, that was seeking and was successful in wresting political offices from the hands of the Mormons. In August
1874 the Utah Methodist Conference in its annual minutes expressed satisfaction with the fact that the Methodists had been able to influence the election of the principal of their day school in Tooele—Erastus Smith as Superintendent of the Public Schools of Tooele County. A portion of the minutes read: "We consider it a most encouraging indication for the cause of education in that county that Bro. Smith has been elected Superintendent of public schools" (32, p. 17).

The administration of Bro. Smith was evidently short-lived for the minutes record that the next year he was sent to Provo.

In 1874 President Brigham Young took occasion to give a number of sermons on the Mormon Kingdom of God as a political and civil organization. Noteworthy is this statement made the same August that Bro. Smith was elected county superintendent of schools in Tooele:

... But the Kingdom of God, when it is established and bears rule, will defend the Methodists in their rights just as much as the Latter-day Saints, but it will not allow them to infringe upon the rights of their neighbors. ... But the Kingdom of God, when it is set up upon the earth ... will compel no man or woman to go contrary to his or her conscience. They would compel us to go contrary to our consciences, wouldn't they?

I shall not tell you the names of the members of this Kingdom, neither shall I read you its constitution, but the constitution was given by revelation. (35, p. 154)

On August 6, 1877, the Mormons elected President John Taylor Territorial Superintendent of District Schools. An examination of the official canvass of votes cast (29, p. 184) by counties indicates some of the relative strengths and weaknesses of the Mormon and the "Gentile" groups politically so far as education matters in Utah at that time were concerned. John Taylor won an overwhelming victory with 18,674 votes and carried all but Tooele County where the Methodists had won the top school post in 1874.
By 1878 the battle lines were seemingly drawing tighter and the Mormon leaders evidently decided to do a little quiet checking on their most prominent "Gentile" rivals for public office to see if they were actually taxpayers in the territory. They were interested in the amount, if any, of taxes that had been paid by their most vociferous critics and rivals over the period from 1873 to 1878. L. John Nuttall, private secretary to John Taylor, had evidently been assigned to check the tax records and report. He has an interesting entry in his diary under the date of February 9, 1878:

Procuring evidence as to the amount of Taxes paid by several of those of our enemies who make so much noise about the Mormons. -- viz. I. C. Humigray taxed for 1 watch value 50 00 Territorial tax 12½ cents. County tax 37½ cents and that is not paid. — Geo. R. Maxwell does not pay any taxes. His wife is assessed and pays her taxes. — Mary Ann Maxwell. John C. Young's name does not appear on the assessment rolls, hence is not a taxpayer. — R. N. Baskin, paid part of his tax for 1873 & now owes the balance for 1873 — all of tax for 1874 & 1875 amounting to $645 20 in 1876 & 77 he has not been assessed or paid any taxes. — J. B. McKean has not paid any taxes since being in the Territory. (8, p. 134)

R. N. Baskin, according to Roberts, was a member of the "Ring" as was Judge J. B. McKean. Baskin had twice been defeated for the office of territorial delegate to Congress by the Mormon, George Q. Cannon. In 1874 he was defeated by a vote of 22,360 for Cannon to 4,513 for Baskin (31, p. 176); and again in 1877 by a vote of 21,514 for Cannon and 3,842 for Baskin (30, p. 176). Nuttall forwarded the information he had gathered with affidavits to Delegate Cannon in Washington.

Further insight into part of the struggle between the Mormons and the "Gentiles" for political control of the territory and hence of the schools is found in another entry in Nuttall's diary. He reports in an entry for
July 9, 1878, that two Mormon brethren from southern Utah called at the office of President Taylor to report their activities at Toquerville. He records that Bros. Oliphant and Rider "found the 'Ring' prepared to carry their points." They reported that because the Mormon settlements of Pahreah and Mt. Carmel failed to be represented it gave the "Ring" all their own way. Their only saving grace, seemingly, had been that they had been able to place Mormons in nomination for the offices of Representative, Probate Judge, and one selectman (9, p. 185).

In March 1879, President Taylor again referred to the Mormon concept of the Kingdom of God in a discourse delivered at Kaysville, Utah. He said:

The law cannot go forth from Zion unless it is made in Zion. . . . How are these things to be accomplished? . . . Tickets to do it, do you think?

They have had quite enough of division in Tooele County. When the time came for the people of that County to be represented in the Legislature, their representative was in California. . . . Then again, they elected a County Superintendent of Common Schools, and was he there? No, he was off somewhere, and they could not get any of his school money. Would you like to be in the hands of such men? . . . Our strength lies in our union, but our union alone would not accomplish much unaided by God. (21, p. 166)

President Taylor's remarks about division and his example of what had happened in Tooele County was an answer to some Mormons who were evidently suggesting that the Mormons ought to split politically on national party lines. He felt that the lesson learned by the Mormons in Tooele County when they were not united behind Mormon candidates should be sufficient example to the Mormons in the whole territory.

The Mormons must have taken the advice and counsel of their President seriously and closed their ranks, for the next election in Tooele County, for Nuttall records in his diary for April 2, 1879 that President Taylor:
Received telegram from F. M. Lyman stating the Tooele officers of the People's Party were duly installed in office & the Ring officers ousted. Another victory for Zion" (10, p. 266).

As the August election approached in 1879, Nuttall reports that he attended a meeting of the Council of the Twelve Apostles at 4:00 p.m. on July 10th and immediately following that a meeting of the Territorial Central Committee of the People's Party. Selections were made in the latter meeting of Mormons who were to be nominated and elected by the People's Party at the coming election. The Mormon incumbents were selected for renomination and re-election for the offices of Commissioners to locate university lands and John Taylor was selected to succeed himself as Territorial Superintendent of District Schools (10, p. 309).

Selection by the Central Committee was seemingly tantamount to election. In a discourse after the election, President John Taylor told his listeners in a public meeting in Logan:

We have got this kingdom to build up; it is not a phantom, but a reality. We have to do it, God expects it at our hands. We have got to have—now do not tell anybody for it is a great secret; we have got to have political power. What, will not that be treason? Perhaps so, but no matter; we have got to go on and progress in these things.

We have got to establish a government upon the principle of righteousness, justice, truth and equality and not according to the many false notions that exist among men.

And then the day is not far distant when this nation will be shaken from centre to circumference. And now, you may write it down, any of you, and I will prophesy in the name of God. . . .

When the people shall have torn to shreds the Constitution of the United States the Elders of Israel will be found holding it up to the nations of the earth and proclaiming liberty and equal rights to all men, and extending the hand of fellowship to the oppressed of all nations. This is part of the programme . . . . (23, p. 8)
In 1880 events politically took a new turn. The national administration under President Rutherford B. Hayes began to campaign to crush the Mormon dominance and control of Utah. An entry in President Hayes' diary for January 13, 1880, seems to clearly outline his future intentions in dealing with the political power of the Mormon Church and its hold on civil or public institutions and affairs in Utah. He writes of consideration that had been given to affairs in Utah and of certain decisions that had been reached by the administration to guide its handling of affairs in Utah. He referred to the fact that Utah at the time had a "very reputable" governor but that the new appointment of a governor would mean "a change of policy towards the Mormons." President Hayes further outlined his policy towards the Mormons by pointing out that:

... the Territory is certainly under the theocratic government of the Mormon Church. ... To destroy the temporal power of the Mormon Church is the end in view. ... Laws must be enacted which will take from the Mormon Church its temporal power. Mormonism as a sectarian idea is nothing, but as a system of government it is our duty to deal with it as an enemy to our institutions, and its supporters and leaders as criminals. (4, pp. 583-584)

In his fourth annual message to Congress in December of the same year, President Hayes recommended the implementation of the views he had recorded in his diary in January. He recommended that Congress completely remove all government in Utah from Mormon hands and establish a new form of government consisting of federally-appointed governors and a set of federally appointed commissioners (5, p. 4558). This recommendation became a reality with the appointment of the Utah Commission in 1882.

In March and April of 1880, the Mormon Council of Fifty was reorganized. Why the Mormon leaders felt the necessity of re-examining the records...
and lists of members of the Council of Fifty on March 29, 1880, and then of holding meetings on April 10 and 21 at which the original revelations which organized the Council in Nauvoo in 1842 were read and 13 new members added to the Council may never be known unless the rolls and records of the Council of Fifty become available at some future date. Was it the sterner and oppressive attitude of the national administration at Washington, or was it the increasing activities of the "Ring" in Utah which caused the strengthening of this Council by the addition of such men as Angus M. Cannon, W. W. Cluff, William Jennings, Francis M. Lyman, Feramorz Little, L. John Nuttall, Parley P. Pratt, Jr., William B. Preston, F. S. Richards, William R. Smith, S. S. Smith, W. W. Taylor, Moses Thatcher, and Junius F. Wells to an already notable list of ecclesiastical and civil leaders? The list of older members of the Council of Fifty who were still living in 1880 included such names as John M. Bernhisel, Robert T. Burton, George Q. Cannon, Horace S. Eldredge, W. H. Hooper, Benjamin F. Johnson, John Pack, Charles C. Rich, Elias Smith, Joseph F. Smith, John H. Smith, Lorenzo Snow, Erastus Snow, Abraham O. Smoot, Hosea Stout, Daniel H. Wells, Wilford Woodruff, Joseph Young, John Taylor, and John Sharp, to name a few. The minutes say that Elders Taylor, Rich, Woodruff, E. Snow, B. F. Johnson, E. Hunter, and Joseph Young spoke of the objectives of the Council and "repeated many things that had been said by the Prophets" (7).

By July 1881, the ecclesiastical and civic duties of John Taylor as President of the Mormon Church, Territorial Superintendent of District Schools, and other duties and responsibilities had evidently become so great that he felt that he could or should not carry the multiple burden and responsibility. In any case, L. John Nuttall records that as he met
John Sharp, Member of the Council of Fifty and Chairman of the Central Committee of the People's Party, on the corner of Main Street and South Temple as Nuttall was returning from dinner to his office, Sharp stopped him and said:

I have just received the resignation of Hon. John Taylor to the nomination of Territorial Supt. of District Schools and have thought to put your name in nomination, will you accept if I do? I answered "Yes"—he said "That will do," and we each went on our way. (11, p. 12)

This occurred one week before the territorial elections. The effectiveness of the Mormon organization is seen in the results of the ensuing election a week later. Nuttall polled 13,268 votes. There were 929 votes cast for John Taylor and Reverend J. M. Coyner, prominent Protestant educator in Utah, polled 259 votes (28, pp. 410-411).

The "Gentile" organ, the Salt Lake Tribune, had charged in 1879 that the school election was a farce, that the Mormon candidates were picked before the election and that there was not sufficient notice of the election. Much the same charges were repeated in 1881. However, the non-Mormon territorial secretary certified the election as legal and the candidates duly elected. The Mormons had retained control of the highest office in public education in Utah. They continued to elect a Mormon until 1887.

The establishment of non-Mormon denominational schools in Utah

A fifth issue that agitated the educational scene in Utah was the establishment of denominational schools in competition with both the Mormon schools and the Mormon-controlled public schools. It was brought out in Chapter IV of this study that these schools were not established primarily or exclusively for the use and education of the small number of
"Gentile" children in the territory, but as part of the missionary programs of the respective churches in their attempts to convert the Mormons, whom they thought of as being non-Christian, to Christianity.

That at least as early as 1871 they were successfully enrolling Mormon children in their schools seems evident from remarks made by Joseph F. Smith in the Mormon tabernacle. He asked if a Catholic would send his children to a Protestant school or a Protestant to a Catholic school. He answered that each would send their children to their own schools and that it was right that they should do so in order to rear them in their own faiths.

But . . . some Latter-day Saints are so liberal and unsuspecting that they would just as soon send their children to Mr. Pierce down here as to anybody else. I would not do it. However good a man Mr. Pierce may be, he should not teach one of my children as long as I had wisdom and intelligence to teach him myself, or could find a man of my own faith to do it for me. (15, p. 287)

The Mr. Pierce referred to was probably Reverend G. M. Pierce who had established a Methodist school in Salt Lake City in 1870.

Orson Hyde, another Mormon leader, commented on this same theme in 1878:

Under the profession of great piety and deep solicitude for the redemption of our children from the influence of "Mormonism" many alleged charitable enterprises have been put on foot in the shape of opposition schools to decoy them into their traps. (6, p. 97)

John Taylor said the same year that he had heard of one circumstance in one of the Protestant schools in Salt Lake City in which the teacher was catechizing the children and asked the question: "Who is the great false prophet of the 19th century?" The correct answer evidently should have been Joseph Smith, but the pupil became confused and gave the answer "John Taylor." President Taylor said that this incident had amused him.
He asked his Mormon audience what they thought of the idea of Mormon children attending schools where they would be subject to such teachings and interrogation. "Don't you think it rather humiliating?" President Taylor asked his Mormon hearers (20, p. 134).

The extent of the growth and expansion of non-Mormon denominational education in Utah from 1869 to 1881 can be realized by listing some of the schools established during the period by the different religious denominations. The list does not claim to be all-inclusive, but it is indicative of the growth of denominational education.

The Protestant Episcopal Church established St. Mary's Episcopal school in Salt Lake City in 1867. This was followed by the establishment of a school in Ogden in 1870, schools in Plain City and Logan in 1873, and Rowland Hall in Salt Lake City in 1881.

The Presbyterian Church established a school at Alta, Utah, in 1873 followed by Westminster in Salt Lake in 1875, Wasatch Academy in Mount Pleasant the same year, and schools in Springville and Payson in 1877, Logan and Manti in 1878, Nephi in 1879, St. George and Parowan in 1880, and Toquerville and Kaysville in 1881.

The Congregational Church began with the Salt Lake Academy in 1878 and in 1881-1882 the New West Education Commission established schools at Salt Lake City, Lehi, Kamas, Farmington, Hooper, Bountiful, Sandy, Heber, Park City, Huntsville, Centreville, and some others.

Methodist education in Utah began with the establishment of a school in Salt Lake City by Reverend G. M. Pierce in 1870.

Catholic schools began in Utah with the establishment of a day school and St. Mary-of-the-Wasatch in 1875, a school in Ogden in 1877, Sacred Heart
Academy in Ogden in 1878, and St. Joseph's School in Ogden in 1882.

Mormon private educational institutions included Brigham Young Academy established in Provo in 1875 and Brigham Young College in Logan in 1877.

Summary

The completion of the transcontinental railroad in 1869 at Promontory Point and the establishment of the new "Gentile" center at Corinne in northern Utah opened up a new era in Utah's history and in the history of its educational endeavors.

The main issues in Church and State relationships in education in Utah for the period from 1869 to 1881 were:

1. Federal versus local support for education
2. Bible reading, prayers, and religious teachings in the public schools
3. The religious affiliations of public school teachers
4. Mormon and "Gentile" rivalry for the control of the public schools
5. The attraction of the non-Mormon denominational schools for children of Mormon parentage

The struggle to obtain some measure of federal support for territorial schools represented a continuation of the same problem that had faced the people of Utah since its creation as a territory of the United States in 1850.

The non-Mormon governors urged the Mormon territorial legislature to enact more specific legislation that would assure adequate financial support for the public schools through taxation.
The Mormon leaders countered this proposal by asserting that local communities had always supported education in Utah and that it was now time that the people of Utah received the federal funds from the sale of public school lands to which they were entitled. They complained of the unfair treatment Utah had received in comparison with the treatment accorded her sister western states and territories.

Bible reading, prayers, and Mormon religious teachings were declared by Mormon leaders to be a proper and necessary part of the public school curriculum in Utah where the majority of the students were of Mormon parentage.

This point of view was challenged by the non-Mormon minority, evidently with a measure of success. The issue was still being debated in 1881.

The question of the religious affiliations of public school teachers was also debated during the period from 1869 to 1881. The Mormon leadership was rather vehement in its insistence that only faithful Latter-day Saint teachers be employed to teach Latter-day Saint children.

The "Gentile" minority, following a growing national trend in public education, insisted on the establishment of free, non-sectarian public schools in Utah which would teach the common virtues and morality but would bar sectarian or denominational influences and instruction—pointedly, Mormon influences and instruction.

Mormon and "Gentile" rivalry for political control of the Territory of Utah and of its major school offices began to take the form of organized groups and parties in this period.

Certain "Gentiles" and some Mormon apostates organized a society for
political purposes which was referred to by Mormon speakers and writers of the period as the "Ring."

The Mormons seemingly worked politically during the period through the Central Committee of the People's Party and the Council of Fifty.

The "Gentiles" were successful in the 1870's in securing political control of at least one county and of its major school office. Although the "Gentiles" were defeated in the major political battles, the operations of the "Ring" were of considerable concern to the Mormon leadership.

Through active political leadership the Mormons retained control of the important office of Territorial Superintendent of District Schools and the majority of the county superintendent posts.

John Taylor, President of the Mormon Church also held simultaneously the highest office in public education in Utah for the period from 1877 to 1881 and was succeeded, by previous arrangement, by his private secretary, L. John Nuttall, who held the office for an additional five years.

Non-Mormon religious groups and churches established a number of denominational mission day schools in the territory during the period from 1869 to 1881.

The establishment of these schools had for their avowed purposes not only the education of the small number of children in the territory of non-Mormon parentage, but also the education of children of Mormon parentage in hopes of thus weaning the child away from the "non-Christian" religion of its parents and converting it to "Christianity."
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CHAPTER VIII
THE MORMON-GENTILE CONTEST FOR THE CONTROL OF UTAH AND OF
PUBLIC EDUCATION, 1882-1889

Governor Eli H. Murray was warmly received by the "Gentile" minority when he arrived in Utah in 1880 and became closely associated with their educational endeavors and policies. In 1884 he seems to have reversed the stand taken by some of his predecessors in the governor's chair by stressing the importance of federal aid to education in Utah in his message to the territorial legislature of that year. He recommended as imperative that the legislature memorialize the national government to make federal funds from school lands or other sources immediately available to provide for and assure a system of free, non-sectarian public schools for all of the children of the Territory of Utah.

Federal versus Mormon control of education in Utah

Governor Murray started the year 1882 in Utah out in fine style when in January he told the Mormon legislature that it was time they laid aside their ecclesiastical feelings and accepted "freedom of political and religious belief under Supreme Court adjudication." He said they were not "representatives of a church," but were "representatives of the whole people." He asked their consideration and their wisdom in putting into law such measures as would correct certain customs and practices in Utah which he said were detrimental to the interests of their children and which were preventing the people of Utah from securing "the full blessings of American citizenship under the Constitution." He enumerated these dangerous practices
as follows:

First—that in no sense—even in the slightest degree—is the sovereignty of church over state in unison with the language or spirit of the Constitution or your country's laws.

That political power is yielded by church authority throughout Utah is a fact.

That officers of church exercise authority in temporal affairs is a fact.

That the sovereignty of the church is supreme and its practices followed, the laws and courts of the United States to the contrary, is a fact.

These being true in whole or in part, I submit: Do you believe that the government of the United States, with all its humanity, will much longer forbear to assert its authority in support of its absolute and undoubted sovereignty? (18, pp. 373-376)

Governor Murray maintained that the Church was supreme in its proper sphere—spiritual affairs, but that the civil government was also supreme in its proper sphere—temporal affairs. He said that the claim for Church sovereignty in temporal affairs was a "grievous mistake; a forbidden claim."

Applying these principles to schools, Governor Murray went on to say:

Public schools should be free schools in every sense, and held in school houses built by taxation as now provided, and additional taxation if necessary, should be authorized. The habit of teachers relying in part on private subscriptions, is pernicious.

As persons of every belief are properly required to support public schools, doctrinal religious teachings should be excluded. Public schools that are free schools are an essential part of republican government.

Money spent in placing free education in the reach of every child is well expended. Such advantage for our children enables them and gives the poor man's child an equal chance with the rich. Every step taken in perfecting a free public school system is of incalculable benefit to the Territory. (18, pp. 373-376)

Governor Murray made a very general statement on federal aid to education
in Utah. He did not spell out his views in any detail. He merely said that he would "have the paternal hand of the general government . . . protect and shield the people of Utah; to aid in the education of their children" (18, p. 376)

John Taylor, President of the Mormon Church, answered the governor and his Protestant friends in a Conference address in April 1882. He referred to some of the statements the governor and leading Protestant educators had been making about the Mormons and their loyalty to the government of the United States. He said that a well-known Protestant minister had been circulating the rumor that the Mormons were in a state of sedition.

Do any of you know his name? (A voice: Sheldon Jackson). I am told it was one Sheldon Jackson; a reverend gentleman with a big R, a pious man, of course, and therefore what he says must be true. (Laughter) [Sheldon Jackson was a Presbyterian minister and educator and founder of Westminster College.]

We have a set of people that seem to be prowling about; I suppose, however, they are as necessary as anything else; I do not know but what they are. We have a species of birds called buzzards, whose natural tastes are for any kind of nauseous food; nothing suits them better than to gorge on carrion. Like them, these defamers are fond of trying to root up something against our people here. (7, p. 50)

President Taylor was equally denunciatory of Governor Murray though half-apologetic for having to be so. He said he was "averse to talking about government officials," but when the governor of the territory was constantly stirring up a furor in the United States against the Mormons, he said that the most charitable construction he could put on the acts of the governor would be to say that the governor's education had been "sadly neglected." "We hope the commissioners will be better educated, that they will be men who can tell the difference."

He had reference to a difference between an election vote of 18,500 which a Mormon candidate had received in the last election and one of 1,300 for the "Gentile" candidate—the governor had ruled in favor of the "Gentile."
Mormon appraisal of the quality of education in Utah

In preparation for the April 1882 General Conference of the L.D.S. Church, President Taylor had L. John Nuttall, Territorial Superintendent of District Schools, prepare a report on the standing of Utah in education in relation to the older states of the Union, and in comparison with national averages. He took time in the Conference to have Elder Nuttall read from his report.

In one section of the report Nuttall, using figures from the 1870 national census, compared Utah, Massachusetts, and the District of Columbia on seven items: (1) school attendance, (2) illiteracy of those 10 years and over, (3) percentage of population who were paupers, (4) percentage of population who were insane or idiotic, (5) percentage of population who were convicts, (6) printing and publishing establishments, and (7) church edifices.

Nuttall prefaced his comparisons from the 1870 census with these biting words:

Let us take 1870 and compare Utah and Massachusetts, the old theocracy with the descendants of the old theocracy—priest-ridden Utah with "cultured" Massachusetts, also adding the District of Columbia, which has the enlightening presence of the American Congress to add to its advantages, and is under its direct government. (6, pp. 56-60)

His statistics as they appear in the Journal of Discourses make the following comparisons:

<table>
<thead>
<tr>
<th></th>
<th>Utah</th>
<th>Mass.</th>
<th>Dist. of Columbia</th>
</tr>
</thead>
<tbody>
<tr>
<td>School attendance</td>
<td>39</td>
<td>25</td>
<td>27</td>
</tr>
<tr>
<td>Illiteracy (10 years and up)</td>
<td>11</td>
<td>12</td>
<td>40</td>
</tr>
<tr>
<td>Paupers</td>
<td>6</td>
<td>55</td>
<td>23</td>
</tr>
<tr>
<td>Insane and idiotic</td>
<td>5</td>
<td>23</td>
<td>35</td>
</tr>
<tr>
<td>Convicts</td>
<td>3</td>
<td>11</td>
<td>9</td>
</tr>
<tr>
<td>Printing and publishing establishments</td>
<td>14</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Church edifices</td>
<td>19</td>
<td>12</td>
<td>8</td>
</tr>
</tbody>
</table>
The Nuttall report gave the population of Utah for 1880, divided as follows:

<table>
<thead>
<tr>
<th>Group</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mormons</td>
<td>14,155</td>
</tr>
<tr>
<td>Gentiles</td>
<td>6,988</td>
</tr>
<tr>
<td>Apostate Mormons</td>
<td>820</td>
</tr>
<tr>
<td>Josephites</td>
<td>1,717</td>
</tr>
<tr>
<td>Doubtful</td>
<td>23,680</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>143,963</strong></td>
</tr>
</tbody>
</table>

Some realization of the penetration of this small though powerful 10 per cent "Gentile" minority into political affairs is seen in Nuttall's comment on these population statistics.

It will be seen that the "Gentiles" constitute only ten percent of the population, yet from this small minority are taken the incumbents of nearly every position of influence and emolument. They have the Governor, with absolute veto power, Secretary, Judges, Marshalls, Prosecuting Attorneys, Land Register, Recorder, Surveyor, General, Clerks of the Courts, Commissioners, principal Post office Mail Contractors, Postal Agents, Revenue Assessors and Collectors, Army Contractors, express, railroad and telegraph lines, the associated press agency, half the jurors in law, but at least three-fourths and always the foreman in practice, in fact, every position not elective. (6, p. 60)

As long as Utah was still a territory the 10 per cent "Gentile" minority, who had now gained control of all but the few elective offices and were in danger of capturing those, were in a commanding position. The Mormons were fighting a losing battle and they full realized their situation both as to general political control of the territory and the equally vital control of the public schools attended by their children. If they were to head off the complete loss of control and be forced to surrender to the "Gentile" minority they should do so by seeking and gaining admission into the Union as a state which would restore majority rule. Plans were undoubtedly carefull discussed and laid in Mormon councils for the next attempt.
In the year 1882 the people of Utah held one of their perennial constitutional conventions seeking to write a state constitution that would bring them admission into the Union.

The members of the Council and House Committees on Education for the legislative assembly of the territory in 1882 were all prominent Mormons, some of the general authorities of the L.D.S. Church, and at least some were members of the newly reorganized Council of Fifty of the Kingdom of God.

**Educational provisions of the constitution of 1882**

When the Constitutional Convention of 1882 wrote the Bill of Rights and the educational provisions of the new Constitution, it contained these provisions:

Section 4. The right to worship God, according to the dictates of conscience, shall never be infringed; nor shall any person be compelled to attend or support any form of worship; nor shall any control of, or interference with the rights of any religious establishment or mode of worship. No religious test or property qualification shall be required for any office of public trust, nor for any vote at any election, nor shall any person be incompetent to testify on account of religious belief. (3, p. 20)

**Article XI - Education**

Section 1. The legislature shall provide for a uniform system of public schools, and may establish free schools, Provided, that no sectarian or denominational doctrines shall be taught in any school supported in whole or in part by public funds.

Section 2. All legislation in regard to education shall be impartial, guaranteeing to all persons of every race, color and religion, equal rights and privileges.

Section 3. The proceeds of all lands that have been or may be granted by the United States to this state for the support of schools, shall be and remain a perpetual fund, the interest of which, together with all rents of the unsold lands, and such other means as the legislature may provide, shall be inviolably appropriated to the support of public schools throughout the state.
Section 4. The University of Deseret shall be the University of this State, and under the control of the Legislature, and constitute a public trust. The proceeds of all lands that have been granted by Congress for university purposes, shall be and remain a perpetual fund, and interest of which, together with the rent of unsold lands, shall be appropriated to the said university.

Section 5. No religious sect or denomination shall ever control or appropriate to its own use, any of the public school or university funds of the State. (3, p. 28)

An election was held in the several counties of Utah Territory on May 22, 1882, for the purpose of ratification or rejection of this constitution. The total vote showed 27,814 in favor of the constitution and 498 against, whereupon Congress was memorialized for admission of the State of Utah with this ratified constitution. The overwhelming ratification of the constitution by the people of Utah is evidence of their commitment to certain fundamental propositions which would have vitally affected education in the proposed new state. First, it is to be noted that this constitution provided that:

1. The legislature shall provide for a uniform system of public schools.
2. The legislature may establish free schools.
3. No sectarian or denominational doctrines shall be taught in any school supported in whole or in part by public funds.
4. All legislation in regard to education shall be impartial as to race, color, and religion.

Secondly, the constitution provided the following stipulations on the support of schools:

1. The proceeds of all lands granted by the United States to the state for support of schools shall be and remain a perpetual school fund. School revenues were to be drawn from interest
from these funds.

(2) No religious sect or denomination shall ever control or appropriate to its own use any public school or university funds.

This constitution as written by a predominately Mormon convention anticipated by eight years the most prominent features of the free public school law of 1890. Congress did not see fit, however, to accept Utah as a state under conditions then existing.

**Governor Murray's appraisal of educational issues, 1884**

In speaking of education in Utah in 1884, Governor Murray decried the fact that the federal government had so long delayed giving financial aid to education in Utah and pledged his cooperation should the assembly see fit to memorialize Congress on the subject of federal aid to education. He made the following statement of his views on this subject:

> If there be one duty from the Government to its people higher than all others—besides the preservation of life and property—it is generous aid to the Territories for the education of their children. I favor direct and immediate governmental aid for educational purposes. To make an appropriation of public lands, to be utilized only when they become States, is delaying a bounty at the expense of the weak and dependent Territory, to be paid to stronger and less dependent people in Statehood.

> Now is the time for Government to educate the children of Utah by establishing public schools, free in every sense to every child, and non-sectarian in every particular. The Government may do this, and there is a surplus in the national treasury.

> If not direct aid, let the amount furnished be charged against the Territory, to be paid out of the sale of lands now set aside and to be utilized only in Statehood.

> There is now increased interest in the question of national aid to education, and I would be pleased to join in a memorial to Congress on this subject. (19, p. 443)
One main objection that Governor Murray had to the public schools in Utah in 1884 was that they were still being maintained, in part, by tuition fees. If the assembly would join him in his plan for immediate federal aid this defect could soon be corrected.

He had other objections, however, to the manner in which the public schools were being conducted. He maintained from personal knowledge that in some public schools in Utah sectarian songs were being sung and sectarian tenets being taught. He was reliably informed that this was the practice in the great majority of them.

This is manifestly wrong, where taxes are paid in part by those who do not and will not willingly consent to sectarianism in public affairs. As public schools should be free, so schoolhouses should be disconnected from churches, and in houses located on premises the property of the public. School taxes should be collected by the regular tax collectors. (19, p. 446)

Two years before in his message to them he had said that he "would have the paternal hand of the General Government, in the spirit of the most enlightened civilization, and with the broadest humanity, protect and shield the people of Utah; to aid in the education of their children" (18, p. 376). But he also pointed out that in his opinion that this was hardly feasible as long as the Mormon Church controlled Utah. He had said:

That political power is wielded by church authority throughout Utah is a fact.

That officers of the church exercise authority in temporal affairs is a fact.

That the sovereignty of the church is supreme and its practices followed the laws and courts of the United States to the contrary, is a fact.

These being true in whole or in part, I submit: Do you believe that the government of the United States, with all its humanity, will much longer forbear to assert its authority? (18, p. 376)
The Utah Commission and school elections

In the fall of 1884 Governor Murray and the Utah Commission began to take a direct and active hand in school district elections and the minute books of the Utah Commission contain numerous entries which show the struggle that went on between the Mormon majority on one hand, and the federal officers and the "Gentile" minority on the other, over the issue of who was now legally empowered to decide and to control district school elections.

John T. Caine, Charles W. Penrose, Benjamin A. Raybould and C. W. Stayner who had been candidates for territorial school offices in the August 1884 elections, all wrote to the Utah Commission to have their positions clarified. In their October 29th meeting the Commissioners made the letter of B. Raybould a matter of business but failed to reach a decision on the subject of their jurisdiction in district school elections. (10, p. 484).

In their meeting on November 15, 1884, the Commission had under consideration the communication of C. W. Stayner claiming to have been voted for as one of the commissioners to locate University lands. He asked the Commission to direct that the votes cast for each officer be canvassed and counted. If Stayner and other Mormons who had been voted on by the people for school offices could obtain a favorable ruling and action by the Utah Commission they would retain control of these important offices in opposition to the officers appointed by Governor Murray. On motion, the Commission ordered the secretary to notify Messrs. John T. Caine, Charles W. Penrose, and Benjamin A. Raybould "that the Commission will take up the questions presented to it in relation to the District School elections; and will be pleased to hear any views they may desire to present upon the questions involved . . . (11, pp. 5-6).
At the November 19th meeting the Commission unanimously decided, after hearing counsel from both sides of the controversy and after careful examination and deliberation on the problem, that they could not determine the question of the jurisdiction and authority of the Commission in regard to school elections. They authorized the chairman of the Commission to submit the matter to the Attorney General of the United States through the proper channels "calling his attention to the school laws of Utah, as well as the Act of Congress defining our duties" (11, p. 24).

The reason for the delay does not appear in the minutes of the Commission, but it was not until May 14, 1885, by another order of the Commission that the communication was finally addressed to the Secretary of the Interior requesting the opinion of the Attorney General on the question "whether certain Territorial Officers are to be appointed by the Governor, or to be elected by the People" (11, p. 129).

While this delay in obtaining the opinion of the Attorney General was going on, Governor Murray took action. On December 29, 1884, he issued a proclamation in which he appointed William M. Perry, prominent "Gentile" mining owner and operator and patron of the Presbyterian Westminster College, as the first non-Mormon Territorial Superintendent of Public Schools (11, p. 487).

Utah now had two territorial superintendents: L. John Nuttall who had been re-elected by the people under territorial law in 1883 for a two-year term, and William M. Perry, the governor's appointee.

On July 23, 1885, the Utah Commission spread upon their minutes the record of their communication to the Secretary of the Interior, to the Attorney General of the United States and his reply and decision.
The letter of the Commission to the Secretary of the Interior dated May 14, 1885, pointed out that:

... for several years it has been a disputed question whether certain Territorial officers in Utah are to be appointed by the Governor, with the assent of the Legislative Council, under the Organic Act of September 9, 1850, (Section 7), or to be chosen by the people at their general elections under certain acts of the Legislative Assembly. The officers referred to are Territorial Superintendent of District Schools, Territorial Auditor of Public Accounts, Territorial Treasurer and Commissioners to locate University lands. (11, p. 130)

The letter reviewed briefly the history of the controversy over the issue between "the governor" and the Legislative Council. The Commission felt that a clarification of the issue should be made before the coming elections in August 1885, since the Commission had the responsibility of instructing election officers appointed by them.

For the benefit of the Attorney General the Commission listed the statutes and authorities, pro and con:

In favor of Election by the People:
Compiled Laws of Utah, Sec. 44, page 90
Chapter II, Section 4, Session Laws of Utah, 1878, page 27
Compiled Laws of Utah, Section 602, page 247
Chapter 19, Sec. 14, Session Laws of Utah, 1820, page 31
Compiled Laws of Utah, Sec. 586, p. 241
Organic Act of Utah, Section 6, page 30-38 Compiled Laws of Utah
Compiled Laws of Utah, Section 1851, page 38

In favor of appointment by the Governor:
Organic Act of Utah, Section 7, Compiled Laws of Utah, page 30
Compiled Laws of Utah, Section 1857, page 39

The letter was signed by three members of the Commission, A. B. Carlton, G. L. Godfrey, and J. R. Pettigrew (11, p. 130)

Following this letter in the minutes of the Commission for July 23, 1885, there is a copy of the opinion of the Attorney General of the United States.
The Attorney General ruled that while the statutes of the Territorial Legislature did require the Superintendent of Schools, the Auditor and the Treasurer to be elected biennially; the Organic Act, which was the basic constitutional law of the Territory, provided that the Governor should nominate and with the consent of the Legislative Council appoint "all officers not herein otherwise provided for." Since these three above-named officers were not mentioned in the Organic Act the Attorney General ruled that they should be appointive offices. He ruled, however, that the office of the Commissioner to locate University lands did not come under this same provision of the Organic Law and was therefore left as elective under an Act of Congress approved in 1855 (21, p. 522).

In the August 1885 election, however, returns were made from certain precincts in Cache, Davis, Salt Lake, and Utah Counties for the office of Territorial Superintendent of District Schools. Orson F. Whitney, the Mormon candidate for this office in those counties presented through his attorney, M. Kirkpatrick, a petition to the Utah Commission as a board of canvassers requesting that the votes for this office be counted and certified.

On August 20, 1885, the Commission had before it a motion put by Mr. Riter and seconded by Mr. Hammond that the votes cast for the candidates for the office of Territorial Superintendent of District Schools be canvassed and the result declared. The motion was put and lost by a vote of three to two; Riter and Hammond voted Aye and Lannan, Young and Thomas voted Nay.

Thus the Utah Commission, which has usually been pictured as a united five-man anti-Mormon Commission was actually split on this issue, two taking the side of the Mormon argument and three Governor Murray's point of
view. The minutes show that the Commission continued to be split on vital Mormon versus non-Mormon issues that came before it even when its personnel had changed.

In 1885 the national administration in Washington changed hands with the election of Grover Cleveland for his first term as president.

Whatever the Mormons may have expected from President Cleveland, his first message to Congress in December 1885 did not particularly congratulate them. He said that "the strength, the perpetuity, and the destiny of the nation rest upon our homes, established by the law of God, guarded by parental care, regulated by parental authority, and sanctified by parental love. These are not the homes of polygamy" (2, pp. 4946-4947).

On March 13, 1886, Murray issued another Governor's Proclamation appointing Parley L. Williams to be Territorial Superintendent of District Schools (22, p. 501). For the second time Governor Murray had appointed a non-Mormon to the highest and most influential school office in the territory. Finally the "Gentiles" won this contest. There was not another Mormon Territorial Superintendent of Schools from 1887 until after statehood in Utah.

**Official L.D.S. statement on Mormon—"Gentile" relations, 1886**

In 1886 the First Presidency of the L.D.S. Church published an epistle. Extracts from the epistle are given below to emphasize some of the pertinent observations and charges made against the "Gentiles" by the First Presidency of the L.D.S. Church. Headings, which did not appear in the epistle, but which highlight the main point of each paragraph or section, have been supplied as an aid to reading and to establishing the major points of the epistle (5, pp. 1-19 ff).
The First Presidency said, in part:

A Deep-Laid Plot to Crush Mormonism

The scenes which we are now witnessing in this Territory are the results of a deep-laid and carefully planned conspiracy, which has been in process of formation for years. Its originators knew the elements they had to deal with, and by cunning contrivance they have effected a wonderful combination.

Composition of the Opposition Parties

Religious and irreligious, ministers in sacredotal robes and atheistic scoffers, business men of integrity and blacklegs, temperance men and drunkards, men of strict morality and pimps and harlots, are crowded together on the platform they have constructed, and they find no inconvenience from each other's companionship. Each is made to believe that it is to his direct interest to combine to destroy "Mormonism." A more motley collection of human beings was never witnessed. Differ as they may upon everything else, there has been one common thought and purpose running through the whole and holding them together, and that is the hatred of the religion of the Latter-day Saints and a determination to destroy it and them.

Methods of Operation of the Opposition

The conspirators have appealed to the prejudices of each one to induce him to work in concert for this common end. In the ministers they have found ready and willing allies; in fact, these have been the chief authors and promoters of the conspiracy. The Pharisees in the days of the Savior were no more ready to egg the multitude on to cry out "Crucify him, crucify him," than many of the ministers of our time are to urge Congress to enact measures for our destruction. It is now some years since the sectarian ministers here (with the exception of the Catholic clergymen) combined in a document to Congress, urging that body to legislate against us. This action they have often repeated since. . . .

The Governor of Utah, One of the Arch-Conspirators

Trace up the acts of the conspirators from the treason of the Governor in setting aside the will of the Governor in setting aside the will of the people and his usurpation of powers of the National House of Representatives in pronouncing upon the qualifications of one of its members, . . . and especially the conduct of the Governor during the last two sessions of the Legislative Assembly and irrefragible evidences of conspiracy against the liberties of the people are apparent at every step.

Gentile Objections to Polygamy a Camouflage of their Real Purposes

Every act of the conspirators is consistent with every other act to make their plot a success. While engaged in this nefarious business, they throw dust in the eyes of the nation by making an outcry against polygamy—as if they cared anything about our marriages—in order to conceal and accomplish their deeper design.
The National Congress and the Presidents are Part of the Conspiracy

A session of Congress has not been held, and scarcely a President's message been published for years, without some threatening and inimical action or words against the majority of the people of Utah.

They Out-Herod Herod in their Disregard of the People's Liberties and their Plot against Mormon Education and School Teachers

They out-Herod Herod in their disregard of the people's liberties. One of the latest movements has in view the revocation of all certificates given to school teachers who are members of the Church of Jesus Christ, which means placing our children, by the help of our taxes, under the tuition of those who would gladly eradicate from their minds all love and respect for the faith of their fathers.

The Latter-day Saints Should Still Support the Divinely Inspired Constitution of the United States

Shall we, because of the inconsiderate action of Congress, of the judiciary and of other federal officers, array ourselves against the nation, and sacrifice our loyalty to the greatest nation now in existence? Certainly not. Joseph Smith told us that "the Constitution of the United States was given by inspiration of God." Is it less true today than it was then? What shall we do? Have they passed "test oaths" which are forbidden in that Constitution? Yes. Have they not "prohibited the free exercise of our religion?" Yes. Have they not passed ex post facto laws? Yes. . . .

... We have six different violations of the Constitution of the United States, sanctioned, approved, or winked at by those who have sworn to sustain that charter of liberty.

These are no fictions, but veritable facts that we have had to meet and put up with. But because of this misrule and perversion of the Constitution, and of the rights of American citizens shall we be inimical to the Constitution or the institutions of the country to which we owe allegiance? Certainly not. These errors have to be corrected, and it is our duty, so far as lays in our power, as it is the duty of all honorable men in these United States, to sustain the Constitution thereof and to oppose in all legitimate ways any infringement of that instrument. (25)

This analysis of the situation facing the Mormons in Utah, by the First Presidency of the L.D.S. Church, spelled out in some detail the official viewpoint of the highest Mormon authority. Two courses of action were called for and the Saints instructed to carry them out.
politically they were to remain true and steadfast to the principles of American government enunciated in the divinely inspired Constitution of the United States and to realize at the same time that misuse of constitutional authority is always a possibility. When it comes it must be borne patiently until peaceful and legal remedies are sought and made effective.

A new Mormon policy in education 1886

The First Presidency recognized in 1886 the near hopelessness, under political conditions then existing in Utah, of continuing to control and influence the public schools. The epistle of 1886 therefore called for establishment of a separate Mormon school system. The epistle marks one of the major turning points in Church and State relationships in education in Utah.

The duty of our people under these circumstances is clear; it is to keep their children away from the influence of the sophisms of infidelity and the vagaries of the sects. Let them, though it may possibly be at some pecuniary sacrifice, establish schools taught by those of our faith, where, being free from the trammels of State aid, they can unhesitatingly teach the doctrines of true religion combined with the various branches of general education.

In this connection permit us to urge upon the Saints in all the Stakes of Zion the necessity of caring well for the education of our youth. If we are to be a powerful people in the near future, wielding potent influence for good among the peoples of the earth, we must prepare ourselves for those responsibilities.

This appears to be the first public announcement calling for an L.D.S. school system and antedates the commonly discussed turning point—the establishment of the General Church Board of Education in 1888—by two years.

Beginnings of the final struggle for political control of Utah

Although the epistle of the First Presidency of April 6, 1886, gave evidence that the Mormons had begun to recognize the "Gentile" victories in
the field of the control of public education in Utah, the Mormons were not yet ready to concede in the broader political field.

In the November elections in 1886 the Mormon candidate for Territorial Delegate to the 50th Congress, John T. Caine, polled 19,605 votes to the 2,810 votes cast for the prominent "Gentile" mining man and patron of Protestant education, William M. Ferry (9, p. 268).

Their spirits heightened no doubt by this political victory, the Central Committee of the People's Party (Mormon) issued an address to the members of the Party in which they said:

The political control of the Territory and of the counties and cities still remains in the hands of the People's Party, if you employ the power which is given you. But there must be no backsliding nor indifference among you. You shall not fail to exercise your right and defend them. . . .

Do not let anyone mislead or discourage you in the performance of your duty at the present time. You are the majority of the people of this Territory. Your labors have made it habitable. Your representatives have governed and controlled it, in your interests, faithfully since 1847. They have been true to the trust imposed in them. They are entitled to your confidence and support. Should a change in the political control occur, the disaster which it involves is beyond conception. In those districts where such a fatality has overtaken the people, even for a short time, they have been made to suffer untold outrages at the hands of those who usurped office and exercised power among them. (1, pp. 90-91)*

The address was signed by twenty prominent men of Utah who constituted the Central Committee of the People's Party.

In 1887 Congress passed the drastic Edmunds-Tucker Act in a further attempt to break the Mormon control of Utah. The question that agitated the Utah Commission in 1887 was one of interpreting for the national government and the people of the United States the purport of these changes and

*Italics supplied.
shifts in the balance of power in Utah. What did they mean? Would the Mormons be willing to give up their practice of polygamy in exchange for the restoration of their political rights? There were some indications that they might be moving in that direction. Were these efforts of the Mormons towards reconciliation of the difficulties sincere? On this problem the Utah Commission was split. Three of the members of the Commission, G. L. Godfrey, A. B. Williams, and Arthur L. Thomas, wrote a majority report which maintained that while the Mormons were no hypocrites, they had not changed their minds on polygamy and that the "leaders of the Church will probably do in the future as they have done in the past" (8, p. 169 ff). The majority report recommended, as it said the Commission had since 1882, that measures be continued to place the control of territorial and county offices in the hands of the governor for appointment rather than election by the people of Utah, subject only to the approval of the Commission. The offices listed as coming under this recommendation in 1887 were: Territorial Auditor, Treasurer, Commissioners to Locate University lands, Probate Judges, County Clerks, County Selectmen, County Assessors and Collectors, County Recorders, and County Superintendents of Schools. It will be remembered that the governor had already successfully captured control of the office of territorial superintendent of schools. The majority opinion stated:

This will place the control of County officers including the assessment of property (but not the collection of revenue) and the supervision of the public schools, in the hands of persons in sympathy with the efforts of the government to extirpate polygamy... (8, p. 169 ff)

Interestingly enough, an appendix to this majority report of the Utah Commission for September 29, 1887, contained an appeal by certain Protestant
church groups in Utah to their eastern counterparts to fight Mormonism.

Resolutions calling for this effort and included in the appendix to
the Commission report were adopted at the general conference of the Methodist
Church of Utah held at Mount Pleasant, Utah, on August 8, 1887. A similar
appeal to the Presbyterian churches in the East from the Presbytery of Utah
adopted in a session at Manti, Utah, August 28, 1887, was also published
with the Commission majority report (8, p. 169 ff).

Commissioners A. B. Carlton and John A. McLernand wrote a minority
report in which they gave the results of the August 5, 1887, election in
Utah. They stated that: "Of the 36 members of the legislative assembly,
the Mormons elected 31 and the Gentiles 5. Of the Territorial, County and
Precinct officers, a large majority of those elected are Mormons, none of
whom, however, are living in polygamy" (17, p. 180).

The minority report also stated:

We decline to advise Congress to inflict punishment by
disfranchising any portion of the people of Utah on account of
their religious or irreligious opinions.

In Utah there are persons of multifarious religious creeds,
some with no religious belief at all. Some enterprising and prom-
inent citizens believe in the revelations of the Old Testament
and reject those of the New, while a large majority of the people
in the Territory profess a belief in the Old Testament, the New
Testament, and divers modern "revelations," besides. Those who
accept the revelations of the Bible are divided into many
separate church organizations by reasons of diverse inter-
pretations. Then in the close of the most enlightened century in
the tide of time, shall we invoke legal coercion over the
consciences of men and resort to the pains and penalties in-
flicted in former times for recusary non-conformity and heresy?
(17, p. 200)

The answer of the minority report to this last question was a resound-
ing No! They pointed out that schools, churches and colleges of numerous
denominations were then found in all parts of the territory. They maintained
that "churches and creeds are subject to the laws of evolution." "Polygamy," they said, "must go," but they maintained that this reform could and would be accomplished without resorting to the "total overthrow of local self-government" contemplated in the majority report.

But Congress did pass punitive legislation in 1887, the Edmunds-Tucker Act which dis-incorporated the L.D.S. Church, confiscated the bulk of its property and the funds of the Perpetual Emigrating Fund Company, to be turned over to the Utah Commission to be used for public education in Utah.

A renewed call for the establishment of an L.D.S. school system

The year 1887 saw the death of the President of the L.D.S. Church, John Taylor, and the Quorum of the Twelve Apostles, with Wilford Woodruff as President of the Quorum, presided over the Church.

At the October General Conference of the Church, the Quorum of the Twelve Apostles, through Wilford Woodruff, issued another epistle addressed to the members of the Church (4).

The epistle made it plain to the Saints and to all the world, which would include the national administration in Washington and the "Gentiles" in Utah that the concept of the establishment of the Kingdom of God, which was discussed in detail in Chapter I of this study, did not die with Joseph Smith nor with Brigham Young and had not recently succumbed with the death of President John Taylor.

Later in the epistle President Woodruff reiterated the call made in April 1886, by the then First Presidency of the L.D.S. Church, for the establishment of a church-wide system of schools. He pointed to the accomplishments, especially, of Brigham Young in establishing the Brigham Young Academy in 1875 at Provo and the Brigham Young College in 1877 at Logan, and referred to the
fact that similar schools had already been established and conducted with marked success in Salt Lake City, Beaver, and Fillmore.

Attitude of a new governor on Church and State relations

Whatever the religious views or beliefs of investigators may be 70 years later, all should realize the very difficult situation that confronted Governor West as he faced the predominantly Mormon territorial legislature in January 1888.

It is difficult to pass a judgment, if indeed one must be made, on Governor West’s message to the legislative assembly of the Territory of Utah. He made it plain that he was fully aware of the past persecutions which the Mormons had undergone in Ohio, Missouri, and Illinois and of the "great loss of property, many hardships, much suffering, bloodshed, and the final abandonment of their homes in the East." He was fully conscious that the coming of a "hostile" federal army to Utah [In 1857] had once again caused "an abandonment of homes, entailing upon helpless women and children the hardships and suffering incident thereto" (23, pp. 8-10).

What had caused all of this? The cause, according to Governor West, was the Mormon claim "to be governed immediately by God Himself, through His priesthood." "Why," asked Governor West, "why of all peoples in our land, of nearly every nationality, of no religion and all religions, with beliefs and creeds as various and numerous, almost, as the different natures of man, should this people stand singular and alone in its woeful history?" (22, pp. 8-10).

Said Governor West:

That cause is found in the theocracy established and maintained here; in the education of the people to believe that God governs them immediately, not alone in faith and morals, but in all the affairs and relations of life, and that the counsel of the
priesthood is the Supreme Voice of God and must be obeyed without question. It necessarily follows that perfect and complete unity did and does exist among the Mormon people; an absolute oneness, without division or dissent. (23)

Later in his message the governor touched on the all important question of Church and State. Both "Gentiles" and Mormons had publicly made plain the year before that this was the real issue in Utah. He said:

No church organization can obtain and hold political power in this country. It is contrary to the spirit and genius of our great government.

I would not have you or the people of the Territory misunderstand me. I am anxious to serve them well and do them good. With you and them I have no religious controversy.

That the Mormon Church can by the sublimity and beauty of its teachings and the moral and religious conduct of its members subdue and dominate the world, is not here now my province to question.

When it or any other church encroaches upon the State it is the duty of every freeman to resist the encroachment with all power necessary to overcome it...

Let the priest of the church when he enters the Council of State, doff his priestly robes of power, resigning all divine authority or claim thereof. (23, pp. 8-10)

On the subject of free public schools, Governor West recommended that: "Evils existing in Utah must be remedied before the Territory could hope to obtain the statehood for which she had so long hoped and struggled."

Resumption of the battle for control of school offices. 1888

In the fall election of 1888, in Summit County, a superintendent of district schools was elected by a unanimous vote of the people—namely 1,208 votes. Charles A. Short who was elected to the office sought a certificate of election. His request to the Utah Commission for a certificate was denied and the judge of the county court was notified that it was the prerogative and duty of county courts to fill this office by appointment (14, pp. 419-428). The territorial courts were thus given appointive powers and control
However, in their 1888 annual report the Utah Commission pointed out that out of 24 county superintendents of district schools "all save one are Mormons" (15, p. 427). The general election returns for 1889 in the minute books of the Commission show elections of county superintendent of schools with close contests in only three counties, indicating two significant things: (1) That despite the intentions and policies of the "Gentiles" in Utah and the majority membership of the Utah Commission, the Mormon majority in 1889 had recovered the franchise of electing county superintendents of district schools; and (2) that the Mormons still controlled the majority, if not all, of these offices despite very serious challenges from the "Gentiles" in three counties.

In Salt Lake County the Mormon educator, William M. Stewart, barely edged out the prominent Protestant educator, J. F. Millsapough, by a vote of 3,305 to 2,556. In Summit County, George W. Groc defeated John Boyden 897 to 467, and in Weber County the Mormon candidate, Edward H. Anderson, defeated A. C. Newell by a vote of 1,509 to 1,141 votes (16, p. 13).

The crushing blow to Mormonism in 1889

A crushing blow to the Mormons came in the October 1889 session of the Supreme Court of the United States when the actions of the United States government in the Edmunds-Tucker Act in dissolving the corporation of the Church of Jesus Christ of Latter-day Saints was held to be constitutional.

Justice Bradley delivered the opinion of the Court. In essence it held that in the case of the territories and before the formation of states, the inhabitants of said territories were to be governed by the people of the United States represented by the central government rather than being
entitled to the self-government enjoyed by citizens of the states of the Union. "The United States has supreme sovereignty over a territory, and Congress had full and complete legislative authority over its people and government," it was held.

Justice Bradley cited a previous Utah case in the Supreme Court—Murphy vs. Ramsey (114 U.S. 15, 44) where Justice Matthews had held: "The people of the United States, as sovereign owners of the National Territories have supreme power over them and their inhabitants. . . ." And further: "The right of local self-government, as known to our system as a constitutional franchise, belongs, under the Constitution, to the States and to the people thereof. . . ."

The curtain was now closed on any remaining hopes, held for 27 years by the Mormons, that someday the anti-bigamy and anti-polygamy laws enacted by Congress in 1862, 1882, and 1887 would be declared unconstitutional by the Supreme Tribunal of the land. These hopes were now dashed. The "Gentiles" had won their victory. Significant events in Utah's political and educational history followed in rapid sequence.

Summary

Through the use of the twin political issues of Mormon polygamy and Mormon union of Church and State, the "Gentile" minority in Utah aroused enough support in Utah and in the nation to secure passage of national legislation which eventually broke the Mormon control of the territory.

The effect of this struggle on education in Utah was to remove local representative government in Utah and place the territorial schools in the hands of a few federally-appointed officers and their appointees.

During the administration of Governor Eli H. Murray there was a close
connection and sympathy between the governor and the non-Mormon minority and their educational endeavors and policies. This combination effectively wrested control of the public schools from the hands of the Mormon majority.

Non-Mormon governors and certain members of the Utah Commission continued during the period to debate with Mormon leadership the advisability of religious instruction in the public territorial schools.
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(5) First Presidency of the Church of Jesus Christ of Latter-day Saints. An epistle . . . to the Church of Jesus Christ of Latter-day Saints in General Conference assembled . . . held at Provo, Utah, April 6, 1886. Salt Lake City: Deseret News Co., 1886. (An original copy in possession of James R. Clark.)


The Executive records of the Territory of Utah and the Minute Books of the Utah Commission were used extensively in the preparation of this chapter. These records are on file at the Division of Archives of the State of Utah in Salt Lake City. Unless otherwise indicated, all citations to these records are to the originals in the State Archives.


(23) Utah. Governor (Caleb W. West). Governor's message to the legislative assembly, January 9, 1888. Executive Records, 1887-1895. Book D.
CHAPTER IX

THE FREE PUBLIC SCHOOL LAW OF 1890 AND THE GROWTH OF PUBLIC AND
DENOMINATIONAL EDUCATION, 1888-1896

In their annual report in September 1888, the Utah Commission took note of the rapidly changing school situation in Utah now that the Mormon Church had made its decision to set up its own school system. It pointed to legislation passed by the last territorial legislature which would have provided that:

All schools organized under the direction of Trustees in the respective school districts of this Territory shall be known in law by the name and title of District Schools and all other schools shall be known as private schools. All schools both district and private shall be entitled to a just and equitable apportionment of any public school funds arising from the United States or from legislative enactments of the Territory.* (15)

The bill, including the clause providing for public support for private schools, always a debated issue in American education, would have become part of the school law of Utah in 1888 but for the veto of the governor. This law would have benefited non-Mormon denominational schools in Utah more than it would have benefited Mormon private or denominational schools since the Mormons were just beginning to establish their own independent school system. The Utah Commission report gave statistics on non-Mormon denominational schools for the year ending June 30, 1888. The Mormons by contrast by the end of 1888 had only 10 academies in operation, five of which were outside of Utah.

*Underlines supplied.
Denomination  |  Schools | Teachers | Pupils
---|---|---|---
Episcopal     | 5     | 22     | 800
Methodist    | 20    | 61     | 1649
Baptist      | 2     | 3      | 140
Congregational | 22    | 28     | 1883
Catholic     | 7     | 50     | 1000
Swedish Lutheran | 1    | 33     | 45
Presbyterian | 33    | 61     | 1925
Totals       | 90    | 238    | 7442

Passage of the free public school law of 1890

In January 1890, Honorable C. E. Allen, prominent member of the Congregational Church and chairman of the standing committee on education of the House of Representatives of the Territory of Utah, introduced a "bill to establish a Free Public School System in certain cities of the Territory of Utah." The bill, which was introduced on January 15th, was passed after some debate on February 18th on a third reading by a vote of 21 to 1 with E. P. Ferry, the representative from Park City, the sole absentee (19, p. 178).

Utah now had a free public school law, written by a "Gentile" and passed by a predominantly Mormon legislature.

On March 11, 1890, the governor and the legislative assembly united in memorializing Congress for funds from school lands to operate these free public schools. On March 13th the legislative assembly passed a compulsory attendance law which provided that "every parent, guardian or other person having control of any child between 10 and 14 years of age, shall be required to send such child to a public, district, or private school in the district in which he resides, at least 16 weeks in each school year" (20).

*Utah Commission report for year ending June 30, 1888 (15).
Thus not only was a system of free, public schools established by law in 1890, but a dual system of private and public schools for Utah was legally recognized.

**Official pronouncement on the establishment of a church-wide system of L.D.S. religious education, 1890**

On October 29, 1890, just three weeks after the adoption of the Mormon Manifesto on polygamy, and seven months after the passage of the free public school law, the First Presidency of the L.D.S. Church took formal action on the call they had issued in their epistles in 1886 and 1887 for the establishment of a church-wide system of schools and of week-day religious education (5, pp. 3-5).

On that date they wrote to the presidents of stakes, bishops, and all to whom it may concern as follows (5, pp. 3-5):

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**The Problem**

The all-absorbing motive that led the great majority of the Latter-day Saints to forsake their homes in the various nations to dwell in these mountain valleys was an ardent desire to serve the Lord more perfectly and with better understanding.

In too many instances, in the course of the years, this grand object has been lost sight of in the toil for daily existence, and less noble aims have largely taken the place of the endeavor to learn the ways of the Lord and to walk in his paths.

This benumbing influence in our spiritual life is widely felt in our homes, and more particularly affects our children, whose faith in the great latter-day work has not been developed and strengthened by the experience which their elders have had in lands beyond the borders of Zion.

Nor does the training which our youth receive in the District schools increase their feelings of devotion to God and lover for his cause, for, as is well known, all teachings of a religious character are rigorously excluded from the studies permitted in these institutions.

*Readings have been supplied.*
The Remedy

To lessen this great evil, and counteract the tendencies that grow out of a Godless education, the Church Schools of the Saints have been established. But while these accomplish great good, the sphere of their usefulness does not cover the entire field. There are many places where Church Schools cannot, at present, be established. . . .

We suggest that in every ward where a Church School is not established, that some brother or sister . . . well adapted for a responsible position . . . be called . . . to take charge of a school wherein the First Principles of the Gospel, Church History and kindred subjects shall be taught. This school to meet for a short time each afternoon after the close of the district school, or for a longer time on Saturday only. . . .

Where Shall These Religion Classes Be Held?

Where arrangement can be made it will, as a general thing, be well to secure the district school room for this purpose, so that when they take place in the afternoon, these exercises can commence immediately after the regular sessions and before the children scatter; but where this is done care must be taken to keep the two entirely separate, so that the law may not be infringed upon. Where the regular school room cannot be obtained some building conveniently situated, as near as possible should be secured in its stead; the object being to secure the attendance, so far as possible, of the children of all the Latter-day Saints.

The letter was signed by Wilford Woodruff, George Q. Cannon, and Joseph F. Smith as the First Presidency of the L.D.S. Church. It launched the "religion class" program of the Mormon Church. The purpose of this program was to supply the religious education now excluded by law from the "Godless education" of the public school.

The advisability of continuing to include the Bible and other religious works and observances in the public school curriculum

Had the constitution of 1882, ratified by the people of Utah but vetoed by Congress, become the basic law of Utah, it would have outlawed the teaching of sectarian or denominational doctrines in the public schools and would have prohibited any and all religious denominations or sects
from controlling or appropriating for their own use public school or university funds of the State. This constitution did not become law and Utah continued for some time under previously enacted territorial laws.

In 1886 as the pressure of the contest between the Mormons and the Protestants for every inch of political and educational ground and every key town in the territory became more intense, Reverend G. W. Martin, District Missionary and mission school supervisor for the Presbyterian Church in Utah sent a letter to Mrs. F. E. R. Haines, Secretary of the Home Missions Board, Presbyterian Church of America, detailing some of the problems he was encountering in competition with the Mormons for control of key communities in the territory. He wrote (9):

Manti, Utah, July 15, 1886

Dear Friend:

By today's mail, in another envelope I sent papers in favor of Prof. N. J. Geyer……. Bro. Cort has written to him & I saw him last spring. We wish to secure him for Silver Reef, Utah, to teach the District School, & to assist Bro. Cort in the many ways thus opened.

There is enough in the school law of the Territory to allow of all the instruction in morals & religion, with the Bible as the basis, that we usually give in the other mission schools. . . .

G. W. Martin

Evidently Prof. Geyer met the approval and support of the Home Missions Board for he was sent to teach at Silver Reef. On March 16, 1887, he sent a report of his activities to Reverend G. W. Martin. His report shows an enrollment of 80 pupils in the school. Twenty of these students had two Mormon parents; one parent of eight others was a Mormon; 24 students came from homes of apostate Mormons; and 28 came from "Gentile"
A convention of all Christian workers in Utah was called by the Salt Lake Ministerial Association for April 1888. The papers presented at the three-day convention were published in a 130-page pamphlet entitled: "The Situation in Utah; the Discussions of the Christian Convention Held in Salt Lake City" (9). Two papers are pertinent to the issue of the proper place of God and the Bible in public education. One paper, presented by Reverend C. L. Libby, Pastor of the Methodist Church was entitled: "Ought the State to Recognize God?"

Reverend Libby opened his paper with the assertion that in Utah there might be a great deal of discussion on the question whether God ought to recognize the State, but he said there could be no question as to whether the State ought to recognize God.

He said later in his discussion that some would maintain that the State was to deal only with men and their relations to each other and had nothing to do with man's relation to God. On these grounds, he said, there were some Christians "who oppose placing the Bible in public schools, not because they do not believe in the Bible, or that it ought not to be taught to the children, but that the public has nothing to do with it."

But, maintained Reverend Libby,

If the Bible should not be in the public schools . . . we are no more a Christian nation than we are a Pagan. We claim the State should recognize God, but not in a manner, nor for the purpose of interfering with individual worship . . . because unless we do, the ends for which we have human government cannot be reached. (7, pp. 65-68)

In this same convention Dr. J. E. Millsapugh, Principal of the Salt Lake Collegiate Institute, and candidate the following year for the office of Superintendent of District Schools in Salt Lake County, presented a
paper entitled: "The Education which Utah Needs" (12, pp. 93-100). His opening paragraph might be considered a blast at the "imperfect system of education that exists in Utah." He suggested that it would be easier to scrap the whole system of education in Utah and start over than to try to reconstruct and repair the system as it existed. He said, "perhaps we would do more wisely to congratulate ourselves that there is in it so little whose complete annihilation need be lamented."

"Only the complete demotion of the entire fabric," he maintained, "and the building upon its ruins of a system that is in harmony with American progress and sentiment" would suffice.

Dr. Millspaugh pointed out that there was a feeling abroad in the land that education would save the republic. Used in its broadest sense to include moral and religious culture it would, he maintained. Used narrowly, it would not.

How is the State to prevent men from becoming bad? Science will not do it. Man may master nature, only to become in turn its slave. Civilization will not do it. . . . What then is to be done? I answer, the State's only power in this direction, comes through careful moral training in the public schools; and this in turn, never has been, and never can be effectually carried out, except by the Christian method, with the Bible as the corner stone of all character building. . . . If, then, this Territory is ever to become free and pure, it will only be by combining sound instruction with that training which will form character, and founding both upon the teaching of the Bible. (12)

These two addresses may represent the view of the more conservative wing of "Gentile" and Protestant thinking on the issues of religion and the public schools in Utah or they may represent the individual views of the two men. They would support a movement for non-sectarian but not secular public schools. Dr. Millspaugh and Reverent Libby were seemingly as concerned as were the Mormon leaders, including President Wilford
Woodruff, lest the pendulum swing too far and give Utah a "Godless" public education.

Some comparisons of public and denominational education in Utah, 1885

From the report of Governor Caleb W. West to the Secretary of the Interior, the following comparison of public and denominational education (exclusive of Mormon schools) is possible for the school year ending June 1885 (17, p. 17):

<table>
<thead>
<tr>
<th></th>
<th>Public</th>
<th>Denominational</th>
</tr>
</thead>
<tbody>
<tr>
<td>School districts</td>
<td>332</td>
<td>--</td>
</tr>
<tr>
<td>Primary schools</td>
<td>119</td>
<td>--</td>
</tr>
<tr>
<td>Intermediate schools</td>
<td>63</td>
<td>--</td>
</tr>
<tr>
<td>Mixed schools</td>
<td>273</td>
<td>--</td>
</tr>
<tr>
<td>Total schools</td>
<td>455</td>
<td>83</td>
</tr>
<tr>
<td>Total teachers</td>
<td>614</td>
<td>206</td>
</tr>
<tr>
<td>Total pupils enrolled</td>
<td>29,978</td>
<td>6,336</td>
</tr>
</tbody>
</table>

Some interesting quick comparisons are enlightening. The denominational schools with only about one-fifth the number of schools, had one-third as many teachers. Teacher load in the denominational schools was therefore much lighter on the average. This conclusion is also borne out by the fact that with one-third the number of teachers the denominational schools had only slightly over one-fifth the number of students. If smaller classes and a smaller pupil-teacher ratio tend toward better quality education, as some contend, and if other factors were about equal, then the claim frequently made in "Gentile" literature of the period and since, that these denominational schools were superior to the Mormon-controlled public schools would seem to have been based in fact.

The new Mormon program for its own school system

A new battle was in the offing over denominational education in Utah. The Mormons were now planning on moving into this area of education where
the Protestants had had almost exclusive control since 1867. Other changes also in relationships, policies and alignments in Church and State relationships in education in Utah began to be noticeable soon after 1890 when the effects of the free public school law began to be felt.

Evidence that the Mormons, with the passage of the 1890 law, were now ready for a new approach to the problem of religious instruction for Mormon students is contained in two editorials in the Deseret Weekly News. In the first editorial, published January 16, 1892, the national status of the problem of religious instruction in public schools was discussed in some detail. The pertinent paragraphs advocating a new educational policy for the Mormons in Utah in relation to public schools, a policy that carried over into the period following statehood, appears as follows:

The root of the difficulty is the necessity of excluding religion entirely from the public schools. While the State takes charge of public education it is certain to continue to bear bitter fruit. A large number of religious people desire their children to be trained religiously in schools. This can be done fairly and consistently by leaving each denomination to regulate education for the children of its members. But this would work a revolution in the common school system, and as the prevailing sentiment of the country is against such a change, we may look for more or less agitation on the subject.

In Utah the wisest policy is to encourage and support the public schools for children until they acquire a common education, then let the Church provide a higher education by its own means for advanced scholars, and teach its tenets therein, as other denominations may do in their academies. (13, p. 120)

Here a new educational policy was advocated for both Mormons and non-Mormons in Utah. The Mormons followed this policy quite strictly subsequent to the passage of the 1890 free public school law. Common, or elementary education, was now left in the hands of the State, with weekday religious education for these pupils provided through the Religion Classes. Only on the higher levels of education from this point on did
the Mormons advocate an integrated school curriculum of secular and religious subject matter.

The second editorial, published March 18, 1892, quoted from an article in the New York School Journal, on the subject of religious teaching in public schools. The editorial gave its own stand on the question in contrast with the view of the New York Journal:

We could furnish numbers of examples of the benefits of religious instruction as a part of education through the instrumentality of denominational or church schools in this Territory, but we differ from the Journal in its view as to the possibility of the introduction of training of this character into the public schools anywhere in this republic. It is not practicable, nor would it be just under our form of government...

All classes of citizens are entitled to the use of the public schools, and if it should be decided that religion should be taught therein, the question of "which religion" would at once smash the proposition.

While we believe religious instruction to be an essential part of the training of a child to enable him to develop symmetrically, that part of his education must be imparted outside of the public schools. (14, p. 412)

Some indications of shifting relationships and directions in Church and State relations in education in Utah, 1892-1896

The four years from 1893 to 1896 in Utah were years in which religious, political, and educational leaders made some attempts at reconciliation of some of their former points of view and issues and to the healing of some battle scars and the mending of some personal friendships.

Evidence can be found in both Mormon and "Gentile" sources of a willingness on the part of leaders to reconsider the issues, without necessarily surrendering the basic points of view that characterized the position for which each group had stood during the period of violent debate and action from 1882 to 1892. Other developments brought a shift of emphasis and program is not of goals for Mormon education.
Thus President Benjamin Cluff, Jr., President of Brigham Young Academy, suggested in a letter to his assistant, George H. Brimhall, that it might be well and a matter of "good policy" to invite a prominent Salt Lake Protestant educator to be one of the lecturers at the Brigham Young Academy teachers' institute at Provo during the summer session in 1894 (2).

**Control of teacher education, 1893-1896**

A series of letters on file in the archives of the Brigham Young University give good indications of another battle beginning to shape up in educational circles in Utah, this time for the control of teacher education in the territory and state.

If the Mormons were to gradually withdraw from direct control of elementary education in Utah, which they planned to do, then the question must have arisen: How may we still retain or exert a dominant influence in elementary education since we are still the majority group and the majority of children of this school age are still those of Mormon parentage?

The letters in the Brigham Young University archives indicate a two- or three-pronged attack on the problem of how to perpetuate Mormon influence in public education in Utah.

One proposal was that the L.D.S. University in Salt Lake City (actually a Mormon academy) be merged with the University of Utah and an L.D.S. theological chair be established in the latter. President Cluff said: "Should this be done, I am certain emphasis will be given to the Academy [Brigham Young Academy] and it will increase in importance" (2).

The reason for President Cluff's favorable reaction to the proposal to merge the University of Utah and the L.D.S. University in Salt Lake is
stated in a later letter to George H. Brimhall and Joseph B. Keeler.

President Cluff wrote: "... If reports are true concerning the uniting of the Church University with that of Utah, the Academy [Brigham Young Academy] will rise in importance and will easily be made the leading normal school in the territory. ..."*

Here was the new answer of the Mormon leadership to the loss of direct control of the public elementary schools—train the teachers for these public schools in the L.D.S. normal schools or teachers' colleges. This proposal was to find statement and restatement as Mormon policy over the coming years.

In 1920 Church Commissioner of Education, David O. McKay, said: "Now is the time to step right in and get teachers into these public high schools and eliminate the spirit which dominates the schools now" (10, p. 28).

If the Mormons were to take over a major portion of the task of training teachers for the public schools, they would do so in competition with the State University. They must make sure that teachers trained in Mormon academies or normal schools would be accredited or certified for teaching in the public schools. Steps were therefore immediately taken, in January 1894, to secure the passage of a territorial law which would give private and denominational normal schools and colleges in Utah equal rank with the State University on the certification of teachers for public schools.

President Cluff wrote to George H. Brimhall on January 26, 1894:

Your kind favor of the 21 inst. is before me having reached me a few minutes ago. ... In the first place if a law could be passed authorizing the Commissioner of education to grant to

*Underlining supplied.
Normal institutions of high grade and acknowledgment the privileges of diploma granted to the U. of U. or in any way arrange it so that our diplomas will be recognized, it would be worth much to us. Would it not be well for you to see the board about it and then do some lobbying if necessary. (3)

President Brimhall must have taken President Cluff at his word, for the Brigham Young University Academy archives contain many such letters. One letter from J. E. Booth, member of the legislative council of the Territory of Utah is addressed to President Brimhall and dated January 31, 1894. Booth, a resident of Provo, was the author of a proposed bill in relation to academic degrees and certificates. He wrote:

Dear George:

Enclosed I send you first draft of a proposed bill in relation to degrees. Will you please examine it with Dr. Hardy and E. A. Wilson and such others as you may choose, return it with your suggestions as soon as you can. I have seen some parties here Legislative Assembly who are interested in education and the Academy and the plan meets with their approval. (1)

The bill referred to by its author was Council Bill No. 82, a copy of which accompanies the letter in the Brigham Young University archives. It was introduced on February 9, 1894; read first and second times and ordered printed and referred to the Committee on Education. The provisions of the bill would promote the new program or policy of the L.D.S. educators. The pertinent provisions were:

A Bill authorizing the Awarding of Diplomas and Other Certificates of Learning . . .

Sec. 1. That any private or denominational school is hereby authorized to issue to its students diplomas and grade certificates where said schools teach and said students are taught successfully parallel courses with those taught in the University of Utah, and under such further rules and regulations as said private or denominational school shall prescribe.

Sec. 2. That said diploma and grade certificate, when issued under the seal of said private or denominational school
(if it have one) and signed by its president, the president of the faculty thereof, the department teachers and the superintendent of schools in the county where such private or denominational school is located, shall be prima facie evidence of the qualifications recited in said diploma or certificate of the holder thereof.

Sec. 3. That persons to whom are issued such diploma or certificate from a qualified normal department of any such private or denominational school may be employed as teachers in the district schools of this Territory without further examination, provided that said diplomas or certificate shall state specifically that said holder thereof has successfully passed in all the branches required by law for qualifications of teachers of the grade names in said diploma or certificate.

A number of other letters acknowledging letters from President Brimhall and pledging support to this bill are on file from members of the territorial legislature. He certainly carried on the lobbying previously suggested by President Cluff.

On February 27, 1894, President Cluff wrote a very frank letter from Boston to Professors Brimhall and Keeler:

I am pleased with the work you are doing and the way you are doing it. Possibly some may oppose the recognition of the Academy. Let not the element of fear enter in, in other words, crowd things to a successful issue. I am tired of stooping to conquer. If men are not broad enough to grant assistance to a good thing simply because they have not initiated it, or have not been duly consulted and talked with, the thing ought to be crowded over their heads, or fail. But I anticipate no great opposition to the measure introduced by Bro. Booth, on the other hand I think it will go through.... (4)

This Mormon move in 1894, however, was not to go unchallenged by the University of Utah. Karl G. Maeser, General Superintendent of L.D.S. Schools in 1896 wrote from the office of the president of the L.D.S. Church on February 29, 1896, to President Cluff of the Brigham Young Academy about another educational bill which was then before
state legislature. He said that this bill would be a "deathblow" to the Church Normal Training School in the Brigham Young Academy. He reported that he had been to see President George Q. Cannon of the L.D.S. First Presidency about the matter and that President Cannon "became quite worked up about it this morning" and instructed him to see certain key legislators about defeating the bill. Superintendent Maeser was told by President Cannon to enlist the support of George M. Cannon, and Bishop Stephens of the legislature and attorneys Franklin S. Richards and Judge Aaron King. Superintendent Maeser reported that unfortunately George M. Cannon was in favor of the bill, and had expressed his belief that there should be only one teacher-training institution in the state, namely the State University. He, Maeser, was shown a letter from Professor Paul, however, who was opposed to the bill and he also reports that "Bishop Stephens is one with us" (8).

Despite this new Mormon program—this new contest—the general feeling of the period from 1893 to 1896 was one of reconciliation as Utah prepared for statehood and the future.

Caleb W. West had the honor of being Governor of Utah twice with a separation of some years between his terms. In a report to the Secretary of the Interior in 1893 he contrasted conditions existing in Utah in May 1886, when he first became governor, and conditions in October 1893. Of 1886 he said:

The Mormon and non-Mormon people held themselves separate and apart from each other as if they were of different races. Each looked upon the other as enemies to the public good. I have noted with the most profound gratification a progressive and continuous improvement, and have witnessed the creation of a new era... (16, p. 307ff)
Summary

Denominational schools increased greatly in number from 1882 to 1890. There were some decline in number of schools and enrollment following the enactment of the Free, Public School Law of 1890 which provided for non-sectarian public schools.

The struggle over the problems of proper Church and State relationships in Utah from 1882 to 1896 produced at least the following significant results:

1. The passage of Utah's first effective free public school law in 1890.

2. The issuance of at least four official statements on education by the First Presidency of the L.D.S. Church; statements in 1886 and 1887 calling for the establishment of a Mormon school system; a statement in 1888 establishing a General Church Board of Education for such a system; and a statement in 1890 implementing a church-wide system of religious education apart from the public schools.

The four years from 1893 through 1896 were years in which religious, political, and education leaders made attempts to reconcile points of view on issues that had agitated the education scene in Utah since 1870.

With the passage of the 1890 free public school law, the Mormons took definite steps toward the establishment of their own school system and a withdrawal from the field of secular elementary education. This shift would split the subject matter into two curriculums with the state offering non-sectarian secular education and the Mormon Church offering week-day religious education through a series of Religion Classes held daily after school hours in the public school buildings or in adjacent church edifices.
The Mormons were not quite ready, however, to completely release their hold or withdraw their influence from the public schools on the elementary level. In 1894 they initiated legislation that would allow private or denominational normal schools to train and issue valid teachers' certificates to teachers who would teach in the public schools. This move would assure an adequate supply of Mormon-trained public school teachers whose moral and religious backgrounds would be compatible with the Mormon student majority.
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(2) Cluff, Benjamin, Jr. Letters to George H. Brimhall, dated Ann Arbor, Michigan, November 12, 1893; December 12, 1893; and December 26, 1893. (ALS on file, Brigham Young University Archives, Provo, Utah.)

(3) Cluff, Benjamin, Jr. Letter to George H. Brimhall, dated Ann Arbor, Michigan, January 26, 1894. (ALS on file, Brigham Young University Archives, Provo, Utah.)

(4) Cluff, Benjamin, Jr. Letter to Professors George H. Brimhall and Joseph B. Keeler, dated Boston, Massachusetts, February 27, 1894. (Original on file, Brigham Young University Archives, Provo, Utah.)

(5) First Presidency of the Church of Jesus Christ of Latter-day Saints. Letter to presidents of stakes, bishops, and all to whom it may concern, dated October 29, 1890. (In Outlines for Religion Class Work No. 4.) Published by order of the General Church Board of Education. Salt Lake City: Deseret News, 1901.


(8) Maeser, Karl G. Letter to Benjamin Cluff, Jr., dated Salt Lake City, Utah, February 20, 1896. (Original on file, Brigham Young University Archives, Provo, Utah.)

(9) Martin, Reverend G. W. Letter to Mr. E. E. Haines, Secretary, Home Missions Board, Presbyterian Church of America, dated Manti, Utah, July 15, 1886.


(13) The Public School Question. Deseret Weekly 44:120, January 16, 1892.

(14) Religion as a Part of Education. Deseret Weekly 44:412, March 19, 1892.


(18) Utah. Legislative Council, 1894. A bill authorizing the awarding of diplomas and other certificates of learning and for other purposes. C.B. No. 82, by J. E. Booth. (On file, Brigham Young University Archives, Provo, Utah.)

(19) Utah. Legislative Assembly. House Journal 1890. Salt Lake City, 1890.

(20) Utah. Legislative Assembly. Laws of the Territory of Utah Passed at the Twenty-ninth Session. Salt Lake City, Utah, March 13, 1890.
As Utah grew in population and as it obtained statehood its educational problems became perhaps even more complex than they were in the territorial period. It is true that with the granting of statehood the people were relieved from the influence of federal control of internal affairs, a situation under which the Mormon majority had smarted for some years, but whatever surcease was obtained from federal control in education was offset by the growing demands on the educational system in Utah for increased services. Many of these services had not been supplied before; others had been carried on by denominational education but were now becoming the responsibility of the state.

As this study moves in the next three chapters through the entire period of statehood from 1897 to 1957, the necessity of limiting the discussion to key issues of Church and State relations would seem evident. The History of Public Education in Utah has been treated in more detail by John Clifton Moffitt (1). Mormonism and Education has been treated in some detail by M. Lynn Bennion (2). Non-Mormon denominational education in Utah since statehood has been treated to some extent in Davies (3) and Hansen (4). This study attempts to show the interrelationships of these various educational agencies rather than detail the rather complicated history of each. Completeness is not claimed for this study of Utah's educational history.
since statehood, but only a discussion of those issues of interrelations between Church and State in education which seemed critical in the judgment of the investigator.

At least three major issues or problems in Church and State relations in education in Utah agitated the educational scene between the granting of statehood in 1896 and the passage of the 1921 school law requiring that district schools of the State of Utah be kept free from sectarian control. These three problems were:

(1) The problem of how to adjust the burden of financial support and sponsorship of elementary and secondary education in the state as the school population of the state seemingly outran the revenues of both Church and State educational agencies.

(2) The desirability of the problem of how to maintain a religious or Christian emphasis in education in Utah and at the same time to make the district schools and high schools strictly non-sectarian.

(3) The problem for the Mormon majority of how they might still legally maintain Mormon influence in the public schools.

Subsidiary to this was the matter of teacher education.

It is not claimed that these three issues are the only ones that agitated the educational scene. A more detailed treatment of some of the other administrative, legal, and financial problems and developments in public education have been treated by Moffitt.

A brief survey of the political background at the beginning of statehood in Utah likely to affect the course of Church and State relations in education

A vital part of the L.D.S. Church policy leading up to and climaxed by
the political Manifesto of the First Presidency of the Church issued in April 1896, was that it really meant the end of the People's Party and the end produced the death of the "Gentile" Liberal Party.

The two former local political parties in Utah had divided the populace politically on religious lines. The new policy called for a division of the people, regardless of religious affiliation, on national political party lines. The first governor of the State of Utah, Heber M. Wells, was therefore elected not as a candidate of the old Mormon People's Party, but as a candidate of the national Republican Party. There is some indication in the literature that some Mormons were "called" to join the Republican Party in order to make sure that the Mormon membership in the two national political parties in Utah was about evenly divided (23, pp. 79-80). At least the First Presidency and other leading Mormon officials did make certain suggestions to the people when the division upon party lines took place.

Despite these very real changes of political allegiance, no historian should or probably would claim that the rather sudden catapulting of Utah into the Union in 1896 after 46 years of waiting and tedious effort to gain statehood had changed the basic feelings of the two groups of people in Utah towards each other so radically that they could now drop all of their former aims and goals and work together without religious interests entering into their decisions. Nor is it reasonable to expect such a change considering the strength of the religious convictions of the various religious groups in Utah. Some there were in each group who were perhaps over-anxious to renounce all former antagonisms in the interest of "unity" but they usually received sharp reprimands from their own religious leaders.
It is true that the passage of the Enabling Act by Congress on July 16, 1894, and the Presidential Proclamation making Utah a state on January 4, 1896, announced a new era in Utah history but, as pointed out in the concluding section of the previous chapter, the changed relationships in education in Utah among the various groups had already begun to take place in the five years immediately preceding statehood. Adjustments of the educational program of the state and those of the Mormon, Protestant and Catholic Churches had already begun to take place and on a level of communication that was less harried and vehement.

The needed financial support for a rapidly expanding educational program in the State of Utah was a matter of deep concern to both State and Church educational agencies. Where was the revenue to be found to operate Church and State schools?

Relative burden borne by public and by denominational secondary schools in Utah, 1897-1921

Bennion (2) in his study of Mormon education gives some tables and charts showing the percentage of secondary school students in different types of schools in the State of Utah from 1890 to 1924.

In 1890 approximately 65 per cent of the secondary school students in Utah were enrolled in non-Mormon denominational schools with approximately 27 per cent in Mormon schools and 8 per cent in public schools.

In 1895 approximately 27 per cent were in non-Mormon denominational schools; 50 per cent in Mormon schools; and 23 per cent in public schools.

In 1900 approximately 11 per cent were in non-Mormon denominational schools; 48 per cent in Mormon schools; and 41 per cent in public schools.

In 1905 approximately 7 per cent were in non-Mormon denominational
schools; 53 per cent in Mormon schools; and 39 per cent in public schools.

In 1910 the enrollment in Mormon and public schools equalized and the curves crossed each other at approximately 48 per cent in each. Non-Mormon denominational schools now accounted for only 4 per cent of the total secondary school enrollment in Utah according to Bennion.

By 1915 public school secondary enrollment had jumped to 72 per cent of the total with 25 per cent in Mormon schools and 3 per cent in non-Mormon denominational schools.

In 1920 approximately 83 per cent of the students were in the public high schools; 14 per cent in the Mormon schools; and 2 per cent in non-Mormon denominational schools.

By 1924 approximately 90 per cent of secondary school students in Utah were enrolled in public high schools; and only 9 per cent in Mormon; and 1 per cent in non-Mormon denominational schools.

Bennion’s table and chart were compiled from Reports of the Commissioner of Education of the United States for 1890-1924, the Biennial Reports of the Territorial and State Superintendents of Schools of Utah for 1890-1924, and the Reports of the L.D.S. Church Commissioner of Education for the same period. Bennion warns his reader that in some instances there was considerable discrepancy in the dates and therefore that some interpolations were necessary. His figures should only be taken as approximate for these reasons.

Bennion’s figures are no doubt accurate enough to serve as an illustration of the tremendous shift in the burden of secondary education in Utah that took place in the period from 1890 to 1924. From these figures some interesting comparisons can be made. In 1890 the private denominational
schools of the churches in Utah carried 92 per cent of the burden of educating students of high school age with the state carrying only 8 per cent of the burden. By 1924 the state had reversed this ratio and was providing for 90 per cent and the churches were educating 10 per cent.

In 1890 the Mormon schools were educating a little over one-fourth of the secondary school pupils. By 1895 this had jumped to 50 per cent where it remained fairly constant for the next 15 years, or until 1911 and the passage of the public high school law, when it dropped rapidly to 25 per cent in 1915 and 14 per cent in 1920.

Thereafter both the Mormons and the Protestants began a series of adjustments of their educational programs and policies to meet a greatly expanding and strengthened state public school system.

There is little doubt that the national economic crisis of the 1890's was another vital factor in hastening or accelerating some of the adjustments that came between Church and State education in Utah in the period following the granting of statehood.

Church Commissioner of Education, David O. McKay, in a meeting of the L.D.S. General Church Board of Education on March 15, 1920, proposed a three-fold solution to the problems of L.D.S. education as it stood at another crossroads (19, pp. 13-14).

After pointing out the limitations of the over-all L.D.S. Church financial resources which made at least some curtailment to the expansion of the church educational system a necessity, he suggested:

(1) That some of the church schools be eliminated.

(2) That the scope of the seminaries be enlarged.

(3) That the L.D.S. church expand its teacher training program.
Commissioner McKay further pointed out that this was the psychological moment for the L.D.S. Church to move into the field of teacher education. There was, he said, a shortage of trained teachers in the State of Utah. He reasoned that if the L.D.S. Church normal schools were strengthened immediately, in five years these schools could turn out enough teachers to dominate the teacher supply situation in the state. He reported that conversations held with the State Superintendent of Public Instruction and the presidents of the University of Utah and of the Agricultural College had indicated a willingness on the part of these three state educational officers to cooperate with this policy for teacher education of the L.D.S. Church Board of Education.

This 1920 decision of the L.D.S. Church to place Mormon teachers wherever possible in public schools having a sizable Mormon student population still found echo in March 1957, when the Stake Presidency of the Union L.D.S. Stake in LaGrande, Oregon, wrote to the president of the Utah State Agricultural College in Logan, Utah:

... concerning some advantages we feel we have to offer young people in the teaching profession in our Stake. ... This being the time of the year that teaching contracts are made, We, the Union Stake Presidency, would like to make such information available, to those interested from the Agricultural College in Logan. ... At the present time we know of ten teaching positions that will be open in the Pendleton, Oregon, district and four in Pilot Rock, Oregon. (8)

While this letter makes no mention that these teachers thus being recruited for the public schools of Oregon should be Latter-day Saints, the fact that the letter was written by a L.D.S. Stake Presidency on official church letterhead perhaps carried its own implications. The L.D.S Church has always maintained that its members and officers should take an active
part in good government, civic affairs and good educational programs and 
should work actively towards these goals.

Utah's governors speak on education, 1897-1917

The problems of education in the new State of Utah in the eyes of 
Heber M. Wells, its first governor, can be summarized by a few sentences 
from his messages to the state legislature over the period from 1896 to 
1903:

1897

No subject is of more vital importance in determining the 
future of the State, the influence and character of its people, 
and the position it shall occupy in the nation and before the 
world. (25, p. 38)

1899

No better testimony of the efficiency of our schools could 
be given than that people from other States are immigrating to 
Utah with their families in order to afford their children the 
superior advantages of education furnished by our schools. . . . 
While the rehearsal of these facts cannot but afford cause for 
congratulation, it must not be forgotten that the burdens of 
taxation are bearing down with ever increasing weight upon the 
people, and it will therefore be a momentous duty for you to con­
trive how to maintain and increase the standards of our schools 
without increasing taxation. (26, pp. 17-18)

1901

The State Superintendent of Public Instruction Mrs. Emma 
J. McVicker, prominent Protestant educator, appointed by Governor 
Wells to fill the unexpired term caused by the death of Superin­
tendent John R. Park7 in her biennial report states that there 
has been a gradual improvement in the condition of the schools 
during the past two years; they are more carefully graded, more 
and better teachers employed, a slightly increased average salary 
paid, and a much larger number of school population enrolled. . . . 
She directs attention to the improper use of school money by 
school boards, in that funds appropriated for maintenance of 
schools is frequently diverted to the purchase of apparatus 
and supplies. (27, pp. 27-28)

1903

Our state is yet young, and as has been shown, we are expand­
ing in education a greater proportion of our revenues per capita 
than the majority of the States of the Union. Let us learn to 
creep before we run, especially if our running runs us into debt.
The recommendation of the Superintendent in regard to eliminating duplication of work in the two institutions of high learning in the State meets my hearty approval, as I am sure it will that of the taxpayers. (28, pp. 25-27)

Governors Cutler and Spry who succeeded Governor Wells voiced many of the same reactions to the same problems as Governor Wells. Both Cutler and Spry worked actively for education and were in favor of the passage of a law allowing the use of state funds for local high schools. Governor Cutler said in 1907 that "In addition to the moral influence these high schools will exert on the communities where they are established, they will have a great value as a means of training the young people in industrial lines" (29, p. 24). In 1909, Governor Spry quoted the Bulletin of Education: "While the elementary schools are of first importance, and should have first claim for support, yet in practically all the states in which notable progress has been made, some form of special state aid for high schools has been established."

The governor recommended that the legislature make provision for submission at the next general election of a constitutional amendment providing for the extension of state aid to high schools (30, pp. 27-28). The people of Utah in 1911 adopted the amendment thus establishing the State High School Law. The governor reported that:

The past two years have been years of remarkable growth in the educational system of the State. . . . The opportunities for secondary and higher education are being extended every year, and as the school revenues increase, the secondary schools will grow in number. (31, pp. 24-25)

In 1915 Governor Spry noted in his message that there had been:

A marked tendency on the part of the national government to deprive the State of all school sections that have a value other than agricultural and grazing, coupled with the national policy of land withdrawal for forest reserves, national parks, national monuments, etc. (32, p. 31)
He reported that the attorney general of Utah had been actively engaged in measures for the protection of the state's "undoubted right under the terms of the Enabling Act to school sections containing hydro-carbon deposits" (32, p. 31).

It seems that Utah's long struggle to obtain revenues for public education from its school sections was once more being defeated by the national government.

Since 1850 Utah had had Mormon governors, non-Mormon governors, and in 1917 she had a Jewish governor. Governor Bamberger said in his 1917 message:

This administration is pledged to the most rigid economy and it is well that the Legislature should keep in mind what is expected of it... .

While Utah spends an enormous amount annually on her schools and while the efficiency of the public school system is a source of great pride to every citizen in the State, there remains much in the way of progressive school legislation to be enacted...

Fads have no place in education. I fear there is a tendency to spend too much for architecture in school building and too little for brains and scholarship of the teachers of the state...

Utah has finally and definitely succeeded in removing the schools from any vestige of partisan political influence. (33, p. 11)

None of the governors of Utah from 1896 to 1921 dealt directly with the problems of Church and State relations in education in Utah in their messages to the state legislature although they were undoubtedly aware of the struggle going on, particularly in the fields of secondary education and teacher education. Governor Bamberger's comment on the removal of the schools from partisan political control is about as close to a direct recognition of these issues as is contained in the governors' messages.
Some public statements of leaders in education, the letter files of the Brigham Young University Archives, the Minutes of the L.D.S. General Board of Education, and the Archives of the Protestant Westminster College, however, indicate that this was a period of adjustment and counter-adjustment and to a degree of political maneuvering and jockeying for position between the state educational agencies and officers and the educational agencies and officers in the Mormon and Protestant churches.

Mormon influence in school elections, 1900

In 1900 the president of Brigham Young Academy (University), the key Mormon educational institution in the State of Utah, was on an archeological expedition to Mexico and Central America. George H. Brimhall was acting president of the institution in his absence and the correspondence between the two men is rich in information on at least one side of the struggle going on in the state for the control of the office of State Superintendent of Public Instruction. In a letter written from Provo, Utah, October 4, 1900, President Brimhall reported his political activities and expectations in regard to the coming election of the highest state educational officer. Evidently it had been decided in L.D.S. educational circle close to the key Mormon academy that a Mormon, A. C. Nelson, should be elected as State Superintendent of Public Instruction because of his favorable attitude towards the Mormon educational system. Brimhall wrote to President Cluff who was in Durango, Mexico:

... After six months planning and a very hard fight in the convention we succeeded in getting A. C. Nelson nominated as the Republican candidate for state superintendent of schools. I do not know how the election will go but Nelson stands a good chance. Dr. John R. Park died last Sunday evening. ... There is considerable talk as to who will be appointed to succeed Dr. Park as the term of office will not expire until January.
I think very likely Governor Wells will appoint the Republican nominee; do not see how he can do otherwise. (2)

Whatever Brimhall may have meant by his statement "do not see how he can do otherwise" Governor Wells did do otherwise. He appointed a prominent and well-qualified Protestant educator and teacher, Mrs. Emma J. McVicker, to fill the unexpired term instead of the Mormon Republican candidate as President Brimhall had expected. To Mrs. McVicker fell the task of completing the biennial report on education in Utah covering the last two years of Dr. Park's administration, for which she was highly praised by Governor Wells.

The next letter in the B.Y.U. archives from Brimhall to Cluff gives evidence that at least some of the Mormons were taking not only their party rights and party beliefs, but their individual beliefs seriously enough to oppose the nomination of A. C. Nelson on the grounds that he was being supported in certain Mormon educational circles "because of his being pledged to Church schools" (3).

Despite what opposition was raised to Nelson, both inside and outside of Mormon circles, he was nominated and elected as State Superintendent of Public Instruction where he served for many years. Throughout his administration he was friendly towards and helpful in the Mormon cause in education in the state.

The University of Utah versus Brigham Young Academy

The correspondence files of the Brigham Young Academy for 1900-1901 also provide evidence of a bitter struggle going on between the University of Utah, supported by certain prominent Latter-day Saint educators connected therewith, and the Brigham Young Academy over the right of the latter institution to offer educational training in the collegiate and teacher training fields. The University of Utah and its supporters fought the
Bingham Young Academy not only openly but through seeking the ear of the president of the L.D.S. Church. The Bingham Young Academy and the L.D.S. Church school system also had its "friends at court" and a battle ensued over the question of the right of the Bingham Young Academy to offer collegiate work and to train teachers for the public schools of Utah.

Brimhall wrote to Cluff on December 24, 1900:

"... The University is making a strong pull and bringing to bear all the influence they can to have the Church discontinue all its collegiate work and make the church schools nothing more than high schools and feeders to the University. ..."

I believe the theory of having Mormon professors in the University [of Utah] with a view of guarding against infidelity has a side to it that is not understood. It is a question with me whether a young man in entering the institutions of the world, expecting everything will be done to tear down his faith, will not fortify himself by an attitude of determination on one side and a constant dependence on God on the other side that will make his loss of faith in the Gospel less possible than it would be in a school where agnosticism and theosophy, under the name of evolution is taught and not opposed by a faculty in the majority of whom the pupils have religious confidence and trust.

I have laid this matter before some of the Apostles, and I shall lay it before President Snow. [President of the L.D.S. Church] I shall bring it up before the Board of Education if I think it wise or necessary to prevent the cutting off of what might be called the head of our Church educational organization.

The University people not only point with pride to their own good training school, but with exultation to the fact that we do not pretend to furnish practical teachers any more as we have no training school. ..."

"I have explained this matter to President Cannon and to Apostle Smoot especially, and they agree with my views in the matter; but they are both exceedingly busy, and I do not know how much help we shall get from them. (4)

Acting President Brimhall evidently won the first round in the battle to continue the teacher training program of Bingham Young Academy and to have the training school which he considered vital to the program re-activated.

On January 11, 1901, he reported to President Cluff that:
We have succeeded in working up a strong sentiment in the mind of President Snow in favor of the Training School movement. I have made it a point to personally show the necessity of this to many members of the Twelve Apostles. Then I got Brother A. C. Nelson, the State Superintendent of Public Instruction to use his influence. Brother Maeser, Superintendent of L.D.S. Church Schools has become enthusiastic over the matter, and my last information from President Snow was that the Training Schools must be reinstated.

Why we have already become a sneer in the mouths of our rivals by our presuming to prepare teachers without a training school. (5)

The day after Brimhall had written this report, President Cluff wrote a letter from Mexico City to Professor Joseph B. Keller at Brigham Young Academy which gives evidence of his awareness of the situation even though he was in Mexico. The two letters must have crossed in the mails.

President Cluff laid out a policy of fighting for the rights of the academy and of the church schools until such a time as word to the contrary should come direct from President George Q. Cannon, member of the L.D.S. First Presidency and file leader for the educational institutions of the Mormon Church.

In relation to the school let me urge you not to give up your contention for the retention of the Collegiate Dept. until it is the expressed wish of Pres. Cannon that you should yield. The University will continue its struggles and its attempts for a few years longer, but in my opinion at the end of that time the University will take its place and the Academy as a higher and more advanced school its place. These are my feelings, and I would not yield an inch. When the time to give in comes, which I hope it will never do, word will come to us from our file leader, Pres. Cannon. Until that word comes we must contend for our rights. . . .

It has always been a battle with us for our rights. If we had sat idly down, if we had not urged right at headquarters, the Academy would have been a little one-stake institution today, and the other church schools would have been but little better, while the University would have had all the pupils, and our elders would have deplored the great apostasy that had come among our young people. (9)
The battle was seemingly just warming up in January 1901. In May and June the University of Utah carried their fight directly to the president of the L.D.S. Church and Brimhall wrote to Cluff:

Dear Brother Cluff:

... The University and their friends think they have convinced President Snow that it will be best for the Church, in view of their financial distress, to cut off all the college work from the Church Schools. They have it all fixed. The General Board [of Education] meets Tuesday in Salt Lake City.

Lyman, Stewart, and Kingsbury, I understand, have been invited to be present. Unless I undergo a change of heart and head, I shall talk very plainly.

You remember how Stewart before the Legislative Committee on Education said that private and denominational schools were a menace to education, as they made people narrow. And you remember how I took him to task for it and stated the fact that our greatest educational institutions in the United States were private affairs. I may have occasion to tell him of that Tuesday, and I wish you would verify the truth of the matter in your next letter to me.

... I doubt whether Lyman or Kingsbury can remember it. But he said it nevertheless...

George H. Brimhall (6)

A postscript to the letter of June 22 reports the results of the meeting that was held in Salt Lake City:

I have refrained from sending your letter until after that meeting in Salt Lake City. At that meeting President Snow seemed in favor of the proposition of the University and asked this question. In case the Church gets out of debt and should have $100,000 or $200,000 to expend in education, would it be best to put this all in one place and build up a great educational institution? Could we not support the University in this way?

I will give you the battle array of the day. Lyman, Stewart, Bishop Preston, R. T. Burton, Seymour B. Young, James Sharp and apparently President Snow pulling in one direction.

Dr. J. M. Tanner, Supt. Church Schools, President Linford, Brigham Young, Rudger Clawson, A. H. Lund, George Reynolds and myself pulling strong for the retaining of our collegiate work in the Church schools....

Dr. Tanner was not simply defensive all through but was somewhat aggressive. Brother Reynolds was the most radically
aggressive man the University had to deal with. Bishop Preston I considered the strongest advocate of the University's cause.

We saved the collegiate departments at least temporarily, but the University will take some other turn on us, I feel certain of that. . . . The University will follow us up, and we will keep ahead of them.

We shall let the contracts this week for the foundation and brick of our new building (Training School). . . . (6)

Even though the victory for the retention of the collegiate work and the training school program for teacher education within the Mormon school system against the maneuverings of the powerful State University had been won temporarily, Acting President Brimhall was astute enough to know that the battle was not yet over.

Establishment and development of the L.D.S. released-time program of religious education

The year 1912 marks the beginning of the first L.D.S. seminary at Granite High School on a released-time basis to supply religious education to students of high school age. The significant dates and events in this establishment may be listed as follows:

February 23, 1912—Superintendent Ashton of the Granite School District explained the plan for the establishment of an L.D.S. Seminary near Granite High School to his Board of Education. After some discussion the Clerk of the Board was instructed to invite Professor Joseph F. Merrill to meet with the Board and explain fully the plan. (20)

March 8, 1912—Professor Joseph F. Merrill met with the Board of Granite School District and after explaining the plan to them received the approval of the Board for the plan "so far as it did not conflict with regular high school work." (14)

April 23, 1912—The State Board of Education passed a resolution permitting public high schools to accept for graduation any work accepted by the University for entrance. (14, p. 1)

May 29, 1912—Horace H. Cummings, L.D.S. Superintendent of Church Schools reported to the General Church Board of Education
the above results of efforts to establish the first L.D.S. Seminary. "Several of the brethren expressed themselves favorable to the movement, it being regarded as a good opportunity to start a new policy in Church school work, which, if successful, will make it possible to give theological training to students of the State high schools at a nominal cost." (14, p. 1)

Some agitation also took place during 1912 to see that not only the theological needs of L.D.S. high school students should be taken care of but those of college age as well. Superintendent Horace H. Cummings made two reports to the General Church Board of Education during 1912 on requests coming to him that L.D.S. theological training be made available to college students at the State University as well as to students at state high schools. These two requests appear in the minutes of the L.D.S. Board under the dates of May 29 and September 27, 1912:

May 29, 1912—Superintendent Cummings reported to the L.D.S. General Church Board of Education that the Authorities of the University of Utah were anxious to have some steps taken towards caring for the religious welfare of the Mormon students at that institution. "At present nothing is being done to look after them spiritually, and as a result some of our best educated boys and girls are losing interest in the gospel and becoming tainted with erroneous ideas and theories." A committee was appointed to investigate the situation and make recommendations. (14, p. 1)

Again in September in his Annual Report, Superintendent Cummings reported that:

The University of Utah and many state high schools are anxious that proper steps be taken to care for and instruct Latter-day Saint pupils who attend them, and it seems like some adequate arrangement will soon have to be made to provide properly for this work. It might be well to take a portion of the annual appropriation to the Church schools for this work and cut short some courses given in them. (11, p. 2)

Any plans at this time, however, to establish L.D.S. theological training in connection with the State University struck a snag when the committee appointed on May 29th to investigate this problem reported to the General
Church Board of Education on November 6, 1912, that they had discovered that under the law "the University could not give credits for any theological work that might be done by the Church." They reported that the University students were already carrying full academic loads and therefore did not recommend at that time the establishment of such a program at the University of Utah (15, p. 23).

A new L.D.S. program for teacher education in the State of Utah was also proposed at the close of the year of 1912. The essential idea for the new program is contained in a letter from President George H. Brimhall of Brigham Young University to Horace H. Cummings, General Superintendent of L.D.S. Schools. Brimhall wrote on December 17, 1912:

We have had in mind for a long time the thought of asking the Presidency of the Church to elect through the presidents of stakes and bishops of wards at least one young man and one young woman from among the graduates of local high schools to attend the Church Teachers College, with a view of becoming teachers in these local high schools.

I have talked with the State Superintendent in regard to this matter. He approves of it. He seems not afraid of treading on some social or political toes.

If this meets with your approval we hope you will give it your immediate attention. . . . (7)

The plan thus proposed by President Brimhall met with immediate and enthusiastic approval and support by L.D.S. Superintendent Cummings, as it had from the State Superintendent of Public Instruction. The next day, December 18, he sent out a circular letter to the principals of all L.D.S. Church schools in which he made their loyalty to this new program a matter of loyalty to the church school system. He asked those principals and teachers in the system who could not support this new program to tender their resignations. The letter stated:
The most urgent needs, educationally, in the Church today, is, without doubt, teachers trained in church schools. Not only do we need a host of trained teachers for our quorum classes and auxiliary organizations, but I am besieged for teachers of our faith for public grade and high schools, from all parts of the country. I have received requests from Canada, Wyoming, Oregon, Idaho, Utah, Colorado, Arizona, New Mexico, and the islands of the sea.

Many times in the counsels of the leading authorities, have I been asked: "Brother Cummings, why don't you turn out more teachers? We need teachers more than anything else." This pressure is on me all the time; let me transmit it to you.

Some have gone so far as to advocate closing all our church schools but one or two and spend all the money to make them big Normal schools to meet this demand for teachers. (10)

The State Superintendent of Public Instruction and the L.D.S. General Board of Education officially discuss mutual problems of education

The Mormons succeeded in keeping A. C. Nelson in the office of State Superintendent of Public Instruction from 1901 to 1913. Repeatedly during his long term of office he had actively supported the policies of the L.D.S. Church Board of Education even if it meant running counter to the views of some of the state educational agencies or institutions. Superintendent Nelson was succeeded by A. C. Matheson who served for one two-year term from December 1913 to January 1915, when the office was taken over by his successor, Dr. E. G. Gowans.

In April 1915, the matter of teacher education in the state was once again a matter of discussion in meetings of the L.D.S. General Board of Education. The minutes of the Board for April 28, 1915, show that a rather thorough exploration of the whole matter of Church and State relations in education in Utah was made when the state superintendent was invited to meet with the L.D.S. General Board on that date. The minutes give such an insight into the educational problems confronting the State
and the L.D.S. Church and their interrelations that they bear extracting freely at this point:

Dr. Gowans was then invited by President Smith to speak. . . . At this time, he said, we are in a process of reorganization in the public schools of the State. It is a difficult thing to outline a general policy for the future development of our high schools without some reference to the Church school system. He pointed out that they (the State office) were encountering a number of difficulties which he thought could be revived, at least to some extent, if they knew with some definiteness what the policy of the Church Schools would be in the next few years. (16)

Superintendent Gowans then discussed the matter of consolidation of public school districts which was going on in the state and of the difficult position some counties were placed in in their plans for consolidation because of the presence of Mormon academies or high schools within the county. These academies, of course, were in competition with the state high schools. If the L.D.S. Church intended to continue to maintain these academies it would change the whole plans for consolidation in certain counties. He used Emery County and the Emery Stake Academy at Castle Dale as an illustration of his point. Many of the difficulties for the state educational board could be solved if the state office could just know what the general policy of the church board was with respect to the Emery Stake Academy and the same thing applied to other counties in the state where church schools were located.

The second problem discussed by Superintendent Gowans was the teacher shortage in the state. So critical was the shortage that the Superintendent found it necessary to approve certificates for teachers for the elementary schools of the state who had not completed high school.

To meet this shortage, Superintendent Gowans suggested that the L.D.S. Church might take the money it was not spending on its whole school system
and spend it on four or five teacher training institutions or normal schools where the standards could be made so strong that they would be higher than those of the state institutions. Thus the L.D.S. Church could dominate the field of teacher education in the state. He pointed out that the state high schools "are here to stay" and that the people should not be asked to support both Church and State high schools in the same districts. He suggested that the L.D.S. Church withdraw from the field of secondary education and concentrate its educational efforts and money in teacher education.

In the question and answer period of the meeting an enlightening exchange took place:

Willard Young asked him (Superintendent Gowans) if he could state what the policy of the State Board of Education would be with reference to the following:

First, whether or not the Church could give theological instruction in connection with the regular high school work, such as is now being done for example in the Granite District.

Second, why, if the State is going to gradually supply all the regular high schools, will they not also supply the normal schools that are needed, and why is the suggestion made that we take the field of normal work and leave the State the other field? Will the people of the State permit the Church to do all the normal work?

Third, is Dr. Gowans voicing his own sentiment that religious training at the high school age does not amount to much, or words to that effect? (16)

The State Superintendent chose to answer the questions of Willard Young in reverse order:

In answer to the third question, Dr. Gowans said that he had not meant to convey such an idea; religious training during the high school period is important, but which is the better type of religious training—to have the young people studying about religion or performing the works of religion?
In answer to the second question, Dr. Gowans said he was not suggesting that the L.D.S. Church would do all the normal work. . . . The policy of the State Board of Education on the matter of certification of teachers will be this: That wherever any normal course comes up to the standard defined, graduates of that school will receive their certificates to teach in the State school. There is no other consistent attitude for the Board to take. . . . If additional training schools for teachers are not established in the State by your body or by the State, then we must continue the policy of bringing teachers from the outside. (16)

After additional discussion and exchange of points of view between Dr. Gowans and members of the L.D.S. Board of Education, the suggestion was made that a committee from the board be appointed to work with representatives of the State Board of Education to work out policies for Church and State relationships in the various fields and levels of education in Utah.

President George H. Brimhall of Brigham Young University, however, suggested caution about making "any conference or joint work between this board and the state board a matter of record. If the question can be taken up and talked over as friends, and adjudicated amicably . . . he thought that would be the best way to deal with it. Dr. Gowans endorsed his idea."

The President of the L.D.S. Church agreed with President Brimhall and Superintendent Gowans expressing the idea that the church should work closely with the State Superintendent in those areas in education "where there is likely to be competition, so that we could work in harmony with the policy pursued by the State" (16).

Dr. Gowans' close cooperation with the Mormon leaders in education matters and his interpretation of the state laws on teacher certification came in for criticism from the president of the Presbyterian Westminster College, Dr. H. W. Reherd, who gave an address on "Present Tendencies in Educational Work in Utah" before the Salt Lake City Ministerial Association
on April 1, 1916.

Dr. Reherd agreed with State Superintendent Cowards on the fact that the State of Utah had not been able to produce enough qualified teachers for its schools but he had a different solution to the problem than the one proposed by the state superintendent and the L.D.S. General Board of Education. Dr. Reherd pointed out that for years the teacher shortage in Utah had been met by importing well-trained teachers from the East. He maintained that these teachers were the leaders in education in Utah. He said that for many years to come this would still be a desirable practice. "Especially," he said, "was this true from the standpoint of the non-Mormon. It will be an advantage to have these eastern-trained teachers in our work."

As far as the local training of teachers was concerned, Dr. Reherd complained that the way the state law was being interpreted by Dr. Gowan, it will practically limit the training of teachers to the University of Utah and Brigham Young University at Provo. While I am perfectly agreed that our standards should be raised, it seems to me that this is somewhat arbitrarily fixing the standard for a teacher's certificate. (24, pp. 1-2)

High school credit granted for L.D.S. released-time courses, 1916

Success of the Mormon released-time program for religious education depended on some credit being granted for this work by the state high schools since such classes on released time were having to compete for the student's school time with credit courses normally offered and required by the high schools for graduation. It was therefore another significant victory for the Mormons when on January 5, 1916, the state board of education passed a resolution authorizing local high schools to give not to exceed one unit of credit for Bible history and literature taken in private schools. The resolution of the state board read as follows:
Credit for Bible history and literature to the extent of one unit may be accepted by any state high school toward graduation, provided such subject has been pursued for the same length of time and with the same thoroughness required for the same credit in any other subject, provided further that the teacher of such subject shall have full high school certification or its equivalent. (21)

The full significance of this resolution and the close liaison between the L.D.S. Church Board of Education and the State Superintendent of the State Board of Education provided for in that important April 28, 1915 meeting can be realized when it is known that even though the state board provided this privilege to all "private schools," the Mormons at the time were the only denomination in a position to take full advantage of the resolution.

Catholic policy for education in Utah in 1920

Little has been said of the developments or the policies for Catholic education in Utah in this study except the treatment given in Chapter IV. What part Catholic religious and educational agencies and leaders may have played in the developments outlined in this and previous chapters is difficult to determine. Both Mormon and Protestant archival sources consulted for the study are entirely silent on the subject of Catholic education or Catholic relations in education in Utah. None of the state archival sources consulted mention Catholic influence or efforts in education.

It would seem then that Catholic sources should tell the story for themselves. Unfortunately, however, according to the foremost Catholic historian for Utah, these sources are at present almost totally lacking, at least for the period before 1920. In a recent letter to the investigator, The Most Reverend Robert J. Dwyer, Bishop of Reno, Nevada, and until August 1952, the second-ranking Catholic clergyman in Utah, described
the situation for historical research in Catholic sources for Utah as follows:

February 11, 1958

... I wish, moreover, that I could be of help, but I am afraid I have little or nothing to offer, even by way of suggestion. The school records of the Catholic Church in Utah, before 1920, with the exception of St. Mary's Academy, Salt Lake City, were not preserved so far as I have ever been able to make out. I have inquired in many places, for example, about the records of the old All Hallows College, Salt Lake City, but nothing turned up. It is likely that the Marist Fathers took them with them when they left, but there the trail ends. The other schools, of course, were mainly grade schools, in Salt Lake, Ogden, Eureka, and Park City. . . .

St Mary's College has the old journal dating back to 1875, but it is merely an account of each year's activities, with almost nothing in the way of policy of educational matters. These decisions, so far as the Sisters were concerned, were mostly taken at the Mother House in Indiana, and so would have been carried out in the daughter houses without much comment. . . .

I am sorry I haven't more to offer. I am afraid that Catholic Utah has never been overly strong on the historical sense. It is a pity.

With all good wishes, I am,

Faithfully yours,

Robert J. Dwyer (13)

One statement of Catholic policy in education came in July 1920, at the opening of a Catholic parish school in Utah. Father Hickey put the cause for Catholic education and schools in these words:

Where outside the Catholic school is the child taught the Ten Commandments of God? Where outside the Catholic school is the child taught that the command of God demands a pure life? Where outside the Catholic school can the young be educated in the command, "Thou shalt keep holy the Sabbath day?" The Catholic Church fears only the ignorant and against such she has to contend. . . .

It is only the man or woman of little mind, little thought, little ideas and picayunish sentiment who does not understand the meaning of the word education, and talks against the Catholic school. The Catholic school works to educate the young, to give
what might be termed "mundane learning" and moral learning—in a word, to form the perfect man and the perfect woman—the men and women who know their duty to God and perform it; who know the laws of the country and keep them. (18, pp. 796-797)

Summary

The main issues in Church and State relationships in education in Utah for the period from 1897 to 1921 were:

(1) The shifting burden of financial support and sponsorship of elementary and secondary education. This shift occurred largely in the direction of State sponsorship and support and away from Church sponsorship and support. The Mormon Church countered this loss of control or influence in education at these two levels by establishing and developing the Religion Class program at the elementary levels and the seminary program at the secondary levels. It received the cooperation of the State Superintendent of Public Instruction and the State Board of Education in both of these programs of religious education which were made supplementary to the State program.

(2) Teacher education occupied the attention of state, Mormon, and Protestant educators and leaders during the period. The Mormons rapidly expanded their teacher education normal schools and sought and received equal rights of teacher certification for their graduates with the graduates of the State University. According to the president of the major Protestant college in Utah, this arrangement, though legal, worked to the detriment of teachers being trained in Protestant schools. The Mormon position of equality with the University of Utah was not secured without a battle which was carried into the presiding councils of the Mormon Church.
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(2) Brimhall, George H. Letter to President Benjamin Cluff, Jr., dated Provo, Utah, October 4, 1902. (Original on file, Brigham Young University Archives, Provo, Utah.)

(3) Brimhall, George H. Letter to President Benjamin Cluff, Jr., dated Provo, Utah, October 30, 1900. (Original on file, Brigham Young University Archives, Provo, Utah.)

(4) Brimhall, George H. Letter to President Benjamin Cluff, Jr., dated Provo, Utah, December 24, 1900. (Original on file, Brigham Young University Archives, Provo, Utah.)

(5) Brimhall, George H. Letter to President Benjamin Cluff, Jr., dated Provo, Utah, January 11, 1901. (Original on file, Brigham Young University Archives, Provo, Utah.)

(6) Brimhall, George H. Letter to President Benjamin Cluff, Jr., dated Provo, Utah, June 22, 1901. (Original on file, Brigham Young University Archives, Provo, Utah.)

(7) Brimhall, George H. Letter to H. H. Cummings, General Superintendent of the Church Board of Education, dated Brigham Young University, Provo, Utah, December 17, 1912. (Original on file, Brigham Young University Archives, Provo, Utah.)

(8) Church of Jesus Christ of Latter-day Saints. Union stake presidency, LeGrande, Oregon. Letter to the president of the Agricultural College, Logan, Utah, dated March 27, 1957. (Original in possession of James R. Clark, Brigham Young University, Provo, Utah.)

(9) Cluff, Benjamin, Jr. Letter to Professor Joseph B. Keeler, dated Mexico City, Mexico, January 12, 1901. (Original on file, Brigham Young University Archives, Provo, Utah.)

(10) Cummings, Horace H. Circular letter from the General Superintendent to all principals of church schools, dated December 18, 1921. (Original on file, Brigham Young University Archives.)


(14) Extracts from the Minutes of the L.D.S. General Board of Education, 1911-1928. Minutes for May 29, 1912.

(15) Extracts from the Minutes of the L.D.S. General Board of Education 1911-1918. Minutes for November 6, 1912. (On file, L.D.S. Church Historian's Office, Salt Lake City.)

(16) Extracts from the Minutes of the L.D.S. General Board of Education, 1911-1918. (Four pages in the minutes between the entries for Oct. 18, 1916, and Dec. 27, 1916, report the details of this meeting of the Board on April 28, 1915. The minutes for this meeting was not at first made a part of the regular minutes of the Board, but was embodied in a separate report by order of the Board.—J.R.C.) (On file, L.D.S. Church Historian's Office, Salt Lake City.)


(19) McKay, David O. Extracts from the Minutes of the General Board of Education of the Church, 1911-1928. (On file, L.D.S. Church Historian's Office, Salt Lake City, Utah.)

(20) Minutes of a meeting of the Board of Education, Granite School District, February 23, 1912.

(21) Minutes of the State Board of Education, January 5, 1916.


(23) Reasoner, Calvin. Church and State . . Salt Lake City, 1896.
(24) Reherd, Reverend H. W. Present tendencies in educational work. Address given at the Salt Lake Ministerial Association, April 17, 1916. (On file, Paden-Martin Collection, Westminster College, Salt Lake City, Utah.)


A dominant feature of Mormon education in the period from 1922 to 1933 was the felt need to readjust its educational program to keep it in line with church revenues. Solution to this problem was sought by further withdrawal from the field of secondary secular education and concentration on released-time seminary work where it was felt that L.D.S. students could and would receive the same benefits of religious education as in church schools with about one-eighth the educational investment or expenditure.

The state continued in fact of a drop in assessed valuation or taxable wealth to expand its educational program on all levels. The churches generally retrenched and began to concentrate their limited financial resources on normal, junior college, and finally on higher education.

L.D.S. and state expenditures for education, 1921-1933

Some appreciation of the financial problems that faced Church and State leaders in providing for the educational needs of a rapidly growing population of Utah, and in the case of the L.D.S. Church of a rapidly growing church membership in Utah and surrounding states, can be seen in some statistics of expenditures for education for the period 1921-1933.

The following table compiled from the General Conference reports of the L.D.S. Church and checked by the L.D.S. Church comptroller’s office tells the story of an annual educational expenditure of just over one-third
million in 1917 which doubled by 1920. It then fluctuated between three-quarters of a million and a million dollars annually from 1920 until the depression of 1929–33. The depression so seriously affected church revenues that the expenditures for education dropped to a little over a half-million in 1933. Expenditures remained near the half million mark annually for 1933, 1934, and 1935, but by 1940 they had climbed back up and reached nearly a million dollars annually once more.

Table 8. L.D.S. expenditures for education, 1917–1940

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
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<tbody>
<tr>
<td>1917</td>
<td>368,028</td>
<td>1927</td>
<td>805,117</td>
</tr>
<tr>
<td>1920</td>
<td>718,497</td>
<td>1928</td>
<td>940,004</td>
</tr>
<tr>
<td>1921</td>
<td>893,000</td>
<td>1929</td>
<td>918,237</td>
</tr>
<tr>
<td>1922</td>
<td>771,490</td>
<td>1930</td>
<td>811,622</td>
</tr>
<tr>
<td>1923</td>
<td>835,000</td>
<td>1931</td>
<td>751,200</td>
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<tr>
<td>1924</td>
<td>727,808</td>
<td>1932</td>
<td>609,467</td>
</tr>
<tr>
<td>1925</td>
<td>958,440</td>
<td>1933</td>
<td>530,243</td>
</tr>
<tr>
<td>1926</td>
<td>837,810</td>
<td>1940</td>
<td>924,495</td>
</tr>
</tbody>
</table>

President Heber J. Grant commented in the April 1922 Conference on the fact that the expenditures in 1921 were over 100 per cent more than they were a few years before. He regretted the fact that the church would have to "curtail very materially during the coming year, our school activities" (J., p. 13). As an explanation for the necessity of retrenchment in 1922–23, he reported that church revenues from tithing and from dividends from sugar companies and other institutions had fallen off appreciably. While church revenues were decreasing, the demand for more schools and seminaries was increasing. In 1922, 10 years after the
Mormon released-time seminary system was inaugurated at Granite High School, there were 32 seminaries with an enrollment of 4400. Three years later, in 1925, they had nearly doubled. There were 53 seminaries with an enrollment of 8500 students in that year. By 1926 the enrollment in L.D.S. seminaries had reached 10,566.

**State expenditures for education, 1917-1930**

In their governor's messages to the legislature of the State of Utah in 1931 and 1933, Governors Dern and Blood discussed some of the financial problems facing state education. Governor Dern reported that the assessed valuation of the State of Utah in 1921 was $685,000,000, while in 1931 it was $625,000,000, which was a reduction of $60,000,000 as compared with the valuation 10 years before. But during that same 10-year period the population of the state had increased 13 per cent and the school population had increased from 130,468 in 1921 to 147,292 in 1930, or about 13 per cent. The high school enrollment had increased from 19,669 in 1921 to 33,452 in 1930, or an increase of 13,583 pupils in state high schools. This constituted an increase of 70 per cent in high school enrollment. Students enrolled in state institutions of higher learning increased from 3,786 in 1921 to 4,960 in 1930, or an increase of 1,174, or 31 per cent.

With an 8 per cent loss in taxable wealth in the state between 1921 and 1931 the state faced an increase of 13 per cent in the general school population and 70 per cent in high schools and 31 per cent in institutions of higher learning. Governor Dern attributed the 70 per cent increase in high school enrollment to the two major causes: (1) the closing of church-supported high schools, and (2) the fact that more graduates of the eighth
grade were now attending high school.

Some comparisons of the increased demand by various governmental agencies on the decreasing property taxes of the 10-year period is seen in the fact that the following increases occurred in expenditures: The state general fund expenditures increased 15.48 per cent; cities and towns, 10.70 per cent; counties, 17.02 per cent; district and high schools, 23.17 per cent; University of Utah, etc., 15.49 per cent; roads, 10.94 per cent; and bounties, 257.16 per cent, or an over-all increase of 18.27 per cent in expenditures from property taxes of the state while the assessed valuation dropped 8 per cent. Governor Dern recommended that the state legislature enact a small personal and corporation income tax to bolster the sagging state revenues. He said that in his own service in the legislature he had learned that the two things in which the people of Utah would book no backward steps were education and roads.

Two years later the situation had not improved and Governor Blood spoke of the same problem in terms of the "heroic sacrifices to foster education" that the people of Utah had made from the first settlement of Utah. He submitted a table of the amount of property taxes devoted to education for the period of 15 years from 1916 to 1930. Special fees, tuition, and other income of educational institutions was not included in the table. Governor Blood found that over the 15-year period, over 50 per cent of the total property taxes of the state were spent for education. When the net increase in the amount spent by the State of Utah for education from property taxes is computed for the 15-year period from the figures given in Governor Blood's table, it is found that the state increased its expenditures for education in the amount of $8,463,355,
or an average annual increase of $564,222. In only one year, 1933, did the state decrease the amount spent for education over the previous year. This decrease, however, was a sizable sum amounting to $662,057.

Although figures on educational expenditures of the L.D.S. Church for the same 15-year period are not directly comparable with state expenditures because they are for the entire L.D.S. Church school system extending beyond the borders of Utah, some relative comparisons are interesting. In the same 15-year period that the state increased tax expenditures for education by $8,463,355, or an annual net increase of $564,222, the L.D.S. Church increased educational expenditures by $435,790, which constituted a net average annual increase of $29,052.

The total expenditure for education by the State of Utah from tax funds for the 15 years amounted to $134,087,619. The amount spent by the L.D.S. Church as reported in the annual conference reports amounted to $1,368,799.

State educational expenditures from taxes increased approximately .063 per cent in the 15 years, and L.D.S. expenditures increased approximately .038 per cent for the same 15-year period from 1916 to 1930. For the shorter period from 1921 to 1930, state expenditures from general property taxes for elementary and secondary education increased 23.17 per cent and expenditures from the same source for higher education increased 15.49 per cent, according to Governor Dern (15, pp. 24-25).

With this financial situation existing in both the state and the major church in Utah, it was only natural that some adjustments would need to be made. The state by the high school law of 1911, the progressive compulsory school attendance law of 1919, and the non-sectarian public school law of 1921 was definitely committed to a policy of a state-wide
system of non-sectarian public high schools. The L.D.S. Church, whose system of academies duplicated this rapidly expanding state high school system, was faced with another far-reaching policy decision. Should it: (1) retain the secondary departments of its academies in competition with state high schools; (2) turn its academies over to the state; (3) close them; or (4) convert them into junior normal colleges and concentrate its educational expenditures on teacher education and an expanded released-time religious education program in connection with the public schools? These questions and possible solutions were all discussed in meetings of the L.D.S. General Board of Education throughout the period from 1922 to 1933. The minutes of this board give an excellent insight into Church and State relations in education in Utah as the L.D.S. Church sought a solution to this problem. A running commentary on the educational scene in Utah from these minutes tells the story first-hand.

Church and State relations in education in Utah; policy-making decisions of the L.D.S. General Board of Education, 1920-1933

The 1920 policy decision. In 1920 L.D.S. Church leaders were being encouraged not only by some of their own educators, but by public school officials to transfer all high school work to the state and to center their attention and financial expenditures for education on college normal work and teacher education. On March 3, 1920, the L.D.S. Church Commissioner of Education submitted the following recommendation to the General Board of Education which became the subsequent plan and policy of the Board. This policy was carried out as soon and as fast as feasible:

(1) Eliminate the following academies either by selling the building and grounds to the state to be used as high schools, or by using the property for other Church purposes: In Utah:

(2) Establish a two-year Normal College Course in the following: Brigham Young University, Brigham Young College, Weber Normal College, Dixie Normal College, Ricks Normal College, and Snow Normal College.

(3) Establish Brigham Young University as the parent institution of the Church School System with a complete college course leading to a degree. For this school, all other normal colleges should be feeders. (6)

While this was the announced policy of the Board in 1920, Bennion states that as early as 1920 "the Church Authorities began working toward the withdrawal of the church from the junior college field." Bennion maintains that no public announcement of this latter policy was made, however, "for fear of the disastrous effect it would have on the moral of the various communities where the church schools were in operation. Public announcement of this policy was made in 1930, and the state junior college program was no doubt hastened by it" (2, p. 194).

The 1922 policy decision. The elimination of the church academies listed in the 1920 decision did not go entirely unchallenged from local supporters of church academies. Murdock Academy at Beaver had been established in 1898 as a branch of Brigham Young Academy. In 1908 it became an independent institution. The people of Beaver, Parowan, Panguitch, and Kanab Stakes were loyal to the academy which had been built at great local sacrifice. The story was the same with other church academies slated for dissolution or transfer to the state. The Board of Education of Murdock Academy petitioned the L.D.S. General Board of Education to continue the Academy as a church school. Their petition was answered by a letter on January 24, 1922, which set forth the policy of the General
Board at that time toward L.D.S. academies and public high schools in these specific terms:

In passing upon your petition to have Murdock Academy continued as a Church school, we must be mindful of our general policy that in Latter-day Saint communities, where the public school will preserve the ideals of our schools, and where the institution does not serve distinctly as a mission factor, and where it does not warrant the establishment of a Junior Normal College, we should convert into public high schools the academies now in operation. (7, p. 61)

Murdock Academy had little hope of meeting the junior college or the mission qualification and the 1920 policy of the General Board eventually prevailed. Murdock Academy was typical of a number of church schools which were relinquished in favor of the state high schools.

However, the 1920 policy decision also called for the retention of specified church schools and their conversion into church normal junior colleges to provide needed teacher education for both church and state schools.

The junior college policy of 1923. Snow College may be thought of as typical of those church schools which the General Board of Education had decided to retain. A special meeting of the Board of Education of Snow Junior College was called in January 1923, at which Dr. John A. Widstoe, Superintendent of Church Schools explained the policy of the General Church Board of Education for junior colleges. The features of the policy, as recorded by Wayne B. Hales, president of the college, were:

... the Church was ever a progressing institution and that any change in the educational policies of the Church would be for its benefit. He \[Superintendent Widstoe\] stated that the Church was going through a very distressful period financially and that expenses must be curtailed... ...

He mentioned the development of the public high school as becoming the people's college... The general board had voted on a general policy to the effect that all high school work should
be eliminated from the church school system and that seminaries be established in connection with the public High Schools and furnish the necessary opportunity for religious instruction.

The general board was settled on a policy to establish Junior Colleges at convenient places throughout the Church and make them strong and efficient leadership centers with the primary motive of developing teachers for elementary schools, others for senior college work, and others for efficient service for the community in which they settle.

There is an existing need for more colleges in our state and in America. Our State universities are seriously overcrowded. It is a serious mistake to send boys and girls a long way from home to attend a large university before they become settled men and women.

As applied to Snow Junior College it is the intention of the General Board to make this institution a first class Junior College and eliminate all high school work, either a year at a time or immediately.

It will require about 200 students to make a successful Junior College. It is the intention of the General Board to equip these colleges with efficient laboratory and library facilities and to offer such salaries as will attract well-trained teachers. (4, pp. 118-120)

This policy on junior colleges was subject, however, to modification as changing conditions arose as are all policies in a "progressing institution."

The subject of the educational policy of the L.D.S. Church was under constant scrutiny and reappraisal during the decade from 1920 to 1930. Only by constantly reviewing and adjusting the policy could the General Church Board of Education hope to make the educational system of the church meet the needs of its people under the rapidly changing economic, social, and educational conditions existing in Utah in the 1920's. If the Mormon Church was to adjust at all to the general trends in education in the state and nation, it would need to constantly review the somewhat fluid relationships between church and state sponsored education. This
it did in a number of important policy making sessions again in 1926.

The general L.D.S. educational policy decision of 1926. Perhaps no more far-reaching educational policy discussions and decisions have ever been taken in the L.D.S. Church than those in the meetings of the L.D.S. General Board of Education on February 3, March 3, March 18, and March 23, 1926. In those sessions the whole past history and the future of the L.D.S. educational system was freely and frankly discussed and decisions were reached that have affected all subsequent educational decisions in the L.D.S. Church. Two of the main discussants of those memorable meetings were Elder David O. McKay, now President of the L.D.S. Church, and Stephen L. Richards, his present First Counselor. The educational policies advocated in those meetings by Elder McKay, a school teacher, educator, and Junior Apostle can still be seen at work shaping the present educational policies of the L.D.S. Church. So fundamentally related to Mormon philosophy were his reasons for retaining church schools even in the face of economic hardships and pressures that literally threatened them with extinction that he justly deserves to be called the father of the present L.D.S. school system. This credit arises from his far-reaching educational vision and sound philosophy expressed in the 1926 meetings.

By 1926 the L.D.S. Church was operating 66 seminaries in connection with public high schools in Utah and the neighboring states. It had already established a policy in 1923, as mentioned above, of eliminating all high school work from the church schools. The increasing financial pressures on the church revenues now raised the question in the minds of some of the L.D.S. Church leaders whether the church might not now withdraw entirely from the field of secular education and concentrate solely
on religious education. In the judgment of Adam S. Bennion, then Church Commissioner of Education, the L.D.S. Church would "finally and inevitably" . . . "withdraw from the academic field and center on religious education." He believed it was only a matter of time until the church would close all of its schools and supplement the state high schools with seminaries and "supplement the University of Utah with religious education under strong men." In his letter of transmittal to the General Board of his recommendations on February 6, 1926, he said:

. . . Our plan of operation then would be to complement the work of the entire public school system wherever our people are affected by offering adequate religious instruction. Such a change in policy, of course, involves certain very fundamental changes and would call for careful consideration of each of our institutions now in operation . . .

I call these problems to your attention now that we may think through full our entire educational procedure.

In the light of our available resources, in the light of all our needs, social and otherwise, in light of the historical evolution of our schools and of the inevitable State expansion of schools with a consequent rivalry and competition in the Junior College field, and in light of our opportunity to render a distinctly unique contribution to the world—in light of all of these considerations, what ought our field to be? (8, p. 26)

To guide the thinking of the General Board of Education as they discussed this long-range educational policy and sought to arrive at a wise decision, the Church Commissioner had prepared a series of specific questions growing out of the above general statement to which the members of the Board might talk. These are listed in the minutes of February 3 in the following form:

1. Does the Church receive benefit in returns from an 8 to 1 investment in Church Schools as against Seminaries?

2. Do these returns equal the returns possible in other fields from the same investment?
3. Does there lie ahead in the field of the Junior College the same competition with State institutions that has been encountered in the high school field?

4. Can the Church afford to operate a university which will be able creditably to carry on as against the great and richly endowed universities of our land?

5. Will collegiate seminaries be successful?

6. Can seminaries be operated successfully in communities where Latter-day Saints do not predominate?

7. May seminaries be legislated out of successful operation?

8. Assuming that the Church should continue to operate Church schools, can it launch a permanent campaign for funds which will adequately provide for all academic needs?

These questions and their solution were considered by the Board to be of such a fundamental nature that it was noted that the report of the Commissioner, his recommendations, and his statement of the questions involved be taken under serious personal consideration by each member of the Board before taking it up for general action and discussion. Speaking of this motion, President Heber J. Grant said, "I am free to confess that nothing has worried me more since I became President than the expansion of the appropriate for the Church School system" (8, p. 26). The matter of a future policy for L.D.S. education was taken under advisement by each Board Member for a month. In the March 3, 1926, meeting of the Board, the matter was opened for discussion. This discussion continued through this and two subsequent meetings of the Board where the problems were met realistically and from numerous approaches until finally a unanimous decision on a future educational policy was reached.

President Charles W. Nibley of the First Presidency of the Church began the discussion with his statement of the problem:

The whole question in a few words is: Shall the Church continue to compete with the State in education and duplicate the work
being done by the State or shall we step out and attend strictly to religious education? Here is a list of the amounts the Church Schools received from the Church in the years indicated:

<table>
<thead>
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<th>Amount</th>
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<td>1902-03</td>
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<tr>
<td>1910-11</td>
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</tr>
<tr>
<td>1917-18</td>
<td>431,000</td>
</tr>
<tr>
<td>1924-25</td>
<td>853,000</td>
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</table>

These figures illustrate the growth of the demand upon the funds of the Church for the maintenance of schools. It must be borne in mind that the whole school situation in the country has changed materially in the last ten or fifteen years and the Church has got to face it. (9, p. 148)

Willard Young, another member of the General Board then raised the question whether, in light of the presentation of President Nibley, the church could afford to continue to compete with the tax-supported state schools.

Elder David O. McKay responded to this question by raising what he considered to be the more fundamental question:

Did we do high school work merely for the purpose of doing high school work and because the State did not do it, or did we establish the schools to make Latter-day Saints? . . .

We ought to consider these Church Schools from the standpoint of their value to the Church more than from the standpoint of duplicating public school work.

As I understand it, the schools were established for the influence they would have upon our children. Later this element entered into it—the value of teachers who come from the Church Schools and their influence on the children in the common grades. That is a very vital element now.

The value of Church Schools cannot be measured simply by the number in the schools. What about the influence of the graduates upon the whole community, for these graduates go out as public school teachers. (9, p. 149)

Elder McKay then presented some comparative statistics favorable to church schools, showing the output of school teachers and missionaries.
from the church schools as compared with those coming from public schools.

He then continued to outline his educational views:

I think the intimation that we ought to abandon our present Church Schools and go into the seminary business exclusively is not only premature but dangerous. . . . Let us hold our seminaries but do not do away with our Church schools. . . .

The seminary has not been tested yet but the Church Schools have, and if we go back to the Old Catholic Church you will find Church Schools have been tested for hundreds of years and that church still holds them. . . .

Another thing, the future of our State institutions so far as our influence is concerned is not very rosy, and it behooves us to hold to some of our schools for the purpose of producing teachers. (9, p. 150)

Dr. John A. Widstoe agreed with Elder McKay with respect to teacher training. He said that he had recently reviewed the history of church school education. He recalled the fact that Karl G. Maeser in his book, School and Fireside had outlined the theory or policy for L.D.S. church school education in his day which contemplated a complete set of church schools duplicating the public schools. Dr. Widstoe thought that the Maeser theory was the ideal thing if the church had the money, "though it might not be the wise thing in America." He pointed out that the General Board had some years previously adopted an educational policy which Superintendent Bennion was now seeking to adapt to the present needs.

The Church has gone out of the elementary field. It has practically gone out of the high school field. What is the next best thing to do? To place in the public schools teachers who are trained by us. That was the motive back of the establishment of the junior college, so that we might place in the schools of the State teachers trained in the principles of the Gospel and in that way reach our boys and girls. I think that should still be done if we can do it. (9, p. 151)

After further discussion in the March 3 meeting, the matter was referred back to Superintendent Bennion with instructions to make concrete recommendations for the consideration of the Board. Referring to the
suggestion of one or two of the members of the Board that the Trustee-in-Trust fix the amount that the church could afford to spend on education, President Grant said: "We ought to decide not how much money to appropriate, but whether we want to continue the most expensive part of the Church School system" (9, p. 152).

As called for in the instructions of the General Board of Education on March 3rd, Superintendent Bennion drew up a definite set of recommendations on educational policy which the Board took under consideration on March 18th. His recommendations were as follows:

1. General

   a. That we continue to establish seminaries wherever their need is keenly felt and wherever the local people exhibit a spirit of cooperation and enthusiasm which seems to guarantee the successful operation of such institutions.

   b. That we plan to withdraw from the field of the Junior Colleges as the State may make provision to take them over, or where conditions no longer warrant their maintenance, except in those cases in which in our judgment such conversion will be inimical to the welfare of our young men and women.

2. Specific

   ... 

   c. That for the present we continue to operate in Ogden a Junior College.

   ... 

   e. That we discourage, in the case of Brigham Young University, the enthusiasm to build a great Church University involving as it will, an elaborate building program.

   f. That we project plans and negotiations immediately looking to the taking over of Snow College by the State and to its operation of a Sampete-Sevier Valley State Junior College.

   g. In the case of Dixie College, Gila College, and Juarez
Academy that for the present, we regard these schools as frontier schools and continue to operate them as they are now being operated. (6)

The Board first read the report of Superintendent Bennion in its entirety, after which they proceeded to take up each specific recommendation in its order. The discussion occupied the remainder of the meeting on March 18th and was carried over and resumed as the first order of business at the meeting of the Board on March 23rd. After quite a thorough discussion of all sides of the issues, certain members of the Board clarified and placed their position on these issues on record.

Elder David O. McKay said that two extreme views had been presented—one favoring high education with the hope of endowments, and the other eliminating church schools entirely and going into seminaries.

I stand right between these two extremes. . . . I hesitate about eliminating the schools now established because of the growing tendency all over the world to sneer at religion. When President Woodruff sent out his letter advising Presidents of Stakes to establish Church Schools, he emphasized that we must have our children trained in the principles of the Gospel. . . . The influence of the seminaries, if you put them all over the Church, will not equal the influence of the Church Schools that are now established. (10, pp. 28-29)

Dr. John A. Widstoe crystallized his thinking in these specific recommendations:

If I were to make over the Church Schools system . . . . I would first of all try to fortify the high school education given by the State with seminaries. I would then find the strategic places in Church where high schools should be established, and then I would try to maintain a small but excellent institution of high learning. (10, pp. 28-29)

As has been previously indicated, Superintendent Bennion believed it inevitable that the church would have to withdraw entirely from the academic field and concentrate on religious education.
At the close of the discussion on March 23rd, President Charles W. Nibley made a motion which carried unanimously that the matter be submitted to the First Presidency of the Church and the Superintendent of Church Schools to establish a definite educational policy for the church tempered by available financial resources for educational purposes.

On April 7, 1926, Dr. Adam S. Bennion, Superintendent of Church Schools, met with the Board of Trustees of Snow College at his office in Salt Lake City, where he announced that the church had established a policy to eventually withdraw from the academic field. This decision evidently was made by the First Presidency and the superintendent seemingly was never brought back to the meetings of the General Board of Education for their approval or notice. Failure to so notify the Board was the cause of later discussion and misunderstandings in meetings of the Board in 1928.

He further stated that it was the policy of the Board of Education to limit the B.Y.U. attendance in the first two years of its work to its own territory. (2, p. 121)

The junior college policy decision of 1928. On February 1, 1928, after nine years as Superintendent of Church Schools, Adam S. Bennion submitted for the consideration of the General Board of Education a historical summary of the "background, present status, and possible future development of the L.D.S. educational system" along with his resignation as superintendent. This rather extensive document is a brief but excellent summary of the main features and developments of the L.D.S. system of education up to 1928. The section of his report entitled "Observations Looking to the Future" restated his previously held views on the eventual withdrawal of
the L.D.S. Church from the field of secular education. A section on "Disposition of Property of Church Schools" indicates that the property of most of the closed church academies had been sold to the local state school districts for moderate sums (11, pp. 32-33). As a new Superintendent of Church Schools Dr. Joseph F. Merrill was appointed to succeed Superintendent Bennion, he was told "that the policy of the church was to eliminate church schools as fast as circumstances would permit (12, p. 197). The minutes of the General Church Board of Education for the next $\frac{5}{2}$ years of his administration show he faithfully tried to carry out these instructions which he had received from President Heber J. Grant. In doing so he met frequently with state educational officers, state legislators, and the State Superintendent of Public Instruction, all towards the goal of having the State of Utah assume the full responsibility for education at all levels formerly assumed by the L.D.S. Church, including higher education. This would leave the church free to concentrate its entire educational budget on religious education. In the course of these discussions with state officials, Commissioner Merrill (in light of the anticipated closing of all church schools the title of the office was changed at his request from Superintendent of Church Schools to Church Commissioner of Education) was asked for an official statement on the attitude of the General Church Board of Education with reference to the establishment of junior colleges by the State of Utah and was authorized by the Board, with one dissenting vote, to say "that the Church Board of Education was favorable to the establishment of junior colleges by the state" (13, p. 212).

The Primary-Religion Class and junior and senior seminary policy
decision of 1929. Evidence that the L.D.S. Church fully intended to implement its policy of complete withdrawal from the field of secular education and to strengthen its religious education program is found in the recommendations of Commissioner Merrill to the General Church Board of Education in March 1929, and in a letter to the First Presidency of the L.D.S. Church to all Presidencies of Stakes issued July 12, 1929. The two documents provided for a complete system of religious education from kindergarten through the 12th grade. The program provided that:

1. Hereafter the Primary Association (of the Church) be given the responsibility of carrying on a week-day religious program for the children of the elementary schools from the kindergarten to the sixth grade, inclusive, in general ages from five to twelve.

2. That the Primary Association withdraw in favor of the Department of Education from the junior high school field, grades seven to nine, inclusive, and that this department with voluntary help, conduct under the name of "Junior Seminaries" a week-day religious program for the children of these grades.

3. In order to facilitate the carrying forward of a unified week-day religious program from the kindergarten through the senior high school... two members of the General Board of Education be appointed as advisors to the General Primary Board. (13, pp. 213-215)

While the General Board and Commissioner were thus moving to strengthen the religious education program of the L.D.S. Church on the elementary and secondary levels, further negotiations were in process with state educational officials to have the church withdraw from the field of higher education and to establish L.D.S. Institutes of Religion at the State University and colleges.

However, just as they were moving rapidly towards a complete religious education program, the released-time enjoyed by the L.D.S. Church for its
seminaries established in connection with state high schools came in for sharp criticism from the state high school inspector, I. L. Williamson. He presented a report to the State Board of Education on June 28, 1930, which became known as the somewhat famous "Williamson report."

The Williamson report and the reaction of the L.D.S. Board of Education, 1930-1931. As Inspector I. L. Williamson made his semi-annual inspections of the high schools of the state, he reported that there were practices in the released-time programs being conducted which he asserted were in violation of the Constitution of the United States. Questions of legality centered around such questions as transportation of pupils in public school buses where the same pupils also attended released-time religion classes. Was this not state aid to denominational schools? In certain communities, it was reported, the L.D.S. seminary teachers conducted study periods and even some classes in and for high schools and assisted in registration procedures, thus injecting a religious influence into the public schools. The report was considered serious enough to call into question the legality of the released-time religious education program of the L.D.S. Church in the State of Utah.

On July 2, 1930, L.D.S. Church Commissioner of Education, Joseph F. Merrill, reported to the L.D.S. General Board of Education that the Williamson report seemed to him "rather misleading" (13, pp. 222-223). He reported conversations with John C. Swenson, a professor at Brigham Young University and member of the State Board of Education, and with President Arthur V. Watkins, attorney and L.D.S. stake president, indicating the seriousness of the situation. He also reported that a committee of the State Board of Education had recommended that "arrangements be made
for a taxpayer to bring suit to litigate the questions arising out of the Williamson report" (13, p. 240).

In November 1930, Commissioner Merrill reported that a ruling on this issue had been obtained from the State Superintendent of Public Instruction to the effect that local boards of education rather than the State Board of Education had the authority to handle this situation. He reported that the effort to have some taxpayer bring suit against the State Board of Education for allowing released-time had failed and that both Judge Greenwood and State Superintendent Jensen believed that no more would be heard of the matter (13, pp. 241-242).

The minutes of the L.D.S. Church Board of Education, however, show that they had not heard the last of the matter. Commissioner Merrill reported on November 4, 1931, that the State Board of Education the previous September 23 had adopted the following resolutions on the seminary issue:

1. The dissociation of the seminaries from the high schools as to physical plant, administration, faculty, records, and publications.

2. That local boards of education are asked to lessen the time allotted to seminary instruction, to not exceed three hours per week during the regularly scheduled high school hours, on the ground that this allotment seems excessive in view of the scholarship requirements for the satisfactory completion of the high school course in four years. (13, pp. 259-260)

A resolution was also introduced in the State Board of Education denying the granting of "released time" for seminary work and the giving of credit for Bible study, but this resolution was defeated (13, pp. 244-246).

The experience of the L.D.S. Church educators and officials with the Williamson report seems to have crystallized a policy that has been
followed since that time with regard to Church and State relationships in the "released-time" program of religious instruction.

In 1930, 1934, 1943, 1948, 1950, and even as late as 1956, articles appeared in the public press which indicated that certain individuals intended or proposed to institute judicial proceedings to test the right of the L.D.S. Church to operate seminaries on released-time and the authority of boards of education to allow released time. However, none of these threatened legal proceedings have ever materialized. The L.D.S. Church, on the advice of its attorneys, has on the other hand never sought to have legislation enacted that would specifically legalize the seminary program.

The last major policy-making decision reached by the L.D.S. Board of Education during the period under consideration in this chapter affecting Church and State relationships in education in the State of Utah, was in reality but the public announcement of previous policy decisions made in the junior college field. As has already been indicated previously in this chapter, Bennion maintains that this decision of the L.D.S. Church to withdraw from the junior college field was actually made in the early 1920's but was not announced publicly until December 1930, for fear of the "disastrous effect" it would have on the morale of certain communities in the state. The whole matter was once again discussed in a meeting of the L.D.S. General Board of Education on December 26, 1930.

The junior college decision of December 1930. For two years Church Commissioner of Education Merrill had been arranging for the closing of the remaining L.D.S. schools and turning the junior colleges over to the state under instructions of the First Presidency of the L.D.S. Church.
In the December 26th meeting of the General Church Board of Education he reviewed the previous actions taken by the Board and also by the First Presidency. He indicated to the Board that in February 1930, "upon the authority of the First Presidency" he had officially notified Salt Lake City Superintendent G. N. Child that the Latter-day Saints college in Salt Lake City would be closed in June 1931. He stated that on the strength of this notification the new South High School building had been planned. He recommended that the Board now sustain the action of the First Presidency in closing the Latter-day Saint college as planned. In the discussion that followed, the thought was expressed by at least one board member that the situation in Salt Lake City was somewhat unique. He pointed to the fact that Presbyterian Westminster College, Episcopal Rowland Hall, and Catholic St. Mary-of-the-Wasatch College were expanding. This, he said, was an indication that the people of Salt Lake City recognized the need for and the lack of religious instruction and sentiment in the public schools of the community. He hoped that the Latter-day Saint College might not be closed "before the seminary has demonstrated itself to be successful here." The motion, however, for closing the school was finally put before the Board and carried unanimously (13, pp. 244–246).

Commissioner Merrill also recommended that if the state legislature should pass a bill providing for the creation of a state junior college system based on a graduated time plan that the L.D.S. Church continue to finance Weber College and Snow College "until it can transfer them under this plan." The Board voted unanimously to adopt this recommendation and provided that all of the junior colleges of the church, viz: Ricks, Weber,
Snow, Dixie, and Gila, "shall be closed in 1932 or 1933—June 1933 being the latest date at which the Church shall maintain any of these schools" (13, pp. 244-246).

Commissioner Merrill was authorized by the Board to prepare a statement for the press covering the action of the Board. The transfer of L.D.S. junior colleges to the state but awaited favorable action by the state legislature and the governor. That purpose had been accomplished when the General Board held a farewell testimonial for Commissioner Merrill in August 1933. Representing President Heber J. Grant at the meeting, President Anthony W. Ivins said of the calling and work of Commissioner Merrill in closing the church schools or effecting their transfer to the state:

I think that Brother Merrill is entitled to a great deal of credit for having accomplished the work that he has since he came into his present position. It was about then [1928] that we finally decided to dispense with our Church Schools, and he was instructed to work to that end. From that time he has endeavored to find means by which they could be done with the least possible disturbance, and I think he has handled it with great wisdom. He has accomplished the purpose which was especially assigned to him. (13, p. 278)

Mission accomplished, the L.D.S. Church at the close of the period under consideration was out of the elementary, the secondary, and the junior college fields of education in Utah and was to remain out of these fields so far as secular education was concerned. There was an unsuccessful attempt on the part of the governor and the legislature to turn the junior colleges back to the L.D.S. Church in 1954. The L.D.S. Church would have accepted and continued to operate junior colleges in the state following 1954 had the issue not been defeated in a popular referendum.

The Mormons have continued to build up and enlarge Brigham Young
University, although in the late 1920's it was also slated for dissolu-
tion. They have continued to enlarge and expand their programs of
religious education on the secondary, junior college, and university
levels through an ever-expanding system of seminaries and L.D.S. insti-
tutes.

While the educational agencies of the State of Utah and the major
religious group were mutually adjusting and readjusting their educational
programs, the other religious denominations in Utah were not idle edu-
cationally.

Perhaps the foremost spokesman for Protestant education in Utah in
this period was the president of Westminster College, Dr. H. W. Reherd.
He wrote voluminously for local and national consumption of the place of
Christian education in Utah. The Paden-Martin collection at Westminster
College is a rich source for his writings and addresses, educational and
religious.

The collection at Westminster also contains a copy of the Kelly
Report (5, p. 23). This was a confidential report on "Cooperation in
Education in Utah" made in 1922 at the instance of the Home Missions
Council and the Council of Church Board of Education of the Presbyterian
Church in America. Dr. Robert L. Kelly, executive Secretary of the
National Council of Church Boards of Education of the Presbyterian Church,
came to Salt Lake City in April 1922, at their insistence, to survey the
educational situation in the state and to recommend a policy for coopera-
tion in education in Utah among the various Protestant denominations.

Previous to Dr. Kelly's visit a conference of representatives of the
Protestant schools was held at Westminster College. The institutions
represented were: Westminster College (Presbyterian), Rowland Hall (Episcopal), Wasatch Academy (Presbyterian), New Jersey Academy (Presbyterian), Wilcox Academy (Congregational), and the Superintendent of the Utah Mission of the Methodist Episcopal Church. It was reported to the conference that the Mormon enrollment in these schools was as follows: Rowland Hall, 5 per cent; Westminster College, 5 per cent; Wilcox Academy, 35 per cent; New Jersey Academy, 40 per cent; and Wasatch Academy, 50 per cent.

Since these schools were supported by tuition and fees as well as endowments, it would seem that the Mormon parents still, as in earlier periods, were playing an important part in the support of Protestant schools in Utah.

The "Report of Findings" of this conference preparatory to the visit of Dr. Kelly is published as part of the Kelly Report. It decried the fact that executive officers of some of the larger evangelical denominations supporting Protestant education in Utah had concluded that "the need for special missionary activity in Utah is no longer acute; that spiritual and social conditions under Mormon dominancy are not now seriously inimical to Christian progress or to the interests of the Kingdom of Christ. . ." (5, p. 23).

The members of this conference representing the major Protestant schools in Utah did not feel, however, that the need for these schools had passed.

Utah still is and must remain a special claim upon the solicitude and faith of Protestantism. . . . The experience of Christian work in Utah indicates that for meeting the needs and opportunities of the present as well as to furnish an adequate
program for the future, there is no means so effective as
systematic Christian teaching in Christian schools and
colleges. . . . The Mormon Church has recently been direct-
ing part of its campaign of promotion in the direction of
attempting to discount the Christian schools, but this
activity is considered temporary. (5)

In his report proper, Dr. Kelly lists his sources of information as
the President of Westminster College, the United States Government, and
State Department of Education of Utah, the President and Registrar of the
University of Utah, the Superintendent of Religious Education of the Mor-
mon Church and Protestant ministers, "and other especially equipped
citizens of Salt Lake City." His data, according to Dr. Kelly, was
secured partly by correspondence and reports—but mainly "as a result of
a four-day's visit to Salt Lake City" (5, p. 23).

He reported that the Mormons were very active in the field of relig-
ious education and that quite recently they had selected as "Superintendent
of Church Education a vigorous and well-trained professor from the Uni-
versity of Utah, who is rapidly becoming their educational leader (13).
He also reported that most of the officers of state educational agencies
"as well as city superintendents of schools and the teachers in the grades
were Mormons, or under Mormon domination."

He reported some Catholic educational institutions in the state, but
without visiting any of them he reported that "they are not of high grade"
(13). The tone of this report, which undoubtedly had an important effect
in strengthening cooperation among Protestant educators and workers in
Utah and elsewhere, is found in the foreword:

Anew the need of sound learning, under Christian auspices,
is emphasized, and it is plain that every Church cannot commence
a separate educational program, in a State whose population is
only about four per cent in sympathy with Protestant Christian
Institutions. Cooperation must be the policy pursued. (5, p. 23)
The report was warm in its appraisal of both the new L.D.S. Superintendent of Schools and the new President of the University of Utah whom it felt would be more cooperative than past Mormon officers in these two positions. Cooperation seems to have been the keyword to Protestant educational policy in the period—but a cooperation sought on terms of Christian Protestant goals and aims in education.

In 1932 in an article for the Pacific Christian Advocate, Dr. Reherd reacted to the transfer of junior colleges from the Mormon Church to the state in these words:

> The Mormon Church is definitely on record as determined to withdraw from all college education except at Brigham Young University where the Church wishes to concentrate its educational strength. The last legislature accepted the task running Snow Junior College at Ephraim which was turned over by the Mormon Church. Just how effectively the state can operate the school in face of many unpaid taxes is yet to be seen. (14, p. 1)

**Summary**

L.D.S. expenditures for education which in 1917 had been slightly over a third of a million dollars annually, rose by 1925 to nearly a million dollars. They fluctuated between three-quarters and a million dollars until the depression of 1933 dropped them to one-half million.

The State of Utah from 1921 to 1931 suffered a loss of 8 per cent in taxable wealth while its expenditures for education from tax funds increased at an annual rate of one-half million dollars. Such drops in revenue for education called for readjustments of educational programs.

A prominent feature of Mormon education during the period from 1921 to 1933 was a series of policy decisions reached by the L.D.S. General Board of Education in its attempts to adjust its educational program to its available revenues and to the state system of education.
These decisions were:

A. The decision in 1920 to transfer all L.D.S. high school work to the state and to center attention and educational expenditures on seminaries, college normal work, and teacher education.

B. The decision in 1922 reinforcing the 1920 decision and spelling out the conditions under which any church school would be retained rather than transferred to the state. The conditions for retention were: (1) If the transfer to the state would destroy the ideals of the school; (2) if the institution served directly as a mission factor; and (3) if the establishment of the school as a church junior normal college was warranted.

C. The decision in 1923 to establish junior colleges at convenient places throughout the church and to make them strong and efficient leadership centers with the primary motive of training teachers for the public schools.

D. The decision reached in 1926 by the First Presidency of the Church to gradually withdraw from the academic field and concentrate eventually on religious education.

E. The decision in 1928 placing the L.D.S. Church on public record favoring the establishment of a system of junior colleges by the State of Utah.

F. The decision reached in 1929 to establish a complete system of religious education from kindergarten to twelfth grade and reaching into college. At the high school and college levels this religious education to be in connection with state institutions and programs on released time.
G. The decision in 1930 as a result of the Williamson Report to seek to have released-time problems handled on the local rather than the state level. Evidently local school boards would be more amenable to L.D.S. influence.

H. The decision in 1930 to close all of the junior colleges of the church with June 1933 as the absolute deadline.

By 1933 and the end of our period, only the decision of 1926 for the L.D.S. Church to withdraw completely from the academic field in favor of a strictly religious education program remained to be carried out. The church still retained Brigham Young University.

Since 1933 the Mormon Church has continued to enlarge and build up Brigham Young University. They have continued to enlarge and expand their religious education programs on the secondary, junior college, and university levels.

The distinguishing feature of Protestant education in the period was a move toward cooperation among all educational agencies to meet the ever present "threat" of Mormon domination of education in Utah.

A prominent Protestant educator, President Reherd of Westminster College was skeptical of the ability of the state to operate the transferred L.D.S. junior colleges with unpaid taxes.
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CHAPTER XII

RELEASED TIME FOR RELIGIOUS EDUCATION AND THE ISSUE OF CHURCH OR STATE SUPPORT AND CONTROL OF JUNIOR COLLEGES, 1934–1957

Since 1934 governors’ messages to the state legislature on education have been characterized by a concern over the increasing costs of education, particularly of higher education. Three governors during the period (Blood, Maw, and Lee) made recommendations to the legislature that at least part of the costs of higher education be shifted from the state to the local communities or regions where the colleges were located, or that several institutions of higher learning be combined or consolidated in order to eliminate unnecessary duplications in their offerings and thus save the taxpayer’s dollar. Governor Lee made the further proposal that the junior colleges formerly owned and operated by the L.D.S. Church (Dixie, Snow, and Weber) be returned to the church for operation and that Carbon College be turned over to the Carbon County school district, or be operated on a regional basis from regional funds. There was also a continuing concern during the period over the legality of the released-time program of religious education being conducted in the state by the L.D.S. Church.

The question of the constitutionality and legality of the released-time program of the L.D.S. Church was under frequent attack. The three most recent decisions by the United State Supreme Court on released-time programs in other states handed down in 1947 (Everson v. Board of Education), 1948 (McCullom v. Board of Education), and 1952 (Zorach v. Clauson) touched off reactions in Utah. In 1950, for example, a Mr. Johnson, lawyer, taxpayer,
and parent of high school students in Uintah County wrote a series of letters to the State Superintendent of Public Instruction demanding a ruling on the legality of the released-time program of the L.D.S. Church in Utah. He based his arguments for the ruling on what he considered to be the precedents of the McCullom v. Board of Education decision of the Supreme Court. Superintendent Bateman replied that under the law in Utah he was required to make a ruling on such subjects only at the request of a Board of Education. He refused to rule on the issue (2). As late as March 7, 1958, according to the Desert News, the issue of whether the state should recognize L.D.S. seminary credits as part of high school graduation requirements was a matter of discussion in a meeting of the State Board of Education. A proposal to end the granting of such credits came from a special committee set up to recommend a standard set of graduation requirements for all state high schools and to tighten such requirements (6). During the period from 1934 to the present writing of this report (1958) the junior colleges and the L.D.S. seminaries and institutes have been areas around which discussions of Church and State relations in education have mainly centered.

Protestant educational efforts during the period have been largely with the building up and strengthening of "Christian" education in Utah through interdenominational support for existing Protestant colleges.

Catholic education in Utah received added emphasis and growth during the last 10 years of the period from 1947 to 1957 when several new Catholic elementary schools were established.*

*New elementary schools were established at Price and Provo and two new schools in Salt Lake City.
In June 1933 the L.D.S. Church closed the last of its junior colleges in Utah by transfer to the state. Less than two years later in January 1935, Governor Henry H. Blood said to the state legislature:

"Discussion of higher education brings up the problem of the junior college which is assuming larger proportions in Utah year by year. Waiving for the moment the question of the limit, if any exists, of education which should be given at the expense of the state, the fact remains that at this time the State General Fund can bear no material increase in its expenditures for high education, or any other purpose, unless corresponding increase is made in contributions from the taxpayers to that fund. Still, the state and its school subdivisions should provide all its citizens as nearly as possible equal opportunities for higher education." (10, p. 19)

Junior college education in the State of Utah had before 1933 been almost exclusively the province of the L.D.S., the Catholic, and the Protestant churches. The state was now beginning to feel the burden of support. Since the general fund of the state would not, according to the governor, bear the cost of this added educational program, some other source of revenue or support for state junior college education must be sought. In his message to the legislature in 1937, Governor Blood suggested a remedy. He based his recommendation on several public and semi-public studies of the situation in Utah which had been recently made including the report of the Investigating Committee. All, he said, had "reached the conclusion that local as well as state support should be accorded to such institutions" (11, pp. 23-24).

In 1939 Governor Blood pointed out to the legislature that out of a total of $17,725,000 in property taxes collected, nearly $10,000,000, or 56.02 per cent was being devoted to district and high schools of the state. Of the additional $3,500,000 dollars received in 1938 by the state general
fund $1,600,000 was devoted to educational purposes. In light of these facts the governor suggested that any expansion of the state's junior college system might well await the report of the National Resources Board report on higher education in Utah which was then in progress (12, pp. 10-11).

A change of administration in the executive branch did not change the basic approach to the state junior college problem. Governor Maw was emphatic in his first message to the legislature that the future expansion of junior colleges and of "all higher educational institutions must be brought under control." Following the recommendations made by the Fact Finding Body appointed by the 1939 legislature, he proposed combining the administration of all state institutions of higher learning into one board and one administrative head (13, p. 19). In 1943 he said that Utah could not afford "to maintain two large universities offering courses in the same fields, plus five junior colleges" (14, pp. 25-26). In 1947 he said that the "legislatures of Utah have almost outdone themselves in the matter of setting up programs designed to benefit the citizens of Utah. . . . We are the only state which pays the entire cost of maintaining a junior college system" (15, p. 8).

Governor J. Bracken Lee therefore had precedent set by the two previous governors when he, too, remonstrated in 1951 against the increasing cost of higher education in Utah. In his January 1951 message to the state legislature he cited the following statistics as evidence of a rapidly increasing cost of higher education, hastening to add that he also realized that there was a rapidly increasing enrollment (16, pp. 128-129):
Table 9. Appropriations to higher education, 1943–1951

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1943-45</td>
<td>$3,718,141.27</td>
</tr>
<tr>
<td>1945-47</td>
<td>5,358,631.26</td>
</tr>
<tr>
<td>1947-49</td>
<td>8,469,111.20</td>
</tr>
<tr>
<td>1949-51</td>
<td>(after vetoes)</td>
</tr>
<tr>
<td></td>
<td>9,937,400.00</td>
</tr>
</tbody>
</table>

Governor Lee arrived at a solution to the problem of the increasing costs of higher education to the state that seems rather uncomplicated and simple. He proposed that the state return the junior colleges that it had acquired from the L.D.S. Church in 1933 to that religious body for operation. This would undoubtedly ease the pressures on the revenues of the state. On February 14, 1951 he addressed a communication to the members of the House of Representatives which was intended to indicate the willingness of the L.D.S. Church to operate these colleges should they be discontinued by the state:

Mr. Speaker and Members of the House:

I am enclosing a copy of a letter I have received from the First Presidency of the Church of Jesus Christ of Latter-day Saints.

This letter concerns a proposed bill that has been or will be introduced in the Legislature providing that the campus, buildings, and equipment of Snow, Weber, and Dixie Junior Colleges cease to be used and operated for educational purposes by the State of Utah.

I am also attaching a copy of this bill.

I am confident the First Presidency and other L.D.S church authorities will be happy to discuss with the Legislature this matter, and clarify any points which may be raised as a result of this measure and their letter. (17, p. 438)
The next day H. B. No. 239 providing that Snow, Weber, and Dixie Junior Colleges "will no longer be used and operated for educational purposes by the State of Utah" (23, p. 462) was introduced into the House. H.B. No. 238 providing that Carbon Junior College become a "branch of the University of Utah" was introduced the same day (23, p. 462).

On February 17th these two bills were reported back by the Reference Committee with recommendation that they be printed. On March 5th, H.B. 239 was reported from the Standing Committee and referred to the Sifting Committee. On March 8th the Sifting Committee recommended that the enacting clause of H.B. 238 and H.B. 239 be stricken (23, p. 462).

Governor Lee had lost the first round but this defeat did not cause him to drop the issue. In a communication to the state legislature in January 1953, he urged that another study of higher education in Utah be made. The need for such a study had been shown, he maintained, by the results of two previous studies—the Kelly Survey Committee report of the operations of the Utah State Agricultural College and the Report on Higher Education in the Forty-Eight States by the Council of State Governments, published in 1952.

These reports, according to Governor Lee, demonstrated the fact that although Utah ranked first among the states in the percentage of its population enrolled in public institutions of higher education and first in its relative support of these institutions, it ranked 48th among the states in its ability to pay for higher education (18, pp. 121-122).

The claim that Utah lacked the ability to pay the increasing costs of education was not, as has been shown, peculiar to Governor Lee. Two previous governors and several survey commissions had made such statements.
What was perhaps unique to Governor Lee or his advisors was the proposal that the problem be solved by the re-establishment of certain former L.D.S. Church junior colleges by the abandonment of these same schools by the state.

It should not go without notice in attempting to interpret this proposal of Governor Lee that the member of the L.D.S. General Board of Education who had consistently opposed the closing of these same institutions as church schools in the 1920's and 1930's was president of the L.D.S. Church in 1953 when Governor Lee made his proposal that Dixie, Snow, and Weber Junior Colleges be transferred back to the original grantors for operation.

Elder David O. McKay had maintained the position, as was demonstrated in the last chapter of this present report, that the L.D.S. Church could not afford in light of the secularization of public educational institutions, to close or abandon its system of church schools. His position then, in 1953-54, that if the state ceased to operate these schools, the L.D.S. Church would continue them in operation as church schools was not only consistent with the original deeds under which the property of these schools was transferred to the state in 1933, but it was also consistent with President McKay's whole educational philosophy. In meetings of the L.D.S. General Church Board of Education for at least twenty years, he had consistently taken a position in favor of maintaining a system of church schools.

In December 1953, Governor Lee called a special session of the state legislature to consider the whole educational program of the state and to act on recommendations of the Public School Survey Commission and the
recommendations of the Legislative Council. He also added some recommendations of his own in his messages to this special session. In his message of December 4, he stated that 40 per cent of all state taxes were being spent on education and that while welfare expenditures from 1939 to 1951 had increased only 54 per cent and highway expenditures 144 per cent, educational expenditures had increased 228 per cent. "We have done well by our schools!" said Governor Lee.

"It should be clear . . . that if we are to hold the line on taxes, particularly on property tax, it will be necessary to dispense with the support of some functions of government" (19, p. 67).

The place for the ax to fall with the least ultimate damage, according to Governor Lee, was on the junior college program.

I propose that we take this step effective next June by discontinuing the operation and support of Carbon, Snow, and Dixie Colleges. Separate bills to accomplish this have been prepared for each college. . . . The property deed for Snow and Dixie Colleges provide that if the property is not used for school purposes, it shall be returned to the original owner, the Church of Jesus Christ of Latter-day Saints. It is possible that the L.D.S. Church would continue to operate these two institutions as church schools, in view of the expanded educational program the church has undertaken. . . . The elimination of three of the five junior colleges will have the effect of strengthening the remaining institutions while at the same time releasing needed state funds for use elsewhere. (19, p. 68)

In this message Governor Lee proposed that Carbon College be transferred to the Carbon County School District for operation. In this message no mention was made of Weber College. However, in a message five days later, Governor Lee reminded the members of the Utah State Senate that Snow, Dixie, and Weber Colleges had all been conveyed to the state by the L.D.S. Church and went on to say:
Although the L.D.S. Church has neither directly nor indirectly asked for the return to it of these three colleges, I now understand that should the Legislature discontinue the operation of Dixie, Snow, and Weber, that the Church will again operate them as part of its enlarged educational system. I understand further that the Church would be willing to accept these colleges on the condition that at any time any of them is not used for college purposes that college will revert to the State. This is the same condition under which the State received these schools in the first instance. It was fair to both parties then, when their positions were reversed, and should be fair now.

In this situation and in view of the financial difficulties which the State will face in the future in the operation of its education program, I now desire to enlarge my original recommendation by placing before you the proposal that all of the junior colleges originally obtained from the Church be now returned to the Church. No one will question the high quality and character of Church education. The educational opportunities to youth are just as great in this program as they are in the State's.

In placing this proposal on the agenda of this special session and commending it to you for your earnest consideration, I wish to assure you that appropriate authorities of the L.D.S. Church are willing to confirm the understanding I have conveyed to you. (20, pp. 136-137)

This was a blanket proposal to return all of the junior colleges formerly owned by the L.D.S. Church to their control, whereas Governor Lee's previous proposal would have handled the case of each college with a separate bill. Carbon College was not included in the packet "inasmuch as this institution was never a church school" (20, pp. 136-137). The governor, however, still supported his original recommendation for the disposal of Carbon College.

The same day as this second governor's message, December 9, 1953, Senator Hafen, by request, introduced S.B. No. 39 providing for the discontinuing of the operation of Dixie, Snow, and Weber Colleges by the state and providing for the transfer of all real and personal property "comprising said Colleges on condition that they be maintained as Colleges" (24).
The bill did not provide the name of transferee, however. The bill was made a special order of business on December 11th and again on December 15th. On the last date a communication was received from the Manager-Secretary of the Ogden Chamber of Commerce writing on behalf of that organization and "those citizens of Weber County who have expressed public concern regarding action now being considered ... on Senate Bill No. 39" (24, p. 144 ff). The communication requested a public hearing on the bill "on or after Monday, December 21, 1953, in order to provide fair and sufficient time for the preparation of an adequate presentation by our organization and those citizens and organizations which desire to be heard" (24, p. 144 ff). The request was filed and on the motion of Senator Kerr the Senate voted to grant the public hearing on December 16th. Twenty-three persons appeared before the Committee of the Whole on that day to protest the transfer of Weber College to the L.D.S. Church.

After two days of debate the bill was passed on December 17th by the Senate under suspension of the rules by a vote of 14 to 9. After two days of debate including rejection of a motion that a public hearing be held the House of Representatives passed the bill on December 21, 1953 (24, p. 144 ff). The governor thanked the members of the Senate and House for the passage of the bill in these words:

The action of the Legislature in providing for the return of the three junior colleges to their original owners, the Church of Jesus Christ of Latter-day Saints, and in abolishing a fourth, will compensate in some measure for the increased financial burden placed on the people as a result of the school finance bills. The Church has given its assurance to continue operating its schools, which will provide the same high quality of education in these areas as they have had in the past. . . .

I wish to thank the Legislature for its efforts. (21, pp. 285-286)
Senate Bill No. 39 ending state operation of Carbon College was also passed by this special session and signed by the governor.

A move to suspend the operation of these laws, coming principally from the supporters of state operation of Weber and Carbon Colleges, succeeded by obtaining a sufficient number of signatures on referendum petitions to place the issue on the general ballot in the fall of 1954. This gave the opponents of the bill an opportunity to marshall their forces.

President Miller who had appeared before the legislature in opposition to the transfer of Weber College furnished the members of his faculty with extracts from a legal brief on the issue proposed by Ira A. Huggins and David J. Wilson. This brief stated:

We are constrained to think that the act [Senate Bill 39] offends not only against the Constitution of the State of Utah, but also against the Enabling Act and the Constitution of the United States as well. (5, p. 10)

Huggins and Wilson asserted that the bill was in violation of both the First and the Fourteenth Amendments to the Federal Constitution. They took the view that Article 1 of the Bill of Rights provided for "the complete separation of Church and State."

They gave the opinion that the Enabling Act of 1895—written after the experiences of union of Church and State in territorial Utah—had specifically anticipated and prohibited the type of action contemplated by Senate Bill No. 39.

Huggins and Wilson cited numerous court cases supporting their legal opinion. They concluded their brief by citing case of the People of the State of Illinois v. Board of Education, decided by the Supreme Court of the United States March 8, 1948 (333 U.S. 203) "in which the whole theory
back of constitutional inhibition against the expenditure of any money in aid of private or sectarian interest is stated with clarity and emphasis" (5, p. 10).

Huggins and Wilson concluded with the statement:

The very purpose of the instant bill offends against these provisions, not only of our state constitution, but the Enabling Act and the First and Fourteenth Amendments of the Federal Constitution, because it would inevitably result in the intermingling in some degree of state funds in the operation of a sectarian school. (5, p. 10)

Daniel J. Dykstra, Dean of the College of Law of the University of Utah, discussed "The Junior College Transfer Issue" before a meeting of the Utah Conference on Higher Education in September 1954.

Dean Dykstra first reviewed the action of the legislature in passing the two bills. He held that the state did not enter the junior college field in 1930-33 because the L.D.S. Church had decided to withdraw, but because of a well-planned state-originated program. He observed, however, that if the retransfer were now accomplished "it may be assumed that these colleges will be operated on the same high level which currently characterizes the educational activities of this Church" (4, pp. 7-15). Dean Dykstra's main objection to the carrying out of the legislation was that raised by Mr. Huggins and Mr. Wilson before mentioned, namely that by such transfer of the physical plants of these colleges to the L.D.S. Church, even for remuneration, the state would be aiding sectarian education and thus violating the First and Fourteenth Amendments to the Federal Constitution and the Enabling Act and Constitution of the State of Utah. "For these reasons," said Dean Dykstra, "by our actions next November, we shall set a course for many, many years" (5, p. 10).
As the issue was discussed up and down the state, Governor Lee wrote a letter to the First Presidency of the L.D.S. Church in May 1954. This letter contained specific questions dealing with this whole issue. Specific answers by the First Presidency were given in a return letter. This correspondence was reproduced and distributed through L.D.S. Church auspices during the public discussions prior to the balloting in November. Since this document constitutes the official view of both Governor Lee and the First Presidency of the L.D.S. Church, it bears reproducing at least in part at this point in this report. It constitutes an official summary of the point of view of the highest authorities of Church and State involved in the problem.

Letter of Governor J. Bracken Lee and answer of the First Presidency of the Church of Jesus Christ of Latter-day Saints on proposed return of Weber, Snow, and Dixie Junior Colleges to the church (7):

May 14, 1954

The First Presidency
The Church of Jesus Christ of Latter-day Saints
47 East South Temple
Salt Lake City, Utah

Gentlemen:

As you know the required number of voters of the State, by the filing of a petition, have placed on the ballot for the coming November election, the question of whether the action of the last Legislature in authorizing the return of Weber, Snow, and Dixie Junior Colleges to the Church of Jesus Christ of Latter-day Saints, should or should not be sustained.

I am advised that during the campaign to obtain signatures to the referendum petition it was represented that the plan to return the Junior Colleges to your Church was requested by you. This I know to be untrue and I take full responsibility for the proposal—one I have consistently and publicly made for a period of four years.
I am also advised that in some parts of the State it was represented that The First Presidency wanted these colleges returned to the Church, whereas in other parts of the State it was represented that The First Presidency did not want these colleges returned. It was also represented that the return of these colleges would constitute a gift by the taxpayers of the State of Utah to the Church, or property having a substantial value. It was also asserted in some quarters that if the action of the Legislature should be sustained, many members of the faculties of said colleges would be immediately discharged, the salaries of others would be reduced, and that the curriculum of the various institutions would be sharply curtailed and modified. Finally it was asserted in some quarters that as a long-term policy the colleges if returned to the Church would be operated essentially as "religious seminaries."

In order that the voters of the State may be fully informed with respect to these and other representations I am taking the liberty of addressing this letter to you and would be greatly obliged if you will be kind enough to answer the following questions:

Answer of the First Presidency

May 21, 1954

Hon. J. Bracken Lee, Governor
State of Utah
Salt Lake City, Utah

Dear Governor Lee:

We acknowledge receipt of your letter of May 14, 1954. As you state, the legislation to return Weber, Snow, and Dixie Junior Colleges to the Church of Jesus Christ of Latter-day Saints was not suggested directly or indirectly by the Church. Over three years ago you addressed a letter to us asking what the Church would do in the event the State discontinued operation of these three institutions. We replied that under the deeds of conveyance by which these colleges in the 1930's were ceded by the Church to the State, they would revert to and be operated by the Church if the State discontinued their operation. In response to a similar inquiry by you last year we gave the same answer.

In order to obviate any misunderstandings which you report are current, we answer specifically the questions set forth in your letter as follows:
QUESTION

1. In view of the conflicting representations which have been made as to the desires of the Church, will you please advise us as to whether you do or do not want Weber, Snow, and Dixie Colleges returned to the Church?

2. Will the Church be willing to pay a fair and equitable price for the properties at these institutions which have been acquired or built up by the State at the expense of the taxpayers of the State of Utah, during the time of State operation? It is understood, of course, in accordance with the deeds by which the properties of these institutions were originally conveyed to the State, that the Church will receive back the former Church properties without cost.

3. In the event the voters approve the return of the institutions to the Church in November, would the Church be in a position to carry on the regular school program for the balance of the year? If so, will the Church, as respects the balance of the school year, continue the same faculty and other employees, pay the same salaries as have been agreed upon by the State, recognize Sabbatical leaves which have already been granted, continue the same curricula both as to day and evening schools, charge the same tuition, admit the same students and give credit to them for the work they have already done, in the same manner and to the same extent as if the three colleges continued to be operated by the State?

ANSWER

We shall be pleased to have Weber, Snow, and Dixie Colleges returned to the Church, which is in a position to operate them in a first-class manner scholastically and otherwise.

As to lands which have been acquired and buildings built at the expense of the taxpayers of Utah since the three colleges were conveyed to the State, the Church has been legally advised by competent counsel that the acceptance of the obligation to further operate the three colleges (which amounts to approximately one million dollars per year) is a sufficient and valid consideration and price for the transfer. Nevertheless, so as to remove any possibility of even doubtful criticism, the Church is willing with respect to such property, to pay, taking into account all the circumstances, whatever price is fair and equitable. Under the pending legislation this amount would, of course, be determined by negotiation between the State Board of Examiners and the Church.

The answer to all parts of this question is in the affirmative: The Church will be in a position to carry on the regular school program. Because of the fact that the school year will already have begun the Church will consider itself bound by employment contracts which have already been entered into with all members of the teaching and custodial staff. Further, the same curricula including the same courses, will be continued both for day and evening schools; Sabbatical leaves already granted will be recognized; the same tuition will be charged and the same students will be admitted and permitted to continue the courses for which they originally registered,
4. As a long-term policy, would it be your intention to transform these institutions into what some have termed "religious seminaries," or would it be your intention to operate them as high-class, accredited junior colleges with a well-qualified faculty competent to meet educational needs of their respective communities?

CONCLUDING PARAGRAPH

I am confident that any information you can supply in answer to the foregoing questions will be helpful in quieting rumors and providing facts on which the people can base their vote in November.

Sincerely yours,

J. Bracken Lee,
GOVERNOR OF UTAH

CONCLUDING PARAGRAPH

We trust the aforesaid answers will help to give the voters the facts they need for an intelligent decision at the polls, and that in particular they will resolve doubts as to the operation of these colleges, should the voters, who will exercise their right to vote as they choose, decide to sustain the action of the legislature.

Faithfully yours,

David O. McKay
Stephen L. Richards
J. Reuben Clark, Jr.
The First Presidency
The letter of the First Presidency of the L.D.S. Church is clear in stating that neither "directly or indirectly" did they request the legislation for the transfer of the state junior colleges to the church. It is equally clear in stating that "we shall be pleased to have Weber, Snow, and Dixie Colleges returned to the church.

The end result of this whole issue was that in the referendum vote in the November election of 1954 the people of Utah voted to retain all four junior colleges, Dixie, Snow, Carbon, and Weber, as state junior colleges rather than have three of them returned to L.D.S. Church operation and the fourth one, Carbon College, turned over to Carbon County School District for operation.

Defeated in this, his proposed solution to the rising costs of education in the state, Governor Lee recommended in his message to the state legislature in January 1955, that inasmuch as it had been estimated that elementary school costs in the state would increase "by 20 million dollars in the next 10 years" the State of Utah should establish all of the junior colleges as regional or district colleges financed on a joint state and regional or district basis (22, pp. 7-15).

Present status of official studies of higher education in Utah

The 1957 legislature set up a Board of Higher Education headed by Senator Orval Hafen, author of the defeated Senate Bill No. 39, to continue the study of possible solutions to some of the problems of higher education in Utah. Presumably the study will include not only the University of Utah and the Utah State University and its two branches, but also the three other public junior colleges in the state.

The Salt Lake Tribune said editorially of the selection of Dr. John
Wahlquist and Dr. William F. Edwards as co-directors of the study:

Dr. John T. Wahlquist, who will study general programming, is president of San Jose State College, and formerly of the College of Education of the University of Utah. Dr. William F. Edwards, who will scrutinize financial procedures, is now financial secretary of the Church of Jesus Christ of Latter-day Saints and formerly vice president of Brigham Young University, a church-operated school... .

It is possible Dr. Wahlquist may draw on the experience of California in successfully coordinating higher education and Dr. Edwards may be impressed with the efficiency of the program of combining all L.D.S. Church educational programs and institutions, including seminaries and institutes of religion in the various states and counties under the President of the Brigham Young University. (9)

The coordinating Board of Higher Education will make its recommendations to the Legislative Council and the 1959 legislature.

Protestant-State relations in education in Utah, 1934-1957

The development of Protestant Christian education in Utah during the period from 1934 to 1957 was characterized by greater inter-denominational cooperation and better working relations between Protestants, state, and L.D.S. educational agencies, although certain animosities have not yet disappeared.

Dr. Robert D. Steel, son-in-law and successor to Dr. Reherd as president of Westminster College, wrote in 1956 of his years of educational experiences in Utah:

My experience in Utah was a happy one. My contacts with the State Department of Public Instruction, the University of Utah, and other State institutions were all favorable. The institutional policy of each was friendly. Individual faculty members were critical. That is to be expected. (8)

On the occasion of National Christian College Sunday in 1957 the Salt Lake Tribune editorialized on Utah's Christian colleges only in terms
of one college—Westminster College. The two main daily newspapers in Utah still seem to be in disagreement as to the identity or characteristics of a "Christian" college.

For more than 80 years Westminster has filled a significant role not only in Salt Lake City, but in a wide area. ... There is broad inter-denominational financial support appropriate to the inter-denominational character of its faculty and student-body. There are more than 15 religious faiths represented on the campus, with students of Presbyterian, L.D.S., and Methodist faiths leading in that order. (3)

The Mormon Deseret News in an editorial on the same subject said:

No less than a fourth of the Nation's College students attend private Christian colleges. ...

These Christian Colleges—of which our area boasts Brigham Young University, Ricks College, Westminster College and St.-Mary-of-the-Wasatch—have several factors to recommend them. They save the taxpayer millions by giving college training to nearly a million students. ...

It is the work of the Christian College—to instill not only wisdom and skill but also religious devotion. ... (1)

Summary

During the period from 1934 to 1957 recommendations were made by three governors that the financial load of higher education be adjusted either by having school districts or regions share the cost of junior colleges with the state or return the former L.D.S. Dixie, Weber, and Snow Colleges to that church for support. Recommendations were made by the legislature by Governor Lee that this latter solution be enacted into law. After an unsuccessful attempt in 1951 such a proposal became law in 1953 only to be defeated in a public referendum on the issue in the November 1954 general election.

The willingness of the L.D.S. Church to re-assume the operation of these junior colleges may be traced partly to the provisions of the original
deeds of transfer in 1930-1933, but also to the long-range educational philosophy of David O. McKay, President of the L.D.S. Church who had long been an advocate of church schools and an enlarged church school system.

The question of the constitutionality and legality of the released-time program of the L.D.S. Church was under frequent discussion.

The State Superintendent of Public Instruction refused to rule on this issue in 1950 at the request of a parent of high school students in Uintah County on the grounds that legal requests for such a ruling could come only from boards of education. Any ruling on this issue is still in the future as this report is written.

In March 1958, a proposal was made by a committee of the State Board of Education that credit no longer be granted by state high schools for courses taken in L.D.S. seminaries so far as graduation requirements are concerned.

Protestant education efforts during the period became more inter-denominational and Church and State relations generally more cordial.

Catholic education in Utah received added growth during the latter part of this period.
LITERATURE CITED


(2) Correspondence. A copy of this correspondence is on file in the office of William E. Berrett, Administrator of Religious Education for the Church of Jesus Christ of Latter-day Saints, Brigham Young University, Provo, Utah.


(5) Extracts from the legal brief prepared by Mr. Ira Huggins and Mr. David J. Wilson. (Multigraph copy in the personal files of James R. Clark, Brigham Young University, Provo, Utah.)


(7) Letter of Governor J. Bracken Lee and answer of the First Presidency of the Church of Jesus Christ of Latter-day Saints on proposed return of Weber, Snow, and Dixie junior colleges to the church. (Multigraph copy in the personal files of James R. Clark, Brigham Young University, Provo, Utah.)


CHAPTER XIII
SUMMARY AND CONCLUSIONS

Over the past century the development of education in Utah has been the concern of both the state and of a variety of religious groups. The divergent educational goals of these agencies of education have made necessary a series of compromises and accommodations. It is these adjustments that make up the history of Church and State relationships in education.

The dominant church in Utah was the Church of Jesus Christ of Latter-day Saints, or the Mormon Church. The Mormons early developed a religious-political organization separate and apart from their church organization, known as the Kingdom of God.

The concept of the Kingdom of God included a pattern for the formation of the theo-society including its education and schools. This pattern included such long-range goals in education as the training of expert leadership in theology, politics, the arts, sciences and humanities inferior to none in the world.

These goals seem somewhat visionary when contrasted with the reality and programs of most of the schools established by the Mormon pioneers prior to 1875. Before that date, the Mormons had been successful in establishing four main types of schools for the young, mainly on the elementary level. These were: the free but privately operated school, the private-venture school, the ward school, and the territorial or common school.

The dominance of Mormon philosophy and technology which formed the
groundwork of education in these schools led to conflicts as non-Mormons entered the territory. Here they found a single religion and a virtual unity of Church and State.

During the 1860's the 1870's non-Mormons entered Utah in increasing numbers, and their influence began to be exerted in education through the establishment of denominational mission schools, whose announced purposes were to provide proper education for their own children, to make a "Christian" education available to the Mormons and to raise the general tone of education in the territory. The Protestant Episcopal Church established a mission school in Salt Lake City in 1867, followed by schools in Ogden in 1870 and in Plain City and Logan in 1873. The Presbyterian Church established its first school at Alta, Utah, in 1873, followed by Westminster in Salt Lake and Wasatch Academy in Mount Pleasant in 1875 and nine other schools over the state before 1882. The Congregational Church began its school system in Salt Lake in 1878 and through the New West Education Commission established a state-wide system in 1881-82. Roman Catholic schools were started with St. Mary's in Salt Lake in 1875, with additional schools in 1877, 1878, and 1882.

In general, these private denominational schools were staffed by well-trained teachers and offered a quality of education that was thought by many to be in advance of the Mormon-controlled community schools. The denominational systems continued to expand until at least 1890.

A Mormon system of academies, established in response to the challenge of these denominational schools, began with Brigham Young Academy in 1875, Brigham Young College in Logan in 1877. These two schools were quickly followed in the 1880's by other academies in the state and other areas of
The strategic points in the struggle to establish free public schools in Utah supported by tax revenues and free from sectarian influences were the not unfamiliar battles: to obtain tax support, to make the schools entirely free, to establish state supervision and control, to eliminate sectarianism, and to extend schools upward to the university level.

The non-Mormons during this period increased their political power, threw down the gauntlet, and bid to wrest control of the territorial schools from Mormon hands where it had resided since 1850. In the ensuing struggle a series of election test cases were brought before the federally-appointed Utah Commission beginning in 1882. Finally the Attorney General of the United States, to whom the matter was referred, ruled that under basic statutory law in Utah, school offices were appointive rather than elective. The effect of this struggle culminating in this climactic decision on education in Utah was to remove, for a time, local representative government in school elections and to place control of the territorial schools in the hands of federally-appointed non-Mormon school officers.

Non-Mormon governors and territorial school officers continued to debate with Mormon leadership the advisability of removing religious instruction from the territorial schools.

The next step in the non-Mormon campaign was the launching of a movement for the passage of a law which would provide for free, tax-supported, non-sectarian education in Utah. Although spearheaded by Protestant educators and authored by a prominent Congregationalist, the law was passed by a predominantly Mormon legislature in 1890.

Attempts were made following the passage of this law to reconcile
some of the divergent points of view in education in Utah, but little progress was seemingly made and the Protestant, Roman Catholic and Mormon churches continued to operate their separate school systems which were now paralleled by an expanding public school system.

The Mormons, however, were not ready to surrender their influence over the public schools. In 1894 they initiated legislation that allowed private or denominational normal schools to train and to issue valid teacher's certificates to public school teachers. Through the training of teachers in their own schools, the Latter-day Saints hoped to assure an adequate supply of Mormon-trained public school teachers whose moral and religious backgrounds would continue a high moral tone in public education. This policy has continued down to date as part of Mormon objectives in education.

With the coming of statehood in 1896 came an important change in Church and State relationships. The federal government no longer possessed appointive powers which had enabled them to control local affairs in Utah. The First Presidency of the L.D.S. Church that same year issued a manifesto disavowing any unity of Church and State.

As public education now expanded, the number of denominational schools gradually decreased. These accommodations to the state system were prompted by at least two factors: first, the desire of the churches to adjust their educational systems to the growth of the public school system; and second, the reluctance or inability of the churches financially to support systems of schools in competition with tax-supported schools.

As part of its adjustment, the L.D.S. Church closed some of its academies and high schools and began in 1912 the establishment of a
system of released-time religious education in connection with public high schools.

In the period following 1920, the L.D.S. General Church Board of Education made a number of important policy decisions which resulted in closer working relationships with public educational programs. These decisions were prompted largely by two considerations: first, the felt need to adjust an increasing educational budget to a stationary or decreasing church revenue; and second, the desire to continue to maintain L.D.S. influence in all phases of education in Utah.

In 1920 the Church Board transferred all high school work to the public schools and as a compensating measure converted some of their academies to junior colleges with the primary motive of training teachers for public schools. Other academies operated by the church were closed during this period. In 1926 the L.D.S. Board made a decision, which they later rescinded, to withdraw completely from the field of secular education and expend the entire church educational budget on religious education. Two years later the Board went on record in favor of the establishment of a system of junior colleges by the state, and in 1930 decided to turn their remaining three junior colleges over to the state which was accomplished by 1933.

After 1933 the Mormon Church left the field of secular education in Utah to the state except on the university level and enlarged its system of released-time L.D.S. seminaries and institutes.

During the period from 1934 to 1957 recommendations were made by three governors of Utah that the financial load of higher education borne by the state be adjusted downward either by having local school districts
or regions share the cost of junior colleges with the state or by the return of the former L.D.S. junior colleges to that church for support and operation. Legislation providing for such a return, recommended by Governor J. Bracken Lee, was enacted in 1953, but was nullified by a public referendum on the issue in November 1954.

The educational policies of President David O. McKay of the L.D.S. Church, long an ardent advocate of church schools has had a decided effect on the expansion of the L.D.S. school system in recent years, and the willingness of the L.D.S. Church to re-assume operation of its former junior colleges in 1953 may be traced partly to the original deeds of transfer but largely to his educational philosophy and to increased church revenues.

The question of the legality of the L.D.S. released-time program of religious education in connection with public schools was under discussion several times during the period from 1934 to 1957. In 1950, the State Superintendent of Public Instruction refused to rule on this issue in response to a request from a parent in Uintah County on the grounds that legal requests for such a ruling could only come from boards of education. Legally the issue of released time in Utah to date has been left open largely in response to local community interests and desires.

In March 1958, a proposal was made by a committee of the State Board of Education that credit no longer be granted by state high schools for courses taken in L.D.S. seminaries under the released-time program. The recommendation was not adopted by the State Board.

Church and State relations in education during the final period covered by the study, 1934 to 1957, were generally cordial. Protestant
educational efforts in the same period became more inter-denominational.

Perhaps the outstanding conclusion reached in this study is that the development of education in Utah has been markedly influenced by power groups and structures at work in the society and state. As would be expected in a state settled by peoples having strong religious convictions, controversies arose and were settled only by compromise and accommodation.

The study has established that educational policy and philosophy have always been of vital concern to the L.D.S. Church. Its policies in this respect have powerfully influenced the course of the development of educational programs in the state. On many occasions state school officers have readily recognized that no realistic planning of state school programs could be accomplished without taking into consideration the educational policies of the L.D.S. Church. While the church has adjusted its educational policies and programs to changing relationships in education in Utah, the Mormons have always maintained a constant interest in the affairs of government and of public education. Other groups have been similarly interested and particularly during the territorial period used their power to control educational policies.

The study lends further confirmation to a conclusion of the Committee on Religion and Education of the American Council on Education in 1947 that the actions of the people of the United States in relation to their schools demonstrate that there is no impregnable wall separating Church and State in the United States and that the "American way" in education with respect to religion is state and local control with freedom to experiment within interpreted bounds of the Constitution of the United States
and the constitutions of the several states.

The study provides an illustration of the American democratic system in action on one of the most vital issues in American education today.