

Historical Material Pertaining to Official Declaration 1

The practice of polygamy became an existential threat to the Church. The Church was unwilling to give it up, seeing it as a requirement from God for celestial glory, and the rest of the country was adamant it end. Via the [Edmunds-Tucker Act](#), the US Government dissolved the corporation of the Church, confiscated all Church land and buildings, including the Temples, disenfranchised women, and threatened fines and imprisonment on men who participated in polygamy.

While OD-1 is the [First Manifesto](#) on the practice of polygamy, there were two additional statements that are commonly called the [Second Manifesto](#) (Joseph F. Smith, April 6, 1904) and a third and final manifesto (Heber J. Grant, "Official Statement from the First Presidency," June 17, 1933, documented in James R. Clark, Messages of the First Presidency, volume 5, page 324) enforcing the ban on polygamy in the Church. The third and final manifesto is what brought about the splintering of the various polygamous fundamentalist groups from the Church.

Below are several historical commentaries on the subject. The final selection is a statement made by the man who came up with the phrase "Twin Relics of Barbarism - polygamy and slavery" and gives some of the political and historical context.

Excerpt from Doctrine and Covenants Commentary

"The doctrine of plural marriage was made known to the Prophet in 1831, or 1832, although the Revelation on the subject was not committed to writing until the year 1843. It should be noted that even then it was not given to the Church. This step was taken on the 29th of August, 1852, when the Revelation was read to a General Conference in the 'Old Tabernacle,' Salt Lake City, and accepted by the assembly as a revelation from God and part of the law of the Church. In voting for the Revelation, the Saints firmly believed that they were only exercising their legal right as American citizens. They believed that, as a majority, they had the indisputable constitutional right to regulate their domestic affairs, within the boundaries of their own territory, and that the Supreme Court of the United States would uphold this view, even if Congress should be of a different opinion. And they were strengthened in their position by the fact that not until ten years after the action taken by

the Church in 1852 was any effort made by Congress to stamp plural marriage as illegal.

"The first Congressional enactment against plural marriage, passed in 1862, remained a dead letter for twenty years. By that time, the anti-Mormons had evidence that the Supreme Court would uphold legislation of that kind, and the laws more drastic than the first were passed by Congress. The Church leaders appealed to the Supreme Court, as was their prerogative. For years there was a legal conflict. At last, when the Supreme Court had declared the anti-polygamy laws constitutional and there was no prospect that there would be a reversal of this decision, the Church loyally and gracefully accepted it. President Wilford Woodruff issued his Manifesto against the practice of plural marriage, and this was accepted by a unanimous vote of the General Conference assembled in Salt Lake City, Oct. 6th, 1890. This was done by divine revelation to President Wilford Woodruff. [Full text of the Manifesto is found on pages 256-57 of the Doctrine and Covenants.]

"After the Manifesto had been read to the Conference, President Lorenzo Snow offered the following: [This statement is given in full on page 257 of the Doctrine and Covenants.]

"The vote to sustain the...motion was unanimous.

"By this action the Church voted to conform to the laws of the land as interpreted by the highest tribunal, and to leave the issue with God. Since that conference, and, in fact, for some time previous to the acceptance of the Manifesto, no plural marriage has been performed anywhere with the sanction of the Church, or the approbation of the First Presidency, or anyone representing them, as was fully proved during the so-called Smoot investigation in the United States Senate, which commenced January 16, 1904.

" 'I want to say to this congregation, and to the world, that never at any time since my presidency in the Church of Jesus Christ of Latter-day Saints have I authorized any man to perform plural marriage, and never since my presidency of the Church has any plural marriage been performed with my sanction or knowledge, or with the consent of the Church of Jesus Christ of Latter-day Saints; and therefore such unions as have been formed unlawfully, contrary to the order of the Church, are null and void in the sight of God, and are not marriages.' (President Joseph F. Smith, at the General Conference of the Church, Oct. 4th, 1918.)" (Hyrum M. Smith and Janne M. Sjodahl, Doctrine and Covenants Commentary, pages 836-37)

Excerpt from Historical Vignettes

I have had some revelations of late, and very important ones to me, and I will tell you what the Lord has said to me. Let me bring your minds to what is termed the Manifesto. The Lord has told me by revelation that there are many members of the Church throughout Zion who are sorely tried in their hearts because of that Manifesto. And also because of the testimony of the Presidency of the Church and the Apostles before the Master in Chancery. Since I received that revelation I have heard of many who are tried in these things, though I had not heard of any before that particularly. Now, the Lord has commanded me to do one thing, and I fulfilled that commandment at the conference at Brigham City last Sunday, and I will do the same here today. The Lord has told me to ask the Latter-day Saints a question, and He also told me that if they would listen to what I said to them and answer the question put to them, by the spirit and power of God, they would all answer alike, and they would all believe alike with regard to this matter. The question is this: "Which is the wisest course for the Latter-day Saints to pursue to continue to attempt to practice plural marriage, with the laws of the nation against it and the opposition of sixty millions of people, and at the cost of the confiscation and loss of all the Temples, and the stopping of all the ordinances therein, both for the living and the dead, and the imprisonment of the First Presidency and the Twelve and the heads of families in the Church, and the confiscation of personal property of the people (all of which of themselves would stop the practice), or after going and suffering what we have through our adherence to this principle to cease the practice and submit to the law and through doing so leave the Prophets, Apostles, and fathers at home, so that they can instruct the people and attend to the duties of the Church, and also leave the temples in the hands of the Saints, so that they can attend to the ordinances of the Gospel, both for the living and the dead?"

The Lord showed me by vision and revelation exactly what would take place if we did not stop this practice. If we had not stopped it would have had no use for Brother Merrill, for Brother Adlefson, for Brother Roskelley, for Brother Leishman, or for any of the men in this temple at Logan; for all ordinances would be stopped through the land of Zion. Confusion would reign throughout Israel, and many men would be made prisoners. This trouble would have come upon the whole Church, and we would have been compelled to stop the practice. Now, the

question is, whether it should be stopped in this manner, or in the way the Lord has manifested to us, and leave our Prophets and Apostles and fathers free men, and the temples in the hands of the people, so that the dead may be redeemed. A large number has already been delivered from the prison house in the spirit world, by this people, and shall the work go on or stop? This is the question I lay before the Latter-day Saints. You have to judge for yourselves. I want you to answer it for yourselves. I shall not answer it; but I say to you that is exactly the condition we as a people would have been in had we not taken the course we have.

I know there are a good many men and probably some leading men, in this Church who have been tried and felt as though President Woodruff had lost the spirit of God and was about to apostatize. Now, I want you to understand that he has not lost the Spirit, nor is he about to apostatize. The Lord is with him, and with this people. He has told me exactly what to do, and what the result would be if we did not do it. I have been called upon by friends outside of the Church and urged to take some steps with regard to this matter. They knew the course which the Government was determined to take. This feeling has also been manifested more or less by the members of the Church. I saw exactly what would come to pass if there was not something done. I have had this spirit upon me for a long time. But I want to say this: I should have let all the temples go out of our hands; I should have gone to prison myself, and let every other man go there, had not the God of Heaven commanded me to do what I did do, and when the hour came that I was commanded to do that, it was all clear to me. I went before the Lord, and wrote what the Lord told me to write. I laid it before my brethren such strong men as Brother George Q. Cannon, Brother Jos. F. Smith, and the Twelve Apostles. I might as well undertake to turn an army with banners out of its course as to turn them out of a course that they considered to be right. These men agreed with me, and ten thousand Latter-day Saints also agreed with me. Why? Because they were moved upon by the Spirit of God and by the revelations of Jesus Christ to do it. (President Wilford Woodruff made the above statements in a talk at the Cache Stake quarterly conference in Logan, Utah, November 1, 1891; Quoted in Historical Vignettes, pages 147-49, published by the Church Educational System)

Excerpt from Essentials in Church History

The Crusade Continues. The crusade against those who had entered plural marriage continued after the death of President Taylor, but in some respects with less severity. President Grover Cleveland pardoned a number of the imprisoned men against whom the courts had been extremely severe. These included Joseph H. Evans, a man of seventy, Charles Livingston and Rudger Clawson. From this time on there was a more tolerant attitude manifested by some of the officers. Nevertheless the government continued with unyielding determination to suppress plural marriage, and more drastic legislation was proposed by Congress.

The Crusade in Idaho. In Idaho the anti-"Mormon" feeling was intense. One officer who afterwards was honored with the position of United States senator from Idaho declared that he had selected "a jury that would convict Jesus Christ." Nor was this blasphemous expression the only one uttered in that campaign. Men were hounded and treated in an inhuman manner, and the boast was that "Mormons" would be convicted with or without evidence before the courts.

The Idaho territorial legislature passed a law in 1885, containing the "Idaho test oath," which disfranchised all members of the Church. It provided that electors should swear that they were neither polygamists nor members of an organization which taught, advised or encouraged the practice of polygamy. The supreme court of the United States sustained this law in a decision given February 3, 1890. It was enough to deprive a person of the franchise simply to declare that he was a member of the Church.

The Strubble Bill. The enemies of the Church in Utah were greatly elated over this decision of the supreme court in the "Idaho test oath" law. They knew that no legislature in Utah would pass such a measure, but they had hopes that Congress would, and thus the great majority of the people of Utah would be disfranchised and their enemies be placed in control. A bill called the Strubble Bill, following the lines of the Idaho law was presented in Congress in 1890. Robert N. Baskin, who was as bitter against the Saints as it was possible for him to be, brazenly declared the object was "to wrest from the hands of the Priesthood the political power which it had wrongfully usurped and shamefully abused." General John A. McClernand, of the Utah Commission, refused to be a party to such wickedness, and made a separate report condemning the proposed high-handed legislation. This bill never became a law for several reasons. Many of the conservative non-"Mormons" of Utah opposed the measure as being detrimental to the interests of the territory, and petitioned

Congress not to pass it. Secretary of State James G. Blaine used his influence to defeat the measure for political reasons, but insisted that the Church do something to relieve the situation.

President Woodruff's Manifesto. While the Saints were in the midst of all these difficulties and afflictions, President Wilford Woodruff sought the Lord for relief. In answer to his earnest pleadings and constant petitions, the word of the Lord came to him in a revelation suspending the practice of plural marriage. The Latter-day Saints, with the feeling that the anti-polygamy legislation was a restriction of their religious rights, contested every move made by the government. When the supreme court sustained these laws, there was nothing left for the Church to do but submit or stand as violators of the law. They have never felt that the action of the courts was just, nor did they feel that it was within their power to suspend a commandment given to them by revelation from the Lord. The "manifesto" of President Woodruff brought relief. The people had done their duty. The Lord gave them the commandment and only he could authorize its suspension. President Woodruff, writing in his journal September 25, 1890, said:

"I have arrived at a point in the history of my life as the President of the Church of Jesus Christ of Latter-day Saints where I am under the necessity of acting for the temporal salvation of the Church. The United States government has taken a stand and passed laws to destroy the Latter-day Saints on the subject of polygamy or patriarchal marriage, and after praying to the Lord and feeling inspired, I have issued the following proclamation which is sustained by my counselors and the twelve apostles."

The Manifesto Sustained. At the conference of the Church held in October following, the manifesto was presented to the congregation and on motion by President Lorenzo Snow of the council of the apostles, was accepted by the Latter-day Saints by unanimous vote. Thus it became binding upon the members of the Church.

Following this action President George Q. Cannon delivered a discourse, reviewing the history of the anti-polygamy legislation and justified the action of President Woodruff on the following grounds: First, when a commandment is given to the children of men, and they are hindered by their enemies, the Lord accepts their offering. Second, the authority which gave the commandment had the right to revoke. In the course of his remarks he quoted verses 49 and 50 of section 124 in the Doctrine and Covenants.

President Woodruff followed the remarks of President Cannon and in part said:

"I want to say to all Israel that the step which I have taken in issuing this manifesto has not been done without earnest prayer before the Lord. * * * I am not ignorant of the feelings that have been engendered through the course I have pursued. But I have done my duty, and the nation of which we form a part must be responsible for that which has been done in relation to this principle.

"The Lord has required at our hands many things that we have not done, many things that we were prevented from doing. The Lord required us to build a temple in Jackson County. We were prevented by violence from doing it. * * * It is not wisdom for us to go forth and carry out this principle against the laws of the nation. * * * The Lord has given us commandments concerning many things and we have carried them out as far as we could; but when we cannot do it, we are justified. * * * The Lord will never permit me or any other man who stands as the President of this Church to lead you astray. It is not in the program. It is not in the mind of God. If I were to attempt that, the Lord would move me out of my place."

Result of the Manifesto. Following the issuance of the manifesto the sentiment grew that those who had entered into plural marriages before that date should not be interfered with, and men were not to be compelled to desert their wives and children. In time the two political parties, the "People's Party" composed mostly of members of the Church, and the "Liberal Party" composed of the enemies of the Church, disbanded, and the people joined the two great national parties, the Democrats and Republicans, without regard to religious affiliation. However, the more rabid anti-"Mormons" held on to their animosities and organization until the opposition to them among non-"Mormons" was so great that they could resist no longer.

The Granting of Amnesty. December 19, 1891, the First Presidency and apostles petitioned for amnesty. This petition was endorsed by the governor, Arthur L. Thomas, and Charles S. Zane, who had again become chief justice, and many leading "Gentiles." It was read before the senate committee on territories and became a part of the published record of that body. President Benjamin Harrison, who a short time before had visited Utah, on January 4, 1893, issued a proclamation of amnesty to polygamists for past offenses, limited to those who entered into that relation before November 1, 1890. The Utah

commission acting on the pardon of the President, ruled that the restrictions against voters in the territory should be removed....

The Escheated Property Returned. In September, 1893, Delegate Joseph L. Rawlins presented in Congress a resolution for the restoration of the personal property of the Church. The resolution was favorably acted upon by Congress and President Cleveland signed it October 25. The real estate, escheated to the government, was not returned until three years later. In the last territorial legislature, in 1894, Mr. Charles S. Varian, formerly United States attorney, presented a memorial to Congress asking for this restoration, but the matter was not decided until after Utah obtained statehood. President Cleveland, March 28, 1896, approved of a memorial to this effect presented by one of Utah's representatives in the senate and which had passed both the senate and the house of representatives. (Joseph Fielding Smith, Essentials in Church History: The Administration of President Wilford Woodruff)

Excerpt from Studies in Scripture

Some students of the Doctrine and Covenants have wondered why Official Declarations 1 and 2 did not become numbered sections like the balance of the material in this book of scripture. As this article will show, these documents are not the actual records of the revelations themselves but rather are inspired announcements that the revelations had been received....

To appreciate fully the significance of the "Manifesto," as Official Declaration 1 is popularly known, one must have some knowledge of the history of plural marriage as practiced among the Latter-day Saints. As early as the 1830s Joseph Smith first learned of this principle by revelation, but he was not permitted to teach it at that time. In 1841, after the Saints had settled in Nauvoo, the practice was introduced secretly and on a limited basis among selected members of the Church. The first public announcement of the doctrine came in 1852, after the Saints had made their trek to the relative isolation of the Rocky Mountain West. Recent research has shown that by the 1880s approximately fifteen percent of all Church members belonged to plural families. Although there were some abuses which attracted widespread notoriety, many other families enjoyed rich spiritual blessings if they were willing to put forth the effort required for successful living in this unique order of marriage.

Congress passed the first anti-bigamy law in 1862, but preoccupation with the Civil War and its aftermath delayed enforcement for nearly two decades. In 1882 the Edmunds Law enlarged the definition of offenses to be punished: Marrying a plural wife continued to be regarded as a felony, while living or "co-habiting" with a plural wife became a misdemeanor. Bitter anti-Mormon agitation during the next few years led to the passage of yet harsher legislation. The Edmunds-Tucker Law of 1887 not only punished those convicted of polygamy, but also limited the Saints' participation in the political process, disincorporated the Church as a legal institution, and provided for the seizure of its assets. The Latter-day Saints continued to seek help from the courts, fully expecting that these laws would be declared unconstitutional because infringed freedom of religion. Early in 1889 arguments concerning the Edmunds-Tucker Law were presented to the United States Supreme Court; much to the Saints' disappointment, the high court upheld even this harshest law in May of 1890.

President Woodruff's Dilemma

Even before the Supreme Court handed down its final decision, Church leaders fully expected that the anti-polygamy laws would once again be upheld. These developments posed a difficult dilemma for President Wilford Woodruff and for the Latter-day Saints as a whole. Their choice was not between a law of God and a law of man, but rather between what appeared to be two divinely sanctioned precepts. They regarded the practice of plural marriage as revealed by God (section 132), but they also had been instructed to obey "that law of the land which is constitutional" (D&C 98:5). In November of 1889 the Lord gave by revelation a message of assurance to President Woodruff and his counselors: "Thus saith the Lord, unto my servants...I the Lord hold the destiny of this nation, and all other nations of the earth in mine own hands; all that I have revealed, and promised and decreed...shall come to pass, and no power shall stay my hand." Nevertheless, while President Woodruff was praying for guidance, the Lord showed him "by vision and revelation exactly what would take place" if the practice of plural marriage was not stopped. He foresaw that all the temples would be lost and ordinances for the living and the dead would cease, the First Presidency and the Twelve as well as other leaders would be imprisoned, and that under these conditions the Church and its work would be destroyed. President Woodruff's description of this revelation was published in the Doctrine and Covenants for

the first time in the 1981 edition (see "Excerpts from Three Addresses by President Wilford Woodruff Regarding the Manifesto," following OD 1). In the light of these instructions, the First Presidency in 1889 withdrew authorization for further plural marriages.

The Endowment House, an adobe structure on Temple Square which had been built as a place where sacred ordinances could be performed until the Salt Lake Temple was finished, was torn down during November of 1889, when President Woodruff learned that unauthorized plural marriages were being performed there. Following the Supreme Court's decision in 1890, charges intensified to the effect that the Church was still sanctioning plural marriages. In response, President Woodruff issued the "Manifesto" (Official Declaration 1) just before the October general conference: "Inasmuch as laws have been enacted by Congress forbidding plural marriages, which laws have been pronounced constitutional by the court of last resort, I hereby declare my intention to submit to those laws, and...publicly declare that my advice to the Latter-day Saints is to refrain from contracting any marriage forbidden by the law of the land" (Official Declaration 1, emphasis added). Concerning the circumstances in which this statement was prepared, President Woodruff testified: "I went before the Lord, and I wrote what the Lord told me to write." Thus Official Declaration 1 is an inspired announcement of the fact that a revelation, previously received, had ended the practice of plural marriages. Some wondered how these instructions applied to those who had already entered plural marriage. Within a short time Church leaders and U. S. Government officials agreed that new polygamous marriages would be permitted to continue living with and supporting them without fear of prosecution. Under these terms Utah was finally admitted as one of the United States in 1896. For a time the Church allowed plural marriages to be performed outside of the United States, particularly in the Mormon colonies of northern Mexico. In 1904, however, President Joseph F. Smith again upheld the principles set forth in the Official Declaration of 1890 and stressed that the Church henceforth would not sanction plural marriages anywhere in the world. President Smith also directed that the 1890 Manifesto be included in the Doctrine and Covenants, and this was done with copies printed beginning in 1908.

Two members of the Twelve, John W. Taylor and Matthias F. Cowley, could not accept President Smith's expanded application of the prohibition against polygamous marriages. In 1905 the

First Presidency had to take the unusual step of asking for these Apostles' resignation. Since that time several small "fundamentalist" groups have continued to insist that plural marriage is an essential doctrine, and have gained public notoriety by performing such marriages. These persons, however, have been denounced by Church leaders and are subject to excommunication. All this has served to demonstrate the importance of following the living prophet through whom revelation continues to guide the Church in each era of its history. (Richard O. Cowan, Studies in Scripture Volume 1, The Doctrine and Covenants)

Excerpt from The Restored Church

At a special conference held in Salt Lake City, August 28 and 29, 1852, the doctrine of "plural marriage" was first publicly declared. The revelation to Joseph Smith upon the subject was read, and Orson Pratt gave a discourse from the standpoint of the Bible. The bounds and restrictions of the law as laid down by modern revelation were clarified. As previously discussed, a number of the leading brethren were already practicing the doctrine. Following this conference, others received the sanction of President Young, who held the keys of this order of marriage, to enter into its practice. In certain instances the President urged Church leaders to marry and provide a home for worthy women of the community, who had been denied the opportunity for the development of personality which comes from married life.

The philosophical reasons for the doctrine of plural marriage have been previously discussed (see topic 71). At the end of the first year's migration to Utah the number of women exceeded the number of men. That excess of women continued for half a century. Under the Mormon practice of "plural marriage" these women were absorbed into family life in the several communities. The practice was necessarily limited, only about two per cent of the men eligible for marriage having more than one wife. Nor was the law applicable to the general population of the territory or even to the general membership of the Church. Only those men who obtained the sanction of the President, who kept in mind the character and fitness of the individual, could marry a second wife, and then only with the consent of the first wife.

In the operation of such a social law there developed irregularities and abuses. The practice of the doctrine required

a degree of self-sacrifice and an unselfish devotion to principle beyond the power of most people.

The practice of plural marriage, or as it was erroneously called, "polygamy," created a considerable stir in the press and became the center of attack against the Church by its enemies. As Utah was a territory of the United States and as the laws for territories are passed by Congress, the discussion of "polygamy" was carried to that body and became the chief argument against the admission of Utah as a State.

So bitter did the attacks against the Church become that Congress, under the influence of lobbyists and of the press, passed an "anti-bigamy law" in 1862, aimed at the suppression of "polygamy" among the Mormons.

The bill was signed by President Lincoln, July 8, 1862, and made the contracting of a plural marriage punishable by a fine of \$500 or imprisonment for a term of five years, or both.

In the main the President and members of Congress were not hostile to the Mormon people, but they were opposed to the practice of polygamy. They appear to have been conscientious and genuine in their feeling that polygamy was a bad social practice and should not be tolerated upon those grounds. The political platform upon which Lincoln was elected, contained a plank condemning the practice of polygamy.

Out of friendship for the Mormons, with whom he had become acquainted in Illinois, President Lincoln neglected to appoint officers to enforce the anti-bigamy law.

The enemies of the Church, who were seeking its destruction, were not content with letting the issue drop. The law contained a provision forbidding a religious body in a territory to hold real estate in value to exceed \$50,000. This was aimed directly at the Church of Jesus Christ of Latter-day Saints. An effort made by Governor Harding of Utah in 1863 to have Brigham Young punished under this law failed, the constitutionality of the whole law being questioned.

The agitation against polygamy grew more bitter as the years progressed, but it was not until 1874 that the constitutionality of the "anti-bigamy law" was tried and an attempt made to enforce it. The Mormon people were confident that the law was unconstitutional and that if a trial case was carried to the higher courts it would be so declared and the uncertain state of affairs cleared up. Accordingly, George Reynolds, the private secretary of Brigham Young, volunteered to test the law. The Federal officers of the territory seemed equally desirous of clarifying the matter by a friendly suit.

Accordingly, Reynolds was indicted. He voluntarily appeared in court and furnished the evidence of the facts whereby he had violated the law. He was convicted, sentenced to one year's imprisonment, and ordered to pay a fine of \$500. The case was appealed to the Supreme Court of the territory, where it was dismissed on the grounds that the grand jury which found the indictment against Reynolds was an illegal jury.

The constitutionality of the law still being undecided, a second trial was held in 1875, before Alexander White, Chief Justice of Utah. The friendly nature of the previous trial was entirely lacking, the prosecution becoming bitter toward the accused, and the accused in his turn refusing to furnish the evidence to prove a violation of the law. A conviction was obtained, however, and Reynolds received the severe sentence of \$500 fine and two years in the penitentiary at hard labor. The Supreme Court of Utah confirmed the decree, and the case was appealed to the United States Supreme Court, which upheld the constitutionality of the law, to the surprise of the Church and many constitutional lawyers. It was a stunning blow to the Church and the forerunner of a period of intense persecution. The decision was not given, however, until January 6, 1879. In the meantime Brigham Young had died, and the quorum of the Twelve Apostles became the presiding authority of the Church. An attempt to have the trial of George Reynolds reopened, and a petition to have him pardoned, met with failure. He was committed to prison, June 16, 1879.

In October, 1880, the first presidency was again organized with John Taylor as President of the Church. Upon his administration fell the brunt of the "anti-bigamy" campaign. Following the death of Brigham Young and especially after the decision of the Supreme Court on the Reynold's case, an effort was made by bitter enemies to bring about the end of polygamy and to crush the Church. Their agitation and false representations through the press resulted in the passage of new legislation aimed at the suppression of polygamous practices. In March, 1882, Congress passed the "Edmund's Bill," amending the "anti-bigamy law" of 1862. This measure added to the punishable offense of plural marriages, "polygamous living," which was defined as "unlawful cohabitation." The law deprived all who lived the polygamous relationship of the right to vote, or to hold public office. Further it abrogated the right of the traditional jury trial in that a mere belief in the doctrine of plural marriage was sufficient to bar an individual from jury service.

This law further declared all registration and election offices vacant in the territory and provided for Federal appointees in their place. The Edmunds law virtually deprived Utah of those rights of self-government which had become a definite factor in the government of territories. The law was made retroactive in regard to the franchise. No individual who had ever lived the law of plural marriage was allowed to vote, regardless of whether he was then living that law or not.

A campaign of bitter persecution began against those men who had entered into plural marriage before or after the passage of the law. This campaign lasted throughout the entire administration of President Taylor. Hundreds of homes were broken up, the fathers and husbands being sent to the penitentiary. Women were sent to prison for "contempt of court," because they refused to testify against their husbands. Following the severe sentence given Rudge Clawson in October, 1884, there developed what was termed the "segregation ruling." This was a ruling of the courts that separate indictments might be found against a man for every day he was found guilty of living with a plural wife.

This ruling of the courts was responsible for driving the leaders of the Church into exile, for it amounted to an announcement that a man who practiced polygamy, or even attempted to provide for his several wives, might by an accumulation of separate charges, be sent to prison for life.

This "segregation policy" was condemned by the Supreme Court of the United States in the case of Lorenzo Snow, which came before it in February, 1887.

In March of 1887, Congress passed a still more rigid measure to suppress polygamy, known as the "Edmunds-Tucker Law." This law provided for the disincorporation of the Church of Jesus Christ of Latter-day Saints, which taught the doctrine, and of the Perpetual Emigration Fund Company. The property of these corporations was to escheat to the Federal Government to be used for the benefit of schools in the territory. Buildings and grounds used exclusively for religious services, and burial grounds, were alone exempted from the law. This infamous law was denounced in Congress by many notable non-Mormons, but the popular clamor against polygamy secured its passage.

The United States Marshal Dye took charge of the real and personal property of the Church. In order to retain the use of the tithing offices, and historian's office, the Church was forced to pay the government an annual rental of \$2,400. Four hundred fifty dollars a month was paid to retain the use of the

Guardo house, and the use of the temple block was retained by paying a high rental.

During this period the Church was under heavy financial stress. It could not borrow a dollar. Only the faithful payment of tithes enabled it to weather the storm. From hiding places, generally called the "underground," the exiled First Presidency conducted the affairs of the Church. John Taylor died in exile July 27, 1887, at Kaysville, Utah.

After the death of John Taylor, the crusade against polygamy continued, but with considerable tolerance on the part of the officers. President Grover Cleveland pardoned a number of men who had been given extraordinarily severe sentences, among them Charles Livingston, Rudger Clawson and Joseph H. Evans.

In Idaho and Arizona the feeling against polygamy became intense. In 1885, the Idaho Legislature passed a law which disfranchised all members of the Church which taught such a doctrine as this, deprived all Mormons of the right to vote or hold office, regardless of whether or not they practiced polygamy themselves. The constitutionality of the law was questioned. It was upheld by the United States Supreme Court in a decision of February 3, 1890. Such a bill was introduced in Congress for the Territory of Utah, called the "Stubble Bill," but even prominent non-Mormons of Utah opposed it, and it was defeated.

In the midst of these trying difficulties, Wilford Woodruff, who had been sustained President of the Church, April 7, 1889, appealed to the Lord in prayer. In answer he received a revelation, suspending "plural marriage."

The anti-polygamy laws had placed the members of the Church on the horns of a dilemma. They must disobey the laws of God or the laws of the land. The revelation brought them relief. On September 25, 1890, President Woodruff issued his famous "Manifesto" which declared an end to the contracting of plural marriages in the Church and called upon the members to obey the law of the land. In the October conference the "Manifesto" was sustained and thus became binding upon the Church. In that conference President Woodruff said:

"I want to say to all Israel that the step which I have taken in issuing this manifesto has not been done without earnest prayer before the Lord. * * * I am not ignorant of the feelings that have been engendered through the course I have pursued. * * * The Lord will never permit me or any other man who stands as the President of this Church to lead you astray. It is not in the program. It is not in the mind of God. If I

were to attempt that the Lord would move me out of my place."

The results of the manifesto was a noticeable change in attitude toward the Church. President Harrison issued a proclamation of amnesty on January 4, 1893, to those who had entered into "polygamous marriages" prior to November 1, 1890. The restrictions against voters were removed, and in 1893 the personal property of the Church was returned to its rightful owners. Three years later, when Utah achieved Statehood, the real estate which had been confiscated was likewise returned to the Church. (William Edwin Berrett, The Restored Church)

Excerpt from Revelations of the Prophet Joseph Smith

On 24 September 1890 Wilford Woodruff, President of the Church, issued a statement, known as "the Manifesto" or "Official Declaration," which publicly announced that the Mormon people had discontinued performing plural marriages. The following day, 25 September 1890, President Woodruff recorded the following in his journal:

I have arrived at a point in the History of my life as the President of the Church of Jesus Christ of Latter Day Saints where I am under the necessity of calling for the Temporal Salvation of the Church. The United States Government has taken a Stand & passed Laws to destroy the Latter day Saints upon the Subject of poligamy or Patriarchal order of Marriage. And after Praying to the Lord & feeling inspired by his spirit I have issued the following proclamation which is sustained by the Council and 12 Apostles.

Within two weeks of its issuance, the Manifesto was presented to a general conference of the Church, where it was unanimously approved. The justification for rescinding this practice was twofold: (1) when God gives a commandment to his people and they are effectively hindered in obeying that commandment, it is for God to accept their offering and to require that work at their hands no more, and (2) the authority which issues a command has the right and the power to revoke it. (Lyndon W.Cook, Revelations of the Prophet Joseph Smith)

Quote of The Twin Relics of Barbarism

"THE TWIN RELICS OF BARBARISM."

BY JOHN A. WILLS.

[From a letter to the Society, dated March 27, 1890.]

The facts about my connection with the Republican Convention which sat in Philadelphia, in June 1856, about which you inquire, are simply these:

In the spring of 1856, I was residing in the city of San Francisco, practicing law, and had been so residing since the latter part of November, 1853. When I settled there, I had not brought my family with me, and, after an absence of two years and a half, I resolved to make a visit home to my family in Western Pennsylvania, in the month of May. My political status as an anti-slavery man and this intended visit home being well known among my political friends - without any solicitation on my part - I was, through their agency, I presume, appointed by the Republican convention which assembled in Sacramento shortly before that time, as one of the delegates from California to attend the approaching Republican convention to be held in Philadelphia in June, 1856. In order to reach there in time, it was necessary for the delegates from California to leave San Francisco about the middle of May, and to go by steamship by way of Panama. At the time we left, the city was in the hands of the Vigilance Committee. We sailed on Thursday, I remember, because the execution of Yankee Sullivan and others, by order of the Vigilance Committee, was to take place on Friday, the day following. On the steamer I met and made the acquaintance of the other delegates from California to that convention, and during the voyage we exchanged views and talked about the principles and policy of the new party, and of the candidates for President and Vice-President, to be nominated at Philadelphia. As Californians we were mostly, if not all, in favor of the nomination of Col. John C. Fremont, of California - "The Pathfinder," - for the office of President of the United States. For the office of Vice-President we were less unanimous in our choice of a candidate.

When we arrived in Philadelphia and assembled in convention, June 17, 1856, I found that I had been selected by my 'associates as the chairman of the California delegation in that body. I acted, as such, during the sittings of the convention. By virtue of that selection, I presume, I was also

placed on the general platform committee, as the representative of California. After that committee organized for business, it appointed a sub-committee on which I was placed, together with the Hon. Joshua R. Giddings, of Ohio, the Hon. Francis P. Blair, Sr., of Maryland, and other distinguished gentlemen from other States of the Union. In assigning the work to be done by the several members of this sub-committee, the duty of drafting the resolutions in favor of the Pacific Railroad, and against slavery in the territories of the United States, was assigned to me, because those were the two subjects in which California was supposed to be more particularly interested. No special instruction was given to me on the subject of polygamy in the territories. But as polygamy was already odious in the public mind and a growing evil, and as both those social institutions rested precisely on the same constitutional basis, in order to make war upon polygamy, and at the same time strengthen the case against slavery as much as possible, by associating the two together, I determined to couple them together in one and the same resolution. Accordingly I drew up the two resolutions on those subjects, as they afterwards appeared in the platform, and I reported them to the sub-committee, which considered them and reported them, without amendment, to the committee, as a whole. They were approved by that committee, and were afterward adopted by the convention, as reported.

I find the resolution, which is the special subject of your inquiry, in the work which is most accessible to me at this moment - in the biography of Abraham Lincoln by John G. Nicolay and John Hay, as published by them in the May number of the Century Magazine for the year 1887, on page 107. It is in these words:

"Resolved, That the Constitution confers upon Congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is both the right and the duty of Congress to prohibit in the Territories those twin relics of barbarism - polygamy and slavery."

In regard to this resolution and more particularly in regard to what you term the "famous phrase," at the close of it - besides the question of its authorship - there is a piece of political history, not generally known, which I think ought to be preserved.

When I reported that resolution in its present form to the sub-committee for its approval - strange to say - the Hon. Joshua R. Giddings, of Ohio, either moved or suggested, that the so-called "famous phrase" should be stricken out, on two grounds - 1st. Because it was not wise to use epithets; 2d. Because it was unnecessary to specify "polygamy," as it was already virtually included in the term "slavery." To this, of course, I was strongly opposed, but as the youngest and the least distinguished member of the committee, I would have fared badly in a contest with a man so distinguished as Mr. Giddings. Fortunately for me, at this juncture, the Hon. Francis P. Blair, Sr., of Maryland, came to my relief. He had been the editor of The Globe newspaper - the official organ of the administration of Gen. Jackson, in Washington City - and as an old and experienced politician, he knew the value of political phrases, as instrumentalities in political warfare. He therefore agreed with me, and opposed the suggestion of Mr. Giddings. After argument, and at his instance mainly, it was determined to report the resolution as originally drawn. For that reason, I have always felt, that whatever merit may be due to me, as the author of the resolution in its present form, it was to Mr. Blair, of Maryland, that the Republican party and the country were chiefly indebted for the use of that "famous phrase" in the Republican platform of 1856, and in the political history of the country since that time. The rapturous enthusiasm with which the resolution was received by the convention, was the first convincing evidence that the committee had acted wisely in determining to preserve it in its original form.

To conclude these reminiscences of my personal connection with the Republican convention of 1856, I may add - that after the nomination of Fremont as the Republican candidate for President, I was called upon, as the chairman of the California delegation, to respond in behalf of that State for the honor of that nomination - which I did, by running a parallel between Col. Fremont, as the "Pathfinder," and the early career of Gen. Washington. In that parallel, the convention saw - what, no doubt, it wished to see - an augury of victory; and of course, the speech was received with great applause. In this connection, and, as an illustration of the old saying, "Times change, and men change with them," I am reminded of the fact, that at the close of my speech Judge Hoadley, of Ohio, (afterward a Democratic Governor of that State), who stood near

me on the platform, congratulated me very warmly on the success of my speech – saying, among other things, by way of commendation that " with that speech," he "could carry the State of Ohio for Fremont."

I may also add, that at the close of the convention. I was also appointed a member of the committee, of which Judge Hoar, of Massachusetts, was chairman, to visit Col. Fremont in New York City, and in order to present to him the resolutions of the convention, and to inform him officially, of his nomination, as the Republican candidate for the Presidency in the election of 1856, upon them as its political platform – which duty we performed a few days after the adjournment of the convention.

For all these fleeting honors, I then knew and felt, that I was indebted solely to the fact that, at the time, I was the representative of the young and rising State of California. Such being the fact, I think it eminently proper, that the Historical Society of Southern California, in this city, should investigate the claims of one of her citizens to such political honor as may be justly due to him as a representative of that State, more especially when that honor is claimed for a citizen of another State. For that reason I have cheerfully responded to the call made upon me by your society to aid it in its investigation of the matter in question.

Ever since June, 1856, I have always claimed and believed myself to be the *sole author* of the resolution to which you refer and *of every part of it* – now, for a period of nearly thirty-four years. In fact I was not aware until within the last year that there was any dispute about it, or of any counter-claim made in behalf of any other person. *I have always regarded it as one of the few things which certainly belong to me.* Within the last year, however, I have heard from my friend and college classmate, the Rev. John M. Faris, of Anna, Illinois, that its authorship has been claimed by some newspaper in Chicago (whose name I forget), and that upon repeated applications to it by him for its authority for the claim, made by it, in behalf of the Hon. Walton, a former member of Congress from Vermont, he had wholly failed to obtain any satisfaction or any authority for that claim.

What claims Mr. Walton may have to the authorship of the "famous phrase," to which you refer, I do not know, but this I

do know, full well, that I never borrowed it from him, or from anybody else ; for I remember the time and almost the very place where the phraseology of that resolution first came into my mind. It was whilst walking down Eleventh Street in Philadelphia, toward Independence Hall, during the session of the Republican convention in that city, and after it had been made my duty to report a resolution on the subject of slavery in the territories, and the constitutional power of Congress to prohibit it therein.

Fortunately, the question and the controversy, is mostly, if not entirely a question of dates, and on that basis it can be easily settled. If it can be shown that the phrase in question was used by Mr. Walton in Congress or elsewhere, *before the 18th day of June, 1856*, and consequently before its use in the Republican platform of that date, then he may have some claims to a *concurrent authorship* of the phrase ; but if not, then he has none whatever ; unless it can be shown by him, or by me (as the exigency of the case may require), to be one of those cases of parallelism in thought and expression, which sometimes occur, and of which there are many examples in literary history, when the idea of plagiarism cannot reasonably be supposed. I am aware that the same idea in different minds may be independently expressed by them in the same words, and sometimes, from the very necessity of language – just as we know, by way of analogy, that the same inventions and discoveries are sometimes made, simultaneously or nearly so, by different men, in different countries, each acting independently – because they are compelled by the laws of being which are the same everywhere, to arrive at the same conclusions from the same premises, in their efforts to meet the demands of public want in society.

Whether the case in question is an example of that kind, on his part or on mine, I shall not now inquire. For the present, I leave Mr. Walton or the claimants in his behalf, to show first, if they can, his use of the "famous phrase" before the 18th day of June, 1856, before I shall feel called upon, in my turn, to explain in the manner just suggested, its use by me in the resolution in question. Until that necessity shall arise, I shall content myself with submitting the question in this case, to the judgment of history, upon the facts and circumstances now presented by me to your society for its consideration, and for the final determination of history therein, if indeed, so small a matter shall be deemed worthy of its serious consideration.

(John A. Wills, The Twin Relics of Barbarism, Historical Society of Southern California, Los Angeles (1890), Vol. 1, No. 5 (1890), pages 40-44.) [for a discussion of the larger historical context, see Kincaid, John. "Extinguishing the Twin Relics of Barbaric Multiculturalism-Slavery and Polygamy: From American Federalism." *Publius*, vol. 33, no. 1, [CSF Associates Inc., Oxford University Press], 2003, pp. 75-92.]

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