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### War on Polygamy Federal Vengeance Finally Wears Down Mormon Doctrine Polygamy: Feds Attack LDS Doctrine

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Editor's Note: This is the latest in a series of articles describing the people, deeds and events playing significant roles in the settling of Utah and its road to statehood, January 4, 1896.

In the decade of the 1880s, Utah became industrialized and the federal government attacked Mormon polygamy with a vengeance, jailing women as well as men in its relentless crusade to crush the practice. Electricity and telephones came to the territory, railroads continued to make Utah the hub of the West, and Congress passed the Edmunds-Tucker Act, the deathblow to Mormon plural marriage as a church doctrine. Utah's growing pains were audible and visible.

Fort Cameron, the U.S. military post near Beaver, was closed and its buildings sold at auction. The post, having served its primary function as a place to hold John D. Lee during the trials for his role in the Mountain Meadow massacre and in the months before his ultimate execution in 1877, was deactivated and dismantled. The territory's population in 1880, according to the census, stood at 143,963.

Eli Murray, the territory's 11th governor, arrived in Salt Lake City with his family in February 1880, and by the fall of the year made his presence felt with a monumental thump in the form of a report of conditions in Utah to the Secretary of the Interior in Washington. In essence, the governor decried the enactment of laws against polygamy without enforcing them. Murray, a Kentuckian who had joined the Union Army at the age of nineteen when the Civil War broke out, left the service at the end of hostilities as a brigadier general. Now, as the new chief executive of Utah, he had already aroused some snickering animosity because of his reputation as the "most handsome man in Kentucky." When his appointment was announced, the *Deseret News* smirked editorially, "We trust his excellency will have something more than this [his manly good looks] to recommend him to the position of governor. 'Pretty men' are not appreciated in the west."

But Murray surprised the public by suggesting that existing anti-polygamy laws should be either strictly enforced or repealed. With repeal, he said,

officers of the United States should be recalled, non-Mormons removed from the territory and the country turned over to the LDS Church. Murray's plea had the expected effect of provoking newspaper editorial comment. When he described Mormon polygamy as a practice punished as criminal in every part of the republic but that "flourishes unchecked in Utah," the *Deseret News* snapped peevishly: "Our marriage system does not exist in any other part of the United States, therefore it cannot be punished there as criminal. Common bigamy and 'Mormon' plural marriage, as has been repeatedly demonstrated have nothing in common. The law against it was framed specially to prohibit and punish a religious ordinance, and was aimed directly and solely against The Church of Jesus Christ of Latter-day Saints, as is well known, and not denied by anyone but sophists and quibblers."

So once again Utah and its appointed officials were at loggerheads, and with each succeeding collision the federal government added another weapon to its anti-polygamy arsenal. It would only be a matter of time before the battle became overwhelmingly one-sided; Utah and the Mormon Church were certain to be the losers. Until that day, however, polygamists fought desperately to ward off the inevitable.

Meanwhile, progress, though plodding, was inexorable. Salt Lake City streets, which had been lighted by oil lamps since November 1869, made the change to gas in June 1873, and in September 1880 the first electric lights blazed in the city. When hydroelectric plants went into operation in Salt Lake City, Provo and Ogden, the Rocky Mountain Electric Light Co. gave way to Utah Power & Light Co.

In the general elections that year (1880), George Q. Cannon walloped Allan G. Campbell for Utah's congressional seat--but Governor Murray refused to issue an election certificate to Cannon, a polygamist. Cannon protested and left for the nation's capital; Campbell picked up the election certificate and followed. Once in Washington, Cannon produced a declaration of results of the election, which attested that he had received the greater number of votes, and the chief clerk of Congress entered the Mormon's name as Utah's delegate. After a year of bickering and acrimonious debate in and out of Congress, the House of Representatives denied Cannon and Campbell and declared the delegate's seat vacant.

Finally, in October 1883, John T. Caine was elected to succeed Cannon and to fill his unexpired term as well as the full term for the 48th Congress. It was a position Caine would hold for the next ten years. Without a voice on the floor of Congress in the early part of the decade, Utahns could only watch as those who would crush polygamy labored to fashion legislation that would forever stifle the remaining "relic of barbarism."

From this distance in time and in light of the 1990s attitude toward "consenting adults," the venom spewed by the phenomenon of Mormon polygamy is difficult to understand. This "peculiar institution" as it was described by non-Mormons, inspired such hatred during the half-century of its official existence that it seriously occupied armies and presidents of the United States. Not all individuals viewed the matter with the biting good humor of Mark Twain, who recalled in *Roughing It*: "Our stay in Salt Lake City amounted to only two days, and therefore we had no time to make the customary inquisition into the workings of polygamy. I had the will to do it. With the gushing self-sufficiency of youth I was feverish to plunge in headlong and achieve great reform here--until I saw the Mormon women.

My heart was wiser than my head. It warmed toward these poor ungainly and pathetically "homely" creatures, and as I turned to hide the generous moisture in my eyes, I said, "No--the man that marries one of them has done an act of Christian charity which entitles him to the kindly applause of mankind, not their harsh censure--and the man that marries sixty of

them has done a deed of open-handed generosity so sublime that the nations should stand uncovered in his presence and worship in silence."

The Edmunds bill, introduced by Senator George F. Edmunds of Vermont, was an amendment to the anti-bigamy law of 1862 and it defined polygamy as a crime--every person who has a husband or wife living--who thereafter marries another, whether married or single, and any man who simultaneously, or on the same day, marries more than one woman--is guilty of polygamy. The penalty was set a \$500 fine and five years in prison, or both. Edmunds' amendment went further. It excluded polygamists or those engaging in unlawful cohabitation from jury duty and made it sufficient cause for challenge to any juror who believed in polygamy. Polygamists also were denied voting rights through an oath administered by registration officers; and denied the privilege of holding elected office.

As a result of the Edmunds law, anywhere from 12,000 to 14,000 polygamous Mormons--citizens of Utah--were disenfranchised. The U.S. Supreme Court, however, in October 1884 declared such a test oath to be null and void. Mormon authorities, however, believed the real motive of this anti-polygamy crusade was the political control of Utah on the part of the "crusaders." And that polygamy was the smokescreen used to "hide the brutal villainy and outrageous hypocrisy of the whole infamous plot."

Life in Utah otherwise was as nearly routine as it could be under the circumstances. John Taylor had succeeded to the presidency of the LDS Church upon the death of Brigham Young and in 1882 had moved into a newly renovated Gardo House. Amelia Folsom Young, 25th wife of the deceased president, had lived in the mansion on South Temple and State for about a year before selling her "life interest" in the structure that by now was known as the "Amelia Palace." She moved to a smaller home at 1st South and First West. Because church authorities felt their president should have a residence befitting his position, they invested \$15,000 in completing the Gardo House and furnishing it to his tastes. Taylor was not to enjoy his new digs for long because the Edmunds bill kept him one step ahead of federal marshals. He and apostle Cannon decided to "visit" southern Utah.

Liberty Park was officially opened to the public in balmy May of '82; but the winter that followed was nasty. Those who could find a thermometer on January 19, 1883, discovered the mercury at 35 below! The Denver and Rio Grande Western railroad completed its link between Salt Lake City and Denver that March. And the notorious desperado William A. Hickman died in bed near Lander, Wyoming, on August 21.

When police captain and city marshal Andrew Burt was shot to death in downtown Salt Lake City, an angry mob hanged the perpetrator from a stable rafter at the rear of the city jail on August 25, 1883. *The Salt Lake Tribune* lamented: "It was done under the noon day sun and in the shadow of the temple of the Saints. We do not believe that there has been a parallel to the case in history. Mobs have hung men repeatedly, but never before that we remember of have the policemen who had this prisoner in charge, first beaten him into half insensibility; and then turned him over to the mob. This is not a question between Mormon and Gentile; it is one in which the good name of the city government is at stake.

Had the same thing happened in the office of the U.S. Marshal, we would demand the Marshal's instant dismissal and that of his deputies. Now, in the name of the law which was yesterday so cowardly insulted by officers sworn to uphold it, we call upon the city authorities to vindicate their claim and the claim of their people that they are a law abiding people and that they stand ready to punish unfaithfulness on the part of those in whom they repose official trust."

The territorial legislature, in an effort to escape the "repeated assaults" upon the rights of the people to local self-government, tried again to obtain statehood. Thus on December 11, 1883, Representative Caine presented a bill for the admission of Utah as a state. It was referred to the committee on territories; which is to say it was relegated to the wastebasket.

Prosecutions under the Edmunds Law--funded by the federal government--went from a lope to a full gallop. Women alleged to be polygamous wives were hauled into court and jailed for contempt when they refused to answer "indelicate" questions "respecting sexual associations with their supposed husbands." A mass meeting of more than 2,000 LDS women gathered in the Salt Lake Theater "representing the wives, mothers, sisters and daughters of the whole territory of Utah" protested this course of action in the administration of anti-polygamy laws.

About the same time, a man named Edward M. Dalton was arrested in Parowan on charges of unlawful cohabitation. He escaped the deputy marshal who arrested him and some months later returned to his Parowan home. The deputy and a partner spotted Dalton driving livestock through town and yelled "Halt!" then shot and mortally wounded him. The shooting was deemed justifiable and the deputy was acquitted of any wrongdoing.

It was this temper of the crusade to exorcise polygamy that convinced John Taylor and George Q. Cannon that discretion was the better part of valor. Taylor, his counselors and several apostles had only recently returned from an extended trip to Mormon settlements in Arizona and southern Utah, when, speaking to an audience in the Salt Lake Tabernacle, he related the "outrages" that were being visited upon church members. He asked, "Would you resent these outrages and break the heads of men engaged in them, and spill their blood? No, avoid them as much as you can. Would you fight them? No, I would take care of myself as best I can, and I would advise my brethren to do the same."

With that, Taylor, Cannon and others "went into retirement." They went underground. For all intents and purposes, they disappeared from public view, surfacing only rarely for a secret meeting with trusted individuals and directing the affairs of the church by general epistles to the membership. It was humiliating to run and be accused of deserting their flocks at a crucial time, but faced with a choice of fleeing or the alternative--imprisonment--they scrambled. So it went until U.S. Marshal E.A. Ireland posted a \$500 reward for the arrest of Cannon and a lesser amount for the aging Taylor, presumably to belittle the church leader's importance.

Many Mormons went into exile, some to Canada and others to Mexico, a few to Hawaii. LDS missionaries around the world were jailed, beaten, even murdered. Ultimately there were more than a thousand convictions of polygamous Mormons for bigamy, polygamy, unlawful cohabitation, adultery and incest. Since "cohabs" frequently were indicted on two or more counts or were imprisoned more than once, the actual number of Mormon men convicted was in the neighborhood of 900.

Federal officials had devised a system of indictment for separate offenses, so sentences could be "pyramided" even to life imprisonment. Cannon was singled out for special attention because it was widely believed he was actually in charge; Taylor at 78 was conceded to be slowing down. Cannon was headed for Mexico when he was nabbed by a sheriff at Humboldt railroad station in Nevada. The lawman had been tipped that Cannon was enroute to San Francisco to catch a steamer south. The "fugitive" was returned under arrest to Salt Lake City, where he subsequently pleaded guilty and was fined and sentenced to a term in the territorial prison.

There Cannon, with a dozen fellow polygamists, sat for one of the most famous group photographs in Mormon history--the celebrated "prison stripes" portrait.

While the infighting continued to rage between local authorities who were Mormons and Utah federal officials who were non-Mormons, some important events occurred that would have a profound influence on the territory's future. The first was a setback for the anti-Mormons. Governor Murray, who had been in the forefront of maneuvering to neuter Mormon influence, vetoed the general territorial appropriations bill in 1886. It virtually blocked the administration of government in Utah in all departments. Four days later, President Grover Cleveland, now convinced that Murray was unworthy of confidence, fired the governor. A number of other federal officials joined the ranks of the unemployed in ensuing months. Murray's replacement was Caleb Walton West of Kentucky. The new governor offered the forty-nine elders in prison under the Edmunds Law an amnesty of sorts if they would agree to refrain from "unlawfully cohabiting" in the future. The answer was a resounding refusal. West withdrew with a sour opinion of Mormon polygamists.

The second important event was the death of President John Taylor, exhausted from 2 1/2 years in "retirement," living on the run. Taylor died in Kaysville, Davis County, July 25, 1887. His successor was Wilford Woodruff.

The anti-polygamy crusade was now entering its final, feverish venal stages. In February 1887 the Edmunds-Tucker Act was passed; it became law March 3. The law: Disincorporated the LDS Church and by reviving a property limit of \$50,000 for a religious organization initiated forfeiture proceedings against the church, resulting in confiscation of most of its property.

Abolished female suffrage.

Dismantled the Perpetual Emigration Fund Company (the system by which the church was able to bring foreign converts to Utah).

Abolished the Nauvoo Legion.

Required a test oath for all citizens desiring to vote, hold elective office or serve on juries.

Property amounting to more than \$800,000 was in the hands of a receiver pending an appeal to the U.S. Supreme Court.

The Mormon Church was all but bankrupt as it entered the decade of the 1890s. Drastic action was necessary to save what was left. Woodruff, since his succession to the church presidency, was also on the run and in hiding to avoid prosecution for polygamy. But on September 25, 1890, he took the only option open, and published in the *Deseret News* his manifesto--or "Official Declaration" against new polygamy. Woodruff's statement, in essence, explained that: "Inasmuch as laws have been enacted by Congress forbidding plural marriage, which laws have been pronounced constitutional by the court of last resort, I hereby declare my intention to submit to those laws, and to use my influence with the members of the church over which I preside to have them do likewise.

And I now publicly declare that my advice to the Latter-day Saints is to refrain from contracting any marriage forbidden by the law of the land."

The Manifesto was ratified by the church membership on October 6, 1890, and Mormons officially abandoned plural marriage as an essential church doctrine. It did not go down easily with many of the faithful, who asked with some bitterness, why? Why was it not done sooner and the suffering of

past years avoided? The answer came from George Q. Cannon on October 18, 1890: "We have waited for the Lord to move in the matter."

The way was now open to deal for statehood and self-rule.