



*Beyond the Manifesto:
Polygamous Cohabitation
among LDS General Authorities
after 1890*

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Above: *The General Authorities of the LDS church, 1898–1901. Utah State Historical Society collections.*

MORMONS BELIEVED POLYGAMY to be a divine commandment, and they taught and practiced it for a half-century. Following Wilford Wood-

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ruff's Manifesto of 1890, church members experienced a difficult transition period as they were forced to abandon the principle of polygamy in practice, if not technically in doctrine. The Manifesto, originally intended to demonstrate church adherence only to certain aspects of the antipolygamy laws, was later interpreted to include full compliance with all such laws. Later, church leaders petitioned for amnesty that resulted in the granting of pardon to all who would follow the laws. Despite these measures, many church members, including several of the First Presidency and Quorum of Twelve Apostles, failed to comply readily and fully with the antipolygamy laws.

The complexities of this transitional period can best be understood by tracing the steps involved in the actual termination of polygamy among members of the Mormon church, by analyzing the failure of the church hierarchy to comply with the law and the subsequent justification of their actions, and by observing the effect of this disobedience upon relations between the church and the national government. Conclusions drawn from such a study will aid in understanding the intricacies of this period in Mormon church history.

Of necessity, the scope of this paper has been strictly limited to the continuation of polygamous relationships by General Authorities of the Mormon church after the Manifesto of 1890. As such, it gives a delimited view of post-Manifesto polygamy that specifically ignores the subject of new plural marriages contracted between 1890 and 1904. The author sees the topic of such new marriages as one requiring extensive research to document and has therefore narrowly circumscribed his topic.

Between 1862 and 1887 several antibigamy laws were passed by the federal government, aimed primarily at terminating the practice of polygamy among members of the Mormon church.¹ These laws grew out of the general antipolygamy sentiments of the time. The Republican party platform of 1856 included a plank against polygamy, stating that "It is both the right and the imperative duty of Congress to prohibit in the territories those twin relics of barbarism—polygamy and slavery."² Each succeeding antibigamy act resulted in more specific definitions of polygamy and unlawful cohabitation and increased punishments for those convicted of polygamy; in 1882 Mormon polygamists were disfranchised and in 1887 the Mormon church was disincorporated.

The church believed that its members had a constitutional right to

¹ The most important antipolygamy laws were: the Morrill Act of 1862, the Poland Act of 1874, the Edmunds Act of 1882, and the Edmunds-Tucker Act of 1887.

² Kimball Young, *Isn't One Wife Enough?* (New York: Henry Holt and Co., 1954), p. 1.

practice polygamy as a part of their religious freedom. However, in 1879, the Supreme Court ruled against such a contention in *Reynolds v. United States*:

So here, as a law of the organization of society under the exclusive dominion of the United States, it is provided that plural marriages shall not be allowed. Can a man excuse his practices to the contrary because of his religious beliefs? To permit this would be to make the professed doctrines of religious belief superior to the law of the land, and in effect to permit every citizen to become a law unto himself. Government could exist only in name under such conditions.³

In spite of this decision church members continued to practice polygamy, believing it to be a divine principle initiated by the Almighty and subject to suspension only through divine sanction.

Few Mormons were prosecuted for polygamy after the enactment of the first major antibigamy law in 1862, but with the passage of the Edmunds Act of 1882, prosecutions increased dramatically.⁴ The Edmunds law defined unlawful cohabitation narrowly and precisely, making prosecution and conviction of polygamists much simpler. According to B. H. Roberts, "Nothing but absolute abandonment [of plural wives and families] could meet the requirements of the law as the federal courts interpreted it."⁵ Many church members were forced into hiding to avoid prosecution for practicing polygamy. Because of these problems, sentiment for changing the church's position on polygamy emerged and grew. Wilford Woodruff, looking back at this period of time, stated:

The sentiment of the whole nation as well as the laws were against it [polygamy], and I will say for myself that I became thoroughly convinced that this practice would have to be changed. When I was appointed President of the Church I looked this question over, and for a good while became satisfied in my own mind that plural marriage must stop in this Church. It was not we who had practiced it only who were suffering, but a large proportion of people who had not entered into it. After I became President of the Church I did not advocate the practice of this principle among our people, for that was what I saw before me.⁶

The Mormon church's official position on polygamy changed on September 26, 1890, when President Woodruff issued a statement that has come to be known as the Woodruff Manifesto. In this declaration, Woodruff denied that the principle of polygamy had been taught in the

³ *Reynolds v. United States*, 98 U.S. 166-67.

⁴ B. H. Roberts, *Comprehensive History of the Church of Jesus Christ of Latter-day Saints, Century 1*, 6 vols. (Salt Lake City: Deseret News Press, 1930), 6:112-21, 210-13.

⁵ *Ibid.*, 6:114.

⁶ *Deseret Weekly News*, October 24, 1891.

church during the previous year, and stated that plural marriages had not been solemnized in Utah in the same period. He further declared:

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 to use my influence with the members of the Church over which I preside to have them do likewise.

There is nothing in my teachings to the Church or in those of my associates, during the time specified, which can reasonably be construed to inculcate or encourage polygamy, and when any Elder of the Church has used language which appeared to convey such teaching he has been promptly reprov'd. 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.⁷

Written in rather general language and terms, the Manifesto implied no apparent disciplinary action against those continuing to contract polygamous marriages. In addition, no advice or counsel was given concerning whether or not those who already had plural wives should continue to live with them. In fact, Woodruff, in a meeting with members of the Quorum of the Twelve shortly after the issuance of the Manifesto, indicated that "This manifesto only refers to future marriages, and does not affect past conditions. I did not, could not, and would not promise that you would desert your wives and children. This you cannot do in honor."⁸

However, just over a year after issuance of the Manifesto, in a hearing before Judge C. F. Loofbrow, the master of chancery, Woodruff and other church officials seemingly contradicted that position when they were cross-examined by U.S. Attorney C. S. Varian.

Varian: You mean to include the laws, then, forbidding association in plural marriages as well as the forming of plural marriages?

Woodruff: Whatever there is in the law of the land with regard to it.

Varian: In the concluding portion of your declaration, or statement, you say: "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." Do you understand that that language was to be expanded, and include the further statement of living or associating in plural marriage by those already in the status?

Woodruff: I intended the proclamation to cover the laws of the land entirely.⁹

⁷ Ibid., October 4, 1890.

⁸ Journal of Abraham H. Cannon, October 1, 1890, Harold B. Lee Library, Brigham Young University, Provo.

⁹ *Deseret Weekly News*, October 24, 1891.

Lorenzo Snow and Joseph F. Smith both made similar statements during the hearing. When asked about possible action against those failing to follow the Manifesto's counsel, Wilford Woodruff, George Q. Cannon, Lorenzo Snow, and Joseph F. Smith all agreed that such disobedience would be subject to discipline and possibly even excommunication.¹⁰

In a similar statement made later in 1891, the First Presidency and the Quorum of the Twelve submitted a plea for amnesty to the president of the United States, Benjamin Harrison. The plea described the church members' belief that the principle of polygamy came directly from God; it recounted the persecutions that members of the church had undergone because of their belief in this principle; and it explained that God had subsequently granted them permission to suspend the practice of polygamy, which change the church members had readily endorsed. The statement continued:

This being the true situation, and believing that the object of the Government was simply the vindication of its own authority and to compel obedience to its laws, and that it takes no pleasure in persecution, we respectfully pray that full amnesty may be extended to all who are under disabilities because of the operation of the so-called Edmunds-Tucker law.

Our people are scattered, homes are made desolate, many are still imprisoned, others are banished or in hiding. Our hearts bleed for these. In the past they followed our counsels, and while they are thus afflicted our souls are in sackcloth and ashes.

We believe that there is nowhere in the Union a more loyal people than the Latter-day Saints. . . .

To be at peace with the Government and in harmony with their fellow-citizens who are not of their faith, and to share in the confidence of the Government and people, our people have voluntarily put aside something which all their lives they have believed to be a sacred principle.

Have they not the right to ask for such clemency as comes when the claims of both law and justice have been fully liquidated?

As shepherds of a patient and suffering people we ask amnesty for them and pledge our faith and honor for their future.¹¹

In response to this petition President Harrison issued an amnesty proclamation on January 4, 1893. Citing the antibigamy laws, the petition, the report of the Utah Commission, and the pardon previously

¹⁰ Ibid.

¹¹ *Proceedings Before the Committee on Privileges and Elections of the U.S. Senate in the Matter of the Protests Against the Right of Hon. Reed Smoot, a Senator from the State of Utah to Hold his Seat*, 4 vols. (Washington, D.C.: U.S. Government Printing Office, 1904-1906), 1:18-19.

granted to some individuals guilty of illegal cohabitation, President Harrison granted:

... a full amnesty and pardon to all persons liable to the penalties of said act by reason of unlawful cohabitation under the color of polygamous or plural marriage, who have, since November 1, 1890, abstained from such unlawful cohabitation; but upon the express condition that they shall in the future faithfully obey the laws of the United States hereinbefore named, and not otherwise. Those who shall fail to avail themselves of the clemency hereby offered will be vigorously prosecuted.¹²

Thus a conditional amnesty was granted, establishing a trust between the church and the government. The proclamation was issued on the condition that the laws were to be obeyed fully. The question of whether the General Authorities, who all signed the amnesty petition, abided by this condition is important because they represented the Mormon church in the confidence established between the church and the government.

Certain evidence exists that not all church officials actually obeyed the terms of the amnesty agreement. In his personal journal, Abraham H. Cannon, one of the Twelve Apostles, recorded statements made by General Authorities during their quorum meetings shortly after the issuing of the Manifesto. Most of the brethren openly voiced their support of the Manifesto while vowing to continue living with all of their wives. A statement by Francis M. Lyman is typical of the sentiments expressed by many of the General Authorities: "I endorse the Manifesto, and feel it will do good. I design to live with and have children by my wives, using the wisdom which God gives me to avoid being captured by the officers of the law."¹³ In a journal entry dated October 2, 1890, Abraham H. Cannon confided: "Now if we could convince leading men of the nation that it is the *bona fide* intention of the people to have no more plural marriages in conflict with laws, it would no doubt bring some concessions on the part of the government towards those who have already entered into the plural relation."¹⁴ John W. Taylor apparently had the hardest time accepting the Manifesto because he was convinced "it was an eternal and unchangeable law."¹⁵

In compiling the data to determine whether or not unlawful cohabitation was practiced by members of the First Presidency and the Quorum of the Twelve Apostles, as gauged by children born to plural wives of the

¹² Ibid., 1:19.

¹³ Journal of Abraham H. Cannon, September 30, 1890.

¹⁴ Ibid., October 2, 1890.

¹⁵ Ibid., September 30, 1890.

men between 1890 and 1905,¹⁶ I have delineated four groups. Only the names of those children who were born during the time period when their fathers served as members of the First Presidency or as apostles have been recorded in this study.¹⁷

Of the four groups of General Authorities, three are irrelevant to this study because it is difficult to document unlawful cohabitation among them. These groups include those who were monogamous, those who had no children after 1890, and those who had only one wife of reasonable child-bearing age and, therefore, had children by only one wife. Since these latter men had children by only one wife during the specified time period, it is difficult to determine whether or not they were living illegally with their other wives. The fourth group, the most important category in this analysis, consists of those brethren who had children by plural wives and/or were convicted of unlawful cohabitation between 1890 and 1905.

The monogamists were Rudger Clawson, who had been a polygamist, but was subsequently divorced from his first wife in 1885,¹⁸ Anthon H. Lund, George Albert Smith, and Hyrum Mack Smith. Interestingly, only Anthon H. Lund was ordained to the Quorum of the Twelve before the Manifesto of 1890. Those having no children after 1890 were Charles W. Penrose, Franklin D. Richards, John R. Winder, and Wilford Woodruff. Moses Thatcher is also assigned to this group because his wives bore no children between 1890 and 1896, when he was released from the Quorum of Twelve. Those General Authorities with plural wives only one of whom was of a reasonable childbearing age were George Q. Cannon and Francis M. Lyman.

A substantial majority of the General Authorities (61 percent) comprise the fourth category, those who were guilty of illegally cohabitating with plural wives. Those in this group who had children by more than one wife include the following: Abraham H. Cannon, Matthias F. Cow-

¹⁶ Because of the multiplicity of sources consulted to obtain this data and the impracticality of listing all separately, I have grouped the sources together in this one footnote: Family group sheets, Genealogical Society of the Church of Jesus Christ of Latter-day Saints, Salt Lake City; Susa Young Gates and Mabel Young Sanborn, "Brigham Young Genealogy," *Utah Genealogical and Historical Magazine* 12 (April 1921): 94-96; Joseph Merrill, *Descendants of Marriner Wood Merrill* (Salt Lake City: Deseret News Press, 1938), pp. 15, 77, 127, 173, 205, 213; A. A. Ramseyer, "Descendants of Richard Snow of Woburn, Massachusetts," *Utah Genealogical and Historical Magazine* 2 (October 1911): 150-54; "Richard Richards and Some of his Descendants," *Utah Genealogical and Historical Magazine* 1 (July 1910): 113-14.

¹⁷ To determine dates of ordination to office and possible resignation or expulsion from office, I have consulted Joseph F. Smith, *Essentials in Church History*, 26th ed. (Salt Lake City: Deseret News Press, 1973), pp. 574-89.

¹⁸ Dennis Michael Quinn, "Organizational Development and Social Origins of the Mormon Hierarchy, 1832-1932: A Prosopographical Study" (M.A. thesis, University of Utah, 1973), p. 252.



Home of LDS Apostle Anthony W. Ivins in Colonia Juarez, Mexico. Some Mormon polygamists settled in Mexico to avoid prosecution. Utah State Historical Society collections.

ley, Marriner W. Merrill, John Henry Smith, Joseph F. Smith, John W. Taylor, Abraham Owen Woodruff, and Brigham Young, Jr. George Teasdale had only one child born after 1890, but it was born in Mexico in 1898 to a plural wife he married after the Manifesto.¹⁹ Minnie Jensen, a plural wife of Lorenzo Snow, bore him his only post-Manifesto child in 1896 in Canada. It is very evident that both of these births constitute a proof of unlawful cohabitation, although neither man had children by another wife after 1890. Heber J. Grant, the last General Authority in this category, had children by only one wife after 1890, but pled guilty to a charge of unlawful cohabitation in 1899 and was fined \$100.²⁰

The eleven General Authorities guilty of unlawful cohabitation in the years 1890–1905 had a total of twenty-seven wives bearing children and seventy-six children. These figures illustrate a high disregard for the illegal cohabitation clauses of the antibigamy acts by a majority of those who made up the highest echelon of the church hierarchy during the time period 1890–1905. In addition, of the eleven men who comprised this group, only Matthias F. Cowley and Abraham Owen Wood-

¹⁹ *Salt Lake Tribune*, April 19, 1899.

²⁰ *Ibid.*, September 9, 1899.

ruff did not sign the amnesty plea of 1891. According to statements by Joseph F. Smith and Reed Smoot in 1904, all of the members of the First Presidency and Quorum of the Twelve signed the plea,²¹ but Matthias Cowley and Abraham Owen Woodruff were not ordained apostles until 1897.

Certainly all of the General Authorities knew that plural cohabitation was against the law of the land as well as contrary to the church's Manifesto, and several expressed this.²² Given their knowledge they apparently felt a need to justify breaking the law. The explanation John Henry Smith and Joseph F. Smith provided before the Senate Committee on Privileges and Elections during the Smoot investigation was that they desired to continue supporting their families and also felt that whatever God had approved of could not be altered by any law of man.

The following dialogue between John Henry Smith and Robert W. Tayler, an attorney representing those against Reed Smoot's Senate seating, is from the transcript of the Smoot investigation and illustrates Smith's understanding of the laws and his reason for breaking them:

Tayler: Do you remember the interpretation put upon it [the Manifesto] by Wilford Woodruff and other leaders of the church?

Smith: Yes, sir.

Tayler: And the testimony of Joseph F. Smith respecting the meaning of the manifesto?

Smith: Yes, sir.

Tayler: Its application as well to polygamous cohabitation as to entering into new polygamous relations?

Smith: Yes, sir.

Tayler: You subscribe to their view of it, do you?

Smith: Yes, sir.

Tayler: But deny it in practice?

Smith: My position in regard to this, Mr. Tayler, is simply this, that nobody could take from me my family: that I was responsible to God myself, and that I must take the consequences of my countrymen punishing me if they saw fit to do so. That has been my position in regard to the matter.²³

President Joseph F. Smith defended his action in this way:

²¹ *Committee on Privileges and Elections in the Matter of Reed Smoot*, 1:109-10.

²² *Ibid.*, 1:129-30, 2:311-12.

²³ *Ibid.*, 2:285-86.

But I was placed in this position. I had a plural family, if you please; that is, my first wife was married to me thirty-eight years ago, my last wife was married to me over twenty years ago, and with these wives I had children, and I simply took my chances, preferring to meet the consequences of the law rather than abandon my children and their mothers; and I have cohabited with my wives—not openly, that is, not in a manner that I thought would be offensive to my neighbors—but I have acknowledged them; I have visited them.²⁴

Since public sentiment condoned continued polygamous relationships, the fear of possible consequences of breaking the laws was lessened for many Mormons. Public outcry for prosecution had subsided and public sentiment had shifted; it was virtually impossible to prosecute anyone for illegal cohabitation, except in flagrant cases.²⁵ President Joseph F. Smith expressed such an idea:

Since the admission of the state there has been a sentiment existing and prevalent in Utah that these old marriages would be in a measure condoned. They were not looked upon as offensive, as really violative of law; they were, in other words, regarded as an existing fact, and if they saw any wrong in it they simply winked at it. In other words, Mr. Chairman, the people of Utah, as a rule, as well as the people of this nation, are broad-minded and liberal-minded people, and they have rather condoned than otherwise, I presume, my offense against the law. I have never been disturbed. Nobody has ever called me in question, that I know of, and if I had, I was there to answer to the charges or any charge that might have been made against me. . . .²⁶

However, public outcry again arose against the Mormons in the two years when the question of Reed Smoot's Senate seating was before the Committee on Privileges and Elections. Sensationalistic press coverage of those aspects of the hearing derogatory to the church once again brought the issue before the national public and aroused negative sentiment.²⁷ This renewed public outrage caused church president Joseph F. Smith to issue a second manifesto in the April General Conference of 1904. He stated that no plural marriages had "been solemnized with the sanction, consent, or knowledge of the Church [since the Manifesto of 1890]," and continued by announcing "that all such marriages are prohibited, and if any officer or member of the Church shall assume to solemnize or enter into any such marriage he will be deemed in trans-

²⁴ Ibid., 1:129–30.

²⁵ Ibid., 4:502–04.

²⁶ Ibid., 1:130.

²⁷ Roberts, *Comprehensive History of the Church*, 6:394.

gression against the Church, and will be liable to be dealt with according to the rules and regulations thereof and excommunicated therefrom."²⁸

This manifesto, like the more famous Manifesto of 1890, does not specifically discuss continuance of plural marriage relationships. Nor was it the intent of this statement to halt cohabitation, as evidenced by the fact that Joseph F. Smith, issuer of the statement, pled guilty to a charge of unlawful cohabitation in 1906 and was fined \$300.²⁹ It did, however, promise stronger disciplinary action against those guilty of entering into new polygamous marriages. When John W. Taylor and Matthias F. Cowley were forced to resign from the apostolate in 1905, B. H. Roberts maintained that this resulted from their disobedience to the stand against new polygamous marriages, rather than their continued participation in such marriages previously solemnized. Both were subsequently further disciplined by the church.³⁰

From my research, I have formulated several conclusions about the church's official position and actual practice concerning polygamy. Until the time of the Woodruff Manifesto, the official church stand on polygamy was that its members could live in polygamous relations since they were sanctioned by God and not against the rule of the church. As the antibigamy laws became more severe and as antipolygamy sentiment increased, great pressure was exerted on President Woodruff to take some action to relieve the intense persecution of the Saints caused by their practice of polygamy. In accord with this the Manifesto was issued.

The original intent of the Manifesto, as evidenced by statements of President Woodruff and other church leaders, was to prevent additional plural marriages, but it did not prohibit the continuance of relations between those married in polygamy prior to the Manifesto. The General Authorities hoped that this statement would soften public sentiment toward church members and thereby allow them to continue living in unlawful cohabitation without fear of persecution. Undoubtedly the Manifesto accomplished this goal to some extent, but many people questioned the general terms of the Manifesto. Such uncertainty finally resulted in an investigation before the master of chancery.

The hearing before the master of chancery presented church leaders with a very difficult situation because they realized they could not admit or profess to teach disobedience to national laws. President Woodruff in

²⁸ *Seventy-fourth Conference of the Church of Jesus Christ of Latter-day Saints*, (Salt Lake City: Deseret News Press, 1904), p. 76.

²⁹ *Deseret News*, November 23, 1906.

³⁰ Roberts, *Comprehensive History of the Church*, 6:402.

his official position had to state the intention of his Manifesto as urging obedience to the antipolygamy laws. The Manifesto had been adopted as the rule of the church; those breaking the laws in any way could not claim support of the church in their actions.

Fearing continued persecution and prosecution of polygamists, and hoping to ensure freedom from such fear, church leaders requested a blanket amnesty from the president of the United States. But in this plea for pardon, a breach of confidence seems to have occurred. Several apostles did not abide by President Harrison's conditional amnesty requiring all Mormons to obey the laws fully. From the government's point of view, a definite mistrust was created by the church leaders' failure to do so. From a Mormon perspective the situation was more complex. Repeatedly, leaders separated their roles as church spokesmen and as individual church members. As church leaders, they performed certain tasks for the benefit of the church, but as individuals they felt they had the right to obey what they deemed to be a higher law or they were willing to accept the consequences of their failure to follow the secular laws. Thus the plea for amnesty and the amnesty proclamation were viewed as agreements between two institutions, the government and the church. As church leaders, they entered into the agreements, but as individuals before God, not as representatives of the church itself, they broke the law of the land.

In justification of their disobedience of the laws, various General Authorities contended that they could not desert their wives to whom they believed they had been sealed in eternal marriage by divine sanction. In essence, they elected to follow a divine law that obligated them to support their wives and families, over a secular law that denied their right to have more than one wife and to legitimize the children born to their plural wives. Because there was little or no prosecution after 1893 for failure to comply with the cohabitation laws, these men could easily make the decision to continue living with their several wives, and the accumulated statistics indicate that they did so.

By 1904, when the second manifesto was issued, the number of people practicing polygamy had begun to decline. The church adopted a somewhat stricter stance toward plural marriage, and most church members refrained from entering into new polygamous marriages. Those who continued to enter into new plural marriages, firmly believing polygamy to be an eternal and unchangeable principle, were cut off from the church. In practice, at least, the church's position on polygamy changed.

Those who had taken plural wives before the Manifesto grew too old to have children, and the old question of unlawful cohabitation became a historical subject.

Members of the church went through a difficult period of psychological transition as they were coerced into ceasing to practice polygamy. After church members had been taught to believe in and to practice polygamy as a divine principle, its practice was stopped by divine sanction, due largely to legal pressure from a secular government. The transition was painful, resulting in many members' excommunication from the church and others' leaving the United States in order to continue practicing polygamy. Some of the ramifications of polygamy, such as the continued practice of the principle by certain apostate groups, remain to the present day. The church's position on polygamy changed slowly and gradually. After 1890 its official position was forced to coincide with the antipolygamy laws, but the actual practice of the church leaders failed to coincide with the established laws. Many General Authorities continued living with, and fathering children by, their plural wives, thereby breaking the laws against polygamous cohabitation. Through a process of federal investigation, increased societal pressure, and stricter church disciplinary sanction, the church leaders and members finally complied not only officially but also factually with the country's antipolygamy laws.