

# Sole and Exclusive: Power, Control, and Violence in the Utah Territory, 1847-1857

*Brendan Cummins*  
*Department of History*  
*University of Lethbridge*

## **Abstract**

From the time of the Mormons' arrival in the Great Salt Basin in 1847 to the dispatch of U.S. Army troops in 1857, the Church of Jesus Christ of Latter-day Saints was very close to establishing their prophesied temporal Kingdom of God. The isolation of the Mormon settlement in Utah and the commitment of the settlers who made the long, difficult overland journey from the east made it possible to build the theocracy, or theodemocracy, that had failed in Missouri and Illinois. The ten years between 1847 and 1857, free of serious outside interference, allowed the Saints to assume control of all aspects of life in the territory. The total power over the physical, spiritual, and civil realms enabled the Saints to stand against outside influences until the end of the nineteenth century. Non-Mormons were not part of the Church's plans for the Kingdom and those who were not willing to be part of the theocracy were harassed, threatened, or physically driven out. The systems of government that existed in other parts of the United States were used to further the Saints' designs for their perfect millennial state. The decade of 1847-57 is pivotal in understanding how a marginal sect grew to be the influential international organization of today. This project relied heavily on primary source research, including newspapers, diaries, and discourses from Mormon and non-Mormon perspectives.

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### **Sole and Exclusive: Power, Control, and Violence in the Utah Territory, 1847-1857**

In October 1851 in a district court of the Utah Territory, the jury in the trial of Latter-day Saint Howard Egan, accused of killing non-Mormon James Munroe, were given directions before deliberating on a verdict. The prosecution presented evidence that Smith had travelled to meet Munroe, who he suspected of seducing and impregnating one of his wives, sat with him for an hour and then shot him in the head with a pistol. In his closing argument George Smith, Egan's defense attorney, called on the jury to consider common law values. He said, "The principle, the only one that beats and throbs through the heart of the entire inhabitants of this Territory is simply this, *The man who seduces his neighbour's wife, must die, and her nearest relative must kill him.*"<sup>1</sup> Judge Zerubbabel Snow, a senior member of the Church of Jesus Christ of Latter-day Saints, acknowledged the evidence was strong, and under the laws of the United States, the accused should be found guilty. However, Snow added:

When sitting as Territorial courts, we must try criminals by the laws of the Territory and look to them for our authority to punish. The United States, when it established the Territorial governments, created a jurisdiction within its own jurisdiction, therefore it is not the *sole* and *exclusive* jurisdiction within the limits of existing territories. You see, the crime must be committed within the places over which the United States have the *sole* and *exclusive* jurisdiction...if you find the crime, if any has been committed, was committed within the extent of country over which the United States have *sole* and *exclusive jurisdiction* your verdict must be guilty. If you do not find the crime to have been committed there, but in the Territory of Utah, the defendant, for that reason is entitled to the verdict of not guilty.<sup>2</sup>

With these directions to the jury, Snow explicitly and publicly declared the laws of the United States did not apply in the territory of Utah. In Utah the laws of the Mormon Kingdom of God were superior to the laws of the United States of America. The accused, incidentally, was found not guilty.

Six years later, President James Buchanan ordered a detachment of regular army troops to march on Utah to protect new federal officials and to restore and maintain the laws of the United States Constitution. John Hyde, a former elder in the Church, summarized what many federal lawmakers and officials believed:

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<sup>1</sup> *Deseret News*, November 11, 1851, accessed February 13, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/desnews1/id/170571>, italics original.

<sup>2</sup> *Deseret News*, November 11, 1851, italics in original.

“The real object of the Mormon Church is the establishment of an independent kingdom of which Brigham [Young] shall be king. This they believe is a temporal kingdom to be soon set up and to be begun at Utah, in fulfillment of ancient and modern prophecies.”<sup>3</sup>

The confrontation between the federal government and the Mormon Church did not occur overnight. As historian Kenneth Stamp wrote in his 1990 monograph *America in 1857*, “A series of events and a cluster of problems had been slowly drawing them toward a potentially violent conflict.”<sup>4</sup> The Saints had been the victims of targeted campaigns in Illinois and Missouri that involved threats, intimidation, physical assaults, and murder. In Utah, surrounded by mountains and far removed from their main detractors, the Saints were determined to do what they believed God had called them to do. It was precisely this unyielding spirit and unquestioned belief that would bring the Saints into conflict with the world outside of Utah. Mormons believed that they were destined to create a Kingdom of God on earth that would supplant all governments. The failures in Missouri and Illinois would not be repeated in Utah; in the Great Salt Basin, the Saints would set up a settlement that would exclude all but the faithful from the fruits of their success.

To a greater extent than any of the western states, with the possible exception of Texas, the history of Utah is one of control. Like Texas, the inhabitants of Utah felt their culture and society were different than any place else in the United States. As such, the people who made their home in the Salt Lake Valley were particularly concerned with maintaining control over how the places and people were governed. The Mormons believed the only way they would succeed, where previous attempts had failed, to establish their exclusive society was to obtain and maintain complete governance over the civil and public arms of government and marry them with the spiritual laws of their faith. Through the 1850s the Church created a government, judiciary, and economic system designed to create a fortified cultural and political enclave. In Utah, there was no difference between the church and state, and there never would be for as long as the Mormon Church could maintain control.

I have attempted in this paper to balance pro and anti-Mormon historiography as evenly as possible. In examining some of the more notable events, I endeavour to trace primary sources and use them in a less charged and biased context than has been done in previous works. This can be difficult given the rhetoric and language used in many of the nineteenth century publications.

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<sup>3</sup> John Hyde, Jr., *Mormonism: Its Leaders and Designs* (New York: W.P. Fetridge & Company, 1857), 172, accessed January 31, 2016, [http://babel.hathitrust.org/cgi/pt?id=uc1.\\$b302254;view=1up;seq=1](http://babel.hathitrust.org/cgi/pt?id=uc1.$b302254;view=1up;seq=1).

<sup>4</sup> Kenneth M. Stamp, *America in 1857: A Nation on the Brink* (New York, Oxford: Oxford University Press, 1990), 201.

Where possible I use the work of both Mormon and non-Mormon historians to illustrate the tension and violence that permeated the Utah territory after the arrival of the Mormons in 1847.

In 1847, after only seventeen years in existence, the Church of Jesus Christ of Latter-day Saints was already well acquainted with the negative attention their faith created. After being officially established in a small farmhouse in upstate New York in 1830, membership grew rapidly. Mormonism had a living Prophet in Joseph Smith, strict rules and guidelines for salvation, and offered an Old Testament type of rigid hierarchy and deference.<sup>5</sup> Smith led his growing flock first to Kirtland, Ohio, and then into the new and expanding state of Missouri in 1831.

Tensions between Mormon and non-Mormons in Missouri would continue to rise through the 1830s with a series of clashes over land, price control, and a declaration that the Mormons would not adhere to any law other than their own.<sup>6</sup> This culminated in the so-called extermination order from Missouri governor Lilburn Boggs in which he called on the Mormons to be driven from the state.<sup>7</sup> Joseph Smith and five other leaders of the Church surrendered on the guarantee the faithful would give up their weapons, abandon their property, and leave Missouri within ten days.<sup>8</sup> The majority of the refugees headed north into Illinois and began building a city at Nauvoo. Despite the continuing belief that Mormonism was a strange religion, the Saints' violent confrontation and expulsion from Missouri was viewed with disgust throughout the country.<sup>9</sup> Perhaps as an extension of this good will, Nauvoo was granted an extremely liberal charter by Governor of Illinois Thomas Carlin. It allowed the mayor and council the power to control everything from education to the courts.

In 1843 Smith petitioned Congress to make Nauvoo an independent state, and when that was rejected he planned a run for president in 1844. Church leaders in the Quorum of Twelve, or Twelve Apostles, may have believed the Nauvoo Charter provided them with everything they needed to protect themselves from the type of violence that drove them from their homes in Missouri. However, Joseph Smith's death in a Carthage, Illinois, jail in 1844 shattered that illusion as

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<sup>5</sup> Anne F. Hyde, *Empires, Nations and Families: A New History of the North American West 1800-1860* (New York: Ecco Books, 2012. Originally published by University of Nebraska Press, 2011), 360; Hansen, *Mormonism*, 20.

<sup>6</sup> "Oration delivered by Mr. S. Rigdon on the 4<sup>th</sup> of July, 1838" (Far West Journal, 1838), 12.

<sup>7</sup> "Boggs Extermination Order 44," October 27, 1838, accessed February 6, 2016, <https://archive.org/details/BoggsExterminationOrder44>.

<sup>8</sup> Hyde, *Empires, Nations and Families*, 362.

<sup>9</sup> One example is this editorial, *The Voice of Freedom*, January 19, 1839, accessed February 7, 2016, <http://chroniclingamerica.loc.gov/lccn/sn84022687/1839-01-19/ed-1/seq-3/>.

once again armed mobs roamed with the aim of hunting down Mormons and removing them from their lands.<sup>10</sup>

Out of the chaos after Joseph Smith's death, Brigham Young emerged from the Quorum of Twelve as the head of the largest group of Mormons. Young secured government protection for his flock by promising that the Mormons would leave Illinois in the spring of 1845.<sup>11</sup> So the Mormons, whose troubles had followed them wherever they had attempted to settle, prepared to set out again with little more than what could be carried or loaded into a wagon.

From 1845 to 1847 the Saints slowly made their way out of Illinois, until the majority of the faithful were in Winter Quarters, Nebraska. Brigham Young announced he would lead the vanguard into the West heading for the Great Salt Lake Basin, an area that met the requirements he and the other leaders of the Church required: "it was isolated, barely populated and not part of the United States."<sup>12</sup> The Church leaders believed, where there were no Gentiles, there would be no trouble--at least not immediately. Across the desert and behind the mountains non-Mormons would be entering Mormon settlements, not the other way around. This fundamental shift in power, combined with the experiences in Missouri and Illinois, defined how the Saints would react to anyone or anything that threatened what they believed was their divinely prophesied importance in the world.

The first Mormons arrived in the valley on July 24, 1847.<sup>13</sup> Two years later, during the anniversary celebration, Esaias Edwards recorded the sentiment of many of these pioneers: "It was truly a time of rejoicing among the Saints of God to think that they had got to a land of liberty and freedom where they could make their own laws and worship God as they pleased and was not in danger of being molested by mobs."<sup>14</sup> After only two years in their Rocky Mountain redoubt the Church was thriving. Settlement spread from Salt Lake City as the Saints began to cultivate the land and build settlements. In 1849, Brigham Young and the Council of Twelve held a conference with the express purpose of establishing a territorial government. Two events had created the necessity of establishing formal control of the land they had settled: the United States' acquisition of the territory from the Mexican government, and the discovery of gold in California. An 1849 memorial to Congress from the Church pointed out that the U.S. had made no attempt to establish their authority over the territory. It claimed that violent and

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<sup>10</sup> Juanita Brooks, *The Mountain Meadows Massacre* (Norman and London: University of Oklahoma Press, 1962), 7.

<sup>11</sup> Brooks, *The Mountain Meadows Massacre*, 7-9.

<sup>12</sup> Hyde, *Empires, Nations and Families*, 368.

<sup>13</sup> There is extensive scholarship on the Overland Trail and a wealth of sources through the Overland Trail Pioneer Diaries collection at the Harold B. Lee Library.

<sup>14</sup> Diary of Esaias Edwards, ND, accessed January 30, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/Diaries/id/5073>.

dangerous men were making their way to and through the area. Since natural barriers prevented the establishment of an outside government, the Church had “in view of their own security, and for the preservation of the constitutional right of the United States to hold jurisdiction there...organized a provisional State Government, under which the civil policy of the nation is duly maintained.”<sup>15</sup> In making this assertion, the Church hierarchy declared their intention to govern as Americans, not Mormons. Whether the Saints were governing as Mormons or Americans would become a contentious and much discussed point as tensions mounted between Utah and the federal government.

The Compromise of 1850 placed the provisional state within the boundaries of the newly formed United States territory of Utah. Under the provisions of the U.S. Constitution, territories were governed by presidential appointment, approved by Congress. Territorial governors would hold all executive power, but would not answer to any elected body other than Congress.<sup>16</sup> This meant that a territorial governor held a huge amount of power and influence. President Millard Fillmore, following a path of least resistance, appointed Brigham Young as governor and superintendent of Indian affairs, Apostle Heber C. Kimball as lieutenant governor and a number of other leading Mormons to official posts. The appointments of Church leaders to positions of legal authority gave the Saints everything they had been hoping for: “with the temporal powers of the territorial government and the spiritual powers of the Mormon Church united...Utah became a theocracy ruled by a prophet whose word was law in matters both religious and secular.”<sup>17</sup> After living in a society that was under constant pressure from outsiders, being driven from their homes, and enduring a long and treacherous journey west, the Saints were finally in a position and place that they would not give up easily.

The Saints accepted the authority of the Church leadership in all things. The same leadership claimed there were two organizations, one for the spiritual and one for the temporal worlds, which made it easier to accept for new converts who wanted to be loyal citizens of both the Kingdom and the United States. In this same assertion lies the seed of non-Mormon frustration and accusations against the Saints in Utah. As the Church strengthened its position in Utah, the claim of separate Church and state leadership became harder and harder to deny. Orson

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<sup>15</sup> “Constitution of the State of Deseret: with the journal of the Convention which formed it, and the proceedings of the Legislature consequent thereon” (Kanesville: Orson Hyde, 1849), 15, accessed February 13, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/NCMP1820-1846/id/17391>.

<sup>16</sup> *Constitution of United States of America*, Article II, IV. Often governors were political appointees expected to maintain order with the least amount of fuss and bother to the federal government. Territorial legislatures were modeled on Congress, but governors were not responsible to them.

<sup>17</sup> Stamp, *America in 1857*, 197.

Pratt, one of the Twelve and a leading Mormon theologian, wrote a four-part explanation of the Kingdom of God in 1852 in which he explicitly stated:

The kingdom of God is an order of government established by divine authority. It is the only legal government that can exist in any part of the universe. All other governments are illegal and unauthorized. God, having made all beings and worlds, has the supreme right to govern them by his own laws, and by officers of his own appointment. Any people attempting to govern themselves by laws of their own making, and by officers of their own appointment, are in direct rebellion against the kingdom of God.<sup>18</sup>

Pratt's direct language would become one of the touchstones for Gentile claims that the Latter-day Saints were establishing a separate, theocratic government within the borders of the United States.

Settlers and adventurers heading west to the gold fields of California were already asking for protection in 1848-49 from the Mormons, who they claimed were threatening their wagons and charging unfair prices for food and feed.<sup>19</sup> The *National Daily Whig* editorialized in 1849, "it can scarcely be deemed politic to suffer the State to grow up as a Mormon one merely, with a Mormon constitution and laws, a Mormon government, and Mormon fanaticism, a vital principle, overriding all the necessities and obligations of equal republican institutions."<sup>20</sup> Rumors of Mormon obstinacy in the face of outside influences began to cause some in the eastern parts of the country to wonder if the Utah Territory was under the control of the United States government or the Latter-day Saints.

Mormon settlers pushed the borders of their territory farther north and south by 1850. They had surveyed the land around Salt Lake City and in three years had established communities at Provo to the south, Bountiful and Ogden in the north. From the new settlements and from Salt Lake City, Mormon settlers would farm plots of land while not necessarily living on them. As historians David Bigler and Will Bagley noted, "Elsewhere in the nation, settlers made their homes on the land they farmed, which led to a widely dispersed population. In Zion, worker bees [Mormon settlers] were concentrated in...the city and went forth to harvest plots on the outskirts."<sup>21</sup> Mormon settlers were never far from a meeting place where

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<sup>18</sup> Orson Pratt, *The Kingdom of God: Part I* (Liverpool: S.W. Richards, 1852), 1, accessed February 14, 2016, <https://archive.org/stream/kingdomofgodpart01orso#page/n0/mode/2up>.

<sup>19</sup> Nels Anderson, *Desert Saints: The Mormon Frontier in Utah* (Chicago, London: University of Chicago Press, 1966), 97.

<sup>20</sup> *The Daily National Whig*, June, 16, 1849, accessed February 14, 2016, <http://chroniclingamerica.loc.gov/lccn/sn82014405/1849-06-16/ed-1/seq-3/>.

<sup>21</sup> David Bigler and Will Bagley, *The Mormon Rebellion: America's First Civil War 1857-1858* (Norman: University of Oklahoma Press, 2011), 50.

they could receive the spiritual benefit of the Church and receive instruction from the leadership on how they were to live their lives.

As the population grew, more formalized control of the settlement took shape. An 1831 revelation by Joseph Smith known as the Law of Consecration directed believers to give over, or consecrate, their property to the Church. The Church would then grant donator 'stewardship' over the property and take any profit generated into the Church treasury.<sup>22</sup> This doctrine would give the Church implicit control over the economy of the settlement. Since non-Mormons were not likely to submit to this kind of communal economy, the Church hierarchy and the territorial government worked diligently to ensure the right kind of settlers were making new homes in the territory. Non-Mormons who stopped in Utah for any length of time were subject to a tax and increased prices on supplies that would not only bring money into the state treasury, but would also encourage the travellers to move on.

On January 8, 1850 lawmakers organized the judicial branch of the government under the provisions of Deseret's constitution, granting the assembly the power to appoint all judicial officials for the territory.<sup>23</sup> The Church managed to maintain some official control after becoming a federal territory with the appointment of Joseph Heywood to the post of U.S. Marshal and Zerubbabel Snow as circuit court judge. Heywood was a long-time Saint and for a time was "the only official officer of the Territory" and solely responsible for "arrests and judicial executions."<sup>24</sup> In managing to get one of their own into a post that controlled the enforcement of the law, the Mormons had a readymade ally when it came to the complaints of Gentiles against the Saints.

Juries would be almost exclusively Mormon and took direction from the Presidency of the Church. The territorial assembly decreed that only territorial laws could be cited a precedent and gave probate court's jurisdiction over criminal and civil cases.<sup>25</sup> These actions ensured that no one who was not connected with the Church could receive unbiased treatment and frustrated federal officers who were intent on upholding the American system. What officials failed to realize however, was that there was a common law in place; one that been created by the Mormons since their arrival in 1847.

The appointment of Brigham Young as the official governor of the Utah Territory allowed the Church to seamlessly move from the provisional government established in 1849 to an officially sanctioned, federally supported civil

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<sup>22</sup> *Doctrine and Covenants*, 38:32-38, accessed February 5, 2016, <https://www.lds.org/scriptures/dc-testament/dc/38?lang=eng>.

<sup>23</sup> Anderson, *Desert Saints*, 93.

<sup>24</sup> *Deseret News*, April 19, 1851, accessed February 5, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/desnews1/id/797>.

<sup>25</sup> Daniel F. Furniss, *The Mormon Conflict, 1850-1859* (New Haven, London: Yale University Press, 1960), 17-18.

government in 1850. The new government had an army comprised of Mormon Battalion veterans returned from the Mexican War and the reorganized Nauvoo Legion under the direction of the governor. This territorial militia was under the control of the federally appointed governor, so in 1850 the leader of the Latter-day Saint was the commander of the official military force of the new territory.

Secure with the implicit and explicit control of the economy, army, courts and civil authority, the Saints presented a façade of a settlement where all people lived side by side in peace and harmony. Nelson Slater was a settler who disagreed with this image. He published a book in 1851 that collected forty-seven narratives of travellers who had difficulties while moving through Utah. Slater claimed that the Mormons were willing to use violence to settle disputes and protect their territory from outsiders secure in the knowledge they would not be prosecuted for their crimes.<sup>26</sup> In a case similar to the trial of Howard Egan, Dr. John Vaughn was shot and killed by Madison Hambleton in broad daylight and in front of multiple witnesses in 1849-- allegedly for the crime of seducing Hambleton's first wife.<sup>27</sup> However, the subsequent trial acquitted Hambleton of all charges. Brigham Young appeared for Hambleton's defence and, even before the trial, declared that Hambleton's actions were justified. The warning from this trial was clear to Slater, "the supremacy of the law is not maintained in the Salt Lake valley, and there is a power among them which is above and independent of the law. They can try a man for his life without even the forms of law, and without juries, judges or organized courts."<sup>28</sup>

As far as the Mormons were concerned, Gentiles were creating a disturbance that the Saints did not have the time or patience to deal with. The non-Mormons who were complaining had no intention of contributing to the settlement, had no desire to be part of the Church and, therefore, did not have any right to the benefits of Church protection or success. Brigham Young, addressing the faithful, blamed the Gentile troublemakers for the difficulties in his territory: "There is not an honest man that comes to this valley, but crowns this people with their blessings for their civility, good behaviour, industry, and our improvements and our kindness to them."<sup>29</sup> Non-Mormons could expect they would be held to a different standard than their Mormon neighbours, a reality that would be a continued source of tension through the 1850s.

The population living in Utah at the time of the Saints' arrival in 1847 were native tribes who had been using the Great Salt Lake Basin as hunting and living

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<sup>26</sup> Nelson Slater, *The Fruits of Mormonism* (Coloma, California: Harmon and Springer, 1851), 74. Accessed February 6, 2016. <http://www.olivercowdery.com/smithhome/1850s/1851Slat.htm>.

<sup>27</sup> Bigler and Bagley, *The Mormon Rebellion*, 41.

<sup>28</sup> Slater, *The Fruits of Mormonism*, 16.

<sup>29</sup> *Deseret News*, July 6, 1850, accessed February 6, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/desnews1/id/1162>.

grounds for generations. Mormon relations with the native tribes were complicated to say the least. Latter-day Saint theology taught that Native Americans were the remnants of one of the tribes of Israel that had left Palestine for North America in the ancient past. They had risen up and rebelled on the voyage from Palestine against the superior and more civilized tribes. The Lamanites, as they were known, were cursed with dark skin and a loss of any knowledge of civilized culture.<sup>30</sup> It was the duty of the Saints to preach to them and bring them back to the ways they had abandoned and lost centuries earlier. Official Mormon policy was to calmly prevent them from stealing and teach them how to farm and raise cattle.<sup>31</sup> Mormon settlers would experience the similar troubles non-Mormon settlers across North America would have as they entered traditional Indian territory. Job Smith recorded a confrontation with a group of native warriors on November 12, 1849:

At noon we were charged upon by about 200 warriors of the Cheyenne<sup>32</sup> tribe. Their design evidently was to frighten our horses off, and then round them off the hills among the timber, where it would have been difficult for us to have found them; if they had given us that privilege. They would no doubt have robbed our wagons and left us destitute and perhaps have taken some of our lives.<sup>33</sup>

The party managed to escape any harm and nothing more than threats were exchanged back and forth. There were other incidents that did not end so peacefully. When an Indian raiding party made off with about two hundred cattle around Willow Creek in 1849, Mormon settlers tracked the party down, shot the men and took the women and children back to their settlement to be assimilated into their families.<sup>34</sup> Protests by Indian agents were either ignored or filed away for future reference.

The arrival of the first federally appointed, non-Mormon, officials specifically sent to assume positions of authority would illustrate how completely the Church and the state were intertwined. In the summer of 1851, judges Perry Brocchus and Lemuel Brandenbury along with the new Territorial Secretary Broughton Harris arrived in Salt Lake City. The initial reaction to the arrival of outsiders with authority was one of guarded welcome that soon turned to outright

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<sup>30</sup> Douglas J Davies, *An Introduction to Mormonism* (Cambridge, New York: Cambridge University Press, 2003), 52.

<sup>31</sup> Brooks, *Mountain Meadows*, 41.

<sup>32</sup> The tribe described is more likely Ute or Snake. Mormon settlers made no distinctions between tribes in the east and west in their early diary entries.

<sup>33</sup> Diary of Job Smith, ND, accessed February 15, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/Diaries/id/3704>.

<sup>34</sup> Bigler and Bagley, *The Mormon Rebellion*, 59.

hostility.<sup>35</sup> The bad feelings came to a head when Brocchus addressed a gathering of the Saints on September 6, 1851. During the course of the speech, Brocchus questioned the loyalty of the Mormons and the morality of their women. The reaction of the crowd to Brocchus' remarks was harsh. According to his own account, "It seemed as if the people were ready to spring upon me like hyenas and destroy me."<sup>36</sup> Governor Young rose and repudiated Brocchus' comments in a manner that left no doubt that challenges such as these would be met with violent opposition.<sup>37</sup> Brocchus conferred with Harris, Brandenbury, and Indian agent Henry Day, and they made the decision to leave Utah less than three weeks after the Territorial Legislature began its first official sitting. These officials believed their lives were in imminent danger because of their opposition to the Church. Brocchus wrote in his report to Congress that after his speech, "the community has been in a state of intense excitement and murmurs of personal violence and assassination towards me have been freely uttered."<sup>38</sup> The so-called runaway officials left more than their dignity behind, they left three offices open that were quickly filled by Mormons. With the departure of Brocchus, Brandenbury, and Harris, the Saints had complete control of all the major positions in the civil government.

By the spring of 1853, Utah experienced a time of relative peace and prosperity. Immigration from the British mission of Oliver Cowdrey and new converts from the eastern states had swelled the Mormon population to close to thirty thousand.<sup>39</sup> While it was a time a relative quiet, there were still reports being filed with the federal government regarding the Mormon stance on non-Mormon officers exerting authority in the territory. Indian agent John Holeman wrote, "The Mormons...seem to recognize no law but their own self-will. They seem desirous to hold all the offices themselves; and when a Gentile is appointed, he is never treated with respect, but is abused."<sup>40</sup>

Naïvely unaware of the undercurrent of tension between Mormon and non-Mormon officials in Utah, Army captain John Gunnison returned to the territory. Gunnison was known to the Mormon leadership through previous survey missions and appeared to have a positive relationship. During a return to

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<sup>35</sup> Furniss, *The Mormon Conflict*, 22.

<sup>36</sup> "Utah Territory, Report from the Secretary of State," January 9, 1852, *The Congressional Globe*, 32<sup>nd</sup> Congress, 1<sup>st</sup> Session, 86, accessed February 12, 2016, <https://memory.loc.gov/cgi-bin/ampage?collid=llcg&fileName=030/llcg030.db&recNum=95>.

<sup>37</sup> Furniss, *The Mormon Conflict*, 25, Bagley, *Blood of the Prophets*, 44.

<sup>38</sup> "Utah Territory, Report from the Secretary of State," January 9, 1852, *The Congressional Globe*, 32<sup>nd</sup> Congress, 1<sup>st</sup> Session, 86.

<sup>39</sup> Anderson, *Desert Saints*, 141-45.

<sup>40</sup> "Holeman to Lea, March 5, 1853," in James Buchanan, *The Utah Expedition*, 35<sup>th</sup> Congress 1<sup>st</sup> Session, Ex. Doc. 71, February 26, 1858, 161, accessed April, 2016, <https://archive.org/details/utahexpeditionme00unitrich>.

Utah to survey for the proposed transcontinental railway Gunnison, along with six other members of his party, were killed by a band of Indians from the Pahvantes tribe in October 1853. The Pahvantes were generally regarded as the one tribe who were allies of the Church. The fact that the tribe was friendly towards the Church, some its members had converted and were subject to Church authority, meant questions about the Church's possible involvement was raised.<sup>41</sup> The allegations drew unwanted attention to Utah, and an even more unwelcome arrival from the East. Another surveying team led by Lt. Colonel Edward Steptoe had been moving through Utah and arrived in Salt Lake City in August, 1855. Their declared intention was to overwinter in Utah before continuing on to California but Steptoe also had orders to find and punish the persons responsible for the death of Gunnison and his party.

After four months Steptoe finally managed to take custody of five members of the Pahvantes tribe accused in the death of Captain Gunnison, but he believed the charges and trial were nothing more than a sham. In exasperation Steptoe penned a letter to the head of Indian Affairs on April 5, 1855 in which he left little doubt as to who the Indians thought was in charge in Utah, "These savages have undoubtedly learned...*for the first time* what relation they hold to the government and that to *it alone* they must look for encouragement."<sup>42</sup> He was sure the Mormons would support the Indians in any action taken by the government, and in this he recognized the Church had an ally that would increase the number of people the Saints could count on in any conflict.<sup>43</sup>

The soldiers who came with Colonel Steptoe left an unforgettable impression on the Mormons. They looked for any way to relieve some of the tedium of serving in such a rigidly religious community, and incidents of drunken brawling and bad behaviour through the fall and winter did nothing to improve the Church leadership's opinion of the soldiers.<sup>44</sup> But they were also outside the control of the Church; no number of epistles or sermons against the evils of strong drink could change the attitude of the soldiers. This frustration over not being able to exert influence and control for a period of time demonstrated the danger of allowing too many non-Mormons into the Valley. The poor experience with the Army also contributed to later Mormon resistance to any form of military force that was not their own entering or operating in Utah.<sup>45</sup>

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<sup>41</sup> The implication of the Gunnison party's deaths had vastly different interpretations in the historiography. See Bigler and Bagley, *The Mormon Rebellion*, 63-64 and Furniss, *The Mormon Conflict*, 41.

<sup>42</sup> "Steptoe to Manypenny, April 5, 1855," in Buchanan, *The Utah Expedition*, 178.

<sup>43</sup> "Steptoe to Manypenny, April 5, 1855," in Buchanan, *The Utah Expedition*, 178.

<sup>44</sup> There are reports of fights and licentious behaviour in the *Journal of Church History* through October- December 1854 and February 1855.

<sup>45</sup> Furniss, *The Mormon Conflict*, 44.

Mormon control continued to be challenged through 1855-1856 with the arrival of new non-Mormon federal officials to the territory. One of the first to arrive was surveyor general David H. Burr in July 1855. A few months after arriving in Salt Lake City, Burr discovered how much control the Church had over the physical space in Utah. The policy of giving over, or consecrating, land titles to the Church meant "The Mormon Church has called upon its members...to *convey it to* their possessions. This call embraces not only the city property, but that of the entire Territory."<sup>46</sup> According to the legal land titles, the Church owned almost all the privately held land in Utah. Burr realized this meant that no one could practically dispose of any land or property without the involvement or approval of the leadership of the Latter-day Saints. In the same letter, Burr noted, "If the government should deem it expedient to give the residents (who have not surrendered their possessions to the church) the right of pre-emption to the lots they occupy, some special legislation will be necessary."<sup>47</sup> This seemingly innocuous observation was at the heart of what would become a serious effort by the Church to hamper Burr's efforts to get an accurate survey of the territory.

The Mormons were concerned that Burr's work was a preamble to a government effort to remove them from their land.<sup>48</sup> Burr worked through the winter of 1855, and in the spring of 1856 began to articulate what he viewed as gross violations of federal land policy. He sent a letter to the General Land Office in May, 1856 that questioned Mormon annexation of public lands for the use of the territorial government or the Church. The letter did not appear to make it to Washington, but a copy did fall into the hands of Mormon authorities:

They asked if I wrote the letter. I told them I did. They did not deny the truth of the charges I had made, but asserted *the right* of doing what they did, stating the *country was theirs*, that they would not permit this interference with their rights and this writing letters about them would be put a stop to. The object of the visit I could not divine, unless it was to intimidate me and prevent my writing.<sup>49</sup>

When threats and intimidation did not produce the desired results, the Mormons turned to actual violence in an attempt to head off any report or recommendation that would affect their mastery over the territory. One of Burr's surveyors was beaten nearly to death on the street and the assailants were neither arrested or prosecuted; as Burr reported, "The authorities refused or declined to institute criminal proceedings...they justified the act on the ground that he [the

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<sup>46</sup> "Burr to Whiting, September 30, 1855," in Buchanan, *The Utah Expedition*, 123. Emphasis original.

<sup>47</sup> "Burr to Whiting, September 30, 1855," in Buchanan, *The Utah Expedition*, 123.

<sup>48</sup> Furniss, *The Mormon Conflict*, 45.

<sup>49</sup> "Burr to Hendricks, February 5, 1857," in Buchanan, *The Utah Expedition*, 118. Emphasis original

victim] had been talking and railing against their religion.”<sup>50</sup> It was ominously clear to Burr that his and his staff’s safety may have been in danger.

To add to the challenges faced by Church authorities, two new federal justices arrived in Utah in 1855; W.W. Drummond and George P. Stiles were two men who felt determined to change how the law was administered in Utah. Drummond made no secret of his dislike for the Mormon faith, and the Saints had no problem confirming the feeling was mutual. Drummond attacked the 1852 provision that put criminal and civil cases under the jurisdiction of probate courts. Drummond ordered grand jury investigations into the probate courts’ records and demanded indictments if any illegal activity or irregularities were found.<sup>51</sup> Historian Nelson Furniss notes that, “Drummond was the first federal official publicly to challenge the Mormon’s peculiar judiciary system, and the Church recognized in the attack, a serious peril to one of its front-line defences against Gentile interference.”<sup>52</sup>

George P. Stiles was a former Saint who had been in Illinois at the time of the death of Joseph Smith. When he received his appointment in 1855 he was still a Mormon, but by 1856 had been excommunicated for “immoral behaviour.”<sup>53</sup> Stiles focused on another peculiar aspect of the Utah judicial system: the territorial legislature had created the position of Territorial Marshall to serve writs and impanel juries, but Stiles believed the United States marshal should have this jurisdiction. Through this measure, Stiles was not only attacking the ability of the Church to influence court cases like the Munroe and Vaughn cases, but also challenging the authority of the territorial government which appointed the territorial Marshall. The federal officer was the only one with the authority to serve papers, it made the territorial appointee a pointless position, calling in to question why the legislature had created the office in the first place.

Burr, Indian agent Garland Hurt, Drummond, and Stiles challenged the Saints’ authority in Utah more than any previous federal appointees or agents; they also managed to stir up Mormon sentiments and passions like no else ever had. On September 21, 1856 Brigham Young, as President of the Church, delivered an oration that would change the tenor of Mormon resistance and generate a wave of violence aimed at strengthening and reassuring Church control in Utah. In the discourse Young informed his audience, “There are sins that men commit for which they cannot receive forgiveness in this world, or in that which is to come, and if they had their eyes open to see their true condition, they would be willing

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<sup>50</sup> “Burr to Hendricks, August 30, 1856,” in Buchanan, *The Utah Expedition*, 116.

<sup>51</sup> Furniss, *The Mormon Conflict*, 55.

<sup>52</sup> Furniss, *The Mormon Conflict*, 55-56.

<sup>53</sup> Anderson, *Desert Saints*, 160.

to have their blood spilt upon the ground.”<sup>54</sup> These few lines were not original thought, it is believed the doctrine of blood atonement was originally revealed by Joseph Smith in the 1843.<sup>55</sup>

The reforming zeal was designed to be all-consuming and touch the faithful throughout the territory. Counsellor to the First Presidency Jedidiah Grant commanded Church officials to search out those who were violating the spiritual and temporal laws of the Church, “and let their names be written down, and let the offence and pace of residence be written against the name, that we may know who are living in sin, where they live and what their offences are.”<sup>56</sup> There was a list of questions to be asked of each individual Saint including:

Have you ever spoken evil of Authorities or anointed of the Lord?  
 Do you pay all your Tithing?  
 Do you preside over your Family as a servant of God or are they subject to you?  
 Do you teach your children the gospel?  
 Do you attend Ward meetings?  
 Do you pray in your families night and morning?  
 Do you pray in secret?<sup>57</sup>

The Saints were encouraged to confess their sins and be re-baptised into the Church. Those who did not were cut off from their congregations until they did. True to his word, Grant ordered their names be published until they had fulfilled the requirements and returned to the Church.<sup>58</sup> The process of examination could be quite intense and stressful, generating a profound sense of relief and release when it was concluded.<sup>59</sup> Patty Sessions, a midwife who had been part of the original group of Mormon settlers wrote in her diary, “I have felt the necessity of this reformation...my prayer is that the Holy Ghost will be poured out upon the

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<sup>54</sup> “Brigham Young, September 21, 1856,” *Journal of Discourses, Volume IV* (Liverpool: S.W. Richards, 1857), 53, accessed April 8, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/JournalOfDiscourses3/id/706>.

<sup>55</sup> *Doctrine and Covenants*, 132:27, accessed April 10, 2016, <https://www.lds.org/scriptures/dc-testament/dc/132?lang=eng>.

<sup>56</sup> “Jedidiah M. Grant, November 2, 1856,” *Journal of Discourses, Volume IV* (Liverpool: Sw. Richards, 1857), 72, accessed April 10, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/JournalOfDiscourses3/id/687>.

<sup>57</sup> “Diary of John Moon Clements, November 4, 1856,” in *Innocent Blood: Essential Narratives of the Mountain Meadows Massacre* ed. David L. Bigler and Will Bagley (Norman: Arthur H. Clark Company, 2008), 64. There are ten other questions in this list that cover theft, personal grooming and general morality.

<sup>58</sup> The back pages of the *Deseret News* provide ample evidence for this public shunning, for an example see *Deseret News*, December 31, 1856, <http://contentdm.lib.byu.edu/cdm/ref/collection/desnews1/id/6193>.

<sup>59</sup> Bigler and Bagley, *The Mormon Rebellion*, 97-98.

servants of God and that they may ferret out evil until we may become a just people.”<sup>60</sup> The vigilance of the re-consecrated and re-baptised was required to ensure the purity of the Church and the establishment of the Kingdom of God. Jedidiah Grant provided the fiery rhetoric and the unyielding spirit as he reminded the people of their duties:

When you are right we will cease to chastise, we will cease to rebuke; we will cease throwing the arrows of the Almighty through you, we will cease telling you to surrender, to repent of all your sins. But until you do this, we will continue to throw the arrows of God through you, to hurl the darts of heaven upon you...we will storm the bulwarks of hell and we will march against you in the strength of the God of Israel. We expect to triumph...we do not mean to surrender to evil.<sup>61</sup>

The leadership of the Church was determined to strengthen and unify the Saints into an unbreakable faith that were committed to building a Kingdom under the strict and complete control of the Church.

While the volatile air of religious fervour was explicitly directed at the faithful, there was another implicit goal of the reforming zeal. In a sermon on December 21, 1856, Apostle Heber C. Kimball exposed the real danger to the purity of the Saints, “There are men right in our midst, some of whom are sitting in this assembly who...sit with the wicked and hear them curse brother Brigham [Young] and brother Heber [Grant] and the authorities of this Church.”<sup>62</sup> The Saints were being told to not only expose and cleanse wickedness from within, they were being told to guard against it from without.

W.W. Drummond’s personal character provided the Mormons with more than enough to dislike. While he was busy trying to dismantle the probate courts and publicly denouncing the Mormon practice of polygamy, it became clear the woman he had brought from Chicago was not his wife. Adultery was a capital offence in Utah and as Nelson Furniss wrote, “The Mormons...were sensitive to any criticism of their polygamous practices, but they reacted with especial heat when condemnation came from an open libertine.”<sup>63</sup> In January 1856 he and his mistress would make their way back east where he prepared a letter of resignation

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<sup>60</sup> Diary of Patty Bartlett Sessions, November 20, 21, 1856, in author’s possession.

<sup>61</sup> “Jedidiah M. Grant, November 9, 1856,” *Journal of Discourses, Volume IV* (Liverpool: S.W. Richards, 1857), 87, accessed April 10, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/JournalOfDiscourses3/id/672>.

<sup>62</sup> “Heber C. Kimball, December 21, 1856,” *Journal of Discourses, Volume IV* (Liverpool: S.W. Richards, 1857), 138, accessed April 10, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/JournalOfDiscourses3/id/620>.

<sup>63</sup> Furniss, *The Mormon Conflict*, 55.

that would accuse the Church of the most terrible of crimes including treason against the United States.<sup>64</sup>

George Stiles, who had been one of Joseph Smith's advisors in Nauvoo, was threatened by Mormon lawyer James Ferguson in open court. His appeals to Governor Young received a curt observation that if Stiles could not uphold the law then he should close his court. On December 29, 1856 his law office was broken in to and some of his papers were burned in an outhouse. Stiles was furious and charged that the papers burned were official court records, therefore property of the federal government and that the perpetrators had committed an act of treason.<sup>65</sup> Nothing was done to bring his attackers in for questioning or prosecution. The implication was that Stiles, in trying to uphold what he thought was the correct application of the law, was directly challenging the laws of the Church.

The fire of the Reformation had cleansed most of the faithful of their impurities, but there were still some non-Mormons who held some authority and attempted to exercise it in the spring of 1857. David Burr was proving more difficult to bring under control than the profligate Drummond and the ineffectual Stiles. But when Burr, who was a trained lawyer, attempted to secure a ruling for the supremacy of federal law over territorial, it became very clear that the virulent actions taken against the Saints who did not conform extended to them as well. As Elder, and future President of the Church, Wilbur Woodruff recounted:

We have no trouble with the Gentiles here in court or anywhere else...one of the late scenes while in court...with Dr. Hurt, Gen. Burr and some smaller fry to bullyrag all our laws and their defenders; a part of them came armed with Colt's revolvers. It ended in...Gen. Burr's dismissal from the bar, and some other, who intended to use the pistols, went out of the house in the form of a sled, using the seat of the honor [pants] for runners. All has been quiet since, having but little lawing on hand.<sup>66</sup>

At this point it became very clear to Burr that his safety was in danger. News of the death of members of the Parrish family in Springville, sixty miles south, solidified that feeling.

William Parrish was a converted Mormon who had found his faith cooling and the violent language of the reformation had done nothing to change that. In

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<sup>64</sup> Bigler and Bagley, *The Mormon Rebellion*, 108, Furniss, *The Mormon Conflict*, 56.

<sup>65</sup> Will Bagley, *Blood of the Prophets: Brigham Young and the Massacre at Mountain Meadows* (Norman: University of Oklahoma Press, 2002), 76, Furniss, *The Mormon Conflict*, 57-58, Anderson. *Desert Saints*, 160.

<sup>66</sup> *The Journal History of the Church*, Volume 43 (1857 January-April), 215, accessed April 10, 2016, [https://dcms.lds.org/delivery/DeliveryManagerServlet?dps\\_pid=IE266732](https://dcms.lds.org/delivery/DeliveryManagerServlet?dps_pid=IE266732).

March of 1857 he decided that he was not going to submit to the ongoing demands being made by the local bishop and he and his sons were going to leave the territory. The men chose to leave at night, so as to avoid the denunciation as apostates.<sup>67</sup> The three men, along with a supposedly friendly guide, were ambushed and killed; the elder Parrish, “was literally cut to pieces. His throat was cut...his fingers and arms, his back, in fact his whole body was covered with knife wounds.”<sup>68</sup> There was a general acknowledgment that everyone knew who had committed the crime, but no one was ever arrested. No one ever would, as this was blood atonement for the unforgivable sin of apostasy.

The savage deaths in Springville finally moved Burr and Stiles to action. As Burr wrote, “I have been cursed and denounced in their [Mormon] public meetings and the most diabolical threats made against me. We are by no means sure we would be permitted to leave, for it is boldly asserted we would not get away alive. We were inclined to think them idle menaces, until a few days since, when three men were killed in Springville...for making the attempt.”<sup>69</sup> On April 15, 1857, Burr, Stiles and the U.S. Marshall made their way out of the territory before the onset of spring which would have made travelling safer.<sup>70</sup>

The flight of more non-Mormon officials from Utah triggered serious alarms in the east. Drummond wrote a scathing denunciation of the Mormon Church and the government in his resignation letter. He laid out what he believed the root of the problem that any federal official would have in entering Utah: “The only rule of law by which the infatuated followers of this curious people will be governed, is the law of the church, and that emanates from Governor Brigham Young, and him alone.”<sup>71</sup> In his final report after leaving the territory, David Burr concurred that anyone who was not a Saint would be unable to function in an official capacity, “In common with all who do not belong to the Mormon Church, I had, from my first advent among them, been looked upon by the rulers of that church and people as alien, an enemy, and an intruder upon their rights.”<sup>72</sup>

The totality of these condemnations from federal officials unable to perform their tasks in Utah, coupled with lurid stories of roaming and ravaging bands of Mormon “Danites”<sup>73</sup> generated an outcry in the eastern United States.

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<sup>67</sup> Furniss, *The Mormon Conflict*, 89.

<sup>68</sup> *Valley Tan*, April 4, 1859.

<sup>69</sup> “Burr to Hendricks, March 28, 1857,” in Buchanan, *The Utah Expedition*, 119-120.

<sup>70</sup> Bagley, *Blood of the Prophets*, 76-77.

<sup>71</sup> “Drummond to Black, March 30, 1857,” 214.

<sup>72</sup> “Burr to Hendricks, June 11, 1857,” in Buchanan, *The Utah Expedition*, 121.

<sup>73</sup> “Danites” or the Sons of Dan was a loosely organized militia force established in Illinois to protect Mormons who lived in outlying areas around Nauvoo. Through the history of Mormon tensions with non-Mormons in Utah, Danites were blamed for many of the instances of threats, intimidation and violence. The existence of the Danites as an officially sanctioned arm of the Church has never been definitively proven, although they play a large part in popular stories of

Calls for government intervention did not go unheeded; President James Buchanan told Congress in his first State of the Union address that “There no longer remains any government in Utah besides the despotism of Brigham Young. If he chooses that his government shall come into collision with the Government of the United States, the members of the Mormon Church will yield implicit obedience to his will. His power has been...absolute over both church and state.”<sup>74</sup> The United States government finally realized they were not in control of Utah and had absolutely no power or authority on their western border. On May 23, 1857 the Army was ordered to go to Utah, along with a new governor, Alfred Cumming.

The rumours of a new governor and judges being appointed to serve in Utah drew some advice for President Buchanan from the *Deseret News*:

He selects one or more civilians unbound by any ism or isms, also intelligent, strictly honourable, upright and gentlemanly in the true sense of those terms, and send them to Utah on a short visit to look around and see what they can see, and return and report. But in case that should not suit the fire-eating, blood-and-thunder, hell-and-fury, spoils-seeking, office hunting and black-mail-levying portion of the community, we suggest to them that they send a committee from their own clans, and so long as they behave...we will guarantee that Governor Young and the people of Utah will treat them with more true courtesy and kindness than they have ever met with.<sup>75</sup>

The invitation also came with a warning, “The fire of the reformation has caused fearfulness to surprize the hypocrites in Zion, and is making Utah’s soil too warm for the footsteps of those who wish to trample upon the Constitution and laws of our common country and the saving, wise, good and wholesome laws and domestic institutions and regulations of our Basin Territory”<sup>76</sup> In a memorial given to President Buchanan shortly after his inauguration, the members of the Territorial Legislature informed the president that, “we will resist any attempt of Government officials to set at naught but our Territorial laws, or impose upon us those which are inapplicable and of right not in force in the Territory.”<sup>77</sup> The Saints

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Mormon depravity in the desert, even being immortalized by Sir Arthur Conan Doyle in *A Study in Scarlet*, the first Sherlock Homes story.

<sup>74</sup> James Buchanan, “First Annual Message to Congress on the State of the Union,” December 8, 1857, The American Presidency Project, accessed January 31, 2016, <http://www.presidency.ucsb.edu/ws/?pid=29498>.

<sup>75</sup> *Deseret News*, July 1, 1857, accessed April 10, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/desnews1/id/7318>.

<sup>76</sup> *Deseret News*, July 8, 1857, accessed April 10, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/desnews1/id/7387>.

<sup>77</sup> *Deseret News*, October 7, 1857, accessed April 10, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/desnews1/id/8008>.

were not about to give up their control over Utah without resistance. The fervour of the reformation had done its job: it had removed the non-Mormons from their midst and had welded the Saints into a solid and unyielding religious, political, and cultural bulwark against the Gentiles who were coming to destroy their mountain home.<sup>78</sup>

The approach of the army did nothing to slow the travel of emigrants from the east hoping to make their fortunes in California. One party of travellers crystalized everything the Saints feared and loathed about non-Mormons coming to or through Utah and acting outside the strict control of the Church. The Baker-Fancher party had been travelling from Arkansas headed for California and were making their way through the zealous southern counties of Utah when they met with a violent and horrific end: on September 11, 1857, one hundred and twenty men, women, and children were killed by a band of Mormon militia and their native allies at Mountain Meadows. Subsequent stories of the party's abuse and provocation of Mormons along their route have never been proven, nor has any implication of involvement of the upper levels of the Church hierarchy. The massacre demonstrated to the rank and file, as well as the commanders on the ground of the U.S. Army, of the seriousness of Mormon intentions to protect their territory. From this point on, the conflict became less of a rhetorical war and headed towards the potential of an actual conflict. Mountain Meadow was not the trigger for the Mormon War; that had been established over years of subversion and defiance by the Church since their arrival in Utah.

The Utah Expedition of 1857-58 ended before it ever really began. Young and the Church eventually accepted the inevitable as the army made its slow way south in the spring and summer of 1858, and accepted the appointment of a new governor and the presence of federal troops in Utah. Over the next close to forty years, the Mormons continued in their quest to establish the Kingdom, but were more closely scrutinized by the federal government. The passage of the Morrill Anti-Bigamy Act in 1862 and the Edmunds-Tucker Bill in 1887 criminalized the Mormon practice of polygamy. Polygamy had been a publicly acknowledged doctrine since 1852, but it was not until these acts that it became a legal focus of federal officials. The Saints were arrested and prosecuted and many, including President John Taylor, fled into the wilderness as their precious mountain stronghold became a place of legal persecution. It was what Brigham Young, Orson Pratt, and the leadership of the Church had feared in 1857 when it became apparent they were going to have to defend their Kingdom.

In remarks before the gathered Saints on September 13, 1857 Brigham Young recalled a statement he allegedly made when the Mormons first arrived in the Salt Lake Basin in 1847, "If the people of the United States will let us alone for

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<sup>78</sup> Anderson, *Desert Saints*, 151.

ten years, we will ask no odds of them.”<sup>79</sup> It would be ten years to the day when the Saints announced there was an army headed towards them with the express intent of toppling the government of the Kingdom of God and the destruction of Church supremacy in Utah. In those ten years, the Church had managed to consolidate enough power and control to be able to hold off an underfunded and undermanned U.S. Army with little or no loss of life for close to year. The change from the scattered, frightened and defeated group that fled Illinois in 1847 is startling.

The experiences of the Mormons in their early days had forged an iron will and a steely resolve to never again be subjected to persecution and suffering at the hands of Gentiles. This determination led the Saints as far as possible from the torments of a world that had seen them as too radical even in a time of radical religious and social change. The story of Brigham Young being divinely inspired to select the Salt Lake Valley is disingenuous at best. Advance scouts had been sent ahead from Winter Quarters in 1846-47 looking for the right place for the Mormons to settle.<sup>80</sup> There can be little doubt that Young, along with the Twelve apostles chose the Salt Lake Basin for its remoteness, its fastness, and at the time, its location outside the borders of United States territory. Political boundaries, as much as geographical ones, were of as great importance when selecting the place to set up the Kingdom of God.

Mormonism also has a unique feature in the nature of its adherents. The *Doctrine and Covenants* combined with the Book of Mormon made the Mormons an exclusive people in an exclusive nation. Because leadership were constantly giving instruction and providing new and exciting revelations made the faith more vibrant and alive. In Utah the Church did everything it could to ensure complete and total control. The settlement patterns and the giving over of property under the Law of Consecration ensured the Church would have the final say in the methods and means of production required to subsist in Utah. No single person would be able to acquire enough wealth and power to challenge the authority of the Church through economic means, and the faithful would take what was given to them because there was nothing else to have.

The Saints would never forget the privations visited on them by non-Mormons in their earlier settlements. Garland Hurt wrote of his dealing with the Mormons, “I do not wish to excite prejudice or encourage feelings of hostility against these people. They always have and ever will thrive by persecution. They

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<sup>79</sup> “Brigham Young, September 13, 1857,” *Journal of Discourses Volume V* (Liverpool: Asa Calkin, 1858), 226, accessed April 10, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/JournalOfDiscourses3/id/2150>. Young’s comment is most likely apocryphal. He is remembering something he said that is not documented anywhere, but had become and still is part of Latter-day Saint legend.

<sup>80</sup> Davies, Introduction to Mormonism, 31.

know well the effect it has had on them, and, consequently, crave to be persecuted.”<sup>81</sup> The remembrances of what had happened to them could always be brought up to remind the faithful of the difficulties they had faced to get to their place of peace and solitude. In using that collective memory, the Church could make the Saints wonder what would happen if they allowed Gentiles back into their world. Missionaries were sent across the world with the express intent of bringing new converts to the fold who would understand the difficulties in simply being Mormon. The shared history of violence and persecution would make an exclusive religious practice even more exclusive.

Establishing the Kingdom of God required the complete control of the temporal administration. To accomplish this meant establishing a government for and by the Church, one that would enact and enforce laws that were compatible with the doctrines of the faith. The Church managed to be one step ahead of the federal government having a ready pool of candidates and the majority of the population to keep them elected. Over the vastness of the space between Washington and Salt Lake City, it often appeared as if addressing the domination of the Church over the civil and legislative affairs of Utah would require more time and effort than anyone in the east was willing to expend.

When outside officials were appointed, it was the goal of the Church to have them removed as soon as possible. Here, the lessons of intimidation and violence learned from their former Gentile neighbours became useful. In a place where there were few, if any dissenting voices, a non-Mormon who questioned the authority of the Church could be bullied, harassed, threatened and taxed until they either submitted or left. The Saints went out of their way to ensure there was no welcome for Gentiles in Utah so they could maintain their control over their territory.

There was an implicit understanding among the Saints that the Church held control over all matters spiritual and temporal during the early 1850s. The implicit control became more explicit in the mid-1850s as non-Mormons and the federal government challenged the peculiar ways the territory was being administered. David Burr recalled that the Saints were told to not cooperate with federal surveyors on pain of extreme punishment, and noted that the laws of the United States did not seem to apply in Utah.<sup>82</sup>

It was through the law that the Mormon leadership maintained control over such a large area so effectively. By placing their own men in positions of judicial authority and granting criminal and civil powers to the lowest courts, the Church could control anyone and anything that came through the territory; the laws that applied in the rest of the country did not apply in Utah. Operating among

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<sup>81</sup> “Hurt to Manypenny, May 2, 1855,” in Buchanan, *The Utah Expedition*, 176.

<sup>82</sup> “Burr to Hendricks, March 28, 1857, June 11, 1857,” in Buchanan, *The Utah Expedition*, 199, 120.

the Mormons was a difficult chore for any non-Mormon, because to understand the law meant being part of the Church. Therefore, making the right choice in any given situation was often a proverbial roll of the dice. For example, adultery was a capital offence, but murder was not, depending on the circumstance. The interpretation of the law fell on men who did not separate their faith from the dispensation of justice. Through the courts and the legislature, the Church was able to extend their power over the whole of Utah and build the firm foundation of the Kingdom of God.

The belief that the Saints could not remain separate forever was understood by Brigham Young. Months before the onset of the reformation he set the stage to create a population that was completely loyal to not just the Church but the state as well. In a discourse on March 23, 1856 Young said of those who would challenge the authority of the Church, "You may chastise them or take any judicious course to bring them to their senses; that they may know whether they wish to be Saints or not. If we continue to sin, if we continue to neglect our duty and disobey counsel, the light afflictions which have visited us in these mountains are but as a drop to a bucketful when compared to what awaits us."<sup>83</sup> This warning was a portent for the reformation zeal to come six months later.

The Reformation was preached as a need to cleanse the Church of impure elements both within and without. The results would drive officials that were outside the control of the Church out of Utah and create a feeling of genuine fear when Gentiles thought of going against the power of the Church. It also established the Mormons as a people that could not be divided in the face of adversity. If the Saints could come through the fire of self-examination with a renewed sense of purpose, they would not break when examined from outside. In the face of heightened criticism and an advancing army, the Church and its followers were a united and strong people.

The Reformation was the final element needed to create the Kingdom of God. By creating an atmosphere of religious and emotional fervour that required a rededication to the faith, the Church ensured a zealous and energetic population that were ready to accept the coming of the Kingdom and would do whatever was necessary to make it happen. The decision to send in the army in 1857 did not cow or break the Mormons because they were still riding the spiritual high that was being translated into temporal strength.

The Mormons' wholesale control over Utah became a struggle to maintain control as the federal government realized how little it actually had in the territory. It would take nearly forty years before the Saints would officially submit for the price of full admission as a state in the Union in 1896. In those forty years,

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<sup>83</sup> "Brigham Young, March 23, 1856," *Journal of Discourses Volume III* (Liverpool: Orson Pratt, 1856), 275, accessed April 10, 2016, <http://contentdm.lib.byu.edu/cdm/ref/collection/JournalOfDiscourses3/id/100>.

the United States would discover just how deep the roots of Latter-day Saint control had gone after an undisturbed decade in the Valley of the Saints.

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