

Chapter 14

Dr. Bennett Expelled from the Church

It would seem that Dr. Bennett would have been afraid to have continued his promiscuity after coming so close to being expelled in July 1841, but he continued his crimes unabated. When Bennett heard that Chauncey L. Higbee was being tried before the High Council in May of 1842, he feared that his name would be mentioned—that some of the women would name him as also seducing them. Therefore, Bennett hurried to President William Law, Joseph's counselor in the First Presidency, and asked Law to intercede in his behalf if anyone tried to implicate him.

Law testified:

he came to me and told me that a friend of his [Chauncey Higbee] was about to be tried by the High Council, for the crime of adultery, and that he feared his name would be brought into question.—He entreated me to go to the council and prevent his name from being brought forward, as, said he, "I am not on trial, and I do not want my neighbor to hear of these things, for she is a good woman." (*Times and Seasons* 3 [August 1, 1842]: 873)

Dr. Law went to the Church authorities to plead for Dr. Bennett, but in spite of Law's pleadings, Bennett's crimes were so horrible that he was ordered to appear before the High Council for another trial.

Women's Names Published

Bennett had reason to fear the investigation by the High Council into Chauncey's activities, because the hearings had

barely begun when the doctor's name was linked to women both in and out of the Church, with whom he had practiced spiritual wifery. Those women who were members of the Church were immediately brought before the High Council to face interrogation. The names of five Church women were published in the *Wasp*, a Nauvoo newspaper edited at that time by Joseph's brother, Apostle William Smith. Church leaders close to Joseph advised him not to publish the women's names. However, William published a letter from Dr. Robert Foster, Surgeon General of the Nauvoo Legion, in which the names of six of the women were listed. The five who belonged to the Church were: Sarah Pratt, wife of Apostle Orson Pratt, who was accused of having an affair with Bennett while her husband was a missionary in England; Martha Brotherton, a teenage English immigrant; and two young sisters, Margaret and Matilda Nyman. A non-member, Emmeline Hibbard White, ex-wife of Captain Hugh White from whom Joseph had purchased the Homestead and adjoining land, was also named.

Dr. Robert Foster wrote a letter to the editor of the New York *Herald*, in which he named some of the women who had been involved with Bennett. Foster gave William Smith a copy of that part of his letter for publication in the *Wasp*. The letter stated:

I challenge Bennett or any other man or woman to show a more exemplary man beneath the sun, or cite to any time or place when he [Joseph Smith] has violated the laws of his country, or when he has taught, either publicly or privately, by precept or example, any thing repugnant to the laws of the Holy Bible, or worthy of bonds or death. It can't be done; it is too well known that he stamps with indignation and contempt every species of vice—if it had not been so Bennett would have been with us yet. . . . Alas, none but the seduced join the seducer; those only who have been arraigned before a just tribunal [the Church's High Council] for the same unhallowed conduct can be found to give countenance to any of his black hearted lies, and they, too, detest him for his seduction, these are the ladies to whom he refers his hearers to substantiate his assertions. Mrs. [Emmeline] White, Mrs. [Orson] Pratt, Niemans [Margaret and Matilda Nyman], [Sarah] Miller,

[Martha] Brotherton, and others. Those that belong to the church have had to bear the shame of close investigation as to their adulteries, and have been dealt with according to church order, in such case made and provided, in the Book of Covenants, (Sec. 91 and Sec. 13, page 122 [of the 1835 Edition], and the Holy Bible, Book of Mormon &c.) Mrs. [Emmeline] White never was a member of the Mormon church, but really did Bennett try to seduce her from her father's home to wander with him, God knows where. . . . Why does he not . . . contribute to the wants of his wife and helpless family in Ohio? (*Wasp* 1 [October 15, 1842]: 2)

Section 13 of the Doctrine and Covenants is now Section 42 in both the RLDS and LDS Editions. In that section God commands: "Thou shalt love thy wife with all thy heart, and shall cleave unto her and none else; and he that looketh upon a woman to lust after her, shall deny the faith, and shall not have the Spirit; and if he repents not, he shall be cast out. Thou shalt not commit adultery; and he that committeth adultery and repenteth not, shall be cast out" (RLDS DC 42:7d–e; LDS DC 42:22–23).

One week after Foster's letter appeared in the *Wasp*, Apostle William Smith published:

We have two presses in Nauvoo [the *Wasp* and the *Times and Seasons*], and it has yet to be shown that either of them has spread falsehood or held back the truth. (*Wasp* 1 [October 22, 1842]: 2)

Hyrum Smith's Affidavit Described Bennett's Crimes

Hyrum Smith, ever a foe of polygamy, gave the following affidavit concerning Bennett:

On the seventeenth day of may, 1842, having been made acquainted with some of the conduct of John C. Bennett, which was given in testimony under oath before Alderman G. W. Harris, by several females, who testified that John C. Bennett endeavored to seduce them and accomplished his designs by saying it was right; that it was one of the mysteries

of God, which was to be revealed when the people was strong enough in the faith to bear such mysteries—that it was perfectly right to have illicit intercourse with females, providing no one knew it but themselves, vehemently trying them from day to day, to yield to his passions, bringing witnesses of his own clan to testify that their was such revelations and such commandments, and that it was of God; also stating that he would be responsible for their sins, if their was any; and that he would give them medicine to produce abortions, providing they should become pregnant.

One of these witnesses, a married woman [who was not named] that he attended upon in his professional capacity, whilst she was sick, stated that he made proposals to her of a similar nature; he told her that he wished her husband was dead, and that if he was dead he would marry her and clear out with her; he also begged her permission to give him [her husband] medicine to that effect; he did try to give him medicine, but he would not take it—on interogating her [of] what she thought of such teaching, she replied, she was sick at the time, and had to be lifted in and out of her bed like a child. Many other acts as criminal were reported to me at the time. On becoming acquainted with these facts, I was determined to prosecute him [Bennett], and bring him to justice.—Some person knowing my determination, having informed him of it, he sent to me Wm. Law and Brigham Young, to request an interview with me and to see if their could not be a reconciliation made. I told them I thought there could not be, his crimes were so heinous; but told them I was willing to see him; he immediately came to see me; he begged on me to forgive him, this once, and not prosecute him and expose him, he said he was guilty, and did acknowledge the crimes that were alleged against him; he seemed to be sorry that he had committed such acts, and wept much, and desired that it might not be made public, for it would ruin him forever; he wished me to wait; but I was determined to bring him to justice, and declined listening to his entreaties; he then wished me to wait until he could have an interview with the masonic fraternity; he also wanted an interview with Br. Joseph; he wished to know of me, if I would forgive him, and desist from my intentions, if he could obtain their forgiveness; and requested the privilege of an interview immediately.

I granted him that privilege as I was acting as master *pro. tem.* at that time; he also wished an interview first with Br. Joseph; at that time Brother Joseph was crossing the yard from the house to the store, he immediately come to the store and met Dr. Bennett on the way; he reached out his hand to Br. Joseph and said, will you forgive me, weeping at the time; he said Br. Joseph, I am guilty, I acknowledge it, and I beg of you not to expose me, for it will ruin me; Joseph replied, Doctor! why are you using my name to carry on your hellish wickedness? Have I ever taught you that fornication and adultery was right, or poligamy or any such practices?

He said you never did.

Did I ever teach you any thing that was not virtuous—that was iniquitous, either in public or private?

He said you never did.

Did you ever know anything unvirtuous or unrighteous in my conduct or actions at any time, either in public or in private? he said, I did not; are you willing to make oath to this before an Alderman of the city? he said I am willing to do so.

Joseph said Dr. go into my office, and write what you can in conscience subscribe your name to, and I will be satisfied—I will, he said, and went into the office, and I went with him and he requested pen ink and paper of Mr. Clayton, who was acting clerk in that office, and was also secretary *pro. tem.* for the Nauvoo Lodge U. D.

Wm. Clayton gave him paper, pen and ink, and he stood at the desk and wrote the following article which was published in the 11th No. of the Wasp [newspaper]; sworn to and subscribed before Daniel H. Wells, Alderman, 17th day of May, A. D. 1842; he [Bennett] called in Br. Joseph, and read it to him and asked him if that would do, he [Joseph] said it would, he then swore to it as before mentioned; the article was as follows:

STATE OF ILLINOIS, }
City of Nauvoo. }

Personally appeared before me, Daniel H. Wells, an Alderman of said city of Nauvoo, John C. Bennett, who being duly sworn according to law, deposeth and saith: that he never was taught any thing in the least contrary to the strictest principles of the Gospel, or of virtue, or of the laws of God, or man, under any occasion either directly or indirectly, in word

or deed, by Joseph Smith; and that he never knew the said Smith to countenance any improper conduct whatever, either in public or private; and that he never did teach me in private that an illegal illicit intercourse with females was, under any circumstances, justifiable, and that I never knew him so to teach others.

JOHN C. BENNETT.

Sworn to, and subscribed, before me, this 17th day of May, 1842.

DANIEL H. WELLS, Alderman. (*Times and Seasons* 3 [August 1, 1842]: 870–871)

Affidavit of [President] Wm. Law.

I believe it was on the evening of the 11th day of May . . . I had some conversation with J. C. Bennett and intimated to him that such a thing [as his expulsion] was concluded upon, which intimation I presume led him to withdraw immediately. I told him we could not bear with his conduct any longer—that there were many witnesses against him, and that they stated that he gave Joseph Smith as authority for his illicit intercourse with females. J. C. Bennett declared to me before God that Joseph Smith had never taught him such doctrines, and that he never told any one that he (Joseph Smith) had taught any such things, and that any one who said so told base lies; nevertheless, he said he had done wrong, that he would not deny, but he would deny that he had used Joseph Smith's name to accomplish his designs on any one; stating that he had no need of that, for that he could succeed without telling them that Joseph approbated such conduct . . . He plead with me to intercede for him, assuring me that he would turn from his iniquity, and never would be guilty of such crimes again. . . I accordingly went to Joseph Smith and plead with him to spare Bennett from public exposure, on account of his mother. On many occasions I heard him acknowledge his guilt, and beg not to be destroyed in the eyes of the public, and that he would never act so again, "So help him God." From such promises, and oaths, I was induced to bear with him longer than I should have done.

On one occasion I heard him state before the city Council

that Joseph Smith had never taught him any unrighteous principles, of any kind, and that if any one says that he ever said that Joseph taught such things they are base liars, or words to that effect. This statement he made voluntarily; he came into the council room about an hour after the council opened, and made the statement, not under duress, but of his own free will, as many witnesses can testify.

On a former occasion he came to me and told me that a friend of his was about to be tried by the High Council, for the crime of adultery, and that he feared his name would be brought into question.—He entreated me to go to the council and prevent his name from being brought forward, as, said he, “I am not on trial, and I do not want my mother to hear of these things, for she is a good woman.”

I would further state that I do know from the amount of evidence which stands against J. C. Bennett, and from his own acknowledgements, that he is a most corrupt, base, and vile man; and that he has published many base falsehoods since we withdrew the hand of fellowship from him.

About the time that John C. Bennett was brought before the Masonic Lodge he came to me and desired that I would go in company with B. Young, to Hyrum Smith, and entreat of him to spare him—that he wished not to be exposed. . . . WM. LAW. (*ibid.*, 872–873)

Dr. Bennett Was Expelled from the Church

John C. Bennett was tried before the Church’s High Council and was expelled from the Church on May 11, 1842 (*ibid.* [June 15, 1842]: 830). He was tried by the Masonic Lodge and Nauvoo Legion and expelled from both. He was also tried before the Nauvoo City Council, which removed him from the office of mayor.

Joseph reported part of the proceedings which took place in the City Council meeting:

The following conversation took place in the City Council, and was elicited in consequence of its being reported that the Doctor had stated that I [Joseph] had acted in an indecorous manner, and given countenance to vices practised by the Doctor, and others:

Dr. John C. Bennett, ex-Mayor, was then called upon by the Mayor [Joseph Smith] to state if he knew aught against him; when Mr. Bennett replied:

“I know what I am about, and the heads of the Church know what they are about. I expect I have no difficulty with the heads of the church. I publicly avow that any one who has said that I have stated that General Joseph Smith has given me authority to hold illicit intercourse with women is a liar in the face of God, those who have said it are damned liars; they are infernal liars. He never, either in public or private, gave me any such authority or license, and any person who states it is a scoundrel and a liar. I have heard it said that I should become a second Avarad by withdrawing from the church, and that I was at variance with the heads and should use an influence against them because I resigned the office of Mayor; this is false. I have no difficulty with the heads of the church, and I intend to continue with you, and hope the time may come when I may be restored to full confidence, and fellowship, and my former standing in the church; and that my conduct may be such as to warrant my restoration—and should the time ever come that I may have the opportunity to test my faith it will then be known whether I am a traitor or a true man.”

Joseph Smith then asked: “Will you please state definitely whether you know any thing against my character either in public or private?”

Gen. Bennett answered: “I do not; in all my intercourse with Gen. Smith, in public and in private, he has been strictly virtuous.

<i>Aldermen.</i>	GEO. A. SMITH,
N. K. WHITNEY,	WILSON LAW,
HIRAM KIMBALL,	B. YOUNG,
ORSON SPENCER,	JOHN TAYLOR,
GUST. HILLS,	H. C. KIMBALL,
G. W. HARRIS,	W. WOODRUFF,
<i>Counsellors.</i>	JOHN P. GREEN,
WILLARD RICHARDS,	

JAMES SLOAN, City Recorder.
May 19th 1842. (ibid. [July 1, 1842]: 841)

Joseph's Official Statement Concerning Dr. Bennett

The Prophet Joseph made the following statement concerning the promiscuous doctor:

After I had done all in my power to persuade him to amend his conduct, and these facts were fully established, (not only by testimony, but by his own concessions,) he having acknowledged that they were true, and seeing no prospects of any satisfaction from his future life, the hand of fellowship was withdrawn from him as a member of the church, by the officers; but on account of his earnestly requesting that we would not publish him to the world, we concluded not to do so at that time, but would let the matter rest until we saw the effect of what we had already done.

It appears evident, that as soon as he perceived that he could no longer maintain his standing as a member of the church, nor his respectability as a citizen, he came to the conclusion to leave the place; which he has done; and that very abruptly; and had he done so quietly, and not attempted to deceive the people around him, his case would not have excited the indignation of the citizens, so much as his real conduct has done.

In order to make his case look plausible, he has reported, "that he had withdrawn from the church because we were not worthy of his society;" thus instead of manifesting a spirit of repentance, he has to the last, proved himself to be unworthy the confidence or regard of any upright person, by lying, to deceive the innocent and committing adultery in the most abominable and degraded manner.

We are credibly informed that he has collogued with some of our former wicked persecutors, the Missouriians, and has threatened destruction upon us; but we should naturally suppose, that he would be so much ashamed of himself at the injury he has already done to those who never injured, but befriended him in every possible manner, that he could never dare to lift up his head before an enlightened public, with the design either to misrepresent or persecute; but be that as it may, we neither dread him nor his influence; but this much we believe, that unless he is determined to fill up the measure of his iniquity, and bring sudden destruction upon himself from

the hand of the Almighty; he will be silent, and never more attempt to injure those concerning whom he has testified upon oath he knows nothing but that which is good and virtuous.

Thus I have laid before the Church of Latter Day Saints, and before the public, the character and conduct of a man who has stood high in the estimation of many; but from the foregoing facts it will be seen that he is not entitled to any credit, but rather to be stamped with indignity and disgrace so far as he may be known. What I have stated I am prepared to prove, having all the documents concerning the matter in my possession. . . . JOSEPH SMITH. Nauvoo, June 23, 1842. (ibid., 841–842)

Dr. John Bennett left Nauvoo soon after his expulsion from the Church, and immediately began a campaign to blacken the name of Joseph Smith by declaring many falsehoods, including the charge that Joseph was practicing polygamy. Bennett wrote letters to the editors of the *Sangamo Journal* at Springfield, Illinois, and other newspapers, which were reprinted far and wide. Bennett attempted to prove that Joseph was guilty in order to take the focus from himself. Dr. Robert D. Foster said of Bennett, “He tried to father all his own iniquity upon Joseph Smith” (*Wasp*, September 24, 1842). To this day the Mormon Church declares that some of Dr. Bennett’s claims that Joseph was a polygamist are true.

Brigham Young Learned More of Polygamy from Bennett

Brigham Young learned from the High Council hearings how polygamy could be practiced secretly without Joseph’s approval. He was one of the judges in the 1841 trial of Bennett and Francis Higbee, and in the 1842 trials of Bennett and Chauncey Higbee. In 1844 Brigham testified under oath, “I knew of the whole affair, it [Francis Higbee’s trial] was on the 4th of July [1841], or a few days after—it was shortly after I came from England” (*Times and Seasons* 5 [May 15, 1844]: 539).

Joseph said, "I brought Francis M. Higbee before Brigham Young, Hyrum Smith and others; Bennet was present" (ibid.). Of course Brigham had learned about polygamy from the Cochranites, among whom he ministered in Maine in the 1830s—and he claimed that God had given him a vision favorable to polygamy while he was in England, as previously noted.

Bennett's "plausible tale" was just what Brigham needed to assist him in taking plural wives. On June 15, 1842, less than one month after the Chauncey Higbee-John Bennett Church trials ended, Brigham secretly took Lucy Decker Seely (Mrs. William Seely) as his first plural wife (Stewart, *Brigham Young and His Wives*, 85).

In spite of Joseph's constant battle against polygamy, Brigham led others into the practice of that doctrine.

The question is, Who was telling the truth? Was it Joseph and Hyrum and their supporters who declared Joseph was not a polygamist? Or was it Brigham Young and other polygamists who asserted that Joseph was practicing polygamy in secret? In the final analysis, one should remember that the supposed purpose of polygamy was to produce many children. However, Joseph and Hyrum fathered no children by plural wives, while Young fathered fifty-six! This is another strong proof that Joseph was truthful and Brigham was lying.

