

Chapter 8

Joseph and Hyrum Planned Charges against Polygamists before the High Council

Presidents Joseph and Hyrum Smith stood staunchly together in the spring of 1844, determined to seek out those who were teaching and practicing polygamy and bring charges against them before the Nauvoo Stake High Council. During this time, Hyrum published a warning in the *Times and Seasons* to those involved in preaching the doctrine of polygamy. He warned that they could be brought before the High Council and charged with transgression.

William Marks Met with Joseph Smith to Strategize against Polygamists

Nauvoo Stake President William Marks, who was *also* President of the Stake High Council, gave credence to Hyrum's intent to bring those polygamy charges when he stated that he (Marks) and Joseph had discussed that plan. Marks declared:

I met with Brother Joseph. He said that he wanted to converse with me on the affairs of the Church, and we retired by ourselves. I will give his words *verbatim*, for they are indelibly stamped upon my mind. He said he had desired for a long time to have a talk with me on the subject of polygamy. He said it eventually would prove the overthrow of the Church, and we should soon be obliged to leave the United States, unless it could be speedily put down. *He was satisfied that it was a cursed doctrine, and that there must be every exertion made to put it down.* He said that he would go before the congregation and proclaim against it, and I must go into the High Council, and he would prefer charges against those in transgression, and I must sever them from

the Church, unless they made ample satisfaction. There was much more said, but this was the substance. The mob commenced to gather about Carthage in a few days after, therefore there was nothing done concerning it.

After the Prophet's death, I made mention of this conversation to several, hoping and believing that it would have a good effect; but to my great disappointment, it was soon rumored about that [I] Brother Marks was about to apostatize, and that all that he said about the conversation with the Prophet was a tissue of lies. (*RLDS History of the Church 2:733; italics added*)

Marks's statements that Joseph had discussed with him regarding the planned prosecution of polygamists before the Nauvoo Stake High Council have been discredited by the Utah LDS Church because Brigham Young and a majority of the other apostles were practicing plural marriage at that time. Joseph and Hyrum had been their greatest threat. However, after their deaths, the apostles did not intend for Marks (or any others) to interfere with their intent to make polygamy a Church doctrine. They wished to blame that doctrinal change on Joseph and Hyrum.

Elder Richard Hewitt's Interview with, and Letter from, Hyrum

By March 1844, polygamy was steadily increasing outside the apostles' secret plural marriage circle. Certain elders were boldly teaching it in the vicinity of China Creek (also called Chaney Creek), ten miles south of Nauvoo. It was also being taught at nearby La Harpe. Joseph and Hyrum had a Herculean task before them in rooting out this gross false doctrine.

One great testimony of their efforts in that fight is known today because of the concern of Elder Richard Hewitt, a farmer in the region who had a great concern for the welfare of the Church. Hewitt lived with his wife, Jerusha, and their children near the aforementioned China Creek. It was located on the east side of the Mississippi River at Hamilton, Illinois, almost opposite the present Keokuk Dam.

The preaching and teaching of the doctrine of plural marriage

was so disturbing to Hewitt that he decided to travel the ten miles to Nauvoo to personally ask either Joseph or Hyrum about the subject.

Hewitt's oldest daughter, Mary Jane, long remembered her father riding to Nauvoo to question Joseph or Hyrum. Her father returned with a letter from Hyrum condemning polygamy. Mary Jane also remembered how a later remark by Brigham Young, alluding to her becoming his plural wife, caused Hewitt to threaten to shoot Brigham, break with him and flee to Texas.

Upon reaching adulthood, Mary Jane's daughter Lettie Jane Maloney Hartman wrote her "Memories of Childhood," in which she recalled her mother's account of March 15, 1844:

We often heard her [Mary Jane] tell of a time when she lived with her parents in Illinois [on China Creek]. Her father had come home one day and said he had heard some false doctrine taught and that he was going at once to see Joseph and Hyrum about what he had heard. The family were preparing supper and grandma [Jerusha] wanted him to wait and eat before going but he said, "No, I will neither eat nor sleep until I have seen Joseph or Hyrum, and know whether there is any such evil taught in the Church." He was soon riding on horseback to Nauvoo where he soon learned there was no such evil doctrine taught by Joseph and Hyrum. . . . His [Hyrum's] reply has long been on Church record written in *Times and Seasons*, volume 5, page 474. (*Autumn Leaves* 23 [September 1910]: 395, 396)

Upon arriving at Church headquarters at Joseph's store on March 15,¹ Hewitt discovered that he would be unable to speak with Joseph that day. History shows that Joseph "spent the day in council" (*LDS History of the Church* 6:264). Hewitt apparently then went to Hyrum's home or his office building, both being within a block of Joseph's store. Hyrum recorded that Richard Hewitt called upon him (see *The Saints' Herald* 53 [August 8, 1906]: 741).

1. March 15 was one day before the historic meeting in which the women of the Relief Society gave their final approval for "The Voice of Innocence from Nauvoo." It is interesting to note that neither this document nor Hyrum's subsequent letter to Hewitt was recorded in the Utah LDS Church History.

Elder Hewitt informed Hyrum of the various but similar polygamous teachings being taught by priesthood members in his area, as well as some strange doctrines which men were attaching to the plural marriage doctrine. One can determine what those strange new doctrines were by reading the list of them that Hyrum condemned in the letter he gave to Hewitt. That letter was published in the *Times and Seasons*. The letter that Hyrum penned and presented to Hewitt that day listed those false doctrines as:

- teaching that men having a certain priesthood could have plural wives
- preaching of undefined “mysteries”
- grand councils of heaven
- the making of gods (plural) and their worlds
- a change in the previously taught doctrine of how one attains Celestial Glory.

It is important to note that these same false doctrines would all appear again eight years later and become Section 132 in the LDS Doctrine and Covenants.

But Hyrum, a member of the Presidency, was against those doctrines—doctrines which even then were being secretly taught by Brigham Young and others who were developing those new beliefs and introducing them into the Church. In his letter that day, Hyrum authoritatively condemned polygamy and the other false doctrines that Brigham Young would eventually openly champion. Hyrum wrote:

Nauvoo, March 15, 1844.

To the brethren of the Church of Jesus Christ of Latterday Saints, living on China Creek, in Hancock County, Greeting:—Whereas brother Richard Hewitt has called on me to-day, to know my views concerning some doctrines that are preached in your place, and states to me that some of your elders say, that a man *having a certain priesthood*, may have as many wives as he pleases, and that doctrine is taught here [at Nauvoo]: I say unto you that that man teaches *false doctrine*, for there is no such doctrine taught here; neither is there any such thing practised here. And any man that is found teaching privately or publicly any such doctrine, is

culpable, and will stand a chance to be brought before the High Council, and lose his license and membership also: therefore he had better beware what he is about.

And again I say unto you, an elder has no business to undertake to preach mysteries in any part of the world, for God has commanded us all to preach nothing but the first principles unto the world. Neither has any elder any authority to preach any mysterious thing to any branch of the Church unless he has a direct commandment from God to do so. Let the matter of the grand councils of heaven, and the making of gods, worlds, and devils *entirely alone*: for you are not called to teach any such doctrine—for neither you nor the people are capacitated to understand any such principles—less so to teach them. For when God commands men to teach such principles the saints will receive them. Therefore beware what you teach! for the mysteries of God are not given to all men; and unto those to whom they are given they are placed under restrictions to impart only such as God will command them; and the residue is to be kept in a faithful breast, otherwise he will be brought under condemnation. By this God will prove his faithful servants, who will be called and numbered *with the chosen*.

And as to the celestial glory, all will enter in and possess that kingdom that obey the gospel, and continue in faith in the Lord unto the end of his days. Now, therefore, I say unto you, you must cease preaching your miraculous things, and let the mysteries alone until by and bye. Preach faith in the Lord Jesus Christ; repentance and baptism for the remission of sins; the laying on of the hands for the gift of the Holy Ghost: teaching the necessity of strict obedience unto these principles; reasoning out of the scriptures; proving them unto the people. Cease your schisms and divisions, and your contentions. Humble yourselves as in dust and ashes, lest God should make you an ensample of his wrath unto the surrounding world. Amen.

In the bonds of the everlasting covenant,

I am

Your obedient servant,

HYRUM SMITH.

(*Times and Seasons* 5 [March 15, 1844]: 474)

Note Hyrum's stern warning that

any man that is found teaching privately or publicly any such doctrine, is culpable, and will stand a chance to be brought before the High Council, and lose his license and membership also: therefore he had better beware what he is about.

Hyrum's warning that those teaching polygamy were in danger of facing charges before the High Council agrees with Nauvoo Stake President William Marks's declaration that Joseph told of his intention to do this very thing.

Hyrum's letter to Hewitt was evidently taken to the *Times and Seasons* printing office that day, for a copy of it dated March 15 appeared in the issue of the Church's official newspaper on that very same date.

Hewitt Makes Hyrum's Letter Public

Richard Hewitt showed Hyrum's letter to many people, including a John Taylor (who was a different person from Apostle John Taylor). Years later the John Taylor who viewed the letter (who held the priesthood office of teacher while at Nauvoo) testified in the Temple Lot case that "Hyrum Smith sat on a well curb and wrote" the letter for Hewitt to take to the brethren and Saints at China Creek. He also testified that he (Taylor) had seen the letter and had heard the letter read by Hewitt.

Teacher John Taylor's Testimony

I held the position of teacher in the original Church from September, 1832, until Joseph Smith's death in 1844. I performed the duties of teacher from the time I went to Nauvoo until 1844. We had our bounds set off for us,—two teachers to each ward to look after the members in the ward, to see that no backbiting, or evil speaking, or iniquity was practiced, and see that all members of the Church did their duties.

It was my mission to teach and instruct from the Book of Covenants, and the Book of Mormon, and the New Testament. We went together from house to house and visited every house. . . .

It was our duty in case we found anybody with more wives than one to report them to the President of the Teachers' Quorum. There were twenty-four in the Teachers' Quorum. It was an organized quorum, and our instructions were if we found any case of that kind to report it to the President of the Teachers' Quorum, and the president would report them to Hyrum Smith. That was the instruction that Brother Hyrum Smith gave in the quorum. We were not to report these alone [only], but any other misdemeanor that we found in our wards, and they were all reported alike to the President of the Quorum. . . .

It was about that time that John C. Bennett's secret wife system came to be heard of, and it was talked around that there was such a thing as that; and that was the reason that the instructions were given us, for [we] were told to search it out and find what there was to it if we could. That was the way it was, and so I got after him [Bennett], and followed him, and saw him go into a house that did not have a very good reputation. I followed him. . . . And one evening I traced him and saw him go right into the house. During the time that I was a teacher from 1832 up to 1844, *there was no rule or law of the original Church that permitted the practice or principle of polygamy. . . .*

Yes sir, after I reported John C. Bennett there was action taken on his case. He was cut off from the Church for that offense. . . .

Joseph Smith and Hyrum Smith never taught polygamy, and there was no revelation on polygamy or celestial marriage, or anything of the kind. The Church was governed entirely as a monogamy Church from 1832, at the time I became connected with it, up to the time of Joseph Smith's death.

There was a man by the name of [Hiram] Brown that taught that doctrine. He was notified by the Church authorities [both Joseph and Hyrum], tried, and cut off from the Church. . . . There was another man by the name of Durfy who went to La Harpe, Illinois [in northeast Hancock County], and he told the people that he thought the time would come when they would practice polygamy, or the

same doctrine with reference to plural wives that David and Solomon did. That was what Durfy taught. That was reported to Hyrum Smith, and Hyrum sat on a well curb and wrote a notice to him that such a doctrine was not to be taught in the Church. I saw that letter, and it was a severe rebuke. . . .

The letter I referred to . . . is a letter that Hyrum Smith wrote and delivered to Mr. Hewitt, to take to those brethren out where this man [Durfy] was preaching this doctrine, or telling the people that the doctrine of plural marriage would sometime be taught in the Church. I saw the letter at the time it was read to me. I saw the handwriting, but I did not read it myself. The letter was read to me. Mr. Hewitt read it to me, and I saw the writing, the same as if you had a letter opened there and I should see it. I saw the writing when Mr. Hewitt was reading it to me. The full name of the man who read it was Richard Hewitt. I don't know whose handwriting the letter was in. Mr. Hewitt said it was Hyrum Smith's handwriting. He told me that Hyrum Smith wrote it and gave it to him. (*The Temple Lot Case*, 190–191, 192–193; italics added)

Hewitt Threatened to Shoot Brigham Young if Young Tried to Marry His Daughter Mary Jane

Events transpired quickly after Elder Hewitt visited with Hyrum. Three months after the two men conversed, Joseph and Hyrum were murdered. Within two years, the Church members were driven from Nauvoo. Hewitt and his family joined the main body of refugees when they left Nauvoo and crossed the Mississippi River into Iowa Territory.

Brigham Young was, by this time, living more openly with a number of plural wives, while Elder Hewitt was strongly opposed to that doctrine. Hewitt believed Hyrum's denials of polygamy to have been truthful, and he was convinced that both Joseph and Hyrum despised plural marriage and all the strange doctrines attached to it.

After Joseph and Hyrum were murdered, a statement made by Brigham Young to Hewitt, in reference to Hewitt's teenage

daughter Mary Jane, caused Hewitt to sever all connections with Young, take his family to Texas, and then back to Indian Territory in Oklahoma. (Both Richard and Jerusha were of Cherokee heritage, according to their genealogy records and family writings.)

Later, Mary Jane married Stephen Maloney, and they joined the RLDS Church. She told their children the thrilling stories of her life as a girl on China Creek near Nauvoo, of the journey with her family across Iowa, and of her parents' break with Apostle Young over the remark Young made to her father about her. Years later Mary Jane's daughter Lettie Jane Maloney Hartman recorded Mary Jane's recollections in these words:

Another memory mother [Mary Jane] had was after Joseph was killed and the Saints were driven from their homes, the good and the bad together, she was traveling with her parents and one evening at camp, Brigham Young pointed at her and said, "Now, Brother Hewett [Hewitt], you know you would give me your daughter there to be one of my wives, if I should ask you."

His [Richard Hewitt's] reply was, "I would give you a bullet through your black heart first."

That was the father's sentiment regarding polygamy. He believed Brigham Young to be a rascal, as he proved to be. (*Autumn Leaves* 23 [September 1910]: 396)

Rebecca Mariah Hewitt, who was Mary Jane's younger sister, wrote:

we lived on Chaney Creek [China Creek] about 10 mi from Nauvoo and [Father] sold out his farm there to follow the Church [when forced from Nauvoo] but Father did not go very far before . . . he stoped and declaired Brigham Young to be fals. yet it was no easy task to give up the association of the saints who had the knowledge of the restored gosal. But not the lest bit shaken in the faith he went from Iowa to Texas and with all he found fo [of] the saints he told them never to follow Brigham for the righful heir was young joseph. (*Life of Rebecca M. Hewitt*, p. 1; copied from a

photocopy of Rebecca's handwritten journal, owned by Connie Fry Isaacks, great-granddaughter of Rebecca Hewitt; original spelling retained)

Rebecca also tells another story which shows her father's (Richard Hewitt) independence and his lack of fear of Brigham Young. She wrote:

I will now relate a circumstance that happened while we was travling with the companey [of Saints after leaving Nauvoo]. One of Mr Young's wagons got stuck in the mud up to the axle, and ours was close behind, when he, Brigham, drove up in his carage and said, "Bro Hewitt get out and help get that wagon out of the mire." Father said, "You are a younger man than I, get out and put your sholder to the wheel, and I will asist you. It is your wagon, not mine," was Father's reply. (ibid., 3; original spelling retained)

In hopes of finding a group of Church members who were not practicing polygamy and were holding fast to the true Gospel, Hewitt left Brigham Young and his followers and went to Texas (see Pearl Wilcox, *Saints of the Reorganization in Missouri*, 132). Hewitt, who had been ordained a seventy while at Nauvoo, hoped to find peace and fellowship in the colony of fellow believers in Texas. But to Elder Hewitt's sorrow and dismay, he found Apostle Lyman Wight and others practicing polygamy. Rebecca Hewitt recorded in her journal that her father, Richard Hewitt, visited Apostle Lyman Wight,

but could not agree with him as being in sound doctrine. Father was an Elder and would often preach sometimes at our house. . . . There was several families of saints. . . . I was now 10 years old and was babtised by my Father. (*Life of Rebecca M. Hewitt*, 4–5; original spelling retained)

On June 14, 1849, Richard Hewitt, who was at the time in Texas, wrote a letter on the subject of polygamy to James J. Strang, who also claimed to be Joseph's successor. The editors

who compiled the RLDS *History of the Church*, Volume 2, printed an extract from Hewitt's letter to Mr. Strang, along with an introduction which reads:

In connection with this the following extract from a private letter to J. J. Strang, written by Mr. Hewitt, of Bastrop, Texas, June 14, 1849, (the original of which is now before us,) is significant:—

I want to know what your mind is about men having the priesthood, having more wives than one. The principle is taught amongst all that I have been with. Some have from two to ten, or twenty, and some have none. If it is consistent I want you to let me know when you write to me, and I want you to write as soon as you get this, so Brother Miller [Bishop George Miller] and myself may know what to do. You must excuse me for asking so much, but you must bear with me, as I confess I am ignorant. Bro. Miller says their whoring will send them all to hell. You can see Bro. Hyrum's epistle to me on that subject, in the *Times and Seasons*, 15th March, 1844, if I don't mistake. I don't find such things in the Book of Covenants, nor in the Book of Mormon, nor in the writings of the apostles: and I don't want to be deceived, nor flattered any more, etc. (RLDS *History of the Church* 2:732)

It is not known whether or not James J. Strang answered Hewitt's letter. It is known, however, that Hewitt never joined with Strang, who was a polygamist. Following Hewitt's doctrinal difference with Apostle Lyman Wight, Hewitt moved from Texas to Indian Territory in Oklahoma. He would have no fellowship with any group who practiced plural marriage in any form.

Was Hewitt's Faith in Hyrum Smith Justified?

Elder Richard Hewitt died September 25, 1853. As long as he lived, Hewitt believed Hyrum had written a true statement in the March 15, 1844, letter.

One may ask, Was Hewitt misled by Hyrum, or did Hewitt have true discernment and was he justified in believing Hyrum's denial that neither he nor Joseph were advocates of plural marriage? To

make our determination, let us consider the Utah LDS Church's view that both Hyrum and Joseph had plural wives at the very time Hyrum certified to Hewitt that no such wives existed. If such is true, then Hyrum's declarative letter was a sham and contained lies deliberately written to deceive and mislead Hewitt and others. If his letter was such a prevarication, then those who believe Hyrum was a polygamist must ponder whether Hyrum bragged to Joseph that he had, in his letter, successfully deluded the Saints again! Those who believe Joseph and Hyrum were in fact polygamists must consider that Joseph could have heaved a sigh of relief upon hearing of Hyrum's ruse and congratulated him for duping the trusting Saints in the Church yet again! Men who would conspire together in such a deceitful manner would have no qualms about chuckling together at the gullibility of their followers, after pulling off such a crime, and especially as they upped the ante by plotting to put a copy of the letter in the *Times and Seasons* to further deceive members. Since the true men of God would not have done *any* of these things, each believer in the faith must determine for themselves whether to believe Joseph and Hyrum Smith's version of events, or the Utah LDS Church's version of those same events!

The Failed "It was Kept Secret to Prevent Persecutions" Argument

Believers that Joseph was a polygamist argue that he practiced it in secret, but made public statements against it to protect himself from persecution. However, according to Apostle Brigham Young, while Joseph lived, the world knew that he had many wives. On August 28, 1852, when he introduced Section 132, Young declared:

The world [the public] have known, long ago, even in brother Joseph's days, that he had more wives than one. One of the Senators in Congress, knew it very well. Did he oppose it? No! but he has been our friend all the day long, especially upon that subject [of a plurality of wives]. He [the senator] said pointedly to his friends, "if the United States do not adopt that very method [of plural marriage] . . . their generations will not live until they are 30 years old. . . ." Said he, "Joseph has introduced the best plan for restoring and

establishing strength and long life among men, of any man on the earth. . . .” Many others are of the same mind. . . . They have cried out, “proclaim it;” but it would not do, a few years ago; everything must come in its time. . . . I am now ready to proclaim it. (Supplement to *The Latter-Day Saints’ Millennial Star* 15 [1853]: 31)

Young’s above assertions were that, during Joseph’s lifetime, he was not secret about his polygamy and that the whole world knew he was a polygamist. However, how can this be true? All of Joseph’s public statements—both orally and in writing—were against practicing polygamy. Not only that, but his actions also testified that he was against polygamy. He personally brought before the Nauvoo Stake High Council some of those involved in it and disfellowshipped them from the Church. He also testified in civil court against such individuals. Moreover, he publicly ordered that any person in the Church preaching polygamy should be disfellowshipped. Thus, since all of his public words and actions were against polygamy, how could the world know with a surety, as Brigham Young indicated above, that Joseph “had more wives than one”? The answer is that they could not. This makes Brigham’s above statement false.

Another point to consider is that Young’s statement is in direct contradiction to the prevailing teaching of the Utah LDS Church that Joseph was practicing polygamy in secret for his safety from persecution. Upon scrutiny, this position also appears to be false. Ever since Joseph’s vision in the Grove, he was extensively persecuted for his beliefs. However, regardless of the severity of the persecutions, he always boldly testified in public as to what God had revealed to him—no exceptions. Thus, considering Joseph’s response to past persecutions, the position that Joseph practiced polygamy in secret to avoid persecution also appears to be false. If he practiced it at all, he would have proclaimed to the world what God had revealed to him—which he did not do.

It appears then, that both of these positions held by the Utah LDS Church about Joseph’s practice of polygamy are false. He neither proclaimed it to the world nor did he practice it in secret. This being the case, the only logical conclusion is that Joseph did not practice polygamy at all.