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Article Summary: This article discusses the five years that Algernon Paddock, a prominent Nebraska pioneer and politician, served on the Utah Commission (1882-1886), a federal regulatory commission that oversaw Utah elections and, in the words of one historian, "to crack the political control of Utah by the L.D.S. Church, and to insure that when Utah became a state, she would be Republican." These years were important for the future of both the senator and Utah.

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Photographs / Images: Portrait of Algernon Sidney Paddock; the Utah Commission: Algernon Sidney Paddock, Arthur L Thomas, Alexander Ramsay, G L Godfrey, Ambrose B Carlton, James R Pettigrew; portrait Charles S Zane, Utah territorial judge; Wagon train bringing merchandise for the stores on Main Street of Salt Lake City, Utah, about 1870

**GENTILE IN ZION:  
ALGERNON SIDNEY PADDOCK  
AND THE UTAH COMMISSION, 1882-1886**

*By Allen L. Shepherd*

Although Algernon Paddock was a prominent Nebraska pioneer and politician, few historians have chronicled either the events of his life or the impact of his political career upon Nebraska and national politics. Those who did have concentrated on Paddock's activities as a two-term United States Senator. But one important aspect of his career has been neglected—his service on the Utah Commission from 1882 through 1886. These five years, when the destinies of Paddock and the Church of Jesus Christ of Latter-Day Saints intertwined, were important for the future of both the senator and Utah. For Paddock they represented an opportunity to stay active in public life after failing re-election to the Senate as well as a chance to participate in the anti-polygamy crusade against the Saints; for the church these years represented the arrival of a carpetbag federal commission which was but the latest attempt by Washington to coerce them to change what they believed to be a divinely inspired way of life.

Contemporaries of Paddock remarked that he had only two interests in life—business and politics. Paddock himself would have claimed politics as his first love. There was little "room at the top" in the hierarchies of the older states for politically ambitious young men. Lord Chesterfield's comment that there "is not enough pasture to graze all the beasts" was valid explanation for such zealous novices as Paddock moving west. Arriving in the frontier boom town of Omaha, Nebraska

Territory, in 1857, the 27-year-old migrant soon invested in land and dabbled in journalism as a writer for the *Omaha Republican*. He combined his interest in politics with the need to earn a living by campaigning for a seat in the territorial legislature in 1858. Defeat did not keep him from being active in the founding of the Nebraska Republican Party the next year. Primarily because of his friendship with a fellow New Yorker, Secretary of State William H. Seward, President Abraham Lincoln appointed Paddock territorial secretary in 1861. Until Nebraska achieved statehood six years later, Paddock served in both that capacity and as acting governor. Successful in obtaining a United States Senate seat in 1875 after a decade in business, he found that his maverick tendencies and failure to adhere to Republican Party discipline cost him his seat at the end of his term. Little did Paddock realize as he walked down the capitol steps for the last time in 1881 that he would shortly be involved in a controversial attempt to remold the Mormons of Utah into what many Americans considered a more politically and socially acceptable pattern of life.<sup>1</sup>

In the same year that Algernon Paddock was born an Episcopalian in Glens Falls, New York, in 1830, a young Vermont-born youth formally established the Church of Jesus Christ of Latter-Day Saints in the western part of the state at Fayette. Destined to become a political as well as religious force, the movement was guided by Joseph Smith, one of the most mercurial personalities of the ante-bellum era. Just as young Algernon early left New York and sought his fortune in the West, so Smith and his band of followers abandoned the "burned-over district" for brighter prospects elsewhere. Attempting to escape persecutions from Kirtland, Ohio, to Nauvoo, Illinois, the religious group known as Mormons sought refuge in the forlorn and isolated Great Basin beyond the Rocky Mountains. The Treaty of Guadalupe Hidalgo ending the Mexican War brought the Mormon community back into the United States. No longer were they an appendage of Mexico as they thought they would be when they left Nauvoo in the spring of 1846; they were still citizens of the United States and must adhere to the laws of the land. The California gold rush, granting of territorial status in 1850, and the Mormon War of 1857 destined that the Saints, now under the leadership of Brigham Young, would not enjoy their cherished isolation in Zion. The coming of the telegraph

and the transcontinental railroad, the establishment of Fort Douglas in Salt Lake City, and the genesis of a precious metal industry all increased the size of the Gentile (non-Mormon) community to the point that it was looked upon as a potential fifth column by the Saints.

Members of the church had never established rapport with their Gentile neighbors, and the result of prolonged contact between the two communities usually bred hostility and bitterness. Not only did their monolithic economic policies discourage competition, but their political practice of offering bloc votes to the candidate most favorable to their cause and Smith's nomination by the Illinois Reform Party to run for the presidency in the election of 1844 enraged their opponents. The undenied charismatic appeal of Smith was translated as demagogic opportunism by many non-Mormons. Then, too, there was the matter of their alien social practices, of which the most unacceptable to the Gentiles was polygamy.<sup>2</sup>

The campaign against the Saints was part of a larger moral crusade to make the United States conform to the utopian stereotype of the evangelistic ante-bellum reformers. A belief in the perfectibility and malleability of society as manifested in the anti-slavery, temperance, and women's rights ideals initially had formed the core of the movement. Rather than being a new holy war, the anti-polygamy crusade was but a latter-day kin to these movements, to the moral side of Southern Reconstruction and to the Civil Service reform drive. A compulsion of unfulfilled mission propelled various crusaders against the new ogre, Mormonism. An unredeemed and unrepentant minority, these reformers felt, could not be allowed to continue to pollute the halls of American democracy. But like the waning years of many reformist crusades, this one had become tarnished by materialism and opportunism. The moral purity (as well as fanaticism) which had characterized so much of the Jacksonian era reform movement had largely dissipated.<sup>3</sup>

The moral crusade against polygamy was only in part a reflection of the true nature of the issue. The division between Mormon and Gentile did have to do with differing conceptions of morality, democracy, and Christianity. But another part of the question was decidedly political—a struggle for the future allegiance of Utah by the Democratic and Republican Parties and a struggle by the Saints to retain some semblance of

autonomy under any political banner. If this theme was less obvious in public statements, it was no less important for the future political status of Zion. Paddock and his contemporaries did not fail to perceive the political issue. Even the virulent anti-Mormon governor of Utah, Eli Murray, stated that the "question of religion does not in any proper sense enter . . . into a legitimate discussion of the Mormon question. As the Presbyterians are entitled to their belief in the teachings of John Calvin, or the Methodists in the teachings of John Wesley, so the Mormons are entitled to the belief that Joe Smith was a prophet."<sup>4</sup> But the democratic goal of the separation of church and state in Utah was another matter. The theocratic nature of Utah made such a federally sponsored moral crusade possible; the delicate national balance between Republicans and Democrats made it politically imperative.

Such hostility found its way into organized political opposition. With the birth and early growth of the Republican Party, social attitudes and political catechisms that became the core of its ideology found a fertile seedbed in young Paddock's mind and were to do much toward shaping his future attitudes on the subject. The Republican Party platform of 1856 decried "those twin relics of barbarism—Polygamy, and Slavery," and advocated that the United States eradicate these evils by exercising sovereignty over the territories.<sup>5</sup> In 1862, while the North was waging war against the Confederacy, the Republican-dominated Congress passed the Morrill Anti-Polygamy Law. Designed to provide a legal basis for prosecuting bigamists, it fell short of that goal, for only three convictions were ever obtained under it.

Gentile hopes for the rapid eradication of polygamy were temporarily heightened in 1874, during the second Grant administration, with the passage of the Poland Act. This piece of legislation gave federal judges jurisdiction over civil, criminal, and chancery cases, and awarded the duties of territorial marshal and attorney general to federal officials, but it also proved largely ineffective. In 1875 Attorney General Edward Pierrepont, echoing prevailing Gentile sentiment, branded polygamy as "a social system corrupting and degrading, abhorrent to the principles of the Christian religion, and never yet permitted by a Christian nation." The Republican Party platform of 1876 reflected the frustration of the federal



*Algernon Sidney Paddock*

authorities in their attempts to curtail plural marriage in Zion. For the second time in twenty years, the platform referred to polygamy and demanded legislation that would secure "the supremacy of American institutions in all the territories." In 1879 William M. Evarts, secretary of state under Rutherford B. Hayes, attempted to halt emigration from countries where Mormon missionaries were active. President Hayes, annoyed by the Mormon's violations of United States laws and influenced by a September, 1880, visit to Salt Lake City in which his Methodist wife Lucy assured local non-Mormon women that they would have her cordial cooperation in their anti-polygamy crusade, determined that such violations must be halted. He recommended that if necessary "the right to vote, hold office, and sit on juries in the Territory of Utah be confined to those who neither practice nor uphold polygamy."<sup>6</sup>

On March 4, 1881, as Paddock was nearing the end of his Senate term, President James A. Garfield, in the only presidential inaugural address to mention polygamy, denounced both the evil and the Mormon Church's control over Utah.<sup>7</sup> Popular pressure and Supreme Court attitudes forced his successor, Chester A. Arthur, and the 47th Congress to take effective steps to bring the recalcitrant Saints into line.<sup>8</sup> The Edmunds Bill, introduced in March, 1882, contrived to eliminate the Mormon Church as a temporal power in Utah by transferring the political machinery of the territory to non-Mormon federal

appointees. In addition to setting penalties for cohabitation and disfranchising from jury service all persons practicing polygamy, the act created a five-man "Utah Commission" to conduct elections, determine the eligibility of voters, count the votes, and issue certificates of election.<sup>9</sup>

The bill did not pass without considerable debate, a debate centering around the political question of which major national party would reap the reward of a "reformed" Zion. Both the Democrats, who had held most of the Saints' political allegiance since the establishment of the territory, and the Republicans hoped to remold Utah in the image of their respective parties. The ensuing efforts of the Republican Gentiles were designed not only to destroy the twin relic, but "to crack the political control of Utah by the L.D.S. Church, and to insure that when Utah became a state, she would be Republican."<sup>10</sup> The danger of an all-Republican regulatory commission was all too apparent to the Democrats. Senator Joseph E. Brown of Georgia accused the sponsor of the bill, George F. Edmunds of Vermont, and Edmunds' fellow Republicans of harboring the same base political motives which had been temporarily successful in the defeated Confederacy during Reconstruction. "Whenever it is necessary to make a Republican State out of a . . . Democratic Territory," Brown observed sarcastically, "the most convenient machinery is a returning board."<sup>11</sup> Another Democratic senator, George H. Pendleton of Ohio, declared that the Edmunds bill would "transfer the political power of the Territory to the Republican party—a party which has 1,500 votes out of 15,000 and its friends know that fact full well."<sup>12</sup> Democratic senators finally succeeded in modifying the bill so that neither party could secure all the seats on the commission; however, three of the five seats would be held by Republicans and presumably the party now had the means for coercing the Saints into the ranks of the G.O.P.

The Utah Commission, which was never given an official name, was granted broad discretionary powers which "would have made the hardest and most successful Republican city or state boss green with envy."<sup>13</sup> It was similar to a modern regulatory agency in that it was semi-independent of the three main branches of government. Its purpose, however, was to control the political, not the economic, processes of government. No provision was made for the selection of a chairman, but the

office rotated according to what party was in power in Washington. No qualifications were specified for membership, no limitation was set as to the commissioner's tenure, which was left to the President's discretion, and there was no definite stipulation as to the tenure of the commission itself. Supposedly it would cease to exist when the territorial legislature passed an election-and-office-holding law which conformed to the provisions of the statute. Yet the law did not specify what person or agency would determine if or when conformity was achieved. Governor Eli Murray assumed this prerogative while in office and thereby assured the longevity of the commission.

In his home in Beatrice, Nebraska, ex-Senator Algernon Paddock maintained an active interest in the Washington political scene. A seat on the newly created Utah Commission would give him a chance to get back into the stream of national politics. However, it was not until Congress, at the behest of President Arthur, raised the annual salary of commissioners from \$3,000 to \$5,000 (a salary equal to that of congressmen) that Paddock, or other presumably qualified men, showed any interest. Out of some seventy applicants, Paddock, an intimate friend of President Arthur, was the first chosen. Two of the other commissioners, Alexander Ramsay of Minnesota, who became chairman, and G. L. Godfrey of Iowa, were Republicans. The minority Democrats were Ambrose B. Carlton of Indiana and James R. Pettigrew of Arkansas. All the men were lawyers of prominent political stature and of some administrative experience—and non-Utah Gentiles.<sup>14</sup>

Paddock journeyed by train from Beatrice to Chicago, where he and the other commissioners held their first full meeting on July 19, 1882. As Congress still had taken no action on appropriations and some administrative decisions for the commission, a second meeting was scheduled and held at Omaha on August 15. Advancing westward, the commissioners were met in Ogden by a bipartisan Mormon-Gentile delegation in a special Utah Central Railway car and proceeded to Salt Lake City, arriving on August 18. The commissioners were well received, both factions hoping to persuade the individual commissioners to adopt their pro- or anti-Mormon points of view. Carriages conveyed Paddock and his fellow representatives to the Continental Hotel where they were officially received.<sup>15</sup>

The Mormons had hoped at best for an impartial commission

and had urged the appointment of easterners rather than local Mormon-baiting Gentiles. The *Deseret Evening News*, spokesman for the church, stated: "We do not think they will attempt to step beyond the limits marked out for them."<sup>16</sup> The *Gentile Daily Tribune* was also wary of the commissioners, warning them that if they "make the mistake to think that . . . they are going among semi-civilized tribes they must adopt an unnatural style either to win or bully them, it will be just like the Utah Gentiles to drop them like hot potatoes, and let them work out their own salvation."<sup>17</sup> This group had been disappointed that at least some local non-Mormons had not been appointed to the commission but managed to hold their disappointment temporarily in check in the hope that they could work with the commissioners in wreaking vengeance on the church. Unable to accomplish this task on their own, they now saw the Utah Commission as a vehicle for that purpose.

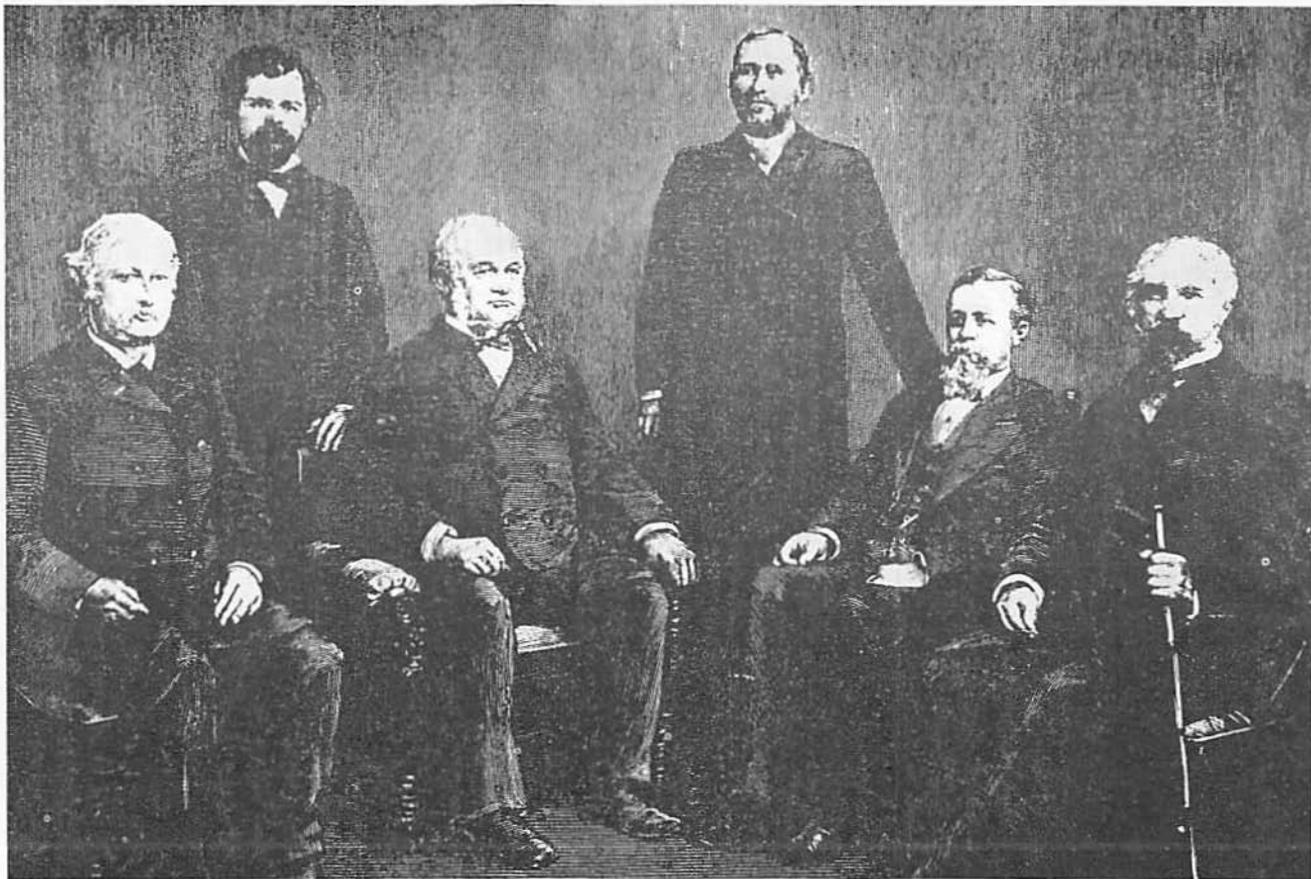
The Washington appointees were not fooled by the tranquility of the reception. The feelings of Commissioner Carlton were undoubtedly shared by all. Carlton, on retiring to his room that night, "carefully examined the door and window fastenings, from a half-defined apprehension that some Mormon 'Danite' might make [me] a victim of blood atonement as an official persecutor of the Saints."<sup>18</sup> Paddock himself was probably well-informed—albeit from a rather biased source—of the Utah scene by a relative, Mrs. A. G. Paddock of Salt Lake City. She had made herself infamous in Zion as a leading figure in the Anti-Polygamy Society, and in "literary" circles by her authorship of such virulent anti-Mormon diatribes as *In the Toils—Americas Valley of Death* (1879), and *The Fate of Madame La Tour, A Tale of Great Salt Lake* (1881).

Paddock and the other commissioners proceeded to carry out their functions under the Edmunds Act. An election supposed to have been held on the first Monday of August, 1882, to choose territorial and local officials had been bypassed because of the absence of the commission. At the behest of Senator George F. Hoar of Massachusetts, Congress had empowered Governor Murray to fill the vacancies. This he gleefully did—with Gentiles. The problem of immediate importance was the selection of a delegate to Congress. The Gentiles, under the auspices of the Liberal Party, reflected their inferior position at the polls by urging the commissioners to leave the office vacant. The

commissioners, evidently trying to be as fair as possible, proceeded with the election which ended in a victory for the People's Party (Mormon) candidate, John T. Caine, over the Liberals' Philip T. Van Zile. The commissioners allowed the results to stand, but Paddock scarcely concealed his revulsion for Caine and his desire to see Van Zile in his place. Gentle reaction to Caine's election and to the appointment of several Mormons as election registrars was condemnatory. The *Tribune* denounced the commissioners for not having "arrived in the Territory in time to fully deliberate on every question, and sufficiently consider all the available persons in the different localities."<sup>19</sup>

One of the first official acts of the commission was to prepare election laws and formulate a loyalty oath that would effectively bar polygamists from the polls. This oath, which was later to be held beyond the power of the commission (*Murphy v. Ramsey*, 1885), was used in the meantime to bar some 12,000 polygamists and believers in polygamy from exercising their franchise. To formulate the oath, the commissioners simply took an existing Utah oath and inserted "polygamous" and "plural marriage" phrases so as to conform to the Edmunds Act. Despite the large number of Saints barred, the People's Party continued to win elections, and the commission soon decided on more stringent measures.<sup>20</sup>

The most outspoken in his quest for harsher legislation to deal with the recalcitrant Mormons was Commissioner Paddock, a fact not unnoticed by the beleaguered Saints. By late 1883 Paddock was not only praising President Arthur for his firm stance on the Utah scene, taking credit for inspiring Arthur's "Mormon statement" in his annual message in December, but also commenting, "We can never have a rational solution of the complex question, or in fact, any peace in Utah, until the whole machinery, legislative as well as judicial and executive, is controlled by Federal authorities." To insure this federal control, Paddock, in the commission's first annual report of November, 1882, had proposed sweeping and drastic measures for the subjugation of the Saints. His recommendations consisted of: (1) abolishing the Legislative Assembly; (2) abolishing the elective system; (3) abolishing the office of territorial delegate; (4) providing that all territorial, county, and precinct officers be appointed by the governor and confirmed by the commission; (5)



*The Utah Commission. Left to right: Algernon Sidney Paddock, Arthur L. Thomas, Alexander Ramsay, G. L. Godfrey, Ambrose B. Carlton, James R. Pettigrew. From Harper's Weekly, June 20, 1885.*

giving the commission, together with the governor, authority to act as a board of equalization, with power to revise and equalize taxation; (6) giving to the commission and the governor the authority to act as a board of immigration, with full power to make rules and regulations concerning the same; and (7) placing the commission and the governor in charge of public improvements, as a board of public works, with authority over the system of irrigation in the territory.<sup>21</sup>

The recommendations were matched in their boldness and harshness only by their total rejection by the other members of the commission. Undaunted, Paddock retaliated by lashing out at his fellow members for compromising:

We understood that we were sent here to hurt, and not to temporize with and excuse polygamy in any of its innumerable phases and conditons. . . . We trust, we shall be pardoned an expression of the hope that the Government having at length its heavy hand upon polygamy, it will not be removed for a single moment, until this offense against the laws, this crime against our civilization shall be crushed out forever.<sup>22</sup>

The commission as a whole agreed that the political hold of the church would have to be broken. Beyond that their individual means for accomplishing this differed from Paddock's plea for a thorough reconstruction to majority opinion (at least until about 1886) of a more temporizing policy.

While the commission and the federal government strove to gain political control of Utah, another struggle, originally quite independent of these efforts, was going on. This had to do with the contest for power between the Liberal Party and the People's Party, a contest having its genesis with the coming of the Gentiles and the transcontinental railroad in 1869. The Democrats were caught in a dilemma: whether to retain the allegiance of the nominally Democratic Saints by backing the People's Party or whether to support the Gentile Liberal Party and chance Utah becoming Republican. The Grand Old Party was in a more advantageous position. Republicans had nothing to lose either way, for Utah was already predominately Democratic; thus they saw a free path to back the Liberal Party which promised to break the Saints' control of politics—in effect political gain for little risk. Most commissioners, however, whether Republican or Democrat, usually favored the Liberal Party, because it promised the best means of crushing the Saints' political hegemony. Although no definite link can be established between Paddock and the Liberal Party, it seems that he had more than a

puritanical interest in the demise of polygamy. He expressed the opinion that his proposed recommendations of 1882, if adopted, would "divorce Church and State in Utah, and develop a political force here, that will destroy this dangerous centralization of power."<sup>23</sup> Paddock was determined to destroy the Saints' autonomous political power first; beyond that he felt free to give any assistance to a nascent Republican movement in the territory.

One technique that the commissioners resorted to in attempting to breach the Mormon political dike was that of weaning the younger members of the Church away from their seniors. It was hoped that by disfranchising the older generation (many of whom were polygamists) and giving the younger generation (very few of whom were polygamists) a taste of political power, this could be accomplished. In its November, 1882, report, the commission optimistically said that "there is reason to believe that the operation of this law [Edmunds] and other influences are settling strongly in the direction of reform, and that the hitherto dominant faction will be supplanted by 'Young Utah' in the conduct of public affairs." A year later its report no less exuberantly reported: "Those Mormons who have the ballot will after a time be conscious of a power which they will be unwilling to use forever at the bidding of those who have it not."<sup>24</sup> The commissioners were sadly underestimating the cohesiveness of the Saints.

In November, 1884, when the Liberal candidate Ransford Smith was defeated by the People's Party choice, John T. Caine, for delegate to Congress, the commission "admitted that its hopes had proved delusive."<sup>25</sup> For despite its numerous efforts, such as disfranchising voters, empaneling juries, and gerrymandering districts, the Mormons still were able to outvote the Gentiles at the polls. Not only were the Gentiles unable to gain predominance in the political arena, but also the church continued to preach and sanction its doctrine of plural marriage for its members. The commission report of November, 1884, seemed a paradigm of despair:

After more than two years' labor and experiences here it becomes our duty to advise the Government and the country that, although the law has been successfully administered in respect of the disfranchisement of polygamists, the effect of the same upon the preaching and practice of polygamy has not been to improve the tone of the former or materially diminish the latter.<sup>26</sup>

The commission then urged a ban on the statute of limitations on polygamous trials, empaneling of juries by open venire in federal cases, and encouraged an increase in the number of federally appointed territorial offices. It did not, however, succumb to either Paddock's or the Liberals' recommendation of a legislative commission as an immediate necessity. The paradox of attempting to stifle Mormon democracy at the ballot box in the name of extending American democracy was but one of the curiosities of this contest.

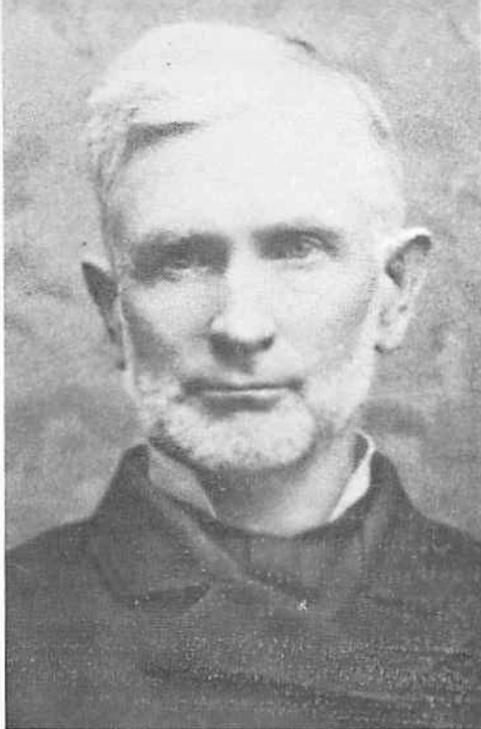
By the end of 1885, the commission was convinced of the impossibility of suppressing the polygamous institution by disfranchisement alone. The commissioners recommended to Congress a strict enforcement of the penal provisions of the various anti-polygamy statutes and the appointment of two hard-liners—William H. Dickson as United States district attorney and Charles S. Zane as territorial judge. The period of intensive prosecution (or persecution by Mormon standards) which followed their appointments bore the label of "judicial crusade." Prior to the appointment of these two crusading zealots the number of convictions under the various anti-polygamy statutes was nil. Their vigorous and successful prosecution and conviction soon began to tell. Jails became flooded with convicted polygamists; many simply hid. By increasingly upping the ante, the commission as a whole was gradually coming around to Paddock's view that such measures were needed to reconstruct Zion. Yet they never went so far as to subscribe to the measures outlined by Paddock in 1882. The commission report of September, 1886, concluded that, despite the numerous convictions of the "judicial crusade" of Dickson and Zane, something more was needed. "If present laws and the proposed amendment are not sufficient to suppress the evil," the commissioners reported, "more stringent enactments must be adopted." The same report also looked with favor on a proposed constitutional amendment to prohibit polygamy, and the commissioners professed that in this manner the Mormons' constitutional defense of their peculiar institution might be deflated.<sup>27</sup> The crescendo of recommendations from the commission to Congress, as mild or as harsh as they may have seemed to some, undoubtedly helped shape congressional attitudes and the subsequent Edmunds-Tucker Act of 1887.

The "Utah question" remained prominent in national politics

throughout the 1880s. The Republican Party platform of 1884, true to its anti-polygamy theme since 1856, called for laws that would "effectually suppress the system of polygamy within our Territories; and divorce the political from the ecclesiastical power of the so-called Mormon church." Expressing perseverance more than desperation, the platform also urged the use of military forces if civil authorities were unable to do the job.<sup>28</sup> Democratic President Grover Cleveland, while not entirely ignoring the Mormon question, took a more subdued approach than his Republican predecessor in the White House. He recalled Governor Murray and in 1887 refused to sign the Edmunds-Tucker Bill, the invigorated congressional effort embodying several of the recommendations of the Utah Commission.

The composition of the commission likewise mirrored the vicissitudes of the national political scene. Paddock and his fellow Republican became a minority on the commission in 1886. The members, though they had consistently supported the Liberal Party, became increasingly disenchanted with their political allies and were often at loggerheads with them, particularly after the Democrats gained a majority on the Commission in 1886. This disenchantment was evidently mutual, for as early as 1883 the Gentile community had expressed its disappointment with the commission's lack of aggressiveness. Paddock was excused, the *Daily Tribune* commenting that his "sin has simply been one of false courtesy in letting the majority control against his better judgment." The Saints had been mildly complimentary to the commission as a whole, but Paddock had become, next to Dickson and Zane, their *bete noire*. Never overburdened with the volume of work, the commission felt the barbs of a hostile press whenever one of their decisions dismayed either the Gentiles or the Saints. The *News* commented wryly that if commissioners had "any other duty to perform except to draw their salaries we would like to have it pointed out." The *Tribune* was even less charitable for it once threatened to "expose the Commission to Congress by a review of its work which shows that it did not perform more than thirty days worthwhile labor in a year."<sup>29</sup>

If Paddock and his fellow commissioners received compensatory rewards in the form of an adequate salary and a



*Charles S. Zane,  
Utah territorial judge  
(Courtesy of Utah  
State Historical Society)*

light work load, it may be assumed that they had their share of frustrations. In spite of their efforts, the church until 1890 continued its temporal sanction of the practice of plural marriage. No matter what policy the commissioners pursued, it seemed to please neither Gentiles nor Mormons nor achieve the desired results. Yet, if the cohesiveness of the Saints was wearing well in the struggle, their capacity for continued battle was waning. Church leaders were beginning to tire of the omnipresence of federal authority and beginning to think of accommodation rather than resistance.

Irrespective of the barbs of its critics, the commission did prove of some significance in the change in attitude on the part of the church. Not only did it disfranchise many Mormons and thus contribute to the eventual demise of the theocracy, but its recommendations to Congress were, if not always adhered to, carefully scrutinized. The appointment of Dickson and Zane came at their request. They urged the repeal of woman suffrage and the making of all marriages public. Many of the provisions that appeared in the Edmunds-Tucker Act were incorporated at their behest. And a political shift in Utah did occur by the time of her admission as a state in 1896, thus proving Senator Brown's prediction of political motive to be correct. The Mormons themselves had seen it coming. As early as 1882 the *News*

lamented that the cry against polygamy was in reality "a crusade to obtain political control in Utah."<sup>30</sup> It is, however, problematical how much the commission furthered this shift. The contributions of the commission were certainly equalled by those of Dickson, Zane, the courts and the escheatment of church property.<sup>31</sup> Utah became and has remained primarily a Republican stronghold. But to ascribe to the commission the cause for this shift would be to distort its influence; indeed, economic considerations in national and tariff policies for raw materials and the increasing strength nationally of the Republican Party after 1894 had much to do with the course of events.

Paddock could have continued in the capacity of commissioner, but he chose to resign effective December 20, 1886. The Democrats were by then the majority party on the commission, but party friction was probably not a paramount reason for his resignation. January of 1887 was senatorial election time in Nebraska and Paddock's reaction to the clarion call of politics was as predictable as that of Pavlov's celebrated canine to food. The aspiring candidate knew that the party professionals were as dissatisfied with Senator Charles H. Van Wyck as they had been with him six years previous. Paddock was now in a position to capitalize on that dissatisfaction.

The Nebraska Legislature reelected Algernon Paddock to the United States Senate in 1887. No longer encumbered by his previous tendencies to ignore Republican Party discipline, he became a party regular. With respect to Utah he urged the strengthening of federal authority through bills authorizing the governor of Utah to appoint specified officials, to broaden the commission to include the governor, the chief justice, and the secretary of the territory, and another bill to reapportion Salt Lake City into secular districts. He also proposed additional justices for the Utah Supreme Court. Senator Paddock continually opposed statehood for an unredeemed and unrepentant Utah, stating that the Mormons' sole purpose in seeking such status was to circumvent federal laws and perpetuate the system of polygamy. Although the Edmunds-Tucker Act was passed in February, 1887, before Paddock had taken his seat in the Senate, he doubtless approved of the stringent measures that would cut the polygamous Gordian knot and lead to church surrender.



*Wagon trains bringing in merchandise for the stores on Main Street of Salt Lake City, Utah, about 1870. Courtesy of the Utah State Historical Society.*

With the Woodruff Manifesto in 1890, the Mormons capitulated on the issue of plural marriages and to a lesser degree on church monopoly in politics. The struggles among the factions in Utah were solved or had transformed themselves within a decade after Paddock resigned from the commission. When the church issued the manifesto, the federal government eased its pressure, considering the war won. The Utah Commission, which continued to exist until 1896, became less and less important in territorial politics. The Liberal and People's Parties were formally disbanded in 1891; coalescence around the "political" banners of Republican and Democrat replaced the purely "religious" bases of the old parties. Paddock was soon engrossed in Senate matters other than Utah and shortly found himself in political troubles with agrarian radicals at home.<sup>32</sup> But while the destinies of Zion and Paddock did merge in the 1880s, the eyes of much of the nation focused on this struggle for both ecclesiastical and temporal control of a

unique society and a unique people. Although Paddock considered his tenure on the commission as such a temporary exile until the next senatorial election as a crusade against the Saints, he never forgot the experience. Likewise, Utah and the Saints never forgot Algernon Paddock.

## NOTES

1. For a more complete survey of Paddock's early life, see the author's "Algernon Sidney Paddock: A Biography," (M.A. thesis, University of Nebraska, 1967), Chapters I-III.

2. Although there is an abundance of literature on Mormonism, it varies widely in quality. Two of the better general works are Leonard J. Arrington, *Great Basin Kingdom: An Economic History of the Latter-Day Saints, 1830-1900* (Lincoln: University of Nebraska Press, 1966), and Nels Anderson, *Desert Saints* (Chicago: University of Chicago Press, 1966). An interesting biography of Smith is Fawn Brodie, *No Man Knows My History* (New York: Knopf, 1945), but Saints claim it is biased; some prefer as a rebuttal Hugh Nibley, *No Ma'am That's Not History* (Salt Lake City: Bookcraft, 1946). A pertinent chapter on early Mormonism is contained in Whitney Cross, *The Burned-Over District* (Ithaca: Cornell University Press, 1950).

3. Ante-bellum reform has been well-chronicled. One of the best collections is David Brion Davis, editor, *Ante-Bellum Reform* (New York: Harper & Row, 1967). Few historians have attempted, however, to tie ante-bellum reform with reform movements in the post-Civil War era. An interesting article, also by Davis, is "Some Themes of Counter-Subversion: An Analysis of Anti-Masonic, Anti-Catholic, and Anti-Mormon Literature," *The Mississippi Valley Historical Review*, XLVII (September, 1960), 205-224. Two other sources that may be consulted, dealing with nativism and prejudice, are Ray Allen Billington, *The Protestant Crusade* (Chicago: Quadrangle Books, 1964), and Gustavus Myers, *History of Bigotry in the United States* (New York: Capricorn Books, 1960).

4. Eli Murray, "The Crisis in Utah," *North American Review*, CXXXIV (1882), 327. On this theme see Richard D. Poll, "The Political Reconstruction of Utah Territory, 1866-1890," *Pacific Historical Review*, XXVII (1958), 111-126.

5. Kirk H. Porter, compiler, *National Party Platforms* (New York: The Macmillan Co., 1924), 48.

6. Pierrepoint quoted in Norman F. Furniss, *The Mormon Conflict, 1850-1859* (New Haven: Yale University Press, 1960), 233. Porter, *National Party Platforms*, 93. James D. Richardson, compiler, *A Compilation of the Messages and Papers of the Presidents, 1789-1897* (Washington: Government Printing Office, 1898) VII, 606. Robert Joseph Deyer, *The Gentile Comes to Utah* (Washington: Catholic University Press, 1941), 195-198. Richard D. Poll, "The Twin Relics: A Study of Mormon Polygamy and the Campaign of the United States Government for its Abolition, 1852-1890," (M.A. thesis, Texas Christian University, 1938), 185.

7. Richardson, *Messages and Papers*, VIII, 11.

8. The United States Supreme Court upheld the power of Congress to legislate against polygamy in *Reynolds v. United States* (1879), but two years later, in *Miles v. United States*, the Court showed that certain aspects of the Morrill and Poland Acts were open to question.

9. Arrington, *Great Basin Kingdom*, 358.

10. Poll, "The Political Reconstruction of Utah Territory," 112.

11. *Congressional Record*, 47th Congress, 1st Session, 1203.
12. *Ibid.*, 1211. Stewart L. Grow, "A Study of the Utah Commission, 1882-1896," (Ph.D. dissertation, University of Utah, 1954), 28.
13. Grow, "A Study of the Utah Commission," 24.
14. For a complete list of Commission members see Everett L. Cooley, "Carpetbag Rule: Territorial Government in Utah," *Utah Historical Quarterly*, XXVI (1958), 119ff. Although not necessarily true of the members of the Utah Commission, historians have sometimes commented on the low caliber of territorial personnel in the period after 1860. See e.g. Hubert Howe Bancroft, *History of Utah* (San Francisco: The Historical Co., 1890), 687ff; Howard R. Lamar, *Dakota Territory, 1861-1889* (New Haven: Yale University Press, 1956), 17-18; and Earl Pomeroy, *The Territories and the United States, 1861-1890* (Seattle: University of Washington Press, 1969), 62-79.
15. For a contemporary reaction to the commissioners arrival, see the *Salt Lake City Herald* as quoted in Grow, "A Study of the Utah Commission," 59ff.
16. *Deseret Evening News* (Salt Lake City), August 16, 1882.
17. *Salt Lake City Daily Tribune*, April 15, 1882.
18. Carlton quoted in Grow, "A Study of the Utah Commission," 59.
19. *Daily Tribune*, September 14, 1882. *Utah Commission Minute Books*, Book A (found in Utah Historical Society, Salt Lake City), 121-122.
20. For text of oath see *Utah Commission Minute Books*, Book A, 21-22. For a discussion of the legal technicalities see Francis D. Wormuth, "Legislative Disqualifications as Bills of Attainder," *Vanderbilt Law Review*, IV (April, 1951), 614.
21. *Utah Commission Minute Book*, Book A, 125.
22. *Ibid.*, 120, 127-128.
23. *Ibid.*, 125. On this point see G. Homer Durham, "The Development of Political Parties in Utah: "The First Phase," *Utah Humanities Review* (April, 1947), 131-144.
24. "Report of the Utah Commission," in *Reports of the Secretary of the Interior* (Washington, D.C.: Government Printing Office, 1882-1887), November, 1882, 1008; October, 1883, 501.
25. Dwyer, *The Gentile Comes to Utah*, 223.
26. "Report of the Utah Commission," November, 1884, 517.
27. "Report of the Utah Commission," September 1886, 1064.
28. Porter, *National Party Platforms*, 135.
29. *Daily Tribune*, June 2, 1883, May 4, 1887; *Deseret Evening News*, June 1, 1883.
30. *Deseret Evening News*, August 26, 1882.
31. Grow, "A Study of the Utah Commission," 236.
32. Although Paddock was a friend of the farmer and a spokesman for agrarian interests in the Senate, his performance was not sufficiently radical to keep him out of trouble with the Populists. Shucking his independence and maverick tendencies may have endeared him to party regulars but not to Nebraska farmers.