

## Emily Dow Partridge Smith Young on the Witness Stand: Recollections of a Plural Wife

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On Saturday, March 19, 1892, sixty-eight-year-old Emily Dow Partridge Smith Young reluctantly climbed in a buggy with Charles A. Hall, president of the Church of Christ (Temple Lot), and drove to an office in downtown Salt Lake City where she gave a deposition, her second in five days, that became part of the legal record in the struggle between the Church of Christ (also known as the Hedrickites) and the Reorganized Church of Jesus Christ of Latter Day Saints about the possession of the lot that Joseph Smith had designated as the site of the New Jerusalem's temple. At issue were her father's purchase sixty years earlier of part of the property currently under dispute and especially the practice in Nauvoo of plural marriage. Forty-nine years earlier, Emily and her older sister Eliza had both been sealed to Joseph Smith as plural wives. Emily wrote in her diary that her testimony, given under oath on "the witness stand" was a distasteful experience: "I was there several hours and underwent a rigid examination. I felt sometimes as though the top of my head might move off. I was very weary and sometimes quite indignant but had to pocket my pride and indignation and answer all the important questions the lawyers chose to ask."<sup>1</sup>

The Church of Christ won the case, giving it possession of two and a half acres in Independence,<sup>2</sup> now occupied by a large grassy area, places for parking, with a congregational building on the northeast corner of the lot, serving as their headquarters. One year later, the RLDS Church (now Community of Christ) published an abstract of the proceedings in a thick volume of 507 pages; but approximately forty pages of the original transcript pages of Emily's testimony, particularly about plural marriage, were omitted.

Although most events of Emily's life are well known, thanks to her successive marriages to Joseph Smith and Brigham Young, this article focuses on the information available in her deposition, quoting lengthy excerpts dealing with plural marriage that have not been generally available. Although she was responding by memory to events many years in the past, it adds valuable insights into the practice of Nauvoo polygamy, including her testimony that an angel revealed the practice, that the first wife was asked to place the plural wife's hand in her husband's, and that her relationship with Joseph Smith included a sexual component.

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<sup>1</sup> Emily Dow Partridge Young, *Diary, 1874-99*, March 19, 1892, typescript, 95, Emily Dow Partridge Young Collection, Vault MS 5, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah.

<sup>2</sup> The site was originally two and a half acres but in 1963 [sic; 1906] when the city closed an adjacent street, the Church of Christ purchased it, making the current site two and three-quarters acres. R. Jean Addams, "The Church of Christ (Temple Lot), Its Emergence, Struggles, and Early Schisms," in *Scattering of the Saints: Schism within Mormonism*, edited by Newell G. Bringhurst and John C. Hamer (Independence: John Whitmer Books, 2007), 213.

### Emily Dow Partridge's Early Life

Emily Dow Partridge was born February 28, 1824, in Painesville, Geauga County, Ohio, the third of five daughters and two sons born to Edward Partridge, a hat manufacturer, and Lydia Clisbee Partridge. About 1828 Sidney Rigdon baptized Edward and Lydia into the Disciples of Christ (Campbellite).<sup>3</sup>

In November 1830 when Emily was six, her mother became the family's first Mormon baptized by Parley P. Pratt, one of the four missionaries en route to Missouri to proselytize among the Native Americans. More cautious, Edward wanted to meet Joseph Smith first and went to New York State with Sidney Rigdon. On December 11, 1830, questions were satisfied, Partridge was baptized by Joseph Smith who received a revelation assuring Edward that he was blessed, that his sins were forgiven, and that he would be ordained to preach the gospel.<sup>4</sup> Sidney Rigdon ordained the thirty-seven-year-old Edward an elder four days later.

After Edward's return to Ohio, Joseph Smith revealed that he should also be ordained the Church's first bishop.<sup>5</sup> From then until his death in 1840, Edward Partridge stood at the center of the fledgling Church's turbulent first decade. As church members left New York in 1831, bound for Kirtland, Ohio, some of them traveled through Painesville and stopped at the Partridge home. Soon afterward Emily caught a serious case of measles, probably with an ear infection as a complication, for her "ear was sore for years." Fifty-three years later, she wrote: "I can't tell you how I suffered with it both from pain and mortification of pride. When my ear did get well, it left me deaf and I have been deaf (in that ear) ever since."<sup>6</sup>

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<sup>3</sup> Manuscript History A-1:94, Archives of the Family and Church History Department, Church of Jesus Christ of Latter-day Saints, Salt Lake City (hereafter LDS Church Archives). See Dean C. Jessee, ed., *The Papers of Joseph Smith. Vol. 1: Autobiographical and Historical Writings* (Salt Lake City: Deseret Book, 1989), 1:348. According to the *Painesville Telegraph* 6 (January 18, 1828):3, Edward Partridge announced that his house, hatter's shop, barn, and hundred-acre farm were for sale. The *Painesville Telegraph. and Geauga Free Press* 1 (September 1, 1829):3, further indicated that Partridge was "wishing to quit the Hatting business, and leave Painesville."

<sup>4</sup> H. Michael Marquardt, *The Joseph Smith Revelations: Text and Commentary* (Salt Lake City: Signature Books, 1999), 97; LDS D&C 36/RLDS D&C 35.

<sup>5</sup> Rigdon ordained Partridge as bishop on February 4, 1831, in Kirtland. A conference on June 3, 1831, chose John Corry and Isaac Morley as his assistants. Donald Q. Cannon and Lyndon W. Cook, eds., *Far West Record: Minutes of The Church of Jesus Christ of Latter-day Saints, 1830-1844* (Salt Lake City: Deseret Book, 1983), 7. Lyman Wight ordained Partridge to the "High Priesthood." While elders were ordained from April 6, 1830, to June 1831 it was not until the June 3, 1831, conference that, for the first time, the High Priesthood (order of Melchizedek) was conferred upon some of the elders. Those so ordained received authority like Melchizedek who was a high priest. This is the origin of the office of high priest in the church. In 1832 the office of elder was considered belonging to the high or Melchizedek priesthood (LDS D&C 84:29). Partridge's beautifully preserved bishop's license is in the LDS Church Archives, signed not only by Joseph Smith and Sidney Rigdon, but also bearing the names of other elders who came to Independence between August 1831 and about January 1832. For a photograph, see the LDS Institute of Religion manual, *Church History in the Fulness of Times* (Salt Lake City: Church of Jesus Christ of Latter-day Saints, 1989), 121.

<sup>6</sup> Emily D. P. Young, "What I Remember," (April 7, 1884), 7, Emily Dow Partridge Smith Young Papers, MS 113, Manuscripts Division, J. Willard Marriott Library, University of Utah,

In mid-June 1831, Smith, Rigdon, Partridge, and others went to Independence, a frontier town in Missouri where Joseph Smith received a revelation designating the locale as the Saints' City of Zion. A temple should be built "westward upon a lot which is not far from the courthouse," and the Saints should purchase that lot and "every tract lying westward even unto the line run[n]ing directly between Jew [Native Americans] and Gentile and also every tract bordering by the prairies."<sup>7</sup> The City of Zion, therefore, would cover the territory from the town of Independence to the Missouri River.

Edward Partridge was assigned to "divide unto the saints their inheritances" (LDS D&C 57:7). Another revelation on August 1 or 2 instructed Martin Harris to "be an example unto the church, in laying his moneys before the bishop of the church" (LDS D&C 58:35). On August 3, the temple site was dedicated. Oliver Cowdery, who was present, recorded: "Sidney Rigdon dedicated the ground where the city is to Stand: and Joseph Smith Jr. laid a stone at the North east corner of the contemplated Temple in the name of the Lord Jesus of Nazareth. After all present had rendered thanks to the great ruler of the universe. Sidney Rigdon pronounced this Spot of ground wholly [wholly] dedicated unto the Lord forever: Amen."<sup>8</sup>

According to John Whitmer, the stone that Joseph Smith laid was the "cornerstone of the Temple."<sup>9</sup> William E. McLellan, who visited Independence soon afterward, showed visitors the spot in 1881 and commented that Joseph Smith "cut his way in through this thick growth of trees, brush and saplings, marked the spot by blazing a tree near by, cutting away the under brush for a few feet around and setting up a small stone that had been picked up in the ravine below. This was all the corner stone that was ever laid upon it, and it [was] only to mark the place of the corner."<sup>10</sup>

Ezra Booth, in a letter to a friend, gave directions for finding the temple site as "one half of a mile out of Town [west], to a rise of ground, a short distance south of the road." Here they should look for "a sappling," debarked on the north and on the west sides. "On the south side of the sappling will be found the letter, T. which stands for Temple; and on the east side ZOM for Zomar; which Smith says is the original word for Zion. Near the foot of the sappling, they will find a small stone, covered over with bushes, which were cut for that purpose. This is the cornerstone for the Temple."<sup>11</sup>

Two days after the dedication of the temple site, Edward Partridge wrote to Lydia in Kirtland that he planned to stay through December, because he or Sidney Gilbert "must be here

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Salt Lake City (hereafter Marriott Library).

<sup>7</sup> Marquardt, *Joseph Smith Revelations*, 142; LDS D&C 57:3-5; RLDS D&C 57:1, July 20, 1831.

<sup>8</sup> Cowdery's account is recorded in "The Book of John Whitmer Kept by Commandments," 32, Community of Christ Library-Archives, Independence; Bruce N. Westergren, ed., *From Historian to Dissident: The Book of John Whitmer* (Salt Lake City: Signature Books, 1995), 86-87. See also H. Michael Marquardt, "The Independence Temple of Zion," *Restoration 5* (October 1986):13-17.

<sup>9</sup> Westergren, *From Historian to Dissident*, 85.

<sup>10</sup> William H. Kelley, Letter to the editor, January 16, 1882, *Saints Herald* 29 (March 1, 1882):67. John L. Traugher, wrote that in April 1881 William E. McLellan told him that Martin Harris picked up the rock that Joseph used for the cornerstone John L. Traugher, "Some Statements by Dr. W. E. McLellan," May 23, 1884, John L. Traugher Collection, MS 666, Manuscripts Division, Marriott Library.

<sup>11</sup> Booth, Letter to Rev. Ira Eddy, November 14, 1831, *Ohio [Ravenna] Star* 2 (November 17, 1831):3.

to attend the sales in December.” He half-apologized: “You know I stand in an important station, and as I am occasionally chastened I sometimes fear my station is above what I can perform to the acceptance of my Heavenly Father.”<sup>12</sup>

The next month, Ezra Booth, who had become disaffected, wrote to Partridge, recounting Joseph Smith's inaccurate vision of not finding a large church containing Native American converts established by Oliver Cowdery. Booth reminded Partridge of the time when he told Smith, "I wish you not to tell us any more, that you know these [things] by the spirit when you do not; you told us, that Oliver had raised up a large Church here, and there is no such thing." Smith replied "I see it, and it will be so."<sup>13</sup> A revelation to Joseph Smith in Kirtland admonished Partridge for his “unbelief and blindness of heart” and warned: “Behold his mission is given unto him and it shall not be given again.” However, a second revelation said that, when Partridge repented he would be forgiven (LDS D&C 58:15-16; 64:17). Partridge did not leave the Church as Booth expected.

Because Edward decided to stay in Independence, Lydia left the family property in Painesville under Harvey Redfield’s management<sup>14</sup> and, with five children, ranging in age from one to eleven, left for Missouri in October 1831 with the families of William W. Phelps and Sidney Gilbert. At Independence, they rented a room from Lilburn W. Boggs, whose path would later collide with the Mormons with negative consequences to both, and later built a log house “on the corner of the temple lot, or quite near it.” The children attended school, and the youngest son, Edward Jr., was born on June 25, 1833. When Emily was about nine, she was baptized by John Corrill, an assistant or counselor to Bishop Partridge.<sup>15</sup>

Among the land purchases Edward Partridge made in the Independence area was the temple site, within a tract of a bit more than sixty-three acres purchased December 19, 1831, from Jones H. Flournoy and Clara Flournoy for \$130.<sup>16</sup> In 1848, Martin Harris reportedly had possession of the warrantee deed, suggesting that some legal arrangement had been made to transfer the property to him.<sup>17</sup> Two and a half acres of this original purchase was at issue in the Temple Lot Case almost sixty years later. Although Emily was only a girl at the time, her family connections and documents made her an important witness. However, how much she actually recalled from her pre-teen years is hard to determine since she extracted material from the Joseph

<sup>12</sup> Edward Partridge, Letter to Lydia Partridge, August 5-6, 1831, LDS Church Archives, quoted in D. Brent Collette, “In Search of Zion: A Description of Early Mormon Millennial Utopianism as Revealed through the Life of Edward Partridge” (M.A. thesis, Brigham Young University, 1977), 148-49.

<sup>13</sup> Booth, Letter to Edward Partridge, September 30, 1831, copied into Booth, Letter to Eddy, November 21, 1831, *Ohio Star* 2 (November 24, 1831):3.

<sup>14</sup> Collette, “In Search of Zion,” 43. David Harvey Redfield was a Kirtland merchant.

<sup>15</sup> Emily Young, “What I Remember.”

<sup>16</sup> Arthur M. Smith, *Temple Lot Deed*, 3rd ed., (Independence: Board of Publications, Church of Christ, Temple Lot, 1963), 5; Jackson County Deed Record, Book B:1-3; Richard Price and Pamela Price, *The Temple of the Lord* (Independence: Price and Price, 1982), 32-38.

<sup>17</sup> Journal History of the Church of Jesus Christ of Latter-day Saints (chronological scrapbook of typed entries and newspaper clippings, 1830-present), April 26, 1848, LDS Church Archives, microfilm copy at Marriott Library. Former apostle William E. McLellin knew about the deed from his association with Martin Harris, and McLellin inquired in 1869: “I want to know if Martin’s deed was ever recorded in Jackson Co.” McLellin, Letter to “Our very dear friends,” July 12, 1869, William E. McLellin Correspondence, Community of Christ Archives.

Smith's history for her autobiography and admitted that, even though she remembered "many of the circumstances that transpired at that time," she was "too young then to be able to remember the particulars well enough to tell them."<sup>18</sup> Among these events were the tarring and feathering of her father on the public square in Independence on July 20, 1833, when he refused to promise the old settlers that the Mormons would leave Jackson County.<sup>19</sup>

In November 1833, the Saints, including the Partridge family, were forced from their homes in Jackson County and crossed the Missouri River into Clay County. The families of Edward Partridge and John Corrill shared a one-room home during a season so bitter, according to Emily, that "ink would freeze in the pen as father sat writing close in the corner by the fire."<sup>20</sup> From January 27, 1835 to May 6, 1836, Edward left Lydia and the children in Missouri while he did missionary work, visited Kirtland, and participated in the dedication of the Kirtland Temple. In the fall of 1836, the Partridge family moved to Far West in Caldwell County, Missouri, and built a new home.<sup>21</sup>

Two years later in the fall of 1838, General John B. Clark took Edward from his home "without any civil process" and brought him Richmond, thirty miles away in Ray County, where he was charged with high treason but released after three or four weeks.<sup>22</sup> In February 1839, the Partridge family went to Quincy, Illinois, where they lived until June 1839.

### The Nauvoo Years

After spending some time in Pittsfield, Pike County, Illinois,<sup>23</sup> the Partridge family moved to Nauvoo, where Edward became the bishop of the "Upper Ward."<sup>24</sup> Destitute, they lived in a tent; and Emily, now about fifteen, recalls spending time at Ebenezer Robinson's home. Then her father "rented a room, in what was called the 'upper store house,' built at the steam-boat landing," a building in which "several families occupied other portions of the house.

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<sup>18</sup> "Autobiography of Emily D. P. Young," *Woman's Exponent* 13 (December 15, 1884):106. This autobiography was serialized in seventeen parts. See also Maureen Ursenbach Beecher, "Discover Your Heritage: 'They Will Kill Us!'" *New Era* 4 (September 1974):36-37.

<sup>19</sup> His assailants also threw the press for the *Evening and the Morning Star* from the upper story of the printing office, dedicated May 29, 1832, scattered the type, and destroyed most of the building. According to Emily, Mary Elizabeth and Caroline Rollins, then young teenagers, gathered unbound pages from the newly printed Book of Commandments from a table and hid in a cornfield. *Ibids.*; see also Edward Partridge, May 15, 1839, Quincy Illinois, in Clark V. Johnson, ed., *Mormon Redress Petitions: Documents of the 1833-1838 Missouri Conflict* (Provo, Utah: BYU Religious Studies Center, 1992), 512-13; Cannon and Cook, *Far West Record*, 50.

<sup>20</sup> Emily Dow Partridge Young, "Incidents of the Early Life of Emily Dow Partridge," 2, December 1876-January 7, 1877, typescript by Georgie Y. H. Steed, 1970, Emily Dow Partridge Smith Young Papers, MS 113, Marriott Library.

<sup>21</sup> Johnson, *Mormon Redress Petitions*, 513. According to "Autobiography of Emily D. P. Young," *Woman's Exponent* 14 (June 15, 1885):10, "After Far West was laid out father built another house and we moved into the city."

<sup>22</sup> Johnson, *Mormon Redress Petitions*, 514.

<sup>23</sup> Partridge, Letter to "Dear Brethren," March 5, 1839, quoted in Joseph Smith, et al., *History of the Church of Jesus Christ of Latter-day Saints*, edited by B. H. Roberts, 7 vols., 2d ed. rev. (Salt Lake City: Deseret Book, 1959 printing), 3:272.

<sup>24</sup> "Proceedings of the General Conference," *Times and Seasons* 1 (December 1839):30.

Bro. Hyrum Smith's family had a room adjoining ours." Desperate for shelter, Edward saw that they could not wait for a house to be built, so he constructed "a stable for his cows and move[d] his family into that."<sup>25</sup> To relieve the crowded conditions, Emily and Eliza went to Jane and William Law's home where they were treated with kindness.

Emily was sixteen when her eighteen-year-old sister Harriet died of an unknown illness on May 16, 1840. Eleven days later, her forty-six year-old father also succumbed.<sup>26</sup> Emily recalled: "After father's death Brother Law took our whole family and administered to our wants and with such good and kind care we began to improve in health, and when we had sufficiently regained our health we went back into our little hut once more."<sup>27</sup> Four months after Edward's death, Lydia married William Huntington Sr., whose wife had died fourteen months earlier.<sup>28</sup>

Just before her seventeenth birthday, Emily received her first patriarchal blessing from Isaac Morley on February 3, 1841. It promised: "If thou wilt listen to the voice of wisdom length of days shalt be given unto thee, and thou shalt have the blessing to see the winding up scene of this generation; peace and tranquility restored to man."<sup>29</sup> Sister Eliza, a good seamstress, began working to help support the family. Emily, four years younger, says her only skills were in such housekeeping areas as washing dishes, sweeping, and scrubbing floors. Thus, she was delighted when "Sister Emma [Smith] sent for me to come and live with her and nurse her baby. It seemed as if the Lord had opened up my way, it was so unexpected, and nothing could have suited me better, for tending babies was my delight. My sister Eliza, also, went there to live, which made it pleasanter for me and more home-like. Joseph and Emma were very kind to us; they were almost like a father and mother, and I loved Emma and the children, especially the baby, little Don Carlos."<sup>30</sup>

While living in the Smith home, Emily became a member of the Female Relief Society of Nauvoo on April 28, 1842.<sup>31</sup> She and Eliza also learned from Joseph Smith himself what must have seemed God's most demanding requirement: the revelation on plural marriage. Emily's autobiography touches only briefly on this marriage to Joseph Smith: "I was married to him on the 11th of May [1843], by Elder James Adams. Emma was present. She gave her free and full

<sup>25</sup> "Autobiography of Emily D. P. Young," *Woman's Exponent* 14 (July 15, 1885):26.

<sup>26</sup> "Obituary," *Times and Seasons* 1 (June 1840):127-28.

<sup>27</sup> "Autobiography of Emily D. P. Young," *Woman's Exponent* 14 (July 15, 1885):26.

<sup>28</sup> William Huntington's wife Zina died on July 8, 1839. "Obituary," *Times and Seasons* 1 (December 1839):32 and William married Lydia Partridge on September 27, 1840. "Hymenial," 1 (October 1840):191. Martha Sonntag Bradley and Mary Brown Firmage Woodward, *Four Zinas: A Story of Mothers and Daughters on the Mormon Frontier* (Salt Lake City: Signature Books, 2000), 105, gives the marriage date as September 29, 1840.

<sup>29</sup> "Autobiography of Emily D. P. Young," *Woman's Exponent* 14 (August 1, 1885):37. Although the last part of this blessing remained unfulfilled, Emily experienced "length of days."

<sup>30</sup> Ibid. Don Carlos Smith, named for Joseph's deceased younger brother, was born June 13, 1840, but died August 15, 1841. "Obituary," *Times and Seasons* 2 (September 1, 1841):533. Another son, born February 6, 1842, died the same day.

<sup>31</sup> "A Book of Records Containing the Proceedings of the Female Relief Society of Nauvoo," April 28, 1842, typescript, LDS Church Archives. Emily also attended school at Robert B. Thompson's house, where Howard and Martha Coray taught during the summer of 1841. Charles D. Tate, Jr., "Howard and Martha Jane Knowlton Coray of Nauvoo," in *Regional Studies in Latter-day Saint Church History: Illinois*, edited by H. Dean Garrett (Provo, Utah: BYU Department of Church History and Doctrine, 1995), 339.

consent. She had always, up to this time, been very kind to me and my sister Eliza, who was also married to the Prophet Joseph with Emma's consent, but ever after she was our enemy.<sup>32</sup>

This published autobiography, however, is silent about a preceding and more secret plural marriage to Joseph Smith in March 1843. Before Emma Smith's death in 1879, she had publicly denied her prophet-husband's participation in polygamy; hence, Emily's autobiography may have sidestepped this complicated double marriage to stress Emma's approval of the second.

Eight years earlier, Emily had written "Incidents of the Early Life of Emily Dow Partridge," a more telling and more detailed account of that first plural marriage. According to that account, the eighteen-year-old Emily had been doing her household chores in the spring of 1842 when Joseph Smith said to her, "Emily if you will not betray me, I will tell you something for your benefit."<sup>33</sup> Emily, startled, refused to listen further. His plural sealing with a known date had occurred a year earlier to Louisa Beaman on April 5, 1841, and he had been sealed to several women by the time he approached Emily.

Approximately a year later, Elizabeth Durfee, wife of Jabez Durfee, invited Eliza and Emily to her home. According to Emily's reminiscence, "She introduced the subject of spiritual wives as they called it in that day. She wondered if there was any truth in the report she heard." Emily did not confide in the older woman; but her own devote prayer, faith in Joseph Smith as a prophet, and a desire to obey the gospel calmed her fears. Later, Mrs. Durfee again sought Emily and told her, in Emily's words, that "Joseph would like an opportunity to talk with me. I asked her if she knew what he wanted. She said she thought he wanted me for a wife. . . . I was to meet him in the evening at Mr. Kimballs." After Emily finished the washing, she left the Smith home in the evening, still wearing her wash dress, and went to see her mother, Lydia, then walked to the Kimball home. Heber told Emily that his wife, Vilate, was not at home; Emily left but Heber called to her and she returned to the house and had the long-delayed conversation with Joseph. Emily continued: "I cannot tell all Joseph said, but he said the Lord had commanded [him] to enter into plural marriage and had given me to him and although I had got badly frightened he knew I would yet have him. So he waited till the Lord told him. My mind was now prepared and would receive the principles. . . . Well I was married there and then. Joseph went home his way and I going my way alone. A strange way of getting married wasent [wasn't] it. Brother Kimball married us, the 4th of March 1843."<sup>34</sup>

Joseph was thirty-seven at the time, and Emily turned nineteen in February. Four days later, twenty-two-year-old Eliza Partridge, to whom had taught the principle without Emily's knowledge, also became his plural wife.<sup>35</sup>

Unaware of the Partridge sisters' sealings to her husband, Emma Smith was briefly converted to the principle of plural marriage two months later. Joseph explained to Emma, and

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<sup>32</sup> "Autobiography of Emily D. P. Young," *Woman's Exponent* 14 (August 1, 1885):38.

<sup>33</sup> Emily Dow Partridge Young, "Incidents of the Early Life of Emily Dow Partridge," 4.

<sup>34</sup> *Ibid.* Although Joseph Smith's Nauvoo records do not document his plural marriages explicitly, his diary for that date, has the words recorded in Taylor shorthand, "and Kimballs,"—meaning that he went to the Kimball home. Joseph Smith, Journal, March 4, 1843, LDS Church Archives. See Scott H. Faulring, ed., *An American Prophet's Record: The Diaries and Journals of Joseph Smith* (Salt Lake City: Signature Books in association with Smith Research Associates, 1987), 327. Willard Richards was keeping Joseph's diary.

<sup>35</sup> Eliza Maria Partridge Lyman, Affidavit, July 1, 1869, Joseph F. Smith Affidavit Book 2:32, typescript, LDS Church Archives. Again, Heber C. Kimball also performed the sealing ceremony..

Brigham Young to Joseph's older brother Hyrum, that the marriage relationship was an important part of the restored gospel.<sup>36</sup> Although Emma had resisted such information—and would again—she signaled her acceptance of the principle on condition that she could choose his plural wives, perhaps thinking, at the time, that they were the first women to become his plural wives: “Sometime in the first part of May, Emma told Joseph she would give him two wives if he would let her choose them for him. She chose my sister and I and helped explain the principles to us. We did not make much trouble, but were sealed in her presence with her full and free consent. It was the 11th of May but before the day was over she turned around, or repented what she had done and kept Joseph up till very late in the night talking to him. She kept close watch of [sic] us.”<sup>37</sup>

Within a few weeks—possibly less—Emma found the young sisters' presence in her home intolerable. According to Emily, Emma Smith asked the sisters to come to her room: “Joseph was there, his countenance was the perfect picture of despair. I cannot remember all that passed at that time but [but] she insisted that we should promise to break our covenants, that we had made before God. Joseph asked her if we made her the promises she required, if she would cease to trouble us, and not persist in our marrying someone else. She made the promise. Joseph came to us and shook hands with us and the understanding was that all was ended between us. I for one meant to keep the promise I was forced to make.”<sup>38</sup>

Upset, Emily went downstairs. “Joseph soon came into the room where I was, said, how do you feel Emily. My heart being still hard, I answered him rather short that I expected I felt as anybody would under the circumstance. He said you know my hands are tied. And he looked as if he would sink into the earth. I knew he spoke truly, and my heart was melted, all my hard feeling was gone in a moment”<sup>39</sup> Emma came in just then, Joseph left, and Emma demanded that Emily relate the details of the conversation. Emily flatly refused to tell her anything.

William Clayton, one of Joseph Smith's clerks, kept a detailed personal journal. Emma, who had been in St. Louis, returned on August 12, and on August 16, Clayton records that Joseph told him that, since her return, “she had resisted the P. [priesthood principle of plural marriage] in toto & he had to tell her he would relinquish all for her sake. She said she would [have] given him E. & E. P [Emily and Eliza Partridge] but he knew if he took them she would pitch on him & obtain a divorce & leave him. He however told me he should not relinquish any thing.”<sup>40</sup> This conversation, confusingly, sounds as if Joseph had not yet married the two sisters once (let alone twice) and, furthermore, that the incident had not occurred in which, at Emma's insistence, Joseph shook hands with the girls, thereby dissolving his sealings to them—an action

<sup>36</sup> Linda King Newell and Valeen Tippetts Avery, *Mormon Enigma: Emma Hale Smith*, 2d ed. (Urbana: University of Illinois Press, 1994), 141-43.

<sup>37</sup> Emily Dow Partridge Young, “Incidents of the Early Life,” 4-5. Ten years later Emily wrote, “To save the [Smith] family trouble Brother Joseph thought it best to have another ceremony performed.” Emily Dow Partridge Young, “Young, (Emily Dow Partridge),” *Historical Record* 6 (May 1887):240. Her memory that the ceremony was performed on May 11, 1843, seems to be faulty. James Adams, who performed the sealing ceremony, did not arrive in Nauvoo from Springfield until May 21. Emily Dow Partridge Young, Affidavit, May 1, 1869.

<sup>38</sup> Emily Dow Partridge Young, “Incidents of the Early Life,” 5.

<sup>39</sup> *Ibid.*

<sup>40</sup> William Clayton Journal, August 16, 1843, typescript. See George D. Smith, ed., *An Intimate Chronicle: The Journals of William Clayton* (Salt Lake City: Signature Books in association with Smith Research Associates, 1991), 117.

that Emily, at least, took seriously.

Obviously the situation was extremely uncomfortable all around. Although Emily says the sisters “remained in the [Smith] family several months after this,”<sup>41</sup> it seems unlikely that Emma Smith would have tolerated their presence very long after this blow-up. Both girls found lodgings and work elsewhere. Emily says that she never saw Joseph “but once to speak to after I left the Mansion house and that was just before he started for Carthage.”<sup>42</sup> He and Hyrum Smith were killed June 27, 1844. Both sisters were then sealed to apostles who accepted their prior sealings to Joseph Smith. In the fall, probably November, 1844, Emily was sealed by proxy to Joseph Smith for eternity and to Brigham Young for time. When the Nauvoo Temple was completed, the ceremony was repeated—a sealing to Joseph Smith for eternity and a sealing to Brigham Young for mortality—on January 14, 1846, with Heber C. Kimball officiating. Emily’s first child by Young, Edward Partridge Young, was born October 30, 1845, but died on November 26, 1852.<sup>43</sup> Eliza was sealed to Apostle Amasa M. Lyman as one of his plural wives, along with younger sisters Caroline and Lydia and with deceased sister Harriet.

### **The Temple Property**

During the exodus from Nauvoo, the temple lot property, which lay fifteen years in Emily’s past, reemerged as the means of financing her family’s travel to Utah. On April 26, 1848, in Winter Quarters, Brigham Young, Heber C. Kimball, Orson Pratt, and Wilford Woodruff met to discuss selling the temple lot in Jackson County. The minutes record: “The lot had been deeded to Martin Harris, but he had neglected getting the deed recorded; the title was now in the hands of the heirs of the late Bishop Edward Partridge, and a certain party was offering \$300 for a quit claim deed to the same. After a lively discussion, the brethren decided to advise the Partridge heirs to make the transfer, and thus to obtain means to emigrate to the Valley.”<sup>44</sup>

The would-be purchaser was one James Pool; and on May 5, 1848, Lydia, whose second husband had now died, signed a quit claim deed with Eliza, Caroline (both now plural wives of Amasa M. Lyman), and Emily, for “consideration of the sum of three hundred dollars.”<sup>45</sup>

### **Emily’s Utah Years**

Emily reached Salt Lake City in the fall of 1848 and her second child, Emily Augusta, was born on March 1, 1849, one day after her twenty-fifth birthday.<sup>46</sup> Uncle John Smith pronounced her patriarchal blessing on June 26, 1849, declaring her “a lawful heir to the

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<sup>41</sup> Young, “Young, (Emily Dow Partridge),” 240.

<sup>42</sup> Emily Dow Partridge Young, “Incidents of the Early Life,” 6.

<sup>43</sup> Emily Young, “Incidents of the Early Life,” 7. Emily was endowed on December 29, 1845.

<sup>44</sup> Journal History, April 26, 1848, LDS Church Archives. See also Price and Price, *The Temple of the Lord*, 52-53; and Richard E. Bennett, *We’ll Find the Place: The Mormon Exodus 1846-1848* (Salt Lake City: Deseret Book, 1997), 332 note 82.

<sup>45</sup> Deed Book N:203, Jackson County Courthouse, Independence, Missouri. See also Price and Price, *The Temple of the Lord*, 55-56 and Hartt Wixom, *Edward Partridge: The First Bishop of The Church of Jesus Christ of Latter-day Saints* (Springville, Utah: Council Press, 1998), 165.

<sup>46</sup> Emily Dow Partridge Young, “Incidents of the Early Life,” 7.

priesthood, which shall be conferred upon thee in fulness in due time.”<sup>47</sup> She gave birth to five more children: Caroline (February 1, 1851), Joseph Don Carlos (May 6, 1855), Miriam (October 13, 1857), Josephine (February 21, 1860), and Laura (April 2, 1862; died in infancy).

Emily seems to have had warm feelings for Brigham Young. On June 30, 1850, she wrote a letter to him: “My ever beloved friend and benefactor . . . You may think my affections are entirely placed upon Joseph [Smith] but there your mistaken, true I love him but no more than yourself.”<sup>48</sup>

Still, the marriage did not bring her economic security. In April 1874, the city gave her the choice of having a man contribute labor on a water ditch or paying the city seventy-five cents. She recorded, “I had better pay it, and I do not think the President[‘s men will help me in that. They know very well that he wishes me to take care of my self, and I do not know why he does not tell me himself. I almost wish he would, (although it would be very hard on me)[.] It would be preferable to being told of it so much by others.”<sup>49</sup> At the year’s end, she lamented being too exhausted to finish a batch of washing. “There seems to be no way for me, but work, work.”<sup>50</sup> Still, when Brigham Young died in 1877, she wrote: “I believe Pr. [President] Young has done his whole duty towards Joseph Smith’s family.”<sup>51</sup>

In 1869, Church leaders encouraged Joseph’s former plural wives to confirm the Nauvoo beginnings of polygamy; and both Emily and Eliza made affidavits concerning their marriages to Smith. Emily actually signed two affidavits, both on the same date, on May 1, 1869, taking her oath before Elias Smith, a cousin of Joseph Smith and probate judge in Salt Lake County. The first affidavit concerns her first sealing on March 4, 1843, and the second affidavit concerns the repeated ceremony in May 1843. Twenty-three years later during the Temple Lot Case in 1892, Emily repeated the testimony of this second affidavit.

The first affidavit, almost a hundred words long and written in a single sentence, simply identifies Emily, the fact of the marriage, its date and place, and Heber C. Kimball as officiator. Part of the sentence reads “in the presence of” but a blank follows where the witnesses’ names would normally be.<sup>52</sup> The second affidavit is identical except for the facts of the marriage: “... on the eleventh day of May A. D. 1843 at the City of Nauvoo, ... She was married or Sealed to Joseph Smith, ... by James Adams, a High Priest in said Church; according to the laws of the Same regulating marriage, in presence of Emma (Hale Smith,) and Eliza Maria Partridge (Lyman).”<sup>53</sup>

<sup>47</sup> Quoted in “Autobiography of Emily D. P. Young,” *Woman’s Exponent* 14 (August 15, 1885):43.

<sup>48</sup> Quoted in Todd Compton, *In Sacred Loneliness: The Plural Wives of Joseph Smith* (Salt Lake City: Signature Books, 1997), 416.

<sup>49</sup> Emily Dow Partridge Young, *Diary*, 1-2, April 16, 1874. She had begun keeping the diary only the month before, and one of her earliest entries on March 6 reads: “The fourth of this month (31) thirty-one years ago I was sealed to Joseph Smith.”

<sup>50</sup> *Ibid.*, 4, December 28, 1874.

<sup>51</sup> *Ibid.*, 25, August 29, 1877.

<sup>52</sup> Joseph F. Smith Affidavit Book 1:11, typescript, LDS Church Archives, in Linda King Newell and Valeen Tippetts Avery Papers, MS 447, Box 21, folder 17, Manuscripts Division, Marriott Library.

<sup>53</sup> Joseph F. Smith Affidavit Book 1:13, typescript, LDS Church Archives. This affidavit when published in “Joseph the Seer’s Plural Marriages,” *Deseret Evening News*, October 18, 1879, 2, omitted the words “according to the laws of the Same regulating marriage.”

On March 11, 1892, she called on Church President Wilford Woodruff, finding him with Joseph F. Smith. Unbeknownst to her, they had wanted to see her

on business pertaining to the Temple lot in Jackson County. I must have been led by inspiration for I knew nothing of their wanting me at the time. When we were speaking of br. Joseph and br Young bro Woodruff[f] said-They are praying for you up there and when you go you will find a warm welcome and a good home prepared for you. I aske[d] him about my children names as there is a difference of opinion on that subject. He and brother Joseph F. Smith said that my children[‘s names were, Young Smith and should so be called while working in the Temple, and if any one in the Temple objected I was to say that they both said so.<sup>54</sup>

This instruction clarified that her children, though biologically Brigham Young’s, were considered to be Joseph Smith’s children, fathered by proxy and belonging to him in the next life. Although this information was the most important to Emily because it was personally comforting, the business about the temple lot would draw her into more disclosures about plural marriage.

### The Temple Lot Case

Granville Hedrick became a Mormon in 1843 at Crow Creek, Illinois. After Joseph Smith's death, he attended meetings in the area commencing in 1852. Hedrick was ordained an apostle in the "Church of Christ (Of Latter Day Saints)" on May 17, 1863, by John E. Page.<sup>55</sup> Hedrick announced a revelation in 1864 that 1867 was the time to return to Jackson County, Missouri,<sup>56</sup> and his followers were naturally interested in purchasing the temple site. By this time, the original sixty-three acres had been incorporated within the Independence city limits. Hedrick, as trustee-in-trust, obtained lots 15-22, consisting of two and a half acres which included the actual site.<sup>57</sup>

The basis for the Temple Lot suit was a deed that Edward Partridge had allegedly executed in March 1839, transferring all of the land entered in Partridge’s name in Jackson County, specifically “embrac[ing] the lot known as the Temple Lot,”<sup>58</sup> to three of Oliver Cowdery’s children: John (age seven), Jane (three), and Joseph Smith (one). This deed was a fraudulent document—and not a particularly skillful one since Oliver and Elizabeth had no

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<sup>54</sup> Emily Dow Partridge Young, *Diary*, 94, March 11, 1892.

<sup>55</sup> B. C. Flint, *An Outline History of the Church of Christ (Temple Lot)* (Independence: Board of Publications, Church of Christ, Temple Lot, 1953), 98, 102. See also Addams, "The Church of Christ (Temple Lot), Its Emergence, Struggles and Early Schisms," 207.

<sup>56</sup> "Revelation," *The Truth Teller* 1 (July 1864):4.

<sup>57</sup> Smith, *Temple Lot Deed*, 7-12; Flint, *An Outline History of the Church of Christ Temple Lot*, 111.

<sup>58</sup> Deed Book 73:432 and following; the deed was recorded February 7, 1870. *The Reorganized Church of Jesus Christ of Latter Day Saints, Complaint. Vs. The Church of Christ at Independence; Richard Hill, Trustee . . . Respondents. In Equity. Complainant’s Abstract of Pleading and Evidence* (Lamoni, Iowa: Herald Publishing House and Bindery, 1893), 242-43 (hereafter *Complainant’s Abstract*).

children by those names. It was probably created in the 1860s by an unknown person.<sup>59</sup>

On May 29, 1886, Elizabeth Cowdery signed a quit-claim deed for one dollar to her daughter Marie Louise Cowdery Johnson, conveying more than 130 acres of property in Jackson County.<sup>60</sup> This was eight years after Hedrick had acquired lots 15-22. The next year on June 9, 1887, Marie Johnson and her husband, Charles, executed another quit-claim deed transferring lots 15-22 to George A. Blakeslee, bishop and trustee-in-trust of the Reorganized Church of Jesus Christ of Latter Day Saints (RLDS) for \$100.<sup>61</sup> Two churches now claimed the temple site.

In August 1891, the RLDS Church brought suit in U.S. Circuit Court, Western District of Missouri, against the Church of Christ (Temple Lot) for possession of the temple lot, thus launching what became known as the Temple Lot Case.<sup>62</sup> The verdict, rendered in March 1894 by Justice John F. Phillips, was that the RLDS Church obtained judgment on the two-and-a-half-acre temple lot. The Church of Christ appealed to the U.S. Eighth Circuit Court of Appeal, which reversed the decision on September 30, 1895, on the grounds that the Church of Christ had the only recorded title in forty years, had paid taxes on the property since 1867, and had erected a house of worship in 1882. Even though the lots were not actually occupied for the full term of ten years before the suit commenced, the court could not see clouding the title to much other valuable property within the city.<sup>63</sup> This decision granted the Church of Christ (Temple Lot) possession of this important spot in Latter-day Saint history.

Among those who gave depositions were three plural wives of Joseph Smith (Emily Dow Partridge Young, Lucy Walker Kimball, and Melissa Lott Willis) and Church president Wilford Woodruff. Emily gave two depositions at the Templeton Hotel in Salt Lake City. The first deposition, taken March 14, 1892, focused on the deed to the sixty-three acres in Independence. Emily recalled that she, her mother, and two of her sisters executed the deed in Missouri in 1848. She said, "Neither myself, nor any of my brothers and sisters, nor my mother while she was living ever made any claim to the property."<sup>64</sup> The second deposition concerned her status of being Joseph Smith's a plural wife, an element in the argument of which of the two churches was the original church of Joseph Smith and its "true" successor. The Church of Christ took the position that Joseph Smith had taught and practiced polygamy. The RLDS Church's position was that Joseph Smith did not preach, teach, or practice the polygamy. Thus, this issue became a major contention in the Temple Lot suit. Furthermore, although Wilford Woodruff's Manifesto about eighteen months earlier had withdrawn support for new plural marriages, the topic still held lively interest in the public mind.

<sup>59</sup> The date is an estimate based on testimony by Charles Johnson, widower of Marie Louise Cowdery Johnson (a genuine daughter of Oliver and Elizabeth): "I think it was about thirty years ago when I discovered that my wife had rights in real property here in Independence, and in Jackson county." *Ibid.*, 196.

<sup>60</sup> Deed Book 146:139, quoted in *Complainant's Abstract*, 246-47.

<sup>61</sup> Deed Book 146:544, quoted in *Complainant's Abstract*, 243-44.

<sup>62</sup> See Clarence L. Wheaton, *Historical Facts Concerning the Temple Lot* (Independence: Church of Christ, 1954); Tom Bennett, "The Church in Court (Temple Lot Case)," *Saints Herald* 120 (November 1973):23-26, 39; Joel S. Wight, "The Courts and Sectarianism," *Saints Herald* 121 (March 1974):16-17, 38; and Ronald E. Romig, "The Temple Lot Suit after 100 Years," *John Whitmer Historical Association Journal* 12 (1992):3-15.

<sup>63</sup> Church of Christ at Independence, MO., et al. v. Reorganized Church, *Federal Reporter* 70:179-89. See Question Time (Independence: Herald House, 1967), 2:174-75.

<sup>64</sup> *Complainant's Abstract*, 177.

### **Testimony of Emily Dow Partridge Young**

When the RLDS Church published the Temple Lot case in 1893, it omitted more than forty pages of Emily's testimony about plural marriage—and references by other witnesses as well.<sup>65</sup> James E. Elliott, a student of RLDS history, explained that the editors “delet[ed] key words, phrases or entire sections of testimony that was not in harmony with RLDS practices of the 1890s.”<sup>66</sup>

Although Emily gave this testimony at age sixty-eight, forty-nine years after the events she described, and with considerable reluctance, it is a good source of information. She was making the deposition for the respondents in the suit (the Church of Christ), with questions being asked by Charles Hall, Church of Christ president. Unfortunately, there are no details about the room in which Emily gave her testimony or about the others who were present, except for Parley P. Kelley, an attorney representing the RLDS Church in the suit, who cross-examined Emily. The leading question relating to plural marriage was: “I will ask you to state what you know in regard to the principle of plural marriage, or what is some times called polygamy, as to its being taught or practiced in the Church of Jesus Christ of Latter Day Saints, before the death of Joseph Smith, at Nauvoo, Illinois?”

Emily balked. “Do I have to answer the question?”

When Hall told her yes, she said, “Personally I think he taught the doctrine, for he taught it to me with his own lips.”<sup>67</sup> Much of what she said reinforces the material she had already recorded in her autobiographical sketches and autobiography; but she added more details and, since she was speaking, not writing, frequently backtracked or repeated details:

he came there into the room [in the Smith home] where I was one day, when I was in the room alone, and he asked me if I could keep a secret. I was about eighteen years of age then I think,-at any rate I was quite young[.] He asked me if I could keep a secret, and I told him I thought I could, and then he told me that he would some time if he had an opportunity,-he would tell me some thing that would be for my benefit, if I would not betray him, and I told him I wouldn't.<sup>68</sup>

Another approach came when Joseph Smith was sitting alone in a room that Emily entered. He said “he would write me a letter, if I would agree to burn it as soon as I had read it.” She initially thought something was not right about this suggestion and told him so. Emily said she prayed about his request for she was “greatly troubled over it.” As she prayed for guidance, “I became convinced that there was nothing wrong about it, and that it would be right for me to hear what he had to say.”<sup>69</sup> In her 1876-77 autobiographical sketch, she described a more tentative response. When he asked her to promise to burn a letter he would write, she first “promised to do as he wished,” then prayed for direction. Based on her feelings about that

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<sup>65</sup> *Ibid.*, 363-64.

<sup>66</sup> James E. Elliott, “The Editing of the Temple Lot Case Transcript,” unpublished paper, 1978, photocopy in my possession; used by permission.

<sup>67</sup> Deposition of Emily D. Partridge Young in Salt Lake City on 19 March 1892, Respondents Testimony, 349 (hereafter cited as Respondents Testimony). Transcripts of the entire Temple Lot suit are located in the LDS Church Archives and the Community of Christ Library-Archives.

<sup>68</sup> Respondents Testimony, 350.

<sup>69</sup> *Ibid.*

prayer, Emily told Smith that she “could not take a private letter from him” and, when he asked her if she “wished the matter ended,” Emily quickly said she did.<sup>70</sup>

In giving her testimony, Emily condensed this account, omitting her own reluctance: “He told me that this principle had been revealed to him but it was not generally known; and he went on and said that the Lord had given me to him, and he wanted to know if I would consent to a marriage, and I consented.” She continued “I was married to him on the 4th day of March 1843, and after that in the same year, I think it was in May,” married him again when Emma gave her consent.<sup>71</sup>

As in her autobiographical sketches, Emily emphasized that Emma “had chosen myself and my sister, and we were married in her presence again because we thought [it] proper to say nothing about the former marriage, and it was done over again on the 11th of May 1843 in her presence, and she gave her consent fully and freely and voluntarily.” Hall pressed her to explain why the ceremony was performed for a second time. “Well Emma had a good many feelings we supposed,” Emily suggested. “She was a rather high strung woman of a very nervous organization, and we thought that she had her feelings, and so we thought there was no use in saying any thing about it, so long as she had chosen us herself, - there was no use of having another ceremony only for that reason. That is the only reason I know for not saying anything about it.”<sup>72</sup>

She also confirmed that there had been a revelation, an important point in establishing that the practice had a religious basis. She described it as “not printed or generally known” but that after Smith her and her sister, there was one given that was made more public.” On being asked more specifically, “How do you know that there was any revelation at all?” Emily said simply, “He told me himself that he had had a revelation,” adding, “Joseph Smith told me himself that the angel had appeared to him and had given him that revelation.”<sup>73</sup>

Although Emily was not unique in receiving this information from Joseph Smith, he is known to have mentioned it to only a few persons. Apparently the first was Joseph B. Noble, the high priest who in 1841 sealed Louisa Beaman to Smith. Noble had made an affidavit in June 1869, stating: “In the fall of the year A.D. 1840 Joseph Smith, taught him the principle of Celestial marriage or a ‘plurality of wives,’ and that the said Joseph Smith declared that he had received a Revelation from God on the subject, and that the Angel of the Lord had commanded him, Joseph Smith, to move forward in the said order of marriage.”<sup>74</sup>

Lorenzo Snow, apparently the third to learn this information, returned from his mission to England on April 12, 1843. A few days later, Joseph Smith explained to him “the doctrine of plurality of wives. He said that the Lord had revealed it unto him and commanded him to have women sealed to him as wives, that he foresaw the trouble that would follow and sought to turn away from the commandment; that an angel from heaven then appeared before him with a drawn sword, threatening him with destruction unless he went forward and obeyed the

<sup>70</sup> Emily Dow Partridge Young, “Incidents of the Early Life,” 4.

<sup>71</sup> Respondents Testimony, 350.

<sup>72</sup> Ibid., 351. Previously Emily explained on obtaining Emma Smith’s permission, “it would have been the same with or without her consent” Emily Dow Partridge Smith Young, “Testimony That Cannot Be Refuted,” *Woman’s Exponent* 12 (April 1, 1884):165.

<sup>73</sup> Respondent’s Testimony, 352.

<sup>74</sup> Affidavit of Joseph B. Noble, June 26, 1869, Joseph F. Smith Affidavit Book 1:38-39, typescript, LDS Church Archives. See also Andrew Jenson, “Plural Marriage,” *Historical Record* 6 (May 1887):221.

commandment.”<sup>75</sup>

Helen Mar Whitney, another of Smith’s plural wives wrote, “Joseph’s own testimony was, that an angel was sent to command him to teach and to enter into this order. This angel, he states, stood over him with a drawn sword prepared to inflict the penalty of death if he should be disobedient.”<sup>76</sup>

Joseph Smith dictated the revelation on plural marriage later canonized as Section 132 in the LDS Doctrine and Covenants to William Clayton on July 12, 1843. Hyrum Smith read it that same day to Emma who angrily rejected it. The revelation ordered Emma to “receive all those that have been given unto my Servent Joseph [Smith], and who are virtuous and pure before me; and those who are not pure, and have Said they ware [were] pure Shall be destroyed.”<sup>77</sup> Emma responded to this obvious threat, according to William Clayton’s account, by saying “she did not believe a word of it and appeared very rebellious.”<sup>78</sup> With Joseph’s permission, Hyrum read the revelation to the Nauvoo High Council on August 12. However, Joseph Smith had already privately taught the doctrine to at least two dozen men and women by that point, and the practice was hardly a secret. John C. Bennett, one of Joseph’s converts and a close confidante (he lived in the Smith home for nine months), had become disaffected and wrote a series of stinging exposé letters about his former friend, including considerable detail about the practice of plural marriage. These letters were published first in a local newspaper, then as a book.<sup>79</sup>

After Hall had finished his questioning Emily was cross-examined by Parley P. Kelley. Kelley, though not a member of the RLDS Church, was a brother of RLDS Bishop Edmund L. Kelley. Emily repeated details about her reason for living with Joseph and Emma, describing her role as that of “a nurse girl, for they had a young baby and they wanted me to tend it for them. That is what I delighted in,--attending babies, and that is what they got me there to do more particularly.”<sup>80</sup> Kelley showed a particular interest in the March 1843 encounter at the Kimball home where Emily, still wearing the dress in which she had spent the day working at the wash tub, married Joseph Smith.

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<sup>75</sup> Affidavit of Lorenzo Snow, August 28, 1869, Joseph F. Smith Affidavit Book 2:19; 3:19-20, quoted in Jenson, “Plural Marriage,” 222.

<sup>76</sup> Helen Mar [Kimball Smith] Whitney, *Plural Marriage as Taught by the Prophet Joseph* (Salt Lake City: Juvenile Instructor Office, 1882), 13. Catherine Lewis, prior to 1846 heard the doctrine of plurality of wives was a commandment, “an immediate revelation, and that by an Angel.” Catherine Lewis, *Narrative of Some of the Proceedings of the Mormons* (Lynn [Mass.]: Author, 1848), 11.

<sup>77</sup> Marquardt, *Joseph Smith Revelations*, 327; LDS D&C 132:52.

<sup>78</sup> William Clayton, Journal, July 12, 1843, typescript, LDS Church Archives. The next day, Clayton continued, he met with Joseph and Emma at Joseph’s request in private. The couple “stated their feelings on many subjects & wept considerable.” Obviously feelings still ran high. See also Joseph Smith, Journal kept by Willard Richards, July 13, 1843, Faulring, *An American Prophet’s Record*, 396.

<sup>79</sup> John C. Bennett’s book-length exposé was *The History of the Saints; or, An Exposé of Joe Smith and Mormonism* (Boston: Leland & Whiting, 1842). Emily corroborates: “John C. Bennett made his home at the Prophet’s house at this time.” “Autobiography of Emily D. P. Young,” *Woman’s Exponent* 14 (August 1, 1885):37. See also Andrew F. Smith, *The Saintly Scoundrel: The Life and Times of Dr. John C. Bennett* (Urbana: University of Illinois Press, 1997), 214 note 10.

<sup>80</sup> Respondents’ Testimony, 356.

- Q:- Did he offer to take your hand then? A;- No sir.  
Q:- Or put his hand around you? A;- No sir.  
Q:- He never did any such a thing as that? A;- No sir.  
Q:- At any time or place? A;- No sir, - not before we were married.  
Q:- Now did he tell you there about the principle of sealing? A;- Yes sir.  
Q:- He did? A;- Yes sir.  
Q:- He told you all about the doctrine or principle of sealing? A;- Yes sir.  
Q:- Was it sealing for eternity? A;- Yes sir, - time and eternity.<sup>81</sup>

Under questioning, Emily confirmed, though somewhat confusedly, that she had already heard rumors of polygamy: There were “reports around that made me think, - that gave me an idea of what it was he wanted to say to me but I did not know what it was about, or had no idea what it was that he wanted to speak to me about any more than that I had heard, which gave me a suspicion of what it was. . . . [T]here was so many reports flying around there in Nauvoo, that I did not pay much attention to it until he spoke to me about it, and then I found out that the reports I had heard were connected with what he had to tell me. I did not think so much about it until he told me himself.”

When asked if she had seen the revelation, Emily responded, “No sir.” Then she was questioned:

- Q:- How did you come to marry him without seeing it? A;- Well he told me it was all right and I just took his word for it.  
Q:- Well did you go and get married without ever knowing it was the law of the church? A;- I got married on his own teachings, - he was the prophet of the church and he told me it was all right and I took his word for it.  
Q:- You took his word for it and got married to him in that way on his own teachings? A;- Yes sir, and on my own convictions, for I believed it was all right or he would not have taught me and told me what he did.  
Q:- Now did he teach you that a man could have more women then one? A;- Yes sir.  
Q:- As wives? A;- Yes sir.<sup>82</sup>

When Kelley asked about the second ceremony in May 1843, Emily could not remember whether it occurred in the morning or afternoon, but stated positively that it was May 11. The attorney continued:

- Q:- Who roomed with Joseph Smith that night, - the night of that day the 11th of May 1843 when you say you and your sister were married to Joseph Smith? A;- Well I don't want to answer that question.  
[By Mr. Hall, -] Q:- Well answer it if you can, if you know? A;- Well it was myself.  
Q:- Now you have answered it, and that will do?  
[By Mr. Kelley, -] Q:- You roomed with Joseph Smith that night? A;- Yes sir.<sup>83</sup>

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<sup>81</sup> Ibid., 358.

<sup>82</sup> Ibid., 360.

<sup>83</sup> Ibid., 363-64.

Kelley read into the record the record an 1874 affidavit by William Clayton reporting Hyrum Smith's description of Emma after he read the revelation to her as "very bitter and full of disap[p]ointment and anger." Emily was asked if Emma turned bitter from the minute she was married. Re-questioned on that point, Emily replied, "Well I might have said that, but I meant from a short time after we were married, - It might have been from the hour we were married. I know she was bitter soon after that, but I can't say how long it was afterwards that she got that way, but I know it was very soon after that. . . . Well after the next day you might say that she was bitter." Kelley was obviously trying to ascertain the degree of Emma's bitterness and asked Emily if the sisters left the Smith home immediately afterward. Emily responded, "We did not leave the house for several months after that."<sup>84</sup> This testimony overlapped her 1887 autobiographical sketch, in which she had written: "From that very hour, however, Emma was our bitter enemy"; still they "remained in the family several months after this."<sup>85</sup> It is difficult to determine which version most accurately represents 1843 events.

Kelley then read the "History of Joseph Smith" for May 11 as it had been published in the *Millennial Star*.<sup>86</sup> The day had begun at 6:00 A.M. with baptisms. Emma had gone to Quincy in a new carriage, and Joseph had ridden out on the prairie outside Nauvoo. Obviously there seemed little time for the sealing ceremony involving both Joseph and Emma that Emily had described. Pressed on the point, she responded, "Well it is possible that I have made a mistake in the dates, but I haven't made any mistake in the facts" and admitted that "it must have been before that."<sup>87</sup>

Neither sister was keeping a diary at the time; but a more likely reconstruction is that the date of May 11 stuck in Emily's mind because she was actually among those rebaptized that morning. Joseph had announced the possibility of rebaptism for sins at the April 1841 conference; and both he and Sidney Rigdon were rebaptized on April 11.<sup>88</sup> Wilford Woodruff, who had joined the Church in 1833, and John Taylor were, with many others, "Baptized for the remission of my sins" on March 27, 1842.<sup>89</sup> Willard Richards made the following entry in Smith's journal on May 11, 1843: "Thursday, May 11th 6 A.M. baptized [blank space] Snow, Louisa Beman, Sarah Alley, &c."<sup>90</sup> Louisa Beman was Joseph's first plural wife in Nauvoo, and Sarah Alley was Joseph B. Noble's plural wife. Thus, although Emily and Eliza Partridge's names were not recorded, they may have also received the same ordinance, giving the date significance that Emily later attached to the second sealing to Joseph.

Confirming the fact that May 11 is erroneous is the fact that Emily recalled James Adams as the officiator. He arrived in Nauvoo from Springfield on May 21.<sup>91</sup> May 23 is the more likely date when Adams sealed the Partridge sisters to the Prophet Joseph with Emma participation. Willard Richards, who was then keeping Joseph's diary, recorded that the Prophet was "at home

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<sup>84</sup> *Ibid.*, 366.

<sup>85</sup> Young, "Young, (Emily Dow Partridge)," 240.

<sup>86</sup> "History of Joseph Smith," *Millennial Star* 21 (January 29, 1859):75.

<sup>87</sup> Respondents Testimony, 367.

<sup>88</sup> "Minutes of the general conference . . .," *Times and Seasons* 2 (April 15, 1841):388; William Huntington, Journal, April 11, 1841, Perry Special Collections.

<sup>89</sup> Scott G. Kenney, ed., *Wilford Woodruff's Journal, 1833-1898*, typescript, 9 vols. (Midvale, Utah: Signature Books, 1983-85), March 27, 1842.2:165, entry of 27 March 1842.

<sup>90</sup> Joseph Smith, Journal, May 11, 1843, in Faulring, *An American Prophet's Record*, 377.

<sup>91</sup> Joseph Smith, Journal, May 21, 1843, in Faulring, *An American Prophet's Record*, 380.

in conversation with Judge Adams and others.”<sup>92</sup>

Kelley then asked Emily:

Q:- Have you got a marriage certificate? A;- No sir.

Q:- Did you ever have one? A;- No sir.

Q:- Why did you not get one? A;- Well it was not thought necessary in those days.<sup>93</sup>

Emily was obviously groping for an answer; this one, though unconvincing, sidesteps the obvious fact that plural marriages were illegal. By this point in Utah, an important part of a plural sealing was obtaining the first (legal) wife’s consent, symbolized by her placing the new wife’s hand in the right hand of her husband. In 1853, the year after the public announcement of plural marriage, Orson Pratt had published part of a plural marriage sealing ceremony. The officiator asks the first wife: “Are you willing to give this woman to your husband to be his lawful and wedded wife for time and for all eternity? If you are, you will manifest it by placing her right hand within the right hand of your husband.”<sup>94</sup> This portion of the ritual had apparently been established in Nauvoo. James Whitehead, a clerk who worked in Joseph Smith’s store and as William Clayton’s assistant, was interviewed by William W. Blair, a counselor in the RLDS First Presidency in 1874. Blair recorded the conversation, with many abbreviations, in his diary: “[Whitehead] Says J[oseph] did te[ach]- p[olygamy]- and pr[actice]- too. That E[mma]- knows it too that She put h[a]nd of Wives in Jos[e]ph ha[n]d W[hitehead]. Says Alex H Smith asked him when sleeping with him at his house in Alton [Illinois on May 14, 1864], if J[oseph] - did p[ractice] & tea[ch]. p[olygamy], and he, W[hitehead]. told him he did.”<sup>95</sup>

However, when Kelley asked Emily, “Did Emma take your hand and place it in Joseph Smith’s hand?” Emily responded evasively, “I think she did” but then backtracked even further: “I could not swear to it at all.”<sup>96</sup>

The questioner also probed her sealing to Brigham Young. Emily could not identify the date of the first sealing more precisely than the fall of 1844, possibly November, “but I would not be positive of that.”<sup>97</sup> She also explained that the children Young fathered were considered Joseph Smith’s children by proxy.<sup>98</sup> When Kelley probed for parallels between the sealing to Joseph and that to Brigham, Emily admitted that Mary Ann Angell Young, Brigham’s legal wife, had not put her hand in Brigham’s:

Q:- Why did she not do it? A;- She was not present.

Q:- Well did she give her consent to your marrying Brigham Young? A;- No sir, not to my knowledge, for she was not there.

Q:- Were you married the second time to Brigham Young? A;- Yes sir.

Q:- You were married twice to him also? A;- Yes sir.

Q:- Did she give her consent the second time you were married to him? A;- No

<sup>92</sup> Joseph Smith, Journal, May 23, 1843, Faulring, *An American Prophet’s Record*, 380.

<sup>93</sup> Respondents Testimony, 367.

<sup>94</sup> Orson Pratt, “Celestial Marriage,” *The Seer* 1 (February 1853):31.

<sup>95</sup> William W. Blair, Diary, June 17, 1874, Community of Christ Archives.

<sup>96</sup> *Ibid.*, 371.

<sup>97</sup> *Ibid.*, 362.

<sup>98</sup> *Ibid.*, 369.

sir.<sup>99</sup>

Kelley pressed harder on the point of plural marriage's illegality, referring to Doctrine and Covenants 101. He asked Emily:

Q:- You knew that in 1843 the book of Doctrine and Covenants prohibited a man from having more than one wife at a time did you not? A;- Well I don't know that I did.

Q:- You knew the section on marriage that was in the Book of Doctrine and Covenants, did you not? A;- Well that can be explained I suppose.

Q:- I am not asking you an explanation of it, - I ask you if you did not know that the section on marriage was there, and you knew what it contained. - you knew what it was as it was printed in the book of Doctrine and Covenants?<sup>100</sup> A;- Yes, sir, at that time I did.

Q:- Still you violated what you knew to be the church law, and married a man whom you knew had more than one wife? A;- Yes sir, - well I did not know that either.

Q:- You married Joseph Smith? A;- Yes, sir.

Q:- And you knew at the time that you married him that he had a wife named Emma? A;- Yes sir I knew that too, - but if Joseph Smith had one revelation he could have others too. He had a revelation permitting, -

Q:- Well never mind about the revelation he had, - You say you knew that Joseph Smith had a wife named Emma at that time? A;- Yes sir I knew that.

Q:- And still in the face of that knowledge, - of the knowledge of what the law of the church was on the question of marriage as printed in the book of Doctrine and Covenants at that time, and the further knowledge that he had a wife living, you married him? A;- Yes sir.<sup>101</sup>

Kelley returned to his earlier point about Emily's intimate relationship with the Prophet Joseph Smith. Although obviously distasteful to Emily and blunt to the point of crudeness, even by modern standards, this portion of the deposition is important in clarifying that at least some of the Prophet's plural marriages were physically consummated, an issue that has been a matter of some debate among historians, given the apparent absence of children by any wife but Emma.

Q:- Well do you make the declaration now that you ever roomed with him at any time? A;- Yes sir.

Q:- Do you make the declaration that you ever slept with him in the same bed? A;- Yes sir.

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<sup>99</sup> Ibid., 372. This "second time" was their sealing in the Nauvoo Temple in January 1846, a year after the first sealing.

<sup>100</sup> The article on "Marriage" included the language "we declare that we believe, that one man should have one wife" (1835 D&C 101:4). It was accepted as Church law at the General Assembly of August 17, 1835. In printings of the Doctrine and Covenants from 1844 to 1869 it was numbered Section 109. In the 1876 edition, published in Salt Lake City, it was removed and replaced by Section 132. The new publication was canonized in October 1880.

<sup>101</sup> Respondents' Testimony, 374-75.

Q:- How many nights? A;- One.

Q:- Only one night? A; Yes sir.

Q:- Then you only slept with him in the same bed one night? A;- Yes sir.

Q:- Did you ever have carnal intercourse with Joseph Smith? A;- Yes sir.

Q:- How many nights? A;- I could not tell you.

Q:- Do you make the declaration that you never [sic] slept with him one night? A;- Yes sir.

Q:- And that was the only time and place that you ever were in bed with him? A;- No sir.

Q;- Were you in bed with him at any place before that time? A;- Before what time?

Q:- Before you were married? A;- No sir, not before I was married to him I never was.

Q:- Do you mean that you were in bed with him after the 4th of March 1843? A;- Yes sir, but that was after I was first married to him.<sup>102</sup>

Kelley also returned to the point that Joseph had told her that their marriage was authorized by revelation. She replied that Smith told her “in so many words that he had a revelation, and that was the revelation we were married under. I just took his word for it, and I believed he had it.”<sup>103</sup> She also clarified that the ceremony included time and eternity. Being asked what they agreed to when they were married, Emily responded, “We agreed to be each others companions, - husband and wife.”<sup>104</sup>

Exhausted after her deposition, Emily returned home. The ordeal was still on her mind for days later when she wrote in her diary:

I can now think of a great many things that seemingly might have been better answers. And I have been asked, why did you not say this and why didn't you say that. Well I said there is no use asking these questions now. If I could have thought of them I might have answered them but as I did not I had to say what come into my mind. I asked God to assist me and if I did not do as well as I might I done as well as I could.<sup>105</sup>

Emily's responses concerning plural marriage in Nauvoo did not make an impact on what was a legal issue concerning the consecrated land in Independence. In fact, her testimony remained unpublished for a hundred years.

### **Emily's Last Years**

The deposition apparently had one firm outcome. About six weeks later on May 6, 1892, Emily took “the original copy deed to the Temple lot in Independence” to Woodruff's office.<sup>106</sup>

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<sup>102</sup> Ibid., 384.

<sup>103</sup> Ibid., 385.

<sup>104</sup> Ibid., 387.

<sup>105</sup> Emily Dow Partridge Young, *Diary*, 95, March 23, 1892.

<sup>106</sup> Ibid., 96, May 6, 1892. The original deed is in the LDS Church Archives. See “Jackson Temple Lot Deed Found in Church Relics,” *LDS Church News*, January 23, 1932, 1.

Its value was as a historical document only. It had no legal significance, since the property had been sold by a quit-claim deed in 1848. Apparently the deed that Martin Harris had once had in his possession had been lost.

During Emily's declining years, she made special mention on March 4 that it was the anniversary of her sealing to Joseph Smith.<sup>107</sup> Twice she mused in more detail on that experience:

4 March [1895] Fifty two years ago today, I was married to Joseph Smith the Prophet. I went to one of the neighbors (Heber C. Kimbals) after dark and alone. When I went in, no one was in the house but br. Kimballs oldest son and daughter. I did not know what to do, or what excuse to make, but Well I don[']t like to think of those times, and will say no more now.<sup>108</sup>

March 4th. [1896] 53 years ago this evening about 8 p.m. I was married to the Prophet Joseph Smith, at the house of Heber Kimble, and he performed the ceremony. It was a rather peculiar wedding. I would be pleased to meet him again, if I could without going behind the veil, but not exactly as I did that evening. I desire to live some years longer.<sup>109</sup>

On Saturday, February 22, 1896, Emily recorded a rather poignant dream concerning the Prophet Joseph: "Last night-or rather this morning, I dreamed that the Prophet Joseph had returned home, and he was as busy as he could be. . . . I was thinking, as I had been deprived of Joseph[']s society all my life, would it be the same now he had returned. I thought, verily likely it would. As he had so many wives it seemed that some would have to be neglected. . . . [H]e then spoke and said, Emily I shall keep you with me. I said thank you for those comforting words."<sup>110</sup>

Emily died December 9, 1899, at seventy-five, hopeful for a joyful reunion with Joseph Smith in the bonds of celestial marriage. Life for her was hard but she persevered. In 1884 while the federal "raid" was driving Mormons onto the underground and jailing them, Emily wrote a spunky statement that could stand as her epitaph: "For my part I am not ashamed of my religion . . . Neither am I ashamed of my name, nor would I be even if it was, EMILY DOW PARTRIDGE SMITH YOUNG, ETC."<sup>111</sup>

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<sup>107</sup> Emily Dow Partridge Young, *Diary*, 97, March 4, 1893.

<sup>108</sup> *Ibid.*, 103, March 4, 1895.

<sup>109</sup> *Ibid.*, 106, March 4, 1896.

<sup>110</sup> *Ibid.*, 105-6, February 22, 1896.

<sup>111</sup> Emily Dow Partridge Smith Young, "Testimony That Cannot Be Refuted," *Woman's Exponent* 12 (April 1, 1884):165.