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Servants of Saints

The Policy and Practice of African-American
Slavery Within the Mormon Church, 1830-1865

Master's thesis in History

Supervisor: Tore T. Petersen

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Chapter 1

Introduction

And he has caused the cursing to come upon them, yea, even a sore cursing, because of their iniquity. For behold, they had hardened their hearts against him, that they had become like unto a flint; wherefore, as they were white, and exceedingly fair and delightsome, that they might not be enticing unto my people the Lord God did cause a skin of blackness to come upon them.¹

A common perception of the Mormon Church has been that it opposed slavery as an institution in the United States. A reason for this frequent perception is a consequence of prophet Joseph Smith's anti-slavery position taken in his presidential campaign in 1844, just before his death. While this anti-slavery position came to be the contemporary perception of Mormons, it was far from the truth. Only three years after Smith's death, Southern Mormon converts brought slaves to the Utah Territory, and in 1852 a new territorial government legalized the institution with "An Act in Relation to Service". This newly appointed territorial government was a result of the Compromise of 1850², giving Utah territorial status in the United States, as well as granting the territory popular sovereignty. By keeping the already ongoing practice of slavery in Utah hidden from other members of the Thirty-First Congress in 1850, Mormons, and more specifically Utah's representative in Washington, John M. Bernhisel, was able to delay the sectional crisis³ in the United States, and a civil war was detained for a few more years. Had the men in Washington known about the already existing practice of slavery in Utah during the Thirty-First Congress, the course of history would have been radically different.

¹ *The Book of Mormon*, 2 Nephi 5:21.

² The Compromise of 1850 was settled in Washington D.C. in said year, and consisted of five laws dealing with the issue of slavery as well as territorial expansion. California had, in 1849, requested permission to enter the Union as a free state. This would upset the balance between free and slave states in the U.S. Senate, resulting in Henry Clay's introduction of a compromise in January of 1850. As part of this compromise, the Fugitive Slave Act was amended and the slave trade in Washington D.C. was abolished. California also entered the Union as a free state as requested, while a territorial government was created and, granted popular sovereignty, in Utah and New Mexico. A boundary dispute between Texas and New Mexico was also settled in the compromise. Drexler, Ken. "Compromise of 1850: Primary Documents in American History." Library of Congress. April 5, 2019. Accessed April 18, 2019. <https://guides.loc.gov/compromise-1850>.

³ Sectional differences in the United States had grown ever since the early 1820s, as slavery was abolished in the North, state by state, but only grew in the South. Abolitionists became more extreme in their fight for emancipating the slaves, as did pro-slavery men in their fight to keep the institution in the South, creating unresolvable differences in the nation. These differences primarily concerned slavery and its expansion west, yet tariff and Indian policies were also a part of the sectionalism in the 1850s. This crisis would ultimately lead to the outbreak of the Civil War in 1861.

Paul Finkelman and Donald R. Kennon, eds. *Congress and the Emergence of Sectionalism: From the Missouri Compromise to the Age of Jackson*. Athens, Ohio: Ohio University Press, 2008, 4-7.

The objective of this thesis is to present a study of a much neglected part of both Mormon and Utah history: the policy and practice of African-American slavery within the Mormon Church. As will be presented in this thesis, the decision to legalize the institution of slavery in the Utah Territory was influenced by a multitude of societal, cultural, and religious factors. Despite many factors playing in on the decision, two of them eminently stands out as primary contributors: the church prophets' biblical justifications of slavery as an institution in the United States, and the increasing racism within the Mormon church after Joseph Smith's death in 1844.

The time span of this study will be from the establishment of the Mormon Church and the publication of the Book of Mormon in 1830, to the emancipation of American slaves in 1863, through the end of the American Civil War in 1865, giving a complete picture of the development of slavery within the church. This can appear to be lengthy period of time, as it expands well over thirty years. While it certainly would have been possible to conduct a study over the course of seventeen years, from 1847 and the Mormons' migration to the Utah Territory until the end of the Civil War in 1865, it would have been impossible to understand the background for why the territorial government decided to legalize slavery as an institution in this short period of time. Hence, by including Joseph Smith's time as Mormon prophet in this study, a more complete picture of the institution's history within the Mormon Church appears, and a more comprehensive conclusion can be made for why slavery was legalized in Utah in 1852, and how the institution was practiced both before and after this legalization.

African-American slavery in the nineteenth century United States is among the most academically researched topics in American history, and has been extensively present in scholarly work on antebellum America. Yet, there are several areas of the institution as it was practiced that has not yet caught the attention of the majority of scholars, going practically unnoticed in academic work. Little research has been done on the practice of slavery within the Mormon Church, and limited interest has been shown from historians as the scholarly focus on the Mormon Church has been given to the history of the church itself, its various prophets, and the development of their religious doctrines throughout the church's history. Creating a more nuanced picture of Mormon history and their religion using race and the institution of slavery is therefore paramount moving forward in the study of their church.

The academic work done on race within the Mormon Church has mostly been focused on the church's priesthood ban on blacks practiced until 1978, or on the territory's

ambitions and petitions for statehood in the Union.⁴ The latter gave prominence to another leading focus in scholarly work done on the Mormon Church; the church's practice of polygamy.

In several works on Mormon polygamy, a theory has risen connecting this practice to the institution of African-American slavery. Mormons were said to have aligned with the South in the slavery controversy in order to keep their own peculiar institution. The church's public statements concerning the Kansas-Nebraska Act⁵ as well as the decision made in the Dred Scott case⁶ does portray a favorable attitude towards slavery and Southern values. However, this overshadows the underlying cause for why Mormons favored the continuation of slavery in the United States; they wanted to protect their own institution of polygamy. Both the South and the Mormons saw popular sovereignty as the best way of protecting their respective institutions, and can therefore be seen as one of the reasons for why Mormon representative in Washington, John M. Bernhisel, kept it a secret that Mormons in Utah already practiced slavery. Had men in Washington known about this practice, popular sovereignty would not have been granted to the territorial government, and the sectional crisis might have escalated into a civil war years before it actually broke out.

Though polygamy was made official in 1852, and was an important part of early Mormon Utah, it will not be a main concern of this thesis. I will therefore not discuss it at length, and only mention it as necessary when discussing the practice of African-American slavery within the Mormon Church.

These subjects have all been more prominent in the study of Mormonism within academia, causing the practice of slavery to be a neglected subject in history, largely excluded

⁴ Utah received statehood in the Union in 1896, after abolishing the practice of polygamy.

⁵ In 1854, the territories of Kansas and Nebraska were given popular sovereignty, like Utah was in 1850. This allowed settlers in the territories to decide for themselves whether slavery would be allowed or not within the borders of a new state. The act overturned the Missouri Compromise from 1820, which used latitudes as the boundary between slave states and free states. What followed this act was a scramble for both territories, and it led to the violence known as "Bleeding Kansas." "Kansas-Nebraska Act." History.com Editors. October 29, 2009. Accessed January 13, 2019. <https://www.history.com/topics/19th-century/kansas-nebraska-act>.

⁶ In Dred Scott v. Sandford, the Supreme Court ruled that African-Americans, free or enslaved, were not citizens of the United States and were not allowed to sue in a federal court. Also ruled in the same court decision was that Congress did not have the power to ban slavery in the United States territories. A final decision ruled was that the rights of slave owners were protected constitutionally by the Fifth Amendment, as slaves were categorized as property. These rulings came after the long court case of Dred Scott v. Sandford, where Scott had sued his owner for not letting him buy his family's freedom after living in the free territory of Wisconsin. Scott argued that he was legally free as he and his family had lived in this free territory where slavery was banned. Chief Justice Roger B. Taney declared, in 1857, that Scott could not sue in a federal court as he was deemed a slave under Missouri law, creating controversy across the country. McBride, Alex. "Dred Scott v. Sandford (1857)." The Supreme Court, December 2006. Accessed December 19, 2018. https://www.thirteen.org/wnet/supremecourt/antebellum/landmark_dred.html.

from modern historical records.⁷ A selective number of historians have in the past addressed the subject of Mormon slavery, yet mostly as part of a bigger discourse on policies held by the church towards African-Americans. Though this, to some extent, has created a debate on the subject I will only address and discuss policies, theories and ideas that relates to the practice of slavery among the Mormons.⁸

Stephen Taggart was one of the first historians to write about the church's policy on slavery. He argued that the Mormon's policy towards African-Americans developed as a consequence of social stress. In the early days of the church, members had abolitionist attitudes "not explicitly incorporated into the Mormon belief system, [therefore] not shar[ing] the degree of social support enjoyed by the central Mormon beliefs." According to Taggart, the Mormons adapted a pro-slavery attitude after the church experienced persecutions in Missouri, as a reflex "in the face of danger." This pro-slavery position could, according to Taggart, conform to the belief Mormons had in that they were God's "chosen" people, even though it might have differed with ideals of universal brotherhood and love. Joseph Smith was also inclined to accept racist doctrines, as he from an early age had access to the Bible story of the "Curse of Canaan."⁹ This racist doctrine was reversed when Smith ran for president in 1844, and the church as a collective had relocated to Nauvoo, Illinois. Here, Smith addressed a different kind of audience than he had in Missouri, as Illinois was a free state,¹⁰ something Taggart argues led Smith to feel "considerable dissonance because of the

⁷ On Mormonism, polygamy, and Utah's political road towards statehood, see Edward Leo Lyman, *Political Deliverance: The Mormon Quest for Utah Statehood*. Urbana, Illinois: University of Illinois Press, 1986; Sarah Barringer Gordon. *The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth Century America*. Chapel Hill, North Carolina: University of North Carolina Press, 2002; Leonard J. Arrington. *Great Basin Kingdom: An Economic History of the Latter-day Saints, 1830-1900*. Cambridge, Massachusetts: Harvard University Press, 1958; J. Keith Melville. *Conflict and Compromise: The Mormons in Mid-Nineteenth-Century Politics*. Provo, Utah: Brigham Young University Publications, 1974; and Gustive O. Larson. *The "Americanization" of Utah for Statehood*. San Marino, California: Huntington Library, 1971.

⁸ For Mormon doctrines on blacks, and the history of blacks within the Mormon Church see Bringhurst, Newell G. *Saints, Slaves, and Blacks: The Changing Place of Black People Within Mormonism*. Westport, Connecticut: Greenwood Press, 1981; Armand Mauss. *All Abraham's Children: Changing Mormon Conceptions of Race and Lineage*. Urbana: University of Illinois Press, 2003; and Bringhurst and Darron T. Smith, eds. *Black and Mormon*. Urbana: University of Illinois Press, 2004.

⁹ The "Curse of Canaan," was a biblical story of Caanan's father, Ham. Ham was the son of Noah, a biblical patriarch, and saw his father's nakedness, causing Noah to curse Ham's son, Canaan, to be a "Servant of Servants." This curse, along with another biblical story, the *Curse of Cain*, will be extensively used when analyzing slavery within the Mormon Church further in this thesis. It will also be further explained in chapter three. *The Holy Bible*, Genesis 9:20-7.

¹⁰ After the Missouri Compromise in 1820, states in the North where slavery was abolished, or gradually emancipated, came to be known as "free states", as slavery became illegal. These states stood as the contrast to "slave states" in the South, where slavery legal and practiced. The balance of free states and slave states in Congress and the House of Representatives would become increasingly difficult to maintain, as numerous states after the compromise on 1820 petitioned for statehood, both as free and as slave. This ultimately became known as the sectional crisis and would lead to the Civil War.

basic contradiction between the love, compassion, and brotherhood constellation of Mormon values, and the compelling necessity of expediency on the slavery issue.”¹¹

While Taggart was the first to write about the church’s policy towards blacks, the analysis does have essential weaknesses, one being the use of sources. Taggart adamantly argues that early Mormons were anti-slavery as most of them were residents of New England—a free state. However, no evidence is used to back up his argument, resting his claim on pure assumption. While there is a possibility that some early Mormons were against slavery as an institution, identifying silence as opposition is hardly accurate in this case. Neither is it correct to inherently assume that all residents of New England were abolitionists, as most New Englanders did not welcome, or even accept, abolition until the mid nineteenth century.

Another weakness in Taggart’s work is his attempt to link problematic causes with unsupported results. Though Joseph Smith had access to a book with racist content does not automatically result in his belief in said content, or that he even read the book, as well as believing in Mormons being a “chosen” people does not inherently result in pro-slavery sentiments. In Southern society, slavery was used as a justification for racism by less economically advantageous groups, meaning that people with less money than owners of bigger plantations in the South used slavery as a way of “lifting themselves up” in an societal setting, encouraging their own societal status while lowering the status of blacks and enslaved peoples. This created a “racist egalitarianism” mostly prominent in Southern society.¹² While this racist egalitarianism played a big role in the history of the United States, Taggart’s cited evidence does not adequately connect Mormon racial ideas to the practices of slavery in nineteenth century America.¹³

Historian Lester E. Bush, Jr. went a different direction, and concluded that there was not an official Mormon policy on slavery until 1835. “Worded so that it avoided comment on the morality of slavery *per se*,” the church statement of that year expressed how it was immoral to interfere with the master-slave relationship so prominent in the American South at that time. One year later, Joseph Smith and other high-ranking church members, wrote articles

¹¹ Taggart, Stephen G. *Mormonism’s Negro Policy: Social and Historical Origins*. Salt Lake City, Utah: University of Utah Press, 1970, 13-14, 29-30, 52, 65-6.

¹² Nathaniel R. Ricks. “A Peculiar Place for the Peculiar Institution: Slavery and Sovereignty in Early Territorial Utah.” M.A. Thesis, Provo, Utah: Brigham Young University, 2007, 20. For racist egalitarianism, see John Ashworth. *Slavery, Capitalism, and Politics in the Antebellum Republic, vol. 1: Commerce and Compromise, 1820-1850*. New York, New York: Cambridge University Press, 1995. On historical examples of racist egalitarianism, see David R. Roediger. *The Wages of Whiteness: Race and the Making of the American Working Class*, revised edition. New York, New York: Verso, 1999, 60; Edmund D. Morgan. *American Slavery, American Freedom: The Ordeal of Colonial Virginia*. New York, New York: W.W. Norton & Company, Inc., 1975, 380-7.

¹³ Taggart, 74-82.

in a church newspaper favoring slavery, and offered their advice based on their own opinions on the matter. Instead of explaining Smith and the other church members' motivations behind these statements, Bush rapidly moves on to other subjects in his work. While no other statements were published concerning slavery for another six years, Joseph Smith published, in 1842, letters communicating "unmistakable...antislavery sentiments," according to Bush. Further, Bush argues that "we have no contemporary explanation for the dramatic change in attitude."¹⁴ Though this might have been a radical change in attitude, it had nothing to do with Smith's personal beliefs in whether slavery was good or bad for the nation, but rather that the change was solely a consequence of his desire to gain a following wherever he went, now being in the free state of Illinois.

In 1981, Newell G. Bringhurst published his book *Saints, Slaves and Blacks: The Changing Place of Black People Within Mormonism*, and it was to date the most extensive work done on African-American slavery within the Mormon Church. His hypothesis reflected Taggart's, and stated that "in response to pressures both within and outside Mormonism, the church adopted attitudes that were both antislavery and antiabolitionist." He further argued that social pressure, like Taggart had argued in his work, led the church to vacillate over slavery, though in general avoiding abolition as "American society...rejected both the tactics and the aims of the abolitionists." Bringhurst also argued that Mormons generally acknowledged and agreed upon contemporary racist arguments, augmented by their "lower-middle-class socioeconomic origins."¹⁵

Like Taggart and Bush, Bringhurst's arguments are flawed, one of them being how he reads too much importance into statements on slavery. An example is the way he misread Parley P. Pratt's¹⁶ criticism of an anti-Mormon writer for misstating Mormon beliefs in a publication, where he included incorrect statements about "the stir[r]ing up of the Slaves against their masters." While Pratt blamed the falsehood of the writing, Bringhurst interpreted it as a condemnation of the abolitionists.¹⁷

¹⁴ Bush, Lester, E., Jr. "Mormonism and the Negro Doctrine: A Historical Overview," *Dialogue* 8, 1973, 13-15, 17-20. Accessed November 14, 2019. https://www.dialoguejournal.com/wp-content/uploads/sbi/articles/Dialogue_V08N01_13.pdf. Emphasis in original.

¹⁵ Bringhurst, *Saints, Slaves, and Blacks*, xviii.

¹⁶ Parley P. Pratt was a prominent member and leader of the early Mormon Church and the Mormon movement, joining the church in 1830. He became close friends with prophet Joseph Smith, and served as a missionary, converting numerous into the church. After Smith's death, he joined the migration to Utah where he came to serve in the first territorial government with Brigham Young. Many of his written works became influential within Mormon communities all over the world.

¹⁷ Pratt, Parley P. *Mormonism Unveiled: Zion's Watchman Unmasked, and its Editor, Mr. L.R. Sunderland, Exposed: Truth Vindicated: The Devil Mad, and Priestcraft in Danger!* New York, New York: the Author, 1838, 39; Bringhurst, 24.

In addition to this, Bringhurst quickly defines statements made by Mormons themselves as antislavery. A statement made by Warren Parrish, a high-ranking church member, and David W. Patten when they were working as missionaries in Tennessee expressed that the “power of tyranny that exists in the slave states” was an obstacle they faced frequently on their mission. While Bringhurst interpreted this as “expressing their dislike for slavery,” it was rather a dislike for the power structure behind the actual institution.¹⁸ Throughout Bringhurst’s chapters on the Mormon Church before their migration to Utah, we find these misreadings, where certain statements are taken out of context and made to fit his own argument.

As a collective, these authors all have a weakness in common; how they fail to argue for the question of faith within the Mormon Church and their faith’s connection to slavery as an institution in the United States. By only blaming the changing Mormon attitudes towards slavery on societal factors, they fail to recognize the Mormons’ biblical justifications of the institution, making their arguments and hypotheses flawed.

A remarkable work on African-Americans in early territorial Utah is Kate B. Carter’s *The Story of the Negro Pioneer*, published as a pamphlet in 1965. Though this pamphlet does not discuss slavery in Utah per se, it does tell the story of numerous African-Americans who migrated to the Salt Lake Valley in the early days of the Mormon settlement. It has therefore been used extensively in chapter three where I discuss individual stories of African-American slaves, their journeys across the plains, and how this came to impact the newly settled Mormon community to a larger extent than earlier assumed in academic work. Because Carter’s work is not a discussion on the subject, it makes little sense to point out her work’s weaknesses. However, what is possible to point out is her use of sources, as there are none. Identifying when or where she collected or attained her information is therefore close to impossible. While this implies that cautious measures should be taken when utilizing her work, the pamphlet itself should not be completely dismissed, grounded in that the information is invaluable and provides generous insight into the early black community in Utah.

Recent scholars have taken issue with earlier interpretation of the Mormon Church’s position toward slavery, and the theory of how Mormons had a pro-slavery attitude. New historians in academia have developed this theory into one of neutrality towards the institution. Prominent with this theory is Nathaniel R. Ricks in his Master’s of Arts thesis *A*

¹⁸ Warren Parrish and David W. Patten to Oliver Cowdery, *Latter-day Saints’ Messenger and Advocate*, 11 Oct. 1834.

Peculiar Place for the Peculiar Institution: Slavery and Sovereignty in Early Territorial Utah from 2007, proclaiming that while Joseph Smith and the early church came off as pro-slavery, it was only because of their desperate attempt to stay neutral on the issue.¹⁹ This theory, while presenting substantial arguments and sources claiming its validity, lacks insight into Joseph Smith's underlying disinterest in anything other than gaining a growing number of followers wherever he, or the church, went. His opportunistic approach towards slavery in connection to gaining a following does not appear in Ricks' thesis, rendering his arguments unsustainable.

Max Perry Mueller's *Race and the Making of the Mormon People* from 2017, can be seen as the work most closely resembling my own claim in this history. Mueller's argument accurately states how early Mormon missionaries shaped their message to meet the different needs of their various listeners across the country, and that "to make restoration appealing and efficacious to this family's current [racialized] lineages- the 'Lamanite,' the 'Gentile,' the 'Negro' - required targeted marketing."²⁰ Joseph Smith and his early followers played their role opportunistically wherever they went, making sure their prospective converts heard what they wanted to hear, and missionaries did not necessarily present potential converts with a "standard" doctrine of Mormons' beliefs.

Scholars in the field of Mormon history, including their practice of African-American slavery, all seemed to have different opinions on the church's practice of the institution from the establishment of the church in 1830 to the death of Joseph Smith in 1844. While opinions on early church views on slavery have varied between different scholars, what happened after Smith's death has received rather similar attention from historians. In the early 1960s, scholars expressed their view of change in the Mormon Church after Smith's death, seeing the church as becoming aggressively more racist after 1846 and Brigham Young's emergence as prophet. As the church moved westwards to Utah in 1847, the church's position towards slavery succumbed to a much more mainstream structure of racial difference than it had in the last twenty years, expressed explicitly in Mueller's *Race and the Making of the Mormon People*. Mueller argues that in Joseph Smith's days as Mormon prophet, and in the Book of Mormon, race was, while still significant in society, not determinant for people. This differs from earlier scholars believing that Smith was adamantly pro-slavery, as Mueller argues that while race played an important part amongst people in society, it did not determine your future, and the color of your skin could be redeemed by God.

¹⁹ Ricks, "A Peculiar Place for the Peculiar Institution."

²⁰ Mueller, Max Perry. *Race and the Making of the Mormon People*. Chapel Hill, North Carolina: University of North Carolina Press, 2017, 63.

In recent scholarly work, however, more attention has been paid to the political aspects of slavery's presence in Utah, and less has been paid to the actual living conditions of slaves in the territory. A prime example of this is Christopher B. Rich, Jr.'s *The True Policy for Utah: Servitude, Slavery, and "An Act in Relation to Service,"*²¹ where on a few occasions, in conjunction with presenting his interpretation of "An Act in Relation to Service," he offers limited insight into the meager conditions of slaves residing in antebellum Utah.

In contrast to current literature in the field, I have found several aspects of this history to be different than what earlier scholars have illustrated. While Joseph Smith has been associated with anti-slavery, anti-abolitionist, and ambiguous standpoints towards slavery, I have found his position to be opportunistic, changing whenever the church relocated. By using the institution of slavery as a personal "tool", Smith could shape his message to meet the needs of his various listeners across the country, and thus gain more followers, enlarging his congregation in the Northern, Eastern, and Southern United States. Scholars portraying Smith's attitude as anything but opportunistic have failed to recognize the prophet's desperate desire for acceptance of his gospel and his need for expansion of the church, leading him to alter his perception of slavery to reflect the surrounding sentiments towards the institution.

What also became apparent when researching this historical subject was earlier scholars' lack of emphasis on racism within the Mormon Church after Smith's death in 1844. As a result of this gap in historical analysis, arguments in this thesis will confirm a growth of fundamental racism within the church exposed after Smith's death, as it quickly became an embedded aspect of Mormonism itself. This prominent racism will come to be illustrated as the primary reason and contributor for the development, practice, and ultimate legalization of slavery in the Utah Territory.

What has also been a neglected topic in previous work on this subject is the Mormon Church's contradictory attitude towards the institution of slavery after its legalization in Utah. While racism provided grounds for the belief that blacks were inferior to whites, whether slavery was legal or not, Brigham Young preached for a kinder and more human treatment of slaves in Mormon society. This was reflected in "An Act in Relation to Service" in 1852, where slaveholders were told to recognize the humanity in their slaves, while still getting their property rights protected by law. Though scholars in the field have already recognized this, earlier work has ignored the contradictory consequences of the laws created in 1852. While

²¹ Rich, Christopher B., Jr. "The True Policy For Utah: Servitude, Slavery, and "An Act in Relation to Service"." *Utah Historical Quarterly*, vol. 80, no. 1, Winter 2012.

kindness was both preached and promoted by the law, it was not practiced in Utah. Recent research for this thesis has established, and will come to prove, that “An Act in Relation to Service” was legislated to ease the conscience of slaveholders, and was alongside the Bible, used to justify the Mormons’ practice of slavery in the territory.

Though it has been overlooked by previous scholars in the field, it is clear that the laws concerning slavery in Utah were not followed and Southern converts continued their cruel treatment of slaves, rarely seeing consequences for their illegal actions. New research sheds light on the hypocrisy of “An Act in Relation to Service” legalizing a “kinder” version of the institution of slavery, when in reality the institution was practiced much like in the South. This thesis will consequently fill a lacuna in earlier literature concerning Mormon history and the history of blacks within the Mormon Church, providing original insight into the subject of race within the Mormon Church and its general history.

For this thesis, a multitude of various sources has been used to give as much of a complete picture of the history concerned as possible. Sources used ranges from book-length work by historians in the same field, to articles in historical journals and reviews, autobiographies written by people involved in the history of slavery within the Mormon Church, and primary sources collected from the Utah State Archives and the L. D. S. Church History Library, both placed in Salt Lake City, Utah.

The primary sources gathered from the archives in Salt Lake City and researched for this thesis are letters and correspondences, sermons written down by church members, church journals, newspaper articles, personal journals, and official acts enacted by the territorial government in Utah in 1851-1852, as well as by Congress in Washington in 1850. These primary sources provide a basis for the study of African-American slavery within the Mormon Church and the institution’s practice both before and after the church’s migration to the Utah Territory. A weakness in some of these sources is their incomplete or deteriorated nature. Certain letters and correspondences from the mid nineteenth century, written by members of the church or prophet Brigham Young, have over time become illegible as a result of not being preserved properly before ink on the paper faded away. Though this was an occurrence with some of the primary sources, it did not present a crippling problem for the study of this thesis, as the incompleteness of the source did not take away from the easily understandable theme of the letter or correspondence as a whole.

In addition to the primary sources used as a basis for this research, books and articles from as early as the mid twentieth century has been utilized to grasp earlier interpretations of this complex history. A problem arising when using books, or other sources from thirty, forty,

or even fifty years ago, is how contemporary societal attitudes towards certain historical subjects were different back then than what they are now. Historical research has developed throughout the years, and older works from the 1960s and 1970s may have been biased towards societal views of African-Americans and the history of the Mormon Church itself. When using works from this time period as sources for current academic work, it is important to consider the impact of contemporary prejudice people and scholars might have had against certain groups in society when composing their work.

Some of the sources used when analyzing the legalization of slavery in Utah in 1852, are the assembly journals composed by legislature secretaries during the territorial legislatures' sessions in 1851-1852. These journals are important to include when researching this specific subject, as vital information can reveal personal thoughts and opinions of legislators in the territorial legislature. Though these journals are crucial when studying the legalization of slavery in Utah, little is mentioned of the actual practice of slavery. The journals can consequently not be used to the desired extent, yet it is important to highlight and utilize the little information we do have from these journals of slavery's existence in the Utah Territory.

In this thesis, as well as in scholarly work done on this history in general, a number of family stories have been also been used to illustrate the living conditions, slave-master relationships, and other aspects of the institution in Utah. Though these stories portray what life might have been like for a slave in the Salt Lake Valley, they do not always reveal the full truth of this particular history. Many speak of how slaves chose to stay with their masters after emancipation, or even of masters voluntarily freeing their own slaves out of kindness, just to have the slaves stay with them out of love and loyalty towards their white family. While it is important to look at and analyze these stories, many can be confuted by looking at slaves' own accounts of their lives in Utah. Their accounts speaks to the desperate wish of attaining freedom, and not of a desire to stay in bondage with their white masters. As my arguments will come to prove in this thesis, rarely did slaves want to stay with their masters after emancipation, and life in Utah was not unlike that in the South.

Finally, I will say a few words about the structure of this thesis. Chapter two will provide background information on the prophet, Joseph Smith, and his road to creating a new religious direction in the United States, and its connection to slavery. Chapter three deals with Joseph Smith's establishment of the Mormon Church in 1830, and early Mormon attitudes towards African-American slavery, derived from Smith's own perception of black people and his biblical justifications of slavery, affecting his own church doctrines. It demonstrates the

prophet's opportunistic approach to societal issues, herein slavery, and how he used the institution as a personal "tool" to gain a following wherever the church moved. Chapter four will undertake the many individual stories of the early black community in the Salt Lake Valley, and the Mormons' migration to the Utah Territory from 1847 onwards. It will examine how African-American slaves played a larger role in the early Mormon community than earlier assumed by historians. In chapter five, I tackle the political aspect of this history, discussing and analyzing the Compromise of 1850 in Washington, and how this eventually granted Utah's territorial legislature the power to legalize slavery in Utah in 1852. The reasons and justifications behind this decision to legalize the institution will also be discussed in this chapter. Chapter six will finally discuss the living conditions of slaves in Utah from the early days of the Mormon settlement and onwards, analyzing the repercussions of the institution's legalization in the territory until emancipation ended slavery in 1863.

As six chapters constitute the main body of this work, my epilogue will conclude the arguments made in this thesis and examine African-Americans' role in the Mormon Church after emancipation. It will further consider the church's handling of outside criticism towards their ever-evolving racist church doctrines.

Chapter 2

The Establishment of the Mormon Church and its Connection to African-American Slavery

On an early spring morning in 1820, a young man set out to the woods near his family home in Palmyra, New York. The young man had for a long time been questioning his own faith in God, and did not know what church he belonged to. On his knees praying in the woods, he asked God what church to join. A pillar of light appeared over him where he sat, and beside him stood the Son of God himself, Jesus Christ. A second time he asked God what church to join, and this time God answered: “Join none of them.” This young man’s name was Joseph Smith, and ten years after his encounter with God, he would establish a new religion in the United States and change the country’s religious history.

Three years after his first divine encounter, Smith would again have visions, but this time from an angel named Moroni, who told him about some engraved golden plates. The plates were buried in a hill nearby Smith’s home and contained the story of an ancient people who came to America from Israel. Four years after the instructions given to him by Moroni on how to translate the gold plates, Smith went to the hill and excavated them before translating them into English and publishing his work as the Book of Mormon in 1830.

Joseph Smith was born and grew up during the Second Great Awakening in the United States, a religious revival movement that started in the 1790s, reaching its peak in the 1820s and 1830s. During this time, thousands of Americans joined new religious directions within Christianity across the country. A new religious liberty emerged, and this “unfettered religious liberty began spawning a host of new religions”.²² Methodism split up into four different directions, while Baptism split into well over five. Along with splitting up these bigger, already well-established religions in the United States, the revival movement paved way for smaller, more distinct religious communities and was the most fertile period in U.S. history for the emergence of prophets. While most of these new leaders and prophets turned out to be “one-night wonders”, Joseph Smith was to change the course of American history.

Smith came from a smaller town in New York called Palmyra. This town was at the epicenter of the revival movement, and was a part of what was called the “Burnt-Over District”. Geographically placed in the eastern United States, the area saw a large number of

²² C. Leonard Allen and Richard T. Hughes, *Discovering Our Roots: The Ancestry of the Churches of Christ*. Abilene, Texas: Abilene Christian University Press, 1988, 89-94.

“open-air meetings” every single year. During these meetings, hundreds, sometimes thousands, of people would gather in large, open spaces, while a priest or a minister would conduct services and preach new religious messages to their followers. While Smith’s mother would take him to meetings like these during his childhood, Smith stopped taking part in the religious spectacles as he grew older. Smith believed that he could “take [his] Bible, and go into the woods and learn more in two hours than you can learn at meeting in two years, if you should go all the time.”²³ Though he thought these revival meetings were useless to him, he was keenly alert to the theological differences dividing the sects and religions at the time, and he was genuinely interested in the controversies going on within the various religious directions. This would come to shape his own religious beliefs and practices, and eventually become embedded in doctrines of his own church.

By the time he was fourteen he had his first visions from God, telling him not to join any church in the United States. Up until the time he was twenty-four years old, Joseph Smith experienced several visions from God, and in 1830 he established a new religion; the Church of Jesus Christ of Latter-day Saints. This religious direction was, though subconsciously, influenced by the Second Great Awakening in the United States and was to restore a purer and more primitive form of the Christian religion,²⁴ something Smith aimed to achieve with his new religious following. He did not, however, receive the responses he expected from people to his claims of his visions from God in the very beginning. Instead he was met with skepticism and hostility, forcing him to move to Harmony, Pennsylvania. It was during his time here, before he moved back to New York, that the Book of Mormon was published in 1830.

Though the few years before publishing the Book of Mormon saw skepticism, Joseph Smith rapidly gained a following after 1830, mostly in the eastern United States. While most of his early followers came from the eastern or northern parts of the nation, many were sent on missions to other parts of the country in order to spread the Gospel and convert new members. Most of the church’s early members came from the North or the East where people opposed slavery, yet the institution would come to affect the church and its members in a number of ways.

²³ Brodie, Fawn M. *No Man Knows My History: The Life of Joseph Smith*. New York, New York: Vintage Books, a Division of Random House Inc., 1971, 26.

²⁴ Foster, Douglas A., Anthony L. Dunnivant, Paul M. Bowers, and D. Newell Williams, eds. *The Encyclopedia of the Stone-Campbell Movement: Christian Church (Disciples of Christ), Christian Churches/Churches of Christ, Churches of Christ*. Grand Rapids, Michigan: W. B. Eerdmans Publishing Company, 2004, 368.

As Mormonism was spreading at a seemingly rapid pace, Joseph Smith dreamed of a new holy city for his followers. This “New Jerusalem”, or what Smith called the city of Zion, would be the place of Christ’s Second Coming, and it would be built on the western frontier.²⁵ As this dream was taking shape in Joseph Smith, a small Mormon community was formed in Kirkland, Ohio, as missionaries had travelled there to spread the word of the new religion. By the winter of 1831, Smith had decided to take the first step towards finding the new city of Zion, and moved his church and congregation to Kirkland. A few months after arriving, however, Smith and several followers moved to Missouri while headquarters still resided in Ohio. In Missouri, the Mormons settled in Jackson County, a place Smith later named “the literal location of the millennial Zion, the New Jerusalem, and the seat of the coming Kingdom of God on earth”.²⁶

After experiencing severe hardship and persecutions in Missouri, further explained in the next chapter, the Mormons were forced to move yet again. On June 6th 1840, the first group of Mormons, not from the United States but from Great Britain, was sent to Nauvoo, Illinois, to establish their new church center and home. This would become their last home in the United States, before their exodus to the unknown Utah Territory in 1846-7.

While Joseph Smith did in fact establish a new religious direction in the United States, followers of the Mormon faith believed, and still believe, that God simply continues to send a priestly prophet to reorganize true worship and teach true doctrine every time humanity falls. The first prophet in this line of successors was Adam, then Noah, Abraham, Moses, Jesus Christ, and eventually Joseph Smith himself. Because of this, the name Joseph Smith took for his church, the Church of Jesus Christ of Latter-day Saints, was used to distinguish the church from other manifestations in history as well as from the churches of that present day.

Joseph Smith would come to introduce to his people, the United Order; a form of “utopian socialism that required all Saints to turn over ownership of their property to an increasingly elaborate priesthood hierarchy”. The religious life of Mormons was based on participation in and construction of communities that, more often than not, drew them away from the “normal” values of the American democratic culture. This became the prime reason for the growing uneasiness of their neighbors wherever they moved, or had to move in order to escape persecution. And for those who feared the Mormons, they seemed to be dangerous

²⁵ Bowman, Matthew. *The Mormon People: The Making of an American Faith*. New York, New York: Random House Publishing Group, 2012, 79.

²⁶ *Ibid*, 16.

enemies to both the American political system, the religious and political purity, and of the civil and social peace that already existed in the Union.²⁷

The Mormon Church was not really connected to the institution of slavery in any way, yet, as most of the country's white population at the time, Smith and his many followers saw blacks as inherently inferior to whites. This came from his early religious understanding of the Bible and its many stories justifying slavery, something I will come back to in further detail in the next chapter.

While the church was not yet directly connected to slavery, one of the places it received a number of new converts was in the South, where slavery was very much present in society. Mississippi, Tennessee, and North Carolina especially, saw a rising number of Mormons, though several other Southern states had new converts during the early days of the church as well. From the very beginning of European settlement in the United States, slavery had been a part of society, exceedingly developing the economy of the Southern United States. Although slavery had developed differently in various areas of the South, a "traditional society"²⁸ involving slavery became a symbol of the entire southern region of the United States. In this traditional society, laws, policies, and traditions had developed within the institution through decades of evolution, making it an embedded part of southern life in the nineteenth century.

During this time of development in the country, two distinct types of societies emerged in the United States; "slave societies" and "societies with slaves". In the early antebellum period, these two, along with their designated areas of practice, were separated by a single definition; a society with slaves was a place where slaves were present in society, yet it did not control the economy, and the population of slaves was quite low compared to that of the white population. A slave society was one where slavery had become a crucial part of society, and the economy was based on the work of slaves. The slave population was also great compared to that of the white. This is what the entire lower South, and partly the upper South, had evolved into. By the 1820s, slaveholders controlled these states to a degree where laws reducing slaves' freedom to an absolute minimum were enacted, providing them nearly complete dominance over their slaves and the slaves' lives.²⁹ As these laws and rules manifested themselves in southern society, slaveholders migrating west had trouble leaving this way of life behind in the South. As we shall see later in this thesis, a number of rules and

²⁷ Ibid, 17-20.

²⁸ Berlin, Ira. *Many Thousands Gone: The First Two Centuries of Slavery in North America*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press: 1998, 3.

²⁹ Ibid, 8-9.

ways of life rooted in the South migrated with southern slaveholders to the west in search of new land or, in the case of this study, religious freedom, shaping life on the western frontier.

The generation of Americans culminating in the Civil War was more engaged with Scripture and the Bible than any other generation had been in the history of the United States.³⁰ The majority of evangelical Protestants, both in the South and in the North, believed that the Bible accepted, even promoted, slavery in the way it was practiced in the South. The institution maintained some sort of divine sanction. This biblical justification of the institution would come to be used substantially within the Mormon Church in connection to Smith's doctrines on societal issues, including slavery.

Before landing on Utah, several other places were considered for the Mormon exodus that was to happen in 1846-7. Places such as Texas, California, and even Canada were all thought of as options for the migration. However, relying on reports of western explorers, like John C. Frémont whom I will mention further in chapter three, the decision landed on the Valley of the Great Salt Lake. At the time of this decision, the territory was still a part of Mexico, yet, the region had limited oversight by the Mexican government, making it easy to settle there without interruption from outsiders of the church. While interruption was not an issue, the area was known for its harsh climate and unsustainable soil for agriculture. In addition to this, hostile tribes of Native Americans lived in the area already. Despite these hurdles, Brigham Young, who had received the title of prophet after Joseph Smith's death in 1844, was attracted to the low population in Utah, and saw only opportunities for his followers here. Soon slavery's migration westward and a new religious community would merge together and transform a new territory in the west; the Church of Jesus Christ of Latter-day Saints would migrate to Utah, and they would take their colored servants with them.

Before the Mormons arrived in Utah in 1847, Native American tribes had inhabited the area for thousands of years. The Ute and Navajo tribes arrived in the region of southern Utah around 1300 AD, and had been in the area ever since.³¹ By the time of European exploration of the area, beginning with Spanish explorers in 1540, five different Native American tribes resided in the Utah Territory; the Shoshones, Goshutes, Utes, Paiutes, and the Navajos. Spanish explorers travelled through the area up until the late 1700s, before British and American fur trappers started exploring different regions of Utah in the early nineteenth century. In 1824, the trapper party of Etienne Provost saw the Great Salt Lake for the first

³⁰ A. Noll, Mark, *America's God: From Jonathan Edwards to Abraham Lincoln*. New York, New York: Oxford University Press, 2002, 17.

³¹ "Salt Lake City History." Utah.com. 2019. Accessed March 23, 2019. <https://utah.com/salt-lake-city/history>.

time, and by 1828, the beaver population in Utah had been hunted down to almost extinction, forcing fur trappers to leave the area in search of new places to hunt.

The Utah Territory would see little exploration done by Americans after this, until the Mormon settlement started in 1847. As mentioned earlier, Mormon settlers of the Utah Territory came from a multitude of backgrounds in the United States, originating from the East, North, and the South. This meant that people of the Mormon faith were forced to collectively accept each individual's way of living, even if it meant accepting slavery as a social institution within the church. As southern Mormon converts brought their slaves westward, the institution would gradually become an intricate part of Mormons' everyday life in Utah, ultimately leading the most prominent men of the church to legalize it. Why this came to be is impossible to understand without looking at the background history of the church's early leaders and attitudes towards the institution of slavery itself, consequently making this the primary topic of the next chapter. By exploring Joseph Smith and his understanding of contemporary African-Americans before his eventual death in 1844, we can come to understand why and how the church's attitude towards slavery developed into what it did, and why high-ranking church officials legalized the institution in 1852.

Chapter 3

Joseph Smith and Early Church Attitudes on African-American Slavery

And Enoch also beheld the residue of the people which were the sons of Adam; and they were a mixture of all the seed of Adam save it was the seed of Cain, for the seed of Cain were black, and had no place among them.³²

During the early years of the Mormon Church, the church's position on slavery shifted several times, going from slightly supporting it on certain occasions, to denouncing it on others, yet remaining aloof to it whenever it was necessary. The lead figure in the history of this ambiguous changing position was prophet of the Mormon Church, Joseph Smith. Several scholars on this subject have in their work argued for Smith's undeniably pro-slavery position, including Newell G. Bringhurst in his book *Saints, Slaves, and Blacks: The Changing Place of Blacks People Within Mormonism*, Jessie L. Embry in her work *Black Saints in a White Church: Contemporary African-American Mormons*, and Lester E. Bush, Jr. in his article "Mormonism's Negro Doctrine: An Historical Overview"³³. But did Joseph Smith in fact lean towards the pro-slavery side, or was he just being opportunistic?

What we shall see in this coming chapter is how Joseph Smith, throughout his years as Mormon prophet, revealed no uniform doctrine regarding the institution of slavery despite recording numerous doctrines, policies, and procedures regarding societal issues his followers saw as revelations for governing "the restored kingdom of God on earth."³⁴ Understanding and placing the prophet's position regarding the institution of slavery is and has been a difficult task. On many occasions, Joseph Smith spoke out or published written works concerning slavery in connection to his own, or the church's, view on the institution. But while publically stating his opinions on the issue, he seemed to never express the same opinion twice. By studying and connecting the Book of Mormon, published by Smith in 1830, to other works written by Smith, along with the different newspaper articles written by him at different times in his life as Mormon prophet, a pattern emerges: as the church moved from one place to another and changed its geographical residence, Smith's perception of slavery changed as well. His position towards slavery was completely opportunistic and adapted to

³² *The Holy Bible*, Moses 7:22.

³³ Bringhurst, *Saints, Slaves, and Blacks*; Jessie L. Embry. *Black Saints in a White Church: Contemporary African-American Mormons*. Salt Lake City, Utah: Signature Books, 1994.; Bush, Lester E. Jr., "Mormonism and the Negro Doctrine: A Historical Overview," *Dialogue* 8, 1973.

³⁴ Ricks, "A Peculiar Place for the Peculiar Institution," 20.

each and every place the church headquarters had its residence in the United States. While the prophet expressed a desire to stay neutral on the issue, he publically went from portraying a slightly pro-slavery position to a position favoring the emancipation of slaves.

During his transition from this slightly pro-slavery to a more anti-slavery position, Joseph Smith did on several occasions publish official church policies on the institution. While these subtly reflected the surrounding sentiments towards the institution, the policies published were all biblically justified by Smith himself. As this chapter will reveal, Smith seemed to base all his beliefs about slavery on stories from the Bible as well as the Book of Mormon. He had from an early age been taught the *Curse of Cain* and about the importance of lineage from the Bible, which would come to influence and shape both racial policies and the treatment of blacks within the Mormon Church long after his death.

The official church position on slavery, like stated above, would shift throughout Smith's time as prophet of the church, and it would become even more controversial after the assassination of Smith in 1844. After the execution of the prophet, Brigham Young would eventually take over the title as prophet of the church, and again change the official position concerning slavery as the church moved west in 1847. While Joseph Smith and early church attitudes will be the main concern of this chapter, Brigham Young and later church views on slavery will be further discussed later in this thesis.

The time period of fourteen years between the establishment of the Mormon Church and the publishing of the Book of Mormon in 1830, to the time of Joseph Smith's death in 1844 became a critical time for "emerging Mormon attitudes and practices affecting African-Americans."³⁵ Because there was no uniform doctrine expressed towards slavery in the early days of the church, scholars have looked to the Book of Mormon for an indication of what Smith's views were on the institution, "prior to any recorded statements."³⁶ According to several scholars, including Nathaniel R. Ricks, the Book of Mormon contains an ambiguous message about the institution of slavery. Some of the passages in the book describes God's universal love; "he denieth none that come unto him, black and white, bond and free, male and female," as "all are alike unto God,"³⁷ and the peoples of the Book of Mormon "were liberal to all, both old and young, both bond and free, both male and female."³⁸ While these verses might demonstrate a belief in a universal love from God transcending contemporary

³⁵ Ed. Matthew L Harris and Newell G. Bringhurst. *The Mormon Church and Blacks: A Documentary History*. Chicago, Illinois: University of Illinois Press, 2015, 58.

³⁶ Ricks, "A Peculiar Place for the Peculiar Institution," 20.

³⁷ *The Book of Mormon*, 2 Nephi 26:25.

³⁸ *The Book of Mormon*, Alma 1:30.

societal boundaries, they can also be interpreted as an acknowledgement and approval of the social realities that existed at the time, including slavery. Other verses in the Book of Mormon acknowledge the practice of slavery among peoples of the book, showing a validation of servitude of various forms. This comes through especially when discussing how “the masters adhered to the righteous principles or when enslavement could be justified as punishment for disobedience to the laws of God.”³⁹ This “divine” justification was found in other parts of the country as well, as slaveholders all across the South used the Bible vicariously to justify the practice of slavery.

Though the Book of Mormon does not explicitly or directly state the church’s view on slavery, it does tell the stories of how ancient civilizations came from Israel to America in 600 B.C. and how these developed into conflicting ethnic groups. The story of an ancient people, called the Nephites, who came from Israel, is told by Joseph Smith in the Book of Mormon and is the origin story of the Mormons. The Nephites were led by Nephi, and when coming to America they built an urban-based civilization lasting until 400 A.D. Nephi’s brothers, Laman and Lemuel, challenged their brother’s authority and led a group of dissidents into the wilderness, where they declined from their civilized state into a barbaric, nomadic people, becoming known as the Lamanites. In the story of the Lamanites, this people are described as having a “dark skin”. Several scholars have in later times described the skin of the Lamanites as red instead of black, however, as the story of this people is the story of the contemporary Native Americans’ ancestors. As scholars in the field have explained, and as can be found in the Book of Mormon itself, the words “dark” and “red” are used interchangeably in the story of the Lamanites, as well as when describing other dark-skinned people and the curse Joseph Smith thought was inflicted upon them by God.

One of the more extensive discussions in the book is on the curse of a man named Cain. Cain was a biblical counter-figure and the *Curse* became an intricate part of early Mormon teachings on blacks and why they were slaves. Cain was believed by Mormons to be the direct ancestor of the contemporary black people in the United States.⁴⁰ Scholar John B. Stewart in his work on blacks’ position within the Mormon church, *Mormonism and the Negro* from 1960, explains this curse in greater detail. Cain was cursed by God for killing his brother Abel, both being sons of Adam and Eve;

³⁹ *The Book of Mormon*, Mosiah 7:15, 11:23.

⁴⁰ Harris & Bringhurst, *The Mormon Church and Blacks*, 30.

After Cain had defied God’s warnings, committed murder, denied the Holy Ghost and had become Perdition, to rule over Satan, God said to him: “And now thou shalt be cursed from the earth which hath opened her mouth to receive thy brother’s blood from thy hand. When thou tillest the ground it shall not henceforth yield unto thee her strength. A fugitive and a vagabond shalt thou be in the earth.” Cain protested, “he that findeth me will slay me, because of mine inequalities.” And the Lord replied; “Whosoever slayeth thee, vengeance shall be taken on him sevenfold. And I the Lord set a mark upon Cain, lest any finding him should kill him.”⁴¹

We later read in Moses’ account in the Bible how “there was a blackness came upon all the children of Caanan, that they were despised among all people,” and “Enoch also beheld the residue of the people which were the sons of Adam; and they were a mixture of all the seed of Adam save it were the seed of Cain, for the seed of Cain were black, and had no place among them.”⁴² According to Smith, these stories explained how blacks were cursed to be “Servants of Shem.”⁴³ Not only was this curse put upon blacks in the Book of Mormon, but racial degeneration, or the *Curse*, was warned to those groups in society who fell from divine favor and misbehaved. The curse of a “dark skin” was also to be put upon those who chose to fight against God’s chosen people, the Nephites.⁴⁴

This curse of a dark skin appears frequently when discussing any other people than the Nephites in the Book of Mormon, making it appear as though the Nephites, ancestors of the Mormons, were incredibly hostile to outsiders, including blacks. Yet, even though Smith used these stories to justify the church’s early views on blacks, he was eminently affected by the contemporary situation; slavery was a crucial part of the nations economy and its politics, something Smith was highly aware of, making it easy for him to use this “explanation” when trying to avoid being associated with abolitionism later on when the church resided in Missouri. This particular view on black people was not unique to the Mormon Church at this time, however, and it mirrored a similar view in the larger society that all primitive, dark-skinned peoples had in fact degenerated from a more advanced and less primitive state and culture.⁴⁵

In addition to explaining and discussing the *Curse*, the Book of Mormon addresses slavery more directly, though in a pre-Columbian setting, giving the word “slavery” a

⁴¹ Stewart, John B. *Mormonism and the Negro*. Orem, Utah: Bookmark Division of Community Press Publishing Company, 1960, 41. Quote taken from *The Holy Bible*, Moses 5:36-40.

⁴² *The Holy Bible*, Moses 7:8, 7:22. Also quoted in Stewart, 42. Enoch was a descendant of Cain and a figure occurring in the book of Moses in the Bible.

⁴³ *The Holy Bible*, Genesis 9:26.

⁴⁴ Harris & Bringhurst, *The Mormon Church and Blacks*, 32.

⁴⁵ *Ibid*, 33. See also the *Book of Mormon* 2 Nephi 5:20-25.

different meaning than it had in antebellum America. The book stated that it was against the law for Nephites to hold slaves, and they refused to enslave the Lamanites who were less favored, claiming that: “Neither do we desire to bring anyone to the yoke of bondage.”⁴⁶ In the book of Alma, the Lamanites are instead displayed as slaveholders, only proving their unrighteousness, and the Nephites resistance to them was described as a struggle from “slavery” and “bondage”. Although this is one of the stories concerning slavery (not in the contemporary sense) in the Book of Mormon, there are numerous passages in the book recognizing a master-servant relationship. Bondage and slavery discussed in these passages, however, are described as a punishment for wicked and bad behavior.⁴⁷

As Joseph Smith himself wrote the Book of Mormon, it can lead us to presume that the beliefs concerning black people and slavery described in the book were his own. The book contains both pro-slavery and anti-slavery statements, and it can therefore be concluded that the book is neither pro- nor anti-slavery. The book addresses God’s role in the lives of the peoples discussed and does not state directly the position early Mormons had towards slavery. Rather, it confirms that there was no official policy regarding the issue within the church at that time, and early Mormon leaders did not look to the book to justify their pro- or anti-slavery statements.⁴⁸

The Book of Mormon was not the only work written by Joseph Smith where slavery and blacks were discussed. Another work by Smith discussing race, affecting African-Americans more directly, was the *Pearl of Great Price*. The focus of this work was more on certain personas in the Old Testament, specifically in the book of Moses and the book of Abraham. In these books, several persons were considered by both Smith and his followers to be the ancestors of contemporary black people. The first part of this work explained Smith’s interpretations and re-interpretations of the book of Moses, and it was part of a larger work to “correct” both the Old and the New Testament. In 1832 and 1833, portions of this work was published in the church newspaper, the *Evening and Morning Star*. It is in this work, along with in the Book of Mormon, that we find Smith’s thoughts on the *Curse of Cain*, originally from the book of Moses.⁴⁹ Smith’s work on the book of Moses displays his earlier views on race, while the work he did on the book of Abraham shows his evolving thoughts on the same subject, being written at a later time than his work on the book of Moses. His writings on the

⁴⁶ The *Book of Mormon*, Alma 44:2.

⁴⁷ Passages can be found in the *Book of Mormon*, Jacob 5:15-75; Mosiah 7:15, 20, 22; 11:21, 23; 29:18; Alma 50:22; 61:12.

⁴⁸ Ricks, “A Peculiar Place for the Peculiar Institution,” 22.

⁴⁹ Harris & Bringhurst, *The Mormon Church and Blacks*, 41.

book of Abraham were first published in 1842 in another church newspaper, the *Times and Seasons*, and it relates to Abraham the prophet's experiences during his time in Egypt. Yet, more importantly, the work contains several Mormon beliefs and principles, eventually embraced by the church and Smith's followers as fundamental. The work exposed how Smith was more interested in the descent of authority and the configuration of family lines, than the implication of modern race relations, as the work describes the biblical figures Pharaoh, Ham, and Egyptus (all part of the book of Abraham) in one lineage, while Abraham came from another. Ham was in this story the ancestor of all dark-skinned people, while Abraham was the ancestor of the light-skinned people. As he did in the Book of Mormon, Smith here used stories from the Bible to justify and explain slavery in society. This biblical justification of the institution will be a recurring theme in this thesis, as not only Joseph Smith exercised this belief, but also his successor Brigham Young and the Mormon Church as a group. They all believed that slavery was sanctioned by the Bible and should therefore continue its practice in society.

The last book written by Joseph Smith discussing slavery as it existed in contemporary society was the *Doctrine and Covenants*. The content of this book was used as laws and rules for the church members, and it explained how to practice their faith within the Mormon community.⁵⁰ Not only did this book directly address slavery as it existed in antebellum America, but it also revealed an anxiety over the growing issue of slavery in the United States. Joseph Smith expressed in this work a desire for his church to stay neutral, or at least remain aloof, from the whole slavery controversy. The *Doctrine and Covenants* was a part of Smith's "Revelation and Prophecy of War" in 1832. In this revelation, Smith predicted the coming of a civil war as a direct consequence of the slavery controversy splitting the nation at that time.⁵¹ A year later, Smith proclaimed that "no man should be in bondage one to another," seemingly disapproving of the institution of slavery. However, what could have looked like a denunciation of slavery was in fact not related to slavery at all. According to historian Lester E. Bush, Jr., the statement has traditionally been interpreted as meaning economic bondage, and not physical bondage as it was practiced in the antebellum South.⁵²

Joseph Smith's "Revelation and Prophecy of War" came out at a time when the nation was facing its Nullification Crisis; a sectional political crisis between South Carolina

⁵⁰ Ibid, 50.

⁵¹ *Doctrine and Covenants* 87:1-8. Accessed October 31, 2018. www.lds.org/scriptures/dc-testament/dc/87?lang=eng

⁵² Bush, Lester E., Jr. "A Commentary on Stephen G. Taggart's Mormonism's Negro Policy: Social and Historical Origins." *Dialogue: A Journal on Mormon Thought*, Vol. 4, Winter 1969, 34.

and the federal government. South Carolina had in the same year as Smith received his Revelation, declared independence from the Union in response to Congress' Tariff of Abominations causing the country to be on the verge of a civil war already in 1832. In his Revelation, Smith stated that South Carolina's rebellion would "terminate in the death and misery of many souls" while "the Southern States shall be divided against the Northern States, and the Southern States will call on other nations...and they shall also call upon other nations, in order to defend themselves against other nations; and then war shall be poured out upon all nations." He further included the slaves in his Revelation, stating that "it shall come to pass, after many days, slaves shall rise up against their masters, who shall be marshaled and disciplined for war."⁵³ While the Revelation does mention slaves, it does not discuss slavery *per se*, and it only mentions slave uprisings while leaving out taking an actual stand on the issue; Smith was still not for or against slavery.

As stated by Ricks: "By late 1832 the most that could be said of Mormons in relation to slavery was that they were cognizant of it as a problem within the context of larger punishments to be unleashed on those who found themselves out of favor with God."⁵⁴ Put simply; the church believed that contemporary black people were cursed; yet they still did not have an official policy on slavery. By this time, the Mormons had established headquarters and gathering places in both Kirkland, Ohio and in Jackson County, Missouri. In Jackson County, church member William W. Phelps began publishing a church newspaper in 1832, called *The Evening and Morning Star*, making it one of the earliest Mormon newspapers to be published and circulated. In 1833, Joseph Smith personally encouraged Phelps to "render the *Star* as interesting as possible," as "if you do not render it more interesting than at present, it will fall, and the Church suffer a great loss thereby."⁵⁵ If what he did next excited Mormons is hard to say, but in that same year he caught the attention of their non-Mormon neighbors.

While publishing several articles on slavery, one article came to stand out and change Mormon's way of living. The article was titled "Free People of Color" and was published in the *Star* in July of 1833. While the purpose of the article was to prevent people of color to join the church or enter the state, Missourians interpreted it as the exact opposite. One statement in particular caught their attention: "In connection with the wonderful events of this age, much is doing towards abolishing slavery, and colonizing the blacks, in Africa."

⁵³ *Doctrine and Covenants*, 87; see also Joseph Smith, *History of the Church of Jesus Christ of Latter-day Saints*. Ed. Brigham H. Roberts, Salt Lake City, Utah: Deseret Book Company, 1980, 1, 301-2. The Revelation and Prophecy of War was first published in the *Evening and Morning Star* in 1832, however, it was not published until 1851 in *Doctrine and Covenants*, and it was not widely circulated until then.

⁵⁴ Ricks, "A Peculiar Place for the Peculiar Institution," 23.

⁵⁵ Smith, *History of the Church*, 1, 317.

Phelps had started off his article with a statement declaring that, “to prevent any misunderstanding among the churches abroad, respecting free people of color, who may think of coming to the western boundaries of Missouri, as members of the church, we quote from the following clauses from the laws of Missouri,” further quoting excerpts from the Missouri code relating to free blacks entering the state, as this was prohibited without having a certificate of citizenship from a different state. He even summed up his article by saying:

Slaves are real estate in this and other states, and wisdom would dictate great care among the branches of the church of Christ on this subject. *So long as we have no special rule in the church, as to people of color, let prudence guide; and while they, as well as we, are in the hands of a merciful God, we say: Shun every appearance of evil.*⁵⁶

This statement appeared to be conveying the same ambiguity on the subject as the Book of Mormon did, attempting to keep a neutral position towards the issue. Still, this was not how non-Mormon Missourians interpreted the article when reading the words “abolishing slavery” and “wonderful events” in the same sentence. As Missourians already had suspicions about their Mormon neighbors, this did not go unnoticed, and members of the Mormon Church soon found themselves in a “maelstrom of violent opposition that would follow them until they left Missouri’s borders.”⁵⁷ An opposition was even organized in the area against the Mormons, and a “Secret Constitution” or “Manifesto” started circulating, explaining the non-Mormon Missourians’ views against their neighbors:

In a late number of the *Star*, published in Independence by the leaders of the [Mormon] sect, there is an article inviting free negroes and mulattoes from other states to become “Mormons”, and remove and settle among us. This exhibits [Mormons] in still more odious colors. It manifests a desire on the part of their society, to inflict on our society an injury that they know would be to us entirely insupportable, and one of the surest means of driving us from the country; for it would require none of the supernatural gifts that they pretend to, to see that the introduction of such a caste among us would corrupt our blacks, and instigate them to bloodshed.⁵⁸

By concluding the Manifesto with the statement: “We owe it to ourselves, our wives, and children, to the cause of public morals, to remove them from among us,” non-Mormon

⁵⁶ Phelps, William W. “Free People of Color.” *The Evening and Morning Star*. (Independence, Missouri), vol. 2, no. 14, July 1833, 218. Emphasis in original.

⁵⁷ Ricks, “A Peculiar Place for the Peculiar Institution,” 26.

⁵⁸ “Manifesto of the Mob,” in Smith, *History of the Church*, 1:375-6.

Missourians called upon the citizens of Jackson County to meet in Independence on July 20th in 1833 to further discuss the situation.

In an attempt to counter some of these accusations, the writer and editor of the disputed article, William W. Phelps, published an “Extra” edition of his newspaper two days later, saying: “We often lament the situation of our sister states in the south, and we fear, lest, as had been the case, the blacks should rise and spill innocent blood: for they are ignorant, and a little may lead them to disturb the peace of society.” He further emphasized his own, as well as the church’s, opposition to the emigration of free blacks into the state: “We are opposed to have free people of color admitted into the state; and we say, that none will be admitted into the church, for we are determined to obey the laws and constitutions of our country.”⁵⁹ Though trying to preserve a favorable position towards the issue of slavery while residing in Jackson County, neighboring Missourians ignored his attempt at correcting the situation and on July 20th 1833, they gathered in Independence like they had planned. Phelps’ newspaper office was destroyed and both Phelps himself and several other prominent leaders of the Mormon Church were expelled from the county.⁶⁰ While the Mormons were expelled from Jackson County and the state of Missouri, the issue of slavery and the church’s connection to it would continue to follow them.

After being expelled from Missouri, the church now turned to its other, and now only, headquarter located in Kirkland, Ohio. Here, a man named Oliver Cowdery took over *The Morning and Evening Star*, and in January of 1834, he published an article defending Phelps’ earlier article, calling it “The Outrage in Jackson County, Missouri: “[W]e deny the charge, that the slaves in that county were ever tampered with by us, or at any time persuaded to be refractory, or taught in any respect whatsoever, that it was not right and just that they should remain peaceable servants.”⁶¹ While it was not in Cowdery’s place to speak for the entirety of the church in this matter, it was another attempt to stay publically neutral on the issue.

In 1835, an article called “Governments and Laws in General” was published in a church newspaper and it would come to be known as the church’s official policy on African-American slavery. The article was later appended in the *Doctrine and Covenants* under the extended title “A Declaration of Belief Regarding Governments and Laws in General” in 1851 when the *Doctrine* was published as a whole. The article was written by Joseph Smith

⁵⁹ Phelps, William W. *The Evening and Morning Star Extra*. (Independence, Missouri), 16 July 1833.

⁶⁰ Smith, *History of the Church*, 1:390-5.

⁶¹ Cowdery, Oliver. *The Evening and Morning Star* (Kirkland, Ohio), vol. 2, no. 16, January 1834, 243.

and was first discussed, then adopted by a unanimous vote at a general assembly of the Mormon Church held in Kirkland, Ohio on August 17th 1835. When published in the newspaper, the article stated:

We believe [i]t [is] just to preach the gospel to the nations of the earth, and to warn the righteous to save themselves from the corruption of the world; but we do not believe it right to interfere with bondservants, neither preach the gospel to, nor baptize them contrary to the will and wish of their masters, not to meddle with or influence them in the least to cause them to be dissatisfied with their situations in this life, thereby jeopardizing the lives of men; such interference we believe to be unlawful and unjust, and dangerous to the peace of every government allowing human beings to be held in servitude.⁶²

This was accepted as the “expression...of the belief of the Saints at that period on [this] subject.”⁶³ The article reflected a position of non-interference rather than that of anti-abolitionism. In this history, these two are important to take notice of and differentiate. The church and its people did not adopt an anti-abolitionist position towards slavery, which was proven by the fact that there was no castigation, condemnation, or mention of an abolitionist approach in any works done by Mormons at that time. Although the statement above was trying to avoid being identified with the abolitionist movement, the church’s views did counter radical abolitionist sentiments; they did not explicitly state an opposition to the beliefs of abolitionists. It does, however, appear as though the church had a greater desire of not being associated with abolitionists and the anti-slavery side of the issue, rather than the side of the pro-slavery. This was a consequence of the church headquarters’ location at the time, as this was in Ohio- the focal point of the abolitionist movement. Though Joseph Smith approached the slavery issue with, what could publically be viewed as a neutral position, in Kirkland, this was merely in order to gain, or not lose, followers in their place of residence. However, Smith did not want to lose supporters in the South either, as the church had a growing number of converts in this area already. This meant that pleasing a Southern crowd was necessary as well as pleasing their neighbors in Ohio, forcing the church to publically assure their Southern members of how they had no intention of meddling with a master-slave relationship, while still portraying neutrality to their neighbors in Ohio. Despite being seen as abolitionists by contemporary non-Mormon Missourians and as supporting the pro-slavery

⁶² Smith, *History of the Church*, 1: 249; and *Doctrine and Covenants* 134:12. Accessed October 31, 2018. www.lds.org/scriptures/dc-testament/dc/134?lang=eng

⁶³ Smith, *History of the Church*, 1: 246-7; also quoted in Ricks, “A Peculiar Place for the Peculiar Institution,” 28.

case by many historians in more recent times, attaining a large number of followers for his church was Joseph Smith's ultimate goal, forcing him to project contradicting attitudes towards the institution wherever he went.

It has in the past been argued that Smith had a pro-slavery attitude, which, considering the surrounding circumstances and rapid publishing of several articles criticizing abolitionism, is easy to do. The official statement of 1835 might have seemed like a turning point for Smith and his views on slavery, as it can look like he went from a neutral and aloof standpoint, to being slightly pro-slavery. Three factors are contributing to this theory of change; the first being Mormon's presence in the slave state of Missouri during their time there, the second being Smith's wish to spread and grow his new religion in the South to possible converts where slavery was highly present in society, and the third and most crucial was the Mormon's anxiety for being associated with the abolitionists.⁶⁴ Though this theory correctly expresses how Smith's early statements from the 1830s, 1840s, as well as Brigham Young's later statements, shaped the church's views on slavery, it does not hold up. Though articles were published criticizing the abolitionist movement after 1835, they did not express pro-slavery sentiments and must rather be seen as articles of non-interference- again a result of the church's place of residence at the time.

A year later, in 1836, Joseph Smith himself published an article in the *Messenger and Advocate*, another church newspaper located in Ohio, that he called "Communication from Joseph Smith on Abolition". This article written by him, along with other articles in the same newspaper written by church members Warren Parrish and Oliver Cowdery (editor of the *Morning and Evening Star* in Ohio), was the most extensive discussion to date on slavery during the early days of the church. In addition to criticizing a new chapter of the American Anti-Slavery Society in Ohio and how it was doing poorly (in Smith's view),⁶⁵ Smith wrote about new converts in the South: "I am promoted to this course in consequence...of many elders having gone into the Southern states, besides, there now being many in that country who have already embraced the fullness of the gospel."⁶⁶ Mormonism was spreading across several states at this point and Smith had to clearly state his own personal opinions concerning slavery, as this could be a dividing factor in the church without his own personal endorsement of either side in the conflict. Although Smith encouraged maintaining the "status quo",

⁶⁴ Embury, *Black Saints in a White Church*, 23.

⁶⁵ Emissary for the American Anti-Slavery Society, James W. Alvord, had in 1836 started a new chapter in Kirkland, Ohio with eighty-six members, where at least one of these was Mormon. In a letter to the editor of the *Messenger and Advocate*, Smith wrote that in the meetings Alvord held, "the gentleman [held] forth his arguments to nearly naked walls." Newell G. Bringhurst, *Saints, Slaves, and Blacks*, 15.

⁶⁶ *Latter-day Saints' Messenger and Advocate*. (Kirkland, Ohio), vol. 2, no. 7, April 1836, 289-90.

meaning he wanted to keep slavery where it existed while not expanding it further, his position in this article seemed to be manifestly sympathetic to the pro-slavery side of the conflict.

While the article can easily be interpreted as pro-slavery in this case, it is important to realize how pro-slavery activists at this time advocated for guaranteed perpetuity of slavery as well as the annexation of Texas, making it possible for current slaveholders to spread the institution further west. Smith did not at any point in his article address neither of these two subjects, giving credibility to a theory of how Smith took a middle ground on this controversial issue at this particular time, even though his position changed slightly in defense of owning slaves in order to please his Southern followers. He also blamed extreme abolitionists for the slave insurrections in the South, and urged them to “cease their clamor, and no further urge the slave to acts of murder, and the master to vigorous discipline, rendering both miserable, and unprepared to pursue that course which might otherwise lead them both to better their condition.” Even more pro-slavery was the way he continued his article:

It may, with no doubt, with propriety be said, that many who hold slaves live without fear of God before their eyes, and the same may be said of many in the free states...I do not believe that the people of the North have any more right to say that the South *shall not* hold slaves, than the South have to say the North *shall*...What can divide our Union sooner, God only knows!⁶⁷

While expressing his own justifications when defending slave owners in this article, he also applied other biblical justification practiced by Southerners at that time, using scripture that absolved enslaving blacks. With this, he affirmed the Book of Genesis, stating, “a servant of servants shall [Canaan] be unto his brethren.” This, along with other accounts in the Pauline epistles of the Bible, confirmed the existence of slaves and slavery among ancient Christians, and how they required “faithful service of servants and godly mercy of masters.”⁶⁸

Southerners used these scriptures to justify slavery, even though they had problems connecting contemporary blacks to the Canaanite line of descent like Smith had done. This contributes to an understanding of superficial use of biblical scriptures practiced by Southerners to justify their way of life in order to keep their institution. While this was the case for most people in the South, Smith seemed to be searching for an underlying principle in

⁶⁷ Ibid.

⁶⁸ Ibid; quoted from *The Holy Bible*, Genesis 9:25-7.

these scriptures; God had himself wanted the enslavement of millions of Africans. The reason was unknown, but “the people who interfere the least with the decrees and purposes of God in this matter, will come under the least condemnation before him [for]... God can do his own work without the aid of *those who are not dictated by his counsel*,” according to Smith.⁶⁹ God himself directed His chosen people how to act, and the Mormons “believed that God was directing their church through Joseph Smith, and Smith believed that God would really direct him in all essential matters.”⁷⁰ This essentially meant that until God “chose” to end the enslavement of blacks, the church and Joseph Smith could not act on the matter either. This was affirmed in the closing of his letter in the *Messenger and Advocate*, when Smith referred to his 1835 statement concerning neutrality: “All men are to be taught to repent; but we have no right to interfere with slaves contrary to the mind and will of their masters.” He further recommended that “it would be much better and more prudent, not to preach at all to slaves, until after their masters are converted. They should then be instructed to treat their slaves with kindness.”⁷¹

Smith’s ultimate goal in writing this article, and his ultimate goal concerning his congregation in the scope of American society, was to unify his church now spreading across both Northern and Southern states, under one policy concerning slavery. As intended by Smith, people interpreted this policy differently across the states. The primary intention of it, however, was to portray a message resonating with every kind of convert across the nation, both in the North and the South, in order to gain followers and new church members. In the conclusion of his letter, Smith wrote: “I leave it in the hands of God who will direct all things for his glory and the accomplishment of his work.”⁷² As Brigham Young would after him, Smith believed in the divine forces of his Holy Father and meant that God himself would direct him further if slavery was meant to change. Until Smith received further guidance by God concerning slavery, status quo was to be maintained across the nation and his church was to stay neutral towards the institution. This neutrality was his attempted “face” outwards to an increasingly skeptic and judgmental American population. While portraying a neutral stance, this position was used as a cover for his opportunistic approach to gaining followers wherever he went.

⁶⁹ *Latter-day Saints’ Messenger and Advocate*. (Kirkland, Ohio), vol. 2, no. 7, April 1836, 289-90. Emphasis in original.

⁷⁰ Ricks, “A Peculiar Place for the Peculiar Institution,” 31.

⁷¹ *Latter-day Saints’ Messenger and Advocate*. (Kirkland, Ohio), vol. 2, no. 7, April 1836, 291.

⁷² *Ibid*.

The Mormons maintained their policy on slavery for six years, while occasionally expressing their desire of not wanting to be associated with the abolitionists. Even though the church's official policy on slavery was an attempt to stay neutral on the issue in the public eye, it could easily have been viewed by both contemporary United States citizens and by later historians as slightly pro-slavery rather than the opposite. By constantly reassuring the public of their non-affiliation with abolitionism and the abolitionist movement, it would seem as though they leaned towards the institution more than they were denouncing it. What can be said for certain in the case of Joseph Smith and his views on slavery, however, is that his overall intention was to draw people towards his church and gain followers wherever he could more than anything else. Whether that meant to praise slaveholders in one place and condemn slavery in another, solely depended on his surrounding community. By 1842, the Mormons and the church headquarter had moved to Nauvoo, Illinois, which again caused changes in their view of the institution.

Several members of the church after moving to Nauvoo, changed their own opinions towards the institution and started to openly criticize and condemn slavery and its slaveholding oppressors. Geographical placement of the church's headquarters again changed Mormon attitudes on the issue, and possessing an anti-slavery position in Nauvoo, Illinois would not antagonize or create as much adversity as it would have done in Missouri, their former place of residence. Because Illinois was a part of the free North at that time, the attitudes of Mormon Church members seemed to mirror that of other contemporary attitudes and views on the perceived oppression of slavery. They felt driven, or even forced, to have an anti-slavery position by the pro-slavery advocates in the South.⁷³ Multiple controversies took place from the 1830s up until the Civil War that led northern abolitionists to further extreme positions in their opposition of slavery. While this was happening, the South firmly stood their ground on keeping their institution, whatever the cause.

In 1842, Smith published a letter in the church periodical, the *Times and Seasons*, responding to mayor John C. Bennett's letter to Chicago physician, Charles V. Dyer. Bennett's letter told of the Mormon persecutions in Missouri in 1833, at the hands of slaveholders, and stated his contempt for every sort of bondage existing in the nation. Using many of Bennett's own words, Smith responded to the letter:

[I]t makes my blood boil within me to reflect upon the injustice, cruelty, and oppression, of the rulers of the people- when will these things cease to be,

⁷³ Ricks, "A Peculiar Place for the Peculiar Institution," 33.

and the Constitution and the Laws again bear rule?...I fear for my beloved country- mob violence, injustice, and cruelty, appear to be the darling attributes of Missouri, and no man taketh it to heart!⁷⁴

As this statement came directly from the prophet himself, enemies of the church viewed it as explicitly displaying the church's favor of abolitionism. As his follower and church member, William W. Phelps, had done nine years earlier, Smith responded to the criticism by publishing another article. In the responding article, he stated that "[t]he correspondence does not show either myself or Gen. Bennett to be abolitionists, but the friends of *equal rights and privileges to all men*."⁷⁵ His assertive tone and his conscious omission of slavery in the article, portrays an exaggeration of neutrality, making it seem as though he was now leaning more towards, if not abolitionism, then the anti-slavery side rather than that of the pro-slavery side in the controversy. The same exclusion of mentioning slavery happened again months later, when Smith published yet another article in the *Times and Seasons*, now discussing the cruel treatment his fellow church members received while residing in Missouri. While he tries to reaffirm a neutral position, it again seems like Smith was beginning to lean towards the anti-slavery side by omitting slavery as a whole:

The church of Latter-Day Saints will not be the only people, who complain of injustice and oppression from the people and government of Missouri. We care nothing about abolitionism, and have nothing to do with it, but we do care about the honor and virtue of our country, and want an equal enjoyment of rights and privileges from the banker to the beggar; from the president to the peasant.⁷⁶

What was new about this statement was Smith's avoidance of his biblical defense and justification of slavery as an institution. Was Smith slowly moving towards the side of abolitionist in the controversy, or was he finally reaching a position of total neutrality?

In the two short years between 1842 and 1844, Smith would come to change his stands towards slavery quite drastically. Going from a position of self-claimed neutrality, he now, in 1844, came to embrace an anti-slavery view. This became very much publicized in his presidential platform of that year. Many scholars have tried to understand why this drastic change happened at this point in time. Factors like the changing of the national politics in the country, the location of the church headquarter, along with the Mormon's earlier expulsion

⁷⁴ John C. Bennett to Charles V. Dyer, 20 Jan. 1842, and Joseph Smith, Jr. to John C. Bennett, 7 Mar. 1842, *Times and Seasons* (Nauvoo, IL) vol. III, no. 10, 15 March 1842, 724.

⁷⁵ *Times and Seasons*, vol. III, no. 15, 1 June 1842, 808. Emphasis in original.

⁷⁶ *Times and Seasons*, vol. III, no. 23, 1 October 1842, 940.

from the state of Missouri, have all been proposed as legitimate reasons for Smith's rapid change of heart concerning slavery. A new and little explored motivation for this change, however, can give shed new light on Smith's decision to follow an anti-slavery standpoint in 1844; he evoked an awareness of how principles uncovered by him many years earlier could be applied to this issue. Just after arriving in Jackson County, Missouri in 1831, elders received counsel from God through Smith on his will concerning them:

For behold, it is not meet that I should command in all things; for he that is compelled in all things, the same is a slothful and not a wise servant; wherefore he receiveth no reward. Verily I say, men should be anxiously engaged in a good cause, and do many things of their own free will, and bring to pass much righteousness; for the power is in them, wherein they are agents unto themselves. And inasmuch as men do food they shall in nowise lose their reward. But he that doeth not anything until he is commanded...the same is damned.⁷⁷

“Being anxiously engaged in a good cause” was now something Smith believed about the anti-slavery side of the conflict. Again, this stemmed from the geographical location of the church's headquarter at this particular time; Ohio. By speaking in favor of ending slavery, Smith had a greater chance of gaining followers in the free North, as Ohio was a free state. Smith was politically aware of the changing attitudes towards slavery in the nation, causing him to focus on the anti-slavery side of the controversy. Abolitionism was a growing movement, and by actively expressing a wish for emancipation in 1844, his chances of expanding his congregation were greater than by promoting pro-slavery sentiments.

Though he had not received revelations from God concerning the issue of slavery, he believed it was up to each individual person to work towards the good in society, including the liberation of slaves. It was by taking this position towards the institution in his presidential platform that Smith and his church was to be remembered for regarding their position in the slavery controversy; as anti-slavery.

Smith's leading motivation to run for president of the United States in 1844 was to communicate the knowledge of the injustice his people and himself had been put through during their time in Missouri. He wanted to inform the nation of how politicians had failed his people by not defending their case, while also looking to resolve differences between the sides on the issue of slavery- all without the eruption of more violence.⁷⁸ His platform portrayed

⁷⁷ *Doctrine and Covenants* 58:1, 26-29.

⁷⁸ Ricks, “A Peculiar Place for the Peculiar Institution,” 36-7.

him as a leader of the liberties his people were denied so many years ago, along with so many other people in the United States denied of their liberties by the country as a whole. Among these other peoples were the slaves. Smith pointed out many contradictions in American principles as a whole in his platform, among them being the Declaration of Independence's proclamation that "all men are created equal," yet somehow, "at the same time, some two or three millions of people are held slaves for life, because the spirit in them is covered with darker skin than ours." Equally important to Smith was the case of the unjustly incarcerated, that "hundreds of our own kindred" were incarcerated, while so many criminals of different sorts went unpunished in his mind: "the dualist, the debauchee, and the defaulter for millions, and other criminals." Smith meant and expressed that "the freest, wisest, and most noble nation of the nineteenth century," should strive for universal liberty for all and be the just spirit of the United States. "The main efforts of officers---ought to be directed to ameliorate the condition of all: black or white, bond or free."⁷⁹

After this, Smith visited former presidents in his platform speech, discussing national unity. Despite reaching a time of glory during the Jacksonian era, according to Smith, the nation quickly deteriorated under Martin Van Buren, William Henry Harrison, and John Tyler. During this discussion, Smith hinted at opposing abolitionism once again, however, after the inclusion of opposing abolitionism, he goes on to address slavery in the context of eliminating opposing points of view from the national debate:

Petition also, ye goodly inhabitants of the slave states, your legislators to abolish slavery by the year 1850, or now, and save the abolitionist from reproach and ruin, infamy and shame. Pray Congress to pay every man a reasonable price for his slaves out of the surplus revenue arising from the sale of public lands, and from the deduction of pay from the members of Congress.⁸⁰ Break off the shackles from the poor black man, and hire them to labor like other human beings; for "an hour of virtuous liberty on earth, is worth a whole eternity of bondage!"⁸¹

⁷⁹ John Taylor. *General Smith's Views of the Powers and Policy of the Government of the United States*. Nauvoo, IL: by the author, 1844, 3-8. Pamphlet was reprinted in the *Times and Seasons*, vol. V, no. 10, 15 May 1844, 528-33. Remarks dated on 7 Feb. 1844.

⁸⁰ Joseph Smith suggested to "reduce Congress at least one half," as this would be the solution to all those who sought to enter Congress with fame in mind. "Two Senators from a state and two members to a million of population, will do more business than the army that now occupy the [Congress]," was Smith's thought. This would also reduce costs of having too many people working in Congress, which again would open up funds to other areas in need of funding.

⁸¹ Taylor, 3-8; the quote "an hour of virtuous liberty on earth, is worth a whole eternity of bondage!" was paraphrased from Joseph Addison's 1713 tragedy, *Cato*, Act II, scene 1. According to historian B.H. Roberts, this quote, along with others in the platform, was inserted or included at the suggestion of William W. Phelps.

According to Smith in his platform, gradual and compensated emancipation was a solution to the slavery problem facing the nation; this would eliminate the problem fully from any debate, and it would avert further agitation from abolitionists, while still dealing with slave owners in a justly manner. It would “create confidence! Restore freedom! – end slavery!” in Smith’s own words.⁸² By expressing these sentiments, Smith committed to the cause of gradual abolition and liberty for all men while still preserving the property rights all men had the right to have according to the Constitution and the Declaration of Independence by proposing to purchase slaves from their owners.

[W]hen th[e] people petitioned to abolish slavery in the slave states, I would use all honorable means to have their prayers granted: and give liberty to the captive; by giving the southern gentleman a reasonable equivalent for his property, that the whole nation might be free indeed!⁸³

Smith also believed that only democracy itself could inevitably end slavery, as “in the United States, the people are the government; and their united voice is the only sovereign that should rule.”⁸⁴ Therefore, if slavery was to be abolished, it had to be a choice collectively made by the people of the entire nation, in Smith’s opinion.

Particularly interesting about Smith’s views on the institution of slavery was how he later expressed his favor for annexing Texas. This was, however, not to spread slavery westward, like southern slaveholders had expressed their wishes for ever since people started exploring and settling the territory years earlier. What Smith wanted for the territory and state of Texas was to colonize former slaves. With the word “colonize”, Smith meant to send all former slaves to the state of Texas, making it a colony of former black slaves collectively residing in the state as a group. According to Smith, this was because “the South holds the balance of power. By annexing Texas, I can do away with this evil. As soon as Texas was annexed, I would liberate the slaves in two or three States, indemnifying their owners, and send the negroes to Texas, and from Texas to Mexico, where all colors are alike.” This would solve the problem of having former African-American slaves present in Southern society, as it would have proven problematic for the former slaveholders. According to Smith, this would have perpetuated the “Slave Power.”⁸⁵ What this shows is that even though Smith eventually

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Smith, Joseph Fielding. *Teachings of the Prophet Joseph Smith*. Salt Lake City, Utah: Deseret Book Company, 1976, 334.

supported the emancipation of slaves by constitutional means, he was not in favor of intermixing the races and believed in preserving the distinction between white and black by “colonizing” the former slaves in one place, mirroring a common contemporary “separate but equal” practice.⁸⁶

Several factors shaped Joseph Smith’s responses and actions concerning slavery throughout his time as prophet of the Mormon Church. The missionary efforts of the church brought people from a range of different places and backgrounds together under one faith, forcing Smith to perform a controlled, yet difficult, balancing act. As people from both the North and the South converted to Mormonism during Smith’s years as leader, his position towards slavery had to meet the needs of both sides and conciliate all of his followers. Although the prophet had members around him clinging to either side of the issue, Smith himself tried to balance his standpoint to meet the needs of his congregation wherever he went. This caused him to shift his position several times, leaning slightly towards the pro-slavery on some occasions, and supporting the pro-abolitionist side on others.⁸⁷

In early 1844, a newspaper called the *Nauvoo Expositor* was established in Nauvoo, Illinois. The newspaper’s sole purpose in the state was to expose the “abominations and whoredoms” of Smith and other high-ranking church officials. In the spring of that year, Smith authorized the destruction of said newspaper, and ordered some of his church members to destroy the newspaper’s printing equipment. Joseph Smith and his brother, Hyrum Smith, were later charged with inciting a riot at the building housing the newspaper. After voluntarily agreeing to an arrest with his brother, Smith was scheduled to have his hearing in court on June 29th 1844. On the afternoon of that day, however, a mob of non-Mormon Illinoisans gathered outside the jail where the Smith brothers were held. They broke into their second floor cell and killed both Joseph and his brother Hyrum, along with injuring another Mormon inmate named John Taylor.⁸⁸ With the prophet killed, it took two whole years for the church to obtain a new leader. In 1846, Brigham Young, received the title as prophet of the Church of Jesus Christ of Latter-day Saints, and he was to lead the Mormons out of Nauvoo to a new territory in the West.

While trying to appease both Northerners and Southerners within his church, Smith portrayed ambiguous views on the issue over his years as church leader, using his personal standpoint as a tool to gain followers wherever he went. His successor, Brigham Young,

⁸⁶ Ibid, 270.

⁸⁷ Ricks, “A Peculiar Place for the Peculiar Institution,” 48.

⁸⁸ Linder, Douglas O. ”The Carthage Conspiracy Trial: An Account.” Famous Trials. 2017. Accessed December 19, 2018. <https://www.famous-trials.com/carthage/1262-home>.

would on several occasions, as his predecessor, speak publically of slavery. Young, however, was not as ambiguous as Smith had been, and would regularly refer to slavery as a “divine institution”. Under his leadership, numerous converts from the South would bring their slaves with them to their new home in the Utah Territory, and in 1852, Young and fellow church officials in the Utah legislature would legalize the institution.

The next chapter in this thesis will look at the Mormon exodus to the Utah Territory, starting with the first trek arriving in the Valley in 1847. In this chapter, I will analyze the history found through research on a micro-level, or on the local level of history. This will include several personal stories from the journey made across the plains, as Mormon converts and their slaves travelled to their new home in the West. The reason for including this micro-level analysis is to give a face to the larger picture of this history, as well as to understand what individual slaves felt and experienced in their personal journey West.

While the story of the Mormon pioneers has been told time and again throughout history, the people telling the story have often seemed to omit an important detail of the story; some of the pioneers were slaves. To highlight the importance of these lesser-known pioneers largely overlooked in history, I have decided to dedicate a chapter telling the story of their efforts and their help in moving the church, and to what extent they settled a whole new territory in the West.

Chapter 4

Saints Bringing Slavery West: The Church of Jesus Christ of Latter-day Saints Migrates to the Utah Territory

In 1847, the first people of the Mormon faith set foot in the Salt Lake Valley. The company constituted 143 men, three women, and two children, along with their animals and wagons. These pioneers are all honored on a bronze plaque in Heritage Park in Salt Lake City, where they entered the Valley. Under the names of the Mormon pioneers stand the names Green Flake, Hark Lay, and Oscar Crosby next to the words “colored servants”. These were the pioneers’ slaves.

African-American slaves were a bigger part of the move West than what the common understanding of this history implies. Though blacks had passed through Utah before, it was not until the arrival of the Mormon Church that Utah’s black community started to grow, bringing institutions from the South to the Utah Territory in the mid-nineteenth century. The trek across the plains westward had been done a multitude of times in the past by explorers and people looking for a better life in unknown territory. Yet it had never been done to the extent of the Mormon exodus. Hundreds of Mormons made their way from the North, East or South to a new territory in the West to start a new life amongst fellow church members, unaffected by the former repressions and subjugations of the United States’ judgmental citizens. However, while the Mormon converts wanted to start a new life in the West, many were not willing to give up on old traditions. As a consequence, the institution of slavery followed many Southern converts West, and opened up a new territory for debates about the issue dividing the nation.

When analyzing the institution of slavery within the Mormon Church, it is important to understand the complexity of this overlooked, yet complicated period of history. It is easy to look past the specific individuals on the micro-level of history, who were an eminent part of the church’s move West and their settlement of the Salt Lake Valley, as the history of blacks in the Mormon Church has largely been untold or hidden until recent years. To underscore the importance of individual stories in the context of a larger historical picture, I have dedicated this chapter to the voices of pioneer slaves in the Utah Territory, before the official legalization of the institution in 1852. In the process of presenting these individual stories, the attention paid to each story trumps the importance of analyzing the overarching impact each of them had on the historical picture as a whole. Consequently, the following

chapter will be considerably descriptive, as the primary concern will be to comprehend the extent to which slaves were a part of the Mormon exodus, and their individual impact on settling the West. The chapter will consider as many individual stories of slaves and their owners as are known, in order to get a sense of what role these slaves played in their companies, and in their new homes in Utah after arriving.

By presenting individual stories on this micro-level in history, we achieve a broader understanding of the historical picture on the macro-level of analysis, which will be the concern of chapter four. The transition from this individualistic level of analysis, to a grander historical overview presents a more nuanced understanding of the history of slavery in the Mormon Church, and can further help the study and development of the complex history of Mormonism as well as African-American slavery in the United States. While taking an individualistic approach to this history will be the concern of this chapter, the political aspect of African-American slavery within the Mormon Church will be that of the next.

Before the Mormons reached and settled the Salt Lake Valley, a number of people had travelled through the area already, as well as Native American tribes having resided there for centuries. Though the first African-American slaves came with the Mormon migration, black fur trappers had already explored the Utah territory from 1825 onwards.⁸⁹ One of these men was Jacob Dodson, listed as a voyager in John C. Frémont's journal. Dodson had travelled through Utah to California and Oregon as Frémont's assistant. Though he was Frémont's personal assistant, he still held the status as a free man and was paid well for his work in the expedition.⁹⁰

James P. Beckwourth was another black man travelling through the Utah Territory before the Mormon settlement. Beckwourth came to the Utah Territory between 1824 and 1826 as a part of the Mountain Fur Company, and is the most well known black person to travel through Utah in early antebellum America before the Mormons. As a mulatto, Beckwourth was most likely the product of a white slaveholder's sexual exploitation of one of his female slaves, as his mother was a black slave when he was born.

Though blacks had been in the area before the Mormons arrived, it is still believed that the origins of Utah's black community was heavily intertwined with the Mormon Church. The majority of the territory's black settlers emigrated, before the emergence of the railroad in 1869, as slaves of Mormons or as members of the Mormon Church themselves. The two were

⁸⁹ Coleman, Ronald Gerald. "A History of Blacks in Utah, 1825-1910." Doctoral Dissertation, The University of Utah, Salt Lake City, Utah, 1980, 18.

⁹⁰ Frémont, John Charles. *The Expeditions of John Charles Frémont. Vol I.* Chicago, Illinois: University of Illinois Press, 1970, 383-8, 427-8.

often connected, however, and slaves usually converted into the church along with their masters. Consequently, it felt natural for many converted slaveholders to bring their slaves with them to the new territory in the West.

While some of the pioneers in the Mormon exodus left extensive information about their journeys, others left little to no records of themselves, making it challenging to piece together the whole story of what exactly happened in the exodus. One of these more insufficient stories is that of the McKnown family who came to Utah in 1848. While the wife died en route, the rest of the family, along with their two colored servants, settled in Holladay for a time before the colored servants left for San Bernardino, California.⁹¹ Though the information on the McKnown family is limited, what little we know is confirmed in John Brown's journal, a prominent man in the early Mormon Church. Stories like this, being limited in information, cannot decipher the entirety of how the exodus was carried out, but it does contribute to the bigger picture of how widespread slavery was and became in Utah.

A person we have more information about is Green Flake. As there are more sources and information on this man, he has been used extensively in the scholarly work that exists on slavery in Utah, and has become the most renowned face of this particular history. Green was born on the Flake plantation as a slave to Jordon Flake, father of James M. Flake, in Anson County, North Carolina in 1825. His early life was spent on the plantation amongst many other slaves, and when Jordon Flake died, Green was given to his son, James M. Flake, stated in Jordon's will:

First: I give and bequeath to my son John M. Flake the three Negro boys that he has in possession, namely, Ned, Daniel, and Isham and two hundred dollars. (...) Fourth: I give to my son James M. Flake, two Negroes Green and Lyse and three hundred dollars.⁹²

In the winter of 1843-1844, Mormon missionaries, including John Brown, came to the Flake plantation and baptized the whole family. Brown noted in his journal: "I also baptized two black men, Allen and Green, belonging to Brother Flake."⁹³

Joseph Smith had, as discussed in chapter two, published several articles by this time expressing his concern of not wanting missionaries to meddle in any master-slave

⁹¹ B. Carter, Kate. *The Story of the Negro Pioneer*. Salt Lake City, Utah: Daughters of Utah Pioneers, 1965, 3.

⁹² Lythgoe, Dennis Leo. "Negro Slavery in Utah." M.A. Thesis, University of Utah, Salt Lake City, Utah, 1966, 26. Quote taken from will of Jordon Flake, from film of North Carolina Wills, Anson County, North Carolina, 1751-1942, Call No. F NC 2c(4575) Part 3, 164.

⁹³ Brown, John. *Autobiography of Pioneer John Brown 1820-1896*. Arranged and published by his son, John Zimmerman Brown. Salt Lake City, Utah: Press of Stevens & Wallis Inc., 1948, 46.

relationships when doing missionary work in the South. Members of the church were explicitly told not to teach the gospel of the church to slaves, if not otherwise requested by the slaveholder. The instructions from the prophet were loyally followed by John Brown, yet, two black slaves were baptized and welcomed into the Mormon Church by him, indicating that their owner, James M. Flake, had granted him permission to teach them, as well as the family, the gospel of the church. As we shall come to see later in this thesis, this was not the only time black slaves had been baptized into the Mormon Church, and it would become a common procedure for several slaveholders to let their slaves share and take part in their own religion.

John Brown was, like stated earlier, a prominent man and missionary in the early days of the Mormon Church, and his journal contains extensive information on the importance of slaves in the church's migration westward and to what extent these slaves played a part in the early Mormon community. His journal will be used frequently as a source in this chapter.

After being baptized into the church, Green Flake and his master's family relocated to Nauvoo, Illinois to avoid persecution in their Southern home. While residing in Nauvoo, James M. Flake heard his church leaders speak of their plan to move their church West. He decided to join the Saints in their move to the Salt Lake Valley, and in 1846 he volunteered his slave, Green Flake, to take part and help with the very first trek westward:

When Brigham Young commenced fitting out a train to take the first of the Pioneers across the Great Plains, he needed the very best teams and outfits to be had. James M. Flake, who had put his all upon the altar, sent his slave, Green, with the mules and the mountain carriage, to help the company to their destination. He told Green to send the outfit back by some of the brethren who would be returning, and for him to stay and build them a house. Like the old slaves he faithfully carried out his instruction.⁹⁴

Green was therefore sent as a teamster, a job I will discuss further in chapter five, with the first Mormon trek and played a tremendous part in settling the Salt Lake Valley. In the statement above, Green was ordered to build a house for his family's arrival the year after, in 1848. He was not the only one ordered to do this, however, and both Hark Lay and Oscar Crosby, the other two pioneer slaves in the first trek, were ordered to do the same. Not only were these three slaves a big part of the move West, but they also played a bigger part in settling and building a community in the Valley than earlier assumed.

⁹⁴ Flake, O. D. *William J. Flake, Pioneer-Colonizer*. Salt Lake City, Utah, 1948, 9.

When moving to the Valley in 1848, a year after the first trek, James M. Flake became the captain of one hundred wagons in his company. The majority of people in the companies travelling to the Valley that year, called the Amasa M. Lyman and Willard Richards Companies, were from the South, and a number of these Southerners were African-American. Nothing is stated as to the status of these colored persons, however, considering the societal status of free blacks in both the United States and within the Mormon Church at the time, it would have been highly unlikely that free blacks were a part of the trek, and it can therefore be said with certainty that these colored persons were slaves of the Southern converts.

The companies “consisted of 502 whites, 24 negroes, 169 wagons, 50 horses, 20 mules, 515 oxen, 426 loose cattle, 369 sheep, 63 pigs, 5 cats, 44 dogs, 170 chickens, 4 turkeys, 7 ducks, 5 doves, and 3 goats.” Among the twenty-four slaves in the companies was a little girl named Liz: “Liz, the negro girl with him [James M. Flake], and three other small boys walked and drove the loose cattle all the way to Utah.”⁹⁵ Liz was born and raised on William Love’s plantation in North Carolina and was given to Love’s daughter, Agnes, as a wedding present when she married James M. Flake. Liz was only five years old at the time of the trek to Utah, and along with three other small boys in the companies, she had to, not only walk the long way across the plains, but control loose cattle from Nauvoo to the Salt Lake Valley as well. These four were all children unable to take care of themselves, yet they were forced to walk as well as control a number of large animals for a long period of time. This can only be described as exploitation of their child slaves, and proves that even though they left the South behind, their treatment of slaves was not.

Several sources researched for this thesis confirms Green’s, and other slaves’, presence in the Mormon exodus and the Mormon community in Utah. The late Amasa M. Lyman, Jr., son of pioneer Amasa M. Lyman himself who was part of the first trek to the Valley, spoke of the first black pioneers in an interview in 1936, captured in John Brown’s published autobiography:

I knew all three of those negro servants who were members of President Brigham Young’s pioneer company in 1847. Hark Lay belonged to William Lay. Hark was always hard to manage. He died in California. William Crosby also went to California and took his servant, Oscar Crosby, along with him, where the latter died. James M. Flake, who owned Green Flake,

⁹⁵ Ibid, 10-11.

was killed in California from being kicked by his mule 'Lize'. After the slaves were freed, Green Flake lived in Union Fort, Salt Lake County."⁹⁶

Another confirmation of Green Flake's participation in the first trek to Utah came in a newspaper article in 1897: "Two pioneers called at the News office today; one was a colored man named Green Flake, who claims to have been in the first wagon through Emigration Canyon, and moved to Idaho after living in Utah 49 years. He is now 70 years of age".⁹⁷

Amasa M. Lyman Jr. also provided a list of slaveholders and their slaves known to him, presenting resourceful insight into the extent of slavery in early Utah:

Slave owners

Daniel M. Thomas
William Matthews
William Lay
William Crosby
James M. Flake

William Smith

Negro slaves

Toby
Uncle Phil
Hark, Henderson, Knelt
Oscar, Grief
Green and his wife "Liz" (later later known as Martha Green Flake.)
Aunt "_____", Hanna,
Lawrence⁹⁸

As more research has been done on this subject, additions can be made to the list Lyman provided:

Slave owners

John Bankhead
John Brown

Jasper Perkins
Reuben Perkins

Monroe Perkins
Heber C. Kimball
Mr. Sprouse
Charles C. Rich

Slaves

Mrs. Sina Bankhead
Betsy Crosby Brown
Flewellen⁹⁹
Mary Perkins¹⁰⁰
Frank, wife Esther, Ben and other children
Ben
Martha
Daniel
3 pair of slaves

⁹⁶ Brown, *Autobiography*, 73.

⁹⁷ *Deseret News*, July 19, 1897.

⁹⁸ Beller, Jack. "Negro Slaves in Utah." *Utah Historical Quarterly*, II. October, 1929, 123-4. Interview with Amasa M. Lyman, Jr.

⁹⁹ Brown, *Autobiography*, 146.

¹⁰⁰ Esshom, Frank. *Pioneers and Prominent Men of Utah*. Salt Lake City, Utah: Utah Pioneers Book Publishing Co., 1913, 958.

This list of slaveholders and their slaves is not a complete list of all slaveholders in the Utah Territory, as many people brought slaves to the Valley without reporting it to anybody. The list is therefore not exhaustive and only presents one part of the slave population in early Utah.

While the list might look small compared to the number of slaves and slaveholders in the South at the time, it is important to be aware of the size of the Mormon community in the early days of the Mormon settlement in Utah. Compared to the South, Utah was a small and tightknit community with only a few thousand residents, whereas the Southern states of the United States resided millions of people. Although the South's population was great compared to that of Utah at the time, only a small percentage owned slaves, while the majority of people in the South were yeomen farmers without any slaves. Therefore, if the number of slaveholders in the South is compared to the Southern population as a whole, the number of slaveholders in Utah compared to the territory's population was not small at all. This speaks volumes of how widespread the institution was in Utah, as well as to what extent these slaves played a role in Mormon society.

One of the slaveholders in early Utah was John Brown. Brown was a native of Tennessee and converted to Mormonism in 1843, before being sent on a mission throughout the South. On his mission, Brown baptized and converted a large number of Southerners into the church, and while travelling through the South he also met his second wife, Elizabeth Crosby. Elizabeth Crosby was a widow of John Crosby, and still lived on the Crosby plantation when meeting John Brown. The plantation was big and had many "faithful colored servants who performed the tasks necessary on the successful operation of a plantation."¹⁰¹ John and Elizabeth were both from the South and had been raised with the institution of slavery as a part of life, making them accustomed to its regular practice in society. It was therefore of no surprise when they both brought with them slaves of their own when migrating to Utah in 1848.

As a missionary in the Mormon Church it was very common to keep journals, and John Brown was no exception. His journal provides substantial information on the "Mississippi Saints", a company of Southern converts Brown helped organize in 1846-1848. The company consisted of fourteen families from the state of Mississippi and is known for having brought the largest number of black slaves to the Valley in the antebellum period:

¹⁰¹ Carter, *The Negro Pioneer*, 31.

After a few days rest, we commenced to wind up our business and prepare to leave in the spring for Council Bluffs, to go out with the Church, when unexpectedly, in came to elders right from the Bluffs, viz: Bryant Nowlin and Charles Crimson, with an epistle from the Council of the Twelve, instructing us to remain another year, to fit out and send all the men we could, to go as pioneers. We called a council to consider the matter. We concluded to send some six pioneers, one of whom was to take charge of the whole, being mostly black servants. It fell to my lot to go and superintend the affair, William Crosby to send one hand, John Bankhead one, William Lay one, and John Powell one, his brother David; and I was to take one beside myself. We had to travel to the Bluffs in the winter in order to get there in time.¹⁰²

Brown further addressed the strenuous journey the company had to endure in the winter of 1847:

We purchased our wagons and teams, etc at St. Louis. A few days' travel from this point, Brothers James Stratton and Nowlin overtook us, also Brother Matthew Ivory. Brother Stratton had his family along. They had one wagon, the mud was so bad we were obliged to lay by several days, we now had six wagons it finally turned cold and we had a very severe time of it. The Negroes suffered the most. My boy, whose name was Henry, took cold and finally the Winter Fever set in which caused his death on the road. I buried him in Andrew County, at the lower end of the round prairies eight miles north of Savannah, Missouri. In this neighborhood, we purchased some more cattle.

We reached the Bluffs a few days before the pioneers started and while I was laying there, Bankhead's Negro died with the Winter Fever. It was the severest trip I had undertaken. I left one wagon and load with Brother Crimson to bring out with the families. I took the other two wagons, the two black boys that had survived the trip, David Powell and Matthew Ivory, and joined the pioneer camp.¹⁰³

In addition to addressing the arduous conditions of their journey, Brown made an entry listing the members of his company in 1848:

Saturday, May 27th, 1848, I made a report of the Mississippi Company as follows:

Heads of families	White Persons	Colored Persons
John Powell	6	
Moses Powell	4	
Robert M. Smith	9	10
John Lockhart	7	
George Bankhead		

¹⁰² Brown, *Autobiography*, 71.

¹⁰³ *Ibid*, 72.

John H. Bankhead	6	11
John D. Holladay	1	
Francis McKnown	10	2
William H. Lay	6	2
Elizabeth Crosby	1	3
John Brown	2	1
William Crosby	3	5
Ekles Truly	1	
Totals	56	34 ¹⁰⁴

Out of thirteen converts in this company, seven were active slaveholders, while the number of blacks compared to that of whites was also great. Although these men and women were slaveholders, their continued practice of the institution did in no way endanger their membership in the Mormon Church, giving insight and reason to why slavery was legalized in the Utah Territory four years later.

Some stories concerning slaves brought to the Utah Territory are somewhat conflicting and hard to interpret, the reason being that scholars throughout the years have interpreted their stories differently and therefore portrayed them in various ways. One of these stories concerns Betsy Crosby Brown Flewellen. Betsy's mistress, Elizabeth Crosby Brown, brought her, along with two other slaves to Utah in 1848. Among the other two were Vilante Crosby. "Vilante Crosby came to Salt Lake as the personal Negro maid of Elizabeth Coleman Crosby,"¹⁰⁵ and was the mother of Martha Crosby who would later marry Green Flake, and of Hark Lay, one of the three slave pioneers who came to the Valley with the pioneer company in 1847. While Vilante's story appears to be unambiguous, Betsy's story is unclear. While one source claims that she was acquired by John Brown as a sixteen-year-old girl from St. Louis, Missouri,¹⁰⁶ another states that she was the servant of Elizabeth Crosby, serving her until slaves were freed after "the war between the states."¹⁰⁷ Though these are conflicting, Betsy's story can be strung together by connecting evidence from the different sources. Betsy was most likely the slave of Elizabeth Crosby until Elizabeth married John Brown in 1844. When they both moved to Utah, Betsy became the joint property of the married couple. After the death of his wife, Brown deeded Betsy to the church, along with a multitude of other items:

¹⁰⁴ Ibid, 96.

¹⁰⁵ Carter, *The Negro Pioneer*, 31.

¹⁰⁶ Beller, *Negro Slaves in Utah*, 124.

¹⁰⁷ Carter, *the Negro Pioneer*, 32.

On the 8th of January 1857, I consecrated and deeded to the Church the following:

Property and improvements of real estate	\$ 775.00
Cattle, Wagon and Pigs	541.00
Farming Tools and Rifle	105.00
Household Furniture, Bedding, etc.	150.00
Twelve Sheep and Two Pistols	72.00
Silver Watch and Cooking Stove	55.00
Sixty Bushels Wheat	120.00
Corn, Vegetables, etc.	
145.00	
Sundries	75.00
<i>African Servant Girl</i>	1,000.0
	\$3,038.50 ¹⁰⁸

On John Brown's list of members of his company, William Crosby is listed as one of the seven slaveholders. William was the son of Elizabeth Crosby and her first husband, John Crosby, and like his mother, William brought slaves to Utah.¹⁰⁹ On Brown's list, three people are recorded as being a part of the Crosby family, collectively bringing five slaves. What Brown's list portrays is how common it was for an entire family to convert into the new religion together, but also how dependent several Southern converts were on their slaves. Despite being surrounded by the entire family and living together under one roof, slaves were still forced to remain tied in a destructive master-slave relationship.

Other members of the Mississippi Saints were William Lay and the Bankhead's who came to Utah along with the rest of the company in 1848. William Lay's slave, Hark, was one of the three black pioneers in the Utah Territory, while the Bankhead's came to the Valley a year later. On the list of Southern Saints bringing slaves to Utah in 1848 are the brothers John Hendrickson Bankhead and George Bankhead. In keeping with the list of heads of families in the Mississippi Company, John H. Bankhead came with his family of six and their eleven slaves. Though John was the owner of the slaves according to the family, research shows that he shared these slaves with his brother, George. They were both born in Rutherford County, Tennessee and were converted into the Mormon Church in the early 1840s.

John H. Bankhead was the owner of many slaves on his large plantation in Tennessee, and, according to Kate B. Carter in her work on African-American pioneers in the Salt Lake Valley, "when the family was making preparations for the westward trek, [John H. Bankhead] gave them their choice of liberty or going with them across the plains". This

¹⁰⁸ Ibid.

¹⁰⁹ Carter, *The Negro Pioneer*, 32.

information most likely came from a person close, or even related, to the Bankhead family, making the information subjective to the slaveholder's side of the story. As I will explain further in chapter five, the story of the Bankhead slaves is exceedingly one-sided facilitating the slaveholder's side only, and the truth has most likely been altered to benefit the Bankhead family and their legacy. The Bankhead slaves were therefore, in all likelihood, not offered the choice of freedom before being taken to the Utah Territory.

The slaves who, according to family lore, "chose" to stay with the Bankhead family as they migrated to the Utah Territory were "Nathan and his wife, Susan, Dan the blacksmith, George, Alex, Sam, Lewis, Ike, John Preistly, Nancy, and possibly Rose who was the mother of Ike and John".¹¹⁰ If these were the real names or if they were all a part of the Mississippi Saints company headed West in 1848 is uncertain, however, parts of this information was confirmed by Sina Bankhead, daughter-in-law of one of the Bankhead slaves, in a 1929 article:

According to Mrs. Sina Bankhead (colored), of the Mill Creek Ward, Salt Lake County; her father-in-law was one of the negroes that John H. Bankhead brought with him to Draper. His name was Nathan Bankhead and [he] was married twice: the name of his first wife was Mary, and that of his second wife Susan.¹¹¹

This statement confirms that John and George Bankhead brought slaves to Utah, yet it does not prove whether or not the slaves were there out of their own free will, which most likely was not the case.

While John was said to have shown kindness towards his slaves, George did not. Even within a single family, radical differences did occur in both behavior and treatment of their slaves, and was quite common in many households of the old South. John projected more benevolence and compassion towards the Bankhead slaves, while his brother, George, portrayed what can only be defined as contempt for the family's servants:

George Bankhead was want to gather wood from Battlefield Canyon. Upon one of these trips they were cutting a big tree when [one of his male slaves] exclaimed "Which way shall I run, Massa George?" "Run the way the tree falls, you fool!" replied Mr. Bankhead. In his attempt to get away some of the branches hit [the slave] whereupon Mr. Bankhead remarked, "Did you

¹¹⁰ Ibid, 21.

¹¹¹ Beller, *Negro Slaves in Utah*, 124.

get hurt,...?” “No,” said the boy, “not much.” “Wish the hell it had killed you,” thundered Mr. Bankhead.¹¹²

This poor treatment of slaves, as we shall see in chapter five, was not uncommon in the Valley, and while slaveholding converts had left the South for a new home in the West, their attitudes towards the institution did not stay there.

Many of the slaveholders listed in John Brown’s journal from the company of Mississippi Saints were confirmed by Amasa M. Lyman Jr.’s list from 1929. Still, some of the slaveholders in early Utah were not included in Brown’s journal, meaning they came to Utah at a different time than the Mississippi Saints in 1848. Three of these men were Jasper Perkins, Reuben Perkins, and Monroe Perkins. From the list of slaveholders in early Utah we can see approximately how many slaves they brought with them to the Valley. Still, we gain extended information from Jasper N. Perkins, grandson of Reuben Perkins and nephew of Monroe Perkins in an interview from 1929. The information they provided was in cooperation with Esther Jane Legroan, the daughter of Mary Perkins, slave of Jasper Perkins:

Reuben Perkins came to Utah October 18th, 1848, with the Andrew H. Perkins Company, from North Carolina and settled in Bountiful, Davis County. He brought several negro slaves with him, Frank, his wife Esther, and most of their eleven children. Their oldest son named Ben went snow blind while working on a ranch.”¹¹³

Monroe Perkins owned a slave named Ben, as seen in the statement above. Ben was, after arriving in Utah, sold to a man named Mr. Sprouse (first name unknown), another Mormon convert from the South. When Mr. Sprouse had to return to his old home, he decided to take Ben with him. As Ben found out where they were going, he escaped and returned back to Utah.¹¹⁴ While going back to Utah as an escaped slave might have been challenging, what proved even more problematic was the task of escaping life in Utah after settling in the Salt Lake Valley. This is something I will discuss further in chapter five.

That slaves were being held and brought to Utah in the early days of the church was even confirmed by the Mormon Church itself in their journals from that time, noting: “The

¹¹² “Slavery in Draper,” undated letter, L. D. S. Church History Library, Salt Lake City, Utah.

¹¹³ Beller, *Negro Slaves in Utah*, 125.

¹¹⁴ *Ibid.*

last company of emigrants to leave Winter Quarters, (July 15, 1848), had some Southerners with their colored attendants”.¹¹⁵

Among the Southern converts, some settled in Spanish Fork, Utah; “John Redd, a pioneer of Spanish Fork, Utah, in 1850 located there and being the owner of some Negro slaves, which he had brought with him from his home in North Carolina, used them in his farming operations”.¹¹⁶ John Hardison Redd was born in North Carolina, before buying a plantation in Tennessee. Slaves already resided here, as they had been the slaves of the previous owner of the plantation. In 1840, the Redd family was baptized and converted by Mormon missionaries, and according to family lore, “two colored women, Venus, with her son Luke, and Chaney with two daughters, Amy and Miranda, pled to remain with the family when they moved to Nauvoo”.¹¹⁷

The story of the Redd family was, like mentioned earlier, most likely written by relatives of the slaveholders, as was the case with many, or most, of the stories concerning slaves in early Utah. The stories given by former slaveholders, or relatives of slaveholders, glorified the kindness these slaveholders showed their slaves, and portrayed it as a reason for why slaves chose to stay with their masters. As southern slaveholders converted to Mormonism, some slaves may have chosen to stay with their masters in their move to the Utah Territory. This was not out of loyalty or love for the master, however, but solely because of the fear of being sold into another, perhaps more cruel slaveholding family in the South. The risk of being separated from a child or a spouse might have been a more frightening though than that of staying with a master in their move to a new place. Therefore, a sense of familiarity, and fear of separation, caused slaves to join their white masters in their move to the Utah Territory.

After moving to Nauvoo with other Southern converts, the Redd family crossed the plains in 1850, with their two colored women and their children, in the James Pace Company. Venus, one of the colored servants of the Redd family, had been given to Elizabeth Redd by her husband as a wedding gift, and was Mrs. Redd’s personal maid. Venus stayed in Spanish Fork her whole life, even after the Redd family moved away from the area to New Harmony. Again, according to family lore, Venus chose to stay in Spanish Fork “where her loved ‘Massa’ and ‘Missy’ were buried”,¹¹⁸ presenting her as a loyal and faithful servant of her

¹¹⁵ Journal History of the Church of Jesus Christ of Latter-day Saints, July 15, 1848, Church Historian’s Office in Salt Lake City, Utah.

¹¹⁶ Warner, Elisha. *History of Spanish Fork*. Salt Lake City, Utah: by the author, 1930, 9.

¹¹⁷ Carter, *The Negro Pioneer*, 25.

¹¹⁸ *Ibid.*

master's family. Even though Venus did not go with the Redd family to New Harmony, her young son, Luke, was taken with them, separating him from his mother. Separation of family members was common practice within the institution of slavery, and it happened in Utah as it did in the South.

Another interesting story is that of Mary Lee Bland Ewell and her slave "Mammy Cloe". Mammy Cloe came from the well-founded traditions of the old South, and was a slave in the Bland household in Cumberland County, Kentucky. She became very attached to the daughter, Mary Lee, and when Mary Lee fell in love with a young Mormon missionary named William Ewell, Mammy Cloe eventually left Kentucky to follow Mary Lee and William to Utah. As the family did not want Mary Lee to go, Mammy Cloe helped aid Mary Lee's escape from the family, and ultimately left her young son, Sammy behind. After this, Mammy Cloe converted into the Mormon Church herself and, according to sources, she stood by Mary Lee's family throughout the rest of her life. Mary Lee later commented on the story of her beloved slave:

Even after the slaves were freed by President Lincoln, she did not desire her freedom. No one ever knew her grief leaving her son Sammy, but being slaves, both learned never to complain at separation. I am sure I can never know what her great devotion to "Miss. Mary Lee", as she always called me, cost her and how she softened my hardships whenever she could.¹¹⁹

The account describing Mammy Cloe's story strongly resembles the romantic Southern tradition, suggesting that African-American slave women, who took care of the young children in their master's families, left a cultural imprint on the Utah scene similar to the Southern stereotype seen at this time in the South. But did Mammy Cloe not want her freedom after the emancipation of slaves? As a slave robbed of her freedom, as well as her own son, Mammy Cloe most likely desired freedom just as much as other slaves in both Utah and in the South did. However, Utah was a place filled with an ever-growing racism, and Mormons were discriminatory in nature, making it difficult for black people to find their place in society after being emancipated. This is therefore the most probable reason for why Mammy Cloe stayed with, or stayed close to, the Ewell family after the emancipation of slaves in the United States. Feeling lost in a fundamentally white community was a problem a

¹¹⁹ Ibid, 36.

lot of emancipated slaves felt in the Utah Territory after 1865, something I will discuss further in the epilogue.

An Iowa historian by the name of Catherine Grace Barbour Farquhar also tells of an interesting event that took place in Tabor, Iowa, when some later converts to the Mormon Church were on their way to the Valley from the Southern state of Mississippi. Though Iowa, and the people of Tabor, disapproved of violence as a means of freeing slaves, the town was known as a station for the Underground Railroad.¹²⁰ Iowa belonged to the part of the country wanting to end slavery, and many people here had a desire to free slaves. One of the episodes where this happened is recorded in Farquhar's work:

On the evening of July 4, 1854, a Mormon elder with his family and six slaves camped overnight in Tabor on their way from Mississippi to Salt Lake City. Two of the Negroes got water from a well, near which the first hotel was in the process of erection. The carpenters learned that five of the six colored people, a father, a mother, two children, and another man, were anxious to escape bondage. The other slave woman did not wish to leave her master so was not informed of their plans. In the night S. H. Adams, John Hallam and James K. Gaston took the five Negroes east of town across the Nishnabotna River and concealed them in the bushes.¹²¹

The Mormon campers discovered the next morning that the five slaves were gone as none of the camp duties had been done; the teams were uncared for and no breakfast was prepared for them. The master of the slaves quickly got help from pro-slavery sympathizers a few miles south of Tabor, and a manhunt for the escaped slaves was put into action along the Nishnabotna River:

But one of the searchers, at heart a friend of the refugees, was careful to do the searching in the area where he knew they were concealed and just as careful not to find them. In a day or two Cephas Case and W. L. Clark conducted the fugitives to a Quaker settlement near Des Moines, from which place they eventually found their way to Canada.¹²²

Among these, and probably many other Mormons slaveholders, the slaves were held against their will and were considered to be slaves in bondage, making it slavery in the true sense of the word.

¹²⁰ Lythgoe, "Negro Slavery in Utah," 35.

¹²¹ Farquhar, Catherine Grace Barbour. "Tabor and Tabor College," Iowa Journal of History and Politics. October 1943, 358.

¹²² Ibid.

As we can see from the evidence in this chapter, Mormon converts from the South were not afraid to bring along their slaves to the new land of Zion in the West. By looking at individual accounts and stories from pioneer slaves and their slaveholders, we get a sense of how big the slaves' role in the migration to and settlement of the Utah Territory was. Colored servants were a big part of several treks to the new territory, contributing to an easier transition into their white masters' new life in the West. The new religious membership to many Southern men and women did not threaten their status as slaveholders, as the church itself, along with the prophet, Brigham Young, believed it to be an integral part of their Mormon community.

While this chapter has taken into consideration the personal stories of slaves and their masters in early Mormon Utah, it will be the intention of chapter five to transition from this micro-level of analysis to a grander, more encompassing analysis of the political aspects of slavery's part within Mormonism. The next chapter will therefore discuss the political process and developments of slavery in the Utah Valley, from the Compromise of 1850 enacted in Washington, granting Utah popular sovereignty, to the official legalization of the institution of slavery in Utah in 1852.

Chapter 5

Utah's Slave Code: The Compromise of 1850 and An Act in Relation to Service

In 1849, the Thirty-first Congress opened with President Zachary Taylor hoping to avoid the controversy that had troubled previous Congresses in their discussions. “With the view of maintaining the harmony and tranquility so dear to all, we should abstain from the introduction of those exciting topics of a sectional character which have hitherto produced painful apprehensions in the public mind.”¹²³ While not directly stated by the president, everybody knew that he was referring to the controversy over what to do with slavery in the new territories acquired from Mexico in the war between said country and the U.S. Even before belonging to the United States, Congress had debated what to do with the territories now known as New Mexico, Arizona, Utah, Nevada, and California, and what the role of African-American slavery would be in these areas. In 1846, Pennsylvania Representative, David Wilmot, proposed an amendment to Congress, suggesting that slavery should never exist in any part of the new territories, except for crime, after being duly convicted. This came to be known as the “Wilmot Proviso,” and met a storm of opposition from Southerners. As a result, three other policies were created and suggested in Congress in response to the proviso. The first was an extension of the Missouri Compromise from 1820, expanding the Compromise line of 36°30’ to the Pacific Ocean. The second suggestion wanted to grant the new territories “popular sovereignty,” and allowed each territory to decide for themselves their own status on slavery. The third and final suggestion wanted slaveholders’ rights of owning and using slaves to expand into all of the newly acquired territories.¹²⁴ With four suggested solutions to the sectional crisis in place, congressmen stood behind what would favor their own future interests the most, leading to a controversy still unsolved when opening the Thirty-first Congress in 1849.

The president, Zachary Taylor, thought that until the new territories themselves applied for admittance into the Union, after creating their own government, “all causes of uneasiness may be avoided, and confidence and kind feeling preserved.”¹²⁵ Just three days after Congress received this message from President Taylor, Henry S. Foote presented a

¹²³ Ricks, “A Peculiar Place for the Peculiar Institution,” 50; Quote taken from Zachary Taylor, “Message of the President of the United States, 4 Dec. 1849,” *Appendix to the Congressional Globe*, 31st Cong., 1st sess., 3.

¹²⁴ Potter, David M. *The Impending Crisis, 1848-1861*. New York, New York: Harper & Row Publishers, 1976, 54-61.

¹²⁵ *Appendix to the Congressional Globe*, 31st Cong., 1st sess., 4 Dec. 1849, 3.
<https://digital.library.unt.edu/ark:/67531/metadc30776/m1/3/>.

resolution to Congress. This suggested that Congress should create suitable governments for California, New Mexico, and for Utah. The same day, Stephen Douglas also presented a resolution to the Senate, suggesting that Utah should be admitted into the Union with its own Constitution. As neither of these resolutions attracted enough representatives to their sides, the same old sectional resentments were again thrust into Congress. At the time, Utah was called Deseret after the word for “honeybee” in the Book of Mormon. The Mormons believed this word represented industry and hard work, and was a reflection of them as a people. However, congressmen in Washington found the name to be too out of the ordinary, and settled on the name “Utah” instead, after the Ute Indian tribe from the same region.

Among issues and debates discussed in the Thirty-first Congress, proposals concerning the Utah Territory were prominent. Utah’s place in the Union was overshadowed, however, by the status of slavery in the area, and the territory became a testing ground for the role slavery would play in the West.¹²⁶ Eventually, congressmen from both sides of the conflict envisioned Utah to become what their own section in the conflict demanded. For Northerners who had been pro-Wilmot Proviso years earlier, Utah was unfavorable to slavery. While this was the case, they would not allow slavery to have even the slightest possibility of expanding into the territory. Southern pro-slavery congressmen on the other hand, hoped that slavery could ultimately extend into the territory, if it was not immediately hospitable for the institution. Some congressmen in the debate occupied the middle ground and strived for some type of compromise. This solution seemed bleak, however, as all sides in the conflict refused to admit the realities of the extension of slavery into Utah. One of these realities was that some Mormons had already brought their slaves with them into the new territory. This information was unknown to the Congress and came to play a big role in the decision to grant the territorial government in Utah popular sovereignty, as the outcome would most likely have been a different one if it had been presented to Congress.

During the debates on slavery in the new Utah Territory, it became clear that the men in Congress knew very little about both the region and the people living there. This lack of information about their subject of debate complicated their discussions of the potential expansion of slavery into the area. This led Southern pro-slavery men to put their focus on slaveholders and their rights rather than the unknown people on the newly acquired land in the far West. Anti-slavery Northerners, however, believed that this land was beyond the natural limits of the divinely appointed institution of slavery. Neither side knew that slavery already

¹²⁶ Russel, Robert R. “What Was the Compromise of 1850?” *Journal of Southern History*, vol. 22, no. 40, August 1956, 309.

existed in the territory. The few sources available to Congress about the Mormons and their new home in Utah contributed greatly to the tensions in Congress in 1849-50. The territory had potential for some growing of crops, however, not like in Southern plantation country, as the new land was rough. And though the Mormons seemed to favor a free-labor policy in their society, they had never associated themselves with any particular political party, and to the knowledge of the Thirty-first Congress, not a side in the slavery controversy either. Because of the limited knowledge on the new territory, many congressmen stepped lightly and acted cautiously when debating what to do with Utah.

Though this was the case, several men in the Thirty-first Congress acted quickly in relation to the potential future of the new territory. Henry S. Foote, congressman of Mississippi, introduced his bill on January 16th 1850 to establish territorial governments in three new regions, along with one for a part of Texas called Jacinto. The bill was silent on the issue of slavery, and the Senate tabled it throughout the session. Senator from Kentucky, Henry Clay, designed an alternative proposal presented on January 29th of 1850. Henry Clay had been a prominent person in American politics ever since the 1820s, and had become known as the “Great Pacificator” for his overall contributions to the country’s domestic policy, as well as for his work on economic development in his diplomatic strategies.¹²⁷ In his proposal were eight core provisions and it dealt with five major areas previous Congresses had all discussed. Opposing views on this proposal consolidated into two emerging approaches: the concept of “natural limits” and “popular sovereignty.” According to the view of many Northerners in Congress, slavery was limited to the South because of its climate, economics, topography, and the will of God. They believed that slavery could not exist where God himself had put natural restrictions on the planting and farming of cotton and tobacco—the cash crops of the South. Because of this, the rugged climate of the Midwest could not support this type of farming, and was therefore better suited for yeoman farmers.¹²⁸ Clay saw these natural limits as a reason for slavery not to be introduced into the new territories.

Daniel Webster also believed in these natural limits of slavery, and argued that the institution was excluded even from the law of physical geography, and “the law of the

¹²⁷ “Biographies of the Secretaries of State: Henry Clay (1777-1852).” Office of the Historian, Bureau of Public Affairs, United States Department of State. Accessed March 20, 2019. <https://history.state.gov/departmenthistory/people/clay-henry>.

¹²⁸ Foner, Eric. *Free Soil, Free Labor, Free men: The Ideology of the Republican Party before the Civil War*. New York, New York: Oxford University Press, 1970, chapter 1. Foner discusses the development of the Republican Party, however, much of this discussion is relevant to the earlier time discussed here.

formation of the earth.”¹²⁹ Webster had been appointed Secretary of State during President William Henry Harrison,¹³⁰ and would again be appointed this position under President Millard Fillmore.¹³¹ Webster would become known for his tremendous work in strengthening the United States Government, as well as his accomplishments in expanding the country’s foreign trade and negotiations with Great Britain during his years as Secretary of State.¹³² Webster denied that a slave society (explained in chapter two) did, or even could, exist in the desert-like climate of the West. The “fixed and decided character” of the land there excluded all possibilities of the practice of slavery, despite Southerners implying a different view.¹³³ While his thoughts on slavery’s existence in the West were first and foremost to lessen Northern persistence on including the Wilmot Proviso, they also tell us a great deal about what the Northern view of slavery actually was. They saw the institution as solely driven by economic factors. While this was the case in most Southern states, slavery did not provide economic benefits in the Salt Lake Valley, and was consequently not practiced for this reason.

A few days before Henry Clay introduced his resolution to the Thirty-first Congress, Michigan senator, Lewis Cass, reintroduced the concept of popular sovereignty to the Congress. He had originally introduced this solution during the Congress of 1847 when the Wilmot Proviso had been tabled. In Cass’ mind, popular sovereignty was neither pro-slavery nor pro-abolition; it was pro-democracy. While trying to resolve the sectional differences between the South and the North in 1847, Cass failed to lay out basic details of the concept, leading historian David Potter to explain Cass’ plan as a “proposal possessing all charms of ambiguity.”¹³⁴ Clay believed that Congress did not have the authority to express power over passing any laws respecting slavery in the new territories, as this power only applied to the states already existing in the Union. However, Cass meant that while only states had been granted the right to decide what the status of slavery should be within its borders in the past, territories should also have this right during their phase as a territory before being admitted as

¹²⁹ *Appendix to the Congressional Globe*, 31st Cong., 1st sess., 274.

<https://digital.library.unt.edu/ark:/67531/metadc30776/m1/294/>.

¹³⁰ Presidential period: March 4th 1841 to April 4th 1841.

¹³¹ Presidential period: July 9th 1850 to March 4th 1853.

¹³² “Biographies of the Secretaries of State: Daniel Webster (1782-1852).” Office of the Historian, Bureau of Public Affairs, United States Department of State. Accessed March 20, 2019.

<https://history.state.gov/departmenthistory/people/webster-daniel>.

¹³³ *Appendix to the Congressional Globe*, 31st Cong., 1st sess., 274.

¹³⁴ Potter, *The Impending Crisis*, 57-8.

a state. He backed up this argument by explaining it as a fundamental constitutional principle.¹³⁵

Though Henry Clay adopted popular sovereignty as a concept, he only did it to win over anti-slavery men of the North and moderates looking for a compromise in Congress. In his mind, even if slavery was not prohibited in the new territories, he believed that the natural limits of the area remained and would prevent slavery from being practiced. Both Daniel Webster's and Henry Clay's resolutions intended to dismiss the Wilmot Proviso as a debate in Congress, though holding little hope for the preservation of slavery. Ironically, the men who wanted territorial governments in Utah and the other territories without the establishment of slavery were mostly Southern. The reason for Southern congressmen hanging on to these resolutions was that it did not exclude slavery by law, meaning there was still opportunity, in their minds, to let slavery expand into the new territories acquired from Mexico.

Though the majority of men in Washington did not know that slavery was already being practiced in Utah, a man who did know was John M. Bernhisel. Bernhisel had been sent by Mormon leaders to Washington to lobby for Utah statehood. He had converted in the 1830s and had been an intimate associate and advisor of Joseph Smith. He had arrived in the Salt Lake Valley with the Heber C. Kimball Company in 1848, and helped form a provisional government for the territory that same winter. Bernhisel was appointed to his position of lobbying for statehood in Washington because he had been closely linked with Joseph Smith and other high-ranking Mormons, as well as being well educated.¹³⁶ As his late friend, Joseph Smith, had tried to exhibit throughout his time as Mormon leader, Bernhisel chose to make neutrality his own policy on slavery when lobbying in Washington. When meeting and talking to Colonel Thomas Kane after arriving in Washington, Bernhisel was advised by him to not take a political "side" in the matter of slavery, something Bernhisel followed consistently. Although he had several opportunities to tell other congressmen he met with, like Daniel Webster, about slavery's existence in Utah, he deliberately withheld this information.

Henry Clay was one of the congressmen Bernhisel talked to after arriving in Washington, and Bernhisel found him willing to help the Mormons in their pursuit for self-government. Had Clay found out how Utah residents already practiced slavery in the territory, his opinion of the Mormons may have been radically different than what it was. Clay was not

¹³⁵ *Appendix to the Congressional Globe*, 31st Cong., 1st sess., 59; Michael A. Morrison. *Slavery and the American West: The Eclipse of Manifest Destiny*. Chapel Hill, North Carolina: University of North Carolina Press, 1997, 122.

¹³⁶ Barrett, Gwynn W. "Dr. John M. Bernhisel: Mormon Elder in Congress." *Utah Historical Quarterly*, vol. 36, spring 1968, 29-31; 40; 64-5.

the only person Bernhisel withheld the reality of slavery in the Valley from. Several congressmen were unaware of the institution's existence in Utah, yet a few were anxious to look further into the situation in this unknown territory. Among the curious were William H. Seward, an ardent abolitionist from the North, and senator Truman Smith from Connecticut. Both asked Bernhisel whether or not the Mormons had any slaves in the Valley, whereas Bernhisel's answer must have been diversionary as neither of the men ever mentioned Utah's practice of slavery in any of their speeches to Congress, or in any other forums.¹³⁷ As Bernhisel's answer to Smith's question on whether Mormons held slaves in the territory was evasive, Smith later insisted that Bernhisel answer a list of questions concerning the future existence of slavery in Utah. Bernhisel answered every single question, and a copy of the questions and answers were sent to Brigham Young.

6th To what agricultural products is [the Utah Territory] best adapted?

Ans. Wheat, rye, barley, buckwheat, oats and corn, and all kinds of vegetables are produced to great perfection.

7th Will the country produce rice, cotton, sugar, tobacco, or sweet potatoes?

Ans. Not all of them, but the two latter may be raised in limited quantities.

8th Would rice, cotton, sugar, or tobacco be of any value at the Salt Lake, except for the consumption of the inhabitants?

Ans. We think not.

9th What is the cost of transportation from Great Salt Lake City to the navigable waters of the Missouri River?

Ans. About ten dollars per hundred [weight?].

10th Is Deseret likely to become the theatre of slave labor, or can ever be, unless in the limited extent it formerly existed in New England?

Ans. Slave labor can never, in our opinion, be profitably employed in Deseret, so far as it had been explored.¹³⁸

While exposing his poor knowledge of Utah's restricting climate to perpetuate a plantation culture, he also avoided answering the last question truthfully. Instead of openly stating the status of slavery in the territory, he reduced the question to one over profitability, not over practice.

Slaves were in fact living in the territory, even if the institution was limited by and to the agriculture Bernhisel listed for Smith. While slave owners in Utah may never have made a profit from their slaves' labor, this was not the initial goal either. The institution of slavery played as much a cultural role in early Utah society as it did an economic one, and slavery

¹³⁷ *Appendix to the Congressional Globe*, 31st Cong., 1st sess., 266.

¹³⁸ Bernhisel to Truman Smith, February 5, 1850, in Bernhisel to Brigham Young, March 21, 1850, Bernhisel Papers, L. D. S. Church History Library, Salt lake City, Utah.
https://dcms.lds.org/delivery/DeliveryManagerServlet?dps_pid=IE1722790.

could never turn a profit here; only contribute to the survival of the community. Because of this, Bernhisel made the same mistake as other congressmen believing in the natural limits of the institution; slavery could only exist where its labor could be extracted in the production of the highly profitable crops of tobacco, rice, or cotton. While lobbying for Utah statehood, Bernhisel told Brigham Young that “I [Bernhisel] made it a *point*...since my arrival in Washington, *not* to make *slavery* not politics a *point*...Had it been believed that slavery existed or would ever be tolerated, our bill never would have passed the House.”¹³⁹ He even went as far as stating:

I beg leave respectfully to suggest that no person of African descent be reported as a slave, because a large majority of the jurists in the United States, entertain the conviction that slavery does not and cannot exist in the Territory of Deseret without the sanction of positive law, yet to be enacted.¹⁴⁰

Bernhisel therefore arises as an ingenious lobbyist working shrewdly for Utah’s statehood. Wanting to present his territory and its people in a good light, he still withheld information that would have threatened Utah’s chances of attaining self-government. He would also have contributed to the already divisive sectional crisis in Congress. By controlling the spread of information about the Mormons, he was able to convey them in such an image that secured Brigham Young the position as governor, along with several other high-ranking church members being appointed government positions in the new territorial government of Utah. While these were men of the church, many of them were slaveholders who came from the South before converting, and this would come to affect the actions of the territorial government in Utah only two years later.

In April of 1850, the Senate created a committee of thirteen members to draft a compromise satisfactory to both sections in the ongoing sectional crisis in Congress. Six Northerners were chosen and seven Southerners. These thirteen men worked for weeks, and finally proposed three compromise bills on May 13th. One of these bills concerned the Utah Territory. The first version of this bill suggested establishing a territorial government in Utah, yet, it wanted to limit the power of the legislature over slavery. In other words, slavery was a legitimate subject for legislation, but only in Congress and not in the territorial government;

¹³⁹ Bernhisel to Brigham Young, March 21, 1850 and September 12, 1850, Bernhisel Papers, L. D. S. Church History Library, Salt Lake City, Utah.

https://dcms.lds.org/delivery/DeliveryManagerServlet?dps_pid=IE1722790. Emphasize in original.

¹⁴⁰ Bernhisel to Brigham Young, July 3, 1850, Bernhisel Papers, L. D. S. Church History Library, Salt Lake City, Utah. https://dcms.lds.org/delivery/DeliveryManagerServlet?dps_pid=IE1722670.

Utah's men could not touch the subject of slavery in their own territory. This remained in, what they called, the Omnibus bill for many weeks before being struck down in a debate. A final version of the bill gave the Utah legislature free reigns to legislate on all subjects, including slavery, within its territorial government. The governor, Brigham Young, also received veto power over the subjects discussed in the legislature. All laws passed in the territory, however, had to be approved in Congress, and "when admitted as a State, the said territory, or any portion of the same, shall be received into the Union, with or without slavery, as their constitution may prescribe at the time of their admission."¹⁴¹ These measures on slavery remained in the final bill on Utah and it was the first bill in the Compromise of 1850 to be passed in Congress that year. Though many representatives in Congress did not vote in favor of this bill, enough found it adequately gaining their own section in the conflict, consequently letting the bill pass. Thus, the Utah Territory was established.

After debates in the House of Representatives, the Utah bill passed, however, only with 42 out of 112 Northern votes, with the reason being that many still clung to the Wilmot Proviso, making a vote on popular sovereignty a compromise with their own convictions. Though this was a small number, 42 of these men were Democrats and had now voted for a bill that did not prohibit the expansion of slavery into the Utah Territory. The reasons behind this decision were many, as each representative had his own opinions on the matter. As natural limits would prohibit slavery anyway, and the only thing Southerners could demand was an equal right to the new territories, many Northerners believed that popular sovereignty was a reasonable compromise. It was a compromise James Brooks of New York, the spokesman of this camp in Congress, called "non-action" in regards to the issue of slavery. Just like Daniel Webster did, Brooks believed "that [the] destiny of Almighty God...has regulated all these things for us," leaving it in the hands of God where slavery should be expanded and practiced.¹⁴² Other representatives supported the compromise after learning how the constitutional convention of New Mexico dismissed slavery in the territory's constitution. Because of this, these congressmen believed the territorial government of Utah would do the same, as it was geographically placed just north of New Mexico. Another group of men in Congress saw popular sovereignty as a simple extension of the rights limited for the states in the Union. New territories would eventually decide for themselves the status of

¹⁴¹ Bernhisel to Brigham Young, August 9, 1850, *Journal History of the Church of Jesus Christ of Latter-day Saints*, August 9, 1850, L. D. S. Church History Library, Salt Lake City, Utah.

https://dcms.lds.org/delivery/DeliveryManagerServlet?dps_pid=IE293668.

¹⁴² *Congressional Globe*, 31st Cong., 1st sess., 1701.

slavery when applying for statehood. Therefore, giving them the right to legislate on the issue in their territorial phase was unproblematic from a democratic standpoint.¹⁴³

Most Southerners in Congress believing in the expansion of slavery meant that if Utah was left open to it, they could bring their slaves with them into the new territory and preserve their institution. While Utah's difficult agriculture and lack of industry might have seemed like a problem, it was not viewed as an obstacle by these Southern expansionists. What did appear as a disincentive was the long and difficult distance of travel, along with the assurance of profits closer to home. Even though these men were in dire need of preserving the possibility of expanding the institution, they had no intentions of migrating to Utah right away. All they wanted was an equal opportunity to "be permitted to have the benefit of an experiment, that we [Southern expansionists] may have that equal participation in the enjoyment of the Territories which would secure to us an opportunity to be heard in the determination of their permanent institutions."¹⁴⁴ This point of view made many Southern representatives vote for popular sovereignty and the Utah bill in Congress. For the final version of the bill, 56 Southern representatives voted for it, and 15 voted against. The ones voting against it wanted more security for slavery, a guarantee that they could take their institution wherever they wanted.

The Compromise of 1850, that ultimately created the Utah Territory and granted the newly formed legislature of the territory popular sovereignty, was passed in the Senate on August 1st of 1850 and in the House of Representatives on September 7th of the same year. What stands out as most important in this historical event is how not a single person in Washington knew for a fact that Mormons in Utah already practiced slavery in the territory. Though a few men had their suspicions about this, it was a closely kept secret that John M. Bernhisel, Utah's representative in Washington, did not reveal to anybody. Had more men in Washington known about the already existing practice of slavery in the territory, Utah would not have been granted popular sovereignty, "An Act in Relation to Service," now on the horizon, would not have been passed, and slavery would not have been legalized in the Utah Territory.

In Utah, the winter of 1851-2 was one of the mildest ones yet to be experienced by the Mormons. This allowed crops to be planted early and in plentiful, as well as livestock being able to feed often instead of living on scarce reserves of hay. Another thing this mild winter allowed for was the first Territorial Legislature in Utah to be held. Between September

¹⁴³ Russel, "What Was the Compromise of 1850?", 307-8.

¹⁴⁴ *Appendix to the Congressional Globe*, 31st Cong., 1st sess., 154.

of 1851 and March of 1852, three legislative sessions were held after the territory had been granted the right to form a territorial government by the Compromise of 1850 a year earlier. Brigham Young, having been appointed governor of Utah by President Millard Fillmore by the recommendation of John M. Bernhisel, could now administer representative districts and hold elections as he saw fit. According to historian Ronald Collett Jack in his Ph.D. dissertation on Utah's Territorial Politics from 1847 to 1876, Brigham Young nominated representatives and councilors himself and they ran on unopposed tickets in the early years of Utah's territorial phase. Young therefore handpicked the men he wished to be in the legislature. Reinforced by this was the ability he had as President and prophet of the church to send members on colonizing missions to new parts of the Utah Territory. After settling a new area, the members Young had sent on this colonizing mission could represent this new part of the territory in the legislature.¹⁴⁵ As Young went through with this, the first territorial legislature was opened on September 22nd 1851.

In the beginning of 1852, Brigham Young reopened the legislature for their second session, and outlined several topics he believed were important to be discussed in the remaining sessions of that year. Among these topics were both the trafficking of Native American slaves in the territory, done by Native tribes and traders from Mexico, and African-American slavery within the Mormon Church. Young first addressed the ongoing problem of Indian slave trading in the territory, before he expressed a statement about slavery in general:

It is unnecessary, perhaps, for me to indicate the true policy for Utah, in regard to slavery. Restrictions of law and government make all servants; but human flesh to be dealt in as property, is not consistent or compatible with the true principles of government. My own feelings are, that no property can or should be recognized as existing in slaves, either Indian or African. No person can purchase them, without their becoming as free, so far as natural rights are concerned, as persons of any other color.¹⁴⁶

While expressing his belief that slaves' fundamental humanity should be recognized by everyone and how he wanted to pass laws on this exact topic, he did at the same time reinforce the justification of African-Americans' status as slaves in the scriptures:

¹⁴⁵ Jack, Ronald Collett. "Utah Territorial Politics: 1847-1876." Ph.D. dissertation, University of Utah, Salt Lake City, Utah, 1970, 74-6.

¹⁴⁶ *Journal of the House of Representatives, Council, and Joint Sessions of the First Annual and Special Sessions of the Legislative Assembly of the Territory of Utah: Held at Great Salt Lake City, 1851 and 1852.* Great Salt Lake City: Brigham Young, 1852, 108-10, cited as *Journals* hereafter. Also printed in *Deseret News*, Salt Lake City, Utah, January 10, 1852.

Thus, while servitude may and should exist, and that too upon those who are naturally designed to occupy the position of “servants of servants;” yet we should not fall into the other extreme, and make them as beasts of the field, regarding not the humanity which attaches to the colored race; nor yet elevate them, as some seem disposed, to an equality with those whom Nature and Nature’s God has indicated to be their masters, their superiors.¹⁴⁷

The rest of the men in the territorial legislature listened to the counsel from Young, and on February 2nd 1852, “An Act in Relation to Service” was passed in a special joint session of the legislature. The very first section of the act began:

*Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, (...) That any person or persons coming to this Territory and bringing with them servants justly bound to them, arising from special contract or otherwise, said person or persons shall be entitled to such service or labor by the laws of this Territory.*¹⁴⁸

The law did not mention slaves or slavery by exact name, but it did establish the institution as a legal practice in the territory.

What had changed from the time of Joseph Smith and his presidential campaign, to the more recent careful actions of John M. Bernhisel in Congress not mentioning the practice of slavery in the territory? Why was slavery chosen by the exclusive Mormon legislature to be protected by law, when it remained a controversial subject on a national level? Did the legislators themselves have any stake in the legalization of the institution? By looking carefully into the history of the men governing Utah in its territorial phase, we find numerous complex incentives that led the legislative in territorial Utah to protect the institution of slavery in 1852. Legislators had ties to slaveholding members of the church, or had slaves themselves, they had obligations to follow the beliefs of their church, and they wished to alleviate slaves’ stations, all being contributing reasons for establishing a law protecting slavery.

Most of the thirty-nine men serving in the first territorial legislature in Utah in 1851-2 were, had been, or were on the road to be, prominent high-ranking men of the church. They had all converted to Mormonism before the exodus to Utah, and most of the men had even converted before 1840. They were all strongly committed to Mormonism and their church.

¹⁴⁷ *Journals*, 108-10.

¹⁴⁸ *Journals*, 122; and *Acts, Resolutions, and Memorials Passed by the First Annual, and Special Sessions, of the Legislative Assembly, of the Territory of Utah*. Salt Lake City, Utah: Brigham Young, 1852, 80-2, cited as *Acts* hereafter. Emphasis in original.

Most had also served their missions before migrating to Utah, and many of the legislators had seen and been a part of the brutal trials of the church firsthand. Further, several of the men had been close with the former prophet, Joseph Smith, making them deeply committed to the society the late prophet had created. A number of the legislators were also related to Brigham Young, now governor of the Utah Territory as well as prophet and president of the Mormon Church. All the legislators were also committed to Young, despite not being related to him by blood, like some of them were, as well as to each other. Several had familial ties, and a number had also converted or baptized other legislators. The ties they had to each other, to current prophet Brigham Young, to former prophet Joseph Smith, and to their common faith, led the first territorial legislature to have a conciliatory atmosphere. When discussing the legislators' motivation for this subject, it is important to take into consideration the bonds they shared. While they can all be seen as important factors and motivations, it is even more crucial in this history to look at their ties to the actual institution of slavery.

Naturally, a good place to look for why slavery was legalized and voted for in the territorial legislature in Utah would be the journals from when the act was passed by the legislative assembly. However, very little was recorded during the first sessions by the assembly secretaries. Additionally, the act in relation to slavery was only mentioned by Brigham Young twice during his address opening the legislative sessions. The first time the act was mentioned in the legislative journals was on January 23rd 1852. During an afternoon session, George A. Smith reported an "act in relation to African Slavery" to the Territorial Council. The Council was a group of thirteen men elected specifically to discuss and resolve cases and issues not yet handled by the territorial legislature. Orson Pratt, another legislator, proposed that the Council should accept Smith's report and have it read for approval. Further, the journals state that legislator Alexander Williams propositioned to have the bill read a second time, making Charles R. Dana, another legislator, call for it to be sent back to the committee that drafted it. Finally, the journal entry ends by stating how George A. Smith proposed the addition of a preamble to the bill.¹⁴⁹ On February 2nd 1852, the House of Representatives and the Council met in a special joint session to quickly get through everything they had not yet resolved in previous sessions. On the very first day, recorded in the legislative journals, the slavery bill was again brought up, but now as "An Act in Relation to Service," as it had been renamed before this special joint session. After passing its first reading, the bill was motioned to have a part of its section four modified by legislator Joseph

¹⁴⁹ Ricks, "A Peculiar Place for the Peculiar Institution," 99.

Young. After this it passed the second hearing, before being motioned by James Brown in the third hearing. This is where any mentions of the act ends in the legislative journals.¹⁵⁰

Few sources can be found on the legislative sessions in Utah in 1852. Besides Brigham Young's own personal history written by himself and a few corresponding letters concerning these events, the legislative journals stands out as the most important written sources when researching this particular subject, apart from "An Act in Relation to Service" itself. The inconclusive statements about the slavery bill in the legislative journals, however, leave us with several questions. Why were there no disagreements, except for a couple of motions, on this bill? Was it just a mistake made by the legislative journals' secretaries to not write down the attendance, or was the bill approved unanimously by the legislature? While we do not have any certain answers to these questions, there are numerous indicators for why this bill passed at such an early stage in Utah's territorial phase.

When analyzing literature dealing with the legislature of 1851-2, one aspect of the history is completely overlooked; the fact that several legislators owned, or eventually came to own, slaves. As we already know from chapter three, John Brown, a legislator in the joint assembly of 1852, owned slaves as he had brought two on his way to the Valley.¹⁵¹ Another legislator named Edward Hunter bought a slave later on, in 1865, but because of emancipation Hunter "immediately put him on the payroll, just as he did all the hired hands."¹⁵² Albert Perry Rockwood, another legislator, had also acquired slaves, yet the slaves he bought were Native Americans, and they lived with his family until they died. If Rockwood did in fact buy them or not is hard to say. The reason for this uncertainty stems from how it was common in Utah for Natives to force slaves upon Mormons, threatening to kill or abandon the slaves if the Mormons did not purchase them. As a consequence, Mormons had no choice but to buy them from the Natives.¹⁵³ Information like this, however, gives an explanation for why the legislature in 1852 tried to unify the territory's peoples by legalizing slavery.

Another factor for why several legislators were keen to legalize the institution in Utah was where they came from and their state of origin in the United States. Though many of the legislators were from Northern parts of the United States, seven came from the South.

¹⁵⁰ *Journals*, 85, 122.

¹⁵¹ His slave, Henry, died of pneumonia, also called "Winter Fever," on their way to Winter Quarters, leaving Brown with one other slave that he brought with him to the Valley on a later trip. Carter, *The Negro Pioneer*, p. 7.

¹⁵² Garrett, H. Dean. "The Controversial Death of Gobo Fango," *Utah Historical Quarterly*, vol. 57, Summer 1989, 267.

¹⁵³ Curtis, Luceal Rockwood. *Compiled and Assembled History of Albert Perry Rockwood*. Salt Lake City, Utah: no publisher, 1968.

Additionally, at this point, attitudes towards slavery were not only based on their sectional affiliation. Abolitionists were unpopular in the North as well as the South up until the late 1840s, though not to the same extent. Moreover, most white Southerners did not even own slaves. In the case of Utah's first legislators, the number seemed to favor the Northern side of the slavery controversy. Although this was the case, many of the men from the North had close ties to the South before migrating to Utah. Some had connections through business, others had relatives living in the South, and several legislators went on their missions through the church to Southern states. While this demonstrates how many of the legislators were connected to the South, it does not accurately indicate a pro-slavery attitude among them.

While the most efficient way of learning the legislators' attitudes towards slavery would have been through studying their outside writings, these are unfortunately hard to come by as very few exist. We know, from chapter two, that William W. Phelps, editor of the *Evening and Morning Star*, tried to stay neutral on the subject of slavery while residing in Missouri. However, this tragically ended in the expulsion of the church from that state, forcing them to relocate. None of the Mormons who suffered through the Missouri persecutions had anything good to say about these slaveholders, yet it did not cause any feelings of anti-slavery or that of anti-slaveholder. What more appropriately labels their feelings at that time was anti-Missourian.

Phelps was on other occasions less ambivalent on the concept of race, and identified being black as a sin, describing it as an apostasy. This connection between blackness and sin might have reinforced Phelps to believe in the inferiority of the black man, justifying their status as slaves in society. He also believed in the *Curse of Canaan*, like both Joseph Smith had done and Brigham Young did, writing: "HERE let the Jehovah smitten Canaanite now in humble submission to his superiors, and prepare himself for a mansion of glory when the black curse of disobedience shall have been chased from his skin by a glance from the Lord."¹⁵⁴ Legislator Benjamin F. Johnson, as well as William W. Phelps did, believed in the inferiority of the black man, and had a different experience leading him to this belief. He, as many other Mormons, experienced firsthand the many hardships the church went through, and while working at Fort Kearney in the winter of 1838-9, he wrote: "Here I began to comprehend more fully the vices of the world: gambling, drunkenness, and prostitution were all bare and open-faced, and the Indian women and the negroes were just as common as was the money that would pay them." Being only twenty years of age at the time, this would have

¹⁵⁴ *Deseret News*, July 26, 1851; *Latter-Day Saints Messenger and Advocate*, Kirkland, Ohio, vol. 1, no. 6, March 1835, 82. Emphasis in original.

made an impression on his young mind, now associating blacks with explicit sexuality and vice. This could easily have made him vote for “An Act in Relation to Service” thirteen years later, an act prohibiting whites from having sexual relations with blacks, both slave and free.¹⁵⁵

Though several of the legislators had their own reasons to vote for the act in 1852, other facts about these men complicates the pro-slavery feelings in the legislature. Some of the men had been among those to carry out Joseph Smith’s message in his presidential platform eight years earlier, a message promoting gradual emancipation of all slaves in the nation. Another man from the legislature was said to be a good friend of a black man named Elijah Abel. Abel was the only black man in the Mormon Church to receive the priesthood in the nineteenth century.¹⁵⁶

All of these factors and the collection of sources do not give us any clear indication of why the legislature unanimously voted for the slavery bill in 1852. What can further explain the situation, however, are Utah’s politics, religion, and society at the time of the joint assembly in 1852.

One probable motivation for this unanimous vote was how they wanted to use their right of popular sovereignty given to them by Congress in Washington two years earlier, without the input of politicians in the United States capital. Mormons had for a long time wanted to control their own institutions and laws, and it was just as appealing now as it had ever been. Exercising their own laws had been a major motivation for settling in the Valley, and they would under numerous occasions call on the constitutional right of their state of sovereignty to defend their own practices after 1852- especially their practice of polygamy, discussed in the introduction. Despite this, exercising their right of popular sovereignty and legalizing slavery in the Utah Territory without any other motivations made little to no sense. Had the territory been without any slaves, it would have made equal sense to use their popular sovereignty to outlaw the institution instead of legalizing it, or to not use this right at all as no circumstances would have required any laws on the specific subject.

But slaves did exist in the territory. And this certainly gave grounds for discussion, even conflict, over the institution. During the early years of the settlement of the Valley, several slaves escaped and ran away from their Mormon masters. As the territory did not have

¹⁵⁵ Ricks, “A Peculiar Place for the Peculiar Institution,” 104-5; Benjamin F. Johnson. *My Life’s Review*. Independence, Missouri: Zion’s Printing and Publishing Co., 1947, 54; *Acts*, 81.

¹⁵⁶ Smith, *History of the Church*, 6: 335-40; Carter, *The Negro Pioneer*, 15.

any laws on slavery yet, masters would go to Brigham Young for help.¹⁵⁷ Though we do not know the outcome of each case, they certainly gave encouragement to acknowledge the slaveholders' rights to their slaves' labor. While not a lot of Mormons owned slaves, the small number who did were significant, one of them being the legislator John Brown, discussed in chapter three. It is impossible to say for certain if Brown's motivation in the legislature was to push Brigham Young towards legalizing slavery and to protect his fellow slaveholders within the Mormon community or not. Still, the possibility of Brown wanting to implement such a law to avoid offending his fellow slaveholders is certainly something that can be argued for. This desire to please fellow slaveholders in the Valley can also be seen as a general motivation for all the legislators in the legislative assembly.

John Brown was a part of the group of men that most definitely was more pro-slavery than anti-slavery in the legislature. Yet, as mentioned earlier, several men had helped Joseph Smith with his presidential platform in 1844 supporting gradual emancipation. These men had spent most of their lives opposing slavery, so why switch now? Another aspect that slowed down the slavery bill in Utah was how divisive this issue had been and still was in Washington, something the territorial government and legislature were fully aware of. This awareness should have made the men, if not stop the sessions, postpone the legislation on this specific issue until they had attained statehood in the Union.

Despite these factors, the legislative assembly pushed forward the slavery bill in 1852. Why? Two explanations are possibilities in answering this question: first, the political consequences on a national level coming from these actions were not taken into consideration by the legislators in Utah, or they simply did not care about them. This can be a consequence of the superiority the Mormon leaders felt in Utah at the time, as they wanted to stay away from the United States after the persecutions they experienced in both Missouri and in Illinois years earlier. The second possible explanation to these actions in the legislature is that if there were any form of anti-slavery feelings in the legislature, they may have been pacified by Brigham Young's justifications, both humanitarian and religious, for slavery. Young himself was the one to put forth most of the arguments in favor of the institution's legalization in Utah, and as the legislature was all-Mormon, it does present itself as logical that these men would avoid direct opposition towards their leader and prophet. Little indicates that they opposed him at all.

¹⁵⁷ Coleman, *A History of Blacks in Utah*, 40-1.

Though Governor Young had expressed his views on January 5th 1852 to the legislature that “no property can or should be recognized as existing in slaves, either Indian or African,”¹⁵⁸ slaves were still seen as an essential form of property for some Mormons. Their slaves had been their only help when migrating to the Salt Lake Valley, and they played a big part in building the urban and agricultural foundation in the Utah Territory. Some people believed in calling for limitations on the sale of slaves, countering the idea that slaves were useful and valuable. However, the slaves brought to the Valley were looked upon as a unique and useful form of property to their masters, and slave sales did take place in the Utah Territory before emancipation. This is something I will come back to in more detail in the next chapter.

Because of this, the legislature did produce laws in the slave act concerning the transfer of slaves. Unlike in the South, however, the Utah legislature had stronger limits on the commodification of slaves and blacks in the territory.¹⁵⁹ In the beginning of legislating the slavery act, the bill specified that improper sexual behavior between master and slave would result in the transfer of ownership of the slave from the master to the probate court. “The Court shall Indenture said servant or servants and his or her children to such other master or mistress as in his opinion will set before his servants a moral example.”¹⁶⁰ This was a clear example of how the Utah legislature fully preserved the master-slave relationship in the territory, rather than just permitting it. This part of the bill made certain legislators uncomfortable, as it guaranteed the transfer of one person’s slave(s) to another because of immoral actions. As a consequence, Joseph Young’s amendment was approved, like mentioned earlier in this chapter, and this section (section four) of the bill was slightly changed. In the final version of the act, a master guilty of having sexual relations with his slave would “forfeit all claim to said servant or servants to the commonwealth.”¹⁶¹ Without telling what the “commonwealth” would do further with the slave(s), this is what the section ended up stating. Reading from these actions in the legislature, we understand how these men wanted their bill to control the slaveholders, but still protect and legalize the master-slave relationship. Yet, they carefully refrained from getting too involved in the logistics of slavery’s preservation.

¹⁵⁸ *Deseret News*, January 10, 1852.

¹⁵⁹ Ricks, “A Peculiar Place for the Peculiar Institution,” 108.

¹⁶⁰ *Ibid*, 109; Quote found in the earlier version of “An Act in Relation to Service,” Territorial Legislative Records, Series 3150, Box 1, Folder 55, Utah State Archives, Salt Lake City, Utah.

¹⁶¹ “An Act in Relation to Service,” Territorial Legislative Records, Series 3150, Box 1, Folder 55, Utah State Archives, Salt Lake City, Utah.

The Mormons in Utah, and therefore the members of the legislature, found justifications for slavery and its legalization in contemporary ideas popular in the United States, yet, the most prominent justifications developed within their own religion. As it did in the South, racism factored in on the decision to legalize the institution. Evidence of this came when Brigham Young wrote his official history on the day of his opening address to the legislature, stating: “They have not wisdom to act like white men.”¹⁶² Here, Young did not specify why they did not have the wisdom, like blacks not being well enough educated to make these kinds of decisions like white men did, but simply stated that they did not have the wisdom. This was obviously based on their skin color, and the racist idea that blacks were not as intelligent as the white man in general. Young’s speech to the legislative assembly earlier that day had placed blacks as “naturally designed to occupy the position of ‘servant of servants.’” These indispensable differences between black and white clearly justified the lack of political rights for blacks, as well as putting them in the lowest societal position possible.

If the legislators in Utah acted out racism towards the blacks in their community, this was not only a consequence of the contemporary racist ideas coming from the United States. What present more insight into their decision of legalizing slavery were their own religious beliefs and the racism that had developed within. One aspect of the Mormon faith, discussed in chapter two, was how God acted through his servant on earth, should his will be to change something. It had previously been Joseph Smith occupying this role, and it was now Brigham Young, being the new prophet of the Mormon Church. As blacks were seen as inferior to whites in the United States at the time, it would be God’s choice to change this. God would then reveal this through Brigham Young, his servant on earth, and Young would somehow change the societal attitudes towards blacks from inferiority to equality.

The belief in the inferiority of blacks came from the “Curse of Cain,” discussed earlier in this thesis. The curse had many names both in Mormonism and in other parts of Christianity. The “Curse of Ham/seed of Canaan”-doctrine was regularly used, were Ham, the son of Noah, had seen his father’s nakedness and therefore, his descendants were forced to serve the descendants of Noah’s other sons.¹⁶³ The “Curse” was applied frequently to Utah’s black population by Brigham Young to justify their status in society. On January 5th 1852, he wrote in his official history that:

¹⁶² “History of Brigham Young,” entry dated January 5, 1852, Church Historian’s Office Records Collection, Salt Lake City, Utah.

¹⁶³ *The Holy Bible*, Genesis 9: 20-27.

The negro...should serve the seed of Abraham; he should not be a ruler, nor vote for men to rule over me nor my brethren. The Constitution of Deseret [Utah] is silent upon this, we meant it should be so. The seed of Canaan cannot hold any office, civil or ecclesiastical...the decree of God that Canaan should be a servant of servants unto his brethren (i.e. Shem and Japhet) is in full force. The day will come when the seed of Canaan will be redeemed and have all the blessings their brethren enjoy. Any person that mingles his seed with the seed of Canaan forfeits the right to rule and all the blessings of the Priesthood of God; and unless his blood were spilled and that of his offspring he nor they could not be saved until the posterity of Canaan are redeemed.¹⁶⁴

According to Brigham Young, blacks were cursed and could therefore not be given any right to lead or run for any office, or even to vote. Additionally, being cursed was hereditary, giving every offspring of blacks the same fate. The “Curse” was not permanent, however, and could be lifted in the future. Despite this, Brigham Young later stated that “the Devil would like to rule part of the time But I am determin[sic] He shall not rule at all and Negroes shall not rule us.”¹⁶⁵

What stuck out as most important in this policy on blacks was the fact that no abolitionism or legislative action could change the “Curse,” only God. Blacks would eventually be redeemed, but this could only be done by God himself. As this was the belief of Mormons, Utah and its legislature remained silent on this divisive subject, as they believed the religious revelation was nothing they could change themselves. The belief was so strong it was almost included in the bill itself. In an earlier version of the Act, it was explained why slaves were acceptably held in the territory:

[T]he master or mistress, or his, her, or their heirs shall be entitled to the service of the said servant or servants and his, her, or their children, until the curse of servitude is taken from the descendants of Canaan, unless forfeited as hereinafter provided, if it shall appear that such servant or servants came into the territory of their own free will and choice.¹⁶⁶

The phrase “until the curse of servitude is taken from the descendants of Canaan,” was not printed in the final draft of the act. This came as a consequence of legislators wanting to remain cautious with their wording of this act, as it was going to be read by Congress in

¹⁶⁴ “History of Brigham Young,” entry dated January 5, 1852, Church Historian’s Office Records Collection, Salt Lake City, Utah; *Deseret News*, January 10, 1852.

¹⁶⁵ Kenney, Scott G. *Wilford Woodruff’s Journal, 1833-1898, Typescript*, vol. 4. Midvale, Utah: Signature Books, 1983, 97-8; Bringhurst, *Saints, Slaves, and Blacks*, 82. These authors give us different dates on when Brigham Young gave this address, Kenney placing it on February 8th 1852, while Bringhurst gives the date January 16th 1852.

¹⁶⁶ “An Act in Relation to Service.”

Washington. A religious concept like this would not appeal to men in Washington, and because they had the power to reject the bill, it was left out. Although the phrase was removed from the official bill sent to Congress, the belief in the “Curse” remained an important impetus for legalizing slavery in Utah.

An interesting aspect of the slavery bill itself was how the Mormons never used the actual word “slavery” or “slaves” in it, but instead “service” or “servants.” This was not only the case in the bill itself, but also in journals, newspaper articles, and other written works by Mormons at the time. In his opening address to the legislature, Brigham Young referred to slavery as “Service,” while John Brown in his journal continuously used the words “servants,” “colored men,” or “Negroes” instead of using the word “slaves.”¹⁶⁷ One reason for the avoidance of the word “slavery” was connected to the way Mormons interpreted the word “slavery” within their religion.

While many in the ancient world used slavery as a metaphor for their own relationship with God, the Mormons saw their relationship with God in a different way. The members of the church were to act in their relationship with God as servants, not slaves. Slavery held no metaphorical meaning in terms of the relationship Mormons desired to have with God. In fact, slavery was seen as a symbol of sin or vice in the Mormon Church. The word was even used to describe repressive political relationships, and it was connected to drug and alcohol usage. As a result, the symbolism for the word “slavery” became restricted to negative relationships of vice or power.¹⁶⁸ From this, the word “service” seemed to fit better with Mormon beliefs and with their relationship to God. Therefore, it was also more proper to use in terms of the relationship between a master and his slave. As a consequence to this specific use of terminology, the act concerning slavery in Utah was changed from “An Act in Relation to African Slavery” to “An Act in Relation to Service” during the territory’s legislative sessions.¹⁶⁹

The Mormons’ own practice of religion comes to serve as an explanation, or part of the explanation, for the legalization of slavery in Utah. Yet, instead of only sanctioning and legalizing the institution, the legislature wanted to do more. They wanted to establish a better life for slaves than what they had experienced in the old South.

¹⁶⁷ *Deseret News*, January 10, 1852; Dennis L. Lythgoe, “Negro Slavery in Utah,” *Utah Historical Quarterly*, vol. 39, Winter 1971, 40, 53; Carter, *The Negro Pioneer*, 7.

¹⁶⁸ Ricks, “A Peculiar Place for the Peculiar Institution,” 118.

¹⁶⁹ Bringhurst, Newell G. “Mormons and Slavery: A Closer Look,” *Pacific Historical Review*, vol. 50, no. 3, August 1981, 336.

This statement goes against what Newell G. Bringhurst asserted in his work on the subject, stating that while the Utah legislature legalized slavery to gain support for statehood, it also did it to align with the South. The form of slavery legalized by the legislature in Utah had little resemblance to that in the South, yet according to Bringhurst, both Mormons and Southerners in the 1850s saw popular sovereignty, given to Utah in 1850, as the best way to protect their own institutions from outside attacks. While Southerners desperately wanted to protect the institution of slavery, Mormons saw this as an opportunity to protect their own institution; polygamy. Bringhurst explains how Mormon apostle, Jedediah M. Grant, in 1852 expressed how the Mormons stood with “THE SOUTH” as “opponents of centralization.”¹⁷⁰ While it might be true that men in Utah saw Southern enthusiasm for popular sovereignty as an opportunity to stand by their own radical institution, nothing indicates that the legislature intended to stand with the South in the slavery controversy.

The church was also said to have reacted enthusiastically when the Kansas-Nebraska Act of 1854 passed through Congress, and some Mormons even applauded the decision made in the Dred Scott case. The church newspaper, the *Deseret News*, even wrote about Southern attempts to reopen the international slave trade during the 1850s, stating that it would “reduce miscegenation between white slaveholders and their black slaves and also satisfy the increasing demand for slaves in the expanding cotton kingdom. In addition, these incoming African slaves would be given the “benefits” of American civilization.”¹⁷¹ Though it might have been right that Mormon enthusiasm was expressed when Congress acted in favor of the South, an argument for Mormon alignment with the South falls short. These events were not met with enthusiasm because it opened up for slavery in the territories; they were met with eagerness among Mormons because it gave way for them to stand by their own institution of polygamy. This enthusiasm, however, did not include all Mormons, and certainly not many enough to back up an argument on how Mormons sided with the South in the slavery controversy.

While it cannot be proven that Mormons sought brotherhood with the South when legalizing slavery, it is equally impossible to justify allegations that “An Act in Relation to Service” was passed in order to keep Southerners out of Utah. When addressing the legislature in 1852, Brigham Young stated that “many Brethren [brethren] in the South” had “a great amount” of money invested in their slaves, and that they might possibly migrate to the

¹⁷⁰ Ibid, 333.

¹⁷¹ Bringhurst, *Saints, Slaves, and Blacks*, 334; quote taken from *Deseret News*, April 13, June 1, July 13, 1859.

Utah Territory if legislation protected the property they had in slaves.¹⁷² Orson Hyde also wrote an article in 1851, acknowledging that slavery was practiced among Mormons in Utah. He stated that “when a man in the Southern States embraces our faith, and is the owner of slaves, the church says to him, if your slaves wish to remain with you, and to go with you, put them not away.”¹⁷³ If the slaves did not want to stay with their masters, however, they were to be sold or set free, according to the master’s own conscience. As we shall see in the next chapter, few slaves brought to the territory against their will were set free by their masters.

If anything, Brigham Young tried to keep the slaves living in Utah from leaving the territory. In 1851, a party of Mormons left for San Bernardino, California to establish a Mormon settlement there. Brigham Young warned the party about taking their slaves with them to the new settlement, as slavery was illegal in California and slaves taken there would have to be set free. Like Young had warned the party, the slaves sued for their freedom after arriving in California, and as a consequence, no records can be found of them after this as no slaves returned to Utah with their masters.¹⁷⁴

An interesting aspect of Brigham Young’s exploration of the Utah Territory is revealed in a letter he wrote to Utah’s representative in Washington, John M. Bernhisel, in 1852. Young informed Bernhisel of his plans to explore Southern Utah with the intention of finding a place to grow cotton and sugar canes. While sugar could be “produced from beets as the experience of the past season,” Young believed that “cotton is the most important to us.”¹⁷⁵ Though Young looked for places to grow cotton, the cotton would not be for export, only for local consumption. Still, as many of the slaves in the territory were familiar with the production of cotton already, they could provide valuable help to the possible production in Utah. It does not seem like Brigham Young wanted to use all the black slaves in Utah for this cotton mission, yet the newly explored area in Southern Utah named “Dixie,” saw the arrival of several black slaves in the early 1860s.¹⁷⁶ While Young’s plans for growing cotton in Southern Utah did not pan out, as we shall see further in chapter six, it most definitely had an impact on the legislative assembly in Utah in 1852, and was a contributing factor in the legalization of slavery that year.

¹⁷² Bringhurst, *Saints, Slaves, and Blacks*, 68; cited from “Speech by Gov. Young in Counsel on a Bill relating to the Affrican Slavery,” January 23, 1852.

¹⁷³ *Latter-day Saints Millennial Star*, Liverpool, England. Vol. 13, no. 4, February 15, 1851.

¹⁷⁴ Parrish, William E. “The Mississippi Saints,” *Historian*, vol. 4, 1988, 505-6.

¹⁷⁵ Brigham Young to John M. Bernhisel, February 28, 1852, in “History of Brigham Young,” Church Historian’s office records, History of the Church collection, L. D. S Church Archives, Salt Lake City, Utah.

¹⁷⁶ Carter, *The Negro Pioneer*, 65.

From all this information, it is clear that the Utah legislature in 1852 did not have the intention of supporting, nor preventing Southern slaveholders from coming to the Utah Territory. “An Act in Relation to Service” may have provided restrictions on the power of the slaveholders in the territory, making it less appealing for Southerners to migrate here, however, nothing indicates that this was the intention of the law they passed.

One of the more interesting aspects of the legalization of slavery in the Utah Territory can be found in the Native American part of the bill. Native American slavery had been a dynamic institution in the Southwest borderlands long before the arrival of the Mormons, and it was still an ongoing practice when the Mormons first settled in the Salt Lake Valley in 1847. The Native American slave trade was practiced, not only by local Indian tribes, but also by Mexicans. Before the western territories were acquired by the United States, they belonged to Mexico where slavery was legal. According to historian James F. Brooks, the institution “maintained honor by acknowledging the exchangeability of their [Mexicans and Native tribes’] women and children.”¹⁷⁷ However, when the United States acquired these areas in their war with Mexico, the ongoing tradition of the Native American slave trade was disrupted by American politics and a new society crashed with the old. As African-American slavery was introduced, both this and the old Native American slave trade changed significantly.¹⁷⁸

As this was a form of slavery, Brigham Young did not differentiate the two when discussing them both in the legislature. He did, however, like all Mormons, differentiate the two when discussing them separately, as they were fundamentally different according to Mormon views. Young believed that both African-American and Native American slaves alike would benefit from being purchased by the Mormons. African-American slaves could, according to Brigham Young, be redeemed from chattel slavery in the South, while Native Americans could be redeemed from “the low, servile drudgery of Mexican slavery.”¹⁷⁹ In January of 1852, the *Deseret News* stated that the Indians, “under the present low and degraded situation...so long as the practice of gambling away, selling, and otherwise disposing of their children; as also sacrificing prisoners obtains among them, it seems indeed that any transfer would be to them a relief and a benefit,”¹⁸⁰ confirming the Mormon belief in how they thought they were saving Native Americans by purchasing them.

¹⁷⁷ Brooks, James F. *Captives and Cousins: Slavery, Kinship, and Community in the Southwest Borderlands*. Chapel Hill, North Carolina: University of North Carolina Press, 2002, 31, 40, 306ff.

¹⁷⁸ Ibid.

¹⁷⁹ Ibid.

¹⁸⁰ *Deseret News*, January 10, 1852.

Because Native American slavery was prevalent in the territory at the time of the legislation, men in the legislative assembly also passed “A Preamble and an Act for the Further Relief of Indian Slaves and Prisoners.” The act had both similarities and differences to the bill concerning African-American slavery passed the same year, yet the differences were more apparent in the two bills. Because the two were so fundamentally different, the legislative had a hard time writing a preamble suitable for the act, as it would have to reconcile the differences of the two forms of slavery. While African-American slaves were slaves through heredity and held in bondage for life, Native American slaves purchased by Mormons were indentured to that family until they had reached a mature age to transition into a free life.

Both Northerners and Southerners in Congress remained divided in their opinions on slavery and popular sovereignty, yet, they still managed to pass an act, combined with a number of other acts, in 1850 that would postpone a war between the states for a few more years. Had the men of the Thirty-first Congress known about the Mormons’ already existing practice of slavery in Utah, Northerners would most likely have opposed the Utah bill, and the Compromise of 1850 would have been delayed. Shortly after the close of the Thirty-first Congress, Bernhisel himself disclosed the same understanding of the situation in a letter to prophet Brigham Young:

The members of Congress from the non-slaveholding States were so fully determined not “to bow the knee to the dark spirit of slavery” that if they had believed that there were even had a dozen slaves in Utah, or that slavery would ever be tolerated in it, they would not have granted us a Territorial organization, nor can our Territory ever be admitted as a State into the Union, unless our constitution contain a clause prohibiting the introduction of slavery.¹⁸¹

What nobody, not even Bernhisel himself, could have foreseen was that only two years after the Utah bill was passed in Congress, Utah’s first territorial legislature would legally establish slavery as a practice in the territory.

Though slavery was legalized, the institution, in theory, differed from that in the old South. According to “An Act in Relation to Service,” slaves had to choose for themselves to stay with their masters, and if this was their choice, they would have to be treated kindly. This meant that no punishments were to be given without sufficient cause, and proper clothing and

¹⁸¹ Bernhisel to Brigham Young, November 9, 1850, *Journal of the Church of Jesus Christ of Latter-day Saints*, November 9, 1850. https://dcms.lds.org/delivery/DeliveryManagerServlet?dps_pid=IE293668.

housing had to be provided. These were the primary changes implemented on the institution in Utah, compared to how the institution was practiced in the South, where masters could punish and treat their slaves as they pleased. As we shall also come to see in the next chapter, not many slaves were given the choice of voluntarily staying with their master, and a great majority of the slaves brought to Utah were held in bondage against their will. Some slaves tried to escape even before the Act was passed in 1852, and to prevent more slaves from escaping, the legislature had to enact a law recognizing both the legitimacy of slavery for the sake of the slaveholders, while still making sure the slaves were treated in a manner that prevented them from wanting to leave or escape.

Another part of slavery in Utah that I will look further into in chapter six is how several slaves, if not the majority, were not treated according to the new slave bill. While “An Act in Relation to Service” provided restrictions to the power of slaveholders, many of the originally Southern slaveholders who migrated to Utah had a hard time giving up this power and continued to treat their slaves poorly. The next chapter’s primary concern will be the treatment slaves received in their new homes in the Utah Territory, how they lived their lives here, and what aspects of their lives changed when migrating. Had their living conditions changed from what they were back in the old South? Did they engage in the same types of labor? By looking at sources written by both slaveholders and slaves themselves, we will get a sense of what life was like for a slave in the Utah Territory before emancipation.

Chapter 6

Slavery in the Utah Territory: Treatment of Slaves and the Institution as a Whole in the Utah Territory Before Emancipation

In 1850 a census was made listing twenty-four free people of color and twenty-six enslaved people of color as living in the Utah Territory. The latter twenty-six enslaved people of color were listed as being en route to California, yet this was not the case for most of them. This census was the first census ever conducted in the Utah Territory, and it was done under the supervision of church president and newly appointed governor of Utah, Brigham Young. Utah's Territorial Secretary, Broughton Harris, found this unacceptable and refused to certify the census as he meant it contained several irregularities concerning the slave situation in the territory.¹⁸² The slaves listed as being en route to California was only one part of the census' false information. Fifteen of the blacks listed as free people of color in the census were in fact slaves, not free, and the slaves residing in Davis County, more specifically in Bountiful, Utah, were not even included in the census. Historian John David Smith in his dictionary on African-American slavery estimates that as many as one hundred blacks resided in Utah in 1850, and that two-thirds of these were enslaved- a number substantially higher than what the census stated.¹⁸³ If this is correct, the census made by the Utah territorial government in 1850 provided grossly false numbers on slaves and blacks living in the territory.

Whether there were as many as seventy-five slaves in the Utah Territory, or if there were only twenty-six as claimed in the 1850 census, one thing is for certain: little to nothing has been recorded as to the treatment of this group of slaves and the role they played in settling the new territory in the West. This part of Utah's history has been largely overlooked and neglected throughout the years of the state's existence, despite having had both a free and an enslaved black population as early as 1847.

Because the slaves in the 1850 census were listed as en route to California, the men in Washington never found out about Utah's slave population. As we saw in chapter five, the institution was finally legalized in the territory in 1852 by the passing of "An Act in Relation to Service," hereafter referred to as the Act. While the territorial legislature legalized slavery as an institution, the slave situation in Utah cannot be compared to that of the chattel slavery

¹⁸² W. Reeve, Paul and Ardis E. Parshall, eds. *Mormonism: A Historical Encyclopedia*. Santa Barbara, California: ABC-CLIO, 2010, 26.

¹⁸³ Miller, Randall M. and John David Smith, eds. *Dictionary of Afro-American Slavery*. Westport, Connecticut: Greenwood Publishing, 1997, 506.

practiced in the South. Though a carry-over from the South,¹⁸⁴ the practice of the institution in Utah can only be compared to the contemporary practices of involuntary servitude in Illinois and Indiana. The Act constituted nine different sections and they all related to the status and treatment of African-American slaves in the Utah Territory.¹⁸⁵

As Southern converts had brought slaves to the Utah Territory already from the very first trek westwards, they were well accustomed to the laws and common treatment of slaves in the South, before the Act was passed. Consequently, adjusting to new laws requiring kinder treatment of, what they saw as their own property, proved difficult for many slaveholders. This is something we will come to see in this chapter, as several stories from both slaveholders, and slaves themselves, brings light to how the life of a slave was like in Utah both before and after the Act was passed in 1852.

As both church leader and the man who single handedly got the Act passed in 1852, Brigham Young had to set an example of how to treat, not only individual slaves, but also the entire institution as a whole in Utah. Young is also the person to study when looking at this history in general. While it is important to research the personal accounts from people who lived in the area to see the history from an individual perspective, most of the people living in Utah at that time came to Brigham Young for advice on how to live their lives, and this included how to handle and treat their slaves. By looking at Young's public and private statements on the subject, we can begin to understand why slaveholders, as well as slaves themselves, behaved and acted the way they did at that time in history.

While Smith had embraced an anti-slavery position towards the end of this life, Young took a different standpoint. Young, as his predecessor, believed in the "Curse of Cain" from the Bible to a great extent, and stated that "[t]he seed of Canaan will inevitably carry the curse which was placed upon them until the same authority, which placed it there, shall see proper to have it removed."¹⁸⁶ Young took an even more distinct approach towards the institution of slavery after Smith's death, and while the Wilmot Proviso was discussed in Congress in 1849, he publicly stated the following:

In regard to the Wilmot Proviso, slavery, etc., we wish you distinctly to understand, that our desire is to leave that subject to the operations of time, circumstances and common law. You might safely say that as a people we

¹⁸⁴ Lythgoe, Dennis L. "Negro Slavery and Mormon Doctrine," *Western Humanities Review*, Autumn, 1967, 333.

¹⁸⁵ "An Act in Relation to Service."

¹⁸⁶ Young, Brigham. "Speech to the Joint Session of the Legislative Assembly, January 5 1852," *Journals of the Legislative Assembly of the Territory of Utah*. Salt Lake City, Utah, 1852, 108-10.

are adverse to slavery, but that we wish not to meddle with this subject, but leave things to take their natural course.¹⁸⁷

While this may have seemed like a statement of neutrality, Young specifically emphasized his desire to let slavery take its natural course. In Young's mind, a natural course in society was one followed by God and his actions. Slavery should therefore remain a practiced institution as long as God's curse upon Cain was still in place.

Young and most other church members also saw blacks as inherently inferior to whites, making them fit for involuntary servitude.¹⁸⁸ As this was Young's personal attitude towards blacks and slaves in society, his followers and fellow church members were indubitably affected by him in their own way of living their lives. Some slaveholders saw this as a justification for punishing their slaves, letting them live in sheds, and treating them poorly like the slaves had been subjected to in the South. After all, according to Young they were not fit to live or have the same jobs and tasks as white men.

Young came to call slavery "a great blessing to the seed of Adam to have the seed of Cain for servants," on numerous occasions. Still, the slaveholders should use their servants with "utmost kindness," according to the church leader.¹⁸⁹ While Young justified slavery with stories and theories from the Bible, he believed in a humane treatment of the slaves, as we can see was confirmed in the laws of "An Act in Relation to Service." According to the Act, slaves themselves had to agree to move from their home and could not receive abusive punishments from their owners without cause, like they could in the South. According to scholar Ronald G. Coleman, a consequence of this became that slaves themselves consulted with Brigham Young when they had grievances, and they sought refuge in his home. The leader became a mediator between the slaveholders of his church, but also between the slaves themselves and their masters. Many sought the advice of Young regarding their problems concerning slavery, especially up until 1852 before the Act was enacted, creating permanent laws in regards to the institution.¹⁹⁰

Though this could be seen as both kind and fair treatment of enslaved blacks, it only confirms Young's degrading and paternalistic practice and treatment of them. As Dennis L. Lythgoe states in his article, "Negro Slavery and Mormon Doctrine," Young and his attitude towards slavery was "tainted with the paternalistic approach to blacks" as was held by many

¹⁸⁷ Coleman, *A History of Blacks in Utah*, 41.

¹⁸⁸ Bringhurst, Newell G. "The Mormons and Slavery: A Closer Look," *Pacific Historical Review*, vol. L, no. 3, August 1981.

¹⁸⁹ Lythgoe, Dennis L. "Negro Slavery and Mormon Doctrine," 331.

¹⁹⁰ Coleman, *A History of Blacks in Utah*, 40-1.

Southern slaveholders and apologists at the time.¹⁹¹ This paternalistic and degrading view of how black people were destined to be slaves was similar to that of the traditional Southern view they practiced in the South. In Young's mind, his slaveholding followers were masters and the slaves were their servants, precisely like the traditional practice of slavery. While carrying over the traditional practice of a master-slave relationship, Young urged Mormon slaveholders to use their black slaves "with all the heart and feelings, as they would use their own children...and treat them as kindly, and with the same humane feelings necessary to be shown to moral beings of the human species."¹⁹² Fortitude of kindness and humane treatment was here expressed by Young, yet his attitude towards the institution appeared to be greatly similar to that of Southern slave owners. Slaves were lessened to the status of children, much like what they had been in their former Southern homes, and Young adamantly followed this path.

Several Mormon masters did in fact treat their slaves with kindness, and practiced the teachings of their leaders telling them to treat their slaves as their own children.¹⁹³ What went into the word "kindness" varied from place to place in the United States concerning slavery, however, in the minds of Mormons, kindness here simply meant to treat your slaves like you would your own children. Again we see leaders of the church emphasizing a childlike treatment of slaves, further promulgating the lower societal worth of enslaved blacks in the Mormon community. While this view of blacks and treatment of slaves was a degrading one, it could still result in a mutual kindness between slave and master, as several sources presented in this chapter will show us. A female slave named "aunt" Jane Manning James, was once a servant in the house of Joseph Smith himself and his wife, Emma, and her account of the late prophet presents information on his treatment of enslaved blacks before his death:

Yes, indeed, I guess I did know the Prophet Joseph. That lovely hand! He used to put it out to me. Never passed me without shaking hands with me wherever he was. Oh, he was the finest man I ever saw on earth. I did not get much of a chance to talk with him. He'd always smile, always just like he did to his children. He used to be just like I was his child. O yes, my I used to read in the Bible so much and in the Book of Mormon and revelation, and now I have to sit and can't see to read, and I think over them things, and I tell

¹⁹¹ Lythgoe, "Negro Slavery and Mormon Doctrine," 332.

¹⁹² "Speech by Gov. Brigham Young in Joint Session of the Legislature...Giving His views on Slavery," Feb. 5, 1852, Brigham Young Papers, L. D. S. Church Archives, Salt Lake City, Utah.

¹⁹³ Lythgoe, "Negro Slavery and Mormon Doctrine," 332.

you I do wake up in the middle of the night, and I just think about Brother Joseph and Sister Emma and how good they was to me.¹⁹⁴

Though Smith shared this paternalistic approach and attitude with Brigham Young, Jane Manning James was content with her relationship to the late prophet, and seemed to have no trouble being treated like his child. This paternalistic approach could have been the reason why some slaves saw their master's treatment as affection and kindness, not pettiness, as was most often the case.

Brigham Young did on several occasions express his intentions of not being a pro-slavery man; yet, numerous sources prove his stands on the issue. As late as 1859 he expressed the origins of his beliefs in one of his sermons:

You see some classes of the human family that are black, uncouth, uncomely, disagreeable and low in their habits, wild and seemingly deprived of nearly all the blessings of the intelligence that is generally bestowed upon mankind. The first man that committed the odious crime of killing one of his brethren will be cursed the longest of any one of the children of Adam...the Lord put a mark upon him, which is the flat nose and black skin. Trace mankind down to after the flood, and then another curse is pronounced upon the same race- that they should be the "servant of servants;" and they will be, until that curse is removed; and the Abolitionists cannot help it, nor in the least alter that decree.¹⁹⁵

Though blacks were cursed in Young's mind, he went even further and denounced abolitionists in their work towards emancipation of the slaves. By doing so, Young asserted his position towards slavery yet again only four years before the institution was abolished. In his view, no abolitionist could ever alter the "Curse," meaning people with black skin were doomed to be slaves until "all other descendants of Adam have received the promises and enjoyed the blessings of the Priesthood and the keys thereof."¹⁹⁶ If he was not being a pro-slavery man, he was certainly not an abolitionist either. Young's personal actions spoke more than his public statements on the issue, as he himself kept slaves in his Salt Lake Valley home.

Young concluded a speech on slavery to the Legislature in January of 1852, before passing "An Act in Relation to Service," with a statement on how blacks must be servants,

¹⁹⁴ "Aunt" Jane James, "Joseph Smith, The Prophet," *Young Women's Journal*, vol. 16, December 1905, L. D. S. Church Archive, Salt Lake City, Utah, 551.

¹⁹⁵ "Sermon of October 9, 1859," *Journal of Discourses*, Vol. 7 of 26; Liverpool, 1854-1886, 290-1.

¹⁹⁶ *Ibid*, 291.

and how “it is not right” for them to be otherwise.¹⁹⁷ As blacks could not “bear any...priesthood [they could not] bear rule in any place until the curse is removed from them.”¹⁹⁸ This only confirmed Young’s belief in slavery as an institution, but though he believed in the continuation of slavery in the United States and its territories, he did not see it as a beneficial socioeconomic institution in the Utah Territory. In his most famous interview on the subject, Brigham Young explained this situation to newspaper editor, Horace Freeley:

H. G. – What is the position of your Church with respect to slavery?

B. Y. – We consider it of divine institution, and not to be abolished until the curse pronounced on Ham shall have been removed from his descendants.

H. G. – Are any slaves now held in this territory?

B. Y. – There are.

H. G. – Do your territorial laws uphold slavery?

B. Y. – Those laws are printed- you can read for yourself. If slaves are brought here by those who owned them in the states, we do not favor their escape from the service of those owners.

H. G. – Am I to infer that Utah, if admitted as a member of the Federal Union, would be a slave state?

B. Y. – No; she will be a free state. Slavery here would prove useless and unprofitable.¹⁹⁹

Slavery would be unprofitable and useless in Utah, yet Young still considered it a divine institution that should not be abolished, not in Utah nor anywhere else in the nation. While his predecessor, Joseph Smith, had been opportunistic with his policies on slavery, changing it with every move the church made, Brigham Young displayed a more consistent one: slavery might have been unprofitable in the Utah Territory, but until God himself removed his curse on blacks, they would live as servants of God’s chosen people. Young even went as far as stating that “if the white man who belongs to the chosen seed mixes his blood with the seed of Cain, the penalty, under the law of God, is death on the spot. This will always be so.”²⁰⁰ His crude view on intermarriage between whites and blacks mirrored that of Southern slaveholders in antebellum America, and so did many other aspects of the institution practiced in the Utah Territory. Though Brigham Young preached for a kinder treatment of slaves in

¹⁹⁷ Lythgoe, , “Negro Slavery and Mormon Doctrine,” 332.

¹⁹⁸ “Speech by Gov. Brigham Young in Council on a Bill relating to the African Slavery,” Jan. 23, 1852, Brigham Young Papers, L. D. S. Church Archives, Salt Lake City, Utah.

¹⁹⁹ Neff, Andrew L. *History of Utah, 1847-1869*. Ed. Leland Hargrave Creer, Salt Lake City, Utah: Deseret News Press, 1940, 618.

²⁰⁰ Lythgoe, “Negro Slavery and Mormon Doctrine,” 332; Quote taken from “Speech by Brigham Young, October 1859,” *Journal of Discourses*, vol. 7, 290-1.

Utah than what they had received in the old South, slaveholders in the new territory did not always practice what was preached, as we shall see further in this chapter.

In the same speech, Young presented a personal experience directed at the pro-slavery side of the issue:

I am neither an abolitionist nor a pro-slavery man. If I could have been influenced by private injury to choose one side in preference to the other, I should certainly be against the pro-slavery side of the question, for it was pro-slavery men that pointed the bayonet at me and my brethren in Missouri, and said, "Damn you we will kill you." I have nor much love for them, only in the Gospel...²⁰¹

While this may seem as though Young was taking an anti-slavery position, the statement was not directed towards slavery at all, but at the pro-slavery men (and women) who attacked his church and its members in Missouri so many year earlier.

Young spoke of slavery as if it was divinely inspired, and though this was a prominent reason for his belief in the institution's continuous practice in both the Utah Territory and in the United States, there were other more cogent reasons for his favorable attitude towards it. As Mormons tended to act out religious aspects of their beliefs in everyday life, it was inevitable that their views on slavery would become united with their religion, something it did at an early stage in the church. This meant that slavery became a spiritual as well as a temporal consideration for the church, and it provided a fertile ground for the doctrine on blacks in the church.²⁰²

As mentioned earlier, a group of Mormons were, in 1851, ordered to establish a settlement in San Bernardino, California by Brigham Young, following an initial group of Mormons who went to California in 1849 to partake in the California Gold Rush. California was, since the Compromise of 1850, a free state, making it illegal to own slaves. As a consequence, the slaves accompanying their Mormon masters to the new settlement were either set free or took their own freedom after arriving. One of the slave owners in this group, after realizing his slaves would have to be set free, tried to take his slaves to the state of Texas in order to keep them in bondage. As his slaves desired their freedom, they refused to go to Texas with their owner. While no other information has been found on this particular story, and it is not recorded whether or not this was an act of manumission or if the slaves just left their owner, the story informs us about the status and quality of life of slaves within the

²⁰¹ Lythgoe, "Negro Slavery and Mormon Doctrine," 332.

²⁰² Ibid, 333.

Mormon Church. As slaves did in the South, they desired their freedom more than anything.

The story of this owner reluctant to release and free his slaves clearly goes against an article written and published by Orson Hyde in the *Millennial Star* earlier that year. In February of 1851, the *Star* stated:

We feel it to be our duty to define our position in relation to the subject of slavery. There are several men in the valley of the Salt Lake from the Southern States, who have their slaves with them. There is no law in Utah to authorize slavery, neither any to prohibit it. If the slave is disposed to leave his master, no power exists there, either legal or moral, that will prevent him, but if the slave chose to remain with his master, none are allowed to interfere between the master and slave. All the slaves that are there appear to be perfectly contented and satisfied.²⁰³

While Hyde here stated that life as a slave in the Salt Lake Valley was a good one, the slaves in the story above were clearly displeased with their lives, hence refusing the trip to Texas where freedom was not an option. Going by this story, slaves within the Mormon Church, without knowing the exact number, were discontent with their lives and wanted their freedom. It is therefore logical to assume that the slave situation in the Utah Territory was similar to that of the slaves who travelled to San Bernardino, California. The reason for slaves wanting their freedom within the Mormon Church, as it had been and still was in the South, was the treatment they received and their quality of life.

Like in the South, blacks did not have any rights in society. This racist approach had only grown stronger within the Mormon Church after the death of Joseph Smith. Along with the enslavement of many blacks, this made it easy for territorial officials to discriminate black people, both free and enslaved, and withhold them from any sort of societal privileges- like taking part in local militia, holding any office, or voting. The toleration and eventual legalization of slavery in 1852 can therefore correctly be seen as a by-product of the growing racism within the church, and among the territorial officials residing there. The legalization was not, however, a commitment to the enslavement of blacks as a socioeconomic institution in the Valley like it had been, and was, in the South. As Brigham Young expressed in his interview with Horace Greeley, exploitation of slaves within agriculture as it operated in the South would not have been beneficial or profitable in Utah. The reason for this was primarily

²⁰³ *Millennial Star*, February 15, 1851, Vol. 13, 63.

the territory's geography, but also because the Mormons believed that "labor needs were to be fulfilled by free white workers."²⁰⁴

If slavery was not profitable as a socioeconomic institution in Utah, why did Brigham Young, along with other Utah legislators in 1852, legalize the institution in the new territory? Like already discussed in this thesis, Brigham Young used stories from the Bible to justify slavery as an institution. On top of this he was, as most members of the Mormon Church at that time, racist and saw blacks as second-class citizens. Although these factors play into the legalization of slavery in Utah, other more functional reasons stand behind the decision of legalizing the institution. Mentioned in chapter four, Young wanted to grow cotton in the Southern part of Utah, called "Dixie". For this he needed slaves, as many of the slaves from the South were already familiarized with the production process of cotton. Even as late as in 1860, Brigham Young was still in the process of growing cotton in Utah's Southern region. William Crosby, owner of several slaves in the Valley, had been sent south by the prophet to look for families willing to purchase or rent Young's farm in Santa Clara County, where growing cotton was the primary goal. Yet, according to a letter written to Brigham Young by Crosby himself on April 29th 1860, he had a hard time finding a family willing to rent Young's farm. Still, all the settlements and farms in the area "engaged in raising cotton" expressed, according to Crosby, that "this Country will produce all the cotton that Utah will need." This may stand as a reason for why Young did not want any slaves leaving the territory, as they were needed in the production of cotton. The cotton was, as stated in the letter, not for export, but was to be sold and used within Utah's own borders.

Young's desire to produce cotton was never fulfilled. Slaves in Utah were therefore put to other tasks and jobs. Some slave owners used their slaves in their jobs as merchants or artisans, while many of the slaves in Utah worked domestically and in the house of their owners. Alongside this, several male slaves were sent as teamsters in the early treks to the Utah Territory. As teamsters they helped converts from the East and the South travel to their new homes in the Salt Lake Valley. In both Kate B. Carter's pamphlet, and in Ronald G. Coleman's doctoral dissertation on blacks in the Utah Territory, we read how "John H. Bankhead sent two of his slaves, Nathan and Dan, to serve as teamsters for a party journeying to aid westward-bound Mormons on the Missouri River."²⁰⁵ Along with Nathan and Dan being sent back to the South as teamsters, Green Flake was given this task in the very first trek to the Utah Territory in 1847, as mentioned in chapter three. Green was sent by his

²⁰⁴ Ibid.

²⁰⁵ Carter, *The Negro Pioneer*, 21; Coleman, *A History of Blacks in Utah*, 31.

owner, James Madison Flake, to help Brigham Young with the journey from Winter Quarters to the Salt Lake Valley, before going back to help his master's family with their journey across the plains again in 1848.

While slaves may have had a number of different tasks and jobs in the Valley, the primary work for most slaves in Utah was still agricultural. Although Mormons carried out agriculture, using their slaves in this work, it was not the type of agriculture exploiting slaves like in the South.²⁰⁶ In addition to working the land agriculturally, cooking and performing other household duties domestically, and building new shelters for their owners, some slaves worked on churches and public buildings in the Salt Lake Valley.

The weather and climate of the Midwest was also a difficult transition in the move slaves were forced to make West, as most of them were used to the much milder climate of the Southern states. The hard transition created a desire in many slaves to return to the tropical climate of the South; despite the brutal treatment they received there. If the desire to go back South was because of Utah's harsh climate, it stands as proof of how the treatment given to slaves by slaveholders in Utah was not much better than what it had been in the slaves' former Southern homes, giving a good indication of how life was like for a slave in Utah; the climate was harsh and unforgiving, and the treatment given to slaves was not much better. While slaveholders neglected to follow the laws of "An Act in Relation to Service," they were seldom, or never, punished or taken to court for their actions.

The combination of climate and cruel treatment led some slaves to escape these poor living conditions. Escaping, however, was a close to impossible task as both snowy, high-rising mountains, and hostile Native American tribes surrounded the Utah Valley. To create a comfortable enough living situation for the slaves not to escape, Brigham Young wanted to establish a new and different master-slave relationship than what had been practiced in the old South. Despite justifying slavery with biblical stories and believing blacks were inferior to whites, he despised the chattel slavery practiced in the Southern parts of the United States.

Young believed in the continuation of slavery as an institution, yet he saw the master-slave relationship as similar to that of what each man should have with God. Slaves should serve their masters diligently, just as a man should serve his God. As God treated his servants with humanity and kindness, a master should treat his slaves with the same empathy and compassion. This suggested that while slavery should still exist among human beings, chattel slavery and the cruel treatment of blacks in the South did not represent a perfect

²⁰⁶ Christensen, James B. "Negro Slavery in the Utah Territory", *Phylon Quarterly*, vol. 18, no. 3, 1957, 300.

relationship between master and slave and it took away the humanity that, in Young's mind, should still exist in African-American slaves.

The Act specified how masters should treat their slaves, or servants, and was in theory supposed to recognize the humanity in blacks instead of viewing them as pure property value. Despite this, the intention of the Act was still to keep, even strengthen, blacks' servile status as slaves in society derived from the Bible. "An Act in Relation to Service" was therefore created to get rid of chattel slavery, yet defend the property rights of slaveholders at the same time. The only way to look at this act is in comparison with the Northern gradual emancipation laws and their indentured servitude practices.

The first section of the act stated that a person entering Utah with their slave or slaves "justly bound to them, arising from special contract or otherwise," was legally entitled to the labor of these slaves as long as "written and satisfactory evidence that such labor is due" was presented to a probate court.²⁰⁷ Put differently, Utah's legislature allowed labor relationships between white slaveholders and African-American slaves formed outside of the Utah Territory. While this section appeared to recognize slavery without a labor contract of any sort, the rest of the act shows that the legislature did intend to legalize a form of indentured servitude, not slavery as it had been practiced in the South.

The second section of the act told slaveholders how a proper and valid labor relationship was to be proven.²⁰⁸ This section basically explained how a contract had to be made presenting information on how the slave, or servant, had to be compensated for his or her work. A contract like this did entitle a slaveholder the labor of his slave, but he or she did not own the slave like people owned chattel, or how they owned their slaves in the South. After all, you do not compensate chattel. Two contracts like this have survived from the time of the settlement of the Utah Territory. The contracted slaves were recorded as slaves for life. Most important in these records, however, is that there were no reciprocal contracts in which the slaves and the masters agreed to service, like the Act required there to be when bringing slaves to the territory. This again proves how slaveholders in Utah, as well as in the South, did not care for, or care about, the will and desires of their slaves, forcing the slaves to stay in servitude involuntarily. This section also stated how no children of slaves were bound as servants just because their parents were or had been. These children could only be forced to work if they had to repay any debts their parents owed their master. This paralleled old

²⁰⁷ "An Act in Relation to Service."

²⁰⁸ Rich, "The True Policy For Utah", 68.

gradual emancipation laws in Illinois and Indiana. The section “disallowed perpetual servitude based on heredity.”²⁰⁹

Section three of the act went against this and stated that an African-American slave and her children brought to Utah by their owner could be held as servants for life. This section was created purely to recognize the property rights of the slave owners. The section did not, however, give slave owners any permanent rights over slave children born in Utah, again reflecting gradual emancipation laws. What this section also stated was how the master of slaves brought into Utah had to submit “the certificate of any Court of record” to prove that he was “entitled lawfully to the service of such servant...”²¹⁰ The relationship was also only to be upheld if the servant entered Utah out of their own free will.

While this law insisted that slaves had to enter the Utah Territory out of their own free will, there were a number of reasons for why a slave might have chosen this, despite the acceptance of a lifetime of servitude they had to do in Utah. One reason they might have chosen to enter Utah was to give their children the freedom they never received. Still, it is difficult to believe that a person in bondage could ever make a fully voluntary decision, as the choices were either to remain a slave in the South, or become an indentured servant for life in Utah. Even so, the Utah legislature believed, or at least determined, that even a slave in this position was able to voluntarily make a choice. Therefore, if a slave went with their master to Utah, it was, according to the Utah legislature, a choice they made out of their own free will. Because of this, they were now bound to their master. This “choice” represented, to the territorial legislators, the difference between an act of personal will and being chattel owned by a master.

To reinforce the humanity given to African-American servants in the act, it also guaranteed the servants certain rights and it continued to emphasize the need for a consensual relationship between master and servant. The act permitted masters to punish their servants, however, only “in a reasonable manner when it may be necessary, being guided by prudence and humanity.”²¹¹ Despite this, a probate judge could declare the labor contract between master and servant void if excessive punishment was exercised. This was also the case if a master neglected to feed, clothe, or provide proper shelter for his servant or servants. If this happened, fines could be imposed and the slaveholder could even be imprisoned. Slave trading was also legal according to the act, precisely like in a traditional indenture. This had to

²⁰⁹ “An Act in Relation to Service.”

²¹⁰ *Acts*, 81.

²¹¹ “An Act in Relation to Service.”

be approved by a probate court, however, and the servant itself had to give consent without the presence of his or her master. In 1939, the newspaper, the *Salt Lake Tribune*, documented the following:

Although the slave trade never was legal in Utah, the fact that dealing in human bondage took place in the past has been discovered in time-worn documents in the county recorder's office. An employee of a Salt Lake Abstract firm, while searching the records for real estate information, came across the copy of a bill of sale for a Negro boy named Dan in a book containing transactions for the year 1859. The slave was sold by Thomas A. Williams of Great Salt Lake City to William H. Hooper, same address, for \$800.²¹²

It is clear from this newspaper article that the author of it did not know about the territory's practice of the institution, let alone the slave trade, that went on in the territory in the mid nineteenth century. This was not uncommon, as it was not widely known until later that Utah practiced slavery at all. Still, sales of slaves did take place in the territory, and at least one sale was documented, namely that of the slave named "Dan":

Know all men by these presents. That I, Thomas S. Williams of Great Salt Lake City in the Territory of Utah, for and in the consideration of the sum of eight hundred dollars, to me in hand, paid at and before the ensealing [*sic*] and delivery of these presents, by Wm. H. Hooper of the city and territory aforesaid, the receipt whereof is hereby acknowledged, have bargained and sold and by these presents, do grant bargain and sell and convey unto the said Wm. H. Hooper, his heirs, executors, administrators and assigns, one negro boy "Dan"; the said negro boy is twenty-six years of age, was born [on] the property and Slave of William Camp on the 15th day of October 1833, in the town of Dresden, Weekly County, State of Tennessee; and by the said William Camp was sold to me in the year 1858, a bill of sale having been executed to me by the said William Camp for the said negro boy "Dan", to have to hold the said negro boy "Dan" unto the said Wm. H. Hooper, his executors, administrators and assigns forever.

And I do for myself, my heirs, executors and administrators, covenant and agree to and with the said Wm. H. Hooper to warrant and defend the sale of the said negro boy, hereby, sold unto the said Wm. H. Hooper, his executors, administrators and assigns, against all and every person and persons whomsoever.²¹³

From this bill of sale, Dan is said to have been sold twice in one year, and as William Camp came to Utah before the year of 1858, both of these sales of Dan must have happened within

²¹² *Salt Lake Tribune*, May 31, 1939, 22.

²¹³ Carter, *The Negro Pioneer*, 43.

the Utah Territory. While many slave sales did not happen in Utah, the one sale documented still proves how the trade was operating here as well as in the South at the time. If Dan had given consent to the sale or not we do not know, as no records exist of this. Yet, knowing how slaves were treated in the territory and the racism that existed, it is highly unlikely that Dan's personal desires were taken into consideration when the sale found place.

The Act also prohibited any sexual relations to be had with a slave, as well as with African-Americans in general. Primarily, this section was created to protect slaves from sexual exploitation by their masters. However, it originally stemmed from the Mormons' belief in God's curse on blacks, stating that any person who engaged in carnal relations with a black person was to be punished by death. Though this was the case, interracial relationships happened within the Mormon Church as it did in the old South. In 1850, John Hardison Redd brought his family to Spanish Fork in Utah after residing in Nauvoo, Illinois with other members of the Mormon Church. The Redd family, John Hardison Redd being the head of it, had been baptized into the church in 1843. They were from North Carolina, and had owned several slaves while residing in the South. Many were freed, according to Redd family lore, when moving to Nauvoo, as they believed Joseph Smith, their prophet, was against the institution after his presidential campaign in 1844. Even so, the family kept two female slaves, Venus and Chaney, and their children. After arriving in Utah in 1850, the family was included in the census of that year, and the children of both Venus and Chaney Redd, the female slaves brought with the family to Utah, were listed as "yellow," not black like their mothers. It is easy to assume here that John Hardison Redd was the father of his slaves' children, but one cannot jump to conclusions. However, John was the only white male adult in the household, which provides circumstantial evidence that indicates the probability of him being the father. The children of both Venus and Chaney were listed as slaves in the census, clearly presenting the fact that even in Utah, children conceived during illegal sexual exploitation of female slaves were kept as slaves by their white masters.²¹⁴

The Act also required masters to send their African-American servants to school for a period of time. This was in stark contrast to the old South, where it was often a criminal offense to teach slaves how to write or read.²¹⁵ Though it was probably not a common occurrence in Utah as it was not common in the South, some slaves did know how to read and write while residing in the territory. Both Jane Manning James and Green Flake, as well as

²¹⁴ Reiter, Tonya. "Redd Slave Histories: Family, Race, and Sex in Pioneer Utah." *Utah Historical Quarterly*, vol. 85, no. 2, 2017, 109-127.

²¹⁵ Rich, "The True Policy For Utah," 71.

Faithful John, whom I will further discuss later in the chapter, all knew how to read and write, something they would all have been brutally punished for if they still lived in the South.

By including ways to properly take care of your servants in the Act, we do get a sense of how the legislators in Utah tried to see the humanity in black slaves in the territory. Yet, while they might have done this in theory, the humanity did not always carry out in practice and close to no cases are recorded where masters were fined or imprisoned for not taking care of, or neglecting their slaves even though this still happened in the Valley.

That Christian slaveholders were supposed to treat their slaves with kindness and respect was not anything new in antebellum America. Slaveholders had since early times looked to the Bible for guidance in their master-slave relationships: “Masters, do the same things [as your slaves] unto them, forbearing threatening: knowing that your Master also is in heaven; neither is there respect of persons with him.”²¹⁶ This Bible verse concerned Paul’s counsel to the Ephesians on how to behave towards your servants, and it was frequently used in antebellum America as the approval of slavery as an institution, confirming the ideal of paternalism so often executed by white slave owners. The Act passed by the Utah legislature did in a sense follow this tradition of paternalism, as section five defines the master-slave relationship in a way Southerners would not have opposed to in any way.

Brigham Young himself expressed the change he wanted to implement of the institution in an address held on January 5th 1852, when stating that slavery should only be practiced with “the benevolence of the human heart,” meaning it was up to the slaveholders themselves to regulate appropriate treatment of their slaves. Though Young might have believed that his own people would follow this theoretical kindheartedness, it did not always carry out practically in the Utah Territory. Slaveholders continued to use corporal punishments, and they treated their slaves sub-par to the Act put in place to improve living conditions for slaves in the territory. Even before migrating to Utah, blacks residing in Nauvoo, Illinois were subject to external abuse, suspected from members of the Mormon Church. Chism, a black slave living with his master in Nauvoo while the church resided there, is told to have been whipped as a consequence of charges put on him for allegedly stealing some goods.²¹⁷ If he did in fact steal goods or not is hard to say, however, with knowledge of the brutal treatment slaves received, it can be assumed that stealing or not- Chism’s owner would have found a way to punish him whether he did in fact steal or not.

²¹⁶ *The Holy Bible*, Ephesians 6:4-9.

²¹⁷ Bringhurst, “The Mormons and Slavery,” 337.

George McKnown, mentioned in chapter three, had brought his slaves with him from the South to the Utah Territory in one of the first treks across the plains. After living in Utah for some time, one of his female slaves escaped from his home, causing him to express the belief that the female slave would not want to return home in the fear “that I [George McKnown] will correct her if I get her.”²¹⁸ Both of these instances demonstrate the way corporal punishment was carried over from the South into converted slaveholder’s new homes, presenting numerous parallels with life and treatment of slaves in the South.

While these stories of punishment were told and written down by white slaveholders, Green Flake, slave of James M. Flake, confirmed the harsh treatment slaves received in his own statement made on a pioneer appreciation day in Mill Creek, Idaho, many years after the Valley was settled:

Sometimes I would work long and hard on a difficult job and no one would even say thanks or tell me and say a few kind words. Sometimes a colored person would be given a kick or a cuff because he may have taken more time than was necessary to do a task. I drove a team and wagon to the Salt Lake valley for my master, James Flake, and helped build him a home and fit place to live. They moved into the home and I was moved out most of the time to live in a dugout and a shed.²¹⁹

A kick or a cuff may not compare to the brutal whipping slaves were exposed to in the old South, yet, Green does attest to the fact that black slaves in Utah received unjustified punishments, illegal according to the Act. In addition to it being illegal, Brigham Young himself had encouraged slaveholders to enact kindness and humanity towards their slaves. This seems to have been ignored by numerous slave owners in the Valley. What this part of the history proves is how slaves in the Valley in most cases had similar lives to those living in the South.

What makes the history of slavery in Utah more interesting, yet contradictory or inconsistent is how different the lives of some slaves seemed to be. While several slaves, including Green Flake, were treated crudely and did not seem to have a good quality of life as a slave in Utah, there are several stories speaking of kind and harmonious relationships between slaves and their masters or mistresses. One of the most prominent examples of what

²¹⁸ Coleman, *A History of Blacks in Utah*, 38; quote taken from George McKnown to Brigham Young, March 12, 1849, L. D. S. Archives Division, Salt Lake City, Utah.

²¹⁹ Freeman, Ron. *James Madison Flake, 1815-1850*. Hurricane, Utah: Ron Freeman, 2011, 41; quote taken from interview with Bertha Udell, Miscellaneous Family Papers.

seemed to be a loving master-slave relationship, is of Liz Flake and can be found in Kate B. Carter's pamphlet on African-American pioneers in Utah.

As mentioned in chapter three, Liz was a young African-American slave given to Agnes Flake as a wedding present from her father when Agnes married James M. Flake. Liz lived in the same household as Green Flake, making it easy to presume that she experienced the same, quite grim, conditions that he did. Yet, her story seems to indicate otherwise. It is said that when Agnes died, Liz could not control her own grief, and "she cried in anguish."²²⁰ When Liz was told by another slave that she should be happy about her mistress dying as this would stop her from being whipped, Liz jumped to her feet and pushed the woman who had tried to console her away, screaming: "You can't talk like that about my mistress when she isn't able to defend herself. She was the best woman that lived; she was not mean to me; she never hit me; I love her better than anyone in the world."²²¹ Carter goes on to tell in the story of Liz that she did not want her freedom even after it was given to her by Agnes' son and his wife. According to the story, Liz wanted to continue serving the family.

Stories of voluntarily freeing slaves were common in Southern Mormon family histories, but these stories were generally told to accentuate the kindness of the slaveholder, and not to showcase the truth of the situation. Former slaveholders often portrayed their emancipated slaves as eager to stay with their white families out of love and loyalty for their former masters, yet the truth was more often than not that slaves in Utah wanted their freedom just as much as slaves in the South. While Liz may have received a more favorable treatment from her mistress in Utah than she would have in the South according to "An Act in Relation to Service," she was still held in bondage and was unable to obtain freedom. According to the accounts procured from slaves themselves used in this thesis, freedom was their ultimate goal and desire, and it was unshakable, no matter how good they were treated by their white masters.

Another example of this comes from the Bankhead family, where a number of John Bankhead's slaves were said to have stayed with the Bankhead family for as long as twenty years after emancipation, until 1884 when John H. Bankhead died. In this story, the slaves are told to have stayed out of loyalty and love for the Bankhead family, as John H. Bankhead was a gentle master and "encouraged each of them to be self-sufficient" after emancipation.²²²

²²⁰ Carter, *The Negro Pioneer*, 18.

²²¹ *Ibid*, 19.

²²² Beller, *Negro Slaves in Utah*, 124. From interview with Lucille Perkins Bankhead, Great Granddaughter of Green Flake, Salt Lake City, Utah, February 25, 1966.

These stories can all be proven untrue by one single newspaper article. In 1899, Alex Bankhead, former slave of the Bankhead family, and his wife, Miranda Bankhead, former slave of the Redd family, were interviewed by the *Broad Ax*, a black newspaper established in Salt Lake City in 1895. The article discussed their recollections of life in early Utah as slaves, and stated that:

The slaves always congregated in a large room or hall on State street. There they would discuss their condition, and gaze in wonderment at the lofty mountains, which reared their snowy peaks heavenward, and completely forbade them from ascertaining how they could make their escape back to the South, or to more congenial climes. For we were assured that their lives in the then new wilderness, was far from being happy, and many of them were subjected to the same treatment that was accorded the plantation negroes of the South.²²³

The article establishes that, not only were the slaves unhappy in the Utah Territory contrasting what slaveholders portrayed them to be, but they also wanted to escape back to the South as treatment in Utah was no better than what they had experienced in their old Southern homes. This is further validated when stating in the article that “they both have a very distinct recollection of the joyful expressions which were upon the faces of all the slaves, when they ascertained that they had acquired their freedom through the fortunes of war.”²²⁴

By looking at one single article written by former slaves, we are informed of the reality slaves had to face when living in Utah before emancipation. As this article proves, emancipation was a joyous occasion for all slaves living in the territory, revealing the untruthfulness of stories written by former slaveholder, expressing how slaves voluntary stayed with their masters after being freed.

Another story of a slave, named John, or “Faithful John,” portrays a seemingly loving and kind relationship between John’s mistress, Susan McCord Burton Robinson, and himself. Again, the story of Faithful John is told and written down by Donald E. Burton, a relative of the former slave owner, making it a one-sided story at best. The story does, however, provide substantial information about a master-slave relationship in Utah before emancipation, and it should therefore be used as an example, though cautiously. Burton states

²²³ ”Slavery in Utah.” The *Broad Ax*. Salt Lake City, Utah, March 25, 1899. Accessed March 19, 2019. <https://chroniclingamerica.loc.gov/lccn/sn84024055/1899-03-25/ed-1/seq-1/#date1=1899&index=0&rows=20&words=always+congregated+slaves&searchType=basic&sequence=0&state=Utah&date2=1899&proxtext=the+slaves+always+congregated&y=0&x=0&dateFilterType=yearRange&page=1>.

²²⁴ Ibid.

in his work that John “worked endlessly helping to provide the necessary food that they needed to feed and care for the large family.... Faithful John was always appreciative of the attention given to him by the entire family and they indeed appreciated his dedication and service.”²²⁵ If the story about Faithful John is true, it might have been the closest to a “perfect” slave-master relationship, according to “An Act in Relation to Service” as it could get. Yet, because the story was written by a relative of the slave owner and the details most likely comes from family lore, it is impossible to say for certain if the entirety of the story is accurate. It has most likely been told to underscore the kindness of the Burton and Robinson families towards their slaves, and not to accentuate the truth of conditions Faithful John had to live under.

Though the story of Faithful John has to be considered carefully as possibly untrue to a certain extent, it is stories like these that bring out the complicated nature of the history of slavery in Utah. Parts of the institution seemed to have carried over from the South, making some slaveholders set in their ways when handling their slaves. Yet other stories demonstrates how the Act from 1852 might have, in fact, changed the way the institution was practiced, at least in the Utah Territory.

Many Southerners saw slavery as being good for Africans, as it made a positive difference in their lives. One defender of the institution wrote: “[B]y means of this institution, the knowledge of God and his religion has been brought home, with practical effect, to a greater number of heathens than by all the combined missionary efforts of the Christian world,” concluding with: “a state of bondage, so far from doing violence to the law of his nature, develops and perfects it; and...in that state, he enjoys the greatest amount of happiness.” Slavery was in fact, according to these defenders of the institution, the best thing that could ever happen to black people.²²⁶

While Southerners condemned the assumed barbaric state of blacks’ primitive life in Africa, Brigham Young and the Mormons deplored the practice of chattel slavery in the South. If the South, in their minds, tried to save blacks from their uncivilized and primitive lives in Africa, then Mormons intended to redeem them even further from the cruelty imposed on blacks by the practice of chattel slavery in the South.²²⁷ While a chattel system was not practiced in Utah, slavery as an institution still existed and the acceptance of the institution

²²⁵ Burton, Donald E. *History of John Burton 1797-1865*. Salt Lake City, Utah: by the author, 2006, 13-15.

²²⁶ R. R. Cobb, Thomas, “What is Slavery, and Its Foundation in the Natural Law,” reprint, *Defending Slavery, Pro-Slavery Thought in the Old South: A Brief History With Documents*, ed. Paul Finkelman, Boston, Massachusetts: Bedford Books, 2003; excerpted in Ricks, “A Peculiar Place for the Peculiar Institution,” 124.

²²⁷ Ricks, “A Peculiar Place for the Peculiar Institution,” 124.

was a by-product of the increased racism within the church. The tolerance of the institution was not, however, a commitment to slavery as a socioeconomic institution, as this would not have been profitable in the territory.

Chapter 7

Epilogue: White and Delightful

One portion of the country wish to raise their negroes or black slaves, and the other portion wish to free them, who cares? I should never fight one moment about it for the cause of human improvement is not in the least advanced by the dreadful war...Ham will continue to be the servant of servants, as the Lord has decreed, until the curse is removed.²²⁸

By the time Utah was granted territorial status in the Union as well as popular sovereignty, Mormons had already practiced slavery in the Valley for almost three years. When migrating westward in 1847, Southern Mormon converts brought both their slaves and their Southern traditions with them to the new territory, resulting in a legitimization of the institution within the Mormon Church. Though slavery had become an intricate part of Utah's Mormon community in the mid-nineteenth century, men in the Thirty-First Congress were completely unaware of their ongoing practice of the institution. As Utah's representative in Washington, John M. Bernhisel, kept the practice a secret from men in the capitol, a newly formed territorial government was able to legalize slavery in Utah only two short years later. Had these facts been known in Washington and the Thirty-First Congress, popular sovereignty would not have been granted, as it upset the balance of free and slave states in Congress, and the sectional crisis might have started a civil war years before it did.

Though the Mormons legalized slavery in 1852, the church had been ambiguous around the issue until Brigham Young's emergence as prophet in 1846. Joseph Smith had from an early age been subjected to racist Bible stories, establishing his church based on distinct racist doctrines. Smith himself did not hold a consistent position towards slavery, but instead used the institution as a tool to gain a following wherever he went. As the church moved its headquarters from Ohio to Missouri, and again to Nauvoo, a pattern emerged in Smith's behavior and public statements; as the church moved, his own views on slavery changed to conform to a new place's attitude towards the issue. This pattern continued up until his death, ending his life with an anti-slavery presidential campaign in 1844. This would become the common contemporary perception of Mormons, consequently affecting the decision in Washington to grant Utah's territorial government popular sovereignty in 1850.

²²⁸ *Deseret News*, October 14, 1863.

As Smith died, Brigham Young ushered in a time of growing fundamental racism within the Mormon Church. Young himself despised the chattel system practiced in the South, yet blacks were still inferior to whites. This resulted in a slave code created to see the humanity in African-American slaves in the Valley, yet not have it followed through. Slaveholders from the South could not relinquish their old Southern traditions, and treated their slaves poorly, defying the new slave laws established in the territory in 1852. Defiant slaveholders rarely saw consequences for their malicious approach to the institution, giving leeway for its continuous inhumane practice.

As the Civil War broke out in 1861, slavery was still largely prevalent in Utah's Mormon community, confirmed by Alex Bankhead, a former slave of John Bankhead, in an interview he did for the newspaper, the *Broad Ax*, in 1899. In his interview, Alex stated that there were "some few negroes still residing in various parts of this State and in Idaho, who were brought here as slaves, and held as such until the close of the civil war [*sic*]." ²²⁹ Many African-Americans in Utah remained slaves for their masters until the end of the Civil War, surpassing the official emancipation of slaves in 1863. While slaves in the Salt Lake City area were freed after emancipation in 1863, news of the proclamation did not reach several areas of the Utah Territory before the war was over, resulting in slaves being held in bondage until 1865.

During the war, Sam Bankhead, slave of George Bankhead, was inquired about the conflict on numerous occasions and was once heard saying: "My god I hope de Souf get[*sic*] licked." ²³⁰ While numerous slaveholders told stories of slaves being voluntarily freed by their masters before or after the emancipation proclamation, just to have the slaves stay out of love and loyalty, the truth of these stories can be debunked by the slaves' own accounts of their lives in the Valley, Sam Bankhead's being one of them. Had these stories of slaves wanting to stay with their masters been true, many slaveholders would not have "left this Territory with their slaves, and returned to the Southern States; because they believed by so doing, the risk of losing them would not be so great." Because several slaveholders in Utah did in fact travel back to the South at the beginning of the Civil War, stories of them and their slaves are lost, and we do not know what happened to them after emancipation. The slaves who were not taken back to the Southern states were freed after emancipation, and "many former slaves left Salt Lake City and other sections of the Territory, for California and other States." ²³¹ While

²²⁹ "Slavery in Utah," *The Broad Ax*.

²³⁰ Nibley, Charles W. *Reminiscences: 1849-1931*. Salt Lake City, Utah: Utah Family Society, 1934, 35-36.

²³¹ "Slavery in Utah," *The Broad Ax*.

many left, some stayed as free blacks in the Utah Territory, or as hired help on their former masters' farm or in their households.

Though slavery was now illegal, and African-Americans could no longer be held in bondage, Brigham Young's view of blacks did not change, and until God reversed his curse on blacks, they would remain inferior to whites, proven by the opening statement of this epilogue. The continued racism, later seen by non-Mormons as fundamental to the church, resulted in a priesthood ban put on blacks in the Mormon Church. The ban lasted for more than one hundred years, until it was lifted in 1978 and entailed that all blacks were banned from receiving the priesthood. Although African-Americans were now free, they could not enjoy the same rights as whites could within the church.

In the early twentieth century, church leaders began making the "racialized distinction of identity" more explicit in the church as several African-Americans from the early days of the church died out. One of these members was Jane Manning James, mentioned in both chapter three and four, who had served her church faithfully and "successfully conformed to the standards of piety and bodily discipline that should earn her a place in the white, Mormon sacred community."²³² After her death in 1908, the church, under the leadership of prophet Joseph F. Smith, formalized a policy towards the "negro race" for the first time. By using former prophets' pronouncements, contemporary church leaders could now use these racial justifications to exclude all blacks from the gospel principles of the church; blacks could now be baptized, but were not allowed to take part in any other aspects of the church community and their practices.

At the same time, church historians began excluding all former black Mormons from the church's history and its narratives.²³³ By 1930, B. H. Roberts published his *Comprehensive History of the Church of Jesus Christ of Latter-day Saints*, leaving out any mention of early black members of the church, only discussing African-Americans when explaining their ancestry to Cain and Ham/Canaan in connection to the Mormon faith.

These church policies excluding all blacks from the church gospels continued to exist well into the twentieth century before skeptics of the doctrines started appearing publically. In the late 1940s and 1950s, racial integration in the United States was also becoming more common, causing the church to publically state the extension of the ban; it only applied to men of African descent. Pacific Islanders, black Fijians, and Australian Aborigines could all be ordained and receive the priesthood, according to contemporary church president David O.

²³² Mueller, *Race and The Making of the Mormon People*, 212.

²³³ *Ibid*, 217-219.

McKay. In South Africa, men of heritage other than African, and men who could trace their lineage out of Africa could now also be ordained.²³⁴

As more missionaries started travelling outside of the United States, the priesthood ban and temple restrictions on blacks made missionary work increasingly difficult. The Book of Mormon stated that salvation should be preached and taught to “every nation, kindred, tongue, and people,”²³⁵ limiting no one from whom God wanted to “partake of his goodness,” through baptism.²³⁶ As the church spread its gospel worldwide, however, the ban created barriers in places with exceedingly black, diverse, or mixed race populations. This problem proved itself especially prevalent in Brazil, where the country prided itself on their integrated, open, and mixed racial heritage, differing immensely from the still racially divided United States.

The conversion of thousands of black people in the 1960s and 1970s, from Nigeria and Ghana to Brazil and Australia, affected church leaders and moved them to take action.²³⁷ In addition to the thousands of black people converted into the Mormon faith worldwide, an increasing number of skeptics now publically came forward to criticize the priesthood ban and temple restrictions put on blacks by the church in accordance with the already ongoing Civil Rights Movement in the United States. The dissenters stood out in both national politics and in academia, among them being Newell G. Bringhurst who published his doctoral dissertation on blacks in the Mormon church in 1975. Very much affected by the societal changes going on in the nation, church president Spencer W. Kimball presented a statement he had written to his two counselors on May 30th 1978. The statement suggested the removal of all restrictions connected to the priesthood based on race within the Mormon Church, and two days later during a monthly meeting held for the general authorities of the church in the Salt Lake Temple, Kimball asked fellow church leaders the same question. Unanimously, the general

²³⁴ Newton, Marjorie. *Southern Cross Saints: The Mormons in Australia*. Laie, Hawaii: The Institute for Polynesian Studies, Brigham Young University-Hawaii, 1991, 209–210; Edward L. Kimball, “Spencer W. Kimball and the Revelation on Priesthood,” *BYU Studies* 47, no. 2, Spring 2008, 18–20.

²³⁵ *Book of Mormon*, Mosiah 15:28; 1 Nephi 19:17.

²³⁶ *Book of Mormon*, 2 Nephi 26:23, 28.

²³⁷ For stories and personal accounts on Mormonism in Brazil, see Helvecio Martins with Mark Grover. *The Autobiography of Elder Helvecio Martins*. Salt Lake City, Utah: Aspen Books, 1994; and Mark L. Grover. “Mormonism in Brazil: Religion and Dependency in Latin America.” Doctoral dissertation, Indiana University, Bloomington, Indiana, 1985. For conversions of Africans, see E. Dale LeBaron. *Pioneers in Africa: An Inspiring Story of those Who Paved the Way*. Provo: Utah, Brigham Young University Broadcasting, 2003; E. Dale LeBaron, ed. “*All Are Alike unto God*”: *Fascinating Conversion Stories of African Saints*. Salt Lake City, Utah: Bookcraft, 1990.

authorities of the church agreed to change their policy towards blacks and reverse the priesthood ban. The ban was formally announced on June 9th in 1978.²³⁸

After nearly one hundred and thirty years, African-Americans were now officially granted the same rights and privileges as whites within the Mormon Church. Positive reactions were felt worldwide, and the church now began ordinations for men of African descent. Though blacks now had equal right in the church, racism was felt as fundamental for many members, creating deep-rooted issues within the church.

On December 6th, 2013 the Mormon Church published an official essay titled *Race and the Priesthood*. The essay explains the origins of the priesthood ban and states that the church today disavows the theories of the past concerning blacks and race.²³⁹ Though this was published on the Mormon Church's official website, the essay has never been mentioned in any speeches held by Mormon officials, and a majority of members are unaware of its existence. As a result, many white members still practice and holds onto the old racist beliefs of the church taught in the past, consequently creating a barrier for black members wanting to be a part of the Mormon community.²⁴⁰

²³⁸ Kimball, "Spencer W. Kimball and the Revelation on Priesthood," 54-68.

²³⁹ *Race and the Priesthood*. The Church of Jesus Christ of Latter-day Saints. Accessed April 19, 2019. <https://www.lds.org/topics/race-and-the-priesthood?lang=eng>.

²⁴⁰ Stack, Peggy Fletcher. "39 years later, priesthood ban is history, but racism within Mormon ranks isn't, black members say." *The Salt Lake Tribune*, June 9, 2017. Accessed April 21, 2019. <https://archive.sltrib.com/article.php?id=5371962&itype=CMSID>.

Appendix

An Act in Relation to Service

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah. That any person or persons coming to this Territory and bringing with them servants justly bound to them, arising from special contract or otherwise, said person or persons shall be entitled to such service or labor by the laws of this Territory Provided, That he shall file in the office of the Probate Court, written and satisfactory evidence that such service or labor is due.

Sec. 2. That the Probate Court shall receive as evidence any contract properly attested in writing or any well proved agreement wherein the party or parties serving have received or are to receive a reasonable compensation for his, her, or their services: Provided, That no contract shall bind the heirs of the servant or servants to service for a longer period than will satisfy the debt due his, her, or their master or masters.

Sec. 3. That any person bringing a servant or servants, and his, her, or their children from any part of the United States, or any other country, and shall place in the office of the Probate Court the certificate of any Court of record under seal, properly attested that he, she, or they are entitled lawfully to the service of such servant or servants, and his, her, or their children, the Probate Justice shall record the same, and the master or mistress, or his, her, or their heirs shall be entitled to the services of the said servant or servants unless forfeited as herein provided, if it shall appear that such servant or servants came into the Territory of their own free will and choice.

Sec. 4. That if any master or mistress shall have sexual or carnal intercourse with his or her servant or servants of the African race, he or she shall forfeit all claim to said servant or servants to the commonwealth; and if any white person shall be guilty of sexual intercourse with any of the African race, they shall be subject, on conviction thereof to a fine of not exceeding one thousand dollars nor less than five hundred, to the use of the Territory, and imprisonment, not exceeding three years.

Sec. 5. It shall be the duty of masters or mistresses, to provide for his, her, or their servants comfortable habitations, clothing, bedding, sufficient food, and recreation. And it shall be the duty of the servant in return therefore to labor faithfully all reasonable hours, and do such service with fidelity as may be required by his, or her master or mistress.

Sec. 6. It shall be the duty of the master to correct and punish his servant in a reasonable manner when it may be necessary, being guided by prudence and humanity; and if he shall be guilty of cruelty or abuse, or neglect to feed, clothe, or shelter his servants in a proper manner, the Probate Court may declare the contract between master and servant or servants void, according to the provisions of the fourth section of this act.

Sec. 7. That servants may be transferred from one master or mistress to another by the consent and approbation of the Probate Court, who shall keep a record of the same in his office; but no transfer shall be made without the consent of the servant given to the Probate Judge in the absence of his master or mistress.

Sec. 8. Any person transferring a servant or servants contrary to the provisions of this act, or

taking one out of the Territory contrary to his, or her will, except by decree of Court in case of a fugitive from labor, shall be on conviction thereof, subject to a fine, not exceeding five thousand dollars, and imprisonment not exceeding five years, or both, at the discretion of the Court, and shall forfeit all claims to the services of such servant or servants, as provided in the fourth section of this act.

Sec. 9. It shall further be the duty of all masters or mistresses, to send their servant or servants to school, not less than eighteen months between the ages of six years and twenty years.

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