

Chapter 2

Joseph Charged Harrison Sagers with Seduction and Lying to Get a Plural Wife

A prime example of Joseph's opposition to polygamy occurred only seven months before his death. It involved High Priest William Henry Harrison Sagers who was attempting to practice polygamy. In November 1843 Joseph declared his opposition to that doctrine before the Nauvoo Stake High Council in a hearing, regarding Sagers, which was open to the public. In that hearing Joseph demonstrated that he was not afraid to publicly discuss polygamy, nor to have his character scrutinized.

Evidence of his valiant stand is found in a study of two charges that Joseph brought against Sagers. One charge was for seduction, and another charge was for telling lies about Joseph. Sagers, a popular missionary, was born in 1815 and baptized in 1833. He married Lucinda (Lucy) Madison, December 22, 1834, when she was fifteen and he was twenty (see George D. Smith, *Nauvoo polygamy* “. . . but we called it celestial marriage”, 617).

In 1843 Lucinda's twenty-three-year-old unmarried sister, Phoebe Madison, was living with Lucinda and Harrison. Joseph learned that Harrison had been trying to persuade Phoebe to become his plural wife, and lying to her by telling her that Joseph was practicing and teaching the doctrine of plural marriage.

For the two offenses, Joseph officially preferred charges against Sagers before the Nauvoo Stake High Council. Lucinda and Phoebe were witnesses for Joseph. The case was heard and Sagers pled *not guilty* to both charges. The members of the High Council disregarded the evidence of Sagers's guilt brought by Joseph, Lucinda, and Phoebe, and found Sagers not guilty. Joseph lost the case! Sagers not only won, but he soon became an open polygamist and remained in good standing in the Church.

The Nauvoo Stake High Council Meetings Were Open to the Public

To show the readers that Joseph did not hesitate to publicly discuss, condemn, and bring charges against those who practiced plural marriage, it will be emphasized in this chapter that Sagers's hearings before the High Council were open to the public. While the Church's headquarters was at Nauvoo, the Stake High Council usually allowed the public to attend their meetings. If the council room became overcrowded with spectators, the court hearing was moved to a more "commodious location" (see John S. Dinger, editor, *The Nauvoo City and High Council Minutes*, xvi, note 2).

Polygamy at Nauvoo was referred to as spiritual wifery because that false doctrine had been brought into the Church at Kirtland approximately ten years earlier by converts from the Cochranite cult, who practiced plural marriage and called it spiritual wifery (see *Joseph Smith Fought Polygamy*, Vol. 1, chaps. 1–3).

The fact that Joseph brought charges against Sagers, knowing that he would be tried in a public hearing, demonstrates that Joseph was eager to expose and oppose the polygamists. In Joseph's published writings and statements, under oath, he is quoted as condemning spiritual wifery, plural marriage, polygamy, and anything akin to it, labeling them all as being equally evil.

Emma Smith "Often Heard Joseph Contend against Measures" in Church and City Council Meetings

During the winter of 1856 and 1857, Edmund C. Briggs, who later became an apostle in the RLDS Church, boarded at the Mansion House in Nauvoo. Joseph Smith had been dead twelve years and the Mansion House was then a hotel operated by his widow, Emma Smith Bidamon, and her second husband, Major Lewis C. Bidamon. Briggs related that while boarding at the Mansion House, he had a conversation with Emma in which she recalled that prior to Joseph's death, Church and city council meetings were sometimes held in their home. According to Briggs, Emma declared:

**"I often heard Joseph contend against measures in council,
and sometimes he would yield to them."**

I [Briggs] said, "Those were city councils?"

She replied, “Sometimes, and other times in councils of the Church, which were often held in our house.” (Apostle Edmund C. Briggs, *Early History of the Reorganization*, 94)

If Emma could hear what was transpiring in council meetings held at the Mansion House, so could the guests, Saints, neighbors, and tourists who strolled in and out at their leisure. It was a lively center of interesting social activity from early morning until late at night. Thousands of visitors flocked to Nauvoo, with many staying at the Mansion House to learn firsthand information about Joseph.

Day and night the public sought Joseph’s presence and attention. On the day of Sagers’s hearing, November 25, 1843, Brigham Young wrote a letter to Apostle John Page, who was away on a mission. Young stated:

Brother Joseph . . . has raised a sign, entitled “Nauvoo Mansion,” and has all the best company in the city. Many strangers from abroad call on him, feeling perfect liberty so to do, since he has made his house public. (*LDS History of the Church* 6:82)

Joseph’s life was very transparent. Tourists wished to speak with him every waking hour. Guests visited with him daily at his office, on the streets as he walked or rode, at the hotel, and in the rooms reserved for Joseph and his family’s living quarters in the Mansion House. Joseph and Emma lived in the public eye every day of their lives at Nauvoo—even opening their home to the city and Church in which to hold public meetings.

William Jordan, a Nonmember, Attended a High Council Meeting

So open to all were the meetings in Nauvoo that in April 1841 William Jordan, a nonmember, attended General Conference at Nauvoo. According to Jordan, Joseph showed him where a High Council meeting was to be held, and Jordan attended the meeting. He declared:

In the spring of this year [1841] I was requested by a party of eight men, who were like myself, infidels, to attend the

Mormon conference and see if they were as bad as had been represented to us. I consented to go, as a sort of delegate, and find out all I could about them by questioning the prophet and thereby get information direct. When the conference convened at Nauvoo, on the sixth of April [1841], I was there. I sought and obtained an introduction to Joseph Smith, the prophet, and sought a conversation with him. He informed me that there were hundreds there on the same mission as myself, and that his time was all engaged until five o'clock that evening, at which time he would meet me and answer my questions. After showing where the High Council were met he left me. This was the first time I had seen him. I had expected to see a man with a very commanding air, but he was the opposite.

I entered the High Council chamber and remained with them until they adjourned, then I was introduced to "Mother Smith". . . . At the close of that conference I was *baptized* by Elder Savidge, confirmed by Elder Hicks, and was ordained to the office of an elder at the same time. (*Autumn Leaves 2* [July 1889]: 327)

Note that Jordan writes as if Lucy Smith was also a spectator at that High Council hearing—the meetings were open to all!

Joseph Smith Charged Harrison Sagers with Seduction and Lying

The LDS *History of the Church* refers briefly to Harrison Sagers's case of November 25, 1843. The version printed below reveals very little about the case. It does not give a clear account of those involved nor what transpired at the hearing. It does not mention that Sagers was teaching his twenty-three-year-old sister-in-law, Phoebe Madison, the plurality of wives doctrine. Neither does the entry relate that Sagers was lying to Phoebe by telling her the falsehood that Joseph was practicing and teaching the plural marriage doctrine.

Joseph had a strong case against Sagers, and two credible witnesses—Sagers's wife, Lucinda, and her sister, Phoebe. The record shows that Joseph wanted the apostles to be present at the

hearing and hear him (Joseph) condemn plural marriage. Joseph proved Sagers had been lying about him and sought to remove the tarnish Sagers had placed upon his name. Joseph made a speech at the end of Sagers's hearing, which suggests that Joseph desired to make it clear to the apostles, and all under the sound of his voice, that he had granted no individual the right to practice any form of plural marriage.

Joseph prepared a written document dated November 21, 1843, stating his charges against Sagers. After signing his name, he presented the document to William Marks, President of the Nauvoo Stake High Council, informing Marks that he (Joseph) was preferring two charges against Harrison Sagers.

Charge Number One: A charge against Sagers for the crime of “trying to seduce a young girl . . . Phebe [Phoebe] Madison,” who was Sagers's sister-in-law. Phoebe lived in the Sagers home with Lucinda and Harrison Sagers (see John S. Dinger, editor, *The Nauvoo City and High Council Minutes*, 479).

According to a nonmember spectator at Sagers's hearing, it was testified before the court that he had been teaching Phoebe the spiritual wife doctrine for two years (see the *Warsaw Signal* [March 20, 1844], 2).

Charge Number Two: Joseph's second charge against Sagers was for lying, by using Joseph's name in a “blasphemous manner,” and by saying Joseph “tolerated” “such things.” “Such things” referred to spiritual wifery which Sagers was teaching, but which the recorder of the High Council minutes chose not to identify by name. Joseph was quick to declare in the document he submitted that Sagers “is guilty of lying” (see John S. Dinger, editor, *The Nauvoo City and High Council Minutes*, 479–480).

Sagers's hearing was set for Saturday evening, November 25, 1843, in the large assembly room over Joseph Smith's Red Brick Store.

News spread rapidly that Joseph was bringing charges against Sagers, who was no ordinary Church member. He was well known at Nauvoo and throughout the Church because he had been a noted missionary since 1833. He was with the Church at Kirtland, a member of the Stake High Council at Adam-ondi-Ahman in Missouri (see *LDS History of the Church* 2:35, 525; 3:84), and

actively engaged in Church work during the Nauvoo era. Sagers's missionary travels had been extensive, taking him to many states in America and to Jamaica, West Indies (see Andrew Jenson, *Church Chronology*, October 7, 1841). News of his missionary success was published widely and regularly in Church periodicals (see *Times and Seasons* 1:27, 28; 2:415, 447, 1023).

Joseph Called a Council Meeting with the Apostles

When the Nauvoo Stake High Council convened to hear Sagers's case, the room was filled with spectators, including members and nonmembers—both men and women. According to the record “several apostles” were in the audience also. Apostle Woodruff recorded that he was present at the High Council meeting because “in the evening” he had been called to a council with the apostles at Joseph Smith's store.

Utah LDS history, for that date, has Joseph recording: “After adjournment [of the High Council meeting], [I] held a council [with the apostles], and [I, Joseph] agreed to meet Mr. Frierson at the Mansion to morrow [*sic*] morning” (*LDS History of the Church* 6:81). The apostles and others were to meet with Col. John Frierson, United States surveyor from Quincy, Illinois, who was in Nauvoo to assist Joseph and the apostles write a memorial petitioning Congress for a redress of grievances concerning the loss of their properties in Missouri.

Woodruff wrote in his journal as if he were ignorant of the charges against Sagers, which certainly was not the truth. Woodruff wrote that the case was against Sagers “for some improper Conduct or other towards some female” (John S. Dinger, editor, *The Nauvoo City and High Council Minutes*, 480, note 86). He also wrote as if he did not know that Sagers was being charged for seduction of Phoebe Madison and for lying to Phoebe by assuring her that Joseph believed in and had plural wives. Woodruff did not identify Phoebe, but referred to her as “some female” as if he did not know who she was. It was impossible for Apostle Woodruff to have been ignorant of the facts of Sagers's case. Of course, he and the other apostles at Nauvoo were acquainted with all the facts of Joseph's charges against Sagers. But Woodruff's

sly words recorded in his journal are just one example of how he feigned ignorance and made veiled references to divert away from Joseph's fight against polygamy.

According to Brigham Young, all but one of the apostles, John E. Page, were at Nauvoo on November 25, the date of Sagers's hearing. On that day Young wrote to Apostle Page, who was on a mission to Boston, saying, "The brethren of the Twelve have all arrived home. . . . No prospect of any of the Twelve leaving home this winter that we know of" (*LDS History of the Church* 6:81, 82–83).

The following six apostles then at Nauvoo had plural wives by the end of 1843: Brigham Young, Willard Richards, John Taylor, Heber C. Kimball, Parley P. Pratt, and Orson Hyde (see George D. Smith, *Nauvoo Polygamy* ". . . but we called it celestial marriage", 311, 312). No doubt the apostles greatly feared what Joseph might say before the High Council and the large audience. Joseph was very adamant and outspoken against polygamy and was resisting the persuasion of the apostles to take plural wives (see *Joseph Smith Fought Polygamy* 2:192–193). He was defying the apostles by publicly speaking against plural marriage at every opportunity.

Joseph's boldness in making two polygamy-related charges against Sagers did not go unnoticed by the apostles, and Joseph's actions attested to his courage and determination to expose polygamy. Surely not only he, but every council member was aware that the apostles had plural wives. The fact that Joseph had only one wife was creating a major dilemma for the apostles and their growing circle of polygamists. They were faced with the fact that their plural wives would soon bear children, and that it would be impossible to hide their plural marriages from the public much longer. Many people were already aware of their plural wives and their situation was critical. The apostles needed Joseph to become a polygamist immediately and to take responsibility for their plural wives and their children. They knew that the members would not follow them into polygamy. Only Joseph, proclaiming polygamy to be God's will, could persuade the Saints to believe in a plurality of wives.

Joseph's condemnation of plural marriage was bringing a division in the Church, which the apostles could not allow to happen.

They were aware that if a wider division occurred between them and Joseph over the doctrine of polygamy, the members would follow Joseph. So they had begun the process of attempting to force Joseph to promptly embrace polygamy or feel the chill of their withdrawal of support for the protection of him and his wife and children. Joseph was made aware of the reality of their withdrawal of protection and support when the Nauvoo Stake High Council rendered the verdict of “Not Guilty” to Sagers.

The Nauvoo Stake High Council’s Record of Sagers’s Hearing

The Nauvoo Stake High Council’s record of the Harrison Sagers trial is short on facts. The entire entry of the High Council court hearing, typed from an earlier Nauvoo record, totals only thirteen typewritten lines (see John S. Dinger, editor, *The Nauvoo City and High Council Minutes*, 479–480). The record states that a councilman was appointed as counsel for Joseph and another for Sagers, and the “charge” against Sagers was “not sustained.” The record declares that it “appeared that he [Sagers] had taught false doctrine which was corrected” by Joseph, and Sagers “continued in the Church” (ibid., 480). The fact was not included that the false doctrine referred to, which Joseph “corrected,” was that of spiritual wifery.

LDS Church History Account of Harrison Sagers’s Hearing

Below is an account of Sagers’s hearing before the Nauvoo Stake High Council as printed in the official LDS *History of the Church*. There were two meetings that evening—one was Sagers’s trial, and following the adjournment of that meeting there was to be a second meeting between Joseph and the apostles. It was between those two meetings that Joseph addressed the apostles (and the audience) on the subject of polygamy. It can be safely asserted that the audience who came for the Sagers trial was still present and heard Joseph’s speech condemning all forms of plural marriage. The account below states that Joseph spoke not only to the apostles, but “warned the people present.”

For clarity, Joseph’s words directed to the apostles and the

audience have been italicized:

In the evening the High Council sat on the case of Harrison Sagers [defendant], charged [by plaintiff Joseph Smith] with seduction, and having stated that I [Joseph Smith] had taught it [the plural wives doctrine] was right. Charge [by Joseph that Sagers was guilty of seduction and of lying] not sustained. *I [Joseph] was present with several of the Twelve, and gave an address tending to do away with every evil, and exhorting them to practice virtue and holiness before the Lord; told them that the Church had not received any permission from me to commit fornication, adultery, or any corrupt action; but my every word and action has been to the contrary. If a man commit adultery, he cannot receive the celestial kingdom of God. Even if he is saved in any kingdom, it cannot be the celestial kingdom. I did think that the many examples that have been made manifest, such as John C. Bennett's and others [who were condemned for teaching and practicing plural marriage], were sufficient to show the fallacy of such a course of conduct.*

I condemned such actions in toto, and warned the people present against committing such evils; for it will surely bring a curse upon any person who commits such deeds. (LDS History of the Church 6:81; italics added for emphasis)

When Joseph's charges against Sagers were not sustained, it had to have been obvious to Joseph that the majority of the councilmen were aligned with the polygamous apostles, who were criminals, breaking the laws of the land by having plural wives. The High Council did not render an honest verdict, but gave an unrighteous judgment without regard to truth.

The High Council heard strong evidence of Sagers's guilt—evidence that, had it been on a charge other than polygamy, would no doubt have brought a conviction of guilt. Lucinda and Phoebe were primary witnesses. It took courage for them to appear before the High Council and the large audience and testify on such a sensitive subject. It must have been embarrassing for them to publicly accuse their husband and brother-in-law of “seduction”

and “lying.” Their testimonies should have furnished proof of Joseph’s charges and resulted in a guilty verdict for Sagers. But neither of Joseph’s charges against Sagers were sustained.

If Joseph had been the husband of plural wives, he would not have prosecuted Sagers in a public hearing. He would have feared that his own polygamy and the identity of his plural wives would have been revealed. He also would have feared prosecution and imprisonment for the crime of bigamy. Yet, Joseph did prosecute Sagers—just as one would expect an innocent Prophet to do.

High Councilman Hugh Herringshaw Heard Joseph Tell Brigham and the Apostles to “Abandon” Polygamy

During April 1867 members of the RLDS First Presidency and the Quorum of Twelve Apostles held Joint Council meetings at Nauvoo, Illinois. On the evening of April 9 they met in the assembly room of Joseph Smith’s Red Brick Store. It was the same room where twenty-three years earlier the Nauvoo Stake High Council had met before a room packed with spectators to hear Joseph Smith bring charges of seduction and lying about spiritual wifery against Harrison Sagers.

During the 1867 meeting, the RLDS Quorum members were discussing doctrine, when RLDS Apostle Josiah Ells informed the Council that Hugh Herringshaw had declared he had heard Joseph Smith tell Brigham Young and other apostles to abandon polygamy. Ells also related that Herringshaw had said Joseph turned to Brigham Young, and asked him if he was willing to give up polygamy.

The official minutes for the April 9, 1867, RLDS Joint Council meeting give this account:

E’ [Elder] Ells said that Hugh Herringshaw declared that he heard Joseph tell the 12 that they must abandon polygamy and [Joseph] turned to Brigham Young and asked him if he was willing to do so—Young said that he had been asleep, then Joseph spoke upon the matter as only he could talk denouncing the doctrine of polygamy. Brigham replied that he and [Apostle John] Taylor had determined what course

they would pursue. (*Council Record Book-A, Belonging to the Quorum of Twelve Apostles of the Reorganized Church of Jesus Christ of Latter Day Saints*, 33; Community of Christ Library/Archives)

Some attendees at the April 1867 Joint Council meeting had known Hugh Herringshaw at Nauvoo prior to Joseph's death. They included Josiah Ells, Joseph Smith III, and Zenos Gurley Sr. Apostle Charles Derry, who was present, was not a member of the Church during Joseph's lifetime. However, he had heard of Herringshaw in 1862, five years before the 1867 Joint Council meeting. In 1862, when Derry was planning a mission to England, Joseph Smith III had told him of Herringshaw, who had moved from Nauvoo back to Sing Sing, New York, and had joined with the Reorganization. In 1862 Derry referred to Herringshaw as Joseph III's friend (see *Journal of History* 2:167; Charles Derry, *Autobiography of Elder Charles Derry*, 89).

Joseph Smith III had thought it possible that Derry, on his way to England, might meet with Herringshaw in New York State. Contemplating this, Joseph Smith III wrote a letter to Herringshaw dated December 28, 1862, in which he introduced Derry as a worthy minister on his way to a mission in England. Joseph III gave the letter to Derry to present to Herringshaw, but Derry's plans changed and he sailed to England without the two men meeting. Joseph III's letter was preserved and published in the RLDS history (see *RLDS History of the Church* 3:382–383).

Herringshaw was a high priest and an alternate council member on the Nauvoo Stake High Council in Joseph's day (see John S. Dinger, editor, *The Nauvoo City and High Council Minutes*, xxvi). On December 9, 1843, two weeks after Harrison Sagers's November 1843 High Council trial, Herringshaw served as a councilman during a High Council court case (see *ibid.*, 480). He was also a real estate proprietor and mill builder at Nauvoo.

After Joseph's death, Herringshaw refused to follow Brigham Young's leadership. He, along with Josiah Ells, favored the leadership of Sidney Rigdon, and both men became apostles in Rigdon's new church (see Sidney Rigdon, editor, *The Latter Day Saints' Messenger and Advocate* 1 [Pittsburgh, April 15, 1845]: 172). They

later recognized their errors and separated from Rigdon. Soon after Joseph Smith III became the President of the Reorganization, both men joined the Reorganized Church.

Coauthors Linda King Newell and Valeen Tippetts Avery have mistakenly suggested that the E' preceding the name "Ells" in the above quotation from the April 9, 1867, RLDS Council Minutes, may have had reference to "a son of Josiah Ells," and not to Apostle Josiah Ells (see Linda King Newell and Valeen Tippetts Avery, *Mormon Enigma: Emma Hale Smith*, 179, 342, note 45).

A reading of the minutes of the entire *Council Record Book-A* definitely identifies Josiah Ells as the council member who is quoting Herringshaw. For years Apostle Ells was closely associated with Herringshaw.

Council Record Book-A also reveals that Apostle Charles Derry was the clerk for the Quorum of Twelve Apostles, and that he recorded the minutes for the April 9, 1867, meeting. Derry had studied and taught Benjamin Pitman's shorthand (see Charles Derry, *Autobiography of Elder Charles Derry*, 228). A close study of *Council Record Book-A* verifies that Derry's shorthand for "Elder" was E'. He recorded E' (instead of Elder) before the names of a number of different ministers, making it obvious that Apostle Josiah Ells, and not his son, made the statement concerning Herringshaw's assertions of Joseph Smith condemning polygamy and Brigham Young not condemning it.

Hugh Herringshaw was born in England and immigrated to America, where he worked as a guard at Sing Sing Prison in New York. By January 5, 1837, he had heard the Gospel, had been baptized, and was an ordained minister, for on that day he baptized Charles Wesley Wandell in New York City (see *Journal of History* 3:455).

By January 1841 Herringshaw was living in Nauvoo and was a land proprietor. He and fellow Church member, Edward Thompson, purchased land that appears on Nauvoo maps and land records as "Thompson Herr-Shaw Addition," additions one and two (www.josephsmithpapers.org; Bond to Hugh Herringshaw and Edward Thompson, 12 April 1841 ID # 1742; see also Land and Records Research Center [Nauvoo, Illinois], "Historic Nauvoo" map).

In referring to Herringshaw and Thompson's land purchases,

author Robert Bruce Flanders has erroneously asserted that Hugh Herringshaw and Edward Thompson were not members of the Church. Flanders referred to Herringshaw and Thompson as “two gentile proprietors” (see Robert Bruce Flanders, *Nauvoo: Kingdom on the Mississippi*, 43).

There is documented evidence that both men were Church members, and that on November 28, 1843, they both signed the document known as “The Scroll Petition.” As previously cited, on November 25, 1843, the date of Harrison Sagers’s first trial, Col. John Frierson arrived at Nauvoo to assist Church leaders in writing a document to Congress petitioning that body for a redress of wrongs suffered by the Saints in Missouri. The result was the creation of a document entitled “The Scroll Petition,” to be signed by members of the Church. The petition declared:

That they belong to the Society of Latter Day Saints, commonly called Mormons . . . (Clark V. Johnson, editor, *Mormon Redress Petitions—Documents of the 1833–1838 Missouri Conflict*, 565)

Over 3,000 Church members signed the petition. The signatures of Hugh Herringshaw and Edward Thompson appear together on the same page (see *ibid.*, 595).

As a boy at Nauvoo, Joseph III knew Herringshaw and later recalled:

Upon the hillside . . . [years after the exodus of the Saints] were the dilapidated ruins of a windmill. It had been erected by Hugh Herringshaw, a man who had come to Nauvoo from a position in Sing Sing prison of New York. A new system of turning the wheel with which he had experimented had proved inadequate. (Mary Audentia Smith Anderson, *The Memoirs of President Joseph Smith III (1832–1914)*, 49b; *The Saints’ Herald* 80 [February 19, 1935]: 239)

As an alternate councilman for the Nauvoo Stake High Council, Herringshaw had been privy to discussions, debates, and to a myriad of testimonies sworn under oath on the subject of a plurality

of wives. The subject of polygamy was openly discussed by Joseph and many Saints. The ones who avoided publicly discussing polygamy were Brigham Young, other polygamous apostles, and their confederates in that crime.

There is ample evidence that Hugh Herringshaw was a credible witness of polygamous events at Nauvoo. His assertion that Joseph told Brigham and other apostles to cease practicing polygamy is consistent with Joseph's many statements against that doctrine.

Also consistent is the statement made by Joseph's widow, Emma Smith Bidamon, to RLDS Elder Mark Forscutt, that Joseph told Young to cease practicing polygamy. On September 13, 1877, Forscutt interviewed Emma and questioned her on the subject of polygamy in the Church prior to Joseph's death. Forscutt, who before joining the RLDS Church had been Brigham Young's private secretary (see *The Saints' Herald* 81 [January 30, 1934]: 143), recorded in his diary:

She [Emma Smith Bidamon] also related that after Brigham came into power in Nauvoo, she sought several times to see him; but did not succeed, and finally sent for him. He came, bringing witnesses with him, and enquired what she wished. She asked him why he was teaching or allowing to be taught the doctrines and practises [plural marriage, etc.] he was, to which he replied he knew of nothing of the kind she referred to, and if she knew of any one indulging in such practises, and would inform on them, they should be taken up and dealt with. She replied, "Why, Brigham, you need not talk like that, you know these things are done. It is so plain, that even a stranger can not come and walk through our streets without witnessing it. You know too that Joseph in my presence told you that you had been teaching such things while he was alive, and that he commanded you in the name of the Lord, to teach them no more, or judgments would overtake you." He [Young] left and she had no conversation with him afterward. (Mark Forscutt's Diary, 81–82 [Diary unpublished]; *The Restoration Story: A History of the Reorganized Church of Jesus Christ of Latter Day Saints 1820–1844* [Cumorah Books, Inc., 1986], 131–132; reprinted in 2008 by Price Publishing Company)

A Biased Nonmember Gave His Opinion of Sagers's Hearing

A nonmember, who signed his name "A Traveler," spent considerable time at Nauvoo. While there he visited with the enemies of Joseph, attended Sagers's trial, and wrote a letter to the editor of the *Warsaw Signal* (an anti-Mormon newspaper published at Warsaw, a town a short distance south from Nauvoo). Although the "Traveler" felt Joseph was guilty, his letter is given below because it furnishes information not found elsewhere:

Mr. Editor—

In all probability, you have heard of the existence of a body in Nauvoo City, called the "High Council" whose business it is; to investigate all the affairs that concern the Church, to try all offenders against the laws of said Church, and punish accordingly. . . . I had often heard of this court, and my curiosity was aroused to see it, and I had the fortune to have it perfectly satisfied in the following manner. Being in that city [Nauvoo], last December, I heard considerable talk of the doctrine of *Spiritual Wives*, which doctrine, I find has been, and is now being taught to a great extent in that place, the proofs of which are daily, presenting themselves, but in what *shape*, I shall leave you to determine.

Being compelled to remain in that city on account of the closing of the river, I was happy to learn that there was to be a trial of one of their Priests [Harrison Sagers], not for teaching said doctrine, but for teaching it *too publicly*[.] Accordingly on the day of the trial, I repaired to the council chamber, and by good luck, obtained a seat, the room being crowded to excess. It was with much difficulty that I could learn the names of all concerned, but shall endeavor to give them as correct as possible: but previous to my going farther, I will say, that before this occurrence transpired, I cared little or nothing about their creed, consequently was not carried away, as others are against them on account of their faith; and therefore I watched their proceedings strictly, but without prejudice. But it was impossible to be there long, without seeing that it was fixed and settled between Smith

and the accused, (the trial merely being got up for effect,) that it should all be blown over. The parties concerned, as near as I could find out, were, Joseph Smith, complainant, Harrison Sagers, defendant, and the two principal witnesses were, Lucy [Lucinda] Sagers, wife of the said Sagers, and her sister, Miss [Phoebe] Mason [Madison], to whom he [Harrison Sagers] had been teaching this doctrine for the last two years; which fact was clearly proven, and would have been satisfactory to any court but such an accursed Inquisition as this. The evidence here produced, is of too black and despicable a nature to be described; and had the accused have been dealt with according to his crime, he would have been divested of his office, as priest, and cut off from the Church. As is common, however, in all cases of importance, that come before this tribunal, instead of meeting his just deserts, after a short address from the Prophet, which was more to screen himself and brother, than to chastise, the said Sagers was *discharged* by the Prophet, notwithstanding the suit was brought before the said High Council; and that body did not act officially on that subject, no vote being taken. I must say that a more ungallant speech than that of the Prophet, was never spoken in the presence of females—in fact, so lewd and lascivious, that it was with difficulty that I could sit still and hear it. . . . A TRAVELER. (*Warsaw Signal* [March 20, 1844], 2)

The “Traveler” believed the false rumors prevalent in Nauvoo at that time. Those rumors were that Joseph had purposely brought the charges against Sagers to make a public exhibition and pretense of being against plural marriage. It was asserted he did this in order to deceive the people into falsely believing he was against plural marriage when, in reality, he had many plural wives.

Such thinking is not plausible. If Joseph had been a polygamist, he would not have brought charges against another polygamist for the same crime—and in a Church court before twelve judges and a crowd opposed to polygamy! If Joseph had gone to such great lengths to deceive the Saints by committing such dishonesty, it would have been a premeditated act committed by a fallen, lying

Prophet—which is implausible to Latter Day Saints.

If Joseph Smith were *guilty* of polygamy, then his many denials of that sin show him to be a blatant liar; and his preaching against, and prosecution of, other polygamists reveal him to be a hypocritical fraud. If Joseph Smith was *innocent* of polygamy, then the many accusations by Brigham Young that Joseph instructed him to practice polygamy are blatant lies. They reveal *Brigham* to be a hypocritical fraud. The Utah LDS Church must choose to believe and honor either Joseph Smith or Brigham Young!

Lucinda Sagers Brought Charges against Her Husband

On April 13, 1844, Harrison Sagers was back before the Nauvoo Stake High Council to answer the charge that he had been, and was, teaching spiritual wifery.

Lucinda Sagers preferred a charge against her husband, Harrison Sagers, in the form of a written statement addressed to members of the First Presidency of the Church and the Quorum of Twelve Apostles. She reminded them that they had officially declared that they would deal with anyone who taught that “abominable doctrine” of spiritual wifery, and that her husband, Harrison Sagers, was guilty of that “sin.” She stated there were credible witnesses to prove her charges were true. Lucinda also charged Harrison with leaving his family the previous December [8], and since that date had provided nothing toward their welfare (see John S. Dinger, editor, *The Nauvoo City and High Council Minutes*, 490).

The compilers of Utah LDS history gave a very short version of Sagers’s second appearance before the High Council. Their complete coverage of that important event contained only four lines and reads:

A charge was preferred against Harrison Sagers for teaching spiritual wife doctrine and neglecting his family, which was handed over to the High Council to act upon.
(*LDS History of the Church* 6:333)

Lucinda’s charge was delivered by the Presidency to the Nauvoo Stake High Council, and a court date was set for April 13. Of

course, Harrison Sagers pled not guilty.

Listed as Lucinda's witnesses were James Hadlock, his wife, Mrs. Hadlock, and P. Wells. James Hadlock testified that he had heard Sagers teach the spiritual wife doctrine and declare his salvation rested on getting seventeen-year-old Amanda Higbee and twenty-five-year-old Phoebe Madison as his wives. And that is why he and his first wife, Lucinda, came to separate (see John S. Dinger, editor, *The Nauvoo City and High Council Minutes*, 491, note 18).

Mrs. Hadlock testified that Sagers had taught the spiritual wife doctrine, that he frequently came to see his child, and that Sagers had said that he must get an "old woman" who will get young women to be his wives (*ibid.*). The child Mrs. Hadlock referred to may have belonged to Sagers and his wife, Lucinda.

After hearing the evidence against Sagers, the Nauvoo Stake High Council ruled that since the first part of Lucinda's charge had been brought before the High Council on November 25, 1843, and Sagers had been tried on it and found not guilty, the Council had no right to consider that charge again. And as for Lucinda's charge stating Sagers had abandoned her and their family and had ceased supporting them, that charge was also not sustained, and it was ruled Sagers "should remain in the Church" (see *ibid.*, 490, 491).

Sagers Continued His Polygamy under Brigham Young

After Joseph was killed, Sagers followed Brigham Young's leadership and migrated to Utah. In spite of the fact that Sagers was married to Lucinda in 1843, he is incorrectly listed in Utah LDS records as having first married Olive Amanda Wheaton in 1846. The records also state that he was married to Ruth Adelia Wheaton, Lucy Marilla Wheaton, Sarah Lovena Bailey, Harriet Emmaline Barney, Frances Cornelia Adams, Mary _____, Elizabeth _____, and Marion Browning Smith. According to the records which have been searched, none of the women listed were Sagers's wives during Joseph Smith's lifetime (see *LDS Family Group Record*, Genealogical data, for William Henry Harrison Sagers). Lucinda,

Sagers's legal wife during Joseph's lifetime, was not acknowledged in those same records.

Utah LDS genealogical records list nine women to whom Sagers was married. One of his wives was Harriet Emmaline Barney, who bore him four children. She later separated from Sagers and married Brigham Young, and her children by Sagers were sealed to Brigham (see James H. Crockwell, *Brigham Young and His Wives*, 38; *The Utah Genealogical and Historical Magazine* 11 [April 1920]: 133). Thus one of Brigham Young's plural wives was a woman who had also been married to Sagers—the same Sagers who was prosecuted twice for crimes related to spiritual wifery. Joseph spent much time and effort during the last eight months of his life attempting to convict Sagers. But Sagers, like Bennett, Higbee, and Young, placed the blame for his crimes upon Joseph.

Lucinda Sagers Warned the Public Not to Trust Her Husband

In seeking justice for herself and her family, Lucinda exhausted all avenues in the courts of the Church and city at Nauvoo. Less than two months later she showed indignation for her husband's actions by having the following warning printed in the first and only issue of the infamous *Nauvoo Expositor*:

One Cent Reward

WHEREAS my husband, the Rt. Rev. W. H. Harrison Sagers, Esq. had left *my* bed and board without cause or provocation, this is to notify the public not to harbor or trust him on my account, as I will pay no debts of his contracting. More anon. LUCINDA SAGERS. June 7, 1844. (*Nauvoo Expositor* 1 [June 7, 1844]: 3)

Lucinda Sagers's name is difficult to find in LDS history. Documents that list the names of Harrison Sagers's plural wives do not usually include her name; yet, she was Harrison Sagers's legal wife for over ten years.

Conclusion

The decision of the High Council to rule in Sagers's favor, when there was an abundance of evidence of his guilt, suggests that the majority of High Council members chose to rule against Joseph, Lucinda, and Phoebe, even when evidence showed they were telling the truth.

If the High Council had rendered righteous judgment in Sagers's cases, their rulings would have been consistent with the Church's monogamous law of "Marriage" as published in the Church's Doctrine and Covenants, 1835 Kirtland edition, Section CI. It was the law of the Church regarding marriage.

The ruling of the Nauvoo Stake High Council, twice in Sagers's favor, indicates that in 1843 and 1844 the majority of the council members were not interested in stopping Sagers from telling false polygamous lies about Joseph and ruining his character. It showed they were averse to ruling in favor of Joseph, although they knew he was innocent. Neither did they show charity for Lucinda and Phoebe. The high priests, who sat as judges on the High Council, should have been Lucinda and Phoebe's spiritual fathers and protectors. Instead, they were men who favored Sagers, a would-be polygamist and an abuser of women. Each councilman was keenly aware that Joseph, Lucinda, and Phoebe told the truth, and that Sagers was lying when he pled innocent of the charges. But they cast blind eyes at the suffering of Joseph and the women.

The rulings of the High Council in Sagers's favor sent a warning to Joseph and to every man and woman in the Church. That warning was that the pleadings of heartbroken women, whose husbands were marrying plural wives, would get no justice or sympathy from the members of the High Council or the Quorum of Twelve Apostles. It was also evident that the majority of the councilmen favored the polygamous apostles and would not uphold Joseph in his fight against plural marriage. It was impossible for Joseph, or a woman charging her guilty husband with plural marriage, to be granted a fair and righteous judgment before the earthly tribunal known as the Nauvoo Stake High Council, because the Quorum of Twelve Apostles, and not Joseph, was in control of the Church. Joseph was now fair game to any who wanted to accuse him of plural marriage. His enemies within the Church knew that they

could falsely accuse him of polygamy and that neither the apostles nor the High Council would come to his defense. The stage was set, ready for Joseph to be falsely charged with adultery, falsely indicted, ordered to Carthage, and murdered.

Utah LDS Church members today face a terrible dilemma. They must decide whether to accept Joseph Smith's version of these events in Nauvoo or accept the different version of those same events that their church teaches today.