Runaway Wives, 1830-1860
Author(s): Laurel Thatcher Ulrich
Published by: University of Illinois Press; Mormon History Association
Stable URL: http://www.jstor.org/stable/10.5406/jmormhist.42.2.0001
Accessed: 14-02-2017 22:06 UTC

REFERENCES
Linked references are available on JSTOR for this article:
http://www.jstor.org/stable/10.5406/jmormhist.42.2.0001?seq=1&cid=pdf-reference#references_tab_contents
You may need to log in to JSTOR to access the linked references.

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at http://about.jstor.org/terms

University of Illinois Press, Mormon History Association are collaborating with JSTOR to digitize, preserve and extend access to Journal of Mormon History
EIGHTEENTH-CENTURY ENGLISH NOVELS (and the costume dramas based upon them) revolve around what has come to be known as “the marriage plot,” the struggle of inexperienced young women to find appropriate husbands. These stories, which emerged in an era of declining household authority and nascent democracy, were about the capacity of ordinary people to make wise choices. In Samuel Richardson’s wildly popular novel Clarissa, published in 1748, the heroine flees a tyrannical father only to fall into the clutches of a vile seducer. In an age of revolution, her story offered political lessons. In the United States, John Adams famously warned, “The people are Clarissa.” On both sides of the Atlantic, stories about courtship became stories about maintaining social order in the face of social change. Although the English Parliament in 1753 passed legislation

LAUREL THATCHER ULRICH [ulrich@fas.harvard.edu] is 300th Anniversary University Professor of History at Harvard University. She served as president of the Mormon History Association from 2014–15 and delivered this presidential address at the annual conference, June 2015, at Provo, Utah. Her book on early Mormonism, A House Full of Females: Mormon Diaries, 1835–1870, will be published by Alfred A. Knopf in January 2017.


In both American and English novels, foolish girls ran away with soldiers—Lydia in *Pride and Prejudice*, Olivia in *The Vicar of Wakefield*, Juliana in *The Boarding School*, Eliza Wharton in the *Coquette*, Charlotte in *Charlotte Temple*, and dozens of their successors. Soldiers were dangerous because they were unattached to households; because, to impressionable young women, they represented freedom; and because they appeared irresistible in their handsome uniforms. Even the intrepid Bathsheba Everdene, the heroine of Thomas Hardy’s novel *Far from the Madding Crowd*, succumbed to the enticements of a glittering sword and a dashing red coat. (The latest version of this story may be playing in a theatre near you.)\footnote{[Jane Austen], *Pride and Prejudice: A Novel* (London: T. Egerton, 1813); [Susanna Rowson], *Charlotte: A Tale of Truth* (London: Minerva Press, 1791) (retitled *Charlotte Temple* after the third American edition, 1797); [Hannah Foster], *The Boarding School, or Lessons of a Preceptress to Her Pupils* (Boston: I. Thomas and E.T. Andrews, 1798) and *The Coquette; or, The History of Eliza Wharton* (Boston: Samuel Etheridge, 1797); Oliver Goldsmith, *The Vicar of Wakefield: A Tale Supposed to be Written for Himself* (Salisbury: B. Collins, 1766); Thomas Hardy, *Far from the Madding Crowd* (London: Smith, Elder, and Company, 1874).}

Stories about women and soldiers in nineteenth-century Utah offered real-life versions of the marriage plot. Among the federal troops who arrived in Salt Lake City with Colonel Stephen Steptoe in 1854 was a flamboyant young lieutenant named Sylvester Mowry whose letters home to a friend might have come from a novel. Delighted to learn that Mormons liked dancing, he fixed his sights on Brigham Young’s twenty-year-old daughter-in-law, Mary Ayers Young. Mary’s equally youthful husband, Joseph, was then serving a mission in England. “She is as hot a thing as you could wish. I am going to make the attempt and if I succeed and don’t get my head blown off by being caught shall esteem myself some,” he wrote. When his conquest failed,
he blamed the Mormon’s “damnable system of espionage — better than that of the old Inquisition or Napoleon’s police.” He told his friend that church leaders seemed “afraid we were going to f—k our way through the town.” He considered the Mormon hierarchy “jealous, lecherous and revengeful in all that concerns women.”

In period sources, the characters appear in different guises depending on who is telling the story. Heber Kimball claimed the Mormons treated the officers “as gentlemen should be treated and invited them to our parties and habitations and feasted them and tried to make something of them. While doing this, they began to play with some of the skitty wits, alias whores.” To him, the soldiers were duplicitous seducers and the women who succumbed to their propositions no better than prostitutes. To anti-Mormon writers, the soldiers were gallant rescuers and the women victims of Mormon tyranny. A pamphlet published in Manchester, England, two years later warned that the “females in Utah . . . would give the ears from their heads to be in their own country,” claiming that when Steptoe’s troops passed through the valley “over one hundred of the Mormon women begged of the soldiers to take them to California.” It asserted that even wives of apostles were among them.

The actual history, as far as it can be recovered, is a bit more complex. Although an officer in Steptoe’s command was surprised at how many disaffected persons asked to leave with the army, he did not give their numbers or sex. When the northern contingent reached

---

4The most detailed account of this event is William P. MacKinnon, “Sex, Subalterns, and Steptoe: Army Behavior, Mormon Rage, and Utah War Anxieties,” *Utah Historical Quarterly* 76 (Summer 2008): 227–46, quotations on 231–32. I thank William MacKinnon and Polly Aird for helping me locate additional sources.


6Samuel Hawthorntwaite, *Mr. Hawthorntwaite’s Adventures among the Mormons as an Elder during Eight Years* (Manchester: Samuel Hawthornthwaite, 1857), 12.

7LeRhett L. Livingston to James G. Livingston, typescript, Yale Collection of Western Americana, Beinecke Library, Yale University, New Haven, Conn.
“Frightful Scene of Carnage and Desolation at the Sack of Salt Lake City by the United States Troops,” Harper’s Illustrated Weekly, May 22, 1858. This fanciful depiction of the reception of Federal troops during the Utah War was probably based on stories about Mormon women running away to California with soldiers who wintered in the Salt Lake Valley in 1854–5.
Sacramento, a local newspaper debunked claims that forty or fifty Mormon women were with them, reporting that with the exception of “a Mrs. Broomhead and three daughters, one of whom only was a wife of a Mormon, and two or three others, the remainder, consisting of ten or a dozen, are and have been attached to the officers or troops since their departure from the other side, and have had no connection whatever with the Mormons.” By “the other side,” he meant the eastern United States. The newspaper report is consistent with Kimball’s account, which mentioned Broomhead and her daughters, “Miss Z. Potter, with several others,” and a daughter of Thomas Tanner (two others had apparently already gone to California). Kimball said that a girl named Emily Frost came back when things became “too hard for her.”

The English writer apparently exaggerated by a factor of ten. In retrospect, however, it really doesn’t matter whether there were a hundred or a dozen runaways. Enough women left to reinforce prejudices and fears on all sides. For Mormons, the Steptoe affair offered morality tales. As Ellen Clawson wrote her friend Ellen McGary from Salt Lake City, “I know the authorities of this Church, are very particular in regard to womens conduct with the Gentiles, and some of the girls that left here in company with the officers and soldiers, were so willful that they commenced with the officers just out of spite, thinking they could resist all temptation and flattery, but they missed the mark in doing so, and repented when too late.” She was especially concerned about Catherine Wheelock, one of Broomhead’s daughters, who was known for her theatrical performances in the newly opened Social Hall and had been intimate of the Clawson house.

After the soldiers left, some members were cut off from the church for their conduct with soldiers. For the rest of the decade, church
leaders railed against “winter saints” who joined the church in order to marry Mormon women then went to California in the spring.\footnote{Donna Toland Smart, ed., Exemplary Elder: The Life and Missionary Diaries of Perrigrine Sessions, 1814–1893 (Provo, Utah: Joseph Field Smith Institute, 2002), 259–60, 262; Juanita Books, ed., On the Mormon Frontier: The Diary of Hosea Stout, 1844–1889 (Salt Lake City: University of Utah Press and Utah State Historical Society, 2009), 388, 512.}

Stories about the Steptoe Expedition colored eastern reaction to President James Buchanan’s plan to send troops to Utah three years later. Cartoonists imagined Brigham Young drilling his wives for battle, only to have them fall into the arms of their assailants. Both Harper’s Weekly and Frank Leslie’s Illustrated adopted that theme, turning impending war into a raucous comedy, where the young seducers outwitted the old lechers.\footnote{Frank Leslie’s Illustrated Newspaper, December 17, 1857; Harper’s Illustrated Weekly, May 22, 1858.}

Stories about women who fled Mormonism fit easily into classic plots. Lesser known are stories about women who ran away from legal husbands in order to become plural wives. To understand those stories requires giving attention to a different genre of runaway tales. In the nineteenth century, some writers began to shift from dangers outside the household to those within. Stories about wives fleeing the wrath of drunken or abusive husbands entered the pages of novels; divorce petitions; and temperance, health reform, and women’s rights literature. Although such tales became a staple of anti-Mormon campaigns, Latter-day Saints had equally harrowing tales about being rescued from such a fate by the Saints. Their stories help us situate runaway tales into a broader history of women, women’s rights, and the law.

* * *

On a visit to Utah in 1871, women’s rights reformer Elizabeth Cady Stanton surprised reporters by refusing to make a distinction between polygamy and monogamy. She argued that the condition of women had been the same “in all ages and latitudes, under all forms of government and religions, alike under heathenism, Catholicism, Protestantism, and Mormonism—the divinely ordained subjects of man.” She believed Brigham Young was no different than others in teaching women to be subservient on earth in order to win a place in heaven. “The condition of women is slavery to-day and must be so
long as they are shut out of the world of work—helpless dependents on man for bread,” she asserted.13

At first glance, Stanton’s argument seems outrageous. How could a white woman wrapped in an expensive lace shawl consider herself a slave? Surely she knew the difference between being an only wife and being one of a dozen. But Stanton meant what she said. She exaggerated the similarities between monogamy and plurality in order to peel back layers of sentiment and scripture that obscured women’s legal disabilities. In the 1850s, southern apologists defended slavery as a form of dependency that, like marriage, had been affirmed by both God and nature. In fact, the classical definition of a family, from the Latin \textit{familia}, was a “band of slaves.”14

According to the common law, a woman’s legal existence was “suspended” in marriage. She could not sue or be sued in her own name. She could not testify against her husband, nor could she vote or serve on juries. Her earnings were her husband’s to manage. Although judges were uncomfortable with the notion that he might discipline or constrain her, he did have the right to do so as long as he did not use excessive force. In any case, courts were loath to intervene in what they believed were private relations. In lawsuits over seduction or what the English called “crim con,” judges recognized the property rights of husbands in their wife’s sexuality and labor. In custody disputes, they assumed that fathers, not mothers, had first claim on children.15

---


Some historians of the family see a shift in the eighteenth century from authority to affection. Others see deep continuity underlying superficial change. There were obvious alterations in discourse, but the new sentimentality did not presume equality. Men continued to head households, and marriage remained a lifelong commitment. After the Revolution, divorce became possible in most parts of the United States, but the process was adversarial and the outcome uncertain. In England before 1857, it was virtually impossible except for those with connections or wealth. Although wives, unlike slaves, chose their own masters, most women were nevertheless bound for life.

For some, the notion of a lifelong—even eternal—marriage was appealing. For others it was a wife’s worst nightmare. What was to become of a woman wed to a hostile or abusive man or a one who forbade her to worship as she chose? Not only her life but her eternal salvation might be at risk.

One solution was to run away. Joseph Smith validated that choice in the first marriage he performed in Kirtland. Lydia Goldthwaite married Calvin Bailey in 1828, when she was sixteen. When Calvin became alcoholic and abusive, she fled across the border to Canada, where she met Mormon elders. She was still legally married to Bailey, when at Kirtland, she married Newell Knight. Had Bailey deserted her, she could have waited a few more years and remarried legally, but had he contested it she might have had difficulty proving her claim. According to her own history, she left him, first in going home to her


parents when he wanted her to move with him elsewhere, and then again when she left for Canada afraid that he would seek “revenge.”19 Her choices were limited. In Newell Knight’s words, “The trials of a Woman that has a drunken husband are registered where such fiends never go; and the hellish deeds of the toper, with all his folly ‘thick upon him,’ are reserved among the tr[e]asures of the dam[ned].”20

A southern parallel to the Knight-Goldthwait marriage was that of Margaret McMeans and Abraham Smoot. Margaret married Charles Adkinson in 1828, when she was nineteen, and left him two years later after discovering that he had been unfaithful. When her husband threatened to take her child, Margaret fled, leaving her weeping mother behind, and embarking “alone with her babe on the broad river of life, with no one to rely on save he who hears the raven cry and the orphans and widow’s prayers.” In Western Tennessee, she met the Mormons. At Far West, Missouri, Joseph Smith married her to Smoot, assuring her new husband that she was “a woman of God” and that her son “should become bone of his bone and flesh of his flesh.” In this community God’s mercy overruled the laws of men. The prophet’s words, Margaret recalled, were “like apples of gold in baskets of silver.”21

When Wilford Woodruff baptized Susanna Sangiovanni in London in 1842, he acknowledged, “She had an Italian for a Husband who was a vary Jealous man & an unbeliever in the Bible or any of the word of God, & he would not grant her any religious priviliges.” Although early missionaries promised to respect the authority of husbands and fathers, they could not resist the entreaties of women like her. Born in Canada, she had married the political exile Benedetto Sangiovanni in New York City in 1833. Later her parents, David and Martha Rogers, became Latter-day Saints and migrated to Nauvoo. When Wilford

19Lydia Goldthwaite to dear papa and mama, June 22, 1833, in Letters and papers of Lydia Knight and Newel Knight, typescript, 1–2, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah, quoted in Hartley, “Newel and Lydia Bailey Knight’s Love Story,” 10.
met her again in 1845, she was anxious to join them. She treated
the missionaries to “a regular built Jonnycake made out of American
Indian Corn,” and gave Wilford a work bag for his wife Phebe made
out of one of her own silk dresses.\footnote{Scott G. Kenney, ed.,
One day, she discovered a key
that her husband placed on a table before leaving the house. The
key opened a door that he always kept locked. Behind the door was a
secret stairway that led to a box containing money and gold. Taking
some of it, she fled the house with her son, and sailed for America,

Anyone who has done much work in family history has run across
ruptured marriages. Some cases yield dramatic detail, others only
brief notes that somebody-or-other deserted. Only a few histories
document legal divorce. That is because divorce, when available, was
in many places difficult to secure and expensive. Running away was
a time-honored remedy. But women could run away from or toward
the Saints. The wives of Parley Pratt provide examples of each.

Pratt’s monogamous wife, Mary Ann Frost, initially embraced
polygamy. She left him at Winter Quarters to return to her family
in Maine. Although she remained committed to the Church and
brought her children to Utah in 1853, she refused to rejoin Parley’s
household. In 1853, Brigham Young granted her a divorce. Furious,
Parley declared her an “enemy,” writing in his family record that
she had been “willfully absent about four years from her husband,
squandering his property, scattering his children, and never com-
unciating with him by Letter.” His account was less than charitable
given Mary Ann’s own contribution to whatever property Pratt had,
in 1849 when Martha Monks, an English immigrant whom he married at Winter Quarters, left Utah for California. Parley claimed that a fellow Saint had “seduced her from her home, led her into bad company at his house which finally resulted in her prostitution and elopement to the gold mines with unprincipled men.”

In Pratt’s view, both of these women misbehaved. In contrast, the two wives who ran away to join his family were paragons of virtue. Belinda Marden, whose 1854 letter to her sister defending polygamy became a sensational pamphlet, had fled her legal husband ten years before. Eleanor McLean had already joined the church when Pratt met her in San Francisco in 1855. In letters to Belinda, he shared details of Eleanor’s situation believing she would understand, since she too had fled a husband who refused to allow her to practice her faith. Becoming a Latter-day Saint ended what Eleanor later claimed was a living hell. At one point, she even enlisted a missionary to serve incognito as a cook for her family so that he might witness her situation and protect her if necessary. When her husband sent her children to their grandparents in New Orleans, she fled to Utah where she became Pratt’s plural wife. In the spring of 1857, Hector McLean found her with Pratt in Arkansas and shot and killed him. “Thus did the hoary old villain meet a just retribution at the hands of a man whom he had most outrageously injured!” declared the San Francisco Daily Evening Bulletin. Other papers concurred.

Eleanor claimed that long before she heard of Mormonism, her husband had driven happiness from their home “by imbibing that spirit that comes in bottles.” The story she told might have come from a temperance tract or novel:

Who but a wife knows bedroom scenes. . . . [I]f I had gone for my neighbours and brought them to see him lying with his head hang-

---

25Ibid., 261, 277–78.
Nathaniel Currier. “The Drunkard’s Progress: From the First Glass To the Grave”, 1846. Courtesy, American Antiquarian Society. This colorful engraving portrays the step-by-step evolution of an alcoholic husband whose bad behavior produces a sorrowing widow and an orphaned child.
ing nearly off the bed, one coat sleeve off, and other one, one boot off and the other on, and the vomit over his boots and all richly perfumed with old bourbon, (or some other well known beverage that adorns the shelves of the fashionable saloon) then I might have hundreds of witnesses to what I now state.

She insisted that despite her husband’s debauchery, she remained faithful, keeping his failings to herself, cleaning up after him, and providing clean clothing and a warm breakfast before he left each day. If he chose to preach a temperance sermon to his fellow lodge members at night, she would not betray his secret.28

In the Pratt family, as in other households, some women ran away from plural marriage. Others ran toward it.

* * *

Running away was not a Latter-day Saint invention. In both England and America, desertion was the most common form of marital separation. Its success depended on the ability to migrate and assume a new identity and sometimes on the collusion or indifference of a spouse. In communities too big to rely entirely on face-to-face communication but too small for total escape, there were variant ways of accommodating such a decision. Since a husband remained responsible for a wife’s debts, eighteenth-century newspapers in England and America accepted advertisements from men who claimed that their wives had “eloped” from their bed and board and warning that they would no longer pay any debts of the women’s contracting. These ads often appeared on the same page as those for runaway servants, animals, or slaves.29 Elopement ads had no legal standing, but they worked well enough that they persisted into the first few decades of the nineteenth century.

A forthright woman named Lucinda Sagers published a parody of these ads in the first and only issue of the Nauvoo Expositor. She

28Eleanor J. McComb [McLean Pratt], Account of the Death of Parley P. Pratt, ca. 1857, MS 525, LDS Church History Library and Archives, Salt Lake City, 12–15.

The Journal of Mormon History

wrote, “Whereas my husband, the Rt Rev. W. H. Harrison Sagers, Esq., has 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.” Her terse and caustic notice was payback for her own unanswered grievance before the Nauvoo High Council. Her husband had apparently been preaching—and practicing—polygamy. As a final insult, she offered a one cent reward for his return.

A second form of self-divorce, used primarily in England was the ritual auctioning of a wife. The husband took her to market with a halter around her waist or neck and offered her to the highest bidder. Thomas Hardy described such a scene in his 1886 novel, *The Mayor of Casterbridge.* Some Latter-day Saints were familiar with the practice. In January 1843, the Nauvoo Stake High Council summoned Henry Cook to answer charges of unchristian-like conduct and selling his wife. When examined, Cook explained that he had married in haste after the death of his first wife, wanting to find someone to care for his children. Unfortunately, his new wife, whose name was Mary, abused and neglected the children, and had a habit of “traveling about of nights when there was no need of it.”

---

30 Nauvoo Expositor, June 7, 1844, 3.
He admitted that he had “wip[p]ed her pretty sevearly” when his admonishments failed.33

He also admitted that he offered to sell her, but he said he was joking and everyone around him understood it. Apparently Mary and her would-be purchaser, John Wells, took the offer seriously. Neither appeared in court, but John Annis, the Mormon elder who married them, came to express “repentance and remorse for what he had done.” He said he performed the ceremony because he believed Mary Cook when she said she had left her husband and Wells when he said he had bought her “for her weight in cat-fish.” He did not know that what he had done was wrong. The court forgave him.34

As the last company of saints—the so-called “Poor Company”—left Nauvoo in the autumn of 1846, a Missouri trader offered to purchase household goods in exchange for grain. A sister offered six plates, which the trader bought for forty eight cents. When her husband discovered what she had done, he demanded their return. The Bishop offered to pay for them, but the man said “he would not take six bits [75 cents] for his plates, [as] he thought more of his plates than his Wife,” whereupon the Captain of the company offered to buy the wife for a dollar. When the Captain went to find a clerk to write out a bill of sale, the man insisted that he did not need to sign any paper, that he was an honorable man as good as his word. Then, incongruously, he objected when the Captain addressed his former wife, saying “you have no business talking with my woman.” The Captain replied, “You have no Woman, you have sold her. I have bought her and shall claim her in time and thro’ all Eternity.”35

Although wife-selling was a colorful device, it was actually quite rare even in England. Historians have documented fewer then three hundred cases between 1780–1850 compared to thousands of examples of unreported desertion and wife elopements from the same period.36 Not surprisingly, one of the first cases under the Matrimonial Causes Act of 1857, which gave judicial separations to abandoned wives, involved a woman whose husband had left her for

34Ibid., 440, 349 note 38, 438 note 8.
Great Salt Lake City where, she said, he had “married another wife there, according to Mormon customs.” He, of course, might have accused her of failing to follow him to his new destination. In the United States, geography encouraged self-divorce. This was true even though divorce was more easily secured there than in England. A study of widows’ pensions in the post Civil War era led one historian to conclude that bigamy was “a practice almost as common as divorce” throughout the century.

My own analysis of Gary Bergera’s list of plural marriages before Joseph Smith’s death suggests that twenty percent of plural wives were legally married to other men. Some of these women, like Eliza Snow’s sister Leonora, had left their spouses long before. A few wives had been abandoned. Other couples separated yet remained with the saints. Joseph Smith and his successors facilitated self-divorce by giving ecclesiastical sanction to behavior that, though affirmed by tradition, was technically illegal. Later generations downplayed this phenomenon, claiming “desertion” in cases where there may well have been collusion and politely looking the other way when faced with what looked like extralegal separation.

Some earlier studies attribute the seeming instability of Mormon marriages to anomie or normlessness caused by plural marriage or to frontier conditions. Situating the Mormon story within the broader history of self-divorce provides a new perspective. Seemingly quaint practices such as elopement ads and wife selling were cultural

38Beverly Schwartzberg, “Lots of Them Did That: Desertion, Bigamy, and Marital Fluidity in Late-Nineteenth-Century America,” Journal of Social History 37, no. 3 (Spring 2004): 573–600, quotation on 577. Also see, Schwartzberg, “Grass Widows, Barbarians, and Bigamists: Fluid Marriage in Late Nineteenth-Century America” (Ph.D. diss., University of California, Santa Barbara, 2002).
strategies for resolving conflicts in marriage. Thus, legal divorce was not so much the beginning of marital disruption as a way of rationalizing and ordering it. Without systematic research on the topic, it is impossible to know how Mormon practices were related to broader patterns of legalization, but they were surely not unique in an era when marital experimentation of many kinds intersected with folk customs and with a broader impulse toward legal codification.

When Brigham Young invited his brother Lorenzo to accompany him on the pioneer journey in 1847, Lorenzo refused to come along unless his wife Harriet could join him. Lorenzo thought the western air might cure Harriet of asthma. Without question it put a thousand miles between her and Isaac Decker, the husband she had lived with for nine years before becoming Lorenzo’s plural wife. The strange thing about this case is that Harriet did not seem to be fleeing an abusive or nonbelieving spouse. Isaac Decker remained a loyal Saint, emigrated to Utah, and eventually acquired his own plural wives. On the overland trail, Lorenzo was accompanied by his six-year-old son by Persis Goodall, and Harriet by her six-year-old son by Decker. When Harriet gave birth shortly after arriving in the Valley, she not only produced its first male child but its first “his, hers, and ours family.”

Without question, some Latter-day Saint women left men who at least ostensibly shared their religious beliefs. When Wilford Woodruff’s

plural wife Mary Webster died shortly after their marriage, she left behind a plaintive letter from the husband she had left in Boston.42

O Mary cruel I must say to leve me. I never would ov left you I would died by your side first, but my once kind Mary I will for give you and I do pray night and morning for you. . . . O Mary you cannot tell how much sorrow you have caused me. Have I been unkind to you. do i deserve to be forsacon by my only dear friend.

He prayed that if they never again met in this world, they might meet “in the Celestial kingdom to part no more.” His language suggests that he shared at least some of Mary’s aspirations. He added that he had been reading the Book of Job.43

Nathan Webster’s plaintive letter to Mary is similar to one Henry Jacobs wrote about the same time to his wife Zina, who had been sealed to Joseph Smith during his lifetime and then left Jacobs to join Brigham Young’s household. What is surprising about his letter is how helpless he appeared. He wrote very much in the manner of abused wives in sentimental novels, like Susanna Rowson’s Sarah, from Sarah, or the Exemplary Wife, who refused to retaliate or even express anger. He claimed that he not only wanted to see his own sons but the “little babe” Brigham had fathered.44

These mournful, seemingly penitent men, provide a sharp contrast to the violent reaction of Hector McLean. McLean had more than one counterpart in Utah, and the response to them from the territory’s judicial system suggests that Mormons also believed that a man had the right to kill his wife’s seducer. J. N. Vaughan, a physician who showed up in Utah Territory in 1850, appears to have been a serial adulterer. When M. D. Hambleton shot him at the end of Sunday meeting in San Pete, a Court of Inquiry found Hambleton

---

43Nathan Webster to My Dearest Mary, June and July 1850, Papers of Mary Webster, Emma Woodruff Collection, MS 2081, Folder 34. LDS Church History Library, Salt Lake City; Kenney, Journal of Wilford Woodruff, 4:151.
44Henry B. Jacobs to Zina Diantha Young, 2 September 1852, Zina D. H. Young Collection LDS Church History Library, Salt Lake City, quoted in Martha Sonntag Bradley and Mary Brown Firmage Woodward, 4 Zinas: A Story of Mothers and Daughters on the Mormon Frontier (Salt Lake City: Signature Books, 2000), 198.
innocent of murder. This was the first of two such killings in a single year. Howard Egan was guiding a group of forty-niners to California when his wife became pregnant by James Monroe, a man he considered a friend. When Egan found out what had happened, he tracked Monroe to a trail near the Wyoming border, greeted him, conversed with him peacefully for a few minutes, and then in full sight of a nearby wagon company pulled out a pistol and shot him on the right side of the nose just below the eye, killing him instantly. He then approached the wagon company, announced that he had just killed a man in the name of the Lord, and rode off. Back in Salt Lake City, he turned himself in. A jury took just fifteen minutes to acquit him.

The supposed “unwritten law” that provoked Hambleton and Egan to kill their wives’ supposed seducers was not a frontier phenomenon. As legal historian Henrik Hartog has argued, in a series of trials between 1859 and 1870, defense lawyers in the east gradually built legal arguments to support what they considered a time-honored custom, appealing over the heads of judges to juries to claim that regardless of statutes forbidding the practice, no jury in the previous two hundred years either in the United States or in England had punished a man for killing his wife’s seducer. Obviously, many Americans believed that a woman’s sexuality belonged to her husband, that even in sexual encounters, she had no agency. As one lawyer put it, “The person or body of the wife is the property of the husband, and the wife cannot consent away her own purity.”

* * *

Plural marriage has long been interpreted as a patriarchal backlash against the modern “affectionate nuclear family.” Some scholars refer to Udney Hall Jacobs’s *The Peacemaker*, a pamphlet published by the Mormon press in Nauvoo in 1842, as evidence for that. Yet a

---

close reading of Jacobs’s pamphlet reveals only a tenuous connection to Mormon ideas. Although Joseph Smith was listed on the title page as the publisher, that doesn’t mean he actually handled or even approved its production. Like all local presses, Nauvoo’s relied on doing work for hire in order to pay expenses. Whether or not Smith approved the pamphlet’s publication, he quickly dismissed it as “an unmeaning rigamarole of nonsense, folly, and trash,” which by some measures it was. It was certainly misogynist. (John Taylor later described it as a “corrupt book” and accused William Smith of promulgating its ideas).

Among Jacobs’s targets was the legalization of divorce. Because women were given in marriage, he explained, they were property belonging first to their fathers and then to their spouses. “A divorced


man is a creature no where recognized in the scriptures, or in the law of God. . . . How can property put away its own owner?” He believed that husbands alone could issue bills of divorce, and that the sole ground for divorce was a wife’s refusal to reverence her husband and submit to his authority in all things. 50 Jacobs, who was estranged from his own wife, was clearly responding to events on the ground in Illinois, where the legislature had been in the vanguard in liberalizing access to divorce. Abraham Lincoln and his partners had a lively divorce practice, as did Stephen A. Douglas.51 The only Mormon known to have taken advantage of these services was John C. Bennett, who after his separation from the Saints, sought a divorce from the wife he had left behind before coming to Nauvoo.52

In Illinois, as in other states, almost two-thirds of plaintiffs were women. Jacob found this outrageous. He was not alone. An anonymous print attributed to the firm of Currier and Ives offered an equally sardonic view of modern marriage and in fact recapitulated many of Jacob’s concerns, beginning with his anxiety about the seductive power of women, ending with a dire prediction that at the first sign of trouble, a modern marriage would dissolve in divorce:

She sues her lord—she’s bound to win,
She leaves his house, but keeps his tin.53

Significantly, it was the wife who initiated the divorce in this broadside. As a consequence, the husband lost both her and his property, which the rhymester called his “tin.”

50 Extract from a Manuscript entitled THE PEACEMAKER, 2, 4, 15–17, 30–34.
52 Andrew F. Smith, Saintly Scoundrel: The Life and Times of Dr. John Cook Bennett (Urbana: University of Illinois Press, 1997), 105.
The growing availability of legal divorce in the early nineteenth century alarmed many Americans, some of whom blamed romantic love and female independence.
Although Mormons made marriage a sacrament essential for salvation, they did not give husbands unlimited authority over their wives. In 1852, the Utah legislature passed one of the most liberal divorce laws in the nation, giving probate courts power to issue a divorce, not only on the usual grounds, but “when it shall be made to appear to the satisfaction and conviction of the court that the parties cannot live together in peace and union together, and that their welfare requires a separation.” In a striking echo of modern no-fault divorce, the certificates Brigham issued framed marital separation as an agreement between the two parties. Although Mormon leaders put a great deal of pressure on men to take plural wives and constantly enjoined women to obey their husbands, they did not believe in forcing unhappy couples to stay together.

In that sense, Latter-day Saints came close to embracing ideas their contemporaries associated with “free love,” the notion that a woman had the right to choose when and with whom she would have children. Augusta Cobb, who left a husband and five children to marry Brigham Young, was for a time good friends with Mary Gove, a controversial health reformer she knew in Massachusetts. Although Gove’s lectures seem mild by modern standards, she shocked contemporaries by using anatomical models as illustrations and by suggesting that the wife had the right to reign in a too ardent or abusive husband. Gove, like Cobb, eventually ran away from her husband, provoking him into divorcing her. She then married Thomas Nichols, a charismatic physician and reformer she met in a utopian community. Together they published books advocating ideas that their contemporaries seemed radical. “Marriage, in a higher and purer sense,” they wrote, “is the real union of two persons in mutual love; and adultery is, perhaps, best defined as any gratification of mere lust, or the sensual nature, without the sanctification of a true love.” Thus, “a true marriage may

---


be what the laws call adultery, while the real adultery is an unloving marriage.”

That Cobb and Gove were friends does not mean that they had identical ideas about religion, sex, or marriage, but since Mormons, like free-lovers, challenged conventional definitions of morality, contemporaries weren’t too fussy about the details. Critics charged the popular protestant minister Henry Ward Beecher with being a free-lover when he officiated at the death-bed marriage of Abby Sage MacFarland to Albert Richardson after she secured a hasty divorce from her first husband in Indiana. MacFarland’s detractors said she had lost her way when her husband allowed her to vacation in the White Mountains of New Hampshire where, “[i]n an evil hour she fled into the society of these Fourierites, agrarians, Mormons, spiritualists, [and] free-lovers.”

Some historians question the notion that liberalized divorce laws actually protected women. Since an appellant had to prove that she had been a long-suffering and obedient wife in order to secure a divorce, and since success depended on securing the support of male lawyers, juries, and judges, the process may actually have reinforced a certain kind of male authority, what scholars call “judicial paternalism.” Others note that though legal proceedings were often initiated by women, most marriages that ended in divorce had already been ruptured by deserting, intemperate, or violent husbands. Furthermore, those most likely to secure divorces were probably not those

---


58 This is the general approach used in the essays in *In Tender Consideration*, as the title suggests. For an early essay taking this approach, see Jane Turner Censer, “‘Smiling through Her Tears’: Ante-Bellum Southern Women and Divorce.” *American Journal of Legal History* 25 (1981): 24–47.
in greatest peril but women with family support, an independent income, or a skill furthered by resuming single status.\footnote{Norma Basch, “Relief in the Premises: Divorce as a Woman’s Remedy in New York and Indiana, 1815–1870,” \textit{Law and History Review} 8 (1990): 1–24, and \textit{Framing American Divorce}, 119–120.}

Other historians have pushed back against the notion that circumstances for women became better in the nineteenth century. Some studies argue that after the 1830s, women in the United States were more likely to be murdered, raped, and assaulted than their mothers had been. As contemporaries began to target “the demon rum” as the cause of marital distress, wives achieved limited protection from courts by portraying themselves as victims of male excess and violence.\footnote{Sean T. Moore, “‘Justifiable Provocation’: Violence against Women in Essex County, New York, 1799–1860,” \textit{Journal of Social History} 35 (2002): 889–918; Scott Martin, “Violence, Gender, and Intemperance in Early National Connecticut,” \textit{Journal of Social History} 34 (2000): 309–25; The most sophisticated work argues that domestic violence does not follow general trends in murder, assault, and other violent crimes. Unfortunately, the most comprehensive study of American violence, Randolph Roth, \textit{America Homicide} (Cambridge, Mass: Harvard University Press, 2009), does not include Utah. For Roth’s response to controversy over the broader question of violence in the American west, see Randolph Roth, Michael D. Maltz, and Douglas L. Eckberg, “Homicide Rates in the Old West,” \textit{Western Historical Quarterly} 42, no. 2 (2011):173–95; and Randolph Roth, “Yes We Can: Working Together toward a History of Homicide that is Empirically, Mathematically, and Theoretically Sound,” \textit{Crime, Histoire & Sociétés/Crime, History & Societies} 15 (2011): 131–45.}

Among the Mormons, Eleanor Pratt, Lydia Knight, and others successfully used that defense. But in the absence of any systematic study of domestic violence in Utah Territory, it is difficult to know whether Mormon communalism and liberal divorce laws provided greater protection for women than they might have achieved elsewhere. When Hosea Stout witnessed a man drag his wife down the stairs by her hair and then stamp on her breast, he claimed it was “the first time in my life I ever behold such a sight.”\footnote{Brooks, \textit{On the Mormon Frontier}, 627–28.} But in the past as today, abuse within households was seldom witnessed.

Brigham Young appears to have been hard on abusers. When Simon Baker’s plural wife Ann threatened to leave him, his abuse accelerated. According to testimony in a church hearing, “he beat
her on each side of her head . . . until the Blood run out of her ears and one Eye was vary black.” Brigham Young responded that if Baker had treated him that way, “I would have Cut his throat, and there is many women who would have done it,” adding that he would not trust a dog with Baker “for he does not know how to treat either man or beast.” The Council ruled that the couple should separate and that Baker should pay Ann eight hundred dollars in cattle for her own and her children’s support, the cattle to be put in the bishop’s hands for safe-keeping.62

In Utah, as elsewhere, redress depended on the ability to win the support of male authorities—or to disappear and reinvent oneself in another setting. A California miner’s song alludes to the lost histories of the American frontier. It asks a newly arrived miner:

Oh what was your name in the States?
Was it Thompson or Johnson or Bates?
Did you murder your wife
And flee for your life?
Say, what was your name in the States?63

Women, too, could acquire new identities by running way. Understanding how and when they did so not only opens up unexpected issues in Mormon history but turns our attention to larger issues in family history. The stories of runaway wives highlight the complexities of marriage in an era of geographical mobility and social change.