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SUCCESSION OF JOSEPH III

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Succession of Joseph III

Is Joseph III the True Successor of Joseph the Prophet in the office of President of the Church of Jesus Christ of Latter-day Saints

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A DISCUSSION

WRITTEN BY
O. A. MURDOCK
OF BEAVER CITY, UTAH

THE DESERET NEWS
Salt Lake City, Utah
1913

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DEDICATED
TO MY DEAR FATHER
JOHN R. MURDOCK

ENDORSEMENT.

The undersigned take pleasure in recommending this book to the consideration of all who are interested in the subject on which it treats. We approve of its contents, after having carefully examined it, and we hope it will have the effect intended by the writer. He presents his arguments from a legal standpoint and in a somewhat different manner from anything of the kind which has heretofore been attempted.

JOSEPH F. SMITH,
ANTHON H. LUND,
CHARLES W. PENROSE,
First Presidency of the Church of Jesus Christ of Latter-day Saints.

January 30, 1913.

INTRODUCTION.

In assuming to write a discussion of the question "Is Joseph III the true successor of Joseph the Prophet, in the office of President of the Church of Jesus Christ of Latter-day Saints?" it is necessary that some reason for doing so be given.

For many years there has been a discussion of this question; and for some years the writer has interested himself in this question, to the extent that he has made considerable search of the records to convince himself as to how this should be answered, in a brief and direct manner.

The books I shall refer to need mention at this point.

A. The Bible in common use will be referred to for two quotations.

B. The Doctrine and Covenants in use in the Church of Jesus Christ of Latter-day Saints, published by the Deseret News Co.,

1890, and when referred to herein will be abbreviated as D. C.

C. The Doctrine and Covenants, in use in the so-called reorganized church, and known as the Twenty-sixth edition, printed by the "Board of Publication of the Reorganized Church of Jesus Christ of Latter-day Saints, 1901," and hereinafter abbreviated as Dc.

D. The Times and Seasons, Volumes IV and V, published at the City of Nauvoo between the 15th of November, 1842, and the 1st day of January, 1845, and abbreviated herein as Times and Seasons.

E. Abstract of Evidence in Temple Lot Suit, being a printed abstract of the evidence in a suit tried in the Circuit Court of the United States, Western District of Missouri, Western Division, at Kansas City, published by the Herald Publishing House and Bindery, at Lamoni, Iowa. This was a suit between the so-called Reorganized Church of Jesus Christ of Latter-day Saints, as Complainant, against the Church of Christ [known as the "Hedrick-

ites] at Independence, Mo., for the purpose of settling the title to the Temple Lots. This was published under the direction of the so-called reorganized church. It will be referred to herein as Abstract of Evidence.

In order to explain the name Joseph III, it would be well to say that Joseph Smith, the father of the Prophet, is called Joseph I; Joseph Smith Junior, the Prophet, is known as Joseph II; and Joseph, the son of the Prophet, and president of the so-called reorganized church, is known as Joseph III.

In discussing this question, it will be my aim to confine my argument strictly to the proposition, to present no evidence except such as would be entitled to consideration in a court, and to make my quotations exact.

Hoping that my work will be of help to those desirous of becoming acquainted with the subject, I am,

Sincerely,

O. A. Murdock,

Beaver, Utah.

Succession of Joseph III.

PROPOSITION.

Is Joseph III the true successor of Joseph, the Prophet, as President of the Church of Jesus Christ of Latter-day Saints?

TEXT.

"For what man knoweth the things of a man, save the spirit of man which is in him? even so the things of God knoweth no man, but the Spirit of God."

I Corinthians, Chap. 2, v. 11.

The Elders of the so-called Reorganized Church claim:

1. That God was to appoint the successor of Joseph the prophet in accordance with this law:

> "1. Behold, I say unto thee, Oliver, that it shall be given unto thee, that thou

shalt be heard by the church in all things whatsoever thou shalt teach them by the Comforter, concerning the revelations and commandments which I have given.

"2. But, behold, verily, verily, I say unto thee, no one shall be appointed to receive commandments and revelations in this church, excepting my servant Joseph Smith, jun., for he receiveth them even as Moses;

"3. And thou shalt be obedient unto the things which I shall give unto him, even as Aaron, to declare faithfully the commandments and the revelations, with power and authority unto the church.

"4. And if thou art led at any time by the Comforter, to speak or teach, or at all times by the way of commandment unto the church, thou mayest do it.

"5. But thou shalt not write by way of commandment, but by wisdom;

"6. And thou shalt not command him who is at thy head, and at the head of the church,

"7. For I have given him the keys of the mysteries, and the revelations which

are sealed, until I shall appoint unto them another in his stead."

D. C. Sec. 28 vs. 1, 2, 3, 4, 5, 6, 7.

"18. And I have given him the keys of the mystery of those things which have been sealed, even things which were from the foundation of the world, and the things which shall come from this time until the time of my coming, if he abide in me, and if not, another will I plant in his stead.

D. C. Sec. 35 v. 18.

2. That Joseph's successor must have been appointed by revelation given to Joseph the prophet, according to the following rule:

"2. For behold, verily, verily, I say unto you, that ye have received a commandment for a law unto my church, through him whom I have appointed unto you, to receive commandments and revelations from my hand.

"3. And this ye shall know assuredly, that there is none other appointed unto you to receive commandments and reve-

lations until he be taken, if he abide in me

"4. But verily, verily, I say unto you, that none else shall be appointed unto this gift except it be through him, for if it be taken from him, he shall not have power except to appoint another in his stead;

"5. And this shall be a law unto you, that ye receive not the teachings of any that shall come before you as revelations or commandments;

"6. And this I give unto you that you may not be deceived, that you may know they are not of me."

D. C. Sec. 43 vs. 2, 3, 4, 5, 6.

3. That he must have been ordained and by direction of a High Council or General Conference of the Church, to comply with the requirements of the law:

"67. Every President of the High Priesthood (or presiding elder), bishop, High Councilor and High Priest is to be

ordained by the direction of a High Council or general conference."

D. C. Sec. 20 v. 67.

"10. Thou shalt not leave this place until after the conference, and my servant Joseph shall be appointed to preside over the conference by the voice of it, and what he saith to thee thou shalt tell."

D. C. Sec. 28 v. 10.

"7. For verily I say unto you, that he that is ordained of me shall come in at the gate and be ordained as I have told you before, to teach those revelations which you have received, and shall receive through him whom I have appointed."

D. C. Sec. 43 v. 7.

"22. Of the Melchisedek Priesthood. three presiding high priests, chosen by the body, appointed and ordained to that office, and upheld by the confidence, faith and prayer of the church, form a quorum of the Presidency of the church."

D. C. Sec. 107 v. 22.

4. That he must be the head of the posterity of Joseph the prophet, according to the rule set out in the following passages of the law:

> "39. It is the duty of the Twelve, in all large branches of the church, to ordain evangelical ministers, as they shall be designated unto them by revelation.
>
> "40. The order of this priesthood was confirmed to be handed down from father to son, and rightly belongs to the literal descendents of the chosen seed, to whom the promises were made.
>
> "41. This order was instituted in the days of Adam, and came down in the following manner, by lineage:"

D. C. Sec. 107 vs. 39, 40, 41.

> "56. And now I say unto you, as pertaining to my boarding house which I have commanded you to build for the boarding of strangers, let it be built unto my name, and let my name be named upon it, and let my servant Joseph, and his house have place therein, from generation to generation;

"57. For this anointing have I put upon his head, that his blessing shall be put upon the head of his posterity after him,

"58. And as I said unto Abraham concerning the kindreds of the earth, even so I say unto my servant Joseph, in thee and in thy seed shall the kindred of the earth be blessed."

D. C. Sec. 124 vs. 56, 57, 58.

5. That he must be called a prophet, seer and revelator in accordance with the law found in the following:

"1. Behold there shall be a record kept among you, and in it thou shalt be called a seer, a translator, a prophet, an apostle of Jesus Christ, an elder of the church, through the will of God the Father, and the grace of your Lord Jesus Christ."

D. C. Sec. 21 v. 1.

To summarize these claims of the so-called Reorganized Church, the true successor must

have been appointed by God, through a revelation given to Joseph, the prophet, and must have been ordained by direction of a High Council, or general conference of the church; and he must be the head of the posterity of Joseph, the prophet, and must be called a prophet, seer and revelator.

It is a logical conclusion, that, if the requirements made by the so-called reorganized church, or any one of them, should be found wanting in the case of Joseph III, he is not the true successor to the prophet, as president of the church of Jesus Christ of Latter-day Saints.

It will be the aim of this argument to show that Joseph III is not the true successor of Joseph the Prophet.

QUOTATION.

> "To the Law and the Testimony: if they speak not according to this word, it is because there is no light in them."
>
> 8 Isaiah v. 20.

We shall show:

I. That Joseph III was not appointed by God.

II. That he was not appointed by a revelation given through his father, the prophet.

III. That he was not ordained by direction of a High Council, nor a general conference of the church.

IV. That the claims made by the so-called reorganized church, that the office of president of the church should descend to the head of the posterity of Joseph, the prophet, is not in accordance with the law. (A) Because the law, Sec. 107 D. C. vs. 39-41, does not justify such conclusion. (B) Because the law, Sec. 124 D. C. vs. 56-61, does not justify such conclusion. (C) Because the so-called reorganized church repudiates both of these sections. (D) Because Joseph III, under oath, repudiates both of these sections, and the conclusion sought to be drawn from them.

V. That Joseph III has not been called a

prophet, seer and revelator, and does not call his purported revelations by the name of revelations but does call them *deliverances.*

VI. That the purported selection of Joseph III by the so-called reorganized church is in direct opposition to the call of Joseph the prophet.

I.

JOSEPH III WAS NOT APPOINTED BY GOD AS PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.

A. The pretended revelation said to have been given to Jason W. Briggs was never adopted by the so-called reorganized church, and it was expressly repudiated by Joseph III. He said in effect that he would never have anything to do with the presidency of the church unless he should receive a call from his heavenly Father.

W. W. Blair, testifying in the Temple Lot suit says:

> "It was known that Mr. Smith was present and wanted to address the body of the people present. He was invited to do so, and made an address, and in that address stated that for years past his mind

had been enlightened in respect to the work of the church, and that it had been signified to him that he should become identified with the church. He also stated that he had been solicited by various factions of the church to unite with them as the presiding officer over their respective organizations, but had declined doing it, saying at the time that he answered one and all that he never would have anything to do with the work of the church, and especially with the work of the presidency, unless he was conscious in his own heart that he was called of God for that purpose. The very words he used I think are found in the address he had printed, or I should say, in the address as printed and are "unless" he "should receive a call from his heavenly Father."

Abstract of Evidence pages 107-108.

Jason W. Briggs, in his evidence; does not mention any revelation as having been received by him, but does mention one as having been received through Henry Deam.

"I would say that the choosing and ordaining these members of the Twelve, High Priests, and Seventies was partly by virtue of revelation, and partly by action of the conference.

"That particular revelation that is referred to in that last answer was given to Henry Deam; he acted as counselor at that conference."

Abstract of Evidence page 397.

B. The pretended revelation given through Joseph III was never adopted by the so-called reorganized church. It is not found nor mentioned in their Book of Covenants. Just a word as to the requisites of a revelation according to the test of Joseph III.

"I said yesterday that in order for revelations to become authentic and binding upon the church as authoritative, they must first pass through the quorums of the church, and be accepted by the body of the church. I did not say, and have not said, that all revelations to be authen-

tic and of binding force upon the church must be presented to the quorums, and be approved by them; I said that before a revelation, or what purports to be a revelation, could be accepted as binding upon the church, it must be submitted to that ordeal."

Abstract of Evidence pages 61-62.

C. Neither of these pretended revelations purports to come through the prophet, Joseph Smith, and hence would have absolutely no weight under their own rule, as above set out.

II.

JOSEPH III WAS NOT APPOINTED BY ANY REVELATION PURPORTING TO HAVE BEEN GIVEN TO JOSEPH, THE PROPHET.

A. The pretended selection or appointment mentioned by Lyman Wight, when Joseph was in Liberty Jail, in Missouri, is without any foundation and is proven to be against the evidence.

His first act bearing on this question, after the martyrdom of the prophet was to claim the successorship himself, and to divert a number of the weakminded to his following and lead them off to Texas.

Joseph III in his testimony says:

> "There was also a faction under the leadership of one of the original Twelve, Lyman Wight, that located in Texas, he was one of the Twelve at the time of my father's death."
>
> Abstract of Evidence page 85.

He [Wight] never mentioned such an occurrence until years after the death of the prophet and until he had lost his prestige with his brethren.

If he had such knowledge why did he claim the leadership?

The very fact, that no mention of such selection or appointment is made in either the history of Joseph, written by his doting mother, Lucy Smith, nor in the affidavit of Hyrum Smith, in which he related fully the circumstances of the arrest and imprisonment; nor in any letter or published statement of the prophet; and the further fact that no mention is made of such occurrence in the Times and Seasons nor the Millenial Star, in which we would expect to find mention of a matter so important, shows that no such thing occurred.

B. The pretended selection and ordination mentioned by James Whitehead, is not only not substantiated but is disproven by the evidence.

This appointment or selection would have been of most vital importance to the church and all the people, and would certainly have been mentioned in some of the publications of the church, of that day.

If so important a selection or ordination had been made and the prophet had intended it as an official selection of his successor, he would have caused a record to be made then and there; the church organs, The Times and Seasons, the Millenial Star, would have published it to the world; we would find mention of it in the writings of Joseph himself. The call and appointment would have been a revelation and would have been recorded and carefully kept, as one of the most important documents of the church.

Take the testimony of some of the so-called leading men in the church: James J. Strang, Alpheus Cutler, Charles B. Thompson, Gladden Bishop, James Colin Brewster, William Bickerton, Granville Hedrick, William Davis,

Joseph Morris, David Whitmer, Zadock Brooks, W. A. Miner, and Dr. McLellan, each and all of these men dispute any such thing by their acts, as each one claimed to be the true successor and led off quite a following.

In the language of Joseph III:

> "There have been a great many churches since 1844 that claimed to be the successor of the original church founded in 1830. Their name is almost legion. There was the organization that went west under the presidency of Brigham Young, and there was another under the leadership of James J. Strang, at Voree, Wisconsin, and Beaver Island in Lake Michigan; there was an organization under Alpheus Cutler, at Fisher's Green, Iowa, and there was one at Preparation, Iowa, under Charles B. Thompson; and there was one under the leadership of Gladden Bishop at Little Sioux, Iowa; and there was another one attempted by James Colin Brewster at various times since 1844; there was one by William Bickerton called the "Bicker-

tonites," and there was one by Granville Hedrick, and one by William Smith; one by Joseph Morris called the "Morrisites," one by a man called William Davis, called the "Davisites" or Canaanites, a portion of which are at Walla Walla at the present time; and one by David Whitmer, and that is I believe what is called "The Church of Christ." I do not remember any others just now, but there may be more for all I know to the contrary. Yes sir, there was a faction under the leadership of Sidney Rigdon, that settled in the Cumberland Valley, in Pennsylvania. There were a great many of these factions into which the church broke up at the time of the disruption; *there were lots of aspirants to Moses' seat.* Sidney Rigdon was a member of the old original church, he was at the time of my father's death a counselor or one of the First Presidency. There was also a faction under the leadership of one of the original Twelve, Lyman Wight, that located in Texas, he was one of the Twelve at the time of my father's death. There were one or two more fac-

> tions that I remember now, one led by Zadock Brooks, and one by W. A. Miner, and I think another called the "Church of Zion" that was led by Dr. W. McClellan and others. I do not know that I have named all of them, but that is all I can think of just now."
>
> Abstract of Evidence, pages 84-85.

Coming now to some of the reorganizers: Lyman Wight was one of the *aspirants to Moses' seat,* and led off a following to Texas.

Abstract of Evidence, page 85.

William Smith, one of the Twelve, brother to the martyr, uncle to Joseph III, set up a branch and claimed the successorship in his own right.

Jason W. Briggs, in his testimony, states unequivocally:

> "It was William Smith, brother of Joseph Smith, Junior, the prophet. We became connected with the faction that acknowledged him as its leader.

"We became associated with that faction, as guardian for the seed of Joseph Smith, as presiding authority until the seed of Joseph should claim that right and priority which belonged to them. Now that is an answer to the question, I believe. William Smith taught it in that light. Yes, sir, he taught it in the beginning, but he did not continue to teach it in that light; he subsequently claimed it as his own right. I became associated with the William Smith leadership about the first of the year 1851 and continued with him until the next fall. I was with him a little less than a year."

Abstract of Evidence, page 395.

Jason W. Briggs, the man the reorganizers claim received a revelation calling Joseph III to the presidency, a member of the church in 1841, first joined the Strangites and recognized Strang as the successor, and after "cutting loose" from Strang, joined with the William Smith faction and recognized him.

Abstract of Evidence, page 395.

In 1885, he became dissatisfied with the reorganizers and "cut loose" from them.

Zenas H. Gurley, one who officiated at the so-called ordination of Joseph III, as president of the reorganized church, joined Strang whom he recognized as the true successor, and afterward joined the William Smith faction and recognized William Smith as successor.

> "After we left Strang, myself and most of the branch of Beloit, became associated with William Smith's organization. It was William Smith, brother of Joseph Smith, Junior, the Prophet, we became connected with the faction that acknowledged him as its leader.
>
> "I was acquainted with Zenas H. Gurley; he was a member of the church presided over by Strang. I should say that Gurley was a member of the organization presided over by Strang, but I have no knowledge on that subject. I understood that Gurley was the presiding elder of that branch at one time. He attended the conference at which the reorganization

was effected, as from the Yellowstone branch, and represented that branch."

Testimony of Jason W. Briggs, Abstract of Evidence, pages 395, 396.

Sidney Rigdon, a counselor to Joseph the prophet, was another aspirant for the successorship and had quite a following for some time, among whom was William Marks.

William Marks, mentioned as being present when the selection mentioned by Whitehead took place, the man who acted as spokesman at the ordination of Joseph III as president of the so-called reorganized church, was a follower of Rigdon as successor for a time, but in December, 1844, caused the following notice to be published in the Times and Seasons, at page 742:

"NOTICE.

"After *mature* and *candid deliberation,* I am fully and satisfactorily *convinced* that Mr. Sidney Rigdon's claims to the presidency of the *Church of Jesus Christ*

> *of Latter-Day Saints,* are not founded in truth. I have been deceived by his specious pretenses, and now feel to warn everyone over whom I may have any influence to beware of him, and his pretended visions and revelations. *The Twelve are the proper persons to lead the church.*
>
> "WILLIAM MARKS.
>
> "Nauvoo, Dec. 9, 1844."

Please note the wording of this notice, consider the man whose name is attached to it, the purpose for which it was published, and then answer this. Why, if he was present when Joseph III was selected or appointed in a meeting over which Marks presided, (he was President of the Nauvoo Stake, and in all probability would preside) as mentioned by Whitehead, and also John H. Carter, did he word that notice as he did? Why did he not then say "I was present at such a time and heard Joseph the prophet name his successor?" The notice above set forth, and the actions of Marks

utterly refute any such statements of a selection or appointment.

Joseph III states under oath that he does not claim any revelation, appointing him as his father's successor was given to the prophet.

> "I do not know whether the revelation spoken of by Mr. Whitehead in his testimony, by which I was selected by my father as his successor was submitted to the quorums; I do not know that it was, and I do not know that it was not. I do not claim that it was, and so far as I am concerned, I do not make the statement that there was any such revelation given. So far as I am concerned I did not, and have not made any such a statement. My statement is, that I do not know anything whatever about it. I do not know whether the revelation was given or not. I cannot say that if such a revelation had been given and had not been submitted to the quorums, that it would be or would not be valid. *I could have been properly ordained, under the laws of the reorgan-*

ized church, to the office I now hold, without a revelation to that effect from my father. Yes, sir, you understand me correctly; I claim that I could properly be ordained and qualified and put in possession of the office I now hold, without a revelation to that effect to my father. I make that claim."

"No, sir, I did not state that I was ordained by my father; I did not make the statement. I was not ordained by my father as his successor; according to my understanding of the word *ordain,* I was *not.*"

Abstract of Evidence, pages 63, 79.

The acts and statements of all these men show beyond any question that the so-called appointment mentioned by Whitehead was never made.

It may be of interest to state that many of the above mentioned men, who had assumed to be the successor, and who had been "aspirants to Moses' seat," and their followers have since landed in the so-called reorganized church, and

doffed their caps to Joseph III as the true successor.

I do not desire to take the position that Mr. Whitehead has knowingly testified falsely; I believe he was probably present when Young Joseph was confirmed or blessed after baptism and has become mixed as to just what was done.

John H. Carter, Sr., is another man who makes the claim that Joseph III was pointed out in a meeting in Nauvoo as his father's successor. Practically the same arguments in opposition to the claims of Wight and Whitehead apply to the statement of Carter.

On this question of the appointment of Joseph III as successor, let us read some law:

> "And this ye shall know assuredly that there is *none other appointed* unto you to receive commandments and revelations *until he be taken, if he abide in me.*"
>
> D. C. Sec. 43 v. 3.

This law proves absolutely and conclusively that Joseph III was not appointed by his father to be the successor.

It is the word of God against the statements of Lyman Wight, James Whitehead, John H. Carter, Sr., and others who have made a like statement.

III.

JOSEPH III WAS NOT ORDAINED BY DIRECTION OF A HIGH COUNCIL OR GENERAL CONFERENCE OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.

Three of the main movers in the reorganization were Wm. Marks, Zenas H. Gurley and W. W. Blair, they were the three who officiated at the so-called ordination.

William Marks, whom we have seen was a follower of Sidney Rigdon, and who had announced, after *"mature and candid deliberation"* on December 9, 1844, that he had been *"deceived by the specious pretenses of Sidney Rigdon,"* had after the mature and candid deliberation warned the people that *the Twelve were the proper persons to lead the church,* and who for many years was either a dormant member of the church or a follower of one of

the deceived "factions," was the main mover, and was spokesman.

Zenas H. Gurley, whom we have seen was a follower of Strang as the true successor, and then of William Smith, and who in the old church was an elder, was the second in the movement.

W. W. Blair, who was ordained an elder by Gurley, and was as early as 1857, one of the so-called twelve, and who in 1859 became a Counselor in a Presidency without a President, was third in the scheme of ordaining a president.

The others who constituted the so-called body of the pretended church (there were 150 members, Abstract of Evidence, page 39) had either been dormant members for sixteen years or had been following every wind of doctrine under the leadership of either Strang, Wight, Smith; Cutler, Chas. B. Thompson, Gladden Bishop, James Colin Brewster, William Bickerton, Granville Hedrick, William Davis, David

Whitmer, Sidney Rigdon, Zadock Brooks, W. A. Miner, Dr. McClellan or some of the other numerous leaders.

Abstract of Evidence, pages 84 and 85. See quotation in full on page 28 above.

What does the law say of such dormant members?

"3. And this shall be the beginning of the tithing of my people;

"4. And after that, those who have thus been tithed shall pay one-tenth of all their interest annually; and this shall be a standing law unto them forever, for my holy Priesthood, saith the Lord.

"5. Verily I say unto you, it shall come to pass, that all those who gather unto the land of Zion shall be tithed of their surplus property, and shall observe this law, or *they shall not be found worthy to abide among you.*"

D. C. Sec. 119 vs. 3-5.

Strange to say, it was the neglect to obey this law that drove so many of the weak in faith to join the factional leaders, and to become disgruntled with the proper person leading the church; yet the first pretended revelation published in the so-called "Book of Doctrine and Covenants," of the pretended reorganized church contains an order to obey the law of tithing.

> "In order to place the church in a position to carry on the promulgation of the gospel, and as a means of fulfilling the law, the twelve will take measures in connection with the bishop, to execute the law of tithing; and let them before God see to it, that the temporal means so obtained is truly used for the purposes of the church, and not as a weapon of power in the hands of one man for the oppression of others, or for the purposes of self-aggrandizement by anyone, be he whomsoever he maybe."
>
> "As I live, saith the Lord, in the man-

ner ye execute this matter, so shall ye be judged in the day of judgment."

Sec. 114, Dc., given October 7, 1861.

It seems these so-called reorganizers were not following any law or precedent in 1860.

The First High Council in the church was organized in strict accordance with revelation:

"1. This day a general council of twenty-four High Priests assembled at the house of Joseph Smith, jun., by revelation, and proceeded to organize the High Council of the Church of Christ, which was to consist of twelve High Priests, and one or three Presidents, as the case might require.

"2. The High Council was appointed by revelation for the purpose of settling important difficulties which might arise in the church, which could not be settled by the church or the bishop's council to the satisfaction of the parties."

D. C. Sec. 102 vs. 1, 2.

These reorganizers had a High Council without even a pretended *deliverance.*

E. C. Briggs states in his testimony:

> "I am not certain, but I think the standing High Council was chosen."

He is speaking of the Conference of 1860 at Amboy.

Abstract of Evidence, page 199.

They had a Fractional Quorum of Twelve Apostles as early as 1852 without any pretended revelation.

No revelation was necessary with these reorganizers; they just appointed of the reorganizers, just chose and set apart seven members of the twelve.

Joseph III, in his testimony, says:

> "Possibly it may have been at the conference of 1852, of the reorganized church, (the history states) that there was a number of apostles appointed of the reorgani-

zation. Seven were chosen from among the people, or the elders or ministers present, and they were chosen and set apart to act in the apostolic office."

Abstract of Evidence, page 81.

Yet, in the selection of the first Twelve, set apart in Joseph's day, God considered it so important that He selected and Joseph set apart the Three Witnesses to the Book of Mormon to select twelve men according to their fitness. Two of the three witnesses were set apart for this important mission by direct revelation from God:

"37. And now, behold, I give unto you Oliver Cowdery, and also unto David Whitmer, that you shall search out the Twelve, who shall have the desires of which I have spoken;

"38. And by their desires and their works you shall know them;

"39. And when you have found them you shall show these things unto them."

D. C. Sec. 18 vs. 37, 38, 39.

"30. For unto you, (the Twelve) and those (the First Presidency) who are appointed with you, to be your counselors and your leaders, is the power of this Priesthood given, for the last days and for the last time, in the which is the dispensation of the fullness of times.

"31. Which power you hold in connection with all those who have received a dispensation at any time from the beginning of the creation;

"32. For verily I say unto you, the keys of the dispensation which ye have received, have come down from the fathers; and last of all, being sent down from heaven unto you."

D. C. Sec. 112 vs. 30, 31, 32.

As to the claim of this so-called church to be the true successor to the Church established in 1830, let us take some history they have made.

This so-called reorganized church claimed to be the successor in interest of the mother church to certain lots of ground in Independence, Mo., and commenced a suit in equity

against a so-called Church of Christ at Independence in the Circuit Court of the United States, Western District of Missouri, Western Division at Kansas City, Mo.

In the complaint, the so-called church alleged its right and title in and to what are known as the Temple Lots, it employed the best legal ability obtainable and presented all the evidence that could be found by the most diligent search. Not a stone was left unturned. The case was tried first before the Circuit Judge, Phillips, and decided in favor of the so-called reorganized church, and the defendant appealed to the Circuit Court of Appeals, and this court after fully reviewing the matters before it, says:

> "In accordance with the views herein expressed, the decree of the circuit court will be reversed, and the cause will be remanded with directions to dismiss the bill of complaint."

IV.

THE CLAIM MADE BY THE SO-CALLED REORGANIZED CHURCH, THAT THE OFFICE OF PRESIDENT OF THE CHURCH SHOULD DESCEND TO THE HEAD OF THE POSTERITY OF JOSEPH, THE PROPHET, IS NOT IN ACCORDANCE WITH THE LAW.

A. The law as laid down in Section 107, D. C. 39, 40, and 41, does not substantiate any such claim:

> "39. It is the duty of the Twelve, in all large branches of the church, to ordain evangelical ministers, as they shall be designated to them by revelation.
>
> "40. The order of this Priesthood was confirmed to be handed down from father to son, and rightly belongs to the literal descendants of the chosen seed, to whom the promises were made.

"41. This order was instituted in the days of Adam, and came down by lineage in the following manner:"

By reading the above quotation it will be seen that it refers to Evangelical Ministers, or Patriarchs. Verse 39 is an order to the Twelve to ordain Patriarchs, as designated to them by revelation. Verse 40 further instructs the Twelve that this *order* of Priesthood, the order of Patriarchs, was to be handed down from father to son, because it is a right which belongs to the literal descendants of those chosen by revelation.

There are only two Priesthoods in the church, the Aaronic, or lesser, and the Melchizedek, or greater, but there are many orders or divisions of each, or quorums.

"The Patriarch is an Evangelical Minister."

Dc. page 386, under head "Evangelical Ministers."

"39. So that Lamech the father of Noah, Methuselah, Enoch, Jared, Mahal-

aleel, Cainan, Enos, Seth and Adam were all living at the same time, and, beyond all controversy were all preachers of righteousness."

II Lecture on Faith v. 39, D. C. page 17.

From a reading of the last quotation it seems that Adam and eight of his literal descendants were on the earth at once, we know they were all Patriarchs, but who would have the effrontery to say they were all presidents of the church.

From the following verses in Sec. 107 the dates of ordination of the different descendants of Adam are set out and then we are told they were all High Priests, but not that they were presidents of the church, or even Presidents of the High Priesthood.

Seth, according to the only history we have was not the *head* of the Posterity of Adam.

B. The law as laid down in Sec. 124, D. C. vs. 56, 57, 58, 59, 60, and 61, does not show

that the presidency of the church was to go to the Head of the posterity of Joseph the *seer*.

"56. And now I say unto you, as pertaining to my boarding house which I commanded you to build for the boarding of strangers, let it be built unto my name, and let my name be named upon it, and let my servant Joseph, and his house have place therein, from generation to generation;

"57. For this anointing have I put upon his head, that his blessing shall be put upon the head of his posterity after him,

"58. And as I said unto Abraham concerning the kindreds of the earth, even so I say unto my servant Joseph, in thee and in they seed shall the kindred of the earth be blessed.

"59. Therefore, let my servant Joseph and his seed after him have place in that house, from generation to generation, for ever and ever, saith the Lord.

"60. And let the name of that house be called Nauvoo house, and let it be a

delightful habitation for man, and a resting place for the weary traveler, that he may contemplate the glory of Zion, and the glory of this the corner-stone thereof.

"61. That he may receive also the counsel from those whom I have set to be as plants of renown, and as watchmen upon her walls."

We see from reading this entire section that Joseph and his associates were told to build a boarding house, it was to be built by a joint stock company, many of the leading men of the church were to buy stock, or take stock in the company, and were to have place or an interest in the undertaking from generation to generation.

By reading the following verses it is readily seen that this is what is meant:

"74. Therefore I say unto you concerning my servant Vinson Knight, if he will do my will, let him put stock into that house for himself, and for his generation after him, from generation to generation.

"77. Verily I say unto you, let my servant Hyrum put stock into that house as seemeth him good, for himself and his generation after him, from generation to generation.

"78. Same order as to Isaac Galland.

"80. Same order as to William Marks.

"81. Same order as to Henry G. Sherwood.

"82. William Law is to pay for stock and have it for his seed from generation to generation.

In verse 56 above quoted it is seen that Joseph and his house, from generation to generation, are to have place in the Nauvoo house and in the verse following it is said this anointing have I put upon his head that his blessing, that of having a place in the Nauvoo house, was to be put upon the head of his posterity; and then after giving full direction as to how the posterity are to have place in that house the Lord recapitulates and says "Therefore let my servant Joseph and his seed," etc., etc.

C. The reorganized church claims that the original church was disrupted June 27th, 1844.

This is taking the exact position of the assassins of Joseph and Hyrum, who claimed that their death would be the end of "Mormonism."

Loyal members believed no such stuff. We might just as well take the stand that the crucifixion of Jesus was the end of Christianity.

Nevertheless, this is the stand the reorganizers take. They repudiate all acts of the church after that date, June 27, 1844.

Question—How could a "disrupted church" do any act binding upon the members, or how could any of its official actions be valid?

Section 107 was received in March, 1835, but was never published in book form until the Liverpool Edition of the Doctrine and Covenants was published, under authority of the Church over which Brigham Young was presiding, in 1845.

Section 124 was received in January, 1841,

but this was not published in book form until the Liverpool Edition of the Doctrine and Covenants was published in 1845, under the authority of the Church, presided over by Brigham Young.

The first edition of the Doctrine and Covenants was published in 1835 and neither of the above mentioned sections was in that edition.

The so-called reorganized church absolutely repudiates both of these revelations.

> "The book marked Exhibit E, being the book of Doctrine and Covenants, was endorsed by the original Church, and also by the Reorganized Church, the plaintiff in this case, being the 1835 edition."
>
> Abstract of Evidence, page 29, Testimony of James Whitehead.
>
> "I always understood that the standard books of the church were the Bible, Book of Mormon, and the Book of Doctrine and Covenants; these were the standard books in the church from 1842 to June 27, 1844. I mean when I refer to the Bible, the King James Translation, and I mean the

first book of Doctrine and Covenants that I ever saw, the edition of 1835."

Abstract of Evidence, page 394, Testimony of Jason W. Briggs.

James Whitehead, testifying, also makes this broad and false statement in reference to this subject:

"Exhibit F, being the 1874 edition of the Book of Mormon, published at Lamoni, Iowa, is the same in text as exhibit DD, and is correct, and was recognized by the original church as a book of doctrine, and is also by the reorganized church. Exhibit G, being the 1845 edition of the Book of Doctrine and Covenants; and exhibit H, being the 1846 edition of the same book, and exhibit I, being the 1852 edition of the same book; and exhibit J, being the 1880 edition of the Book of Doctrine and Covenants, were all recognized books of doctrine of the original church from 1830 to 1844. The books themselves show what portions have been added since 1844."

Abstract of Evidence, page 29.

None of the books mentioned in this last quotation could have possibly been adopted by the church prior to the time they were published, and they were all published after 1844. And the two revelations we are discussing were not published in book form until after the alleged disruption.

E. C. Briggs gives some straight testimony on this question, which is pertinent:

> "Prior to 1845, the Book of Doctrine and Covenants had been adopted by the church. It was received by the church in 1835; that was the time that most of the revelations were published; only three or four were received after that time. These letters were first published in the 1845 edition; that is my memory. That book published in 1845 was never adopted by the church; it could not have been, for the reason that the church, as a church, had been rejected at that time, and the church as an organization had been rejected at that time. I do not think anyone posted in our religion would present that book

published in 1845 as an authority in the church, and so I say the book has never been presented here in that way."

Abstract of Evidence, page 202.

Now we have three of the witnesses introduced on behalf of the so-called reorganized church repudiating the two revelations which they seem to get their great comfort from, and under every rule of law, they are estopped from claiming anything from them. They are bound absolutely by this evidence, because in offering a witness they vouch for his truth and veracity and also for his knowledge of the matters in reference to which he is testifying.

D. Joseph III, under oath, *repudiates the necessity of lineal descent.*

"I claim to be his successor by lineal right, and by his blessing, and lastly by the right of selection and appointment. It is not necessarily a birthright to be the President of the Church. It comes by virtue of fitness and qualification, I may

say, good behavior and the choice of the people, recognizing a call or right. Lineal rights do not necessarily assume these qualifications. In my case I cannot say that it assumed these qualifications; that is a matter I apprehend to be proven. I do not know whether the doctrine of lineal right was a doctrine of the church prior to the death of my father. I do not know other than what may be found in the books, and they are open to the inspection of all, there is a traditional teaching in the books to that effect. In the church to which I belong it is not a lineal right, excepting so far as it is found in the books. The right of the firstborn is found in the Book of Mormon, and also in the Bible. That is the traditional right of the first born to whatever may attach to the parent. That right is expressed or understood in such way that whatever rights I hold or am gifted with by reason of the position I hold, would descend to my eldest son, with certain qualifications, all other things being equal. The same attaches to the firstborn of every family.

Now the claim of the reorganized church to the successorship of the original is a claim of the individuals who were members of the church at the time of my father's death, and who hold their membership, and their rights to be regarded as members of the body of the reorganized church. I do not regard my lineal successorship as one of the claims, not necessarily. The existence of the reorganized church does not depend on my lineal successorship as I understand it."

Abstract of Evidence, pages 79, 80.

V.

JOSEPH III HAS NOT BEEN CALLED A PROPHET, SEER AND REVELATOR SINCE HIS SO-CALLED ORDINATION.

In the evidence given by him in the Temple Lot Suit, he does not call himself either a prophet, seer or revelator; but he does call the so-called revelations deliverances.

In speaking of them he says:

> "The subsequent pages of exhibit J, from page 336, contain deliverances from the President of the church. These were delivered to the church by me as the President of the Reorganized Church. These have been accepted by the church to which I belong."
>
> Abstract of Evidence, page 74.

I desire to briefly call attention to these *deliverances,* as they are really interesting.

Deliverance No. 1, Sec. 114 Dc., given Oct. 7, 1861.

This was not given to the so-called president, but purports to have been given to the "Twelve."

It has been quoted in full and is an order to obey the law of tithing. Note that it is addressed to the Twelve who were chosen presumably in 1852.

Deliverance No. 2, Sec. 115, given March, 1863.

Marks gets return for his kindness in ordaining Joseph III, in this first deliverance delivered to the church by Joseph, as president of the reorganized church.

Why was this deliverance necessary when Marks was occupying this very position in 1860?

Of this E. C. Briggs says, in his testimony:

> "At the conference of 1860 there was a counselor appointed to the presidency of the church, a first counselor. That

was William Marks, the same William Marks who prior to the death of Joseph Smith, had been President of the High Council at Nauvoo."

Abstract of Evidence, page 199.

Let me add that it was the same William Marks who said: *After mature and candid deliberation "the Twelve are the proper persons to lead this church."*

Deliverance No. 3, Sec. 116, Dc., given May 4, 1865.

This was some instructions in reference to ordaining men of the negro race to offices.

Deliverance No. 4, Sec. 117, Dc., given March 3, 1873.

This is rather a peculiar deliverance under the circumstances, as it is an order to ordain seven members of the Quorum of the Twelve, when *seven* had already been ordained and doing business for nineteen years without any revelation.

"Possibly it may have been at the con-

ference of 1852, of the Reorganized Church, (the history states) that there was a number of apostles appointed of the reorganization. Seven were chosen from among the people, or the elders or ministers present, and they were chosen and set apart to act in the Apostolic office."

Testimony of Joseph III, Abstract of Evidence, page 81.

The one who gave this deliverance must have forgotten the Seven Apostles who were set apart to act in 1852, and the Twelve mentioned in deliverances Nos. 1 and 3.

Deliverance No. 5, Sec. 118 Dc., given Sept. 28, 1882.

This was evidently given to settle some differences among the Seven members of the Twelve.

Deliverance No. 6, Sec. 119 Dc., given April 11, 1887.

This deliverance seems to have been occasioned by the so-called priesthood telling vulgar stories in their meetings; and there was much

contention over the sacrament and song service.

Deliverance No. 7, Sec. 120 Dc., given April 8, 1890.

This was a sort of compromise between the First Presidency and the so-called Twelve.

Deliverance No. 8, Sec. 121, given April, 1885.

Questions of the members at the conference called forth this deliverance. This was the year that J. W. Briggs cut loose from the reorganization. According to this section, J. W. Briggs and Z. H. Gurley were left in the hands of the conference, and the manner of handling may have had something to do with his severing himself from the church.

Deliverance No. 9, Sec. 122 Dc., given April 15, 1894.

This is another effort of the deliverancer to settle questions of doctrine. It seems the questions of doctrine caused a great deal of confusion and trouble, almost as much as the question of successorship.

Paul tells them the trouble, if they would but listen.

> "Even so, the things of God knoweth no man, but the Spirit of God."

Section 123 Dc. does not seem to be a deliverance from the president, but a joint council held to try and settle differences without a deliverance.

Deliverance No. 10, Sec. 124, given April 7, 1897.

It is now found necessary to have a Patriarch, and Alexander H. Smith is selected. The quorum of Twelve, after thirty-seven years, is completed.

It will be very interesting to read all of these deliverances, and analyze them at some leisure time.

VI.

THE SELECTION OF JOSEPH III BY THE SO-CALLED REORGANIZED CHURCH IS IN DIRECT OPPOSITION TO THE CALL OF JOSEPH THE PROPHET.

Joseph the prophet was selected by God to open this gospel dispensation.

For years and years he was instructed by an angel in the fundamental principles of the church he was to found; he was tried and tested in every conceivable way; persecutions followed him from his first announcement.

He was first ordained to the Aaronic Priesthood by John the Baptist; then to the Melchizedek Priesthood under the hands of Peter, James, and John.

As the history shows, he was a prophet, seer and revelator for some time before he was ordained an apostle; he was driven from place

to place by mobs, and imprisoned for months without a hearing. He and Hyrum sealed their testimony with their blood, and by their death, the *enemies* of the church, thought to put an end to "Mormonism;" but we believe: that the blood of the Saints is the seed of the Church; that those valiant patriots, who formed the "quorum next in authority," and to whom had been given divine power "to build up the Church, and regulate all affairs of the same in all nations," and who had been given express authority to "hold the keys to open up the authority of My Kingdom upon the four corners of the earth, and after that to send My word to every crèature;" and who had been called by direct revelation from God, through His prophet, Joseph Smith, and who had all been ordained under the direction of Joseph Smith as Apostles; and who had spent years of their life, under all manner of poverty and affliction in the work of the Lord; and who were true to their Church, to their prophet and

their God, after the martyrdom, were, in the words of Williams Marks, made after *mature* and *candid deliberation,* the proper quorum to lead the Church of Jesus Christ of Latter-day Saints.

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