



*Secretary To The Senator:*  
Carl A. Badger And The Smoot Hearings

*Utah will never be a tame, common-place field; there will always be elements of surprise and sensation entering into the local situation.<sup>1</sup>*

**A**POSTLE Reed Smoot was sworn into the United States Senate on 5 March 1903 amid a whirlwind of criticism focusing on the nature and status of his qualifications.<sup>2</sup> Senate hearings were later convened to investigate the charges against the Senator. The controversy affected few more intimately than Smoot's 25-year-old personal

GARY BERGERA

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secretary, Carl A. Badger.<sup>3</sup> "I believe," Badger wrote "that we all feel that the case is much more serious than it was ever thought it would be."<sup>4</sup> On another occasion he noted, "The investigation is going to be no little affair, but long and searching, and they are going to take plenty of time to do it in."<sup>5</sup>

Two separate, though related, petitions had been filed protesting the Senator's seat. The first, carrying the signatures of 19 (later 18 when one of the signatories withdrew) non-Mormons from Utah—most of whom represented many of the state's "gentile" churches—came to be known as the Citizens' Protest. The signers alleged that Smoot was unfit as a United States Senator on several grounds, all of which centered on his ecclesiastical standing with the Mormon church. That church, they contended, continued both to countenance and sanction polygamy and polygamous cohabitation despite the 1890 Church-adopted Manifesto banning such marital relations.<sup>6</sup> The second protest was issued separately by John L. Leilich, Superintendent of Missions of the Utah District for the Methodist Episcopal Church. Leilich, who came to be known as "lie like"<sup>7</sup> in Utah circles, had also attached his name to the Citizens' Protest. His charges, echoing those of the Citizens', were especially inflammatory. In addition to the Citizens' allegations, he contended that Smoot himself was a post-1890 polygamist and bound by a treasonous obligation as a member of the Mormon church that disqualified him from taking the oath of U.S. Senator.<sup>8</sup>

Smoot was asked by the Senate Committee on Privileges and Elections to respond to both protests in late November 1903. The Mormon Senator's defense submitted in early January 1904 was cautiously constructed. He sidestepped the issue of his ecclesiastical position as irrelevant and answered simply that there were only two points which might legally prohibit his retaining a seat in the Senate: first, that he was a polygamist, and second, that he was bound by a religious oath incompatible with the one administered to incoming U.S. senators. Smoot's strategy was clear: the accusations were to focus on him personally rather than on the Church which claimed his allegiance. The Committee's members, chaired by Julius Caesar Burrows of Michigan, met on 16 January to discuss the charges and to hear the two teams of attorneys' oral arguments. Robert W. Tayler and Thomas P. Stevensen represented the Citizens' group. Representing Smoot were two non-Mormons, A. S. Worthington and Wildemar Van Cott. Both had been purposely chosen so as to minimize accusations of Church interference. After considerable discussion, it became evident that the case against the Senator, despite his careful maneuvering, was to be directed more at the Mormon church as a whole than at one man and was to rest primarily on three points: 1) the LDS church had not

entirely discontinued plural marriages, 2) Church authorities not only defended but themselves practiced polygamous cohabitation, and 3) the Church interfered in and influenced to some extent the politics of Utah and surrounding states.<sup>9</sup>

Carl A. Badger's career as secretary to the newly elected U.S. Senator from Utah was initially a fluke—the whimsical afterthought of a 23 year-old political eager beaver. He belatedly applied for the position in January 1903, having several months earlier been informed that because of state rules, he was too young to run for the Utah legislature. Taking the news of his ineligibility stoically, he recorded, "Though it is not a crime to be a young man it debars me from trying my wings. But then who knows but that in itself is a blessing."<sup>10</sup> Less than six months later, the anxious Badger confidently mused, "I am in politics . . . very much. [I] started by threatening to run for the legislature but withdrew when I found that I am not old enough by a year. I then determined to try for Reed Smoot[']s secretaryship if he be elected Senator. This purpose I have held to."<sup>11</sup> Two days after Smoot's election to the Senate by a majority of the Republican members of the Utah state legislature, he deftly explained to his hopeful employer, "I wish I could offer you the wisdom, the experience, the ability that comes only with years; as it is, all that I have is the enthusiasm, the determination of youth. I feel that this is the chance of a life time and if I am your choice, I am resolved to make the most of my opportunity."<sup>12</sup>

Badger was not the only up-and-coming politician intent on securing the position of secretary to the Senator. J. Reuben Clark, Jr., applied for the secretaryship in late November 1902, two full months before Badger, and was supported by several prominent Utahns, among whom figured President Joseph F. Smith, Smoot's ecclesiastical superior. Smith went so far as to note his personal recommendation of Clark in a brief, handwritten postscript to Clark's letter of application. Still Carl A. Badger was chosen by Reed Smoot over Clark, Jr.<sup>13</sup>

Badger, undoubtedly reflecting the views of many Washington observers, did not believe that official hearings on Smoot's qualifications would open that spring. "There's every disposition," he wrote, "on the part of the Committee on Privileges and Elections not to take the case up, and there are weighty political reasons why it should not be done at this time." He believed Smoot's own party would see to it that "all these charges [not be aired] at the present time. For this reason I do not believe that the Committee will go into the Senator's case at this session, nor next summer, but next winter when the campaign is behind us, they will go into the situation thoroughly." The pragmatic Smoot, however, did not share his secretary's optimism. Badger informed his brother-in-law, "[The Senator] believes that the case will be gone into right away, but everything points the other way to me."<sup>14</sup> Young Badger's political instincts in this instance quickly proved erroneous. Official hearings opened at Washington, D.C., two weeks later on 2 March 1904.

GARY JAMES BERGERA is a graduate of Brigham Young University and has published in the *Utah Historical Quarterly*, *Dialogue*, and the *Seventh East Press*.

The protestants first witness on the opening day of testimony had been carefully selected: President of Smoot's church, Joseph F. Smith. It was he, the Citizens' group believed, who most fully embodied the evil they perceived existing, perhaps thriving, within the Mormon church. They realized that his testimony would set the tenor for the remainder of the proceedings. And, although no doubt unintentionally so, the President's testimony did confirm, in part, the basic thrust of the protestants' contentions. He was questioned at length about his and the Church's views on doctrine, its involvement in business and politics, as well as his own personal affairs and conduct regarding plural marriage. Under intense examination, Smith repeatedly admitted that he continued to live with his wives, all of whom he had married prior to the 1890 ban, in spite of existing laws declaring their intercourse illicit.<sup>15</sup> Once this facet of Smith's life was exposed, it was an easy matter to brand the President a flagrant law-breaker, a common criminal in priestly robes. The implication for Smoot's qualifications then became obvious: while himself not guilty, his close, intimate association with law-breakers, such as Smith, plainly rendered him undesirable as a member of the U.S. Senate. Smith's confessed polygamous cohabitation sparked the already smoldering kindle into full flame.

Initially, Badger's reactions to his President's testimony were hopeful. "The admissions made by President Smith have aroused great newspaper indignation," he wrote, "and I suppose we will have to take newspaper opinion for public opinion. The President has been on the stand for five days and he has done remarkably well. He has made a few statements that were unnecessary, but, judged as a whole (as Mr. Richards<sup>16</sup> says), it would never do to give him another chance in the hope of bettering his impression."<sup>17</sup>

As testimony in the case continued, however, Smith followed by President of the Quorum of the Twelve Francis M. Lyman, Badger's attitude became less positive. His exposure to members of his church's upper echelon led him painfully to conclude that several of his ecclesiastical leaders, men he had sustained as "Prophets, Seers, and Revelators," had not been entirely honest in their earlier promises to the United States government and later personal conduct. The force of his feelings is apparent in the following excerpts from his letters:

The people at home may be proud of the showing we have made here, but I am not. It was with humiliation that I heard the brethren acknowledge that the[y] had broken the law of God and of their country. I know that it is folly to condemn individuals when we all are in the same muddle. Public sentiment, the sentiment that you and I have helped create, has sustained them in what they have done. The great wrong is in an attempt to continue what we have promised to give up. I for one hope that the whole truth will come out; I am not in a mood to hide a thing.<sup>18</sup>

I do not think that the brethren realize what they say when the[y] declare that they have broken the law of God,—they make him out a very easy "Boss." The truth of the matter is that very few of our people have been willing to admit that the Manifesto was a revelation and that the leading authorities have not encouraged this view, but rather that the necessities of the case

compelled that we openly give up what we secretly clung to. . . . I for one want to see polygamy go, and I believe that we have got to ask aid from the enemy to have it go, that is, that we have not strength of character to live up to our promises, we need a little compulsion from the outside.<sup>19</sup>

I hope our people will look at this matter in its true light; we have got to learn our lessons, and instead of shouting about the opportunity which we have had of teaching our faith to the world, we ought to dot down the unpleasant but obvious fact, that the lesson which the world is learning from the testimony thus far given is, that we have failed to keep our word. I wish our people could come to the conclusion that this investigation had not been wholly creditable to us.<sup>20</sup>

Though of polygamous stock himself, Badger had little sympathy for the Church's "celestial law." "I am afraid," he confided to his journal, "I believe more in the inspiration of the Manifesto than of the selection of the D&C which says we 'must' practice that principle."<sup>21</sup>

Badger was particularly critical of Apostles John W. Taylor and Matthias W. Cowley, the two most prominent General Authorities whose practice of post-Manifesto polygamy was strongly suspected. "Apostles Taylor and Cowley must come to Washington," Badger insisted, "or everything that the protestants may desire to impute to them will be taken as confessed."<sup>22</sup> "I want to see Brother Taylor compelled to make this admission," he also pushed. "I think we are greatly indebted to him for all this 'unpleasantness',—if you can refer to a national scandal as such."<sup>23</sup> Subpoenaed to appear before the Investigations Committee, both men successfully avoided their summons. Badger lamented,

If these men do not come, and from all that I can learn they do not want to come, we are in a bad place. . . . I do not know whether I can convey to you the seriousness with which I view this matter, but I am absolutely certain that nothing that they can say can hurt us as their refusal to come will hurt us. They are the ones against whom the charges that the Apostles have been teaching polygamy is made, and for them to stay away will be to admit all that can be charged against them. I do not hesitate to say that it will be a shame and a disgrace if they do not come.<sup>24</sup>

In early April, several weeks after President Smith's homecoming, he issued what has since been commonly termed the "second Manifesto." His own sense of urgent need for stronger reassurances had coincided with the advice of his closest confidants. When Smith's announcement appeared in Washington newspapers, Badger could not have been more elated. "I almost tumbled out of my chair," he wrote,

when the boy brought the paper this morning and I read the heading,—"Yield to the Law"—"Polygamy Renounced by Conference of Mormons." I was very glad to read the statement made by President Smith. I do not see how he could do more. I wish it had come ten years ago, but, in this world we are not changed in the twinkling of an eye, we grow more and more unto the perfect day. . . . If I wanted to be critical, I would point to the fact that the language of the statement is all in the future tense, that is, the part which declares punishment. Then the wording "will be liable to be dealt with," etc., might, according to my opinion, be better rendered, "will be excommunicated"; that word "liable" is a weak word, but

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if the people will put strength into it, it will serve the purpose.<sup>25</sup>

The first round of Committee testimony concluded one month later, on 2 May, in anticipation of the Senate's summer recess. Hearings were not to open. Testimony then proved to be fast-paced, intense, and often just as sensational as earlier. The protestants presented 21 witnesses in the short space of eight days before hearings adjourned on 20 December for the Christmas break. The bulk of this second round centered on the Church's temple ceremonies. Various witnesses, most often apostate or disaffected, testified, occasionally in detail, of Mormonism's most sacred rituals. Photographs of a man, masked by a large, white wig and beard, demonstrating what purported to be several ritualistic gestures, appeared in the front pages of *The New York Herald* and *The Washington Times*. Excerpts from the then-in-progress hearings tantalized readers with their intimations of esoteric rites. Counsel was particularly intent on establishing the existence of an oath of vengeance administered to all Mormon endowees, who pledged their unceasing prayers to avenge the blood of the latter-day martyred prophets and saints.

Though testimony was equivocal, it was evident a sensitive nerve had been exposed. Badger was informed that President Smith believed "in the event of the divulgence of the temple ceremony, 'if there was anything in the Church which the Lord desired removed, he hoped he would remove it.'"<sup>26</sup> Another president—Theodore Roosevelt—"told Senator Smoot to have the temple ceremonies abolished, they were 'foolishness.' Being a mason," Badger added, "He most likely knows something about them."<sup>27</sup> He was understandably concerned that the endowment ritual and especially its explicit oaths might adversely influence the committee's findings. "If the Senate comes to the conclusion," he confidentially wrote to his wife, Rose,

that the obligations taken in the Temple are merely archaical, academical, and that they do not bind the conscience and the conduct of those who take them, I suppose that they will not be sufficient to unseat the Senator; but if these ceremonies are thought to mean just what they say, I do not see how the judgement that they are against "public policy" will be avoided.<sup>28</sup>

Though the oath of vengeance was not officially dropped from the temple covenants until 1927, such "foolishness," however distasteful or embarrassing at the time, was passed over by the Committee as one of the least of the Church's crimes.<sup>29</sup>

Finally on 20 December, the protestants called their last witness: Charles Mostyn Owen, Mormon harasser *par excellence*. On the stand, Owen dredged up the names of other Mormons believed to have entered plural marriage since the Woodruff Manifesto. He also admitted that it was he behind that white wig and beard exposing temple oaths.

As hearings were winding down in December 1904, the weight of testimony to date began to take its toll. Badger told the Senator, "I was discouraged with the Church leaders, and that unless something was done I did not know what the effect would be upon the young people—that is, something must be done with those who have violated the pledge against the taking of new wives." The Senator's reply, terse, to the point, did little to ease his secretary's anxiety: "Nothing will be done; I believe they were authorized to take the wives."<sup>30</sup> Two days later, Badger met with Franklin S. Richards, counsel to the First Presidency and one of the most influential behind-the-scenes-men in the Church's history. Their discussion proved to be a turning point for Badger. Here was a man whose own experiences with Church hierarchy paralleled those Badger was then encountering. Attentive, sympathetic, and loyal, Richards was a model of integrity, faith, and the sometimes uncomfortable union that can bind the two. Badger wrote of their meeting:

Last night I had a talk with F.S. Richards and asked him to give me a reason why I should not go outside of the Church, if I doubted, disbelieved in things that all orthodox Mormons considered essential.

He said he would illustrate his reasons. In 1877 he went on a mission to the Sandwich Islands with Jos. F. Smith. Up to that time no one had thought that polygamy was not mandatory [sic] upon all the Church; one would have lost his standing if he had voiced other sentiments.

In 1877 he was here in Washington with Jos. F. Smith who was on the underground. He thought he must argue before the senate committee that polygamy was not mandatory [sic] upon the Church. Jerry Wilson agreed with him; Jos. F. opposed it strongly; he believed it was mandatory [sic], but Richards got him to consent that the argument be made—it would not hurt the Church anyway. When Richards got home he came near to losing [sic] his fellowship. On the witness stand before the committee in 1904 Pres. J.F. Smith testified that the doctrine never had been mandatory [sic].—Now why not stay with the Church, there is good here, and truth, and noble men and women. "I have done more for those whom I love by staying with them than I could have fighting what I considered their faults."<sup>31</sup>

Whatever it was Badger was looking for—consolation, understanding, or reassurance—he found it in Richards's words. More than any other one event, their conversation provided him the solid footing for which he had been desperately grasping. Richards's remarks were to become a beacon guiding Badger throughout the coming months and years.

Shortly after testimony stopped for the Christmas holidays, Badger wrote Apostle George Albert Smith, expressing his general disappointments with the Church's past actions and present leniency toward those leaders whose absence on the witness stand did far more than simply compromise themselves. Though Church

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members who entered plural marriage after the 1890 ban did so fully believing such was a strict requirement for eternal exaltation, Badger could not sanction their devotion and obedience, especially when duplicitous. Six weeks later, Smith responded, sympathetic, yet unconvinced:

To take hasty action with reference to some men whose names have figured prominently in the investigation, would only add fuel to the flame and would gratify the sensation-monger unnecessarily. The Church will not do anything simply to curry favor, but will handle its affairs in its own way and not at the dictation of the rabble. It will do what is right because it is right and not because it is forced: consequently it will take its own time in its own affairs.<sup>32</sup>

Badger, however, was appalled. "This is a contemptible attitude for us to be in," he wrote home.

We have said that certain things do not exist, they are proved to exist; we say that if they are proved to exist that the guilty will be punished, and now they are going to wait to see if we mean what we say. . . . We are occupying a cowardly, hypocritical attitude in this matter, and cannot but reap a harvest of humiliation and shame. There is no use quibbling about whether we made a "compact" or a "covenant," no one doubts but what the country, which had been fighting us on this issue for a quarter of a century, understood that polygamy had gone, and we allowed them to have such an impression,—encouraged them in it for our own ends, and we are now estopped to say that we made no agreement. Where is our honor on this matter [?] It makes me angry. Well, the end is not yet.<sup>33</sup>

His own stand was tough and unyielding: "I, for one, have long since come to the conclusion that to retain our self-respect and to make it possible for our friends to stand by us, it would be necessary for us to repudiate all responsibility for the new polygamist marriages which have taken part and to punish those who are guilty."<sup>34</sup>

Hearings reopened on 11 January. The defendants at last presented their case, charging the protestants with hearsay, inconsistency, irrelevance, and inaccuracy. Some 42 witnesses were called to testify in behalf of Smoot and the Church during the following two and one half weeks until the committee finally adjourned. Dissatisfied, however, with the proceedings, and claiming new information, the protestants pushed for reconsideration, and hearings reopened a year later on 7 February 1906. The defense successfully rebutted this second wave of testimony, and seven witnesses were rushed through the judicial machinery in one day. Final arguments and closing statements were made in mid-April, at which time the committee took the case under advisement. Less than two months later in early June, they voted seven to five that Senator Reed Smoot of Utah was not entitled to a seat in the United States Senate. It was not until eight full months later that the Senate voted officially on a resolution calling for the Senator's removal. The motion failed to carry and Utah's Apostle Senator retained both his office and calling.

Following the issuance of the Committee's findings in early June 1906, Badger took the time to explain his

feelings, as intense and complex as they were, at length in a letter. His correspondence reveals a man maturing in his convictions and faith, whose continually renewing commitments suggest a tempering and a refining not unknown to others whose own spiritual growth travels a path similar to Badger's.

I believe our honor is more to us than anything on earth; and we must keep our word sacred. If we wish to convert the world to the truths of polygamy, let us first be honest. If as a people we had strictly observed the Manifesto, I believe that our example would have challenged the admiration of the world; but we have thought that there is something higher than honesty, and behold our confusion. I resent anyone saying that I am not as loyal to my people as those who deny conditions which they know exist; and I affirm my determination to try to tell the truth about everything. I wish it could have been said to the Senate Committee: Come, gentlemen, bring your searchlights; go into every corner; we will hide nothing; our record is like the saying of the Almighty, one jot or one tit[t]le of the word that has proceeded from our mouth has not remained unfulfilled. How proud we would be today if this were so, though it had caused the blood to flow from many hearts. One man at the head of the American nation has done more in five years for reform because he has been honest, than has been accomplished in any twenty years before. Simple honesty, the facts, publicity, is his sovereign remedy; a remedy from which we shrink—but I pray for the last time. I wish it were possible for me to hurl in the teeth of the world the accusation and the boast: While you have been cruel, we have been honest.

Of course what we have done is but an exhibition of human nature, and it is remarkable that no more instances of new marriages have taken place than have really occurred, but those that have occurred are to our discredit. We have had the proud title of a people who kept their word; I have lived to see the day when honorable, conscientious men have disputed that we held the title by right; I want to see our claim to this title acknowledged again, and will.

You ask me if I intend to repudiate the principle that gave me birth. I hope to heaven I never shall. I believe I have defended its virtues, its benefits, its cleanness, its humanity, as strongly as I know how: and I am sure that I love and respect my father and mother for what they have done for me. I cannot see that polygamy is ideal in an ideal state. It seems to me that one honorable woman and one honorable man form the ideal union, but as I have said before, I regard any argument based on the question of the merits of polygamy as out of the question as far as it affects the question of the practice of the principle. We have said that we have given up the practice, and no matter how high we regard it, we must give it up. We cannot go back to the practice of the principle without dishonor, and I have always been taught that dishonor was impossible for a Mormon.<sup>35</sup>

The experience of Carl A. Badger from 1903 to 1907 highlights the very personal agony that can arise when discrepancy, even contradiction, between expected and actual behavior surfaces among individuals and within institutions supposedly free from such human failings. The loss of innocence he initially suffered in the early 1900s was to leave him something less than whole. The

ensuing insight he gained into not only himself, his relationship to his church, but also the men he sustained as inspired leaders stands as a reminder of the Church's fundamental and inescapable humanity.

#### Notes

1. Carl A. Badger to George A. Smith, 24 March 1903, in George A. Smith Family Papers, Western Americana, Marriott Library, University of Utah, Salt Lake City, Utah.
2. There unfortunately and surprisingly exists no readily available treatment of the Smoot Hearings. The best is unquestionably to be found in the first chapter of Milton R. Merrill's "Reed Smoot, Apostle in Politics," Ph.D. dissertation, Columbia University, September 1950. Merrill enjoyed access to Smoot's personal papers, which have since been deposited at the Lee Library, Brigham Young University. That his research and observations continue to be valid, in spite of the availability of material to which he did not have access at the time (e.g. Smoot's diaries) is an amazing feat that speaks well of Merrill's overall skill and insight.
3. Carl Ashby Badger was born on 31 October 1878 in Salt Lake City, Utah, to Rodney Carlos and Louisa (Noble) Badger. Though christened "Carlos," Badger, for personal reasons, preferred the more Anglicized "Carl."
4. Carl A. Badger to Ed Jenkins, 8 March 1904, in Carl A. Badger Collection, Archives and Manuscripts, Harold B. Lee Library, Brigham Young University, Provo, Utah. Unless otherwise noted, all manuscript material (e.g., letter and diary excerpts) may be found in the Badger Collection. I extend my appreciation to Dennis Rowley and his staff for assisting in the identification of "Ed" as Ed Jenkins, Badger's brother-in-law.
5. Carl A. Badger to Ed Jenkins, 18 February 1904.
6. The most comprehensive treatment to date of polygamy after the 1890 Manifesto is Victor W. Jorgensen and Carman Hardy, "The Taylor-Cowley Affair and The Watershed of Mormon History," *Utah Historical Quarterly* 48 (Winter 1980): 4-36.
7. This is related by Joseph Fielding Smith in his biography, *Life of Joseph F. Smith, Sixth President of the Church of Jesus Christ of Latter-day Saints* (Salt Lake City, Utah: Deseret Book Co., 1938), p. 330.
8. The more scandalous of Leilich's charges—that Smoot himself was a post-Manifesto polygamist—was quickly disproven.
9. See Merrill, *Reed Smoot*, p. 48.
10. Carl A. Badger Journal, 9 July 1902, photocopy, in Carl A. Badger Collection, Archives and Manuscripts, Harold B. Lee Library, Brigham Young University, Provo.
11. *Ibid.*, 31 December 1902.
12. As reproduced in *ibid.*, 23 January 1903.
13. J. Reuben Clark, Jr., to Reed Smoot, 22 November 1902, in Reed Smoot Collection, Archives and Manuscripts, Harold B. Lee Library, Brigham Young University, Provo, Utah. As with Badger's rebound from his frustrated bid for the state legislature, Clark, too, would bounce back from this momentary defeat to become considerably more influential in both politics and his church than either man thought likely. See Frank Y. Fox, J. Reuben Clark, Jr., *The Public Years* (Salt Lake City and Provo, Utah: Brigham Young University Press, 1981).
- Badger's reasons for seeking the Smoot secretaryship were unabashedly political. Once chosen, he actively exploited the many opportunities—the close ties with the powerful and influential—his intimate association with a United States senator doubtless brought him. While at the nation's capital, he completed his law studies at George Washington University, where he graduated in 1906. Badger was gloriously ambitious and youthfully opportunistic. Yet he was also possessed of a strong sense of personal integrity and family obligation. His criticism could be caustic; his love genuine; He was frank, brusque, and did not easily tolerate duplicity, hypocrisy, or deceit.
14. Carl A. Badger to Ed Jenkins, 18 February 1904.
15. Smith's testimony figures prominently in the first volume of *Proceedings Before the Committee on Privileges and Elections of the U.S. Senate in the Matter of the Protests Against the Right of Hon. Reed Smoot, A Senator from Utah, to hold His Seat* 4 vols. (Washington, D.C.: Government Printing Office, 1904-06).
16. This was Franklin S. Richards, counselor to the First Presidency.
17. Carl A. Badger to Ed Jenkins, 8 March 1904.

18. *Ibid.*, 16 March 1904. "Not sent" has been written at the top of the letter.

19. *Ibid.*, 18 March 1904.

20. Carl A. Badger to R. S. Collett, 21 March 1904. "Not sent" has been written through the body of the letter.

21. Carl A. Badger Journal, 22 March 1904.

22. Carl A. Badger to Ed Jenkins, 16 March 1904; see note 18.

23. *Ibid.*, 18 March 1904; see note 19.

24. *Ibid.*, 24 March 1904. Apostles Taylor and Cowley later resigned from the Quorum of the Twelve and were eventually excommunicated (as in the case of Taylor) or disfellowshipped (as was Cowley). These events are discussed by Jorgenson and Hardy in "Taylor-Cowley Affair."

25. Carl A. Badger to Ed Jenkins, 7 April 1904.

26. Carl A. Badger Journal, 21 December 1904.

27. *Ibid.*, 12 February 1905.

28. Carl A. Badger to Rose Badger, 17 December 1904.

29. In early 1927, Elder George F. Richards, President of the Salt Lake Temple, wrote to all temple presidents, instructing them:

At the request of President Grant we have already adopted some of the changes decided upon, and it will be in order for you to do the same.

In sealing for the dead whether one or both be dead, omit the kissing. Omit from the prayer in the circles all reference to avenging the blood of the Prophets.

Omit from the ordinance and lecture all reference to retribution. This last change can be made with a day's notice to those taking the parts that contain such reference.

This letter is written with the approval of the Presidency. (George F. Richards to President of the St. George Temple, 15 February 1927, Library-Archives, Historical Department, Church of Jesus Christ of Latter-day Saints, Salt Lake City, Utah.)

30. Carl A. Badger Journal, 18 December 1904.

31. *Ibid.*, 21 December 1904.

32. George Albert Smith to Carl A. Badger, 8 February 1905.

33. Carl A. Badger to Rose Badger, 12 February 1905.

34. Carl A. Badger to Reed Smoot, 8 April 1906.

35. Carl A. Badger to "My dearl Clarlie," 22 June 1906. Given Badger's distaste for polygamy, his own sister's own plural marriage three years later to Alpha J. Higgs takes on additional meaning. See the *Salt Lake Tribune*, 27 July 1909, p. 1, 28 July 1909, p. 4, and the *Deseret News*, 27 July 1909, p. 1.

Facing the new year, 1907, Badger recorded, "As I look forward to the coming year I would like for my Church to see faithfulness to our promises in regard to polygamy, and thus prevention of a constitutional amendment for my State, greater pride in greater participation in the life of our union" (Journal, 31 December 1906). Little wonder, nearly two months later, he should express outrage at the intimation, unfounded as it turned out, that the Church might possibly continue the *sub rosa* practice of plural marriage. "I must confess that the situation is beyond me," he wrote to his wife. "The Senator has just said that he intends to tell the brethren when he gets home that if they want to continue this 'polygamy business' they must leave the United States. I asked," he explained,

if he meant unlawful cohabitation, and he said no. Well, I am dumbfounded that there should be the least suggestion of the possibility of the Church attempting to establish polygamy; that it should be thought of for a moment.

... I cannot entertain the thought that such a thing is possible. To think of it as being possible is to make the Church out a hypocritical fraud; but here is the Senator talking about the calamity as though it were a possibility. (Carl A. Badger to Rose Badger, 21 February 1907.)

Badger returned permanently to Salt Lake City in 1908. His Juris Doctorate in hand, he entered private practice and eventually became senior law partner in the firm of Badger, Badger, and Rich. Active in politics, he served in the state senate (finally) in 1909 and again in 1911, and was a frequent speaker on patriotic, civic, and religious topics. He attended the Citizens' Military Training Camp at Fort Douglas, and was a member of the National Army. Later resigning, he was appointed a captain in the judge advocate state staff corps of the Utah National Guard. Advancement followed, and he was promoted to brigadier general in early 1937. Despondent over his wife's death and his own failing helath, Badger died two years later, on 23 October.