

1883-1889 Logan, Utah

Conflict over Polygamy

By 1862 the Federal Government had lost patience with Utah Territory and its practice of polygamy, notwithstanding the Church claimed it was a practice protected under religious freedom. The Morrill Act of 1862 was passed banning polygamy, but was largely ineffective because the jury always consisted of peers who refused to recommend prosecution. The Poland Act of 1874 gave federal marshals a role in selecting jury pools, but it was the Edmunds Act in 1882 which put real teeth into the legislation. Now any prospective juror who refused to deny allegiance to the church principle was disqualified, and the government had the legal power to hunt down and prosecute any man suspected of cohabitation.¹ More than 1,300 men were

imprisoned under the terms of the Edmunds Act.²



Polygamists in prison, 1889, including George Q. Cannon

Charles Roscoe Savage - Harold B. Lee Library, Digital Collections: C.R. Savage Collection [here](#)

Phineas Wolcott Cook, living happily with three wives and their children from the ages of 1 to the married families of Ann Eliza's older children, was suddenly in conflict with the law. He could see no other way but to separate himself and live with only one wife, even though the families were accepting of each other, prosperous and happy to be near each other. For the first time in his life his financial situation was finally secure, but to avoid prosecution, he had to sell out and leave Rich County.

By the fall of 1882 his affairs were in order, and he reasoned he should live with the younger wife and her family of small children. The youngest son of Ann Eliza, his wife of 42 years, was sixteen years old. The youngest child of Amanda, his wife of 30 years, was nineteen and about to be married. Johanna had three children under five. With heavy hearts, these families said their goodbyes and Phineas left with Johanna, her two daughters age 8 and 10, and the three boys Carl, Moses and Kib.

¹ Ray Jay Davis, *Anti-Polygamy Legislation*,

http://www.lightplanet.com/mormons/daily/history/plural_marriage/Legislation_EOM.htm

² Edmunds Anti-Polygamy Act of 1882, <https://www.u-s-history.com/pages/h734.html>

Probably Fall, 1882 – Sanpete County

Carl Cook Writings: *“I was the oldest of their children, my brother Moses and my brother Kib moved with them to Sanpete County, Utah. It was a new frontier and Father had hopes of acquiring from the government a farm, probably by ‘Desert Entry.’ I remember practically nothing of that move, or the stay there, except that later I was told that a mule kicked Father in such a way that his leg was broken, and while he was confined to bed, or convalescing, some unkind and selfish neighbor ‘jumped’ his land. Which means Father had not fully complied with the legal requirements, and the other took it from him...”*

“So he changed his plans and went to Logan instead.”³

The Desert Land Act

Four years before Phineas and Johanna left Swan Creek, the Desert Land Act was passed, encouraging settlement of arid lands in Utah and other western states. Considering Phineas was 63 years old and his sons were too young to be of help, claiming homestead land under the Desert Land Entry Act was a huge commitment. Within three years he would have to dig a canal for irrigation or lose his land. Leaving his investment at Swan Creek for a new start on arid land in Sanpete County must have been a traumatic decision.

“The Desert Land Act was passed by the United States Congress on March 3, 1877, to encourage and promote the economic development of the arid and semiarid public lands of the Western states. Through the Act, individuals may apply for a desert-land entry to irrigate and reclaim the land. This act amended the Homestead Act (1862).”⁴

“The Desert Land Act became law on March 3, 1877, with the purpose of encouraging development in the arid and semiarid public lands of the western states. Individuals could apply for a “desert land entry” to reclaim, irrigate, and cultivate arid and semiarid public lands. The act offered 640 acres of land to any adult married couple who paid \$1.25 per acre, which was four times the sum allowed by the Homestead Act of 1862, and promised to irrigate the land within a three-year period. A single individual received only 320 acres. The recipient had to pay twenty-five cents per acre at first and the remaining one dollar per acre when the irrigation had been completed.”⁵

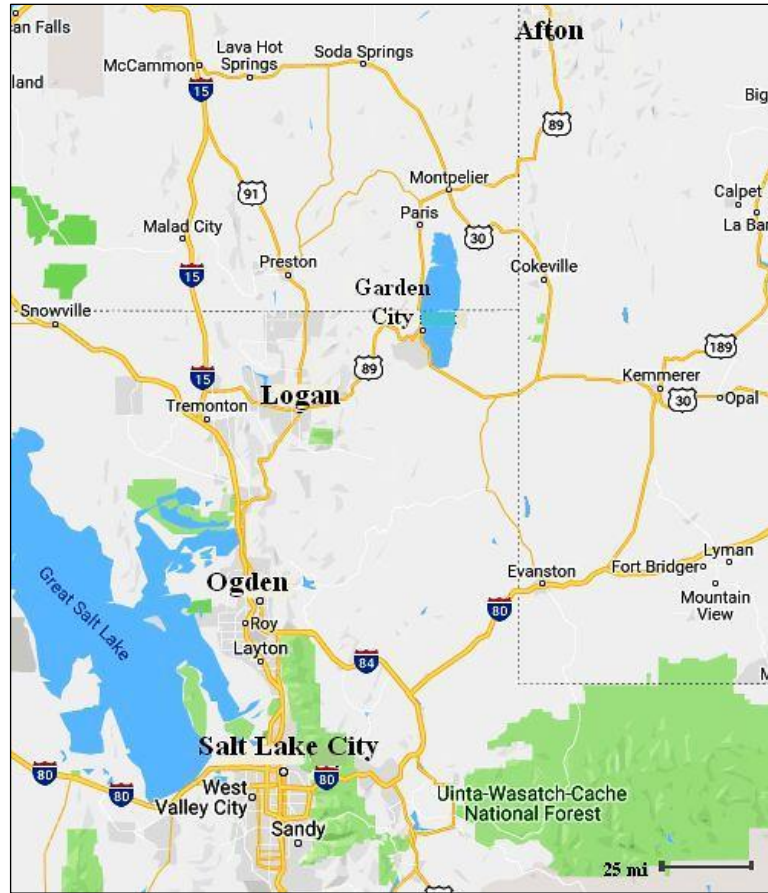
³ Josinette Cook Whiting compiler, *The Life Story of Carl and Ella Cook*, Salt Lake City, Utah, 1981, p. 12; The last statement from the Carl cook diary.

⁴ "Bureau of Land Management" <https://www.blm.gov/sites/blm.gov/files/Desert%20Land%20Entries.pdf>

⁵ <http://sk.sagepub.com/cqpress/encyclopedia-of-politics-of-the-american-west/n134.xml>

Fall of 1882– Move to Logan

Eva Covey Madsen: *“On the last fifty-two pages of Grandfather Phineas Wolcott Cook's original journal he made copies of many letters which he wrote and also copies of many replies from others. In this "Letter Book," as it was called, is a letter which he wrote dated Logan City, March 30, 1883, indicating that sometime shortly before that date and after he had divided his property between his families, he had moved my grandmother, Johanna, and her young family of three boys, Carl 4 years old, Moses 3 years old and Kib about six months old, to Logan, Utah. Grandmother's mother, Ulrika Lundgren was with them, having come from Sweden in September of 1879 when grandfather sent the money for her passage*



“Uncle Carl, the eldest son, tells in his history that they lived in a rented house in Logan at first and that while they lived there a doctor came to the house and vaccinated the family against small-pox.”⁶

Small Pox Vaccination

A vaccine against the smallpox virus had been in existence for almost one hundred years, but was not well understood. Other states had mandatory vaccination laws, reducing the number of cases considerably, and Utah health officials were aware that the surrounding states had a lower incidence of small pox. Some believed there should be a law requiring a small pox vaccination to protect children from the dreaded disease which left many with heavy scarring and blindness. Death occurred in approximately one-third of the cases of severe infections, and a high fever left others with permanent damage.

⁶ Eva Covey Madsen , “The Logan Period, 1883 to 1889,” Appendage #3, p. A-17, *The Life and History of Phineas Wolcott Cook*, Second Edition, PWC Family Organization, Brigham City, Utah.

Some communities launched their own efforts, namely, Logan. It seemed such a simple solution public health officials began to urge the passage of a law. In 1900 Dr. Theodore Bruce Beatty was Utah's first health officer, appointed as Utah State Health Commissioner. He introduced an ordinance for compulsory small pox vaccination, but it was opposed by many in the state, especially in Salt Lake City. Newspaper editors launched a campaign against vaccinations. Finally the Utah State Legislature repealed the ordinance.⁷ Deprived of the simple, proven solution, 15,000 Utahns died of smallpox during the next 25 years.⁸



The Cook home was just south of Utah State University, at Crockett Avenue and Canyon Road near Logan Canyon. It was slightly west of River Hollow Park.

Eva Covey Madsen: *“Soon afterward they moved into a lumber house, which they always called ‘the shanty...’”*

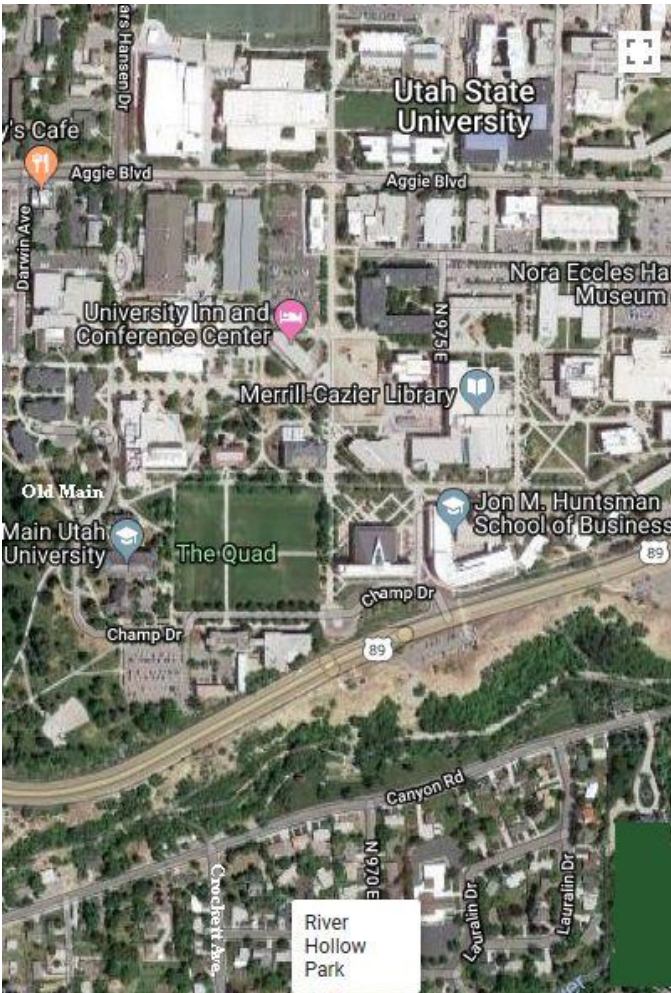
Eva Covey Madsen: *“...a little later grandfather built a concrete house where they lived until they left Logan. Their home was located in the low land south of the Logan Temple and not too far from the mouth of Logan Canyon.”*

Carl Cook: *“Then Father, being attracted to the temple that was then being built in Logan, moved his family there where he obtained a tract of land approximately three or four acres, fenced with a willow fence, adjacent to and west of what is now ‘Crockett Avenue,’ and south of ‘Canyon Road.’ Here he built our home, where we lived until it became necessary for us to move to Wyoming.”⁹*

⁷ Melvin M. Owens, M.B.A. and Suzanne Dandoy, M.D., M.P.H, “A History of Public Health in Utah,” p. P1, <https://health.utah.gov/wp-content/uploads/A-HISTORY-OF-PUBLIC-HEALTH-IN-UTAH.pdf>

⁸ Ardis E. Parshall, *The Salt Lake Tribune*, “Living History: Even with proven smallpox vaccines, 19th century Utahns balked,” <http://archive.sltrib.com/article.php?id=53038477&itype=CMSID>

⁹ Josinette Cook Whiting compiler, *The Life Story of Carl and Ella Cook*, Salt Lake City, Utah, 1981, p. 12.



The house near Canyon Road at Crockett Avenue is now directly south a few blocks from Utah State University. Old Main and the Quad are now about two blocks north of the old concrete house which has now been taken down. Being far enough from the city center to require a very long walk to church, they petitioned for permission to build another house of worship in their neighborhood. A copy of the letter in his handwriting is in his letter book, dated “3rd of May 1887, 5th Ward Logan City; To the presiding authorities of the Cache Valley Stake of Zion.” It describes his location: “comonly known as the Logan hollow or river flume...”

Logan Temple

Eva Covey Madsen: “*While the family was growing larger down in Logan Hollow, up on top of the hill the Logan Temple was being built. The cornerstones were laid on September 17, 1877 and the Temple was dedicated May 17, 1884. So during the years 1883-84*

A closer look at Canyon Road and Crockett Ave.

grandfather used his skill as a builder and carpenter to help in building the Temple. After the Temple was completed, grandfather and grandmother worked diligently in the Temple to bring salvation to their ancestors...”

Carl Cook: “*Father not only helped to build the Logan Temple, he and Mother worked in the temple for the salvation of the dead, mostly, if not entirely, on Father’s line of genealogy.*”¹⁰



Gothic style of the Logan Temple
(Courtesy Cory Maylett)

¹⁰ Josinette Cook Whiting compiler, *The Life Story of Carl and Ella Cook*, Salt Lake City, Utah, 1981, p. 12.



Details in the original Logan Temple

Lake Temple. It was built of lime and quartzite brought from Green Canyon and trees from Logan Canyon, and labor was donated by thousands of Logan members.

Phineas moved to Logan the fall or winter of 1883, and on May 17, 1884 the Logan Temple was dedicated by Church President John Taylor. No doubt Phineas was involved in finishing work and woodwork, something at which he excelled. His work on the temple probably accounts for the fact that they rented a cheap house they called “the shanty” while he spent his time working on the temple. The Logan Temple was remodeled in 1977 and the original woodwork was taken out, so nothing remains of his work except his dedicated effort in the memories of family members.

On October 6, 1876, thirteen years after the Cooks had moved to Bear Lake, a temple in Logan was announced. To these settlers, a journey of forty miles compared to 100 miles to the Salt Lake Endowment House was like a small miracle. Designed by Truman O. Madsen with much the same interior pattern as the Salt Lake Temple, it had a large assembly room, four endowment rooms and six sealing rooms. However, with gothic details, the Logan Temple looked quite different from the Salt



Logan Temple, original Celestial Room

<http://ldspioneerarchitecture.blogspot.com/2015/07/logan-temple-interior-renovation-and.html>

Temple cards showing the name of the person acting as proxy in each ordinance show that several members of the family participated in temple work during this time. Ann Eliza, Amanda, and several of the adult children came from Garden City and attended the temple to perform ordinances for the dead. As the distance was 40 miles, it would not be possible for them to return home the same day they came. There was a continuous relationship among these family members, even though official ties had been severed. In addition, the family effort to collect ancestral names was, for that time, amazing. They provided names and ordinances for hundreds of ancestors.



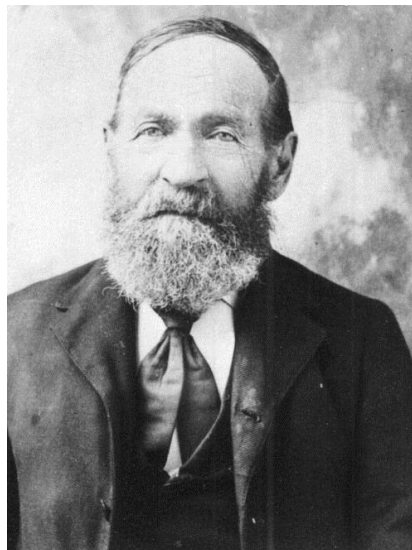
Original Terrestrial Room, Logan Temple

Prison

Carl Cook writings: *“These were the years when Mormon persecution because of polygamy was reaching a climax, and even though Father was no longer living with either of his first wives he was in danger of imprisonment as other men were. At one time he decided he wanted to move to Canada, but Mother did not approve of it...”*

“...father in common with many other polygamous men, was hunted and obliged to flee from home and to hide where he could. He walked from place to place. Worked a little while where he could find employment but could not stay long in one place for danger of being arrested by U.S. Marshals and sent to jail. He slept in hay-stacks, in shacks and sheds, and begged food, much as a tramp and finally was taken and sent to prison for a short term—short because of the leniency of the Judge, and because of father's illness and old age.”¹¹

“Mother said that when father was brought into court, to be sentenced, having previously been tried and found guilty of having more than one wife, he looked unusually pale and trembly, and the Judge remarked, ‘Well, Mr. Cook, it appears like you are not going to be long with us. We shall therefore give you a short term and we hope you will never come before this court again, on a like charge. You are therefore sentenced to serve thirty days in the Utah State Penitentiary.’ Father at that time was about 69 years of age.”¹²



Eva Covey Madsen: *“Uncle Moses remembers the night grandfather got home from jail. He says, ‘The night he returned home, I remember very well for it was in the winter time and when he entered the house his beard was all covered with frost so thick we could hardly see his face.’”¹³*

The Church also kept a record of men imprisoned for polygamy, and Phineas Wolcott Cook appears in the Journal History of the Church after his arrest in 1888.¹⁴ Although it was a difficult time for the saints, by this time in church history they did not doubt the inspiration behind the revelation to have more than one wife. Hundreds of women who never would have married had there been monogamy had been blessed to have families and enrich the population of the

¹¹ Josinette Cook Whiting compiler, *The Life Story of Carl and Ella Cook*, Salt Lake City, Utah, 1981, pp. 13-14. Also recorded in Carl Cook Diary, p. 30.

¹² Eva Covey Madsen, “The Logan Period, 1883 to 1889, Appendage #3, p. A-21, *The Life and History of Phineas Wolcott Cook*, Second Edition, PWC Family Organization, Brigham City, Utah.

¹³ Moses Cook diary. Also recorded in Eva Covey Madsen, “The Logan Period, 1883 to 1889, Appendage #3, p. A-22, *The Life and History of Phineas Wolcott Cook*, Second Edition, PWC Family Organization, Brigham City, Utah.

¹⁴ Journal History to the Church of Jesus Christ of Latter-day Saints. FHL Index film, C- 1,233,511, 1888: Dec. 1 p. 4.

territory. Local legislators were arguing to have Utah admitted into the Union of States on its own terms, while Washington theorists hastened to consider restrictions based on laws hostile to polygamy and religious freedom.¹⁵

The Church was prepared to suffer whatever was necessary. In 1887 the Edmunds-Tucker Act was passed, and the church faced confiscation of its property and the revocation of its corporate charter. Much prayer and fasting resulted in the revelation which changed the church's policy. The only thing left was for men with more than one wife to either divorce their plural wives or flee the state. It was in 1888, after that act was passed, that Phineas Wolcott Cook was arrested and imprisoned.

Ham's Fork, Wyoming

Eva Covey Madsen citing Moses Cook: *"Grandfather decided to move to Ham's Fork in Uintah County, Wyoming, farther out on the frontier where there was less chance of interference by government officials. Early in the summer of 1889, grandfather wrote his son Hyrum, Ann Eliza's son, and asked him to come to Logan with team and wagon and help move the family to Ham's Fork where there was open land and where he could raise his boys and teach them how to work.*

"...All the country was wild and open, no fences except occasionally a large round pole corral where cowboys separated and branded cattle. There were hundreds of cattle all around them and among them were many large bulls which frightened grandmother for their safety, especially for the children. Neighbors were very few and miles apart..."¹⁶

Phineas came home from his prison term with a determination to leave the state. Five years earlier two of his sons, Joseph W. and William, had moved to Border, Wyoming, just north and



¹⁵ Sarah Barringer Gordon, *The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth-Century America,* pp. 9-10, 109-111.

¹⁶ Eva Covey Madsen, "The Logan Period, 1883 to 1889, Appendage #3, p. A-22, *The Life and History of Phineas Wolcott Cook*, Second Edition, PWC Family Organization, Brigham City, Utah.

east of the north tip of Bear Lake. Their brothers Alonzo, David and Henry H. had joined them with a proposal for a dam over the Bear River and a four-mile ditch project at Border, calling themselves the Cook Brothers Company.¹⁷ Phineas decided he could make a living by starting a dairy farm, and may have thought of going to Border, but it was too close to Utah and he decided to move farther east, somewhere along the Ham's Fork of the Black River, which eventually runs into the Green River. The river runs from Kemmerer to join the Black Fork just south of the present I-80, still with few settlers along its course. Not far from Little America on I-80, the Oregon/Mormon Trail crosses the highway and moves westward. There was a sparse settlement along the Ham's Fork of the Black River, a few miles north, and the Cooks went somewhere near there.

Ranchers had already moved large herds of cattle into the area. Horace Greeley wrote in 1859 that these cattlemen had set up a thriving business:

“On these streams live several old mountaineers, who have large herds of cattle which they are rapidly increasing by lucrative traffic with the emigrants, who are compelled to exchange their tired, gaunt oxen and steers for fresh ones on almost any terms.”¹⁸

With his own herd of about thirty dairy cattle, Phineas hoped he could legally stake a claim for his own dairy ranch. But this was wild country, and the Cook family was isolated from every vestige of civilization. After living there a few months of the summer, he realized he would have no help whatever if anything happened. His neighbors told him it would be impossible to stay through the winter. His wife was expecting a baby soon, and at 69 years of age he recognized his need to live in an organized town. Thankfully Idalia Johanna, their last child, was born on September 4, 1889 after they had returned to Logan.

But once again, Phineas was not safe from arrest. In Swan Creek he had been very close to his daughter Phebe and her husband Byron H. Allred, who was also a polygamist. Byron found it necessary to find another place to live, and in the spring of 1889 he took his families to Afton, Wyoming. They recognized immediately it would be a good situation. A few other men Phineas knew also went to Afton. State officials were unwilling to prosecute men for polygamy because the Territory of Wyoming was trying to increase their population so they could be admitted into the Union. Federal marshals, anxious to continue the hunt taking place in Utah, were turned away.

The stage was set for Phineas W. Cook to take his young family to Wyoming where he would be safe among friends. Six weeks after Idalia was born they left Logan and headed for Afton. Before leaving he sold his house in Logan for \$1,000, bought a new wagon and a bore machine for making a leaning fence. His plan was to go into the dairy farming business.¹⁹

¹⁷ Uinta County, Wyoming, Mixed Records, FHL 973,813, affidavit 29791, Book 28, pp. 67-68 and FHL 973,814, item 2, pp. 2, 442-444.) Joseph W. and William Cook of Border, Wyoming, and Alonzo, David S. and Henry H. Cook of Garden City signed the affidavit.

¹⁸ Greeley, Horace. *An Overland Journey, from New York to San Francisco in the Summer of 1859*. Charles T. Duncan, ed. New York, N.Y: Alfred A. Knopf, 1964.

¹⁹ Eva Covey Madsen , “The Logan Period, 1883 to 1889, Appendages #3, p. A-23 and #4, p; A-26. *The Life and History of Phineas Wolcott Cook*, Second Edition, PWC Family Organization, Brigham City, Utah.