

February 6th, 1908

Judge Alfred Budge,
Paris, Idaho

Dear Brother:-

This is in answer to yours of the 27th ult., concerning the use of the terms "Celestial marriage" and "Patriarchal Marriage."

There is no use made of these terms in the "revelations on the Eternity of the Marriage Covenant, including 'plurality of wives.' nor in any of the books recognized as the authoritative scriptures of the Church; Therefore there is no marriage rite or ceremony performed in the Church under the name of "celestial marriage." Every marriage in the Church is performed by authority of a license issued from a competent court, and the Elder officiating attests the marriage by signing the certificate. The use of the term "celestial marriage", like the use of the term "Mormonism", while admissible is not authoritative.

Elder Orson Pratt in the "Seer", published in Washington in 1852, wrote a series of articles under the title "Celestial Marriage", with this as a sub-title: "A revelation on the Patriarchal Order of Matrimony or Plurality of wives," and then throughout the articles, judging by the spirit of them, speaks of "celestial marriage" and "Patriarchal marriage" as synonymous with "plural marriage."

Orson Pratt's "Seer" however, was expressly and formally repudiated by the Church Authorities over the signature of the First Presidency of the Church and the Twelve Apostles; Elder Orson Pratt himself sanctioning the repudiation. (See Deseret News of August 23rd, 1865) The same use of the terms has been employed by individuals in making out affidavits on the subject of "plural marriage", but this use was not authorized by the Church. (See Historical Record, p. 221, et seq.)

In some of the later writings of prominent Elders in the Church, a distinction has been drawn between "celestial marriage" and "plural marriage" and this with the approval of the Church Authorities, (See Preface to the works quoted below) as follows:

"It was in Nauvoo also that the Prophet introduce celestial marriage-- the marriage system which obtains in celestial worlds. It consists of the eternity of the marriage covenant; that is, the marriage covenant between a man and his wife is made for time and all eternity, and being sealed by that power of the priesthood which binds on earth and in heaven, the covenant holds good in heaven as well as on earth, and by reason of it men will have claim upon their wives and wives upon their husbands in and after the resurrection. Celestial marriage may also include a plurality of wives." (See Outlines of Ecclesiastical History, Section IX, page 394)

Elder James E. Talmage makes substantially the same distinction in his "Articles of Faith," page 457 - 8.)

Also Elder James E. Talmage testifying before the Senate Committee on Privileges and Elections at Washington in what is known as the Smoot case, defined these terms of "celestial marriage" and "patriarchal marriage" in harmony with the foregoing. (See Smoot Hearings, Vol. 3, pages 42-45.

As to the effect of these definitions on your case, we suggest that the fact as to whether your so-called "celestial marriage" is plural or single must be the determining factor as to whether or not you can hold your office under the Idaho Constitution, since the terms "celestial marriage" and "patriarchal marriage" used in that Constitution and Statutes of the state mean only plural marriages. The use of the terms "celestial marriage" and "patriarchal marriage" as being synonymous with "plural marriage" and meaning no other than "plural marriage" is an invention of the legislators and came into existence because of an extreme desire to cover every possible description of title in their legislation under which polygamous marriages supposedly could be performed. But this use of the term is the legislators', and the Church may not be charged with it.

Yours etc.

First Presidency.