

CHAPTER FIVE

FAYETTE: THE PLACE THE CHURCH WAS ORGANIZED

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The first verse of Doctrine and Covenants 20 announces “the rise of the Church of Christ in these last days, being one thousand eight hundred and thirty years since the coming of our Lord and Savior Jesus Christ in the flesh, *it being regularly organized and established agreeable to the laws of our country . . .* in the fourth month, and on the sixth day of the month which is called April” (emphasis added).¹

The headnote to the next section, Doctrine and Covenants 21, declares that the Church was in fact organized on April 6, 1830, at Fayette, New York, “in the home of Peter Whitmer, Sen.” (D&C 21).

It is clear that the Prophet Joseph Smith felt that the event was highly significant, that he and his brethren were complying with directives given by the Lord. It is also clear that the Prophet Joseph felt he was complying with laws decreed by government for organizing a church. At the time, however, some members did not fully appreciate the significance of the occasion. Even one of Joseph’s colleagues in the organizational event, David Whitmer, downplayed the events of April 6, 1830. Writing many years later in his booklet, *An Address to All Believers in Christ*, he commented, “It is all a mistake about the church being organized on April 6, 1830, as I will show. We were as fully organized—spiritually—before April 6th as we were on that day. The reason why we met on that day was this; the world had been telling us that we were not a regularly organized church, and we had no right to officiate in the ordinance of marriage, hold

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church property, etc., and that we should organize according to the laws of the land.”²

David Whitmer was not alone in missing the significance of that meeting in Fayette. Others even became confused about the place the Church was organized. *The Evening and the Morning Star*³ and Orson Pratt’s pamphlet *Interesting Account of Several Remarkable Visions, and of the Late Discovery of Ancient American Records*⁴ both suggest Manchester, New York, as the place the Church was organized.

Because of these and similarly confusing statements, I have examined the pertinent historical documents in their context in an effort to confirm the time and place of the Church’s legal organization. I have firmly concluded that there is no reason to doubt that the Church was organized in Fayette, New York, on April 6, 1830, in accordance with divine directive and existing governmental laws.

RELATED NEW YORK STATUTES

We return, then, to the statement in Doctrine and Covenants 20 that the Church was “regularly organized and established agreeable to the laws of our country” (D&C 20).

To what laws does the statement refer? By 1830, the United States Constitution had been ratified and its first amendment was in force, protecting the freedom of religion. The specific laws under which the Church was incorporated, however, seem to have been the laws of New York State. By 1784 the state of New York had enacted a procedure for incorporating religious societies. This statute was updated in 1813⁵ and was in effect on April 6, 1830.

Although the law did not require a group of worshipers to incorporate to exist as a church, certain legal privileges, such as the right to acquire and hold property and perform marriages, would flow from the act of incorporation. In summary, the statute required a church or congregation to elect from three to nine trustees to take charge of church property and transact business affairs. Two elders of the congregation were to be selected to preside over the election. Fifteen days’ notice, given for two successive Sabbaths, was required. A certificate establishing a name for the church and evidencing completion of the organizational events was to be recorded in the county or counties where the church was located.⁶

WHAT STEPS WERE TAKEN TO COMPLY?

Joseph Smith, Oliver Cowdery, and their fellow disciples kept no known records that detail how they complied with the New York law. But the documents we do have make it clear that the Prophet and his colleagues did take steps to comply with the law.

The first known recorded instructions from the Lord to Joseph Smith to organize the Church came as early as June of 1829.⁷ Less than a year later, on a date set by revelation, the Church was incorporated. In *History of the Church*, the Prophet Joseph Smith wrote, "Whilst the Book of Mormon was in the hands of the printer, we . . . made known to our brethren that we had received a commandment to organize the church; and accordingly we met together for that purpose, at the house of Mr. Peter Whitmer, Sen., (being six in number,) on Tuesday, the sixth day of April, A.D., one thousand eight hundred and thirty."⁸

From what we read, the number of organizers was clearly within the statutory requirement of three to nine persons. Another requirement was met during the meeting when Joseph asked for a vote to name himself and Oliver as the presiding elders of the Church. This would have satisfied the requirement in the New York statute requiring two presiding elders at the incorporation proceedings.

The Prophet next asked for a vote on the central proposition that a church be organized. The vote was unanimous. Then he ordained Oliver to be an elder of the Church, and Oliver in turn ordained Joseph.

There was a rich outpouring of the Holy Ghost on the occasion, and new revelation was received. During the day, other brethren were called and ordained to offices of the priesthood. The account concludes: "We dismissed with the pleasing knowledge that we were now individually members of, and acknowledged of God, 'The Church of Jesus Christ,' organized in accordance with commandments and revelations given by Him to ourselves in these last days, as well as according to the order of the Church as recorded in the New Testament."⁹

That day several persons, including Joseph's mother and father, were baptized members of the Church.

WHERE IS THE CERTIFICATE OF INCORPORATION?

Although these events make it clear that at least two of the legal requirements for church incorporation were followed, the documents we currently have do not mention the other requirements. One important requirement, of course, was the filing of a certificate of incorporation. We do know that leaders of the Church took the necessary steps to qualify the Church as a legal entity under Illinois law, and actually filed the required certificate.¹⁰ Did they do the same in New York?

In August 1879, President John Taylor sent a letter to William C. Staines asking him to search for a New York incorporation certificate.¹¹ William Staines hurried to the area and sent a detailed report to President Taylor that evidenced a careful but fruitless search in several local government offices for the certificate.¹²

I too have searched for the certificate. On March 28, 1988, thinking that the certificate may have been transferred to Albany, New York's state capital, I searched the state archives and the office where corporation papers are filed. I found no trace of the certificate. I was advised that if the papers still existed, they would be in Waterloo, New York, the county seat of Seneca County, near Fayette. There, on April 29, 1988, President Richard Christensen of the New York Rochester Mission and I searched unsuccessfully for the certificate. We then conferred with the Seneca County historian, Betty Auten, who confirmed that her ongoing search for references to the Church had revealed no such certificate.

Because of the confusion in some early records about whether Manchester or Fayette was the place of organization, we next went to Canandaigua, New York, the county seat of Ontario County, in which Manchester is located, to continue our search. So far as we could determine, the certificate was not on file there either.

Other searches have been made for the Church's original certificate of incorporation, but to date nothing has been located. The Church Historical Department has instituted a further search of old New York state and county files through Columbia University.

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One may ask what difference it makes where the Church was organized and why the issue needs to be raised. It is true that the gospel

remains true whether or not the Church's original certificate of incorporation is found. But it is natural to want to know the place of important events. Places such as Bethlehem, Sharon, and Mount Vernon take on significance because of events that occurred there.

Likewise, Fayette, New York, has become important as the birthplace of the Church. As part of April general conference in 1980, for example, President Spencer W. Kimball presided at Fayette over a sesquicentennial celebration of the organization of the Church.

Since the *Doctrine and Covenants*, the official history of the Church, and careful scholarship *all* establish that the Peter Whitmer farm near Fayette was where the official organization took place, how does one view the several references that suggest otherwise? For example, in the *Book of Commandments*, published in 1833, several revelations received by Joseph Smith carry introductory headnotes by the publisher, W. W. Phelps, describing them as having been received in Manchester, New York, on April 6, 1830.¹³ The perceptive student will ask, "If Joseph was in Fayette participating in the organization of the Church, could he also have been thirty miles away in Manchester receiving revelations?"

Significantly, the matter was resolved when the reference to Manchester and the date—"six"—were deleted in the introductory material for these revelations when the *Doctrine and Covenants* was published in 1835. These early corrections have been followed in all subsequent editions. The 1835 correction was probably made when Joseph Smith or other eyewitnesses, noticing the mistakes, corrected them to conform to the events as they occurred.

Another confusing statement is found in a published copy of a letter Joseph Smith sent in 1842 to John Wentworth, editor and owner of the *Chicago Democrat*. Wentworth had requested a "sketch of the rise, progress, persecution and faith of the Latter-day Saints."¹⁴ The Prophet's published response refers to the Church as having been organized in Manchester.

Did the Prophet actually write that the Church "was organized, in the town of Manchester, Ontario County, state of New York"?¹⁵ We cannot know for sure. Neither the original nor a copy of Joseph's letter has survived, except as published in the *Times and Seasons*.

For purposes of discussion, let us assume that the original letter contained the reference to Manchester. There are several possible

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explanations for the statement. One is simply that Joseph Smith made a mistake in citing Manchester as the place of organization in the Wentworth letter. So many of the significant events of the Restoration did happen near Manchester that the name could easily slip into his discussion of those events twelve years later.

Another explanation may be that meetings in Manchester played an important, though informal, role in the organizational process. Manchester was one of three places, including Fayette, where meetings were being held by April 1830. The reference to Manchester as a place of birth for the Church may have merely been a recognition that Manchester played a key role as a meeting place where details for the formal Church organization were worked out. In this light, it is interesting that in the official history of the state of New York, the author states that "at Manchester, in 1830, the new sect was *founded*, and at Fayette was *formally organized* a few weeks later."¹⁶

Still another explanation for the reference to Manchester is that the statement may have been influenced by Orson Pratt. There are two reasons for believing that Orson Pratt may have been involved. First, as Latter-day Saint scholar David Whittaker has detailed, Orson Pratt seems to have had a hand in drafting the portion of the letter that later became the Articles of Faith.¹⁷ Perhaps, then, Elder Pratt is the source of the Manchester reference in the Wentworth letter, because in his pamphlet cited earlier he had already mistakenly referred to Manchester as the place of organization. Still, it should be clearly noted that Elder Pratt's pamphlet was changed in 1848, during his lifetime, to designate Fayette as the place of organization.

The simplest and most plausible explanation for the ambiguous statements concerning the place of organization is that, in publishing the Book of Commandments and *The Evening and the Morning Star*, W. W. Phelps was not as careful as he might have been and mistakenly designated Manchester as the site of events that took place on April 6, 1830. Formal minutes were probably not available to Brother Phelps, who may have relied on memory and made an understandable error, or perhaps he intended to designate Manchester as the place of some of the organizational planning but not the formal organizational meeting. Others, such as Orson Pratt, may simply have misunderstood and perpetuated that imprecise designation by using the Book of Commandments for data on the Church's place of origin.

Later, in some manner and without recording the reasons or even the fact that it was being done, the ambiguities in the Book of Commandments were clarified in the 1835 edition of the Doctrine and Covenants, which included revelations from the Book of Commandments. If the Prophet Joseph Smith did not make the clarification himself, whoever did it had ready access to those who were present at the organization. The lack of explanation for the change, and the subsequent designation of Fayette as the place of organization, is mute evidence that the correction was perceived as a simple and natural act requiring no elaboration.

CONCLUSION

All official sources, including the *History of the Church* and nearly every author writing in the last century or more, designate Fayette as the location of the first meeting.

Furthermore, contemporary eyewitnesses designate Fayette as the site. All agree that David Whitmer was a participant in, and thus an eyewitness to, the organizing event. In his 1887 document entitled *An Address to All Believers in Christ*, he states specifically: "We met at my father's house in Fayette, N.Y., on April 6, 1830, to attend to this matter of organizing according to the Laws of the land. . . . The church was organized on April 6th 'agreeable to the laws of our country.'"¹⁸

The beginning of The Church of Jesus Christ of Latter-day Saints as a legal organization in the farm home of Peter Whitmer Sr. is securely established by the evidence. Though research may yet shed additional light on this fascinating and important event, the Church, 174 years later with some 11.9 million members, continues to grow, and the Lord's gospel plans continue to patiently and thoughtfully unfold.

NOTES

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1. Doctrine and Covenants 20 includes a number of concepts, some prepared by Oliver Cowdery earlier than April 1830 to provide a statement of procedure and doctrine for governing the Church, which was soon to be organized.
2. David Whitmer, *An Address to All Believers in Christ* (Richmond, Missouri: David Whitmer, 1887), 33.

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3. See *The Evening and the Morning Star*, March 1833, 76; and April 1833, 167. But minutes of a conference, reported on page 160 of the May 1834 issue, identify Fayette as the place where the Church was organized.
4. See Orson Pratt, *An Interesting Account of Several Remarkable Visions, and of the Late Discovery of Ancient American Records* (Edinburgh, Scotland: Ballantyne and Hughes, 1840).
5. See chapter LX of the *Laws of the State of New-York, Revised and Passed at the Thirty-sixth Session of the Legislature* (Albany, New York: H. C. Southwick & Co., 1813), 212–19.
6. See *Laws of the State of New-York*, 214.
7. See Dean Jessee, "Joseph Knight's Recollection of Early Mormon History," *BYU Studies* 17, no. 1 (Autumn 1976): 36–37.
8. Joseph Smith, *History of the Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 2nd ed., rev. (Salt Lake City: Deseret Book, 1957), 1:74–77.
9. Smith, *History of the Church*, 1:79.
10. See Dallin H. Oaks and Joseph I. Bentley, "Joseph Smith and Legal Process: In the Wake of the Steamboat Nauvoo," *Brigham Young University Law Review* 3 (1976): 746.
11. See John Taylor to Elder W. C. Staines, correspondence, August 23, 1879, *First Presidency Letterbooks*, Historical Department, The Church of Jesus Christ of Latter-day Saints, Salt Lake City.
12. See W. C. Staines to President John Taylor, correspondence, September 4, 1879, Church Historical Department.
13. See W. W. Phelps, *A Book of Commandments for the Government of the Church of Christ* (1833), chapters XVII–XXII.
14. *Times and Seasons*, March 1, 1842, 706.
15. Orson Pratt, *An Interesting Account*, 22.
16. Alexander C. Flick, *History of the State of New York* (New York: New York State Historical Association, 1934), 5:171; emphasis added.
17. See David J. Whittaker, "The 'Articles of Faith' in Early Mormon Literature and Thought," in *New Views of Mormon History, A Collection of Essays in Honor of Leonard J. Arrington*, ed. Davis Bitton and Maureen Ursenbach Beecher (Salt Lake City: University of Utah Press, 1987), 63–93, for a thoughtful review of the Articles of Faith as found in the Pearl of Great Price. This scholarly article indicates that these statements of belief may have been borrowed by Joseph Smith from other writings, particularly Orson Pratt's, in composing his letter to John Wentworth.
18. Whitmer, *An Address to All Believers in Christ*, 33.