



Governor Thomas Ford. Reproduced from  
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# A History of Illinois

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***From Its Commencement as a State  
in 1818 to 1847***

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**Governor Thomas Ford.**

**(Originally Published In 1854.)**

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This addition is interesting for a couple of reasons. Gov. Ford was the Governor of Illinois during the time the Latter-Day Saints were living in Nauvoo. He gives a different

point of view concerning the deaths of Joseph Smith and his brother Hyrum. His story is a story of a man stuck in the middle of two extreme forces in the State. The Mormons and the very active Anti-Mormons, both of which could be very violent at times. The Gov. being on neither side, is forced to make some very hard decisions in order to keep peace in the State.

The whole book covers many topics, the Mormons just being one of them. Because of this, I'm only reprinting the chapters that concern them. I hope you find it interesting.

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# VIII

## Civil and Religious Discord, 1841 - 1842

(Excerpt from Chapter.)

....The second cause of mobs is that men engaged in unpopular projects expect more protection from the laws than the laws are able to furnish in the face of a popular excitement. They read in the Constitution the guaranty of their rights, and they insist upon the enjoyment of these rights to the fullest extent, no matter what may be the extent of popular opposition against them. In such a case it may happen that the whole people may be on one side and merely the public officers on the other. The public officers are appealed to for protection when it is apparent that, being separated from the strength of the people, they form the mere dead skeleton of a government. The men engaged in projects which may be odious to the people call upon government for that protection which it cannot give. For if government cannot suppress an unpopular band of horse thieves associated to commit crime, how is it to suppress a popular combination which has the people on its side? I am willing enough to acknowledge that all this is wrong, but how is the evil to be avoided? The Alton mob was provoked by the abolitionists. They read in the Constitution that they had a right to print and publish whatever they pleased, being responsible to the laws for the abuse of that right; and they planted themselves here as firmly as if government was omnipotent, or as if they intended, by way of experiment, to test the power of government to put down the people, on whom alone it rests for support. The same may be said of the Mormons. Scattered through the country, they might have lived in peace like other religious sects, but they insisted upon their right to congregate in one great city. The people were determined that they should not exercise this right; and it will be seen in the sequel of this history that in their case, as in every other where large bodies of the people are associated to accomplish with force an unlawful but popular object, the government is powerless against such combinations. This brings us to treat of the Mormons.

The people called Mormons, but who call themselves the Church of Jesus Christ of Latter Day Saints, began to figure in the politics of this State in 1840. They were a religious sect, the followers of a man familiarly called Joe Smith, who was claimed by them to be a prophet. This man was born at Sharon, Windsor County, Vermont, on the 23d of December, 1805. His parents were in humble circumstances, and gave their son but an indifferent education. When he first began to act the prophet he was ignorant of almost everything which belonged to science; but he made up in natural cunning and in power of invention and constructiveness for many deficiencies of education. When he was ten years old his parents removed to Palmyra, Wayne County, New York. Here his extreme youth was spent in an idle, vagabond life, roaming the woods, dreaming of buried treasures, and exerting himself

to learn the art of finding them by the twisting of a forked stick in his hands or by looking through enchanted stones. He and his father before him were what are called "water witches," always ready to point out the ground where wells might be dug and water found, and many are the anecdotes of his early life, giving bright promise of future profligacy. Such was Joe Smith when he was found by Sidney Rigdon, who was a man of considerable talents and information. Rigdon had become possessed of a religious romance written by a Presbyterian clergyman in Ohio, then dead, which suggested to him the idea of starting a new religion. It was agreed that Joe Smith should be put forward as a prophet; and the two devised a story that golden plates had been found buried in the earth in the neighborhood of Palmyra, containing a record inscribed on them in unknown characters, which, when deciphered by the power of inspiration, gave the history of the ten lost tribes of Israel in their wanderings through Asia into America, where they had settled and flourished, and where in due time Christ came and preached his gospel to them, appointed his twelve apostles, and was crucified here, nearly in the same manner in which he was crucified in Jerusalem. The record then pretended to give the history of the American Christians for a few hundred years, until the great wickedness of the people called down the judgments of God upon them, which resulted in their extermination. Several nations and people from the Isthmus of Darien to the extremities of North America were arrayed against each other in war. At last the great battle of Cumorah was fought near Palmyra, New York between the Lamanites, who were the heathen of this continent, and the Nephites, who were the Christians, in which battle there was a prodigious slaughter, hundreds of thousands being killed on each side. The nation of the Nephites was destroyed, except a few who had deserted and a few who had escaped into the south country. Among this number were Mormon and his son Moroni, who were righteous men, and who, as was said, were directed by the Almighty to make a record of all these solemn and important events on plates of gold and bury them in the earth, to be discovered in a future age, fourteen centuries afterwards. It is needless to add that the pretended translation of the hieroglyphics said to be inscribed on these pretended plates was no more nor less than the religious romance already spoken of. but which now appeared as the book of Mormon.

The prophet in after-life pretended that at an early age he became much concerned about the salvation of his soul. He went to the religious meetings of many sects to seek information of the way to heaven; and was everywhere told, "this is the way, walk ye in it." He reflected upon the multitude of doctrines and sects, and it occurred to him that God could be the author of but one doctrine, and own but one church; he looked amongst all the sects to see which was this one true church of Christ, but he could not decide; and until he became satisfied, he could not be contented. His ardent desires led him diligently to search the scriptures, and he perused the sacred pages, believing the things that he read. He now saw that the true way was to enquire of God, and then there was a certainty of success. He therefore retired to a secret place in a grove near his father's house, and kneeling down, began to call upon the Lord; darkness gave way, and he prayed with fervency of spirit. Whilst he continued praying the light appeared to be gradually descending towards him; and as it drew nearer it increased in brightness and magnitude, so that by the time it reached the tops of the trees the whole wilderness for quite a distance around was illuminated in a glorious and brilliant manner. He expected the leaves of the trees to be consumed, but seeing no such effect of the light he was encouraged with the hope to endure its presence. It

descended slowly until he was enveloped in the midst of it. Immediately he was caught away in a heavenly vision and saw two glorious personages alike in their features; and he was now informed that his sins were forgiven. Here he learned that none of the churches then in being was the church of God; and received a promise at some future time of the fulness of the Gospel and a knowledge of the true doctrine. After this, being still young, he was entangled in the vanities of the world, of which he sincerely and truly repented.

On the 23d of September, 1823, God again heard his prayers. His mind had been drawn out in fervent prayer for his acceptance with God; and for a knowledge of the doctrines of Christ, according to promise in the former vision. While he was thus pouring out his desires, on a sudden a light burst into the room like the light of day, but purer and more glorious in appearance and brightness; the first sight of it was as though the house had been filled with consuming fire; this occasioned a shock felt to the extremities of his body; and then was followed by calmness of mind and overwhelming rapture of joy when in a moment a personage stood before him who, notwithstanding the light, seemed to be surrounded by an additional glory, which shone with increased brilliancy. This personage was above the ordinary size of men, his raiment was perfectly white and had the appearance of being without seam. This glorious being declared himself to be an angel sent to announce the forgiveness of his sins, and to answer his prayers by bringing the glad tidings that the covenant of God with ancient Israel concerning posterity was at last about to be fulfilled; that preparation for the second coming of Christ was speedily to commence; that the fulness of the Gospel was about to be preached in peace unto all nations that a people might be prepared for the millennium of universal peace and joy.

At the same time he was informed that he had been called and chosen as an instrument in the hands of God to bring about some of his marvellous purposes in this glorious dispensation. It was made known to him that the American Indians were a remnant of Israel; that when they first came here they were an enlightened people, having a knowledge of the true God; that the prophets and inspired writers amongst them had been required to keep a true record of their history, which had been handed down for many generations until the people fell into great wickedness; when nearly all of them were destroyed and the records, by command of God, were safely deposited to preserve them from the hands of the wicked, who sought to destroy them. If faithful, he was to be the highly-favored instrument in bringing these records to light.

The angel now disappeared, leaving him in a state of perfect peace, but visited him several times afterwards, instructing him concerning the great work of God about to commence on earth. He was instructed where these records were deposited and required to go immediately to view them. They were found on the side of a hill, slightly buried in the earth, secured in a stone box, on the road from Palmyra to Canandaigua in New York, about three miles from the village of Manchester. The records were said to be engraved on gold plates in Egyptian characters; the plates were of the thickness of tin, bound together like a book, fastened at one side by three rings which ran through the whole and formed a volume about six inches in thickness. And in the same box with them were found two stones, transparent and clear as crystal, the Urim and Thummim, used by seers in ancient times, the instruments of revelations of things distant, past, or future.

When the prophet first saw these things, being filled with the Holy Ghost and standing and admiring, the same angel of the Lord appeared in his presence and said, "look!" and he beheld the devil surrounded by a great train of his associates. He then, after receiving further directions from the angel, started home to his father's house, where he was waylaid by two ruffians. One of them struck him with a club, but was repulsed; but they followed him nearly home when they fled for fear of detection. The news of his discovery got abroad; the new prophet was the sport of lies, slanders, and mobs, and vain attempts to rob him of his plates. He removed to the northern part of Pennsylvania, where he commenced with the aid of inspiration and the Urim and Thummim to translate the plates. He finished a part which is called the Book of Mormon. It is pretended that Mormon hid all the old records up in the hill of Cumorah; but had first made an abridgment of them which was called the Book of Mormon, and which he gave to his son Moroni to finish. Moroni continued to serve his nation for a few years and continued the writings of his father until after the great battle of Cumorah, when he kept himself hid; for the Lamanites sought to kill every Nephite who refused to deny Christ. The story is remarkably well gotten up and may yet unhappily make the foundation of a religion which may roll back upon the world the barbarism of eighteen centuries passed away. Whilst there are fools and knaves there is no telling what may be accomplished by such a religion.

And the prophet was not without his witnesses. Oliver Cowdery, Martin Harris, and David Whitmer solemnly certify "that we have seen the plates which contain the records; that they were translated by the gift and power of God, for his voice hath declared it unto us, wherefore we know of a surety that the work is true; and we declare with words of soberness that an angel of God came down from heaven and brought and laid before our eyes, that we beheld and saw the plates and the engravings thereon." Eight other witnesses certify that Joseph Smith, the translator, had shown them the plates spoken of, which had the appearance of gold; and as many of the plates as the said Smith had translated they did handle with their hands, and they also saw the engravings thereon, all of which had the appearance of ancient work and curious workmanship.

The most probable account of these certificates is that the witnesses were in the conspiracy, aiding the imposture; but I have been informed by men who were once in the confidence of the prophet that he privately gave a different account of the matter. It is related that the prophet's early followers were anxious to see the plates; the prophet had always given out that they could not be seen by the carnal eye, but must be spiritually discerned; that the power to see them depended upon faith and was the gift of God, to be obtained by fasting, prayer, mortification of the flesh, and exercises of the spirit; that so soon as he could see the evidences of a strong and lively faith in any of his followers they should be gratified in their holy curiosity. He set them to continual prayer and other spiritual exercises, to acquire this lively faith by means of which the hidden things of God could be spiritually discerned; and at last, when he could delay them no longer, he assembled them in a room and produced a box, which he said contained the precious treasure. The lid was opened; the witnesses peeped into it, but making no discovery, for the box was empty, they said, "Brother Joseph, we do not see the plates." The prophet answered them, "O ye of little faith! how long will God bear with this wicked and perverse generation? Down on your knees, brethren, every one of you, and pray God for the forgiveness of your sins, and for a

holy and living faith which cometh down from heaven." The disciples dropped to their knees and began to pray in the fervency of their spirit, supplicating God for more than two hours with fanatical earnestness; at the end of which time, looking again into the box, they were now persuaded that they saw the plates. I leave it to philosophers to determine whether the fumes of an enthusiastic and fanatical imagination are thus capable of blinding the mind and deceiving the senses by so absurd a delusion.

The book of Mormon pretended to reveal the fulness of the Gospel of Jesus Christ as he delivered it to his people in America. It was to be brought forth by the power of God and carried to the Gentiles, of whom many were to receive it; and after this the seed of Israel were to be brought into the fold also. It was pretended that pristine Christianity was to be restored, with the gift of prophecy and the gift of tongues, with the laying on of hands to cure all manner of diseases. Many were the pretended prophets which this sect brought forth. Many of the disciples spoke an outlandish gibberish, which they called the unknown tongue; others again acted as interpreters of this jargon, for it rarely happened that he who was gifted to speak in the unknown tongue was able to understand his own communications; and many brilliant miracles were pretended to be wrought in the cure of diseases by the laying on of hands and the prayer of faith.

By the 6th of April, 1830 Joe Smith and his associates had made a considerable number of converts to the new religion, who were assembled on that day in the village of Manchester and formed into a church. Their numbers now increased rapidly and in 1833 they removed from New York to Jackson County, Missouri, where they began to build the town of Independence. Here, by pretending that the Lord had given them all that country, and in fact the whole world, they being his saints, and by some petty offences, and by their general tone of arrogance the neighboring people became much excited against them. Some of them were ducked in the river; some were tarred and feathered and others killed; and the whole of them were compelled to remove to the County of Clay, on the opposite side of the Missouri river. They also had a place of gathering together at Kirtland, near Cleaveland, in the State of Ohio. At this last place of gathering Joe Smith established himself; and in 1836 a solemn assembly was held there of several hundred Mormon elders, who, in their own language, "had an interesting time of it, as it appeared by the reports of the elders that the work of God had greatly increased in America, in England, Scotland, and Wales, and in the islands of the sea."

At this place Joe Smith got up a bank, called The Kirtland Safety Bank, of which he was president; and the notes of which were made to resemble the notes of the safety fund banks of New York. The bank failed for a large amount, for want of capital and integrity in its managers; and its failure was accompanied by more than ordinary depravity. The residence of the prophet at this place, after the failure of the bank, became irksome and dangerous. He determined to leave it, and accordingly, accompanied by his apostles and elders, for he had apostles and elders, and the great body of the saints, he shook the dust off his feet as a testimony against Ohio, where he was about to be prosecuted, and departed for Missouri. This time the Mormons settled in Caldwell and Davis Counties in Missouri, far in the northwest part of the State. Here they purchased large tracts of land from the United States and built the city of Far West and many smaller towns. Difficulties again attended them in their new place of residence. They did not fail to display here the usual arrogance of their

pretensions, and were charged by the neighboring people with every kind of petty villainy. In a few years the quarrel between the saints and the Gentiles became utterly irreconcilable. The Mormon leaders declared that they would no longer submit to the government of Missouri. The clerk of the circuit court, being a Mormon, was ordered by the prophet to Issue no more writs against the saints; and about this time Sidney Rigdon preached before the prophet a Fourth of July sermon, called The Salt Sermon, in which he held forth to the Mormons that the prophet had determined no longer to regard the laws and government of Missouri. The neighboring people of Missouri assembled under arms to drive the Mormons from the State. Armed Mormon parties patrolled the country, robbing and plundering the inhabitants; all the plunder being deposited in one place, called the Lord's treasury. One of these plundering parties met a hostile party commanded by Captain Bogart, who had formerly been a Methodist preacher in Illinois. He had run away from Illinois directly after the Black Hawk war, and was the same Major Bogart heretofore mentioned as commanding a battalion of Rangers in the Black Hawk war, left to guard the frontiers. Bogart's party and the Mormons came to a battle in which the Mormons were defeated. The Mormons, however, burnt and plundered two small towns belonging to their enemies and plundered all the neighboring country. At last Gov. Boggs of Missouri called out a large body of militia and ordered that the Mormons should be exterminated or driven from the State. A large force was marched to their county under Major-Gen. Lucas and Brig.-Gen. Doniphan, where the Mormons were all assembled under arms with the declared intention of resisting to the last extremity. They were soon surrounded in their city of Far West by a much superior force and compelled to surrender at discretion. Much plunder was recaptured and delivered to its former owners. The great body of the Mormons, in fact all except the leaders, were dismissed under a promise to leave the State. The leaders, including the prophet, being arrested, were tried before a court-martial, and sentenced to be shot for treason. But Gen. Doniphan, being a sound lawyer and a man of sense, knowing that such a proceeding was utterly unconstitutional and illegal, by boldly denouncing and firmly remonstrating against this arbitrary mode of trial and punishment saved the lives of the prisoners. \*

\*This is the same Gen. Doniphan who, as Colonel of a regiment of Missouri volunteers, afterwards conquered Chihuahua and gained the splendid victories of Bracito and Sacramento. Among all the officers of the Missouri militia operating against the Mormons, Gen. Doniphan was the only one who boldly denounced the intended assassination of the prisoners under color of law. So true is it that the truly brave man is most apt to be merciful and just.

The leaders were then carried before a circuit judge sitting as an examining court, and were committed to jail for further trial on various charges; such as treason, murder, robbery, arson, and larceny, but finally made their escape out of jail and out of the State before they could be brought to trial. Those who wish to consult a more minute detail of the history of this people, are referred to a volume of printed evidence and documents published by order of the legislature of Missouri.

The whole body of the Missouri Mormons came to Illinois in the years 1839 and 1840; and many of the leaders who had escaped came through perils of flood and field which, according to their own account, if written would equal a tale of romance. As they were the weaker party much sympathy was felt and expressed for them by the people of Illinois. The Mormons represented that they had been persecuted in Missouri on account of their religion.

The cry of persecution, if believed, is always sure to create sympathy for the sufferers. This was particularly so in Illinois, whose citizens, until some time after this period, were justly distinguished for feelings and principles of the most liberal and enlightened toleration in matters of religion. The Mormons were received as sufferers in the cause of their religion. Several counties and neighborhoods vied with each other in offers of hospitality and in endeavors to get the strangers to settle among them.

At last the Mormons selected a place on the Mississippi river, afterwards called Nauvoo, in the upper part of the county of Hancock, as the place of their future residence. On this spot they designed to build up a great city and temple as the great place of gathering to Zion, and as the great central rendezvous of the sect; from whence was to originate and spread the most gigantic operations for the conversion of the world to the new religion. However, in this history I have nothing to do with the religious, but only the political considerations connected with this people.

In the State of Missouri the Mormons had always supported the democratic party. They had been driven out by a democratic governor of a democratic State; and when they appealed to Mr. Van Buren, the democratic President of the United States, for relief against the Missourians he refused to recommend it for want of constitutional power in the United States to coerce a sovereign State in the execution of its domestic polity. This soured and embittered the Mormons against the democrats. Mr. Clay, as a member of the United States Senate, and John T. Stuart, a member of the House of Representatives in Congress from Illinois, both whigs, undertook their cause and introduced and countenanced their memorials against Missouri; so that when the Mormons came to this State they attached themselves to the whig party. In August, 1840 they voted unanimously for the whig candidates for the Senate and Assembly. In the November following they voted for the whig candidate for President; and in August, 1841 they voted for John T. Stuart, the whig candidate for Congress in their district.

At the legislature of 1840-'41 it became a matter of great interest with both parties to conciliate these people. They were already numerous and were fast increasing by emigration from all parts. It was evident that they were to possess much power in elections. They had already signified their intention of joining neither party, further than they could be supported by that party, but to vote for such persons as had done or were willing to do them most service. And the leaders of both parties believed that the Mormons would soon hold the balance of power, and exerted themselves on both sides, by professions and kindness and devotion to their interest, to win their support.

In this state of the case Dr. John C. Bennett presented himself at the seat of government as the agent of the Mormons. This Bennett was probably the greatest scamp in the western country. I have made particular enquiries concerning him and have traced him in several places in which he had lived before he had joined the Mormons in Ohio, Indiana and Illinois, and he was everywhere accounted the same debauched, unprincipled and profligate character. He was a man of some little talent, and then had the confidence of the Mormons, and particularly that of their leaders. He came as the agent of that people to solicit a city charter; a charter for a military legion; and for various other purposes. This person addressed himself to Mr. Little, the whig senator from Hancock, and to Mr. Douglas, the democratic

secretary of State, who both entered heartily into his views and projects. Bennett managed matters well for his constituents. He flattered both sides with the hope of Mormon favor; and both sides expected to receive their votes. A city charter drawn up to suit the Mormons was presented to the Senate by Mr. Little. It was referred to the judiciary committee, of which Mr. Snyder, a democrat, was chairman, who reported it back recommending its passage. The vote was taken, the ayes and noes were not called for, no one opposed it, but all were busy and active in hurrying it through. In like manner it passed the House of Representatives, where it was never read except by its title; the ayes and noes were not called for, and the same universal zeal in its favor was manifested here which had been so conspicuously displaced in the Senate.

This city charter and other charters passed in the same way by this legislature incorporated Nauvoo, provided for the election of a Mayor, four Aldermen, and nine Counsellors; gave them power to pass all ordinances necessary for the peace, benefit, good order, regulation, convenience, or cleanliness of the city, and for the protection of property from fire, which were not *repugnant to the Constitution of the United States, or this State*. This seemed to give them power to pass ordinances in violation of the *laws* of the State, and to erect a system of government for themselves.

This charter also established a mayor's court with exclusive jurisdiction of all cases arising under the city ordinances, subject to an appeal to the municipal court. It established a municipal court to be composed of the mayor as chief justice and the four aldermen as his associates; which court was to have jurisdiction of appeals from the mayor or aldermen, subject to an appeal again to the circuit court of the county. The municipal court was also clothed with power to issue writs of habeas corpus in all cases arising under the ordinances of the city.

This charter also incorporated the militia of Nauvoo into a military legion, to be called The Nauvoo Legion. It was made entirely independent of the military organization of the State, and not subject to the command of any officer of the State militia except the Governor himself, as commander-in-chief. It was to be furnished with its due proportion of the State arms; and might enroll in its ranks any of the citizens of Hancock county who preferred to join it, whether they lived in the city or elsewhere. This last provision, I believe, was not in the original charter, but was afterwards passed as an amendment to a road law. The charter also established a court-martial for the legion, to be composed of the commissioned officers, who were to make and execute all ordinances necessary for the benefit, government, and regulation of the legion; but in so doing they were not bound to regard the laws of the State, but could do nothing repugnant to the constitution; and finally, the legion was to be at the disposal of the mayor in executing the laws and ordinances of the city. Another charter incorporated a great tavern to be called the Nauvoo House, in which the prophet, Joe Smith and his heirs were to have a suite of rooms forever.

Thus it was proposed to re-establish for the Mormons a government within a government, a legislature with power to pass ordinances at war with the laws of the State; courts to execute them with but little dependence upon the constitutional judiciary; and a military force at their own command, to be governed by its own bylaws and ordinances and subject to no State authority but that of the Governor. It must be acknowledged that these charters

were unheard-of, and anti-republican in many particulars; and capable of infinite abuse by a people disposed to abuse them. The powers conferred were expressed in language at once ambiguous and undefined; as if on purpose to allow of misconstruction. The great law of the separation of the powers of government was wholly disregarded. The mayor was at once the executive power, the judiciary, and part of the legislature. The common council, in passing ordinances, were restrained only by the constitution. One would have thought that these charters stood a poor chance of passing the legislature of a republican people jealous of their liberties. Nevertheless they did pass unanimously through both houses. Messrs. Little and Douglas managed with great dexterity with their respective parties. Each party was afraid to object to them for fear of losing the Mormon vote, and each believed that it had secured their favor. These, I believe, were the principal subjects acted on by the session of 1840-'41.

But we will continue a little farther the history of the Mormons. A city government under the charter was organized in 1841. Joe Smith was elected mayor. In this capacity he presided in the common council and assisted in making the laws for the government of the city. And as mayor also he was to see these laws put into force. He was ex-officio judge of the mayor's court and chief justice of the municipal court, and in these capacities he was to interpret the laws which he had assisted to make. The Nauvoo Legion was also organized, with a great multitude of high officers. It was divided into divisions, brigades, cohorts, regiments, battalions, and companies. Each division, brigade, and cohort had its general, and over the whole, as commander-in-chief, Joe Smith was appointed lieutenant-general. These offices, and particularly the last, were created by an ordinance of the court martial, composed of the commissioned officers of the Legion.

The common council passed many ordinances for the punishment of crime. The punishments were generally different from, and vastly more severe than, the punishments provided by the laws of the State.

In the fall of 1841 the governor of Missouri made a demand on Gov. Carlin for the arrest and delivery of Joe Smith and several other head Mormons as fugitives from justice. An executive warrant was issued for that purpose. It was placed in the hands of an agent to be executed; but for some cause unknown to me was returned to Gov. Carlin without being executed. Soon afterwards the governor handed the same writ to his agent, who this time succeeded in arresting Joe Smith upon it. But before this time Mr. Douglas had been elected one of the judges of the supreme court and was assigned to hold circuit courts in Hancock and the neighboring counties. This had given the democratic party the advantage in securing the Mormon vote. Judge Douglas immediately appointed Dr. Bennett a master in chancery. Bennett was then an influential Mormon, and had, before he joined the Mormons, been appointed by Gov. Carlin adjutant-general of the State militia. He had also been elected an alderman of the city and a major-general in the Legion. Upon his arrest, Joe Smith was carried before Judge Douglas upon a writ of habeas corpus and was discharged upon the ground that the writ upon which he had been arrested had been once returned before it had been executed, and was *functus officio*. Whether the decision was right or wrong, Joe Smith was not lawyer enough to know, and was therefore the more inclined to esteem his discharge as a great favor from the democratic party.

The Mormons anticipated a further demand from Missouri, and a further writ from the

governor of this State for the arrest of their prophet and leaders. They professed to believe that the public mind in Missouri was so prejudiced against them that a fair trial there was out of the question, and that if their leaders were taken to Missouri for trial and not convicted upon evidence they would be murdered by a mob before they could get out of the State. Some mode of permanent protection, therefore, against the demands of Missouri became a matter of vital importance; and they set their ingenuity to work to devise a scheme of protection by means of their own city ordinances, to be executed by their own municipal court. Gov. Carlin had issued his writ again in 1842. Joe Smith was arrested again, and was either rescued by his followers or discharged by the municipal court on a writ of habeas corpus. The common council passed an ordinance declaring, in effect, that the municipal court should have jurisdiction in all cases of arrests made in the city by any process whatever. The charter intended to give the jurisdiction only in cases where imprisonment was a consequence of the breach of some ordinance. But it was interpreted by the Mormons to authorize the enlargement and extension of the jurisdiction of the court by ordinance. This ordinance will figure very largely in the proceedings of the Mormons hereafter.

In December, 1841 a State democratic convention assembled at Springfield and nominated Adam W. Snyder as the democratic candidate for governor, to be elected in August, 1842. Mr. Snyder was a native of Pennsylvania and a distant relative of Gov. Snyder of that State. In his early youth he learned the trade of a fuller and wool carder. He came to Illinois when he was about eighteen years old; settled in the French village of Cahokia; followed his trade for several years; studied law; removed to the county seat, where he commenced his profession, in which he was successful in getting practice. In 1830 he was elected to the State Senate, and was afterwards elected to Congress from his district; and was again elected to the State Senate in 1840. Mr. Snyder was a very showy, plausible and agreeable man in conversation, and was gifted with a popular eloquence which was considerably effective. He was a member of the senate when the Mormon charters were passed and had taken an active part in furthering their passage. In the spring of 1842 Joseph Duncan, former governor, became the candidate of the whig party for the same office.

In a very short time after the two parties had their candidates fairly in the field Joe Smith published a proclamation to his followers in the Nauvoo papers declaring Judge Douglas to be a master spirit and exhorting them to vote for Mr. Snyder for governor.

The whigs had considerable hope of the Mormon support until the appearance of this proclamation. The Mormons had voted for the whig candidate for Congress in August, 1841. But this proclamation left no doubt as to what they would do in the coming contest. It was plain that the whigs could expect their support no longer, and that the whig party in the legislature had swallowed the odious charters without prospect of reward.

The Mormons, however, were becoming unpopular, nay odious, to the great body of the people. As I have already said, their common council had passed some extraordinary ordinances calculated to set the State government at defiance. The Legion had been furnished with three pieces of cannon and about two hundred and fifty stand of small arms; which popular rumor increased to the number of thirty pieces of cannon and five or six thousand stand of muskets. The Mormons were rapidly increasing by emigration. The great office of Lieutenant General had been created for the commander of the Legion, of higher

rank, as was said, than any office in the militia and higher than any office in the regular army. A vast number of reports were circulated all over the country to the prejudice of the Mormons. They were charged with numerous thefts and robberies and rogueries of all sorts; and It was believed by vast numbers of the people that they entertained the treasonable design, when they got strong enough, of overturning the government, driving out the old population, and taking possession of the country as the children of Israel did in the land of Canaan.

The whigs, seeing that they had been outgeneraled by the democrats in securing the Mormon vote, became seriously alarmed and sought to repair their disaster by raising a kind of crusade against that people. The whig newspapers teemed with accounts of the wonders and enormities of Nauvoo, and of the awful wickedness of a party which would consent to receive the support of such miscreants. Governor Duncan, who was really a brave, honest man, and who had nothing to do with getting the Mormon charters passed through the legislature, took the stump on this subject in good earnest and expected to be elected governor almost on this question alone. There is no knowing how far he might have succeeded if Mr. Snyder had lived to be his competitor.

However, Mr. Snyder departed this life, much lamented by numerous friends, in the month of May preceding the election. The democratic party had now to select another candidate for governor. The choice fell upon me. I hope to be excused from saying anything in these memoirs in relation to my own personal qualities and history. If it should ever be thought important that a knowledge of such humble matters should be perpetuated, I will trust the task of doing it to other hands. I will merely mention that at the time I was nominated as a candidate for governor I was one of the judges of the Supreme Court engaged in holding a circuit court on Fox river, in the north. So soon as I heard of my nomination I hastened to the seat of government, resigned the office of judge, and became the candidate of my party. Here permit me to remark, I had never before been much concerned in the political conflicts of the day, and never at all on my own account. It is true that I had been much in office. I had been twice appointed to the office of State's Attorney and four times elected without opposition to the office of judge by the legislature. I had never been a candidate for the legislature, for Congress, or for any office elective by the people and had never wanted to be a candidate for such offices. I had never been an applicant for any office from the General Government, and had always avoided being a candidate for any office which was desired by any respectable political friend.....

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# X

## Politics and Mormonism,

### 1843 - 1844

We turn again to the history of the State as connected with the Mormons. This people had now become about 16,000 strong in Hancock county and several thousand more were scattered about in other counties. As I have said before, Governor Carlin in 1842 had issued his warrant for the arrest of Joe Smith, their prophet, as a fugitive from justice in Missouri. This warrant had never been executed and was still outstanding when I came into office. The Mormons were desirous of having the cause of arrest legally tested in the federal court. Upon their application a duplicate warrant was issued in the winter of 1842-43 and placed in the hands of the sheriff of Sangamon county. Upon this Joe Smith came to Springfield and surrendered himself a prisoner. A writ of habeas corpus was obtained from Judge Pope of the federal court and Smith was discharged.

Upon this proceeding the whigs founded a hope of obtaining the future support of the Mormons. The democratic officers in Missouri and Illinois were instrumental in procuring his arrest. He was discharged this time by a whig judge; and his cause had been managed by whig lawyers. As in the case decided by Judge Douglas, Smith was too ignorant of law to know whether he owed his discharge to the law or to the favor of the court and the whig party. Such was the ignorance and stupidity of the Mormons generally that they deemed anything to be law which they judged to be expedient. All action of the government which bore hard on them, however legal, they looked as wantonly oppressive: and when the law was administered their favor they attributed it to partiality and kindness. If the stern duty of a public officer required him to bear hard on them they attributed it to malice. In this manner the Mormons this time were made to believe that they were under great obligations to the whigs for the discharge of their prophet from what they believed to be the persecutions of the democrats; and they resolved to yield their support to whig party in the next election.

An election for Congress in the Mormon district was to come off August, 1843. Cyrus Walker was the candidate on the part of the whigs and Joseph P. Hoge on the part of the democrats; both of them distinguished lawyers. The Mormons very early decided to support Mr. Walker, the whig. But owing to causes which I will relate they were induced to change their resolution; and this was the cause in a great measure of that wonderful excitement which subsequently prevailed against that people.

Dr. John C. Bennett, heretofore mentioned as an influential favorite of the Mormon leaders, had been expelled from the Church in 1842. By publications and lectures delivered in various parts of the United States he undertook to expose the doctrines, designs, and government of the Mormons and to do them all the injury in his power. A part of his plan was to get up a new indictment against Joe Smith and Orrin P. Rockwell for an attempt to

murder Gov. Boggs in Missouri. An indictment was found in Missouri against Smith and Rockwell on the 5th of June, 1843. On the 7th a messenger from Missouri presented himself to me with a copy of the indictment and a new demand from the governor of Missouri. A new warrant, in pursuance of the constitution of the United States, was issued and placed in the hands of a constable in Hancock.

This constable and the Missouri agent hastened to Nauvoo to make the arrest, where they ascertained that Joe Smith was on a visit to Rock river. They pursued him thither and succeeded in arresting him in Palestine Grove, in the county of Lee. The constable immediately delivered his prisoner to the Missouri agent and returned his warrant as having been executed. The agent started with his prisoner in the direction of Missouri, but on the road was met by a number of armed Mormons who captured the whole party and conducted them in the direction of Nauvoo. Farther on they were met by hundreds of the Mormons, coming to the rescue of their prophet, who conducted him in grand triumph to his own city. Cyrus Walker, the whig candidate for Congress, was sent for to defend him as a lawyer; a writ of habeas corpus was sued out of the municipal court; Mr. Walker appeared as his counsel and made a wonderful exertion In a speech three hours long, to prove to the municipal court, composed of Joe Smith's tools and particular friends, that they had the jurisdiction to issue and act on the writ under the ordinance of their city. Mr Hoge also, the democratic candidate, had gone to Nauvoo seeking the votes of the Mormons. He and Mr. Walker were both called upon in a public assembly of the Mormons to express their opinion as to the legality of this ordinance of the city giving to the municipal court power to issue writs of habeas corpus in all cases of imprisonment, and both of them gave their solemn opinion in favor of the power. Thus the Mormons were deluded and deceived by men who ought to have known and did know better. It was a common thing for this people to be eternally asking and receiving advice. If judicious and legal advice were given to them they rejected it with scorn, when it came in conflict with their favorite projects; for which reason all persons designing to use them made it a rule to find out what they were in favor of and advise them accordingly. In this mode the Mormons relied for advice, for the most part, upon the most corrupt of mankind, who would make no matter of conscience of advising them to their destruction, as a means of gaining their favor. This has always been a difficulty with the Mormons, and grew out of their blind fanaticism, which refused to see or to hear anything against their system, but more out of the corruption of their leaders, whose objects being generally roguish and rotten required corrupt and rotten advisers to keep them in countenance.

The municipal court discharged Joe Smith from his arrest; the Missouri agent immediately applied to me for a militia force to renew it: and Mr. Walker came to the seat of government, on the part of the Mormons, to resist the application. This was only a short time before the election. I was indisposed from the first to call out the militia and informed Mr. Walker that my best opinion then was that the militia would not be ordered: but as many important questions of law were involved in the decision, I declined then to pronounce a definite opinion.

The truth is that, being determined from the first not to be made a party to the contest between Walker and Hoge, and knowing that Walker only wanted my decision to carry back to the Mormons as a means of his success, I ought to have withheld it if for no other reason

but this. It was afterwards, upon mature consideration, decided not to call out the militia, because the writ had been returned as having been fully executed by the delivery of Joe Smith to the Missouri agent; after which it was entirely a question between Missouri and Smith, with which Illinois had nothing to do except to issue a new warrant if one had been demanded. The governor in doing what he had done had fulfilled his whole duty under the constitution and the laws. And because Smith had not been forcibly rescued, but had been discharged under color of law by a court which had exceeded its jurisdiction, and it appeared that it would have been a dangerous precedent for the governor, whenever he supposed that the courts had exceeded their powers, to call out the militia to reverse and correct their judgments. Yet for not doing so I was subjected to much unmerited abuse.

However, the democratic managers about Nauvoo, after the usual fashion of managing the Mormons by both parties, terrified them if they voted for the whig candidate, as they were yet determined, with the prospect of the militia being sent against them.

Backenstos, a managing democrat of Hancock county, was sent as a messenger to Springfield to ascertain positively what the governor would do if the Mormons voted the democratic ticket. I happened to be absent at St. Louis, but I heard some weeks after the election that Backenstos went home pretending that he had the most ample assurances of favor to the Mormons so long as they voted the democratic ticket. And I was informed by the man himself, a prominent democrat of Springfield, on the 9th day of October, 1846, for the first time, that during my absence he had given a positive pledge in my name to Backenstos that if the Mormons voted the democratic ticket the militia should not be sent against them. This pledge, however, he took care never to intimate to me until more than three years afterwards. Since the Mormons have become so unpopular and since the most of them have left the State, so that they can no longer be a support to any one, this man, following the example of hundreds of others of a similar class, has joined the anti-Mormon excitement, and has been a strong advocate for the expulsion of the Mormons and all who sought to do them but simple justice. This indicated only that the power in Hancock had got into the hands of the anti-Mormons. The mission of Backenstos produced a total change in the minds of the Mormon leaders. They now resolved to drop their friend Walker and take up Hoge, the democratic candidate. Backenstos returned only a day or two before the election, and there was only a short time for the leaders to operate in. A great meeting was called of several thousand Mormons on Saturday before the election. Hyrum Smith, patriarch in the Mormon Church and brother to the prophet, appeared in this great assembly and there solemnly announced to the people that God had revealed to him that the Mormons must support Mr. Hoge, the democratic candidate. William Law, another great leader of the Mormons, next appeared and denied that the Lord had made any such revelation. He stated that to his certain knowledge the prophet Joseph was in favor of Mr. Walker and that the prophet was more likely to know the mind of the Lord on the subject than the patriarch. Hyrum Smith again repeated his revelation with a greater tone of authority. But the people remained in doubt until the next day, being Sunday, when Joe Smith himself appeared before the assembly. He there stated that "he himself was In favor of Mr. Walker and intended to vote for him; that he would not, if he could, influence any voter in giving his vote; that he considered it a mean business for him or any other man to attempt to dictate to the people who they should support in elections; that he had heard his brother Hyrum had

received a revelation from the Lord on the subject; that for his part he did not much believe in revelations on the subject of elections; but brother Hyrum was a man of truth; he had known brother Hyrum intimately ever since he was a boy and he had never known him to tell a lie. If brother Hyrum said he had received such a revelation, he had no doubt it was a fact. When the Lord speaks let all the earth be silent."

This decided the Mormon vote. The next day Mr. Hoge received about three thousand votes in Nauvoo, and was elected to Congress by six or eight hundred majority. The result of the election struck the whigs with perfect amazement. Whilst they fancied themselves secure of getting the Mormon vote for Mr. Walker the whig newspapers had entirely ceased their accustomed abuse of the Mormons. They now renewed their crusade against them, every paper was loaded with accounts of the wickedness, corruptions, and enormities of Nauvoo. The whig orators groaned with complaints and denunciations of the democrats who would consent to receive Mormon support, and the democratic officers of the State were violently charged and assaulted with using the influence of their offices to govern the Mormons. From this time forth the whigs generally, and a part of the democrats, determined upon driving the Mormons out of the State; and everything connected with the Mormons became political and was considered almost entirely with reference to party. To this circumstance, in part, is to be attributed the extreme difficulty ever afterwards of doing anything effectually in relation to the Mormon or anti-Mormon parties, by the executive government.

It appears that the Mormons had been directed by their leaders to vote the whig ticket in the Quincy as well as the Hancock district. In the Quincy district Judge Douglas was the democratic candidate, O. H. Browning was the candidate of the whigs. The leading Mormons at Nauvoo having never determined in favor of the democrats until a day or two before the election, there was not sufficient time, or it was neglected, to send orders from Nauvoo into the Quincy district to effect a change there. The Mormons in that district voted for Browning. Douglas and his friends, being afraid that I might be in his way for the United States Senate in 1846, seized hold of this circumstance to affect my party standing and thereby gave countenance to the clamor of the whigs, secretly whispering it about that I had not only influenced the Mormons to vote for Hoge, but for Browning also. This decided many of the democrats in favor of the expulsion of the Mormons.

No further demand for the arrest of Joe Smith having been made by Missouri, he became emboldened by success. The Mormons became more arrogant and overbearing. In the winter of 1843-44, the common council passed some further ordinances to protect their leaders from arrest on demand from Missouri. They enacted that no writ issued from any other place than Nauvoo for the arrest of any person in it should be executed in the city without an approval endorsed thereon by the mayor; that if any public officer, by virtue of any foreign writ, should attempt to make an arrest in the city without such approval of his process he should be subject to imprisonment for life, and that the governor of the State should not have the power of pardoning the offender without the consent of the mayor. When these ordinances were published they created general astonishment. Many people began to believe in good earnest that the Mormons were about to set up a separate government for themselves in defiance of the laws of the State. Owners of property stolen in other counties made pursuit into Nauvoo and were fined by the Mormon courts for daring to seek their property

in the holy city. To one such I granted a pardon. Several of the Mormons had been convicted of larceny and they never failed in any instance to procure petitions signed by 1,500 or 2,000 of their friends for their pardon. But that which made it more certain than everything else that the Mormons contemplated a separate government was that about this time they petitioned Congress to establish a territorial government for them in Nauvoo; as if Congress had any power to establish such a government or any other, within the bounds of a State.

To crown the whole folly of the Mormons, in the spring of 1844 Joe Smith announced himself as a candidate for president of the United States. His followers were confident that he would be elected. Two or three thousand missionaries were immediately sent out to preach their religion and to electioneer in favor of their prophet for the presidency. This folly at once covered that people with ridicule in the minds of all sensible men, and brought them into conflict with the zealots and bigots of all political parties; as the arrogance and extravagance of their religious pretensions had already aroused the opposition of all other denominations in religion.

It seems from the best information which could be got from the best men who had seceded from the Mormon church that Joe Smith about this time conceived the idea of making himself a temporal prince as well as a spiritual leader of his people. He instituted a new and select order of the priesthood, the members of which were to be priests and kings temporally and spiritually. These were to be his nobility, who were to be the upholders of his throne. He caused himself to be crowned and anointed king and priest, far above the rest; and he prescribed the form of an oath of allegiance to himself which he administered to his principal followers. To uphold his pretensions to royalty he deduced his descent by an unbroken chain from Joseph the son of Jacob, and that of his wife from some other renowned personage of Old Testament history. The Mormons openly denounced the government of the United States as utterly corrupt, and as being about to pass away and to be replaced by the government of God, to be administered by his servant Joseph. It is now at this day certain also that about this time the prophet reinstated an order in the church, called the "Danite band." These were to be a body of police and guards about the person of their sovereign, who were sworn to obey his orders as the orders of God himself. About this time also he gave a new touch to a female order already existing in the church, called Spiritual Wives. A doctrine was now revealed that no woman could get to heaven except as the wife of a Mormon elder. The elders were allowed to have as many of these wives as they could maintain; and it was a doctrine of the church, that any female could be "sealed up to eternal life, by uniting herself as wife or concubine to the elder of her choice. This doctrine was maintained by an appeal to the Old Testament scriptures; and by the example of Abraham and Jacob, of David and Solomon, the favorites of God in a former age of the world.

Soon after these institutions were established, Joe Smith began to play the tyrant over several of his followers. The first act of this sort which excited attention, was an attempt to take the wife of William Law, one of his most talented and principal disciples, and make her a spiritual wife. By means of his common council, without the authority of law, he established a recorder's office in Nauvoo in which alone the titles of property could be recorded. In the same manner and with the same want of legal authority he established an office for issuing marriage licenses to the Mormons, so as to give him absolute control of

the marrying propensities of his people. He proclaimed that none in the city should purchase real estate to sell again, but himself. He also permitted no one but himself to have a license in the city for the sale of spirituous liquor; and in many other ways he undertook to regulate and control the business of the Mormons.

This despotism administered by a corrupt and unprincipled man soon became intolerable. William Law, one of the most eloquent preachers of the Mormons, who appeared to me to be a deluded but conscientious and candid man, Wilson Law, his brother, major-general of the legion, and four or five other Mormon leaders resolved upon a rebellion against the authority of the prophet. They designed to enlighten their brethren and fellow-citizens upon the new institutions, the new turn given to Mormonism, and the practices under the new system by procuring a printing press and establishing a newspaper in the city, to be the organ of their complaints and views. But they never issued but one number; before the second could appear the press was demolished by an order of the common council, and the conspirators were ejected from the Mormon church.

The Mormons themselves published the proceedings of the council in the trial and destruction of the heretical press; from which it does not appear that any one was tried or that the editor or any of the owners of the property had notice of the trial or were permitted to defend in any particular. The proceeding was an *ex parte* proceeding, partly civil and partly ecclesiastical, against the press itself. No jury was called or sworn nor were the witnesses required to give their evidence upon oath. The councillors stood up one after another, and some of them several times, and related what they pretended to know. In this mode it was abundantly proved that the owners of the proscribed press were sinners, whoremasters, thieves, swindlers, counterfeiterers, and robbers; the evidence of which is reported in the trial at full length. It was altogether the most curious and irregular trial that ever was recorded in any civilized country; and one finds difficulty in determining whether the proceedings of the council were more the result of insanity or depravity. The trial resulted in the conviction of the press as a public nuisance. The mayor was ordered to see it abated as such, and if necessary to call the legion to his assistance. The mayor issued his warrant to the city marshal who, aided by a portion of the legion, proceeded to the obnoxious printing office and destroyed the press and scattered the types and other materials.

After this it became too hot for the seceding and rejected Mormons to remain in the holy city. They retired to Carthage, the county seat of Hancock county; and took out warrants for the mayor and members of the common council and others engaged in the outrage for a riot. Some of these were arrested, but were immediately taken before the municipal court of the city on *habeas corpus* and discharged from custody. The residue of this history of the Mormons, up to the time of the death of the Smiths, will be taken, with such corrections as time has shown to be necessary, from my report to the legislature made on the 23rd of December, 1844.

On the seventeenth day of June following, a committee of a meeting of the citizens of Carthage presented themselves to me with a request that the militia might be ordered out to assist in executing process in the city of Nauvoo. I determined to visit in person that section of country and examine for myself the truth and nature of their complaints. No order for the

militia was made; and I arrived at Carthage on the morning of the twenty-first day of the same month.

Upon my arrival I found an armed force assembled and hourly increasing under the summons and direction of the constables of the county, to serve as a *posse comitatus* to assist in the execution of process. The general of the brigade had also called for the militia *en masse* of the counties of McDonough and Schuyler for a similar purpose. Another assemblage to a considerable number had been made at Warsaw, under military command of Col. Levi Williams.

The first thing which I did on my arrival was to place all the militia then assembled, and which were expected to assemble, under military command of their proper officers.

I next despatched a messenger to Nauvoo, informing the mayor and common council of the nature of the complaint made against them; and requested that persons might be sent to me to lay their side of the question before me. A committee was accordingly sent, who made such acknowledgments that I had no difficulty in concluding what were the facts.

It appeared clearly both from the complaints of the citizens and the acknowledgments of the Mormon committee that the whole proceedings of the mayor, the common council, and the municipal court were irregular and illegal, and not to be endured in a free country; though perhaps some apology might be made for the court, as it had been repeatedly assured by some of the best lawyers in the State who had been candidates for office before that people that it had full and competent power to issue writs of *habeas corpus* in all cases whatever. The common council violated the law in assuming the exercise of judicial power; in proceeding *ex parte* without notice to the owners of the property; in proceeding against the property *in rem*; in not calling a jury; in not swearing all the witnesses; in not giving the owners of the property accused of being a nuisance, in consequence of being libelous, an opportunity of giving the truth in evidence; and in fact by not proceeding by civil suit or indictment, as in other cases of libel. The mayor violated the law in ordering this erroneous and absurd judgment of the common council to be executed. And the municipal court erred in discharging them from arrest.

As this proceeding touched the liberty of the press, which is justly dear to any republican people, it was well calculated to raise a great flame of excitement. And it may well be questioned whether years of misrepresentation by the most profligate newspaper could have engendered such a feeling as was produced by the destruction of this one press. It is apparent that the Mormon leaders but little understood, and regarded less, the true principles of civil liberty. A free press well conducted is a great blessing to a free people; a profligate one is likely soon to deprive itself of all credit and influence by the multitude of falsehoods put forth by it. But let this be as it may, there is more lost to rational liberty by a censorship of the press, by suppressing information proper to be known to the people, than can be lost to an individual now and then by a temporary injury to his character and influence by the utmost licentiousness.

There were other causes to heighten the excitement. These people had undertaken to innovate upon the established systems of religion. Their legal right to do so no one will question. But all history bears testimony that innovations upon religion have always been

attended by a hostility in the public mind which sometimes have produced the most desolating wars; always more or less of persecution. Even the innocent Quakers, the unoffending Shakers, and the quiet and orderly Methodists in their origin, and until the world got used to them, had enough of persecution to encounter. But if either of these sects had congregated together in one city where the world could never get to know them; could never ascertain by personal acquaintance the truth or falsity of many reports which are always circulated to the prejudice of such innovators; and moreover, if they had armed themselves and organized into a military legion as the citizens of Nauvoo, and had been guilty of highhanded proceedings carried on against the heretical press the public animosity and their persecutions must have greatly increased in rancor and severity.

In addition to these causes of excitement there were a great many reports in circulation and generally believed by the people. These reports I have already alluded to, and they had much influence in swelling the public excitement.

It was asserted that Joe Smith, the founder and head of the Mormon church, had caused himself to be crowned and anointed king of the Mormons; that he had embodied a band of his followers called Danites, who were sworn to obey him as God, and to do his commands, murder and treason not excepted; that he had instituted an order in the church whereby those who composed it were pretended to be sealed up to eternal life against all crimes save the shedding of innocent blood or consenting thereto. That this order was instructed that no blood was innocent blood, except that of the members of the church; and that these two orders were made the ministers of his vengeance and the instruments of an intolerable tyranny which he had established over his people, and which he was about to extend over the neighboring country. The people affected to believe that with this power in the hands of an unscrupulous leader there was no safety for the lives or property of any one who should oppose him. They affected likewise to believe that Smith inculcated the legality of perjury or any other crime in defence, or to advance, the interests of true believers; and that he himself had set them the example by swearing to a false accusation against a certain person for the crime of murder. It was likewise asserted to be a fundamental article of the Mormon faith that God had given the world and all it contained to them as his saints; that they secretly believed in their right to all the goodly lands, farms, and property in the country; that at present they were kept out of their rightful inheritance by force; that consequently there was no moral offence in anticipating God's good time to put them in possession by stealing, if opportunity offered; that in fact the whole church was a community of murderers, thieves, robbers, and outlaws; that Joseph Smith had established a bogus factory in Nauvoo for the manufacture of counterfeit money; and that he maintained about his person a tribe of swindlers, blacklegs, and counterfeiters to make it and put it into circulation.

It was also believed that he had announced a revelation from heaven sanctioning polygamy, by a kind of spiritual wife system whereby a man was allowed one wife in pursuance of the laws of the country and an indefinite number of others to be enjoyed in some mystical and spiritual mode; and that he himself and many of his followers had practiced upon the precepts of this revelation by seducing a large number of women.

It was also asserted that he was in alliance with the Indians of the western territories, and

had obtained over them such a control that in case of a war he could command their assistance to murder his enemies.

Upon the whole, if one-half of these reports had been true the Mormon community must have been the most intolerable collection of rogues ever assembled; or, if one-half of them were false, they were the most maligned and abused.

Fortunately for the purposes of those who were active in creating excitement there were many known truths which gave countenance to some of these accusations. It was sufficiently proved in a proceeding at Carthage whilst I was there that Joe Smith had sent a band of his followers to Missouri to kidnap two men who were witnesses against a member of his church then in jail and about to be tried on a charge of larceny. It was also a notorious fact that he had assaulted and severely beaten an officer of the county for an alleged non-performance of his duty, at a time when that officer was just recovering from severe illness. It is a fact also that he stood indicted for the crime of perjury, as was alleged, in swearing to an accusation for murder in order to drive a man out of Nauvoo who had been engaged in buying and selling lots and land, and thus interfering with the monopoly of the prophet as a speculator. It is a fact also that his municipal court, of which he was chief justice, by writ of habeas corpus had frequently discharged individuals accused of high crimes and offences against the laws of the State; and on one occasion had discharged a person accused of swindling the government of the United States, and who had been arrested by process of the federal courts; thereby giving countenance to the report that he obstructed the administration of justice, and had set up a government at Nauvoo independent of the laws and government of the State. This idea was further corroborated in the minds of the people by the fact that the people of Nauvoo had petitioned Congress for a territorial government to be established there, and to be independent of the State government. It was a fact also that some larcenies and robberies had been committed and that Mormons had been convicted of the crimes, and that other larcenies had been committed by persons unknown, but suspected to be Mormons. Justice, however, requires me here to say that upon such investigation as I then could make the charge of promiscuous stealing appeared to be exaggerated.

Another cause of excitement was a report industriously circulated and generally believed that Hyrum Smith, another leader of the Mormon church, had offered a reward for the destruction of the press of the *Warsaw Signal*, a newspaper published in the county, and the organ of the opposition to the Mormons. It was also asserted that the Mormons scattered through the settlements of the county had threatened all persons who turned out to assist the constables with the destruction of their property and the murder of their families, in the absence of their fathers, brothers, and husbands. A Mormon woman in McDonough county was imprisoned for threatening to poison the wells of the people who turned out in the posse; and a Mormon in Warsaw publicly avowed that he was bound by his religion to obey all orders of the prophet, even to commit murder if so commanded.

But the great cause of popular fury was that the Mormons at several preceding elections had cast their vote as a unit; thereby making the fact apparent that no one could aspire to the honors or offices of the country within the sphere of their influence without their approbation and votes. It appears to be one of the principles by which they insist upon being

governed as a community to act as a unit in all matters of government and religion. They express themselves to be fearful that if division should be encouraged in politics it would soon extend to their religion and rend their church with schism and into sects.

This seems to me to be an unfortunate view of the subject, and more unfortunate in practice, as I am well satisfied that it must be the fruitful source of excitement, violence, and mobocracy whilst it is persisted in. It is indeed unfortunate for their peace that they do not divide in elections according to their individual preferences or political principles, like other people.

This one principle and practice of theirs arrayed against them in deadly hostility all aspirants for office who were not sure of their support, all who had been unsuccessful in elections, and all who were too proud to court their influence, with all their friends and connections.

These also were the active men in blowing up the fury of the people in hopes that a popular movement might be set on foot which would result in the expulsion or extermination of the Mormon voters. For this purpose public meetings had been called; inflammatory speeches had been made; exaggerated reports had been extensively circulated; committees had been appointed who rode night and day to spread the reports and solicit the aid of neighboring counties. And at a public meeting at Warsaw resolutions were passed to expel or exterminate the Mormon population. This was not, however, a movement which was unanimously concurred in. The county contained a goodly number of inhabitants in favor of peace, or who at least desired to be neutral in such a contest. These were stigmatized by the name of Jack Mormons and there were not a few of the more furious excitors of the people who openly expressed their intention to involve them in the common expulsion or extermination.

A system of excitement and agitation was artfully planned and executed with tact. It consisted in spreading reports and rumors of the most fearful character. As examples: On the morning before my arrival at Carthage I was awakened at an early hour by the frightful report, which was asserted with confidence and apparent consternation, that the Mormons had already commenced the work of burning arms was instantly wanted at Carthage for the protection of the country. We lost no time in starting; but when we arrived at Carthage we could hear no more concerning this story. Again: during the few days that the militia were encamped at Carthage frequent applications were made to me to send a force here and a force there and a force all about the country to prevent murders, robberies, and larcenies which, it was said, were threatened by the Mormons. No such forces were sent; nor were any such offences committed at that time except the stealing of some provisions, and there was never the least proof that this was done by a Mormon. Again: on my late visit to Hancock county I was informed by some of their violent enemies that the larcenies of the Mormons had become unusually numerous and insufferable. They indeed admitted that but little had been done in this way in their immediate vicinity. But they insisted that sixteen horses had been stolen by the Mormons in one night near Lima, in the county of Adams. At the close of the expedition I called at this same town of Lima and upon inquiry was told that no horses had been stolen in that neighborhood, but that sixteen horses had been stolen in one night in Hancock county. This last informant being told of the Hancock story, again

changed the venue to another distant settlement in the northern edge of Adams.

As my object in visiting Hancock was expressly to assist in the execution of the laws, and not to violate them or to witness or permit their violation, as I was convinced that the Mormon leaders had committed a crime in the destruction of the press and had resisted the execution of process, I determined to exert the whole force of the State, if necessary, to bring them to justice. But seeing the great excitement in the public mind and the manifest tendency of this excitement to run into mobocracy, I was of opinion that before I acted I ought to obtain a pledge from the officers and men to support me in strictly legal measures, and to protect the prisoners in case they surrendered. For I was determined, if possible, that the forms of law should not be made the catspaw of a mob to seduce these people to a quiet surrender, as the convenient victims of popular fury. I therefore called together the whole force then assembled at Carthage and made an address, explaining to them what I could, and what I could not, legally do; and also adducing to them various reasons why they as well as the Mormons should submit to the laws; and why, if they had resolved upon revolutionary proceedings, their purpose should be abandoned. The assembled troops seemed much pleased with the address; and upon its conclusion the officers and men unanimously voted, with acclamation, to sustain me in a strictly legal course, and that the prisoners should be protected from violence. Upon the arrival of additional forces from Warsaw, McDonough, and Schuyler similar addresses were made, with the same result.

It seemed to me that these votes fully authorized me to promise the accused Mormons the protection of the law in case they surrendered. They were accordingly duly informed that if they surrendered they would be protected, and if they did not the whole force of the State would be called out, if necessary, to compel their submission. A force of ten men was despatched with the constable to make the arrests and to guard the prisoners to headquarters.

In the meantime Joe Smith, as Lieut.-General of the Nauvoo Legion, had declared martial law in the city; the Legion was assembled and ordered under arms; the members of it residing in the country were ordered into town. The Mormon settlements obeyed the summons of their leader and marched to his assistance. Nauvoo was one great military camp, strictly guarded and watched; and no ingress or egress was allowed except upon the strictest examination. In one instance which came to my knowledge a citizen of McDonough, who happened to be in the city was denied the privilege of returning until he made oath that he did not belong to the party at Carthage, that he would return home without calling at Carthage, and that he would give no information of the movements of the Mormons.

However, upon the arrival of the constable and guard the mayor and common council at once signified their willingness to surrender and stated their readiness to proceed to Carthage next morning at eight o'clock. Martial law had previously been abolished. The hour of eight o'clock came and the accused failed to make their appearance. The constable and his escort returned. The constable made no effort to arrest any of them, nor would he or the guard delay their departure one minute beyond the time, to see whether an arrest could be made. Upon their return they reported that they had been informed that the accused had fled and could not be found.

I immediately proposed to a council of officers to march into Nauvoo with the small force then under my command, but the officers were of opinion that it was too small and many of them insisted upon a further call of the militia. Upon reflection, I was of opinion that the officers were right in the estimate of our force, and the project for immediate action was abandoned. I was soon informed, however, of the conduct of the constable and guard, and then I was perfectly satisfied that a most base fraud had been attempted; that, in fact, it was feared that the Mormons would submit and thereby entitle themselves to the protection of the law. It was very apparent that many of the bustling, active spirits were afraid that there would be no occasion for calling out an overwhelming militia force for marching it into Nauvoo, for probable mutiny when there, and for the extermination of the Mormon race. It appeared that the constable and the escort were fully in the secret, and acted well their part to promote the conspiracy.

Seeing this to be the state of the case, I delayed any further call of the militia to give the accused another opportunity to surrender; for indeed I was most anxious to avoid a general call for the militia at that critical season of the year. The whole spring season preceding had been unusually wet. No ploughing of corn had been done, and but very little planting. The season had just changed to be suitable for ploughing. The crops which had been planted were universally suffering; and the loss of two weeks, or even of one, at that time was likely to produce a general famine all over the country. The wheat harvest was also approaching; and if we got into a war there was no foreseeing when it would end, or when the militia could safely be discharged. In addition to these considerations, all the grist mills in all that section of the country had been swept away or disabled by the high waters, leaving the inhabitants almost without meal or flour and making it impossible then to procure provisions, by impressment or otherwise, for the sustenance of any considerable force.

This was the time of the high waters; of astonishing floods in all the rivers and creeks in the western country. The Mississippi river at St. Louis was several feet higher than it was ever known before; it was up into the second stories of the warehouses on Water street; the steamboats ran up to these warehouses, and could scarcely receive their passengers from the second stories; the whole American Bottom was overflowed from eight to twenty feet deep, and steamboats freely crossed the Bottom along the road from St. Louis to the opposite bluffs in Illinois; houses and fences and stock of all kinds were swept away, the fields near the river, after the water subsided, being covered with sand from a foot to three feet deep; which was generally thrown into ridges and washed into gullies, so as to spoil the land for cultivation. Families had great difficulty in making their escape. Through the active exertions of Mr. Pratt, the mayor of St. Louis, steamboats were sent in every direction to their relief. The boats found many of the families on the tops of their houses just ready to be floated away. The inhabitants of the Bottom lost nearly all their personal property. A large number of them were taken to St. Louis in a state of entire destitution, and their necessities were supplied by the contributions of the charitable of that city. A larger number were forced out on to the Illinois bluffs, where they encamped and were supplied with provisions by the neighboring inhabitants. This freshet nearly ruined the ancient village of Kaskaskia. The inhabitants were driven away and scattered, many of them never to return. For many years before this flood there had been a flourishing institution at Kaskaskia, under the direction of an order of nuns of the Catholic Church. They had erected an extensive

building, which was surrounded and filled by the waters to the second story. But they were all safely taken away, pupils and all, by a steamboat which was sent to their relief and which ran directly up to the building and received its inmates from the second story. This school was now transferred to St. Louis, where it yet remains. All the rivers and streams in Illinois were as high, and did as much damage in proportion to their length and the extent of their bottoms, as the Mississippi.

This great flood destroyed the last hope of getting provisions at home; and I was totally without funds belonging to the State with which to purchase at more distant markets, and there was a certainty that such purchases could not have been made on credit abroad. For these reasons I was desirous of avoiding a war if it could be avoided.

In the meantime I made a requisition upon the officers of the Nauvoo legion for the State arms in their possession. It appears that there was no evidence in the quartermaster-general's office of the number and description of arms with which the legion had been furnished. Dr. Bennett, after he had been appointed quartermaster general, had joined the Mormons and had disposed of the public arms as he pleased without keeping or giving any account of them. On this subject I applied to Gen. Wilson Law for information. He had lately been the major-general of the legion. He had seceded from the Mormon party; was one of the owners of the proscribed press; had left the city, as he said, in fear of his life; and was one of the party asking for justice against its constituted authorities. He was interested to exaggerate the number of arms rather than to place it at too low an estimate. From his information I learned that the legion had received three pieces of cannon and about two hundred and fifty stand of small arms and their accoutrements. Of these, the three pieces of cannon and two hundred and twenty stand of small arms were surrendered. These arms were demanded because the legion was illegally used in the destruction of the press and in enforcing martial law in the city in open resistance to legal process and the *posse comitatus*.

I demanded the surrender also on account of the great prejudice and excitement which the possession of these arms by the Mormons had always kindled in the minds of the people. A large portion of the people, by pure misrepresentation, had been made to believe that the legion had received of the State as many as thirty pieces of artillery and five or six thousand stand of small arms, which in all probability would soon be wielded for the conquest of the country; and for their subjection to Mormon domination. I was of opinion that the removal of these arms would tend much to allay this excitement and prejudice; and in point of fact, although wearing a severe aspect, would be an act of real kindness to the Mormons themselves.

On the 23d or 24th day of June Joe Smith, the mayor of Nauvoo, together with his brother Hyrum and all the members of the council and all others demanded, came into Carthage and surrendered themselves prisoners to the constable, on the charge of riot. They all voluntarily entered into a recognizance before the justice of the peace for their appearance at court to answer the charge. And all of them were discharged from custody except Joe and Hyrum Smith, against whom the magistrate had issued a new writ on a complaint of treason. They were immediately arrested by the constable on this charge and retained in his custody to answer it.

The overt act of treason charged against them consisted in the alleged levying of war against the State by declaring martial law in Nauvoo, and in ordering out the legion to resist the *posse comitatus*. Their actual guiltiness of the charge would depend upon circumstances. If their opponents had been seeking to put the law in force in good faith, and nothing more, then an array of a military force in open resistance to the *posse comitatus* and the militia of the State most probably would have amounted to treason. But if those opponents merely intended to use the process of the law, the militia of the State, and the *posse comitatus* as cats-paws to compass the possession of their persons for the purpose of murdering them afterwards, as the sequel demonstrated the fact to be, it might well be doubted whether they were guilty of treason.

Soon after the surrender of the Smiths, at their request I despatched Captain Singleton with his company from Brown county to Nauvoo to guard the town; and I authorized him to take command of the legion. He reported to me afterwards that he called out the legion for inspection; and that upon two hours' notice two thousand of them assembled, all of them armed; and this after the public arms had been taken away from them. So it appears that they had a sufficiency of private arms for any reasonable purpose.

After the Smiths had been arrested on the new charge of treason the justice of the peace postponed the examination because neither of the parties was prepared with his witnesses for trial. In the meantime he committed them to the jail of the county for greater security.

In all this matter the justice of the peace and constable, though humble in office, were acting in a high and independent capacity, far beyond any legal power in me to control. I considered that the executive power could only be called in to assist, and not to dictate or control their action; that in the humble sphere of their duties they were as independent, and clothed with as high authority by the law, as the executive department; and that my province was simply to aid them with the force of the State. It is true that so far as I could prevail on them by advice I endeavored to do so. The prisoners were not in military custody, or prisoners of war; and I could no more legally control these officers than I could the superior courts of justice.

Some persons have supposed that I ought to have had them sent to some distant and friendly part of the State for confinement and trial; and that I ought to have searched them for concealed arms; but these surmises and suppositions are readily disposed of by the fact that they were not my prisoners; but were the prisoners of the constable and jailer, under the direction of the justice of the peace. And also by the fact that by law they could be tried in no other county than Hancock.

The jail in which they were confined is a considerable stone building; containing a residence for the jailer, cells for the close and secure confinement of prisoners, and one larger room not so strong, but more airy and comfortable than the cells. They were put into the cells by the jailer; but upon their remonstrance and request. and by my advice, they were transferred to the larger room; and there they remained until the final catastrophe. Neither they nor I seriously apprehended an attack on the jail through the guard stationed to protect it. Nor did I apprehend the least danger on their part of an attempt to escape. For I was very sure that any such an attempt would have been the signal of their immediate death. Indeed,

if they had escaped it would have been fortunate for the purposes of those who were anxious for the expulsion of the Mormon population. For the great body of that people would most assuredly have followed their prophet and principal leaders, as they did in their flight from Missouri\*

\*I learned afterwards that the leaders of the anti-Mormons did much to stimulate their followers to the murder of the Smiths in jail, by alleging that the governor intended to favor their escape. If this had been true, and could have been well carried out, It would have been the best way of getting rid of the Mormons. These leaders of the Mormons would never have dared to return, and they would have been followed In their flight by all their church. I had such a plan in my mind, but I had never breathed it to a living soul, and was thus thwarted in ridding the State of the Mormons two years before they actually left by the insane frenzy of the anti-Mormons. Joe Smith, when he escaped from Missouri, had no difficulty in again collecting his sect about him at Nauvoo; and so the twelve apostles, after they had been at the head of affairs long enough to establish their authority and influence as leaders, had no difficulty in getting nearly the whole body of Mormons to follow them into the wilderness two years after the death of their pretended prophet.

The force assembled at Carthage amounted to about twelve or thirteen hundred men, and it was calculated that four or five hundred more were assembled at Warsaw. Nearly all that portion resident in Hancock were anxious to be marched into Nauvoo. This measure was supposed to be necessary to search for counterfeit money and the apparatus to make it, and also to strike a salutary terror into the Mormon people by an exhibition of the force of the State, and thereby prevent future outrages, murders, robberies, burnings, and the like, apprehended as the effect of Mormon vengeance on those who had taken a part against them. On my part, at one time this arrangement was agreed to. The morning of the 27th day of June was appointed for the march; and Golden's Point near the Mississippi river and about equidistant from Nauvoo and Warsaw, was selected as the place of rendezvous. I had determined to prevail on the justice to bring out his prisoners and take them along. A council of officers, however, determined that this would be highly inexpedient and dangerous, and offered such substantial reasons for their opinions as induced me to change my resolution.

Two or three days' preparations had been made for this expedition. I observed that some of the people became more and more excited and inflammatory the further the preparations were advanced. Occasional threats came to my ears of destroying the city and murdering or expelling the inhabitants.

I had no objection to ease the terrors of the people by such a display of force, and was most anxious also to search for the alleged apparatus for making counterfeit money; and, in fact, to inquire into all the charges against that people, if I could have been assured of my command against mutiny and insubordination. But I gradually learned to my entire satisfaction that there was a plan to get the troops into Nauvoo and there to begin the war, probably by some of our own party or some of the seceding Mormons taking advantage of the night to fire on our own force, and then laying it on the Mormons. I was satisfied that there were those amongst us fully capable of such an act, hoping that in the alarm, bustle, and confusion of a militia camp the truth could not be discovered, and that it might lead to the desired collision.

I had many objections to be made the dupe of any such or similar artifice. I was openly and boldly opposed to any attack on the city unless it should become necessary to arrest

prisoners legally charged and demanded. Indeed, if any one will reflect upon the number of women, inoffensive and young persons, and innocent children which must be contained in such a city of twelve or fifteen thousand inhabitants it would seem to me his heart would relent and rebel against such violent resolutions. Nothing but the most blinded and obdurate fury could incite a person, even if he had the power, to the willingness of driving such persons bare and houseless on to the prairies to starve, suffer, and even steal, as they must have done, for subsistence. No one who has children of his own would think of it for a moment.

Besides this, if we had been ever so much disposed to commit such an act of wickedness, we evidently had not the power to do it. I was well assured that the Mormons at a short notice could muster as many as two or three thousand well-armed men. We had not more than seventeen hundred, with three pieces of cannon and about twelve hundred stand of small arms. We had provisions for two days only, and would be compelled to disband at the end of that time. To think of beginning a war under such circumstances was a plain absurdity. If the Mormons had succeeded in repulsing our attack, as most likely would have been the case, the country must necessarily be given up to their ravages until a new force could be assembled and provision made for its subsistence. Or if we should have succeeded in driving them from their city, they would have scattered; and being justly incensed at our barbarity, and suffering with privation and hunger, would have spread desolation all over the country without any possibility on our part, with the force we then had, of preventing it. Again: they would have had the advantage of being able to subsist their force in the field by plundering their enemies.

All these considerations were duly urged by me upon the attention of a council of officers convened on the morning of the 27th of June. I also urged upon the council that such wanton and unprovoked barbarity on their part would turn the sympathy of the people in the surrounding counties in favor of the Mormons, and therefore it would be impossible to raise a volunteer militia force to protect such a people against them. Many of the officers admitted that there might be danger of collision. But such was the blind fury prevailing at the time, though not showing itself by much visible excitement, that a small majority of the council adhered to the first resolution of marching into Nauvoo; most of the officers of the Schuyler and McDonough militia voting against it, and most of those of the county of Hancock voting in its favor.

A very responsible duty now devolved upon me to determine whether I would, as commander-in-chief, be governed by the advice of this majority. I had no hesitation in deciding that I would not; but on the contrary I ordered the troops to be disbanded, both at Carthage and Warsaw, with the exception of three companies, two of which were retained as a guard to the jail and the other was retained to accompany me to Nauvoo.

The officers insisted much in council upon the necessity of marching to that place to search for apparatus to make counterfeit money, and more particularly to terrify the Mormons from attempting any open or secret measures of vengeance against the citizens of the county who had taken a part against them or their leaders. To ease their tenors on this head I proposed to them that I would myself proceed to the city, accompanied by a small force, make the proposed search and deliver an address to the Mormons, and tell them

plainly what degree of excitement and hatred prevailed against them in the minds of the whole people, and that if any open or secret violence should be committed on the persons or property of those who had taken part against them that no one would doubt but that it had been perpetrated by them, and that it would be the sure and certain means of the destruction of their city and the extermination of their people.

I ordered two companies under the command of Capt. R. F. Smith of the Carthage Grays to guard the jail. In selecting these companies and particularly the company of the Carthage Grays for this service I have been subjected to some censure. It has been said that this company had already been guilty of mutiny and had been ordered to be arrested whilst in the encampment at Carthage; and that they and their officers were the deadly enemies of the prisoners. Indeed, it would have been difficult to find friends of the prisoners under my command unless I had called in the Mormons as a guard; and this I was satisfied would have led to the immediate war, and the sure death of the prisoners.

It is true that this company had behaved badly towards the brigadier-general in command on the occasion when the prisoners were shown along the line of the McDonough militia. This company had been ordered as a guard. They were under the belief that the prisoners, who were arrested for a capital offence, were shown to the troops in a kind of triumph; and that they had been called on as a triumphal escort to grace the procession. They also entertained a very bad feeling towards the brigadier general who commanded their service on the occasion. The truth is, however, that this company was never ordered to be arrested; that the Smiths were not shown to the McDonough troops as a mark of honor and triumph, but were shown to them at the urgent request of the troops themselves to gratify their curiosity in beholding persons who had made themselves so notorious in the country.

When the Carthage Grays ascertained what was the true motive in showing the prisoners to the troops they were perfectly satisfied. All due atonement was made on their part for their conduct to the brigadier-general and they cheerfully returned to their duty.

Although I knew that this company were the enemies of the Smiths, yet I had confidence in their loyalty and integrity; because their captain was universally spoken of as a most respectable citizen and honorable man. The company itself was an old independent company, well armed, uniformed, and drilled; and the members of it were the elite of the militia of the county. I relied upon this company especially because it was an independent company, for a long time instructed and practiced in military discipline and subordination. I also had their word and honor, officers and men, to do their duty according to law. Besides all this the officers and most of the men resided in Carthage; in the near vicinity of Nauvoo; and, as I thought, must know that they would make themselves and their property convenient and conspicuous marks of Mormon vengeance in case they were guilty of treachery.

I had at first intended to select a guard from the county of McDonough, but the militia of that county were very much dissatisfied to remain; their crops were suffering at home; they were in a perfect fever to be discharged; and I was destitute of provisions to supply them for more than a few days. They were far from home, where they could not supply themselves. Whilst the Carthage company could board at their own houses, and would be put to little

inconvenience in comparison.

What gave me greater confidence in the selection of this company as a prudent measure was that the selection was first suggested and urged by the brigadier-general in command, who was well known to be utterly hostile to all mobocracy and violence towards the prisoners and who was openly charged by the violent party with being on the side of the Mormons. At any rate I knew that the jail would have to be guarded as long as the prisoners were confined; that an imprisonment for treason might last the whole summer and the greater part of the autumn before a trial could be had in the circuit court; that it would be utterly impossible in the circumstances of the country to keep a force there from a foreign county for so long a time; and that a time must surely come when the duty of guarding the jail would necessarily devolve on the citizens of the county.

It is true also that at this time I had not believed or suspected that any attack was to be made upon the prisoners in jail. It is true that I was aware that a great deal of hatred existed against them, and that there were those who would do them an injury if they could. I had heard of some threats being made, but none of an attack upon the prisoners whilst in jail. These threats seemed to be made by individuals not acting in concert. They were no more than the bluster which might have been expected, and furnished no indication of numbers combining for this or any other purpose.

I must here be permitted to say also that frequent appeals had been made to me to make a clean and thorough work of the matter by exterminating the Mormons or expelling them from the State. All opinion seemed generally to prevail that the sanction of executive authority would legalize the act and all persons of any influence, authority or note who conversed with me on the subject frequently and repeatedly stated their total unwillingness to act without my direction, or in any mode except according to law.

This was a circumstance well calculated to conceal from me the secret machinations on foot. I had constantly contended against violent measures and so had the brigadier-general in command; and I am convinced that unusual pains were taken to conceal from both of us the secret measures resolved upon. It has been said, however, that some person named Williams in a public speech at Carthage called for volunteers to murder the Smiths; and that I ought to have had him arrested. Whether such a speech was really made or not is yet unknown to me.

Having ordered the guard and left General Deming in command in Carthage and discharged the residue of the militia, I immediately departed for Nauvoo, eighteen miles distant, accompanied by Col. Buckmaster, Quartermaster-General, and Capt. Dunn's company of dragoons.

After we had proceeded four miles Colonel Buckmaster intimated to me a suspicion that an attack would be made upon the jail. He stated the matter as a mere suspicion, arising from having seen two persons converse together at Carthage with some air of mystery. I myself entertained no suspicion of such an attack; at any rate, none before the next day in the afternoon; because it was notorious that we had departed from Carthage with the declared intention of being absent at least two days. I could not believe that any person would attack the jail whilst we were in Nauvoo and thereby expose my life and the lives of my companions to the sudden vengeance of the Mormons upon hearing of the death of their

leaders. Nevertheless, acting upon the principle of providing against mere possibilities, I sent back one of the company with a special order to Capt. Smith to guard the jail strictly and at the peril of his life until my return.

We proceeded on our journey four miles farther. By this time I had convinced myself that no attack would be made on the jail that day or night. I supposed that a regard for my safety and the safety of my companions would prevent an attack until those to be engaged in it could be assured of our departure from Nauvoo. I still think that this ought to have appeared to me to be a reasonable supposition.

I therefore determined at this point to omit making the search for counterfeit money at Nauvoo and defer an examination of all the other abominations charged on that people in order to return to Carthage that same night, that I might be on the ground in person in time to prevent an attack upon the jail, if any had been meditated. To this end we called a halt; the baggage wagons were ordered to remain where they were until towards evening, and then return to Carthage.

Having made these arrangements we proceeded on our march and arrived at Nauvoo about four o'clock of the afternoon of the 27th day of June. As soon as notice could be given a crowd of the citizens assembled to hear an address which I proposed to deliver to them. The number present has been variously estimated from one to five thousand.

In this address I stated to them how, and in what, their functionaries had violated the laws. Also, the many scandalous reports in circulation against them, and that these reports, whether true or false, were generally believed by the people. I distinctly stated to them the amount of hatred and prejudice which prevailed everywhere against them, and the causes of it, at length.

I also told them plainly and emphatically that if any vengeance should be attempted openly or secretly against the persons or property of the citizens who had taken part against their leaders that the public hatred and excitement was such that thousands would assemble for the total destruction of their city and the extermination of their people; and that no power in the State would be able to prevent it. During this address some impatience and resentment were manifested by the Mormons at the recital of the various reports enumerated concerning them; which they strenuously and indignantly denied to be true. They claimed to be a law-abiding people and insisted that as they looked to the law alone for their protection, so were they careful themselves to observe its provisions. Upon the conclusion of this address I proposed to take a vote on the question whether they would strictly observe the laws, even in opposition to their prophet and leaders. The vote was unanimous in favor of this proposition.

The anti-Mormons contended that such a vote from the Mormons signified nothing; and truly the subsequent history of that people showed clearly that they were loudest in their professions of attachment to the law whenever they were guilty of the greatest extravagances; and in fact that they were so ignorant and stupid about matters of law that they had no means of judging of the legality of their conduct, only as they were instructed by their spiritual leaders.

A short time before sundown we departed on our return to Carthage. When we had proceeded two miles we met two individuals, one of them a Mormon, who informed us that the Smiths had been assassinated in jail, about five or six o'clock of that day. The intelligence seemed to strike every one with a kind of dumbness. As to myself, it was perfectly astounding; and I anticipated the very worst consequences from it. The Mormons had been represented to me as a lawless, infatuated, and fanatical people, not governed by the ordinary motives which influence the rest of mankind. If so, most likely an exterminating war would ensue and the whole land would be covered with desolation.

Acting upon this supposition, it was my duty to provide as well as I could for the event. I therefore ordered the two messengers into custody and to be returned with us to Carthage. This was done to get time to make such arrangements as could be made, and to prevent any sudden explosion of Mormon excitement before they could be written to by their friends at Carthage. I also despatched messengers to Warsaw to advise the citizens of the event. But the people there knew all about the matter before my messengers arrived. They, like myself, anticipated a general attack all over the country. The women and children were removed across the river; and a committee was despatched that night to Quincy for assistance. The next morning by daylight the ringing of the bells in the city of Quincy announced a public meeting. The people assembled in great numbers at an early hour. The Warsaw committee stated to the meeting that a party of Mormons had attempted to rescue the Smiths out of jail; that a party of Missourians and others had killed the prisoners to prevent their escape; that the governor and his party were at Nauvoo at the time when intelligence of the fact was brought there; that they had been attacked by the Nauvoo legion and had retreated to a house, where they were then closely besieged. That the governor had sent out word that he could maintain his position for two days, and would be certain to be massacred if assistance did not arrive by the end of that time. It is unnecessary to say that this entire story was a fabrication. It was of a piece with the other reports put into circulation by the anti-Mormon party to influence the public mind and call the people to their assistance. The effect of it, however, was that by ten o'clock on the 28th of June between two and three hundred men from Quincy under the command of Major Flood embarked on board a steamboat for Nauvoo to assist in raising the siege, as they honestly believed.

As for myself, I was well convinced that those, whoever they were, who assassinated the Smiths, meditated in turn my assassination by the Mormons. The very circumstances of the case fully corroborated the information which I afterwards received that upon consultation of the assassins it was agreed amongst them that the murder must be committed whilst the governor was at Nauvoo; that the Mormons would naturally suppose that he had planned it; and that in the first outpouring of their indignation they would assassinate him by way of retaliation. And that thus they would get clear of the Smiths and the governor all at once. They also supposed that if they could so contrive the matter as to have the governor of the State assassinated by the Mormons the public excitement would be greatly increased against that people and would result in their expulsion from the State at least.

Upon hearing of the assassination of the Smiths I was sensible that my command was at an end; that my destruction was meditated as well as that of the Mormons; and that I could not reasonably confide longer in the one party or in the other.

The question then arose what would be proper to be done. A war was expected by everybody. I was desirous of preserving the peace. I could not put myself at the head of the Mormon force with any kind of propriety, and without exciting greater odium against them than already existed. I could not put myself at the head of the anti-Mormon party because they had justly forfeited my confidence and my command over them was put an end to by mutiny and treachery. I could not put myself at the head of either of these forces because both of them in turn had violated the law; and, as I then believed, meditated further aggression. It appeared to me that if a war ensued I ought to have a force in which I could confide, and that I ought to establish my headquarters at a place where I could learn the truth as to what was going on.

For these reasons I determined to proceed to Quincy, a place favorably situated for receiving the earliest intelligence, for issuing orders to raise an army if necessary, and for providing supplies for its subsistence. But first I determined to return back to Carthage and make such arrangements as could be made for the pacification and defence of the country. When I arrived there about ten o'clock at night I found that great consternation prevailed. Many of the citizens had departed with their families and others were preparing to go. As the country was utterly defenceless this seemed to me to be a proper precaution. One company of the guard stationed by me to guard the jail had disbanded and gone home before the jail was attacked; and many of the Carthage Grays departed soon afterwards.

Gen. Deming, who was absent in the country during the murder, had returned; he volunteered to remain in command of a few men, with orders to guard the town, observe the progress of events, and to retreat if menaced by a superior force.

Here also I found Dr. Richards and John Taylor, two of the principal Mormon leaders, who had been in the jail at the time of the attack and who voluntarily addressed a most pacific exhortation to their fellow-citizens, which was the first intelligence of the murder which was received at Nauvoo. I think it very probable that the subsequent good conduct of the Mormons is attributable to the arrest of the messengers and to the influence of this letter.

Having made these arrangements, I departed for Quincy. On my road thither I heard of a body of militia marching from Schuyler and another from Brown. It appears that orders had been sent out in my name, but without my knowledge, for the militia of Schuyler county. I immediately countermanded their march and they returned to their homes. When I arrived at Columbus I found that Capt. Jonas had raised a company of one hundred men, who were just ready to march. By my advice they postponed their march to await further orders. I arrived at Quincy on the morning of the 29th of June about eight o'clock, and immediately issued orders, provisionally, for raising an imposing force when it should seem to be necessary.

I remained at Quincy for about one month, during which time a committee from Warsaw waited on me with a written request that I would expel the Mormons from the State. It seemed that it never occurred to these gentlemen that I had no power to exile a citizen; but they insisted that if this were not done their party would abandon the State. This requisition was refused of course.

During this time also, with the view of saving expense, keeping the peace, and having a

force which would be removed from the prejudices in the country, I made application to the United States for five hundred men of the regular army to be stationed for a time in Hancock county, which was subsequently refused.

During this time also I had secret agents amongst all parties, observing their movements; and was accurately informed of everything which was meditated on both sides. It appeared that the anti- Mormon party had not relinquished their hostility to the Mormons, nor their determination to expel them, but had deferred further operations until the fall season, after they had finished their summer's work on their farms.

When I first went to Carthage. and during all this difficult business, no public officer ever acted from purer or more patriotic intentions than I did. I was perfectly conscious of the utmost integrity in all my actions and felt lifted up far above all mere party considerations. But I had scarcely arrived at the scene of action before the whig press commenced the most violent abuse and attributed to me the basest motives. It was alleged in the *Sangamon Journal* and repeated in the other whig newspapers that the governor had merely gone over to cement an alliance with the Mormons; that the leaders would not be brought to punishment, but that a full privilege would be accorded to them to commit crimes of every hue and grade in return for their support of the democratic party. I mention this not by way of complaint, for it is only the privilege of the minority to complain, but for its influence upon the people.

I observed that I was narrowly watched in all my proceedings by my whig fellow citizens, and was suspected of an intention to favor the Mormons. I felt that I did not possess the confidence of the men I commanded, and that they had been induced to withhold it by the promulgation of the most abominable falsehoods. I felt the necessity of possessing their confidence in order to give vigor to my action; and exerted myself in every way to obtain it, so that I could control the excited multitude who were under my command. I succeeded better for a time than could have been expected; but who can control the action of a mob without possessing their entire confidence? It is true also that some unprincipled democrats all the time appeared to be very busy on the side of the Mormons. and this circumstance was well calculated to increase suspicion of every one who had the name of democrat.

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# XI

## The Downfall of Joseph Smith,

1844 - 1845

It was many days after the assassination of the Smiths before the circumstances of the murder fully became known. It then appeared that, agreeably to previous orders, the posse at Warsaw had marched on the morning of the 27th of June in the direction of Golden's Point, with a view to join the force from Carthage, the whole body then to be marched into Nauvoo. But by the time they had gone eight miles, they were met by the order to disband; and learning at the same time that the governor was absent at Nauvoo, about two hundred of these men, many of them being disguised by blacking their faces with powder and mud, hastened immediately to Carthage. There they encamped, at some distance from the village, and soon learned that one of the companies left as a guard had disbanded and returned to their homes; the other company, the Carthage Greys, was stationed by the captain in the public square, a hundred and fifty yards from the jail. Whilst eight men were detailed by him, under the command of Sergeant Franklin A. Worrell, to guard the prisoners. A communication was soon established between the conspirators and the company; and it was arranged that the guard should have their guns charged with blank cartridges, and fire at the assailants when they attempted to enter the jail. Gen. Deming, who was left in command, being deserted by some of his troops, and perceiving the arrangement with the others, and having no force upon which he could rely, for fear of his life retired from the village. The conspirators came up, jumped the slight fence around the jail, were fired upon by the guard, which, according to arrangement, was overpowered immediately, and the assailants entered the prison, to the door of the room where the two prisoners were confined, with two of their friends, who voluntarily bore them company. An attempt was made to break open the door; but Joe Smith being armed with a six-barrelled pistol, furnished by his friends, fired several times as the door was bursted open, and wounded three of the assailants. At the same time several shots were fired into the room, by some of which John Taylor received four wounds, and Hyrum Smith was instantly killed. Joe Smith now attempted to escape by jumping out of the second-story window, but the fall so stunned him that he was unable to rise; and being placed in a sitting posture by the conspirators below, they dispatched him with four balls shot through his body.

Thus fell Joe Smith, the most successful impostor in modern times.; a man who, though ignorant and coarse, had some great natural parts, which fitted him for temporary success, but which were so obscured and counteracted by the inherent corruption and vices of his nature, that he never could succeed in establishing a system of policy which looked to permanent success in the future. His lusts, his love of money and power, always set him to studying present gratification and convenience, rather than the remote consequences of his plans. It seems that no power of intellect can save a corrupt man from this error. The strong

cravings of the animal nature will never give fair play to a fine understanding, the judgment is never allowed to choose that good which is far away, in preference to enticing evil near at hand. And this may be considered a wise ordinance of Providence, by which the counsels of talented but corrupt men, are defeated in the very act which promised success.

It must not be supposed that the pretended Prophet practiced the tricks of a common impostor; that he was a dark and gloomy person, with a long beard, a grave and severe aspect, and a reserved and saintly carriage of his person; on the contrary, he was full of levity, even to boyish romping; dressed like a dandy, and at times drank like a sailor and swore like a pirate. He could, as occasion required, be exceedingly meek in his deportment; and then again rough and boisterous as a highway robber; being always able to satisfy his followers of the propriety of his conduct. He always quailed before power, and was arrogant to weakness. At times he could put on the air of a penitent, as if feeling the deepest humiliation for his sins, and suffering unutterable anguish, and indulging in the most gloomy forebodings of eternal woe. At such times he would call for the prayers of the brethren in his behalf, with a wild and fearful energy and earnestness. He was full six feet high, strongly built, and uncommonly well muscled. No doubt he was as much indebted for his influence over an ignorant people, to the superiority of his physical vigor, as to his greater cunning and intellect.

His followers were divided into the leaders and the led; the first division embraced a numerous class of broken down, unprincipled men of talents, to be found in every country, who, bankrupt in character and fortune, had nothing to lose by deserting the known religions, and carving out a new one of their own. They were mostly infidels, who holding all religions in derision, believed that they had as good a right as Christ or Mahomet, or any of the founders of former systems, to create one for themselves; and if they could impose it upon mankind, to live upon the labor of their dupes. Those of the second division, were the credulous wondering part of men, whose easy belief and admiring natures, are always the victims of novelty, in whatever shape it may come, who have a capacity to believe any strange and wonderful matter, if it only be new, whilst the wonders of former ages command neither faith nor reverence; they were men of feeble purposes, readily subjected to the will of the strong, giving themselves up entirely to the direction of their leaders; and this accounts for the very great influence of those leaders in controlling them. In other respects some of the Mormons were abandoned rogues, who had taken shelter in Nauvoo, as a convenient place for the head-quarters of their villainy; and others were good, honest, industrious people, who were the sincere victims of an artful delusion. Such as these were more the proper objects of pity than persecution. With them, their religious belief was a kind of insanity; and certainly no greater calamity can befall a human being, than to have a mind so constituted as to be made the sincere dupe of a religious impostor.

The more polished portion of the Mormons were a merry set of fellows, fond of music and dancing, dress and gay assemblies. They had their regular dancing parties of gentlemen and ladies, and were by no means exclusive in admitting any one to them on the score of character. It is a notorious fact, that a desperado by the name of Rockwell, having attracted the affections of a pretty woman, the wife of a Mormon merchant, took her from her husband by force of arms, to live with him in adultery. But whilst she was so living notoriously in adultery with a Mormon bully, in the same city with her husband, she was

freely admitted to the best society in the place, to all the gay assemblies, where she and her husband frequently met in the same dance.

The world now indulged in various conjectures as to the further progress of the Mormon religion. By some persons it was believed that it would perish and die away with its founder. But upon the principle that "the blood of the martyrs is the seed of the church," there was now really more cause than ever to predict its success. The murder of the Smiths, instead of putting an end to the delusion of the Mormons and dispersing them, as many believed it would, only bound them together closer than ever, gave them new confidence in their faith and an increased fanaticism. The Mormon Church had been organized with a first presidency, composed of Joe and Hiram Smith and Sidney Rigdon, and twelve apostles of the prophet, representing the apostles of Jesus Christ. The Twelve apostles were now absent, and until they could be called together the minds of the "saints" were unsettled, as to the future government of the church. Revelations were published that the prophet, in imitation of the Saviour, was to rise again from the dead. Many were looking in gaping wonderment for the fulfillment of this revelation, and some reported that they had already seen him, attended by a celestial army coursing the air on a great white horse. Rigdon, as the only remaining member of the first presidency, claimed the government of the church, as being successor to the prophet. When the twelve apostles returned from foreign parts, a fierce struggle for power ensued between them and Rigdon. Rigdon fortified his pretensions by alleging the will of the prophet in his favor, and pretending to have several new revelations from heaven, amongst which was one of a very impolitic nature. This was to the effect, that all the wealthy Mormons were to break up their residence at Nauvoo, and follow him to Pittsburgh. This revelation put both the rich and the poor against him, The rich, because they did not want to leave their property; and the poor, because they would not be deserted by the wealthy. This was fatal to the ambition of Rigdon; and the Mormons tired of the despotism of a one-man government, were now willing to decide in favor of the apostles. Rigdon was expelled from the church as being a false prophet, and left the field with a few followers, to establish a little delusion of his own, near Pittsburgh; leaving the government of the main church in the hands of the apostles, with Brigham Young, a cunning but vulgar man, at their head, occupying the place of Peter in the Christian hierarchy.

Missionaries were dispatched to all parts to preach in the name of the "martyred Joseph;" and the Mormon religion thrived more than ever. For awhile it was doubtful whether the reign of the military saints in Nauvoo would not in course of time supplant the meek and lowly system of Christ. There were many things to favor their success. The different Christian sects had lost much of the fiery energy by which at first they were animated. They had attained to a more subdued, sober, learned, and intellectual religion. But there is at all times a large class of mankind who will never be satisfied with anything in devotion, short of a heated and wild fanaticism. The Mormons were the greatest zealots, the most confident in their faith, and filled with a wilder, fiercer, and more enterprising enthusiasm, than any sect on the continent of America: their religion gave promise of more temporal and spiritual advantages for less labor, and with less personal sacrifice of passion, lust, prejudice, malice, hatred, and ill will, than any other perhaps in the whole world. Their missionaries abroad, to the number of two or three thousand, were most earnest and indefatigable in their efforts to make converts; compassing sea and land to make one proselyte. When abroad, they first

preached doctrines somewhat like those of the Campbellites; Sidney Rigdon, the inventor of the system, having once been a Campbellite preacher; and when they had made a favorable impression, they began in far-off allusions to open up their mysteries, and to reveal to their disciples that a perfect "fulness of the gospel" must be expected. This "fulness of the gospel" was looked for by the dreamy and wondering disciple, as an indefinite something not yet to be comprehended, but which was essential to complete happiness and salvation. He was then told that God required him to remove to the place of gathering, where alone this sublime "fulness of the gospel" could be fully revealed, and completely enjoyed. When he arrived at the place of gathering, he was fortified in the new faith by being withdrawn from all other influences; and by seeing and hearing nothing but Mormons and Mormonism; and by association with those only who never doubted any of the Mormon dogmas. Now the "fulness of the gospel" could be safely made known. If it required him to submit to the most intolerable despotism; if it tolerated and encouraged the lusts of the flesh and a plurality of wives; if it claimed all the world for the saints; universal dominion for the Mormon leaders; if it sanctioned murder, robbery, perjury, and larceny, at the command of their priests, no one could now doubt but that this was the "fulness of the gospel," the liberty of the saints, with which Christ had made them free.

The Christian world, which has hitherto regarded Mormonism with silent contempt, unhappily may yet have cause to fear its rapid increase. Modern society is full of material for such a religion. At the death of the Prophet, fourteen years after the first Mormon Church was organized, the Mormons in all the world numbered about two hundred thousand souls (one-half million according to their statistics); a number equal, perhaps, to the number of Christians, when the Christian Church was of the same age. It is to be feared that in course of a century, some gifted man like Paul, some splendid orator, who will be able by his eloquence to attract crowds of the thousands who are ever ready to hear, and be carried away by the sounding brass and tinkling cymbal of sparkling oratory, may command a hearing, may succeed in breathing a new life into this modern Mahometanism, and make the name of the martyred Joseph ring as loud, and stir the souls of men as much, as the mighty name of Christ itself. Sharon, Palmyra, Manchester, Kirtland, Far West, Adamon Diahmon, Ramus. Nauvoo, and the Carthage jail, may become holy and venerable names, places of classic interest, in another age; like Jerusalem, the Garden of Gethsemane, the Mount of Olives, and Mount Calvary to the Christian, and Mecca and Medina to the Turk. And in that event, the author of this History feels degraded by the reflection, that the humble governor of an obscure State, who would otherwise be forgotten in a few years, stands a fair chance, like Pilate and Herod, by their official connection with the true religion, of being dragged down to posterity with an immortal name, hitched on to the memory of a miserable impostor. There may be those whose ambition would lead them to desire an immortal name in history, even in those humbling terms. I am not one of that number.

About one year after the apostles were installed into power, they abandoned for the present the project of converting the world to the new religion. All the missionaries and members abroad were ordered home; it was announced that the world had rejected the gospel by the murder of the prophet and patriarch, and was to be left to perish in its sins. In the meantime, both before and after this, the elders at Nauvoo quit preaching about religion. The Mormons came from every part, pouring into the city; the congregations were regularly

called together for worship, but instead of expounding the new gospel, the zealous and infuriated preachers now indulged only in curses and strains of abuse of the Gentiles, and it seemed to be their design to fill their followers with the greatest amount of hatred to all mankind excepting the "saints." A sermon was no more than an inflammatory stump speech, relating to their quarrels with their enemies, and ornamented with an abundance of profanity. From my own personal knowledge of this people, I can say with truth, that I have never known much of any of their leaders who was not addicted to profane swearing. No other kind of discourses than these were heard in the city. Curses upon their enemies, upon the country, upon government, upon all public officers, were now the lessons taught by the elders, to inflame their people with the highest degree of spite and malice against all who were not of the Mormon church, or its obsequious tools. The reader can readily imagine how a city of fifteen thousand inhabitants could be wrought up and kept in a continual rage by the inflammatory harangues of its leaders.

In the meantime, the anti-Mormons were not idle; they were more than ever determined to expel the Mormons; and being passionately inflamed against them, they made many applications for executive assistance. On the other hand, the Mormons invoked the assistance of government to take vengeance upon the murderers of the Smiths. The anti-Mormons asked the governor to violate the constitution, which he was sworn to support, by erecting himself into a military despot and exiling the Mormons. The Mormons, on their part, in their newspapers, invited the governor to assume absolute power, by taking a summary vengeance upon their enemies, by shooting fifty or a hundred of them, without judge or jury. Both parties were thoroughly disgusted with constitutional provisions restraining them from the summary attainment of their wishes for vengeance; each was ready to submit to arbitrary power, to the fiat of a dictator, to make me a king for the time being, or at least that I might exercise the power of a king, to abolish both the forms and spirit of free government, if the despotism to be erected upon its ruins could only be wielded for its benefit, and to take vengeance on its enemies. It seems that, notwithstanding all our strong professions of attachment to liberty, there is all the time an unconquerable leaning to the principles of monarch and despotism, whenever the forms, the delays, and the restraints of republican government fail to correct great evils. When the forms of government in the United States were first invented, the public liberty was thought to be the great object of governmental protection. Our ancestors studied to prevent government from doing harm, by depriving it of power. They would not trust the power of exiling a citizen upon any terms; or of taking his life, without a fair and impartial trial in the courts, even to the people themselves, much less to their government. But so infatuated were these parties, so deep did they feel their grievances, that both of them were enraged in their turn, because the governor firmly adhered to his oath of office; refusing to be a party to their revolutionary proceedings; to set aside the government of the country, and execute summary vengeance upon one or the other of them.

Another election was to come off in August, 1844, for members of Congress, and for the legislature; and an election was pending throughout the nation for a President of the United States. The war of party was never more fierce and terrible than during the pendency of these elections. The parties in many places met separately almost every night; not to argue the questions in dispute, but to denounce, ridicule abuse, and belittle each other, with

sarcasm, clamor, noise, and songs, during which nothing could be heard but halloing, hurraing, and yelling, and then to disperse through town, with insulting taunts and yells of defiance on either side.

In all this they were but little less fanatical and frantic on the subject of politics, than were the Mormons about religion. Such a state of excitement could not fail to operate unfavorably upon the Mormon question, involved as it was in the questions of party politics, by the former votes of the Mormons. As a means of allaying excitement, and making the question more manageable, I was most anxious that the Mormons should not vote at this election, and strongly advised them against doing so. But Colonel E. D. Taylor went to their city a few days before the election, and the Mormons, being ever disposed to follow the worst advice they could get, were induced by him and others to vote for all the democratic candidates. Col. Taylor found them very hostile to the governor, and on that account much disposed not to vote at this election. The leading whig anti-Mormons, believing that I had an influence over the Mormons, for the purpose of destroying it had assured them that the governor had planned and been favorable to the murder of their prophet and patriarch. The Mormons pretended to suspect that the governor had given some countenance to the murder, or at least had neglected to take the proper precautions to prevent it. And yet it is strange that at this same election, they elected Gen. Deming to be the sheriff of the county, when they knew that he had first called out the militia against them, had concurred with me in all the measures subsequently adopted, had been left in command at Carthage during my absence at Nauvoo, and had left his post when he saw that he had no power to prevent the murders. As to myself, I shared the fate of all men in high places, who favor moderation, who see that both parties in the frenzy of their excitement are wrong -- espousing the cause of neither; which fate always is to be hated by both parties. But Col. Taylor, like a skillful politician, denied nothing, but gave countenance to everything the Mormons said of the governor; and by admitting to them that the governor was a great rascal; by promising them the support of the democratic party, an assurance he was not authorized to make, but which they were foolish enough to believe, and by insisting that the governor was not the democratic party, he overcame their reluctance to vote. Nevertheless, for mere political effect, without a shadow of justice, the whig leaders and newspapers everywhere, and some enemies in the democratic ranks, immediately charged this vote of the Mormons to the governor's influence; and this charge being believed by many, made the anti-Mormon party more famous than ever in favor of the expulsion of the Mormons. In the course of the fall of 1844, the anti-Mormon leaders sent printed invitations to all the militia captains in Hancock, and to the captains of militia in all the neighboring counties in Illinois, Iowa, and Missouri, to be present with their companies at a great wolf hunt in Hancock; and it was privately announced that the wolves to be hunted were the Mormons and Jack Mormons. Preparations were made for assembling several thousand men, with provisions for six days; and the anti-Mormon newspapers, in aid of the movement, commenced anew the most awful accounts of thefts and robberies, and meditated outrages by the Mormons. The whig press in every part of the United States, came to their assistance. The democratic newspapers and leading democrats, who had received the benefit of the Mormon votes to their party, quailed under the tempest, leaving no organ for the correction of public opinion, either at home or abroad, except the discredited Mormon newspaper at Nauvoo. But very few of my prominent democratic friends would dare to come up to the assistance of their governor, and

but few of them dared openly to vindicate his motives in endeavoring to keep the peace. They were willing and anxious for Mormon votes at elections, but they were unwilling to risk their popularity with the people, by taking a part in their favor, even when law and justice, and the Constitution, were all on their side. Such being the odious character of the Mormons, the hatred of the common people against them, and such being the pusillanimity of leading men in fearing to encounter it.

In this state of the case I applied to Brigadier General J. J. Hardin, of the State militia, and to Colonels Baker and Merriman, all whigs, but all of them men of military ambition, and they, together with Colonel William Weatherford, a democrat,\* with my own exertions, succeeded in raising about five hundred volunteers; and thus did these whigs, that which my own political friends, with two or three exceptions, were slow to do, from a sense of duty and gratitude.

\* Of the officers who were out with me in this expedition. General Hardin. Colonels Baker and Weatherford, and Major Warren, afterwards greatly distinguished themselves in the Mexican war. Major Warren is noticed by General Taylor in his dispatches to the war department, as a prudent and gallant officer. Lieutenant-Colonel Weatherford was left a whole day with a few companies to guard the main pass at Buena Vista, where he and his men stood, during all that time, the fire of the Mexican artillery, without being allowed to advance near enough to return it. Colonel Baker, after the fall of General Shields, commanded a brigade of two Illinois regiments and one New York regiment, in storming the last stronghold of the Mexicans at the battle of Cerro Gordo, in which he and his men behaved most gallantly, carrying everything before them, which completed the entire route of the Mexican army. General Hardin at the Battle of Buena Vista, in command of two Illinois regiments in conjunction with a regiment of Kentucky volunteers, made a most gallant charge upon a large body of Mexican infantry and lancers, five times the number of the Americans, which decided the victory on our side; but in which Hardin and many other gallant officers and men lost their lives. But they will live in the affectionate remembrance of their countrymen, to the latest time.

With this little force under the command of General Hardin, I arrived in Hancock county on the 25th of October. The malcontents abandoned their design, and all the leaders of it fled to Missouri. The Carthage Greys fled almost in a body carrying their arms along with them. During our stay in the county the anti-Mormons thronged into the camp, and conversed freely with the men, who were fast infected with their prejudices, and it was impossible to get any of the officers to aid in expelling them. Colonels Baker, Merriman and Weatherford, volunteered their services if I would go with them, to cross with a force into Missouri, to capture three of the anti-Mormon leaders, for whose arrest writs had been issued for the murder of the Smiths. To this I assented, and procured a boat, which was sent down in the night, and secretly landed a mile above Warsaw. Our little force arrived at that place about noon; that night were to cross to Missouri at Churchville, and seize the accused there encamped with a number of their friends; but that afternoon Colonel Baker visited the hostile encampment, and on his return refused to participate in the expedition, and advised all his friends against joining it. There was no authority for compelling the men to invade a neighboring State, and for this cause, much to the vexation of myself and several others, the matter fell through.

It seems that Colonel Baker had already partly arranged the terms for the accused to surrender. They were to be taken to Quincy for examination under a military guard; the attorney for the people was to be advised to admit them to bail, and they were to be entitled to a continuance of their trial at the next court at Carthage; upon this, two of the accused

came over and surrendered themselves prisoners.

But at that time I was held responsible for this compromise with the murderers. The truth is, that I had but little of the moral power to command in this expedition. Officers, men, and all under me, were so infected with the anti-Mormon prejudices that I was made to feel severely the want of moral power to control them. It would be thought very strange in any other government that the administration should have the power to direct, but no power to control. By the Constitution the governor can neither appoint nor remove a militia officer. He may arrest and order a court martial. But a court martial composed of military officers, elected in times of peace, in many cases upon the same principles upon which Colonel Pluck was elected in New York City, is not likely to pay much attention to executive wishes in opposition to popular excitement. So, too, in Illinois, the governor has no power to appoint, remove, or in anywise control sheriffs, justices of the peace, nor even a constable; and yet the active co-operation of such officers with the executive, is indispensable to the success of any effort the governor may take to suppress civil war. If anyone supposes that the greatest amount of talents will enable anyone to govern under such circumstances, he is mistaken. It may be thought that the governor ought to create a public sentiment in favor of his measures, to sway the minds of those under him to his own course, but if any one supposes that even the greatest abilities could succeed in such an effort against popular feeling, and against the inherent love of numerous demagogues for popularity, he is again mistaken.

I had determined from the first that some of the ring-leaders in the foul murder of the Smiths should be brought to trial. If these men had been the incarnation of Satan himself, as was believed by many, their murder was a foul and treacherous action, alike disgraceful to those who perpetrated the crime, to the State, and to the governor, whose word had been pledged for the protection of the prisoners in jail, and which had been so shamefully violated; and required that the most vigorous means should be used to bring the assassins to punishment. As much as anything else the expedition under General Hardin had been ordered with a view to arrest the murderers.

Accordingly, I employed able lawyers to hunt up the testimony, procure indictments, and prosecute the offenders. A trial was had before Judge Young in the summer of 1845. The sheriff and panel of jurors, selected by the Mormon court, were set aside for prejudice, and eligors were appointed to select a new jury. One friend of the Mormons and one anti-Mormon were appointed for this purpose; but as more than a thousand men had assembled under arms at the court, to keep away the Mormons and their friends, the jury was made up of these military followers of the court, who all swore that they had never formed or expressed any opinion as to the guilt or innocence of the accused. The Mormons had one principal witness, who was with the troops at Warsaw, had marched with them until they were disbanded, heard their consultations, went before them to Carthage, and saw them murder the Smiths. But before the trial came on, they had induced him to become a Mormon; and being much more anxious for the glorification of the prophet than to avenge his death, the leading Mormons made him publish a pamphlet giving an account of the murder; in which he professed to have seen a bright and shining light descend upon the head of Joe Smith, to strike some of the conspirators with blindness, and that he heard supernatural voices in the air confirming his mission as a prophet! Having published this in a book, he was compelled to swear to it in court, which of course destroyed the credit of his

evidence. This witness was afterwards expelled from the Mormons, but no doubt they will cling to his evidence in favor of the divine mission of the prophet. Many other witnesses were examined, who knew the facts, but under the influence of the demoralization of faction, denied all knowledge of them. It has been said, that faction may find men honest, but it scarcely ever leaves them so. This was verified to the letter in the history of the Mormon quarrel. The accused were all acquitted.

During the progress of these trials, the judge was compelled to permit the court-house to be filled and surrounded by armed bands, who attended court to browbeat and overawe the administration of justice. The judge himself was in a duress, and informed me that he did not consider his life secure any part of the time. The consequence was, that the crowd had everything their own way; the lawyers for the defense defended their clients by a long and elaborate attack on the governor; the armed mob stamped with their feet and yelled their approbation at every sarcastic and smart thing that was said; and the judge was not only forced to hear it, but to lend it a kind of approval. Josiah Lamborn was attorney for the prosecution: and O. H. Browning, O. C. Skinner, Calvin A. Warren, and William A. Richardson, were for the defense.

At the next term, the leading Mormons were tried and acquitted for the destruction of the heretical press. It appears that, not being interested in objecting to the sheriff or the jury selected by a court elected by themselves, they in their turn got a favorable jury determine upon acquittal, and yet the Mormon jurors all swore that they had formed no opinion as to the guilt or innocence of their accused friends. It appeared that the laws furnished the means of suiting each party with a jury. The Mormons could have a Mormon jury to be tried by, selected by themselves; and the anti-Mormons, by objecting to the sheriff and regular panel, could have one from the anti-Mormons. From henceforth no leading man on either side could be arrested without the aid of an army, as the men of one party could not safely surrender to the other for fear of being murdered; when arrested by a military force the constitution prohibited a trial in any other county without the consent of the accused. No one would be convicted of any crime in Hancock; and this put an end to the administration of the criminal law in that distracted county. Government was at an end there, and the whole community were delivered up to the dominion of a frightful anarchy. If the whole State had been in the same condition, then indeed would have been verified to the letter what was said by a wit, when he expressed an opinion that the people were neither capable of governing themselves nor of being governed by others. And truly there can be no government in a free country where the people do not voluntarily obey the laws.

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## XIII

# Expulsion of the Mormons,

## 1845 - 1846

The Mormons next claim our attention. Nauvoo was now a city of about 15,000 inhabitants and was fast increasing, as the followers of the prophet were pouring into it from all parts of the world; and there were several other settlements and villages of Mormons in Hancock county. Nauvoo was scattered over about six square miles, a part of it being built upon the flat skirting and fronting on the Mississippi river, but the greater portion of it upon the bluffs back, east of the river. The great temple, which is said to have cost a million of dollars in money and labor, occupied a commanding position on the brow of this bluff and overlooked the country around for twenty miles in Illinois and Iowa. This temple was not fashioned after any known order of architecture. The Mormons themselves pretended to believe that the building of it was commenced without any previous plan; and that the master builder, from day to day, during the progress of its erection, received directions immediately from heaven as to the plan of the building; and really it looks as if it was the result of such frequent changes as would be produced by a daily accession of new ideas. It has been said that the church architecture of a sect indicates the genius and spirit of its religion. The grand and solemn structures of the Catholics, point to the towering hierarchy, and imposing ceremonies of the church; the low and broad meeting-houses of the Methodists formerly shadowed forth their abhorrence of gaudy decoration; and their unpretending humility, and the light, airy, and elegant edifices of the Presbyterians, as truly indicate the passion for education, refinement, and polish, amongst that thrifty and enterprising people. If the genius of Mormonism were tried by this test, as exhibited in the temple, we could only pronounce that it was a piece of patch-work, variable, strange, and incongruous.

During the summer and fall of 1845, there were several small matters to increase irritation between the Mormons and their neighbors. The anti-Mormons complained of a large number of larcenies and robberies. The Mormon press at Nauvoo, and the anti-Mormon papers at Warsaw, Quincy, Springfield, Alton, and St. Louis, kept up a continual fire at each other; the anti-Mormons all the time calling upon the people to rise and expel, or exterminate the Mormons. The great fires at Pittsburgh and in ether cities about this time, were seized upon by the Mormon press to countenance the assertion that the Lord had sent them, to manifest his displeasure against the Gentiles; and to hint that all other places which might countenance the enemies of the Mormons, might expect to be visited by "hot drops" of the same description. This was interpreted by the anti-Mormons to be a threat by Mormon incendiaries, to burn down all cities and places not friendly to their religion. About this time, also, a suit had been commenced in the circuit court of the United States against some of the twelve apostles, on a note given in Ohio. The deputy marshal went to summon the

defendants. They were determined not to be served with process, and a great meeting of their people being called, outrageously inflammatory speeches were made by the leaders; the marshal was threatened and abused for intending to serve a lawful process, and here it was publicly declared and agreed to by the Mormons, that no more process should be served in Nauvoo.

Also, about this time, a leading anti-Mormon by the name of Dr. Marshall, made an assault upon Gen. Deming, the sheriff of the county, and was killed by the sheriff in repelling the assault. The sheriff was arrested and held to bail by Judge Young, for manslaughter: though as he had acted strictly in self-defence, no one seriously believed him to be guilty of any crime whatever. But Dr. Marshall had many friends disposed to revenge his death, the rage of the people ran very high, for which reason it was thought best by the judge to hold the sheriff to bail for something, to save him from being sacrificed to the public fury.

Not long after the trials of the supposed murderers of the Smiths, it was discovered on a trial of the right of property near Lima, in Adams county, by Mormon testimony, that that people had an institution in their church called a "Oneness," which was composed of an association of five persons, over whom "one" was appointed as a kind of guardian. This "one" was trustee for the rest, was to own all the property of the association; so that if it were levied upon by an execution for debt, the Mormons could prove that the property belonged to one or the other of the parties, as might be required to defeat the execution. And not long after this discovery in the fall of 1845, the anti-Mormons of Lima and Green Plains, held a meeting to devise means for the expulsion of the Mormons from their neighborhood. They appointed some persons of their own number to fire a few shots at the house where they were assembled; but to do it in such a way as to hurt none who attended the meeting. The meeting was held, the house was fired at, but so as to hurt no one; and the anti-Mormons, suddenly breaking up their meeting, rode all over the country spreading the dire alarm, that the Mormons had commenced the work of massacre and death.

This startling intelligence soon assembled a mob. But before I relate what further was done, I must give some account of the anti-Mormons. I had a good opportunity to know the early settlers of Hancock county. I had attended the circuit courts there as States-attorney, from 1830, when the county was first organized, up to the year 1834; and to my certain knowledge the early settlers, with some honorable exceptions, were, in popular Language, hard cases. In the year 1834, one Dr. Galland was a candidate for the legislature, in a district composed of Hancock, Adams, and Pike counties. He resided in the county of Hancock, and as he had in the early part of his life been a notorious horse-thief and counterfeiter, belonging to the Massac gang, and was then no pretender to integrity, it was useless to deny the charge.

In all his speeches he freely admitted the fact, but came near receiving a majority of votes in his own county of Hancock. I mention this to show the character of the people for integrity. From this time down to the settlement of the Mormons there, and for four years afterwards, I had no means of knowing about the future increase of the Hancock people. But having passed my whole life on the frontiers, on the outer edge of the settlements, I have frequently seen that a few first settlers would fix the character of a settlement for good or for

bad, for many years after its commencement. If bad men began the settlement, bad men would be attracted to them, upon the well-known principle that "birds of a feather will flock together." Rogues will find each other out, and so will honest men. From all which it appears extremely probable, that the later immigrants were many of them attracted to Hancock by a secret sympathy between them and the early settlers. And so it may appear that the Mormons themselves may have been induced to select Hancock as the place of their settlement, rather than many other places where they were strongly solicited to settle, by the promptings of a secret instinct, which, without much penetration, enables men to discern their fellows.

The mob at Lima proceeded to warn the Mormons to leave the neighborhood, and threatened them with fire and sword if they remained. A very poor class of Mormons resided here, and it is very likely that the other inhabitants were annoyed beyond further endurance, by their little larcenies and rogueries. The Mormons refused to remove; the mob proceeded to burn down their houses; and about one hundred and seventy-five houses and hovels were burnt, the inmates being obliged to flee for their lives. They fled to Nauvoo in a state of utter destitution, carrying their women and children, aged and sick (if was then the height of the sickly season), along with them as best they could. The sight of these miserable creatures, aroused the wrath of the Mormons of Nauvoo. As soon as authentic intelligence of these events reached Springfield, I ordered Gen. Hardin to raise a force, and restore the rule of law. But whilst this force was gathering, the sheriff of the county had taken the matter in hand. Gen. Deming had died not long after the death of Dr. Marshall, and the Mormons had elected Jacob B. Backinstos to be sheriff in his place. This Backinstos formerly resided in Sangamon county. There he had credit to get a stock of goods, and set up as a merchant. The goods were immediately transferred to his brother, leaving the debt for them unpaid. Here, too, he became acquainted with Judge Douglass, and here commenced that indissoluble friendship between them, which has continued inviolate ever since. Douglass was appointed to hold the courts in Hancock county; and Backinstos, having broken up in Sangamon, had gone over to Hancock seeking his fortunes. His brother had already married a niece of the prophet, and Backinstos immediately attached himself to the interests of the Mormons. Backinstos was a smart-looking, shrewd, cunning, plausible man, of such easy manners, that he was likely to have great influence with the Mormons. In due time Judge Douglass appointed him to be clerk of the circuit court, and this gave him almost absolute power with that people in all political contests. In 1844, Backinstos and a Mormon elder were elected to the legislature; in 1845, he was elected sheriff, in place of Gen. Deming; and, finally, to reward him for his great public services, he was appointed a captain of a rifle company in the United States army. But being just now regarded as the political leader of the Mormons, Backinstos was hated with a sincere and thorough hatred by the opposite party.

When the burning of houses commenced, the great body of the anti-Mormons expressed themselves strongly against it, giving hopes thereby that a posse of anti-Mormons could be raised to put a stop to such incendiary and riotous conduct. But when they were called on by the new sheriff, not a man of them turned out to his assistance, many of them no doubt being influenced by their hatred of the sheriff. Backinstos then went to Nauvoo, where he raised a posse of several hundred armed Mormons, with which he swept over the county, took

possession of Carthage, and established a permanent guard there. The anti-Mormons everywhere fled from their homes before the sheriff, some of them to Iowa and Missouri, and others to the neighboring counties in Illinois. The sheriff was unable or unwilling to bring any portion of the rioters to a battle, or to arrest any of them for their crimes. The posse came near surprising one small squad, but they made their escape, all but one, before they could be attacked. This one, named McBratney, was shot down by some of the posse in advance, by whom he was hacked and mutilated as though he had been murdered by the Indians.

The sheriff also was in continual peril of his life from the anti-Mormons, who daily threatened him with death the first opportunity. As he was going in a buggy from Warsaw in the direction of Nauvoo, he was pursued by three or four men to a place in the road where some Mormon teams were standing. Backinstos passed the teams a few rods, and then stopping, the pursuers came up within a hundred and fifty yards, when they were fired upon, with an unerring aim, by some one concealed not far to one side of them. By this fire, Franklin A. Worrell was killed. He was the same man who had commanded the guard at the jail at the time the Smiths were assassinated; and there made himself conspicuous in betraying his trust, by consenting to the assassination. It is believed that Backinstos expected to be pursued and attacked, and had previously stationed some men in ambush, to fire upon his pursuers. He was afterwards indicted for the supposed murder, and procured a change of venue to Peoria county, where he was acquitted of the charge. About this time, also, the Mormons murdered a man by the name of Daubeneyer, without any apparent provocation; and another anti-Mormon named Wilcox was murdered in Nauvoo, as it was believed, by order of the twelve apostles. The anti-Mormons also committed one murder. Some of them, under Backman, set fire to some straw near a barn belonging to Durfee, an old Mormon seventy years old; and then lay in ambush until the old man came out to extinguish the fire, when they shot him dead from their place of concealment. The perpetrators of this murder were arrested and brought before an anti-Mormon justice of the peace, and were acquitted, though their guilt was sufficiently apparent.

During the ascendancy of the sheriff and the absence of the anti-Mormons from their houses, the people who had been burnt out of their houses assembled in Nauvoo, from whence, with many others, they sallied forth and ravaged the country, stealing and plundering whatever was convenient to carry or drive away. When informed of these proceedings, I hastened to Jacksonville, where, in a conference with Gen. Hardin, Major Warren, Judge Douglass, and the Attorney-General Mr. McDougall, it was agreed that these gentlemen should proceed to Hancock in all haste, with whatever forces had been raised, few or many, and put an end to these disorders. It was now apparent that neither party in Hancock could be trusted with the power to keep the peace. It was also agreed that all these gentlemen should unite their influence with mine to induce the Mormons to leave the State. Gen. Hardin lost no time in raising three or four hundred volunteers, and when he got to Carthage he found a Mormon guard in possession of the courthouse. This force he ordered to disband and disperse in fifteen minutes. The plundering parties of Mormons were stopped in their ravages. The fugitive anti-Mormons were recalled to their homes, and all parties above four in number on either side were prohibited from assembling and marching over the country.

Whilst Gen. Hardin was at Carthage, a convention previously appointed assembled at that place, composed of delegates from the eight neighboring counties. The people of the neighboring counties were alarmed lest the anti-Mormons should entirely desert Hancock, and by that means leave one of the largest counties of the State to be possessed entirely by Mormons. This they feared would bring the surrounding counties into immediate collision with them. They had therefore appointed this convention to consider measures for the expulsion of the Mormons. The twelve apostles had now become satisfied that the Mormons could not remain, or if they did, the leaders would be compelled to abandon the sway and dominion they exercised over them. They had now become convinced that the kind of Mahometanism which they sought to establish could never be established in the near vicinity of a people whose morals and prejudices were all outraged and shocked by it, unless indeed they were prepared to establish it by force of arms. Through the intervention of Gen. Hardin, acting under instructions from me, an agreement was made between the hostile parties for the voluntary removal of the greater part of the Mormons in the spring of 1846. The two parties agreed that, in the meantime, they would seek to make no arrests for crimes previously committed; and on my part I agreed that an armed force should be stationed in the county to keep the peace. The presence of such a force, and amnesty from prosecutions on all sides, were insisted on by the Mormons, that they might devote all their time and energies to prepare for their removal. Gen. Hardin first diminished his force to a hundred men, leaving Major Wm. B. Warren in command. And this force being further diminished during the winter to fifty, and then to ten men, was kept up until the last of May, 1846. This force was commanded with great efficiency and prudence during all this winter and spring by Major Warren; and with it he was enabled to keep the turbulent spirit of faction in check, the Mormons well knowing that it would be supported by a much larger force whenever the governor saw proper to call for it. In the meantime, they somewhat repented of their bargain, and desired Major Warren to be withdrawn. Backinstos was anxious to be again left at the head of his posse, to goster over the county and to take vengeance on his enemies. The anti-Mormons were also dissatisfied, because the State force preserved a threatening aspect towards them as well as towards the Mormons. He was always ready to enforce arrests of criminals for new offences on either side; and this pleased neither the Mormons nor the anti-Mormons. Civil war was on the very point of breaking out more than a dozen times during the winter. Both parties complained of Major Warren; but I, well knowing that he was manfully doing his duty, in one of the most difficult and vexatious services ever devolved upon a militia officer, steadily sustained him against the complaints on both sides. It is but just to Major Warren to say here, that he gained a lasting credit with all substantial citizens for his able and prudent conduct during this winter. Of General Hardin, too, it is but just to say, that his expedition this time had the happiest results. The greater part of the military tract was saved by it from the horrors of a civil war in the winter time, when much misery would have followed from it, by the dispersion of families and the destruction of property.

During the winter of 1845-46 the Mormons made the most prodigious preparations for removal. All the houses in Nauvoo, and even the temple, were converted into work-shops; and before spring, more than twelve thousand wagons were in readiness. The people from all parts of the country flocked to Nauvoo to purchase houses and farms, which were sold extremely low, lower than the prices at a sheriff's sale, for money, wagons, horses, oxen,

cattle, and other articles of personal property, which might be needed by the Mormons in their exodus into the wilderness. By the middle, of May it was estimated that sixteen thousand Mormons had crossed the Mississippi and taken up their line of march with their personal property, their wives and little ones, westward across the continent to Oregon or California; leaving behind them in Nauvoo a small remnant of a thousand souls, being those who were unable to sell their property, or who having no property to sell were unable to get away.

The twelve apostles went first with about two thousand of their followers. Indictments had been found against nine of them in the circuit court of the United States for the district of Illinois, at its December term, 1845, for counterfeiting the current coin of the United States. The United States Marshal had applied to me for a militia force to arrest them; but in pursuance of the amnesty agreed on for old offences, believing that the rest of the accused would prevent the removal of the Mormons and that if arrested there was not the least chance that any of them would ever be convicted, I declined the application unless regularly called upon by the President of the United States according to law. It was generally agreed that it would be impolitic to arrest the leaders and thus put an end to the preparations for removal, when it was notorious that none of them could be convicted; for they always commanded evidence and witnesses enough to make a conviction impossible. But with a view to hasten their removal they were made to believe, that the President would order the regular army to Nauvoo as soon as the navigation opened in the spring. This had its intended effect; the twelve, with about two thousand of their followers immediately crossed the Mississippi before the breaking up of the ice. But before this the deputy marshal had sought to arrest the accused without success.

Notwithstanding but few of the Mormons remained behind, after June, 1846, the anti-Mormons were no less anxious for their expulsion by force of arms; being another instance of a party not being satisfied with the attainment of its wishes unless brought about by themselves, and by measures of their own. It was feared that the Mormons might vote at the August election of that year; and that enough of them yet remained to control the elections in the county, and perhaps in the district for Congress. They, therefore, took measures to get up a new quarrel with the remaining Mormons. And for this purpose they attacked and severely whipped a party of eight or ten Mormons, which had been sent out; into the country to harvest some wheat fields in the neighborhood of Pontoosuc, and who had provoked the wrath of the settlement by hallooing, yelling and other arrogant behavior. Writs were sworn out in Nauvoo against the men of Pontoosuc, who were arrested and kept for several days under strict guard, until they gave bail. Then in their turn, they swore out writs for the arrest of the constable and posse who had made the first arrest, for false imprisonment. The Mormon posse were no doubt really afraid to be arrested, believing that instead of being tried they would be murdered. This made an excuse for the anti-Mormons to assemble a posse of several hundred men to assist in making the arrest; but the matter was finally adjusted without any one being taken. A committee of anti-Mormons was sent into Nauvoo, who reported that the Mormons were making every possible preparation for removal; and the leading Mormons on their part agreed that their people should not vote at the next election.

The August election came on shortly afterwards and the Mormons all voted the whole

democratic ticket. I have since been informed by Babbitt, the Mormon elder and agent for the sale of church property, that they were induced to vote this time from the following considerations: The President of the United States had permitted the Mormons to settle on the Indian lands on the Missouri river, and had taken five hundred of them into the service as soldiers in the war with Mexico; and in consequence of these favors the Mormons felt under obligation to vote for democrats in support of the administration; and so determined were they that their support of the President should be efficient, that they all voted three or four times each for member of Congress. This vote of the Mormons enraged the whigs anew against them; the probability that they might attempt to remain permanently in the country, and the certainty that many designing persons for selfish purposes were endeavoring to keep them there, revived all the excitement which had ever existed against that people. In pursuance of the advice and under the direction of Archibald Williams, a distinguished lawyer and whig politician of Quincy, writs were again sworn out for the arrest of persons in Nauvoo, on various charges. But to create a necessity for a great force to make the arrests, it was freely admitted by John Carlin, the constable sent in with the writs that the prisoners would be murdered if arrested and carried out of the city. This John Carlin, under a promise to be elected recorder in the place of a Jack Mormon recorder to be driven away, was appointed a special constable to make the arrests. And now the individuals sought to be arrested were openly threatened to be murdered. The special constable went to Nauvoo with the writs in his hands, the accused declined to surrender. And now having failed to make the arrests, the constable began to call out the *posse comitatus*. This was about the 1st of September, 1846. The posse soon amounted to several hundred men. The Mormons in their turn swore out several writs for the arrest of leading anti-Mormons, and under pretence of desiring to execute them, called out a posse of Mormons. Here was writ against writ; constable against constable; law against law, and posse against posse.

Whilst the parties were assembling their forces the trustee of Nauvoo being new citizens, not Mormons, applied to the governor for a militia officer to be sent over with ten men, they supposing that this small force would dispense with the service of the civil posse on either side. There was such a want of confidence on all sides that no one would submit to be arrested by an adversary, for fear of assassination. This small force it was supposed would restore confidence and order. And here again was a difficulty, who was to be sent on this delegate service. General Hardin, Major Warren, Colonel Weatherford and Colonel Baker, had gone to the Mexican war. These had been the officers upon whom I had relied in all previous emergencies; and they were well qualified for command. And here I must remark that the President in May, 1846, called for four regiments of volunteers from Illinois for the Mexican war. The call was no sooner published in Illinois, than nine regiments offered their services. Those of them who were doomed to stay at home were more discontented than men usually are who are drafted into the armies of their country.

And here, too, I will remark, that the laws do not allow the governor to exercise his own best judgment in selecting the most fit person to command. The militia themselves elect their officers, and all the choice which is left to the governor, is to select one already elected. In looking round over the State for this purpose, the choice fell upon Major Parker of Fulton county. Major Parker was a whig, and was selected partly for that reason, believing that a whig now, as had been the case before with Gen. Hardin and Major Warren,

would have more influence in restraining the anti-Mormons than a democrat. But Major Parker's character was unknown out of his own county, Everywhere else it was taken for granted that he was a democrat and had been sent over to Hancock to intrigue with the Mormons. The whig newspapers immediately let loose floods of abuse upon him, both in this State and in Missouri, which completely paralyzed his power to render any effectual service. The constable's posse refused to give place to him, and the constable openly declared that he cared but little for the arrests; by which it was apparent that they intended from the first to use the process of the law only as a cover to their design of expelling the Mormons.

The posse continued to increase until it numbered about eight hundred men; and whilst it was getting ready to march into the city, it was represented to me by another committee, that the new citizens of Nauvoo were themselves divided into two parties, the one siding with the Mormons, the other with their enemies. The Mormons threatened the disaffected new citizens with death, if they did not join in the defence of the city. For this reason I sent over M. Brayman, Esq., a judicious citizen of Springfield, with suitable orders restraining all compulsion in forcing the citizens to join the Mormons against their will, and generally to inquire into and report all the circumstances of the quarrel.

Soon after Mr. Brayman arrived there, he persuaded the leaders on each side into an adjustment of the quarrel. It was agreed that the Mormons should immediately surrender their arms to some person to be appointed to receive them, and to be redelivered when they left the State, and that they would remove from the State in two months. This treaty was agreed to by Gen. Singleton, Col. Chittenden and others, on the side of the anties, and by Major Parker and some leading Mormons on the other side. But when the treaty was submitted for ratification to the anti-Mormon forces, it was rejected by a small majority. Gen. Singleton and Col. Chittenden, with a proper self-respect immediately withdrew from command; they not being the first great men placed at the head of affairs at the beginning of violence, who have been hurled from their places before the popular frenzy had run its course. And with them also great Archibald Williams, the prime mover of the enterprise, he not being the first man who has got up a popular commotion, and failed to govern if afterwards. Indeed, the whole history of revolutions and popular excitements leading to violence, is full of instances like these. Mr. Brayman, the same day of the rejection of the treaty, reported to me that nearly one-half of the anti-Mormons would abandon the enterprise, and retire with their late commanders, "leaving a set of hair-brained fools to be flogged or to disperse at their leisure." It turned out, however, that the calculations of Mr. Brayman were not realized; for when Singleton and Chittenden retired, Thomas S. Brockman was put in command of the posse. This Brockman was a Campbellite preacher, nominally belonging to the democratic party. He was a large, awkward, uncouth, ignorant, semi-barbarian, ambitious of office, and bent upon acquiring notoriety. He had been county commissioner of Brown county, and in that capacity had let out a contract for building the court-house, and it was afterwards ascertained had let the contract to himself. He managed to get paid in advance, and then built such an inferior building, that the county had not received it up to Dec. 1846. He had also been a collector of taxes, for which he was a defaulter, and his lands were sold whilst I was governor, to pay a judgment obtained against him for moneys collected by him. To the bitterness of his religious prejudices against the

Mormons, he added a hatred of their immoral practices, probably because they differed from his own. Such was the man who was now at the head of the anti-Mormons,\* who were about as numerous in camp as ever. After the appointment of Brockman, I was not enabled to hear in any authentic shape of the movements on either side, until the anti-Mormon forces had arrived near the suburbs of the city, and were about ready to commence an attack. The information which was received, was by mere rumor of travellers, or by the newspapers from St. Louis. And I will remark that during none of these difficulties, have I been able to get letters and despatches from Nauvoo by the United States mail, coming as it was obliged to do, through the anti-Mormon settlements and post offices.

\* To the credit of the Campbellites I record, that after this they silenced Brockman from preaching. Before this time, he had frequently been a candidate for office without success. In 1847, he thought he could be elected to the convention to amend the constitution, from Brown county, upon the glory he had acquired in the Mormon wars. He was nominated by a small meeting of democrats; and, in a county of one hundred and fifty majority of democrats, he was beaten by a whig by upwards of one hundred and twenty-five majority.

But soon after the antis had arrived with their force near Nauvoo, and after some little skirmishing, Mr. Brayman came to Springfield with a request for further assistance in defence of the city. It was now too late to call forces from a distance, if they had been ever so willing to come. It was obvious that if any new forces were to be raised, they must come from the near neighborhood of the conflict. Orders were therefore issued to Major William G. Flood, who was commander of the militia of the adjoining and populous county of Adams, by which he was authorized to raise a sufficient volunteer force in that and the surrounding counties, to enforce the observance of law in Hancock. If turned out, however, that great excitement existed in Adams and in all the neighboring country, and Major Flood being of opinion that if he raised a force on the part of the State, a much larger force would have turned out in aid of the rioters, declined to act.

To meet such a contingency, he had been instructed that, if inconvenient for himself to act, he was to hand over his authority to some person who would act, and who could be elected to the command of the forces thus to be raised. Major Flood, without handing over his authority to any one in Adams county, went to Nauvoo to use his influence with the contending parties, for the restoration of peace; but failing in this, he handed over his authority to the Mormons and their allies, who elected Major Clifford to command them. In issuing this order to Major Flood, it was not intended to put the Nauvoo volunteers under any different command than what was specified in the orders to Major Parker, as it had already been declared in those orders that the Mormon force, with the exception of the ten men from Fulton county, were to serve without pay. The order to Major Flood was for an additional force, and not to give a different organization to the force already raised. It is my solemn conviction, that no sufficient force could have been raised to have fought in favor of the Mormons. But there was still another difficulty, and everyone felt it. No force under our present constitution could more than temporarily have suppressed these difficulties. It has been the practice heretofore, for the ring-leaders of rebellion in Hancock to withdraw from the State whenever the State forces were marched over there; and from experience in former trials they had found out that no one could be convicted. The result of former expeditions had been to keep the peace during the presence of the military, but so soon as they disbanded the disorders were renewed. The keeping of the peace, therefore, in that county,

was some such labor as the work of sisyphus, who was condemned by the gods throughout eternity to roll a stone up hill, and every time he got it nearly to the top, it broke loose from him, and again came thundering down to the plain below. The former expeditions had shown this to be the case, and now there was a general disposition to let the hostile parties bring matters to a conclusion in their own way; and such was the public prejudice against the Mormons that, ten chances to one, any large force of militia which might have been ordered there, would have joined the rioters, rather than fought in defence of the Mormons.

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\* It has been asked, How did Governor Wright of New York suppress the riots of the anti-renters in 1846? This is easily answered. The anti-rent riots were less generally popular than the riots of the anti-Mormons. The governor there was better supported by public opinion than the governor of Illinois. He had the power, and he exercised it, to appoint and remove sheriffs, and other county officers intended for his assistance; and the laws of New York allowed a criminal to be taken without his consent to a distant county for trial. This last advantage was one worth all the rest.

The history of the law concerning the venue in criminal cases, is a curiosity. By the ancient common law the jury was to come from the very town or neighborhood where the crime had been committed; and this was because it was supposed that they had a personal knowledge of the circumstances of the crime, and of the character of the criminal and the witnesses. It was to guard against oppression, by assuring the accused of a trial by his neighbors and acquaintances, who, if he were a good man, would know it, and deal more gently with him than strangers would. Afterwards, by statute, the jury was to come from the body of the county. Our State constitution, in imitation of the English law, provides that criminals shall be entitled to a jury of the vicinage, which means the same thing. And yet our law says that no man shall be a competent juror who has formed an opinion as to the guilt or innocence of the criminal. If the juror is not to bring his private knowledge, and his bias in favor of the accused, into the jury, but little good is the privilege of having a jury from the vicinage likely to do the prisoner. He might just as well be taken to some other county and tried by strangers, as to be tried by strangers in his own county. It is true that the law of Illinois allows the accused to remove his trial for prejudice in the judge or inhabitants: but the State has no right to remove the case without the consent of the prisoner. One of the complaints urged against me, and some men who held themselves out, but rather falsely pretend to be lawyers, have made it, is, that I did not take the Mormon and anti-Mormon prisoners to some foreign county to be tried. Some thought they ought to have been taken before the supreme court, and others before the United States court at Springfield, as if either of these courts had the slightest particle of power to try them. Before I heard of these complaints, I was not aware that there was so much stupid ignorance in the country, particularly among men who pretend to be lawyers.

There is now no doubt; but the power to change the venue in criminal cases, which the constitution of New York vested in the supreme court, to be exercised at discretion, has operated well in all cases of local excitement; and probably saved a war with England, which was likely to grow out of the trial of McLeod for the murder of Durfee and burning the Caroline steamboat on the Niagara, frontier.

But to return to Gov. Wright. Being supported by public opinion, he put down the anti-renters and protected the property of the wealthy. in return for this favor, the wealthy men at an election a few months afterwards united with the anti-renters, and helped them put Governor Wright down. Governor Wright did all he could to secure the conviction of murderers and assassins amongst the anti-renters, who had raised a rebellion against the laws of property. The men of property immediately helped the anti-renters to defeat Governor Wright's second election, and to elect a man who was pledged to pardon these same murderers and cut-throats out of the penitentiary. The next extensive riot against property in the United States is not likely to be quelled so easily. Public men will hereafter remember the fate of Governor Wright. They will be apt to remember that active efforts against the rioters will make enemies of them, without making friends elsewhere. Upon the whole, this example of the men of property uniting with the miserable faction of anti-renters to put down such a man as Gov. Wright, is one of the worst signs of the times.

The forces under Brockman numbered about 800 men; they were armed with the State

arms, which had been given up to them by independent militia companies in the adjacent counties. They also had five pieces of six-pounder iron cannon, belonging to the State, which they had obtained in the same way. The Mormon party and their allies, being some of the new citizens, under the command of Major Clifford, numbered at first about two hundred and fifty, but were diminished by desertions and removals, before any decisive fighting took place, to about one hundred and fifty. Some of them were armed with sixteen shooting rifles, -- which experience proved were not very effective in their hands, -- and a few of them with muskets. They had four or five pieces of cannon, hastily and rudely made by themselves out of the shaft of a steamboat.

The Mormons and their allies took position in the suburbs, about one mile east of the temple, where they threw up some breastworks for the protection of their artillery. The attacking force was strong enough to have been divided and marched into the city on each side of this battery, and entirely out of the range of its shot; and thus the place might have been taken without firing a gun. But Brockman, although he professed a desire to save the lives of his men, planted his force directly in front of the enemy's battery, but distant more than half a mile; and now both parties commenced a fire from their cannon, and some few persons on each side approached near enough to open a fire with their rifles and muskets, but not near enough to do each other material injury.

In this manner they continued to fire at each other at such a distance, and with such want of skill, as that there was but little prospect of injury, until the anti-Mormons had exhausted their ammunition, when they retreated in some disorder to their camp. They were not pursued, and here the Mormon party committed an error, for all experience of irregular forces has shown, that however brave they may be, that a charge on them when they have once commenced a retreat, is sure to be successful. Having waited a few days to supply themselves anew with ammunition from Quincy, the anties again advanced to the attack, but without coming nearer to the enemy than before, and that what at the time was called a battle, was kept up three or four days, during all which time the Mormons admit a loss of two men and a boy killed, and three or four wounded. The anties admitted a loss on their side of one man mortally, and nine or ten others not so dangerously wounded. The Mormons claimed that they had killed thirty or forty of the anties. The anties claimed that they had killed thirty or forty of the Mormons, and both parties could have proved their claim by incontestable evidence, if their witnesses had been credible.

But the account which each party renders of its loss, ought to be taken as the true one, unless such account call be successfully controverted. During all the skirmishing and firing of cannon, it is estimated that from seven to nine hundred cannon balls, and an infinite number of bullets, were fired on each side, from which it appears that the remarkable fact of so few being killed and wounded, can be accounted for only by supposing great unskilfulness in the use of arms, and by the very safe distance which the parties kept from each other.

At last, through the intervention of an anti-Mormon committee of one hundred from Quincy, the Mormons and their allies were induced to submit to such terms as the posse chose to dictate, which were that the Mormons should immediately give up their arms to the Quincy committee, and remove from the State. The trustees of the church and five of their

clerks were permitted to remain for the sale of Mormon property, and the posse were to march in unmolested, and to leave a sufficient force to guarantee the performance of these stipulations.

Accordingly, the constable's posse marched in with Brockman at their head, consisting of about eight hundred armed men, and six or seven hundred unarmed, who had assembled from all the country around, from motives of curiosity, to see the once proud city of Nauvoo humbled, and delivered up to its enemies, and to the domination of a self-constituted and irresponsible power. They proceeded into the city slowly and carefully, examining the way from fear of the explosion of a mine, many of which had been made by the Mormons, by burying kegs of powder in the ground, with a man stationed at a distance to pull a string communicating with the trigger of a percussion lock affixed to the keg. This kind of a contrivance was called by the Mormons a "hell's half acre." When the posse arrived in the city, the leaders of it erected themselves into a tribunal to decide who should be forced away and who remain. Parties were despatched to hunt for Mormon arms and for Mormons, and to bring them to the judgment, where they received their doom from the mouth of Brockman, who there sat a grim and unawed tyrant for the time. As a general rule, the Mormons were ordered to leave within an hour or two hours; and by rare grace, some of them were allowed until next day, and in a few cases longer. The treaty specified that the Mormons only should be driven into exile. Nothing was said in it concerning the new citizens, who had with the Mormons defended the city.

But the posse no sooner obtained possession, than they commenced expelling the new citizens. Some of them were ducked in the river, being in one or two instances actually baptized in the name of the leaders of the mob, others were forcibly driven into the ferry boats, to be taken over the river, before the bayonets of armed ruffians; and it is believed that the houses of most of them were broken open and their property stolen during their absence. Many of these new settlers were strangers in the country from various parts of the United States, who were attracted there by the low price of property, and they knew but little of previous difficulties, or the merits of the quarrel. They saw with their own eyes that the Mormons were industriously preparing to go away, and they knew of their own knowledge that an effort to expel them with force was gratuitous and unnecessary cruelty. They had been trained in the States from whence they came to abhor mobs, and to obey the law, and they volunteered their services under executive authority, to defend their town and their property against mob violence, and as they honestly believed, from destruction. But in this they were partly mistaken, for although the mob leaders, in the exercise of unbridled power, were guilty of many enormities to the persons of individuals, and although much personal property was stolen, yet they abstained from materially injuring houses and buildings. The most that was done in this way, was the stealing of the doors and the sash of the windows from the houses by some body; the anti-Mormons allege that they were carried away by the Mormons, and the Mormons aver that the most of them were stolen by the anti-Mormons.

In a few days the obnoxious inhabitants had been expelled, the warlike new citizens with the rest. This class of citizens had strong claims to be treated with more generosity by the conquerors; but a mob, and more especially the mob leaders, inflamed with passion, exasperated by a brave resistance, their vulgar souls seeing no merit in the courage of adversaries, are not apt to show them much favor in the day of success and triumph. The

main force of the posse was now disbanded. Brockman returned home. But before he returned, whilst his men were doubly intoxicated with liquor and by the glory of their victory, one hundred of them volunteered to remain, to prevent the return of those who had been expelled, or who had fled knowing that they would be forced away, and otherwise cruelly treated if they remained to face their conquerors. These, of course, were the lowest, most violent, the least restrained by principle, of all the anti-Mormons. The most of them were such vagabonds as had no home anywhere else, no business or employment, and for that reason were the readiest to stay. The posse was finally diminished to about thirty men, under Major McCalla, and continued to exercise all the powers of government in Nauvoo, committing many high-handed acts of tyranny and oppression, and, as they said, some acts of charity to the suffering women and children, until they heard that a force was coming against them from Springfield.

In the meantime the Mormons had been forced away from their homes unprepared for a journey. They and their women and children had been thrown houseless upon the Iowa shore, without provisions or the means of getting them, or to get away to places where provisions might be obtained. It was now the highest of the sickly season. Many of them were taken from sick beds, hurried into the boats and driven away by the armed ruffians, now exercising the power of government. The best they could do was to erect their tents on the banks of the river, and there remain to take their chance of perishing by hunger, or by prevailing sickness. In this condition the sick without shelter, food, nourishment, or medicines, died by scores. The mother watched her sick babe without hope, until it died; and when she sunk under accumulated miseries, it was only to be quickly followed by her other children, now left without the least attention; for the men had scattered out over the country seeking employment and the means of living. Their distressed condition was no sooner known, than all parties contributed to their relief; the anti-Mormons as much as others.

Some of the new citizens who had been driven away, had several times attempted to return to look after their property, and were each time driven away with more violence than they were before. The people of the State looked upon these outrages with calm indifference. A few here and there were anxious that something should be done to put an end to them. But such persons were generally moderate men who, because they are not violent themselves, dislike violence in others; and for the same reason, although they desire something to be done, yet never do anything to aid the authorities of the State. These moderate men, if force is necessary to put, down force, are always the last whose services can be obtained; and yet they are always the readiest to find fault with the government which they have failed to assist.

They are the first to call upon the governor for prompt action, but the last to bring him any aid; and very many of them tremble at the mere idea of venturing their popularity in such an enterprise. Let no public man in times of excitement depend upon moderate men for support; nor can he in such times justly expect to be supported in moderate measures. All violence is wrong; the moderate course is the right one; the violent men support their measures with energy; the moderate men let theirs perish for want of support. In such a contest a very few, a dozen violent men are worth a thousand of the moderates. The moderate party never give any efficient support to their leaders. They will coldly approve if, upon a very careful and curious looking into matters, what has been done suits them in the

manner and amount of it exactly; but if not; suited to the eighth of an inch, then they are not sparing in their censure. This is true not only as to excitements which lead to civil war, but as to all excitements attending the contests of party. And it is for this reason that ambitious politicians are always driven to violent courses, to extreme measures, and to eschew all moderation. They know that they can depend upon the men of violence and action for support. And they know, as La Fayette might have known, that the moderate men never give a support worth anything to any one. The wealthy, who stand in most need of protection against violence, very rarely ever volunteer to put it down; most frequently leaving the laws to be enforced, if enforced at all, by obscure men; and many times by such persons as have no business of their own, or care for the stability of law and government. Such men as these are the readiest to volunteer in a popular service; some volunteer without considering the merits of the cause; and in civil broils as they change their minds with the changing winds, and have the election of their own commanders, their attachment to the one or the other side is not always to be relied on. Now, as long as the wealthy substantial citizen refuses his aid, the support of government; rests upon such feeble helps as these.

But the people had now waked up to reflection; they had seen a mob victorious over the government of the people. The government in a large district was actually put down and trodden under foot. They were willing that the Mormons might be driven away; but they had not anticipated the outrages which followed. A reaction took place, and such is the inconstancy of popular feeling, that men who were before outrageous against the governor for making any, even an abortive effort to extend a scanty assistance to an oppressed people, were now no less clamorous against him for not raising a force before one could possibly be raised; and they even went so far as to require that martial law should be declared; and that the rioters should be hung without trial or judgment. Thus they thought that mob violence might be put down by the illegal mob violence of government; and were in favor of converting the government into a mob to put down mobocracy.

There is a vague feeling among the people in favor of martial law on such occasions. I can find no authority in the constitution, or anywhere else, for the enforcement of martial law outside the lines of a military encampment. The civil law is above the military. But when the civil law shall be utterly disregarded and trampled under foot; when the people become wholly unfit for self-government; when anarchy and disorder shall be forced to give place to despotism; when our forms of government shall be utterly overthrown and abandoned, as experiments which have failed, the first dawnings of the reign of tyrants most likely will be preceded by proclamations of martial law, not for the government of armies, but for the government and punishment of a people at once rebellious and deserving to be slaves. The general sentiment in favor of martial law and the disorders calling it forth, are fearful evidences of a falling away from the true principles of liberty. Ever since Gen. Jackson on some great occasions, when the fate of half the country was at stake, "took the responsibility," the country has swarmed with a tribe of small statesmen who seem to think that the true secret of government is to set it aside and resort to mere force, upon the occurrence of the smallest difficulties. It may be well enough on great occasions to have one great Jackson; but on every small occasion no one can imagine the danger of having a multitude of little Jacksons. Jackson's example is to be admired rather than imitated; and the first may be done easier and safer than the last.

Government was obliged to wait for a change in the feelings of the people. As soon as this change was manifested, one hundred and twenty men were raised in and near Springfield, and with this small force the governor started to Hancock. Before this force arrived there, it had increased to the number of two hundred. The motive for going over this time was to restore to their homes about sixty families of new citizens, not being Mormons, who had been driven away from their property, most of which had been stolen during their absence. The Mormons could not have been persuaded to return on any terms. The governor had no expectation of being resisted by the great body of anties, although he had attempted to bring some of them to justice for their crimes; yet were they notoriously indebted to him for being recalled to their homes when driven away by the sheriff and his Mormon posse. He had been mainly instrumental in inducing the great body of Mormons to leave the State; he had effectually aided in protecting the county revenue from being collected and most probably squandered by the sheriff, whose only securities were Mormons about to leave the country; he had also gives effectual assistance in preventing the Mormon county court from running the county in debt thirty or forty thousand dollars, to pay the Mormon posse under Backinstos; and he had, for the space of seven months, obstinately refused to recall Major Warren's force stationed in Hancock for their protection, though their recall was daily insisted upon by the strongest of the governor's political friends. During all this time, he had the anti-Mormons at his mercy; during the dead, cold winter, when their expulsion from their homes would have ruined them. It was only to recall the military, and restore the charge of keeping the peace to the sheriff.

But the anties did not feel the least grateful for any of the good which had been done them. They remembered only the evil. It appeared, that if they had any gratitude, it consisted alone in a lively expectation of future favor. Indeed, during the whole winter that the governor was protecting them in their homes, and keeping their lives in their bodies, they never ceased cursing and abusing him. But the governor had done these things because they were right, and was too sensible a man to expect any thanks; and they are now mentioned, not to complain, but to illustrate a truth in matters of government, which is this: that he who will preserve the confidence and affection of a faction, must be with it every time, through right and wrong. This course the governor is not at liberty to take in a civil war, where both parties seek to trample the government under feet, and where both of them in turn may need restraint. And yet if he does not take one side and keep it, no allowance is made for his position; he is judged of as an individual factionist would be; he is charged with being first on one side, and then on the other, and on every side; just as if he had no public duty to perform, but was at liberty to take sides in the quarrel like a private man.

Very much to his astonishment, when the governor arrived in Hancock, the anti-Mormons were exceedingly bitter against him. Brockman was seat for; the leaders assembled, and now commenced a series of the most vexatious proceedings. They could hardly find words strong enough to express their unaffected surprise and astonishment at the impudence of the governor and the people of other counties in interfering, as they called it, in the affairs of Hancock. So far had the mob-scenes which they had passed through beclouded their judgments, and so far had they imitated the Mormons in their modes of thinking, that they really believed that the people of Hancock had some kind of government and sovereignty of their own, and that to interfere with this was to invade their sacred rights.

In their long, bitter, and angry contest with the Mormons, they had acquired most of the vices of that people, being hurried on by the intensity of bad passions to imitate their crimes, that they might be equal to them in the contest.

This is one of the inevitable effects of long-continued faction; and, accordingly, the essence of the Mormons for six years in that part of the country has left moral blotches and propensities to crime, a total dissolution of moral principle among the remaining inhabitants, which one generation passing away will not eradicate, and perhaps will never be effectually cured until they learn by long and dire experience that the way of the transgressor is hard.

After the arrival of the governor in the county, two public meetings were held by the anties, one in Carthage and one in Nauvoo; at both of which, it was resolved that they would do nothing whilst the State forces remain; but believing that this force could be kept up only for a short time, they solemnly determined to drive out the proscribed new citizens as soon as the volunteers were withdrawn. As yet they were not aware of the change of opinion against them; they supposed that the people were universally in their favor; and were as arrogant as a mob usually is when they believe themselves able to triumph over their government. Our little force encamped at Nauvoo, on the north side of the great temple, protected to the north by a high stone wall. And whilst here, our sentinels were fired upon from a tavern near by, kept by a man who had recently kept a house in Illinois town as a place of refuge for the rogues in St. Louis, when hard pressed by the police. At this tavern, Backman, the murderer of Durfee; Brath, a swarthy, grim and sanguinary tyrant; Palmer, fresh from the Quincy jail on a charge of rape; Reynolds, who had lately kept a livery stable in St. Louis for the sale of stolen horses; and Van Tuyl, an old wornout, broken-down, democratic New York politician, took their stand, as the anti-Mormon committee of the county, to watch our movements. The lines of the encampment were immediately extended so as to include this tavern; martial law was declared, and the inhabitants within the lines of the encampment were notified, that if the firing was repeated, the offender would be shot or hung, according to the sentence of a court-martial, and that the house itself would be demolished by the artillery. The shooting was not repeated.

Here a laughable matter occurred with a constable and Irish justice of the peace, lately elected by the anties, to replace those who had been driven away. These dignitaries broke through the line of sentinels, and were put under arrest; but upon giving their word to be forthcoming in the morning, to answer for their intrusion, they were discharged. Instead of returning to their houses, they repaired to the tavern, and having reinforced their courage by additional quantities of liquor, they came again to the lines, offering to bribe the sentinels to spike our cannon. They were again arrested, and kept until next morning, when Major George R. Weber, now in command, appointed a court to try them. The Irish justice relied much upon his power and consequence as a magistrate, and wanted to be exceedingly noisy and disorderly during the trial. Major Weber ordered him to keep silence until called upon to speak. This the indignant dispenser of justice refused, with a proud swell of importance. With some force, Major Weber, taking him by the shoulders, squat him down in a corner; but the magistrate, rising, and still insisting upon his dignity and right to make a noise, was knocked down twice in succession by Major Weber, before he could be forced to keep silence. The magistrate and constable were then condemned to be drummed around and out of the camp, to the tune of the rogue's march, which was done in good style, one very pretty

morning. Such a creature as this magistrate, was the governor forced by the laws of the State to commission as a justice of the peace; and such officers as these did the anti-Mormons elect to assist him in keeping the peace.

During our stay here, Captain Robert Alien, with parts of his company and others, to the number of forty-four men, volunteered to make a secret expedition in the night to Carthage, in search of the State arms, having previously gained intelligence that a large number were concealed in that village. The anties had stationed at committee near us to watch our movements, and as Capt. Alien's men marched on foot, intelligence of their coming was conveyed to Carthage, and the arms removed to some other place of concealment before their arrival. Whilst this was going on, Major Weber, going the rounds out side of the camp, discovered one of the anti-Mormon committee acting as a spy, lying upon a wall, looking into the camp, and tried to arrest him. Major Weber aimed to make the arrest without the taking of life, and instead of shooting, only struck at him with his pistol. This furnished a new pretext for the old trick of calling out the civil posse against us. Writs were sworn out, not only for the arrest of Major Weber, but also for Capt. Allen, for stopping some persons in the streets of Carthage, whilst searching for arms. These writs were intended to be made the foundation of another call for the posse, and for our expulsion from the county. The effort was made, but the mob party failed to enlist more than two hundred and fifty men. We had diminished ours, by discharges, to one hundred and twenty. But the mob hesitated to attack us without five or six times our number, and accordingly abandoned their design of making the arrests.

After staying in the county seventeen days, being in no danger except from secret assassins, having made diligent search for the five pieces of cannon and other arms belonging to the State, without success; and as our officers and men published in a handbill, on the ground, having forced the assassins and cut-throats there to endure the presence of the exiled citizens, the principal part of the force was disbanded. Major Jackson and Captain Connelly were left with fifty men to remain until the 15th of December, 1846, before which day the legislature was to assemble, and it was expected that the cold of the winter would by that time put an end to the anti-Mormon agitations. This expectation was realized. Nothing puts an end to the continued enterprises of a mob sooner than the cold of winter.

We did not think worth while to arrest any one for previous riots, knowing as we did that the State could not change the trial to any other county, and that no one could be convicted in Hancock. In fact, the anties made their boasts that as they were in the entire possession of the juries and all civil officers of the county, no jury could be obtained there to convict them. If Brockman or others had been arrested, no justice of the peace would have committed them for trial; if they had been committed, they would have been turned loose by the sheriff or the mob. And if they had chosen to stand their trial, they were certain not to be convicted. An effort to arrest and prosecute these men would have resulted only in another triumph of the mob over government. In fact, there was no way to punish them, as former trials had shown, except by martial law; and this course was utterly illegal. The governor believed that he could not declare martial law for the punishment of citizens without admitting that free government had failed; and assuming that despotism was necessary in its place. He believed that to proceed in such cases by martial law was to overturn the government, institute monarchy, and make himself a dictator. If he erred in this, if was an

error springing from attachment to the principles of civil liberty. Many were they who wondered that the governor did not do something to punish these men; and held him responsible just as if he actually possessed the power of government; just as if he possessed the power of appointing and removing all the civil and military officers in the disaffected region, who being independent of the governor, set up authority against authority; and just as if he had a standing army at command, or with his single arm could make the people put down the people. Let his administration be what it may in these difficulties, yet it illustrates the principle which most of all I desire to illustrate in this history; which is, that government is naturally forced to be a type of the people over whom it is instituted. The people are said to be the masters, and public officers the servants, and such is the fact; but with this fact let it be remembered that wherever the relation of master and servant exists, the proverb of "like master like man" will apply. If the people will have anarchy, there is no power short of despotism capable of forcing them to submission; and the despotism which naturally grows out of anarchy, can never be established by those who are elected to administer regular government. If the mob spirit is to continue, it must necessarily lead to despotism; but this despotism will be erected upon the ruins of government, and not spring out of it. It has been said that one great party in this country is secretly in favor of monarchy. If this were true, that party could not sooner or more effectually accomplish their purposes than to lend their aid in creating a necessity for it. Let them but encourage "every man to do that which seemeth good in his own eyes," and God will give them a king, as he gave one to the Jews for the harness of their hearts. This simple quotation from Scripture is a vivid description of anarchy; of that state of disorder, when men will consent to be slaves rather than without the protection of government; when men fly from the tyranny and misrule of the many-headed monster for protection to the despotism of one man. The giving of a king to the Jews is referred to as a special providence of God. But it is a fundamental law of man's nature from which he cannot escape, that despotism is obliged to grow out of general anarchy, as surely as a stone is obliged to fall to the earth when left unsupported in the air. Without any revealed special providence, but in accordance with this great law of man's nature, Cromwell rose out of the disorders of the English revolution; Charles the Second was restored to despotism by the anarchy which succeeded Cromwell; and Bonaparte came forth from the misrule of republican France. The people in all these cases attempted to govern; but in fact, did not. They were incapable of self-government; and by returning to despotism, admitted that they needed a master. Where the people are unfit for liberty; where they will not be free without violence, license and injustice to others; where they do not deserve to be free, nature itself will give them a master. No form of constitution can make them free and keep them so. On the contrary, a people who are fit for and deserve liberty, cannot be enslaved.

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