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Assassination

OF

JOSEPH AND HYRUM SMITH,

The Prophet and the Patriarch

OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.

ALSO

A Condensed History

OF THE

EXPULSION OF THE SAINTS FROM NAUVOO.

BY

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1855.



ASSASSINATION OF JOSEPH AND HYRUM SMITH.

Nauvoo City Charter—Expulsion of the Laws, Fosters, and Higbees from the Church—Establishment and Destruction of the "Nauvoo Expositor"—Apprehension of the Mayor, Marshal, and others of Nauvoo—The Prisoners examined at Nauvoo by Habeas Corpus and discharged—A Mob raised and assembled at Carthage and Warsaw, demanding Joseph Smith—Governor Ford applied to—The Nauvoo Legion called out—The Governor takes command of the Mob, and musters them into Service—Orders the Legion to be disbanded—Joseph and Hyrum Smith go to deliver themselves up at Carthage—An Order from the Governor meets them, and demands the State Arms of the Legion—Joseph returns, and the demand is complied with—Sets out again for Carthage—The Governor introduces Generals Joseph and Hyrum Smith to the Mob—Mutiny of the Carthage Greys—Joseph and Hyrum examined, and bailed out to appear at Circuit Court—Mittimus served on them—They are charged with Treason, confined in Jail, and forced to an illegal Examination—They send for Witnesses, and are remanded to Prison—Interview between the Governor and Joseph—The Governor pledges Protection, disbands the Mob, goes to Nauvoo, and addresses the Citizens—Assassination of Joseph and Hyrum.

Nauvoo, Illinois, October 30, 1844.

James Gordon Bennett, Esq., Editor of the *New York Herald*.

Dear Sir—Presuming somewhat upon your love of liberty, and freedom from all sectarian prejudices and superstition, I have the confidence to believe that you will give place in the *Herald* to the following narrative, which is a more particular relation of facts, as they occurred from time to time, relative to the imprisonment and murder of GENERAL JOSEPH SMITH, and GENERAL HYRUM SMITH his brother, as well as the immediate and also more remote causes of that murder, than has as yet been offered to the public. One reason why I deferred this communication to the present time was, the intense and deep feeling their death gave me, being a member of the same faith and order as they.

Many have been the versions of, and many the speculations upon, this unprecedented tragedy; and these are based upon unconnected documents, and ex parte editorial remarks founded in ignorance. I grant that the press has pretty generally condemned the murder, yet it has as generally condemned the Smiths, and considered them highly criminal, and worthy to be visited with the severest penalty of the law. Now it is to correct the public mind, with regard to the criminality of those men, and to rebut, with facts, the unjust aspersions heaped upon them, that I write.

I may, perhaps, be rather tedious in detail, but, if I am, you may depend upon what I say, as true. I have had an opportunity of understanding some of the more remote causes of this catastrophe, as they developed themselves from time to time; and also of those which immediately preceded and led to it.

In order to give a correct understanding of the whole subject, it is necessary, in the first place, to notice, that the State of Illinois granted Nauvoo a charter, and incorporated it a city. This charter is, in the main, what all other city charters are, and grants a regular municipality—a city council, which is the Legislative Department; a mayor and board of aldermen, which are the judicial department; and also a marshal, constables, and policemen, who are the ministerial department. These all hold their offices by virtue of provisions in the charter, and, consequently, have as much right to act in their sphere, as have the legislative assembly which granted the charter in theirs, or as the President of the United States has in his.

In the charter it was expressly granted, that the City Council might enact any laws for the convenience of the city, *provided* they did not come in contact with the *Constitution* of the State, or of the United States. It was also as expressly granted, that the said Council might determine what were nuisances, and have power to abate the same; and for this purpose they should have power to command the Legion, if necessary, to accomplish it. It was also expressly provided, that the writ of *Habeas Corpus* might be granted in all cases arising under any ordinance of the city. It was likewise granted that all the male citizens, subject to military duty, throughout the county, might form themselves into military companies, and compose what should be called the "Nauvoo Legion," with the privilege of electing their own officers, who should be commissioned by the State. The Legion was to be subject to the orders of the Governor in case of invasion, or when actual service was required.

Now by keeping in mind these several granted privileges, one will be fully prepared to understand all the illegal proceedings instituted against the prisoners, as I shall relate them. I say illegal proceedings, because I do know that the prisoners were illegally arrested, illegally imprisoned, and were undergoing an illegal examination, during which time they were illegally shot, by a lawless and infuriated mob. Yes, I say it *emphatically*, and the facts will bear me out in it, that they were *murdered*, and that too while they were *defenceless prisoners*—prisoners voluntarily, relying upon the plighted faith and honour of the State for their safety and protection, *because* there could be no legal conviction obtained against them. The sun, in his meridian splendour, is not more strikingly manifest than the certainty, that if the charges preferred against them could have been sustained, they would not have been murdered, for their lives would have been forfeited, and consequently the strong arm of the *law* would have removed them, and this would have saved their enemies from the sin of imbruing their hands in innocent blood. Who will stretch forth his hand to shed the blood of a fellow man to avenge some wrong, when the State has him in custody, and will herself avenge that wrong in a legal way? This, therefore, aside from any other evidence, most clearly proves their innocence.

But I will return from my seeming digression, to my narrative, and in doing so, I shall refer next, to the *apostacy* of some of the members of the Church during the early part of this year. I will correct myself by saying *expulsion*, instead of *apostacy*, for they were expelled from the Church before they openly apostatized from the faith. These were the Laws, the Fosters, and the Higbees. But of these, William Law was the most prominent; and he, as has since been brought to light, endeavoured, two years ago, to betray Joseph Smith into the hands of a band of Missourians, who were ready for the service, and awaited his movements; but in this, Law was foiled. At

length he came to an open rupture, and was promptly disfellowshipped, with the rest above named.

Finding that he had hitherto failed in accomplishing his wicked design of destroying the leader of the Church, he now determined upon another course, and that was, to establish a weekly journal, in which he was associated with six or seven others of the party already mentioned. This filthy sheet they called the *Nauvoo Expositor*. From its very title you have its object and design. One of their principal objects, unreservedly expressed in their prospectus, was the repeal of the City Charter. This would have been, not only an illegal and unjust proceeding by the legislature, but would have materially retarded the growth of, if not have destroyed, the place. This journal teemed with the foulest libelous attacks, in the form of affidavits, upon Joseph Smith and others, touching private character.

These attacks, coming in the shape that they did, if continued, would have foiled any attempt that might have been made in defence, unless a negative could have been proved in all cases, and an oath discredited. This would have required time and means, and of course could have created no speedy re-action in the public mind; and in the mean time there would have continued a constant stream of filth, falsehood, and misrepresentation from that vile print. This was well understood here, as well as were those wicked men; but not so abroad.

The City Council, therefore, at once determined that the establishment was a *nuisance*, and that it should be forthwith *abated*. It devolved consequently upon the mayor—Joseph Smith, to see the order of the City Council promptly executed. He accordingly ordered the City Marshal and the policemen, *as he was in duty bound to do*, to abate that declared nuisance. This they did in a quiet and peaceable manner, without opposition.

For this act, the proprietors of said office, *alias nuisance*, had the mayor, the marshal, and all the policemen apprehended on a warrant for a *riot*. This warrant was put into the hands of a hostile constable in Carthage, some twenty miles distant from Nauvoo. And he, to subserve the wishes of the mobbers, positively refused to return the prisoners to any other magistrate than one in Carthage. And there is the hot-bed of mobocracy, as the world by this time is aware, and as the sequel will show. The prisoners *did not refuse* to go before a magistrate for examination, as has been reported of them, but solicited the constable to return them anywhere else but in Carthage, and they would cheerfully comply, but without avail. *To Carthage they must go.*

It was at this crisis that the Municipal Court sued out the writ of *Habeas Corpus*, and had the prisoners brought before them for an investigation. This court promptly decided that there had been no riot committed, inasmuch as they were acting in the discharge of their duty, imposed upon them by the City Council through a solemn ordinance. The prisoners were of course discharged.

Now who, that has common sense, and is not a mobocrat, does not see that here this prosecution ought to have ended? Aye, who, that is not a fool, does not see that it should not have been begun? The only question that could have been fairly started, was not whether a riot had been committed, seeing the act was in obedience of some compulsory power (but when this question was raised, and prosecuted, and these facts were ascertained, there could be no further legal action on the case), but the question should have been, at first, or at any rate immediately after the proceedings above, whether the

City Council had any legal right to pass such an ordinance, or whether the Mayor's Court had any authority to issue the writ of *Habeas Corpus*. Either of these last questions would have involved the existence of the charter itself. And before a proper tribunal, it would most unquestionably have been decided, that we not only had a charter *nominally*, but an indefeasible right to exercise all the powers therein specified. But in this way there would have been a *quietus* put upon the whole matter, in a civil and peaceable way, and a legal one too. This was therefore the objection. These leading apostates did not wish to have a civil and amicable adjustment of whatever might seem to be wrong. They thirsted, like the beast of prey, for blood, and nothing short of that would satisfy them. And therefore, instead of taking the peaceable and quiet course suggested above, the cry was raised far and near, that Smith refused to subject himself to the law, in not going with the constable to Carthage. The writ of *Habeas Corpus*, and the action of the Municipal Court, they refused to recognise; and they sent runners, making flaming speeches, throughout Hancock and the neighbouring counties, to excite the people. In this way they succeeded in procuring several thousand volunteers, regularly officered in martial order, to put themselves under the direction of said constable as his *posse*, to again arrest Joseph Smith, in defiance of his liberation, or to *exterminate*, literally and utterly, the "Mormon" people, *man, woman, and child*, and then to lay Nauvoo in ashes. Such was their language in the *Warsaw Signal*, and in all their numerous meetings, until their forces had collected together. The idea of making the arrest spoken of, seemed gradually to wear away as their forces increased, and utter extermination seemed now uppermost in their thoughts, and expressed in all their movements. Volunteers from abroad were constantly invited, even from *Missouri*, by their corresponding committee, and by the *Warsaw Signal*. Neither were these calls in vain—they were promptly responded to, and a constant increase of the mob forces was the result.

But before I proceed further, I will mention one circumstance which I had like to have forgotten, and that is this—as soon as the *Expositor* was destroyed, some of the lawyers gave it as their opinion, that a press or public journal, whatever might be its character, could not be constitutionally destroyed as a nuisance; and that the *City Council* had become liable to damages. The mayor, therefore, immediately addressed the Governor a letter, informing him of what had transpired, with the reasons that led to it, and stated emphatically that if it should be ascertained that the *City Council* had transcended any legal bounds, they were ready and willing to make *all the satisfaction that the law required*. And lest this letter should not reach his Excellency, there was another written containing the same things, with the additional information that large forces were preparing to make a descent upon Nauvoo, to avenge the destruction of the *Expositor*. This last was borne by an express, despatched for that purpose. The Governor, however, missed both, being from home. Under these circumstances, critical in the extreme, it was thought advisable to call out the Nauvoo Legion, and put them under arms for our defence, until the Governor should have time to do something, in this trying emergency, in his official capacity. We knew it was his duty to take prompt measures to put down such uncalled-for and mobocratic movements, and we believed that he would do it.

The Legion soon swelled to between three and four thousand men, ready to defend their possessions and their city; but more especially, that which they held most dear of all earthly possessions—their wives and children, to say

nothing about their religion, the peculiarity of which was the primary cause of this invasion, as it had been of all others, up to that time. It was thought advisable that all passes to and from the city should be guarded, and policemen stationed at suitable distances upon the highways leading to the city, for the purpose of giving the alarm in case the enemy should suddenly appear. Suspicious-looking persons prowling through the streets were also made to give an account of themselves and comply with the ordinances of the city. Our enemies called this *martial law*. In consequence of our numbers and preparation, the mob took the precaution to remain in Carthage and Warsaw for still further reinforcements, determined not to desist until they had destroyed the "Mormons."

This was the condition of both parties when the Governor appeared in Carthage. His Excellency expressed a settled determination to have every matter legally investigated, and every wrong corrected. He made several addresses to the people, and stated to them that the law must have its course. These were his professions, and so far so good. But how far he carried them out, the sequel will show. One would naturally be led to inquire, what he did with this mighty army of men or mobbers, who had gathered from different counties, all armed and equipped for a regular campaign, with BRIGADIER-GENERAL DEMING at their head; also what they wanted, and by what authority they came there. In the palmy days of our boasted republic, it would not have been difficult to divine the course of the Executive of a State under such circumstances. The leaders of such a band would have been forthwith arrested for heading unlawful assemblies, whose declared determination it was to utterly exterminate a portion of their fellow citizens. And the multitude would have been very severely rebuked, and sent home, well satisfied that no worse thing had come upon them.

But was this the course of his Excellency? Verily *no!* But he *absolutely took command of the mob in person, mustered them into service*, and established his head-quarters in the insignificant little town of *Carthage*—that is, he placed himself at the head of a mob, and became their commander-in-chief. A thousand *groans* for Illinois! How hast thou fallen from thy proud eminence! Henceforth Missouri may retire from the gaze and scorn of the pure eyes of the goddess of liberty, that she may fix them upon thee. The perfidy, treachery, murder and bloodshed of that State, have found a covering in thee, for thy dark deeds have totally eclipsed hers. Thy Executive, instead of giving dignity to thee and to his station, by being at thy head, is seen marshalling an army of lawless mobocrats; and then, the more easily to secure thy prey, thou didst not hesitate to solemnly plight thy sacred honour; and then didst trample it under thy feet as a thing of naught, to shed innocent blood. Will I ever forgive thee? *Never, no NEVER.*

But to return from this digression, I will just ask you, kind reader, what you think this stickler for the *supremacy* of the law, this never-to-be-forgotten *peace-making* Governor, did, after placing himself at the head of this professedly exterminating band or army of mobbers. Why, inasmuch as *peace* was his object, he ordered the Nauvoo Legion, who stood in the *defence* of their own lives and the lives of their wives and children, and the rights, both civil and religious, guaranteed to them by the constitution and laws of the land, to be *disbanded*; and this, while they remained upon their *own ground*, and within the limits of the city corporation, while at the same time the belligerent army under his command were suffered to remain in a hostile attitude, and prowling all around our borders with impunity. Under these

exparte and suspicious movements, especially when it is remembered that self-defence is the first law of nature, who could have expected us not to stand in our own defence, Governor or no Governor, order or no order; for it is as unlawful for a Governor to crush a people to death, as for a mob to do it. Such a move was, in my opinion, evidently intended to make us disobey orders, that the charge of *treason* might be sustained against us. This was well understood by us. We knew it would only give new occasion to destroy us, we therefore determined to *obey orders*, and wrest the weapons from our enemy by obedience, and so we disbanded. This order (so far was the Governor from being satisfied with our unparalleled submission,) was now immediately followed by an order that the marshal and the policemen, who had abated the nuisance, together with the mayor, Joseph Smith, should appear before a magistrate in Carthage, according to the previous notice of said constable. Thus you see that even his Excellency was trampling under foot the privileges of the City Charter, the legislative power of the City Council, the Judiciary, *Habeas Corpus*, — powers and privileges granted by the General Assembly, and ratified by his predecessor. It was at this stage of the game, that he was heard to say (as it was told us by good authority), that “he would have Joe, or lay the city in ashes.”

It was now reduced to a demonstration that our enemies were determined that the law should not benefit us, and that nothing could be hoped for from the Governor. They had for a long time sought the life of the Prophet, and now it seemed as if they were determined to have it. There was but one alternative left, and that was to make his escape. He meditated doing so for a time, and had crossed over the river that he might deliberate on the course to pursue, whether to go away for a season or offer himself for his people. When he thought of going away, the certainty of the destruction of the city, together with the people whom he loved, and whom he had been the means of collecting from the four winds, would rise in his imagination before him, and reproach him with the calamity that his absence would bring upon them. Thus he mused within himself and with his brother Hyrum, and at length they both determined to return, and stand between the brethren and the rage of the mob. They now prepared to go to Carthage, and, on leaving, Joseph returned the second and third time, and at each time took an affectionate leave of his family. On his way out, he said, to the few of his friends who accompanied him, these remarkable words—“I am going like a lamb to the slaughter; but I am calm as a summer’s morning: I have a conscience void of offence towards God and towards all men. I shall die innocent, and it shall yet be said of me, He was murdered in cold blood.” Immediately after this, and while these voluntary martyrs were on their way, an order from the governor, who knew of their approach, met them, *demanding all the State arms* belonging to the Nauvoo Legion. It appears his Excellency feared that the Legion, although disbanded, might avenge any outrage that might be committed on the persons of their leaders, and so thought he had better disarm them, as he had already disbanded them. This order was also promptly obeyed, although the mob were suffered to retain their arms, even when within a half-day’s march of us, and in a threatening and hostile attitude; while the Legion had not evinced any disposition whatever, except to defend their city in case it should be invaded, and had not set a foot without the limits of the corporation. This last demand was so manifestly void of all good feeling, and so unjust withal, that it was thought advisable, by these devoted heroes, for Joseph Smith to return in person to Nauvoo, lest the officers and men, in their great

indignation, should treat such an arbitrary demand with contempt, and, perhaps, disobey it. He accordingly returned, and having accomplished the delivery of the public arms, he again set out, accompanied by his brother Hyrum, who never forsook him, for the head-quarters of mobocracy—Carthage, where they arrived late the same night, having travelled nearly the whole distance from Nauvoo to Carthage three times that day.

On the following morning the Governor's mobocratic troops were all paraded and formed in line for review. This done, his Excellency passed along their front, accompanied by Generals Joseph and Hyrum Smith, whom he introduced to the troops as military officers, calling them General Joseph and General Hyrum Smith. Whether he did this out of *respect* to his distinguished prisoners, or whether he did it to gratify the mob with a sight of their intended victims, can be pretty correctly inferred from the proceedings already related. But some of the troops doubtless misconstrued his Excellency's object, and thought he was doing these men, whom they regarded as criminals, too much honour, and therefore *mutinied*, and became exceedingly boisterous, and for a time it was feared that nothing could stay their hands from violence and bloodshed. The Governor, however, succeeded in pacifying them by making to them a speech, in which he promised them *full satisfaction*. But as this was made in public, he of course had to promise it through a lawful channel. These mutineers, I wish it distinctly remembered, were the "*Carthage Greys*." The prisoners, for so they were considered, delivered themselves into the hands of the constable, and they were brought before the magistrate for examination on the charge of *riot*. And after every effort was made on the part of the prosecution to prevent it, they, with some of the City Council and a number of policemen, who had also obeyed the warrant, succeeded in giving the required bail to answer to the charges preferred, before the next Circuit Court. It is worthy here to notice, that in case the charges could have been sustained at court, the prisoners could have been fined only at most in the sum of *two hundred dollars*; yet this *military* esquire absolutely demanded the sum of *five hundred dollars* for each man's recognizance, which was *two-and-a-half* times as much as the *penalty* of actual guilt. The prisoners being fifteen in number, the court hoped that the required sum could not be vouched for by those present, and that they must consequently be committed to jail. But there was strength enough at hand, and a sufficiency of unquestionable bail, notwithstanding the unparalleled amount, was instantly forthcoming, and the prisoners were once more free men. But liberty was not for them; for in less than half-an-hour, there was a *mittimus* served on Joseph and Hyrum Smith, against whom the spite of the mob was always directed. In this *mittimus*, the constable was ordered to confine them in jail.

But I am a little before my story. I should have said that on the morning of the arrival of the Smiths in Carthage, to answer for a charge of riot, they were both apprehended on the charge of *Treason*. But the case on the charge of riot came on first, and terminated as stated above; and the prisoners had not, as yet, been brought before the justice, in the case of treason, for examination. He could not, therefore, *legally* imprison them; but he was captain of the *mutinous* "*Carthage Greys*," as well as justice of the peace, and of course things had to go according to his liking. So notwithstanding the protests of Mr. Smith's counsel, of illegality, he had them dragged to jail by a company of armed men, detailed for the purpose; and although the Governor had previously *pledged his honour, and the honour of the State*, in case the Smiths should deliver themselves up, that they should be protected from illegal

violence, and that the law only was sought to be enforced. This pledge he frequently repeated; yet when they had confided in the strong assurances of his Excellency, and had submitted to, and were willing to abide, the law of the land, and while being illegally ordered to be imprisoned by this military magistrate, they appealed in vain, again and again, to the Governor himself, reminding him of his pledges, to arrest that order from being executed. His Excellency pleaded that he had no authority to stay civil process, or the due course of law; that the prisoners were in the hands of the civil authorities, and that he could not interrupt a civil officer in the discharge of his duty. But what are the facts? A justice of the peace, acting as a military officer also, by virtue of his commission as such, orders his command to appear under arms, and to safely incarcerate the prisoners, whom he had just before ordered the constable to commit to jail by *mittimus ere they had been brought before him for examination*; and the Governor, having been himself, at one time, a judge upon the bench, knew and well understood the illegality of the above proceedings; he also well knew that military power and authority were used; and yet he, acting at that time as *Commander-in-Chief*, in a military point of view, which gave him all the supervision over all his officers, and, in fact, made him responsible for all their acts and movements, refused to interfere, or to countermand the order—the illegal, oppressive, and unofficer-like order, of one of his captains. But again, having taken the oath of office, he was, by virtue of that oath, bound to see the laws *faithfully executed*, and not violated and trodden under foot, and that right in his presence, and at a time, too, when he had the *bone and sinew* of the State, over which he then presided, collected together *for the express purpose*, professedly, at least, of enforcing the law, magnifying it, and making it honourable. I would here stop to inquire, whether his Excellency did not render himself liable to be court-martialed and *cashiered* for unofficer-like conduct; and also to *impeachment*, for a neglect and violation of his oath of office, as the chief magistrate of a great State? I give the affirmative as my deliberate opinion in both specifications.

But the prisoners being committed, and as the *mittimus* recited, “until discharged by due course of law,” the magistrate had no further jurisdiction over them. They ought, therefore, to have remained there until the session of the next Court, or have been brought out by *Habeas Corpus*. On the next day, however, the esquire ordered the constable to bring them before him into the Court-house for examination. The *legal objections* were now made by them and their counsel, and they refused to go; but there was a way to make them. He had a curious and convenient coat or badge of office, which, by a sudden transition, assumed the *military or civil form at will*—now *civil*, now *military*; and in this last, he ordered his “b’hoys,” the “*Greys*,” to assist the constable and bring them. This done, the prisoners required time to procure the necessary witnesses, and prepare for the examination. This was with great difficulty obtained. The day was already far spent, say five o’clock, p.m., and time was only given till *twelve* the next day, in which to write out some thirty or more *subpœnas*, and then to send them, say twenty miles, to Nauvoo and other places, and serve them on that number of scattered witnesses, and have them in court. And now the defendants were remanded to prison. (This is only one instance of a constant scene of oppression to which these men have ever been exposed.)

It was not until during this imprisonment that the Governor redeemed his oft-repeated promise to give General Smith a personal interview. He accord-

ingly made his appearance with a friend of his on the first day of their incarceration, when the General, like Paul, had the privilege of answering for himself. He adverted to all the leading causes which gave rise to the difficulties under consideration, in a brief, but lucid, energetic, and impressive manner. The Governor felt that what was said was *true*. General Smith read copies of all the orders and proceedings of the City Council of Nauvoo concerning the destruction of the *Expositor*, and of the correspondence forwarded to his Excellency in relation thereto; and also informed him concerning the call of the Legion, and the position they occupied of *absolute necessity*—not to make war upon or invade the rights of any portion of the State, but as the *last resort*, and *only defence, in the absence of executive protection*, against a large organized military and mobocratic foe. The General reminded his Excellency that the question in dispute was a *civil* matter, and to settle which, needed no resort to arms; and that he was ready *at any time*, and had always been, to answer to any charge in the premises, that might be preferred against him, either as Mayor of the city, or as a private individual, in any court of justice, unintimidated by a mob or military array; *and make all the satisfaction that the law required, if any, &c.* The Governor said he had not called out this force, but found it assembled in military order, on his arrival at that place; and that the law *must be enforced*, but that the prisoners must and should be protected; and that he again *pledged his word, and the faith and honour of the State*, that they should be. He also stated that he intended to march his troops (that is, those who had assembled for mobocratic purposes, and whom he had mustered into service) into Nauvoo, to gratify them, and that the prisoners should accompany them, and then return again to attend the trial before the said magistrate, which he said had been postponed for the purpose of making this visit.

Afterwards, however, his Excellency called a council, of *war*, I suppose, where it was determined to change the order of the day. The troops were now all to be disbanded, excepting two companies. At the head of the one which was from McDonnough County, he marched into Nauvoo; while he had detailed the other, the mutinous "*Carthage Greys*," to guard and protect the prisoners whom he left in the jail, in direct violation of the pledges he had made to them on the previous day. All the other troops were disbanded and ordered home, while there yet remained also a body of several hundred men, eight or ten miles out, apparently under the control of no one, except Col. Williams, a sworn enemy, who, it is well known, had on more occasions than one, not only threatened Nauvoo with destruction, but the Prophet with death. This was the condition of things on the morning of the 27th June, *the day on which was acted the most unheard of and unprecedented tragedy that, in my opinion, can be found on record. JOSEPH and HYRUM, the Prophet and Patriarch, were that day slain by wicked hands, while immured in prison.* And thus was shed, on that memorable day, the best blood, and the noblest too, of the *nineteenth century*.

Great God! what a sudden stroke in thy Providence was that? Was there no way in thine Omnipotence to avert it? Or was it requisite for these thy faithful servants, who loved their brethren as they did themselves, *even unto death*, to lay down their lives and seal their testimony with their blood? Victims they indeed were to rage, but *wo* to the man who participated therein.

In reviewing the proceedings and movements of this *chieftain*, his Excellency Governor Thomas Ford, as impartially as the nature of the case will admit

of, it is difficult to conjecture how he could have played a card better to suit the mob than he did. He said he had received an expression of all the troops, and a promise that they would stand by him to see the laws faithfully executed. But what of all that? They were still a mob, *and now without a head*, resolved into its *very worst form*—that of disorganization.

It cannot be pleaded, in extenuation, that his Excellency ordered the troops to return to their homes, because the only way to have accomplished this was to have *marched* them home, under the command of their respective officers, *before* they were disbanded. And this he did not do; on the contrary, he disbanded companies of men from various counties, all at the same time and in the same place; over whom, *from that very circumstance*, he could have no further control, even if he had desired it; for they had, by his act, become free men, and, as citizens of Illinois, *had a right to remain* or go home at pleasure, his wishes or orders to the contrary notwithstanding. But not only so, for if he had found it necessary, in case of some emergency, to call a *posse* to his aid, he could not have *commanded* their services without first making a call upon some of their colonels or other officers *in their respective military districts*.

But again, instead of remaining upon the ground to see that his orders were complied with, he forthwith put himself at the head of a company, I suppose as a body guard, and took up a line of march for Nauvoo, where he took occasion, after calling the multitude together, to insult them in a speech of some twenty minutes, in a most gross and ignominious manner, unbecoming any public functionary, charging them with movements, acts, and inconsistencies, which were utterly untrue, and never existed, only in the foul throats of our most inveterate traducers, who had the adroitness to ingratiate themselves into his good graces, and prejudice him against us. While these things were going on, much to his satisfaction, the prisoners in jail were left to be guarded ostensibly, by the before-mentioned "Carthage Greys," who, only two days before, came near committing murder, as well as mutiny, right in his presence; and of those, *only eight men* were detailed to stand guard at a time, at the jail, while the rest remained in camp on the public square, one quarter of a mile off. Thus were these intended victims, instead of being protected, left at that momentous crisis, with but two of their friends with them, to wit: Elders Willard Richards and John Taylor, of the Quorum of the Twelve. The writer of this was permitted to enter the prison with them as a friend, and remained with them until he was sent to Nauvoo, only several hours previous to the fatal catastrophe, to aid in forwarding witnesses. And Colonel Markham, who had also remained with them, was run out of town the same day, before the bayonets of a promiscuous crowd, who threatened his life, while making a few little purchases for the prisoners. And, as might have been expected, a little after five o'clock in the evening, *at the very time* that his Excellency was insulting the peaceable citizens of Nauvoo, a body of about one hundred and fifty armed men, with painted faces, appeared before the jail, unobserved by the inmates, and without opposition from any quarter. The guard at the door, it is said, elevated their firelocks at the approach of these men in disguise, and, boisterously threatening them, discharged them over their heads. The crowd by this time had encircled the building: some shoved the guard from their post; rushed up the flight of stairs to the prisoners' apartment, which for that day was in an upper open room; broke open the door, and began the work of death, while others fired in through the open windows. Dr. Richards, with Colonel Markham's heavy walking-

stick, defended the door, knocking down, and to one side, the muzzles of the assailants' guns, as they fired into the room; and, strange to say, notwithstanding his exposed condition, he remained entirely unhurt. The first shot, however, that was made, was through the door, before it was opened, at their first approach; this was the fatal ball that killed Hyrum. It pierced his face a little below the eye. As he fell he exclaimed, "*I am a dead man.*" These were his only and last words. He was afterwards, while down, pierced with a number of other balls in various parts of his body. Joseph had taken position on one side of the door, and, with his left hand, discharged three rounds from a revolving six-shooting pocket pistol (which had been handed him by Elder C. H. Wheelock, but who was also sent away on business by them), and at each fire wounded his man; the other three caps did not go off. Elder Taylor was by this time also thought to have been killed, as he lay bleeding from many wounds. The Prophet, now finding himself without any means of defence, his brother being dead, and himself the only survivor whose life was sought for, attempted to make his escape through the nearest window. A number of balls penetrated his body, however, while making this attempt; and in his last moments he did not forget *Him whose servant he was, and for whose cause he was about to lay down his life.* How very like were his last words to the dying words of the Saviour—"My God, my God! why hast thou forsaken me?" Joseph had only time to exclaim, "*O Lord, my God!*" and fell out of the building into the hands of his MURDERERS.

As an appropriate conclusion, I quote from the *Times and Seasons*, Vol. v., No. 12, p. 575, the following

LINES BY MISS ELIZA R. SNOW.

"And when he had opened the fifth seal, I saw under the altar the souls of them that were slain for the word of God, and for the testimony which they held:

"And they cried with a loud voice, saying, How long, O Lord, holy and true, dost thou not judge and avenge our blood on them that dwell on the earth?"

"And white robes were given unto every one of them; and it was said unto them, that they should rest yet for a little season, until their fellow servants also and their brethren, that should be killed as they were, should be fulfilled."—*Rev. vi. 9, 10, 11.*

Ye heavens, attend, let all the earth give ear!
 Let Gods and seraphs, men and angels hear!
 The worlds on high—the universe shall know
 What awful scenes are acted here below!
 Had Nature's self a heart, her heart would bleed;
 For never, since the Son of God was slain,
 Has blood so noble flow'd from human vein,
 As that which now on God for vengeance calls
 From "Freedom's ground"—from Carthage prison walls!

O! Illinois! thy soil has drunk the blood
 Of Prophets, martyr'd for the truth of God!
 Once lov'd America! what can atone
 For the pure blood of innocence thou 'st sown?
 Were all thy streams in teary torrents shed,
 To mourn the fate of those illustrious dead,
 How vain the tribute for the noblest worth
 That grac'd thy surface, O degraded earth!

O, wretched murderers! fierce for human blood!
 You've slain the Prophets of the living God,
 Who've borne oppression from their early youth
 To plant on earth the principles of Truth.
 Shades of our patriotic fathers! Can it be,
 Beneath your blood-stain'd flag of liberty;
 The firm supporters of our country's cause,
 Are butcher'd while submissive to her laws?

Yes, blameless men, defam'd by hellish lies,
 Have thus been offer'd for a sacrifice,
 T'appease the ragings of a brutish clan,
 That has defied the laws of God and man!
 'Twas not for crime or guilt of theirs, they fell—
 Against the laws they never did rebel.
 True to their country, yet her plighted faith
 Has prov'd an instrument of cruel death!

Where are thy far-fam'd laws, Columbia! where
 Thy boasted freedom, thy protecting care?
 Is this a land of rights? Stern FACTS shall say,
 If legal justice here maintains its sway,
 The official powers of State are sheer pretence,
 When they're exerted in the Saints' defence.

Great men have fall'n and mighty men have died,
 Nations have mourn'd their favorites and their pride;
 But two, so wise, so virtuous, great, and good,
 Before on earth, *at once*, have never stood
 Since the Creation—men whom God ordain'd
 To publish truth where error long had reign'd;
 Of whom the world, itself unworthy prov'd:
 IT KNEW THEM NOT; but men with hatred mov'd
 And with infernal spirits have combin'd
 Against the best, the noblest of mankind!

O, persecution! shall thy purple hand
 Spread utter destruction throughout all the land?
 Shall freedom's banner be no more unfurl'd?
 Has peace indeed, been taken from the world?
 Thou God of Jacob, in this trying hour
 Help us to trust in thy Almighty power;
 Support thy Saints beneath this awful stroke—
 Make bare thine arm to break oppression's yoke.
 We mourn thy Prophet, from whose lips have flow'd
 The words of life, thy spirit has bestow'd—
 A depth of thought no human heart could reach,
 From time to time roll'd, in sublimest speech,
 From the Celestial fountain, through his mind,
 To purify and elevate mankind:
 The rich intelligence by him brought forth,
 Is like the sunbeam, spreading o'er the earth.

Now Zion mourns—she mourns an earthly head!
 THE PROPHET *and the PATRIARCH are dead!*
 The blackest deed that men or devils know,
 Since Calv'ry's scene, has laid the brothers low!
 One in their life, and one in death, they prov'd
 How strong their friendship—how they truly lov'd.
 True to their mission, until death they stood,
 Then seal'd their testimony with their blood.
 All hearts with sorrow bleed, and ev'ry eye
 Is bath'd in tears—each bosom heaves a sigh—
 Heart-broken widows' agonizing groans
 Are mingl'd with the helpless orphan's moans!

Ye Saints, be still, and know that God is just—
 With steadfast purpose in His promise trust;
 Girded with sackcloth, own His mighty hand,
 And wait His judgments on this guilty land!
 The noble martyrs now have gone to move
 The cause of Zion in the courts above.

I am, Sir,

Yours respectfully,

JOHN S. FULLMER.

EXPULSION OF THE SAINTS FROM NAUVOO.

Disturbances at Morley Settlement—Meeting of Anti-Mormons—Destruction of Property—Sheriff Bachenstos Apprehended and Tried for Murder—Propositions of the First Presidency to leave Nauvoo—Evacuation of the City commenced—Warlike Resolutions of Quincy and Carthage Conventions—Major Warren and Posse sent to Nauvoo to keep Peace—His Posse disbanded and re-mustered—His Proclamation to the Citizens of Hancock—Golden's Point Expedition—Breaking up of the same—Resignation of the Mob Military Committee—A Party of Harvest-men whipped and robbed by the Mob—The Offenders brought to Nauvoo, removed by Habeas Corpus to Quincy, and bailed out—P. H. Young, B. H. Young, R. Ballantyne, &c., kidnapped—They escape—Warrant for W. Pickett—Deputation of Nauvoo New Citizens to Governor Ford—Major Parker sent to Nauvoo—His Proclamation—Proclamation of Nine Mob Leaders—Colonel Singleton to Major Parker—Treaty for Removal of the Saints—The Mob refuse to stand by it—Colonel Singleton and Major Parker return Home—Rev. T. Brockman commands the Mob as General—Propositions of Carlin and Brockman—Mob take Position near Nauvoo—Nauvooites defend themselves—Messrs. Flood, Wood, Conyers, and Rice visit the Mob—The Mob fire on the Nauvooites, move Position, demand Unconditional Surrender, which is denied—Battle—Death of the two Andersons—The Mob retreat—Treaty to Surrender the City and leave the State.

It is an undeniable and a self-evident fact, that the great combined movements, first against the founders of Nauvoo, and subsequently against the city itself, were not prompted by a desire to *enforce the laws*, and correct whatever abuses might have existed, or that the mob fancied might have existed, in the execution of them; but by a settled determination to break up the religious and political organization of the Latter-day Saints, or exterminate them from the earth.

The death of the Prophet, which occurred some fifteen months previous to the Expulsion, did not produce the results contemplated. It was hoped and expected that if the leader—this *anomaly* as he was looked upon—were removed, his society would of necessity crumble to atoms. This, however, was not the case. It was cemented by a greater power than that of man, and it stood, like the sturdy oak in the storm, unmoved.

Having failed in the great object for which so many had imbrued their hands in human gore; and seeing that another competent and mighty chieftain was found to lead this great people, whose prosperity under the auspices and guidance of their new leader, President Brigham Young, seemed equal to anything they had experienced during any former period; as soon as the shock and general sensation, created by the murder of such distinguished prisoners [the Smiths] had in a manner subsided; our enemies, still determined on revenge, found that instruments of mobocracy, in the shape of leaders, were not wanting. These began to devise plans and adopt means by which

crusade could be brought to bear upon the whole society; for it had become a *sine qua non* with them, that it must be broken up in some way.

To prove the truth of my position, I will refer the reader to an editorial of S. M. Bartlett, Esq., editor of the *Quincy Whig*, and published in that paper dated Wednesday, 17th September, 1845. In this article we have a fine specimen of mobocracy, *not by the "Mormons,"* but by the *people*, upon a peaceable community minding their own business; and yet the editor heads his remarks, to throw odium on the Saints—"MORMON DISTURBANCES." It gives the origin of the difficulties which ended in the reduction of Nauvoo, and the exile of her citizens. Mr. Bartlett said—

We have some particulars of Mormon disturbances in the northern part of this county, in Lima Precinct, known as the "Morley Settlement." Our particulars are not very full, and we give them as they come to us. It seems the Anti-Mormons in the settlement, determined to hold a meeting, and devise some means of ridding that section of thieves, believed to infest it. The meeting was accordingly held, and during its deliberations—as the story goes—a gun or guns were fired against or in the house in which it was held. These guns, it is alleged by the Anti-Mormons, were fired by the Mormons. The consequence was, that the whole settlement took fire at once. Great exasperation prevailed against the brethren of Nauvoo, and in public meeting it was resolved to *expel* the obnoxious lovers of other people's pork, beef, honey, horses, &c., from the borders of Adams County. Last Thursday evening, we believe, was selected by the Anties for the commencement of their operations, and we understand they did assemble, and actually proceeded to extremities so far as destroying several Mormon houses, and committing other depredations upon their property. In these assemblages the people were armed, and manifested a most determined spirit to carry into execution their threats against the Nauvooites.

Such incidents as these are multiplying every day, to show that the Mormons, with their bigoted, selfish, illiberal notions, cannot live in quiet with ordinary people—and it is not difficult to foretell what these differences will eventually result in.

P.S.—We learn the depredations of the Anti-Mormons were more extensive than were generally supposed. Something like twenty houses were burned down, and the families compelled to take refuge in the bushes. Thursday night must have been a severe one to the women and children, who were compelled to lie out; as it rained nearly the whole night.

It appears, by this extract, that the Anti-Mormons held a meeting to "*devise some means* of ridding that section of thieves, believed to infest it."

It seems that the people, or some of them, *believed* that there were thieves infesting a certain section of the county; that is to say, they *thought* so; they did not say they *knew* it to be so, and of course they could not say who the thieves were, if there really were any; they could not and did not say but what some vile persons might have stolen, on the credit of the "Mormons." This might easily have been so, as it proved to be on several occasions elsewhere.

Again—"A gun or guns were fired against or in the house in which the meeting was held." Now it seems the Anti-Mormons did not know whether one gun or more than one was fired; neither whether it was fired *against* or *into* the house. It follows, that they could not tell *what* it was fired at, and as we are not told at what distance from the house the gun was fired, and knowing that the American rifle can be heard at a considerable distance, it is not unreasonable to suppose that some person may have fired at a target or some small game somewhere in the vicinity of this excitable meeting, and that such characters as were assembled there, were not slow in availing themselves of such an incident, to make an excuse for proceeding to extremities against the "Mormons." But it remained yet to be proved that, if any gun was fired, at or into the house, it was not fired by some one of their own party to excite the rest.

Again, "It was resolved to *expel* the obnoxious lovers of other people's beef, pork," &c. This, then, was the "*means devised*" to rid that section of the "Mormons," who were *believed* to be thieves, but not proved to be such; and chronicling events in pursuance of the above resolutions, the editor acknowledges the burning of many houses, and depredations upon other property, "in execution of their threats against the Nauvooites," and says—"Such incidents as these are multiplying every day, to show that the Mormons, with their bigoted, selfish, illiberal notions, cannot live in quiet with ordinary people." Now in this quotation, if there is any sense in it, the editor means to say that the Saints are so bigoted, selfish, and illiberal, that the ordinary people must and do burn the Saints' houses and destroy their property, "every day," to show that we "cannot [or shall not?] live in quiet" with them.

Now whether the "Mormons" or their persecutors were the disturbers of the peace and the violators of the law, can be easily gathered from the above; all goes to prove that the Saints violated no law; for in the law is ample redress for all grievances, except for "*bigotry, selfishness, and illiberal notions*;" and because we were accused of these, by a people who disregarded the rights of man, the laws of God and their country, and were deaf to the cries of plundered and defenceless women and children, does it *prove* us to have been so? and does it justify them in violating the laws of God and man? But on this point I will call the attention of the reader to a *postscript* of Sheriff Backenstos's second proclamation, to wit—

16th Sept., 1845, half-past 2 o'clock.

P. S.—It is proper to state that the Mormon community have acted with more than ordinary forbearance, remaining perfectly quiet, and offering no resistance when their dwellings, other buildings, stacks of grain, &c., were set on fire in their presence, and they have forborne until forbearance is no longer a virtue.

(Signed,)

J. B. BACKENSTOS,
Sheriff of Hancock County, Illinois.

Let the editor of the *Quincy Whig* also, who has not yet lost all sense of propriety and feeling, speak—

Seriously, these outrages should be put a stop to at once; if the Mormons have been guilty of crime, why punish them, but do not visit their sins upon defenceless women and children. This is as bad as the savages. It was further stated that a reinforcement was expected from Nauvoo to protect the Mormons at "Morley's;" and that the Anties were concentrating their forces to give them battle. It is feared that this rising against the Mormons is not confined to the "Morley settlement," but that there is an understanding among the Anties, in the northern part of this and Hancock County, to make a general sweep, burning and destroying the property of the Mormons, wherever it can be found. If this is the case, there will be employment for the Executive of the State, and that soon.

We learn that, on Sunday last, a company of twenty-five men, commanded by Senator Davis, of Hancock, left Warsaw for the scene of difficulty, with the design of aiding the Anti-Mormons. Captain Dunn, of Augusta, is at the head of a large force of Anti-Mormons, and the Sheriff of Hancock, rumour has it, is about to march to the same point to apprehend the Anti-Mormons. A breeze may be expected if these elements of opposition meet in force, and that a serious one. Some of the Mormon families, who were dispossessed of their dwellings at Lima, have taken refuge in this city.

It is plain to be seen that the Mormon difficulties are just commencing. All that has gone before will not be a priming to that which is to come. The difficulties will never cease, so long as the disturbing cause remains in the country.

STILL LATER.—News from above was received late on Monday night. The out-

rages were still continued. The flouring mill, carding machine, &c., of Norman Buel, a Mormon, one mile and a-half west of Lima, is now a heap of ashes.

Colonel Levi Williams, of Green Plains, has ordered out his brigade, it is said, to aid the Anti-Mormons. The Anti-Mormons from Schuyler, and the adjoining counties, are flocking in, and great distress of *life and property* may be expected. HEAVEN only knows where these proceedings will end. *It is time the strong arm of power was extended to quell them.*

It is worthy of notice, that this same editor, just two weeks after the above was written, calling for the execution of the laws, instead of *lawless savage violence*, held the following language—

It is a settled thing that the public sentiment of the State is against the Mormons, and it will be in vain for them to contend against it; and to prevent bloodshed and the sacrifice of so many lives on both sides, *it is their duty to obey the public will, and leave the State as speedily as possible.* That they will do this, we have a confident hope, and that, too, *before the last extreme is resorted to—THAT OF FORCE.*

What can be expected of the people—the masses—when *the press*, the bulwark of liberty, is silenced or *bought up*, and thus openly advocates the violation of the constitution and the laws?

It was about this time, when the active and spirited sheriff, J. B. Backenstos, at the head of his *posse*, was making head against the incendiary forces who were rapidly increasing by voluntary acquisitions from neighbouring counties, that General J. J. Hardin, a governmental officer, commissioned by the Executive of the State, interposed, and thereby covered the lawless acts and the retreat of the mob, and had the sheriff apprehended and tried for *murder*, because of the deaths of several persons during his attempts to restore order in the county, in his official capacity.

By a reference to No. 12, Vol. VI., of the *Latter-day Saints' Millennium Star*, the sheriff's proclamations from one to five, inclusive, can be seen. These are of great interest, but too lengthy to insert here.

We will now give the proposition of the Presidency of the Church to leave the State, under certain conditions—

Nauvoo, September 24, 1845.

Whereas, a council of the authorities of the Church of Jesus Christ of Latter-day Saints, at Nauvoo, have this day received a communication from Messrs Henry Asbury, John P. Robins, Albert J. Pearson, P. A. Goodwin, J. N. Ralsten, M. Rogers, and E. Conyers, committee of the citizens of Quincy, requesting us to “communicate in writing” our disposition and intention at this time, particularly with regard to removing to some place where the peculiar organization of our Church will not be likely to engender so much strife and contention that so unhappily exists at this time, in Hancock and some of the adjoining counties.

And, whereas, the said Committee have reported to us the doings of a public meeting of the citizens of Quincy, on the 22nd instant, by which it appears there are some feelings in that place concerning us, as a people, and in relation to which sundry resolutions were passed, purporting to be for the purpose of maintaining or restoring peace to the country.

And, whereas, it is our desire, and ever has been, to live in peace with all men, so far as we can, without sacrificing the right of worshipping God according to the dictates of our own consciences, which privilege is guaranteed to us by the constitution of the United States.

And, whereas, we have, time and again and again, been driven from our peaceful homes, and our women and children been obliged to exist on the prairies, in the forests, on the roads, and in tents, in the dead of winter, suffering all manner of hardships, even to death itself, as the people of Quincy well know: the remembrance of whose hospitality, in former days, still causes our hearts to burn with joy, and to raise the prayer to Heaven for blessings on their heads.

And, whereas, it is now so late in the season that it is impossible for us, as a people, to remove this fall, without causing a repetition of like sufferings.

And, whereas, it has been represented to us from other sources than those named, and even in some communications from the Executive of this State, that many of the citizens of the State were unfriendly to our views and principles.

And, whereas, many scores of our houses in this county have been burned to ashes, without any justifiable cause or provocation, and we have made no resistance till compelled by the authorities of the county so to do, and that authority not connected with our Church.

And, whereas, said resistance to mobocracy, from the legally constituted authorities, appears to be misunderstood by some, and misconstrued by others, so as to produce an undue excitement in the public mind.

And, whereas, we desire peace above all other earthly blessings.

Therefore, we say to the committee above-mentioned, and to the Governor, and all the authorities and people of Illinois and the surrounding States and Territories that we propose to leave this county next spring, for some point so remote that there will not need to be a difficulty with the people and ourselves, provided certain propositions necessary for the accomplishment of our removal, shall be observed as follows, to wit :

That the citizens of this and the surrounding counties, and all men, will use their influence and exertions to help us to sell or rent our properties, so as to get means enough that we can help the widow, the fatherless, and destitute, to remove with us.

That all men will let us alone with their vexatious lawsuits, so that we may have the time, for we have broken no law, and help us to cash, dry goods, groceries, good oxen, milch cows, beef, cattle, sheep, wagons, mules, harness, horses, &c., in exchange for our property, at a fair price, and deeds given on payment, that we may have the means to accomplish a removal, without the suffering of the destitute, to an extent beyond the endurance of human nature.

That all exchanges of property to be conducted by a committee or committees of both parties, so that all business may be transacted honourably and speedily.

That we will use all lawful means, in connexion with others, to preserve the public peace while we tarry, and shall expect decidedly that we be no more molested with house burning, or any other depredations, to waste our property and time and hinder our business.

That it is a mistaken idea that we "*have proposed* to remove in six months," for that would be so early in the spring, that grass might not grow nor water run, both of which would be necessary for our removal, but we propose to use our influence to have no more seed time nor harvest among our people in this county after gathering our present crops. And that all communications be made to us in writing. By order of the Council.

BRIGHAM YOUNG, President.

WILLARD RICHARDS, Clerk.

In consequence of the arrangements for the Saints to leave the State according to these stipulations, quiet was for a time again restored, pending the execution of the strict letter of the terms in them on our part, irrespective of a strict compliance on the part of our enemies.

It will be seen that they were to "use their *influence* and *exertions*, to help us to sell or rent our property, so as to get means," &c. These propositions, General Hardin says, he was informed, by the delegates from nine counties, were accepted. But were they observed? No, anything else rather. The delegates pledged for the people; the people therefore could not violate the pledge, without forfeiting all claim that the agreement gave them; but instead of using their influence and exertions to help us to sell, it was notorious that they did all in their power to *depreciate* our property, and even ran away purchasers, that property might be reduced to a merely *nominal* value, or be left unsold, so that the tax law would claim it.

Owing to vexatious prosecutions contrary to the settlement of the parties,

the evacuation of Nauvoo was begun several months earlier than was contemplated. Several thousands started in February, 1846, the most inclement portion of the year, and camp after camp followed in quick succession all the spring following. But with the approach of summer, purchasers became scarcer, and trade slackened; which, with the reduced number of persons to emigrate, caused a very perceptible abatement in the weekly departures. This, coupled with the fact of a swelling population of new citizens, gave the city an appearance, as to numbers, which the old citizens of the county did not anticipate. It would seem they had formed the idea that when the "Mormons" were gone, not a living soul would be seen, and that nothing short of this would satisfy them.

But to get a better understanding of their system of operations, I will go back and refer to several *resolutions* adopted by a meeting which was called in the town of Quincy, in Adams County, in September, 1845, relative to the propositions made by the "Mormons" to leave the State: for it must be understood that as many as *nine counties* made common cause in this matter—

Resolved: That we accept, and recommend to the people of the surrounding counties to accept, the proposition made by the Mormons to remove from the State next spring, &c.

Resolved: That it is now too late to attempt the settlement of the difficulties in Hancock County upon any other basis than that of the removal of the Mormons from the State.

Resolved: *And if they shall not comply with their own proposition, the consequences must rest upon them who violate faith. And we now solemnly pledge ourselves to be ready at the appointed time, to act as the occasion may require.* AND THAT WE WILL IMMEDIATELY ADOPT A PRELIMINARY MILITARY ORGANIZATION FOR PROMPT FUTURE ACTION IF OCCASION SHOULD DEMAND.

Resolved: That a committee of five be appointed for the purpose of adopting and carrying into operation volunteer military organizations for Adams County. And said committee are hereby authorized to do all things lawful, necessary, and proper, for the purpose of preparing such a force, without delay, to be used to preserve the peace of this and the adjoining counties.

Listen, will you? "*To preserve the peace of the adjoining counties.*"

It appears from the proceedings of this meeting that A. WILLIAMS, Esq., presided, and that the following *members of the bar* were present, and largely participated, to wit — HENRY ASBURY, J. N. MORRIS, A. JOHNSTON, J. N. RALSTON, J. P. ROBBINS, C. A. WARREN, J. H. HOLTON, O. H. BROWNING, A. JONAS, GEORGE C. DIXON, and C. M. WOODS. And Mr. Bartlett, the editor, says that "*but one spirit—one mind—seemed to prevail on the occasion; and that was the removal of the Mormons from the State; peaceably, if possible; BUT LEAVE THEM MUST;*" and, "these resolutions were finally adopted by a unanimous vote."

One unacquainted with the facts would be led to suppose, that not even a territorial organization, civil or military, had yet taken place; and that, consequently, the above were the first efforts at establishing authority of any kind for the public good. Few would suppose that such proceedings could take place, publicly, and be facilitated by means of the public press, in one of the great Federal States of the Union, every nook and corner of which is under the direct supervision of both a civil and military organization, according to the constitution and laws thereof. *Comment is unnecessary.* It is clear, when such proceedings are tolerated by a Sovereign State—proceedings revolutionary in every respect; in which not the rabble and the

masses only, but dignitaries—officers, civil and military, and conspicuous members of the bar, participate, yet all under a solemn oath of office to support the constitution and laws of their country, that the Executive Officer himself, and the State at large, have with one consent become a lawless, mobocratic, and perjured community; that the constitution and laws have become a dead letter; and that liberty, property, and life have no guarantee left.

On the 1st and 2nd October, 1845, a Convention of Delegates from nine surrounding counties was held at Carthage, Illinois, where the proceedings and resolutions adopted at Quincy were considered and also adopted by them, with others of a similar nature. The *plan* of organizing was adopted, public meetings were to be called, to procure volunteers in support of the proceedings of this Convention. Said companies were to select their own officers, who were to be amenable to the Quincy Military Committee, viz.:—A. Jonas, Andrew Johnston, J. H. Holton, E. J. Phillips, and John B. Schwindler. A resolution was passed, “requesting the Hon. N. H. Purple, Judge of the Circuit, not to hold court in Hancock County, this fall; as, in the opinion of *this Convention*, such court could not be held without producing collision between the Mormons and Anti-Mormons,” &c. Another resolution requested the “papers of this State to publish the proceedings of this Convention,” &c.

I speak of these resolutions to show how perfectly the mob, the officials, and, in fact, the State, understood each other, and worked into each other's hands. And yet, in the face of this lawlessness, and to throw dust into somebody's eyes, they also—

Resolved: That this convention deem it proper to recommend that a small military force be stationed in Hancock County until next spring, to prevent depredations on private property, and preserve the peace of said county; and that it be respectfully, yet earnestly recommended to the Executive of this State, to furnish the same for the purposes above named.

The real object of this was to keep, at the public expense, a force in the field to oppose the “Mormons,” against which the latter dare not take up arms, under pain of treason.

In accordance with these warlike proceedings in Quincy and Carthage, on the 19th October, 1845, the editor of the *Quincy Whig* heralds to the world a call, in flaming capitals, for volunteers—

ORGANIZE! ORGANIZE!! This should be the order of the day with all who desire to see the proceedings of the Carthage Convention carried into effect. . . . If the Mormons violate their pledged faith, and fail to leave in the spring, according to their own proposition, they may be certain that CIVIL WAR *will be stirred up in these counties*, that will *not be quelled* until the *last vestige of Mormonism* disappears from the State.

The Governor's sympathy was so great with this Convention, that he forthwith sent Major Warren with some twenty men, *ostensibly* to keep the peace, but more properly to *prompt* the “Mormons” in their operations to leave. This is evident from the following announcement in the *Nauvoo Eagle*, near the close of the campaign—

Carthage, April 16, 1846.

Wm. E. Matlock, Esq.—Will you permit me, through the medium of your paper, to announce to the citizens of Hancock, that I have been directed by his Excellency, Governor Ford, to disband the force under my command on the first of May proximo? It seems to be the understanding of the Executive, and the State at large, that the

terms stipulated for the removal of the Mormons will expire on that day, I indulge a hope that the understanding so general may not be disappointed.

The removal of the *entire Mormon population* has been looked forward to, as an event that could alone restore peace and quiet to this portion of our State; and, for the peace of the inhabitants and honour of the State, public expectation must be gratified.

With great respect, I am, &c.,

W. B. WARREN,

Major Commanding Illinois Volunteers.

It appears, from this modest exterminating order or proclamation, that his Excellency *still* considered himself, as he was at Carthage when the Smiths were murdered, *Commander-in-Chief* of the mobocratic forces, and a party in the settlement made with the "Mormons," and that he intended they should have the full benefit of that negociation; but the liberality which is known in law of "*three days' grace*," was not allowed; not even a day, nor an hour; for, *on that day* on which the terms expired, the force under Major Warren, the only apparent barrier against mob violence, had to be disbanded, as if *honour* compelled the fulfilment of the treaty, but as if after that day he cared little how soon the Saints fell a prey to their enemies. This threaten and protect policy was, after all, thought to be the best, perhaps, by those who had influence over Governor Ford, and wished to spare the effusion of blood; for on the 2nd of May, the day after Major Warren had disbanded his force, an order arrived for him to muster them into service again. I presume it is due the Governor to say, that he did not wish to have the "Mormons" murdered outright, if they could be induced to abandon *their homes, their rights, and their all*, to save life.

Major Warren and others report in the *Quincy Whig* of May 20th—

The Mormons are leaving the city with all possible despatch. During the week four hundred teams have crossed at three points, or about 1350 souls. . . . The demonstrations made by the Mormon population are *unequivocal*. They are leaving the State, and preparing to leave, with every means God and Nature have placed in their hands. . . . This ought to be satisfactory. . . . A man of near sixty years of age, living about seven miles from this place, was taken from his house a few nights since, stripped of his clothing, and his back cut to pieces with a whip, for no other reason than because he was a Mormon, and too old to make a successful resistance. Conduct of this kind would disgrace a horde of savages.

Major Warren's position was, certainly, in some respects, an unenviable one; he was a government officer, bound to obey orders. He was expected to see that the treaty (for it was nothing else) between the "Mormons" and the Governor was duly observed, according to "the understanding of the Executive, and the State at large;" and that was, the entire removal of the "Mormons" by the first day of May. And it was therefore, while in the discharge of his duty, that we heard him say, April 16th, "For the peace of the inhabitants, and honour of the State, public expectation must be gratified." We see that as an individual he had some feelings of humanity, in pleading for time in behalf of the oppressed, and in pronouncing the conduct of some of the Anti-Mormons as bad as the savages. He felt that his position was a conspicuous and responsible one. But that position, while it compelled him to enforce the conditions of the treaty, also gave him an opportunity, by a stretch of power, to grant some lenity to the oppressed "Mormons." Thus, while with one hand he pushed the Saints from their possessions, across the river, to save their lives, with the other he kept at bay the savage

fiends who thirsted for blood, and who would fain have washed their hands in the blood of innocence, and feasted their eyes on the smoking ruins of their martyred victims.

It was under such circumstances that he concluded his report or proclamation, "To THE CITIZENS OF HANCOCK COUNTY," as follows—

To the Mormons I would say, go on with your preparations, and leave as fast as you can. Leave the fighting to be done by my detachment. If we are overpowered, then recross the river and defend yourselves and property.

The neighbouring counties, under the circumstances, cannot and will not lend their aid to an unprovoked and unnecessary attack upon the Mormons at this time; and without such aid the few desperadoes in the county can do but little mischief, and can be made amenable to the law for that little.

The force under my command is numerically small; but backed as I am by the moral force of the law, and possessing, as I do, the confidence of nine-tenths of the respectable portion of the old citizens, my force is able to meet successfully any mob which can be assembled in the county; and if any such force does assemble, they or I will leave the field in double quick time.

W. B. WARREN,
Major Commanding Illinois Volunteers.

Nauvoo, 11th May, 1846.

After what has already been made public, such language as is held in this last paragraph, is exceedingly open to criticism. He speaks of "*the moral force of the law*," and of having the confidence of nine-tenths of the "*respectable portion of the old citizens*." This may possibly have been true; but he did not venture to say or intimate what *portion* he considered "*respectable*." This, however, was not policy for him to do; for, in order to hold an influence over them, he must flatter them, though it should be all gas; he doubtless did have great influence over them, and they felt baffled in their movements; his proclamations tended to expose them, and his sympathy for the "Mormons" prevented him from acting with that vigour and promptitude that they had anticipated; and his publishing that the "Mormons" were "using all the means that God and nature had given them to leave the State," and that this demonstration was "*unequivocal*," &c., was like throwing cold water on their fire, and like a strong man wresting a weapon from a weaker foe.

I will now give the statement of an anonymous writer from Carthage, which is reported in the *Quincy Whig* of the 24th June, as giving something of the history of the mobocratic movement, called the "*Golden's Point Expedition*"—

Carthage, June 15th, 1846.

Mr. Bartlett.

Dear Sir—This county has recently been the theatre of a drama of a singular and rather serious character, and concerning which many erroneous accounts will, no doubt, be sent abroad. I will, therefore, take the liberty of giving you a correct statement of the affair, so far as I can learn its history from others; for owing to absence from the county, I saw and knew nothing of it, personally, up to Saturday morning last.

On Saturday, the 6th instant, there was a meeting at Carthage of the citizens of Hancock, in pursuance of previous notice, to make arrangements for a celebration on the approaching 4th of July. At an early stage of the meeting, a resolution passed to the effect that, as the Mormons were not yet all removed from the county, its citizens were not free; and, therefore, public rejoicings for the blessings of freedom would be out of place. The meeting then went into a consideration of Mormon affairs, and finally adjourned to meet again on Friday, the 12th instant, to inquire why the Mormon population had not all left the county by the first of June [May] according to the agreement, and to decide upon the proper mode of action to

be adopted in view of their failure to depart; and an invitation was sent to the new citizens of Nauvoo to attend that meeting. This was designed and expected to be strictly a citizens' meeting, for the purpose of inquiry and deliberation only. But its appointment happened to be on the same day with that appointed by the Governor for the assembling of the militia of the county to raise volunteers for the Mexican war. This circumstance suggested the idea to some person that it might, to good purpose, be converted into a demonstration against the Mormons still remaining in Nauvoo, and quicken their motions in removing, which had, of late, very much slackened.

The suggestion was made to one of the military officers of the county, and struck him as being a good one; and without taking time to consult, or reflect much upon it, he despatched an official communication (that is, an *officer's* communication, brief and decisive,) to his fellow-officers, stating that it was thought best to thus change the object of the gathering at Carthage, on Friday, and requesting them to concur in the movement, to notify their under-officers and companies to appear on the ground prepared and provisioned for a few day's campaign or encampment. The officers to whom this communication was sent, took it for granted that the thing was settled; that the assembling was to be for this purpose; and without stopping to decide or inquire much into the expediency of the movements, gave the required notice to the soldiers under their command. The soldiers, as is a soldier's wont, obeyed promptly, and without questioning the propriety or authority for the measure. So that, in effect, some three or four hundred men assembled on Friday, with appearances decidedly Anti-Mormon, without knowing how or why the matter was set on foot, but supposing that it was well considered and concerted somewhere, and by somebody. Neither had they any definite idea of the plan and ultimate object in view, whether they were to fight or frolic, and were, many of them, about as well prepared for one as the other.

After coming together, the question came naturally to be considered, what they should do? and it was what the lawyers would call a *new question*. It had not, as yet, been decided, nor considered at all by any body. There was a pretty general inclination to march into Nauvoo, and accelerate the removal of the Mormons. It seemed to be supposed that by threatening the reluctant, and assisting such as were unable to go, and working upon the fears of all, the city could, without violence, be cleared of Mormons in two or three days. Mistaking altogether the true condition of things in Nauvoo, and greatly under-estimating the number of Mormons still there, they seemed to think that the only obstacle to their entering the city would be the objections of new citizens, which they thought to obviate by an assurance of friendly purposes, and a pledge to abstain from all destruction or injury of property. But the objections of the new citizens were not so easily removed; they had been lied to, and abused, in reference to the character and aims of the old citizens of the county, and time and better acquaintance were required to overcome their prejudices and distrust. It was, therefore, determined to take up an encampment at Golden's Point, within five or six miles of Nauvoo, and there await the effect of further conferences in removing the scruples of the new citizens; or till the terror of their being assembled in force should frighten away the remaining Mormons, who had now recommenced leaving the city with great hurry and expedition.

They accordingly proceeded to Golden's Point on Friday evening. During Saturday, interviews were had with committees of the new citizens, which brought the parties into friendly acquaintance, and mutual esteem for each other, but did not effect a definite conclusion; and the subjects under consideration were postponed to the next morning for decision.

But in the mean time the aspect of affairs became entirely changed. Several hundred Mormons had secretly returned from Iowa, many of them with Stephen Markham from the camp of the Twelve—completely armed, and prepared, and determined upon fighting. Backenstos had summoned them and all the Mormons in Nauvoo to turn out, as a posse, to attack and disperse the encampment, and many of the new citizens, some of them deceived as to the designs of the old citizens, but most of them being Mormons, and Jack-Mormons in disguise, had enrolled themselves under his standard. Altogether he had mustered a force of eight hundred or a thousand

men; and a better armed, or a more desperate, blood-thirsty band, never met on the face of the earth.

The attack was to be made on Sunday. The citizens encamped were, therefore, unexpectedly reduced to the alternative, either of engaging in a desperate conflict, or leaving the ground; which course a rational regard to consequences required them to adopt, there could be no doubt. Their number was but about one-third or one-half that of the Mormons; and they were imperfectly armed, and almost destitute of ammunition. As they had left their homes without the expectation of battle or bloodshed, they were totally unprepared for such a struggle. The consequences of a defeat, moreover, would not end with their own lives. There was little doubt that it would be followed by indiscriminate plundering and destruction; and there was too much reason to fear that in the phrenzies and tumults, the new citizens in Nauvoo, who are friendly to us, might fall a sacrifice.

The encampment, therefore, immediately retreated to Carthage, and there disbanded FOR THE PRESENT, *pledging themselves to return promptly, at the call of their officers, but with a clear understanding of the job before THEM*—and better preparations for its accomplishment. This whole business was unadvised and indiscreet on the part of the Anti-Mormons. All now acknowledge it to have been so; and, had a consultation been held upon the subject, either among the officers or citizens of the county, before it was gone into, it would not have been undertaken; but it was merely *indiscreet, not criminal nor cruel in its object*. There was no design to injure the persons or property of any body in Nauvoo. The sole purpose was, by a hostile demonstration, to hasten off the remaining Mormons, who had begun to manifest indifference on the subject of removing, and many of them an intention of remaining.

But unwise as it was, and unlooked for, and unpleasant as has been the result, it has had some good effects. It has brought the old and new citizens partially to an acquaintance and understanding of each other; and it has manifested the fact, that the new citizens of Nauvoo, instead of composing the majority and controlling power there, are comparatively but a handful, and completely in the power of the Mormons. It has, also, made the people acquainted with the fact, in contradiction to the many representations which have been made upon the subject, that Nauvoo still contains many thousand Mormons, nearly or quite one-half of the houses being yet occupied by them; and if these wretches are to be compelled to leave Hancock, it must be through the assistance of the surrounding counties.

ORION.

One feels almost as much amusement as contempt and indignation, in tracing this infamous and cowardly apology for the assembling of this mob camp; their famous Golden's Point Expedition, and their ignominious and dastardly retreat. 'Tis true, Colonel Markham, with several men, had just then returned from Council Bluffs for some Church property, in the capacity of a teamster; but his name, it seems, was such a terror to evil doers, that a whole camp of those Hancock BRAVES fled for their precious lives when no one pursued them. Whether or not this Golden's Point Expedition was set on foot by the Quincy Military Committee, we have no positive means of knowing; but it is not at all likely that such a move would have been made, with all the responsibility attending it, without the knowledge and the direction of that committee; as it would naturally have destroyed the organization voluntarily entered into by all. But from some cause unknown—whether it was that the people acted in this expedition without consulting their wisdom, or whether it was through disappointment and disgust at the cowardly retreat from Golden's Point, is a matter of indifference to our purpose—we find, in a few days after this event, these military barristers, or a majority of them, presenting to the people, in language most confused and nonsensical, the resignation of their high military honours, to wit—

At a meeting of the Committee appointed by the Carthage Convention on the 2nd day of October, 1845, as a Military Committee, held on the 15th day of July, A. D. 1846, on motion, it was

Resolved—That the period for which the said Committee was appointed by the said Convention having elapsed, the said Committee regard their functions as at an end.

Resolved—That the said Committee hereby resign the trust committed them by the said Convention into the hands of the people.

(Signed,)

A. JONAS.
J. H. HOLTON.
A. JOHNSTON.
J. B. SCHWINDLER.

Up to this period there seemed to be some kind of order, lawless and revolutionary as it was, to cause a concert of action; but by the resignation of the Military Committee, everything was thrown back into its natural and legitimate state. This could not, however, be long endured by a people who had lived in lawless excitement so long, while a single object of their hatred and malicious persecution remained in or about Nauvoo. Something must be done, if even in a small way, to stir up an excitement.

An occasion was soon found. A party of six "Mormons" and one or two new citizens, so far disregarding an injunction of the mob, as to leave the bounds of the city of Nauvoo, and did actually undertake to harvest a field of wheat, some six or eight miles in the country, after the Anti-Mormons had expressly forbidden the "Mormons" to be found outside the city, except on their removal westward. These men, although they went armed, were surprised while at work, by an overpowering force, armed to the teeth, and severely beaten with hickory gads, cut for the purpose. Their arms were taken and carried off, and they threatened with worse treatment if they were found outside the city any more. This circumstance, as may well be supposed, created no little stir in Nauvoo. "Mormons" and new citizens were indiscriminately outraged and beaten, and they, of course, made common cause in bringing the offenders to justice. Warrants were issued for the apprehension of these lawless desperadoes. A posse was sent out with the officers, and several of the mob were apprehended and brought to Nauvoo. Major McCalla was among the number. These worthies, after remaining several days in the city awaiting trial upon further evidence, were removed, by virtue of a writ of *Habeas Corpus*, to Quincy, to answer the prosecution in that famous little city, whose best lawyers and statesmen, almost to a man, figured so largely in the mobocratic movements already described. Of course the prisoners gave bail for their appearance at court, which would sit, perhaps, when the prosecutors would be flying before a mob force, not only from the city, but from the State. No one need fear being bound over to the next court, under such circumstances. But during the time these men remained in the charge of officers in Nauvoo, a most shameful outrage was committed by a band of mobbers upon five of the brethren, who had a short time previous returned for supplies, and were then on their way from the up river mills with their flour. This outrage was the kidnapping, or forcibly apprehending without warrant, Phineas H. Young, Brigham H. Young, (son of Phineas,) Richard Ballantyne, James Standing, and a person of the name of Herring, and running them into the wilderness and thickets of under-brush along the river, and then skulking with them from wood to wood, and even from county to county, to escape the hot pursuit of "the brave boys of Nauvoo," who came near overtaking them on several occasions.

It was supposed that the object at first was to effect an exchange of prisoners, but those in Nauvoo were in the hands of the *law*, and could not be exchanged, and were afterwards taken, as I have already said, to Quincy. The five kidnapped persons were kept for fourteen days, almost without sleep, rest, or food, as they were handed from one band to another, and made to lie on the bare ground every night, whenever they got opportunity, from travel, to take rest; and on several occasions the mob were actually making arrangements to shoot them, when the noise of the brethren's near approach interrupted them; and the prisoners dare not give the alarm, as they were threatened with instant death if they stirred or opened their mouths; but finally, falling into the hands of a more tolerant band, they were not so closely watched, and made their escape.

All this created that kind of excitement that must end in something serious where no law is in force. But it will be observed that it became necessary, after the resignation of the committee, that a new issue should be formed; and these difficulties presented a most favorable opportunity. When Major McCalla was apprehended, as already stated, a singular stocked rifle was found in his possession, which William Pickett and others instantly recognized as one that had been taken from those harvest-men by these land pirates, of whom the prisoner was one. Of course they took possession of the rifle and carried it away; and *this is the theft* which was alleged against William Pickett, in a warrant, which John Carlin, an especial officer, had to serve on him (as will be seen in the course of this narrative), and which Pickett resisted. Pickett had made himself somewhat conspicuous in these little campaigns; and he was marked by the mob. It was told him that this warrant was got up to get him into the hands of the mob, and that they intended to waylay him and kill him; whether this was well or ill-founded, is, of course, not known; but he did go privately, after resisting the officer, and deliver himself up to the magistrate at Green Plains, who issued the warrant; but the magistrate had no record of it, and refused to try him. This all occurred in the presence of several new citizens, who accompanied him as a body guard. Pickett returned, therefore, the same night, in safety. And now, the people of Nauvoo, "Mormons" and new citizens, denounced the demands, and disregarded the clamour of John Carlin, the special constable; it being now evident, that this was only a pretext to get up an excitement.

It was while these things were transpiring, that the new citizens sent several statements and a special deputation to his Excellency Governor Ford, for protection. The Governor accordingly sent Major Parker to Nauvoo, under the following instructions—

Executive Department, Springfield, August 24, 1846.

To Major James R. Parker, of the 32nd Regiment of the Illinois Militia.

Sir—I have received information that another effort is to be made on Monday next to drive the inhabitants of Nauvoo, new as well as old, and destroy the city. I am informed that it is believed in the surrounding counties that the new citizens in Nauvoo are all Mormons, and that the remnant of the old Mormon population are determined to remain there, although I am assured that the contrary in both particulars is the truth.

You are, therefore, hereby authorized and empowered to repair to Nauvoo, and there remain until you are relieved. You will immediately inquire how many of the inhabitants are new citizens, and how many of them are Mormons. How many of

the old Mormon population remain, and what the prospect is of their removal in a reasonable time. And in case an attack on the city should be attempted, or threatened, you are hereby authorized to take command of such volunteers as may offer themselves *free of cost to the State*, to repel it and to defend the city. You will also have full power to pursue, and, in aid of a peace officer with a proper warrant, arrest, the rioters who may threaten or attempt such an attack, and bring them to trial.

You will have power with an armed posse to assist any peace officer in making arrests, and with a like force will guard the prisoners to and during their trial, and as long as you may believe them to be in danger of mob violence.

You will also, from time to time, publish in the Nauvoo and Quincy papers the results of your investigations, and a brief history of your proceedings.

You are also authorized to accept of the services of ten men as volunteers from Fulton County, to serve under you in performing the above services, who will be paid for their service.

I am, respectfully, your obedient servant,

THOMAS FORD,
Governor and Commander-in-Chief.

A new issue being once more formed, we will again refer to the *Quincy Whig* of August 26th, to illustrate the avidity with which these lawless spirits laid hold of what their leaders called an "issue fairly formed." The editor says—

From all appearances the difficulties in Hancock are rapidly approaching a crisis. . . . *In this instance* the Anti-Mormons of Hancock have the *law on their side*. They have been stigmatized as a mob, regulators, &c., &c., and sympathies of a large class were enlisted against them on the side of Nauvoo, under a mistaken view of the difficulties. Now the case is different. *An officer has been resisted—an offender against the law is at large* in Nauvoo, threatening and boasting that he will not be taken, and that a force sufficient cannot be got together to take him. The law, therefore, through its legally appointed officer, calls upon the people to aid in the execution of the writs placed in his hands, and to make a signal example of such offenders as trample upon the laws and defy the power of the State.

One who had not traced this most shameless of all editors through his scores of lawless, piratical and revolutionary ebullitions, would almost suppose, from reading the above extract, that he had never sinned. But of the Anti-Mormons he says, that "*in this instance they have the law on their side.*" This is as plain an admission as language can make, that they had *not before* the law on their side.

And does he insist that *they* should be made an example of? No. Although the laws of the State can be openly trampled under foot in nine counties by hundreds of land pirates; yet does the editor of the *Whig* insist that any of *them* should be made an example of? Not a word of the kind. His own neck would be the first to pay the penalty. This he knows.

We will now give the PROCLAMATION of Major Parker, to wit—

State of Illinois, }
Hancock County. } s.s.

Whereas, I, James R. Parker, Major of the 32nd Regiment of the Militia of the State of Illinois, have been ordered with a portion of said regiment to rendezvous in the said county of Hancock, to preserve the peace, and for other purposes:

Whereas, also, I am credibly informed that large bodies of armed men are assembling themselves together in various parts of said county, with the avowed intention of disturbing the peace of said county:

I, THEREFORE, in the name of the people of the State of Illinois, and by virtue of the power in me vested by the Governor of said State, hereby call upon and order all good citizens in said county to return to their homes, and keep the peace of said county, and not again assemble themselves together, unless called upon so to do by me, to enable me to preserve the peace of said county, or to assist the proper officer in serving writs in his hands.

Given under my hand at Nauvoo, Hancock County, Illinois, August 25th, 1846.

JAMES R. PARKER, Major.

To show still further the state of the parties at this juncture, we will make several extracts from a PROCLAMATION TO THE PUBLIC, of nine leaders, from four different counties, dated "Carthage, August 29th, 1846." Speaking of the arrest of Pickett, and his resistance to the officer, they say—

Carthage, August 29th, 1846.

Mr. Carlin, therefore, determined at once to call out the *Posse Comitatus*, and if found insufficient, to certify the same to the proper military officer, and demand from him assistance.

Accordingly, on the 17th instant, Mr. Carlin issued his proclamation for the people of the county to meet him in Carthage, on Monday, the 24th, armed and equipped, and provided with necessary provisions.

On Monday last, the 24th, the *posse* commenced assembling according to previous orders; but as a work of some magnitude was before them, it was determined not to march into Nauvoo until every necessary preparation could be completed; and hence some considerable delay has been occasioned.

On Tuesday, the 25th instant, a proclamation appeared from Nauvoo, signed by James R. Parker, Major in the 32d Regiment Illinois Militia, who claims to have authority from the Governor to preserve the peace in Hancock County. In this he assumes that the peace of the county is threatened, and orders the people assembled under Mr. Carlin to disperse. To this Mr. Carlin replied by letter, stating that he was a legal officer, acting in obedience to the requirements of the law, and he did not acknowledge the authority of any one to interfere with him in the discharge of his duty. On the 26th Major Parker replied to Mr. Carlin's letter, reiterating the substance of his proclamation, and stated that if the *posse* did not disperse he would regard them as a mob, and treat them as such. Mr. Carlin, in reply, stated to Major Parker, that he, having been resisted in the service of process, it was his duty to call out the civil *posse*, and that with that *posse* no one had a right to interfere; and if Major P. attempted to molest them, he should regard him and his command as a mob, and treat them as such; that it was time enough for him—a military officer—to step in when his services were demanded, and not sooner.

The undersigned would now state that they regard the interference of Major Parker as altogether illegal and unwarrantable. The law expressly provides that the *military* shall not interfere with a *civil* officer in the discharge of his duty. If it were otherwise, our government would, in effect, be a military despotism. Major Parker claims to be a military officer; he does not pretend to any other than military authority. Such being the case, it is a gross assumption of power, on his part, to attempt to interfere with a *civil posse*, and to dictate to civil officers, that they shall first call on him, if they want aid in the service of process, when the law expressly says, they shall first call on the civil *posse*, and if that is not sufficient, then on the military.

Now, fellow-citizens, an issue is fairly formed. On the one hand, a large body of men have assembled at Carthage, under the command of a legal officer, to assist him in performing legal duties. They are not excited—they are cool, but determined, at all hazards, to execute the law in Nauvoo, which has always heretofore defied it. They are resolved to go to work systematically and with ample preparation, but under a full knowledge that on their good and orderly behaviour their character is staked.

On the other hand, in Nauvoo is a blustering Mormon mob, who have defied the law, and who are now organized for the purpose of arresting the arm of civil power.

Judge ye which is in the right.

Your fellow-citizens,

ARCHIBALD WILLIAMS,	}	of Adam's County,
JOHN B. CHITTENDEN,		
THOMAS MORRISON,	}	of Hancock County,
JOHN D. MELLETT,		
WESLEY WILLIAMS,		
JASON H. SHERMAN,		
JOHN H. MITCHELL,		of Warren County,
THOMAS S. BROCKMAN,	}	of Brown County.
JAMES W. SINGLETON,		

Another correspondent writes as follows—

Carthage, Illinois, August 27, 1846.

Mr. Bartlett.

Dear Sir—I arrived in this place at eleven o'clock this forenoon, and found about 550 men under arms, and reinforcements arriving every hour. They all express a determination to stick together until they accomplish the object for which they assembled, "if it takes until next spring." There is a feeling of determination among them that never existed before. It is a general saying, "that if the resolutions of the Carthage Convention cannot now be carried out, they will leave the country, or turn Jack-Mormons."

Mark the expression—"If the resolutions of the Carthage Convention cannot be carried out, they will leave the country." It will be recollected that that Convention had for its only object, the removal of the entire Mormon population from the State. This writer continues—

Notwithstanding all the Anti-Mormons have suffered, they still dislike to shed blood if it can possibly be avoided; that is, if the Mormons will give up Pickett and others to be dealt with according to law, and remove themselves peaceably from the State, every assurance of protection will be given them if they agree to do this.

Here the cat is fairly let out of the bag; the removal of the "Mormons" according to the decrees of the Carthage Convention is the real object; and the plea that *process* had been resisted, was only a shallow pretext for assembling the heroes of the Golden's Point expedition, under the semblance of law, as a *Posse Comitatus*. And the Governor having a full understanding of their tricks and movements, sent Major Parker among them, as we have seen, with authority to superintend and control all matters for a time. Hence the pretty little quarrel that sprung up between his Excellency the Mobocrat-in-Chief and his Major on the one part, and John Carlin, the Special Constable, and Colonel James W. Singleton, of Brown County, two rebel mobocrats, on the other part.

We do not see any very particular need of this quarrel between these valorous chiefs, and their calling each other such hard names, seeing they all had the same great object in view, the removal and disfranchisement of the "Mormons." They only differed as to the time and *modus operandi* of effecting this. The great chief was a little more patient and systematic, perhaps because he had more *practice*, and was conscious of having more power; but he was equally bent on the thing. Hear him in his orders to Major Parker—

You will immediately inquire how many of the inhabitants are new citizens, and how many of them are Mormons. How many of the old Mormon population remain, and what the prospect is of their removal in a reasonable time.

While they were considered formidable by him, he insisted, through Major Warren, that the stipulations must be kept, and he then gave them till the first of May to leave the State; but now, kind man, he is willing to give them a reasonable time, rather than kill them outright.

But the rebel chiefs having been unexpectedly favoured with a happy pretext, by which they could avail themselves of a *posse* under the shadow of law, thought it best to "make hay while the sun shone."

But the last correspondent quoted states that "Colonels Singleton, of Brown, and Chittenden, of Adams counties, are in command."

Now, after all, the fun of the thing is this, that John Carlin, an especial constable, appointed for this one service only, should consider himself empowered to call out Majors, Colonels, and Generals, and soldiers by the thousand, not only from Hancock, the county in which his *civil* jurisdiction terminated, but also from Adams, Pike, Warren, Brown, M'Donough, Marquette, Schnyler, and Knox counties, to make a "*posse comitatus*" to serve a constable's writ in Hancock. Who wouldn't laugh with indignation to think of such foolery? And to think that *legal* men, with a reputation at stake, should be found defending this proceeding, and through such a farce contending for the execution of the laws, and vociferously denying to the Executive and Commander-in-chief of all the military forces in the State, the legal right to send an officer to keep the peace, at a time, too, when the county was in anarchy and a CIVIL WAR!

But we have said that Colonel Singleton had command, and we will now introduce to the reader a precious document of his to Major Parker—

Head Quarters, Camp Prairie, Sept. 7th, 1846.

Sir—I have received, by the hands of Messrs. Smith and Reynolds, yours of the 6th inst. Like yourself, I am sincerely anxious of settling the unhappy difficulties in Hancock without the shedding of blood, or destruction of property; either, I fear, will be the result of an extremity, to which I am about to be forced. I cannot, in your letter, seize upon any proposition, that would accomplish the removal of the Mormons, that is a "*sine qua non*" with us—nothing else will give peace to the country. At the earnest solicitations of the bearers of your letter, I am induced to submit the following as the best terms.

1st. The Mormons shall surrender their arms into the possession of some responsible person in Quincy, or St. Louis, to be redelivered upon their leaving the State.

2nd. They shall leave the State, or disperse, in sixty days.

(The two foregoing propositions will not be receded from, or enlarged.)

3rd. That a force sufficient be stationed in Nauvoo, by the Governor, for the protection of all parties. That one half the expense of said force be paid by the citizens of, and the other half by the citizens out of, Nauvoo.

4th. In case of accepting the foregoing, I would recommend to the Governor the collection of the State arms in the county.

When I say to you the Mormons must go, I speak the minds of the camp and the country. They can leave without force or injury to themselves or their property; but I say to you, sir, with all candour, *they shall go*. They may fix the time within sixty days, or I shall fix it for them.

JAMES W. SINGLETON.

It appears from this letter of Colonel Singleton to Major Parker, that the *issue* which this same Singleton, with eight other worthies from four counties, said was "fairly formed," was now quashed, and no longer a consideration;

for it was not so much as referred to, neither was Carlin, the especial constable. But Singleton's propositions are based solely upon the old issue; and in this he throws the mask aside, and even hesitates not to *dictate* to the Executive; for the third proposition upon which he is willing to treat is, "that a force sufficient be stationed in Nauvoo, *by the Governor*, for the protection of all parties." That is to say, if the Governor should refuse to do this, he, of course, would refuse to treat.

Although the propositions were written to Major Parker, he was only considered as the agent, the Governor was considered the principal, inasmuch as the latter was required to respond to or comply with the demand. Of course all that is said in this letter is said to the Executive. Yet the great Russian Bear could hardly snarl a more impatient and tyrannical *dictum* to a serf slave than this *pseudo* Colonel addresses to the chief magistrate of the State. "But I say to you, sir, with all candour, *they shall go*—they may fix the time within sixty days, or I shall fix it for them."

How, or with what grace the Executive and his Major swallowed the above pill, we, unfortunately, have it not in our power to state; but suppose, from the very extraordinary document which followed without date, and was published in the same paper with the above, that the dose was not only gulped down, but actually digested, and that it worked most admirably to the prescription. It appears that the independent daring and commanding tone of Singleton, regardless of its treasonable and revolutionary spirit, won for him the esteem and fellowship of Major Parker in his official capacity, as is exemplified in the following document already referred to, to wit—

For the purpose of producing a permanent settlement of the difficulties now existing in Hancock County, of securing a permanent peace, and insuring a proper execution of the laws, it is hereby stipulated and agreed:—

1st. That the Mormon population of the city of Nauvoo, shall commence moving immediately, and the whole shall within sixty days, move from the State or disperse, except the men, who with their families may remain for the transaction of business.

2nd. That a force of twenty-five men for the protection of all parties, and the preservation of the peace, be stationed in Nauvoo, by the authority of the Executive, to remain for the said period of sixty days, and that one half of the expenses of said force be borne by the citizens of Nauvoo.

3rd. That an attorney be selected by the Governor to be stationed in Nauvoo, to take the supervision of all writs issued, or to be issued, who shall have discretion and control of said place.

4th. That the Mormon population of Nauvoo shall, by their trustees, deliver up their arms to Mr. Brayman, of Springfield, Illinois, to be by him received for, and safely kept, to be returned on the order of said trustees, upon their leaving the State.

5th. That as soon as Mr. Brayman shall certify to General Singleton, that the provisions of stipulation 4th are complied with, by the delivery of the arms of the Mormons, the force under the command of General Singleton, shall be disbanded and return home.

6th. A bond shall be made by the citizens of Nauvoo, for the payment of their half of the sum necessary, to pay the expenses of the force to be raised, and a similar bond by the citizens out of Nauvoo, to be paid at such times and in such sums as may be drawn for by the said Mr. Brayman.

7th. It is understood that, on the beginning of the stipulations, all hostilities of any kind, are to cease between the respective parties; all bodies of armed men are to be dispensed with; no armed *posses* are to be raised, but the force herein provided to be raised, shall be called upon to aid the civil officers and preserve the peace, when.

necessary, it being the intention of the undersigned, in good faith to secure and maintain tranquillity in the county of Hancock.

Agreed to on behalf of the Anti-Mormons, by

JAS. W. SINGLETON, of Brown County,
J. B. CHITTENDEN, of Adams,
N. MONTGOMERY, of McDonough,
JAMES KING, of Schuyler, and
J. H. SHERMAN, of Hancock.

On the part of the Mormons, by

Major J. R. PARKER, Commanding Illinois Volunteers at the City of Nauvoo,
Mr. SMITH, of Nauvoo,
Mr. REYNOLDS, of Nauvoo, and
Mr. EDMONS, of Nauvoo.

It will be recollected that Major Parker threatened the especial constable that if he did not disband his posse, he would consider them as a mob, and treat them as such. But Carlin having called out an army, officered and equipped for a campaign, gave the command of it to Colonel Singleton, a man of too much game for Major Parker; so, in order to accomplish the object the Governor had in view, viz., *the removal of the Mormons* "in a reasonable time," and to "keep the peace" between himself and this mob force, the Major concluded to consider them as his equals, and to make a *treaty* with them; and in order that they might be fully satisfied, he agreed to all their terms, and more too, and signed it in his official capacity, with all the formality that is observed in treating with nations.

It is proper here to observe, that those gentlemen who, with Major Parker, signed this treaty "on the part of the Mormons," were themselves not "Mormons," but new citizens, and friendly to them, and perhaps did the best they could in behalf of the oppressed.

We have given the skeleton of a treaty as published in the *Quincy Whig*, as between the parties named, but have never had the privilege of seeing the precious document itself. It was, however, only on paper, not in the hearts of the people—the posse. It appears they would not regard it or stand by it, and rebelled against their leaders. The consequence was that GENERAL SINGLETON (as he was styled in the treaty), Major Parker, and others put their treaty in their pockets, abandoned their respective commands, and went home, leaving the assembled multitude still in the hands of John Carlin the Constable.

There were still, however, men left in the camp, equal to the object they had in view. The command was now given to the *Rev.* Thomas S. Brockman, of Brown County, who was elevated to the dignity and command of a General; it is with this *Reverend*, therefore, that we shall have to do for the future, as GENERAL BROCKMAN.

We will now call attention to a proposition from Brockman and Carlin. Carlin was still in the field, although he had been overlooked by the Singleton treaty—

September 8th, 1846.

It is proposed, on behalf of the Anti-Mormon forces assembled, camped in the vicinity of Nauvoo, by the Officers in Council:

1st. That the writs in the hands of John Carlin shall be served, if the individuals against whom they exist, can be found.

2nd. The Mormons shall all give up their arms to some gentleman in —— to be agreed on by the parties, and any gun or other weapons shall be returned to the owner, whenever the officer the Anti-Mormons may station in the city, shall certify that the owner of said gun has *bona fide* left the State with his goods and chattels.

3rd. The Anti-Mormon forces shall be permitted to march peaceably through the city, we pledging ourselves to molest neither person or property, unless attacked, in which case we will defend ourselves as best we can.

4th. The Mormons shall leave the State in thirty days.

5th. The Anti-Mormons shall station a force at their discretion in the city, to see that the above terms are complied with.

JOHN CARLIN,
THOMAS S. BROCKMAN,
In behalf of the Officers in Camp.

It would seem that John Carlin was fast rising in the world. A few days previous he figured as especial *Constable* to serve a writ on a supposed criminal, nothing more; but now we behold him dictating terms of peace to a whole city, disfranchising a large portion of its inhabitants, and expelling them from their own homes and from the State. This man is what the learned members of the bar in Quincy call a "legal officer," with a "large body of men to assist him in performing legal duties."

Upon Major Parker's leaving, his mantle fell upon a new citizen, MAJOR CLIFFORD. But Clifford was as much disrespected by Brockman, as Parker had been by Singleton; and on the morning of the 10th of September, the mob, commanded by BROCKMAN, appeared in force in the immediate vicinity of Nauvoo, and encamped upon the "Hunter Farm."

Alarmed by the threatening attitude of a force which had now swelled to over 1000 men, with several hundred baggage wagons, and in every way prepared for a campaign, the new citizens, and what few of the "Mormons" were left and fit for duty, thought it high time to stand on the defensive. They took a position in the skirt of a wood, in the suburbs of the city, and about three quarters of a mile from the enemy. The force of the city did not exceed three hundred men, and was daily diminishing on the part of the new citizens, who felt that danger was fast approaching, and who expected a general massacre of the defenders of the city, as well as the sick and afflicted of the "Mormons," who had emigrated to the utmost possible extent of their means, and had still some hundreds of sick, of women and children, and destitute left; and those among them who had strength to shoulder a gun, felt to stand by and defend those who had not, to the last, and, if it was a "*sine qua non*" with the enemy that all must leave or perish, to perish with those that could not leave.

With an overwhelming force within gun range of their defences, the citizens of Nauvoo hourly and anxiously waited for the recruits which Major Parker, upon leaving, gave them reasons to hope would be sent to their relief from the Governor. But no reinforcements came, and it was now evident that they must rely upon their own resources. In the meantime, moved with indignation towards their fellow-countrymen, in the course they were pursuing towards an oppressed and a defenceless community, Major Flood, of Quincy, in company with John Wood, Esq., Mayor of Quincy, Dr. Conyers and Mr. Joel Rice, visited the mob camp with the hope of dissuading them from their purpose, but without effect. Scarcely had their conference ended, and they on their way to the city, before a shower of six-pounders was sent among us and over our heads, but happily without injuring any one. This little exploit, with a few exchanges at long rifle distance between the respective guards, ended the hostilities for that day.

On the day following, the mob broke up their quarters, and took up a line of March for the La Harpe road, northwards, and it was hoped they were on their retreat; but on arriving at the road they changed their course, and

marched direct for the city, evidently intending to take it by storm that day. But a company of some thirty-five picked men, organized and led by the worthy and lamented William Anderson (with whom the writer of this narrative consented to operate whenever he could be relieved from the duties of his appointment, as one of the Trustees of the Church), watched their movements, and hung upon their flank, in ambush, as they thought; and although they were themselves partially surprised, and nearly cut off by a detached party of the enemy, they quickly rallied, and returned such a spirited fire that their pursuers broke and fled in the utmost confusion, although more than double their number. This checked, for a time, the advance of the main body, which until now had been moving steadily forward. They opened a shower of grape, which fell like hail about us. We thought it prudent to fall further back, as we had nothing of a longer range for defence than the rifle. The enemy now again advanced, very cautiously, however, lest some mines should be sprung upon them, of which they had reason to think they were in some danger. Seeing our men take possession of some vacant buildings on the line of their approach, they took a position on an elevated spot of ground, and opened a heavy cannonade at a distance of something less than half a mile. This was returned with great spirit on our part, from guns made of some steam shafts, that carried six-pound balls. Many were the balls that we picked up as they came rolling and bounding among us, and we sent them back with as much spirit and precision as they were first sent. The mob made many good shots, taking effect upon the buildings aimed at, but no lives were lost on the defensive. The day closed without any further attempt at storming the city. During the night a large log barn and other buildings were torn down, and thrown up in the shape of breast-works for defence.

On the morning of the 12th Sept., being the day following the cannonading, a flag was sent in from the enemy, with a demand of an *unconditional surrender*. A council of war was called, but they would now treat with none but the Trustees. Their summons was promptly and unanimously rejected. We returned for answer that we would *never surrender without terms*. Our answer was replied to without delay, from their whole line of batteries, which now opened upon us; and soon their entire camp was in motion, and on the advance. They moved steadily on, in excellent order, under the most skilful military discipline, with the Stars and Stripes (and Oh! how dishonoured) floating in the breeze; discharging their artillery every now and then as they approached. No sooner, however, had they opened their first fire, than they were answered with as good as they gave; and one round created a great sensation in their ranks, and drew from the defensive a loud and hearty cheer. A brisk cannonade was kept up on both sides during the whole of the engagement. Before the enemy came within full rifle range of our breast works, they began to flank, and sweep a compass to the south, with every prospect of an unchecked advance to the Temple square, which it was their object to get possession of. But there was a small band of devoted heroes that had not yet participated in the struggle of the day; this was the company of picked men, before spoken of, called the "*Spartan Band*," commanded by Captain Anderson. This company, being free, by common consent, to direct its own movements, had taken a position in the woods nearly a mile north of our defences, as it was feared the enemy might approach the city by that route, unless it should be guarded. Learning, from the successive reports of the artillery on both sides, that the battle had begun in earnest, and that the enemy were advancing; and having ascertained that they were not detached by se-

parate commands, but remained in full force; it now became evident that we had to change our ground to make our force available. (After the rejection of the notice to surrender, the writer hastened to the little band with which he was connected, to operate with them.) We accordingly took up a line of march under quick time, passed by the rear of our whole line to some distance on the south, and threw ourselves directly in front of the entire force of the enemy. This was an unexpected movement to them, and our first fire brought them to a halt. We took position about a small brick shed, and along a slender picket railing; and being armed, many of us, with revolving rifles, we kept up such an incessant fire, that portions of the enemy repeatedly fell back a little way into a slight hollow, but as often returned again to the attack. It was here that the brave Anderson fell, almost at the opening of our fire, his eldest son, a lad about sixteen years of age, having fallen a few moments before, in another part of the field, by a cannon shot.

The battle lasted about an hour and a half; and after Captain Anderson's company opened upon them, the enemy advanced no further; and the firing continued and was concentrated with such spirit from every part of the defence, that the assailants finally gave way and retreated in great confusion. Excepting the "Spartan Band," the entire command was given to Colonels William Cutler and Daniel H. Wells, the latter of whom is now Lieutenant-General of the Nauvoo Legion in Utah. And while they won immortal honours in this unequal encounter, the writer of this claims the honour of not only suggesting, but directing, the strategical movement and point of attack by the "Spartan Band," a movement which did not escape the notice of Major Flood and Esquire Wood from the dome of the Temple, and was admitted by them to have turned the fate of the day. (To explain this, it is, perhaps, necessary to state, that the rank which the writer yet held in the Nauvoo Legion—that of Colonel—as well as the office of Trustee, which he then filled, gave him that influence with Captain Anderson, that the latter solicited his judgment and direction on every movement, when present.)

I will here also take occasion to say, that the other Trustees—A. W. Babbitt and J. L. Heywood, were equally well employed, and equally exposed to danger. The former had his horse shot from under him with a cannon ball, while encouraging the men; and the latter was a conspicuous target, as he would fly from rank to rank with his ponies and carriage with supplies. In short, a braver band of heroes could not be found on the face of the earth, than was that which composed the defence of that day.

There were a number of wagons discovered carrying off those who fell in the engagement. It was impossible to learn the enemy's true loss; from the blood left upon the ground, it must have been considerable. The loss of the "Mormons" was three killed, and a number slightly, but none seriously, wounded. This was considered highly providential by them. There were less than one hundred and fifty men engaged on the side of the defence, in this engagement, and these were mostly "Mormons." As we have said, the enemy numbered above a thousand.

This last battle was fought on Saturday, and it exhausted the stock of ammunition that the mob brought with them. And although they were driven from the battle field, they were secure in their encampment. Their first object now was to seek supplies. A train of baggage wagons was immediately despatched to Quincy; and it was said that that town, generally, on the following day, which was the Sabbath, was all in a bustle—men and women preparing the required supplies. The distance between Nauvoo and Quincy being fifty

miles, the train did not return till some time on Monday. This battle, and especially the way in which the mob were handled, had something serious in it, and awakened the sensibilities of the *legal* men in that town, most of whom had been prominent in getting up this mob. The idea now of forming a committee of mediation was acted upon; hence, what was called the Quincy Committee of *one hundred*, waited upon the belligerent parties, during the time that preparations were making for further hostilities. This committee did not mediate for the *rights of man*, but to spare the effusion of blood, which they represented would inevitably flow in case of failure to settle on some terms, and perhaps a general massacre and conflagration, the responsibility of which must come upon our own heads, if we should refuse to treat. We had been summoned, before the last engagement, to surrender at discretion, *without terms*; now, however, terms were again offered, and perhaps through the influence of the committee. The mob was also daily swelling in numbers, while the force in the city was materially diminishing. Several hundred men, who had been stationed on the west side of the river before the last battle, with *red* flags, denoting no quarter, and to cut off our retreat, still occupied that threatening position. Under these trying circumstances the Trustees of the Church were called upon to accept or reject the best and last proposition—the *ultimatum* of General BROCKMAN. This was a fearful responsibility; to treat upon the terms offered seemed cruel, but when it was considered that the cruelty attached itself to those who had the power to impose such terms, and that to reject them would, in all probability, be followed by a general massacre, it was deemed folly to hesitate. The following are the terms of the *ultimatum*, to wit—

Articles of accommodation, treaty, and agreement, made and entered into, this sixteenth of September, A. D. 1846, between Almon W. Babbitt, Joseph L. Heywood, and John S. Fullmer, Trustees in trust for the Church of Jesus Christ of Latter-day Saints, of the one part—Thomas S. Brockman, Commander of the posse, and John Carlin, Special Constable and civil head of the posse of Hancock County, of the second part—and Andrew Johnson, Chairman of the Citizens of Quincy, of the third part—

1st. The city of Nauvoo will surrender. The force of Colonel Brockman, to enter and take possession of the city to-morrow, the 17th of September, at three o'clock p.m.

2nd. The arms to be delivered to the Quincy Committee, to be returned on the crossing of the river.

3rd. The Quincy Committee pledge themselves to use their influence for the protection of persons and property from all violence, and the officers of the camp and the men pledge themselves to protect all persons and property from violence.

4th. The sick and helpless to be protected and treated with humanity.

5th. The Mormon population of the city to leave the State, or disperse as soon as they can cross the river.

6th. Five men, including the Trustees of the Church, and five Clerks, with their families, (William Pickett not one of the number,) to be permitted to remain in the city for the disposition of property, free from all molestation and personal violence.

7th. Hostilities to cease immediately, and ten men of the Quincy Committee to enter the city in the execution of their duty as soon as they think proper.

We, the undersigned, subscribe to, ratify, and confirm the foregoing articles of accommodation, treaty, and agreement, the day and year first above written.

ALMON W. BABBITT,
JOSEPH L. HEYWOOD, and
JOHN S. FULLMER,

Trustees in trust for the Church of Jesus
Christ of Latter-day Saints.

ANDREW JOHNSON, Chairman
of the Committee of Quincy,
THOMAS S. BROCKMAN, Com-
manding posse,
JOHN CARLIN, Special Constable.

It is now seen that this treaty, the surrender of a city, the expulsion of its inhabitants, and the disfranchisement of hundreds of American citizens, were the object and are the result of the farce of John Carlin's *Posse Comitatus*. What right had a Constable of a day, to propose terms and ratify a *Treaty*? Just as much right as the Commauder of the posse, or a renowned lawyer as Chairman of a Committee, neither of whom have any right; but all have violated the Constitutions of the State and the United States, and the laws of both, in the highest sense possible. And Pickett, instead of being *arrested* by this posse, is not permitted to come into their presence, but singled out and forbidden to remain in the city. *They have no use for him now. "O tempora, O mores!"*

Why did Carlin, the special constable, and Brockman, the commander of the posse, not take the body of William Pickett, and make him their prisoner? Why did they, on the contrary, sign a treaty requiring him to take his body away from the city, out of their reach? Was this performing "*legal duties*" after the "*issue was fairly formed*?" Said the leaders and lawyers already mentioned—

On the one hand, a large body of men have assembled at Carthage, *under the command of a legal officer, to assist him in performing legal duties. They are not excited. They are cool; but determined, at all hazards, to execute the law in Nauvoo, which has always heretofore defied it. They are resolved to go to work systematically, and with ample preparations, but under a full knowledge that, on their own orderly behaviour, their character is at stake.*

Now let me ask those would-be-law-abiding gentlemen, and the world—Were they "*orderly*?" Did they "*execute the law in Nauvoo*?" *No!* and with confusion of face they must themselves confess that they did not. They have, then, all of them, *forfeited their character*, for they staked it upon a contingency, which they violated by the most lawless cruelty that could well be devised or inflicted. They forced terms, at the point of the bayonet, upon the miserable remnant of the Saints of Nauvoo—upon the poor, the sick, the widow, and the orphan, and upon such as were tarrying only to sell what little property they had left, to bless themselves and friends with, in leaving for their mountain home. They forced them, destitute of every comfort of life, and many without the means of living in any shape, across the river, where they had neither house nor shelter, nor the means of procuring any, and among enemies nearly as bad as the mob itself. They have not only forfeited their characters, but have lost the confidence of every good man, and even the power to respect themselves. Such was this *posse comitatus*, and such were the leaders, whose names are everywhere known, as having held prominent places in community. And although this is an unexaggerated statement of facts, not one of these persons has ever been arrested for breach of the peace, violation of laws, for perjury, or treason against the government; and all these have been committed openly, day after day, right in sight and under the very nose of the Executive of the State. Neither have the *people* expressed their dissent by any public demonstration, in any portion of the State. All, therefore, are guilty, either before or after the fact; and all will, consequently, some day, have to make restitution.