

Missouri State Archives: Finding Aid 5.1

Mormon War Papers, 1837-1841

[Full-text transcription of: Letter from General John B. Clark, 1st Division of Missouri Militia, Richmond, MO to Governor Boggs, Jefferson City, MO]

Head Quarters. Richmond

Nov: 14th 1838.

His Exy Gov. Boggs.

Sir—In my last commu:

nication I informed you of all the important incidents of the expedition up to that time.

On Tuesday last we commenced the examination of the alleged crimes (being treason, murder, burglary, arson & larceny) against Jo. Smith and his Co leaders, & also forty six others who occupy less space, amongst their people, but many of whom are equally guilty. The defendants have employed Messrs. Rees and Doniphan to defend them, who are both present.

The enquiry as you may well imagine takes a very extensive range and involves many important legal principles, not often adverted to in our practice, & being as I consider too important to be made out against the prisoners. I, at the suggestion of Mr. Burch, the Circuit Attorney, spoke to Col. W. T. Wood to assist in the prosecution, promising him to lay the matter before your excellency, not doubting but what some provision would be made, by which he would have paid to him a reasonable fee. This was not done because I doubted Mr. Burch's ability in the least, for he is a good lawyer, and enters into this matter with his whole energy, but there are so many points stirred, & so much labor

to arrange the facts, so as to make them bear on the various defendants, that I did not wonder he should ask assistance, and for the good of the State I spoke to Col: Wood as above stated, & he is very willingly engaged with Mr. Burch. We progress slowly, but thus far the disclosures indicate certain conviction of treason against Smith, Wight, Pratt, Rigdon & some one or two more, and of murder against some five or six. Burglary against several arson against a number, & larceny against others. How it will all result, I cannot yet

tell, but that the leaders will all be convicted of treason or murder, I think is reasonably certain & many others of felony. You shall be informed as we progress.

I received this evening a communication from Genl. Wilson, who had been despatched to Daviess County, a copy of which I enclose you, from which you will discover that things are becoming as well settled there as can be, under the circumstances though they & would have been much better settled if your orders had have been complied with before my arrival. It seems to me if proper steps had been taken, to save the active leaders, they could all have been captured. The protection Genl. Wilson alludes to my giving the mormons in

Caldwell, I explained to you in my last communication.

I regret exceedingly to learn that any acts of yours should create any heart burnings, or collision with your Excellency and any general officer, and particularly to such an extent as I understand exists with Genl. Atchison. Your motives doubtless were good, your orders were undoubtedly [“were” crossed out] right as to the mormons and my command and I have no doubt the whole country will sustain you. Business of a very urgent nature compels me to leave here on tomorrow for Fayette, where I will arrive on sunday leaving Lt: Col: Price, a competent officer here until my return. I will only remain in Fayette until Tuesday or Wednesday next, when I shall return here to remain until this whole prosecution is settled or put in such a Condition that a military force is unnecessary. It is thought that the investigation will last for two or three weeks—

I am, sir, your obdt: Servt:
John B. Clark.
Maj: Genl: Comg—

Genl Clark
to

Governor
Nov. 14, 1838
Nov: 12 & 14
copied

