

Missouri State Archives: Finding Aid 5.1

Mormon War Papers, 1837-1841

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

Gov. To Genl Clark

Nov 19.
Document No 26—
copied

Executive Department
City of Jefferson

To. Nov. 19. 1838
Major Genl Jno. B. Clark
Sir.

You will take immediate steps
to discharge all the Troops you have retained in service by a guard
and deliver the prisoners over to the civil authority,
You will not attempt to try them by Court Martial,
the Civil law must govern. Should the Judge of the
Circuit Court deem a guard necessary [the words “which I presume he will” are above the line with no
caret] he has
the authority to call on the Militia of the County for
 (“our” crossed out) this purpose. In the absence of the Attorney
General I am unable to furnish you with his opinion
on the points requested. One thing however is certain
that so soon as an insurrection is quelled and peace
[“and order” crossed out] restored, the military authority ceases;
[] the Crime of Treason, whether it can be
tried out of the county where the act was committed
we have no precedent only that of the case of Aaron
Burr, who was charged with the commission of that
offense against the United States at Blanahazerts
Island in the State of Virginia and he was tried
at Richmond, Virginia, this however is a matter
which the [“Civil authority” crossed out] Judiciary will have to determine.

I wish you to distinctly understand, that if
you have accomplished the object of the expedition, which
was to restore peace to the Community and to cause

the offenders to be brought to justice that you will
discharge all your forces and report to me your
proceedings in the manner heretofore requested—
The officers retained to serve on Court Martial will also
be discharged.

Should you have left Richmond before

you receive this communication, you will forward
by Express to the officer you have left in command
orders to the foregoing effect.

(X to come in here)

I am very Respectfully
Yr Obt St.
Lilburn W. Boggs
Com: in chief

X I should be happy to see you at this place
as you would perhaps be able to explain
many things in relation to this perplexing
subject, which I cannot at present understand