

&c. (A copy of this order is herewith attached, marked E.) This order, however, did not reach Gen. Lucas, as I am informed, until after he had left Far West with the prisoners. The next day I reached Crooked River. Learning here that Gen. Lucas had disbanded his forces, and marched the prisoners to Independence, I immediately sent an express to intercept him, with orders for him to march the prisoners and arms back to Richmond, (a copy of which order is here attached, marked F.) I continued my march to Far West, where the troops arrived on Sunday, the 4th of this month. Hearing at Richmond that some of the guard, left by Gen. Lucas at Far West, were killing prisoners and committing other excesses, I left my troops and went in advance, riding all night, in order to check such things, but when I reached there, on examination, I found the guard had been misrepresented greatly, and injustice done them in this matter, as well as Gen. Lucas' troops in many respects. When the troops reached Far West they were encamped in the vicinity of town, a guard placed around the army, to keep the men from going in on that evening. I went into town with all the field officers, and instituted a Military Court of Inquiry, to ascertain who were the most guilty and ought to be put on their trial in the Civil Courts. The business employed my time for two days and nights. I will here remark, but for the capture of Sampson Averd, a leading Mormon (by Col. Hall from the Platte, who is a fine officer,) I do not believe I could have obtained any useful facts. No one disclosed any useful matter until he was captured and brought in. I instructed every one who did disclose or give testimony, that they were not bound to criminate themselves, and that no steps would be taken to compel them. We progressed with this investigation until all had disclosed, who would willingly. I then caused the whole of the Mormons to be paraded, and selected such as I thought ought to be put on their trial before a committing Magistrate, and put them in a room until the next morning, when I took up the line of march for Richmond, with the whole forces and prisoners, 46 in number. I, however, the day before I left Far West, despatched Lieut. Col. Price with two companies from the 2nd Brigade to Richmond, to receive the prisoners and arms Gen. Lucas had been ordered to have there. On his arrival, not finding them there, he went to Independence, and informed the Gen. of the nature of his mission. They were then started and arrived the next day. The arms, however, I did not succeed in getting before my departure from Richmond, but suppose they could not be crossed for the ice. On the day I left Far West, I directed Brig. Gen. Robert Wilson, with his Brigade, except the two companies Col. Price had at Adam-on-diahmon, a town in Daviess county, to settle matters in that quarter. He had furnished him a copy of your several orders to me. Gen. Wilson is a good officer, and also Lawyer, and I thought therefore particularly fitted for that command. The manner in which he discharged his duty, will be seen by his final report to me, with my order to him, (a copy of which is here attached, marked G.) The Gen. and his troops suffered very much by the inclemency of the weather,

but they acted kindly and humanely to the prisoners, and deserve great credit. While at Far West, Brig. Gen. Parks reported to me his acts at 'Diahmon, under the order of Gen. Lucas, and I sent to him an order, to keep the prisoners guarded until my arrival, charging him not to permit the property or person of the prisoners to be injured in any way, (a copy of which order is attached, marked H.) Gen. Parks fulfilled my orders to my satisfaction. While in Far West, I was applied to by a considerable number, who informed me that they were out of provisions in town, but had plenty on their farms. Not wishing to release any until I had closed the inquiry, I caused provisions to be dealt out to such as were destitute until they were discharged. There was at Far West about 500 Mormons, (several hundred having run off with their arms before my arrival,) and at Adam-on-diahmon about 150 or 200, making in all about 1,200 armed men, when all together, as well as I can ascertain. There is now collected in the hands of my Quarter Master, and I presume Gen. Lucas's, about 700 guns, a great many pistols, swords, and spears, but I have not now in my possession any means to ascertain the exact number, but they have been receipted for, and will be reported in due time by the proper officer. Before I left Far West, I had the Mormons called together and addressed them, in substance, that they had capitulated with Gen. Lucas, and made their own agreement, and they would be expected to comply, and must comply, deeming it necessary for the public peace, but that they would not be expected to go until their convenience in the spring. That no Military guard would go with them—that none was necessary, as I would pledge the honor of the State they should not be hurt: that their arms should be given up to them. I did not see what else I could do under the circumstances, without setting at naught what had been done by Gen. Lucas, which I thought would have produced another difficulty with these people, of perhaps more danger than the one that was then settled. This being done, I marched to Richmond with the prisoners, and applied to the Hon. A. A. King to try them. He commenced the examination immediately after the defendants obtained counsel. Before their trial commenced, they were informed what was alleged against them. I spoke to Col. Wood to assist the Circuit Attorney in the prosecution, in the reasons given in my last communication. The inquiry, as you may well imagine, took a wide range, embracing the crimes of Treason, Murder, Burglary, Robbery, Arson, and Larceny. Gens. White, Grant, and Willock were directed to discharge their troops, as soon as I learned of the surrender, and that they were on their march; also the troops from the 5th Div. under the command of Gen. Woodward, except the Boonville guards, commanded by Capt. Chiles, and the company of Cavalry commanded by Capt. Parsons—both of those companies were kept to guard the prisoners—the guards to bring them to Richmond, and the Cavalry to guard them after they got there. The whole of the troops are now out of service, and were discharged as early as possible, according to your orders. Brig. Gen. Wilson, who was sent to Daviess county, to settle matters in that quarter, made a

report of his acts and opinions of the commencement of the difficulty, which is dated the 25th, and it is so replete with information that I have appended it to this report as heretofore stated. I can bear testimony to the good conduct of my whole immediate command, both of officers and men. They all conducted themselves on the march, and while with the Mormons, as honorable citizen soldiers; and I state to you, sir, that none of my Division at any time, nor any of the forces after I arrived at Far West, committed any violence, either upon the property or persons of the Mormons, of either sex; any statement or insinuation to the contrary is false and a slander upon my command and our citizens. I am led to make this statement to your Excellency on account of strictures I have seen in some of the public Journals of the country, about the troops generally, and consequently embracing my command, I cannot vouch for the troops before my arrival, but I do afterwards, and in justice to the officers commanding before I will state, that I believe that great injustice has been done them also. I have the testimony of the most intelligent Mormons as to the subject, (which I attach, marked L.) It is humiliating to the Militia, who are citizens generally of a high order, to see the public Journals of the country publishing every report that is put out, without knowing whether it be true or false, for the purpose of casting reproach upon our arms and country. I make this statement to rescue my command from such unmerited censure, which I know to be false as far as they are concerned, and leave other general officers, having the command before my arrival, to act as they please in the premises. I have not been able to satisfy myself as well as I would desire of the causes of this difficulty, but enough is shown by the evidence I here attach, (marked J.) to enable the country to appreciate your prompt movement in ordering out the Militia to put down an insurrection of no ordinary character. It had for its object *Domination*, the ultimate subjugation of this State and the Union to the laws of a few men called the Presidency. Their church was to be built up at any rate, peaceably if they could, forcibly if necessary. These people had banded themselves together in Societies, the object of which was to first drive from their Society such as refused to join them in their unholy purposes, and then to plunder the surrounding country, and ultimately to subject the State to their rule. They have committed great injury to the country by burning, robbing, &c. These things, however, their leaders say, was done to punish the citizens of our State, for past violence to them. How this is, you can determine from the evidence herewith sent. In their incursions they have robbed, murdered, stole and burnt, and committed many inhuman acts on helpless families. I have no doubt but what we have many citizens who have very much mistreated these people; but never to such an extent as to create the idea in a rational mind, who loved his country, that the Government ought to be subverted and the laws put at defiance. The whole number of the Mormons killed through the whole difficulty, as far as I can ascertain, are about 40, and several wounded. There has been one citizen killed, and about 15 badly

wounded. I give it as my decided opinion that much more blood would have been shed than was, if there had been only troops enough ordered out by your Excellency to conquer the insurgents in a battle, than by having a larger number. This influence awed them into submission to the first troops that appeared before their town. This I am authorized to say by intelligent Mormons. Much has been said to the prejudice of those engaged in the battle of Hann's Mills; not having received before my departure from Richmond, an official account of that battle from the officer commanding, since my arrival here, I addressed a note to Maj. Ashby, a Senator from Chariton, who was there, for information. His answer is here appended, and (marked K.) to which I refer you. I would inform your Excellency that I have been informed by the Mormons, that there are now about 100 females, the wives of those who were killed and run off, who are destitute and depend on their friends for support. I do not know how many of the prisoners will be committed; not having heard the evidence in defence. When I left Richmond, I obtained copies of all the evidence that had been given in, that I could procure, and engaged a gentleman to copy the balance on both sides, and forward it to me at this place by each mail. The evidence I have is not certified, but I heard it delivered, and know it is substantially copied. That part of S. Avard's evidence, giving a list of those persons engaged in crime, is by accident omitted. As fast as the balance arrives it shall be transmitted. Every facility was afforded the prisoners in getting their witnesses, &c. that could be, and as far as I could observe the investigation was conducted upon legal grounds. They have all counsel, who are vigilant in their defence. No pay rolls have yet been made to me, but they will be very soon, when I will forward them in due form. There is some public property which my Quarter Master was ordered to report to the Quarter Master General.

Having now submitted to your Excellency the course taken by me under your several orders, in every material step, as well as such information as I possess, permit me to assure your Excellency that I entered on my duties with fearful apprehensions that my experience and ability to command had been overrated by you, and it would have given me pleasure if such an important trust, involving so much, had been committed to other more competent hands. But in the discharge of my duty I have endeavored to comply with your orders as I understood and construed them, making the restoration and preservation of the public peace the great object to be attained all—which I respectfully submit to your Excellency, hoping that my acts may be satisfactory to you, and yours to the country.

I am, sir, with consideration of high respect,

Your obedient servant,

JOHN B. CLARK,

Maj. Gen. Commanding.

M. Arthur, Esq. to the Representatives from Clay County.

LIBERTY, Nov. 29, 1838.

RESPECTED FRIENDS:—Humanity to an injured people prompts me at present to address you thus. You were aware of the treatment (to some extent before you left home,) received by that unfortunate race of beings called the Mormons, from Daviess, in the form of human beings inhabiting Daviess, Livingston, and a part of Ray county; not being satisfied with the relinquishments of all their rights as citizens and human beings, in the treaty forced upon them by General Lucas, by giving up their arms, and throwing themselves upon the mercy of the State, and their fellow-citizens generally, hoping thereby protection of their lives and property, are now receiving treatment from those demons, that makes humanity shudder, and the cold chills run over any man, not entirely destitute of any feeling of humanity. Those demons are now constantly strolling up and down Caldwell county, in small companies armed, insulting the women in any and every way, and plundering the poor devils of all the means of subsistence (scanty as it was) left them, and driving off their horses, cattle, hogs, &c., and rifling their houses and farms of every thing therein, taking beds, bedding, wardrobe and all such things as they see they want, leaving the poor Mormons in a starving and naked condition.

These are facts I have from authority that cannot be questioned, and can be maintained and substantiated at any time. There is now a petition afloat in our town, signed by the citizens of all parties and grades, which will be sent you in a few days, praying the Legislature to make some speedy enactment applicable to their case—they are entirely willing to leave our State, so soon as this inclement season is over, and a number have already left and are leaving daily, scattering themselves to the four winds of the earth.

Now, sirs, I do not want by any means to dictate to you the course to be pursued, but one fact I will merely suggest. I this day was conversing with Mr. George M. Pryer, who is just from Far West, relating the outrages there committed daily. I suggested to him the propriety of the Legislature's placing a guard to patrol on the lines of Caldwell county, say of about twentyfive men, and give them, say, about one dollar or one and a half per day, each man, and find their provisions, &c., until, say, the first day of June next. Those men rendering that protection necessary to the Mormons, and allowing them to follow, and bring to justice any individual who has heretofore, or will hereafter be guilty of plundering or any violation of the laws.

I would suggest that George M. Pryer be appointed captain of said guard, and that he will be allowed to raise his own men—he is willing thus to act. He is a man of correct habits, and will do justice to all sides, and render due satisfaction.

Should this course not be approved of, I would recommend the restoration of their arms, for their own protection. One or the other of

these suggestions is certainly due the Mormons from the State. She has now their leaders prisoners to the number of fifty or sixty, and I apprehend no danger from the remainder in any way, until they will leave the State.

M. ARTHUR.

Hon. A. A. King to the Governor.

RICHMOND, Dec. 23, 1838.

DEAR SIR:—I have recently seen Col. Price, who made known to me the object of his mission to this part of the State. In reference to the lawless depredations said to be practised on the Mormons, I have no doubt that the charges are, to a certain extent, true, and I have as little doubt that the perpetrators of them can be effectually brought to justice by the civil authorities. If, instead of writing those inflammatory letters to members of the Legislature, these same men would come before me, and give such information as the law requires against these lawless characters, I should bring them to an immediate account, and I am satisfied there is virtue enough in this community to aid and sustain me in so laudable an undertaking. I have heard frequent complaints, and have uniformly invited them to institute a legal investigation, but no person has thought proper to do so.

In most of the cases of outrage against the property of the Mormons, it has been by persons who pretend, and perhaps truly, that the Mormons owe them, or by persons who say that the Mormons, in their late outrages upon them, have destroyed their property, and they take this means to indemnify themselves. This certainly is an unlawful, and highly objectionable course. But I think it is very ungracious in Mr. Arthur to charge it upon the citizens of the surrounding counties exempting his own county of Clay. If rumor be true, he himself has been extensively engaged in collecting his Mormon debts, in property chiefly, and at prices less than half what would be asked or given in ordinary cases. This with me is only rumor, but there are men who say so, who are equally respectable with Mr. Arthur. As it regards the military fine recommended by him, I should look upon it as a direct imputation upon the power and efficacy of the civil authorities to maintain the law in ordinary cases, and would, in effect, be reversing that salutary constitutional principle which renders the military subordinate to the civil authority.

I cannot but express a regret that the time, in my opinion, is not very distant when we shall have the same scene to go through with the Mormons that we have lately witnessed. If the Mormons would disperse, and not gather into exclusive communities of their own, I think, with the exception of a few of their leaders, the people might be reconciled to them, but this they utterly refuse to do. They tell me that it would amount to an abandonment of their creed and religion, for they

believe, you know, in the gathering together of the Saints, and that they shall come out from the world. Suggest the matter to them as I have done, for the sake of their peace and safety, and they will give you many scriptural reasons why they should not do so.

The Mormons appear lately to have taken new courage, and to be determined not to move. The citizens are equally determined they shall; for nothing but expulsion or the other alternative will satisfy this community, that is, if the Mormons hold out under their former principles and practices. This, I know, is strong doctrine for some of the members, and such as I have not encouraged, occupying the station I do, either by act or expression, yet I can easily find men in this community, noted for their good moral character and correct deportment, who are determined the Mormons shall not reside among them. The alternative is presented, the expulsion of the Mormons, or the virtual relinquishment of their own homes.

There have been, from parts of this State, as well as from other States, highly respectable gentlemen, who came among us, with all their sympathies and prejudices enlisted in favor of the Mormons, but after travelling through the country, hearing and seeing what they did, they undergo an entire change of opinion, such as has frequently astonished me.

I have written to you, in conformity with the request made by you through Col. Price, in reference to the necessity of a military force to sustain and uphold the laws.

I am, very respectfully,
AUSTIN A. KING.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, Feb. 18, 1839.

The Governor to Col. Wiley C. Williams.

To Col. WILEY C. WILLIAMS, aid to the Commander-in-Chief.

SIR:—You will take measures, as soon as practicable, to cause the arms, surrendered by the Mormons, to be delivered to the proper owners, upon their producing satisfactory evidence of their claims. If, in any case, you think an improper use would be made of them, you can retain such, using a sound discretion in the matter. You will call upon Capt. Pollard or any other person who may have arms in possession, and take charge of them, and this will be your authority for so doing.

I am respectfully, your obedient servant,
LILBURN W. BOGGS.

EVIDENCE

Given before the Hon. Austin A. King, judge of the fifth judicial circuit in the State of Missouri, at the court-house in Richmond, in a criminal court of inquiry begun Nov. 12, 1838, on the trial of Joseph Smith, jr., and others, for high treason, and other crimes against the State.

State vs. Joseph Smith, jr., Hiram Smith, Sidney Rigdon, Parley P. Pratt, Lyman Wight, Amasa Lyman, George W. Robinson, Caleb Baldwin, Alanson Ripley, Washington Voorhees, Sidney Turnur, John Buchanan, Jacob Gates, Chandler Haldbrook, George W. Harris, Jesse D. Hunter, Andrew Whitlock, Martin C. Alred, William Alred, George Grant, Darwin Chase, Elijah Newman, Alvin G. Tippetts, Zedekiah Owens, Isaac Morley, Thomas Beck, Moses Clawson, John J. Turnur, Daniel Shearer, Daniel S. Thomas, Alexander McRay, Elisha Edwards, John S. Higbey, Ebenezer Page, Benjamin Covey, Ebenezer Robinson, Lyman Gibbs, James M. Henderson, David Pettigrew, Edward Partridge, Francis Higbey, David Framp-ton, George Kimble, Joseph W. Younger, Henry Zabriski, Allen J. Stout, Sheffield Daniels, Silas Manard, Anthony Head, Benjamin Jones, Daniel Carn, John T. Earl, and Norman Shearer; who were charged with the several crimes of high treason against the State, murder, burglary, arson, robbery, and larceny.

Sampson Avar, a witness produced, sworn, and examined on behalf of the State, deposeth and saith: That about four months ago, a band, called the Daughters of Zion, (since called the Danite band,) was formed of the members of the Mormon church, the original object of which was to drive from the county of Caldwell all those who dissented from the Mormon church; in which they succeeded admirably and to the satisfaction of those concerned. I consider Joseph Smith, jr., as the prime mover and organizer of this Danite band. The officers of the band, according to their grades, were brought before him, at a school house, together with Hiram Smith and Sidney Rigdon: the three composing the first presidency of the whole church. Joseph Smith, jr., blessed them, and prophesied over them: declaring that they should be the means, in the hands of God, of bringing forth the millennial kingdom. It was stated by Joseph Smith, jr., that it was necessary this band should be bound together by a covenant, that those who revealed the secrets of the society should be put to death. The covenant taken by all the Danite band was as follows, to wit: They declared, holding up their right hands, "In the name of Jesus Christ, the Son of God, I do solemnly obligate myself ever to conceal, and never to reveal, the secret purposes of this society called the Daughters of Zion. Should I ever do the same, I hold my life as the forfeiture." The prophet, Joseph Smith, jr., together with his two counsellors, (Hiram Smith and Sidney Rigdon,) were considered as the supreme head of the church; and the Danite band felt themselves as much bound to