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HISTORY OF JOSEPH SMITH.

DECEMBER, 1843.

I insert the Memorial from the City Council to the Congress of the United States, for redress of grievances, and protection from further persecution; which was signed by them.

To the Honorable Senators and Representatives of the United States of America in Congress assembled.

We, the undersigned, members of the city council of the city of Nauvoo, citizens of Hancock county, Illinois, and exiles from the State of Missouri, being in council assembled, unanimously and respectfully, for ourselves, and in behalf of many thousands of other exiles, memorialize the Honorable Senators and Representatives of our nation upon the subject of the unparalleled persecutions and cruelties, inflicted upon us and upon our constituents by the constituted authorities of the State of Missouri, and likewise upon the subject of the present unfortunate circumstances in which we are placed in the land of our exile. As a history of the Missouri outrages, has been extensively published, both in this country and in Europe, it is deemed unnecessary to particularize all of the wrongs and grievances, inflicted upon us, in this memorial. As there is an abundance of well attested documents to which your honorable body can at any time refer; hence we only embody the following important items for your consideration.

First, your memorialists, as free born citizens of this great republic, relying with the utmost confidence upon the sacred "articles of the Constitution," by which the several States are bound together, and considering ourselves entitled to all the privileges and immunities of free citizens in what State soever we desired to locate ourselves; commenced a settlement in the county of Jackson, on the western frontiers of the State of Missouri, in the summer of 1831.

There we purchased lands from Government, erected several hundred houses, made extensive improvements, and shortly the wild and lonely prairies and stately forests were converted into well cultivated and fruitful fields. There we expected to spend our days in the enjoyment of all the rights and liberties bequeathed to us by the sufferings and blood of our noble ancestors. But, alas! our expectations were vain.

Two years had scarcely elapsed before we were unlawfully and unconstitutionally assaulted by an organized mob, consisting of the highest officers in the county, both civil and military, who openly and boldly avowed their determinations in a written circular to drive us from said county.

As a specimen of their treasonable and cruel designs, your honorable body are referred to said circular of which the following is but a short extract; namely, "We, the undersigned citizens of Jackson county, believing that an important crisis is at hand as regards our civil society, in consequence of a pretended religious sect of people that have settled and are still settling in our county, styling themselves Mormons, and intending as we do to rid our society 'peaceably if we can, forcibly if we must,' and believing as we do that the arm of the civil law does not afford us a guarantee, or at least a sufficient one against the evils which are now inflicted upon us, and seem to be increasing by the said religious sect, deem it expedient and of the highest importance to form ourselves into a company for the better and easier accomplishment of our purpose."

This document was closed in the following words:—"We, therefore, agree, that after timely warning and receiving an adequate compensation for what little property they cannot take with them, they refuse to leave us in peace as they found us, we agree to use such means as may be sufficient to remove them, and to that end we each pledge to each other our bodily powers, our lives, fortunes and sacred honors."

To this unconstitutional document were attached the names of nearly every officer in the county, together with the names of hundreds of others.

It was by this band of murderers that your memorialists in the year 1833 were plundered

of their property and robbed of their peaceable homes. It was by them that their fields were laid waste, their houses burned, and their men, women and children, to the amount of about twelve hundred persons, banished as exiles from the county, while others were cruelly murdered by their hands.

Second. After our expulsion from Jackson county, we settled in Clay county on the opposite side of the Missouri river, where we purchased lands both from the old settlers and from the land office, but soon we were again violently threatened by mobs, and obliged to leave our homes and seek out a new location.

Third. Our next settlement was in Caldwell county, where we purchased the most of the land in said county, besides a part of the lands in Daviess and Carroll counties. These counties were almost entirely in a wild and uncultivated state, but by the persevering industry of our citizens large and extensive farms were opened in every direction, well stocked with numerous flocks and herds. We also commenced settlements in several other counties of the State, and once more confidently hoped to enjoy the hard earned fruits of our labor unmolested.

But our hopes were soon blasted. The cruel and murderous spirit which first began to manifest itself in the constituted authorities and inhabitants of Jackson county, and afterwards in Clay and the surrounding counties, receiving no check either from the civil or military power of the State, had in the mean time taken courage and boldly and fearlessly spread its contaminating and treasonable influence into every department of the government of said State, Lieut. Gov. Boggs, a resident of Jackson county, who acted a conspicuous part in our expulsion from said county, instead of being tried for treason and rebellion against the constitution, and suffering the just penalty of his crimes, was actually elected Governor and placed in the executive chair.

Thus the inhabitants of the State were greatly encouraged to renew with redoubled fury their unlawful attacks upon our defenceless settlements, men, women, and children were driven in every direction before their merciless persecutors, robbed of their possessions, their property, their provisions and their all; cast forth upon the bleak snowy prairies, houseless and unprotected; many sunk down and expired under their accumulated sufferings, while others, after enduring hunger and the severities of the season, suffering all but death; arrived in Caldwell county, to which place they were driven from all the surrounding counties only to witness a still more heart-rending scene.

In vain had we appealed to the constituted authorities of Missouri for protection and redress of our former grievances. In vain we now stretched out our hands and appealed as the citizens of this great republic to the sympathies, to the justice and magnanimity of those in power. In vain we implored again and again at the feet of Governor Boggs, our former persecutor, aid and protection against the ravages and murders now inflicted upon our defenceless and offending citizens. The cry of American citizens already twice driven and deprived of Liberty, could not penetrate their adamant hearts.

The Governor, instead of sending us aid, issued a proclamation for our EXTERMINATION and BANISHMENT, ordered out the forces of the State, placed them under the command of General Clark, who to execute these exterminating orders, marched several thousand troops into our settlements in Caldwell county, where, unrestrained by fear of law or justice, and urged on by the highest authority of the State, they laid waste our fields of corn, shot down our cattle and hogs for sport, burned our dwellings, inhumanly butchered some 18 or 20 defenceless citizens, dragged from their hiding places little children, and placing the muzzles of their guns to their heads, shot them with the most horrid oaths and imprecations.

An aged hero and patriot of the revolution, who served under General Washington, while in the act of pleading for quarters, was cruelly murdered and hewed in pieces with an old corn cutter, and in addition to all these savage acts of barbarity, they forcibly dragged virtuous and inoffensive females from their dwellings, bound them upon benches used for public worship, where they in great numbers ravished them in the most brutal manner.

Some fifty or sixty of the citizens were thrust into prisons and dungeons, where, bound in chains, they were fed on human flesh, while their families and some fifteen thousand others, were, at the point of the bayonet, forcibly expelled from the State.

In the mean time, to pay the expenses of these horrid outrages, they confiscated our property, and robbed us of all our possessions.

Before our final expulsion, with a faint and lingering hope we petitioned the State legislature then in session. Unwilling to believe that the virtue and patriotism of the venerable fathers of the revolution had fled from the bosoms of their illustrious descendants. Unwilling to believe that American citizens could appeal in vain for a restoration of liberty cruelly wrested from them by cruel tyrants. But in the language of our noble ancestors, "our repeated petitions were only answered by repeated injuries."

The legislature, instead of hearing the cries of 15,000 suffering, bleeding, unoffending citizens, sanctioned and sealed the unconstitutional acts of the Governor and his troops, by appropriating 200,000 dollars to defray the expenses of exterminating us from the State. No friendly arm was stretched out to protect us. The last ray of hope for redress in that State was now entirely extinguished. We saw no other alternative but to bow down our necks, and wear the cruel yoke of oppression, and quietly and submissively suffer ourselves to be banished as exiles from our possessions, our property and our sacred homes, or otherwise see our wives and children coldly butchered and murdered by tyrants in power.

Fourth. Our next permanent settlement was in the land of our exile, the State of Illinois, in the spring of 1839, but even here we are not secure from our relentless persecutor, the State of Missouri. Not satisfied in having drenched her soil in the blood of innocence, and expelling us from her borders, she pursues her unfortunate victims into banishment, seizing upon and kidnapping them in their defenceless moments, dragging them across the Mississippi river, upon their inhospitable shores, where they are tortured, whipped, immured in dungeons, and finally hung by the neck without any legal process whatever.

We have memorialized the former executive of this State, Governor Carlin, upon these lawless outrages committed upon our citizens, but he rendered us no protection. Missouri, receiving no check in her murderous career, continues her depredations. Again and again kidnapping our citizens and robbing us of our property. While others, who fortunately survived the execution of her bloody edicts, are again and again demanded by the executive of that State on pretence of some crime said to have been committed by them during the exterminating expedition against our people.

As an instance, Gen. Joseph Smith, one of your memorialists, has been three times demanded, tried and acquitted by the courts of this State, upon investigation under writs of habeas corpus once by the United States Court for the district of Illinois, again by the circuit court of the State of Illinois, and lastly by the municipal court of the city of Nauvoo, when at the same time a *nolle prosequi* had been entered by the courts of Missouri, upon all the cases of that State against Joseph Smith and others.

Thus the said Joseph Smith has been several times tried for the same alleged offence, put in jeopardy of life and limb contrary to the fifth article of the amendments to the Constitution of these United States, and thus we have been continually harassed and robbed of our money to defray the expenses of these vexatious prosecutions. And what at the present time seems to be still more alarming, is the hostility manifested by some of the authorities and citizens of this State, conventions have been called, inflammatory speeches made, and many unlawful and unconstitutional resolutions adopted, to deprive us of our rights, our liberties, and the peaceable enjoyment of our possessions.

From the present hostile aspect and from bitter experience in the State of Missouri, it is greatly feared lest the barbarous scenes acted in that State will be re-acted in this. If Missouri goes unpunished, others will be greatly encouraged to follow her murderous examples.

The afflictions of your memorialists have already been overwhelming, too much for humanity, too much for American citizens to endure without complaint. We have groaned under the iron hand of tyranny and oppression these many years. We have been robbed of our property to the amount of two millions of dollars. We have been hunted as wild beasts of the forest. We have seen our aged fathers who fought in the revolution and our innocent children alike slaughtered by our persecutors. We have seen the fair daughters of American citizens insulted and abused in the most inhuman manner, and finally we have seen fifteen thousand souls, men, women and children, driven by force of arms during the severities of winter from their sacred homes and fire-sides to a land of strangers, penniless and unprotected.

Under all these afflicting circumstances, we imploringly stretch forth our hands towards the highest councils of our nation, and humbly appeal to the illustrious senators and representatives of a great and free people for redress and protection.

Hear, O hear the petitioning voice of many thousands of American citizens, who now groan in exile on Columbia's free soil. Hear, O hear, the weeping and bitter lamentations of widows and orphans, whose husbands and fathers have been cruelly martyred in the land where the proud eagle exulting floats. Let it not be recorded in the archives of the nations, that Columbia's exiles sought protection and redress at your hands, but sought it in vain. It is in your power to save us, our wives, and our children from a repetition of the blood-thirsty scenes of Missouri; and greatly relieve the fears of a persecuted and injured people, by ordaining for their protection the following ordinance, namely:

AN ORDINANCE

For the protection of the people styled the Church of Jesus Christ of Latter Day Saints, residing on the western borders of the State of Illinois.

PREAMBLE.

Whereas the State of Missouri, at sundry times, has unconstitutionally deprived a certain portion of her citizens (called Mormons) of their rights, property, lands, and even of their lives:

And whereas in the years 1838 and 1839, the said State of Missouri did illegally and inhumanly exile and banish for ever from her limits and jurisdiction, all the said citizens (called Mormons) that remained alive, with impunity;

And whereas, after being hospitably received by the citizens of Illinois, the said State of Illinois did grant, enact and charter for the benefit and convenience of the said exiled Mormons, as follows:—

[See Deseret News, Vol. 4, page 127, No. 35, Nov. 9, 1854.]

And whereas by the tenth article of the Constitution of the United States as amended: "Art. 10. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people;" and whereas, according to the fourth article and section second, "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States;" and whereas, according to the second paragraph of the third section of said Constitution, "The Congress shall have power to dispose of and make the needful rules and regulations respecting territory;" and whereas the said Congress has the power to protect each State against invasion and insurrection; and whereas most of the inhabitants of the city of Nauvoo are exiles from the State of Missouri; and whereas the most of the lands owned in the State of Missouri were purchased from the United States, and patented by the United States to the amount of more than \$200,000 worth; and whereas the United States are bound to clear the title and protect it; and whereas the said exiles or expelled Mormons have lost in property and damage about two millions of dollars; and whereas the said State of Missouri continues her ravages, persecutions and plunderings, by kidnapping said exiles from Illinois, and by other depredations.

Now, therefore, to shew the fatherly care of the United States; to ratify the said charter, to protect the said exiles from mob violence, and shield them in their rights:—

Section 1. Be it ordained by the Senate and House of Representatives of the United States of America in Congress assembled, that all the rights, powers, privileges and immunities belonging to Territories, and not repugnant to the Constitution of the United States, are hereby granted and secured to the inhabitants of the city of Nauvoo, in addition to the spirit, letter, meaning and provisions of the afore mentioned charter, or act of incorporation from the State of Illinois, until the State of Missouri restores to those exiled citizens, the lands, rights, privileges, property and damage for all losses.

Section 2. And be it further ordained, in order to effect the object and further intention of this ordinance, and for the peace, security, happiness, convenience, benefit and prosperity of the said city of Nauvoo, and for the common weal, and honor of our country; that the mayor of Nauvoo be, and he is hereby empowered, by this consent of the President of the United States, whenever the actual necessity of the case, and the public safety shall require it, to call to his aid a sufficient number of United States forces, in connection with the Nauvoo Legion, to repel the invasion of mobs, keep the public peace, and protect the innocent from the unhallowed ravages of lawless banditti that escape justice on the western frontier; and also to preserve the power and dignity of the Union.

Section 3. And be it further ordained that the officers of the United States army are hereby required to obey the requisitions of this ordinance.

Section 4. And be it further ordained, that for all services rendered in quelling mobs, and preserving the public peace, the said Nauvoo Legion shall be under the same regulations, rules, and laws of pay as the troops of the United States.

City of Nauvoo, Illinois, December 21, 1843,

HYRUM SMITH,
JOHN TAYLOR,
ORSON PRATT,
W. W. PHELPS,
HEBER C. KIMBALL,
BENJAMIN WARRINGTON,
DANIEL SPENCER,
BRIGHAM YOUNG,
ORSON HYDE,
Councilors;
ORSON SPENCER,
DANIEL H. WELLS,
GEO. W. HARRIS,
SAM'L BENNETT,
GEO. A. SMITH,
Aldermen;
JOSEPH SMITH, Mayor,
WILLARD RICHARDS, Recorder,
JOHN P. GREENE, Marshal.