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HISTORY OF JOSEPH SMITH.

DECEMBER, 1842.

Dec.—Friday 9.—I chopped wood all day. My brother Hyrum started for Springfield to attend to his case of bankruptcy with Benjamin Covey as witness. Willard Richards, William Clayton, Henry G. Sherwood, Peter Haws, Heber C. Kimball, Alpheus Cutler, and Reynolds Cahoon, accompanied them to attend to my case; present testimony to the governor that I was in Illinois at the time Boggs was shot, consequently could not have been a fugitive from the justice of Missouri, and thus procure a discharge from Governor Ford, on Governor Carlin's writ for my arrest. The weather was very cold, and the traveling tedious, yet my messengers traveled 34 miles, and staid with my brother Samuel Smith, who kept a public house at Plymouth.

Mr. Davis, of Bond county, introduced a resolution to the House of Representatives at Springfield concerning the charter of Nauvoo, and urged its repeal.

Mr. Hicks was in favor of having the State arms taken from the Mormons.

Mr. Owen thought they had no more than their quota.

[The arms referred to consisted of 3 cannon or 6-pounders and a few score of muskets, swords and pistols, which were furnished by the United States to Illinois, for the supply of her militia for common defence, of which the Nauvoo Legion had received but a small portion to which it was entitled.]

My brother, William Smith, representative of Hancock county, colleague with Mr. Owen, made the following speech in the house in reply to Mr. Davis:

Mr. Speaker:—I beg the privilege of making a few remarks on this subject. This, sir, seems to be a question which has excited to a very considerable extent the attention of members who compose this honorable body. But, Mr. Speaker, it does really appear to me that this is a question that has been gotten up quite prematurely, for I doubt not many members here have not yet had the opportunity of learning what privileges are granted in the Nauvoo city charter.

The subject which the gentleman has raised is only an assumption. I doubt not that if the subject had been fairly investigated, and weighed equally in the balance by every candid individual in the community, that prejudices of this kind would not have obtained such a hold upon the public mind. In the estimation of genuine democracy the rights of the people of Nauvoo are just as sacred as those of any other people. The people that live there should have just the same privileges extended to them as are awarded to Springfield, Chicago, Quincy, or any other city in the State.

It is true, indeed, that they have labored under many embarrassments. The public mind has been heated in regard to what were supposed to be their chartered privileges. But you, Mr. Speaker, are well aware that all the corporate privileges that they enjoy have been granted to them by a previous legislature. Upon that occasion all that was done was not considered by any, more than an act of justice towards them. They had no greater rights or privileges given them than were already enjoyed by the citizens of Quincy or Springfield. The people have chartered privileges in both of those cities, and we have the same in Nauvoo. Our condition in that respect is not at all different from Chicago, Alton, and many other chartered cities in this State. It would be hardly worth while, Mr. Speaker, to detain either you or this honorable body by making many preliminary remarks in respect to our religion. That is a matter that cannot at all come under the purview of this legislature.

I do not fancy myself placed here before a body of sectarians invested in their own estimation with authority to enact rules for the government or regulation of any sect upon matters of religion. I do not suppose that I stand in the presence of persons disposed to take away one single religious right pertaining to the people among whom I dwell.

But what could legislation in regard to this matter effect? What would it prove? It would neither prove Joseph Smith to be a Christian nor that Tom Thumb came from the moon. It would prove nothing in reference to the principles of any body of religionists. But I do not feel it my prerogative to enter into a discussion of religious principles here. I know very well that the people called Mormons are thought to be a very strange people. I come right from among them, and you can all judge whether or not they seem to have the appearance of a strange animal of 7 heads and 10 horns; you can all decide for yourselves whether from the appearance I present I should be numbered among outcasts, or be ranked among human beings.

One word further as to the chartered privileges. They have, as this honorable body is well aware, assembled a population of from 5 to 10 or 15,000 inhabitants. It is in consequence of the privileges granted in their charter that they have been induced to do this. Nauvoo is not as some may erroneously suppose—a city composed entirely of Mormons. I can inform gentlemen that Methodists, Presbyterians, Baptists, Universalists, in

short, many of different kinds of religion, and even infidels may be found there, and all these are tolerated there, just as in any other community. A great many persons have gone to Nauvoo and there invested their property. They are now engaged in the erection of buildings, which when consummated will cost enormous sums of money. But should the charter of that city be repealed, individuals who now consider themselves rising to wealth in consequence of what has been done by a former legislature of this State, will be reduced to wretchedness and want. In that event, property now worth from 3 to 10,000 dollars will not be worth 500, or nothing in comparison to that amount.

There is another point, Mr. Speaker, to which I would call your attention, and that is to the observations which have been made in regard to taking away from the citizens of Nauvoo the State arms. Well, suppose that should be done; would that effect anything? They are now organized and have under existing laws drawn a certain portion of the public arms. In that, wherein are they acting differently from any other citizens? They have not even that equal portion of arms that they are entitled to by law. Where would be the object in taking away the public arms from the militia of this State? It surely cannot be believed that there is any danger of the Mormons breaking out and killing the people. There is no more danger of that than there is that five, six, or a dozen old women and a few boys should do the same thing. Is this State to be carried by a hue and cry of that kind raised by politicians? I own that it is not the design of that people even so much as to molest a hair on the head of a single individual; but that on the contrary it is their intention in all things to conform to the constitution and laws of the land. If prejudices have been accumulating upon the public mind calculated to produce the expression that they are villains, such prejudices are entirely unfounded. It is a great mistake to suppose the contrary. Those people consider themselves bound by the laws and endeavor to obey them. Have they not, I would ask, contributed their portion towards replenishing your county and State revenues? Have they ever refused to pay their taxes? Have they not always been both ready and willing to obey both the civil and military laws of this State? Where then is the necessity that this honorable body should enact a law taking away from them their chartered privileges?

I will not, Mr. Speaker, detain you or this honorable body much longer. I am heartily sorry that a blow has been aimed at the chartered privileges of Nauvoo. I speak in defence of my constituents upon this occasion, feeling myself bound to do so, not by any former pledges but by principle. I believe in defending the cause of the defenceless as has already been remarked; all that we claim is equal rights and equal provisions. I would remark for the satisfaction of my own feelings in this matter, that I was some little interested in the event of the last election. I then was engaged in the cause of democracy, enlisted in the campaign of canvassing my county, and in consequence of the many prejudices that were excited against the Mormons, as they are called, I was placed under circumstances of most unparalleled embarrassment; but still I thought it a favorable opportunity to unite the democracy of the county.

I know that considerable political capital has been made by the question of Mormonism and anti-Mormonism. Perhaps one thing that now contributes to that result is that there are hints in the governor's message in regard to a repeal of the Nauvoo charter. It is a circumstance within my own knowledge that previous to the last election in Hancock county, some few individuals there made strong efforts to get our votes for the governor by Mormon influence, and since I have been here, a gentleman of opposite politics has said to me, "Now your governor is paying you off."

I do not allude to this to wound the feelings of any person whatever. I do not consider that the recommendation of the governor was designed to effect the repeal of our charter. All that we have to say is, that we throw ourselves upon your mercy; as democrats we ask for equal justice and equal rights. Give us those rights and we are content; without them, we are deprived of that which was purchased by the blood of our fathers.

Saturday, 10.—In this day's paper, William Smith gave his vaudeictory, resigning the editorship of the Wasp to Mr. John Taylor.

Tuesday, 13.—I continued to chop and haul wood, and attend to my domestic concerns. My delegation arrived at Springfield about 3 o'clock this afternoon and found the repeal of the Nauvoo charter in a high state of agitation in the legislature.

Wednesday, 14.—My delegation at Springfield having made affidavit that I was in Illinois on the 6th of May last, and consequently could not have been concerned in the attempted assassination of ex-Governor Boggs, and also having prepared a petition to Governor Ford to revoke the writ and proclamation of Governor Carlin for my arrest. Called on Governor Ford at 4 in the afternoon by their own selection, namely, Dr. Richards, brother Hyrum, Elders Sherwood and Clayton, in

company with Mr. Butterfield, United States district attorney, who read his communication to Sidney Rigdon, Esq., of the 20th October; my petition to revoke and countermand Governor Carlin's writ and proclamation, and the affidavit of Lilburn W. Boggs.

Governor Ford, in reply, stated that he had no doubt but that the writ of Governor Carlin was illegal, but he doubted as to his authority to interfere with the acts of his predecessor. He finally concluded that he would state the case before the judges of the supreme court at their council next day, and whatever they decided on shall be his decision. He then stated his reasons for recommending a repeal of the charter, and said that he regretted that he had not recommended a repeal of all the charters in the State.

Thursday, 15.—My delegates at Springfield, continued to prosecute my discharge.

On the 16th, brother Hyrum received his discharge in case of bankruptcy. Every arrangement was made with Mr. Butterfield, whereby I was equally entitled to a discharge, but was put off with a plea that he must write to the office at Washington, before it could be granted.

Saturday, 17.—"Springfield, Dec. 17, 1842.—Dear Sir: Your petition requesting me to rescind Gov. Carlin's proclamation and recall the writ issued against you, has been received and duly considered. I submitted your case and all the papers relating thereto, to the Judges of the Supreme Court, or at least to six of them, who happened to be present. They were unanimous in the opinion that the requisition from Missouri was illegal and insufficient to cause your arrest, but were equally divided as to the propriety and justice of my interference with the acts of Gov. Carlin. It being, therefore, a case of great doubt as to my power, and I not wishing even in an official station to assume the exercise of doubtful powers; and inasmuch as you have a sure and effectual remedy in the courts, I have decided to decline interfering. I can only advise that you submit to the laws, and have a judicial investigation of your rights. If it should become necessary, for this purpose to repair to Springfield, I do not believe that there will be any disposition to use illegal violence towards you; and I would feel it my duty in your case, as in the case of any other person, to protect you with any necessary amount of force from mob violence whilst asserting your rights before the courts, going to and returning.

I am most respectfully Yours
THOMAS FORD."

"Springfield, December 17th, 1842. Joseph Smith, Esq.—Dear Sir:—I have heard the letter read which Gov. Ford has written to you, and his statements are correct in relation to the opinion of the Judges of the Supreme Court.—The Judges were unanimously of the opinion that you would be entitled to your discharge under a habeas corpus to be issued by the Supreme Court—but felt some delicacy in advising Gov. Ford, to revoke the order issued by Governor Carlin, my advice is, that you come here without delay, and you do not run the least risk of being protected while here, and of being discharged by the Supreme Court by habeas corpus. I have also the right to bring the case before the U. S. Court, now in session here, and there you are certain of obtaining your discharge. I will stand by you, and see you safely delivered from your arrest.

Yours, truly,
J. BUTTERFIELD."
"City of Springfield, 17th Dec., 1842: Gen. J. Smith—My Son—I am useless for me to detail facts that the bearer can tell. But I will say that it appears to my judgment, that you had best make no delay in coming before the court at this place for a discharge under a habeas corpus.

I am, &c.
J. ADAMS."
On receiving the foregoing letters, and Dr. Richards having entered for the copy right of a map of the city of Nauvoo, for Joseph Smith in the Clerk's Office of the District of Illinois; the brethren left Springfield for Nauvoo.

Tuesday, 20.—Chopping and drawing wood, with my own hands and team, as I had done mostly since the 9th. President Young continued very sick. This afternoon the brethren arrived from Springfield, and presented me with Messrs. Ford's, Butterfield's, and Adams' letters, and general history of their proceedings, which was highly satisfactory.

Elder Lorenzo D. Barnes died this morning at a quarter past three o'clock, at Bradford, England, he is the first Elder who has fallen in a foreign land in these last days. He had been long connected with the church, and had been distinguished both in his native land and in Great Britain for his piety and virtue, and general amiability of character, that endeared him much to all who knew him, he was one of the most active and efficient Elders, and one whose labors were most extensive, and was eminently successful in his ministry, and while we lament his loss, yet we mourn not for him as without hope, knowing that shortly he shall come forth in the resurrection of the just, and stand in his lot at the last day.

Wednesday, 21.—At home transacting a variety of business, gave instructions about a letter to General James Arlington Bennett.

I appointed Dr. Willard Richards my private Secretary and Historian, and he immediately entered on the duties of his calling.

Elder William Clayton had previously been appointed Temple Recorder, and continued to be

clerk in my temporal business as he had been since Dr. Richards went East in the summer.—He is a faithful man and called on me with the Temple Committee for some advice, concerning their laying by provisions, stone cutting, &c., after listening to their business, I wrote the following:

"Nauvoo, Dec. 21, 1842:—To the hands in the Stone Shop:—Whereas an appeal has been made to me, as sole Trustee in Trust for the Church of Jesus Christ of Latter Day Saints, for a decision in relation to sundry matters in regulating the stone cutting, &c., &c., by the Temple Committee. I have duly considered their complaints, and heard all their arguments in relation to the matter, and am satisfied that a proper deference, has not been paid to their high standing by some or many of the hands in the Stone Shop. And further, that their policy in relation to the Pork and Beef, and Provisions, is for the furtherance of the building of the Temple, in the ultimatum thereof.—These are, therefore, to advise you, to submit patiently to their economy, and instructions; and that we, with one accord, with united feelings, submit patiently to the yoke that is laid upon us, and thereby secure the best interests to the Temple of the most High God, that our limited circumstances can possibly admit of; and then having done all on our part, that the great Eloheim, who has commanded us to build a house shall abundantly bless us, and reward us for all our pains. I am Sirs, your sincere friend and brother, and fellow sufferer in the bonds of the good work,
JOSEPH SMITH,
Sole Trustee in Trust for the Church."

CHASTITY IN ROMAN CATHOLIC COUNTRIES.—Facts and statistics speak louder than the best constructed arguments. With them we now have to deal. In Brussels, a Roman Catholic city of Belgium, the number of illegitimate births average twenty-five in every one hundred. In Popish Munich, the capital of Bavaria, they reach forty-eight in every hundred, or nearly one-half. In Vienna, during the year 1849, there were 19,241 births, of which 10,360 were illegitimate, or considerably more than one half.

In Rome itself, the City of the Church, the annual average of births is 4,373, out of which 3,169, or nearly three-fourths, are exposed as foundlings. It appears, therefore, that the nearer we approach the grand centre of this religious system, the greater becomes the amount of bastardy. These are statistical facts, whose accuracy cannot be questioned, or which, if doubted, can be proved. On the contrary, in the Protestant city of London, with its population of nearly two and a half millions of souls, the number of illegitimate births annually, averages but four out of every hundred. The inferences from these facts are as plain as the facts themselves. The vow of celibacy taken by the priesthood of the Popish Church, does not practically involve that of chastity, and the example thus set by their superiors is faithfully imitated by its laity. Indulgences and dispensations are freely sold and purchased, under which the seventh commandment is violated with impunity. Under the very eye of the Pope himself, its precepts are the most extensively and unblushingly ignored. Well does a contemporary ask, if Sodom and Gomorrah were wicked, what is Rome? If Babylon the great was the mother of harlots, what is Rome? If the Papal priesthood be continent, what was Priapus? If they be chaste, what were the Fawns and Satyrs?—[Phil. Sun.]

THE RICH AND THE POOR.—When I compare together different classes, as existing at this moment in the civilized world, I cannot think the difference between the rich and the poor, in regard to mere physical suffering, as great as is sometimes imagined. That some of the indigent among us die of scanty food, is undoubtedly true; but vastly more, in this community, die from eating too much than from eating too little; vastly more from excess than starvation. So, as to clothing, many shiver from want of defences against the cold; but there is vastly more suffering among the rich from absurd and criminal modes of dress, which fashion has sanctioned, than among the poor from deficiency of raiment. Our daughters are oftener brought to the grave by their rich attire, than our beggars from their nakedness. So the poor are often overworked; but they suffer less than many among the rich, who have no work to do, no interesting object to fill up life, to satisfy the infinite cravings of man for action. According to our present modes of education, how many of our daughters are victims of ennui—a misery unknown to the poor, and more intolerable than the weariness of excessive toil. The idle young man, spending the day in exhibiting his person in the streets, ought not to excite the envy of the over-tasked poor; and this number of the ground is found exclusively among the rich.—[Channing.]

God's people are like stars, that shine brightest in the night; they are like gold, that is brighter for the furnace; like incense, that becomes fragrant from burning; like the camomile plant, that grows the fastest when trampled on.—[Ex.]

COURAGE.—Have sufficient to speak to a poor friend, even in the street, and when a rich one is nigh. The effort is not so great as many people may imagine, and the act is worthy of a king.—[Exchange.]