

This movement of General Doniphan, made considerable excitement in the army, and there was considerable whisperings amongst the officers. We listened very attentively, and frequently heard it mentioned by the guard, that the damned Mormons would not be shot this time.

In a few moments the guard was relieved with a new set; one of those new guard said that the damned Mormons would not be shot this time, for the movement of General Doniphan had frustrated the whole plan, and that the officers had called another court martial, and had ordered us to be taken to Jackson county, and there to be executed; and in a few moments two large wagons drove up, and we were ordered to get into them, and while we were getting into them, there came up four or five men armed with guns, who drew up and snapped their guns at us, in order to kill us, some flashed in the pan, and others only snapped, but none of their guns went off. They were immediately arrested by several officers, and their guns taken from them, and the drivers drove off.

We requested General Lucas to let us go to our houses and get some clothing; in order to do this, we had to be driven up into the city. It was with much difficulty that we could get his permission to go and see our families, and get some clothing; but after considerable consultation, we were permitted to go under a strong guard of five or six men to each of us, and we were not permitted to speak to any one of our families, under the pain of death. The guard that went with me ordered my wife to get me some clothes immediately, within two minutes, and if she did not do it, I should go off without them.

I was obliged to submit to their tyrannical orders, however painful it was, with my wife and children clinging to my arms and to the skirts of my garments, and was not permitted to utter to them a word of consolation, and in a moment was hurried away from them at the point of the bayonet.

We were hurried back to the wagons and ordered into them, all in about the same space of time. In the mean while our father, and mother, and sisters, had forced their way to the wagons to get permission to see us, but were forbidden to speak to us; and they immediately drove off for Jackson county. We traveled about twelve miles that evening, and encamped for the night.

The same strong guard was kept around us, and were relieved every two hours, and we were permitted to sleep on the ground; the nights were then cold, with considerable snow on the ground, and for the want of covering and clothing, we suffered extremely with the cold. That night was a commencement of a fit of sickness, from which I have not wholly recovered unto this day, in consequence of my exposure to the inclemency of the weather.

Our provision was fresh beef roasted in the fire on a stick; the army having no bread in consequence of the want of mills to grind the grain.

In the morning at the dawn of day, we were forced on our journey, and were exhibited to the inhabitants along the road, the same as they exhibit a caravan of elephants or camels. We were examined from head to foot, by men, women and children, only I believe they did not make us open our mouths to look at our teeth. This treatment was continued incessantly, until we arrived at Independence, in Jackson county.

After our arrival at Independence, we were driven all through the town for inspection, and then we were ordered into an old log house, and there kept under guard as usual, until supper, which was served up to us as we sat upon the floor, or on billets of wood, and we were compelled to stay in that house all that night and the next day.

They continued to exhibit us to the public, by letting the people come in and examine us, and then go away and give place for others, alternately all that day and the next night, but on the morning of the following day we were all permitted to go to the tavern to eat and to sleep; but afterward they made us pay our own expenses, for board, lodging, and attendance, and for which they made a most exorbitant charge.

We remained in the tavern about two days and two nights, when an officer arrived with authority from General Clark, to take us back to Richmond, Ray county, where the general had arrived with his army to await our arrival; but on the morning of our start for Richmond, we were informed by General Wilson, that it was expected by the soldiers that we would be hung up by the necks on the road, while on the march to that place, and that it was prevented by a demand made for us by General Clark, who had the command in consequence of seniority, and that it was his prerogative to execute us himself; and he should give us up into the hands of the officer, who would take us to General Clark, and he might do with us as he pleased.

During our stay at Independence, the officers informed us that there were eight or ten horses in that place belonging to the Mormon people, which had been stolen by the soldiers, and that we might have two of them to ride upon, if we would cause them to be sent back to the owners after our arrival at Richmond.

We accepted of them, and they were rode to Richmond, and the owners came there and got them.

We started in the morning under our new officer, Colonel Price, of Keytsville, Chariton county, with several other men to guard us.

We arrived there on Friday evening, the 9th day of November, and were thrust into an old log house, with a strong guard placed over us.

After we had been there for the space of half an hour, there came in a man who was said to have some notoriety in the penitentiary, bringing in his hands a quantity of chains and padlocks. He said he was commanded by General Clark to put us in chains.

Immediately the soldiers rose up, and pointing their guns at us, placed their thumb on the cock,

and their finger on their trigger, and the State's prison keeper went to work; putting a chain around the leg of each man, and fastening it on with a padlock, until we were all chained together, seven of us.

In a few moments General Clark came in; we requested to know of him what was the cause of all this harsh and cruel treatment. He refused to give us any information at that time; but said he would in a few days; so we were compelled to continue in that situation; camping on the floor, all chained together, without any chance or means to be made comfortable; having to eat our victuals as it was served up to us, using our fingers and teeth instead of knives and forks.

Whilst we were in this situation, a young man of the name of Jedediah M. Grant, brother-in-law to my brother William Smith, came to see us, and put up at the tavern where General Clark made his quarters, he happened to come in time to see General Clark make choice of his men, to shoot us on Monday morning, the 12th day of November, he saw them make choice of their rifles, and load them with two balls in each, and after they had prepared their guns, General Clark saluted them by saying, 'Gentlemen, you shall have the honor of shooting the Mormon leaders on Monday morning at eight o'clock.'

But in consequence of the influence of our friends, the HEATHEN GENERAL was intimidated so that he durst not carry his murderous designs into execution, and sent a messenger immediately to Fort Leavenworth to obtain the military code of laws.

After the messenger's return, the general was employed nearly a whole week, examining the laws; so Monday passed away without our being shot; however, it seemed like foolishness to me for so great a man as General Clark pretended to be, should have to search the military law to find out whether preachers of the gospel, who never did military duty, could be subject to court martial.

However, the general seemed to learn that fact after searching the military code, and came into the old log cabin where we were under guard, and in chains, and told us he had concluded to deliver us over to the civil authorities, as persons guilty of treason, murder, arson, larceny, theft, and stealing. The poor deluded general did not know the difference between theft, larceny, and stealing.

Accordingly we were handed over to the pretended civil authorities, and the next morning our chains were taken off, and we were guarded to the court-house, where there was a pretended court in session; Austin A. King being the judge, and Mr. Birch, the district attorney;—the two extremely and very honorable gentlemen who sat on the court martial when we were sentenced to be shot.

Witnesses were called up and sworn at the point of the bayonet, and if they would not swear to the things they were told to do, they were threatened with instant death; and I do know, positively, that the evidence given in by those men whilst under duress, was false.

This state of things was continued twelve or fourteen days, and after that time we were ordered by the judge, to introduce some rebutting evidence, saying, if we did not do it, we would be thrust into prison.

I could hardly understand what the judge meant, for I considered we were in prison already, and could not think of any thing but the persecutions of the days of Nero, knowing that it was a religious persecution, and the court an inquisition; however, we gave him the name of forty persons who were acquainted with all the persecutions and sufferings of the people.

The judge made out a subpoena, and inserted the names of those men and caused it to be placed in the hands of Bogard, the notorious Methodist minister, and he took fifty armed soldiers and started for Far West. I saw the subpoena given to him and his company, when they started.

In the course of a few days they returned with almost all those forty men, whose names were inserted in the subpoena and thrust them into jail, and we were not permitted to bring one of them before the court, but the judge turned upon us with an air of indignation and said, 'Gentlemen, you must get your witnesses, or you shall be committed to jail immediately; for we are not going to hold the court open on expense much longer, for you any how.'

We felt very much distressed and oppressed at that time. Colonel Wight said, what shall we do? Our witnesses are all thrust into prison, and probably will be, and we have no power to do anything, of course we must submit to this tyranny and oppression; we cannot help ourselves.

Several others made similar expressions in the agony of their souls; but my brother Joseph did not say anything, he being sick at that time with the toothache, and ague in his face, in consequence of a severe cold brought on by being exposed to the severity of the weather.

However, it was considered best by General Doniphan and Lawyer Reese, that we should try to get some witnesses before the pretended court.

Accordingly, I gave the names of about twenty other persons; the judge inserted them in a subpoena, and caused it to be placed in the hands of Bogard, the Methodist priest, and he again started off with his fifty soldiers to take those men prisoners, as he had done the forty others.

The judge sat and laughed at the good opportunity of getting the names, that they might the more easily capture them, and so bring them down to be thrust into prison, in order to prevent us from getting the truth before the pretended court, of which he was the chief inquisitor or conspirator. Bogard returned from his second expedition with one witness only, whom he also thrust into prison.

The people at Far West had learned the intrigue, and had left the State, having been made

acquainted with the treatment of the former witnesses.

But we, on learning that we could not obtain witnesses, whilst privately consulting with each other what we should do, discovered a Mr. Allen, standing by the window on the outside of the house, we beckoned to him as though we would have him come in, he immediately came in.

At that time Judge King retorted upon us again, saying, 'Gentlemen, are you not going to introduce some witnesses?' also saying it was the last day he should hold court open for us; and if we did not rebut the testimony that had been given against us, he should have to commit us to jail.

I had then got Mr. Allen into the house, and before the court, so called. I told the judge we had one witness, if he would be so good as to put him under oath; he seemed unwilling to do so; but after a few moments' consultation, the State's attorney arose and said he should object to that witness being sworn, and that he should object to that witness giving in his evidence at all; stating that this was not a court to try the case, but only a court of investigation on the part of the State.

Upon this General Doniphan arose, and said, 'he would be God damned if the witness should not be sworn, and that it was a damned shame that these defendants should be treated in this manner; that they could not be permitted to get one witness before the court, whilst all their witnesses, even forty at a time, have been taken by force of arms, and thrust into that damned 'bull pen' in order to prevent them from giving their testimony.'

After Doniphan sat down, the judge permitted the witness to be sworn, and enter upon his testimony. But so soon as he began to speak, a man by the name of Cook, who was a brother-in-law to Priest Bogard, the Methodist, and who was a lieutenant, and whose place at that time, was to superintend the guard, stepped in before the pretended court, and took him by the nape of his neck and jammed his head down under the pole or log of wood, that was around the place where the inquisition was sitting, to keep the bystanders from intruding upon the majesty of the inquisitors, and jammed him along to the door, and kicked him out of doors. He instantly turned to some soldiers who were standing by him, and said to them, 'Go and shoot him, damn him, shoot him, damn him.'

The soldiers ran after the man to shoot him, he fled for his life, and with great difficulty made his escape. The pretended court immediately arose, and we were ordered to be carried to Liberty, Clay county, and there to be thrust into jail. We endeavored to find out for what cause, but all that we could learn was because we were Mormons.

The next morning a large wagon drove up to the door, and a blacksmith came into the house with some chains and handcuffs; he said his orders were from the judge, to handcuff us, and chain us together; he informed us that the judge had made out a mittimus, and sentenced us to jail for treason; he also said the judge had done this that we might not get bail; he also said the judge stated his intention to keep us in jail until all the Mormons were driven out of the State; he also said that the judge had further stated that if he let us out before the Mormons had left the State, that we would not let them leave, and there would be another damned fuss kicked up; I also heard the judge say, whilst he was sitting in his pretended court, that there was no law for us, nor for the Mormons, in the State of Missouri; that he had sworn to see them exterminated, and to see the Governor's order executed to the very letter, and that he would do so; however, the blacksmith proceeded and put the irons upon us, and we were ordered into the wagon, and they drove off for Clay county; and as we journeyed along on the road, we were exhibited to the inhabitants; and this course was adopted all the way, thus making a public exhibition of us, until we arrived at Liberty, Clay county.

There we were thrust into prison again, and locked up—and were held there in close confinement for the space of six months, and our place of lodging was the square side of a hewed white oak log—and our food was anything but good and decent; poison was administered to us three or four times, the effect it had upon our system was, that it vomited us almost to death, and then we would lay some two or three days in a torpid, stupid state, not even caring or wishing for life. The poison being administered in too large doses, or it would inevitably have proved fatal, had not the power of Jehovah interposed in our behalf, to save us from their wicked purpose.

We were also subjected to the necessity of eating human flesh, for the space of five days; or go without food, except a little coffee or a little corn bread, the latter I chose in preference to the former. We none of us partook of the flesh except Lyman Wight; we also heard the guard, which was placed over us, making sport of us, saying that they had fed us on 'Mormon beef.'—I have described the appearance of this flesh to several experienced physicians, and they have decided that it was human flesh. We have learned afterwards, by one of the guard, that it was supposed that that act of savage cannibalism, in feeding us with human flesh, would be considered a popular deed of notoriety; but the people on learning that it would not take, tried to keep it secret; but the fact was noised abroad before they took that precaution.

Whilst we were incarcerated in prison, we petitioned the Supreme Court of the State of Missouri for habeas corpus, twice, but were refused both times by Judge Reynolds, who is now the Governor of that State. We also petitioned one of the county judges for a writ of habeas corpus, which was granted in about three weeks afterwards; but were not permitted to have any trial; we were only taken out of jail and kept out for a few hours and then remanded back again.

In the course of three or four days after that time, Judge Turnham came into the jail in the

evening, and said he had permitted Mr. Rigdon to get bail, but said he had to do it in the night, and had also to get away in the night and unknown to any of the citizens, or they would kill him; for they had sworn to kill him if they could find him; and as to the rest of us, he dared not let us go, for fear of his own life, as well as ours. He said it was damned hard to be confined under such circumstances, for he knew we were innocent men, and he said the people also knew it; and that it was only a persecution and treachery and the scenes of Jackson county acted over again, for fear that we would become too numerous in that upper country. He said that the plan was concocted from the Governor down to the lowest judge, and that damned Baptist priest, Riley, who was riding into town every day to watch the people, stirring up the minds of the people against us all he could, exciting them and stirring up their religious prejudices against us, for fear they would let us go. Mr. Rigdon, however, got bail and made his escape into Illinois.

The jailor, Samuel Tillory, Esq., told us also, that the whole plan was concocted by the Governor down to the lowest judge in that upper country early in the previous spring, and that the plan was more fully carried out at the time that General Atchison went down to Jefferson city, with Generals Wilson, Lucas and Gillum, the self styled Delaware Chief. This was sometime in the month of September, when the mob were collected at De Witt, in Carroll county. He also, told us, that the Governor was now ashamed enough of the whole transaction and would be glad to set us at liberty if he dared to do it; but said he, 'you need not be concerned, for the Governor has laid a plan for your release.' He also said that Squire Birch, the State's attorney, was appointed to be Circuit Judge, on the circuit passing through Daviess county, and that he (Birch) was instructed to fix the papers, so that we would be sure to be clear from any incumbrance, in a very short time.

Some time in April, we were taken to Daviess county, as they said, to have a trial but when we arrived at that place, instead of finding a court or jury, we found another inquisition, and Birch, who was the District Attorney, the same man who was one of the court martial when we were sentenced to death, was now the Circuit Judge of that pretended court; and the grand jury that was empanelled, were all at the massacre at Haun's mill, and lively actors in that awful, solemn, disgraceful, cool-blooded murder, and all the pretence they made of excuse, was, they had done it because the governor ordered them to do it. The same jury sat as a jury in the day time, and were placed over us as a guard in the night time; they tantalized and boasted over us, of their great achievements at Haun's mills, and at other places, telling us how many houses they had burned, and how many sheep, cattle and hogs they had driven off, belonging to the Mormons, and how many rapes they had committed, and what squealing and kicking there was among the damned bitches; saying that they lashed one woman upon one of the damned Mormon meeting benches, tying her hands and her feet fast and sixteen of them abused her as much as they had a mind to, and then left her bound and exposed in that distressed condition. These fiends of the lower regions boasted of these acts of barbarity, and tantalized our feelings with them for ten days. We had heard of these acts of cruelty previous to this time, but we were slow to believe that such acts of cruelty had been perpetrated.

The lady who was the subject of this brutality, did not recover her health, to be able to help herself for more than three months afterwards.—This grand jury constantly celebrated their achievements with grog and glass in hand, like the Indian warriors at their war dances, singing and telling each other of their exploits in murdering the Mormons, in plundering the houses and carrying off their property; at the end of every song they would bring in the chorus: 'God damn God, God damn Jesus Christ, God damn the Presbyterians, God damn the Baptists, God damn the Methodists,' reiterating one sect after another in the same manner, until they come to the Mormons, to them it was, 'God damn the God damned Mormons; we have sent them to hell.' Then they would slap their hands and shout hosanna, hosanna, glory to God, and fall down on their backs, and kick with their feet a few moments; then they would pretend to have swooned away into a glorious trance, in order to imitate some of the transactions at camp meetings. Then they would pretend to come out of their trance, and would shout and again slap their hands and jump up, while one would take a bottle of whiskey and a tumbler, and turn it out full of whiskey, and pour down each others necks crying 'damn it take it, you must take it;' and if any one refused to drink the whiskey, others would clench him and hold him whilst another poured it down his neck, and what did not go down the inside, went down the outside: this is a part of the farce acted out by the grand jury of Daviess county, whilst they stood over us as guards, for ten nights successively. And all this in the presence of the great Judge Birch, who had previously said in our hearing that there was no law for the Mormons in the State of Missouri. His brother was there acting as district attorney in that circuit, and if anything, was a greater cannibal than the Judge.

After all these ten days of drunkenness, we were informed that we were indicted for treason, murder, arson, larceny, theft and stealing. We asked for a change of venue from that county to Marion county, but they would not grant it; but they gave us a change of venue from Daviess to Boone county; and a mittimus was made out by the pretended Judge Birch, without date, name or place.

They fitted us out with a two horse wagon, and horses, and four men, besides the sheriff, to be our guard; there were five of us. We started from Gallatin the sun about two hours high.

There we bought two horses of the guard, and paid for one of them in our clothing, which we