

This gave me some uneasiness. I got an opportunity to send my family word of their design, and to make such arrangements as they could to guard against their vile purpose. The time at last arrived, and the party started for Far West. I waited with painful anxiety for their return.—After a number of days they returned. I listened to all they said, to find out if possible what they had done. One night, I think the very night after their return, I heard them relating to some of those who had not been with them, the events of their adventure. Inquiry was made about their success in the particular object of their visit to Far West. The substance of what they said in answer, was, that they had passed and repassed both houses, and saw the females, but there were so many men about the town, that they dare not venture for fear of being detected, and their numbers were not sufficient to accomplish anything if they made the attempt, and they came off without trying.

No civil process of any kind had been issued against us: we were there held in duress without knowing what for, or what charges were to be preferred against us. At last, after long suspense, General Clark came into the prison, presenting himself about as awkwardly as at first, and informed us, that would be put into the hands of the civil authorities. He said he did not know precisely what crimes would be charged against us, but they would be within the range of treason, murder, burglary, arson, larceny, theft and stealing. Here again another smile was forced, and I could not refrain, at the expense of this would-be great man, in whom, he said, 'the faith of Missouri was pledged.' After long and awful suspense, the notable Austin A. King, judge of the Circuit Court, took the seat, and we were ordered before him for trial, Thomas Birch, Esq., prosecuting attorney. All things being arranged, the trial opened. No papers were read to us, no charges of any kind were preferred, nor did we know against what we had to plead. Our crimes had yet to be found out.

At the commencement we requested that we might be tried separately, but this was refused, and we were all put on trial together. Witnesses appeared, and the swearing commenced. It was so plainly manifested by the judge that he wanted the witnesses to prove us guilty of treason, that no person could avoid seeing it. The same feelings were also visible in the State's Attorney. Judge King made an observation something to this effect, as he was giving directions to the scribe, who was employed to write down the testimony—that he wanted all the testimony directed to certain points. Being taken sick at an early stage of the trial, I had not the opportunity of hearing but a small part of the testimony when it was delivered before the Court.

During the progress of the trial, after the adjournment of the court in the evening, our lawyers would come into the prison, and there the matters would be talked over.

The propriety of our sending for witnesses, was also discussed. Our attorneys said that they would recommend us not to introduce any evidence at that trial. Doniphan said it would avail us nothing, for the judge would put us into prison, if a cohort of angels were to come and swear we were innocent: and beside that, he said that if we were to give to the court the names of our witnesses, there was a band there ready to go, and they would go and drive them out of the country, or arrest them and have them cast into prison, to prevent them from swearing, or else kill them. It was finally concluded to let the matter be so for the present.

During the progress of the trial, and while I was laying sick in prison. I had an opportunity of hearing a great deal said by those of them who would come in. The subject was the all absorbing one. I heard them say that we must be put to death—that the character of the State required it. The State must justify herself in the course she had taken, and nothing but punishing us with death, could save the credit of the State, and it must therefore be done.

I heard a party of them one night telling about some female whose person they had violated, and this language was used by one of them: 'The damned bitch, how she yelled.' Who this person was, I did not know, but before I got out of prison, I heard that a widow, whose husband had died some few months before, with consumption, had been brutally violated by a gang of them, and died in their hands, leaving three little children, in whose presence the scene of brutality took place.

After I got out of prison, and had arrived in Quincy, Illinois, I met a strange man in the street, who was inquiring and inquired of me respecting a circumstance of this kind—saying he had heard of it, and was on his way going to Missouri to get the children if he could find them.—He said the woman thus murdered was his sister, or his wife's sister, I am not positive which.—The man was in great agitation. What success he had I know not.

The trial at last ended, and Lyman Wight, Joseph Smith, senior, Hyrum Smith, Caleb Baldwin, Alexander McRae, and myself were sent to jail in the village of Liberty, Clay county, Missouri.

We were kept there from three to four months; after which time we were brought out on habeas corpus before one of the county judges. During the hearing under the habeas corpus, I had, for the first time, an opportunity of hearing the evidence as it was all written and read before the court.

It appeared from the evidence that they attempted to prove us guilty of treason in consequence of the militia of Caldwell county being under arms at the time that General Lucas' army came to Far West. This calling out of the militia was what they founded the charge of treason upon—an account of which I have given above. The charge of murder was founded on the fact that a man of their number, they said, had been killed in the Bogard battle.

The other charges were founded on things which took place in Daviess. As I was not in Daviess county at that time I cannot testify anything about them.

A few words about this written testimony. I do not now recollect one single point about which testimony was given, with which I was acquainted, but was misrepresented; nor one solitary witness whose testimony was there written, that did not swear falsely; and in many instances I cannot see how it could avoid being intentional on the part of those who testified—for all of them did swear things that I am satisfied they knew to be false at the time—and it would be hard to persuade me to the contrary.

There were things there said, so utterly without foundation in truth—so much so, that the persons swearing must at the time of swearing have known it. The best construction I can ever put upon it is, that they swore things to be true which they did not know to be so, and this to me is wilful perjury.

This trial lasted for a long time, the result of which was, that I was ordered to be discharged from prison, and the rest remanded back; but I was told by those who professed to be my friends, that it would not do for me to go out of jail at that time, as the mob were watching, and would most certainly take my life—and when I got out, that I must leave the State, for the mob, availing themselves of the exterminating order of Governor Boggs, would, if I were found in the State, surely take my life—that I had no way to escape them but to flee with all speed from the State.—It was some ten days after this before I dare leave the jail. At last the evening came in which I was to leave the jail. Every preparation was made that could be made for my escape. There was a carriage ready to take me in and carry me off with all speed. A pilot was ready—one who was well acquainted with the country—to pilot me thro' the country, so that I might not go on any of the public roads. My wife came to the jail to accompany me, of whose society I had been deprived for four months. Just at dark, the sheriff and jailer came to the jail with our supper. I sat down and ate. There were a number watching. After I had supped, I whispered to the jailer or to blow out all the candles but one, and step away from the door with that one. All this was done. The sheriff then took me by the arm and an apparent scuffle ensued—so much so that those who were watching did not know who it was the sheriff was scuffling with. The sheriff kept pushing me towards the door, which was quickly opened, and we both reached the street. He took me by the hand and bade me farewell, telling me to make my escape, which I did with all possible speed. The night was dark. After I had gone probably one hundred rods, I heard some person coming after me. I drew a pistol and cocked it, determined not to be taken alive. When the person approaching me spoke, I knew his voice, and he speedily came to me. In a few moments I heard a horse coming. I again sprung my pistol cock. Again a voice saluted my ears that I was acquainted with. The man came speedily up and said he had come to pilot me thro' the country. I now recollected I had left my wife in jail. I mentioned it to them, and one of them returned, and the other and myself pursued our journey, as swiftly as we could. After I had gone about three miles, my wife overtook me in a carriage, into which I got, and rode all night. It was an open carriage, and in the month of February, 1839. We got to the house of an acquaintance just as day appeared. There I put up until the next morning, when I started again and reached a place called Tenny's Grove; and to my great surprise, I here found my family, and was again united with them after an absence of four months, under the most painful circumstances. From thence I made my way to Illinois, where I now am. My wife, after I left her, went directly to Far West and got the family under way, and all unexpectedly met at Tenny's Grove.

SIDNEY RIGDON.

Messrs. Walker, Patrick, Southwick and Backman (the counsel on my behalf) then respectively addressed the court, and they exhorted the Mormons to stand for their rights, stand or fall, sink or swim, live or die. Mr. Mason was counsel for Reynolds.

After which the following order was made: 'This day came the said Joseph Smith, senior, in proper person, and the said Joseph H. Reynolds having made return of said Writ of Habeas Corpus and produced the body of said Smith in pursuance to the mandate of said writ, and after hearing the evidence in support of said petition. It is ordered and considered by the court that the said Joseph Smith, senior, be discharged from the said arrest and imprisonment complained of in said petition, and that the said Smith be discharged for want of substance in the warrant upon which he was arrested as well as upon the merits of said case, and that he go hence without day.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court, at the City of Nauvoo, this second day of July, 1843.

JAMES SLOAN, Clerk.

'A public meeting in relation to the late arrest of General Joseph Smith.

'Nauvoo, Ill., July 1st, 1843. At a meeting of the citizens of Nauvoo, held this day in the Assembly Hall, it was

Resolved unanimously, that Messrs. Sanger and Dixon, of the town of Dixon, and the citizens of Dixon, Pawpaw Grove, and Lee county generally, in this State, receive the warmest thanks of this meeting for the firm patriotism, bold and decided stand taken against lawless outrage, and the spirit of mobocracy, as manifested in the arrest or capture of General Joseph Smith, while on a visit to his friends in that district of country, by Harmon T. Wilson and Joseph H. Reynolds, pretending to act under authority of a writ obtained from the Governor of this State, given in consequence of a pretended requisition made on him from the executive of Missouri, for the arrest and delivery of said Joseph Smith unto the authorities of Missouri. In maintaining the legal rights of persons thus arrested, and seeing the laws of Illinois maintained, and the full benefit of them enjoyed by every citizen of said State, they have shown themselves republicans, patriots, and worthy citizens of this State and have entitled themselves, not only to the thanks of this meeting, but to that of all lovers of law and good order. With such citizens as these, Illinois will long enjoy the benefits of good order, and the blessings of a free people.

Resolved unanimously, That the foregoing resolution be published in the newspapers.

SIDNEY RIGDON, Moderator.

WILLARD RICHARDS, Clerk.

A strong wind from the north west, with thunder and rain in the afternoon.

In consequence of Reynolds and Wilson leaving abruptly last night for Carthage, I sent Col. Markham to learn what they were doing.

A tremendous shower at Chester, Penn.; over 20 lives were lost, fifty bridges destroyed, besides many houses and stores; damage, \$250,000.

Elders H. C. Kimball and O. Pratt started on their mission to the east, for the purpose of attending conferences at Cincinnati and Pittsburgh, where they will wait until the rest of the Twelve arrive.

Sunday, 2.—A large congregation met at the Grove, near the Temple, and heard an interesting address from Elder O. son Hyde. After he closed, Messrs. Walker, Southwick, Patrick and Wasson, spoke on the stand, stating that I had subjected myself to the law in every particular, and had treated my persecutors and kidnappers with courtesy and kindness, they also spoke on the unlawful conduct of my enemies.

Messrs. Patrick, Walker, Southwick and Harmon Wasson made the following affidavit:—

'Shepherd G. Patrick, Harmon Wasson, Edward Southwick and Cyrus Walker, being duly sworn, depose and say that they were in company with Joseph H. Reynolds and Harmon T. Wilson, the former acting as agent of the State of Missouri, and having in custody Joseph Smith, who was styled in the warrant by which he had been arrested Joseph Smith, jun., and who had been delivered into the custody of said Reynolds by said Wilson, who had first as an officer of the State of Illinois arrested him, the said Smith, upon a warrant issued by his excellency Thomas Ford to apprehend him as a fugitive from the justice of the State of Missouri, when it was alleged he was charged with treason against the said State of Missouri, that the arrest and transfer of the custody of said Smith took place in Lee county, Illinois; and that while said Joseph H. Reynolds was at Dixon in said county, a writ of habeas corpus was served on him, in behalf of said Smith, commanding him to bring said Smith before the nearest judge or judicial tribunal in the fifth judicial district of the State of Illinois, authorized to hear and determine upon writs of habeas corpus; that said Harmon T. Wilson acted as a guard and assistant under said Joseph H. Reynolds on their journey from Dixon, till they arrived at the city of Nauvoo; that said Smith was allowed by said Reynolds to ride his horse, and in a buggy on said journey, while the said Reynolds rode in the coach, upon the assurance and pledge of James Campbell, Esq., the sheriff of Lee county, Illinois, who had said Reynolds and Wilson in custody for want of bail in a civil action, and upon whom they had served habeas corpus, returnable before Judge Young at Quincy, Illinois.

Your affiants, as well as others in company, at the same time, gave assurance and pledges to said Reynolds that his prisoner, the said Smith, should not escape from him; and the said Reynolds was satisfied, as he avowed, with the pledges aforesaid, and expressed himself to be so at the time, and fully consented that the said Smith might travel on said journey in the manner he did.

That the friends of said Smith met him in great numbers as he approached the city of Nauvoo, by which place the sheriff, as these affiants believe, voluntarily decided to go at the request of said Smith, and upon representations made to him that it was the best route to Quincy.

That no violence was offered to said Reynolds or Wilson; and that to the best of these affiants' knowledge and belief, no threats or intimidation were made use of to influence and control their conduct, either during the journey to, or after their arrival at Nauvoo; said Reynolds and Wilson dined with said Smith at his own house, and were hospitably entertained; and after dinner, say in two hours after the arrival of the party in said city, a writ of habeas corpus was issued by the municipal court of the said city of Nauvoo, in favor of said Smith, which was served upon said Reynolds.

The said Reynolds made return of the writ, together with the body of said Smith, and alleged the causes of his capture and detention; at the same time denying the jurisdiction of the court, and alleging that he had been served with the prior writ of habeas corpus before mentioned; said Reynolds remained in Nauvoo, and a part of the time in the municipal court room, and some time after the examination of the writ of habeas corpus issued by the municipal court had commenced; and as your affiants believe during the whole sitting of the court on Friday afternoon, the 30th of June, and then departed for Carthage, after a patient examination of the fact and matter of law set forth in complainant's petition, which said examination lasted from Friday afternoon till the next day, Saturday, at night; the said Smith was discharged as for defects in the warrant, under which he had been arrested and was imprisoned as upon the merits of the case by the said municipal court; and these affiants further say that said Reynolds and Wilson were, before they arrived at the city of Nauvoo; and while they were there, assured by the said Smith, and many of the company who had traveled together from Dixon, (these affiants among the number) that they should be protected from violence, and that the said Smith did publicly declare in Nau-

voo to the people there assembled, that his honor was pledged that said Reynolds should be protected from violence, and requested every one to preserve his pledge inviolate.

These affiants state further that no violence or threats to their knowledge or belief were made use of towards the said Reynolds, or the said Wilson, either before or after their arrival at Nauvoo; but the numbers who met and accompanied the said Smith and his escort on the journey, conducted themselves in an orderly and peaceable manner, and manifested only their attachment to said Smith, and joy to find him safe in the custody of the laws of the State of Illinois, all of which facts are true to the best of the knowledge and recollection of these affiants.

SHEPHERD G. PATRICK,
CYRUS WALKER,
E. SOUTHWICK,
HARMON WASSON.

Sworn to, &c.
Col. Markham, Mr. Sanger and myself also made affidavits on the same subject.

Judge Adams came from Carthage, and stated that Wilson and Reynolds were inciting the people to mobocracy, and sending a petition to Governor Ford for a posse to retake me.

A petition to the Governor, praying him not to issue any more writs, was immediately made out, and signed by about 150 citizens of Nauvoo, and also

A remonstrance against the Carthage proceedings was got up, signed and forwarded the same to Carthage by Messrs. Southwick and Patrick.

I directed the clerk to make a transcript of the proceedings before the municipal court, to forward to the Governor, and to which he attached the following certificate:—

'I, James Sloan, clerk of the municipal court of the city of Nauvoo, Illinois, do hereby certify that the foregoing hereto attached papers and documents; to wit, the foregoing petition of Joseph Smith, senior, and warrant from the Governor of the State of Illinois, and commission issued by Thomas Reynolds, Governor of the State of Missouri, to Joseph H. Reynolds, and the writ of habeas corpus, and the return of the said Joseph H. Reynolds thereto, and endorsed thereon, are true copies of the papers and originals filed in this court, in the ex parte case of Joseph Smith, sen., upon the petition of said Smith, for a discharge from arrest on habeas corpus, and that the foregoing is a true copy of the true, full and perfect record of the proceedings had in said case.

In witness whereof I have hereunto set my hand, and affixed the seal of said court, at the city of Nauvoo, Illinois, this third day of July, A.D. 1843.

JAMES SLOAN,
Clerk of the Municipal Court of the City of Nauvoo, Ills.

He also made a transcript of the ordinances relating to habeas corpus, and attached the following certificate:—

'I, James Sloan, City Recorder of the city of Nauvoo, Illinois, and clerk of the city council of said city, do hereby certify that the foregoing hereto attached, are true copies of the ordinances of said city, regulating the proceedings on writs of habeas corpus, the one passed the 8th day of August, A.D. 1842, and the other passed November 14, 1842, both of which said ordinances are unrevoked, and now in force in said city.

In witness whereof I have hereunto set my hand and affixed the corporate seal of said city of Nauvoo, at said city, this 3rd day of July, A.D. 1843.

JAMES SLOAN,
City Recorder and Clerk of the City Council of the city of Nauvoo, Illinois.

Which documents were delivered to my lawyers, with instructions to see Governor Ford immediately.

I had an interview with several Pottawatomie chiefs, who came to see me during my absence.

From W. Woodruff's journal:—

'The Indian chiefs remained at Nauvoo until the Prophet returned and had his trial. During their stay, they had a talk with Hyrum Smith in the basement of the Nauvoo House. W. Woodruff and some others were present; they were not free to talk, and did not wish to communicate their feelings until they could see the great Prophet.

At length, on the 2nd day of July, 1843, President Joseph Smith and several of the Twelve met those chiefs in the court room, with about thirty of the Elders. The following is a synopsis of the conversation which took place as given by the interpreter.

The Indian orator arose and asked the Prophet if the men who were present were all his friends. Answer yes.

He then said, 'we as a people have long been distressed and oppressed, we have been driven from our lands many times; we have been wasted away by wars until there are but few of us left. The white man has hated us and shed our blood, until it has appeared as though there would soon be no Indian left. We have talked with the Great Spirit, and the Great Spirit has talked with us; we have asked the Great Spirit to save us and let us live; and the Great Spirit has told us that he had raised up a great prophet, chief and friend, who would do us great good, and tell us what to do; and the Great Spirit has told us that you are the man (pointing to the Prophet Joseph.) We have now come a great way to see you, and hear your words, and to have you tell us what to do. Our horses have become poor traveling, and we are hungry; we will now wait and hear your words.'

Here is the eleventh commandment. 'Thou shalt not carry off the editor's exchanges, unless thou art sure he is done with them; neither shalt thou talk to him when reading proof or writing, lest he get angry and kick thee out of the sanctum.'