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TO ADVERTISERS.—Advertisements to insure insertion in the current number must be handed in on Monday.

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HISTORY OF JOSEPH SMITH.

JUNE, 1844.

My brother Hyrum wrote the following letter to Pres. B. Young:

"City of Nauvoo, June 17th, 1844.

"Dear Brother B. Young:

There has been for several days a great excitement among the inhabitants in the adjoining counties. Mass meetings are held upon mass meeting, drawing up resolutions to utterly exterminate the Saints. The excitement has been gotten up by the Laws, Fosters and the Higbees, and they themselves have left the city and are engaged in the mob. They have sent their runners into the State of Missouri to excite them to murder and bloodshed, and the report is that a great many hundreds of them will come over to take an active part in murdering the Saints. The excitement is very great indeed.

It is thought by myself and others for you to return without delay, and the rest of the Twelve and all the Elders that have gone out from this place, and as many more good FAITHFUL MEN as feel disposed to come up with them. Let wisdom be exercised, and whatever they do, do it without a noise. You know we are not frightened, but think it best to be well prepared and be ready for the onset, and if it is extermination—extermination it is of course.

Communicate to the others of the Twelve with as much speed as possible, with perfect stillness and calmness. A word to the wise is sufficient, and a little powder, lead and a good rifle can be packed in your luggage very easy without creating any suspicion.

There must be no excuses made, for wisdom says that a strict compliance with this request will be for our safety and welfare.

In haste, I remain yours in the firm bonds of the new and everlasting covenant,

HYRUM SMITH."

"Large bodies of armed men, cannon and munitions of war are coming on from Missouri in steam boats. These facts are communicated to the governor, and President of the United States, and you will readily see that we have to prepare for the onset.

In the bonds of the new and everlasting covenant, I remain yours,

JOSEPH SMITH."

This morning I was arrested, together with Samuel Bennett, John Taylor, W. W. Phelps, Hyrum Smith, John P. Greene, Dimick B. Huntington, Jonathan Dunham, Stephen Markham, Jonathan H. Holmes, Jesse P. Harmon, John Lytle, Joseph W. Coolidge, David H. Redfield, O. P. Rockwell and Levi Richards, by constable Joel S. Miles, on a writ issued by Daniel H. Wells, on complaint of W. G. Ware for a riot on the 10th inst. in destroying the Nauvoo Expositor press. At 2 p.m., we all went before Justice Wells at his house, and after a long and close examination, we were discharged. The following is a copy of the minutes of this trial:

"FOR THE NEIGHBOR.

"State of Illinois, } ss.
county of Hancock. }

Justice's Court, June 17th, 1844; Daniel H. Wells, justice of the peace, presiding.

State of Illinois vs. Joseph Smith, Samuel Bennett, John Taylor, W. W. Phelps, Hyrum Smith, John P. Greene, Stephen Perry, Dimick B. Huntington, Jonathan Dunham, Stephen Markham, Jonathan H. Holmes, Jesse P. Harmon, John Lytle, Joseph W. Coolidge, Harvey

D. Redfield, O. Porter Rockwell and Levi Richards.

Defendants were brought before the court by Joel S. Miles, constable of the county aforesaid, by virtue of a warrant issued by the court on complaint of W. G. Ware, for a 'riot committed in the city of Nauvoo, county aforesaid, on or before the 10th day of June, 1844, by forcibly entering a brick building in said city, occupied as a printing office, and taking therefrom by force, and with force of arms, a printing press, types and paper, together with other property belonging to William Law, Wilson Law, Robert D. Foster, Charles A. Foster, F. M. Higbee, Chauncey L. Higbee and Charles Ivins, and breaking in pieces and burning the same in the streets.'

George P. Stiles, Esq., appeared as counsel for the defence and Edward Bonney, Esq., for the prosecution.

W. G. Ware sworn: Said he was present when the city council passed an order for the destruction of the press; went up to the Temple and heard the marshal read the order of the mayor; did not know how they got into the building; the press was taken out and destroyed.

Defendants' counsel objected to witness' stating who voted for the passage of the bill in the council, and read Burns' definition of a riot, and said there could be no accessory.

Councilor Bonney read from the statute page 173, and plead there might be an accessory to a riot. Court decided there might be an accessory to any crime either before or after the fact.

Witness knew some who voted for the order in the city council; heard Gen. Dunham give orders for the destruction of the press; Dunham, Redfield, and Richards took an active part in the destruction of the press. Did not know all the persons.

Cross-examined: City council considered the press a nuisance and ordered it to be abated; was present at the execution of the mayor's orders; no unnecessary noise; all was done peaceably; saw no disorder; heard no language by the prisoners calculated to disturb the peace.

Henry O. Norton sworn: Was at the printing office; heard Marshal Greene give orders to open the door. Markham carried out the press and type; recollected Dunham; could not identify any others; no contention between the marshal and Higbee; marshal asked Charles A. Foster for the key which he refused to give; heard no threats concerning the destruction of the press at any time.

O. F. Moessner sworn: Saw many of the people gather around the printing office; went over, back, and over again; could not identify any person; heard no loud talking or noise.

P. T. Rolfe sworn: Was at work in the printing office last Monday night, C. Higbee came in and said the council was about to destroy the press, and took some papers from the desk; Marshal Greene came with a company and demanded the key. Foster and Higbee forbid him; door was opened by Lytle, as witness thought; the press and fixtures were destroyed; some paper and a desk belonging to Dr. Foster containing several thousand dollars of property, \$4000 auditor's warrants and other valuable papers.

Cross-examined: Did not know the amount of warrants and papers; presumed they were destroyed. Did not know whether they were destroyed; was from the office long enough to have them taken out. Said Greene, Dunham, Markham, Holmes, Perry, Edwards, and Harmon helped move the press. Never knew anything against Joseph Smith personally.

B. Warrington sworn: Was present at the council when the bill passed to destroy the press.

Joseph Smith objected to calling in question the doings of the city council, and referred to the proceedings of Congress to show that all legislative bodies have a right to speak freely on any subject before them; and that Congress is not responsible for a riot which might arise on the execution of their order by the marshal; that the execution of such order could not be a riot, but a legal transaction; that the doings of the city council could only be called in question by the powers above them; and that a magistrate had not that power; that the city council was not arrayed here for trial; but individuals were arraigned for a riot. If the city council had transcended their powers they were amenable to the supreme court, and that Judge Thomas had decided that an action could not lie if no riot had been committed.

Councilor Bonney said if the act was committed under an ordinance of the city they might show it in justification.

Court decided that the gentlemen arraigned were arraigned in their individual capacities, and could not be recognized by the court in their official capacity.

Witness said that all he heard the prisoners say was said as councilors.

Testimony on the prosecution closed.

Councilor Stiles moved that the prisoners be dismissed for want of a case being made out.

Councilor Bonney read the riot act, and plead a case had been made out.

Motion overruled by the court.

Dr. Wakefield, Willard Richards and Edward Wingott sworn.

Dr. J. R. Wakefield (of New York) said he went on the hill after the order passed the

council, saw some portion of the Legion collected, walking quietly along as though they were walking to the 'Dead March in Saul'; there was no noise or tumult. Higbee asked the marshal his authority; marshal stated his authority from the mayor for abating the nuisance. Higbee set them all at defiance; some twelve men were called out who went up stairs and opened the door; did not know how the door was opened; there was not more than one thump. Marshal Greene asked one of the officers if anything was destroyed except what belonged to the press? and the officer replied, no! All was done in perfect order, as peaceably as people move on a Sunday; was present all the time; all that was done, was done in their official capacity as officers of the city.

Councilor Bonney objected to the testimony, as it was not before the court that there was any city.

Court decided that any knowledge in possession of the court was testimony in the court.

E. Wingott (of Boston) concurred in Dr. Wakefield's statements; was by the door when it was opened, and knew that nothing more than a knee was put against it; all was done quietly; was present in the city council when the order passed; nothing said in council except what was said in capacity of councilors and aldermen; was by the door all the time when the press and type, and things used in connexion with the press, was destroyed. There was no other property taken from the building.

Cross-examined: Did not know the name of the man who opened the door; knew O. P. Rockwell.

Willard Richards read the resolutions of the city council of the 10th inst., declaring the press a nuisance, &c.; and the mayor's order to the marshal to destroy the press; and the lieutenant general's order to Major Gen. Dunham to assist the marshal with the Legion, if needed, to abate the nuisance; and the marshal's return that the press and type were destroyed, (as published in the 'Neighbor,' June 19.)

Court queried about the destruction of the desk.

Dr. Wakefield was again called up; heard marshal tell the officers and men to hurt no property except the press, type and fixtures; and after the abatement marshal enquired if his order had been obeyed, and the officers said it had.

E. Wingott called again: Heard Mr. Foster ask Higbee for the key of the office, and afterwards saw him deliver the key to Mr. Higbee; there was nothing destroyed but what pertained to the press.

Addison Everett (of New York) sworn: Saw the press and type taken out and burned; saw no other property burned; desk might have been taken away before; should not have seen it if it had been; saw no desk burned; does not believe any desk was burned.

Joel S. Miles sworn: Foster said his docket was not burned. Witness was sure that Dr. Foster said he had taken other papers out of the desk.

W. G. Ware called again: Saw Charles Foster coming from the office, and go into Foster's house with books under his arm; looked like account books; saw nothing but the press and fixtures brought out except a chain, and the marshal ordered it carried back.

E. Wingott recalled: Stood close by the door; could see all that was done, did not believe a desk could be brought out and he not see it.

Dr. Wakefield recalled: Joseph Smith and Hyrum were not on the hill at all that evening.

Joseph W. Coolidge was discharged by the court and sworn: Charles Foster asked Francis Higbee for the key to the office; Higbee hesitated; Foster said he wanted to get a desk that had some valuable papers in it; Foster got the key and went in; did not see him remove the desk; might have removed it and witness not see it; there was no desk burned.

The councilors submitted the case without plea, and the court discharged the prisoners."

Edward Hunter, Philip B. Lewis and Major John Bills started with the affidavit of Thos. G. Wilson, and my letter, &c., to take to Governor Ford. I charged Edward Hunter, under oath, to tell Governor Ford everything he knew concerning me, good or bad, as he has known me for several years; and I said to him "Br. Hunter, you have always wished you had been with us from the commencement; if you will go to Springfield, and do this business for me now in this time of danger, it shall be as though you had been in Missouri, and had always been with us."

Stephen Markham made the following affidavit:

"State of Illinois, } ss.
City of Nauvoo. }

On the 17th day of June, 1844, came Stephen Markham before me, Willard Richards, recorder of said city, and after being duly sworn, depose and saith that from the public papers, especially the Warsaw papers, and from reports from the various precincts, a mob may be expected to make an immediate attack upon the citizens and city of Nauvoo, on account of the gatherings at the various precincts, and threats to exterminate the Latter Day Saints.

STEPHEN MARKHAM.

Sworn and subscribed to before me this 17th day of June, 1844.

WILLARD RICHARDS,
Recorder of the City of Nauvoo."

As soon as this affidavit came to my knowledge, I issued the following

"PROCLAMATION!

"Nauvoo, June 17th, 1844.

"To John P. Greene, Marshal of the city of Nauvoo, &c.:

Sir:—Complaint having been made to me on oath that a mob is collecting at sundry points to make an attack on this city, you will therefore take such measures as shall be necessary to preserve the peace of said city, according to the provisions of the charter and the laws of the State; and with the police and Legion see that no violent act is committed. Gen. Dunham is hereby instructed to co-operate with the marshal in keeping the peace according to law.

JOSEPH SMITH, Mayor."

And also:

"Head Quarters, Nauvoo Legion, }
Nauvoo, June 17th, 1844. }

"To Major General in command, Jonathan Dunham:

"Complaint having been on oath that a mob is preparing to make an attack upon this city and citizens of of Nauvoo, and having directed the marshal to keep the peace, you are hereby commanded to order the Nauvoo Legion to be in readiness to assist said marshal in keeping the peace, and doing whatever may be necessary to preserve the dignity of the State and city.

JOSEPH SMITH,
Lieut. Gen. N. L."

Also:

"Head Quarters, Nauvoo Legion, }
June 17th, 1844. }

"To Major General in command, Jonathan Dunham:

"You are hereby instructed to execute all orders of the marshal, and perform all services with as little noise and confusion as possible, and take every precaution to prevent groups of citizens, &c., from gathering on the bank of the river on the landing of boats or otherwise, and allay every cause and pretext of excitement as well as suspicion, and yet let your operations be efficient and decided.

JOSEPH SMITH,
Lieut. Gen. N. L."

I also issued an order to Col. A. P. Rockwood to call out my guard and staff immediately to my head quarters, and I also ordered the Legion to parade to-morrow at 10 a.m.

"Head Quarters, Nauvoo Legion, }
Lieut. General's Office,
June 17th, 1844. }

"To Col. A. P. Rockwood:

You are hereby commanded to notify my guard and staff, to appear at Head Quarters, without delay, armed and equipped according to law for military duty and inspection, with powder and ball.

JOSEPH SMITH,
Lieut. General N. L."

I advised my brother Hyrum not to mail his letter to Pres. Young at present.

I directed my clerk Thomas Bullock to remain in the Masonic Hall, and take affidavits of the men who are constantly coming in with news of the movements of the mob, and preserve copies to forward to the governor.

I received the following letter:

"Burlington, Iowa Territory, }
June 17th, 1844. }

"Dear Sir:—I wrote to inform you that Jeremiah Smith arrived here yesterday in safety, and free from arrest. He desires through me to thank you for your kindness and attention to him while at Nauvoo.

I wrote from Springfield to apprise you that an effort was making to procure an indictment against the members of your municipal court for the part they acted in trying the habeas corpus petitions. Through the efforts of myself and Dr. Hickok that result was prevented, and T. B. Johnson exposed. The boat is casting off, and I must close. Dr. Dunlop will write to apprise you of the William and Wilson Law's proceedings here. You will hear from me again soon.—Yours truly,

H. T. HUGINS."

"Gen. Joseph Smith, Nauvoo, Ill."

Thus it appears that the U. S. district court acknowledges the jurisdiction of the municipal court of Nauvoo in trying the merits of writs of habeas corpus.

The mob is still increasing in numbers at Carthage and other places.

It is reported that William and Wilson Law have laid a plan to burn the printing office of the Nauvoo Neighbor this night; I therefore stationed a strong police round the premises and throughout the city.

The captain of the steamer Osprey called upon me.

About 11 p.m., a negro came into my office with an open letter without any date or name, and said that Dr. Foster gave it to him at Madison to give Henry O. Norton. In that letter Foster said that Dunham and Richards swore in my presence that they would kill him (Foster) in two days; and that there was a man in Madison would swear he had heard them say so at my house.

I closed the issuing of orders about 12 at night, ready to retire to rest. Pleasant weather.