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Clay County, Missouri

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Abstract: A short historical essay on Clay County, Missouri, which occupies an important place in Latter-day Saint history due to settlements there, as well as events in the Mormon-Missouri War of 1838. Especially prominent is Liberty Jail in the county seat, where Joseph Smith and a number of other Church leaders would be imprisoned from November 1838 to April 1839.

August 3, 1848, James Pool gave a deed to John Maxwell for the same 63 acres and a fraction, the consideration being \$600. Subsequently a lawsuit was planted against James Pool by Thomas J. Payne for the recovery of \$330, and by others for various other amounts, and to satisfy these claimants the land was put up at sheriff's sale, at which it was purchased anew by John Maxwell for \$1,315. The sheriff's deed to Mr. Maxwell is dated March 24, 1849.

John Maxwell died in 1856, without making a will, but his children and heirs made good their claim and had the land surveyed and divided up into blocks and lots known as the "Woodson and Maxwell Addition" to the town of Independence. These new lots were then sold to different parties for building spots.

When the Hedrickites first came to Independence in 1867 they found the Temple site divided up into several lots and owned by various parties. In order to avoid suspicion and trouble, the Hedrickite brethren, who had concluded to secure the site, went to work quietly and bought from the different owners, at different times, the three acres they now hold, and after all had thus been secured the brethren who

had purchased the various fractions, deeded the whole to Granville Hedrick, president of and trustee-in-trust for their little church, and his successor in office. The very best lawyers were employed to examine the records and to obtain an abstract to prove an unbroken chain of title. The whole lot cost them about \$1,500. At the time the lots were bought by the Hedrickites several of the small fractions of land had already changed hands several times after the "Woodson and Maxwell Addition" had first been made.

In the summer of 1887 a little lumber meeting house, 26x18 feet, was erected by the Hedrickites on the northeast corner of the Temple Lot, and since that time regular meetings have been held therein. The Hedrickites, being friendly to the Latter-day Saints in Utah, have invited several of our Elders, who have visited Independence of late, to preach in their meeting house; and in the evening of September 10, 1888, Elders Edward Stevenson, Joseph S. Black and Andrew Jenson filled a regular appointment there, speaking with considerable freedom to a crowded audience, consisting chiefly of Hedrickites and Josephites.

CLAY COUNTY, MISSOURI

GENERAL DESCRIPTION.

Clay County, Missouri, the temporary home of the Saints from 1833-1836, is situated north of the Missouri River opposite Jackson County. It is bounded on the west by Platte, north by Clinton and east by Ray County; has an area of about 410 square miles and 16,000 inhabitants. In 1860 Clay County had 13,000 in-

habitants; hence it has only increased 3,000 during the last 28 years. When the Saints lived in Clay County it was very thinly inhabited, and Liberty, the county seat, only had a few hundred inhabitants. The surface is somewhat uneven, but the soil is very fertile. There is considerable timber. Coal and lead-ore, lime-stone and sand-stone are among its natural re-

sources. Its chief products are corn, wheat, oats, potatoes, tobacco, butter, wool, hay, pork and live stock. Carriages, flour, lumber, metallic wares, saddlery, wool-carding and cloth-dressing are represented in its manufacturing establishments, which in 1880 numbered 49, employing 170 hands.

LIBERTY.

The county seat of Clay County is pleasantly situated on rising ground three and one-half miles north of the nearest point on the Missouri River called Liberty Landing. By rail it is 12 miles northeast of Kansas City, and it is 11 miles in a straight line due north from Independence, in Jackson County. Liberty has now a population of 2,500 and is noted for its excellent schools. The Clay County Seminary and William Jewell (Baptist) College are located here. The latter is beautifully situated on a hill in the east part of the town. The court house is considered one of the finest in the State of Missouri. There are a number of substantial brick stores and some handsome private residences. Two weekly papers, one democratic and one republican, are published here.

RUSH CREEK, the stream on which the members of Zion's Camp were scattered when the cholera broke out among them in the summer of 1834, heads about two miles northwest of Liberty; it runs in a southeasterly direction (passing within two miles east of Liberty) and empties into the Missouri River, near Missouri City, seven miles southeast of Liberty.

DUCKER'S FERRY, where the mobocrats crossed the Missouri River in 1834 (on the occasion when James

Campbell and six others were drowned) is seven miles south of Liberty and three-and-a-half miles north of Independence, at the place where Wayne City, on the Jackson County side, now is situated.

HISTORY.

When the Saints were expelled from Jackson County in November, 1833, the greater part of them found a temporary resting place in Clay County, though some of them were scattered through Ray, Lafayette, and Van Buren counties. Those, however, who settled in Van Buren were again driven away. The people in Clay County, as a rule, were kind to the Saints, who were thrown so unceremoniously upon their hospitality. They were permitted to occupy every vacant cabin, and build others for temporary shelter. Some of the sisters obtained positions as domestics in the households of well-to-do farmers, while others taught school. For these acts of kindness the people of Clay County were well repaid in labor performed by the brethren, who were by no means idle, nor of the class who would receive a gratuity when it was within their power to give its equivalent in honest toil. Some heads of families were able to and did purchase land and homes, but the majority rented.

But look at the situation of the Saints in the best possible light, and after all, it was a gloomy prospect. In their scattered condition no regular discipline could be enforced. Many of them were beyond the reach of their spiritual teachers; and being surrounded by wickedness, their hopes blighted, and witnessing the apparent triumph of the wicked over the

Saints, is it any wonder if, in their despair, many of them committed sins, and were chargeable with follies unbecoming people of their profession? But in the main the Saints were immovable as the everlasting hills in their righteousness and integrity to God; willing to count all things as dross for the excellency of the knowledge of God.

They were perplexed as to what course to pursue. They knew not whether they would be permitted to return to the lands from which they had been driven or not; nor did they know whether it would be best to lease or buy lands in Clay County. In the midst of this uncertainty, a conference was convened January 1, 1834, at the house of Parley P. Pratt, at which it was "Resolved, that Lyman Wight and Parley P. Pratt be sent as special messengers, to represent the situation of the scattered brethren in Missouri to the Presidency of the Church in Kirtland, and ask their advice." Accordingly these brethren started to perform this mission, leaving their families in a penniless condition, while they themselves faced the winds and snows of winter in the interests of their afflicted brethren.

Pending the Saints receiving instructions from their youthful Prophet, several events worthy of mention occurred. In the latter part of December, 1833, a court of inquiry was held at Liberty, Clay County, to investigate the conduct of Colonel Pitcher, in dispossessing the "Mormons" of their arms, and driving them from their homes. It resulted in his arrest and trial before a court martial; but said court did not convene until February 20, 1834; and so remiss in the performance of his duty

was General Thompson, who presided over the court martial trial, that no report was made to the governor until the 1st of May; and even then it had to be solicited by the governor. From the facts brought out in that trial, the governor decided that Colonel Pitcher had no right to dispossess the "Mormons" of their arms; and sent an order to Samuel D. Lucas, colonel of the 33rd regiment, to deliver the arms taken from the "Mormons" on the 5th of December, 1833, to William W. Phelps, John Corrill, Edward Partridge, Algernon Sidney Gilbert, or their order. Lucas, in the meantime, however, had left Jackson County, resigned his position, and had settled in Lexington. Learning of this, the governor issued a second order for the arms, directing it this time to Colonel Pitcher. This letter was inclosed in a letter from the governor to William W. Phelps, and sent to Pitcher on the 10th of July. But between the issuing of the first and second order of the governor, for their restoration to their owners, the arms were distributed among the mob; and they insolently boasted that the arms should not be returned, notwithstanding the order of the executive. The determination of the mob proved to be stronger than the authority of the governor—the commander-in-chief of the militia of the State. The arms were never returned.

In December, 1833, the mob permitted the firm of Davies & Kelly to take the printing press owned by the Saints in Jackson County over to Liberty, in Clay County, where they began the publication of *The Missouri Enquirer*. This firm paid the lawyers, employed by the Saints, \$300 on the \$1,000 note they had given

their attorneys. Not much towards paying for a press that, with the book works, had cost between three and four thousand dollars.

It would appear that as soon as the news of the expulsion of the Saints reached the ears of the State officers, they were anxious to reinstate them in their possessions. R. W. Wells, the attorney-general of Missouri, wrote to the lawyers employed by the Church, November 21, 1833, to the effect, that if the "Mormons" desired to be returned to their homes in Jackson County, an adequate force of the State militia would be sent forthwith to accomplish this object, the militia having been ordered to hold themselves in readiness. He also promised that if the "Mormons" would organize themselves into a company of militia, they should be supplied with arms by the State. And also suggested that, "as only a certain quantity of public arms can be distributed in each county, those who first apply will most likely receive them." This letter was written after a conversation with the governor, and by that conversation, the attorney-general believed that he was warranted in making these suggestions to the "Mormons," so that we may regard the foregoing as the sentiments of the governor, as well as of the attorney-general.

Under date of November 24, 1833, John F. Ryland, the circuit judge for that district of which Jackson County was a part, wrote to Amos Reese, circuit attorney for the same district, and also counsel for the Church, saying that he had been requested by the governor to inform him "about the outrageous acts of unparalleled violence that had lately happened in

Jackson County; * * * and to examine into these outrages, and to take steps to punish the guilty, and screen the innocent." He said, however, that he could not proceed without some person was willing to give the proper information before him. He asked the circuit attorney to find out from the "Mormons," if they were willing to take legal steps against the citizens of Jackson County; and if they desired to be reinstated in their possessions. If so, he was willing to adopt measures looking toward the accomplishment of this object, saying that the military force would repair to Jackson County, and execute any order he might make respecting the subject. "It is a disgrace to the State," said he, "for such acts to happen within its limits, and the disgrace will attach to our official characters, if we neglect to take proper means to ensure the punishment due such offenders."

The order for an immediate court of inquiry had been prepared by the governor, but he waited to hear from the Saints, as to whether they desired to be reinstated in their homes or not. The leading Elders of the Church, hearing through their attorneys of the steps taken to hold an immediate court of inquiry, at once wrote to the governor, asking him not to hold an immediate court of inquiry, as at that time many of those persons whom they would want as witnesses were scattered through several of the surrounding counties, and could not be notified in time to be in attendance. Besides this, they urged that many of their principal witnesses would be women and children, and so long as the rage of the

mob continued unabated, it would be unsafe to take these witnesses to Independence. "An immediate court of inquiry," wrote A. Sidney Gilbert, under date of November 29, 1833, "called while our people are thus situated, would give our enemies a decided advantage in point of testimony." He asked His Excellency, therefore, in behalf of the Church to postpone the court of inquiry until the Saints were restored to their homes, and had an equal chance with their enemies in producing testimony before the court.

Amos Reese, the circuit attorney, and one of the counsel for the Church, concurred in these very reasonable requests, and said further: "I think that at the next regular term of the court, an examination of the criminal matter cannot be gone into without a guard for the court and witnesses." The communication which made these suggestions was followed up, on the 6th of December, by a petition to the governor, which set forth briefly the outrages committed against the Saints by the Jackson County mob, and asked him to restore them to their possessions in that county; and protect them when restored by the militia of the State, if legal, or by a detachment of the United State Rangers; suggesting that doubtless the latter arrangement could be effected by the governor conferring with the President of the United States on the subject. They also asked that their men be organized into companies of "Jackson Guards," and furnished with arms by the State, that they might assist in maintaining their rights. "And then," said they, "when arrangements are made to protect us in our persons and property (which cannot be done without an armed force, nor

would it be prudent to risk our lives there without guards, till we receive strength from our friends to protect ourselves), we wish a court of inquiry instituted to investigate the whole matter of the mob against the 'Mormons.'"

To this petition the governor replied on the 4th of February, 1834, and said the request to be restored to their homes and lands needed no evidence to support the right to have it granted. He also promised that if, on inquiry, it was found that they had been wrongfully dispossessed of their arms, an order would be issued for them to be returned. But as we have already traced that matter to its final issue, we need to allude to it no further. In relation to the brethren organizing into 'military companies, the governor said:

"Should your men organize according to law, which they have a right to do—indeed it is their duty to do so, unless exempted by religious scruples—and apply for public arms, the Executive could not distinguish between their right to have them, and the right of every other description of people similarly situated."

All these answers of the governor's to the petition of the exiled Saints, so far, were good, and manifested a spirit to administer evenhanded justice. But when he comes to consider their request to be protected in their possessions, as well as reinstated in them, his reply is not so favorable. "As to the request," said he, "for keeping up a military force to protect your people, and prevent the commission of crimes and injuries, were I to comply, it would transcend the power with which the Executive of this State is clothed." Still the laws of the State empower the "commander-in-chief, in case of actual or threatened invasion, insurrection, or war,

or public danger, or other emergency, to call forth into actual service such portion of the militia as he may deem expedient." The governor explained further:

"The words 'or other emergency' in our militia law, seem quite broad; but the emergency, to come within the object of that provision, should be of a public nature. Your case is certainly a very emergent one, and the consequences as important to your society as if the war had been waged against the whole State, yet the public has no other interest in it, than that the laws be faithfully executed."

The sequel will show how faithfully the law was executed, and how the "public" stood by, indifferent spectators, while an unoffending people were robbed of their possessions and the laws of the State set at defiance by insolent mobs. The governor closes his answer to the petition of the exiles by saying, that as then advised, it would be necessary to have a military guard for the court and State witnesses, while sitting in Jackson County; and he sent an order to the captain of the Liberty Blues to comply with the requisition of the circuit attorney, in protecting the court, and executing its orders during the progress of the trials arising out of the Jackson County difficulties; and said the Saints could, if they felt so disposed, return under the protection of this guard to their homes and be protected in them during the progress of these trials.

It required no great wisdom to foresee that for the Saints to return to their homes, and then be left there without protection—left to the mercy of inhuman wretches, in whose veins ran none of the milk of human kindness—would not be far removed from suicide, as the mob greatly outnumbered

the Saints. To return under these circumstances would not only be laying the foundation for a more fatal tragedy than the one already enacted; and the brethren wisely concluded not to attempt to regain possession of their homes, until some measure was adopted to protect them when there—until "God or the President ruled out the mob."

At the February term of the circuit court, which convened at Independence, about twelve of the leading Elders were subpoenaed as witnesses on the part of the State against certain citizens of Jackson County for their acts of mob violence against the 'Mormons.' On the 23rd of the month, these witnesses crossed the Missouri River into Jackson County, under the protection of the Liberty Blues, Captain Atchison commanding. The company numbered about fifty and were well armed with United States muskets, bayonets fixed—presenting an outward look "fair and warlike." The company and witnesses commenced crossing the river about noon, but it was nearly night before the baggage wagon was taken across. While waiting for the arrival of the wagon, it was decided to camp in the woods, and not go to Independence until the next morning. Half the company and the witnesses went about half a mile towards Independence and built fires for the night. While engaged in these duties the quartermaster and others, who had gone ahead to prepare quarters in town for the company, sent an express back, which was continued by Captain Atchison to Colonel Allen, for the two hundred drafted militia under his command; and also sent to Liberty for

more ammunition. The night was passed around the camp fires, as the party was without tents, and the weather cold enough to snow a little.

Next morning the witnesses were marched to Independence under a strong guard, and quartered in the block-house—formerly the Flournoy Hotel. The attorney-general of the State, Mr. Wells, had been sent down by the governor to assist the circuit attorney, Mr. Reese, “to investigate, as far as possible, the Jackson outrage.” These gentlemen waited upon the witnesses in their quarters, and gave them to understand that all hopes of criminal procedure against the mob was at an end. Only a few minutes afterwards, Captain Atchison informed the witnesses that he had received an order from Judge Ryland that the services of his company were no longer needed in Jackson County. So the witnesses for the State were marched out of town to the tune of Yankee Doodle—quick time. Thus ended the sickly attempt of the State authorities to execute the law—in which the “public,” according to the governor, was interested, but no further interested in this outrage. But, “so far as a faithful execution of the laws is concerned,” he presumed, “the whole community felt a deep interest; for that which is the case of the Mormons today, may be the case of the Catholics tomorrow, and after them, any other sect that may become obnoxious to a majority of the people of any section of the State.” But after this effort by the State authorities to execute the law, doubtless all other sects or parties who were likely to come under the ban of popular sentiment, felt secure in their liber-

ties—satisfied with the valor of the officers of the State who had trembled before the bold front of a mob—a mob which had boasted that if the “Mormons” were reinstated in their homes by the authority of the governor, not three months should elapse before they would drive them again. And even while the circuit court was convened at Independence, and a company of militia in attendance to execute its mandates, and the attorney-general of the State present to assist the circuit attorney in prosecuting those who had violated the law—yet, in the presence of all this authority, the old citizens of Jackson gathered and assumed such a boisterous and mobocratic appearance, that their bold front overawed the officers of the court; the attorneys of the State telling the State witnesses—who were also sufferers from the previous violence of the mob—that all hopes of criminal prosecution against the mob were at an end; while Judge Ryland issued an order for the militia to withdraw, just when they were needed to protect his court in vindicating the law.

Thus ended the only effort that was ever made by the officers of the State to bring to justice these violators of the law. One class of citizens had conspired against the liberties of another class, and being the stronger had, without the authority of law or shadow of justification, driven twelve hundred of them from their possessions, and there was not virtue enough in the Executive of the State and his associations to punish the offenders. The determination of the mob to resist the law was stronger than the determination of the State officers to execute it and make it honorable. And

yet the constitution of the State made it the imperative duty of the executive to "take care that the laws are faithfully executed." And the laws of the State empowered the "commander-in-chief of the militia (the governor) in case of * * * insurrection, or war, or public danger, or other emergency, to call forth into actual service such portion of the militia as he might deem expedient." With this power placed in his hands by the laws of the State, Governor Dunklin permitted mobs to overawe the court of inquiry he himself had ordered, and allowed them to continue unchecked in their unhallowed deeds of devastation and violence. And while the mobocrats triumphed over the law, the governor's letters to the leading Elders of the Church contained many pretty patriotic sentiments, but he lacked the courage to execute the law.

In the meantime the Prophet Joseph was not an uninterested spectator of the stirring events that were being enacted in Missouri. The circumstances of the Church were such that his presence was necessary in Kirtland, but all the sympathy of his noble nature went out to his brethren in affliction, and his letters were filled with words of encouragement and wise counsel; and so far as his embarrassing financial circumstances would permit, he rendered them material aid. There were two things, however, that he could not understand: "And," said he, "they are these: Why God has suffered so great a calamity to come upon Zion; and what the great moving cause of this persecution is. And again, by what means he will return her back to her inheritance, with everlasting joy upon her head." (See page 412.)

He was not left long in doubt as to these matters. On the 16th of December, 1833, the Lord, in a revelation to him, said (Doc. & Cov., Sec. 101:1-7):

"Verily I say unto you, concerning your brethren who have been afflicted, and persecuted, and cast out from the land of their inheritance, I, the Lord, have suffered the affliction to come upon them, wherewith they have been afflicted, in consequence of their transgressions: * * * Behold, I say unto you, there were jarrings, and contentions, and envyings, and strifes, and lustful and covetous desires among them; therefore by these things they polluted their inheritances. They were slow to hearken unto the voice of the Lord their God; therefore the Lord their God is slow to hearken to their prayers, to answer them in the day of their trouble."

This explained to the uttermost why the Saints were driven away from Zion. Of the evils which were in their midst they had been warned time and again by the Prophet and the council of the Church. But these warnings had only aroused them to a partial repentance; and the Lord, true to his word at the time of giving the warning, was pleading with the strong ones in Zion, and chastening her mighty ones, that they might overcome. Seeing then that the Saints were punished for neglecting to observe the counsels of God, the question may arise: Is the mob to be held responsible for their acts of violence against them? Most assuredly, for it is a case where "offenses must needs come, but woe unto them by whom they come."

In relation to the other matter about which Joseph was perplexed, viz.: By what means the Lord would redeem Zion, this same revelation, and one given subsequently (February 24, 1834), explained. From these two important revelations we learn that Zion is to be redeemed by power.

The Lord said (Doc. & Cov., Sec. 103):

"I will raise up unto my people a man, who shall lead them like as Moses led the children of Israel. For ye are the children of Israel, and of the seed of Abraham, and ye must needs be led out of bondage by power, and with a stretched-out arm. And as your fathers were led at the first, even so shall the redemption of Zion be. Therefore, let not your hearts faint, for I say not unto you as I said unto your fathers: Mine angel shall go up before you, but not my presence. But I say unto you: Mine angels shall go up before you, and also my presence, and in time ye shall possess the goodly land."

But this great blessing, they were given to understand, was not to be granted "until after much tribulation."

Joseph was commanded to gather up the strength of the Lord's house, the young men and the middle aged, and march with them to Zion. (See *Zion's Camp*.)

Pending the gathering of the strength of the Lord's house to go up to redeem Zion, the Saints who had been driven from their homes were instructed to importune at the feet of the judge; and if he heeded them not, then to importune at the feet of the governor; and if the governor heeded them not, then "importune at the feet of the President; and if the President heed them not, then will the Lord arise and come forth out of his hiding place, and in his fury vex the nation; and in his hot displeasure, and in his fierce anger, in his time, will cut off those wicked, unfaithful, and unjust stewards." (Doc. & Cov., Sec. 101:86-90.)

The brethren now began the work of petitioning in earnest. The authorities and brethren in Kirtland petitioned the governor of Missouri in behalf of their afflicted brethren of

that State, inclosing in their petition the revelation which the Lord had given respecting the redemption of Zion. (Doc. & Cov., Sec. 101.) They also sent a petition and the same revelation to the President in their behalf. The Saints in Missouri also continued to keep the subject of their wrongs constantly before the authorities of the State. They also prepared a petition, dated April 10, 1834, to the President of the nation, setting forth their wrongs at considerable length, enclosing in it the reply of the governor to their petition to him. And since the governor claimed that the laws of this State did not authorize him to keep a military force in Jackson County, to protect the Saints in their homes after their restoration, they asked the President to restore them to their possessions, and protect them when so restored, by an armed force, until peace was insured. They pointed out the fact to the President, that the Constitution authorized Congress to provide for the calling forth of the militia to execute the laws of the Union, suppress insurrection and repel invasions. At the same time the exiles informed the governor that they had petitioned the President for a force to protect them in their homes, and asked him to assist them by sending to the President a few lines in support of their claims. Elder Phelps also wrote to Senator Thomas H. Benton, informing him of their having sent a petition to the President, and asked him for his cooperation in securing their rights. The governor answered under date of April 10, 1834, that as it was possible that the Saints had asked the President to do something that he was not empowered to do, he could not consistently join with them in

urging him to do it. "If you will send me a copy of your petition to the President, I will judge of his right to grant it; and if of opinion he possesses the power, I will write in favor of its exercise." But whether the Saints complied with this request or not, is not known.

May 2, 1834, the Saints in Clay County received a communication from Washington, which stated that the offenses of which they complained were violations of the laws of the State of Missouri, and not the laws of the United States. And the clause in the Constitution, to which they had alluded, extended only to proceedings under the laws of the United States. "Where an insurrection in any State exists, against the government thereof," said the communication from Washington, "the President is required, on the application of such State, or of the Executive (when the Legislature cannot be convened), to call forth such a number of the militia as he may judge sufficient to suppress such insurrection. But this state of things does not exist in Missouri, or, if it does, the fact is not shown in the mode pointed out by law. The President cannot call out a military force to aid in the execution of the State laws, until the proper requisition is made upon him by the constituted authorities." And as the "constituted authorities" would not make that requisition, all hopes for assistance from the General Government were at an end.

When the Missouri State legislature convened, the governor called the attention of the body legislative to the outrages committed by the citizens of Jackson County against the "Mormons," saying, "As yet,

none have been punished for these outrages, and I believe that, under our present laws, conviction for any violence committed against a Mormon cannot be had in Jackson County. * * * It is for you to determine what amendment the law may require, so as to guard against such acts of violence for the future." This notice of the question in the governor's message revived the sinking hopes of the exiles, but it was only again to have them disappointed. The portion of the governor's message which referred to the Jackson outrage was given to a special committee, and at the suggestion of Messrs. Thompson and Atchison, of the Missouri Legislature, the Saints petitioned that body for an enactment to reinstate them in their homes and protect them, but it availed nothing. The Legislature took no action in the matter. The violators of the law went unwhipped of justice. Suffering innocence found no protector in the State or Nation.

In May, 1834, it appears that the Jackson County mobocrats, through some person of influence in Clay County, had suggested to Governor Dunklin the propriety of dividing Jackson County so that the old settlers and the Saints could occupy separate territory, and confine themselves within their respective limits, with the exception of the public right of ingress and egress upon the highway. This plan of settling the Jackson County trouble was suggested by Colonel John Thornton, and concurred in by Messrs. Reese, Atchison and Doniphan. Their communication brought out a reply from the governor, dated June 6, 1834, in which he expressed his pleasure at these gentlemen making an effort to

bring about a compromise of the Jackson County difficulties. He told them had he not been afraid of embarrassing himself by an official interposition, he should have exerted himself to have brought about a compromise even before then; but he was fearful of traveling out of the strict line of his duty as the chief executive of the State, should he do so. Said he:

"My first advice would be to the Mormons to sell out their lands in Jackson County, and to settle somewhere else, where they could live in peace, if they could get a fair price for them and reasonable damages for injuries received. If this failed, I would try the citizens, and advise them to meet and rescind their illegal resolves of last summer, and agree to conform to the laws in every particular in respect to the Mormons."

Should success attend neither of these plans, he would then try the plan of dividing the county as suggested by Colonel Thornton. "If all these failed," said the governor, "then the simple question of legal right would have to settle it. It is this last that I am afraid I shall have to conform my action to in the end."

The whole tenor of this communication plainly shows that the governor fully understood that the "simple question of legal rights" would reinstate the Saints on the lands from which they had been driven. The following extract from the letter confirms this statement:

"A more clear and indisputable right does not exist, than that the Mormon people, who were expelled from their homes in Jackson County, should return and live on their lands; and if they cannot be persuaded, as a matter of policy, to give up that right, or to qualify it, my course as the chief executive officer of the State is a plain one. The Constitution of the United States declares, 'that the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.' Then we cannot interdict any people, who have a political franchise in the United States, from

emigrating to this State, nor from choosing what part of the State they will settle in, provided they do not trespass on the property or rights of others. * * * And again, our Constitution says, 'that all men have a natural and indefeasable right to worship Almighty God according to the dictates of their own consciences.' I am fully persuaded that the eccentricity of the religious opinions and practices of the Mormons is at the bottom of the outrages committed against them. They have the right constitutionally guaranteed to them, and it is indefeasable, to worship Joe Smith as a man, an angel, or even as the only true and living God, and to call their habitation Zion, the Holy Land, or even Heaven itself. Indeed there is nothing so absurd or ridiculous that they have not a right to adopt as their religion, so that in its exercise they do not interfere with the rights of others."

Surely this is a liberal statement of the rights and privileges of the Latter-day Saints, and indeed, of any other people, but the governor was loath to perform what he admits to be his plain duty in restoring the "Mormons" to their homes. Indeed, he at length refused to do it, fearing that in executing the law, by returning the Saints to their homes, he would involve the county in a civil war.

June 10, 1834, the district judge, John F. Ryland, wrote a letter to Elder A. Sidney Gilbert, asking him to use his influence in gathering his brethren at Liberty, in Clay County, on the 16th of the month; saying that he expected to meet a delegation of citizens from Jackson County there, and he was desirous of giving his views upon the present situation of the parties concerned in the Jackson troubles, with the hope of bringing about a peaceable adjustment of them. This letter was read in a public meeting of the Saints, and a respectful answer given, promising that as many of the Saints as could attend the meeting on the 16th would be present. Knowing there had been some talk about the propriety of the

Saints selling out their lands in Jackson County, and fearing the judges would advise them to do so, the brethren took occasion to say in this communication that no such proposition could possibly be acceded to by the Saints; and concluded by saying:

"Home is home, and we want possession of our homes from which we have been wickedly expelled—and those rights which belong to us as native, free-born citizens of the United States."

About one thousand people were in attendance at the meeting at the court house in Liberty on the 16th of June; and among them were many of the brethren and a deputation of citizens from Jackson County, who made in substance the following proposition for the settlement of the Jackson difficulties:

"The people of Jackson County hereby propose to the Mormons, that they will buy all the land that the said Mormons own in the County of Jackson, and also the improvements which the said Mormons had on any of the public lands in said County of Jackson, as they existed before the first disturbance between the people of Jackson and the Mormons, and for such as they have made since. They further propose that the value of said land and improvements shall be ascertained by three disinterested arbitrators, to be chosen and agreed to by both parties. They further propose, that should the parties disagree in the choice of arbitrators, then..... is to choose them. They further propose, that twelve of the Mormons shall be permitted to go along with the arbitrators to show them their land and improvements while valuing the same, and such others of the Mormons as the arbitrators shall wish to do so, to give them information; and the people of Jackson hereby guarantee their entire safety while doing so. They further propose, that when the arbitrators report the value of the land and improvements, as aforesaid, the people of Jackson will pay the valuation, with

one hundred per cent. added thereon, to the Mormons, within thirty days thereafter. They further propose, that the Mormons are not to make any effort, ever after, to settle, either collectively or individually, within the limits of Jackson County. The Mormons are to enter into bonds to insure the conveyance of their land in Jackson County, according to the above terms, when the payment shall be made; and the committee will enter into a like bond, with such security as may be deemed sufficient for the payment of the money, according to the above proposition. While the arbitrators are investigating and deciding upon the matters referred to them, the Mormons are not to attempt to enter Jackson County, or to settle there, except such as are by the foregoing propositions permitted to go there.

"They further propose that the people of Jackson will sell all their lands and improvements on public lands, in Jackson County, to the Mormons, the valuation to be obtained in the same manner, the same per cent in addition to be paid, and the time the money is to be paid is the same as the above set forth in our proposition to buy; the Mormons to give good security for the payment of the money, and the undersigned will give security that the land will be conveyed to the Mormons. They further propose, that all parties are to remain as they are till the payment is made. at which time the people of Jackson will give possession."

After these propositions were submitted to the meeting, Samuel C. Owens made a flaming war speech against the "Mormons," and General Doniphan replied on the side of peace. The Reverend M. Riley, a Baptist minister, after delivering a bitter speech, said:

"The Mormons have lived long enough in Clay County; and they must either clear out, or be cleared out."

To which the chairman of the meeting, Mr. Turnham, replied:

"Let us be republicans, let us honor our country, and not disgrace it like Jackson

County. For God's sake don't disfranchise or drive away the Mormons. They are better citizens than many of the old inhabitants."

General Doniphan exclaimed:

"That's a fact, and as the Mormons have armed themselves, if they don't fight they are cowards. I love to hear that they have brethren coming to their assistance. Greater love can no man show than he who lays down his life for his brother."

Cries of "adjourn" and "no, no, go on" were now heard, mingled with curses loud and deep, and the ominous gleaming of knives, and cocking of pistols; to add to the excitement, a man by the door yelled out: "A man stabbed!" At this those in the court room rushed out to learn what had happened. It turned out that a blacksmith by the name of Calbert had stabbed a man by the name of Wales, who had boasted of having whipped many of the Mormons—one of which had nearly lost his life through the injuries received. The wound was dangerous, but the meeting broke up without further bloodshed.

In the midst of this excitement, a few of the brethren retired and addressed a communication to the Jackson County delegation, to the effect that their proposition for a settlement of the Jackson difficulties should be presented to the Saints, and an answer to it should be handed to Judge Turnham by the 20th, sooner if possible. The brethren assured the Jackson delegation that peace was what they desired, and promised to use all their influence to establish it, and disclaimed any design to commence hostilities against the inhabitants of Jackson County; and further pledged themselves to use their influence to prevent the large company of their

men (Zion's Camp), then *en route* for Missouri, going into Jackson County, until the citizens of Jackson should receive an authoritative answer to their proposition to "buy or sell."

The Jackson delegation, in a very bad humor, started for Independence. One of the leaders, James Campbell, as he adjusted his pistols in their holster, exclaimed: "The eagles and buzzards shall eat my flesh, if I don't fix Joe Smith and his army (meaning Zion's Camp) so that their skins won't hold shucks before two days are passed." They went to Ducker's Ferry and started to cross the Missouri, but when about the middle of the river, their boat suddenly went down as if made of lead. There was no storm—the river was calm, and no natural explanation could be given for the sinking of the boat. Joseph declares that the angel of the Lord sank it. Indeed, the circumstances are such as to go very far toward strengthening the statement. It is supposed that about twelve men were in the boat, and of the number seven were drowned. (See page 585.) Of the number drowned the names of three are all that have been learned—Ibe Job,—Everett and James Campbell. The body of Campbell was found about three weeks after the occurrence, on a pile of drift-wood, some four or five miles below where the boat sank, by a Mr. Purtle. But little more than the skeleton of the man remained. His flesh had been eaten by the eagles and buzzards. His fate points a fearful warning to those who raise their hands against God's anointed. It gives us reason to believe that the day is not distant

when the command of Jehovah—"Touch not mine anointed, and do my Prophets no harm"—must be obeyed.

The fate of Owens was more ludicrous. He floated down the stream until he landed on an island, where he remained all night. The next morning he stripped off his clothes and swam ashore and laid down by the side of a log, close to the road. A lady passing on horse-back, learning of his condition, dropped him her shawl to cover his nakedness, until he could secure clothing.

Concerning the propositions made by the Jackson people to the Saints for the peaceful adjustment of their difficulties, Elder B. H. Roberts, in his article on "The Missouri Persecutions," reasons as follows:

"To have the lands owned by the Saints and the improvements thereon valued by disinterested arbitrators, and the amount paid with one hundred per cent. added within thirty days, looks like a very fair proposition; but still the Saints could not accept such terms, as the condition upon which the proposition was made required the surrender of some of their rights as citizens of the United States and freemen.

"The Constitution of the United States says expressly: 'The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.' The Saints were citizens of the United States, possessing all the rights and franchises thereof, and they had a right—an indefeasable one, too—to settle in whatever State they saw proper to choose for their abode—and they had a right to settle in whatever part of the State pleased them best; and, as Governor Dunklin admitted, they had a right to call their habitation "Zion, the Holy Land, or Heaven itself," so long as in doing so they interfered not with the property and rights of others. To accept the proposition of the Jackson people then, and bind themselves never again to make any effort to settle collectively or individually within the limits of Jackson County, would be a surrender of their dearest rights of citizenship—and would be permitting mobocrats and murderers to dictate them in the exercise of their liberties—binding not only themselves, but their children as well,

to the dictum of these wretches. To accept such a settlement of their troubles, would have been a covenant with death—an agreement with hell! To their honor be it said, they spurned the proposition with the contempt it deserved.

"But the surrender of some of their rights as citizens of the United States was not the only difficulty involved in the settlement of the Jackson troubles by the Saints selling their possessions. God had revealed to them that Jackson County was the place where is to be built the Zion of their God. For them to sell their lands then, and agree never after to make a settlement there collectively or individually, would be a denial of their faith and bring upon them the displeasure of their God. For them to sell their lands was entirely out of the question.

"But the mob offered not only to buy, but to sell upon the same conditions that they proposed to buy. Why did not the Saints accept this offer? Simply because they could not, and the citizens of Jackson knew very well they could not. The old settlers of Jackson owned many times more the amount of land than was possessed by the Saints, say thirty acres to one. The Saints were not wealthy to begin with; and now, after they had been driven from their homes, robbed of their goods, their cattle driven away, their homes, stables, and stacks of grain burned, they are asked to buy nearly the whole of Jackson County, for which they must pay double price—because they were to add one hundred per cent to the appraised value—in thirty days. I don't believe the people of Jackson County were sincere in making the proposition. They knew the Saints could not sell their lands without surrendering many of their rights as freemen and citizens of the United States, and without being untrue to their God, by virtually denying their faith in the revelations he had given regarding the building up of Zion in Jackson County. This the old settlers knew the 'Mormons' would not do. They had tried to whip and frighten too many of them into a denial of their religious convictions to think for one moment that money would induce them to deny that faith. On the other hand, they determined to put the price of their own land beyond the possibility of the Saints purchasing it. The whole scheme was concocted with a view of covering up their damnable outrages against the Saints, under an appearance of fairness. 'In the corrupted currents of this world, where Offense's gilded hand may shove by justice,' where hypocrisy is often mistaken for piety,

and cunning for fairness, the subterfuge may have served its purpose; but when the wretches who have murdered the Saints and plundered them of their goods shall stand before the bar of God, they will find their refuge of deceit will not shield them from the justice of him who has declared 'vengeance is mine, I will repay!'"

The Saints refused to accept the terms of settlement made by the people of Jackson, but on the 23rd of June Elders William W. Phelps, Edward Partridge, Isaac Morley, John Corrill, John Whitmer and A. Sidney Gilbert, in behalf of the Saints, wrote the following to the Jackson County delegation:

"We the undersigned committee, having full power and authority to settle and adjust all matters and differences existing between our people or society and the inhabitants of Jackson County, upon honorable and constitutional principles; therefore, if the said inhabitants of Jackson County will not let us return to our lands in peace, we are willing to propose first: That twelve disinterested men, six to be chosen by our people, and six by the inhabitants of Jackson County; and these twelve men shall say what the lands of those men are worth in that county, who cannot consent to live with us, and they shall receive their money for the same in one year from the time the treaty is made, and none of our people shall enter the county to reside till the money is paid. The said twelve men shall have power also to say what the damages shall be for the injuries we have sustained in the destruction of property and in being driven from our possessions, which amount of damages shall be deducted from the amount for their lands. Our object is peace, and an early answer will be expected."

The only reply received to this proposition was in a letter from Samuel C. Owens, to Mr. Amos Reese, dated Independence, June 26, 1834, which plainly said that the Jackson people would do nothing like the proposition made by the Saints, and here the hopes of settling the Jackson County troubles by arbitration ended.

In the meantime Joseph Smith and his brethren from the East had arrived in Clay County. (See *Zion's Camp*). On June 23, 1834, the Prophet met in council with the High Priests, agreeable to a revelation given the day previous on Fishing River (Doc. & Cov., Sec. 105), and the following brethren, who had proven themselves faithful and true during the late persecutions, were chosen by the voice of the spirit and revelation to go to Kirtland, Ohio, to receive their endowments: Edward Partridge, William W. Phelps, Isaac Morley, John Corrill, John Whitmer, David Whitmer, A. Sidney Gilbert, Peter Whitmer, jun., Simeon Carter, Newel Knight, Parley P. Pratt, Christian Whitmer, Solomon Hancock, Thomas B. Marsh and Lyman Wight.

On the 1st of July the Prophet with four of the brethren crossed the Missouri into Jackson County, "once more," as he remarked, "to set my foot on this 'goodly land.'" What contending emotions would be awakened by such a visit! There, just west of the court house in Independence, three years before, he had assembled with his brethren, and dedicated a site for the Temple of the Lord. Now and then they would come to the ruined homes of the Saints, or, if preserved from the hands of the spoiler, it was that they might shelter some land pirate who had driven away the rightful owner. Now in vision he might, for a moment, see the future glory of Zion—then he would weep to think of the Saints stripped of all their worldly goods, and in the midst of strangers whose bonds of friendship were not strong.

On the 3rd of July, 1834, in a council of High Priests held in Clay

County, Joseph proceeded to organize a High Council similar to the one previously organized in Kirtland, Ohio. David Whitmer was elected president and William W. Phelps and John Whitmer assistant presidents. The following High Priests were appointed High Councilors: Christian Whitmer, Newel Knight, Lyman Wight, Calvin Beebe, William E. McLellan, Solomon Hancock, Thomas B. Marsh, Simeon Carter, Parley P. Pratt, Orson Pratt, John Murdock and Levi Jackman. All these brethren were ordained and set apart to their various positions on the 7th.

Joseph remained with the Saints in Clay County, giving such instructions as were needed for the prosperity of the Church in that part of the country, until the 9th of July, when he left to return to Kirtland.

The High Council proceeded to discuss a variety of subjects pertaining to the situation of the Saints. They made a direct appeal to the people of the United States, and to mankind everywhere—stating their wrongs and imploring their assistance in securing and maintaining their rights. They declared their devotion to the laws of their country, and their faith in God, and the final establishment of Zion in Jackson County, and expressed a desire to be at peace with all mankind. They also investigated some matters arising between the members of the Church, of setting the Church in Missouri in order generally. On the 12th of July the council appointed Edward Partridge, Orson Pratt, Isaac Morley and Zebedee Coltrin to visit the afflicted and scattered brethren in Missouri. They were not to hold public meetings, as that would arouse too much popular prejudice, but they

were to work quietly, setting the Saints in order and teaching them the way of holiness, as the Lord by his Spirit might direct. Subsequently a few Elders were sent out to hold public meetings, "to teach the disciples how to escape the indignation of their enemies, and keep in favor with those who were friendly disposed." On the 7th of August the council sent out about twenty Elders to preach the gospel to the world; and thus in these trying circumstances these faithful men continued to preach the gospel of Christ restored to the earth.

In the meantime Joseph and a few of his brethren who had accompanied him from Missouri had arrived in Kirtland. On the 16th of August, 1834, he wrote to the brethren in Missouri, requesting that another petition be written, such as the High Council would approve, asking the governor of Missouri to call on the President of the United States to furnish a guard to protect the Saints in their homes in Jackson County from the insults and violence of the mob. Copies of this petition were to be placed in the hands of the Elders going on missions through the United States, and every effort was to be made to get signers; "that peradventure," wrote Joseph, "we may learn whether we have friends or not in these United States." Lyman Wight was instructed to enter complaints to Governor Dunklin as often as he should receive insults or injuries; and should mobs take life or burn houses, and the people of Clay County refuse to protect the Saints, he was to collect the little army, be set over into Jackson, and do the best he could in maintaining the ground. If the excitement continued

to abate, then the Saints were to gather quietly together in the regions surrounding, and be in "readiness to move into Jackson County *in two years from the 11th of September next (1836), which is the appointed time for the redemption of Zion.* If—verily I say unto you—if the Church, with one united effort, perform their duties—if they do this, the work shall be complete." If, on the other hand, the Church failed to gather up the young men and means to redeem Zion by the appointed time, "behold," saith the Prophet, "there remaineth a scourge for the Church, even that they shall be driven from city to city, and but few shall remain to receive an inheritance."

For the next two years the Prophet and his brethren were busily engaged in setting in order the various quorums of the Priesthood, but he still had time to think of Zion and her redemption. On the occasion of a large body of the Priesthood being present on the 2nd of May, 1835, he moved that they never give up the struggle for the redemption of Zion, so long as life should last. September 24th, following, the High Council met at the house of Joseph Smith to take into consideration the redemption of Zion. It was the decision of the council that the Saints who had been expelled from Zion petition the governor of the State to reinstate them the following spring, and they would either live or die on their lands; and Joseph prayed that they might be successful in getting eight hundred or a thousand emigrants to go up to settle in Zion; and still later (March 13, 1836) the First Presidency resolved to remove on or before the 15th of May next to Zion, if the

Lord should open the way before them, that their influence might be more effectual in encouraging the Saints to gather there.

But events of a strange character were to occur that would prevent the carrying out of these resolutions. The Saints did not comply with the conditions upon which Zion was to be redeemed. They did not with a united effort do their duty, and they did not give of their means liberally, nor did their young men volunteer readily to go up to Zion. Hence they were not entitled to the fulfilment of God's promise to redeem Zion; but instead of this blessing there was suspended over them the promised scourge of being driven from city to city, because they failed to keep the commandments—a scourge that has been executed to the uttermost.

The petitions the Elders circulated throughout the States in their travels, asking the people to petition the governor of Missouri to reinstate the Saints in their homes, met with considerable response and awakened some sympathy among the people generally. The petition was mailed to the governor December 9, 1835. But all these efforts failed to move the State officials to make any effectual effort towards restoring the outraged Saints to their own and protecting them in the quiet possession of their property and lives.

July 28, 1836, the Saints in Clay County received a letter from Governor Dunklin, which may be considered the funeral knell to their hopes of executive interference in their behalf. In that letter, which was dated Jefferson City, July 18, 1836, the governor informed them that their cases were individual cases, and as

such were subjects for judicial interference, and not for the special cognizance of the executive. He stated further:

"And there are cases, sometimes, of individual outrage which may be so popular as to render the action of courts of justice nugatory in endeavoring to afford a remedy. * * * Your neighbors accuse your people of holding illicit communications with the Indians, and of being opposed to slavery. You deny. Whether the charge or the denial is true I cannot tell. The fact exists, and your neighbors seem to believe it true; and whether true or false, the consequence will be the same (if your opponents are not merely gasconading), unless you can, by your conduct and arguments, convince them of your innocence. If you cannot do this, all I can say to you is, that in this Republic the *vox populi* is the *vox dei*."

What a mockery, then, is such a government! Under it none may hope to enjoy liberty but those who are willing to swim in the stream of popular sentiment—a stream oftener filthy than clean. How precarious is the hold of the inhabitants of such a government upon their liberties—dependent upon the changing whims of the populace—the populace which "today will weep a Caesar slain; tomorrow vote a monument to Brutus!" Under such a government what is to become of Reformers? Perhaps the fate of Reformers of other ages, who have fallen victims to the hatred of popular sentiment, will answer the question. What is to become of the weaker parties if all are to be crushed or banished that popular sentiment condemns? For what are governments established if not to protect all, the weak as well as the strong, the despised as well as the favored, in the enjoyment of life, liberty and the pursuit of happiness?

June 29, 1836, the leading citizens of Clay County assembled in the court-

house of Liberty to consider the difficulties threatening the people of Clay County in consequence of the presence of the "Mormons." After the usual organization at such meetings, the committee on resolutions reported a document that briefly stated the circumstances under which the Saints flocked into Clay County, without money, without property, without food for their wives and children, and, like Noah's dove, without a resting place for their feet; and how the people of Clay County, in face of the thousand reports accusing them of every crime known to the laws of the country, had treated them with toleration and often with peculiar kindness. The document refers to the statements of the Saints who had said they did not regard Clay County as their permanent home, but merely as a temporary asylum which they would promptly leave whenever a respectable portion of the citizens of Clay County should request it; and now the best interest of the county demanded the fulfilment of this pledge.

The reasons why the Saints had become objects of hatred and detestation to many of the citizens of Clay County are stated to be:

1. Their religious tenets were so different from the present churches of the age, that this always had and always would excite deep prejudice against them in any populous country where they might locate.

2. They were eastern men, whose manners, habits, customs and even dialect were essentially different from the Missourians.

3. They were *non*-slave-holders and opposed to slavery, which excited deep and abiding prejudices in a com-

munity which tolerated and protected slavery.

4. Common report had it that they kept up a constant communication with the Indian tribes on the frontier; and declared from the pulpit that the Indians were a part of God's chosen people, destined by heaven to inherit with them the land of Missouri.

"We do not vouch for the correctness of these statements," said the committee in their report, "but whether they are true or false, their effect has been the same in exciting our community."

The causes named are represented as having raised a prejudice against the Saints and a feeling of hostility, that the first spark might, and the committee deeply feared would, ignite into all the horrors and desolations of a civil war, and it was therefore

Resolved, That it is the fixed and settled conviction of this meeting, that unless the people commonly called Mormons will agree to stop immediately the immigration of their people to this county, and take measures to remove themselves from it, a civil war is inevitable."

The committee said further:

"We do not contend that we have the least right under the Constitution and laws of the country to expel them by force. But we would indeed be blind, if we did not foresee that the first blow that is struck, at this moment of deep excitement, must and will speedily involve every individual in a war, bearing ruin, woe and desolation in its course. It matters but little how, where or by whom the war may begin; when the work of destruction commences, we must all be borne onward by the storm, or crushed beneath its fury."

The Saints were told that if they had one spark of gratitude, they would not willingly plunge a people into civil war, who had held out to them the friendly hand of assistance in the dark hour of their distress. A com-

mittee of ten were appointed to present these views to the leading Elders among the "Mormons," with the understanding that if the "Mormons" would consent to move as requested, the gentlemen who had called the meeting, and asked them to leave Clay County, would use all their influence to allay the excitement among the citizens of the county.

The reply of the Saints to the request to remove from Clay County was adopted at a general mass meeting, held July 1, 1836. In their reply the Saints express their appreciation of the kindness shown them by the people of Clay County. They denied having any disposition to meddle with slavery, and also denied holding any communication with the Indians, and said they had held themselves as ready to defend their country against their barbarous ravages as any other people. After making these denials they resolved:

"For the sake of friendship, and to be in a covenant of peace with the citizens of Clay County, and they to be in a covenant of peace with us, notwithstanding the necessary loss of property and expense we incur in moving, we comply with the requisitions of their resolutions in leaving the county of Clay, as explained by the preamble accompanying the same; and that we will use our exertions to have the Church do the same."

It appears that the committee, which had presented the resolutions of the Clay County citizens, had tendered its services to assist the Saints in selecting a new location, and the Saints resolved to accept its assistance. The reply from the Saints was perfectly satisfactory to the people of Clay County, and they made some arrangements to assist the Saints in complying with their request; that is, two persons from each township were appointed to raise money by subscrip-

tion to aid the "Mormons" who might need assistance to leave the county, and also arrange for some suitable person to assist in selecting a new location for settlement; and recommend the "Mormons" to the good treatment of the citizens in surrounding counties, and ask them to assist the "Mormons" in selecting some abiding place for their people, where they would be, in a measure, the only occupants; and where none would be anxious to molest them.

Almost immediately after these proceedings, the Saints proceeded to make preparations for leaving their temporary homes in Clay County, and in September following (1836) they commenced removing into a new location which had been selected on Shoal Creek, in the territory attached to Ray County. By the following spring nearly all the Saints from Clay County had changed their places of abode to that section of the country, which in December, 1836, was organized into Caldwell County. (See *Caldwell County*.) This was the second exodus of the Saints of a series of five in the early days of the Church.

LIBERTY JAIL.

The next thing of importance connecting Clay County with the history of the Church was the imprisonment of Joseph Smith, Hyrum Smith, Sidney Rigdon, Lyman Wight, Alexander McRae and Caleb Baldwin in the Liberty jail from November, 1838, to April, 1839. Elder Lyman O. Littlefield, who at that time was learning the trade of a printer in the town of Liberty, gives in this connection the following graphic description of his youthful experience, in his interesting little work "Reminiscences of Latter-

day Saints," just published in Logan, Cache County:

"It must have been about the first of December when the prisoners assigned to the Liberty jail were conveyed to that place.

"It was the privilege of the writer—if it may be called such—to witness their entrance into the place. They, of course, traveled upon the main road leading from Richmond, and entered the town of Liberty on the east. They were all in one large, heavy wagon with a high box, which, as they were seated, hid from view all of their forms, except from a little below the shoulders. They passed through the center of the town, across the public square, in the center of which stood the court house. After crossing this square the wagon containing them was driven up the street northward about the distance of two blocks, where, at the left hand side of the street, was a vacant piece of ground, upon which, close to the street, stood the Liberty jail, ever to be remembered famous by the entrance into it of these illustrious prisoners. * * * The inhabitants of Liberty, and many from the surrounding country, were out to witness the entrance of the prisoners into the place, and many, on that occasion, in my hearing, expressed their disappointment that the strangers should so much resemble all other men of prepossessing appearance.

"This large, clumsily built wagon—the box of which was highest at each end—finally halted close to the platform in front of the jail, which platform had to be reached by means of about a half a dozen steps, constructed on the south and north sides of the same. The jail fronted the street at the east.

"The prisoners left the wagon and immediately ascended the south steps to the platform, around which no banisters were constructed. The door was open; one by one, the tall and well proportioned forms of the prisoners entered. The Prophet Joseph was the last of the number who lingered behind. He turned partly around, with a slow and dignified movement, and looked upon the multitude. Then turning away, and lifting his hat, he said, in a distinct voice, 'Good afternoon, gentlemen.' The next moment he had passed out of sight. The heavy door swung upon its strong hinges, and the Prophet was hid from the gaze of the curious populace who had so eagerly watched.

"Because Joseph used the term 'good afternoon,' some of the people became excited and made various threats. The custom of a Mis-

sourian would have been to say 'good evening.' They thought his expression implied a covert meaning that he should make his escape before morning. Joseph being an eastern man, expressed himself after the custom of the eastern people. Finally the excitement subsided, the people dispersed, and the prisoners were left to seek the best rest their hard, dark and cheerless prison quarters might afford them.

"We, also, retired from the scene, full of anxiety and concern. In the *Missouri Inquirer* office, after that day, ample opportunities were afforded for meditation, as the past and present came up for review. Joseph and his fellow-prisoners were men whom I knew and loved—men who with me possessed 'like precious faith' in the God of heaven. These men were actually, so to speak, within a stone's throw of the place of my employment. So very near, and yet so far were they beyond my power to render them aid! For me or any others of our faith in that place to have tried to aid them would have been useless, if known to the people. There were those, however, who did aid them in a certain way. Just across the street, directly opposite the jail, lived a family of Latter-day Saints, who were full of sympathy for their imprisoned brethren. This family befriended them in the only way within their power. Having heard it whispered that their food was not, at all times, of a very good quality, they, as often as convenient, and when safe to do so, found means to pass to them through the prison grates (which could be reached by a person standing upon the ground from the outside) various articles of food, such as cakes, pies, etc., which they themselves prepared. This had to be done very cautiously, under the cover of night. The names of those who performed these good Samaritan-like deeds were Samuel Kingsley and his wife Olive Martha; also his sisters Rachel, Eleanor and Flora. The doubtful character of the food sometimes placed before the prisoners, by those to whom that duty had been assigned (it is said that human flesh had actually been given them to eat), doubtless caused them to duly appreciate and relish those wholesome repasts, knowing, as they did, that they had been carefully prepared by the hands of sympathizing friends.

"The prisoners had been some time confined in the Liberty jail when a circumstance occurred in which they were among the principal actors. * * * I was just returning from supper on my way to the printing office and had reached a position in front of the jail, when

suddenly and unexpectedly was heard the sound of anxious voices and a quick rush as if made by a strong and determined man. Above the tumult was distinguished the well known voices of my friends—and that of Joseph's distinctly—asking in earnest tones for freedom. Also the voice of Mr. Samuel Tillery, the jailer, was plainly heard resolutely denying their petition. This struggle continued only for a brief period, when the jailer's light shone at the outside of the jail walls, and the door lock gave a clicking sound as the key turned in the heavy lock. Just then a man jumped from the platform, and Mr. Tillery's assistant, with an oath, fired a shot at him as he ran a few rods north, sprang upon a horse that was hitched to a fence, and rode rapidly away. This was some friend of the prisoners', who had tried to render assistance to his imprisoned brethren. I have heard that it was Brother Cyrus Daniels, and that he was wounded in one of his arms by the shot of the assistant jailer, but have no means of knowing as to the correctness of this.

"Mr. Tillery and his man then hastened past the place where I was standing, and ran down the street into the town alarming the people with their cries for help, calling them to rally to the jail, as the prisoners were trying to make their escape. * * *

"A large crowd gathered there, and every one was filled with the most intense excitement. Several demanded of the jailer the keys, but he stoutly refused to let them pass from his possession. He had wished the people to gather there lest the prisoners might make their escape, but when he found that they were securely locked within the walls and everything was all safely arranged, he was satisfied for the prisoners to remain in their secure quarters, and would not consent that they should be delivered to the populace in their excited and enraged condition, knowing that the consequences would be fatal to the defenseless men. In this he filled the requirements of the law.

"Some time was spent around the jail in vain attempts to get possession of the men to whom they desired to do violence. Wicked profanations were freely indulged in and a variety of threats made; but finally, growing disheartened, they withdrew, and the precincts of the jail soon were made lonely in the still shadows of night.

"The most orderly portion of the citizens repaired to their homes, but the profligate and rowdy class resorted to the groceries and saloons and spent the night in drinking, gam-

bling, and cursing 'Joe Smith' and the 'Mormons.'

"The attempted escape was the topic of conversation, and the most exaggerated stories and rumors were told. Their imaginations were so wrought up that many of them believed there was a chain of 'Mormon' forces all along the road to Far West, determined to effect the release of their friends and carry them away in triumph to some place of safety. But as time wore away, in a few days their excitement was allayed and they began to breathe freely, so far as the terrible 'Mormons' were concerned.

"Some of those who attempted to rescue the prisoners were shut into the jail, and they were taken before the court to answer to the charge of attempting to release the prisoners. * * *

The following is what Joseph, the Prophet, himself says in reference to this attempt to regain their freedom (*Times and Seasons*, Vol. 1, page 101) :

"We should have taken out a writ of *habeas corpus* and escaped the mob in a summary way, but unfortunately for us, the timber of the wall being very hard, our auger handles gave out, which hindered us longer than we expected; we applied to a friend for assistance, and a very slight uncautious act gave rise to suspicion, and before we could fully succeed, our plan was discovered. We should have made our escape, and succeeded admirably well, had it not been for a little imprudence or over-anxiety on the part of our friend.

"The sheriff and jailer did not blame us for our attempt; it was a fine breech, and cost the county a round sum. Public opinion says we ought to have been permitted to have made our escape, but then the disgrace would have been on us; now it must come on the State. We know that there cannot be any charge sustained against us; and that the conduct of the mob, the murders committed at Haun's Mill, the exterminating order of Governor Boggs, and the one-sided, rascally proceedings of the legislature, has damned the State of Missouri to all eternity. General Atchison has proved himself to be as contemptible as any of our enemies.

"We have tried a long time to get our lawyers to draw up some petitions to the supreme judges of this State, but they have utterly refused. We have examined the law, and drawn the petitions ourselves, and have obtained abundance of proof to counteract all the testimony

that is against us, so that if the judges do not grant us our liberty, they have got to act contrary to honor, evidence, law or justice, merely to please the mob, but we hope better things, and trust, before many days, God will so order our case, that we shall be set at Liberty and enjoy the society of the Saints."

Elder Littlefield continues:

"It is beyond my power to record but a small portion of the acts, the oaths and criminal threats of that angry crowd of men, who, doubtless, would have murdered those innocent men, could they by any means have gained possession of them. My poor prayer ascended to the God of Israel for their preservation. For that once I was rejoiced that the building was a strong one, for although it was a prison, it was, under the circumstances, a very ark of safety for them, when furious and wicked men were filled with rage and vengeance around its walls. Otherwise, had it been frail and vulnerable enough to yield to the attacks of assailants, their lives would have been sacrificed—even as lambs that fall among ravenous wolves. And within its uninviting courts the Lord communed with the Prophet Joseph by his Spirit, revealing unto him the counsel of his will concerning Joseph himself and also for the welfare and safety of his people in their scattered and forlorn condition. Section 121 of the Doctrine and Covenants was written in that jail, by the Prophet, March 20, 1839, and Sections 122 and 123 were written by him a few days later, while he was held a prisoner for his religion, because he dared proclaim to the world that God lived and had again spoken to man upon the earth. From this jail Joseph also found means of writing and sending letters of counsel to his brethren who had arrived in the State of Illinois."

Finally, having secured a change of venue, the Prophet and his fellow-prisoners were on the 6th of April, 1839, taken out of the Liberty jail and hurried on toward Daviess County. A few days later they regained their freedom. (See pages 451-459.)

The old jail continued to be used as a prison until about the year 1856, when it was deemed unsafe, and for a couple of years and more Clay County criminals were sent to Platte City, in

the neighboring county on the west, for safe-keeping. In 1858 the present Liberty court house was erected, with apartments for prisoners. For years afterwards the old jail was utilized as an ice-house, but has not been used for any purpose whatever during the last decennium or more. The roof fell in years ago, and the rock wall is crumbling down more and more every season, so there is every reason to believe that in a few years, even if permitted to stand as it does now, there will be nothing but a heap of rocks and rotten timber left to designate the place where this historic building stood.

The writer of this article, accompanied by Elders Edward Stevenson and Joseph S. Black, visited the ruins of the jail September 18, 1888. By the assistance of a colored neighbor we succeeded in gaining an entrance to the interior of the half-tumble-down building, which we found very filthy indeed, filled with cobwebs and insects of numerous kinds which had their abode in the rotten timbers. Mr. Theodore Shivley, who has charge of the property for the present owner (Mortimer Dearing, a wealthy banker of Kansas city), told us that the jail had not been opened and entered until that day for many years. The smell from the decaying timber and dead insects was something sickening, and a couple of minutes' stay there made us wish for the fresh air outside. How the Prophet and his fellow-prisoners could endure life in such a hole for upwards of five months is more than we can comprehend. Of course it was not so filthy then, but the openings for ventilation and light seem to have been so small that it cannot possibly have been a healthy abode

for human beings at any time. We found the space inside to measure about fourteen and one-half feet from east to west, and fourteen feet from north to south. From the basement floor to the ceiling we should judge it to be about fourteen feet, two feet of which is under ground. The middle floor, which, while Joseph and his fellow-prisoners were there, divided the space into an upper and lower story, has been torn away, but we could see where it had been, and should say that the cell or lower room at that time measured six and one-half feet, and the upper about seven feet from floor to ceiling.

Joseph and his fellow-prisoners were confined in the upper room. The only openings giving light and ventilation to the cell part are two very small grated windows through the wall, one on the south and another on the north side. These openings, each of which has a heavy square iron bar running horizontally through the middle, are two feet wide and six inches high. Above them there are, near the roof, two larger openings, two feet in width and one foot in height, giving light and air to the upper story. In each of these two upper windows there are five square iron bars standing perpendicularly and fastened very securely in the timbers of the building. In fact the whole structure is a double building, the inner being built of hewn oak logs about a foot square and the outside of rock. The floor and ceiling are constructed of the same material, thus making a huge wooden box. The rock walls are two feet thick, and in building them a space of about one foot was left between the rock and timber, which space was filled up with loose rock. Thus it will be seen

that the prison walls are virtually four feet thick. Several loads of rock were also placed on top of the log ceiling in order to make escape through the roof impossible. The outside dimensions of the building are: twenty-two and one-half feet long, twenty-two feet wide and twelve feet high to the square. The door is on the east end, facing the street, and is five and one-half feet high and two and one-half feet wide, and opens to what was the upper apartment. The west gable and most of the west wall has tumbled down, and also part of the north wall, thus leaving the timber or inside structure partly exposed. The

east wall and gable are in a good state of preservation and only one corner of the south wall is torn down. The building stands on the west side of what is known as Main Street, one and a half blocks north of the northwest corner of the Liberty court house square. It stands back from the street about 20 feet, on an uncultivated acre lot, which the owner has offered to sell for \$2,500, but no one seems to care to purchase the property. To reach the building from the street we had to make a path through the thick growth of grass and weeds. Some of the latter, being more than six feet high, partly hid the building from view.

HAUN'S MILL MASSACRE

In the eastern part of Caldwell County, Missouri, at a point on the north bank of Shoal Creek, about 22 miles by road or 16 miles in a straight line due east of Far West, 12 miles northeast of Kingston, the county seat, eight and one-half miles southwest of Breckenridge, on the St. Joseph and Hannibal Railway, two miles north of the little village of Catawba, and four and one-half miles west of the boundary line between Caldwell and Livingston counties, on the northeast quarter of Section 17, Township 56 of Range 26, and in what is now called Fairview Township, stood the once famous Haun's Mill, where one of the most cruel and bloody tragedies ever recorded in the history of religious persecutions took place on the 30th day of October, 1838.

According to a recently published history of Caldwell County, Jacob Haun, who came from Green Bay, Wisconsin, built his mill on the north bank of Shoal Creek in 1835 or '36. It

was the second mill built in Caldwell County. In 1836-37 the Saints entered considerable land and made settlements up and down Shoal Creek. By October, 1838, there were as many as 75 families, all "Mormons," living in what is now known as Fairview Township. Some of these, however, were new-comers and were living in tents and wagons, and in the houses of their brethren who had come before them. The little settlement of the Saints at Haun's Mill, in October, 1838, consisted of the mill, a blacksmith shop and about half a dozen houses. All told there were perhaps thirty families of the Saints located around the mill, several of which had just recently arrived from the Eastern States, and were camped in their wagons and tents behind the blacksmith shop adjacent to the mill. The banks of the stream were lined with a growth of scattered timber and an undergrowth of hazel and other brush, while back from the banks was the rolling prairie, which