

Copies Part of the Evidence taken on the
Examination of the Mormon
Prisoners before Judge King.

Not to be opened

Copy of the testimony, given before Hon^{ble}
A. H. H. Judge of 5th Judicial Circuit
in the State of Missouri, of the Court house in
Richmond. Higher Criminal Court of Inquiry
begun Nov 12th 1838. Judge J. P. S. Smith
Smith J. Hiram Smith, Sidney Rigdon,
Parley P. Pratt, Symon Wright, Amazy Lyman
Geo. W. Robertson, Isaac Baldwin, Abner Hopley
Washington Harris, Sidney Turner, John Beck
hammer, Jacob Gates, Chandler Haldbrook
Geo. W. Kimball, Jesse D. Hunter, and ^{with} ~~with~~
Marion C. Alred, Wm. Alred, Geo. Grant, Darwin
Chase, Elijah Newman, Elwin S. Tappan,
Zedediah C. Owens, Isaac Morley, Tho. Shack
Moss Clawson, John J. Tanner, Paul Shorer
Paul J. Thomas, Alex. McFar, Elisha Edwards
John S. Higby, Ebenezer Page, Ben. Covey,
Eben. Robinson, Simon Gibbs, J. M. Henderson
David Pettigrew, Edward Partridge, Francis
Higby, David Brampton, George Stumble, Josiah
W. Younger, Henry Zabriskie, Allen Belmont
Sheffield, Daniel, John M. Harris, Andrew Head
Benj. Jones, Dan. Jones, John S. Earl, and
Norman Shaver, who were charged with, and
several crimes of high treason against the State,
Murder, Burglary, &c. &c. &c. robbery, &c. &c. &c.
Sampson & wards, a witness, produced sworn &
examined on behalf of the State. He swore &
saith: That about 4 months ago, a band called
the Daughters of Zion, since called the Danite
band was formed of the members of the Mormon
Church, the original object of which was to drive
from the county of Caldwell, all those who
dissented from the Mormon Church, in which
they succeeded admirably to the satisfaction
of those concerned. I consider Joseph Smith Jr.
as the prime mover and organizer of this Danite
band - The officers of the band, according to
their grades, were brought before him at a
school house, together with Hiram Smith &
Sidney Rigdon, the three composing the first
presidency of the whole church. Joseph Smith
blessed them & prophesied over them, declaring
that

that they should be the means, in the hands of God
of bringing forth the Millennium Kingdom. It
was stated by Jos. Smith Jr that it was necessary
this band should be bound together by a cove-
nant. That those who revealed the secrets of
the society should be put to death. The Cove-
nant taken by all the Kangle Band was as
follows. Vow: "In the name of Jesus Christ the
Son of God, I do solemnly obligate myself, ever
to conceal & never to reveal the secret purpose
of this society, called the daughter of Zion,
I should never do the same. I do do my life for
the forfeiture!" The prophet Joseph ^{Smith}
together with his two councillors Hiram Smith
& Sidney Rigdon, were considered as the supreme
heads of the Church, and the Kangle band feel
themselves as much bound to obey them as to
obey the supreme God. Instruction was given
by Jos. Smith Jr that if any of them should get
a difficulty, the rest should help him out,
that they should stand by each other right or
wrong. This instruction was given at a danite
meeting on a public address. As for Jos.
Smith Jr & his two councillors, the witness does
not know what they ever took the Kangle oath.
He knows that all the rest of the brethren are
danites, except Sidney Tanner, Asa W. Phelps,
Zed. Angus, Thos. Rich, John A. Johnson, David
Thomas, David Rettigren, Geo. Hinkle, Anthony
Head, Ben. Jones, & Norman Shearer.
At an election last August, a report came to Far-
west that some of the brethren in company were
killed. I called for 20 volunteers to a company
me to Adam Oudi Johnson. Mr. Jos. Smith
in company leaves to see into this matter.
I went with about 120 men, accompanied
to Adam Oudi Johnson. Mr. Joseph Smith in com-
pany, when we arrived there I found the re-
port was false, none were killed. We visited
Mr. Adam Black about 150 or 200 men of us
armed. Jos. Smith was commander, and if he
had not signed the paper he did, it was the same

168
 understanding & belief that he would have shared
 the fate of the dissenters. Sidney Rigdon and
 Lyman Wight were at Adam when we went
 to Blacks & advised the movement.

As regards the affair at De Wit, I know little
 personally, but I hear Mr. S. Rigdon ^{say} they
 had gone down to De Wit where it was said
 a mob had collected to wage war upon the
 Mormons residing in ^{Cass} Caldwell County & that
 Joseph Smith Jr. with his friends went down
 to De Wit to give aid & help to his brethren,
 the company, as I presume, were armed. They re-
 turned armed. Hiram Smith & Geo. W. Robert-
 son were in the company. Smaji Lyman
 went to see what was going on. I hear these
 persons say they were in Hinckles Camp at
 De Wit several days - When the Mormons
 returned from De Wit it was rumored that
 a mob was collecting in Davis Cty. Jos

Smith Jr. the Sunday before the late disturban-
 -ces in Davis, at a church meeting, gave no-
 -tice that he wished the whole County collected
 on the next day (Monday) at Far West. He
 declared, (on Sunday or Monday I don't recol-
 -lect which) that all who did not take up
 arms in defence of the Mormons of Davis,
 should be considered as Tories, and should
 take their exit ~~at~~ ^{from} the County.

At the meeting on Monday, where persons
 met from all parts of the County of Cald-
 well, Jos Smith Jr. took the pulpit & delivered
 an address, in which he said, that we had
 been an injured people, driven violently from
 Jackson Cty, that we had appealed to the Govern-
 -or, magistrates, judges & even to the President of
 the U. States & there had been no redress for
 us, and that now a mob was about to destroy
 the rights of our brethren of Davis Cty, and
 that it was high time, that we should
 take measures to defend our own rights.
 In the address he related an anecdote
 about a captain who applied to a Dutch
 -man to purchase potatoes, who refused to
 sell

sell. The Captain then charged this com-
 pany, several different times, not to
 touch the Dutchmans potatoes, In the morn-
 -ing the Dutchman had not a potatoe left in
 his patch. This was in reference to touching
 no property, in our expedition to Davis
 City that did not belong to us, but he told
 us that the ^{children} people of God did not go to war
 at their own expense - A vote was taken
 whether the brethren should embody and go
 down to Davis to attack the mob. This ques-
 tion was put by the prophet Jos Smith Jr
 & passed unanimously, with a few exceptions.
 Captains Patten & Bronson were appoint-
 -ed commanders of the Mormons by Jos Smith Jr
 to go to Davis, he frequently called these men
 generals. I once had a command as an
 officer but Jos Smith Jr removed me from it
 & asked him the reason & he assigned that he
 had another office for me; afterw ards Mr
 Rigdon told me I was to fill the office of
 Surgeon to attend to the sick & wounded
 After we arrived at Siakmon in Davis, a
 council was held, at night composed of Jos
 Smith Jr, Geo. W. Robertson, Hiram Smith
 Captains Patten & Bronson, Lyman Wight
 Pres R Cahoon, P. P. Pratt and myself &
 perhaps Mr Huckle - Pres Rigdon was
 not present, he remained at Far West; a
 correspondence was kept up between him &
 Jos Smith Jr. I heard Mr Rigdon read one of
 the letters from Smith, which as I remember
 was about as follows that he knew from
 prophesy & from the revelation of Jesus
 Christ that the enemies of the Kingdom were
 in their hands, & that they (the mormon church)
 should succeed - Rigdon on reading the
 letter said it gave him great ^{consolation} satisfaction
 that to have such authority that the Kingdom
 of God was rolling on - In the above
 refered to council Mr Smith spoke of the
 grievances we had suffered in Jackson, Clay,
 Kirtland & other places, declared that we must

in future stand up for our rights as citizens
 of the U. States, & as Saints of the most high
 God. & that it was the will of God we
 should do so. That we should be free and
 independant, and that as the States of Miss-
 -ouri and the U. States would not protect us
 it was right time that we should ^{up} as the
 saints of the most high God & protect ourselves
 & take the Kingdom. Lyman Wight observed
 that before the winter was over he thought we
 would be in St Louis & take it. Smith charged
 them that they should be united in supporting
 each other. Smith said on some occasion
 that one should chase a thousand and two put
 ten thousand to flight, that he considered the
 U. States rotten, he compared the Mormon
 Church to the little stone spoken of by the prophet
 Daniel & that the Dipenters first & the States next
 was part of the image that should be destroyed
 by this little stone. The Council was
 called on to vote the measures of Smith, which
 they did in animosity. On the next day
 Capt Patten who was called by the prophet
 Capt Fear naught, took command of about
 100 armed men & told them that he had a job
 for them to do & that the work of the Lord was
 rolling on, & they must be united. He then led
 his troops to Galatin, saying he was going to attack
 the mob there. He made a rush into Gal-
 -atin, dispersed the few men there and took
 the goods out of Stollings' store, & carried them
 to Idi Ahmon. & afterwards saw the store house
 on fire. When we returned to Diakmon the
 goods were deposited in the Lord's store house
 under the care of bishop Vincent Knight
 Orders were strictly given that all the goods
 should be deposited in the Lord's store house
 no individuals were to appropriate anything
 to themselves until a general distribution
 should be made. Jos. Smith Jr was at
 Adam ondi Ahmon giving directions about
 things in general connected with the war
 When Patten returned from Galatin to Adam
 ondi Ahmon, the goods were divided or appor-

-tioned out amongst those engaged, and these
 affairs were conducted under the superin-
 tendency of the first Presidency. A part
 of the goods were brought to Far West, on
 their arrival under the care of Capt Year-
 naught, prest Rigdon and others shouted their
 hosannas to the victors - On the day
 Patton went to Galatin. Col. Wright went
 to Mill Port, as I understood. I saw a great
 many cattle, beds, furniture &c brought out
 our Camps by the Mormons. After we re-
 turned to Far West, the troops were con-
 -stantly kept in motion; and there was
 a council held at the house of Prest Rigdon
 to determine who should be chiefs. It was
 determined that Col Wright should be commander
 in chief at Adam and Ahmon, Benson
 Capt of the flying horse of Davis, Col Hinck-
 le should be commander in chief of the Far
 West troops, Capt Patton Capt of the flying
 horse or cavalry, and that the prophet
 Jos Smith Jr should be commander in
 chief of the whole Kingdom. The Council
 was composed of Jos Smith Jr Capt
 Yearnaught alias Patton Col. Hinckle,
 Col Wright & Prest Rigdon. The object of the
 council was in furtherance of the scheme
 proposed in Council in Davis City referred to
 above - after this council Yearnaught dis-
 -puted as to the chief command of the far west troops
 & had a smart altercation about it with Hinckle,
 but Smith proposed that they agree to disagree
 and go on for the good of the Kingdom. The troops
 were kept together until the militia came out
 lately; there was from 100 to 500 men as I should sup-
 -pose under arms - It was about the time that
 the militia ^{came} out, lately to Far West under Gen Lucas
 that our prophet assembled the troops together at
 Far West into a hollow square, and addressed them
 and stated to them that the Kingdom of God should
 be set up & should never fall, and for every one that
 we lacked in number, of those who came against
 us the Lord would send angles, who would fight for

us & that we should be victorious - After the militia had been near Far West a while, in an address Smith said that those troops were militia, & that we were militia too, and both sides clever fellows, & that he advised them to know nothing of what had happened, to say nothing & to keep dark; - that he Smith had forgotten more than he had ever known -

After it was ascertained that the militia had arrived, intelligence was immediately sent to Liakhmon to Col Wight - next morning Col Wight arrived in Far West with about 100 mounted ~~and~~ armed men

The troops were constantly kept prepared, and in a situation to repel attack - The evening the militia arrived near Far West, it was the general understanding in the Mormon Camps that they were militia legally called out, ~~previous~~ and indeed previous to their arrival it was ascertained that there were militia on their way to Far West. - Some months ago I received orders to destroy the paper concerning the Danite Society, which order was issued by the first presidency, and which paper being the constitution for the government of the Danite Society, was in my custody, but which I did not destroy - It is now in Genl Clark's possession - I gave the paper up to Genl Clark after I was taken prisoner - I found it in my house, where I had previously deposited it, and believe it had never been in any person's possession after I first rec'd it - This paper was taken into pres^t Rigdon's house and read to the prophet & his counsellors, and was unanimously adopted by them as their rule and guide in future - After it was thus adopted I was instructed by the Council to destroy it, as, if it should be discovered, it would be considered treasonable - This constitution, after it was approved of by the first presidency was read article by article to the Danite band and unanimously adopted by them - This paper was drawn up about the time that the Danite band was formed - Since the drawing up of the paper against the dissenters, it was, that this constitution of the Danite band was drafted - but I have no minutes of the time, as we were directed to keep ~~no~~ written minutes - which constitution above referred to is as follows -

Article 3^d

9

The Legislative power shall reside in the President and his Counsellors together and with the Generals and Colonels of the Society. By them all laws shall be made regulating the Society.

Article 4th

All officers shall be during life and good behavior or to be regulated by the law of God.

Article 5th

The Society reserves the power of electing all its officers with the exceptions of the Aids and Clerks which the officers may need in the various stations. The nomination to go from the Presidency to his second and from the second to the third in rank and so down thro all the various grades each branch or department retains the power of electing its own particular officers.

Article 6th

Punishments shall be ~~effect~~ administered to the guilty in accordance to the offense and no member shall be punished without law or by any other than those appointed by law for that purpose. The Legislature shall have power to make laws regulating punishments as in their judgments shall be wisdom and righteousness.

Article 7th

There shall be a secretary whose business it shall be to keep all the Legislative records of the Society and also to keep a Register of the names of any member of the Society also the rank of the officers. He shall also communicate the laws to the Generals as directed by laws made by the regulation of such business by the Legislature.

Article 8th

All officers shall be subject to the Commands of the Captains General given ~~to~~ through the Secretary of War and so all officers shall be subject to their superiors in rank according to laws made for that purpose.

Whereas in all bodies laws are necessary for the
 permanent safety and well being of society we the
 members of the society of the Daughters of Zion do agree
 to regulate ourselves under such laws as in righteous
 ness shall be deemed necessary for the preservation
 of our holy religion and of our most sacred rights
 and the rights of our wives and Children. But to be
 explicit on the Subject it is especially our object to
 support and defend the rights conferred on us by our
 venerable sirs who purchased them with the pledges
 of their lives fortunes and sacred honours. And
 now to prove ourselves worthy of the liberty conferred
 on us by them in the providence of God we do agree
 to be governed by such laws as shall perpetuate these
 high privileges of which we know ourselves to be the
 rightful possessors and of which privileges wicked and
 designing men have tried to deprive us by all manner
 of evil and that purely in consequence of the lenacity
 we have manifested in the discharge of our duty towards
 our God who had given us these rights and privileges
 and a right in common with others to dwell on this
 land. But we not having the privileges of others
 all oned unto us have determined like unto our Fathers
 to resist Tyranny whether it be in Kings or in people
 It is all alike to us our rights we must have and
 our rights we shall have in the name of Israels God

Article 1st

All power belongs Originally and legitimately to the
 people and they have a right to dispose of it as they
 shall deem fit. But as it is inconvenient and impossi-
 ble to convince the people in all cases. The Legislative
 power have been given by them from time to time
 into the hands of a Representation composed of Delegates
 from the people themselves This is and has been the la-
 bours in civil and religious bodies and is the true
 principle

Article 2nd

The Executive power shall be vested in the President
 of the whole Church and his counsellors.

colonels of the society by them all laws shall be made regulating the society.

Article 4th

The society reserves the power of electing all its officers, with the exception of the aids and clerks which the officers may need in their various stations, and good behaviour, or to be regulated by the Law of God.

Article 5th

The society reserves the power of electing all its officers, with the exception of the aids and clerks which the officers may need in their various stations. The nomination to go from the Presidency to his second, & from the second to the third in rank, and so down through all the various grades, each branch or department retains the power of electing its own particular officers.

Article 6th

Punishments shall be administered to the guilty in accordance to the offence, and no member shall be punished without law, or by any others than those appointed by law for that purpose. The Legislature shall have power to make laws regulating punishments, as in their judgments shall be wisdom and righteousness.

Article 7th

There shall be a Secretary whose business it shall be to keep all the legislative records of the society, and also to keep a register of the names of every member of the society, also the rank of the officers. He shall also communicate the laws to the generals, as directed by laws made for the regulation of such business by the legislature.

Article 8th

All officers shall be subject to the commands of the Captain General, given through the Secretary of war, and so all officers shall be subject to their superiors in rank, according to laws made for that purpose.

In connection with the grand scheme of the prophet his preachers and apostles were instructed to preach to and to instruct their followers, (who are estimated in Europe & America at about 40,000) that it was their duty to come up to the state called Far West and to possess the kingdom, that it was the will of God that they should do so, & that the Lord would give

give them power to possess the Kingdom — There was another writing drawn up in June last, which had for its object to get rid of the dissenters, and which had the desired effect. [This is the paper drawn up against the dissenters referred to above by the witness] — Since that time, and since the introduction of the ordinance of the prophet made known in the above constitution, I have the prophet say that it was a fortunate thing that we got rid of the dissenters, as they would have endangered the rolling on of the Kingdom of God, as introduced and to be carried into effect by the divine bands, that they the dissenters were great obstacles in the way, and that unless they were removed, the aforesaid Kingdom could not roll on — This paper against the dissenters was drafted by Sidney Rigdon and is as follows:

" Far West June 1838
 " To Oliver Cowdery, David Whitmer, John Whitmer, William W. Phelps, and Symon E. Johnson. greeting
 Whereas the citizens of Caldwell county have borne with the abuse received from you at different times and on different occasions, until it is no longer to be endured, neither will they endure it any longer, having exhausted all the patience they have, and conceiving that to bear any longer is a vice instead of a virtue. We have borne long, and suffered incredibly, but we will neither bear nor suffer any longer, and the decree has gone forth from our hearts, and shall not return to us void — Neither think gentlemen that in so saying we are trifling with either you or ourselves for we are not. There are no threats from you, no fear of losing our lives by you, or by any thing you can say or do will restrain us, for out of the county you shall go, and no power shall save you — And you shall have three days after you receive this communication to you, including twenty four hours in each day for you to depart, with your families peaceably, which you may do undisturbed by any person, but in that time if you do not depart we will use the means in our power to cause you to depart, for go you shall — We will have no more promises to reform

as you have already done, and in every instance violated your promise, and regarded not the covenant which you had made, but put both it and us at defiance? We have solemnly warned you, and that in the most determined manner, that if you did not cease that course of wanton abuse of the citizens of this country, that vengeance would overtake you sooner or later, and that when it did come, it would be as furious as the mountain torrent, and as terrible as the beating tempest, but you have affected to despise our warnings, and pass them off with a sneer, or a grin, or a threat, and pursued your former course, and vengeance sleepeth not, neither does it slumber, and unless you heed us this time, and attend to our request it will overtake you, at an hour when you do not expect, and at a day when you do not look for it. and for you there shall be no escape, for there is but one decree for you, which is depart - depart, or a more fatal calamity shall befall you -

After Oliver Cowdrey had been taken by a State War-rant for stealing ~~and the stolen property found~~ in the house of William W Phelps in which nefarious transactions John Whitmer had also participated, Oliver Cowdrey stole the property conveyed it to John Whitmer and John Whitmer to William W Phelps and then the officers of the law found it, while in the hands of the officer and under an arrest for this vile transaction, and if possible to hide your shame from the world like criminals which indeed you were, you appealed to our beloved brethren Presidents Joseph Smith Jr, Sidney Rigdon men whose character you had endeavoured to destroy by every artifice you could invent, not even the basest lying excepted, and did you find them revengeful? no but notwithstanding all your scandalous attacks still such was the nobleness of their character that even vile enemies could not appeal to them in vain. They enlisted as you well know their influence to save you from your just fate, and they by their influence delivered you out of the hands of the officer, while you were pleading with them you promised reformation, you bound yourselves by the most solemn promises that you would never be employed again in abusing any of the citizens of Caldwell, and by such condescensions did you attempt to escape the work house. But now for the

Sequel) Did you practice the promised reformation? you
know you did not, but by secret efforts, continued to prac-
tise your iniquity, and secretly to injure their character
notwithstandg their kindness to you, are such
things to be done, you yourselves would answer that
they are unsufferable. If you new to answer according
to the feelings of your own hearts, As we design this
paper to be published to the world we will give an
epitome of your scandalous conduct and treachery for
the last ten years. We wish to remind you that Oliver Cowdery
and David Whitmer new among the principals of those who
new the means of gathering us to this place by their testimony
which they gave concerning the plates of the book of Mormon;
That they new shown to them by an Angel which testimony
we believe now as much as before you had so scandalous-
ly disgraced it; You commenced your wickedness by heading
a party to disturb the worship of the Saints in the first
day of the week and made the house of the Lord in Hirtland
to be a scene of abuse and slander, to destroy the reputation
of those whom the church had appointed to be their teachers
and for no other cause only that you new not the persons

The Saints in Hirtland having elected Oliver Cowdery to
be a Justice of the peace, he used the power of that office to take
their most sacred rights from them and that contrary to law
He supported a parcel of Blacklegs and in disturbing
the worship of the saints, and when the men whom ^{the} church
had chosen to preside over their meetings endeavoured to put
the house to order, he helped (and by the authority of his Justices
office too) these wretches to continue their confusion and threat-
ened the church with a prosecution for trying to put them
out of the house, and issued writs against the Saints for endea-
vouring to sustain their rights, and bound themselves under
heavy bonds to appear before his honor, and required bonds
which new both inhuman and unlawful, and one of these
was the venerable father who had been appointed by the
church to preside, a man of upwards of seventy years
of age, and notorious for his peaceable habits, Oliver Cow-
dery, David Whitmer and Lyman E. Johnson united with a
gang of counterfeiters, thieves, liars, and blacklegs of the
deepest dye to deceive, cheat, and deprave the saints out of
their property, by every art and stratagem which wicked-
ness could invent, using the influence of the vilest

persecutors to bring vexatious lawsuits villainous
 prosecutions, and even stealing not excepted, In the midst
 of this career, for fear (as) the saints would seek redress at
 at their hands, they breathed out threatnings of mobs
 and actually made attempts with their gang to bring mobs
 upon them. Oliver Coudery and his gang, such by them
 as belonged to the church, were called to an account by the
 church for their iniquity, they confessed repentance and
 were again restored to the church, But the very first oppor-
 tunity they were again practising their former course,
 while this wickedness was going on in Kirtland Coudery
 and his Company were writing letters to Far West in order to
 attack the characters of every person that they thought were
 standing in their way, And John Whitmer and William W. Phelps
 were assisting to prepare the way to throw confusion among
 the saints of far West, During the full career of Oliver Cou-
 dery & David Whitmer's Bogus money business got abroad in
 to the world that they were engaged in it and several gentlemen
 were preparing to commence a prosecution against Coudery
 he finding it out, took with him Lyman E. Johnson, and fled
 to far west with their families, ~~Coudery stealing property &~~
 bringing it with him, which has been within a few weeks
 past obtained by the aured, by means of a search warrant and
 he was saved from the penitentiary by the influence of two influential
 men of the place, He also brought notes with him upon which
 he had received pay and made an attempt to see them to Mr
 Arthur of Clay County, And Lyman E. Johnson on his arrival
 reported that he had a note of one thousand dollars against a prin-
 cipal man of this Church, when it was a palpable falsehood,
 and he had no such thing, and he did it for the purpose of in-
 -juring his character, Shortly after Coudery and Johnson left
 Kirtland for far West they were followed by David Whitmer, and
 whose arrival a general system of slandering and abuse
 was commenced by you all, for the purpose of destroying
 the characters of certain individuals whose influence & strict
 regard for righteousness you dreaded, and not only yourselves
 but your wives and children led by yourselves were busily en-
 -gaged in it, neither were you contented with slandering
 and vilifying here but you kept up continual correspondence
 with your gang of marauders in Kirtland, encouraging
 them to go on with their iniquity which they did to perfection by
 leaving false, to injure the characters and property of innocent men
 stealing cheating lying instituting vexatious lawsuits selling Bogus
 money and also stones and sand for bogus in which nefarious

business Oliver Cowdery David Whitmer and Lyman E Johnson were engaged while you were there, since your arrival here you have commenced a general system of that same kind of conduct in this place, You set up a nasty, dirty, Pettifoggers office pretending to be judges of the law, when it is a notorious fact that you are profoundly ignorant of it, and of every other thing which is calculated to do mankind good, or if you know it you take good care never to practice it. And in order to bring yourselves into notice you began to interfere with all the business of the place trying to destroy the character of our merchants and bring their creditors upon them and break them up. In addition to this you stirred up men of weak minds to prosecute one another for the vile purpose of getting a fee for Pettifogging for one of them. You have also been threatening continually to enter into a general system of prosecuting, determined as you said to pick a flaw in the titles of those who have bought City lots and built upon them not that you can do any thing but cause vexatious lawsuits

And among the most monstrous of all your abominations we have evidence, which when called upon we can produce that letters sent to the post office in this place have been opened, read, and destroyed, and the persons to whom they were sent never obtained them thus ruining the business of the place. We have evidence of a very strong character that you are at this very time engaged with a gang of counterfeiters, coiners and blacklegs, (as some of those characters have lately visited our city from Kirtland and told what they had come for, and we know assuredly), that if we suffer you to continue we may expect and that speedily to find a general system of stealing counterfeiting cheating and burning property, as in Kirtland, for so are your associates carrying on there at this time and that encouraged by you by means of letters you send continually to them, and to crown the whole you have had the audacity to threaten us, that if we offered to disturb you, you would get up a mob from Clay and Ray Counties for this intent if nothing else and your threatenings to shoot us if we offered to molest you we will put you from the County of Caldwell so help us God! the above was signed by some 84 Mormons

For most June 1838

To Oliver Cowdery David Whitmer John
Whitmer William W. Phelps and Lyman E.
Johnson Greeting Whereas the Citizens of Cald-
well County have borne with the abuses received
from you at different times and on different oc-
casions until it is no longer to be endured, neither
will they endure it any longer, having exhausted
all the patience they have. We have borne long
and suffered mercedly, but we will bear nor
suffer any longer and the decree has gone forth
from our hearts and shall not return unto us
void. Neither think gentlemen in so doing we
are trifling with either you or ourselves for we
are not. There are no threats from you, no fear
of losing our lives by you or any thing you can
say or do will restrain us for out of the County
you shall go and no power shall save you, and
you shall have three days after you receive this our
Communication to you including twenty four
hours in each day for you to depart with your
families peaceably which you may do un-
disturbed by any person. But in that time if
you do not depart we will use the means in
our power to cause you to depart for go you shall.
We will have no more promises to reform as you
have already made and in every instance vio-
lated your promise and regarded not the Covenant
which you had made; but put both it and us at
defiance. We have solemnly warned you and
that in the most determined manner, that if
you did not cease that course of manifold abuse
of the Citizens of this County that vengeance would
overtake you sooner or later, and that when it did

Come it would be as furious as the Mountain
 torrent and as terrible as the beating tempest
 But you have affected to despise our warnings
 and pass them off with a sneer or a grin or a threat
 and still pursue your former course - Unguarded sleep
 not neither does it slumber; and unless you heed us
 this time, and attend to our request, it will overtake
 you at an hour when you do not expect it and at a
 day when you do not look for it - and for you there
 shall be no escape; for there is but one danger for you
 which is depart depart or else a more fatal calamity
 shall befall you After Oliver Cowdrey had been
 taken by a State Warrant for Stealing and the stolen
 property found concealed in the house of William
 W Phelps; in which nefarious transaction John
 Whitmer had also participated - Oliver Cowdrey
 stole the property conveyed it to John Whitmer
 and John Whitmer to William W Phelps and so
 thus the officers of the law found it. While in the
 hands of the officers and under an arrest for this
 vile transaction and if possible to hide your shame
 from the world like Criminals which in and you
 more, you appealed to our beloved brethren
 President Rigden Joseph Smith and Sidney
 Rigden Men whose Character you had ena-
 voured to destroy, by every artifice you could
 invent not even the basest lying excepted
 Notwithstanding all your scandalous attacks,
 still such was the nobleness of their Character
 that even vile enemies could not appeal to them
 in vain They entreated as you well know other
 influence to save you from your just fate and
 they by their influence delivered you out of the
 hands of the officers While you were pleading

2

with them you promised reformation you bound yourselves by the most solemn promises that you would never be employed again in abusing any of the Citizens of Caldwell and by such Condescension did you attempt to escape the Workhouse. But (Not for the sequel) did you practice the promised reformation. You know that you did not. but by secret efforts Continued to practice your in equity and Clandestinity to injure their Character notwithstanding their Kindness to you. Are such things to be born? You yourself would answer that they are unsufferable if you were to answer according to the feelings of your own hearts. As we design this paper to be published to the world we will give an epitome of your scandalous Conduct and treachery for the last two years. We wish to remind you that Oliver Corcoran and David Whitmer were among the principals of those who were the means of gathering us to this place by their testimony which they gave concerning the plates of the Book of Mormon, that they were shown to them by an Angel which testimony we believe not as much as before you so scandalously disgraced it. You commenced your wickedness by heading a party to disturb the worship of the Saints of the first day of the week, and make the houses of the Lord in Kirtland to be a scene of abuse and slander to destroy the reputation of those whom the Church had appointed to be their teachers, and for no other cause only that you were not the persons. The Saints in Kirtland having elected Oliver Corcoran to be a justice of the peace, he used the power of that office, to take their most sacred rights from them, and that

Contrary to law. He supported a parcel of Black legs in disturbing the worship of the Saints - and when the Men whom the Church had Chosen to preside over their Meetings endeavoured to put the house to order - Oliver Cowdery by the Authority of his office assisted those wretches in continuing their Confusion and threatened the Church with a prosecution for trying to put them out of the house And issued writs against the Saints for endeavouring to sustain rights and bound them under heavy bonds to appear before his honour - and required bonds which were both inhuman and unlawful

One of those injured Men was a Man upwards of Seventy years of age the venerable Father who had been appointed by the Church to preside - a Man notorious for his peaceable habits

Oliver Cowdery David Whitmer and Lyman C Johnson united with a gang of Counterfeiters thieves, liars, and Blacklegs of the deepest die to deceive, Cheat and defraud the Saints out of their property by every art and stratagem which Mc Kneip could invent using the influence of the vilest persecutors to bring vexatious lawsuits upon villainous persecutions and even seeking not satisfied In the midst of this career for fear the Saints would seek redress at their hands they breathed out threatenings of mobs and actually made attempts with their gang to bring mobs upon them. Oliver Cowdery and his gang such of them as belonged to the Church were called to an account by the Church for their iniquity - they Confessed repentance and were again restored to the Church.

But the very first opportunity they were.

3

again practicing their former course. While this
 mischief was going on in Kortland Oliver
 Cowdy and his gang were writing letters to Har
 West in order to destroy the Character of every
 person they thought were standing in their way.
 And John Whitmer and William W. Phelps were
 assisting to prepare the way to throw Confusion
 among the Saints of Far West. During the full
 Career of Oliver Cowdy and David Whitmers
 Bogus Money business it got abroad into the world
 that they were engaged in it, and several gentlemen
 were preparing to Commence a prosecution against
 Cowdy. He finding it out took with him Seymour
 E. Johnson and fled to Far West with this fam-
 ily: Cowdy stealing a property and bringing
 it with him; which has within a few months past
 been obtained by the owners by means of a search
 Warrant and he was saved from the Peniten-
 tiary by the influence of two influential men of
 this place. He also brought notes with him upon which
 he had received pay and had promised to destroy them
 since here he made an attempt to sell them to
 Mr Arthur of Clay County. And Seymour E.
 Johnson on his arrival reported that he had a note
 of One thousand dollars against a principal man
 in this Church when it is a fact that it was a
 palpable falsehood and had no such thing and
 he did it for the purpose of injuring his Character.
 Shortly after Cowdy and Johnson left Kortland
 for Far West they were followed by David
 Whitmer, on whose arrival a general system
 of Slander and abuse was commenced by you all
 for the purpose of destroying the Character of
 certain individuals whose influence and strict

regard for righteousness you dread - and not only
 you but your wives and children led by yourselves
 were busily engaged in it. Neither were you con-
 tented with slandering and vilifying here: but you
 kept up continual correspondence with your
 gang of Marauders in Kittana encouraging
 them to go on with their iniquity which they did
 to perfection by smearing falsely to injure the
 Character and property of innocent men - Cheating
 Stealing, lying, and instituting vexatious Law
 Suits, selling bogus Money, and also Stones and
 Sand for bogus Money, in which nefarious business
 you Oliver Bondy David Kehlmer and Symon
 E Johnson were engaged while at Kittana. Since
 your arrival here you have commenced a general
 system of the same kind of conduct in this place
 you got up a nasty dirty pettifogger office pre-
 tending to be judge of the law when it is a no-
 torious fact that you are profoundly ignorant
 of it, and of every other thing calculated to do
 mankind good or if you know it you take good
 care never to practice it. And in order to bring
 yourselves into notice you began to interfere with
 all the business of the place trying to destroy
 the Character of our Merchants and bring
 their Creditors upon them and break them up.
 In addition to this you started up men of weak
 minds to prosecute one another, for the vile pur-
 pose of getting a fee for a pettifogger from them.
 You have been also busily threatening continually to
 enter into a general system of prosecuting - determined
 as you said to pick a flaw in the titles of those who
 have purchased City lots and built upon them
 so that you can do any thing but cause vexatious

lawsuits. And among the most monstrous of all your abominations we have evidence which when called upon we can produce; that letters sent to the Post Office in this place have been opened and read and destroyed, and the persons to whom they were sent never obtained them - thus ruining the business of the place. We have evidence of a very strong Character that you are this very time engaged with a gang of Counterfeiters and coiners and blacklegs as some of those Characters have lately visited our City from Kentucky and told what they had come for, and we know assuredly that if we suffer you to continue we may expect and that speedily to find a general System of Stealing, Cheating, Con-
 -fessing, and burning property as in Kentucky for so are your associates carrying on there at this time and that encouraged by you by means of letters you send continually to them.

And to crown the whole you have had the audacity to threaten us that if we offered to disturb you - you would get up a mob from Clay and Ray Counties - for this insult if nothing else and your threatenings to shoot us if we offered to molest you we will put you from the County of Caldwell so help us God

Sampson Award Geo W. Pittkin (Nile Andrews)
 Ralph Cox Phil. Dibble D B Huntington
 Geo W Robinson Daniel Carn Ebenezer Robin-
 son Sumner Brace Amasa Sycamore Daniel
 Carter J D Hunter Erastus Bingham
 Alexander McKee Samuel Bent Israel
 Barber Elisha Averett Elias Maynard

Owen Rockwell Elyah Averett Joseph Clark Jr
 Lorenzo Davis Joseph Corley Levi M Hancock
 Stephen Minotester John S Hegler Isaac
 Hegler Chandler Holbrook Gad Yale Huntington
 Johnson John Horny George P Lykes William
 C Gallaher Anthony Hoar Ruford Howard
 George Washington Northcutt John W Clark
 Harmon H Hills Cyrus Daniels Lathan
 Maynard Benjamin Benson Ignatius Bogarth
 Timothy B Fort Daniel Shearer Sylvester
 Hulet Solomon Daniel William Stringham
 Andrew Moore Swell Knight James B Gree
 Dought Hadding Ezekial Billington John
 Hawatt John Crusk Rufus Allen Torvil
 M Head Alfred ~~See~~ Joseph Rose William
 Hawatt Lewis Allen Abram Clark Ired
 Carter Haway Quee Seymour Brownson
 James Henanix James P Allen Ethan
 Barron Charles C Rich John Smith
 Martoe Redfield Joseph Coolidge Edward
 Leaky Jackson Smith Jacob Gates
 Sydney Tanner James Brashear Joseph
 Holbrook Nathaw Tanner Wernier Carter
 Abram Smith Nelson Maynard Philo Allen.

About the time the dissenters fled, President Bigdon preached a sermon from the text "Ye are the salt of the earth; but if the salt have lost its savour, where ~~with~~ shall it be salted? it is thenceforth good for nothing, but to be cast out, and to be trodden under foot of men." commonly called the salt sermon, in which the dissenters were compared to the salt that had lost its savour, and that they should be trampled upon, and driven out by the saints, which was well understood by the Danites to be a part of their duty to do. — When Genl. Lucas men marched up to Far West. Smith told me, as I understood him, that he had said to one of the militia captains, not to come any further as he might get into danger — Smith after erecting his bulwarks, (the night after Genl Lucas arrived) asked me if I did not think him pretty much of a general and I answered in the affirmative — We were advised all the time to fight valiantly, and that the angles of the Lord would appear in our defence and fight our battles — In reference to Bogart's battle, I know but little personally as to the start of the troops to fight Bogart — I was called upon to go along with the company, (which was commanded by Patton) as surgeon this was about midnight, but as I thought a little sleep would do me more good than fighting, I remained at home. — In the morning of the fight, about 6 o'clock I was called on by a Mr Emmet who informed me that Capt Learnaught was wounded mortally — I went to Patton about 3 miles from the battle ground, where I found Jos Smith in present laying hands on the wounded & blessing them to heal them — A Mr O'Banion was also mortally wounded, I heard the following of the prisoners say he was present in the fight to wit Normand he was