

# **“We Took Our Change of Venue to the State of Illinois” The Gallatin Hearing and the Escape of Joseph Smith and the Mormon Prisoners from Missouri, April 1839**

**Alexander L. Baugh**

On 6 April 1839, Joseph Smith, his brother Hyrum, Caleb Baldwin, Alexander McRae, and Lyman Wight were taken from the jail in Liberty, Missouri, and placed in the custody of a strong guard assigned to transport them to Gallatin in Daviess County for what was expected to be a formal hearing on the charge of treason against the state. The Smiths and Wight had been in state custody for more than five months, Baldwin and McRae slightly less. For over four months, the five men had languished in the loathsome Liberty dungeon. However, unbeknown to them at the time, in less than three weeks, they would be free men and would be reunited with their families and friends in Illinois. The Gallatin hearing, the release of Joseph Smith and his companions, and their flight across northern Missouri comprise one of the concluding chapters of the Mormon experience in Missouri.

## **The Arrest and Incarceration of the Mormon Prisoners**

Following nearly three months of civil conflict between the Mormons and their Missouri neighbors, Joseph Smith, Sidney Rigdon, George W. Robinson, Lyman Wight, and Parley P. Pratt were arrested at Far West, Caldwell County, Missouri, on 31 October 1838. The following day, Hyrum Smith and Amasa Lyman were taken into custody. The arresting officers were actually part of the state militia called out by Missouri Governor Lilburn W. Boggs to suppress and subdue the Mormons, arrest their leaders, and force the removal of the Mormon population from the state. Samuel Lucas, a major general in command of the state forces from Jackson and Lafayette Counties, negotiated the Mormon surrender and made the arrests.

Initially, Lucas and several other officers believed military law applied to the situation and ordered that the prisoners be court-martialed and executed. Fortunately, however, Alexander Doniphan, a brigadier general from Clay County and one familiar with both military and civil law, intervened. Doniphan knew the Mormon leaders should be tried in civil court; and when he was ordered by Lucas to execute the prisoners, Doniphan



**Joseph Smith Jr., Hyrum Smith, Sidney Rigdon, Lyman Wight, Alexander McRae, and Caleb Baldwin were brought to the Clay County Jail, commonly referred to as the “Liberty Jail,” December 1, 1838.**

**Rigdon secured an early release, while the others remained until transported to Gallatin, April 6, 1839.**

refused. Frustrated, Lucas decided to transport the prisoners to Independence, where he would wait to receive further orders from his superior, Major General John B. Clark. Lucas and the prisoners arrived in Independence on 4 November.

General Clark was a latecomer on the scene. On 26 October, Governor Boggs relieved David R. Atchison of his command over the state militia of the northern district, replacing him with Clark, who was from Howard County in the central part of the state. When Clark arrived on the scene, the Mormons had already capitulated, and Lucas had left, taking with him the Mormon prisoners. Immediately, the commanding general sent word to Lucas that the prisoners were to be taken to Richmond, where they would undergo a preliminary hearing before the bench of Circuit Court Judge Austin A. King.<sup>1</sup>

Lucas left Independence with the Mormon leaders on 8 November, arriving at Richmond the following day. Meanwhile, General Clark, assisted by Captain Samuel Bogart of Clay County, rounded up additional Mormon men suspected of having been active participants in the

## “We Took Our Change of Venue to the State of Illinois”

events and campaigns of the Missouri conflict, placed them under arrest, and brought them to Richmond for the preliminary examination.

From 12–29 November, sixty-four Mormons were arraigned before King’s court. In his final review of the case, King determined that sufficient evidence existed against Parley P. Pratt, Norman Shearer, Darwin Chase, Luman Gibbs, and Morris Phelps in the death of Moses Rowland, which occurred during the skirmish between Mormon troops from Caldwell County and the Ray County militia commanded by Samuel Bogart at Crooked River. Because the charge of murder was a nonbailable offense, these five men were ordered to remain confined in the Richmond Jail until the spring circuit court could convene. Later, King Follett was added to this group and charged with robbery.

Probable cause was also found against Joseph Smith, Hyrum Smith, Sidney Rigdon, Lyman Wight, Alexander McRae, and Caleb Baldwin on the charge of treason, also a nonbailable offense. They were ordered to be taken to Liberty Jail in Clay County and imprisoned to await their court appearance.<sup>2</sup>

Leaving Richmond on 30 November, the Smith Brothers, Rigdon, Wight, McRae, Baldwin, and their guard arrived at Liberty the following day, marking the beginning of their four-month confinement. In late January, the Mormon leaders were permitted a hearing before Clay County magistrate Judge Joel Turnham. Rigdon, who was ill, acted in his own defense and was released, whereas the remaining five prisoners were recommitted to jail, pending notice to appear before a grand jury in Daviess County. Notification of the hearing came in early April.<sup>3</sup>

### The Gallatin Hearing

On Saturday, 6 April, the Clay County guard, under the direction of County Sheriff Samuel Hadley, left Liberty bound for Gallatin with the Mormon Prophet and his fellow prisoners.<sup>4</sup> Peter H. Burnett and Amos Rees, two attorneys employed by the defendants, went along as counsel.<sup>5</sup> They made good time and distance the first day, traveling as far as Plattsburg in Clinton County, where they spent the night.

On 7 April, after traveling all day, they stopped and spent the night at the home of a woman named Tay-

lor, who probably resided near Far West in Caldwell County.<sup>6</sup> The following day, Monday, 8 April, when the company was about a mile from Gallatin, they were met by William Morgan, the Daviess County sheriff, who took custody of the prisoners, allowing the Clay County guard to return.<sup>7</sup> The prisoners, accompanied by their new guard, arrived at Gallatin around noon.

Hyrum Smith recorded that they were met by a large number of local town folk, “gazing & gaping [and] straining their eyes to see us.”<sup>8</sup> Following a midday meal, they were escorted about a mile south of town to the home of Elisha B. Creekmore, the county treasurer, where the trial was scheduled to be held.<sup>9</sup> Here, they were met by a more hostile gathering of men, who rushed upon them cursing, swearing, and threatening to kill them. Unruffled, Joseph Smith was permitted to speak and quieted the crowd.

“We are in your hands,” he said; “if we are guilty, we refuse not to be punished by the law.”

Hearing this, William Peniston and William McKinney, bitter enemies of the Mormons, spoke to the people. “Yes, gentlemen, these men are in our hands; let us not use violence, but let the law have its course; the law will condemn them, and they will be punished by it; we do not want the disgrace of taking the law into our own hands.”<sup>10</sup>

Joseph Smith’s assurance that he would submit to the rule of the courts, along with Peniston and McKinney’s belief that justice would prevail, had a conciliating effect upon the Daviess ruffians, and order was restored. The Prophet and his prison companions spent the rest of the day in counsel with their attorneys, Burnett and Rees.<sup>11</sup>

In October 1838, during the height of the Mormon Missouri conflict, the Mormons burned a handful of cabin structures and businesses in Gallatin, including the small log county courthouse. At the time of the hearing, a new courthouse still had not been erected, so Elisha Creekmore’s cabin home was chosen. The structure was not large, only about twenty-five feet square. At night, the cabin also served as the sleeping quarters for the Mormon leaders, their attorneys, Burnett and Rees, and their guard.<sup>12</sup> Although the accommodations were not the best, they were much better than what they had experienced while in Liberty Jail. Hyrum Smith noted that this was the first time he had slept in a bed in five

## “We Took Our Change of Venue to the State of Illinois”

months.<sup>13</sup> However, the prisoners did not get much restful sleep.

One evening, the guards stayed up all night drinking, playing cards, and cursing.<sup>14</sup> On another night, they hooted and hollered until morning, and no one slept at all.<sup>15</sup>

Burnett, one of the attorneys recalled, “As I slept in the room, I had an opportunity to see much of what passed. The prisoners did not sleep . . . for several nights.”

Because of the constant clamor, Joseph and Lyman Wight engaged in lengthy conversations, not only with each other but also with a number of visitors.

“By consent of the prisoners, many of the citizens of Davis [sic] came into the room, and conversed with them hour after hour during most of the night,” Burnett recalled.

Among the visitors were two ministers who came to engage the Mormon Prophet in a theological argument. However, Joseph Smith foresaw their objections and subsequently silenced them.<sup>16</sup>

Perhaps not surprisingly, the Prophet’s mild-mannered temperament, cheerful disposition, and colorful personality helped him gain the friendship of the Daviess County rabble. One incident that helped him earn the respect of the guard occurred during a court recess. Knowing Joseph Smith’s love of a good man-to-man wrestling match, someone suggested letting the Mormon Prophet grapple with John Brassfield, a member of the guard who had the distinction of being the strongest man in the county. Peter H. Burnett, one of the attorneys employed to defend the prisoners, recounted the incident:

*Joseph Smith, Jr., was a very stout, athletic man, and was a skillful wrestler. This was known to the men of Davis [sic] County, and some of them proposed to Smith that he should wrestle with one of their own men. He at first courteously objected, alleging substantially that, though he was once in the habit of wrestling, he was now a minister of the gospel, and did not wish to do anything contrary to his duty as such, and that he hoped they would excuse him upon that ground. They kindly replied that they did not desire him to do anything contrary to his calling; that they would not bet anything; that it was nothing but a friendly trial of skill and manhood, for the satisfaction of others, and to pass away the time pleasantly; and that*

*they hoped he would, under all the circumstances, comply with their request. He consented; they selected the best wrestler among them [John Brassfield], and Smith threw him several times in succession, to the great amusement of the spectators.<sup>17</sup>*

Burnett was further intrigued at how the Mormon Prophet was able to almost completely disarm his antagonists. He wrote, “*He [Joseph Smith] had great influence over others. . . . [At the end of the hearing,] just before I left to return to Liberty, I saw him out among the crowd, conversing freely with everyone, and seeming to be perfectly at ease. In the short space of [four] days he had managed so to mollify his enemies that he could go unprotected among them without the slightest danger.*”<sup>18</sup>

On Tuesday, 9 April, the day after the prisoners arrived in Gallatin, the hearing convened before Judge Thomas C. Burch and a grand jury. Burch, a district attorney, had been the chief prosecuting attorney against the Mormons during the Richmond Court of Inquiry in November and had been appointed by Circuit Court Judge Austin A. King to adjudicate the case. Having prosecuted the earlier hearing, Burch was well aware of the charges being brought against the Mormon leaders.<sup>19</sup>

The Mormon defendants were particularly pleased when Josiah Morin arrived to witness the proceedings. Morin, who had previously served as a Daviess County judge, had befriended Joseph Smith and was sympathetic to the Mormon cause. He likely assisted and advised the defendant’s attorneys, Burnett and Rees, in the case.<sup>20</sup>

Other officers of the court were Robert Wilson, the county clerk, who acted as the court recorder, and Robert P. Peniston Jr., who was selected as jury foreman.

The twenty men who made up the grand jury were a sad group of frontier characters, though probably typical of the type of people who made up the local citizenry.<sup>21</sup> Hyrum Smith noted that the men who guarded them during the night were the same men who had sat as jurors during the day.<sup>22</sup> However, the guards’ all-night partying and drinking caused a number to be incoherent when the court was in session. At times, some jurors were so drunk they were lifeless and had to be carried out of the room.<sup>23</sup>

Because no formal records of the actual court tes-

## “We Took Our Change of Venue to the State of Illinois”

timony are known to exist, what transpired during the proceedings during the first day is difficult to determine. However, a few short lines in Hyrum’s diary reveal that the evidence presented on the first day may have focused on some of the destructive activities of the Mormons in Daviess County in September 1838.<sup>24</sup>

The second day of the hearing, 10 April, was spent in the examination of witnesses, only one of whom is mentioned by name in the historical sources, Sampson Avard, the noted Mormon Danite leader, who had earlier been offered immunity by the state if he would testify against the Church’s leadership in the Richmond hearing.<sup>25</sup>

What other testimony was rendered before Judge Burch is not known, although in Hyrum Smith’s diary under this date is a full entry, giving the names of the Mormons who were killed or wounded at the massacre that occurred at Haun’s Mill in Caldwell County on 30 October 1838.<sup>26</sup> The defense was probably using the incident as evidence that the Missourians had committed crimes against the Mormons. Such testimony would have been even more damaging, especially in light of the fact that at least three of the men who were sitting as jurors, Nathaniel Blakely, John Brown, and Jacob S. Rogers, had been part of the vigilante force that had attacked the mill.<sup>27</sup>

The examination of witnesses continued through 11 April, the third and final day of the hearing. Again, the names of those who testified are not known, with the exception of Stephen Markham, who spoke in behalf of the defense. Markham’s testimony must have incriminated James Blakely, because following an adjournment, Blakely physically assaulted Markham. Markham stood his ground, even when ten men rallied to Blakely’s defense. Fearful he would be attacked on leaving Gallatin, Markham spent the night with the prisoners, arose early, and made a safe getaway.<sup>28</sup>

At the conclusion of the court testimony, the defense requisitioned that Judge Burch issue a change of venue for the Mormon prisoners, arguing that Burch should not be allowed to rule in the case because he had been the prosecuting attorney against the Mormon prisoners at the Richmond hearing in November.<sup>29</sup> The defense counsel also requested that the change of venue be made to Marion County, which just happened to

be located on the eastern border of the state and which was opposite Adams County, Illinois, where the majority of the Saints had relocated.<sup>30</sup> The court ended when Burch upheld the request for a change of venue, but the court ordered that the hearing for the defendants be moved, not to Marion County, but to Boone County, in the center of the state.<sup>31</sup>

### The Release

The Daviess County guard assigned by Judge Burch to take the Mormon prisoners to Columbia, Boone County, Missouri, included Sheriff William Morgan, William Bowman (Bowman had been the first sheriff of Daviess County), John Brassfield (the Prophet’s wrestling opponent), John Pope, and Wilson McKinney.<sup>32</sup> Unlike the previous moves between jails, which were accompanied by a heavy guard, this transfer comprised an escort of only five men.

Around 2 p.m. on the afternoon of Wednesday, 12 April, the party left Gallatin. The Daviess guards were on horses, and the five prisoners rode in a two-horse wagon. The company did not immediately begin the hundred-mile journey to Boone County but instead traveled five miles north to Adam-on-di-Ahman where they spent the night at William Bowman’s residence. Significantly, Bowman’s cabin had previously belonged to Lyman Wight. Both Bowman and Morgan were early settlers in Grand River Township and were close neighbors to the Saints at Diahman. Following the Mormon surrender, it appears Bowman laid claim to some of Wight’s property.<sup>33</sup> The purpose of the layover was probably so Morgan and Bowman could procure some belongings and get outfitted before starting on the journey. The officers probably intended to leave Diahman the next morning (13 April), but rain caused them to delay their departure until the following day.<sup>34</sup>

On Sunday, 14 April, the company set out, traveling only as far as Millport, approximately seven miles, where they stayed at the home of Josiah Morin, the ex-Daviess judge who had befriended Joseph Smith. On this date, Hyrum Smith noted in his journal that “things tend to be favorable to us[,] the gard [sic] very lenient and kind the weather fair & pleasant.”<sup>35</sup>

Leaving Morin’s house on the morning of 15 April, the company traveled east into Livingston County on

## “We Took Our Change of Venue to the State of Illinois”

the main road connecting Gallatin and Chillicothe on the north side of the Grand River, stopping that night at the home of a family named Cox, who Hyrum noted were “Mormon eaters.”<sup>36</sup>

The following day, the company made good time, traveling nineteen miles.<sup>37</sup> During their travels, the prisoners were loosely guarded, and occasionally the group became separated.

Lyman Wight stated that “after traveling three days, the Sheriff and I were together by ourselves five miles from . . . the rest of the company.”<sup>38</sup>

Such complacency on the part of the Daviess guard indicates that Bowman and Morgan had every intention of letting the prisoners go once they were a sufficient distance from the predominantly anti-Mormon Daviess and Livingston Counties.

On Tuesday, 16 April, the guard and prisoners stopped for the night at a location near Yellow Creek, in Chariton County.<sup>39</sup> It was at this point they were allowed to escape.<sup>40</sup> Here, Sheriff Morgan informed Lyman Wight “that he wished to God he was at home, and your friends also,” and then added, “By G—, I shall not go much further.”<sup>41</sup> Hyrum Smith testified that Morgan told them Judge Burch instructed him “never to carry us to Boone County.”<sup>42</sup>

Earlier, the Mormon prisoners had purchased a jug of whiskey, which they gave that night to the five Daviess men. “Three . . . of the guard drank pretty freely of the whiskey,” Hyrum Smith reported. “They also went to bed, and were soon asleep.”<sup>43</sup>

Shortly afterwards, Sheriff Morgan then told them, “I shall take a good drink of grog and go to bed, and you may do as you have a mind to.”<sup>44</sup> He and another guard provided them with two horses and then helped them load the animals with their belongings.<sup>45</sup>

Joseph Smith wrote that “the guard got intoxicated, [and] we thought it a favorable opportunity to make our escape. . . . We took the advantage of the situation . . . and took our departure.”<sup>46</sup>

In recounting the event four years later, Hyrum stated, perhaps in jest, “We took our change of venue to the state of Illinois.”<sup>47</sup>

The five men wasted no time in getting away. “[We] traveled all knight [sic],” Hyrum wrote, “watered our horses & continued our journey till about 12 o clock

[the next day].”<sup>48</sup>

With only two horses among the five of them, they did not travel quickly. Most of the time, these arrangements meant that only two could ride, while the other three would have to keep up as best they could while walking. Joseph was one of the first to take his turn on foot. “When we escaped,” he later remarked, “I jumped into the mud [and then] put on my boots without working [them on] and when I got to water after going over 15 miles [of] prairie my boots were full of blood.”<sup>49</sup>

With the prisoners free to make their way to Quincy, the following morning the Daviess officers continued on their journey a few miles distant to Keytesville, where they took breakfast with Sterling Price, Chariton County’s representative in the Missouri legislature, before returning to Gallatin.<sup>50</sup>

Between Keytesville and Gallatin, the Daviess guard met up with David W. Rogers, a Mormon who had still not made his way out of the state. In talking with the five Daviess officers, Rogers learned some of the particulars about the release of Joseph Smith and the four others. Before moving on, John Brassfield, the guard who had wrestled Joseph Smith during the Gallatin hearing, showed his light-hearted side. Brassfield was not only a brawler but also a fiddler. For Rogers, Brassfield played a tune he had composed about the Mormon leader.

He told Rogers, “When you see . . . Smith tell him for me if I ever find him I will play him the tune called Jo Smith. [He] then began to pass the horse hair over the cat gut saying thats it.”<sup>51</sup>

Exactly when Morgan, Bowman, and the three other guards arrived back at Gallatin is not certain. However, their early return was a clear indication to the local townspeople that the Mormon leaders had gotten away. Morgan reported to the citizens that the prisoners had escaped during the night, taking the horses, and that a search had proved unsuccessful. But their explanation did not set well with some of the angry local citizens, who accused Morgan and Bowman of aiding and abetting in the Mormon prisoners’ so-called escape. The rabble specifically singled out Bowman, subjecting him to some harsh punishment by tying him to a steel rail and dragging him through the streets. Tragically, the injuries he incurred from this ordeal led to his death a short time later.<sup>52</sup>

## “We Took Our Change of Venue to the State of Illinois”

Why Sheriff Morgan did not receive the same treatment is not clear; perhaps it was because Bowman was specifically entrusted with safeguarding the prisoners while Morgan went along to oversee the transfer. Thus, Bowman, not Morgan, was ultimately responsible for the prisoners' getting away.<sup>53</sup> In July, two and a half months after the incident, Morgan penned a document in which he declared that in taking charge of the Mormon prisoners, he had acted responsibly and that he should not be accountable for their getting away. He wrote:

*This is to certify that I executed the written order by taking the bodys [sic] of Caleb Baldwin Lyman Wight Joseph Smith Jr and Hiram Smith and Alexander McRay into my custody and that I sumoned [sic] a guard of four men to wit William Bowman Wilson McKinney John Brassfield and John Pope to assist me in taking the said Smith Wight and others from E B. Creekmores in the County of Daviess to the town of Columbia in the County of Boone State of Missouri as commanded by said order and that on the way from said E B Creekmores in the County of Daviess to the town of Columbia aforesaid on the 16th day of April 1839 the Smith Wight and others made their escape without the common concent [sic] or negligence of myself or gard [sic]*

*July 6th 1839*

*William Morgan Sheriff  
of Daviess County<sup>54</sup>*

Morgan's statement contradicts the historical evidence. He likely never had any intention of delivering Joseph Smith and his companions to Columbia, Missouri. Furthermore, he not only allowed them to escape but did, in fact, aid them in their efforts. With his reputation tarnished as a result of the incident, Morgan left the county a short time later.<sup>55</sup>

News of the escape spread rapidly throughout the northern counties and was the subject of much written exchange. Richmond was one of the first communities to receive word. In fact, when Parley P. Pratt, who was awaiting trail in Richmond along with Darwin Chase, Norman Shearer, Morris Phelps, Luman Gibbs, and King Follett, first learned of the escape, he was concerned that the incident might have a bearing on the decision associated with their upcoming hearing. Writ-

ing to his wife, Mary Ann, on 21 April, just five days after the so-called escape, Pratt wrote:

*It is reported here, and generally believed by the people, that the Liberty prisoners have all escaped from the guards, while on their way to Columbia. If this is trew [sic], I know not what effect it may have upon the people here in regard to their feelings towards us; nor what effect it may have on our trials. There seems to be but little excitement on the subject as yet. Some say, "Dam [sic] them, let them go." Others say that, if they had Smith, they would not care for all the rest.<sup>56</sup>*

William Barbee, a resident of Carroll County, writing to his wife's relative, Thomas Bradford in Virginia, gave some significant details about the escape:

*I presume you are anxious to hear how the Mormons are getting along from information from the upper Counties they have nearly all gone and are getting off as fast as possible there were 5 prisoners who have been confined in Clay County Jail got a removal of their trial to Boone County and one day last week about 12 miles north of this [place] the sheriff who had charge of them suffered them all to escape (no doubt intentionally) among the prisoners were Joe Smith the prop[h]et and his brother . . . [who] were charged with murder, arson & treason[.]<sup>57</sup>*

Writing from Elkhorn, Missouri, on 22 April, Samuel Bogart, the notorious captain who commanded the Ray County contingent against the Caldwell County Mormon militia at Crooked River, and who later apprehended a number of Latter-day Saints to appear before Judge King in Richmond, wrote the Quincy postmaster informing him, among other things, of the purported getaway.

*"It is rumored [sic] here that Joseph Smith & the four other prisoners . . . made thare [sic] escape from the guard who ware [were] guarding them to Columbia, Boon[e] County. I think the report is tru[e]."<sup>58</sup>*

Isaac J. Harvey, writing from Knavesville to his wife Sarah in Indiana, reported:

*"Jo. Smith and others have made their escape from the Sheriff & guard by stealing two of thair [sic] best horses. It is said that Smith had 20 thousand dollars in jaoil [sic] with him. The general opinion is the horses was well sold."<sup>59</sup>*

A similar letter was written by W. W. Phelps to his wife Sally, who was living in Dayton, Ohio. Phelps, who

## “We Took Our Change of Venue to the State of Illinois”

had been a prominent Latter-day Saint, having served as the Church's first printer and later in the Missouri presidency, became disaffected from Mormonism shortly after the Mormon capitulation. Because of his dissociation from the Church, Phelps was not required to leave Missouri and maintained his residence in Far West. When word of the purported escape reached him, he wrote Sally to inform her of the news. In a second letter to Sally, dated 1 May, he provided some additional details that were circulating.

*“Since I wrote to you about the escape of Joseph and Co. it has been reported that he bribed the guard with six thousand dollars,”* he wrote. He then added, *“I presume he did.”*<sup>60</sup> These comments indicate that he believed the rumor.

The reports by Harvey and Phelps raise an interesting question. Did the Mormon prisoners bribe the guards in exchange for freedom? In a statement that appeared in *The Chicago Times*, Alexander Doniphan said that Alanson Ripley, a Church agent who had been sent back to Missouri to sell some of the Mormon land holdings, had given Joseph Smith \$900 prior to their leaving Gallatin. Using the money, Joseph struck a bargain to pay Sheriff Morgan \$1,100 for their release, giving \$700 in payment and a promissory note for the remaining \$400.<sup>61</sup>

However, this was not the case. He certainly did not have the \$20,000 Harvey claimed, the \$6,000 Phelps stated, or even the \$900 mentioned by Doniphan. David W. Rogers, a Latter-day Saint, indicated that Alanson Ripley indeed delivered some money to the prisoners while they were at Gallatin, but it totaled only \$150.<sup>62</sup>

An examination of the sources reveals that when the officers informed the Mormon prisoners of the officers' intentions to release the prisoners, Joseph and his companions were also induced to give them some sort of payment in exchange for their freedom. During their two-day layover at Bowman's cabin in Diahman, the prisoners had made arrangements to secure the two horses used in their transport.

Hyrum Smith stated that they gave a note for one animal and some clothing for another.<sup>63</sup> Joseph H. McGee, a Gallatin resident, wrote that it was John Brassfield who made the arrangements to provide the horses for the Mormons.<sup>64</sup> As noted, at the time, they were

not able to make full payment for the animals. Furthermore, it is unlikely they had the amount requested by the guard in exchange for their release. Therefore, just before they were let go, they probably struck some sort of written note promising full payment for the animals, with an additional amount being agreed on in exchange for their freedom.

Within a day or two, the guard received partial payment from Heber C. Kimball. Elder Kimball, who was still in the process of trying to remove from the state, met up with the returning Daviess posse. Kimball wrote,

*“At Tenny's grove, a man [Brassfield?] came to me and presented an order drawn on me by Joseph Smith for five hundred dollars, saying it was for the horses furnished him. I immediately raised four hundred dollars and paid him.”*<sup>65</sup>

Significantly, in February 1843, nearly four years after Joseph Smith and his cell mates had fled Missouri, John Brassfield (and perhaps others of the guard) traveled to Nauvoo and received the remainder of his remuneration. On 28 February 1843, the Prophet's history states that he spent the day with his mother and family and “Mr. John Brassfield, with whom I became acquainted in Missouri.”<sup>66</sup> Joseph Smith III remembered the reason for Brassfield's visit was connected to the horses and the escape plan:

*When Father came to Quincy from his imprisonment in Missouri he brought with him a fine saddle horse—a dark chestnut sorrel stallion, named Medley, which he had obtained from the men who guarded them at the time of their escape. From circumstances which I remember in connection therewith I have reason to believe it had been purchased at a good figure. Whether or not Uncle Hyrum had also received a horse I cannot now say, but I remember that after the passage of some time, two men came to the house to see Father, one of whom was named John Brassfield. I understood at the time that these men had come for the purpose of collecting the amount of the bribe for which they had allowed the prisoners to escape. I cannot fix this date in memory other than to say it was after the erection of what was called the Red Brick Store, located in the west end of the block on which our house stood.*

*I remember hearing at the time that the amount of money to be paid these men was eight hundred dollars,*

## “We Took Our Change of Venue to the State of Illinois”

*and that the horse Father had owned was to be replaced by another. I remember the cream-colored or “clay-bank” horse which Father purchased from Amos Davis for the purpose of turning over to these men from Missouri. They were closeted [boarded] with Father and one or two others for the afternoon and part of the evening, and departed the next day.<sup>67</sup>*

Joseph III’s use of the word “bribe” should be taken in context with the entire ordeal. As has been discussed, the actions of Morgan, Bowman, and the other guards indicate they had no intention of delivering the Mormon prisoners to Boone County but had been instructed by Judge Burch, in fact, to release them at some appropriate time and place. Thus, prior to their departure, the guards had predetermined they would let the prisoners go. Given such intentions on the part of the Daviess officers, it cannot be construed that the Mormon prisoners bribed the guard—but rather agreed to their terms.

### Flight to Quincy

The route Joseph Smith and his companions traveled as they made their way from Yellow Creek in Chariton County, Missouri, to Quincy, Illinois, cannot be determined precisely. However, at the time of their escape, they were south of the main northern road that ran in nearly a direct line east from Chillicothe to Palmyra (present-day Missouri State Highway 36 closely follows this route). They were also north of a primary southern east-west route that passed through Tenney’s Grove, Keytesville, Huntsville, and Paris, before it turned in a northeastern direction toward Monroe City (present-day State Road 24 from Keytesville follows this route).

These were well-traveled roads and were the primary routes taken by several thousand Mormons during their exodus from the state in early 1839.<sup>68</sup> The refugees purposely avoided these thoroughfares, anticipating that when the word spread they were on the loose, patrols would be sent along these lines to try to recapture them.

Hyrum Smith recorded in his diary that the day after their release, they abandoned the idea of traveling on the main roads and “took to the prairie” until reaching the Mississippi crossing.<sup>69</sup>

As an examination of the line between Yellow Creek and Quincy will show, the Prophet and his companions probably traveled due east through Chariton, Randolph, and Monroe Counties and then traversed in a northeasterly direction through Marion County before arriving at the Mississippi crossing, opposite Quincy.<sup>70</sup>

The day following their release (17 April), Caleb Baldwin became separated from the group. While traveling, they noticed a man approaching; and thinking that he may be someone on the lookout for them, they split up and went for cover. Baldwin hid in some hazel brush until all was clear, but when it was time to move on, the others could not find him. Rather than wait, the four continued on another five miles before Hyrum Smith sent Alexander McRae on a horse to try to find Baldwin. McRae returned without success. The foursome believed it best to press forward with the hope their lost companion would catch up or find his way by himself. The refugees traveled well into the night until, weary for both rest and food, they rested on the prairie grass under the open sky.

The next day (Thursday, 18 April), following a second hard day of overland travel, the four men, minus Baldwin, arrived at the home of George Harris, a Latter-day Saint living on the Chariton River. Here, they enjoyed a restful night among friends. The next morning, “to our astonishment,” Hyrum Smith wrote, “bro Baldwin came in he had traveled all knight [sic] in the wilderness & providentially [sic] came to us.”<sup>71</sup>

Little is known about what happened between the time the Mormon refugees left the Harris home on the Chariton River and their arrival at Quincy four days later. The Prophet’s history states that they continued on their journey, traveling “both by night and by day; suffering much fatigue and hunger.”<sup>72</sup>

One humorous incident occurred during this time. As noted, they tried to take precautions to avoid detection. Orange L. Wight, Lyman Wight’s son, remembered that they tried to travel not only inconspicuously but also incognito, posing as land seekers and using fake names, knowing that if they went by their real names, they could be identified, tracked down, and even arrested. Orange mentioned only the made-up name that Alexander McRae went by, that being the last name of Brown, not mentioning or indicating what pseudonyms

## “We Took Our Change of Venue to the State of Illinois”

Joseph, Hyrum, Caleb, or his father went by.

Orange then related a humorous incident that occurred during the last leg of their journey across the state (between 19–21 April). One evening, the Mormon men came across a rural farmer who provided them lodging for the night. The next morning, the farmer engaged McRae in a conversation, asking him what his name was, but McRae’s mind went blank, and he could not remember it. Not wanting to arouse suspicion, McRae immediately diverted the farmer’s question by pretending to be ill with a terrible stomach cramp. The distraction worked. Concerned, the farmer immediately left McRae and sought out Joseph and the others, informing them that their friend was very sick and in need of attention. Finding McRae, one of the party asked, “Mr. Brown what is the matter with you, what have you been eating[?]” thus reminding him what his fictitious name was. McRae immediately began to feel better. The benevolent man recommended McRae drink a glass of whiskey to settle his stomach and then gave each of the others a round in case the sickness was contagious.<sup>73</sup>

A final incident occurred on 21 April, the day before their arrival in Quincy. Alexander McRae and Joseph Smith had a misunderstanding of some sort. Lyman Wight’s journal entry simply reads, “McRae left us, being displeased with Joseph.”<sup>74</sup>

The following day, 22 April, was joyous and eventful for each of the men. The Prophet and Caleb Baldwin took the horses and raced on ahead of Hyrum and Lyman Wight, so they were the first to reach the river crossing opposite Quincy, arriving early in the morning.<sup>75</sup> Dimick B. Huntington was at the landing and was the first to see Joseph. Huntington wrote:

*I Dimick Huntington saw Joseph land from the Quincy ferry boat about 8 oc. in morning. He was drest in an old pair of boots full of holes, pants torn, tucked inside of boots, blue cloak with collar turned up, wide brim black hat, rim soped down, not been shaved for some time, looked pale & haggard. I Dimick rode down at the request of Emma to enquire the news if any, from the west. When I got within about 16 ft. of him he raised his head. I exclaimed My God is it you Bro. Joes. He raised his hand & stopped me saying Hush, Hush. He then asked where is my family. I told him they were 4 miles east at Judge Clevelands in a room I had provided for them. I asked*

*him if he wished to see his father & mother as they were in Quincy. He said no it would be too great a shock, they are old & cannot bear it. Take me to my family as quick as you can. In passing through the back streets of Quincy a number of men knew him. On arriving at the house where his family was Emma knew him as he was dismounting from his horse. She met him half way to the gate. Joseph not knowing the universal friendly feelings that existed in Quincy, was fearful he might be arrested again.<sup>76</sup>*

Joseph’s history simply states, “I arrived in Quincy, Illinois, amidst the congratulations of my friends, and the embraces of my family.”<sup>77</sup> Hyrum and Lyman Wight arrived around 6 p.m. later that same day.

A Quincy newspaper reporter publicized the arrival of Joseph Smith and his prison companions, concluding with a favorable description of the Church president and Prophet:

*The celebrated Mormon leader, Joseph Smith, who has so long been in confinement in the upper part of Missouri, arrived in town on Monday last. He and four of his companions, consisting of Lyman Wight, Caleb Baldwin, Hiram Smith and Alexander McRae, escaped from the guard which was taking them from Daviess to Boone county for trial. The guard got drunk and fell asleep, on one night of their travel, and the prisoners knowing that they could not expect justice in any of the courts of upper Missouri, very properly turned their backs upon their persecutors and left them alone in their iniquity. We had supposed from the stories and statements we had read of “Jo Smith” (as he is termed in the papers) to find him a very illiterate, uncouth sort of a man; but from a long conversation, we acknowledge an agreeable disappointment. In conversation, he appears intelligent and candid, and divested of all malicious thought and feeling towards his relentless persecutors.<sup>78</sup>*

Joseph Smith’s arrival at Quincy ended an arduous, ten-day, 170-mile journey from Gallatin, Missouri, to the Mississippi, but it also marked the end of a denigrative and disparaging incarceration. The Missouri experience was a bitter pill, not only for the Mormon leader but also for the entire Church. However, the welcome that both Joseph and his followers received from the citizens of Quincy offered a new hope that better days were ahead:

*I was in [murderous] hands, as a prisoner, about six*

## “We Took Our Change of Venue to the State of Illinois”

*months; but notwithstanding their determination to destroy me, with the rest of my brethren, who were with me, . . . yet through the mercy of God, in answer to the prayer of the Saints, I have been preserved and delivered out of their hands and can again enjoy the society of my friends and brethren, whom I love, and to whom I feel united in bonds that are stronger than death; and in a state where I believe the laws are respected, and whose citizens are humane and charitable.*<sup>79</sup>

### **Were the Mormon Prisoners Fugitives from Justice?**

One final question should be asked: “Were Joseph and Hyrum Smith, Lyman Wight, Caleb Baldwin, and Alexander McRae, fugitives from justice?” Certainly the citizens in Missouri’s northern counties believed this to be the case, as the Mormon prisoners escaped while en route to their trial in Boone County. However, a close examination reveals that the civil officials never had any intention to fully prosecute them.

Within a short time after the Mormon surrender on 1 November 1838, Governor Boggs and Circuit Court Judge Austin King apparently became satisfied that once the Mormons left the state, the Mormon prisoners would be let go. At least two factors likely contributed to such a decision.

First, how could the state actively incarcerate and prosecute only the Mormons, without taking similar action against the Missourians, especially since it was well known that the Missourians had been involved in illegal activities and had committed terrible crimes against the Mormons?

Second, while some approved of the governor’s actions, the entire Mormon affair was essentially an embarrassment to the Boggs administration and the entire state; therefore, the sooner the whole affair was put completely to rest and the Mormon prisoners released and gone, the better.

Sufficient evidence exists to show that Boggs and King never intended to fully prosecute Joseph Smith and his associates. This decision may have been reached within a matter of only a few days following the Mormon capitulation. Evidence for this comes from John B. Clark, the militia general appointed by Governor Boggs to oversee the operation during the last few days of the Mormon War.

Clark stated that Judge King told him the Mormon leaders “were to be put in prison, but were not to be guarded too closely, and if they got away and left the state, they would be allowed to go.”<sup>80</sup>

Following the Richmond hearing in late November, as they were being taken to Liberty, one of the men in charge of the prisoners informed them that “the Judge [that is, Austin King] had made out a mittimus and sentenced us to jail for treason. He also said the Judge declared his intention to keep us in jail until all the ‘Mormons’ were driven from the state. He also said that the Judge had further declared that if he let us out before the ‘Mormons’ had left the state, . . . there would be another damned fuss kicked up.”<sup>81</sup>

These comments explain why Judge King charged Joseph Smith and the others with treason. Treason was a nonbailable offense, which meant they had to remain in custody until the regular court hearing was held, which hearing was not scheduled until spring. In the meantime, it was anticipated that the Latter-day Saint population would make its way out of Missouri. Then, once the Mormons complied and left the state, the leaders would be released.<sup>82</sup> A portion of the details of how this happened are given in the following statement by Hyrum Smith:

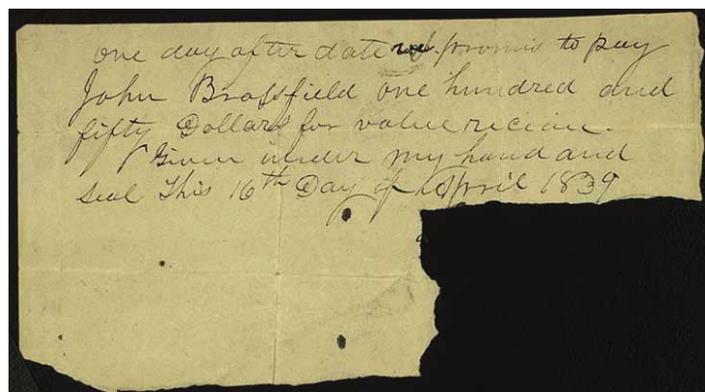
*The jailer [at Liberty Jail], Samuel Tillery, Esq., told us . . . that the whole plan was concocted by the governor down to the lowest judge in that upper country. . . . He told us that the governor was now ashamed of the whole transaction and would be glad to set us at liberty if he dared do it. “But,” said he, “you need not be concerned, for the governor has laid a plan for your release. He also said that Squire Birch [sic] . . . was appointed to be circuit judge on the circuit passing through Daviess county, and that he (Birch) was instructed to fix the papers, so that we would be sure to be clear from any incumbrance in a very short time.*<sup>83</sup>

Thus, the plan went as follows. Governor Boggs instructed Judge King to make things such that the Mormon prisoners would be released after the Mormon populace had complied with the extermination order and left the state. To ensure this, during the Richmond hearing, King charged the Mormon defendants with treason and ordered them to Liberty Jail. In the spring of 1839, King ordered the prisoners’ grand jury

## “We Took Our Change of Venue to the State of Illinois”

trial be held in Gallatin and appointed Thomas Burch, the state’s prosecuting attorney in the Richmond hearing (which King himself conducted), to preside at the Gallatin court. King also instructed Burch to “fix the papers” so the prisoners could be conveniently let go. This Burch did by granting a change of venue to Columbia so the prisoners could be released once en route to Boone County.

Finally, as has been demonstrated, before leaving Gallatin for Columbia, the Daviess guards were instructed by Burch at some convenient location to let the prisoners go. In short, Governor Boggs and Judges King and Burch acted together and arranged for the release of the Mormon Prophet, his brother Hyrum, Caleb Baldwin, Alexander McRae, and Lyman Wight. This plan eventually became known to the prisoners themselves who later testified, “by order of the Governor of the State of Missouri, [they] were set at large, with directions to leave the State without delay.”<sup>84</sup>



### Promissory Note to John Brassfield, 16 April 1839

This note was written by Alexander McRae and signed by Joseph Smith. Brassfield later traveled to Nauvoo for payment, which the Prophet gladly paid.

*one day after date I promise to pay John  
Brassfield one hundred and  
fifty Dollars for value receive.  
Given under my hand and  
Seal This 16th Day of April 1839  
Joseph Smith Jr.*

Note: The word “I” was written over with “we” using a different pen, most likely at a different time. The Prophet’s signature has been torn from the note. Perhaps Brassfield wanted it as a souvenir.

### Notes

1. For a detailed, documented discussion on arrest of the Mormon prisoners, see Alexander L. Baugh, “The Mormon Surrender at Far West” (chapter 10) and “Surrender and Military Occupation” (chapter 11), in “A Call to Arms: The 1838 Mormon Defense of Northern Missouri,” Ph.D. dissertation, Brigham Young University, Provo, Utah, 299–380.
2. See Stephen C. LeSueur, “High Treason and Murder’: The Examination of Mormon Prisoners at Richmond, Missouri, in November 1838,” *BYU Studies* 26 (Spring 1986): 3–30. The scope of this paper is to document and analyze the events associated with the release of Joseph Smith and his Liberty Jail companions. However, an examination of the incarceration of Pratt, Chase, Shearer, Phelps, Gibbs, and Follett remains to be done. In brief, in late April 1839, Chase and Shearer were released by Judge King, who, the following month, ordered a change of venue for Pratt, Phelps, Follett, and Gibbs (who by this time had apostatized) to Columbia in Boone County to await trial. In July, Pratt and Phelps escaped from the Columbia jail and made their way to Quincy, Illinois. Follett, who also attempted to escape with Pratt and Phelps, was recaptured and remained imprisoned until October, when he was finally acquitted. Gibbs was eventually released.
3. For an examination of the Liberty jail experience, see Dean C. Jessee, “Walls, Grates, and Screaking Iron Doors’: The Prison Experience of Mormon Leaders in Missouri, 1838–1839,” in Davis Bitton and Maureen Ursenbach Beecher, eds., *New Views in Mormon History: A Collection of Essays in Honor of Leonard J. Arrington* (Salt Lake City: University of Utah Press, 1987), 19–42. In a hearing held on 25 January 1839, Judge Turnham released Rigdon, although for his own safety, Sidney remained in jail until 5 February. Richard S. Van Wagoner, *Sidney Rigdon: A Portrait of Religious Excess* (Salt Lake City: Signature Book, 1994), 254–55.
4. Hyrum Smith, *Diary, April 1839*, manuscript, LDS Church Archives, Salt Lake City, Utah, 23, 26. Samuel Tillery, the jailer at Liberty, who had overseen their four-month incarceration, was also in the company. Smith noted that “all these [men] were

## “We Took Our Change of Venue to the State of Illinois”

- friendly & good natured.” Ibid. Before their transfer to Gallatin, there was some concern for the safety of the prisoners once they arrived, the people there having considerable animosity and antagonism against the Mormons.
5. Peter H. Burnett, *An Old California Pioneer* by Peter H. Burnett, First Governor of the State (Oakland: Biobooks, 1946), 39. The Mormon prisoners also employed Alexander W. Doniphan as counsel besides Burnett and Rees. Ibid, 32. Doniphan had argued much of the defense during the preliminary hearing at Richmond and Sidney Rigdon’s examination in January 1839. Alexander W. Doniphan, “Interview,” *The Saints’ Herald* 31 (2 August 1884): 490.
  6. Smith, *Diary*, 23–24.
  7. Joseph Smith Jr., *History of the Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 2d ed., rev., 7 vols. (Salt Lake City: Deseret Book, 1971), 3:309. Hereafter cited as HC.
  8. Smith, *Diary*, 24–25.
  9. Joseph Hedges McGee, “The Mormons in Missouri: Personal Recollections of Maj. Joseph H. McGee of Gallatin—Why the Mormons Were Forced to Leave the State,” *St. Louis Globe Democrat* (St. Louis, Missouri), 27 November 1898, n.p. McGee incorrectly identified Creekmore as Crickmore. However, the *History of Daviess County, Missouri: An Encyclopedia of Useful Information, and a Compendium of Actual Facts* (Kansas City, Missouri: Birdsall & Dean, 1882), 249, is the source that indicates Creekmore was the county treasurer.
  10. Alexander McRae, “Incidents in the History of Joseph Smith,” *Deseret News* (9 November 1854), 1.
  11. Smith, *Diary*, 25.
  12. Burnett, *An Old California Pioneer*, 39.
  13. Smith, *Diary*, 29. Speaking of their accommodations, Alexander McRae said, “We were seated at the first table with the judge, lawyers, &c., and had the best the country afforded; with feather beds to sleep on—a privilege we had not before enjoyed in all our imprisonment.” McCrae, “Incidents in the History of Joseph Smith,” 1.
  14. Smith, *Diary*, 26.
  15. Ibid., 29.
  16. Burnett, *An Old California Pioneer*, 39.
  17. Ibid., 40–41. Joseph H. McGee is the source indicating that John Brassfield was the Prophet’s opponent. He also reported that Joseph Smith threw Brassfield “the first two falls out of a match of three.” Joseph H. McGee, statement, “Special Correspondence,” *Deseret Evening News*, 10 September 1904, 23. In 1888, Assistant Church Historian Andrew Jenson, along with Edward Partridge and Joseph S. Black, went on a historical fact-finding mission where, among other places, they visited numerous sites in northern Missouri. While visiting in Liberty, Clay County, they interviewed James H. Ford. In 1838–39, Ford was the deputy sheriff of the county. During the course of their interview, Ford shared with them additional details concerning the wrestling incident as recorded by Jenson: “[The Mormon prisoners] were handed over to some half-a-dozen of the strongest and roughest men of Daviess County, who at first crowded the prisoners into a corner of a room, refusing to allow them any liberties at all, but after a little, when they began to converse with the prisoners, they became quite sociable with them, and a reputed champion wrestler of Daviess County wanted to try strength with the ‘Mormon’ Prophet. Joseph excused himself saying, he was a prisoner and could not engage exercises of that kind under the circumstances; but finally, through the solicitations of the guard and the man promising not to get angry if he was thrown, Joseph consented to wrestle with him. Consequently a ring was made and the two stepped forth. The Missourian took recourse to all the trickery known to him in the art of wrestling, but was unsuccessful in his attempts to throw Joseph. Finally the latter gathered up his strength, made a first real attempt and threw his opponent flat upon his back in a pool of water. This made the fellow mad, although he had agreed not to get offended if thrown, and he wished to fight, but the guard interfered and the Daviess County champion was much humiliated afterwards in being made the object of considerable ridicule on the part of his companions, he having previously boasted that he could easily throw Joseph Smith.” Andrew Jenson, *Autobiography of Andrew Jenson, Assistant Historian of the Church of Jesus Christ of Latter-day Saints* (Salt Lake City: Deseret

## “We Took Our Change of Venue to the State of Illinois”

- News Press, 1938), 164–65.
18. Burnett, *An Old California Pioneer*, 40. Lyman Wight gained the friendship of the guards by drinking with them. Burnett noted that Wight became “pretty well drunk, and would kindly invite the guards of Davis County . . . to drink with him, which invitation was cordially accepted.” *Ibid.*, 39.
  19. Sidney Rigdon, “Testimony of Sidney Rigdon,” HC 3:463. Joseph Smith’s published history incorrectly states that the hearing was presided over by Austin A. King. HC 3:309. However, the court records clearly indicate that Burch was the judge assigned to the case. Hyrum Smith’s and Lyman Wight’s testimonies also indicate Burch presided, not King. Smith, “Testimony of Hyrum Smith,” *ibid.*, 3:421; and Wight, “Testimony of Lyman Wight,” *ibid.*, 449.
  20. Josiah Morin also spent the night, and his presence lifted the spirits of the Mormon prisoners. The Prophet’s published history states that “we had as pleasant a time as such circumstances would permit, for we were as happy as the happiest; the Spirit buoyed us above our trials, and we rejoiced in each other’s society.” HC 3:310.
  21. The jurors included Robert P. Peniston (foreman), Nicholas Trosper, Benedict Weldon, John Stokes, Elijah Frost, Andrew McHaney, Christopher Stone, John Edwards, Moses Netherton, Jacob S. Rogers, Nathaniel Blakely, Jonathan Oxford, Richard Grant, Robert P. Peniston Sr., John Pinkerton, John Brown, William Cox, John Dowdy, John Anderson, and John Raglund. *Proceedings of the Grand Jury of Daviess County*, 2 April 1839, Missouri, Boone County Circuit Court Records, Indictment Case No. 1362, folder 1, manuscript, Joint Collection, University of Missouri and State Historical Society of Missouri, Ellis Library, Columbia Missouri, 2. The court document was originally filed in Daviess County Court. However, because the prisoners received a change of venue to Boone County, the document became part of the Boone County Court record. The document is dated 2 April 1839, suggesting that the grand jury was appointed several days before the arrival of the Mormon prisoners and that preparations were already underway for the planned incarceration.
  22. Smith, “Testimony of Hyrum Smith,” HC 3:422. 23. Wight, “Testimony of Lyman Wight,” HC 3:449. 24. Smith, *Diary*, 27.
  25. HC 3:310.
  26. Smith, *Diary*, 27–29.
  27. A list of the Missourians who can be documented as having participated in the Haun’s Mill episode is found in “Appendix I” in Baugh, “A Call to Arms,” 414–23.
  28. Smith, *Diary*, 30; HC 3:314–16.
  29. *Proceedings of the Grand Jury of Daviess County*, 2.
  30. Smith, “Testimony of Hyrum Smith,” HC 3:423.
  31. *Daviess County, Court Order*, 1839, manuscript copy, Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah; and *Proceedings of the Grand Jury of Daviess County*, 2. On 9 April, the day the trial began, Stephen Markham arrived in Gallatin with a copy of a document from the state legislature, authorizing the court to grant the prisoners a change of venue, which document was likely presented by the defense counsel to Burch for consideration. HC 3:310.
  32. *The State of Missouri Order of Commitment—Caleb Baldwin and Others*, manuscript copy, Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah. The HC incorrectly identifies John Pope as John Pogue. HC 3:309.
  33. Smith, *Diary*, 30. Wight actually built two cabins at Diahman. The first cabin was located about 1,200 feet west and south of present-day Tower Hill, and it was likely this cabin at which Hyrum Smith indicated they stayed. The cabin location is significant because this was where Joseph Smith received the revelation on 19 May 1838 comprising D&C Section 116 and where in June 1838, the Adam-ondi-Ahman stake was created. A second cabin owned by Wight was situated about a hundred yards from the top of Tower Hill on the west side. A portion of the foundation of this cabin is still visible.
  34. *Ibid.*, 31.
  35. *Ibid.*
  36. *Ibid.*, 32. Hyrum Smith notes that Cox lived in Clinton County. This is an obvious error, since Clinton County is situated west of Caldwell County. He probably meant Livingston County.
  37. *Ibid.*

## “We Took Our Change of Venue to the State of Illinois”

38. Wight, “Testimony of Lyman Wight,” HC 3:448–49.
39. Ibid. In an article that appeared in the *Columbia Patriot* (Columbia, Missouri), 27 April 1839, as cited in the *Missouri Republican* (St. Louis, Missouri), 2 May 1839, the reporter stated that the Mormons were released somewhere in Linn County. Lyman Wight stated that they were released at Yellow Creek, and although the creek passes through both Linn and Chariton Counties, evidence suggests the getaway took place in Chariton, not Linn County. In a letter from William Barbee, writing from Carrollton, Missouri, to Thomas Bradford on 22 April, less than a week after the incident, Barbee noted that the prisoners were released “about 12 miles north of this [place],” meaning 12 miles north of Carrollton, in Carroll County. See William Barbee to Thomas Bradford, 22 April 1839, in “Expulsion of a Poor, Deluded and Miserable Set of Villains: A Contemporary Account,” *Dialogue: A Journal of Mormon Thought* 11 (Winter 1978): 116. On a northeast line, Chariton County is approximately fourteen to fifteen miles from Carrollton, and Yellow Creek is just a few miles farther. The point where Yellow Creek is in Linn County is at least forty miles from Carrollton.
40. The secondary sources that discuss the release of the Mormon prisoners generally give the date of 15 April for the reason that this is the date given in the Prophet’s published history. See HC 3:319–21. Significantly, there is no entry under the date of 16 April, indicating that the historians who compiled the Prophet’s history were unclear as to how to separate the events of 15–16 April and so included them under the earlier date. However, the primary manuscripts, particularly Hyrum’s diary, clearly indicate that the release occurred on the evening of 16 April. Lyman Wight’s published history also gives the date of their release as 16 April. “History of Lyman Wight,” *Deseret News* 8 (25 August 1858), 109.
41. Wight, “Testimony of Lyman Wight,” HC 3:449. 42. Smith, “Testimony of Hyrum Smith,” HC 3:423. 43. Ibid.
44. Ibid.
45. Ibid.
46. Joseph Smith, “Journal Extract,” in Dean C. Jessee, ed., *The Papers of Joseph Smith, Volume 1: Autobiographical and Historical Writings* (Salt Lake City: Deseret Book, 1989), 223–24.
47. Smith, “Testimony of Hyrum Smith,” HC 3:423.
48. Smith, *Diary*, 32.
49. Joseph Smith, *Diary*, 30 December 1842, manuscript, LDS Church Archives, Salt Lake City, Utah; as cited in Dean C. Jessee, “Walls, Grates, and Screeking Iron Doors,” 42, note 57.
50. Heber C. Kimball, *Heber C. Kimball’s Journal*, in *Faith Promoting Series* (Salt Lake City: Juvenile Instructor Office, 1882), 73. Price later became a U.S. congressman, governor of Missouri, and a Confederate general. For an overview on his public career, see Rick Eiserman, “Sterling Price: Soldier-Politician-Missourian,” in F. Mark McKiernan and Roger D. Launius, *Missouri Folk Heroes of the 19th Century* (Independence: Herald Publishing House, 1989), 115–34.
51. David White Rogers, Letter, 1 February 1839, manuscript, LDS Church Archives, Salt Lake City, Utah, 2. Although the letter is dated 1 February, Rogers made additional entries in the manuscript for several weeks after.
52. Joseph H. McGee, *Story of the Grand River Country, 1821–1905: Memoirs of Maj. Joseph H. McGee* (Gallatin: North Missourian Press, 1909), 13; *History of Daviess County, Missouri*, 206. There is an interesting side note to Bowman’s death. On 12 June 1844, while camped at the North Platte River crossing near present-day Casper, Wyoming, Brigham Young’s vanguard Mormon pioneer company met up with an over-land group from Missouri. Someone in the Missouri company confirmed the fact that William Bowman was indeed killed for having let Joseph Smith and the prisoners go. Clayton learned that the person primarily responsible for Bowman’s killing was William Obediah Jennings. Clayton referred to Jennings as Obediah, his middle name. See William Clayton, *William Clayton’s Journal: A Daily Record of the Journey of the Original Company of “Mormon” Pioneers from Nauvoo, Illinois, to the Valley of the Great Salt Lake* (Salt Lake City, *The Deseret News*), 233.
53. This conclusion is based on a statement by Joseph

## “We Took Our Change of Venue to the State of Illinois”

- H. McGee, who wrote, “The court ordered Morgan to take the prisoners to Columbia and lodge them in jail, and Morgan intrusted them to William Bowman.” McGee, “The Mormons in Missouri,” *St. Louis Globe-Democrat*, 27 November 1898.
54. William Morgan, Statement, The State of Missouri Order of Commitment, 6 July 1839, Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah. Morgan’s statement appears below the Order of Commitment, which is undated and unsigned and reads: “You will take their Recognizance for Five hundred dollars each.”
  55. McGee, *Story of the Grand River Country*, 13.
  56. Parley P. Pratt to Mary Ann Pratt, 12 April 1836, manuscript, LDS Church Archives, Salt Lake City, Utah, 1. The letter is dated 12 April, but Pratt made additional entries under the dates of 21 and 22 April. Although Pratt was concerned that the escape of Joseph Smith and his companions could have negative repercussions in connection with the upcoming trial of Pratt and those still confined with him in Richmond, on 24 April, Judge King released two of the Mormon prisoners—Darwin Chase and Norman Shearer.
  57. William Barbee to Thomas Bradford, “Expulsion of a Poor, Deluded and Miserable Set of Villains,” 116.
  58. Samuel Bogart to the Quincy postmaster, 22 April 1839, cited in Alexander L. Baugh, “Samuel Bogart’s 1839 Letter about the Mormons to the Quincy Postmaster,” *The Nauvoo Journal* 7 (Fall 1995): 54.
  59. Isaac J. Harvey to Sarah Harvey, 26 April 1839, manuscript, Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah, 2.
  60. W. W. Phelps to Sally W. Phelps, 1 May 1839, cited in Alexander L. Baugh, “A Community Abandoned: W. W. Phelps’ 1839 Letter to Sally Waterman Phelps from Far West, Missouri,” *The Nauvoo Journal* 10 (Fall 1998): 26.
  61. *The Chicago Times* (Chicago, Illinois), 7 August 1875, as cited in Jesse, “Walls, Grates and Screeking Iron Doors,” 41, note 56.
  62. David White Rogers, Letter, 1 February 1839, LDS Church Archives, Salt Lake City, Utah, 2.
  63. Smith, “Testimony of Hyrum Smith,” HC 3:423.
  64. McGee, “The Mormons in Missouri”; and McGee, *Story of the Grand River Country*, 13.
  65. Kimball, Heber C. *Kimball’s Journal*, 74.
  66. HC 5:290.
  67. Joseph Smith III, “The Memoirs of President Joseph Smith (1832–1914),” Mary Audentia Smith Anderson, ed., *Saints’ Herald* 81, no. 46 (13 November 1934): 1454. Joseph H. McGee also recalled that sometime after the release of the Mormon prisoners, Brassfield traveled all the way to Nauvoo to secure the money from the note. McGee, “The Mormons in Missouri”; and McGee, *Story of the Grand River Country*, 13. Significantly, in Lyman Wight’s sworn statement given before the municipal court of Nauvoo in July 1843, he stated that at the time of their escape, part of the guard helped them mount their horses, “which we purchased of them, and for which they were paid.” Wight, “Testimony of Lyman Wight,” HC 3:449. Wight’s acknowledgment that “they were paid” may have had reference to Brassfield’s visit to Nauvoo only five months earlier, during which time payment was received.
  68. See William G. Hartley, “Almost Too Intolerable a Burden: The Winter Exodus from Missouri,” *Journal of Mormon History* 18 (Fall 1992): 7–40; and Sean J. Cannon, “Expulsion from Missouri,” in S. Kent Brown, Donald Q. Cannon, and Richard, H. Jackson, eds., *Historical Atlas of Mormonism* (New York: Simon & Schuster), 48–49.
  69. Smith, *Diary*, 33.
  70. Such a course of travel possibly explains why Brigham Young and several members of the Twelve who were traveling west from Quincy to Far West along the southern east-west route did not meet up with Joseph and his company, who were traveling east to Quincy across largely uninhabited prairie. Had the Prophet and his companions been taking the main southern route, the same as Brigham and the Twelve, they probably would have met each other.
  71. Smith, *Diary*, 33–35. The George Harris mentioned by Hyrum is not known, but he should not be confused with the more well-known George Washington Harris, who was a member of the Far West high council. Lyman Wight identifies the Mormon man by the name of Harrison. Lyman Wight, *Jour-*

## “We Took Our Change of Venue to the State of Illinois”

- nal, in Joseph Smith III, and Heman C. Smith, *History of the Reorganized Church of Jesus Christ of Latter Day Saints*, vol. 2 (Lamoni, Iowa: the Board of Publication of the Reorganized Church of Jesus Christ of Latter Day Saints, 1908), 330. The original Wight Journal no longer exists. Hyrum Smith’s diary appears to have been kept contemporaneously to the events as they happened, whereas portions of Wight’s entries appear to have been added later. Hence, Smith’s journal is preferred over that of Wight’s.
72. HC 3:327.
73. Orange L. Wight, *Recollections of Orange L. Wight, Son of Lyman Wight to Joseph I. Earl*, 4 May 1903, typescript, LDS Church Archives, Salt Lake City, Utah, 7.
74. Wight, *Journal*, 330.
75. *Ibid.*
76. Dimick B. Huntington, *Statement*, cited in David E. and Della S. Miller, *Nauvoo: The City of Joseph (Santa Barbara and Salt Lake City: Peregrine Smith, Inc., 1974)*, 26.
77. HC 3:327.
78. *Missouri Republican* (St. Louis, Missouri), 3 May 1839.
79. HC 3:328.
80. John B. Clark, *Interview*, in Walter B. Stevens, *Centennial History of Missouri (The Center State): One Hundred Years in the Union, 1820–1921* (St. Louis and Chicago: The S. J. Clarke Publishing Company, 1921), 119.
81. Smith, “*Testimony of Hyrum Smith*,” HC 3:420.
82. In a paper entitled “*The Missouri Court of Inquiry: Austin A. King’s Quest for Hostages*,” delivered at the Mormon History Association meeting in Ogden, Utah, 21 May 1999, author Gordon A. Madsen detailed the legal maneuvering of Judge King in the Richmond Court of Inquiry. Madsen concluded, “Austin A. King was determined to put Joseph and the other principal Mormons in prison on some non-bailable charge and hold them there as hostages until the Mormons had all left the state.” Unpublished paper in the possession of the author, 21. I came to this conclusion independently of Madsen, and I have attempted to give additional evidence substantiating this point.
83. *Ibid.*, 421.
84. Caleb Baldwin, et al., *affidavit*, in Clark V. Johnson, *Mormon Redress Petitions: Documents of the 1833–1838 Missouri Conflict* (Provo: Religious Studies Center, Brigham Young University, 1992), 684–85. The names of Hyrum Smith, Caleb Baldwin, Alexander McRae, and Lyman Wight appear on the affidavit, but Joseph Smith’s name does not. The names of Parley P. Pratt, James Sloan, and Dimick B. Huntington also appear on the document. It is significant to note that in June 1841, Missouri authorities attempted to arrest and extradite Joseph Smith on the charges stemming from the problems surrounding the 1838 Mormon-Missouri War and his so-called escape from the state. On 4 June 1841, an official from Missouri, assisted by several officials from Adams County, Illinois, arrested Joseph Smith. On 10 June, following a three-day hearing at Monmouth, Warren County, Illinois, Judge Stephen A. Douglas dismissed the case and released the Prophet. HC 4:364–71. See also George R. Gayler, “*The Attempts of the State of Missouri to Extradite Joseph Smith, 1841–1843*,” *Northwest Missouri State College Studies* 19 (1 June 1955): 5–7. The article was subsequently reprinted in *Missouri Historical Review* 58 (October 1963): 21–36.



**ALEXANDER L. BAUGH**  
Assistant Professor of  
Church History and Doctrine  
Brigham Young University