

WILSON LAW: A SIDELIGHT ON THE *EXPOSITOR* INCIDENT

Steven G. Barnett

A Nauvoo newspaper born on 7 June 1844 lived for only one issue, but it had far-reaching effects on the Church, culminating in the death of the Prophet Joseph Smith and his brother Hyrum. The *Nauvoo Expositor* was the product of some then recent apostates from the Church at Nauvoo, who claimed disenchantment with Joseph Smith's political views, the practice of polygamy, and other issues.¹ On 10 June 1844, the city council, acting under its charter, declared the *Expositor* a "public nuisance" and ordered its abatement. This order was carried out by the marshal with the assistance of the Nauvoo Legion. The editors later made complaint before Justice of the Peace Thomas Morrison in Carthage, Illinois, against Joseph Smith² and other members of the city government on the charge of riot. It was while the Prophet and the others were answering this charge in Carthage that the two Smith brothers were thrown in jail on a new charge of treason. Two days later they were murdered by a mob.

One of the *Expositor* editors, Wilson Law, filed a deposition in 1848 at the trial of his former associate, Robert D. Foster, for embezzling school funds.³ The deposition, which has been recently found, details the dissidents' account of the destruction of the press and their activities a few days thereafter. Although the bitter anti-Mormon bias of the deponent should be considered, the account is important for what it reveals of the whereabouts of the Laws and Robert D. Foster in the crucial period between the destruction of the newspaper and the death of Joseph and Hyrum Smith on 27 June 1844. It also records the *Expositor* affair through the eyes of one of its apostate editors as well as sketches an interesting tale of life on the Mississippi in the 1840s. The original,

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¹The editors of the *Expositor* were William Law, a former member of the First Presidency; his brother Wilson Law; Francis M. and Chauncey L. Higbee, brothers; Robert D. Foster and Charles A. Foster, brothers; and Charles Ivins.

²Joseph Smith was then mayor of Nauvoo, having succeeded John C. Bennett in 1842.

³The embezzlement case against Robert D. Foster was continued from the April 1848 term of the circuit court to the September term. The case was not prosecuted by the state's attorney when it was resumed on 16 September 1848.

which is in this writer's personal collection of historical manuscripts, is presented below in its entirety.

Deposition of witnesses taken in a cause pending on an indictment in the Circuit Court of the County of Hancock and State of Illinois are Plaintiff and Robert D. Foster is defendant.

Wilson Law of lawful age disposes and says—

Question—

State all you know about said Robt. D. Foster in the summer of 1844.

Robert D. Foster kept his books and school papers in the printing office of the Nauvoo Expositor in Nauvoo. On the 10th of June 1844 said Foster, Wm Law and myself returned from Carthage and stopped at said Foster's house. We found the family all confusion and alarm and learned that the printing office and every thing that was in it was destroyed. Said Foster immediately exclaimed that he was ruined, that they had destroyed his school papers. His lamentations all that night was the loss of his private and school papers. We then found that our lives were in danger and I sent to Fort Maddison and provided a steam Ferry Boat and we commenced loading everything we could on it and on the 12th of June we found it impossible to remain any longer and I advised said Foster to take his Buggy and horses and proceed up the river by land and we would get the boat away as fast as we could and take him on board when we got past the city limits. The mob was then collecting determined to take our lives. Said Foster his wife and child left in his Buggy and drove up some two or three miles above the city and was only able to make his escape by driving as hard as he could and leaving nearly all his property behind him, nearly all of which was afterwards destroyed by the mob. We left in the boat and took Foster and his family on board some two or three miles up the river. It was a very stormy and rainy night and the cabin was very small and very much crowded. At Maddison three persons came on board to work their passage, as they said, to Burlington. After we made a bend in the River after night the cabin became so full of smoke and steam that the persons in it could not remain any longer. Mrs. Foster was sitting on a chair and had her reticule hanging on the back of her chair. After we had all left the cabin, I saw one of the men who had got on the boat coming out of the cabin and the other two standing near. I remarked this to said Foster and we went into the cabin. Mrs. Foster also came in and felt for her reticule and found it, cryed out it was robbed and putting her hand in it said her money and Jewelry was gone. Foster asked if the money he gave her was in it. She examined it and found it was gone too. Foster exclaimed I am now ruined indeed. I gave you the school money and all my money to keep and now it is all gone and my school papers burned and all lost, stating that in the hurry of starting he had given his wife all the money that he had thinking it would be more

safe with her than with himself and she had put it in her reticule and now all was lost. He was ruined for ever and many such exclamations as these. Indeed he appeared almost distracted and could scarcely be kept from shooting the man that I saw come out of the cabin. We found the three men and had them searched but found nothing and Foster and myself took a light and searched the boat but found nothing. The captain put the men on shore after some time. When we arrived at Burlington we watched every thing that was taken off the boat but found nothing. The captain then searched the boat and under one of the beams connected with the engine he found some of the Jewelry which was shewn to Mrs. Foster and recognised by her. She said it was hers but not near all of it. The box that the Jewelry was in and the money was not found. Said Foster was almost distracted and his lamentation was that he had lost his school money & school papers and was left without funds to pay it, but that he would as soon as he could raise the means to do it.

And I am well satisfied that he was robbed that night and that the papers were destroyed when the printing office was destroyed. The above statement I believe to be true and correct according to the best of my knowledge and recollection.

Wilson Law

State of Pennsylvania
Mercer County

I Thomas T. Cunningham a justice of the Peace in and for said county do hereby certify that the above named witness, Wilson Law, appeared before me at my office in the Borough of Mercer on the 22nd day of August A.D. 1848 and after being by me duly affirmed did dispose the foregoing deposition which is in his own proper handwriting and signed by him in my presence. In witness thereof I have hereunto set my hand & seal at Mercer this 22nd day of August 1848.

T. S. Cunningham