

Lawyers and Judges in the Legal Cases of Joseph Smith

Because of his frequent and varied encounters with the law, Joseph Smith relied heavily on lawyers for legal advice and representation in court. Serious consequences often rested on the outcomes of these cases, so it was vital that Joseph select competent, trustworthy lawyers. Choosing an attorney in Joseph's day was not easy. Attorneys on the frontier were often young and not well established. The Mormon cause was usually unpopular, and non-Mormon attorneys sometimes worried that they would be stigmatized and lose business if they associated with Mormons. Additionally, having been driven from one place to another, the Mormons were impoverished yet often forced to pay significant legal fees for the best lawyers. Nearly all of those who represented Joseph and his people went on to become highly successful professionals, and many would later hold high local and national political offices. This appendix includes biographical sketches of the lives of the lawyers with whom Joseph interacted, both for and against him, and of some of the judges Joseph appeared before, as well as a number of legal advisors with whom he consulted. Although a few of these were Mormons, most were not. By giving information about their professional careers, this appendix aims to provide a better context for Joseph's legal world.

ADAMS, James (1783–1843). Adams was born in Simsbury, Connecticut. He moved to New York and served in the militia as ensign, lieutenant, captain, and major and as brigadier general in the War of 1812. In 1812 he settled at Springfield, Illinois, and became a pioneer attorney of Sangamon County, where he was referred to as General Adams. He served with the Illinois militia in the Winnebago War in 1827 and the Black Hawk War in 1831–32 and in 1839 became Worshipful Master of Springfield Masonic Lodge. Adams converted to the LDS faith around 1836 but probably first met Joseph Smith in

1839 in Springfield. He became a regent of the University of Nauvoo in 1840. In 1841 he became a probate judge at Springfield. He was ordained a high priest by Hyrum Smith in 1841, served as branch president in Springfield in 1842, and was ordained a patriarch by Joseph Smith. He was elected probate judge of Hancock County in 1843 and died of cholera the same year.

Power, John. *History of the Early Settlers of Sangamon County, Illinois*, 76. Springfield, Illinois, 1876.

Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 4:20; 5:527–28; 6:510. 2d ed., rev., 7 vols. Salt Lake City: Deseret Book, 1971.

Walgren, Kent L. “James Adams: Early Springfield Mormons and Freemasons.” *Journal of the Illinois State Historical Society* 75 (Summer 1982): 121–36.

Church Historian's Press. “James Adams.” *The Joseph Smith Papers*, <http://josephsmithpapers.org/person/adams-james> (accessed November 21, 2013).

ATCHISON, David Rice (1807–1886). Atchison was one of the first attorneys in northwest Missouri. He was educated at Transylvania University in Kentucky, one of the best institutions in the west at the time. Atchison continued his education by working two years as a clerk in the office of a former Kentucky senator, Judge Jesse Bledsoe, then set out to practice on his own and in about 1830 moved to Missouri. Atchison's first of many interactions with the Mormons came in 1833, when a mob forced them to leave Jackson County and destroyed Mormon homes and shops. After consulting with Joseph Smith, Bishop Edward Partridge and W. W. Phelps retained Atchison, along with Alexander Doniphan, Amos Rees, and William Wood. The attorneys were initially reluctant to represent the Mormons and asked for a substantial \$1,000 retainer, which was a burdensome amount for the Mormons. Their actions were largely unsuccessful, both in pressing for criminal charges and recovering civil damages. Atchison was the commanding officer of third division of the Missouri state militia during the Mormon conflict in 1838. Interestingly, command of the army that was to carry out Governor Boggs's extermination order in October 1838 could have been given to Atchison. Boggs, however, gave command to another, likely because of Atchison's reputation as friendly to the Mormons. Joseph's earlier appreciation for Atchinson cooled as a result of his Liberty Jail imprisonment. In March of 1839 Joseph wrote to castigate the Missouri mobbers and politicians, noting that “General Atchinson has proved himself as contemptible as any of them.” Atchison was elected to the Missouri legislature in 1834, and in 1841 he was appointed by Governor Thomas Reynolds as a circuit court judge. He served as a U.S. senator for eleven years (1843 to 1855), acting as President Pro-tem for six years. As a strong pro-slavery advocate, Atchinson was influential in framing the Kansas-Nebraska Act of 1854, being himself a slave owner.

Anderson, Richard L. "Atchison's Letters and the Causes of Mormon Expulsion from Missouri." *BYU Studies* 26, no. 3 (1986): 3–28.

"Atchison, David Rice." *American National Biography*. New York: Oxford University Press, 1999.

Atchison, Theodore. "David R. Atchison, a Study in American Politics." *Missouri Historical Review* 24 (July 1930): 502–15.

Parrish, William E. *David Rice Atchison of Missouri: Border Politician*. University of Missouri Press, 1961.

BABBITT, Almon Whiting (1812–1856). Babbitt, baptized about 1830, had a tumultuous relationship with the Church. He became a member of Zion's Camp in 1834 and served in many Church callings including as a member of Zion's Camp, a missionary, a seventy in 1835, president of the Kirtland Stake in 1841, president of the Ramus, Illinois, branch in 1843, and a member of the Council of Fifty. However, he was subject to formal church discipline a number of times, being disfellowshipped at least four times. Babbitt was an attorney by profession and served as counsel for the Church on several occasions. In particular Babbitt remained in Nauvoo in 1844 to take charge of the Mormon property after the Saints had been expelled. His signature is found on the document that ultimately surrendered the city of Nauvoo. The day before Joseph Smith was killed in Carthage Jail, Joseph sent a message asking Babbitt to represent him in the expected trial, to which Babbitt told the messenger, "You are too late, I am already engaged on the other side." Babbitt also had an expansive political history, first serving as a delegate to Congress for the provisional State of Deseret in 1849, and later as secretary and treasurer of the Utah Territory in 1852. Babbitt was excommunicated in May of 1854. He was killed in an attack in Nebraska Territory in 1856, ostensibly at the hands of hostile Indians.

Anderson, Gary. "Almon W. Babbitt and the Golden Calf." In *Regional Studies in Latter-day Saint Church History: Illinois*, ed. H. Dean Garrett, 35–54. Provo, Utah: Brigham Young University, 1995.

Church Historian's Press. "Babbitt, Almon Whiting." The Joseph Smith Papers, <http://josephsmithpapers.org/person/almon-whiting-babbitt> (accessed July 2, 2013).

Omer, Greg, W. Whitman, and James L. Varner. *Neither Saint nor Scoundrel: Almon Whiting Babbitt—Territorial Secretary of State*. N.p.: PublishAmerica, 2008.

BIERCE, Lucius Verus (1801–1876). Bierce was an attorney, military general, and politician in Ohio. He served as district attorney and county prosecuting attorney in Portage County, Ohio. He was brigadier general in the Ohio militia and commander in chief of the Patriot army during Patriot War in Upper Canada, 1837–1839. He was elected as mayor of Akron numerous times and then as Ohio state senator. Bierce first met Joseph Smith in April

1834 and had a respectful relationship with the Prophet from that time forward. In particular, Bierce counseled Joseph personally regarding the numerous charges brought against Joseph by Grandison Newell.

Church Historian's Press. "Bierce, Lucius Verus," The Joseph Smith Papers, <http://josephsmithpapers.org/person?name=Lucius+Verus+Bierce>.

Bierce, L. V. *Historical Reminiscences of Summit County*, Akron, Ohio: Canfield, 1854.

Doyle, William B. *Centennial History of Summit County, Ohio, and Representative Citizens*. Chicago: Biographical Publishing, 1908.

BISSELL (BISSEL), Benjamin (1805–1878). Bissel was a well-respected lawyer and judge in Ohio who represented the Church on various important occasions. James Briggs, the opposing lawyer in the Hurlbut series of cases, described Bissel as "the consummate practitioner of the art of legal defense." Similarly, Justice Dallin of the Ohio Supreme Court called Bissel "one of Ohio's ablest lawyers." Bissel began practicing law around 1830 in Geauga County, Ohio. He defended Joseph in a variety of cases, including in 1834 against Doctor Philastus Hurlbut, who threatened Joseph's life. In 1835, Joseph blamed Bissel for not telling the Smiths (Hyrum, Samuel, and Don Carlos) how to provide documentation to avoid fines for not performing military duty. Bissel assisted Joseph in escaping the hands of a mob in 1837. Bissel went on to become an Ohio state senator in 1839–40 and was instrumental in creating Lake County, Ohio. In 1837 he formed the law firm Bissell & Axtell, with Salmon B. Axtell, and practiced with Axtell until 1842. He served as an Ohio circuit judge from 1842 until 1857. Oliver Cowdery began his study of law under Bissel's tutelage in Ohio in 1838.

Church Historian's Press. "Bissell (Bissel), Benjamin." The Joseph Smith Papers, <http://josephsmithpapers.org/person/benjamin-bissell-bissel> (accessed July 2, 2013).

Jessee, Dean C., Mark Ashurst-McGee, and Richard L. Jensen, eds. *Journals, Volume 1: 1832–1839*, vol. 1 of the Journals series of *The Joseph Smith Papers*, ed. Dean C. Jessee, Ronald K. Esplin, and Richard Lyman Bushman, 75. Salt Lake City: Church Historian's Press, 2008.

Riddle, A. G. *History of Geauga and Lake Counties, Ohio: With Illustrations and Biographical Sketches of Its Pioneers and Most Prominent Men*, 30. Evansville, Ind.: Unigraphic, 1973.

Walker, Jeffrey N. "Oliver Cowdery's Legal Practice in Tiffin, Ohio." In *Days Never to Be Forgotten: Oliver Cowdery*, ed. Alexander L. Baugh, 295–326. Provo, UT: Religious Studies Center, Brigham Young University, 2009.

BROWNING, Orville Hickman (1806–1881). Browning was a Kentucky legislator and veteran of the Black Hawk War. He later moved to Illinois, where

he served in the Illinois Senate and House of Representatives. He was well respected in the legal community; one colleague noted that Browning was “perhaps the ablest speaker in the State.” In 1841, Browning, along with Charles A. Warren, Sidney B. Little, James H. Ralston, Cyrus Walker, and Archibald Williams, represented Joseph Smith in an extradition hearing, despite personal threats against Browning. His two-hour final remarks brought Judge Stephen Douglas and others to tears and was described as “one of the most eloquent speeches ever uttered by mortal man in favor of justice and liberty.” On the day of his assassination, Joseph’s last piece of recorded writing was addressed to Browning, requesting his services. Browning was subsequently part of the legal team that successfully defended the five men charged with the assassination of Joseph and Hyrum Smith. Following Douglas’s untimely death in 1861, Browning was appointed to fill his U.S. Senate seat. In 1866, President Andrew Johnson appointed Browning Secretary of the Interior, where he served for three years. Browning served briefly as Attorney General and launched an unsuccessful campaign for appointment to the U.S. Supreme Court.

Baxter, Maurice G. *Orville H. Browning, Lincoln’s Friend and Critic*. Bloomington, Indiana: University Press, 1957.

“Browning, Orville Hickman.” Biographical Directory of the United States Congress, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=b000960> (accessed July 2, 2013).

“History of Joseph Smith.” *Millennial Star* 18 (August 30, 1856): 551.

Pease, Theodore Calvin, and James G. Randall, eds. *The Diary of Orville H. Browning, 1850–1881*. 2 vols. Springfield, Ill.: Illinois State Historical Society, 1927–33.

BURCH, Thomas (also BIRCH) (ca. 1807–1839). Burch was likely born in Tennessee. He began law practice in 1831 at Richmond, Ray County, Missouri, and then served as circuit attorney for Ray County in 1838. He was appointed judge of the Eleventh Judicial Circuit later the same year. On April 9, 1839, Burch presided over the grand jury proceedings for Joseph Smith and the Mormon leaders at Gallatin, Daviess County. Joseph later described: “Our trial commenced before a drunken grand jury, Austin A. King, presiding judge, as drunk as the jury; for they were all drunk together.” (The reference to King is undoubtedly a mistake; Hyrum Smith later correctly explained that “Birch, who was the district attorney, the same man who had been one of the court martial when we were sentenced to death, was now the circuit judge of that pretended court.” Hyrum also maintained that the members of the grand jury were all participants “at the massacre at Haun’s Mills.”) Sometime before the proceedings, the Missouri State legislature amended its venue statute, which allowed the Mormons to challenge Burch’s continuing

role, since he had previously served as prosecuting attorney for the state at the earlier hearing in Richmond presided over by Judge Austin King. As a result, Joseph and the others obtained a change of venue to Boone County. During the trip to Boone County they were allowed to escape, possibly with the secret encouragement of Judge Burch.

Church Historian's Press. "Burch, Thomas." The Joseph Smith Papers, <http://josephsmithpapers.org/person/burch-thomas> (accessed November 16, 2013).

Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 3:421–23. 2d ed., rev., 7 vols. Salt Lake City: Deseret Book, 1971.

BURNETT, Peter H. (1807–1895). Burnett was a self-educated attorney who was admitted to the Missouri bar in 1839. That same year Burnett defended Joseph Smith in the grand jury hearing in Daviess County, where Joseph and others were indicted for treason, arson, and robbery. The hearing was very hostile, as a mob within the courtroom was armed and angry. Burnett and other attorneys for Smith armed themselves in self-defense. Burnett promised to "kill the first man that attack[ed]." During the hearing Burnett requested a change of venue to Boone County. While in transit to the new venue, the defendants were assisted in their escape to Illinois by the sheriff who was escorting them. Of the Prophet Joseph, Burnett said that he "was more than an ordinary man" and that even in the face of a mob, Joseph had the ability to tell his story and convince people. Burnett left Missouri in 1843, when he organized a wagon train and traveled to Oregon, where he later served in the Territorial Legislature of Oregon and on the Oregon Territorial Supreme Court. In 1848 he and his family moved to California in search of gold. In 1849 Burnett was elected the first governor of the State of California, serving until 1851. After resigning from office, Burnett served as a justice of the California Supreme Court from 1857 to 1858, as a member of the Sacramento City Council, and as president of the Pacific Bank of San Francisco.

Burnett, Peter Hardeman. *Recollections and Opinions of an Old Pioneer*. New York: D. Appleton and Co., 1880.

Launius, Roger D. "Burnett, Peter Hardeman (1807–1895)." In *Dictionary of Missouri Biography*, ed. Lawrence O. Christensen et al., 134–35. Missouri: University of Missouri Press, 1999.

Melendy, H. Brett. *The Governors of California: From Peter H. Burnett to Edmund G. Brown*. Georgetown, Calif.: Talisman Press, 1965.

BUTTERFIELD, Justin (1790–1855). Butterfield was a respected Illinois attorney with a quick wit. He practiced law in New York and Louisiana before moving to Illinois. In Chicago, Butterfield became a leader of the local bar and was appointed federal district attorney in 1841 for the District of Illinois.

One colleague noted that Butterfield was “one of the most learned, talented, and distinguished members of the Bar.” Another colleague commented that he “was one of the ablest, if not the very ablest lawyer we have ever had at the Chicago Bar. He was strong, logical, full of vigor and resources.” Butterfield first met Joseph Smith in 1841, when the then-Solicitor of the Treasury, Charles B. Penrose, asked Butterfield to collect a debt Joseph owed to the U.S. government. The debt was incurred when Joseph, along with his brother Hyrum and others, purchased a steamship and executed a promissory note to cover the purchase price. Unfortunately, the steamship soon ran aground. Joseph sought to recover the cost from the steamship captain, whom he believed intentionally damaged the ship, and the remaining owners. However, when they could not be located, the balance of the promissory note fell upon Joseph. Eventually a default judgment was entered. Prior to entry of the default judgment, Joseph filed for bankruptcy. Butterfield opposed Joseph’s bankruptcy, claiming Joseph had fraudulently conveyed land to hide it from creditors. Even though it was rare to prevail on a bankruptcy opposition, Butterfield petitioned for a hearing on the matter. Yet Butterfield was subsequently lenient and prepared a plan to settle the debt, which he recommended to solicitor General Penrose. The note was paid in full by Smith’s estate in 1852. While awaiting a response from Penrose, Butterfield represented Joseph in another case. Joseph was implicated in the attempted assassination of Missouri Governor Lilburn W. Boggs. The State of Missouri filed an extradition requisition in July 1842, and Joseph went into hiding to avoid it. The requisition claimed Smith was an accomplice in Boggs’s attempted murder and claimed he had fled from justice. Because Joseph was not in Missouri at the time of the attempted assassination, Butterfield consulted with Illinois Supreme Court Justices, who assured him that Joseph could not be extradited under existing law. At Butterfield’s suggestion, Joseph turned himself in and at the extradition hearing Butterfield and his co-counsel, Benjamin Edwards, successfully persuaded Judge Nathaniel Pope to refuse the extradition order. Butterfield’s speech included a remark that he appeared on behalf of the Prophet, with the attendance of Apostles, before the Pope (Judge Nathaniel Pope), and in the presence of angels (women present in the court, including Mary Todd Lincoln). After Butterfield’s representation of Joseph ended, they maintained an amicable relationship. Professionally, Butterfield went on to serve as the United States Commissioner of the General Land Office from 1849 to 1852.

Butterfield, Justin, to Charles Penrose, December 17, 1842. National Archives, Records of the Solicitor of the Treasury, Record Group 206, Part I (1841–52), microfilm copy at Church History Library, Salt Lake City.

- Church Historian's Press. "Butterfield, Justin." The Joseph Smith Papers, <http://josephsmithpapers.org/person/justin-butterfield> (accessed July 3, 2013).
- History of Sangamon County, Illinois*. Chicago: Inter-State Publishing Co., 1881.
- "Justin Butterfield's Defence of Joe Smith." *Central Law Journal* 2 (1875): 776.
- Linder, Usher F., and Joseph Gillispie. *Reminiscences of the Early Bench and Bar of Illinois*, 87–88. Chicago: Chicago Legal News Company, 1879.
- Oaks, Dallin H., and Joseph I. Bentley. "Joseph Smith and Legal Process: In the Wake of the Steamboat Nauvoo." *BYU Law Review* (1976): 735–82.
- "Opening in Joe Smith's Case." *New Orleans Daily Picayune*, February 24, 1842.
- Palmer, John M., ed. *The Bench and Bar of Illinois*, 1:2, 181; 2:613–614. Chicago: Lewis Publishing Company, 1899.
- Thurston, Morris A. "The Boggs Shooting and Attempted Extradition: Joseph Smith's Most Famous Case." *BYU Studies* 48, no. 1 (2009): 5–56.
- Wilson, John M. *Memoir of Justin Butterfield*. Chicago: Chicago Legal News Co., 1880.

CHAMBERLAIN, Joseph P. (c. 1795–1857). Chamberlain was born in New York, where he served as postmaster, sheriff, justice of the peace and farmer. By 1823 he was living in Bainbridge, Chenango County, New York. Chamberlain served as Justice of the Peace at a trial held for Joseph Smith in Chenango County in 1830.

- Hayes, Carlton J.H. *Story of Afton: A New York Town on the Susquehanna*. Afton, N.Y.: Afton Free Library, 1976, p. 16.
- Smith, James Hadden. *History of Chenango and Madison Counties, New York: with Illustrations and Biographical Sketches of Some of its Prominent Men and Pioneers*, 117–19, 144, 154. Syracuse, N.Y.: D. Mason and Co., 1880.

COWDERY, Oliver (1806–1850). Cowdery was Joseph Smith's principal scribe in translation of Book of Mormon in 1829, and was one of the Three Witnesses of the Book of Mormon. He led missionaries through Ohio and to Missouri, 1830–31, and assisted William W. Phelps in conducting church's printing operations at Jackson County, Missouri, 1832–33. In 1833 Cowdery moved to Kirtland, where he was a member of United Firm, Literary Firm, and Kirtland High Council. He edited Kirtland continuation of *The Evening and the Morning Star*, the *LDS Messenger and Advocate*, and the *Northern Times*. On October 2, 1835, Joseph Smith gave Oliver a blessing which stated: "Behold, he shall be a choice lawyer in Israel, both pertaining to the law of God and also the law of the land; for he shall have understanding in these matters." He was appointed assistant president of church in 1834 and elected Justice of the Peace in Kirtland in 1837. The same year he moved to Far West, Caldwell County, Missouri, where he was excommunicated in 1838. He then returned to Kirtland and briefly practiced law before relocating to Tiffin, Seneca County,

Ohio, where he continued law practice and held political offices from 1840 to 1847, when he moved to Elkhorn, Wisconsin Territory. He requested and received readmission to the LDS Church in Kanesville, Iowa, in 1848.

Church Historian's Press, "Oliver Cowdery," The Joseph Smith Papers, <http://josephsmithpapers.org/person/cowdery-oliver> (accessed December 5, 2013).

"Blessing for Oliver Cowdery, 2 October 1835," The Joseph Smith Papers, <http://josephsmithpapers.org/paperSummary/blessing-for-oliver-cowdery-2-october-1835> (accessed December 5, 2013).

DAVIDSON, James (1779–1847). Along with another farmer, John Reed, Davidson represented Joseph Smith in two 1830 New York cases brought in South Bainbridge and Colesville, accusing Joseph of being a disorderly person. After Joseph established a branch of the Church, an element of the Bainbridge community became enraged, and Josiah Stowell's wife's nephew, Peter Bridgman, a Methodist exhorter, pressed charges against Joseph claiming he was a disorderly person who had defrauded his uncle. Immediately following Joseph's discharge in Bainbridge, similar charges were brought in Colesville. Joseph was completely exonerated in both cases.

Church Historian's Press. "Davidson, James." The Joseph Smith Papers, <http://josephsmithpapers.org/person?name=James+Davidson> (accessed December 5, 2013).

Vogel, Dan. *Early Mormon Documents*, 4:121–25. 5 vols. Salt Lake City: Signature, 1996.

Smith, Joseph, Jr. *History of the Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 1:89–96. 2d ed., rev. 7 vols. Salt Lake City: Deseret Book, 1971.

DONIPHAN, Alexander William (1808–1887). Doniphan was a highly respected attorney in the northwestern Missouri region. At Augusta College he was trained in the art of public discourse. After graduating, Doniphan began his study of law by apprenticing in the office of Martin P. Marshall, nephew of Supreme Court Justice John Marshall. After two years and at only twenty years old, Doniphan was admitted to the Kentucky and Ohio bars to practice law. He soon moved to Missouri, drawn by the excitement of a rough country in need of lawyers. Doniphan had many interactions with the Mormons and the Prophet Joseph Smith. He first represented a number of Church leaders in 1833 when he, along with David Atchison, Amos Rees, and William Wood were hired to represent the Mormons in an effort to recover losses from mob violence in Jackson County. The attorneys pressed for criminal prosecution of the mob leaders as well as monetary reimbursement for a few of the victims of the mob action. As a member of the state legislature Doniphan was also instrumental in the formation of Caldwell County, which was intended as a safe haven for the Mormons who had been driven out of Jackson County. In 1838, as tensions began to rise between the Mormons and non-Mormons

in western Missouri, Doniphan acted as a liaison in attempting to resolve the conflict. The Mormon leaders eventually turned themselves in, and, after an illegal court martial, the general of the Missouri militia ordered the Mormon leaders be executed. In a show of great courage, Doniphan rebuked the general and refused to carry out the order. From Nov. 12 to 29, 1838, Doniphan and Amos Rees represented Joseph Smith and others in the Richmond Court of Inquiry before Judge Austin King. Although Doniphan's closing remarks were powerful and widely cited for years following, Joseph and the others were bound over for trial and detained in Liberty Jail. In 1843 Doniphan represented Porter Rockwell, who, was along with Joseph Smith, had been accused of the attempted assassination of Governor Lilburn Boggs. Doniphan was successful in his representation, and Rockwell was acquitted. Doniphan had an extensive military career and served as a brigadier general in the state militia and as a colonel in the U.S. Army during the Mexican American War of 1846. He was elected to the Missouri state legislature in 1836, 1840, and 1854.

Dawson, Joseph G. *Doniphan's Epic March: The 1st Missouri Volunteers in the Mexican War*. Lawrence: University Press of Kansas, 1999.

Dawson, Joseph G., III. "American Civil-Military Relations and Military Government: The Service of Colonel Alexander Doniphan in the Mexican War." *Armed Forces & Society* 22, no. 4 (1996): 555–72.

Elliot, R. Kenneth. "Alexander William Doniphan." Clay County Archives and Historical Library, <http://claycountyarchives.org/index.php/resources/history/89-alexander-william-doniphan> (accessed July 3, 2013).

Launius, Roger D. *Alexander William Doniphan: A Portrait of a Missouri Moderate*. Missouri: University of Missouri Press, 1997.

DOUGLAS, Stephen Arnold (1813–1861). Douglas was a lawyer, judge, and politician who was born in Vermont and moved to Jacksonville, Illinois, in 1833. He served as attorney general of Illinois (1835–36); state representative, (1836–41); Illinois secretary of state (1840–41); state supreme court justice (1841–42); U.S. representative (1843–4) and U.S. senator (1847–61). Douglas visited with Joseph in Nauvoo in May 1841 and enjoyed a close relationship with the Mormons during Joseph's life. As Associate Justice of the Illinois Supreme Court, Douglas conducted a hearing on Joseph Smith's first habeas corpus petition in June of 1841 in response to Missouri's extradition effort, ruling that the warrant used to arrest the prophet was invalid. At a dinner with Douglas in Carthage in 1843, Joseph prophesied: "Judge, you will aspire to the presidency of the United States; and if you ever turn your hand against me or the Latter-day Saints, you will feel the weight of the hand of the Almighty upon you; and you will live to see and know that I have testified the truth to you; for the conversation of this day will stick to you through life." In a political speech

in 1857 Douglas castigated the Mormons for their “treasonable, disgusting and bestial practices.” Douglas was subsequently defeated by Abraham Lincoln for the US presidency in 1860 and died of typhoid fever on June 3, 1861.

Church Historian's Press. “Douglas, Stephen A.” The Joseph Smith Papers, <http://josephsmithpapers.org/person/stephen-arnold-douglas> (accessed November 15, 2013).

Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 3:372. 2d ed., rev. 7 vols. Salt Lake City: Deseret Book, 1971.

“Douglas, Stephen Arnold.” *Encyclopædia Britannica*. 11th ed. 1911.

DOWEN, John C. (1796–1885). Downen was a farmer and Justice of the Peace who was born in New York. In June of 1832 he moved to Kirtland, Geauga County, Ohio. He was a member of the Methodist church and elected Justice of the Peace in 1833 and 1836. Acting on Joseph Smith's complaint, Downen issued the December 27, 1833, warrant for Doctor Philastus Hurlbut, who was charged with threatening to kill or injure Joseph. Downen subsequently served as a witness for Hurlbut during the preliminary hearing in which Hurlbut was ordered to post a recognizance bond to keep the peace and pay court costs.

Grua, David W. “Joseph Smith and the 1834 D. P. Hurlbut Case,” *BYU Studies* 44, no. 1 (2005): 33–54.

Downen, John C. “Statement of J. C. Downen.” In “Arthur B. Deming's *Naked Truths about Mormonism II*.” Dale R. Broadhurst, *Uncle Dales's Readings in Early Mormon History*, <http://www.sidneyrigdon.com/dbroadhu/CA/natr1988.htm#120088-1c2> (accessed December 5, 2013).

“Brigham Young (1801–1877).” Autobiography from Eldon Jay Watson, ed., “Manuscript History of Brigham Young, 1801–1844,” fall of 1834. Available at V. W. Smith, Book of Abraham Project, <http://www.boap.org/LDS/Early-Saints/MSHBY.html> (accessed December 5, 2013).

EDWARDS, Benjamin Stephenson (1818–1886). Edwards was the son of Ninian Edwards, Illinois governor and senator. He graduated from Yale in 1838 and studied law the following year with Stephen T. Logan, one of the most distinguished lawyers in Illinois and one-time partner with Abraham Lincoln. Together with Justin Butterfield, Edwards represented Joseph Smith in the extradition hearings of 1843 in Illinois. He was a delegate to the Illinois Constitutional Convention in 1862, elected circuit judge of Springfield Circuit in 1869, and served as president of the Illinois State Bar Association.

Church Historian's Press. “Edwards, Benjamin Stephenson.” The Joseph Smith Papers, <http://josephsmithpapers.org/person?name=Benjamin+Stephenson+Edwards> (accessed July 8, 2013).

“Edwards, Benjamin Stephenson.” *Historical Encyclopedia of Illinois and History of Sangamon Volume 2—Biographical*. Chicago: Munsell Publishing Company, 1912.

Linder, Usher F., and Joseph Gillispie. *Reminiscences of the Early Bench and Bar of Illinois*, 350–52. Chicago: Chicago Legal News Company, 1879.

Palmer, John, ed. *The Bench and Bar of Illinois: Historical and Reminiscent*, 1:190. Chicago: Lewis Publishing, 1899.

EMMONS, Sylvester (1808–1881). Emmons was a lawyer and newspaper publisher who was born in New Jersey. He moved to Philadelphia in 1831 and then to Illinois in 1840, where he was admitted to the bar in Hancock County in May of 1843. The same year he was elected to the Nauvoo City Council despite being a non-Mormon. In 1842 Joseph Smith and Orrin Porter Rockwell retained Emmons to represent them to prepare and argue petitions for a writ of habeas corpus before the Nauvoo Municipal Court in response to Missouri’s second extradition attempt. In 1844 Emmons, having become disaffected, became the editor of the *Nauvoo Expositor*. Emmons subsequently appeared as counsel for the state during the legal proceedings which resulted in Joseph and Hyrum being held without bail on a charge of treason in the Carthage Jail. That same year he moved to Beardstown, Cass County, Illinois, where he edited the *Beardstown Gazette* from 1844 to 1852 and served as county circuit clerk for nine years. In 1849 he was appointed postmaster of Beardstown. He served as mayor of Beardstown for two terms; was Master in Chancery for several terms, and was police magistrate and Justice of the Peace. He was a member of the Methodist Church.

Church Historian’s Press. “Emmons, Sylvester.” The Joseph Smith Papers, <http://josephsmithpapers.org/person/sylvester-emmons> (accessed October 7, 2013).

William Henry Perrin, ed. *History of Cass County, Illinois*. Chicago: O. L. Baskin & Co. Historical Publishers, 1882. Available at <http://www.rootsweb.ancestry.com/~ilcass/Perrin/biographies/emmons.s.txt2> (accessed November 12, 2013).

Hedges, Andrew H., Alex B. Smith, and Anderson Lloyd Richard, eds. *Journals, Volume 2: December 1841–April 1843*, vol. 2 of the Journals series of *The Joseph Smith Papers*, ed. Dean C. Jessee, Ronald K. Esplin, and Richard Lyman Bushman, 75. Salt Lake City: Church Historian’s Press, 2011.

GORDON, John A. Gordon represented Joseph in a suit against William McLellin in Missouri, 1838. On a few occasions, Gordon also visited Joseph in Liberty Jail.

HIGBEE, Elias (1795–1843). Higbee was never formally a lawyer, but was a judge. Higbee joined the Church in 1832 and suffered during the Missouri

persecutions. He later became the presiding judge of Caldwell County, Missouri. He served a mission to Missouri, Illinois, Indiana, and Ohio in 1835. Higbee assisted the Prophet in general legal matters and traveled with Joseph in 1839 to Washington, D.C., to seek reparations from President Van Buren for the Missouri mob depredations. He was the father of Francis M. and Chauncey L. Higbee, lawyers and excommunicated Mormons who were identified as members of the mob that killed Joseph and Hyrum Smith.

Church Historian's Press. "Higbee, Chauncey Lawson." <http://josephsmithpapers.org/person?name=Chauncey+Lawson+Higbee> (accessed July 8, 2013).

Church Historian's Press. "Higbee, Elias." The Joseph Smith Papers <http://josephsmithpapers.org/person?name=Elias+Higbee> (accessed July 8, 2013).

Church Historian's Press. "Higbee, Francis Marion." The Joseph Smith Papers <http://josephsmithpapers.org/person?name=Francis+Marion+Higbee> (accessed July 8, 2013).

HOLBROOK, William (1781–1865). Born in Connecticut, Holbrook was a Justice of the Peace and farmer. He moved to Geauga County, Ohio, about 1811 and to Painesville township by 1820, where he operated a mercantile business in partnership with Solomon Kingsbury. He served as Justice of the Peace in Painesville from at least 1831 to 1834. Holbrook was one of two justices who conducted the 1834 preliminary hearing to consider Joseph Smith's complaint against Doctor Philastus Hurlbut for threatening Joseph Smith's life.

Grua, David W. "Joseph Smith and the 1834 D. P. Hurlbut Case." *BYU Studies* 44, no. 1 (2005): 33–54.

"Obituary for William Holbrook." *Painesville Telegraph*, September 28, 1865, 3.

HUGHES, Andrew S. Hughes served as a consultant for the attorneys who represented Joseph Smith and others at Gallatin, Missouri, in 1839. He also visited Joseph at Liberty Jail.

The History of Clinton County, Missouri: Containing a History of the County, Its Cities, Towns, etc., 434–35. St. Joseph, Mo.: National Historical Company, 1881.

HUMPHREY, Van Rensselaer (1800–1864). Humphrey was a teacher, lawyer and judge born in Goshen, Connecticut. He was a teacher at age seventeen and admitted to the bar in 1820. In June 1821 he moved to Hudson, Summit County, Ohio, where he was elected Hudson Township Justice of the Peace in 1824. He was elected to the Ohio House of Representatives in 1828 and 1829. Humphrey was elected by the Ohio Legislature and served as President Judge of the Court of Common Pleas for the Third Judicial District from 1837 to 1844. He was appointed by the Ohio governor as a presiding judge (1844), served as mayor of Hudson (1851–52), district elector for the

Whig Party (1852), and Ohio delegate to the Democratic National Convention (1864).

- Doyle, William B., James F. Caccamo, and Brianna L. Caccamo. *Centennial History of Summit County, Ohio and Representative Citizens*, 262. Mt. Vernon, Ind.: Windmill Publications, 1993. Reprint of Chicago: Biographical Pub. Co., 1908.
- Lane, Samuel Alanson. *Fifty Years and Over of Akron and Summit County (Ohio)*, 1080. Akron, Ohio: Beacon Job Department, 1892.
- Perrin, William Henry. *History of Summit County: With an Outline Sketch of Ohio*, 236. Chicago: Baskin and Bettey, 1881.

KING, Austin Augustus (1802–1870). King was born in Sullivan County, Tennessee. In 1830 King moved to Missouri, where he practiced law at Columbia, Boone County, in partnership with John B. Gordon. He was elected to the state legislature as a Jacksonian Democrat from Boone County, 1834 and 1836. In 1837 he moved to Richmond, Missouri, where he was appointed circuit judge in northwestern Missouri by Governor Lilburn W. Boggs. Between 1837 and 1848, King served as judge of Missouri's Fifth Judicial Circuit, consisting of the counties of Clinton, Ray, Caldwell, Clay, Daviess, Carroll, and Livingston. According to Hyrum Smith, in November 1838, King participated in an illegal court martial at Far West which sentenced Joseph and other Church leaders to be executed. He subsequently presided at a court of inquiry or preliminary hearing for Joseph Smith and other Mormons at Richmond where he committed them to jail pending a grand jury hearing to be held in March 1839. On January 24, 1839, Joseph petitioned the Missouri legislature from Liberty Jail in which he charged Judge King of prejudice against the Mormons as a result of his brother-in-law's death during the earlier Jackson County conflict, as well as other evidence of bias demonstrated at the court of inquiry. This likely played a role in prompting enactment of a change to the Missouri venue statute, which allowed the prisoners to obtain a change of venue to Boone County. During their transfer to Boone County, Joseph and his fellow prisoners were allowed to escape, at the probable direction of King. King subsequently served as governor of Missouri in 1848–52 and represented Missouri in the U.S. Congress in 1863–65.

- Bay, William Van Ness. *Reminiscences of the Bench and Bar of Missouri*, 153–55. F. H. Thomas and Co., 1878.

Church Historian's Press. "King, Austin." The Joseph Smith Papers, <http://josephsmithpapers.org/person/austin-augustus-king> (accessed November 14, 2013).

- Madison, Gordon A., "Joseph Smith and the Missouri Court of Inquiry: Austin A. King's Quest for Hostages," *BYU Studies* 43, no. 4 (2004): 93–136.

Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 3:372. 2d ed., rev. 7 vols. Salt Lake City: Deseret Book, 1971.

LAMBORN, Josiah (1809–1847). As attorney general, Lamborn represented the State of Illinois in Joseph Smith's 1841 habeas corpus hearings in Illinois. He was a gifted but troubled attorney. One colleague, W. F. Linder, noted, "Intellectually, I know of no man of his day who was his superior. He was considered by all the lawyers who knew him as a man of the tersest logic." On multiple occasions he engaged in debates against Stephen Douglas and Abraham Lincoln. Illinois Supreme Court Justice Theophilus Smith said he "knew of no lawyer who was his equal in strength or force of argument." From 1840 to 1843, he served as Illinois Attorney General and appeared before the Supreme Court forty-six times and was known as "one of the most untiring yet merciless prosecutors that ever lived." The latter part of his term as prosecutor, however, was marked with corruption. As Usher Linder, who subsequently served as Illinois Attorney General, noted, Lamborn "was wholly destitute of principle, and shamelessly took bribes from criminals prosecuted under his administration." After the 1841 trial, Lamborn commented that Joseph was "a very good looking, jovial man." In 1844, Lamborn was appointed special prosecutor in a feeble and remarkably unsuccessful effort to prosecute the Carthage assassins of Joseph and Hyrum.

Church Historian's Press. "Lamborn, Josiah." The Joseph Smith Papers, <http://josephsmithpapers.org/person/josiah-lamborn> (accessed July 8, 2013).

Doyle, Cornelius J. "Josiah Lamborn, Attorney General of Illinois, 1840–1843." Speech given at White Hall, Illinois, May 30, 1927. Copy of transcript available in *Journal of the Illinois State Historical Society* 20 (1927): 185–200.

History of Sangamon County, Illinois, 104. Chicago: Inter-State Publishing Co., 1881. *Josiah Lamborn: Memorial Exercises by Greene County Bar at White Hall, Illinois, May 30, 1927*. White Hall, Ill.: Press of White Hall Register-Republican, 1927.

Linder, Usher F. *Reminiscences of the Early Bench and Bar of Illinois*, 350–52. Chicago: Chicago Legal News Company, 1879.

Oaks, Dallin H., and Marvin S. Hill. *Carthage Conspiracy: The Trial of the Accused Assassins of Joseph Smith*. Illinois: University of Illinois Press, 1979.

People v. Lamborn, 2 Ill. 123 (1834).

LANE, Jesse (1800–1881). Lane was born in Cannonsville (later in Tompkins), New York. He moved to Harmony (later in Oakland), Susquehanna County, Pennsylvania, by 1823. In 1825 he was appointed Justice of the Peace in Harmony and was also the owner of a sawmill and gristmill from 1825 to 1841. He also operated a storehouse in partnership with Nathan S. Williams. He moved to Wilmington, Delaware, by 1843, where he was a lumber

merchant. He served as a director of the Mechanics' Bank in 1859 and the National Bank of Wilmington & Brandywine in 1866. As Justice of the Peace, Lane witnessed the indenture or deed from Isaac and Elizabeth Hale to Joseph Smith for the purchase of thirteen acres and buildings in Harmony Township on August 25, 1830. On the 31st of the same month, Lane also signed the judgment in a consent case between George H. Noble and Joseph Smith for \$190.95, which was satisfied the following year.

Church Historian's Press. "Jesse Lane." The Joseph Smith Papers, <http://josephsmithpapers.org/person/jesse-lane> (accessed November 21, 2013).

Mackay, Michael Hubbard, ed. *Documents, Volume 1: July 1828–June 1831*, 167–71. Vol. 1 of the Documents series of *The Joseph Smith Papers*, ed. Dean C. Jessee, Ronald K. Esplin, and Richard Lyman Bushman. Salt Lake City: Church Historian's Press, 2013.

LEONARD, Abiel (1797–1863). Leonard was born in Vermont and educated at Dartmouth College, originally intending to be a minister, but then changing his course of study to law. Because of failing eyesight he was forced to abandon his formal studies. In 1816 he commenced studying law in the offices of Gould and Gill of Whiteboro, New York, and was admitted to the bar there in 1818. In 1819 at age twenty-two, he arrived at St. Louis and then walked to Franklin, Missouri, where he taught school and began a legal practice before moving to Fayette. While in Franklin he was goaded into a duel in which he killed his opponent, for which he was disbarred and disenfranchised. However, in response to public outcry, his rights were restored at the following session of the legislature. In Fayette he became known as a leader of the bar and was well known throughout central Missouri. In 1823 he was appointed state's attorney, and in 1834 he was elected to the state legislature. In 1855 he was appointed to the Missouri Supreme Court, where a colleague said of him: "While I have known others to excel him as an orator, I have known none who could excel him in the argument of a law question . . . he was the ablest lawyer I have known." On February 13, 1834, A. Sidney Gilbert wrote to Leonard confirming Parley P. Pratt's earlier meeting with Leonard, who agreed to represent the Church in prosecuting claims for damages against certain Jackson County residents. Gilbert also confirmed that Rees, Atchison, Doniphan and Williams were agreeable to Leonard's involvement.

Bay, W. V. N. *Reminiscences of the Bench and Bar of Missouri*, 356–70. St. Louis: F. H. Thomas and Co., 1878.

"History, 1838–1856, volume A-1 [23 December 1805–30 August 1834]," p. 426. The Joseph Smith Papers Project, <http://josephsmithpapers.org/paperSummary/history-1838-1856-volume-a-1-23-december-1805-30-august-1834?p=432>

Shoemaker, Floyd A. *Missouri and Missourians: Land of Contrasts and People of Achievements*, 1:632. Chicago: Lewis Publishing Co., 1943.

LITTLE, Sidney B. Little represented Joseph Smith in 1841 together with Orville Hickman Browning, Charles A. Warren, James H. Ralston, Cyrus Walker, and Archibald Williams before Judge Stephen Douglas in Joseph's 1841 extradition hearing in Illinois.

Gregg, Thomas. *History of Hancock County, Illinois: Together with an Outline of the History of the State and a Digest of State Laws*, 1:413. Lacrosse, Wisc.: Brookehaven Press, 2001.

"The Late Proceedings." *Times and Seasons* 2 (June 15, 1841): 447.

MASON, Charles. Charles Mason was a prominent figure in early Iowa history. When the Iowa territory was formed out of the Wisconsin territory, Mason was made chief justice of the Supreme Court of the Territory of Iowa. He served as chief justice through statehood until June 11, 1847, after which he resumed the practice of law. In 1841, Joseph Smith located and sued former Mormon militia commander George Hinkle in Iowa, alleging Hinkle broke into Joseph's house and stole property and forced Emma and their children from the home during the mob depredations at Far West. The case is notable in that sixteen depositions on written interrogatories were taken before Nauvoo Mayor John C. Bennett. Following a jury trial before Judge Mason on April 29, 1842, an award was entered against Hinkle for \$200 and court costs.

Iowa Official Register, 342. Iowa: Iowa General Assembly, Legislative Services Agency, 2009–10.

Morris, Eastin. *Reports of Cases Argued and Determined in the Supreme Court of Iowa*, 1:viii. Iowa City, Iowa: Silas Foster, 1847.

The History of Des Moines County, Iowa, 649. Chicago: Western Historical Company, 1879.

MORIN, Josiah (1791–1885). Morin was a pioneer settler of Millport, in present-day Daviess County, Missouri, in 1831. He was appointed county judge of Daviess County in 1837, and attended the court hearing at Gallatin, Daviess County, for Joseph Smith, Hyrum Smith, Lyman Wight, Caleb Baldwin, and Alexander McRae, April 9–11, 1839. After they were granted change of venue to stand trial in Columbia, Boone County, Missouri, Joseph Smith and his party stayed April 14–15, 1839, in home of Judge Morin, who was sympathetic to the Mormon cause. He later moved to Jackson County, Missouri, ca. 1842; to what later became Oregon Territory in 1846; to El Dorado County, and to Green Valley, Sonoma County, California, 1850.

NEELY, Albert (1798–1857). Born in New York, Neely was a merchant, postmaster, and Justice of the Peace. He was elected vestryman of the Protestant Episcopal Church in South Bainbridge, Chenango County, New York, in 1825 and commissioned Justice of the Peace the same year. He also may have been South Bainbridge's first postmaster. In March 1826, Neely presided over Joseph Smith's trial on charges of being a disorderly person. He was elected Boone County commissioner in 1844, and moved to Chicago, Illinois, by June 1850, where he died.

Madsen, Gordon A. "Joseph Smith's 1826 Trial: The Legal Setting." *BYU Studies* 30, no. 2 (1990): 91–108.

Smith, James H. 1784 *History of Chenango and Madison Counties, of New York, with Illustrations and Biographical Sketches of Some of Its Prominent Men and Pioneers*, 176. Syracuse, New York: D Mason and County, 1880.

Vogel, Dan, comp. and ed. *Early Mormon Documents*, 4:95, 108, 127–28, 226, 239–40, 257–65. 5 vols. Salt Lake City: Signature Books, 1996.

NOBLE, Joel King (1789–1874). Born in Connecticut, Noble moved to Cambridge, Washington County, New York, by August 1800; to Windsor, Broome County, by August 1820; and Colesville, Broome County, New York, by 1822. Noble was elected Justice of the Peace in 1828, 1832, and 1835. Noble was one of three Justices of the Peace who presided over a court of special sessions which tried Joseph and acquitted Joseph a second time in 1830 for being a disorderly person.

Bushman, Richard Lyman, with Jed Woodward. *Joseph Smith: Rough Stone Rolling*, 116–17. New York: Alfred A. Knopf, 2005.

County Clerk. "Certificates of Election" (Broome County, New York). In "Certificates of Election and Register of Civil Officers, 1821–1885," *Certificates of Election and Register of Civil Officers, 1821–1885*, 42, 74, 102. Salt Lake City: Filmed by the Genealogical Society of Utah from original records in the Broome County Courthouse, 1969.

"Mormonism." *New England* (Boston) *Christian Herald*, November 7, 1832, 22–27.

OSBORN, Salmon S. (1804–1904). Osborn represented Joseph Smith in multiple suits in Ohio. He was an attorney and bank executive. In 1828 he opened a law office with R. Gidding in Chardon, Geauga County, Ohio. He moved to Painesville in 1833 and formed the law firm of Perkins & Osborn with William L. Perkins in Painesville in 1834. He was elected Cashier at First National Bank of Painesville in 1849 and remained there until at least 1870.

PAINE, J. C. [Possibly Ira C. Paine (1805–1883).] Paine represented Joseph Smith in Ohio. He was an attorney, judge, and Justice of the Peace in

Painesville, Geauga (now Lake) County, Ohio. Ira Paine practiced law in Ohio from 1830 to 1847, when he moved to Wisconsin.

PERKINS, William Lee (1799–1882). Perkins was a lawyer and politician born in Connecticut, where he studied law and was admitted to the Hartford bar in 1824. He moved to Painesville, Geauga County, Ohio, in 1828, where he continued to practice law. In 1834 he and Salmon S. Osborn formed the law firm of Perkins & Osborn, which represented Joseph Smith in Ohio. He was Lake County Prosecuting Attorney in 1840 and served in the Ohio senate from 1843 to 1847. He was mayor of Painesville, beginning in 1853, and Lake County Prosecuting Attorney again from 1859 to 1863.

PHELPS, William Wines (1792–1872). Phelps was a writer, teacher, printer, newspaper editor, publisher, postmaster, and ultimately lawyer. He first obtained a copy of the Book of Mormon and met Joseph Smith in 1830 but was not baptized until June 10, 1831, at Kirtland. He was appointed church printer in 1831 and after moving to Jackson County, Missouri, Oct. 1831, he became editor of *The Evening and the Morning Star* and *Upper Missouri Advertiser*. In 1833 he was in the midst of printing the Book of Commandments when his printing office was razed by a mob. After being exiled from Jackson County, he moved to Clay County, where he was appointed to Missouri High Council presidency. He returned to Kirtland and served as Joseph Smith's scribe and helped compile the Doctrine and Covenants and first Latter-day Saint hymnal in 1835. He subsequently returned from Kirtland to Clay County, where he resumed duties with Missouri presidency in 1836. He was excommunicated in 1838, but reconciled with the Church and was rebaptized in 1841. A prolific hymn writer, Phelps served a mission to the eastern U.S., was appointed assistant Church historian, and was recorder of Church licenses. In Nauvoo, Illinois, Phelps assisted John Taylor in editing *Times and Seasons* and *Nauvoo Neighbor*. He was elected to the Nauvoo City Council and was a member of the Council of Fifty. In Utah he helped draft the constitution for Utah Territory, was admitted to the Utah territorial bar in 1851, and was a member of the territorial legislative assembly from 1851 to 1857. On March 9, 1843, Joseph wrote in his diary: "Bro[ther] Phelps you shall know law, and understand law and you shall be a lawyer in Israel and the time shall come when I shall not need say thus is the law for you shall know the law."

Church Historian's Press, "William Phelps," The Joseph Smith Papers, <http://josephsmithpapers.org/person/phelps-william> (accessed December 5, 2013)

Faulring, Scott H., ed. *An American Prophet's Record: The Diaries and Journals of Joseph Smith*, 328–29. Salt Lake City: Signature Books, 1987.

POPE, Nathaniel (1784–1850). Pope was the U.S. District Judge for Illinois who presided over Joseph Smith's January 1843 habeas corpus hearing in Springfield. He was born in Louisville, Kentucky, and graduated from Transylvania University in 1806. He moved first to the St. Genevieve District, Louisiana Territory (later in St. Genevieve County, Missouri) and then to Kaskaskia, Illinois Territory, in 1809. He served as secretary of the Illinois Territory (1809–17); as territorial delegate to U.S. Congress (1817–18) and as register of land office at Edwardsville, Illinois Territory (1818–19). Pope was appointed to the federal bench by President James Monroe and served as U.S. district judge for Illinois from 1819 to 1850.

Angle, Paul McClelland. *Nathaniel Pope from 1784–1850, a Memoir*. Springfield, Ill., 1937.

Church Historian's Press. "Pope, Nathaniel." The Joseph Smith Papers, <http://josephsmithpapers.org/person/nathaniel-pope> (accessed November 10, 2013).

RALSTON, James Henry (1807–1864). Ralston was born in Bourbon County, Kentucky, and served in Black Hawk War in 1832. He was a member of Illinois House of Representatives (1836–38), circuit judge in 1837, and a member of Illinois Senate from 1840 to 1844. In the Mexican War he was captain and assistant quartermaster. By 1850 he had moved to California, where he became a member of California's first state senate. Ralston later moved to Utah Territory (later in Nevada Territory), ca. 1860 and lived at Austin, Nevada Territory, by 1863. He assisted Orville Browning, Sidney B. Little, Cyrus Walker, and Archibald Williams in Joseph Smith's 1841 extradition hearing before Judge Stephen A. Douglas. On August 31, 1841, Calvin A. Warren wrote Joseph Smith requesting a loan for "Judge Ralston" and him.

Church Historian's Press. "Ralston, James Henry." The Joseph Smith Papers, <http://josephsmithpapers.org/person/james-henry-ralston> (accessed November 21, 2013).

"Letter from Calvin A. Warren, 31 August 1841," <http://josephsmithpapers.org/paperSummary/letter-from-calvin-a-warren-31-august-1841> (accessed November 21, 2013).

Snyder, J. F. "Forgotten Statesmen of Illinois: James Harvey Ralston." In *Transactions of the Illinois State Historical Society for the Year 1908*, 13:215–32. Illinois: Illinois State Journal Co., State Printers, 1909.

Young, Kevin R. "Ralston, James Harvey." In *Handbook of Texas Online*, Texas State Historical Association, <http://www.tshaonline.org/handbook/online/article/fra55> (accessed July 8, 2013).

REED, John Savage (ca. 1785–1878). Reed was a farmer and layman/lawyer in Bainbridge, New York, who first met Joseph Smith in 1823 when the

eighteen-year-old Joseph arrived in Bainbridge. Reed and James Davidson were hired by Joseph Knight to defend Joseph in the Bainbridge and Colesville disorderly person cases in 1830. Reed visited Nauvoo during May 1844 as a delegate from Chemung County, New York, to elect Joseph Smith as United States president, and related his experiences in defending Joseph during the early New York trials. In 1861, an elderly Reed wrote to Brigham Young recounting his legal defense of Joseph Smith: "i beli(e)ve to this Day that God was on his side to diliver him from those wicked sons of bitc(h)es, for that Boy Joseph sat thare aparently as unconcerned as if he was in his one (own) farthers house and when a hard witnness woold com(e) upon the stand I wood say to him that our case Looked bad he said with a smile upon his countenance, i shall be cleared(:) de your duty and fear not." Reed also commented on his own performance, stating, "but I had not stood long uapon the floor before the corrt before my tung was Loosed from the reff of my mouth and it did came to me and has ever sence that time inspired By that god that stood by that bo(u)ndless Boy to clear and deliver him from the <h>and of the Devil(.)"

Bushman, Richard Lyman, with Jed Woodward. *Joseph Smith: Rough Stone Rolling*, 116–17. New York: Alfred A. Knopf, 2005.

Reed, John S., to Brigham Young, December 6, 1861. Brigham Young Collection, Church History Department, Salt Lake City.

"Some of the Remarks of John S. Reed, Esq., as Delivered before the State Convention." *Times and Seasons* 5 (June 1, 1844): 549–51.

Vogel, Dan, comp. and ed. *Early Mormon Documents*, 4:121–25. 5 vols. Salt Lake City: Signature Books, 1996.

Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 1:89–96. 2d ed., rev. 7 vols. Salt Lake City: Deseret Book, 1971.

REES, Amos (1800–1886). Rees moved to Missouri by 1830 and represented Joseph and others along with attorneys Atchison, Doniphan, and Wood to recover damages for mob actions taken against the Mormons in Jackson County in 1833. He was the resident prosecuting attorney for Clay County, 1831–34; and for Missouri fifth judicial circuit, 1831–37. Rees was a major in the militia in 1838 in Ray County, Missouri. Despite his legal representation of Joseph Smith, Rees was antagonistic towards the Mormons. He and Wiley C. Williams presented Governor Boggs with exaggerated tales of Mormon conflicts with Missourians, and their reports ultimately resulted in Governor Boggs issuing his infamous extermination order in 1838. Notwithstanding, Rees, along with Alexander Doniphan, Andrew Hughes, and Peter Burnett, represented Joseph and several others in the Richmond Court of Inquiry before Judge Austin King in November 1838. In April 1839, Rees and Burnett represented Joseph Smith and other Church leaders at the Grand

Jury hearing in Gallatin, Missouri, where Joseph and others were indicted for treason, arson, and burglary.

Church Historian's Press. "Rees, Amos." The Joseph Smith Papers, <http://josephsmithpapers.org/person?name=Amos+Rees>.

Roberts, B. H. *The Missouri Persecutions*. Salt Lake City: George Q. Cannon and Sons, 1900.

REEVES, Lewis R. (1817–1854). Reeves, born in Trumbull County, Ohio, moved to Fort Madison as a young man. He practiced law in Fort Madison, Lee County, Iowa Territory, gaining a reputation as one of the ablest lawyers in the county. Reeves represented Joseph Smith with Alfred Rich under the partnership of Rich & Reeves, in *Smith v. Hinkle*, filed in the District Court for the Iowa Territory, in Lee County, on May 14, 1841. He moved to Keokuk County, Iowa Territory, by 1850 and shortly thereafter formed a partnership with Samuel F. Miller, who subsequently became a Justice of the U.S. Supreme Court. The law firm Reeves & Miller was considered one of the finest firms in the territory. Reeves died unexpectedly in 1854.

Stiles, Edward H. *Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa*, 329–30. Des Moines: Homestead, 1916.

Hall, Timothy L. *A Biographical Dictionary: Supreme Court Justices*, 141. New York: Facts on File, 2001.

Ross, Michael A. *Justice of Shattered Dreams: Samuel Freeman Miller and the Supreme Court during the Civil War Era*, 20–21. Baton Rouge: Louisiana State University Press, 2003.

The Supreme Court Historical Society Quarterly 11 (1993): 10.

Fairman, Charles. *Mr. Justice Miller and the Supreme Court, 1862–1890*, 18–19. Cambridge: Harvard University Press, 1939.

REID, Hugh T. (1811–1874). Reid was a farmer, lawyer, land developer, railroad owner, and operator. He graduated from Indiana College in 1837 and was admitted to the Indiana Bar in 1839. He practiced law in Fort Madison, Lee County, Iowa. In June 1844, Reid and James Woods represented Joseph and Hyrum in the final hearings that resulted in their imprisonment and subsequent murders at Carthage Jail.

REYNOLDS, Thomas (1796–1844). Reynolds was born in Kentucky and admitted to the bar there in 1817 before he was twenty-one years old. In his early twenties he moved with his family to Springfield, Illinois, where he served as the clerk of Illinois House of Representatives (1818–22), member of the house (1826–28), and as chief justice of the Illinois Supreme Court (1822–25). He moved to Fayette, Missouri, ca. 1829, where he practiced law and

served as the editor for the local newspaper. In 1832 he was elected to the Missouri General Assembly and served as speaker of the house. On January 25, 1837, he was appointed by Governor Lilburn W. Boggs as judge of the Second Judicial Circuit of Missouri, which included Boone County. In August 1840, Judge Reynolds dismissed the outstanding indictments against Joseph Smith and five others. Reynolds was elected governor in 1849, succeeding Boggs. As governor, Reynolds issued a requisition for the extradition of Joseph Smith, which resulted in the habeas corpus hearing before Judge Nathaniel Pope the following year. Reynolds committed suicide in the executive mansion ten months before his term expired.

Church Historian's Press. "Reynolds, Thomas." The Joseph Smith Papers, <http://josephsmithpapers.org/person/thomas-reynolds> (accessed November 15, 2013).

Livingstone, William G. "Historical Notes: The Thomas Reynolds Confusion." *Journal of Illinois Historical Society* 54 (Winter 1961): 423–30.

RICH, Alfred (?–1842). Rich was born in Kentucky and studied law under W. W. Southworth in Covington, Kentucky. He moved to Fort Madison, Lee County, Iowa Territory, by 1838, where he became the district attorney. Described as eccentric, gifted, and very bright, Rich taught school in Fort Madison. In 1839 he was elected to the Iowa Territorial Legislature. He ran for Congress in 1840 and 1841 as a Whig candidate, losing both times. Rich died as a young man in the spring of 1842 of consumption. Rich represented Joseph Smith with Lewis R. Reeves under the law partnership of Rich & Reeves, in *Smith v. Hinkle*, filed in the District Court for the Iowa Territory, in Lee County, on May 14, 1841. This case was tried on April 22, 1842, shortly before Rich's death.

Parvin, Theodore. *The Early Bar of Iowa*, 4, 9–10 n. 1, 14–15. Iowa City, Iowa: State Historical Society, 1894.

Portrait and Biographical Album of Louisa County, Iowa, 601, 622. Chicago: Acme, 1889.

Shaffer, John R. *Annual Report of the Board of Directors of the Iowa State Agricultural Society*, 345. Des Moines: Geo. E. Roberts, 1889.

Fairall, Herbert S. *Manual of Iowa Politics*, 1:11–13. Iowa City: Republican Publishing Co, 1884.

Stiles, Edward H. *Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa*, 324–26. Des Moines: Homestead, 1916.

ROLLINS, James S. (1812–1888). Rollins was born in Richmond, Kentucky and attended Washington College (now Washington and Jefferson College) in Pennsylvania. He graduated from Indiana University in 1830, when his

family moved to Boone County, Missouri. He read law in the Columbia office of Abiel Leonard for two years and then in 1832 enlisted in the Black Hawk War with the rank of major. After the war he entered law school at the University of Transylvania in Lexington, Kentucky, graduating in 1834. The same year he was admitted to the bar and began practicing in Columbia. Rollins assisted Alexander Doniphan and Amos Rees as attorneys for the Mormons for the November 1838 Court of Inquiry before Judge Austin King in Richmond. Rollins was elected a representative to the Missouri state legislature in 1838, 1840, and 1854 and as senator in 1846. As a representative Rollins was instrumental in establishing the University of Missouri at Columbia. He was elected to Congress in 1860 and again in 1862. He was a substantial slave-holder who was nonetheless a Unionist who voted for most war measures in Congress. Rollins played a key role in the passage of the Thirteenth Amendment to the Constitution, which abolished slavery.

“Rollins, James Sidney.” Biographical Directory of the United States Congress, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=R000412> (accessed November 12, 2013).

Wood, James M. “James Sidney Rollins of Missouri: A Political Biography.” PhD diss., Stanford University, 1951.

Smith, William Benjamin. *James Sidney Rollins*. New York: De Vinne Press, 1891.

Launius, Roger D. *Alexander William Doniphan: Portrait of a Missouri Moderate*, 66. Columbia: University of Missouri Press, 1997.

RYLAND, John F. (1797–1873). Ryland was a teacher, farmer, lawyer, judge. He was born in Virginia, but moved to Kentucky in 1809 where he attended Forest Hill Academy in Washington County (later in Marion County). Licensed as a lawyer in Kentucky before 1819, Ryland moved to Franklin, Missouri, in 1819 to begin his law practice, and was admitted to the circuit court in Lexington, Missouri, in 1823. He was appointed judge of Missouri’s Sixth Judicial Circuit in 1830 and served on the Missouri Supreme Court from 1848 to 1857. During the 1833 conflict in Jackson County, Ryland at least twice refused the Mormons’ request for peace warrants. At the July 1836 term of the Ray County Circuit Court, Ryland tried W. W. Phelps and Bishop Edward Partridge’s civil suits for damages against those who admitted to having destroyed Phelps’s printing press and office and tarred and feathered Bishop Partridge. Ryland found the defendants culpable for the acts, but awarded Phelps a judgment of only \$750 and Bishop Partridge “a peppercorn and one penny.”

Church Historian’s Press. “Ryland, John F.” The Joseph Smith Papers, <http://josephsmithpapers.org/person/john-f-ryland> (accessed November 16, 2013).

Firmage, Edwin Brown, and Richard Collin Mangrum. *Zion in the Courts: A Legal History of the Church of Jesus Christ of Latter-day Saints, 1830–1900*, 66, 69–70. Urbana: University of Illinois Press, 1988.

Ray County Circuit Court. July 1836, Book A, pp. 236–38, 249–50.

Garr, Arnold K., and Clark V. Johnson, eds. *Regional Studies in Latter-day Saint Church History, Missouri*, 245, 298. Provo, Utah: Department of Church History and Doctrine, Brigham Young University, 1994.

SKINNER, Onias C. (1817–1877). Skinner was a sailor, schoolteacher, preacher, farmer, lawyer, and railroad president. Born in Oneida County, New York, he moved to Hancock County, Illinois, by 1841. As a lawyer, he both represented and opposed Joseph Smith. Beginning in 1841, when he was only twenty-three years old, Skinner performed some general legal work for Joseph. However, just three years later, in 1844, he took a leading role in the anti-Mormon Warsaw, Illinois, meeting where a resolution was drafted that recommended the Mormon extermination or expulsion from Illinois. A few weeks after the Warsaw meeting, Skinner was appointed as special counsel to prosecute Joseph Smith and others in a preliminary treason hearing. He was Illinois Governor Thomas Ford's aide-de-camp during the Mormon persecutions in Illinois. Skinner, along with Chauncey L. Higbee, Thomas Sharp, Sylvester Emmons, and Thomas Morrison, all represented the State during the hearings that led to Joseph and Hyrum's imprisonment and subsequent murder at Carthage Jail. Later in 1844, after Joseph and Hyrum's assassination, Skinner was part of the defense team in the trial of the accused assassins. Skinner served as an Illinois State Legislator from 1848 to 1850. In 1851 he was elected a circuit judge for the Fifth Judicial Circuit. He was a justice of the Illinois Supreme Court from 1855 to 1857. Abraham Lincoln appeared before him during that time in approximately thirty-eight cases. Skinner took part in the Illinois State Constitutional Convention in 1870.

Gregg, Thomas. *History of Hancock County, Illinois*, 1:411. Chicago: Charles C. Chapman, 1880.

Palmer, John, ed. *The Bench and Bar of Illinois: Historical and Reminiscent*, 1:54; 2:876. Chicago: Lewis Publishing, 1899.

Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 6:596. 2d ed., rev. 7 vols. Salt Lake City, Deseret Book, 1971.

State of Illinois. "Onias C. Skinner: Previous Illinois Supreme Court Justice." Illinois Courts, http://www.state.il.us/court/SupremeCourt/JusticeArchive/Bio_Skinner.asp (accessed July 9, 2013).

Wilcox, David F., ed. *Quincy and Adams County: History and Representative Men*, 149. Chicago: Lewis Publishing Company, 1919.

SMITH, Robert F. Smith was a Methodist minister, justice of the peace, and captain of the Carthage Greys Militia. On June 25, 1844, Governor Thomas Ford maintained that only a state trial would calm the furor over the destruction of the *Nauvoo Expositor*. Joseph and fifteen others therefore received guarantees of safety and presented themselves before Justice of the Peace Smith in Carthage, where they were freed on bail pending the October term of the Circuit Court. However, before they could leave, Joseph and Hyrum were immediately jailed on a writ issued by Smith on a charge of treason, which was a nonbailable offense. On June 1844, Governor Ford met with the prisoners and then disbanded all the militia companies, except the hostile Carthage Greys, who were left to guard the jail while Ford traveled to Nauvoo. After Ford's departure, the discharged Warsaw militia company and others attacked the jail. The Carthage Greys gave only token resistance; they had loaded their weapons with gunpowder but no bullets. The mob then stormed the jail, murdering Joseph and Hyrum.

Smith, Joseph, Jr., *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 6:561–74. 2d ed., rev. 7 vols. Salt Lake City, Deseret Book, 1971.

STILES, George Philander (1816–1885). Born in New York, Stiles operated a law office from at least 1842–43, in Nauvoo, Illinois, and was for a time Nauvoo City Attorney. He was ordained a Seventy by 1846 and served as first lieutenant, Nauvoo Legion. By 1850 he had moved to Pottawattamie County, Iowa, eventually settling in Council Bluffs, being elected Council Bluffs City Attorney in 1853. He was appointed Associate Justice of Utah Territory in 1854, and assigned as Associate Justice of Third District of Utah Territory. In 1856 he was excommunicated, and subsequently moved to Washington, D.C., and then to Ohio, after which he served as a first lieutenant in the Civil War, mayor of Cardington Twp., and a member of the Bar in Morrow County. By 1880 he had moved back to Washington, D.C., where he worked as a clerk in the Treasury. Stiles appeared as a lawyer for Joseph Smith and other Nauvoo authorities in the Justice Court proceeding before Daniel H. Wells on June 17, 1844, in which the defendants were all discharged.

Smith, Joseph, Jr., *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 6:488–91. 2d ed., rev. 7 vols. Salt Lake City, Deseret Book, 1971.

THOMAS, Jesse B. (1806–1850). Thomas was born in Lebanon, Ohio. After studying law at Transylvania University in Lexington, Kentucky, he settled in Edwardsville, Illinois. By 1830 Thomas was serving as secretary to the Illinois State Senate. Four years later he served a partial term in the Illinois House of Representatives for Madison County before being appointed Attorney General,

a post he held for a single year. From 1837 through 1839, he was a circuit court judge based in Springfield. His circuit included New Salem, where he heard cases argued by Abraham Lincoln. When Stephen A. Douglas gave up his seat on the Illinois Supreme Court in 1843 after being elected to Congress, Governor Thomas Ford appointed Thomas as Douglas's successor. After retiring from the Supreme Court in 1848, he moved first to Galena and then to Chicago, where he died in 1850. Following Joseph's acquittal before the Nauvoo Municipal Court on charges of riot arising from the destruction of the *Expositor*, the Nauvoo authorities consulted with Judge Thomas, who advised them that in order to satisfy their critics they should be retried before a non-Mormon magistrate. Accordingly, Joseph and other Nauvoo leaders submitted to a second hearing before nonmember Nauvoo Justice of the Peace Daniel H. Wells, who acquitted them.

- Bateman, Newton, Paul Selby, Frances M. Shonkwiler, and Henry L. Fowkes. *Historical Encyclopedia of Illinois*, 521. Chicago: Munsell Publishing Company, 1908.
- Linder, Usher F., and Joseph Gillespie. *Reminiscences of the Early Bench and Bar of Illinois*, 261–64. Chicago: Chicago Legal News, 1879.
- Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 6:498. 2d ed., rev. 7 vols. Salt Lake City: Deseret Book, 1971.

THOMPSON, Robert Blashel (1811–1841). Thompson was not an attorney, but more of a legal philosopher. Parley P. Pratt baptized Thompson a member of the Church in 1836. While he never represented Joseph or the church in court, he did assist in various transactional matters. In 1839 Thompson, Almon Babbitt, and Erastus Snow were appointed to be a traveling committee charged with obtaining all the libelous reports and publications that had been circulated against the Church. In 1840, Thompson assisted Elias Higbee in drafting a petition to Congress for a redress of the grievances against the Mormons in Missouri. Later, in January 1841, Joseph Smith received a revelation that Thompson was to assist the Prophet in drafting religious proclamations to the kings, presidents, and governors of earth. Thompson served as a scribe and clerk of the Church and died in Nauvoo.

- Church Historian's Press. "Thompson, Robert Blashel." The Joseph Smith Papers, <http://josephsmithpapers.org/person/robert-blashel-thompson> (accessed July 9, 2013).
- Jenson, Andrew. *Latter-day Saint Biographical Encyclopedia: A Compilation of Biographical Sketches of Prominent Men and Women in The Church of Jesus Christ of Latter-day Saints*, 1:284. 4 vols. Salt Lake City: Andrew Jenson History, 1901–36.
- Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 3:283–84, 345; 4:191–97, 237, 250–51, 411. 2d ed., rev. 7 vols. Salt Lake City: Deseret Book, 1971.

TURNHAM, Joel (1783–1862). Turnham was a farmer and judge who was born in Virginia and moved to Kentucky by 1810. He served in the War of 1812 in the Kentucky militia. By 1822 he had moved to Clay County, Missouri, where he served as Clay County court judge, 1827–30, 1838–44, and 1854–56. He built a tobacco warehouse at Liberty Landing (later Liberty) in 1830–31. Turnham was the judge who heard the habeas corpus petitions by Joseph and other Church leaders in 1839 when Sidney Rigdon alone was released. According to Hyrum Smith's Affidavit presented to the Nauvoo Municipal Court in July at 1843, Judge Turnham visited the prisoners in Liberty Jail in the evening following the hearing and apologized for keeping them in jail, knowing they were innocent but fearing mob violence if he had released them.

Burnett, Peter Hardeman. *Reflections and Opinions of an Old Pioneer*, 53–55. D. Appleton and Co., 1880.

Church Historian's Press. "Joel Turnham." The Joseph Smith Papers, <http://josephsmithpapers.org/person/turnham-joel> (accessed November 21, 2013).

Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 3:264, 421. 2d ed., rev. 7 vols. Salt Lake City: Deseret Book, 1971.

WALKER, Cyrus (1791–1875). Walker represented Joseph Smith in 1841 along with Orville Hickman Browning, Charles A. Warren, Sidney B. Little, James H. Ralston, and Archibald Williams before Judge Stephen Douglas in an extradition hearing in Illinois. Walker agreed to represent Joseph only after securing Joseph's vote in his race for the U.S. House of Representatives.

"Cyrus Walker, Esquire." Melissa's World, <http://www.beadles.org/mcdonough-county-illinois-history/cyrus-walker-esquire/> (accessed July 9, 2013).

"History of Joseph Smith." *Millennial Star* 18 (August 30, 1856): 551.

Palmer, John, ed. *The Bench and Bar of Illinois: Historical and Reminiscent*, 2:736–39. Chicago: Lewis Publishing, 1899.

WARREN, Calvin Averill (1807–1881). Warren was one of the attorneys who represented Joseph Smith through his 1841 bankruptcy hearings and then after Joseph's death. Interestingly, Warren also acted as defense attorney for Joseph's accused assassins during the same time period. He was identified by Jacob Backenstos as one of the mob that killed Joseph and Hyrum. On August 31, 1841, Warren wrote Joseph Smith requesting a loan to purchase land in Warsaw.

Church Historian's Press. "Warren, Calvin Averill." The Joseph Smith Papers, <http://josephsmithpapers.org/person/calvin-averill-warren> (accessed July 9, 2013).

"The Late Proceedings." *Times and Seasons* 2 (June 15, 1841): 447.

Oaks, Dallin H., and Marvin S. Hill. *Carthage Conspiracy: The Trial of the Accused Assassins of Joseph Smith*, 85. Illinois: University of Illinois Press, 1979.

Smith, Joseph, Jr. *History of The Church of Jesus Christ of Latter-day Saints*, ed.

B. H. Roberts, 4:594. 2d ed., rev. 7 vols. Salt Lake City: Deseret Book, 1971.

“Warren, Calvin A.” In *Historical Encyclopedia of Illinois*, ed. Newton Bateman and Paul Selby, 577. Chicago: Munsell Publishing, 1900.

WARREN, Charles A. Warren assisted Orville Hickman Browning, Sidney B. Little, James H. Ralston, Cyrus Walker, and Archibald Williams before Judge Stephen Douglas in the extradition hearing in Illinois in 1841.

WELLS, Daniel H. (1814–1891). Wells was a farmer, teacher, ferry operator, lumber merchant, manager of a nail factory, Justice of the Peace, politician and LDS apostle. Born in Oneida County, New York, Wells moved to Marietta, Ohio, around 1832 and to Commerce (later Nauvoo), Illinois in 1834. As non-Mormon, Wells served as Justice of the Peace, alderman, school warden, regent of University of Nauvoo, and commissary general in the Nauvoo Legion. On June 10, 1844, Wells was a member of the Nauvoo City Council which ordered the suppression of the *Nauvoo Expositor*. Following Joseph Smith’s arrest for riot, Joseph was acquitted by the Nauvoo Municipal Court. In the face of rising resentment, the Nauvoo authorities consulted with state circuit judge Jesse B. Thomas, who advised that in order to satisfy the people, they should be retried before another magistrate who was not a member of their faith. Accordingly, on June 17, Joseph and other leaders submitted to a retrial before Daniel Wells as Justice of the Peace residing near Nauvoo. After hearing numerous witnesses and counsel for both prosecution and defense, Wells granted a judgment of acquittal. In 1846 Wells was baptized into LDS church and played a leading role in the Battle of Nauvoo. He migrated to Salt Lake City in Brigham Young’s pioneer company in 1848. Wells subsequently served as attorney general for the provisional state of Deseret, a member of legislative council, and was ordained an Apostle and appointed second counselor in First Presidency by Brigham Young in 1857. He afterwards served as president of territorial legislative council, president of the European mission, president of the Manti temple and counselor to the Quorum of the Twelve.

Church Historian’s Press. “Wells, Daniel Hanmer.” The Joseph Smith Papers, <http://josephsmithpapers.org/person/daniel-hanmer-wells> (accessed November 16, 2013).

Oaks, Dallin H. “The Suppression of the Nauvoo Expositor.” *Utah Law Review* 9 (1965): 865–66.

WILLIAMS, Archibald. Williams represented Joseph Smith along with Orville Hickman Browning, Charles A. Warren, Sidney B. Little, James H. Ralston, and Cyrus Walker in the 1841 extradition hearing before Judge Stephen Douglas.

City of Quincy Lincoln Bicentennial Commission. "Archibald Williams." Building on Lincoln's Legacy in Quincy and Adams County, Illinois, <http://www.lincolndouglasquincydebate.com/html/williams.html> (accessed July 9, 2013).

The Lincoln Institute. "Archibald Williams." Mr. Lincoln and Friends, <http://www.mrlincolnandfriends.org/inside.asp?pageID=121> (accessed July 9, 2013).

Livingston, John. "Hon. Archibald Williams of Quincy Illinois." In *Portraits of Eminent Americans Now Living with Biographical and Historical Memoirs of Their Lives and Actions*, 2:679–80. New York: Cornish, Lamport and Co., 1853.

WILLIAMS, John R. During the Austin King Court of Inquiry in Richmond, the Mormon defendants hired Williams and others to assist in their defense.

LeSueur, Stephen C. *The 1838 Mormon War in Missouri*, 212. Columbia: University of Missouri Press, 1987.

WOOD, William Thomas (1809–1902). Along with Doniphan, Atchison, and Rees, one of the first attorneys who agreed to represent the Mormons in the reparation efforts following the 1833 Jackson County mob attacks. He received legal training while working as a court clerk for Clay County in 1829. He later became a Circuit Court Judge in Lexington, Missouri. In 1886, Wood wrote a lengthy letter to the *Liberty Tribune* responding to an article highly critical of Clay County people and officials which had been published in the Salt Lake Evening News. Wood branded the article "false and reckless" and purported to give the facts surrounding the Saints' early settlement in Clay County, the creation and settlement of Caldwell County, the Austin King Court of Criminal Inquiry, the Liberty Jail incarceration, and what he termed the "kindness and generosity" shown the Mormons by the people of Clay County. Inter alia, Wood acknowledged his early representation of the Mormons with Atchison, Doniphan and Rees, and his subsequent engagement by the state during the King hearing. He claimed: "I was never an attorney against them (the Mormons) in any of their suits or controversies in the courts, except in this one instance of giving my aid to the circuit attorney on their examining trial before Judge King, and went into that with but little faith that the prosecution could be made successful." Wood claims it was the testimony he heard during the hearing which caused him to believe the Mormons were "dangerously unfriendly to our Government and to the law of the land; and if for the next quarter of a century they increase as rapidly as

in the last quarter, they will cost the government and country untold amount in money and blood.”

Church Historian's Press. “Wood, William Thomas.” The Joseph Smith Papers, <http://josephsmithpapers.org/person?name=William+Thomas+Wood>.

Clark, Charles. “W. T. Wood.” KansasBogusLegislature.org, http://kansassboguslegislature.org/mo/wood_w_t.html (accessed July 9, 2013).

“Death of Judge William T. Wood.” *Lexington News*, May 15, 1902, 3.

Wood, William T. “Mormon Memoirs.” *Liberty Tribune*, April 9, 1886.

WOODS, James W. (1800–1886). Woods was born near Boston, Massachusetts, and moved to Virginia in 1824 before being admitted to the bar in 1827 in Lewisburg, Virginia. In 1833 he moved to Wisconsin Territory and settled in what later became Burlington, Iowa, where he practiced law and served as the City Solicitor in 1837. Together with Hugh T. Reid, Woods represented Joseph and Hyrum during the Carthage *Expositor* riot charges in June 1844. He later gave an account of the events surrounding Joseph and Hyrum's murders, published in the *Times and Seasons* (July 1, 1844). Woods was later Secretary of the Iowa State Senate and Clerk of Iowa Supreme Court.

YOUNG, Richard Montgomery (1798–1861). Young was the judge in Illinois who presided over the trial of the accused assassins of Joseph Smith in 1844. Earlier, as a legislator, he was instrumental in the formation of the Nauvoo Charter. He also acted as a character reference in Joseph's acquisition of the steamship *Nauvoo*. He also sold a tract of land in Nauvoo to Joseph Smith as Trustee-in-Trust for the Church. He served as U.S. Senator for Illinois from 1837 to 1843 and was commissioned a justice of the Illinois Supreme Court in 1843. In 1847 he was appointed commissioner of the General Land Office at Washington, D.C., and later served as clerk of the U.S. House of Representatives from 1850 to 1851.

Church Historian's Press. “Young, Richard M.” The Joseph Smith Papers, <http://josephsmithpapers.org/person/richard-m-young> (accessed July 9, 2013).

Crossley, Frederick B. *Courts and Lawyers of Illinois*, 1:232–33. Chicago: American Historical Society, 1916.

Palmer, John, ed. *The Bench and Bar of Illinois: Historical and Reminiscent*, 1:42–43; 2:875. Chicago: Lewis Publishing, 1899.

Snyder, J. F. “Forgotten Statesman of Illinois: Richard M. Young.” *Transactions of the Illinois State Historical Society for the Year 1906* (January 1906): 302–27.

“Young, Richard Montgomery.” In *Historical Encyclopedia of Illinois*, ed. Newton Bateman and Paul Selby, 603–4. Chicago: Munsell Publishing, 1900.