

Chapter 16

Plot against Joseph Ignited a Firestorm in the Nauvoo City Council

The accounts of City Council meetings printed in this chapter are taken from the LDS Church's *History of the Church of Jesus Christ of Latter-day Saints, Period I. History of Joseph Smith, the Prophet by Himself, VI*. While this set of Church history is touted as being a "History of Joseph, the Prophet by Himself," that is an untruth. Joseph did not compile any of the volumes of that historical set.

This chapter has quotes from Volume VI, which contains portions from Joseph's Journals, and extracts from the diaries and journals of others. The extracts copied from the diaries and journals of others are interspersed throughout Joseph's writings without generally giving their sources. In case after case, that which is represented as writings by Joseph are actually interpolations by others, whose writings are interjected into the text under the pretense of being written by "the Prophet by Himself." Such deception is poor journalism (see *History of the Church of Jesus Christ of Latter-day Saints, Period I. History of Joseph Smith, the Prophet by Himself 1: I–VII*).

When LDS history revisionists were taking extracts from the *Nauvoo City Council Minutes* for insertion into the official history, they chose not to copy some references to polygamy. This secrecy transpired because Brigham Young and others were practicing polygamy, but were keeping it secret that Joseph was a monogamist. They knew that only Joseph embracing plural marriage publicly could lend prophetic credence to making that doctrine acceptable to the Saints, and they wrote history accordingly.

A more correct account of the *Nauvoo City Council Minutes* is found in a book, *The Nauvoo City and High Council Minutes*,

by Editor John S. Dinger, and published in 2011 by Signature Books in Salt Lake City, Utah.

Editor Dinger explained that “In Joseph Smith, *History of the Church of Jesus Christ of Latter-day Saints*, 7 vols. (Salt Lake City: *Deseret News*, 1902–12), 6:162–165, references to plural marriage—the main issue of contention—were removed from these minutes” (John S. Dinger, *The Nauvoo City and High Council Minutes*, 199). Dinger has placed the omitted references to plural marriage in his book.

Of these records, Editor John Dinger wrote “I was not allowed to see the originals housed in the LDS Church History Library and Archives, where access to them is restricted” (*ibid.*, xvi).

Orrin Porter Rockwell Brought News of a Conspiracy to Kill Joseph

Christmas Day 1843 found Joseph and Emma, and a house full of guests, celebrating in their newly built Mansion House Hotel. The event began with approximately one hundred guests dining at two o’clock in the afternoon. Their merriment continued into the evening, and then came a great surprise. It was the unexpected arrival of Orrin Porter Rockwell, who had been jailed for eight months in Missouri on a false charge of attempting to assassinate ex-Governor Lilburn Boggs at his home in Independence, Missouri. Sufficient evidence for an indictment against Rockwell could not be found, and he was released on December 13, 1843, after eight months of incarceration.¹

Rockwell’s arrival in Nauvoo that Christmas night was not all joyful, because he brought alarming news to Joseph of a conspiracy to take Joseph’s life. The news would change the course of Church history and become a leading factor in giving Joseph’s enemies reason to get him and Hyrum to Carthage Jail where they could be murdered.

1. Rockwell was an early convert to the Church who, after Joseph’s death, fell into many transgressions. Joseph Smith III, who knew him well at Nauvoo, said, “I am convinced that Porter Rockwell was not a bad man until after the death of Joseph and Hyrum Smith, even though he later became practically a desperado” (Mary Audentia Smith Anderson, *The Memoirs of President Joseph Smith III (1832–1914)*, 35).

Rockwell had been released from jail and left Liberty, Missouri, on December 13, 1843. He arrived at Nauvoo twelve days later, on the night of December 25. He traveled from Liberty to Montrose, Iowa Territory, which is directly across the Mississippi River from Nauvoo.

Rockwell explained that upon reaching Montrose, “I immediately crossed the river to Nauvoo in a small boat, and came straight to the Mansion [House]” (*LDS History of the Church* 6:142).

Rockwell was familiar with Nauvoo since he and his wife, Luana, had moved there in 1839. When the Saints fled the state of Missouri, Luana’s parents remained in Independence, and in February 1842, when she was eight months pregnant, Luana pled with Rockwell to take her back to Independence so she could be with her mother during the birth of their fourth child. Rockwell took her to Independence where the baby was born March 25. After a few weeks Rockwell returned to Nauvoo, but Luana stayed to visit longer with her parents (see Richard Lloyd Dewey, *Porter Rockwell: A Biography*, 49).

There was nothing to link Rockwell with the attempted murder of Boggs. Nevertheless, because Rockwell was “a Mormon” and had been seen in Independence near the time Boggs was shot, he was later arrested, charged, and incarcerated.

On December 25, 1843, after Rockwell reached Nauvoo by boat and stepped on the familiar shore, he walked directly to the Mansion House. As he approached the hotel, he could hear the sound of merriment.

Rockwell entered the Mansion House in ragged, muddy, torn garments which hung loosely on his emaciated frame. His long beard was bushy and untrimmed, and his hair, which had not been cut in months, was uncombed and hung below his shoulders. He walked into the crowded, candle-lit dining room, a shocking sight to behold. His appearance presented a sharp contrast to the Saints who were dressed in their finest clothes. He then began an act of pretending to be a drunk Missourian. There is no record of how long it took for Rockwell’s identity to become known, but history records that it was Joseph who first recognized him:

During the festivities, a man with his hair long and falling over his shoulders, and apparently drunk, came in and acted like [pretended to be] a Missourian. I [Joseph] requested the captain of the police [John P. Greene] to put him out of doors. A scuffle ensued, and I had an opportunity to look him full in the face, when, to my great surprise and joy untold, I discovered it was my long-tried, warm, but cruelly persecuted friend, Orrin Porter Rockwell, just arrived from nearly a year's imprisonment, without conviction, in Missouri. (LDS *History of the Church* 6:134–135)

What a joyous reunion Joseph had with Porter Rockwell! Rockwell had been his faithful friend since before the organization of the Church. The Smith and Rockwell families had been neighbors at Palmyra, New York, living only a mile apart. The Rockwells were among the first to believe Joseph's testimonies of his visions, angel visitations, and his finding and obtaining the ancient metal records buried in a nearby hill. Porter Rockwell, who was eight years younger than Joseph, fervently believed. When Rockwell learned that Joseph needed money to print the Book of Mormon, he went to work to help. After working his farm chores by day, he chopped wood and by moonlight picked blackberries to sell and gave the money to pay the printer (see Richard Lloyd Dewey, *Porter Rockwell: A Biography*, 69). On April 6, 1830, the day the Church was organized, sixteen-year-old Porter Rockwell was baptized into the Church (see *LDS History of the Church* 1:79).

As soon as possible, after arriving at the Mansion House, Rockwell gave Joseph a report of his arrest and imprisonment. He informed Joseph that while he was in prison he had learned there was a conspiracy against Joseph. The conspiracy included Missourians, individuals living at Nauvoo, and an unidentified high Church official in Joseph's cabinet. The conspirators planned to kidnap Joseph and hang him without due process of the law. Since Joseph believed Rockwell to be an honest man, he believed his life was in danger.

**Nauvoo City Council Meeting Number One—
Joseph Warned That a “Brutus” Was among Them**

On December 29, four days after Rockwell’s arrival, Mayor Joseph Smith met with the Nauvoo City Council to witness forty new police officers take the oath of office. The history of that meeting was published by the Church of Jesus Christ of Latter-day Saints, and reads as follows:

Having selected forty men to act as city policemen, they met with the [City] Council, and were sworn into office to support the Constitution of the United States and the State of Illinois, and obey the ordinances of this city and the instructions of the Mayor [Joseph Smith], according to the best of their ability. (*LDS History of the Church* 6:149)

Following the administering of the oath, Joseph, as mayor, addressed the policemen. While speaking, he made reference to a conspiracy against him and to an unidentified individual in their midst. He referred to the conspirator as a “Brutus” or “Judas” (both terms being synonymous with “traitor” or “assassin”). Utah LDS Church history records that Joseph told the policemen:

My life is more in danger from some little dough-head² of a fool in this city than from all my numerous and inveterate enemies abroad. I am exposed to far greater danger from traitors among ourselves than from enemies without, although my life has been sought for many years by the civil and military authorities, priests, and people of Missouri; and if I can escape from the ungrateful treachery of assassins, I can live as Caesar might have lived, were it not for a right-hand Brutus. I have had pretended friends betray me. All the enemies upon the face of the earth may roar and exert all their power to bring about my death, but they can accomplish nothing, unless some who are among us and enjoy our society, have been with us in our councils, participated in our confidence, taken us by the hand, called us brother,

2. In the 1800s, “dough-head” was synonymous with a very foolish person.

saluted us with a kiss, join with our enemies, turn our virtues into faults, and, by falsehood and deceit, stir up their wrath and indignation against us, and bring their united vengeance upon our heads. All the hue-and-cry of the chief priests and elders against the Savior, could not bring down the wrath of the Jewish nation upon His head, and thereby cause the crucifixion of the Son of God, until Judas said unto them, “Whomsoever I shall kiss, he is the man; hold him fast.” Judas was one of the Twelve Apostles, even their treasurer, and dipt [*sic*] with their Master in the dish, and through his treachery, the crucifixion was brought about; and *we have a Judas in our midst.* (ibid., 152)

A few days later, Joseph explained why he had made public the news of the conspiracy. Joseph revealed:

The reason why I made the remarks I did was on account of the reports brought from Missouri jail by O. P. Rockwell, that my enemies were determined to get me into their power and take my life, and thereby thought they would accomplish the overthrow of “Mormonism.” And to enable them to effect this, they had secured the services of some of my most confidential friends, whom I did not suspect, and who were living in Nauvoo, to deliver me into their hands. . . . They did not design to try me, but hang me, or take my life anyhow: that they had a man in our midst who would fix me out, if they could not get me into their power without [his assistance]. (ibid., 164)

Rockwell’s wife, Luana Beebe Rockwell, also reported that while she was visiting her husband in jail, she saw letters and heard conversations that revealed there was a conspiracy against Joseph. This report concerning Luana’s statements was published at Nauvoo:

During the time that O. P. Rockwell was confined in jail in Mo. for the alleged murder of Ex-Governor Boggs, and at the time that a demand had been made by the exec-

utive of the State of Mo. upon the Executive of the State, for the body of Gen. Joseph Smith, letters were seen by Mrs. [Luana] Rockwell, (who was on a visit to her husband,) and conversations heard by her, to this effect, “that a plot was concocting to kidnap Joseph Smith and that one of Joseph Smith’s nearest friends would lead them to him.[”] Other developments of a similar kind were made, but no particular person identified. (*Nauvoo Neighbor, Extra*, June 21, 1844)

The Beginning of the Firestorm. Joseph’s declaration that his life was in danger because of a “Brutus” created a firestorm. Joseph’s assertion was electrifying. There was an immediate uproar. Men from the Nauvoo Stake High Council, the Nauvoo City Council, and the Nauvoo police force simultaneously began to speculate and form opinions as to who the Brutus was. By voicing their opinions, they ignited inflammatory discussions. As shall be shown in this chapter, the record reveals that some went so far as to make death threats against the persons they believed to be the Brutus. Within a few hours, word surfaced that the Brutus was either (or both) President William Law (Joseph’s second councilor in the First Presidency) or Nauvoo Stake President William Marks (who was also President of the Nauvoo Stake High Council).

As also documented later in this chapter, the minutes of the City Council meetings show that those who suspected Law and/or Marks of being the Brutus based their decision on two factors. First, both Law and Marks were high officials close to Joseph and considered to be in his cabinet. Second, both Law and Marks were opposed to polygamy.

While President William Law and President William Marks were both against polygamy, they were not united in their opposition and were not working together. Both men believed polygamy to be a doctrine of the Devil. However, they were on opposite sides when it came to supporting Joseph.

Marks was ever Joseph’s friend and supporter. He never

sought to displace Joseph, nor did he aspire to higher offices in the Church. He never uttered one criticism against Joseph, never labeled him a polygamist, and never sought to be the head of the Church. He stayed loyal to Joseph until his (Joseph's) death. He was never charged with any crime, and he was never silenced nor expelled. Nevertheless, some still suspected him of being the Brutus.

In contrast, William Law worked to overthrow Joseph and occupy his position as president of the Church. He labored to unseat Joseph by publicly labeling him a fallen prophet and a polygamist. He claimed to have reorganized the Church, which was renamed the "True Church of Jesus Christ of Latter-day Saints." He accepted the position of president of the new church, claiming that he had replaced Joseph. (See *LDS History of the Church* 6:347.)

As shall be shown, after that first City Council meeting, speculation and accusations quickly rose to new heights among the policemen and the councilmen. William Law was informed by a policeman that he (Law) was thought to be the Brutus and that secret orders had been given that he be assassinated. It was also rumored that Mayor Joseph Smith had given the instructions to the police to assassinate the Brutus. As mayor, Joseph was under obligation to call a special meeting of the City Council and make an effort to sort out truth from fiction, facts from rumors, and bring peace to the Church and the city. In this he would be unsuccessful. He was now only a figurehead—and the apostles were in control of the Church and the city.

Nine of the twelve apostles were residing in Nauvoo at that time, as the record for January 26, 1844, confirms (see *LDS History of the Church* 6:186). At least six of the nine apostles present were members of the Nauvoo City Council. The six were: Brigham Young, Willard Richards, Heber C. Kimball, Orson Hyde, and John Taylor (all polygamists), and George Albert Smith, whose marriage status at that time is debatable (John S. Dinger, *The Nauvoo City and High Council Minutes*, xxv).

According to present-day author George D. Smith, Apostle George Albert Smith (George A.) did not marry a plural wife until shortly after Joseph’s death (see George D. Smith, *Nauvoo Polygamy* “. . . but we called it celestial marriage”, 311–313). However, authors Richard S. Van Wagoner and Steven C. Walker disagree with author George D. Smith’s statement that Apostle George A. Smith was not then a polygamist. Van Wagoner and Walker published that George A. Smith entered into plural marriage in 1842 by marrying five plural wives (see Richard S. Van Wagoner and Steven C. Walker, *A Book of Mormons*, 270). If Van Wagoner and Walker are correct, Apostle George A. Smith was the husband of six wives when he, and five other polygamous apostles, served on the Nauvoo City Council in 1844.

**Nauvoo City Council Meeting
Number Two—Joseph Investigated
a Murder Threat against William Law**

On January 3, 1844, five days after the swearing in of the new policemen, Joseph presided over a special meeting of the City Council. The meeting was to investigate a report that was given to President William Law alleging that Mayor Joseph Smith had given the police secret orders to assassinate him. The minutes, as reported in LDS official history, state:

The mayor [Joseph Smith] directed the marshal to notify [President] William Law and John Snyder [Snider] that the [Nauvoo Municipal City] council was in session, and informed the council that William Law had said to his [Joseph’s] brother Hyrum [Smith] that the police had been sworn by him (the Prophet) secretly to put Law out of the way [to assassinate him]. “I [Joseph Smith] have had no private conversation with any of the police but the high policeman, [Captain] Jonathan Dunham, and that was to request him to have especial care of my personal safety, as I apprehended attempts to kidnap me by the Missouriians.” He [Joseph] called on the policemen to say if they had any

private oath from him, when they all said, “No.”³

Councilor Hyrum Smith said that [President] William Law told him the police had sworn him (Law) to keep the secret,⁴ which was that he [Law] was to be put out of the way [assassinated] in three months.

The mayor [Joseph] said he wished policemen to understand forever that all he wanted was that they should execute the ordinances of the city and his orders according to [the] law. Several of the police called for the individual to be named who made the statement to William Law [that he was to be assassinated].

The mayor [Joseph] said he thought [it] proper that [President] William Law should come and make his statement to the council on oath. . . .

William Law came in, and was sworn to tell the whole truth touching the case before the council.

William Law said he had been informed that some of the policemen had had another oath administered besides the one administered to them publicly: that one of them said there was a Judas in General [Joseph] Smith’s cabinet,—

3. According to the official records, the only oath taken by the new policemen had included the promise to obey “the instructions of the Mayor” (see *LDS History of the Church* 6:149). At the City Council meeting, Joseph was striving to assure everyone that he, as mayor, had not given private instructions to the policemen to kill anyone.

However, there is the possibility that, unknown to Joseph, Brigham Young gave secret directions to certain policemen because he felt that his polygamous lifestyle, and the promulgation of that doctrine, was being threatened by Law and Marks. According to Policeman John D. Lee (who was Brigham Young’s adopted son), after Joseph’s death, Young used the police to act as guards and travel with him as he went under cover of darkness to visit his plural wives. Lee asserted, “As far as Brigham Young was concerned, he had no wives at his house, except his first wife. . . . Many a night have I gone with him [Young], arm in arm, and guarded him while he spent an hour or two with his young brides, then guarded him home and guarded his house until one o’clock when I was relieved [of guard duty]” (John D. Lee, *Mormonism Unveiled: or The Life and Confessions of the Late Mormon Bishop, John D. Lee*, 167).

4. A more correct version states that Hyrum Smith said William Law had asserted that the policeman had sworn to William Law, “according to Masonic degradation to keep the secret” (see Editor John S. Dinger, *The Nauvoo City and High Council Minutes*, 200).

one who stood next to him; and he must be taken care of [assassinated], and that he must not be allowed to go into the world, but must be taken care of; and he was not only a dough-head and a traitor like Judas, but an assassin like Brutus: that the idea had been advanced that the scriptures support such a doctrine [Daniteism or blood atonement].

Alderman [George] Harris [a member of the Nauvoo Stake High Council]. Who is the person? and who told you? [William] Law. I am under obligations *not* to tell.

Alderman [George] Harris. That is immaterial. You are bound to disclose the whole truth here by virtue of your oath.

Law. I am afraid to tell. One oath is as good as another.

The Mayor [Joseph Smith] said he would protect him [Law]. He [William Law] was bound to tell.

Law. Eli Norton told me.

Alderman Harris. Was Eli Norton of the police [a policeman]?

Law. No; but he got his information from Daniel Carn [sometimes Cairns], who is a policeman.

The marshal [John P. Greene] was sent to bring Eli Norton [to the meeting].

The mayor said to the police—"On conditions I have had no private conversation [on this subject] with any of you, rise up and change the breech of your gun upwards," when all arose and changed the positions of their guns as indicated.

Counselor Hyrum Smith considered the matter very alarming when he heard it. He referred to Dr. Sampson Avard's and John Carl's [Corrill's] treachery and false swearing [among the secret organization of Danites] in Missouri, and rehearsed [repeated] what was said by the mayor [Joseph Smith] to the police in the former council.

The mayor [Joseph Smith] said, "The reason why I made the remarks I did [on December 29 to the policemen in the City Council] was on account of the reports brought from Missouri jail by O. P. Rockwell, that my enemies were

determined to get me into their power and take my life, and thereby thought they would accomplish the overthrow of ‘Mormonism.’ And to enable them to effect this, they had secured the services of some of my most confidential friends, whom I did not suspect, and who were living in Nauvoo, to deliver me into their hands so that their religious organizations upon their own principles might stand; for they feared that ‘Mormonism’ would destroy their present religious creeds, organizations, and orthodox systems. They did not design to try me, but hang me, or take my life anyhow: that they had a man in our midst who would fix me out, if they could not get me into their power without [the help of the Brutus.]” . . .

Minutes of last council being called for, were then read.
Eli Norton sworn.

Question by the Mayor[:] Did [Policeman] Carn say I had administered a private oath [to the policemen]?

Norton. No. [Daniel Carn] Did not say much about [William] Law. Did not say you [Joseph] had ever administered any private oath. Carn never intimated to me that Law must be put out of the way [killed]. [Carn] Did not call William Law’s name, nor any other name. Did not say the policemen had received a private oath. Understood Carn to say they [the policemen] had received private instructions [by someone with authority]; and if a man could not keep a secret, he was not worthy of a place in the Church. Did not say the mayor [Joseph Smith] had given him a private charge. Did not tell where the danger was expected to come from. Told me there were dough-heads about. [Policeman Carn] Did not say the dough-heads were in danger [of being killed], but [Carn said] the mayor [Joseph] was in danger from the dough-heads [of being killed].

Question by William Law: Did you [Eli Norton] not understand from Brother Carn that he was suspicious of some person near Joseph being a dough-head, and that that person was myself?

Answer [by Eli Norton]: He [Carn] mentioned a dough-head as being very near Joseph, and he guessed you [William Law] was the man; and I thought it might be that Daniteism [killing by the police] was not done with.⁵

Mayor [Joseph]: Tell what you know that made you so alarmed about Brother Law.

Answer [by Eli Norton]: There was no chain to the conversation; but I drew the inference that Brother [William] Law was the dough-head from Carn's conversation; but Carn did not name [William] Law.

Daniel Carn was sworn: [Carn] Said, "I told Brother [Eli] Norton that certain men [William Law and his brother Wilson Law] had been counseled by the Prophet to invest their means in publishing the new translation of the Bible [the Inspired Version of the Holy Scriptures]; and they instead of obeying that counsel, had used their property for the purpose of building a steam-mill and raising a hundred acres of hemp; and the Lord had not blessed them in the business, but sunk their hemp in the Mississippi river. I told him it was my opinion that Brother [William] Law was the dough-head referred to."⁶

5. The individual who copied Eli Norton's words from the original *Nauvoo City Council Minutes* for insertion into LDS history chose to omit that Norton had a conversation with Carn on the subject of spiritual wifery. "Spiritual wives" [*sic*] was mentioned six times during the January 3, 1844, court hearing in the testimonies of Eli Norton, Daniel Carn, and Joseph Smith (see John S. Dinger, *The Nauvoo City and High Council Minutes*, 202, 203). All six instances where "spiritual wives" were mentioned were omitted from the minutes published in *LDS History of the Church*. Such a deliberate omission can only be interpreted as an effort to hide the true reason for the plot against Joseph's life.

6. Joseph had used a version of the King James Bible to make a corrected edition—the Inspired Version of the Holy Scriptures. Joseph had ceased making corrections, and the manuscript was awaiting financial backing for publishing. In a revelation given to Joseph on January 19, 1841, William Law, a man of wealth, was called to be Joseph's second counselor in the office of First Presidency, and instructed to print the new Inspired Version of the Holy Bible. The revelation declared, "Let my servant William [Law] . . . with his interest [finances] support the cause of the poor, and publish the new translation of my holy word unto the inhabitants of the earth; and if he will do this, I will bless him with a multiplicity of blessings" (RLDS DC 107:28a, b; LDS DC 124:88, 89, 90).

[Carn stated] I have had no secret conversation whatever with the mayor [Joseph], and never received any charge except the one, with the rest of the police, before the city council. The mayor [asserted] . . . the Danite system alluded to by Norton never had any existence. It was a term made use of by some of the brethren in Far West, and grew out of an expression I made use of when the brethren were preparing to defend themselves from the Missouri mob, in reference to the stealing of Macaiah's images (Judges chapter 18)—If the enemy comes, the Danites will be after them, meaning the brethren in self-defense. . . . At half past four p. m. council adjourned. (LDS *History of the Church* 6:162–165)

Imagine Joseph's dilemma upon discovering, by the various testimonies, that there were men in the Church so devoted to the cause of polygamy that they were ready to kill their brethren who opposed it. It would appear that, by the end of the second meeting, Joseph would have been aware that policeman Carn and Eli Norton, who allegedly threatened to kill Marks and Law, were loyal only to the polygamous apostles.

**Nauvoo City Council Meeting Number Three—
Joseph Investigated More Death Threats against
William Law and William Marks**

The third meeting took place two days later, on January 5, 1844, beginning at 11:00 a.m. and ending at dusk. *LDS History of the Church* records the following:

Special Session of [f] the City Council—Fears of Wm. Law and Marks.

Friday, January 5, 1844, 11 a. m.

[The] Object of the council [meeting] stated by the mayor [Joseph Smith], [is] similar to the last council as [President] William Law and [Nauvoo Stake President] William Marks had considered themselves in danger [of being killed]. When he [Joseph] heard the report he was

unwilling to believe anything about it, from the course the thing took in the last council; but, for the sake of others, he had called this council.

[Joseph explained] As Leonard Soby [a member of the Nauvoo Stake High Council] was going home night before last, he was hailed by a supposed policeman with a gun, which frightened him. Soby says that a policeman had told him that Marks and Law must not cross his tracks; that [Policeman] Warren Smith said at another time that William Marks and William Law were enemies to Joseph. I [Joseph] have never thought even to dream of doing anything against the peace of the inhabitants of this city. [I] Did not know I had any enemies in this city: have stayed at home and heard but little: did not know that there was so much evil surmising among the people. My long forbearance to my enemies ought to be sufficient testimony of my peaceful disposition toward all men. It occurred to my mind that it was not fear, but got up for effect; but I do not know it. I want the council to investigate this matter.

William Marks sworn. Testified that on Monday evening Brother Soby came up and said, “Are you aware of the danger you are in?” Marks replied, “No.”

Soby [said, according to Marks]: “Your life is threatened; a policeman stopped me in the dark last night as I was going home[?]; I [Marks] was alarmed. I supposed the threats were from that policeman, but I was mistaken. Another policeman, Warren Smith, said last Sunday that Joseph had enemies—that Law and myself [William Marks] were Joseph’s enemies, and if they [Law and Marks] came in his [Policeman Warren Smith’s] way they might be popped over [shot dead]. A fire was kindled in the street near my [William Marks’s] house, and I thought I was [being] watched [by policemen who wanted Marks killed]. Francis Higbee told me, and a man in the east part of the town told me; and a man came from the other side of the [Mississippi] river and told the story to that man, as he said. Yesterday morning, [Patriarch] Hyrum Smith, [Major General] Wilson Law, and [President] William Law

met in the street, and I told the story [to them] as before related.

Mayor [Joseph]. Did ever anybody tell you [Marks] I directed you to be watched [by the policemen]?

William Marks. No.

Marshal went for Francis M. Higbee and [Policeman] George W. Crouse.

Leonard Soby sworn. On Sunday, 31st December last, I met [Policeman] Warren Smith in [Policeman] Crouse's store; asked him if he knew who the Brutus was. Warren Smith said he believed William Law was one, and Marks another; [he said] they had better not come in his way. Did not say he would shoot them, or endanger their life in any way. Did not know whether there were any private instructions [from Joseph], or not. Believed Brother Marks was in danger. Did not think Marks in any danger from Joseph. Thought Warren Smith was under a wrong impression with regard to Marks [being a Brutus]. Warren Smith said, "He, Marks, had better not cross my path when I am on duty." I gathered the idea there was something wrong with Brother Warren Smith. Do not recollect any person present [in Crouse's store when the conversation occurred].

Mayor [Joseph]. Did [Policeman] Warren Smith or any other policeman give you to understand that I had authorized him to believe there was any difficulty between me and Brother [William] Law or [William] Marks?

[Stake High Councilman] *Soby*. No. He [Soby] did not think Warren Smith would transcend his official duties towards Law or Marks. Felt at the time [while talking with Warren Smith that] Marks and Law were in danger. Did not think they were in danger, if they did not rise up against the authorities.⁷

7. Soby believed Law and Marks would not be harmed if they did not protest against the "authorities." It is evident from the January 3, 1844, *Nauvoo City Council Minutes* that the threats against Joseph, William Marks, and William Law were polygamy related. The authors believe that the "authorities" were those in the Quorum of Twelve who were polygamists. Thus, if Marks and Law

Did not say he [Warren Smith] had any instruction [from a higher authority such as Joseph, the Twelve, or the Masonic Lodge⁸ to act against Marks or Law]. [I] Said to Mr. Marks, “You have enemies.” My impression was that somebody had been to Joseph [visited him] to make a bad impression on his mind. Warren Smith did mention brother Marks’ name, I think [as having been one who had visited Joseph to make a bad impression upon his mind].⁹

Thirty policemen, all who were present, sworn. Testified that General [Joseph] Smith had never given them any private instruction concerning the case before the council [their thirty testimonies were not entered into the minutes].

[Policeman] Warren Smith said Soby asked his opinion who was the Judas. I said, from rumor, I would suspect William Law. Does not believe he mentioned Marks’ name. My opinion was founded on rumor. Brother Isaac Hill said Brother Law was in a bad situation—was kicking [against polygamy],¹⁰ and if he did not mind [be careful], he would go over the board [old sailor terminology for troublemakers being thrown overboard at sea to drown]. If he [Law] had his property in available means [sold] and was away [from Nauvoo], he [Isaac Hill] would feel better. Have heard it talked of that Brother Law was not going to stand [remain faithful]. Hil[I] did not tell what he [Law] was kicking at. I understand a Brutus to mean a treacherous man. . . .

Francis M. Higbee sworn. [I] Have received the impression from rumor that Mr. [William] Law, Mr. [William] Marks and probably one or two others, could

“rose up against the authorities,” to oppose polygamy, they would be in danger. The powerful apostles had entered into plural marriage covenants and they did not intend to let anyone stop them from living the principle.

8. See Editor John S. Dinger, *The Nauvoo City and High Council Minutes*, 200.

9. The suggestion is made that Marks visited Joseph and made “a bad impression upon” Joseph’s mind. This is another way of stating that Marks visited Joseph to encourage Joseph to resist entering into plural marriage. Marks was evidently being blamed for Joseph’s refusal to enter into plural marriage.

10. See Editor John S. Dinger, *The Nauvoo City and High Council Minutes*, 207.

not subscribe to all things [the polygamy practiced] in the Church, and there were some private matters [polygamy] that might make trouble. Don't know of anyone being in danger. No one told me the police had received any private instruction [from the mayor to assassinate anyone]. [Higbee] Could not [or would not] tell who he had received these rumors from. . . .

Councilor Hyrum Smith, Daniel Carn, Warren Smith, Leonard Soby, and William Marks addressed the council. [No part of their testimonies were entered into the minutes.]

The mayor [Joseph] spoke. Said no one had come to him with tales about William Marks, to prejudice his mind against him. Was totally ignorant of it. . . . I think it possible that some person has been practicing fraud on Brother Soby. . . .

Brother Soby does not know that it was a policeman who stopped him. Brother Marks does not know that the police kindled the fire before his house. . . .

Councilor [Apostle John] Taylor spoke. Thought the conclusion drawn up by Brother Soby, that Joseph or somebody was going to get revenged by setting the guard [police] to kill Marks, was the most contemptible that could be imagined; and if Brother Soby had had the respect for Brother Joseph he ought to have had, he could not have formed such a conclusion.¹¹

Mayor [Joseph] referred to Francis Higbee's testimony [which included the subject of polygamy]. Thought Francis Higbee had better stay at home and hold his tongue, lest rumor turn upon him and disclose some private matters which he would prefer kept hid. Did not believe there was any rumor of the kind afloat, or he [Higbee] could have told some of the names of his informants. Thought the young men of the city had better withdraw from his society, and let him stand on his own merits. I by no means consider him the standard of the city.¹²

11. Apostle Taylor knew Joseph's life was in danger, so why did Taylor object to Soby reporting what he had heard the supposed policemen say?

12. Higbee hated Joseph so much that he had been persecuting him for over two years. Higbee probably hated Joseph for causing him to lose the respect of,

There has been a system of corruption and debauchery, which these rumors have grown out of; and the individuals who are the authors of them are those who do not want a police: they want to prowl in the streets at pleasure without interruption. . . .

General Wilson [William] Law said, “I am Joseph’s friend: he has no better friend in the world: I am ready to lay down my life for him;” and upon that the mayor and General Wilson [William] Law shook hands. . . .¹³

Alderman [Apostle] George A. Smith said he could sleep with a fire near his house, if there were some of the police warming themselves by it; and he believed any honest man could do the same. . . .¹⁴

The cross-examination and speeches are generally omitted.¹⁵

and possibly marriage to, Miss Nancy Rigdon, whom Higbee had been courting. When Joseph reported Higbee’s immorality to Nancy’s parents, President and Mrs. Sidney Rigdon, Nancy abruptly ended her relationship with Higbee. (See chapter 2 of *Joseph Smith Fought Polygamy*, Volume 2.) From that time forward Higbee exhibited a vicious anger toward Joseph, taking extreme and vengeful measures to destroy Joseph’s character by charging him with having plural wives. But, Sidney Rigdon believed Joseph and not Higbee. He supported Joseph and defended him against the charges of polygamy as long as Joseph lived. For details of how Rigdon, as Joseph’s attorney, defended him against Higbee’s charges, see chapter 17.

13. Wilson Law’s name here is an error. William Law, and not Wilson Law, was testifying (see John S. Dinger, *The Nauvoo City and High Council Minutes*, 209).

14. Apostle George A. Smith supported polygamy and Brigham Young, which assured him of police protection. Perhaps William Marks, who was known for his opposition to polygamy, did not feel he had equal police protection.

15. When Willard Richards chose not to record a summary of “the cross-examinations and speeches” of witnesses, Church history was distorted. An important omission from the Nauvoo City Council meeting of January 3 or 5 was revealed by Joseph in his May 26, 1844, sermon. He proclaimed, “William Law testified before forty policemen, and the assembly room full of witnesses, that he testified under oath that he never had heard or seen or knew anything immoral or criminal against me” (*LDS History of the Church* 6:410, 411).

The only other record of William Law testifying before forty policemen in “the assembly room” (in Joseph’s store) was in the January 1844 Nauvoo City Council meetings described above. This is evidence that Law, under oath in January, swore to Joseph’s good moral character, yet four months later he swore again under oath that he had known the previous October that Joseph was living in adultery. Such were the oath breakers with whom Joseph was dealing.

Council adjourned at dusk for the want of candles.
(LDS *History of the Church* 6:166–170)

**Nauvoo City Council Meeting Number Four—
Francis M. Higbee Charged with Slandering
Joseph and Using Abusive Language toward Him**

The fourth Nauvoo City Council meeting, held January 16, 1844, investigated the criminal threats against Joseph Smith, which were discovered in December 1843. That meeting included events that transpired between January 10 and January 16. Utah LDS Church history records under the date of January 10:

I [Joseph] received a long equivocating letter from Francis M. Higbee, charging me with having slandered his character and demanding a public trial before the Church. It contains no denial of the charges which he accuses me of having spoken against him, but is full of bombast. (ibid., 174)

In addition, it also records that on January 15:

At ten, a. m., Dr. [Willard] Richards called, and told me [Joseph Smith] it was reported that Francis M. Higbee was going to put me under \$10,000 bonds for speaking against him. (ibid., 176)

On that same day:

The Municipal Court issued a warrant for the arrest of Francis M. Higbee, on affidavit of Orson Pratt. (ibid., 177)

On January 16 the record states:

Francis M. Higbee was brought up before the Municipal Court, on complaint of Orson Pratt, for absenting himself from City Council without leave, when summoned as a witness, and for slanderous and abusive language towards

one of the members [Joseph Smith] of the Council.

The court adjourned, and the City Council commenced their session, continuing till two o'clock, during which time a reconciliation took place with Francis M. Higbee, who had written a slanderous letter concerning me [Joseph Smith], and said many hard things, which he acknowledged; and I forgave him. I went before the Council and stated that all difficulties between me and F. M. Higbee were eternally buried, and I was to be his friend for ever. To which F. M. Higbee replied, "I will be his friend for ever, and his right-hand man." (ibid., 178)

The authors believe that Francis M. Higbee never intended to be Joseph's friend and right-hand man, but by making promises, he was patronizing Joseph and trying to mislead the court and the Church.

Regardless of the above promise by Francis M. Higbee to cease his persecution of Joseph and be his friend forever, Higbee would continue to harass Joseph, and within four months he would sue him on false charges again (see chap. 17).

Summary

The three weeks from Christmas 1843 (when Rockwell arrived at Nauvoo) until the middle of January 1844 were packed with events showing the extent of the plot against Joseph Smith from inside the Church. Joseph learned from Rockwell that there was a "Brutus" or turncoat within Joseph's circle of friends who sought his capture (or even his life). As a result, Joseph brought this criminal matter before the Nauvoo City Council for them to investigate.

Four meetings of the City Council were held over the next three weeks. Witnesses were subpoenaed, and extracts from their extensive testimonies recorded the extent of the plot against Joseph. Speculation was rampant regarding the identity of the "Brutus" in that plot.

The investigation soon implicated Joseph's top two assistants—William Law of the First Presidency, and Nauvoo Stake President William Marks. Like Joseph, both men opposed polygamy. However,

unlike Marks (who fully supported Joseph), Law sought to overthrow Joseph and replace him as president of the Church. Still, Marks and Law both feared for their lives as word spread that renegades among the police force might assassinate them. Some of the renegade police may have been a threat to Marks and Law because they were suspected of being the “Brutus” in the plot against Joseph. Some of the renegade police may have been a threat to Marks and Law because they both opposed polygamy. Although the Nauvoo City Council’s four hearings never uncovered the “Brutus” or fully unraveled the plot against Joseph, it nevertheless highlighted the fact that there was such a plot, and that many high persons within the Church wished Joseph Smith harm.

As *Joseph Smith Fought Polygamy*, Volume 4, will detail, William Marks could not have been the “Brutus.” He was a righteous man who stood with Joseph on all matters, including opposing polygamy. Also, it will be shown that William Law’s opposition to Joseph would soon accelerate and eventually turn deadly, and William Law would soon be proven to be the Brutus (see *Nauvoo Neighbor*, June 19, 1844).

On January 8, 1844, Law was removed from the First Presidency. In April of that year, he was excommunicated from the Church. He then formed his own church and was installed as its president. From that time onward, he opposed Joseph Smith full time. He also published an inflammatory newspaper, the *Nauvoo Expositor*, which was filled with articles against Joseph. These articles started a chain of events that culminated in the assassination of Joseph and Hyrum Smith.