

Buckeye's Laments: Two Early Insider Exposés of Mormon Polygamy and Their Authorship

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On Wednesday, 7 February 1844, the Whig-friendly *Warsaw Message* published on the front page of its last issue a satirical poem critical of Mormon prophet Joseph Smith, entitled "BUCKEYE'S LAMENTATION FOR WANT OF MORE WIVES." Operating on the western border of central Illinois, along the banks of the Mississippi River some twelve miles south of Nauvoo, the bustling headquarters of Smith's Church of Jesus Christ of Latter-day Saints (LDS), the *Message* routinely tweaked the noses of the LDS faithful. As Thomas Gregg, the paper's thirty-five-year-old editor, explained, "THE POEM In another part of this sheet, comes to us post marked 'Nauvoo.' It is not perfect in versification, but contains some hits at the Prophet, his Apostles, and their practices, which most readers will understand."¹ Increasingly besieged by critics and renegades, the charismatic Smith learned later that day of the thirteen-stanza, 104-line poem and, according to his official *History*, immediately dismissed it as "a piece of doggerel ... evidently the production of Wilson Law [a Mormon dissident], and breathing a very foul and malicious spirit."²

A veteran journalist, the feisty Gregg represented a growing number of Illinoisans who were becoming increasingly leery of the Mormons' political and theocratic hegemony.³ Less than five months earlier, in late September 1843, Gregg had editorialized that while he despised "the whole system of Mormonism," he nonetheless urged nonviolence: "Let it suffice for the present to say that *our* remedy must be a peaceable one—a remedy that will not interfere with the Majesty and Supremacy of the Law! We can advocate no measure of redress that does not carry along with it the doctrine of Obedience to the Laws, from the beginning to the end."⁴

Two months after its appearance, "Buckeye's Lamentation" together with a longer, but equally cheeky companion poem entitled "The Buckeye's [sic] First Epistle to Jo," ran on pages 3 and 1, respectively, of the successor to the *Message*, the *Warsaw Signal*, edited by twenty-five-year-old Thomas C. Sharp. (Sharp's *Signal* was actually the forerunner of the *Message*. He had sold the paper to Gregg, who renamed it, operated it for several years, then sold it back to Sharp.) Like Gregg, Sharp opposed Mormonism; unlike Gregg, he would eventually advocate its violent overthrow. "War and extermination is inevitable!" he would thunder against the hapless

Mormons before year's end. "CITIZENS ARISE, ONE and ALL!!!—Can you stand by, and suffer such INFERNAL DEVILS! to ROB men of their property RIGHTS, without avenging them. We have no time for comment, every man will make his own. LET IT BE MADE WITH POWDER AND BALL."⁵

"Buckeye's First Epistle," running twenty-two stanzas of six lines each, totaled 132 lines. "Buckeye's Lamentation" reappeared with only minor alterations, mostly the converting of italics to small capital letters, though four words were changed. Two days after both poems' publication on 25 April, Joseph Smith's diary noted his reading the "*Warsaw Signal* about Mormonism." Smith's later history added that he "read in the *Warsaw Signal* a vile article against the Saints."⁶ Since the next issue of the weekly *Signal* did not appear until 1 May, the thirty-eight-year-old Mormon prophet no doubt had the two poems in mind when he allegedly complained of the paper's contents.

The value of Buckeye's poetry lies not in its creative expression but in its accurate, albeit sensationalized, historical disclosures.⁷ By 1844, Joseph Smith's doctrine of plural, or celestial, marriage had become one of western Illinois's better-known secrets. Despite his and others' denials, Smith himself had married (or been "sealed" to) some thirty women, while thirty or so of his closest male disciples had taken a total of at least an equal number of plural wives.⁸ These figures do not include the parents, siblings, children, friends, and neighbors of those involved in the new teaching. The poems evince an understanding not only of polygamy's practice but, just as importantly, of its theology. Buckeye was a knowledgeable insider-turned-dissident who hoped to expose Smith's marital innovations—particularly with a young woman named Nancy—while also dropping enough hints of his own person to enable a tentative identification. (Both poems appear as an appendix to this article.)

The first of the two poems, "Buckeye's Lamentation," was preceded by an author's note, reading in part: "it is time that all should know that there are hundreds and thousands in Nauvoo who will neither worship the *image* nor bear the yoke of the *tyrant*." The poem begins by noting Buckeye's fear that he will not be saved in heaven, having only "one lone wife" (ln. 5), not "half a score" (ln. 8), since Smith ("beardless Joe," ln. 12) teaches that salvation depends on the number of wives a man has. Monogamy was the practice anciently, but Heaven's gate has since become too narrow. Thus Smith has received permission "to open the broad way" (ln. 16) "of greater glories far" (ln. 26) by sanctioning the taking of multiple wives. In fact, "the prize" (ln. 33) is no longer one wife ("some lone twinkling star," ln. 28), or even two ("like the moon," ln. 29), but ten, since "with it you will shine as bright/ As the bright shining sun" (lns. 35-36). In heaven such husbands will "reign like mighty Gods,/ Creating worlds so fair; / At least a *world* for

every wife/ that you take with you there" (Ins. 37-40). However, men who fail to embrace a plurality of wives "will find a bitter fate" (In. 44), for as in Jesus' parable of the talents, those few wives he has will be given to a more deserving husband.⁹

Through the end of the sixth stanza, Buckeye presents, despite the sarcasm, a plausible doctrinal explanation for the practice of Mormon plural marriage.¹⁰ In fact, it is possible to recreate from sympathetic sources a rationale for Mormon polygamy similar to what Buckeye proposes. Theoretically, for example, a plurality of wives could facilitate the passage into mortality of a larger number of God's latter-day saints than that achieved through normal birth and/or conversion rates. "For if I will," Smith's Book of Mormon had fourteen years earlier quoted "the Lord of Hosts, raise up seed unto me, I will command my people."¹¹ In fact, Smith's own revelation on plural marriage, recorded in mid-1843, explicitly stipulated that plural wives "are given unto him [the husband] to multiply and replenish the earth, according to my commandment, ... that they may bear the souls of men; for herein is the work of my Father continued, that he may be glorified."¹² "When Lorenzo Snow [future Mormon apostle and church president] was twenty-nine years old," the biographer of one of his plural wives explained, "the Prophet, Joseph Smith, had a talk with him and Lorenzo was told it was urgent that he marry right away and do his part in replenishing the earth."¹³

Likewise, after death and the resurrection of the righteous, polygamy could aid in peopling greater numbers of worlds, thereby, according to early Mormon apostle George A. Smith, "exalt[ing] mankind to celestial glory and increase."¹⁴ "[T]he Prophet taught us," one of Joseph Smith's confidants elaborated, "that Dominion & powr in the great Future would be Comensurate with the no of 'Wives Childin & Friends' that we inheret here and that our great mission to earth was to Organize a *Neculi of Heaven* to take with us. To the increace of which there would be no end."¹⁵ "I understand," wrote another early Mormon, "that a Man's Dominion will be as God's is, over his own Creatures and the more numerous the greater his Dominion."¹⁶ Sarah Rich, the first wife of Mormon apostle Charles C. Rich, consented to her husband's taking additional wives because she believed that "those holding the Priesthood of Heaven might, by obeying this Order attain to a higher glory in the eternal world"¹⁷ When Joseph Smith invited seventeen-year-old Lucy Walker to become his plural wife, he "said this principle ... would prove an everlasting blessing to my father's house and form a chain that could never be broken, worlds without end."¹⁸ For worthy male priesthood holders, at least, plural marriage was thus "a privilege with blessings."¹⁹ "It is your privilege," Smith told his secretary, "to have all the wives you want."²⁰ "[T]he Lord had given him the keys of this sealing ordinance," Smith's cousin

remembered, and "he felt as liberal to others as he did to himself ... and said to me "You should not be behind your privileges.""²¹

In the remaining seven stanzas, Buckeye complains that Smith sometimes sanctions the taking of one man's wife and/or daughter(s) by another priesthood bearer better suited to provide for them: "Some *priest* or *king*, may claim your wife/ Because that you are poor" (Ins. 51-52). Those who knowingly reject the prophet's counsel risk damnation; those who obey it will be forever blessed: "He'll *seal you up*, be damned you can't,/ No matter what you do/ If that you only *stick* to him,/ He swears HE'LL *take you through*" (Ins. 62-64). This "secret doctrine" (In. 73), Buckeye continues, is taught and practiced by Smith, the "*red rams*" (In. 74; whom he identifies as apostles Brigham Young and Orson Hyde), all of the other twelve apostles ("though they deny it publicly"; In. 75), and even Smith's brother and official Church Patriarch, Hyrum (In. 83). In fact, Buckeye implies that Hyrum Smith has already taken a widow as one of his plural wives: "For sure, 'twould be quite impolite,/ If not a great disgrace,/ To have a *widow* sister fair/ *Spit* in a Prophet's face!" (Ins. 85-88). Still, Buckeye asserts, the prophet "at snaring beats them all,/ And at the rest does laugh;/ For *widows* poor, and *orphan girls*,/ ... He sets his snares around for all, And very seldom fails/ To catch some thoughtless *Partridges*,/ *Snow-birds* or *Knight-ingles*!" (Ins. 89-96). Fortunately, some women are not so easily "*draged* to hell" (In. 99), especially those "Whose sires have bled in days gone by,/ For their dear country's cause;/ And who will still maintains its rights,/ Its *Liberty* and *Laws*!" (Ins. 101-104).

Again, using sources friendly to Joseph Smith, Buckeye's allegations find support. To that man who "hath shall be given more," Smith taught, "and from him that had but one should be taken that he seemed to have, and given to him who had ten. This, so far as I could understand," explained one of his followers, "might relate to families."²² Thus rejecting Smith's admonitions imperiled one's eternal soul: "[A]ll those who have this law revealed unto them," Smith quoted the Lord announcing, "must obey the same. For behold, I reveal unto you a new and an everlasting covenant; and if ye abide not that covenant, then are ye damned; for no one can reject this covenant and be permitted to enter into my glory."²³ One faithful father who agreed to "consecrate" his teenaged daughter to Smith was promised: "[T]he thing that my servant Joseph Smith has made known unto you and your Family ... shall be rewarded upon your heads with honor and immortality and eternal life to all your house both old & young."²⁴ "If you will take this step," one of Smith's brides reported him saying, "it will insure your eternal salvation & exaltation and that of your father's household & all of your kindred."²⁵ In fact, only those Mormons who embraced, at least in principle, the doctrine of plural wives were deemed worthy to receive the

church's highest blessing:²⁶ the confirmation, according to a contemporary Mormon historian of Nauvoo, "of promises that worthy men could become kings and priests and that women could become queens and priestesses in the eternal worlds," thus guaranteeing their exaltation in the highest realm of the Celestial Kingdom.²⁷

By the time of "Buckeye's Lamentation" in early February 1844, Mormonism's "red rams"—Brigham Young and Orson Hyde—had already been sealed (as Buckeye notes) to three and two plural wives, respectively.²⁸ Of the remaining ten members of the increasingly powerful Quorum of the Twelve Apostles, Heber C. Kimball had taken a plural wife in 1842, Parley P. Pratt on 24 July 1843, Willard Richards on 18 January 1843, and John Taylor on 12 December 1843 (and a second on 25 February 1844). Apostles Ezra Taft Benson would marry polygamously on 27 April 1844, Lyman Wight probably in May 1844, John E. Page sometime in 1844, Orson Pratt later that fall, George A. Smith on 29 November 1844, and Wilford Woodruff on 15 April 1846. In addition, Smith's brother Hyrum had on 11 August 1843 married as his first plural wife Mercy Rachel Fielding Thompson, sister of his legal wife, Mary Fielding Smith, and relict of Robert B. Thompson (who had died on 27 August 1841).

Also by this time, Joseph Smith himself had married at least thirty-two women in addition to his first wife.²⁹ Of these, four were widows and four, though not orphans *per se*, had lived with Smith as their *de facto* guardian. The widows—Agnes Coolbrith Smith (sealed 6 January 1842), Martha McBride Knight (sealed August 1842), Fanny Young Murray (sealed 2 November 1843), and Delcena Johnson Sherman (sealed before July 1842)—ranged in age from thirty-three to fifty-seven; the prophet's charges—Sarah and Maria Lawrence (both sealed in May 1843) and Eliza Dow and Emily Maria Partridge (sealed 8 and 4 March 1843)—from seventeen to twenty-two.³⁰ In fact, Buckeye correctly identifies by surname four of Smith's plural wives: the Partridge sisters, Eliza Roxcy Snow (sealed 29 June 1842), and Martha Knight—the "thoughtless Partridges, / Snow-birds or Knight-ingales!"

Again, as Buckeye alleges, not all plural wives greeted the practice enthusiastically³¹; and not all would-be wives, despite threats of damnation, submitted to Smith's wishes obediently.³² "[I would] sooner go to hell as a virtuous woman," vowed one of his intended wives, "than to heaven as a whore."³³ "[T]each it to someone else," replied another.³⁴ In referring to those reluctant women whose fathers "bled in days gone by, / For their dear country's cause," Buckeye was probably thinking of Cordelia Calista Morley (b. 28 November 1823), daughter of Isaac Morley, a veteran of the War of 1812. With Smith's blessing, Morley took his first plural wife on 18

January 1844, and according to Cordelia's autobiography, at about the same time "Plural marriage was introduced to me by my pearents from Joseph Smith asking their consent & a request to me to be his wife. Imagine if you can my feelings to be a plural wife. Something I never thought I ever could be. I [k]new nothing of such religion and could not except [accept] it. Neither did I."³⁵ Following Smith's death, however, Cordelia changed her mind and was sealed to the prophet posthumously on 27 January 1846.³⁶ Finally, some writers have interpreted Buckeye's closing reference to "*Liberty and Laws!*" as a nod to his identity: one or both of Mormon renegade brothers Wilson and William Law.³⁷ On the other hand, Buckeye may have simply been saluting other prominent dissidents like himself.

The second of Buckeye's poems (spelled here as "Buckey") focuses on one particularly scandalous charge in the poet's attack on Smith and his church. In the first five stanzas, Buckeye trumpets his earlier broadside, describing himself as a "certain chief" who had "learned to sing" and "turn'd out a poet great, / Or some such thing" (lms. 3-6). "Like some great herald," he boldly proclaimed Smith's "wicked ways, / Your *tyranny* [sic], your *sin* and *shame*, / In these last days" (lms. 10-12), so that all may know "there is still one child who dare / And will be free" (lms. 17-18). Buckeye reveals that he "lives in Nauvoo," where he once was a true friend "to you, / In days that's past," until Smith slandered him, throwing "Fair fame to blast" (lms. 21-24). Only then did the young poet see that "you were not what you had been," displaying instead iniquity "In every way; / And from fair virtue's paths did lean / Vile plans to lay" (lms. 26-30).

The next eleven stanzas address Smith's attempted seduction of a young woman for whom Buckeye had strong feelings. "Have you forgot," he asks Smith, "the snare you laid / For NANCY, (lovely Buckeye maid?) / ... Assisted by that wretched bawd / Who kept the house" (lms. 31-32, 35-36). Fortunately, Nancy would not yield to Smith's doctrines, "Although the scriptures you did wield / In your relief" (lms. 41-42). Faced with rejection and the threat of exposure, Smith "chang'd your *lovers sighs*, / And vengeful hate flash'd in your eyes" (lms. 49-50). He began "circulating lies" (ln. 53), hoping to "destroy her fame, / And give to her a ruin'd name, / So that if she should ever proclaim / What you had tried; / Your friends might turn on her the shame / And say she lied" (lms. 55-60). Instead of cowering, Nancy "met you face to face / ... And like a counterfeit she nail'd / You tightly down" (lms. 63-66). "Although you tried," Buckeye gloats, "To make this gentle creature ... eat her words, / ... But strong in truth, she in that hour / Told you you lied" (lms. 67-72). Humiliated, Smith admitted to Nancy's father that "what she had said, was true," but explained that he had simply been testing her virtue to "keep herself all pure and free / From base seducers like to me, And *Joab* vile," both of whom, Smith had been told in a revelation,

would attempt to "beguile" her (lns. 75-84). Though pained by Smith's "slandrous tongue" (ln. 85), Buckeye had thought to say nothing of the prophet's infamy, provided Smith repent (ln. 89). Instead, he continued to voice his "slanders vile" (ln. 91), which Buckeye "this child" (92) refuses to bear any longer: "Although by nature he is mild,/ And well disposed;/ Thy sins from continent to isle/ Shall be exposed" (lns. 93-96).

Buckeye discloses his own badly bruised faith in Smith while giving vent to his mounting anger, threatening to bring to light "Missouri's deeds .../ Though perpetrated in the night,/ By hirelings who thought it right/ To do thy will/ By cabin conflagration bright/ To *scalp* and kill" (lns. 98-102). Repent, Buckeye pleads, and "think, how mighty and sublime/ Thy calling first/ And in black sackcloth bow thee down/ Low in the dust/ ... And I'll forgive" (lns. 103-14). Otherwise, "your dark deeds in Nauvoo,/ As well as in Missouri too/ Like *Hamlet's* ghost shall rise to view ..." (lns. 115-17). Buckeye may be a "child" (ln. 125), but he can trace his lineage back to the days of William Wallace (ca. 1270-1305) and Robert the Bruce (1306-1329), champions of Scottish freedom in the late Middle Ages, who "for Liberty did raise/ The sword, and broke/ (As I intend in these last days)/ A tyrant's yoke" (lns. 129-32).

From a variety of sources, it is clear that "NANCY, (lovely Buckeye maid?)," is Nancy Rigdon (b. 8 December 1822), daughter of Sidney Rigdon, one of Smith's two counselors in the governing body of the young church, the three-man First Presidency.³⁸ According to Richard S. Van Wagoner,³⁹ historian of Mormon polygamy and Rigdon biographer, one of Smith's plural wives, thirty-one-year-old Marinda Nancy Johnson Hyde (who, though civilly married to Apostle Orson Hyde, was sealed to Smith about this same time and was evidently the "wretched bawd/ Who kept the house"), asked Nancy in April 1842 to accompany her to talk with Smith. The prophet was unable to meet the two women, and Nancy later mentioned the episode to twenty-three-year-old Francis M. Higbee, who also was courting her.⁴⁰ John C. Bennett, Smith's knowledgeable but problematic advisor, had cautioned Higbee about Smith's interest in nineteen-year-old Nancy, which Higbee in turn relayed to Nancy. When Nancy subsequently met with Smith, she spurned his advances. Within the next few days, Smith sent her a pleading letter he hoped would change her mind. The letter read, in part: "That which is wrong under one circumstance, may be and often is, right under another. ... Everything that God gives us is lawful and right; and it is proper that we should enjoy His gifts and blessings ... Our Heavenly Father is more liberal in his views, and boundless in his mercies and blessings, than we are ready to believe or receive" Nancy told her family of the encounter and gave the letter to Higbee, who handed it to Bennett (who published it). Relations between the Rigdons and Smith

soured, and some of Smith's followers publicly branded Nancy as a prostitute. (Smith repudiated at least one of these statements.)⁴¹

Smith succeeded in accounting for his actions in such a way as to satisfy everyone involved, except Higbee. Meeting privately with Higbee on 29 June 1842, Smith explained that his criticisms of Higbee (and others) had been spoken "in self defense." (Smith felt justified in attacking the credibility of any who violated his trust, whom he viewed as covenant-breakers and hence liars, especially if they threatened his or his people's safety; it seems not to have mattered to him if his allegations in every detail were true or not.) According to Smith's secretary, Higbee seemed "humble, and promised to reform."⁴² Higbee, however, remembered the encounter differently, and never forgot Smith's duplicity (see below). In what may be his most important contribution to the history of this episode, Buckeye contends that Smith told the Rigdons he had simply been preparing Nancy for Buckeye's and Joab's amorous overtures. (By 1844, it was public knowledge that Joab was an earlier pen name of John C. Bennett,⁴³ whose own extramarital escapades in Nauvoo circa 1841-42 had become legendary.) For Buckeye, Smith's assertion that he had been protecting Nancy from the poet's advances was a *coup de grâce* ("burning tears from me have wrung," ln. 86). Still, Buckeye forbore, and only after subsequent slanders did he, like the Scottish patriots, decide his only option was to break once and for all the "tyrant's yoke."

In this second poem especially, Buckeye aligns himself most closely with Nancy Rigdon's suitor, Francis Higbee.⁴⁴ In addition to calling himself Buckeye, signalling his status as Ohio-born, the poet scatters throughout his verses hints regarding his identity:

- He is a "child" living in Nauvoo who was both a friend and follower of Smith until Smith slandered him;
- He is familiar with Smith's teachings on plural marriage and knows some of its participants, including Hyrum Smith, Brigham Young, Orson Hyde, and others of the Quorum of the Twelve Apostles; he knows that Joseph Smith married widows, orphans, and the identities of four wives by name; he knows that some women rejected Smith's proposals, including women whose fathers are veterans;
- He is well acquainted with Nancy Rigdon. He knows that Smith proposed to her, as well as some of the arguments Smith used; he knows that Nancy rejected Smith, that Smith and others attempted to discredit her, that Smith admitted his guilt but explained that he had been warning her of Buckeye's and Joab's intentions; and

- He knows about being saved in mortality as kings and queens, priests and priestesses.

Of these clues, Francis Higbee, not Wilson Law, satisfies the greatest number.⁴⁵ Born in 1820 in Tate, Ohio, to Elias Higbee and Sarah Elizabeth Ward (m. 1818), Francis and his family joined the Mormon church in Ohio in early 1832. Like other new Saints, the Higbees moved to Jackson County, Missouri, the following year but were forced to leave in 1835 and settled in Kirtland, Ohio, another Mormon stronghold. In 1836 they again relocated to Missouri, were again forced to leave, and by early 1839 had migrated to Illinois and eventually helped to establish Nauvoo. (As with many early Saints, the horrors of Missouri were for the Higbees a nightmare it would take years to recover from, if ever.) Francis's father was a county judge in Missouri, a leading officer in the church's Missouri militia (sometimes called the Danites), accompanied Smith to Washington, D.C., to plead the Mormons' case for redress before U.S. president Martin Van Buren in 1839-40, and served as official Church Recorder from 1838 until his death from cholera at age forty-seven on 8 June 1843. Elias's unexpected passing devastated his forty-two-year-old wife and their seven children, who ranged in age from four to twenty-three. Although Smith had scolded him the previous year for not being "as diligent as you ought to have been, ... [to] make your children industrious,"⁴⁶ following Elias's death Smith proclaimed, "[H]e will again come forth and strike hands with the faithful, and share the glory of the kingdom of God for ever and ever."⁴⁷

In 1841, young Francis Higbee (also known as Frank) was elected a colonel ("a certain chief") in the Nauvoo Legion, a countywide militia (where Smith and John C. Bennett served as his superior officers). Higbee had become acquainted with Nancy Rigdon, born not in Ohio but in Pennsylvania, while both were residing with their families in Missouri, and apparently began courting her in earnest by early 1842 at the latest. (Buckeye may have thought that Nancy had been born in Ohio since her parents had married there in 1820 and her older sister and several of her younger siblings had been born there.)

At about the same time as Smith's proposal to Nancy in April 1842, allegations began erupting that Bennett and others had over the course of the past year been defiling several of the church's young women under the pretext that Smith sanctioned such behavior.⁴⁸ (By this time, Smith had already been sealed to at least eight women.) For nearly ten months, from September 1840 to July 1841, Bennett had lodged with Smith and had enjoyed an intimate association with the prophet. During this period, on 5 April 1841, Smith took his first plural wife, an event to which Bennett was privy. Consequently, Bennett felt authorized, whether or not Smith

conveyed such an impression, to initiate himself and others into the prophet's doctrine of plural marriage. Smith worried that the enthusiasm with which Bennett embraced the celestial teaching, and especially his introduction of it to others without Smith's permission, failed to emphasize the religious aspects of his revelation and thus exposed the church to condemnation. By mid-May 1842, Bennett had become a liability, but when Smith threatened to publicize his activities, he resigned from the church and apparently confessed his guilt; he also resigned as Nauvoo's mayor, was succeeded by Smith, and left town by the end of June. Prior to his departure, Bennett announced, under pressure, that he had never known Smith "to countenance any improper conduct whatever either in public or private; and that he never did teach to me in private that an illegal, illicit intercourse with females, was under any circumstance justifiable, and that I never knew him to so teach others."⁴⁹ (Smith required that a sealing ceremony be performed with his permission by an authorized priesthood holder prior to sexual contact; Bennett believed that worthy couples, whether married or not, could engage freely in sexual activity provided they keep their conduct a secret.⁵⁰)

One of the city's young men who fell under Bennett's spell was Francis Higbee's twenty-year-old brother, Chauncey. Despite swearing to an affidavit virtually identical to Bennett's, Chauncey, as a lesson to all, was expelled from the church on 24 May 1842 "for unchaste and unvirtuous conduct towards certain females, and for teaching it was right, if kept secret, &c."⁵¹ To counter charges of complicity, since Chauncey had invoked Smith's name in gaining access to these women, Smith also sued him for "slander[ing] and defam[ing] the character of the said Joseph Smith, and also the character of Emma Smith, his wife ..."⁵² Chauncey felt that his situation differed little from that of Bennett, who at this point had not been disciplined, or from that of Smith's own brother William, who was never punished for his attempted liaisons.

The Higbee brothers were furious at what they perceived to be Smith's hypocrisy and Smith worried that they would attempt to convince the brother of an intended plural wife to disrupt the prophet's plans and so called the brother on a mission away from Nauvoo.⁵³ For a brief time, Francis Higbee collaborated with Bennett, who denied any wrongdoing, and on 8 July 1842 began publishing a series of scandalous letters exposing Smith and his church.⁵⁴ (Higbee's having given Bennett Smith's letter to Nancy Rigdon ended his relationship with her.) Chauncey hoped to humiliate Smith during the latter's civil action by calling as witnesses women he believed would sustain his own allegations of immorality against Smith.⁵⁵

After some three months, Smith dropped his risky suit both because he decided to go into hiding to avoid extradition to Missouri, where

authorities wanted to charge him with the recent attempted assassination of a former governor, as well as because the Higbees had retreated from their earlier threats of reprisal, the result of their father's, and possibly other close friends', intervention.⁵⁶ (Smith no doubt also sensed that the trial would have exposed his incipient teachings on plural marriage.) "I want to understand," a chastened-sounding Higbee wrote from Pleasant Hill, some hundred miles south of Nauvoo, in late November 1842, "that I have no feelings against Joseph [Smith]; I have fully satisfied myself that he has been called of God, to do a great, and mighty, work in the earth, and let it suffice to say I am fully satisfied with him.— All our former difficulties (if such they might be called), were forever effectually settled before I left."⁵⁷ "My object," Chauncey Higbee wrote the following month, "is not to vindicate or anathematise either party,— free from the shackles of party litigation I desire peacefully to pursue the duties of my daily avocation; while—thankful for the boon—I hope long to remain a citizen of our flourishing city."⁵⁸ "If ... I have done any thing to injure my character," Smith seemingly confessed four months later, "I am sorry for it; and if you will forgive me, I will endeavor to do so no more. I do not know that I have done any thing of the kind. But if I have, ... I want you to come boldly and frankly, and tell of it; and if not, ever after hold your peace."⁵⁹ When Elias Higbee passed away in June, the church's *Times and Seasons* editorialized: "He has raised a large family—all to respectability—all to ultimate usefulness."⁶⁰ At the same time, Smith offered a mild rebuke to Francis and Chauncey when, during the funeral sermon, he advised: "To the mourners I would say—Do as the husband and the father would instruct you, and you shall be reunited."⁶¹

Following his sojourn in Pleasant Hill, Francis Higbee relocated to Cincinnati, Ohio. But by mid-summer 1843, he had returned to Nauvoo, where the twenty-three-year-old soon found his name linked to on-going efforts to extradite Smith to Missouri. (He had not forgiven Smith for his overtures to Nancy Rigdon and may have shared his feelings with others.) "My father's death has been enough," he wrote to Smith on 8 September 1843, anxious to clear his name,

- When taken in connection with other things of less moment, to engage my whole attention without seeking to draw down upon my own head, the heads of my mother's family, another scourge, such as we suffered in Missouri. Who suffered more and hazardous life oftener than did I—God forbid that ever I should be instrumental in bringing destruction not only upon my friends, but upon myself and relatives— Then, Sir, please read this, or announce to the public that the charge with which I stand charged is *false, false, false*, and greatly oblige.⁶²

Within weeks Francis Higbee participated in a special "pleasure party and dinner" hosted by Smith,⁶³ and Smith subsequently "expressed himself satisfied that Col. Frances M. Higbee was free, even of reproach or suspicion, in that matter."⁶⁴ But rumors of Higbee's disloyalty refused to die. In late December, Smith expanded Nauvoo's police force (which doubled as a personal security force) in response to reports that Missouri officials were again attempting to bring him to justice.⁶⁵ During his charge to the forty new recruits, Smith declared:

My life is more in danger from some little dough-head 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 ... 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. ... Judas was one of the Twelve Apostles, even their treasurer, and dipt with their Master in the dish, and through his treachery, the crucifixion was brought about; and *we have a Judas in our midst.*⁶⁶

Almost immediately, William Law (Smith's counselor in the First Presidency) and William Marks (president of the Nauvoo Stake, or diocese) were told Smith had meant them.⁶⁷ Both had been unable to embrace Smith's teachings on plural marriage, and Law in particular was an increasingly vocal critic of Smith's leadership.⁶⁸ Smith tried to reassure the two men that he had not been thinking specifically of them,⁶⁹ but in the course of his comments made certain to let them know what he thought of traitors: "Mayor [Joseph Smith] spoke on Spiritual Wife system, and explained, The man who promises to keep a secret and does not keep it he is a liar, and not to be trusted. ... When a man becomes a traitor to his friend or country who is innocent, treacherous to innocent blood[,] [I] do consider it right to cut off his influence so that he could not injure the innocent, but not right to meddle with that man without testimony, law & trial."⁷⁰

During these discussions, Francis Higbee was asked what he knew of the stories regarding Law and Marks. "Have received the impression from rumor that Mr. Law, Mr. Marks and probably one or two others," he told the city council on 5 January, "could not subscribe to all things in the Church, and there were some private matters that might make trouble."⁷¹ Annoyed at Higbee's mention of "private matters," Smith replied before the close of the meeting: "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 [Higbee's] society, and let him stand on his own merits. I by no means consider him [Higbee] the standard of the city."⁷² Law's account of Smith's remarks suggest that the official minutes of the meeting may not do full justice to Smith's warning:

Joseph made another speech, and in it said that F. M. Higbee had better be careful or a train of facts would be disclosed concerning him that he would not like; gave us to understand that he was conniving with Missouri &c., and that he only disgraced anyone who associated with him, and that he had denied him the privilege of [entering] his house (or words like that) and would not allow him to associate with his females &c; that he had been called on to lay hands on him when he stank from a cause that he did not like to name (or such a saying).⁷³ I did not believe the story at all, and cannot see why he should tell it.⁷⁴

During the next few days, Higbee fumed over Smith's accusations and before the end of the week sent Smith "a long equivocating letter ... 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."⁷⁵ "The inconsiderate, the unwarented, and unheard of attack you made upon my character on the 6th inst before the City Council," Higbee wrote, barely able to contain his anger,

impels me to demand an investigation of you, and *that* without delay before the ecclesiastical powers. For if I am guilty of either of those charges, omitting the guilt of the whole, I most unquestionably am not worthy a name among a people making as great professions as do the people called mormons. It is said I seek the hours of the midnight assassin to seize my victim, when no one is near to bear witness of the crime or attest the unhallowed deed, that I sympathized with the afflicted and oppressed, that I may devour their vitals, that I seek the mantle of religion to envelop my scorpion body, that I may better practice my nefarious designs. Then sir, if I am acting in this sphere, am I not acting in the sphere of a hypocrite, and am I not a dark body suffered a place on the fair escutcheon of our religion? In deciding *this* question, let us not sever the moorings of Christianity, and plunge into the mad sea of *revenge*? persuade the mariner to sell his compass? or Washington his sword? persuade an intelegent man to pluck out his eyes, to

enjoy the unmitigated horrors of blindness? Truth is our compass in the stormy sea of life; before which wealth, power, authority, talent and genius tremble, as did Felix on his thrown; when Heaven and Earth shall pass away. *Truth* shall arise like the angel on Manoah's sacrifice, upon the flame of Natures funeral pyre, and ascend to her source, her heaven and her horne, the bosome of the Holy, and eternal God.

Sir, any man so base, to lust to evry principle of honor and virtue, so unmindful of the obligations he owes his fellow men, and so forgetful of those he is under to his God, as to wrap himself in the habiliments of religion and under the garb of Christianity perpetuate the crimes which you have alledged to me, deserves to die, if *ever* man merited death.

I want you to thoroughly understand, I look upon that spirit of crime, as the greatest, the most destructive to human happiness and the most fatal to all earthly enjoyment. The history of the dark ages warrants me in the asertion, during the day when the "end" was thought to justify the means, when patants of absolution were granted during the days of Leo X and Tetzal, Christianity and virtue are emblimatical of that noble independance which always characterizes a man of God. That man who possess those envied charms, can shroud himself in a good conscience and defy the foulest breath that man can breath; he is looking forward without the least fear to the great change and no chains are so strong, no fetters are bound as tight, as those which bind his soul to this tenement of clay.

Sir, you have struck a blow at evry thing which renders existance sweet; you have sought to blast evry proud hope, and evry fond expectations by throwing into free circulation reports, the truth of which, God is some day to judge. The cause of your course towards me has astonished many, from the fact that they can not divine the reason, and as for myself I am as ignorant of the cause, as a child unborn. As for the opinion which I always, and still entertain, with regard to the propriety of one mans having more than one woman, or this spiritual business, I am not ashamed to avow, in your presence or in the face and eyes of the world; I have repeatedly said and am still of the same opinion "fixed and determined as the polar star" that any revelation commanding or in any wise suffering sexual intercourse under any other form than that prescribed by the laws of our country, AND which has been ratified by special revelation through you, is of *HELL*; and I bid defiance to any or all such. As far as my

character and influence extends, I am willing, not only willing but determined, to oppose it, under every form it can present itself. Whether my name shall be sounded, my opposition to such a hellish fabrication shall be known, at the peril of my life, my fortune and my sacred honor. "Though the people should riot and profect in insurrection though tyrants should rage and threaten destruction, though the hurricane should lay upon the bed of the sea; though the earthquake should tear the globe in peices; though the stars should fall from their sphere, and the frame of nature be dissolved I know virtue will protect her votaries while the good men will remain tranquil amidst the ruins of the world."

That man who pursues a course different from that which I have persued and am still determined to persue, may reach the regions of pleasure when the happy companions be contentement, friendship, Knowledge, wealth, dignity, and fame shall greet him, but alas! how soon must he according to the inevitable decree of Heaven, be consigned to sorrow, remorse and despair. Then sir with me it is virtue or vice. I am a devoted friend to virtue, and Sir a court or council of the church must declare no otherwise immediately; or I shall think you unjust on the extreme; then Sir I cla[i]m the right of investigation, I claim the right to a fair and impartial *and public trial*; and that without delay. From your mere *ipse dixit* I shall extricate myself, for bear it I will not; I am quite determined not to remain quiet under the foul imputations cast upon me.⁷⁶

Smith ignored Higbee's demand for a public investigation and word soon surfaced that Francis intended to sue Smith publicly for slander.⁷⁷ Smith responded by arranging to have Higbee tried before the city's municipal court, over which Smith presided as mayor, "for absenting himself from City Council without leave, when summoned as a witness, and for slanderous and abusive language towards one of the members of the Council [i.e., Joseph Smith]."⁷⁸ Instead of a trial, however, the two cobbled a tentative reconciliation. According to the official minutes:

Mayor [Smith] announced that all difficulties between him & Francis M. Higby [were eternally buried] and he was to be his friend forever & F. M. Higby said I will be his friend forever and his right hand man. And A[lderman]. Hiram Smith stated that all aspersions which may have been supposed to have been cast upon Higby are ~~false~~ a mistake tis not so. Mayor explained at length [illegible] what, in substance, he had said at previous

councils on the same subject. ... F. M. Higby spoke stating his distraction of mind the past week, glad the difficulties are settled shall be his friend as said before. The observations by the mayor before the council on the 5th inst. concerning F. M. Higby were ordered to be stricken from the minutes⁷⁹

Unfortunately, the *détente* proved short-lived, and three weeks later "BUCKEYE'S LAMENTATION FOR WANT OF MORE WIVES" appeared in the *Warsaw Message*.

Before the end of the month, on 26 February 1844, Higbee again crossed paths with Smith. By now a practicing attorney (as was his brother), Francis represented Orsimus F. Bostwick whom Hyrum Smith had charged with having slandered him in connection with "certain females of Nauvoo."⁸⁰ The mayor's court found Bostwick guilty and Francis informed the tribunal that he would appeal the decision to the circuit court, which he felt would not be so biased. (Smith's use of Nauvoo's courts to vitiate what he felt were nuisance suits was in some quarters earning him a reputation as a skillful manipulator of the American legal system.)⁸¹ Smith countered: "I told Higbee what I thought of him for trying to carry such a suit to Carthage [the county seat]—it was to stir up the mob and bring them upon us."⁸² Ten days later, Smith addressed a general gathering of Nauvoo's citizens and placed Higbee on notice:

[W]e have a gang of simple fellows here who do not know where their elbows or heads are. ... if there is any case tried by the authorities of Nauvoo, they want it appealed to Carthage to the circuit court. ...

From this time I design to bring such characters who act against the interests of the city before a committee of the whole; and I will have the voice of the people, which is republican, and is likely to be the voice of God; and as long as I have a tongue to speak, I will expose the iniquity of the lawyers and wicked men.⁸³

"I despise the man who will betray you with a kiss," Smith added; "and I am determined to use up⁸⁴ these men, if they will not stop their operation. ... I will disgrace every man by publishing him on the house top, and who will not be still and mind his own business."⁸⁵ "Wo to the man or lawyer," Nauvoo's women similarly denounced, "that filthies himself by advocating such rotten hearted raven's rights"⁸⁶ Higbee no doubt realized that such rhetoric was prompted by and directed to critics like himself.

Before the end of March, rumors regarding a growing cabal of knowledgeable apostates were circulating widely, and Smith again lashed

out at his enemies, this time by name, including Chauncey Higbee (but not Francis, though he was not far from Smith's thoughts). "[T]he lies that C. L. Higbee has hatched up as a foundation to work upon are," Smith proclaimed, "he says that I had men's heads cut off in Missouri, wanted to kill and put out of the way. I won't swear out a warrant against them, for I don't fear any of them: they would not scare off an old setting hen. I intend to publish all the iniquity that I know of them. ... I am willing to do anything for the good of the people."⁸⁷ Smith's antagonists had been meeting privately, intent on exposing his iniquities, and tensions between followers and critics escalated. On 1 April, the Higbees were arrested for "assaulting the police" but were acquitted. Chauncey was then arrested and convicted for "using abusive language to and insulting the city marshal while in the discharge of his official duty."⁸⁸ The next day Chauncey had the complaining policemen arrested for "false imprisonment." Nauvoo's municipal court intervened, released the three policeman, and instead ruled: "Chauncey L. Higbee is a very disorderly person; that this case ... originated in a malicious and vexatious suit, instituted by Chauncey L. Higbee against the petitioners now discharged; and that said Higbee pay the costs."⁸⁹

Smith's opponents were furious at the manipulation of the courts, and demanded that their complaints be aired fully during an upcoming churchwide conference. Unwilling to give his enemies a forum, Smith decided differently: "[I]t had been expected by some that the little petty difficulties which have existed would be brought up and investigated before this conference," he announced, "but it will not be the case; these things are of too trivial a nature to occupy the attention of so large a body."⁹⁰ Ironically, during this same conference, Hyrum Smith tried to defuse the situation, referring specifically to the Laws: "the Messrs. Laws have done a great deal of good ... I do not believe that the Messrs. Laws would do anything against me."⁹¹ However, the prophet would not be swayed.⁹² On 17 April, he confronted Chauncey with what evidence he had of Higbee's threats and the next day had the Laws and others expelled from the church for "unchristianlike conduct."⁹³ On 21 April, the Higbees, Laws, and a few other dissenters met to form a new church free of Smith's teachings. At the same time, tensions worsened, and a skirmish broke out between Chauncey, two of his associates, and several of Nauvoo's policemen. The former refused to aid the latter in accompanying a prisoner to the mayor's office, and the three troublemakers were arrested on 26 April for "resisting the authorities of the city."⁹⁴ (Only a day earlier, "The Buckey's [sic] First Epistle to Jo" had appeared in the *Warsaw Signal*, together with the reprint of "Buckeye's Lamentation.")

Eight days later, Francis Higbee formally charged Smith with slander and had him arrested by the circuit court in Carthage, hoping to

forego a hearing before Nauvoo's courts. (It is unclear what immediately prompted the suit; perhaps others of his circle had not kept silent about Smith's January allegations regarding Higbee or perhaps Higbee was merely reacting to Smith's public and private criticisms of dissenters generally.) Smith petitioned Nauvoo's municipal court the same day to allow him to respond to Higbee's charges and to force Higbee to justify why he should remain under arrest.⁹⁵ During the 8 May proceeding, which Higbee did not attend, Smith, hurt and infuriated at Higbee's betrayal, proved good on his earlier threat to expose Higbee's own indiscretions.⁹⁶ According to the published minutes:

JOSEPH SMITH sworn—Said ... Francis M. Higbee said he was grieved at me, and I was grieved at him. I was willing on my part to settle all difficulties, and he promised if I would go before the City Council and tell them he would drop every thing against me forever. I have never mentioned the name of Francis M. Higbee disrespectfully from that time to this; but have been entirely silent about him; if any one has said that I have spoken disrespectfully since then, they have lied: and he cannot have any cause whatever. I want to testify to this court of what occurred a long time before John C. Bennet left his city. I was called on to visit Francis M. Higbee; I went and found him on a bed on the floor.

[Here follows testimony which is too indelicate for the public eye or ear; and we would here remark, that so revolting, corrupt, and disgusting has been the conduct of most of this clique, that we feel to dread having any thing to do with the publication of their trials; we will not however offend the public eye or ear with a repetition of the foulness of their crimes any more.]⁹⁷

Bennet said Higbee⁹⁸ pointed out the spot where he had seduced a girl, and that he had seduced another. I did not believe it, I felt hurt, and labored with Higbee about it; he swore with uplifted hands, that he had lied about the matter. I went and told the girl's parents, when Higbee and Bennet made affidavits and both perjured themselves, they swore false about me so as to blind the family. I brought Francis M. Higbee before Brigham Young, Hyrum Smith and others; Bennet was present, when they both acknowledged that they had done these things, and asked us to forgive them. I got vexed, my feelings had been hurt; Higbee has been guilty of adulterous communication, perjury, &c.; which I am able to prove by men who heard them confess it. I also preferred charges against Bennett, the same charges which I am now telling; and he got up and told them it was the truth, when he pleaded for

his life, and begged to be forgiven; this was his own statement before sixty or seventy men; he said the charges were true against him and Higbee. I have been endeavoring to throw out shafts to defend myself, because they were corrupt, and I knew they were determined to ruin me: he has told the public that he was determined to prosecute me, because I slandered him, although I tell nothing but the truth. Since the settlement of our difficulties, I have not mentioned his name disrespectfully; he wants to bind up my hands in the circuit court, and make me pay heavy damages for telling the truth. In relation to the conspiracy, I have not heard Francis M. Higbee say he would take away my life; but Chauncey Higbee [and two others] ... said they would shoot me, and the only offence against me is telling the truth.

Although Hyrum Smith had earlier insisted that such accusations were "~~false~~ a mistake," several of his brother's colleagues (including Hyrum himself) also testified of Francis's depravity:

BRIGHAM YOUNG, sworn, With regard to Francis M. Higbee, at the time that is spoken of, I stopped opposite Mr. Laws' store, we had been conversing with Dr. Bennet when I came into the room, Francis Higbee rather recoiled and wished to withdraw; he went out and sat upon a pile of wood. He said it is all true, I am sorry for it, I wish it had never happened. I understood Bennet who related some of the circumstances, he cried and begged of us to forgive him, and said if he could be permitted to stay in the city as a private individual he should be happy; that was about what he said; it is true, I am sorry for it I wish it had never been so; as we came up, Dr. Bennet, Mr. Higbee, and Mr. Smith, had been talking about it, I have not mentioned it before, I knew of the whole affair, it was on the 4th of July, or a few days after it was shortly after I came from England. I was in the City Council when Mr. Higbee said all was settled. ...

HYRUM SMITH swore,—I recollect a settlement of difficulties between Francis M. Higbee and my brother Joseph, about which some of the court may recollect. I recollect Dr. Bennett asking forgiveness of the [Masonic] Lodge when there was about sixty present—Francis M. Higbee acknowledged that it was the truth, that he was sorry, and had been a thousand times: he acknowledged his connection with the woman on the hill; I did think he was with Dr. Bennet at the time, the statement of Bennet was, that he was guilty, he was sorry and asked forgiveness, he

said he had seduced six or seven, he acknowledged it, and said if he was forgiven, he would not be guilty any more. Francis said he knew it was true, he was sorry and had been a hundred times; the very things that we had challenged him with, he acknowledged. I told Francis that it had better be settled he said, Joseph had accused him—if his character was gone all was gone, he said he would settle it and they went into the room, he did not deny any charge, he said he was sorry, that he wanted it buried, and it was agreed to do so. Francis did not say any thing about his sickness, but Dr. Bennet made those observations to him that he had doctored him in the time of his sickness. ...

HEBER C. KIMBALL, sworn—I think it is near two years: I had some conversation with Francis Higbee, he expressed himself indignant at some things; he expressed himself that he was sorry, he would live a new life, he never would say a word against President Joseph Smith; he had an inclination to write that what he published was false. ... The last time I conversed with him, he said, "if I had taken your council, I should now have been a man looked on with respect; he said he was not connected with the people that opposed President Smith and never would"—he much regretted the course he had taken.⁹⁹

At the end of the hearing, the court discharged Smith and ruled that "Francis M. Higbee's character having been so fully shown, as infamous, the court is convinced that this suit was instituted through malice, private pique and corruption; and ought not to be countenanced; and it is ordained by the court that said Francis M. Higbee pay the costs."¹⁰⁰ To underscore his commitment to expose Higbee's perfidy, Smith had the hearing, including his own testimony, published nearly verbatim in the church's *Nauvoo Neighbor* one week later.

Before the end of the month, Higbee issued his own public statement, explaining his motivations and denying Smith's charges:

The nature of the above case was as follows:—On the 1st day of May, 1844, I sued out a *capias*, from the Clerk of the Circuit Court, of the Fifth Judicial District of Illinois, against Joseph Smith, who, immediately on being arrested obtained a writ of *habeas corpus*, from the Municipal Court at Nauvoo, that he might under that garb or semblance of justice, extricate himself from the just demands of violated law, as has always been the case before when men have attempted to bring him to justice. On the return of said writ before the Municipal Court, Joseph Smith in

justification of his own wickedness, corruption and infamy, swore first, as follows: "That I was grieved at him, and he was grieved at me," but he does not tell the cause of my "grief," neither does he give the world to understand the cause of his. He, as well as I, recollects well, the cause which first induced me to question his pretensions to sincerity, and which gave rise as he says, to my 'grief:' which was the base attack he (Joseph Smith) made upon the virtue of Miss Nancy Rigdon, in 1842, to whom I was at that time paying my addresses. The attack was of so base, so loathsome, and of so detestable a character, that I could not conceal my feelings from the base seducer, and I assailed Joseph Smith about the matter; in (as I think quite likely,) rather a rough manner, for I felt much excited indeed; when he (Smith) assured me I must keep perfectly dark, and be quite, or he would serve a *quietus* upon me—But I could not feel reconciled towards Joseph, and I made another assault upon him, in front of Mr. James Ivin's store, (or where he at that time kept,) and he upon that occasion told me he would blow my character to the four winds, if I did not be still, for God would deal with him, if I would be still and mind my own business, and that I was only exciting and agitating the attack, he made upon Nancy for the sake of insuring to myself an imperishable name, (or some words to that effect.)

The excitement upon my part was still on the increase, for as I reflected upon the matter, the more and more I became astonished; to think that Joseph Smith, a man professing to be a Messiah, sent by the God of Heaven to revolutionize and christianize this depraved and fallen generation, would have the presumption to attack the virtue of any female, with whom I was corresponding, and that too under the cloak of Christianity, was more than I could or ever will bear from him or any other man made in the image of his God;—I care not what his pretensions of[?] Christianity may be, or how many revelations he may call to his aid—he is a dark fiend from the Tartarian regions, and hell stands wide to swallow him up; and I would here recommend that Joseph Smith should look well to the west, for the figure of the Lord hath written it upon the wall "MENE, TEKEL, UPHARSIN."¹⁰¹

Smith discovered my feelings and commenced raging against me, by assailing my character in every corner of the street and in any private circle, and he soon commenced his outrageous attacks upon my character from the public stand. I met Smith in the public street before Hiram Smith's office, about that time (in '42,) when he presented his hand for my acceptance, I carried

mine behind me, and refused to accept his, when he stated that he was sorry the things had assumed such an aspect, for he always loved me and did still, and I was a good boy, and every body knew it, and if every body did not know it, they were not as smart as he was. At that time he eulogized my moral worth to the skies, but could not come it, for I still persisted, and utterly refused to extend my hand to any one so base, so lost to every sense of honor and virtue."

The above is a brief statement of some things that passed between Joseph and myself, about the time he made the attack upon the virtue of Miss Nancy, sufficient, however, to acquaint the public with the reasons for my feeling towards him, as he stated I did. As for himself he could not succeed in his unhallowed attempts, and that is what made him feel so bad, but all the *man* had to do, I suppose in mitigation of the crime, was to offer up the entrails of a lamb, if John T. Barnett would sell another, as he did when Mr. Samuel Pratt repeated his attempts.¹⁰²

Joseph Smith continues his statement before the Municipal Court, at great length with regard to myself, during which statement he (Joseph) tells but one falsehood, and that includes all the man said from the time he rose to swear, until he closed his testimony—which was a lie of the basest kind, and constitutes him a *perjured villain*, and so he stands on the docket of that Court, and what is still more painful and desperate, is to know as I do verily know, that he stands before the Bar of Heaven and own that he has lied, and that too, for the sole purpose of destroying him, who has never harmed the hair of any man's head, or injured any female under Heaven.¹⁰³

Smith and his critics continued to exchange slanders. The day after Smith's testimony against Higbee, Wilson Law was cashiered from the Nauvoo Legion for "ungentlemanly and unofficer-like conduct."¹⁰⁴ The next day, the Laws, Higbees, and others began distributing the prospectus for a new independent publication, *Nauvoo Expositor*, promising "to give a full, candid and succinct statement of FACTS AS THEY REALLY EXIST IN THE CITY OF NAUVOO *fearless of whose particular case the facts may apply ...*"¹⁰⁵ "[I]t shall be the organ through which we will herald the Mormon ribaldry," Francis explained. "[I]t shall also contain a full and complete exposé of his *Mormon Seraglio or Nauvoo Harem—*; and his unparelled and unheard of attempts at seduction. As it regards Joe I am as well satisfied that he excells Solomon, Tiberius, or even the black prince of Dahomeny himself, among

the women as I am that he is the biggest villain that goes unhung."¹⁰⁶ On the 12th, Smith seethed:

All the lies that are now hatched up against me are of the devil, and the influence of the devil and his servants will be used against the kingdom of God. ... I never told you I was perfect; but there is no error in the revelations which I have taught. ... I testify that no man has power to reveal it but myself—things in heaven, in earth and hell; and all shut your mouths for the future.

Within the week Chauncey Higbee returned briefly to Nauvoo's municipal court to represent a complainant in a civil case.¹⁰⁸ Two days later, Francis Higbee (and three others) was officially excommunicated "for apostasy."¹⁰⁹

On 23 May, rumors started surfacing that William Law intended to formally charge Smith with adultery.¹¹⁰ Two days later, on the strength of Law's affidavit regarding the prophet's living in "an open state of adultery," Smith learned that two indictments had been issued against him.¹¹¹ Reportedly, "Francis M. Higbee swore so hard that I had received stolen property, &c., that his testimony was rejected."¹¹² The next day a defiant Smith publicly vowed: "The Lord has constituted me so curiously that I glory in persecution. I am not nearly so humble as if I were not persecuted. If oppression will make a wise man mad, much more a fool. If they want a beardless¹¹³ boy to whip all the world, I will get on the top of the mountain and crow like a rooster: I shall always beat them."¹¹⁴ Smith decided not to avoid the trial and the next day traveled to Carthage where he hoped to "have the indictments against me investigated." However, one of the witnesses was absent, the case was postponed until October, and Smith returned home.¹¹⁵

On 29 May, the *Nauvoo Neighbor* published the affidavits of three women who two years earlier had testified that Chauncey Higbee seduced them. Smith's history noted that this was done "to show the character of the men who are now seeking to destroy my life and usefulness, and overthrow the work of the Lord which He has commenced through my instrumentality."¹¹⁶ The editor of the *Neighbor* explained:

After all that this Chauncey L. Higbee has done in wickedly and maliciously using the name of Joseph Smith to persuade innocent females to submit to gratify his hellish lusts, and then blast the character of the most chaste, pure, virtuous and philanthropic man on earth, he, to screen himself from the law of the land and the just indignation of an insulted people, and save himself from the penitentiary, or whatever punishment his

unparalleled crimes merit, has entered into a conspiracy with the Laws and others against the lives of those who are knowing to his abandoned conduct, thus hoping to save himself from the disgrace which much follow an exposure, and wreck his vengeance and gratify his revenge for his awful disappointment.¹¹⁷

Not everyone was convinced. The *Warsaw Signal* editorialized: "No Joe, these affidavits are but evidence against yourself. They show conclusively, that the females of your city, are taught by you, to hold virtue, chastity, decency and propriety, eh! every thing that gives adornment to the character of the sex, as subservient to your will and desire. ... Shame where is thy blush?"¹¹⁸

Two days later, on 4 June, Smith wondered about his prospects if he were to sue the Laws and others for "perjury, slander, etc.," perhaps in behalf of one of the women implicated in his alleged adultery.¹¹⁹ Before the end of the week, the first (and only) issue of the *Nauvoo Expositor* appeared. For all its bluster, the paper was short on proof of Smith's malfeasance. The most its publishers could muster were three affidavits attesting to the existence of Smith's revelation on plural marriage. What remained were verbose threats and unsubstantiated allegations. "Infinite are the gradations which mark this man's attempts for power ...," wrote Francis of Smith.

Is it not a shame and a disgrace, to think we have a man in our midst, who will defy the laws of our country; the laws which shed so gentle and nourishing an influence upon our fathers, which fostered and protected them in their old age from insult and aggression; shall we their sons, lie still and suffer *Joseph Smith* to light up the lamp of tyranny and oppression in our midst? God forbid, let the departed spirits of *our fathers*, cry from the ground against us. Let us arise in the majesty of our strength and sweep the influence of tyrants and miscreants from the face of the land, as with the breath of heaven.¹²⁰

Still, Smith was outraged and feared more damning exposures; he hastily convened the city council on 8 and 10 June where he orchestrated passage of a new ordinance and a resolution declaring the *Expositor* a public nuisance and ordering its destruction.¹²¹ During these emotional meetings, Hyrum Smith asserted, incorrectly, that his brother's revelation on "a multiplicity of wives" was "in answer to a question concerning things which transpired in former days, and had no reference to the present time."¹²² He also contended that William Law had confessed to having committed adultery and that Francis Higbee "had had the P** [pox, i.e., syphilis]."¹²³ Joseph Smith added, also incorrectly, he had "preached [a

multiplicity of wives] on the stand from the bible, shewing the order in ancient days, having nothing to do with the present times." After which Hyrum again stressed, and again incorrectly, that the revelation "was in reference to former days, and not the present times."¹²⁴

Following the destruction of the *Expositor* and its press,¹²⁵ most of the dissenters left Nauvoo, fearing for their lives (or hoping to avoid arrest for having slandered the city council).¹²⁶ On 12 June, Smith was arrested for causing "a riot," appeared before Nauvoo's court, and was freed. Five days later, he was again arrested and again discharged. Informed that anti-Mormons were gathering in Warsaw to storm Nauvoo,¹²⁷ Smith mobilized the Nauvoo Legion and declared martial law. He then decided to escape to the west, believing that the Saints would be safer without him, but when told that troops would occupy his city and assured that he would be protected, he returned to Nauvoo to stand trial for treason. While imprisoned in Carthage Jail, Joseph and Hyrum were killed on 27 June 1844. The Higbees and Laws were not directly involved in rushing the jail or murdering the Smiths, but their rhetoric helped to ignite a volatile situation. If the dissenters had hoped their actions would mark the demise of Smith's church, or at least of its undemocratic doctrines, they underestimated the power of Smith's revelations.

The Higbees continued for a time to practice law in and around Nauvoo. Chauncey married Julia May White on 14 February 1854 in Quincy, then resettled to Pittsfield. That same year he was admitted to the bar and was also elected to the Illinois General Assembly. Four years later he joined the state senate. In 1861 he was elected as a circuit judge—a position he held until his death. In 1877 he was appointed a member of the appellate court and also served as president of First National Bank, of which he was a charter member. He supported construction of East School and the Methodist Episcopal Church and promoted the Pittsfield House. He died in Pittsfield on 7 December 1884.¹²⁸

Francis is more difficult to track. He was arrested in mid-1846 for anti-Mormon activities¹²⁹ and was still residing in Hancock County four years later, where census takers identified him as a merchant (and his younger brother Jackson as a clerk).¹³⁰ Reportedly, he died in New York state sometime before the 1880s.¹³¹ It is not know if he married. While Francis may not have been the sole author of Buckeye's laments,¹³² both poems reflect aspects of Francis's life, personality, and temperament that seem to mark him as their principal creator. They stand as contemporary evidence of Joseph Smith's controversial career as prophet of Christ's restored gospel, including the beginnings of Mormon plural marriage in Nauvoo, and as among the few surviving artifacts of their author's stormy encounter with Mormonism.

Appendix

BUCKEYE'S LAMENTATION FOR WANT OF MORE WIVES.
[*Warsaw Message*, 7 February 1844, 1;
Warsaw Signal, 25 April 1844, 3]

1.

I once thought I had knowledge great,
But now I find 'tis small;
I once thought I'd Religion, too,
But I find I've none at all.
5 For I have got but *one lone wife*,
And can obtain no more;
And the doctrine is, I can't be saved,
Unless I've *half a score!*

2.

10 The *narrow gate* that Peter kept,
In ages long ago,
Is locked and barred since he gave up
The keys to *beardless JOE*.
And Joe proclaims it is too small,
And causes great delay,
15 And that he has permission got
To open the *broad way*.

3.

20 The narrow gate did well enough
When Peter, James, and John,
Did lead the saints on Zion-ward,
In *single file* along:
When *bachelors*, like good old *Paul*,
Could win the glorious prize,
And *maids*, without a *marriage rite*,
Reach "mansions in the skies."

4.

25 But we have other teaching now,
 Of greater glories far;
 How a *single glory's* nothing more
 Than some lone twinkling star.
 30 A *two-fold glory's* like the moon,
 That shines so sweet at night,
 Reflecting from her gracious lord
 Whatever he thinks right.

5.

A *tenfold* glory—that's the prize!
 Without it you're undone!
 35 But with it you will shine as bright
 As the bright shining sun.
 There you may reign¹³³ like mighty Gods,
 Creating worlds so fair;—
 At least a *world* for every *wife*
 40 That you take with you there.

6.

The man that has got ten fair wives,
Ten worlds he may create;
 And he that has got less than this,
 Will find a bitter fate.
 45 The one or two that he may have,
 He'd be deprived of then;
 And they'll be given as *talents* were
 To him who has got *ten*.

7.

And 'tis so here, in this sad life—
 50 Such ills you must endure—
 Some *priest* or *king*, may claim your *wife*
 Because that you are poor.
 A *revelation* he may get—
 Refuse it if you dare!
 55 And you'll be damned *perpetually*
 By our good Lord the *Mayor!*¹³⁴

8.

But if that you yield willingly,
 Your daughters and your wives,
 In *spiritual marriage* to our POPE,
 He'll bless you all your lives;
 He'll *seal you up*, be damned you can't,
 No matter what you do—
 If that you only *stick* to him,
 He swears HE'LL *take you through*.

9.

He'll lead you on¹³⁵ to the broad gate,
 Which he has opened wide—
 In *solid column* you shall march,
 And enter side by side.
 And no delay you'll meet with there,
 But "*forward march*" you shall:—
 For he's not only our *Lord MAYOR*
 But *Lord LIEUTENANT-RAL*.¹³⁶

10.

This is the secret doctrine taught
 By Joe and the *red rams** —
 Although in public they deny—
 But then 'tis all a sham.
 They fear the indignation just,
 Of those who have come here,
 With hands that's clean and honest hearts,
 To serve the Lord in fear.

11.

Thus, all the *twelve* do slyly teach,
 And slyly practice, too;
 And even the *sage Patriarch*,
 Wont have *untied his shoe*:
 For sure, 'twould be quite impolite,
 If not a great disgrace,
 To have a *widow* sister fair
 Spit in a Prophet's face!

90 But Joe at snaring beats them all,
 And at the rest does laugh;
 For widows poor, and orphan girls,
 He can ensnare with chaff,
 He sets his snares around for all,—
 And very seldom fails
 95 To catch some thoughtless *Partridges*,¹³⁷
*Snow-birds*¹³⁸ or *Knight-ingales*!¹³⁹

12. [sic]

But there are hundred¹⁴⁰ other birds
 He never can make sing;
 Who wont be driven nor *draged* to hell,¹⁴¹
 100 By *prophet*, *priest* nor *king*:
 Whose sires have bled in days gone by,
 For their dear country's cause;
 And who will still maintains its rights,
 Its *Liberty* and *Laws*!

* B. Y. & O. H.¹⁴²

* * *

The Buckey's [sic] First Epistle to Jo.
 [Warsaw Signal, 25 April 1844, 1]

1

Friend Jo, I have been told of late,
 That you had got it in your pate
 A certain chief, to vent his hate,
 Had learned to sing;
 5 And had turn'd out a poet great,
 Or some such thing.

2

Because the "Warsaw Message" came
 With tidings from that *state* of fame,
 Like some great herald to proclaim
 10 Your wicked ways,
 Your *tyrany* [sic], your *sin* and *shame*,
 In these last days.

18

Repent, repent, there still is time—
 And add no more dark crime to crime,
 105 But think, how mighty and sublime
 Thy calling first—
 And in black sackcloth bow thee down
 Low in the dust—

19

And put away far from thy heart,
 110 Each wicked, *sensual*, sinful art;
 And from the truth no more depart
 Long as you live—
 But stop and make another start,
 And I'll forgive.

20

If not, your dark deeds in Nauvoo,
 115 As well as in Missouri too—
 Like *Hamlet's* ghost shall rise to view
 With *old white hat*¹⁴⁵—
 Then tremble tyrant, for but few
 120 Will sanction that.

21

But I must stop this long epistle,
 "My pen is worn down to the gristle,"
 And 'tis the poet's only missill [sic]
 In truth's relief—
 125 For, be it known to all, this child
 Aint yet a chief—

22

'Tho he his lineage can trace
 Back to the *Bruce*¹⁴⁶ and *Wallace*¹⁴⁷ days,
 130 When they for Liberty did raise
 The sword, and broke
 (As I intend in these last days)
 A tyrant's yoke.

Notes

- 1 *Warsaw Message*, 7 February 1844, 3. Ironically, Smith (together with his older brother, Hyrum) had just disciplined a follower for preaching the very thing Buckeye accused him of: "Polygamy, and other false and corrupt doctrines." See "Notice," *Times and Seasons* 5 (1 February 1844), 423.
- 2 Joseph Smith et al., *History of the Church of Jesus Christ of Latter-day Saints. Period I. History of Joseph Smith, the Prophet by Himself*. (Salt Lake City: Deseret Book Co., 1973), 6:210 (I cite the published *History* when it does not differ materially from the manuscript version). Smith's diary does not mention his having seen the poem, and his reaction is probably a later interpolation by LDS church historians. See Scott H. Faulring, ed., *An American Prophet's Record: The Diaries and Journals of Joseph Smith* (Salt Lake City: Signature Books in association with Smith Research Associates, 1989), 445. The church's historians may have assumed that Law was the author, since three weeks earlier the church had published a poem Law wrote the previous year. See "Farewell, Illinois," in Ebenezer Robinson to John Taylor, 20 November 1843, in *Times and Seasons* 5 (15 January 1844), 412-3. See also "Love of God" by "W. L." in *Times and Seasons* 2 (1 January 1841), 270.
- 3 By the fall of 1840, Nauvoo counted more than 2,400 residents. Eighteen months later, its population had grown to 4,000. And in 1845, Nauvoo boasted more than 11,000, nearly half of that for all of Hancock County and only 1,000 shy of Chicago's. See James E. Smith, "Frontier Nauvoo: Building a Picture from Statistics," *Ensign* 9 (September 1979), 17-9. "Cities the size of Nauvoo were rare in the American West," wrote Smith, a sociologist at LDS church-owned Brigham Young University. "There can be little doubt that the Mormons almost single-handedly caused Hancock County to be the most populated county in Illinois by the time of the 1845 Illinois State census" (17-18). In fact, "the growth of Nauvoo through 1845 placed it behind only Chicago and St. Louis in the region." Glen M. Leonard, *Nauvoo: A Place of Peace, A People of Promise* (Salt Lake City/Provo, UT: Deseret Book Co./Brigham Young University Press, 2002), 179.
- 4 Qtd. in John E. Hallwas, *Thomas Gregg: Early Illinois Journalist and Author* (Macomb: Western Illinois University, 1983), 47.
- 5 *Warsaw Signal*, 12 June 1844, 2. See also the editorials reprinted in John E. Hallwas and Roger D. Launius, eds., *Cultures in Conflict: A Documentary History of the Mormon War in Illinois* (Logan: Utah State University Press, 1995), 79-81 and 247-51.
- 6 Faulring, *American Prophet's Record*, 474; Smith, *History of the Church*, 6:345. Again, the account in the *History* is probably a later addition.
- 7 Buckeye was not the first to publicize Smith's doctrine. Almost two years earlier, Mormon turncoat John C. Bennett had published a series of letters in the nearby *Sangamo Journal* detailing the prophet's excesses, which he then expanded in his *The History of the Saints* (1842). For more on Bennett's activities, see Andrew F. Smith, *The Sainly Scoundrel: The Life and Times of Dr. John Cook Bennett* (Urbana: University of Illinois Press, 1997). Another early insider exposé was Oliver Olney's *The Absurdities of Mormonism Portrayed* (Hancock County, IL: By the Author, 1843).
- 8 See the data in George D. Smith, "Nauvoo Roots of Mormon Polygamy, 1841-46: A Preliminary Demographic Report," *Dialogue: A Journal of Mormon Thought* 27 (Spring 1994): 1-72. The fact of Joseph Smith's practice of plural marriage is

generally accepted by historians today, but not entirely. For a contrary opinion, based on the prophet's own denials, see Richard and Pamela Price, *Joseph Smith Fought Polygamy*, Volume 1 (Independence, MO: Price Publishing Co., 2000).

9 Matt. 25:14-30.

10 Another possible early explication was Udney Hay Jacob's *The Peacemaker*, excerpts from which were published in 1842 in Nauvoo by "[Joseph]. Smith, Printer." See Lawrence Foster, "A Little-known Defense of Polygamy from the Mormon Press in 1842," *Dialogue: A Journal of Mormon Thought* 9 (Winter 1974):21-34.

11 Jacob 2:30. "[W]hat if," asked twentieth-century LDS educator Danel W. Bachman, "God was interested in raising up a certain lineage or a group of children through a special core of spiritual elite, who had been initiated into the mysteries of God and were thereby qualified to instruct others? How better might this be expeditiously accomplished than through multiple wives? These women might perpetually bear children of the men of modern Israel—'holy men' whom God had 'reserved' and chosen" (Danel W. Bachman, "A Study of the Mormon Practice of Plural Marriage before the Death of Joseph Smith," M.A. Thesis, Purdue University, 1975), 96.

12 Doctrine and Covenants 132:63

13 Mildred H. Bray, "Elenor Houtz Snow (5th Wife of Pres. L. Snow," typescript, 2-3, Archives, Church of Jesus Christ of Latter-day Saints, Salt Lake City, Utah; hereafter LDS Archives. Contemporary LDS historian Kathryn M. Daynes observes:

"Joseph Smith's counseling [another of his followers] to marry a fecund woman is consonant with a second reason for plural marriage: 'to multiply and replenish the earth, according to my commandment.'" *More Wives Than One: Transformation of the Mormon Marriage System, 1840-1910* (Urbana: University of Illinois Press, 2001), 29.

14 George A. Smith to Joseph Smith III, 9 October 1869, in *Journal History*, LDS Archives.

15 Qtd. in Dean R. Zimmerman, ed., *I Knew the Prophets: An Analysis of the Letter of Benjamin F. Johnson to George F. Gibbs, Reporting Doctrinal Views of Joseph Smith and Brigham Young* (Salt Lake City: Horizon Publishers, 1976), 47.

16 Qtd. in Andrew F. Ehat, "They Might Have Known That He Was Not a Fallen Prophet: The Nauvoo Journal of Joseph Fielding," *BYU Studies* 19 (Winter 1979), 154.

17 "Autobiography of Sarah DeArmon Pea Rich," typescript, 36-37, LDS Archives.

18 "Statement of L[ucy]. W[alker]. [Smith] Kimball," no date, typescript, LDS Archives.

19 Sarah M. Kimball, qtd. in Augusta J. Crocheron, *Representative Women of Deseret, A Book of Biographical Sketches, To Accompany the Pictures of the Same Title* (Salt Lake City: J. C. Graham & Co., 1884), 26.

20 Qtd. in "William Clayton's Testimony," 16 February 1874, reprinted in George D. Smith, ed., *An Intimate Chronicle: The Journals of William Clayton* (Salt Lake City: Signature Books in association with Smith Research Associates, 1995), 557.

21 George A. Smith to Joseph Smith III.

22 Benjamin F. Johnson, *My Life's Review: Autobiography of Benjamin F. Johnson* (Orem, UT: Grandin Book Co., 1997), 84.

23 Doctrine and Covenants 132:63

24 Qtd. in "A Revelation to N[ewel]. K. Whitney," 27 July 1842, rptd. in *The Essential Joseph Smith* (Salt Lake City: Signature Books, 1995), 165.

25 Helen Mar Kimball, qtd. in Richard S. Van Wagoner, *Sidney Rigdon: A Portrait of Religious Excess* (Salt Lake City: Signature Books, 1994), 293. "The promise was so

great," she admitted, "that I willingly gave myself to purchase so glorious a reward." See also Donna Hill, *Joseph Smith: The First Mormon* (Garden City, NY: Doubleday, 1977), 355.

26 "[T]hese [sealing] ordinances," Mormon scholar Andrew F. Ehat writes, "were being administered to those who were at least willing to believe in the divinity of plural marriage. Acceptance of plural marriage was a demonstration that they would obey the actual laws that God taught were absolutely prerequisite to such blessings" (Andrew F. Ehat, "Joseph Smith's Introduction of Temple Ordinances and the 1844 Mormon Succession Question," M.A. thesis, Brigham Young University, 1982, 74-5, endnotes omitted).

27 Leonard, 260-1.

28 Young had married Lucy Ann Decker in mid-June 1842, and Augusta Adams and Harriet Elizabeth Cook both on 2 November 1843. Hyde had married Martha Rebecca Browett in February-March 1843 and Mary Ann Price on 20 July 1843. Young would marry a fourth wife—Clarissa Decker—in May 1844. These and other dates come from Smith, "Nauvoo Roots of Mormon Polygamy," and from subsequent correspondence with George D. Smith (copies in my possession).

29 This is according to Todd Compton, *In Sacred Loneliness: The Plural Wives of Joseph Smith* (Salt Lake City: Signature Books, 1997), 4-7.

30 The Partridge sisters lived with Joseph and Emma Smith for three years following the death of their father on 27 May 1840. (Their mother remarried on 27 September 1840.) Smith had been appointed legal guardian of the Lawrence sisters in 1841, following the death of their father. (Their mother remarried in late 1841.) Smith's critics would later point specifically to his relationship with the Lawrence sisters, whom he had married, as evidence of adultery.

31 See Smith, "Nauvoo Roots of Mormon Polygamy," 22-4.

32 See *ibid.*, 24-6.

33 Qtd. in Ronald W. Walker, "Rachel R. Grant: The Continuing Legacy of the Feminine Ideal," *Dialogue: A Journal of Mormon Thought* 15 (Autumn 1982), 109.

34 Sarah M. Kimball, qtd. in Crocheron, 26.

35 Cordelia Calista Morley Cox, "Autobiography," ca. 17 March 1909, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah.

36 Compton, 8.

37 See, for example, Bachman, 264-5; and Ehat, "Joseph Smith's Introduction of Temple Ordinances," 276n377.

38 See Bachman, 265.

39 The following account is from Richard S. Van Wagoner, *Sidney Rigdon: A Portrait of Religious Excess* (Salt Lake City: Signature Books, 1994), 294-302.

40 "Communication," Francis M. Higbee to the editor, *Warsaw Signal*, 29 May 1844, 2.

41 See the editor's notice in *The Wasp*, 3 September 1842.

42 Smith, *History of the Church*, 5:49.

43 See William Smith's exposé in "Bennettiana; The Microscope with Double Diamond Lenses," *The Wasp—Extra*, 27 July 1842. William was Joseph Smith's younger brother.

44 For one writer's approach to Higbee and other Mormon dissidents, see Ted Gibbons, *Like a Lamb to the Slaughter: The Nauvoo Expositor: Traitors and Treachery* (Orem, UT: Keepsake Paperbacks, 1990).

45 Law was born in Northern Ireland in 1807. In 1818 his family immigrated to Pennsylvania and later to Canada. He was baptized a member of the Mormon church and ordained an elder in Nauvoo. In 1841 he was elected to Nauvoo's city council and made a brigadier general in the Nauvoo Legion. On 22 July 1842, he presented a public resolution attesting to Smith's good character, and two weeks later was elected major general of the legion, replacing John Bennett. In mid-August, Smith described a number of individuals, including Law, as being of "noble stature, of noble hands, and of noble deeds" (Smith, *History of the Church*, 5:109). Law married Elizabeth Sikes on 25 December 1842; she died fifteen months later on 31 March 1844. By 1844, if not earlier, thirty-seven-year-old Law had joined his younger brother William, a counselor in the church's First Presidency, in opposing Smith's controversial doctrines, including plural marriage. He was excommunicated, together with his brother and a few other dissidents, on 18 April 1844 and discharged from the legion on 9 May 1844. He helped to found the anti-Mormon *Nauvoo Expositor*, which appeared on 7 June 1844 before Smith ordered its destruction. By 1850, Law was living in Pennsylvania. He died ca. 1877. While Wilson Law was aware of Mormonism's secret doctrines, he had no connection to Ohio, had not been directly impacted by the Nancy Rigdon affair, and had not been repeatedly "slandered" by Smith.

46 Smith, *History of the Church*, 4:503.

47 *Ibid.*, 5:421.

48 Again, see Van Wagoner's treatment in *Sidney Rigdon*.

49 Affidavit dated 17 May 1842, in Smith, *History of the Church*, 5:11.

50 See the affidavits, first published by the Mormon church in the *Nauvoo Neighbor*, 29 May 1844, reprinted in Price and Price, 135-42.

51 Smith, *History of the Church*, 5:18.

52 See the documents reprinted in Price and Price, 146-55.

53 See Compton, 349.

54 Francis also neglected his duties as a colonel in the Nauvoo Legion. In early June 1842, he was tried for not giving "orders for a Court of assessment on the 14th of May, & also for a Court of Appeals on the 28th of May in his Regt. Ö thereby depriving the Legion of the use of the Funds which would have been assessed, & has suffered delinquents to escape Justice Ö" Higbee "admitted his guilt in not giving orders as above charged ag[ain]st him." Higbee was apparently only reprimanded, since he continued to serve in the legion. See "Capt. John H. Tippets versus Francis M. Higbee, Col.," 3 June 1842," Nauvoo Legion Papers, LDS Archives.

55 See Price and Price, 154-5.

56 See, for example, Elias and Francis's public certificate denying one of Bennett's allegations in *Times and Seasons* 3 (1 August 1842), 874.

57 Francis M. Higbee to Elias Higbee, 28 November 1842, in *Times and Seasons* 4 (15 December 1842), 47.

58 Chauncey L. Higbee to the editor, 3 December 1842, in *The Wasp*, 3 December 1842.

59 Smith, *History of the Church*, 5:328.

60 "Death of Elias Higbee," *Times and Seasons* 4 (15 June 1843), 233.

61 Smith, *History of the Church*, 5:530.

62 Francis M. Higbee to Joseph Smith, 8 September 1843, in *Journal History*.

- 63 Smith, *History of the Church*, 6:42-3.
- 64 See *Times and Seasons* 4 (15 September 1843), 331 (reporting remarks delivered 9 October 1843).
- 65 For more on Nauvoo's police force, see John Lee Allaman, "Policing in Mormon Nauvoo," *Illinois Historical Journal* 89 (Summer 1996), 85-98.
- 66 Smith, *History of the Church*, 6:152.
- 67 See *ibid.*, 162-70.
- 68 Law's objections are detailed in Lyndon W. Cook, *William Law* (Orem, UT: Grandin Book Co., 1994), 11-34.
- 69 Nonetheless, Smith's official *History of the Church* (6:170) reported the prophet thinking: "What can be the matter with these men [i.e., William Law and William Marks]? Is it that the wicked flee when no man pursueth, that hit pigeons always flutter, that drowning men catch at straws, or that Presidents Law and Marks are absolutely traitors to the Church, that my remarks should produce such an excitement in their minds. Can it be possible that the traitor Ö is one of my quorum [i.e., the First Presidency]?" Though these thoughts are not recorded in his diary, the *History* probably accurately reflected Smith's suspicions.
- 70 Nauvoo City Council Minutes, 3 January 1844, LDS Archives. Smith's comments do not appear in the published version of these minutes (*History of the Church*, 6:162-5).
- 71 Smith, *History of the Church*, 6:168.
- 72 *Ibid.*, 169.
- 73 Smith implies that Higbee had at some point contracted a venereal disease. This is the first, but not the last, mention of such an allegation.
- 74 William Law, *Diary*, 7 January 1844, in Cook, 45-6.
- 75 Smith, *History of the Church*, 6:174.
- 76 Francis M. Higbee to Joseph Smith, 10 January 1844, Joseph Smith Papers, LDS Archives. This letter is previously unpublished.
- 77 Smith, *History of the Church*, 6:176.
- 78 *Ibid.*, 178.
- 79 Nauvoo City Council, Minutes, 16 January 1844. These minutes are only summarized in Smith, *History of the Church*, 6:178. While the references to Higbee in the manuscript of the minutes were in fact "ordered to be crossed out," they were subsequently published verbatim in Smith's *History of the Church* (6:169).
- 80 Smith, *History of the Church*, 6:225. Although not specified in Smith's history, Bostwick's allegations had to do with Hyrum's, and others', involvement in polygamy. Reportedly, Bostwick had bragged that he could "take a half bushel of meal, obtain his vile purpose, and get what accommodation he wanted with almost any woman in the city." Qtd. in "Virtue Will Triumph," *Nauvoo Neighbor*, 20 March 1844, 2.
- 81 Unlike other municipal courts in Illinois, Nauvoo's mayor automatically served as chief justice, the city's aldermen as associate justices. "Thus," write legal historians Edwin Brown Firmage and Richard Collin Mangrum, "the lawmaker was also the law interpreter, creating a concentration of power that was absent in the other cities [of Illinois]." *Zion in the Courts: A Legal History of the Church of Jesus Christ of Latter-day Saints, 1830-1900* (Urbana: University of Illinois Press, 1988), 86-7; see also 92-105.
- 82 Smith, *History of the Church*, 6:225. Francis appealed the court's decision. See *ibid.*, 326.

83 Ibid., 237-8.

84 Smith's use of the phrase "use up"—meaning "to subject to thorough and abusive treatment : attack physically or verbally : work over" (*Webster's Third New International Dictionary*), as well as occasionally "to kill"—must have been disconcerting to some in his audience.

85 Smith, *History of the Church*, 6:238, 239.

86 "Virtue Will Triumph," *Nauvoo Neighbor*, 20 March 1844, 2.

87 Smith, *History of the Church*, 6:272.

88 Ibid., 285. According to Smith's *History of the Church*, Higbee had threatened to shoot a policeman two days earlier. What prompted such a reaction is not explained.

89 Ibid., 285-6.

90 Ibid., 287-8.

91 Qtd. in Cook, 50n26.

92 "My brother Hyrum called in the evening," he later reported, "and cautioned me against speaking so freely about my enemies, &c., in such a manner to make it actionable. I told him that six months would not roll over his head before they would swear twelve as palpable lies about him as they had about me." Smith, *History of the Church*, 6:403.

93 Smith, *History of the Church*, 6:341.

94 Ibid., 344; see also 348-9. The *Nauvoo Expositor* described the incident as: "for the very enormous offence of refusing to assist the notorious O[rrin]. P[orter]. Rockwell, and his 'dignity' John P. Green, in arresting a respectable and peaceable citizen, without the regular process of papers" (7 June 1844, 3). The three men appealed the verdict to the municipal court but did not appear when that court convened on 3 June. The court sent the case back to the mayor's court for dismissal or a rehearing, the record is not clear. See Smith, *History of the Church*, 6:426, and *Nauvoo Expositor*, 7 June 1844, 3.

95 Smith, *History of the Church*, 6:356.

96 See Joseph Smith's testimony in "Municipal Court," *Nauvoo Neighbor*, 15 May 1844, reprinted in *Times and Seasons* 5 (15 May 1844): 538-9. While Smith's and others' testimony was reprinted in the prophet's official history later in the nineteenth century (see *Deseret News*, 12 August 1857, 1-2), it was deleted in the twentieth-century revision.

97 This bracketed paragraph appears in the published minutes. Most historians have tended to accept Smith's charges without question. Some have even speculated that the deleted testimony concerned possible homosexual activity. See D. Michael Quinn, *Same-Sex Dynamics among Nineteenth-Century Americans: A Mormon Example* (Urbana: University of Illinois Press, 1996), 268, 362n121. I suspect Smith had in mind only heterosexual activity.

98 This may actually refer to Chauncey Higbee.

99 See the testimony in "Municipal Court," *Nauvoo Neighbor*, 15 May 1844, reprinted in *Times and Seasons* 5 (15 May 1844): 539-41.

100 This amounted to a little over thirty-two dollars. See Smith, *History of the Church*, 6:427. Higbee appealed the decision to the circuit court in McDonough County. See "Circuit Court," *Nauvoo Expositor*, 7 June 1844, 3.

101 Daniel 5:25-28 ("Thou art weighed in the balance, and art found wanting").

102 Higbee refers to an incident recorded in John C. Bennett's *History of the Saints*, 231, when Smith allegedly sacrificed a lamb to atone for having attempted a plural union with an unwilling participant.

103 "Communication," Francis M. Higbee to the editor, *Warsaw Signal*, 29 May 1844, 2.

104 Smith, *History of the Church*, 6:362. Among the witnesses against Law, Cyrus H. Wheelock testified: "I heard Mr. Law say Ö he knew Mr. Smith was the greatest villain, and guilty of the darkest deeds of any man on the earth - he said Mr. Smith was a whoremaster - all his religion was to carry out his points - He did not know but that he was guilty of every thing but murder"; and John Scott added: "I was at Mr. Law's a few days before they were cut off Ö he said he did not believe that ever there was a more cursed scoundrel than Joseph Smith ever hung between the heavens and the earth, he said it voluntarily Ö" See "Evidence taken at a Court Martial held on Major General Wilson Law," 9 May 1844, Nauvoo Legion Papers.

105 Smith, *History of the Church*, 6:363 and 444.

106 Francis M. Higbee to Thomas Gregg, May 1844, Chicago Historical Society, Chicago, Illinois.

107 Smith, *History of the Church*, 6:366-67.

108 *Ibid.*, 379.

109 *Ibid.*, 398.

110 *Ibid.*, 403.

111 *Ibid.*, 405.

112 *Ibid.*

113 This may refer to "Buckeye's Lamentation," line 12: "beardless Joe."

114 Smith, *History of the Church*, 6:408.

115 *Ibid.*, 413; "Circuit Court," *Nauvoo Expositor*, 7 June 1844, 3.

116 Smith, *History of the Church*, 6:407.

117 *Ibid.*

118 "Last Resort of Joe," *Warsaw Signal*, 5 June 1844, 2.

119 Smith, *History of the Church*, 6:427.

120 Francis M. Higbee, "Citizens of Hancock County," *Nauvoo Expositor*, 7 June

1844, 3. The last two lines quoted echo the closing stanzas of "Buckeye's

Lamentation"—"Whose sires have bled in days gone by, / For their dear country's

cause; / And who will still maintains its rights, / Its Liberty and Laws!"—and

"Buckeye's First Epistle"—"When they for Liberty did raise / The sword, and broke /

(As I intend in these last days) / A tyrant's yoke."

121 Smith, *History of the Church*, 6:432.

122 "City Council, Regular Session, June 8th [and 10th], 1844," *Nauvoo Neighbor*,

19 June 1844, 2. The last eight words of Hyrum's remarks do not appear in the

version of these minutes printed in Smith, *History of the Church*, 6:435.

123 "City Council, Regular Session, June 8th [and 10th], 1844," *Nauvoo Neighbor*,

19 June 1844, 2.

124 "City Council, Regular Session, June 8th [and 10th], 1844," *Nauvoo Neighbor*,

19 June 1844, 3. Again, the last eight words of Joseph's comments, as well as all of

Hyrum's quoted here, do not appear in the version published in Smith, *History of*

the Church, 6:441. Both men's assertions were intended to disprove the affidavit

(published in the *Nauvoo Expositor*) of a man whose twenty-nine-year-old daughter

had been sealed to Smith a year earlier on 1 June 1843 (see Compton, 543-57).

125 Reportedly, Francis Higbee threatened that any who "lay their hand upon it [the press] or break it, they may date their downfall from that very hour, and in ten days there will not be a Mormon left in Nauvoo" (qtd. in Smith, *History of the Church*, 6:451; compare Orrin Porter Rockwell's, and others', testimony of Higbee's threats in *ibid.*, 457).

126 *Ibid.*, 450.

127 See the special issue of the *Warsaw Signal*, 14 June 1844. Francis told the angry Illinoisans of "his personal knowledge of the Mormons, from their earliest history, through their hellish career in Missouri and this State—which has been characterized by the darkest and most diabolical deeds which has ever disgraced humanity."

128 See *The Official Magazine of the Isaac Higbee and Sophia Somers Family Organization* 2 (July 1957), 1:18-22.

129 See Leonard, 602.

130 *The 1850 Census of Illinois Hancock County* (Richland, WA: Locust Grove Press, 1977), 136.

131 See Andrew Jenson, *Autobiography of Andrew Jenson* (Salt Lake City: Deseret News Press, 1938), 178.

132 In September 1903, ninety-one-year-old Joseph A. Kelting, while swearing to his knowledge of Smith's marriages, recited virtually verbatim a handful of verses from "Buckeye's Lamentation," which he placed in the mouth of William Law. It is not clear if Kelting, or his aide, was suggesting Law wrote the poem or was merely using the poem to give voice to Law's criticisms. See Joseph A. Kelting, Affidavit, 11 September 1903, LDS Archives.

133 "shine" in *Warsaw Signal*.

134 Smith was appointed mayor of Nauvoo following the resignation of John C. Bennett on 19 May 1842.

135 "through" in *Warsaw Signal*.

136 Smith was named lieutenant general of the Nauvoo Legion by Illinois's governor on 10 March 1841. The last general commander to hold such a rank was George Washington.

137 Emily Dow Partridge and her sister Eliza Maria Partridge.

138 Eliza Roxcy Snow.

139 Martha McBride Knight.

140 "a hundred" in *Warsaw Signal*.

141 "Who wont be dragged to hell," in *Warsaw Signal*.

142 Brigham Young and Orson Hyde.

143 Variant of "poltroon": "A spiritless coward : a mean-spirited wretch : craven, dastard" (*Webster's Third New International Dictionary*).

144 John C. Bennett.

145 Bennett claimed that Smith signed a letter to a woman to whom he was attracted as "Old White Hat." See Bennett, *History of the Saints*, 235.

146 Robert the Bruce.

147 William Wallace.