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## Joseph Smith: Mayor of Nauvoo

*Arnold K. Garr*

On 28 November 1839, following a month-long journey from Nauvoo, Illinois, Joseph Smith and Elias Higbee, arrived in Washington, D. C.<sup>1</sup> Here, for the next three months, the Mormon leader, assisted by Higbee, and Sidney Rigdon, Robert Foster, and Orrin Porter Rockwell (the latter three arrived later), attempted to secure help from the federal government with hope of obtaining reparations for property lost and afflictions suffered by the Saints during the Missouri persecutions. In early February, the Prophet secured an interview with President Martin Van Buren (a previous interview took place on 29 November 1839, the day following Joseph Smith and Elias Higbee's arrival in Washington). During the course of this meeting, Van Buren made an interesting declaration—one that is frequently quoted in Mormon circles. He said, "Gentlemen, your cause is just, but I can do nothing for you. . . . If I take up for you I shall lose the vote of Missouri."<sup>2</sup> Van Buren's indifference, combined with the less than successful efforts with legislative leaders in the House and Senate, convinced the Mormon leader that the federal government would do little, if anything, to assist or protect the religious rights of the Saints.<sup>3</sup>

The experience in the nation's capital led the Prophet to take a more active role in politics. Thereafter, he became an active participant in local, state, and even national politics—hoping that his own involvement and political influence might be the means of protecting and promoting the cause of his people. However, it was in local politics, particularly in Nauvoo city government, where the Prophet played the most active political role.

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Two years after this historic meeting with Van Buren, Joseph Smith became mayor of Nauvoo. This essay will discuss, primarily, his activities as chief executive of that city with emphasis on how he tried to use the influence of the mayor's office to help protect and defend the interests of himself and his people.

### **The Road to Becoming Mayor**

The Prophet's political path to the office of mayor began almost immediately after his visit with Van Buren in Washington. The experience infuriated Joseph Smith. "On my way home," he wrote, "I did not fail to proclaim the iniquity and insolence of Martin Van Buren, toward myself and an injured people...and may he never be elected again to any office of trust or power."<sup>4</sup> This prophetic wish actually came true. Van Buren lost the election of 1840 to William Henry Harrison, the Whig candidate.

In a public discourse, a few months after Joseph Smith arrived back in Nauvoo, he again expressed his lack of confidence in the various branches of government. "We will continue pleading like the Widow at the feet of the unjust judge," he remarked, "but we may plead at the feet of Majistrates and at the feet of Judges, at the feet of Governors and at the feet of senators & at the feet of Pre[s]idents for 8 years [but] it will be of no avail." Then the Prophet exclaimed, "We shall find no favor in any of the courts of this government."<sup>5</sup>

In late 1840, Joseph Smith and other church leaders set out to create a municipal form of government with a judicial system designed to provide a safe haven for himself and his people. This effort formally began during the Sunday morning session of the October 1840 General Conference of the Church. During that meeting Joseph Smith, John C. Bennett and Robert B. Thompson were appointed "to draft a bill for the incorporation of the town of Nauvoo."<sup>6</sup> In a separate resolution John C. Bennett was nominated to "urge the passage of said bill" through the Illinois State Legislature.<sup>7</sup> Following a one-hour recess between conference sessions, Bennett presented the outlines of the Nauvoo Charter, which members in attendance approved.<sup>8</sup> The fact that this all happened so rapidly seems to suggest that Joseph Smith, John C. Bennett and others probably worked on the document informally before the conference even began.<sup>9</sup> Nevertheless, the Prophet was deeply involved in the project and for good reason. He once declared that, "The City Charter of Nauvoo is of my own plan and device. I concocted it for the salvation of the Church, and on principles so broad, that every honest man might dwell secure under its protective influence."<sup>10</sup>

The Illinois state legislature approved the charter on 16 December

1840.<sup>11</sup> It contained several features that provided safety and power for Joseph Smith and his followers. The city council was composed of a mayor, four aldermen and nine councilors.<sup>12</sup> This body had the authority to pass any laws that were “not repugnant to the Constitution of the United States” or of the State of Illinois.<sup>13</sup> In addition, the municipal court was made up of the mayor and four aldermen.<sup>14</sup> This tribunal had the right to grant writs of habeas corpus, a power sometimes exercised to free Joseph Smith when he was unjustly arrested by his enemies.<sup>15</sup> Section 25 of the charter granted the city council power to organize a militia named the Nauvoo Legion.<sup>16</sup> The *Times and Seasons* boasted that the Nauvoo Charter rendered “the most liberal provisions ever granted by a legislative assembly.”<sup>17</sup> Speaking of the charter, John C. Bennett reported, “every power we asked has been granted, every request gratified, every desire fulfilled.”<sup>18</sup> One historian claimed, “The Saints relied on their Charter to be an unbreachable wall defending the rights of Zion.”<sup>19</sup> Unfortunately, as time passed, “many of their non-Mormon neighbors came to view it as an offensive barrier.”<sup>20</sup>

On 1 February 1841, the city of Nauvoo held its initial municipal election. John C. Bennett had the distinction of being chosen the first mayor of the city. He had only been a member of the Church for a few months but was the one most responsible for steering the Nauvoo Charter through the legislature. A list of the other elected officials reads like a “Who’s Who” in Latter-day Saint history. The four aldermen were William Marks, Samuel H. Smith, Daniel H. Wells, and Newel K. Whitney. The nine councilors were Joseph Smith, Hyrum Smith, Sidney Rigdon, Charles C. Rich, John T. Barnett, Wilson Law, Don Carlos Smith, John P. Greene, and Vinson Knight.<sup>21</sup> Some important church leaders missing from this list were members of the Quorum of the Twelve Apostles. This is because most of them were on missions in the British Isles at the time.<sup>22</sup>

Joseph Smith served almost fifteen months on the city council before becoming mayor. During this time he was clearly the most energetic member of the body. For example, the council passed 11 ordinances during its first five meetings and the Prophet introduced every one of them.<sup>23</sup> At the first meeting of the City Council held on Wednesday, 3 February 1841, Joseph Smith gave the opening prayer and the new officers were sworn in. After Mayor Bennett gave his lengthy inaugural address, the Prophet introduced bills to organize the Nauvoo Legion and the University of the City of Nauvoo. Both ordinances passed unanimously. The council appointed John C. Bennett as chancellor of the University with William Law as registrar. Joseph Smith, Sidney Rigdon, Hyrum Smith and twenty others were named regents. The Prophet then presented a resolution, which formally thanked the governor and legislature for granting the Nauvoo Charter and the citi-

zens of Quincy for the kindness they showed the Saints during the Missouri persecutions.<sup>24</sup> The city council also appointed Joseph Smith to serve as the chairman of several committees including, “On the Canal,” “For Vacating the Town of Commerce,” “Vending Spiritual Liquors,” “Code of City Ordinances,” and “Board of Health.”<sup>25</sup>



*Joseph Smith, commander-in-chief of the Nauvoo Legion.  
Courtesy of LDS Church Archives*

Pursuant to the council’s action, the Nauvoo Legion was organized the following day. On Thursday, 4 February 1841, at 10:00 a.m., a group of men gathered in Joseph Smith’s office and unanimously elected him as lieutenant-general, or commander-in-chief of the militia. They also elected John C. Bennett major-general, Wilson Law brigadier-general of the first cohort, and Don Carlos Smith brigadier-general of the second cohort. After being sworn in, General Smith then appointed several lesser officers.<sup>26</sup>

Eleven days later, on 15 February, at a meeting of the city council, the Prophet introduced “An ordinance in relation to temperance.” During

the meeting he spoke at length on the use of liquors and showed that they were unnecessary and operated as a poison in the stomach.<sup>27</sup> Later, on 1 March he sponsored another important bill entitled, “An Ordinance in

Relation to Religious Societies.” It read in part, “Be it ordained . . . that Catholics, Presbyterians, Methodists, Baptists, Latter-day Saints, Quakers, Episcopalians, Universalists, Unitarians, Mohammedans, and all other religious sects and denominations whatever, shall have free toleration and equal privilege, in this city.” Anyone guilty of “disturbing or interrupting any religious meeting within the limits of the city” could be fined up to \$500 and imprisoned for six months.<sup>28</sup>

In July 1841, the members of the Quorum of the Twelve Apostles began returning to Nauvoo from their missions in Great Britain.<sup>29</sup> Soon thereafter, many of them became involved in the municipal government. On 4 September 1841, Brigham Young became a member of the city council succeeding the Prophet’s brother, Don Carlos Smith, who died on 7 August at the age of twenty-five.<sup>30</sup> On 23 October the city council simply added four additional councilors to its body, three of whom were members of the Quorum of the Twelve—John Taylor, Orson Pratt, and Heber C. Kimball. The fourth newcomer was a man by the name of Hugh McFall.<sup>31</sup> On 30 October the Council became even larger when it added three more apostles to serve as councilors. They were Lyman Wight, Willard Richards, and Wilford Woodruff. During the same meeting the council also elected two additional aldermen—Hiram Kimball and George W. Harris.<sup>32</sup> Thus, within eight days, the makeup of the city council changed significantly. The number of officers increased from fourteen members to twenty-three (a mayor, six alderman, and sixteen councilors), and all but three of the newly assigned officials were members of the Quorum of the Twelve.

A new phase in Joseph Smith’s civic career began on 22 January 1842. On that date the council elected the Prophet vice mayor, whose duty it was to preside when the mayor was absent.<sup>33</sup> The Rules of Order of the City Council stated that the vice mayor should be elected by a “majority of the votes of the members present.”<sup>34</sup> The minutes of the Nauvoo City Council show that the Prophet won by a vote of eighteen to three. Others receiving a vote were Hyrum Smith, Willard Richards, and Wilson Law.<sup>35</sup> The Prophet served in this office for the next four months before succeeding John C. Bennett as mayor.

The immediate circumstances leading to Joseph Smith becoming mayor were closely connected to the shameful fall of John C. Bennett. Few people had risen to prominence in Nauvoo as rapidly as did Bennett. During the week he was elected mayor, 1 February 1841, he was also appointed major-general of the Nauvoo Legion and chancellor of the University of Nauvoo. Two months later, during General Conference, he was sustained as an additional counselor to Joseph Smith in the First Presidency of the Church.<sup>36</sup> Unfortunately he used his position for his own selfish and lustful desires.

While serving as mayor, he seduced several married women into illicit sexual relations. He asserted they could be his “spiritual” wives while still being married to their husbands and claimed that Joseph Smith sanctioned it.<sup>37</sup> Furthermore, on 7 May 1842, Bennett sought to put the Prophet in harms way during a mock-battle of the Nauvoo Legion.<sup>38</sup> Joseph Smith, however, recorded that “the gentle breathing of that Spirit, which whispered [to] me on parade” revealed the plot to have him assassinated and make Bennett the president of the Church.<sup>39</sup> Soon thereafter, the Nauvoo Stake high council initiated an investigation into Bennett’s behavior. It discovered that he had used his position as a medical doctor to have improper, intimate contact with female patients. He also frequented houses of ill repute, and one local newspaper even reported that he sought to poison the husband of a woman he hoped to pursue.<sup>40</sup> In the wake of these scandalous reports, Bennett decided to resign his position as mayor on 17 May 1842.<sup>41</sup> He appeared before Alderman Daniel H. Wells, who was a justice of Nauvoo, and wrote out a sworn affidavit affirming he never knew Joseph Smith “to countenance any improper conduct whatever, either in public or private.” It also maintained that the Prophet never taught Bennett “that an illegal illicit intercourse with females was, under any circumstances, justifiable, and that [Bennett] never knew him so to teach others.”<sup>42</sup>

### **The Prophet Becomes Mayor**

A historical meeting of the Nauvoo City Council was held on Thursday, 19 May 1842. The main purpose of the gathering was to appoint a new mayor. News of Bennett’s resignation had spread rapidly through the city and the meeting was “filled with spectators” who had come with much anticipation.<sup>43</sup> The first order of business was to formally accept Bennett’s resignation, which was done unanimously. Then the council elected Joseph Smith as mayor by a vote of eighteen to one. William Marks received one vote.<sup>44</sup> Hyrum Smith was elected vice mayor and William Smith was elected to the city council in the place of his brother, Joseph. In addition, George A. Smith was elected to be a councilor, replacing Hugh McFall who had recently moved out of the city.<sup>45</sup>

In the midst of this memorable election a most unusual occurrence took place. Joseph Smith received and recorded a distressing revelation and gave it to Hiram Kimball, a member of the council. It contained the following warning: “Verily thus saith the Lord unto you my servant Joseph by the voice of my Spirit, Hiram Kimball has been insinuating evil. & forming evil opinions against you with others. & if he continue[s] in them he & they shall be accursed. for I am the Lord thy God & will stand by thee & bless thee. Amen.”<sup>46</sup>



*Joseph Smith's Red Brick Store, September 2001.  
Following the completion of the construction of the Red Brick Store in  
January 1842, meetings of the Nauvoo City Council and the municipal  
court were held in the building's second story.  
Photograph by Alexander L. Baugh.*

The Prophet's first order of business after being elected mayor was to speak "at some length concerning the evil reports which were abroad in the city concerning himself."<sup>47</sup> As a result, the council authorized the mayor to establish a night watch for the purpose of "counteracting the designs of [the] enemies."<sup>48</sup> Next the new mayor called upon John C. Bennett to state if he had anything against Joseph Smith. Bennett replied that he "had no difficulty with the heads of the church," and added, "Any one who has said that I have stated that General Joseph Smith has given me authority to hold illicit intercourse with women is a Liar in the face of God."<sup>49</sup> Before the meeting was adjourned, Joseph Smith and the Council extended appreciation to the former mayor: "Resolved . . . that this council tender a vote of thanks to General John C. Bennett, for his great zeal in having good and wholesome laws adopted for the government of this city, & for the faithful discharge of his duty while mayor of the same."<sup>50</sup> This seems to be a remarkable resolution in light of the fact that Bennett's deplorable behavior had caused the Council so much distress in recent weeks.

Three days after being elected mayor, Joseph Smith read an article in the



Quincy Whig announcing that Missouri ex-governor Lilburn W. Boggs had been shot and critically wounded. Without any proof, the paper suggested that the Latter-day Saints were responsible for the shameful affair. "One [rumor] . . . throws the crime upon the Mormons—from the fact, we suppose, that Mr. Boggs was governor at the time, and no small degree instrumental in driving them from the state," the article read. "Smith too, the Mormon prophet, as we understand, prophesied a year or so ago, [Boggs'] death by violent means. Hence there is plenty of foundation for rumor."<sup>51</sup> Appalled by the report, Joseph Smith promptly went to the editor's office of the *Nauvoo Wasp* and submitted a forceful denial. He repudiated the accusation that he had prophesied the death of Lilburn Boggs by "violent means." The Prophet also declared that Boggs had not been shot by "my instrumentality" and added "my hands are clean and my heart pure from the blood of all men."<sup>52</sup> This disclaimer was also published in the *Quincy Whig* on 4 June 1842.<sup>53</sup>

Joseph anticipated that his enemies living outside Nauvoo, or even beyond the boundaries of the state of Illinois, might come to arrest him and try to extradite him to another community or state to stand trial. Therefore, at a meeting held 5 July 1842, the city council passed a bill designed to protect the Prophet and other innocent members of their community. It was entitled "An Ordinance In Relation to Writs of Habeas Corpus" which gave emphasis to a power originally granted to the city court by the *Nauvoo Charter*. It stipulated that "no citizen of this city shall be taken out of the city by writs without the privilege of investigation before the municipal court." The bill forthrightly affirmed that it was issued to insure that the people of Nauvoo, "may in all cases have the right of trial in this city."<sup>54</sup> Joseph Smith, as mayor, readily signed this measure.

The Mormon leader's fear that his enemies would try to extradite him was realized over the last two years of his life. Joseph's opponents, outside of Nauvoo, tried to arrest him on several occasions. One of those adversaries was ex-governor Lilburn Boggs who surprisingly recovered from the attempted assassination. Soon thereafter, Boggs sought out a justice of the peace to issue an affidavit charging Orrin Porter Rockwell for the assault on his life. In a second affidavit Boggs accused Joseph Smith "with being accessory before the fact."<sup>55</sup> Boggs then requested Thomas Reynolds, governor of Missouri, "to make a demand on" Thomas Carlin, governor of Illinois, to deliver Joseph Smith and Orrin Porter Rockwell to an authorized official of the state of Missouri.<sup>56</sup> Carlin agreed. On 8 August 1842 a deputy sheriff of neighboring Adams County went to Nauvoo and arrested the Prophet and Rockwell. There was no attempt to resist arrest but the *Nauvoo municipal court* issued a writ of habeas corpus demanding that the deputy sheriff bring his prisoners before that tribunal. The deputy sheriff refused to obey the



order, claiming Nauvoo City had no jurisdiction over him. He did, however, leave the prisoners with a Nauvoo City marshal and returned to Adams County for additional orders from the governor. President Smith and Porter Rockwell were then allowed to go free and the Prophet went into hiding for the next three months.<sup>57</sup>

In the meantime, other attempts were made to arrest Joseph Smith. Following one these, rumor spread that a sheriff from Missouri would come with a mob to apprehend the Prophet. In response to this rumor, Joseph Smith, in his capacity as mayor, wrote to Wilson Law, the new major-general of the Nauvoo Legion, officially authorizing him to use force if necessary to “contest [the mob] at the point of the sword, with firm, undaunted and unyielding valor.”<sup>58</sup> During this time, friends of the Prophet tried to appeal his case to Governor Carlin, hoping that he might revoke the charges. Unfortunately their plea fell on deaf ears. Instead, the unsympathetic governor offered a \$200 bounty for Joseph Smith. In addition, Governor Reynolds, in Missouri, offered a \$300 reward for the Prophet.<sup>59</sup> Soon thereafter, Thomas Ford replaced Carlin as governor of the state of Illinois.

It was at this time that Joseph Smith sought the counsel of Justin Butterfield, U. S. attorney for the district of Illinois, concerning the charges that had been brought against him by ex-governor Boggs. In a formal written response, Butterfield advised the Prophet to appeal to the new governor, believing that he might rescind the warrant for his arrest.<sup>60</sup> Governor Ford seemed sympathetic, but on advice of the court he encouraged Joseph to appear before the district federal judge in Springfield. The governor also promised him protection if he would come.<sup>61</sup> The Prophet complied with the request and on 26 December 1842 voluntarily submitted to arrest at the hands of Wilson Law in Nauvoo.<sup>62</sup> He made the trip to Springfield with Law, Hyrum Smith, John Taylor and others. Joseph then went before Judge Nathaniel Pope who, on 5 January 1843, acquitted the Prophet and let him go free.<sup>63</sup>

Joseph Smith’s time in hiding and legal problems only made his popularity soar among the Saints back in Nauvoo. Upon his return to the city, the Quorum of the Twelve declared Tuesday, 17 January 1843, as a special “day of humiliation, fasting, praise, prayer and thanksgiving” for “the deliverance of [their] beloved president . . . from the oppression with which he [had] so long been bound.” The Twelve directed the bishops of the various wards to bring their members together, hear reports from those who had been with the Prophet in Springfield, and take up collections to help pay for his legal fees.<sup>64</sup> These meetings were very well attended, some to overflowing.<sup>65</sup>

Less than three weeks later, on Monday, 6 February 1843, the municipal elections were held and Joseph Smith was elected mayor by unanimous vote.



*Interior view of the second story courtroom in the Lincoln-Herndon law office building, May 2002. It was in this courtroom that Joseph Smith appeared before Judge Nathaniel Pope from 31 December 1842 through 5 January 1843, to answer extradition charges related to the attempted assassination charges of ex-Missouri Governor Lilburn W. Boggs.  
Photograph by Alexander L. Baugh.*

During the same election the citizens chose Orson Spencer, Daniel H. Wells, George A. Smith, and Stephen Markham as aldermen. The nine men elected as councilors were Hyrum Smith, John Taylor, Orson Hyde, Orson Pratt, Sylvester Emmons, Heber C. Kimball, Benjamin Warrington, Daniel Spencer, and Brigham Young.<sup>66</sup> This election was not only an indication of the tremendous popularity of Joseph Smith, but also reflected high esteem in which the Saints held the Twelve, six of whom were elected to office (Young, Kimball, Hyde, Pratt, Taylor and George A. Smith).

Two weeks after his commanding victory in the mayor's race, Joseph seemed all the more determined to use political power for the good of his people. Speaking to a group of workmen on the Nauvoo Temple, the mayor declared, "It is our duty to concentrate all our influence to make popular that which is sound and good. . . . 'Tis right, politically, for a man who has influence to use it. . . . From henceforth I will maintain all the influence I can get. In relation to politics I will speak as a man; but in relation to religion I will speak in authority."<sup>67</sup>

The venerable Mormon historian B. H. Roberts claimed that immediately following this election, “Nauvoo was rapidly approaching the high watermark of her prosperity.”<sup>68</sup> But unfortunately troubled times were on the horizon. In an attempt to retrieve the power it had originally granted to the city, the Illinois House of Representatives tried to revoke the Nauvoo Charter. On 3 March 1843 it voted fifty-eight to thirty-three in favor of the action.<sup>69</sup> Fortunately, on the following day by the narrowest of margins, the Senate voted seventeen to sixteen, to retain the charter.<sup>70</sup>

Later that year, some Missourians kidnapped two Hancock County citizens and rumors began to circulate that they planned to invade Nauvoo and kidnap even more. On 8 December 1843, Willard Richards and Phillip B. Lewis appeared before Mayor Joseph Smith and afterwards issued an affidavit, confirming the rumors were true. The mayor immediately began to prepare for what one historian termed a possible “border



*Exterior view of the Lincoln-Herndon law office building, Springfield, Illinois, May 2002. The building is located on the southwest corner of Adams and Monroe Streets.*

*Lincoln's law offices were located on the third floor.*

*Between 1841-1855, the federal government rented the second floor. The north room was used as the U. S. District Courtroom for Illinois and the Seventh U. S. States Circuit Court. Beginning on 31 December 1842 and continuing through 5 January 1843, Joseph Smith appeared before U. S. District Court Judge Nathaniel Pope in the second story courtroom on extradition charges related to the attempted assassination of ex-Missouri Governor Lilburn W. Boggs. Although provisions in the Nauvoo Charter allowed for the Prophet to be tried in the Nauvoo's Municipal Court, upon the advice of U. S. District Attorney Justin Butterfield, Joseph Smith agreed to be tried in Springfield. Judge Pope ruled against the Missouri extradition order.*

*Photograph by Alexander L. Baugh.*

border

war.”<sup>71</sup> Joseph immediately issued a written notification to Henry G. Sherwood, the city marshal, authorizing him to use part of the Nauvoo Legion to protect the city. Sherwood was willing to carry out the request but was worried about protocol. He wrote back to the mayor, asking him to order Wilson Law, major-general of the Nauvoo Legion, to ready the troops and make them available to the city marshal. Joseph followed through and the Legion was put on alert.<sup>72</sup>

The mayor then met with the city council. Anticipating that Joseph Smith was the prime candidate to be kidnapped, the council, under his direction, passed “an extra ordinance for the extra case of Joseph Smith and others.” It asserted “if any person or persons shall come with process . . . founded upon the . . . Missouri difficulties, to arrest . . . Joseph Smith, he or they so offending shall be subject to . . . [arrest] by any officer of the city, with or without process, and tried by the Municipal Court . . . and if found guilty, sentenced to imprisonment in the city prison for life.” The bill also provided that the convicts could, “only be pardoned by the Governor, with the consent of the Mayor of said city.”<sup>73</sup>

City officials kept Governor Ford informed of the Missourians’ threats to invade Nauvoo, but it soon became obvious that Ford was not their friend and that they could not depend on the state to help protect their city. Under the direction of the mayor and the city council, a unique, but radical plan was put into place for the security of Nauvoo. On 21 December 1843 they drew up an ordinance petitioning the United States Congress to make Nauvoo a federal municipal territory of the United States—essentially creating an independent city-state under the protection of the U.S. government. The Nauvoo Legion would also become an official unit of the federal army, but under the direction of the mayor. The ordinance declared, “All rights powers privileges and immunities belonging to Territories, and not repugnant to the Constitution of the United States, are hereby granted and secured to the inhabitants of the city of Nauvoo. . . . That the mayor of Nauvoo be . . . empowered by . . . the President of the United States . . . to call to his aid a sufficient number of United States forces, in connection with the Nauvoo Legion, to repel the invasion of mobs, keep the public peace, and protect the innocent.”<sup>74</sup> The council then authorized Orson Pratt to present the petition to the U.S. Congress.<sup>75</sup> Not surprisingly, the petition was never acted upon.

In another attempt to provide security for Nauvoo, the mayor and city council increased the police force, adding an additional forty men, the high policeman (chief of police) being Jonathan Dunham. They were sworn, “to support the Constitution of the United States and the State of Illinois, and obey . . . the instructions of the Mayor.”<sup>76</sup> Joseph Smith spoke to them at

some length, warning them not only of enemies in Missouri but also of traitors within the city. He had an interesting philosophy to prevent corruption within law enforcement. He explained that, "if any one offered a bribe to a policeman, the city will pay that policeman twice the amount offered for the information, when reported to the Mayor."<sup>77</sup>

On the morning of 29 January 1844, a significant meeting was held at the mayor's office in Nauvoo. Here, Joseph Smith met with the Quorum of the Twelve and others to consider what course of action they should take relative to the coming election for president of the United States. During that meeting Willard Richards made a motion that Joseph Smith run for the presidency on an independent electoral ticket and that those present should use "all honorable means in [their] power to secure his election."<sup>78</sup> Thus began one of the most intriguing third-party campaigns for president of the United States in the history of the nation. The story of this campaign is an important theme during the last five months of Joseph Smith's life that runs parallel to his activities as mayor and serves as another example of an attempt by him to acquire political influence to protect his people.<sup>79</sup>

During the last few months of Joseph Smith's life his dream of Nauvoo being a safe haven for the Mormons gradually faded. Enemies were seeking his life both inside and outside the city. The state government had become antagonistic and the national government seemed unsympathetic. It was at this time that the Prophet's thoughts turned to other possible places of refuge. He considered the possibility of going west to California and Oregon or perhaps south to Texas. On 11 March 1844 he organized a committee of twenty-three men to help determine "the best policy for [his] people to adopt to obtain their rights from the nation and insure protection for themselves and children; and secure a resting place in the mountains or some uninhabited region where [they could] enjoy the liberty of conscience guaranteed to [them] by the Constitution of [their] country."<sup>80</sup>

Consistent with this concept, Joseph drew up still another bill to send to the United States Congress—"An Ordinance for the Protection of the Citizens of the United States Emigrating to the Territories." The Prophet actually asked Congress for the authority "to raise a company of one hundred thousand armed volunteers" in order to "extend the arm of deliverance to Texas" and to "protect the inhabitants of Oregon from foreign aggressions."<sup>81</sup> John Wentworth, of Chicago, introduced the bill in the House of Representatives but it did not pass.<sup>82</sup> The Saints would one day seek refuge in the Rocky Mountains but Joseph would not be with them. The concluding scenes of the Prophet's life would be played out in his beloved Nauvoo and its environs.

Events related to Joseph Smith's final duties as mayor during the last few

weeks of his life were tragic indeed. In the early part of 1844, some of his closest associates apostatized, most prominent of whom was William Law, second counselor in the First Presidency. On 7 June 1844, Law and several cohorts published the *Nauvoo Expositor* in an effort to defame Joseph Smith and promote their own causes.<sup>83</sup> Among other things, they charged the Prophet with abusing political and ecclesiastical power, teaching plural marriage and the plurality of gods, violating the separation of church and state, establishing a secret society for religious purposes, organizing an inquisition, teaching spiritual wifery, and having a hostile spirit toward Missouri. The paper also advocated the repeal of the Nauvoo Charter.<sup>84</sup> The mayor and city council met twice to consider what to do about the *Expositor* situation, once on Saturday, 8 June, and again on Monday, 10 June 1844. W. W. Phelps read from the Illinois state constitution and the clerk read the prospectus of the *Expositor*. John Taylor considered the paper slanderous and the council agreed. Hyrum Smith suggested that the press be smashed and the type scattered. Ultimately, the council authorized the mayor to have the paper “removed without delay.”<sup>85</sup> Joseph Smith immediately ordered the city marshal to destroy the press of the infamous periodical, which was done within two hours.<sup>86</sup>

The destruction of the *Nauvoo Expositor* was probably the most controversial thing Joseph Smith ever did in his capacity as mayor. Contemporary legal opinion maintains that the City Council had the legal right to suppress the publication but destroying the printing press was a violation of property rights.<sup>87</sup> Whether it was legal or not, it was certainly inflammatory and eventually fatal for the Prophet. The publishers of the *Expositor* fled to nearby Carthage and obtained a warrant for the arrest of all the members of the Nauvoo City Council. The arrests were made, however on 12 June, Joseph was released on a writ of habeas corpus by the Nauvoo municipal court. The next day he presided over the same tribunal and released the rest of the prisoners.<sup>88</sup>

In the meantime, the anti-Mormon *Warsaw Signal* proclaimed: “War and extermination is inevitable! Citizens Arise, One and All!!! . . . We have no time for comment: every man will make his own. Let it be made with powder and ball!!!”<sup>89</sup> In response to this threat, on 18 June, Mayor Joseph Smith put the city under martial law and formally mobilized the Nauvoo Legion and the municipal police.<sup>90</sup> Informed of the volatile situation, Governor Ford advised Joseph that the only way to peacefully satisfy his enemies would be to come to Carthage and be tried by a non-Mormon jury.<sup>91</sup> Joseph eventually agreed, even though he believed that by surrendering himself in Carthage he would be “going like a lamb to the slaughter.”<sup>92</sup>

On 24 June 1844, Joseph Smith reluctantly performed his final official

act as mayor of Nauvoo—he countersigned a bill with Governor Ford disarming the Nauvoo Legion.<sup>93</sup> That same evening he rode into Carthage and voluntarily went to jail. Three days later he was “murdered in cold blood” just as he had prophesied.<sup>94</sup>

## Epilogue

Joseph Smith’s effort to establish a city of refuge for his people came to a tragic end with his martyrdom, but not without first winning admiration. The Mormon leader’s activities as mayor are appropriately summarized in the following tribute written by B. H. Roberts. “It was in Nauvoo that Joseph Smith reached the summit of his remarkable career. . . . It was in Nauvoo he contended against a world of opposition; against the power of falsehood and misrepresentation; against priestcraft; against corruption in high places; from here he corresponded with statesmen, and rebuked demagogues; from here he went to martyrdom—to seal his testimony with his blood.”<sup>95</sup> John Taylor’s inspired tribute to Joseph Smith has been canonized in Latter-day Saint scripture as Doctrine and Covenants 135. Taylor places the Prophet’s accomplishments as mayor in perspective when he summarized his overall achievements. After affirming his spiritual accomplishments, he simply and concisely declared that the Prophet Joseph Smith had “founded a great city.” (D & C 135:3).

## Notes

1. Joseph Smith Jr., *History of the Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 2d ed., rev. 7 vols. (Salt Lake City: Deseret Book, 1971), 4:40 (hereafter cited as *History of the Church*).

2. *History of the Church*, 4:80.

3. For a discussion of Joseph Smith’s visit to Washington, D. C. see Clark V. Johnson, “Government Responses to Mormon Appeals, 1840-1846,” in *Regional Studies in Latter-day Saint Church History: Illinois*, H. Dean Garrett, ed. (Provo, Utah: Department of Church History and Doctrine, Brigham Young University, 1995), 183-91.

4. *History of the Church*, 4:89.

5. Dean C. Jessee, “Joseph Smith’s 19 July 1840 Discourse,” *BYU Studies* 19, no. 3 (Spring 1979): 392.

6. *History of the Church*, 4:205.

7. *History of the Church*, 4: 205.

8. *History of the Church*, 4: 206.

9. James L. Kimball, Jr., “A Wall to Defend Zion: The Nauvoo Charter,” *BYU Studies* 15, no. 4 (Summer 1975): 492.

10. *History of the Church*, 4:249. Andrew F. Smith claims that, “it is unlikely that this was an accurate reflection of what really happened.” Smith gives Bennett more credit, saying “he was an experienced and accomplished lobbyist, having written and passed bills



in Ohio, Virginia, Indiana, and Illinois.” See Andrew F. Smith, *The Sainly Scoundrel: The Life and Times of Dr. John Cook Bennett* (Urbana and Chicago: University of Illinois Press, 1997), 60.

11. *Times and Seasons*, 2 (1 January 1841): 266-267.
12. *History of the Church*, 4:240.
13. *History of the Church*, 4:241.
14. *History of the Church*, 4:242.
15. *History of the Church*, 4:243.
16. *History of the Church*, 4:244.
17. *Times and Seasons*, 2 (1 January 1841): 264.
18. *Times and Seasons*, 2 (1 January 1841): 266-67.
19. Kimball, “A Wall to Defend Zion,” 496.
20. Kimball, “A Wall to Defend Zion,” 496.
21. *History of the Church*, 4:287.
22. See James B. Allen, Ronald K. Esplin, and David J. Whittaker, *Men With a Mission, 1837-1841: The Quorum of Twelve Apostles in the British Isles* (Salt Lake City: Deseret Book, 1992).
23. Nauvoo City Council Minutes, 22 February 1841, and 1 March 1841, typescript, 3, 8, 15, LDS Church Archives, Family and Church History Department, The Church of Jesus Christ of Latter-day Saints, Salt Lake City (hereafter, LDS Church Archives).
24. Nauvoo City Council Minutes, 3 February 1841; also in *History of the Church*, 4:288-294. The *History of the Church* has these events in a different sequence than they appear in the Nauvoo City Council Minutes. I have used the sequence as they appear in the minutes.
25. *History of the Church*, 4:295.
26. *History of the Church*, 4:295-96.
27. Nauvoo City Council Minutes, 15 February 1841; also in *History of the Church*, 4:299.
28. Nauvoo City Council Minutes, 1 March 1841; also in *History of the Church*, 4:306.
29. Allen, et. al., *Men With a Mission*, 304-306; see also *History of the Church*, 4:381.
30. Nauvoo City Council Minutes, 4 September 1841; also in *History of the Church*, 4:414.
31. Nauvoo City Council Minutes, 23 October 1841.
32. Nauvoo City Council Minutes, 30 October 1841; also in *History of the Church*, 4:442.
33. *Times and Seasons* 3 (1 February 1842): 683-84, 686. The *History of the Church* refers to the office as “mayor, pro tem.” See *History of the Church*, 4:501.
34. *Times and Seasons* 3 (1 February 1842): 683-84.
35. Nauvoo City Council Minutes, 22 January 1842.
36. *History of the Church*, 4:341.
37. Andrew C. Skinner, “John C. Bennett: For Prophet or Profit?” in Garrett, *Regional Studies in Latter-day Saint Church History: Illinois*, 256-58.
38. Skinner, “John C. Bennett,” 257.
39. *History of the Church*, 5:4.
40. Skinner, “John C. Bennett,” 258.
41. *History of the Church*, 5:11-12.
42. *Times and Seasons* 3 (1 August 1842): 870-71.
43. *History of the Church*, 5:12-13.
44. Nauvoo City Council Minutes, 19 May 1842.

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45. *History of the Church*, 5:12-13.
  46. Dean C. Jessee, ed., *The Papers of Joseph Smith*, 2 vols. (Salt Lake City: Deseret Book, 1989-1992), 2:384; also cited in *History of the Church*, 5:12.
  47. Jessee, *Papers of Joseph Smith*, 2:384; also in *History of the Church*, 5:12.
  48. Jessee, *Papers of Joseph Smith*, 2:384; also in *History of the Church*, 5: 12-13.
  49. Jessee, *Papers of Joseph Smith*, 2:385; also in *History of the Church*, 5:13.
  50. Nauvoo City Council Minutes, 19 May 1842.
  51. Jessee, *Papers of Joseph Smith*, 2:386; also in *History of the Church*, 5:14-15.
  52. *History of the Church*, 5:15.
  53. Jessee, *Papers of Joseph Smith*, 2:386.
  54. Nauvoo City Council Minutes, 5 July 1842; also in *History of the Church*, 5:57.
  55. B. H. Roberts, *A Comprehensive History of the Church of Jesus Christ of Latter-day Saints, Century One*, 6 vols. (Provo, Utah: Corporation of the President, The Church of Jesus Christ of Latter-day Saints, 1965), 2:149.
  56. *Comprehensive History of the Church*, 2:149.
  57. Jessee, *Papers of Joseph Smith*, 2:402-03; also in *History of the Church*, 5:86-87.
  58. Jessee, *Papers of Joseph Smith*, 2:408; also in *History of the Church*, 5:93. Wilson Law had replaced John C. Bennett as major-general of the Nauvoo Legion. See *Comprehensive History of the Church*, 2:153.
  59. *Comprehensive History of the Church*, 2:153-54; see also Jessee, *Papers of Joseph Smith*, 2:485; and *History of the Church*, 5:167.
  60. *Comprehensive History of the Church*, 2:155-56.
  61. Jessee, *Papers of Joseph Smith*, 2:504-05; see also *History of the Church*, 5:205-06; and *Comprehensive History of the Church*, 2:156.
  62. Roberts states that William Law arrested Joseph Smith. See *Comprehensive History of the Church*, 2:156. The Prophet's published history states Wilson Law arrested the Prophet. See *History of the Church*, 5:209.
  63. *Comprehensive History of the Church*, 2:156-58; see also *History of the Church*, 5:223-31.
  64. *History of the Church*, 5:248-49.
  65. *History of the Church*, 5:252.
  66. *History of the Church*, 5:264-65.
  67. *History of the Church*, 5:286.
  68. *Comprehensive History of the Church*, 2:180.
  69. *History of the Church*, 5:295.
  70. *History of the Church*, 5:298.
  71. *History of the Church*, 6:103; see also *Comprehensive History of the Church*, 2:198-99.
  72. *History of the Church*, 6:103-04.
  73. Nauvoo City Council Minutes, 8 December 1843; also in *History of the Church*, 6:105.
  74. Nauvoo City Council Minutes, 21 December 1843; also in *History of the Church*, 6:131.
  75. Nauvoo City Council Minutes, 21 December 1843; also in *History of the Church*, 6:124. In James B. Allen and Glen M. Leonard, *The Story of Latter-day Saints* (Salt Lake City, Deseret Book, 1992), 198, the authors incorrectly state that the council authorized Orson Hyde to be the delegate.
  76. *History of the Church*, 6:149.
  77. Nauvoo City Council Minutes, 29 December 1843; also in *History of the Church*, 6:153.

78. *History of the Church*, 6:188.
79. For more on Joseph Smith's campaign for president see, Arnold K. Garr, "Joseph Smith: Candidate for President of the United States," in Garrett, *Regional Studies in Latter-day Saint Church History: Illinois*, 151-168.
80. *History of the Church*, 6:261.
81. *History of the Church*, 6:276-77.
82. *Comprehensive History of the Church*, 2:214.
83. The publishers were William Law, Wilson Law, Charles Ivans, Frances M. Higbee, Chauncey L. Higbee, Robert D. Foster and Charles A. Foster. See *History of the Church*, 6:444.
84. *Nauvoo Expositor*, 7 June 1844. Photocopy in possession of the author.
85. Nauvoo City Council Minutes, 8 and 10 June 1844; also in *History of the Church*, 6:430, 445, 448.
86. *History of the Church*, 6:432.
87. See Dallin H. Oaks, "The Suppression of the Nauvoo Expositor," *Utah Law Review* (Winter 1965): 862-903.
88. *History of the Church*, 6:453-61. Both Allen and Leonard, *The Story of the Latter-day Saints*, p. 206; and *Church History in the Fulness of Times* (Salt Lake City: The Church of Jesus Christ of Latter-day Saints), p. 275 incorrectly list these trials on 13 and 14 June instead of 12 and 13 June.
89. *Warsaw Signal*, 12 June 1844, 2; cited in *Comprehensive History of the Church*, 2:236.
90. *History of the Church*, 6:497.
91. *History of the Church*, 6:533-537.
92. *History of the Church*, 6:555.
93. *History of the Church*, 6:555.
94. *History of the Church*, 6:555.
95. B. H. Roberts, *The Rise and Fall of Nauvoo* (Salt Lake City: Bookcraft, 1965), 17.