

# **The Danite Band of 1838**



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Near the conclusion of the Mormon occupation of Missouri, late in 1838 to be exact, several leading men of The Church of Jesus Christ of Latter-day Saints were arrested and charged with treason. The court hearing that followed produced abundant testimony regarding the existence in Mormon circles of a secret, oath-bound organization known as the “Danite Band.”<sup>1</sup> But most of the corroborative evidence concerning the existence of the group came from men opposed to Joseph Smith and his close associates in the leadership of the Church.<sup>2</sup>

The Danites made their appearance during a very troubled period in Mormon history. For this and other reasons, one finds much difficulty in isolating the many threads in order to lay bare the facts. One major purpose of this paper is to examine the Danite Band in terms of its origin, purpose, and organizational structure. A second objective is to show who was responsible for the formation and perpetuation of the movement and why.

## The Rise of the Dissenters

Prominent among the causes for the emergence of the Danites was the financial condition of the Church. By and large the Saints were poor, a condition aggravated by the repeated insistence of their non-Mormon neighbors that they find new locations for settlement.<sup>3</sup> Moreover, unwise financial ventures served to create problems. The failure of the so-called Kirtland Bank in Ohio was a prime cause for trouble in Missouri. Many of the leading Saints lost heavily in this scheme, among them Oliver Cowdery and David Whitmer, the former an Associate President of the entire Church, and the latter President of the Church in Zion. They, together with some members of the apostolic Quorum of the Twelve, blamed Joseph Smith and his closest supporters for their financial distress. The resulting saga is one of the unpleasant stories in LDS Church history.<sup>4</sup>

Coterminous with these Ohio events were those taking place in Missouri. To help procure money for land purchases in northern Missouri, Thomas B. Marsh and Elisha H. Groves were sent by the members in Missouri to scattered branches in Illinois, Kentucky, and Tennessee. Their efforts netted some fourteen hundred dollars.<sup>5</sup> These funds were placed in the hands of John Whitmer and W. W. Phelps, members of the Presidency in Zion. Instead of using the money as intended, however, the two presidents bought

lands in their own names and attempted to sell the same to their impoverished brethren at a small profit. Such action brought immediate protest from many quarters, members insisting that the two men were only agents appointed to act in behalf of the Church. Phelps and Whitmer, on the other hand, insisted that they were entitled to the profits for their time and trouble.<sup>6</sup>

### **Action Taken against the Dissenters**

During the winter of 1837–38, Oliver Cowdery, David Whitmer, and Lyman E. Johnson moved from Kirtland, Ohio, to Far West, Missouri. Not long after their arrival, “a general system of slander and abuse was commenced” by them, allegedly “for the purpose of destroying the character of certain individuals.”<sup>7</sup> In time, David Whitmer, W. W. Phelps, and John Whitmer were rejected by the Church in Missouri as its presidents. Shortly thereafter, proceedings were instituted to try them and others for their membership in the Church.<sup>8</sup> The resultant trials did nothing to allay the bad feelings that already existed, but only served to inflame them. In time the Saints of Caldwell County determined to rid their community of these men.

The first official encouragement given to removing these “dissenters” from Caldwell County came in the form of a speech by Sidney Rigdon on Sunday, 17 June 1838. Familiarly known in church history annals as the “Salt Sermon,” Rigdon’s address remains one of the controversial events of the period.<sup>9</sup> One who heard the speech, John Corrill, wrote concerning it,

President Rigdon delivered from the pulpit what I call the “Salt Sermon;” ‘If the salt have lost its savour, it is thenceforth good for nothing but to be cast out and trodden under the feet of men,’ was his text; and although he did not call names in his sermon, yet it was plainly understood that he meant the dissenters or those who had denied the faith. He indirectly accused some of them with crime.<sup>10</sup>

While it cannot be shown beyond dispute that Rigdon’s sermon was the prime cause for the dissenter’s rapid departure from the county, there is little doubt that it played a significant role. The Saints of Caldwell seem to have felt that it was a greater crime to tolerate the dissenters longer than it was to drive them out.<sup>11</sup> According to John Corrill, “the Church, it was said, would never become pure unless these dissenters were routed from among them. Moreover, if they were suffered to remain, they would destroy the Church.”<sup>12</sup>

The second step taken against the dissenters came at this same time in the form of a lengthy document rehearsing the supposed sins of the dissenters and ordering them to leave the county or face the consequences. This “Greeting” was drawn up in the form of a solemn warning and was addressed to “Oliver Cowdery, David Whitmer, John Whitmer, W. W. Phelps, and Lyman E. Johnson.” The first paragraph reads in part as follows:

Whereas the citizens of Caldwell county have born [sic] with the abuse received from you at different times and on different occasions, until it is no longer to be endured; neither will they endure it any longer, having exhausted all the patience they have, and conceive that to bear any longer would be a vice instead of a virtue. We have borne long and suffered incredibly; but we will neither bear nor suffer any longer; and the decree has gone forth from our hearts, and shall not return to us void. Neither think gentlemen, that in so saying, we are trifling with you or ourselves; for we are not. There are no threats from you—no fear of losing our lives by you, nor by anything you can say or do, will restrain us; for out the county you shall go, and no power can save you.<sup>13</sup>

The foregoing document was signed by eighty-four Caldwell citizens, but its author remains unknown.<sup>14</sup> Sampson Avard, founder and perpetuator of the infamous Danite Band, was the first to sign. It is possible that the document was drawn up by him and presented for signing at one or more Danite meetings. Several of the signatories were known Danite members.

### **History of Sampson Avard**

Little is known of Sampson Avard prior to his arrival in Far West about June of 1838. He was born 23 October, year unknown, on the Isle of Guernsey, St. Peter's Parish, England.<sup>15</sup> Sometime prior to 1835, he migrated to the United States and settled at Freedom, Beaver County, Pennsylvania, where he engaged for a time as a Campbellite preacher.<sup>16</sup> Precisely how he came in contact with the Church is not known, but there is evidence of interest as early as October of 1835.<sup>17</sup> He was baptized about this time by Orson Pratt, who immediately ordained him an elder and set him apart as president of his local branch.<sup>18</sup> While still engaged in that capacity, Avard did some missionary work near his home with Elder Erastus Snow.<sup>19</sup>

Avard moved to Kirtland late in 1836. Shortly after his arrival, he applied for and received a patriarchal blessing from Joseph Smith, Sr.<sup>20</sup> One year later, in October of 1837, Avard's license as a high priest was revoked by his quorum in Kirtland.<sup>21</sup> Although the nature of Avard's offense is not specified, B. H. Roberts asserts that it consisted of going to Canada sometime after his arrival in Kirtland and presenting false credentials to John Taylor, then the presiding elder, claiming that he had been appointed president of the branch in Taylor's place. Roberts concludes that Avard went to Canada at the behest of the "apostates" in Kirtland who wished to replace Taylor with someone less loyal to Joseph Smith. Later, when Joseph Smith and Sidney Rigdon made a visit to Canada, the matter was cleared up. The Prophet is said to have rebuked Avard severely for his course, and in consequence Avard lost his license.<sup>22</sup>

By June of 1838, Avard was in Far West. On 2 June, Oliver Cowdery wrote to his brothers Lyman and Warren in Kirtland as follows: "Avard

arrived sometime since. He appears very friendly, but I look upon him with so much contempt that he will probably get but little from me.”<sup>23</sup> Avar was excommunicated from the Church at Nauvoo on 17 March 1839, along with George M. Hinkle, John Corryll, Reed Peck, W. W. Phelps, Thomas B. Marsh, Burr Riggs, and several others.<sup>24</sup>

All evidence indicates that the Danite order originated about the same time Sidney Rigdon gave vent to his feelings in his “Salt Sermon.” The original purpose of the order appears to have been to aid the Saints of Caldwell in their determination to be free from dissenter influence. John Corryll, present for at least one of the group’s earliest meetings, states that “an effort was made to adopt some plan to get rid of the dissenters.” He, with others, allegedly opposed the formation of a band for that purpose, but to no avail. Said he,

I *think* the original object of the Danite band was to operate against the dissenters; but afterwards it grew into a system to carry out the designs of the Presidency; and, if necessary to use physical force to build up the Kingdom of God, it was to be done by them. *This is my opinion* as to their object; and I learned it from various sources connected with the band.<sup>25</sup>

Avar, first among those to testify at the hearing in Richmond in November 1838, agrees. According to his account, the original intent of the band “was to drive from the county of Caldwell all that dissented from the Mormon Church.”<sup>26</sup>

With the flight of the dissenters on 19 June 1838, the Danites lost their reason for existence.<sup>27</sup> A new purpose had to be found to justify their continuation. The warlike threats continually breathed against the Saints by their Missouri neighbors furnished just the objective, namely, protection against mob violence. Reed Peck, present at a meeting presided over by Avar, claims that he was told that the major purpose of the Danite organization was that its members “might be more perfectly organized to defend ourselves against mobs.”<sup>28</sup> Sidney Rigdon later maintained that “the Danites were organized for mutual protection against the bands that were forming and threatened to be formed.”<sup>29</sup> Luman Andros Shurtliff, one-time member of the order, wrote that the Danite organization “was got up for our personal defense; also of our families, property, and our religion.”<sup>30</sup>

In time, the order, under the leadership of Avar, assumed a third purpose, one entirely foreign to the spirit of the Church: retaliation against those who committed depredations against defenseless Saints.<sup>31</sup> According to information received by Joseph Smith following the demise of the Danites, Avar secretly taught his troops,

Know ye not, brethren, that it will soon be your privilege to take your respective companies and go out on a scout on the borders of the settlements and take to yourselves spoils of the goods of the ungodly Gentiles? For it is

written, the riches of the Gentiles shall be consecrated to my people, the house of Israel; and thus you will waste away the Gentiles by robbing and plundering them of their property; and in this way we will build up the Kingdom of God.<sup>32</sup>

### **The Question of Names for the Order**

In the course of its existence, the organization went by several names. It is entirely possible that the names were changed as the purposes for the organization also changed. At its inception, the band was known as the "Brothers of Gideon." Reed Peck, one-time member of the order, claimed that the Danites were originally under the command of one Jared Carter, the "terrible Brother of Gideon," so called because Carter had a brother by the name.<sup>33</sup> W. W. Phelps testified that he overheard Sidney Rigdon say in a Danite meeting that whoever was caught speaking against the First Presidency would be delivered "over to the hands of the Brother of Gideon."<sup>34</sup> John D. Lee alleged that on the first Sunday he attended Church in Far West a man entered the House of God without removing his hat. Whereupon, says Lee, "the Prophet ordered the Brother of Gideon to put that man out for his presumption."<sup>35</sup>

When the Danites entered their second phase, serving as protectors against mob attack, they became known as the "Daughters of Zion." Sampson Avard claimed that this was one of the band's more common names.<sup>36</sup> The term "Danite" appears to have been applied to the order in its third and last stage, namely, stealing from and plundering those who stole from and plundered the Saints. Summarizing the question of names, John Corrill wrote,

They [the Danites] sometimes went by the name of the "Big Fan;" this, I supposed, was figurative of their intentions to cleanse the chaff from the wheat. They also assumed the name "Daughters of Zion," and afterwards were called "Danites." Why they assumed these last names I never knew, but always supposed that they took them from the scriptures, which speaks of them, the first prophetically, the last historically. (See Micah iv., 13, read the whole chapter; also Judges, xvii and xviii chapters.)<sup>37</sup>

### **The Nature of the Danite Society: Its Teachings and Practices**

The teaching and practices of the Danite order gave it identity and uniqueness. Joseph Smith referred to it once as a "secret combination,"<sup>38</sup> thus linking it with the satanic organizations mentioned in the Book of Mormon.<sup>39</sup>

Recruitment for the band appears to have been by personal contact, and admission to membership was exclusively select. William Swartzell, resident of Adam-ondi-Ahman, relates how he sought to attend a Danite meeting on one occasion only to find his way blocked by sentinels "armed

with pistols, swords, and guns.” When the meeting was over, however, Swartzell was allegedly approached by a friend and asked if he could “eat strong meat.” When Swartzell replied that he could providing the meat had a “good scent,” he was temporarily dropped from consideration. Sometime later, however, he was again approached, this time by another Danite member who said:

Ah!! Brother Swartzell, you should have been at the meeting; you should have heard all about the Daranite [*sic*] business. . . . I dare not tell you what was said or preached, but never mind; next Saturday is another Daranite [*sic*] meeting, and then I will cause you to come in, too, to learn this mystery, provided no one objects to your being a MAN OF WAR!<sup>40</sup>

The most important aspect of the Danite society, apart from its apparent exclusiveness, was its secret nature. As previously noted, meeting places were carefully guarded to prevent unwanted intruders from entering. Moreover, those who did come to the meeting were said to be “well armed, some had swords, some had pistols, and others had guns and cow-hides.”<sup>41</sup> Initiates were instructed to settle all differences with prospective Danite brothers prior to accepting full membership, thus lessening the risk of exposing Danite secrets in unguarded moments of anger.

The secrets of the order were further protected by means of solemn oaths and covenants that each initiate was required to assume. According to Avard, the oath of secrecy was administered so that all members might be “bound together by covenant, that those who revealed the secrets of the Society should be put to death.” The oath, as given by Avard, was as follows:

In the name of Jesus Christ, the Son of God, I do solemnly obligate myself ever to conceal and never to reveal the secrets of this society called the Daughters of Zion. Should I ever do the same, I hold my life as the forfeiture.<sup>42</sup>

Swartzell’s version, although somewhat different, was as follows:

Now I do solemnly swear, by the eternal Jehovah, that I will decree to bear and conceal, and never reveal, this secret, at the peril of committing perjury, and [enduring] the pains of death, and my body to be shot and laid in the dust. Amen.<sup>43</sup>

According to John Clemenson, “Dr. Avard further taught that if anyone betrayed the secret designs of the society,” he was to be “killed, laid aside, and nothing said about it.”<sup>44</sup> Swartzell added that he was personally told that if any member of the society should try to run away and betray the secrets, “though he should be five thousand miles distant, the ‘Destroying Angels’ would pursue him and take his life.”<sup>45</sup>

The Danites had their own system of punishment. If the so-called Constitution<sup>46</sup> is to be trusted, punishments were “administered to the guilty in accordance with the offence.” However, no member was to be punished

“without law.” Moreover, members of the order were sworn to protect each other at any cost from all forms of law and order except those that were part of the Danite system. According to Swartzell, all Danites were taught as follows:

If any brother should have stolen a horse, or committed any offence, and is arraigned before a justice of the peace for trial, you must, at the risk of your lives, rescue him and not permit him to be tried by the Gentile Law; but bring him before our tribunal and let him be tried by our council.<sup>47</sup>

John D. Lee, also a member of the band, wrote,

The members of the Order were placed under the most sacred obligations that language could invent. They were sworn to stand by and sustain each other. *Sustain, protect, defend, and obey* the leaders of the Church under *any and all circumstances unto death*; and to divulge the name of a Danite to an outsider, or to make public any of the secrets of the Danites, was to be punished by death.<sup>48</sup>

Whether the supreme penalty was ever invoked is open to question. No evidence whatever has been found to show that it was, although Sidney Rigdon is quoted as having said in a Danite meeting “that one man had ‘slipped his wind’ yesterday, and had been thrown aside into the brush for the buzzards to pick, and the first man who lipped it should die.”<sup>49</sup>

That members might be able to recognize one another at all times, let the circumstances be as they might, signs of recognition were taught. John D. Lee states that the principal purpose for these signals was mutual protection in times of distress, means by which a fellow Danite could call for help without using his voice. According to Lee,

When the sign was given, it must be responded to and obeyed, even at the risk or certainty of death. That Danite that would refuse to respect the token and [did not] comply with its regulations, was stamped with dishonor, infamy, shame, and disgrace, and his fate for cowardice was death.

The sign or token of distress is made by placing the right hand on the right side of the face, with the points of the fingers upwards, shoving the hand upwards until the ear is snug up between thee thumb and fore-finger.<sup>50</sup>

Rigdon and Shurtliff agree in substance with the foregoing.<sup>51</sup> Reed Peck and John Corrill add that a Danite was under oath to help a brother in distress without taking time to inquire into the reason for or the nature of the difficulty.<sup>52</sup>

### **Avard’s Character and Methods**

Nothing demonstrates the nature of Sampson Avard’s character more than the quickness with which he broke his Danite oath and “told all” after he was captured. He alleged that “Daniteism was an order of the Church,” he merely acting under the orders of the Mormon First Presidency.<sup>53</sup>

His testimony was readily accepted by all who opposed Mormonism.<sup>54</sup> General John B. Clark, who captured Avard, reported the following to Governor Boggs: "I will here remark that but for the capture of Sampson Avard, a leading Mormon, I do not believe I could have obtained any useful facts. No one disclosed any useful matter until he was brought in."<sup>55</sup> Considering the secretive nature of the Danite order and the fact that Avard was the chief proponent of the same, it is easy to see how he was able to supply so many "useful facts."

There is abundant evidence to indicate that Avard was untruthful. Nancy Rigdon, one of the few permitted to testify in behalf of the Mormon prisoners, said that she had personally heard Avard say "that he would swear to a lie to gain any object; that he had told many a lie and would do so again."<sup>56</sup> While awaiting trial, Avard allegedly told Oliver Olney that "if he [Olney] wished to clear himself, he must swear hard against the heads of the Church, as they were the ones the court wanted to criminate. . . . I intend to do it . . . for if I do not, they will take my life."<sup>57</sup> Joseph Smith charged that Avard taught his captains that he would "swear a lie" to clear any of them of an accusation, and they should do the same.<sup>58</sup> From Lyman Wight's journal we get the following:

November 12th. Court opened this morning and Sampson Avard was sworn. He was a man whose character was perfectly run down in all classes of society, and he being a stranger, palmed himself upon the Mormon Church, and in order to raise himself in the estimation of the Church, invented schemes and plans to go against mobocracy, which were perfectly derogatory to the laws of this State and of the United States, and frequently endeavored to enforce them upon members of the Church, and when repulsed by Joseph Smith, he would frequently become chagrined. At one time he told me that the reason why he could not carry his plans into effect was that the First Presidency of the Church feared he would have too much influence and gain the honor which the Presidency desired for themselves. At one time he said to me that he would 'be damned' if he did not carry his plans through. More than once did he raise a conspiracy against them (the Presidency) in order to take their lives, thinking that he might then rule the Church. Now when he was brought before the court, he swore that all these treasonable purposes (which he had sworn in his heart to perform) originated with us.<sup>59</sup>

Morris Phelps, one-time Danite who spent the winter of 1838–39 in jail for alleged misdeeds, wrote,

He [Avard] at length turned conspirator and sought to make friends with the world and save his neck by testifying false against the lives of the innocent. This modern Sampson was one that crowded himself into the company of Mormons that declared they would no longer bear the insults of a mob and was determined to fight them in defending themselves, and he figured largely when there was property to be found in vacated house of the mob. But when coming up to face the enemy, [he was] like Sampson of old contending for his rights. Three days after he was found by the mob several

miles from danger, as was supposed, in a brush thicket, he was brought into their camp and was a good fellow, well met.<sup>60</sup>

It is apparent that Avard's abilities as a persuader were of no mean order. Moreover, his ability to make use of familiar and sacred concepts for his own purposes was as ingenious as it was perverse. In his instructions to his Danite captains, for example, he allegedly taught that stealing was not wrong providing one did it in support of the kingdom of God.<sup>61</sup> Having particular reference to the subject of plundering the enemies of the Church, Avard said,

In this way we will build up the Kingdom of God, and roll forth the little stone that Daniel saw cut out of the mountain without hands, and roll forth until it filled the whole earth. For this is the very way God destines to build up His Kingdom in the last days.<sup>62</sup>

As part of his imposition upon the credulity of his brethren Avard taught his devotees to manifest an outward allegiance to the Church by consecrating all plunder taken from the Gentiles to the bishop's storehouse.<sup>63</sup> John Clemenson testified at the hearing that Dimick B. Huntington, a Danite, personally informed him that the Missouriians at Gallatin took the goods from the store of one Jacob Stollings, piled them outside, and then set fire to the building, ostensibly to blame the Mormons for the deed.<sup>64</sup> While the Missouriians were gone for wagons in which to haul the goods off, however, the Danites arrived, piled the property into their wagons, and drove off. Said Clemenson,

I understand that the goods were deposited with the Bishop of the Church at Diahman as consecrated property of the church. A great deal of property was brought into the Mormon camps, but I do not know where it came from, but understood it was consecrated property. It was frequently observed among the troops that the time had come when the riches of the Gentiles should be consecrated to the Saints.<sup>65</sup>

Avard taught his followers that if they were faithful, the Lord would protect them in time of war. According to Joseph Smith, Avard pictured for his followers "a great glory that was then hovering over the Church and would soon burst upon the Saints as a cloud by day and a pillar of fire by night."<sup>66</sup> Reed Peck adds that "victories in which one would chase a thousand and two should put ten thousand to flight were portrayed in the most lively manner," while the "assistance of angels was promised" if the need arose. Everything, Peck says, was said to inspire the Danites with zeal and courage and to make them believe that God was soon to "bring to pass his 'strange act,'" of which the Danites were to be the chosen instruments.<sup>67</sup> John D. Lee concurs. He charges that the Danites were taught that if they faithfully consecrated their wealth unto the Lord, "the Lord . . . would fight their battles and save them from their enemies."<sup>68</sup>

Avard appears to have been most skillful in convincing his followers that he had the sanction of the heads of the Church for his operations. To prevent their inquiring for themselves, however, he bound them to maintain “everlasting secrecy to everything which should be communicated to them by himself.” Meetings were held daily and consummated with such speed that “mature reflection upon the matter” was nearly impossible. In the process of indoctrinating his captains, Avard allegedly said,

If any of us should be recognized [i.e., by an enemy], who can harm us? for we will stand by each other and defend one another in all things. If our enemies swear against us, we can swear also. Why do you startle at this, brethren. As the Lord liveth, I would swear to a lie to clear any of you; and if this would not do, I would put them [i.e., the enemy] under the sand as Moses did the Egyptian; and in this way we will consecrate much unto the Lord and build up His kingdom; and who can stand against us? And if any of us transgress, we will deal with him among ourselves. And if any one of this Danite society reveals any of these things, I will put him where the dogs cannot bite him.<sup>69</sup>

Naturally Avard’s followers were dismayed by some of his teachings. Such instructions ran counter to their understanding of the manner in which God’s kingdom would be built. Avard tried to calm their apprehensions by asserting that while such deeds may be unlawful in man’s sight, “no laws were executed in justice” on earth anyhow; and even if they were, they would not be binding upon the Saints, because those of the Church belonged to a new dispensation, a period of time when “the kingdom of God was to put down all other kingdoms, and the Lord Himself was to reign, and His laws alone were the laws that would exist.”<sup>70</sup>

Avard’s motives for organizing the Danites are not entirely clear. At first he may have been prompted by a sincere desire to help protect the lives of the Saints and to preserve the principles of liberty that they valued. But he used the organization for other ends. Joseph Smith inclined toward the opinion that Avard “was secretly aspiring to be the greatest of the great and [to] become the leader of the (Mormon) people.” Said the Prophet,

At a time when mobs oppressed, robbed, whipped, burned, plundered, and slew, till forbearance seemed no longer a virtue and nothing but the grace of God without measure could support men under such trials—[Avard sought] to form a secret combination by which he might rise a mighty conqueror, at the expense and overthrow of the Church. This he tried to accomplish by his smooth, flattering, and winning speeches, which he frequently made to his associates, while his room was well guarded by some of his followers, ready to give him the signal on the approach of anyone who would not approve of his measures.<sup>71</sup>

### **The Danite Constitution**

The secret nature of the Danite order makes it difficult to ferret out the truth in every particular. The so-called Constitution is a good example. Of

those who testified at the hearing, none but Avard seemed to know of its existence. He charged that the original copy was read at a Danite meeting held in the home of Sidney Rigdon and was “unanimously adopted” by those present “as their rule and guide in the future.” Avard also swore that he was ordered by the organization’s “Council” at a later date to destroy the document because its existence would be evidence of the highest incrimination. This he did not do. Instead, he produced the following before the Court:

### DANITE CONSTITUTION

Whereas in all bodies laws are necessary for the permanence, safety, and well-being of society, we, the members of the Society of the Daughters of Zion, do agree to regulate ourselves under such laws as, in righteousness, shall be deemed necessary for the preservation of our holy religion, our most sacred rights, and the rights of our wives and children. But to be more explicit on the subject, it is especially our object to support and defend the rights conferred on us by our venerable sires, who purchased them with the pledges of their lives, their fortunes, and their sacred honors. And now, to prove ourselves worthy of the liberty conferred on us by them, in the providence of God, we do agree to be governed by such laws as shall perpetuate these high privileges, of which we know ourselves to be the rightful possessors, and of which privileges wicked and designing men have tried to deprive us, by all manner of evil, and that purely in consequence of the tenacity we have manifested in the discharge of our duty towards our God, who has given us those rights and privileges, and a right, in common with others, to dwell on this land. But we, not having the privileges of others allowed unto us, have determined, like our fathers, to resist tyranny whether it be found in kings or in people. It is all alike unto us. Our rights we must have, and our rights we shall have, in the name of Israel’s God.

Article 1st. All power belongs originally and legitimately to the people, and they have a right to dispose of it as they shall deem fit; but, as it is inconvenient and impossible to convene the people in all cases, the legislative powers have been given by them, from time to time, into the hands of a representation composed of delegates from the people themselves. This is and has been the law, both in civil and religious bodies, and is the true principle.

Article 2d. The executive power shall be vested in the president of the whole church and his councillors.

Article 3d. The legislative powers shall reside in the president and his councillors, together with the generals and colonels of this society. By them all laws shall be made regulating the society.

Article 4th. All offices shall be during life and good behavior, or to be regulated by the law of God.

Article 5th. The society reserves the power of electing its officers, with the exception of the aids and clerks, which the officers may need in their various stations. The nomination to go from the presidency to his second, and from the second to the third in rank, and so down through all its various grades. Each branch or department retains the power of electing its own particular officers.

Article 6th. Punishments shall be administered to the guilty in accordance with the offence, and no member shall be punished without law or by

any other means than those appointed by law for that purpose. The legislature shall have power to make laws regulating punishments, as, in their judgments, shall be wisdom and righteousness.

Article 7th. There shall be a secretary, whose business it shall be to keep the legislative records of the society; also the rank of the officers. He shall also communicate the laws to the generals as directed by the laws made for the regulation of such business by the Legislature.

Article 8th. All officers shall be subject to the commands of the Captain General, given through the Secretary of War; and all officers shall be subject to their superiors in rank, according to the laws made for the purpose.<sup>72</sup>

The author of this document is unknown. When Avard was captured, he immediately surrendered the paper to General Clark.<sup>73</sup> Clark in turn forwarded it to Governor Boggs.<sup>74</sup> Of those who were questioned at the hearing concerning its existence, all insisted they had never heard of it.<sup>75</sup> In addition, Corrill wrote,

I have learned of late [i.e., as a result of the hearing] that a constitution was formed, savoring all the spirit of monarchy and adopted by the leaders and some others of this society; but I conclude that few knew about it, for I never heard one lisp on the subject, until after Avard exposed it after he was arrested.<sup>76</sup>

### **Danite Relationship to the “Armies of Israel”**

Increasing hostilities, both actual and threatened, during the late summer and early fall of 1838 made it advisable for the Saints to organize into military bodies for self-defense. Acting upon advice from General Alexander Doniphan, brigadier general for northern Missouri, the saints formed two such units, one at Far West, the other at Adam-ondi-Ahman.<sup>77</sup> Many who belonged to these legitimate units were also members of the Danite clan. Evidence indicates that little, if any, effort was made to distinguish between one's activities in either group.<sup>78</sup> In addition, both Danites and legitimate troops were organized into companies of tens and fifties, thus further obfuscating the picture. Joseph Smith made an attempt to distinguish between the groups in these words:

And here let it be understood, that these companies of tens and fifties got up by Avard were altogether separate and distinct from those companies of tens and fifties organized by the brethren for self-defense in case of attack from the mob. This latter organization was called into existence more particularly that in this time of alarm, no family or person might be neglected; therefore, one company would be engaged in drawing wood, another in cutting it, another in gathering corn, another in grinding, another in butchering, another in distributing meat, etc., etc., so that all should be employed in turn and no one lack for the necessaries of life.<sup>79</sup>

Following his capture by the Missourians, Avard apparently surmised rather quickly that if he could convince the court that both sets of troops were one

and the same and that the First Presidency was responsible for their creation and perpetuation, he would go free. Such is precisely the stand he took; and his testimony was accepted at face value, for Avard was never censured in any way for his connection with the Danites. Joseph Smith, on the other hand, wished it plainly understood that the two groups were separate. He wrote,

Let no one hereafter, by mistake or design, confound this organization [i.e., the legitimate militia of Far West] of the Church for good and righteous purposes with the organization of the "Danites" by the apostate Avard, which died almost before it had an existence.<sup>80</sup>

Other factors make it clear that the two groups were separate. In contrast to Danite secrecy, membership in the "Armies of Israel"<sup>81</sup> was open to all able-bodied men. In addition, the Armies of Israel were purely defensive in nature and were not distinguished by secret oaths or passwords of any sort. They were governed openly in accord with accepted military discipline.

Nothing confirms the fact of separateness, however, like a comparison of the officers of the two organizations. Reed Peck, one-time member of the Danites, claims the following:

Philo Dibble told me who the officers of the Danite Band were: that George W. Robinson was colonel, that he [Dibble] was lieutenant colonel, and Seymour Brunson, major, and that I was chosen adjutant. After that, I had a talk with George W. Robinson, in which I was informed . . . further, that Jared Carter was captain general of the band, Cornelius P. Lott, major general, and Sampson Avard, brigadier general. This is as I recollect it.<sup>82</sup>

The military organization for the Armies of Israel, on the other hand, was as follows:

It was determined that Colonel Wight should be commander-in-chief at Adam-ondi-Ahman; [Seymour] Brunson, captain of the flying of Daviess; Colonel [George M.] Hinkle, commander-in-chief of the Far West troops; Captain Patten, captain of the flying horses or cavalry [at Far West]; and that the Prophet, Joseph Smith, jr., should be commander-in-chief of the whole kingdom.<sup>83</sup>

It will be noticed that in the foregoing quote, Avard places Joseph Smith as "commander-in-chief" of the Armies of Israel and makes no mention whatever of himself. In this way, Avard, who could not have failed to know the difference between the two organizations, attempted to make the Mormon prophet pay for Avard's own folly. George M. Hinkle, however, inadvertently exposed Avard's rascality at the hearing when he complained bitterly that the Danites took "all power out of the hands" of himself and the officers of the troops in Far West. He thus clearly distinguishes between the two groups.<sup>84</sup>

## Danite Relationship to the First Presidency

The question naturally arises as to how much the members of the First Presidency knew about the Danite movement. Avarad consistently taught his followers that he had the unqualified support of the top leaders of the Church.<sup>85</sup> Owing to the secret nature of the order and to the severe penalties invoked when Danite secrets were discussed outside of chambers, dubious members do not seem to have felt free to inquire for themselves. In time, however, some members became insistent on a visit from the First Presidency. According to Peck, Avarad gave in reluctantly, having long insisted that it was "impossible for the presidency to come and explain their views and wishes" because of the heavy press of Church duties.<sup>86</sup> One of those who demanded the visit was Lorenzo Dow Young. According to his own testimony, he felt that what he heard at Danite meetings was "in direct antagonism to the principles taught by the leaders of the Church, and the elders generally." Speaking of his personal efforts to induce Avarad to give in, Young wrote,

The culmination finally arrived. At one of the meetings Dr. Avarad particularly required that all present who had been attending meetings should at once join the Society by making the required covenants, and I was especially designated. I asked the privilege of speaking which was granted. I began to state my reasons for joining the society and was proceeding to . . . expose its wickedness, when Dr. Avarad peremptorily ordered me to be seated. I objected to sitting down until I had fully expressed my views. He threatened to put the law of the organization in force there and then. I stood directly in front of him and was well prepared for the occasion. I told him with all the emphasis of my nature, in voice and manner, that I had as many friends in the house as he had, and if he made a motion to carry out his threat, he should not live to get out of the house, for I would instantly kill him. He did not try to put his threat into execution, but the meeting broke up. From the meeting I went directly to Brother Brigham and related the whole history of the affair. He said he had long suspicioned that some secret wickedness was being carried on by Dr. Avarad.<sup>87</sup>

Such pressure resulted in the only known visit of Joseph or Hyrum Smith to Danite meetings. Evidence indicates that Rigdon was present on more than one occasion, perhaps several. At the meeting Avarad informed those present that "he had procured the Presidency to come there to show that what he had been doing was according to their direction and will." However, adds Peck, Avarad "did not explain to the Presidency" in the presence of those assembled, precisely "what his teachings had been in that Society."<sup>88</sup> John Clemenson, also present for the occasion, testified:

The three composing the presidency was at one of those meetings, and to satisfy the people, Dr. Avarad called on Joseph Smith, Jr., who gave them a pledge that if he led them into difficulty, he would give them his head for

a football; that it was the will of God these things should be so. *The teacher and active agent of the society was Dr. Avard.*<sup>89</sup>

It was during the second stage of Danite development, namely, when the Saints were making preparations to stand against the many mobs forming and threatening to be formed, that the First Presidency made their only visit. Understanding neither the full intent of Avard's mind nor the devastating nature of his teachings, Joseph Smith may have felt that the society had a legitimate basis for existence in that it was organized for protective purposes. His comment that "it was the will of God these things should be so" doubtless should be interpreted in this light. Consider the following statement from Joseph Smith:

The Danite system . . . never had any [official] existence [it was a term used by some of the brethren] in Far West and grew out of an expression I made use of when the brethren were preparing to defend themselves from the Missouri mob, in reference to the stealing of Macaiah's [i.e., Micah's] images (Judges 18). If the enemy comes, the Danites will be after them, meaning the brethren in self defense.<sup>90</sup>

Avard apparently took advantage of the expression and applied it to his secret band. Hence Joseph Smith wrote from jail in 1838,

We have learned . . . since we have been prisoners that many false and pernicious things, which were calculated to lead the Saints far astray and to do great injury, have been taught by Dr. Avard as coming from the Presidency, and we have reason to fear that many other designing and corrupt characters like unto himself, have been *teaching many things which the Presidency never knew were being taught in the Church by anybody until after they were made prisoners*. Had they known such things, they would have spurned them and their authors as they would the gates of hell. Thus we find that there have been frauds and secret abominations and evil works of darkness going on, leading the minds of the weak and unwary into confusion and distraction, and all the time palming it off upon the Presidency, while the Presidency were ignorant as well as innocent of those things. . . .<sup>91</sup>

Later, in a second letter from Liberty Jail, the Prophet wrote,

I would suggest the impropriety of the organization of bands or companies, by covenant or oaths, by penalties or secrecies; but let the time past or our experiences and suffering by the wickedness of Doctor Avard suffice and let our covenant be that of the Everlasting Covenant, as it is contained in Holy Writ, and the things that God hath revealed unto us. Pure friendship always becomes weakened the very moment you undertake to make it stronger by penal oaths and secrecy.<sup>92</sup>

The precise role of the First Presidency in the so-called Mormon War<sup>93</sup> is uncertain. George M. Hinkle, disgruntled because of alleged mistreatment at the hands of Joseph Smith, testified at the hearing as follows:

In the council in Far West a few days before the [State] militia came out, I recollect, in making arrangements for war, that the Presidency was to have supreme rule, and that their war office or headquarters was to be in Diamon where, Joseph Smith, Jr., said they could have all necessary preparations to carry on the war in a warlike manner; and they were to have gone in a day or two to take their seats.<sup>94</sup>

John Clemenson testified that “it was not usual for any of the presidency . . . to take up arms and go into the ranks,”<sup>95</sup> while Alanson Ripley, Heber C. Kimball, William Huntington, and Joseph B. Noble signed a formal petition claiming that the Mormon prophet “never commanded any military company nor held any military authority, [nor] has borne arms in the military rank”<sup>96</sup>

If it be wondered how one so prominent as Joseph Smith could be so ignorant of Danite workings, particularly when the size of the order is considered,<sup>97</sup> the following should be of interest. John Taylor, a prominent resident of Far West during the latter half of 1838, once said in a public sermon, “I have heard a good deal about Danites, but I never heard of them among the Latter-day Saints. If there was such an organization [i.e., in 1838], I was not made acquainted with it.”<sup>98</sup> Taylor’s testimony is confirmed by Luman Shurtliff, a Danite, who, while on guard duty with Taylor during a difficult phase of the Mormon War, gave the Danite signal of distress only to discover that Taylor did not recognize it.<sup>99</sup>

Sidney Rigdon’s connection with the Danites is truly open to question. As shown throughout this study, Rigdon was present at Danite meetings on more than one occasion. In setting forth his personal testimony of the order, Rigdon speaks far less deprecatingly than does Joseph Smith; in fact, his tone sometimes suggests approval:

Sometime previous to this [i.e., the trouble in Daviess County] in consequence of the threatenings which were made by mobs or those who were being formed into mobs, and the abuses committed by them on the persons and property of the citizens, an association was formed called the Danite band.

This, as far as I was acquainted with it (not being myself one of the number, neither was Joseph Smith, Sen.,)<sup>100</sup> was for mutual protection against the bands that were forming and threatened to be formed for the professed object of committing violence on the property and persons of the citizens of Daviess and Caldwell counties. They had certain signs and words by which they could know one another, either by day or night. They were bound to keep these signs and words secret, so that no other person or persons than themselves could know them. When any of these persons were assailed by any lawless band, he would make it known to others, who would flee to his relief at the risk of life.

In this way they sought to defend each other’s lives and property; but they were strictly enjoined not to touch any person, only those who were engaged in acts of violence against the persons or property of one of their

own number, or one of those whose life and property they had bound themselves to defend.<sup>101</sup>

Certain statements credited to Rigdon during this period have strong Danite overtones. We have already considered the "Salt Sermon," the strong note of "Greeting" written to the dissenters in June of 1838, and the "Fourth of July Oration." One of Rigdon's biographers, Daryl Chase, allows that while the testimony given against Rigdon at the trial was one-sided, it does show him to be "one of the chief storm-centers on the Mormon side."<sup>102</sup> The following are samples of the rhetoric attributed to Rigdon during this difficult period:

Rigdon, in speaking of the dissenters who were unwilling to fight mobs, said they ought to be pitched upon their horses with pitchforks and bayonets, forced into the front of the battle, and their property confiscated to the use of the army.<sup>103</sup>

As early as April last, at a meeting in Far West of eight or twelve persons, Mr. Rigdon arose and made an address to them, in which he spoke of having borne persecutions and law-suits, and other privations, and did not intend to bear them any longer; that they meant to resist the law; and if a sheriff came after them with writs, they would kill him; and if anybody opposed them, they would take off their heads. George W. Harris, who was present, observed, "You mean their heads of influence, I suppose." Rigdon answered that he meant that lump of flesh and bone called the skull or scalp. . . .<sup>104</sup>

I was invited to a schoolhouse, where, it was said, the people had assembled. I went there and was admitted. . . . A guard was placed around the house and one at the door. Mr. Rigdon then commenced making covenants, with uplifted hands. The first was that, if any man attempted to move out of the county or pack their things for that purpose, that any man then in the house, seeing this, without saying anything to any other person, should kill him and haul him aside into the brush; and that all the burial he should have should be in a turkey buzzard's guts; so that nothing should be left of him but his bones. That measure carried in the form of a covenant with uplifted hands. After the vote had passed, he said, Now see if anyone dare vote against it, and called for the negative vote; and there was none. The next covenant, that if any persons in the surrounding country came into town, walking about—no odds who he might be—anyone of that meeting should kill him and throw him aside into the brush. This passed in a manner as the above had passed. The third covenant was to "conceal all these things." Mr. Rigdon then observed that the kingdom of heaven had no secrets; that yesterday a man had 'slipped his wind,' and was dragged into the hazel brush; and, said he, the man who lisp it shall die.<sup>105</sup>

The foregoing testimony was supplied by men who felt animosity for Rigdon and must be viewed in that light. As Daryl Chase observes, however, "if there is so much as a grain of truth running through the apostates' affidavits, Rigdon made wild utterances" on several occasions. The evidence indicates, Chase concludes, that Sidney was a "dangerous man to be

exercising control in such a situation.”<sup>106</sup> Later he avers that “if the Prophet had any desire to curb Rigdon’s extravagant language, he was not very successful.”<sup>107</sup>

Avard is quoted as having said that he had received his authority for heading the Danite order from Sidney Rigdon.<sup>108</sup> The truth of this assertion, like all others coming from Avard, is open to question because of Avard’s known anxiety to implicate anyone but himself. It is possible, in view of Rigdon’s later connections with the Church, that he may have had some connection with the organization. Following his release from jail in January 1839, Sidney’s interest in the Church began to wane. He allegedly told Brigham Young that he “would never follow Brother Joseph’s revelations anymore, contrary to his own convenience” and that “Jesus Christ was a fool compared to him in sufferings.”<sup>109</sup> Rigdon’s agreement to go to Washington to present the case of the stricken Saints was never fulfilled, and in 1843, Joseph Smith came to suspect that Rigdon was in league with the “Missouri mob” to destroy him.<sup>110</sup>

As for Hyrum Smith, second counselor in the First Presidency, no specific charges against him emerged at the hearing. John Clemenson testified:

As to Hiram [*sic*] Smith, personally, I have thought him to be a good meaning man; but in connection with others, under the order of the Danite society, I thought I had as much to fear from him as from others.<sup>111</sup>

Avard himself testified:

I never heard Hiram [*sic*] make any inflammatory remark; but I have looked upon him as one composing the first presidency; acting in concert with Joseph Smith, Jr.; approving by his presence, acts, and conversations, the unlawful schemes of the presidency.<sup>112</sup>

Avard’s only indictment of Hyrum Smith was that he was a member of the First Presidency and therefore guilty by association.

## Summary and Conclusions

Much of the attitude one takes toward the origin and development of the Danite problem depends upon the kind of testimony one is willing to accept. When Avard’s known penchant for lying as well as his unchristian teachings to the Danites are considered, it is difficult to see how much reliance could be placed in his word. Moreover, the readiness with which Avard, when apprehended by the law, broke his oath and “told all” speaks volumes about his character.

Evidence that contributes to an understanding of the Danite order comes from three prime sources. Some of it comes from members who had nothing to hide. Other portions come from members who wished to implicate all but themselves. A major source is Joseph Smith, who gleaned his

understanding following the demise of the order. Not until the trial was in progress did Joseph Smith and his close associates become aware of the full extent of Avar'd's work. From his prison cell, the Mormon prophet emphatically denied the Danite order and issued stern warnings against all such future attachments.

The student stands aghast at the methods employed by Avar'd. By means of secret signs and tokens, communicated in secret meetings heavily guarded against intrusion, Avar'd swore his men to everlasting secrecy. This made it impossible, under pain of death, to inquire of Joseph Smith or other Church leaders concerning the truth. Avar'd personally demonstrated outward allegiance to Church practices by obeying the law of consecration and instructed his followers to do the same.

As a scheme the Danite order lasted less than five months. Following Avar'd's capture in November 1838 the movement died a quick death. It was then that Avar'd called upon his ingenuity to extricate himself from his difficult position. Taking advantage of the unpopularity of the Church's leaders with the Missouri populace, as well as the fact that they were the ones the court wished to convict, Avar'd carefully worked to shift responsibility for the order from himself to Joseph Smith and his close associates. It being the fashion of the times to blame the Mormon prophet for all that went awry in Mormondom, enemies of the Church accepted Avar'd's lies without question. Sampson Avar'd, designer, craftsman, and leading light of the Danite Band, was never punished in any way for his crimes. Joseph Smith and other leading Church officials spent the next several months in Missouri jails.

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1. See *Document Showing the Testimony Given Before the Judge of the Fifth Judicial District of the State of Missouri, on the Trial of Joseph Smith, Jr., and others, for High Treason and Other Crimes Against that State*. (Washington, D.C.: U.S. Government Printing Office, 1841). Hereafter cited as *Document*.

2. That the testimony in the *Document* is generally unfavorable to Joseph Smith derives from its being drawn in more part from prejudiced witnesses, and from the fact that favorable testimony was an act of courage, being given largely "at the point of a bayonet." Also, whenever additional witnesses were found who could testify for Joseph, they were quickly placed in prison, thus preventing their testimony from being given. A fuller account of the hearing and its proceedings is found in Leland H. Gentry, "A History of the Latter-day Saints in Northern Missouri, 1836-1839" (Ph.D. dissertation, Brigham Young University, 1965), pp. 546-61. On the basis of the evidence thus procured, Joseph and Hyrum Smith, Parley P. Pratt, and others were held in Missouri jails for several months during the winter and spring of 1838-1839, ostensibly awaiting trials that never came.

3. During the latter part of October and the early part of November, 1833, Mormon residents of Jackson County, Missouri, were forcibly evicted from their homes by mob action. Following a two-and-one-half year stay in Clay County, they were once again compelled to "move on." See Gentry, "History," pp. 18–47.

4. *Ibid.*, pp. 109–18.

5. *Ibid.*, pp. 55, 59.

6. *Ibid.*, pp. 102–9. Evidence shows that Groves and Marsh were each paid one dollar per day plus traveling expenses for their services. *Elders' Journal* 1 (July, 1838):37–38. This may have accounted for Phelps' and Whitmer's feelings that they should also be reimbursed.

7. Ebenezer Robinson, *The Return* (Davis City, Iowa, 1889) 1:218.

8. For an account of the trials, see Gentry, "History," pp. 139–55. David Whitmer had long been absent from his post in Missouri, preferring, it would seem, the more hospitable climes of Kirtland.

9. No text for the speech has ever been found. Many, however, have confused it with the even more famous "Fourth of July Oration" given less than three weeks later. Reed Peck, one who heard it, claims that the address was rabid and suggested that when Church members lose faith they are as salt without savor and should be cast out and trampled under foot. See the "Reed Peck Manuscript," photocopy, Special Collections, Harold B. Lee Library, Brigham Young University, p. 23. Although not an open dissenter at this time, Peck came to sympathize with the dissenting point of view. His unpublished manuscript reveals much of his hidden discontent during the period.

10. John Corrill, *A Brief History of the Church of Jesus Christ of Latter day Saints (Commonly Called Mormons)* (St. Louis: Privately Printed for the Author, 1839), p. 31.

11. The feelings entertained by the Saints of Caldwell County are strangely reminiscent of those expressed by the residents of Jackson County in 1833. The "evil" occasioned by the Mormon occupation, they said, was one that "no one could have foreseen," one that was "unprovided for by the laws," one that "the delays incident to legislation would put . . . beyond remedy." Joseph Smith, *History of the Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts (Salt Lake City: Deseret Book, 1971) 1:396. Hereafter cited as *HC*.

12. Corrill, *Brief History*, p. 31.

13. For the document in its entirety, see Gentry, "History," pp. 162–66.

14. Avaré testified at the hearing in 1838 that Rigdon was the author of the paper. See "Journal History," 13 November 1838. (The "Journal History," a day-by-day account of historical events within the Church, is housed at the Church Historical Department in Salt Lake City.) Whereas Avaré's signature is the first to be appended to the document, Rigdon's does not appear. It is possible, therefore, that Avaré drew up the document himself.

15. A careful search for Avaré's parents as well as for the year of his birth has proved unfruitful. The information given above was supplied by Avaré himself at the time he received his patriarchal blessing in Kirtland. See "Early Church Information File," Genealogical Library, Salt Lake City, Utah.

16. "Journal History," 14 October 1835.

17. See "Cowdery Letters," 14 October 1835. Copies of these letters may be found at the Historical Department of the Church in Salt Lake City.

18. "Journal History," 14 October 1835. The account reads: "Elder Orson Pratt left Kirtland on another mission of which he gives the following account: 'Started on a mission to the Ohio River, preaching by the way; tarried two or three weeks in Beaver County, Penn; held sixteen meetings, baptized a few and raised up a small branch of the

Church, and ordained Dr. Sampson Avard an elder, to take charge of them, and returned to Kirtland.' " A second account of the same mission has Pratt reporting that he "baptized three in Freedom, Pennsylvania, one of whom (Sampson Avard) I ordained an elder. . . . After parting with two Books of Mormon; four books of Revelations, and obtaining 14 subscribers for the 'Messenger and Advocate,' I left them with Elder Avard to continue the work. There is a prospect of many embracing the gospel in these parts." *Messenger and Advocate* 2 (November 1835): 223–24.

19. "Journal of Erastus Snow," n.p. 1836, original on file in the Church Historical Department in Salt Lake City. About this time, Lorenzo Dow Young was also engaged in missionary work in the southeastern part of Ohio and came in contact with Avard, still presiding over the branch at Freedom, Pennsylvania. Lorenzo became disturbed at some of Avard's teachings and reported that he "did not like the spirit or the teachings of the man." Later, so he reports, he discovered "that the Dr. and Elder S. S. Rigdon [*sic*] were on quite intimate terms, and that the latter was considerably tainted with the ideas and spirits [*sic*] of the former." When Lorenzo reported his mission to the First Presidency, he likewise spoke of his reaction to Avard, whereupon Rigdon allegedly "manifested his displeasure by animadverting rather sharply on my remarks." The Prophet Joseph Smith encouraged Lorenzo to proceed with his report, at the conclusion of which Joseph Smith allegedly said: "Give Avard time and he will prove that he is a consummate hypocrite and a wicked man." See "Diary and Reminiscences of Lorenzo Dow Young," unpublished remarks made in February, 1890, and set forth in a manuscript housed in the Church Historical Department and quoted by Hugh Nibley in *Sounding Brass* (Salt Lake City: Bookcraft, 1963), p. 219. It is entirely possible that Rigdon and Avard may have been personally acquainted prior to Avard's joining the Church, for they both came from the same area in Pennsylvania and both were involved with the Campbellite movement.

20. "Early Church Records File," Genealogical Society, Salt Lake City, Utah. See the card on Sampson Avard.

21. *HC* 3:519.

22. B. H. Roberts, *Life of John Taylor* (Salt Lake City: Bookcraft, 1963), pp. 43–44. Whether or not the license was ever renewed is unknown.

23. From an original letter of Oliver Cowdery owned by Professor Kirk L. Cowdery, Oberlin, Ohio. See the photostat in Stanley Gunn, *Oliver Cowdery: Second Elder and Scribe* (Salt Lake City: Bookcraft, 1962), Appendix D, p. 263.

24. *HC* 3:284.

25. *Document*, p. 12. Note the tenuous nature of Corrill's testimony as indicated by the italics supplied for emphasis. With the exception of Avard, all who testified at the hearing were careful to preface their remarks with such expressions as "I think," "It is my opinion that," or "I rather thought." What Corrill and others related they learned either from Avard's testimony on the occasion or from hearsay conversation with other known Danites. Their disaffection for Joseph Smith and his close associates made it easy for them to accept and repeat what they heard.

26. *Ibid.*, p.1.

27. John Whitmer, one of the dissenters, records the following from the dissenting point of view: "When we were on our way home from Liberty, Clay County [whither they had gone to secure legal aid in their battle against the residents of Caldwell], we met the families of Oliver Cowdery and L. E. Johnson, whom they had driven from their homes. . . . While we were gone Jo. and Rigdon and their band of Gadiantons had kept up a guard, and watched our houses and abused our families, and threatened them, if they were not gone by morning, they would be drove out and threatened our

lives if they ever saw us in Far West.” “History of the Church,” chapter 20, kept by John Whitmer. Whitmer was appointed Church Historian by a revelation recorded in the Book of Commandments (50:1 and 47:1). He continued in the post until his defection from the Church in 1838. Following his excommunication, he refused to give up the history when it was demanded. *HC* 3:16.

28. *Document*, p. 17. A second Danite group was organized in July 1838 at Adamondi-Ahman with Lyman Wight at its head.

29. *Times and Seasons*, 15 July 1843; *Nauvoo Neighbor* 1 (26 July 1843):2. Rigdon’s “Fourth of July Oration” was chosen for an official declaration that the Saints would no longer tamely submit to mob violence. Said Rigdon, “That man or set of men who comes on us to disturb us, it shall be between us and them a war of extermination, for we will follow them, till the last drop of their blood is spilled, or else they will have to exterminate us. . . . One party or the other shall be utterly destroyed.” “Oration delivered by Mr. S. Rigdon, 4th Day of July, 1838, at Far West, Caldwell County, Missouri” (Far West: Elders’ Journal Press, 1838).

30. Luman Andros Shurtliff, “Diary,” p. 120. This manuscript is housed in Special Collections, Harold B. Lee Library, Brigham Young University. See also Robinson, *The Return*, 2:217.

31. How early this third stage made its appearance is hard to say. Evidence suggests, however, that it came after 6 August 1838, the day of the famed “Election-Day Battle” in Daviess County and before mid-October, when the Saints made a firm determination to stand in their own defense. For an account of the “Election-Day Battle,” see Gentry, “History,” pp. 251–58.

32. *HC* 3:180. The concept that the “riches of the Gentiles” were to be consecrated to the Lord’s people appears to be from Doctrine and Covenants 42:39. A careful reading of the passage, however, makes it clear that the riches spoken of were to be given voluntarily by the Gentiles, not extracted by plunder in the manner described by Avarad. This is an excellent example of the manner in which Avarad capitalized upon the sacred beliefs and credulity of his followers to secure their assistance. “It was frequently observed among the troops,” testified John Clemenson, “that the time had come when the riches of the Gentiles should be consecrated to the Saints.” *Document*, p. 16 “I understood from those who were bringing in property,” observed Reed Peck. “that they were to take it to the Bishop’s store [house] and deposite it, and if they failed to do so, it would be considered stealing.” *Document*, pp. 18–19. The Saints, whether Danites or not, clearly considered that they were acting in self-defense. See Gentry, “History” pp. 383–90.

33. Peck, “Peck Manuscript,” p.45. Gideon Carter was one of three men killed at the Battle of Crooked River in October 1838. See Gentry, “History,” p. 404.

34. *Document*, p. 44.

35. John D. Lee, *Mormonism Unveiled: The Life and Confession of John D. Lee* (St. Louis; Bryan, Brand, and Co., 1877), p. 54. Lee arrived in Far West on 4 June 1838, not yet having been baptized. The incident related above took place on Sunday, 10 June.

36. *Document*, p. 1.

37. Corrill, *Brief History*, p. 32. Micah 4:12–13 speaks of those who neither know the thoughts of God nor understand His ways. Such persons are likened unto sheaves upon the threshing floor. “Arise and thresh, O daughter of Zion; for I will make thy hoofs brass: and thou shalt beat in pieces many people: and I will consecrate their gain unto the Lord, and their substance unto the Lord of the whole earth.” Apparently the dissenters were the sheaves and the “Daughters of Zion” represented the faithful Saints. Chapters 17 and 18 of the book of Judges rehearse the story of how descendants of the

tribe of Dan stole the graven image of one Micah and appropriated it for their own use. When Micah attempted to recover his possessions, he found himself opposed by some six hundred men equipped for war. "And the children of Dan went their way: and when Micah saw that they were too strong for him, he turned and went back unto his house. And they took the things which Micah had made, and the priest which he had, and came unto La'ish, unto a people that were at quiet and secure: and they smote them with the edge of the sword and burnt the city with fire." Judges 18:26–27.

38. *HC* 3:179.

39. See particularly Helaman 2:2–11, 6:21–30, and Ether 8:7–25.

40. William Swartzell, *Mormonism Exposed, Being a Journal of a Residence in Missouri from the 28th of May to the 20th of August, 1838* (Pittsburgh: A. Ingram, for the Author, 1846), pp. 17–18.

41. *Ibid.*, p. 20.

42. *Document*, p. 1.

43. Swartzell, *Mormonism Exposed*, p. 21.

44. *Document*, p. 15.

45. Swartzell, *Mormonism Exposed*. According to Burr Riggs (*Document*, p. 30), Sidney Rigdon taught in a secret meeting in Far West "that the last man had run away from Far West that was going to: that the next who started should be brought back, dead or alive."

46. See pp. 438–39 in this article.

47. Swartzell, *Mormonism Exposed*, p. 22. Such may have been the attitude of mind nurtured by Lyman Wight who refused for so long to submit himself for legal process. See Gentry "History," p. 267. Wight allegedly stated that he felt no obligation whatever to the laws of the land, for they had never protected him in his rights for the last seven years, and he would rather die than submit to the tyrannical measures advocated by his enemies. Swartzell, *Mormonism Exposed*, p. 32.

48. Lee, *Mormonism Unveiled*, p. 57.

49. *Document*, p. 37, testimony of Benjamin Slade. According to Reed Peck the form of justice advocated in Danite circles was not always according to Danite law. See *Document*, pp. 17, 20.

50. Lee, *Mormonism Unveiled*. Swartzell, *Mormonism Exposed*, p. 22 adds that the right hand must strike the right thigh before being raised to the temple in the manner described above.

51. *Times and Seasons*, 15 July 1843; Shurtliff, "Diary," p. 120.

52. Corrill, *Brief History*, p. 32, and Peck, "Peck Manuscript," p. 43. Thus it was at the famed "Election-Day Battle," on 6 August 1838, that John D. Lee claimed to have seen John L. Butler, a perfect stranger at the time, give the signal of distress. Whereupon Lee, accompanied by other close friends, leaped into the fray. Lee, *Mormonism Unveiled*, p. 60.

53. *HC* 3:192–93. Avard was discovered hiding in some hazel brush a few miles from Far West. Testifying at the trial, Avard said, "I was continually in the society of the Presidency, receiving instructions from them as to the teachings of the Danite Band. I continually informed them of my teachings; and they were well apprised of my course and teachings in the Danite Society." *Document*, p. 21.

54. This would include former members now apostate, as well as non-Mormons.

55. *Correspondence, Orders, etc., in Relation to the Recent Disturbances with the Mormons* (Jefferson City: Office of the Jeffersonian, 1840), p. 90.

56. *Document*, p. 40.

57. *HC* 3:209–210.

58. *Ibid.*, p.180.

59. As quoted in Rollin Britton, *Early Days on the Grand River and the Mormon War* (Columbia: Missouri Historical Society, 1920), p. 86.

60. Morris Phelps' material is drawn from a brief account entitled "Missouri Persecutions," Blue Book No. 9245, Church Historical Department, Salt Lake City, Utah.

61. For proof that the kingdom concept was a subject of widespread discussion at this time, see the *Elders' Journal* 1 (July 1838):27-38, and *HC* 3:49-54.

62. *Ibid.*, p. 180.

63. Mosiah L. Hancock, "Life of Mosiah L. Hancock by Himself," n.p., n.d., Special Collections, Harold B. Lee Library, Brigham Young University. Hancock did not think much of the Danites. To him, they were all "show."

64. This was an old Missouri trick. See Gentry, "History," pp. 383-86. The Danites did some burning, too, but not so much as the Missourians charged. On 12 April 1839, Stollings wrote a letter to Joseph Smith requesting that various irreplaceable items be returned to him. Joseph Smith replied that the items in question were last seen in the possession of Sampson Avard. *HC* 3:316-17, 378-79.

65. *Document*, p. 18.

66. *HC* 3:179.

67. Peck, "Peck Manuscript," pp. 46, 47. The subject of angels coming to the assistance of the faithful was mentioned often at the hearing. See *Document*, pp. 4, 14, 24, testimony of Avard, Owens, and Hinkle. The reference to God's "strange act" was no doubt inspired by Doctrine and Covenants (1835) 95:1 and 97:12.

68. Lee, *Mormonism Unveiled*, p. 60-61, 74-75; Corrill, *Brief History*, p. 38. Avard capitalized upon such statements as found in the Doctrine and Covenants 85:6. See also *Times and Seasons*, 1 February 1846; D & C 98:37 and 105:14.

69. *HC* 3:179-81 for these quotes about Sampson Avard.

70. *Ibid.*, p. 181.

71. *Ibid.*, p. 179.

72. *Document*, pp. 5-6.

73. *Ibid.*, p. 4.

74. *Correspondence, Orders, etc. . .*, p. 63.

75. *Document*, pp. 14, 17.

76. Corrill, *Brief History*, p. 32.

77. *HC* 3:161-63. Lyman Wight, resident of Diahman, and George M. Hinkle, resident of Far West, were selected to serve as commanding officers of the newly organized units. Each man held an official commission as a colonel in the Missouri State Militia from Governor Lilburn W. Boggs. The legislature had been slow to recognize the need for a military unit for Caldwell County, but the Saints, sensitive to past hardships, were determined not to be driven again. The advice of Doniphan, then, was not only timely, it was in line with the thinking of the Saints themselves. During the height of the troubles, both units were ordered into the field, the one in Caldwell by Doniphan, the one in Daviess by General Parks. See Gentry, "History," pp. 367-77.

78. Members of these military units always regarded themselves as legitimate state troops and their enemies as "mob" because of Doniphan's orders. See *HC* 3:162.

79. *Ibid.*, pp. 181-82. Following the surrender of Far West and until such time as provisions were made otherwise, these units continued to serve the Saints. The sufferings of the Mormon people during the post-Mormon War period are told in Gentry, "History," chapter 14, pp. 599-657.

80. *HC* 3:182.

81. This name was adopted from the Doctrine and Covenants 105:26, 30.

82. *Document*, p. 17. Peck, "Peck's Manuscript," p. 47, also states that Carter was later dismissed and replaced by Avard. Avard's position in the legitimate Armies of Israel was that of Surgeon. See *Document*, p. 3.

83. *Ibid.*, p.4. Several authorities deny that Joseph Smith exercised any military authority whatever. *HC* 3:280, 404, 432-33, 449.

84. *Document*, pp. 22-23. Hinkle claims that he returned from Daviess County and found the Saints hemmed in by their enemies. He was ordered to call out the militia by the Caldwell County Judge, Elias Higbee, highest-ranking civil officer in the county. In this framework Hinkle discovered that the Danite Band had superseded the local militia.

85. *Times and Seasons*, 15 July 1843; Shurtliff, "Diary," p. 120.

86. *Document*, p. 18.

87. As cited in Nibley, *Sounding Brass*, pp. 219-20. As far as is known, not one apostle belonged to the Danite Order.

88. *Document*, p. 18 Although a charter member of the order, Peck later renounced his former connections with the clan and subsequently with the Church as well.

89. *Ibid.*, p. 15. Italics added.

90. *HC* 6:165.

91. *Ibid.*, 3:231. Italics added.

92. *Ibid.*, p. 303.

93. An account of the Mormon War, so called in Missouri annals, is in Gentry, "History," Chapters 8, 10, 11, and 12.

94. *Document*, p. 23.

95. *Ibid.*, p. 17.

96. *HC* 3:280. The petition was formally concurred in before a justice of the peace by six additional acquaintances of the Prophet (p. 281).

97. Corrill, *Brief History*, p. 32, says that the band had about 300 members.

98. John Taylor, *The Mormon Question: Being a Speech by Vice President Schuyler Colfax at Salt Lake City and a Reply Thereto by John Taylor* (Salt Lake City: Deseret News, 1870), p. 8.

99. Shurtliff, "Diary," p.120.

100. Even Avard admitted that neither Rigdon nor Joseph Smith ever took the Danite oath. *Document*, p. 21. The reference to "Joseph Smith, Sen.," is a reference to Joseph Smith whose father, also named Joseph Smith, was dead at the time of Rigdon's statement.

101. *HC* 3:453. Rigdon's failure to denounce the Danites as Joseph Smith did may be partly due to his close association with the movement, particularly in its first two stages.

102. Daryl Chase, "Sidney Rigdon: Early Mormon Leader" (Master's thesis, The University of Chicago, 1930), p.129.

103. *Document*, p. 12, testimony of Morris Phelps. See also the testimonies of John Corrill, p. 13, John Clemenson, p. 16, and Reed Peck, p. 18.

104. *Ibid.*, p. 43, testimony of W. W. Phelps.

105. *Ibid.*, p. 46.

106. Chase credits Rigdon's unrestrained oratorical outbursts to the aftereffects of his maltreatment at the hands of enemies in March 1832. Chase, "Sidney Rigdon," p. 101.

107. *Ibid.*, p. 129. Evidence shows that Joseph Smith did try to restrain Rigdon's emotional outbursts on more than one occasion. *Document*, pp. 20-21, 33, 43,

testimony of Reed Peck, John Whitnaer [Whitmer], and W. W. Phelps. Orson Hyde, speaking of Rigdon's conduct during this period, observed that "although Brother Joseph tried to restrain him, he would take his own course." See *Improvement Era* 3:583. Jedediah M. Grant reports that Rigdon's flights of fancy were "so rapid that Elder [Joseph] Smith was unable to keep him within the bounds of reason. . . . His imagination carried him not 'beyond the bounds of time and space,' but beyond the bounds of reason." Jedediah M. Grant, *Collection of Facts Relative to the Course of Mr. Sidney Rigdon*, a copy in the Church Historical Department, Salt Lake City, Utah, p. 9. Newell K. Whitney also claimed to overhear Joseph Smith rebuke Rigdon for "speaking in the name of the Lord what was not so." *Times and Seasons*, 15 October 1844.

108. *HC* 3:181.

109. *Times and Seasons*, 1 October 1844. A similar comment from David Pettigrew will also be found in the 1 May 1845 issue.

110. *HC* 5:531–32. The basis for the Prophet's suspicion was information he had received from Orson Hyde to the effect that Rigdon was in league with Governor Thomas Carlin of Illinois to capture Joseph Smith and extradite him to Missouri on the old charges. See also pp. 553–54, where Carlin denies the charge by personal letter to Rigdon.

111. *Document*, p. 17.

112. *Ibid.*, p. 21.