

Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction

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Posted by: steve benson ()
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Part 1

INTRODUCTION: Dallin H. Oaks Conjurs Up a "Legal" Defense for Joseph Smith's Demolition of a Free Press

Mormon apostle Dallin H. Oaks owns the notorious distinction of perpetrating the outrageous hoax, under the pretense of law, that the the destruction of the Nauvoo Expositor was a justifiable act.

In defunding the constitutionally corrupt, historically absurd and patently offensive notion that the Expositor could be expunged, Oaks--the not-so-clever attorney for the Salt Lake City Jesus has certainly earned his brown-nosing brownie points for peddling the Kolobian cah cah that Joseph Smith's order to have the Expositor ash-canned as a "public nuisance" was authorized by the "divinely-inspired," U.S. Constitution--in accordance with the wishes of America's now-necro dunked Founding Fathers who wrote it.

As LDS Inc.'s supreme manipulator, deceiver and gun-for-hire, Oaks authored an appallingly apologetic defense of Smith's 1844-ordered destruction of the Nauvoo Expositor, entitled "The Suppression of the Nauvoo Expositor, published in the "Utah Law Review," vol. 9 (Winter 1965), pp. 862-903.

Smith's order, by the way, led directly to Smith buying the farm in a hail of bullets. As authors Robert Gottlieb and Peter Wiley observe:

"[When Smith's opponents] founded a newspaper to denounce [him] from inside the holy city [of Nauvoo] itself, Smith took the fatal step of ordering the press destroyed. Two weeks later Smith, who had predicted his demise, was jailed . . . along with his brother . . . The jail was soon attacked, and Smith and his brother were shot to death."

(Robert Gottlieb and Peter Wiley, "America's Saints: The Rise of Mormon Power" [New York, New York: G.P. Putnam's Sons, 1984], pp. 42-43)

So as to see what's Smith's unholy hissy fit was all about (and before preceding to pummel Oaks' over his pathetic pandering to predictable poppycock), let's examine the original content of the Expositor's one and only edition that made it out the door of the printinhg press

--EXHIBIT A: The Text of the Nauvoo Expositor that Got It Destroyed and Joseph Smith Killed

The Nauvoo Expositor managed to issue only a single edition--one which featured assorted crimes and misdeeds of Joseph Smith, prompting Smith, as mayor of the city, to demand that it be shut up and shut down (as a bonus, it was also burned down). At the end of the day (that being the 27th of June 1844, some three weeks after it had its first and only press run), Smith ended up getting killed for killing an independent newspaper.

Below are major extracts from the Expositor's lone edition to make it to the street. It hit Nauvoo's newsstands on 7 June 1844 as Volume 1, Number 1--making its public debut under the courageous direction of a member of Smith's high inner-circle-turned Mormon dissident and publisher, William Law.

The Expositor proceeded in pulling no punches in pummeling the Joseph Smith for a wide variety of sins, crimes and fundamentally bad human behavior--particularlry against women, for whom life was miserable in Nauvoo. The Expositor's major revelation was exposing Smith's secret practice of what it denounced as the "abominations and whoredoms" of polygamy, (a practice that the newspaper exposed Smith out in the open with his pants down).

The Expositor also accused Smith, among other things, of:

- abuse of political power through a myriad of schemes and intrigues,;
- promulgating the false doctrine of the plurality of gods;
- creating secret societies with their un-Christian oaths and requirements;
- waging ecclesiastical abuse against his critics by holding secret courts where the accused were convicted without first being allowed to testify in their own behalf;
- taking finacial advantage of the Saints through such schemes as predatory selling of property to Church members; interfering in money matters that were under the purvue of local bishops; and amassing personal weath at th expense of the poor;
- mixing church and state; and
- refusing to turn over to federal authorities a fugitive from justice accused of the crime of counterfeiting who had sought and received refuge in Nauvoo, where he was illegally shielded from the law by Smith, who claimed he did not know of him or his whereabouts.

There was more to come in the planned second edition that never came to be:

"The Nauvoo Expositor, in its first edition, hinted that Joseph Smith had . . . declared himself a monarch (which he had) and hinted that in the second edition more details of his combined church and state would be revealed."

Indeed, the Expositor's intimation of more damning information waiting in the wings surely gave Smith cause to worry:

"[Its] first--and last--edition of the paper declared that Joseph Smith had become a tyrant, ruling Nauvoo contrary to American principles of separation of church and state; that he had introduced into the Church doctrine and practices which were contrary to the original teachings of the Church, particularly that secretly he was practicing plural marriage which they termed 'whoredoms and abominations.' They announced their intention to seek the repeal of the Nauvoo Charter so that Nauvoo might become a city governed by American standards of democracy."

("Re: Charge was busting up the Nauvoo Expositor," by "crom," on "Recovery from Mormonism" discussion board, 29 April 2013, <http://exmormon.org/phorum/read.php?2,877553,878251#msg-878251>; and "The Expositor's Office," <http://www.lds-mormon.com/06.shtml>)

From the text of the Expositor's initial--and final--issue:

"Preamble"

[Exposing Smith's Polygamous Affairs]

"We believe that all men, professing to be the ministers of God, should keep steadily in view, the honor and glory of God, the salvation of souls, and the amelioration of man's condition: and among their cardinal virtues ought to be found those of faith, hope, virtue and charity; but with Joseph Smith, and many other official characters in the Church, they are words without any meanings attached--worn as ornaments; exotics nurtured for display; virtues which, throwing aside the existence of a God, the peace, happiness, welfare, and good order of society, require that they should be preserved pure, immaculate and uncorroded.

"We most solemnly and sincerely declare, God this Day being witness of the truth and sincerity of our designs and statements, that happy will it be with those who examine and scan Joseph Smith's pretensions to righteousness; and take counsel of human affairs, and of the experience of times gone by. Do not yield up tranquilly a superiority to that man which the reasonableness of past events, and the laws of our country declare to be pernicious and diabolical.

"We hope many items of doctrine, as now taught, some of which, however, are taught secretly, and denied openly, (which we know positively is the case,) and others publicly, considerate men will treat with contempt; for we declare them heretical and damnable in their influence, though they find many devotees.

"How shall he, who had drank of the poisonous draft, teach virtue? In the stead thereof, when the criminal ought to plead guilty to the court, the court is obliged to plead guilty to the criminal. We appeal to humanity and ask, what shall we do? Shall we lie supinely and suffer ourselves to be metamorphosed into beasts by the Syren tongue?

"We answer that our country and our God require that we should rectify the tree. We have called upon him to repent, and as soon as he shewed fruits meet for repentance, we stood ready to seize him by the hand of fellowship, and throw around him the

mantle of protection; for it is the salvation of souls we desire, and not our own aggrandizement.

"We are earnestly seeking to explode the vicious principles of Joseph Smith, and those who practice the same abominations and whoredoms; which we verily know are not accordant and consonant with the principles of Jesus Christ and the Apostles; and for that purpose, and with that end in view, with an eye single to the glory of God, we have dared to gird on the armor, and with God at our head, we most solemnly and sincerely declare that the sword of truth shall not depart from the thigh, nor the buckler from the arm, until we can enjoy those glorious privileges which nature's God and our country's laws have guarantied to us--freedom of speech, the liberty of the press, and the right to worship God as seemeth us good.

"We are aware, however, that we are hazarding every earthly blessing, particularly property, and probably life itself, in striking this blow at tyranny and oppression: yet notwithstanding we most solemnly declare that no man, or set of men combined, shall, with impunity, violate obligations as sacred as many which have been violated unless reason, justice and virtue have become ashamed and sought the haunts of the grave, though our lives be the forfeiture.

"Many of us have sought a reformation in the Church, without a public exposition of the enormities of crimes practiced by its leaders, thinking that if they would hearken to counsel, and shew fruit meet for repentance, it would be as acceptable with God, as though they were exposed to public gaze, . . .

"But our petitions were treated with contempt; and in many cases the petitioner spurned from their presence and particularly by Joseph, who would state that if he had sinned, and was guilty of the charges we would charge him with, he would not make acknowledgment, but would rather be damned; for it would detract from his dignity, and would consequently ruin and prove the overthrow of the Church.

"We would ask him on the other hand, if the overthrow of the Church was not inevitable, to which he often replied, that we would all go to Hell together, and convert it into a heaven, by casting the Devil out; and says lie, Hell is by not means the place this world of fools suppose it to be, but on the contrary, it is quite an agreeable place: to which we would now reply, he can enjoy it he is determined not to desist from his evil ways; but as for us, and ours, we will serve the Lord our God!

"It is absurd for men to assert that all is well, while wicked and corrupt men are seeking our destruction, by a perversion of sacred things; for all is not well, while whordoms and all manner of abominations are practiced under the cloak of religion. Lo! The wolf is in the fold, arrayed in sheep's clothing, and is spreading death and devastation among the saints: and we say to the watchmen standing upon the walls, cry aloud and spare not, for the day of the Lord is at hand--a day cruel both with wrath and fierce anger, to lay the land desolate.

"It is a notorious fact, that many females in foreign climes, and in countries to us unknown, even in the most distant regions of the Eastern hemisphere, have been induced, by the sound of the gospel, to forsake friends, and embark upon a voyage across waters that lie stretched over the greater portion of the globe, as they supposed,

to glorify God, that they might thereby stand acquitted in the great day of God Almighty. But what is taught them on their arrival at this place?

"They are visited by some of the Strikers, for we know not what else to call them, and are requested to hold on and be faithful, for there are great blessings awaiting the righteous; and that God has great mysteries in store for those who love the lord, and cling to brother Joseph.

"They are also notified that Brother Joseph will see them soon, and reveal the mysteries of Heaven to their full understanding, which seldom fails to inspire them with new confidence in the Prophet, as well as a great anxiety to know what God has laid up in store for them, in return for the great sacrifice of father of mother, of gold and silver, which they gladly left far behind, that they might be gathered into the fold, and numbered among the chosen of God.

"They are visited again, and what is the result?

"They are requested to meet brother Joseph, or some of the Twelve, at some insulated point, or at some particularly described place on the bank of the Mississippi, or at some room, which wears upon its front--Positively NO Admittance. The harmless, inoffensive, and unsuspecting creatures, are so devoted to the Prophet, and the cause of Jesus Christ, that they do not dream of the deep laid and fatal scheme which prostrates happiness, and renders death itself desirable; but they meet him, expecting to receive through him a blessing, and learn the will of the Lord concerning them, and what awaits the faithful follower of Joseph, the Apostle and Prophet of God,

"When in the stead thereof, they are told, after having been sworn in one of the most solemn manners, to never divulge what is revealed to them, with a penalty of death attached that God Almighty has revealed it to him, that she should be his (Joseph's) Spiritual wife; for it was right anciently, and God will tolerate it again: but we must keep those pleasures and blessings from the world, for until there is a change in the government, we will endanger ourselves by practicing it--but we can enjoy the blessings of Jacob, David, and others, as well as to be deprived of them, if we do not expose ourselves to the law of the land. She is thunder-struck, faints recovers, and refuses. The Prophet damns her if she rejects. She thinks of the great sacrifice and of the many thousand miles she has traveled over sea and land, that she might save her soul from pending ruin, and replies, God's will be done and not mine.

"The Prophet and his devotees in this way are gratified.

"The next step to avoid public exposition from the common course of things, they are sent away for a time, until all is well; after which they return, as from a long visit. Those whom no power or influence could seduce, except that which is wielded by some individual feigning to be a God, must realize the remarks of an able writer, when he says, 'If woman's feelings are turned to ministers of sorrow, where shall she look for consolation?' Her lot is to be wooed and want her heart is like some fortress that has been captured, sacked, abandoned, and left desolate. With her, the desire of the heart has failed--the great charm of existence is at an end; she neglects all the cheerful exercise of life, which gladden the spirits, quicken the pulses, and send the tide of life in healthful currents through the veins. Her rest is broken. The sweet refreshment of

sleep is poisoned by melancholy dreams; dry sorrow drinks her blood, until her enfeebled frame sinks under the slightest external injury. Look for her after a little while, and you find friendship weeping over her untimely grave; and wondering that one who but so recently glowed with all the radiance of health and beauty, should so speedily be brought down to darkness and despair, you will be told of some wintry chill, of some casual indisposition that laid her low!

"But no one knows of the mental malady that previously sapped her strength, and made her so easy a pray to the spoiler. She is like some tender tree, the pride and beauty of the grove—graceful in its form, bright in its foliage, but with the worm praying at its heart; we find it withered when it should be most luxuriant. We see it drooping its branches to the earth, and shedding leaf by leaf until wasted and perished away, it falls in the stillness of the forest; and as we muse over the beautiful ruin, we strive in vain to recollect the blast or thunder-bolt that could have smitten it with decay. But no one knows the cause except the foul fiend who perpetrated the diabolical deed.

"Our hearts have mourned and bled at the wretched and miserable condition of females in this place; many orphans have been the victims of misery and wretchedness, through the influence, that has been exerted over them, under the cloak of religion and afterwards, in consequence of that jealous disposition which predominates over the minds of some, have been turned upon a wide world, fatherless and motherless, destitute of friends and fortune; and robbed of that which nothing but death can restore.

"Men solace themselves by saying the facts slumber in the dark caverns of midnight. But Lo! It is sudden day, and the dark deeds of foul fiends shall be exposed from the house-tops. A departed spirit, once the resident of St. Louis, shall yet cry aloud for vengeance.

"It is difficult--perhaps impossible--to describe the wretchedness of females in this place, without wounding the feelings of the benevolent, or shocking the delicacy of the refined; but the truth shall come to the world. The remedy can never be applied, unless the disease is known. The sympathy, ever anxious to relieve, cannot be felt before the misery is seen. The charity that kindles at the tale of woe, can never act with adequate efficiency, till it is made to see the pollution and guilt of men, now buried in the death-shades of heathenism.

"Shall we then, however painful the sight, shrink from the contemplation of their real state? We answer, we will not, if permitted to live. As we have before stated, it is the vicious principles of men we are determined to explode. It is not that we have any private feelings to gratify, or any private pique to settle, that has induced us to be thus plain; for we can respect and love the criminal, if there is any hope of reformation: but there is a point beyond which forbearance ceases to be a virtue.

[Exposing Smith's Abuse of Political Power\

"The next important item which presents itself for our consideration, is the attempt at Political power and influence, which we verily believe to be preposterous and absurd. We believe, it is inconsistent, and not in accordance with the Christian religion. We do

not believe that God ever raised up a Prophet to christianize a world by political schemes and intrigue. It is not the way God captivates the heart of the unbeliever; but on the contrary, by preaching truth in its own native simplicity, and in its own original purity, unadorned with anything except its own indigenous beauties.

“Joseph may plead he has been injured, abused, and his petitions treated with contempt by the general government, and that he only desires an influence of a political character that will warrant him redress of grievances; but we care not—the faithful followers of Jesus must bear in this age as well as Christ and the Apostles did anciently; although a frowning world may have crushed him to the dust; although un pitying friends may have passed him by; although hope, the great comforter in affliction, may have burst forth and fled from his troubled bosom; yet, in Jesus there is a balsam for every wound, and a cordial to assuage an agonized mind.

[Exposing Smith's False Doctrine of Multiple Gods]

“Among the many items of false doctrine that are taught the Church, is the doctrine of many Gods, one of the most direful in its effects that has characterized the world for many centuries. We know not what to call it other than blasphemy, for it is most unquestionably, speaking of God in an impious and irreverent manner. It is contended that there are innumerable gods as much above the God that presides over this universe, as he is above us; and if he varies from the law unto which he is subjected, he, with all his creatures, will be cast down as was Lucifer: thus holding forth a doctrine which is effectually calculated to sap the very foundation of our faith, and now, O Lord! shall we set still and be silent, while thy name is thus blasphemed, and thine Honor, power and glory, brought into disrepute? See Isaiah c 43, v 10; 44, 6–8; 45, 5,6, 21, 22; and book of Covenants, page 26 and 39.

[Exposing Smith's Mormon Rule As Akin to the Religious Dark Ages]

“In the dark ages of Popery, when bigotry, superstition, and tyranny held universal sway over the empire of reason, there was some semblance of justice in the inquisitorial deliberations; which, however, might have been dictated by prudence, or the fear of consequences; but we are no longer forced to appeal to those states that are now situated under the influence of Popery for examples of injustice, cruelty and oppression—we can appeal to the acts of the inquisitorial deliverations, which, however, might have been dictated by prudence, or the fear of consequences: but we are no longer forced to appeal to those states that are now situated under the influence of popery for examples of injustice, cruelty and oppression—we can appeal to the acts of the inquisitorial department organized in Nauvoo, by Joseph and his accomplices, for specimens of injustice of the most pernicious and diabolical character that ever stained the pages of the historian.

“It was in Rome, and about the twelfth century, when Pope Innocent III, ordered father Dominic to excite the Catholic princes and people to extirpate heretics. But it is in this enlightened and intelligent nineteenth century, and in Nauvoo—a place professing to be the nucleus o the world, that Joseph Smith has established an inquisition, which, if it is suffered to exist, will prove more formidable and terrible to those who are found

opposing the iniquities of Joseph and his associates, than ever the Spanish inquisition did to heretics as they termed them.

[Exposing Smith's Use of Secret Courts Against His Critics]

"On Thursday evening, the 18th of April, there was a council called, unknown to the Church, which tried, condemned, and cut off Brothers William. Law, Wilson Law, and Sister Law, (William's wife,) Brother R. D. Foster, and one brother Smith, with whom we are unacquainted; which we contend is contrary to the book of Doctrine and Covenants, for our law condemneth no man until he is heard. We abhor and protest against any council or tribunal in this Church, which will not suffer the accused to stand in its midst and plead their own cause.

"If an Agrippa would suffer a Paul, whose eloquence surpassed, as it were, the eloquence of men, to stand before him, and plead his own cause, why should Joseph, with others, refuse to hear individuals in their own defense? We answer, it is because the court fears the atrocity of its crimes will be exposed to public gaze. We wish the public to thoroughly understand the nature of this court, and judge of the legality of its acts as seemeth them good.

"On Monday, the 15th of April, Brother R.D. Foster had a notice served on him to appear before the High Council on Saturday following, the 20th, and answer to charges preferred against him by Joseph Smith. On Saturday, while Mr. Foster was preparing to take his witnesses, 41 in number, to the council-room, that he might make good his charges against Joseph, President Marks notified him that the trial had been on Thursday evening, before the 15th, and that he was cut off from the Church; and that same council cut off the Brother Law, Sister Law, and Brother Smith, and all without their knowledge. They were not notified, neither did they dream of any such thing being done, for William Law had sent Joseph and some of the Twelve, special word that he desired an investigation before the Church General Conference, on the 6th of April.

"The court, however, was a tribunal possessing no power to try William. Law, who was called by special Revelation, to stand as counsellor to the President of the Church. (Joseph,) which was twice ratified by General Conferences, assembled at Nauvoo, for Brigham Young, one of the Twelve, presided, whose duty it was not but the President of the High Council--See Book of Doctrine and Covenants, p. 87

"Resolutions"

[For Redress of a Wide Array of Grievances]

"Resolved First--That we will not encourage the acts of any court in this Church, for the trial of any of its members, which will not suffer the accused to be present and plead their own cause; we therefore declare our decided disapprobation to the course pursued last Thursday evening, (the 18th inst,) in the case of William and Wilson Law, and Mrs. William Law, and R.D. Foster, as being unjust and unauthorized by the laws of the Church, and consequently null and void; for our law judgeth no man unless he be heard; and to all those who approbate a course so unwarranted, unprecedented and so unjust,

we would say beware lest the unjust measure you meet to your brethren, be again meted out to you.

“Resolved Second--Inasmuch as we have for years borne with the individual follies and iniquities of Joseph Smith, Hyrum Smith, and many other official characters in the Church of Jesus Christ, (conceiving it a duty incumbent upon us so to bear,) and having labored with them repeatedly with all Christian love, meekness and humility, yet to no effect, feel as if forbearance has ceased to be a virtue, and hope of reformation vain; and inasmuch as they have introduced false and damnable doctrines into the Church, such as a plurality of gods above the God of this universe and his ability to fall with all his creations; the plurality of wives, for time and eternity; the doctrine of unconditional sealing up to eternal life, against all crimes except that of shedding innocent blood, by a perversion of their priestly authority and thereby forfeiting the holy priesthood, according to the word of Jesus; 'If a man abide not in me, he is cast forth as a branch and is withered, and men gather them and cast them into the fire, and they are burned.' St. John, xv.6.

"Whosoever transgresseth and abideth not in the doctrine of Christ, hath not God, he that abideth in the doctrine of Christ, hath both the Father and the Son; if there come any unto you and bring not this doctrine, receive him not into your house, neither bid him God speed, for he that abideth him God speed is a partaker of his evil deeds;' we therefore are constrained to denounce them as apostates from the pure and holy doctrines of Jesus Christ.

“Resolved Third--That we disapprove and discountenance every attempt to unite church and state; and that we further believe the effort now being made by Joseph Smith for political power and influence, is not commendable in the sight of God.

“Resolved Fourth--That the hostile spirit and conduct manifested by Joseph Smith, and many of his associates towards Missouri and others inimical to his purposes, are decidedly at variance with the true spirit of Christianity, and should not be encouraged by any people, much less by those professing to be the ministers of the gospel of peace.

“Resolved Fifth--That while we disapprove malicious persecutions and prosecutions, we hold that all Church members are alike amenable to the laws of the land; and that we further discountenance any chicanery to screen them from the just demands of the same.

"Resolved Sixth--That we consider the religious influence exercised in financial concerns by Joseph Smith, as unjust as it is unwarranted, for the Book of Doctrine and Covenants makes it the duty of the Bishop to take charge of the financial affairs of the Church, and of all temporal matters pertaining to the same.

“Resolved Seventh--That we discountenance and disapprove the attendance at houses of reveling and dancing; dram-shops and theatres; verily believing they have a tendency to lead from paths of virtue and holiness, to those of vice and debauchery.

“Resolved Eighth--That we look upon the pure and holy doctrines set forth in the Scriptures of Divine truth, as being the immutable doctrines of salvation; and he who

abideth in them shall be saved, and he who abideth not in them can not inherit the Kingdom of Heaven.

“Resolved Ninth--That we consider the gathering in haste, and by sacrifice, to be contrary to the will of God; and that it has been taught by Joseph Smith and others for the purpose of enabling them to sell property at most exorbitant prices, not regarding the welfare of the Church, but through their covetousness reducing those who had the means to give employment to the poor, to the necessity of seeking labor for themselves; and thus the wealth which is brought into the place is swallowed up by the one great throat, from whence there is no return, which if it had been economically disbursed amongst the whole would have rendered all comfortable.

"Resolved Tenth--That, notwithstanding our extensive acquaintance with the financial affairs of the Church, we do not know of any property which in reality belongs to the Church (except the Temple) and we therefore consider the injunction laid upon the Saints compelling them to purchase property of the Trustee in trust for the Church, is a deception practiced upon them; and that we look upon the sending of special agents abroad to collect funds for the Temple and other purposes as a humbug practiced upon the Saints by Joseph and others, to aggrandize themselves, as we do not believe that the monies and property so collected, have been applied as the donors expected, but have been used for speculative purposes, by Joseph, to gull the Saints the better on their arrival at Nauvoo, by buying the lands in the vicinity and selling again to them at tenfold advance; and further that we verily believe the appropriations said to have been subscribed by shares for the building of the Nauvoo House to have been used by Joseph. Smith and Lyman Wight, for other purposes, as out of the mass of stock already taken, the building is far from being finished even to the base.

“Resolved Eleventh--That we consider all secret societies, and combinations under penal oaths and obligations, (professing to be organized for religious purposes,) to be anti-Christian, hypocritical and corrupt.

“Resolved Twelfth--That we will not acknowledge any man as king of law-giver to the Church; for Christ is our only king and law-giver.

“Resolved Thirteenth--That we call upon the honest in heart, in the Church, and throughout the world, to vindicate the pure doctrines of Jesus Christ, whether set forth in the Bible, Book of Mormon, or Book of Covenants; and we hereby withdraw the hand of fellowship, from all those who practice or teach doctrines contrary to the above, until they cease so to do, and show works meet for repentance.

“Resolved Fourteenth--That we hereby notify all those holding licenses to preach the gospel, who know they are guilty of teaching the doctrine of other Gods above the God of this creation; the plurality of wives; the unconditional sealing up against all crimes, save that of shedding innocent blood; the spoiling of the Gentiles, and all other doctrines, (so called) which are contrary to the laws of God, or to the laws of our country, to cease preaching, and to come and make satisfaction, and have their licenses renewed.

“Resolved Fifteenth--That in all our controversies in defense of truth and righteousness the weapons of our warfare are not carnal but mighty through God to the pulling down

of the strong holds of Satan; that our strifes are not against flesh, blood, nor bones; but against principalities and power, against spiritual wickedness in high places and therefore we will not use carnal weapons save in our own defense.

"Affidavits"

[Sworn Out by Nauvoo Residents Against Joseph Smith and His Associates]

--"I hereby certify that Hyrum Smith did, (in his office) read to me a certain written document, which he said was a revelation from God, he said that he was with Joseph when it was received. He afterwards gave me the document to read, and I took it to my house, and read it, and showed it to my wife, and returned it next day. The revelation (so called) authorized certain men to have more wives than one at a time, in this world and in the world to come. It said this was the law, and commanded Joseph to enter into the law. And also that he should administer to others. Several other items were in the revelation, supporting the above doctrines."

"WILLIAM LAW
State of Illinois,
Hancock County"

--"I, Robert D. Foster, certify that the above certificate was sworn to before me, as true in substance, this fourth day of May A.D. 1844."

"ROBERT D. FOSTER J.P."

--"I certify that I read the revelation referred to in the above affidavit of my husband, it sustained in strong terms the doctrine of more wives than one at a time, in this world, and in the next, it authorized some to have to the number of ten, and set forth that those women who would not allow their husbands to have more wives than one should be under condemnation before God."

"JANE LAW
Sworn and subscribed before me this fourth day of May, A.D. 1844. ROBERT D. FOSTER,
J.P."

--"To all whom it may concern:

"Forasmuch as the public mind hath been much agitated by a course of procedure in the Church of Jesus Christ of Latter Day Saints, by a number of persons declaring against certain doctrines and practices therein, (among whom I am One,) it is but meet that I should give my reasons, at least in part, as a cause that hath led me to declare myself. In the latter part of the summer, 1843, the Patriarch, Hyrum Smith, did in the High Council, of which I was a member, introduce what he said was a revelation given through the Prophet; that the said Hyrum Smith did essay to read the said revelation in the said Council, that according to his reading there was contained the following doctrines;

"First, the sealing up of persons to eternal life, against all sins, save that of shedding innocent blood or of consenting thereto;

"Second, the doctrine of a plurality of wives, or marrying virgins; that 'David and Solomon had many wives, yet in this they sinned not save in the matter of Uriah. This revelation with other evidence, that the aforesaid heresies were taught and practiced in the Church; determined me to leave the office of first counsellor to the president of the Church at Nauvoo, inasmuch as I dared not teach or administer such laws. And further deponent saith not."

"AUSTIN COWLES.
State of Illinois, }ss.
Hancock County"

--"To all whom it may concern I hereby certify that the above certificate was sworn and subscribed before me, this fourth day of May, 1844."

"ROBERT D. FOSTER, J.P.
THE EXPOSITOR.
FRIDAY, JUNE 7, 1844
SYLVESTER EMMONS, Editor"

"Introductory"

[Placed in the Exposter as a "Greeting" but Located at the End of the Expositor's Charges Against Joseph Smith]

"In greeting our patrons with the first number of the Expositor, a remark is necessary for the expression of some views, and certain principles by which we intend to be governed in our editorial duties. . . .

[Vow of Non-Violent Opposition to Smith]

"The question is asked, 'Will you bring a mob upon us?' In answer to that, we assure all concerned, that we will be among the first to put down anything like an illegal force being used against any man or set of men. If any one has become amenable to the law, we wish to have him tried impartially by the laws of his country. We are among the number who believe that there is virtue and integrity enough in the administrators of the law, to bring every offender to justice, and to protect the innocent. If it is necessary to make a show of force, to execute legal process, it will create no sympathy in that case to cry out, we are mobbed.

[Pledge of Responsible Citizenship to Both State and Nation]

“There is such a thing as persons being deceived into a false sympathy once, who, the second time, will scrutinize very closely, to know who, or which party, are the persecutors. It is not always the first man who cries out, stop thief, that is robbed. It is the upright, honest, considerate and moral precepts of any class that will be respected in this or any other enlightened age--precepts which have for their end the good of mankind, and the establishment of fundamental truths. On the other hand, paradoxical dogmas, new systems of government, new codes of morals, a new administration of the laws by ignorant, unlettered, and corrupt men, must be frowned down by every lover of his country. The well-being of society demand it at our hands. Our country, by whose laws we are protected, asks us for a manifestation of that patriotism which should inspire every American citizen--the interests of the State of Illinois require it, and as a citizen of Illinois, we intend to respond to the voice of duty, and stand the hazard of the die.

“We believe that the Press should not be the medium through which the private character of any individual should be assailed, delineated, or exposed to public gaze: still, whoever acts in an official character, who sets himself up as a public teacher, and reformer of morals and religion, and as an aspirant to the highest office in the gift of the people of this glorious republic . . . institutions he publicly condemns, we assert and maintain the right of canvassing all the public acts and animadverting, with terms of the severest reproach upon all the revolutionary measures that come to our notice, from any source. We would not be worthy of the name of an American citizen, did we stand by and see, not only the laws of the State, but the laws of the United States set at defiance, the authorities insulted, fugitives from justice fleeing for refuge, asking and receiving protection from the authorities of Nauvoo, for high crimes committed against the government of the United States, the Mayor of a petty incorporated town interposing his authority, and demanding the right of trial for the fugitive on the merits of the case, by virtue of a writ of Habeas Corpus, issued by the Municipal Court of Nauvoo. It is too gross a burlesque upon common sense--a subterfuge too low to indicate any thing but a corrupt motive.--Such acts, whether committed in a private or public capacity, will be held up to public scorn.

“An independent Press is bound by every sense of duty, to lay before the public every attack upon their rights: we, therefore, in the exercise of our duty, expect the support and the aid of our fellow citizens in our enterprise. . . .

[Intention of Managing the Expositor Not for Personal Profit but in the Service of Public Accountability]

“In consequence of the importance of the cause in which we have engaged, and the assurances we have received from different sources, we have concluded to issue one thousand copies of the first number of the paper, that all who wish, may be supplied, and further, that none may plead ignorance of our complaints, or exonerate themselves from an interest in our behalf. We do not wish, or expect, the publication of the 'Expositor' to prove a matter of pecuniary profit, neither do we believe the public will suffer it to prove a loss. It is a subject in which we are all interested, more particularly the citizens of this county, and surrounding country; the case has assumed a formidable and fearful aspect, it is not the destiny of a few that is involved in case of commotion, but that of thousands, wherein necessarily the innocent and helpless would be confounded with the criminal and guilty.

"We have anxiously desired, and strenuously advocated a peaceable redress of the injuries that have repeatedly been inflicted upon us, and we have now the means in our hands, through which we can peaceably and honorably effect our object. For ourselves, we are firmly resolved not to quit the field, till our efforts shall be crowned with success. And we now call upon all, who prize the liberty of speech, the liberty of the press, the right of conscience, and the sacred rights of American citizenship, to assist us in this undertaking. Let us stand up and boldly and fearlessly oppose ourselves to any and every encroachment, in whatever form it may appear, whether shaped in superstitious domination or civil usurpation. The public abroad have not been informed in relation to facts as they really existed in our midst, many have supposed that all was rumor, and having no organ through which to speak, our silence has been to them sufficient proof.

"The facts have been far otherwise, we have watched with painful emotion the progress of events in this city, for some time past, until we were sick with the sight; injury upon injury has been repeated, insult has been added to insult till forbearance has ceased to be virtuous, and we now have the proud privilege, we have long wished for, of defending ourselves against their foul aggressions and aspersions and of informing the public of things as they really are.

"We intend to tell the whole tale and by all honorable means to bring to light and justice, those who have long fed and fattened upon the purse, the property, and the character of injured innocence; yes, we will speak, and that too in thunder tones, to the ears of those who have thus ravaged and laid waste fond hopes, bright prospects, and virtuous principles, to gratify an unhallowed ambition. We are aware of the critical position we occupy, in view of our immediate location; but we entertain no fears, our purpose is fixed [] our arm is nerved for the conflict, we [] upon our rights, and we will maintain those rights, whatever may be the consequence; let no man or set of men assail us at the peril of their lives, and we hereby give notice to all parties, that we are the last in attack, but the first and foremost in defense. We would be among the last to provoke the spirit of the public abroad unnecessarily, but we have abundant assurance, in case of emergency, that we shall be all there."

[Request for Joseph Smith to Remand Suspect Accused of Counterfeiting--Whom He is Lying About Hiding--to U.S. Authorities]

"An individual, bearing the cognomen of Jeremiah Smith, who has evaded the officers for some time, has taken refuge in the city of Nauvoo. It appears he is a fugitive from justice for the offence of procuring four thousand dollars from the United States Treasury at the city of Washington, under false pretenses. A bill of indictment was found in the District of Columbia against him, and a warrant issued for his arrest. The Marshal of Iowa Territory got intelligence of his being in this place, and procuring the necessary papers for his arrest, proceeded to this place in search of him, about three weeks ago.

"After making inquiry, and becoming satisfied that he was secreted in Nauvoo, under the immediate protection of the Prophet, he said to him (the Prophet,) that he was authorized to arrest the said Jeremiah Smith, for an offence committed by him against

the United States government, and wished to know where he was--to which the Prophet replied, that he knew nothing about him. The Marshal said he knew he was secreted in the city, and was determined to have him; and, unless he was given up, he would have the aid of the Dragoons to find and arrest him.

"Joseph Smith then replied, that was not necessary; but, if the Marshal would pledge his word and honor that he should have the benefit of a writ of Habeas Corpus, and be tried before him, he would produce the fugitive in half an hour. After some hesitancy, the Marshal agreed to do so, when the prisoner was produced in the time specified. A writ of Habeas Corpus was issued, and the prisoner taken from the Marshal and brought before the Municipal court of Nauvoo for trial. The court adjourned until Thursday, the 30th ult., when he was tried, and discharged, as a matter of course.

"In the interval, however, application had been made to Judge Pope, of the District court of the United States for the State of Illinois, who issued his warrant, directed to the United States Marshal, who sent his deputy to make a second arrest, in the case the other officer did not succeed in taking him from the city. [Jeremiah] Smith was found by the Illinois Marshal and arrested, when it became necessary for the high corporate powers of the city again to interpose their authority. The potent writ was again issued--the prisoner taken from the Marshal--a trial had, during which, the attorneys for Smith relieved themselves of an insupportable burthen of legal knowledge, which completely overwhelmed the learned court, and resulted in the triumphant acquittal of the prisoner, with a judgment for costs against the United States.

"Now, we ask if the executive and judicial authorities of Illinois deem it politic to submit to such a state of things in similar cases? Can, and will the constituted authorities of the federal government be quiescent under such circumstances, and allow the paramount laws of the Union to be set at defiance, and rendered nugatory by the action of a court, having no more than co-ordinate powers, with a common justice of the peace?

"If such an order of things is allowed to exist, there is every reason to believe that Nauvoo will become a sink of refuge for every offender who can carry in spoils enough to buy protection. The people of the State of Illinois will, consequently, see the necessity of repealing the charter of Nauvoo, when such abuses are practiced under it; and by virtue of said chartered authority, the right of the writ of Habeas Corpus in all cases arising under the city ordinance, to give full scope to the desired jurisdiction. The city council have passed ordinances, giving the Municipal court authority to issue the writ of Habeas Corpus in all cases when the prisoner is held in custody in Nauvoo, no matter whether the offender is committed in the State of Maine, or on the continent of Europe, the prisoner being in the city under arrest. It is gravely contended by the legal luminaries of Nauvoo, that the ordinances gives them jurisdiction, not only jurisdiction to try the validity of the writ, but to enquire into the merits of the case, and allow the prisoner to swear himself clear of the charges. If his own oath is not considered sufficient to satisfy the adverse party, plenty of witnesses are ready to swear that he is to be believed n oath, and that is to be considered sufficient by the court to put the quietus on all foreign testimony and the discharge of the prisoner follows, as a necessary consequence."

("Nauvoo Expositor," first and only issue: 7 June , 1844, published by William Law, in Special Collections, Early Mormonism Collection 2,

<http://solomonspalding.com/docs/exposit1.htm#pg1c1b>; see also, "Primary Sources/Nauvoo Expositor Full Text," at FAIRMORMON ANSWERS,"http://en.fairmormon.org/Primary_sources/Nauvoo_Expositor_Full_Text)

(continued to Part 2)

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(Intermission) (n/t)

Posted by: steve benson ()
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[Exposing Devious Dallin on the Nauvoo Expositor's Illegal Destruction \(2\)](#)

Posted by: steve benson ()
Date: November 14, 2015 08:30AM

Part 2

EXHIBIT B: Farming Out the Job of Justifying the Criminal Destruction of the Nauvoo Expositor

It's a matter of history that Joseph Smith's desperate directive to have the Nauvoo Expositor put out of business proved to be a very bad business decision for Smith, since it put Smith out of business for good.

BYU's website admits as much, although it weakly attempts a justification of Smith's vicious violation of the First Amendment in having an independently owned American newspaper silenced because it was exposing his criminal antics:

"The destruction of the press was the event which triggered a series of events culminating in the murder of Joseph and Hyrum Smith at Carthage 20 days after its publication. . .

"While [Joseph and Hyrum Smith] were awaiting audience [in Carthage Jail] with [Governor Ford, they were arrested on charges of treason and rioting for having used some of the Nauvoo Legion to assist the town marshal in the destruction of Expositor equipment. For this charge they were committed to the Carthage jail that afternoon."

("The Expositor Office," from the website of Brigham Young University, Provo, Utah, <http://www.lds-mormon.com/06.shtml>)

These illegal machinations to muzzle the media haven't kept LDS Inc.'s official

propaganda arm--formerly known as FARMS--from rushing to defend the Oaks Expositor hoax.

It's a matchbox made in hell.

Falling back on Oaks' slippery defense of Smith's unlawful act, FARMS apologist Elden J. Watson justified Smith's illegal order to destroy the Expositor in a review of the book, "Cultures in Conflict: A Documentary History of the Mormon War in Illinois," by John E. Hallwas and Roger D. Launius. In typical fumbly fudging FARMS fashion, Watson predictably whined that the book in question was "anti-Mormon" and, just as predictably, failed to offer any fact-based refutation of the authors' premise--resorting, instead, to huffing and puffing in hyperbolic histrionics, as he merely referred his audience to Oaks' article, without bothering to go into any details:

"There is one more item I would like to comment on before closing. The destruction of the 'Nauvoo Expositor' is perhaps the keystone of the authors' presentation. It is one of the most reiterated and frequently mentioned topics throughout the volume.

"Time and time again the authors allude to this incident as the prime documented example of an illegal and aggressive action perpetrated by Joseph Smith and other leaders of the Church against a few upstanding and honorable men of the community who wanted nothing more than a reform of the Church.

"These claims were answered before they were ever raised, but because the primary legitimate and accepted scholarly assessment of the action taken against the 'Nauvoo Expositor' does not agree with their presumptions, the authors discard it with a mere wave of the hand [quote]:

"Dallin H. Oaks, former justice on the Utah Supreme Court and present apostle in the Church, has tried to pound a square peg into a round hole in seeking to legitimate the clearly illegal act of destroying the Expositor in June 1844. See Dallin H. Oaks, "The Suppression of the Nauvoo Expositor," "Utah Law Review," 9 (Winter 1965): 862-903. (p. 9 n. 6) "The authors' authority for dismissing 40 pages of documentation, detailed legal examination, discussion, and findings by a former member of the Utah Supreme Court is that 'virtually everyone except the Latter-day Saints' considered it illegal at the time and that Governor Ford, 'as fair an individual as was present in the Mormon conflict,' called the action 'irregular and illegal, and not to be endured in a free country' (p. 9, n. 6).

"They make the additional unsupported assertion that [Illinois] Governor [Thomas] Ford was an authority on constitutional law, but neglect to indicate what bearing that may have on Elder Oaks' review. Oaks' review responds thoroughly and sufficiently to the legality of the destruction of the Nauvoo Expositor."

(Elden J. Watson, "Cultured Conflicts: History Served on the Half Shell)

Oh, yeah? So you say (or, better yet, pray, pay and bray).

EXHIBIT C: Hold Your Horses, FARMS: Oaks Actually Admits that Joseph Smith Unlawfully Ordered the Destruction of the Nauvoo Expositor

In reality, Oaks actually confessed in the article to which Watson robotically referred that Smith, in fact, broke the law in ordering the destruction of the Expositor:

"The characterization of the printing press as a nuisance, and its subsequent destruction, is another matter. The common law authorities on nuisance abatement generally, and especially those on summary abatement, were emphatic in declaring that abatement must be limited by the necessities of the case, and that no wanton or unnecessary destruction of property could be permitted. A party guilty of excess was liable in damages for trespass to the party injured. . . .

"[T]here was no legal justification in 1844 for the destruction of the Expositor press as a nuisance. Its libelous, provocative, and perhaps obscene output may well have been a public and a private nuisance, but the evil article was not the press itself but the way in which it was being used. Consequently, those who caused or accomplished its destruction were liable for money damages in an action of trespass."

(Oaks, "Suppression of 'Nauvoo Expositor,'" pp. 890–91)

Indeed, in a separate and later examination, Oaks also admitted that the Expositor was demolished, on orders of Smith, without the benefit of due process of law:

"[Smith] urged that the newspaper be declared a nuisance and destroyed without judicial process, a procedure supported by Blackstone. . . . John Taylor, a city councilman and high-ranking Church leader, agreed, saying that the Expositor 'stinks in the nose of every honest man.' . . . [Smith] won over most of the council. They passed an ordinance declaring the newspaper a public nuisance and issued an order to the mayor to have it abated. Joseph Smith, acting as mayor, ordered the city marshal to destroy the newspaper and press without delay and instructed the major general of the Nauvoo Legion to have the militia assist. Shortly [thereafter], citizens and legionnaires marched to the 'Expositor' office and smashed the press, scattering the type as they did so."

(Dallin H. Oaks and Marvin S. Hill, "Carthage Conspiracy: The Trial of the Accused Assassins of Joseph Smith" [Urbana, Illinois: University of Illinois Press, 1976], p. 15)

EXHIBIT D: Fear Not, All Ye Faithful-- Oaks Then Faithfully Flip-Flops

Despite his confession that Smith broke the law in ordering the destruction of the Nauvoo Expositor, Oaks apparently couldn't stay honest for long and ultimately contended/pretended that in other respects, Smith did not break the law.

He wrote:

"In view of the law discussed . . . in Blackstone, . . . [there] seems to have been sufficient to give the Nauvoo City Council considerable basis in the law of their day for their action in characterizing the published issues of the 'Nauvoo Expositor' as a nuisance and in summarily abating them by destruction."

("The Illegal Destruction of the 'Nauvoo Expositor,'" <http://www.mormonismi.net/jamesdavid/postin17.htm>)

EXHIBIT E: Oaks' Unenlightened, Unlawful and Inconsistent Reading of the Law

There are significant problems with Oaks's above excuses, as noted below:

"Oaks' position is that the First Amendment didn't apply to the suppression of the Expositor because the doctrine of 'incorporation' (which was developed during the New Deal era) wasn't in force at the time. So state and local governments, such as the Nauvoo City Council, weren't [Oaks claims] bound by the First Amendment.

"There are two BIG problems with this defense. First, the Nauvoo Charter (which is available on-line) EXPRESSLY incorporated the U.S. and Illinois State Constitutions, with their respective protections of the freedom of speech, press, assembly, etc.

"So, Oaks' legal argument is a tissue of sheer sophistry.

"Second, Oaks and other Morg leaders persist in upbraiding President Van Buren for his statement: 'Your cause is just, but I can do nothing for you,' as if this were a cowardly dereliction of duty.

"But Van Buren was right: He could only have intervened in Missouri on the application of the state government for help in quelling an insurrection.

"Why is this important? Simple: Oaks' claim that the suppression of the 'Expositor' was constitutional and legal rests on a strict federalist interpretation of the Constitution (allowing for Oaks' dishonest treatment of the Nauvoo Charter).

"The same is true of Van Buren's infamous statement. So, strict federalism would justify mob action by Mormons, but supposedly wouldn't justify Washington's refusal to quell mob action against them."

("Oaks, Smith and the Constitution," authored by "Will," 14 March 2003, <http://www.salamandersociety.com/foyer/prophets/dallinhoaks/>)

Oaks engaged in more devious attempts to make an allegedly "legal" case for Smith's ordered destruction of the Expositor with this propagandistic puffery from the May 1996 Mormon Church's Ensign magazine:

"The event that focused anti-Mormon hostilities and led directly to the Martyrdom was the action of Mayor Joseph Smith and the city council in closing a newly

established opposition newspaper in Nauvoo. Mormon historians—including Elder B. H. Roberts—had conceded that this action was illegal, but as a young law professor pursuing original research, I was pleased to find a legal basis for this action in the Illinois law of 1844.

"The amendment to the United States Constitution that extended the guarantee of freedom of the press to protect against the actions of city and state governments was not adopted until 1868, and it was not enforced as a matter of federal law until 1931. . . . We should judge the actions of our predecessors on the basis of the laws and commandments and circumstances of their day, not ours."

However, RfM poster "Randy J" orders up his own destruction of Oaks' sophistry:

"First, note Oaks' reducing the incident down to a mere 'closing' of the newspaper, when in fact, the press was destroyed and type scattered in the street. Thus, Smith committed the crime of destruction of property, at the very least.

"Secondly, the press was destroyed without benefit of due process. A hallmark of American justice is that an accused is able to face his opponents in open court, in a fair hearing. That was Smith's second crime.

"Thirdly, note how Oaks defended Smith's actions by arguing that there was no specific law against such suppression until 1868! Oaks uses sleazy lawyer-like technicalities to justify the destruction of a man's private property by a city mayor, without benefit of due process.

"Oaks' appeal to federal laws is rendered moot by the Illinois law of 1818:

"1818 Illinois State Constitution, (Article VIII) 22. The printing presses shall be free to every person, who undertakes to examine the proceedings of the general assembly or of any branch of government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man, and every citizen may freely speak, write, and print on any subject, being responsible for the abuse of that liberty."

"After Smith was arrested, Governor Ford informed him that he brought his problems upon himself by his illegal actions:

"General Smith, I believe you have given me a general outline of the difficulties that have existed in the country, in the documents forwarded to me by Dr. Bernhisel and Mr. Taylor; but, unfortunately, there seems to be a discrepancy between your statements and those of your enemies.

"It is true that you are substantiated by evidence and affidavit, but for such an extraordinary excitement as that which is now in the country, there must be some cause, and I attribute the last outbreak to the destruction of the 'Expositor,' and to your refusal to comply with the writ issued by Esq. Morrison.

"The press in the United States is looked upon as the great bulwark of American freedom, and its destruction in Nauvoo was represented and looked upon as a high-

handed measure, and manifests to the people a disposition on your part to suppress the liberty of speech and of the press; this, with your refusal to comply with the requisition of a writ, I conceive to be the principal cause of this difficulty, and you are, moreover, represented to me as turbulent and defiant of the laws and institutions of your country. . . .

"I must beg leave to differ from you in relation to the acts of the City Council. That council, in my opinion, had no right to act in a legislative capacity, and in that of the judiciary. They should have passed a law in relation to the matter, and then the Municipal Court, upon complaint, could have removed it; but for the City Council to take upon themselves the law-making and the execution of the laws, in my opinion, was wrong; besides, these men ought to have had a hearing before their property was destroyed; to destroy it without was an infringement of their rights; besides, it is so contrary to the feelings of the American people to interfere with the press." ("Teachings of the Prophet Joseph Smith," pp. 384, 389)

"Also, contradicting his 1996 remarks in the 'Ensign', Oaks had written in 1979 that 'there was no legal justification for the destruction of the 'Expositor' press.' ("Carthage Conspiracy," Oaks and Hill, p. 26.)

"It seems that Oaks wrote as a scholar in 1979, but since he had become an apostle by 1996, it was expedient for him to reverse his earlier correct opinion with an incorrect, poorly-thought one that exonerated Smith."

("Dallin's Legalese," by "Randy J.," 14 March 2003,
<http://www.salamandersociety.com/foyer/prophets/dallinhoaks/>)

--EXHIBIT F: The Nauvoo Expositor "and the U.S. Constitution: Both Nuisances to Joseph Smith

The patent illegality of the Nauvoo City Council's action in ordering (on Smith's command) the destruction of the Expositor press is beyond serious debate, despite what Deceptive Dallin wants others to believe. Smith's destruction of the Expositor press clearly violated the U.S. Constitution, as acknowledged by the previously cited BYU website:

"With the powers granted by the [Nauvoo] city charter, they [the City Council] declared the newspaper a nuisance, as they felt its declarations threatened the security of the city. They authorized the mayor (Joseph Smith) to see that the nuisance was abated.

"[Smith] instructed the city marshal to abate the nuisance which he and his men accomplished by breaking into the printing shop, throwing the press into street where it was smashed with a sledge hammer, dumping the type into the street, and burning the undistributed copies of the newspaper.

"Such an extra-legal method of abating a newspaper was not without precedent in Illinois (though not in keeping with long established practices concerning abatement

of a public press), but it was viewed as a violation to the federal Constitution which forbids destruction of property without due process of law. The city council had only the authority to abate the nuisance by suspending further publication of the paper pending a court hearing which would determine whether it was a public nuisance.

"The proprietor of the paper [William Law, former counselor to Smith the First Presidnecy] went to Carthage and swore out a warrant for the 18 members of the City Council, charging that they had violated the federal Constitution by destroying property with the resultant implication of 'suppression of the freedom of the press.'

"In response to the charge, 15 members of the Nauvoo City Council appeared before the justice of the peace in Carthage on Tuesday, June 25, and were bound over to the next term of the circuit court on bail of \$500 each. Jointly they posted \$7500 in bonds . . .

"[The Smiths], however, remained in Carthage to have an interview with Governor Ford. While awaiting audience with him, they were arrested on charges of treason and rioting for having used some of the Nauvoo Legion to assist the town marshal in the destruction of Expositor equipment. For this charge they were committed to the Carthage jail that afternoon."

("The Nauvoo Expositor Office Which Joseph Smith Destroyed," quoted from BYU's website, <http://www.lds-mormon.com/06.shtml>)

EXHIBIT G: Even Mormon Historians Disagree with Oaks on This One

Despite Oaks' mischievous misdirects, BYU history professor Thomas G. Alexander explicitly and publicly acknowledged that there existed "no legal justification for the destruction of the [Expositor] press, and the proprietors might have sued the council for recovery of the machine's value."

(Thomas Alexander, "The Church and the Law," in "Dialogue: A Journal of Mormon Thought," vol. 1, Summer 1966, pp. 123-24)

Even apologetic LDS historians harboring obvious sympathies for scoundrel Smith--such as Leonard J. Arrington and Davis Bitton--acknowledged his panicked rush to judgment over the publication of the Expositor's damning revelations, while also noting that alternatives to the newspaper's destruction were available:

"In the spring of 1844 . . . a small group of Mormon dissidents [in Nauvoo] founded a counter-organization and began publishing the . . . 'Expositor.' They got out only one issue . . . which contained inflammatory allegations about the sex lives of the Mormon leaders and members.

"Smith, who was mayor, his brother Hyrum, vice-mayor, and the City Council, citing Blackstone on a community's right to abate as a nuisance anything that disturbs the

peace, declared the newspaper libelous and a public nuisance endangering civil order, and directed the city marshal to destroy that issue and the press.

“Some had argued for merely fining the libelers simply burning the papers, but Smith said he would ‘rather die tomorrow and have the thing smashed, than live and have it go on, for it was exciting the spirit of mobocracy . . . and bringing death and destruction upon us.’ The Council, which included at least one non-Mormon, concurred.

“Nothing could have provided better ammunition for the anti-Mormons in Illinois Although suppression of inflammatory periodicals was not without precedent and abatement of a nuisance was within the powers of the city council, leaders of the anti-Mormon party were quick to raise the issue of freedom of the press.”

(Leonard J. Arrington and Davis Bitton, "The Mormon Experience: A History of the Latter-day Saints" [New York, New York: Alfred A. Knopf, 1979], pp. 77-78)

Adding fuel to the Expositor fire, former assistant Mormon Church historian under Arrington, James B. Allen, admitted that Smith "acted illegally" in ordering the destruction of the newspaper:

". . . [W]hen Joseph Smith ordered the actual destruction of the Nauvoo Expositor printing press, he provided his enemies with a clearly legitimate means of arresting him for violation of the law. They seized upon this to inflame the public even more, and this led directly to [his] assassination.

"Some people may be disturbed by the suggestion that Joseph Smith acted illegally in this instance, but it is important to understand that under the tense pressures of the times he, too, may have made a mistake."

(James B. Allen, "Brigham Young University Today," March 1976, p. 10, quoted in Jerald and Sandra Tanner, "Destruction of the Nauvoo Expositor: Answering Dr. Clandestine. A Response to the Anonymous LDS historian")

Allen, together with fellow Mormon historian Glen M. Leonard, also (albeit reluctantly and not surprisingly, since they were writing under the guiding influence of the LDS Church Historical Department) confessed that the Nauvoo City Council ultimately exceeded—at least in certain respects—its legal authority in its questionable decision to have the Expositor demolished:

“The councilmen suspended one of their own members, non-Mormon Sylvester Emmons, who was editor of the Expositor, and discussed the identity of the publishers and the intent of the newspaper.

“After analyzing legal precedents and municipal codes, the Council decided the paper was a public nuisance that had slandered individuals in the city. . . . [T]he Council acted under the nuisance ordinance. The mayor, Joseph Smith, then ordered the city marshal to destroy the press, scatter the type, and burn available papers.

Within hours the order had been executed. The publishers, ostensibly fearing for their personal safety, fled to Carthage, where they obtained an arrest warrant against the Nauvoo City Council on a charge of riot.”

Allen and Leonard then sought to defend the shaky constitutionality of the Council’s command decision to destroy the newspaper press:

“The Council had acted legally in its right to abate a nuisance, though contemporary legal opinion allowed only the destruction of published issues of an offending paper, not the destruction of the printing press itself. The city fathers had not violated the constitutional guarantees of freedom of the press, though they had probably erred in violating property rights.”

(James B. Allen and Glen M. Leonard, "The Story of the Latter-day Saints," published in collaboration with the Historical Department of the Church of Jesus Christ of Latter-day Saints [Salt Lake City, Utah: Deseret Book Company, 1976], p. 192)

Then-Mormon and noted historian Fawn M. Brodie, was far less reluctant to point out the breathtakingly unconstitutional nature of Smith’s un-American assault on the Expositor:

”Calling together the City Council, [Smith] ordered a trial, not of the apostates, but of the Expositor itself. It was a strange, high-handed proceeding. There were no jury, no lawyers, no witnesses for the defense. The councilors simply stood up, one after another, and accused the editors of seduction, pandering, counterfeiting, and thievery. . . .

“Then he went on to add . . . to his list of denials of polygamy . . .

“The City Council now declared that the press was libelous and must be destroyed. [Smith] issued a proclamation declaring it a civic nuisance; a portion of the Legion marched to the office, wrecked the press, pied the type, and burned every issue of the hated paper that could be found. . . .

“. . . [F]or [Smith] . . . to indulge in [the] sport [of destroying a Illinois newspaper was] . . . a violation of the holy Constitution. It was a greater breach of political and legal discipline than the anti-Mormons could have hoped for. Joseph could not have done better for his enemies, since he had at last given them a fighting moral issue.”

Brodie then described the response Illinois Governor Ford’s reaction to Smith’s unabashed law-breaking:

”When Thomas Ford learned of the burning of the Expositor, he went directly to Carthage for an investigation, determined to call out the militia if necessary to bring the offenders to justice. . . . Ford wrote to the prophet demanding that he and everyone else implicated in the destruction of the Expositor submit immediately to the Carthage constable and come to that city for trial. . . .

“. . . Ford brought a discriminating and sensitive intelligence and a stubborn loyalty

for the law. . . .

"Ford himself came to the [Carthage] jail and talked with the prophet for several hours. . . . They argued back and forth, testing each other's sincerity and strength . . . [ending up in strong disagreement on] the wrecking of the Expositor.

"The press in the United States is looked upon as the great bulwark of American freedom,' Ford insisted [to Smith], 'and its destruction in Nauvoo was represented and looked upon as a high-handed measure, and manifests to the people a disposition on your part to suppress the liberty of speech and of the press.'"

(Fawn B. Brodie, "No Man Knows My History: The Life of Joseph Smith, the Mormon Prophet" [New York, New York: Alfred A. Knopf, 1983], pp. 377, 388-89)

LDS historian Donna Hill succinctly fingered the wayward activities of Smith that led to his untimely demise:

"About two weeks before his death he had defied the sacred American precept of freedom of the press by demolishing an opposition newspaper . . . the Nauvoo Expositor, on the grounds that it was libelous and a public nuisance."

Hill then explained Smith's twisted thinking, where he decided that allowing the Nauvoo Expositor to continue publishing its embarrassing revelations would interfere with Smith's grandiose plans to, among other things, take over the world and impose a Mormon theocracy:

"[Smith's]. . . tolerance . . . of the continued publication of . . . the newspaper would [have] disrupt[ed] the harmony of his religious community, endanger[ed] his candidacy for the highest office in the land, threaten[ed] the establishment of the political kingdom of God and, in short, dash[ed] all his dearest hopes.

"To suppress his enemies and their newspaper would [have been] a violation of those principles of freedom on which he was now so vigorously campaigning for office.

"To sue the paper for libel over issues that were already charged with emotion [such as Smith's 'moral imperfections,' i.e., polygamy] would [have] expose[d] him to sensational publicity, even if he should win, which was not likely. To lose such a suit would [have] endanger[ed] the city charter and might [have] result[ed] in the dissolution of the city government, or its assumption by dissenters."

What, then, to do?

Smith chose to simply ignore the U.S. Constitution:

"In a session [of the Nauvoo City Council], [Smith] read aloud and denied the charges in the Expositor. He declared that the Constitution did not authorize the publication of libel. . . . Hyrum Smith pronounced the paper a nuisance. Another councilman defined 'nuisance' as anything that disturbed the peace . . . Another councilor found

and cited a passage in Blackstone on public wrongs.

"Hyrum suggested that the best solution would be to smash the press and pie the type.

"One councilor by the name of Warrington, a non-Mormon, proposed instead that the council levy a fine of \$3,000 for every libel, but [Joseph] Smith protested that not would dare to go to Carthage to prosecute, and that his own life had been threatened there.

"The council found the Expositor guilty of libel, declared it a public nuisance and directed [Smith], as mayor, to have the nuisance removed. [Smith] immediately ordered the marshal, with the aid of troops under Jonathan Dunham, acting major general of the Nauvoo Legion, to destroy the press. . . .

"[That] same day . . . the marshal and a contingent of the Legion marched out at [Smith's] order and wrecked the press, broke down what had been set up . . . , spilled the type into the street and burned every printed sheet in the office."

The Governor of Illinois was not pleased.

As Hill reported:

"[In a subsequent meeting with Joseph and Hyrum Smith in Carthage, Governor Ford] . . . came to the conclusion that the proceedings of the Nauvoo City Council, court and mayor had been illegal on many counts . . .

"In [a] message [delivered to Joseph Smith] and the City Council . . . Ford said:

"I now express to you my opinion that your conduct in the destruction of the press was a very gross outrage upon the laws and the liberties of the people. It may have been full of libels, but this did not authorize you to destroy it.

"There are many newspapers in this state which have been wrongfully abusing me [Ford] for more than a year, and yet such is my regard for the liberty of the press and the rights of a free people in a republican government that I would shed the last drop of my blood to protect those presses from any illegal violence."

"Ford continued that the Mormons had violated at least four principles of the Constitution: that the press should be free, that proprietors of a libelous press may be brought to trial but had the right to give evidence, that the people should not be subject to search and seizure of their property without due process and that there should be no union of legislative and judicial powers in the same body. . . .

"[Joseph and Hyrum Smith], John Taylor, Porter Rockwell, William W. Phelps and thirteen other members of the Nauvoo City Council were [eventually] charged with riot in destroy the . . . and were released on bond of five hundred dollars each, to appear at the next term of the circuit court."

(Donna Hill, "Joseph Smith, the First Mormon: The Definitive Story of a Complex Man

and the People Who Knew Him" (Garden City, New York: Doubleday & Company, 1977], pp. 2, 393–95, 399–400, 402, 410)

Mormon writer William E. Bennett admitted that Smith's criminal assault on the offices of a free press resulted in his ultimate undoing:

"[The destruction of the Nauvoo Expositor] proved to be the spark which ignited all the smoldering fires of opposition into one great flame . . . The cry that the 'freedom of the press' was being violated, united the factions seeking the overthrow of the Saints as perhaps nothing else would have done. . . ."

After citing Bennett, author Richard Abanes further detailed the legal entanglements now closing fast around Smith:

"In response to Smith's actions, those opposing the Mormon prophet filed a complaint against him in Hancock County, Illinois, claiming that Smith had violated the freedom of the press. Smith was arrested, but quickly tried in Nauvoo and released. The opposition immediately accused Smith of manipulating the law. Suddenly, the familiar thread of mob violence surrounded Nauvoo. Smith declared martial law . . . and put his troops on full alert.

"Illinois Governor Ford then stepped into the situation, demanding that Smith give himself up to be tried in Carthage, Illinois. But [Smith], along with his brother, Hyrum, decided instead to flee into Iowa. Once there, however, they began to have misgivings about running from the law.

"First, they had abandoned their flock, which produced in them a significant degree of guilt.

"Second, their presence in Iowa did not insure their safety since that territory's governor had never agreed to ignore Missouri's extradition order for Smith on [an] old charge of treason.

"Third, Smith's departure had left the Saints with virtually no leadership since many of the loyal apostles were away on missions.

"Fourth, a messenger informed Smith that the Nauvoo Legion had divided between those who wanted to defend the city and those who wanted to flee.

"So, back across the Mississippi both he and Hyrum journeyed, continuing on to Carthage, where they were placed in the town's jailhouse."

(Richard Abanes, "One Nation Under Gods: A History of the Mormon Church" [New York, New York: Four Walls Eight Windows, 2002], p. 198)

Even the LDS-biased and -published "Encyclopedia of Mormonism" was forced to admit that Smith's illegal assault on the offices of a free press provided ample reason for his arrest:

"[Smith's prompt order to] the city marshal to destroy the press and burn all the copies of the paper . . . justified or not, played into the hands of the opposition. It riled anti-Mormon sentiment throughout Hancock County and provided substance for the charges used by the opposition to hold Joseph Smith in Carthage Jail, where he was murdered on June 27, 1844."

(Reed C. Durham, Jr., "Nauvoo Expositor," in "Encyclopedia of Mormonism," vol. 3, p. 997)

Indeed, the "substance" to which Mormonism's "Encyclopedia" blandly referred was broadly outlined in the Nauvoo Expositor--that is, before Smith destroyed the press in a futile attempt to cover up the illegal and immoral acts of himself and his associates--and which was subsequently followed by the destruction of other private property owned by those who had published the newspaper. These acts of lawlessness quickly formed the legal justification for the arrest and imprisonment of Smith at Carthage:

"On June 7th, 1844, the first and only edition of the Nauvoo Expositor was published. This paper exposed polygamy and some of the other illegal activities of Church leaders. Smith ordered this printing press destroyed. He also ordered all copies of this newspaper to be confiscated and burned.

"The next day a mill and some other buildings belonging to the Laws, Higbees, Fosters, and others who printed the Nauvoo Expositor were also destroyed. These men and their families who dared to question Smith's unlimited power were forced to flee Nauvoo for their lives! Smith and his outlaws were on a rampage.

"Soon after the Nauvoo Expositor incident, several warrants were issued by state and county authorities for the arrest of Joseph [and] Hyrum [Smith], and a number of other Church leaders. Charges included treason against the State of Illinois, polygamy, adultery, resisting arrest, destruction of property, and perjury.

"These new charges, in addition to . . . old Ohio and Missouri charges along with [an] outstanding warrant for high treason by the President of the United States certainly justify calling Smith an 'outlaw.' Unfortunately, Smith was turned into a martyr before he could stand trial for his crimes."

(Arza Evans, "The Keystone of Mormonism" [St. George, Utah: Keystone Books, Inc., 2003], p. 162),

EXHIBIT H: Non-Mormon Historians Also Conclude That Smith Violated the Law in Ordering the Demolition of the Nauvoo Expositor

Noted journalists Richard N. and Joan K. Ostling, dispassionately reported the events surrounding the irrational and illegal trashing of the Expositor on the orders of a deeply desperate Smith:

"In the context of the times, and for dissidents [in Nauvoo] who had been denied a public forum, [the Expositor's] writers were relatively restrained in their wording. The paper advanced a desire for a 'reformation in the Church,' 'hazarding every earthly blessing, particularly property, and probably life itself, striking this blow at tyranny and oppression.'

"It argued against polygamy, political intrigue, 'false doctrines' such as the 'doctrine of many Gods' preached in Smith's [King] Follett sermon, the habeas corpus provision of the city charter, Smith's participation in Nauvoo land speculation, and acknowledgment of 'any man as king or law-giver to the church, for Christ is our only king and law-giver.'

"Robert Foster and William and Jane Law included signed affidavits that they had read the text of the prophet's secret revelation on plural marriage, and that [Smith's] brother Hyrum had introduced the revelation in secret council.

"An emergency meeting of Nauvoo's city council was called . . . Since polygamy was not legal in Illinois (and not publicly acknowledged by the church until 1852 from the safe vantage point of Utah), Hyrum Smith blandly reaffirmed past official denials of plural marriage, assuring the council that his brother's 1843 revelation was not for modern times; it referred only to ancient days. Therefore, the Expositor had libeled Smith.

"The Expositor, of course, was a clear threat to the prophet's control of Nauvoo. In addition to the publicly denied polygamy, some of Smith's political activities represented a radical break from the normal parameters of Jacksonian democracy: Smith knew that someone had betrayed him by giving information to Foster and Law. . . . But [Smith], as mayor of Nauvoo, declared action was essential because the Expositor faction would 'destroy the peace of the city' and foment a 'mob spirit.'"

The Ostlings then cut Smith an undeserved break, but still left him a criminal:

"With the backing of his Council, Smith ordered that the new paper be smashed and all possible copies of the press run destroyed. The spirit of the Bill of Rights may thus have been grossly violated, but technically, under Illinois law at the time and Nauvoo's charter, the only crime committed by Smith . . . was a violation of privacy rights. The following day Law was informed of a murder plot against him and his associates. Aware of the prophet's security forces and the well-armed Legion, Law and Foster fled with their families from Nauvoo."

Then, commenting on how the Mormon Church has historically misrepresented the events surrounding the destruction of the Nauvoo Expositor, the Ostlings described the brash LDS propaganda film, "Legacy," which became a popular, featured fixture for faithful Mormons flocking to Temple Square:

"Smith dies off-camera with someone crying, 'They've killed him! They've murdered Joseph Smith at the Carthage Jail!' There is no scene that shows the smashing of the Expositor press or gives a real clue to the issues raised by the newspaper. The drama and scenery of the trek are so beautifully photographed that many Mormons

[saw] the movie over and over, every time they visit[ed] Temple Square."

(Richard N. Ostling and Joan K. Ostling, "Mormon America" [San Francisco, California: HarperSanFrancisco, 1999], pp. 15–16, 242),

EXHIBIT I: A Prominent Resident of Nauvoo At the Time of the Expositor's Destruction Expressed Uncertainty Over the Legality of Smith's Demolition Order

Historian H. Michael Marquardt set the scene:

"Joseph Smith . . . commanded the city marshal to destroy the printing press, pi the type in the street, and burn all the Expositor papers.

"William Clayton reported:

"The city council passed a resolution declaring the printing press on the hill a "nuisance" and ordered it destroyed, in not moved in three hours notice. About sundown the police gathered at the Temple . . . and after organizing, proceeded to the office and demolished the press and scattered the type.'

"Vilate Kimball wrote to her [Mormon apostle] husband Heber about the activities of that day:

"Nauvoo was a scene of confusion last night. Some [one] hundred of the Brethren turned out and burned the printing press, and all the apparatus pertaining to the office of the opposite party; this was done by order of the City Council. They had only published one paper, which is considered a public nuisance, but I do not know whether it will be considered so in the eyes of the Law or not. They have sworn revenge, and no doubt they will have it."

(H. Michael Marquardt, "The Rise of Mormonism: 1816–1844" [Longwood, Florida: Xulon Press, 2005], pp. 632–33), emphasis added

–EXHIBIT J: Despite Giving Oaks the Benefit of the Doubt That He Does Not Deserve, He Still Comes Up Empty

"Even if, as some have suggested, existing law in 1844 was unclear on the matter of the legality of the destruction of the Nauvoo Expositor, it was nonetheless a matter of law at the time that the city of Nauvoo would have required Illinois state sanction in order to take action against the newspaper:

"Even without an [authorizing city] ordinance, . . . the city of Nauvoo could have relied upon the long–existing common law doctrines of nuisance and libel. The city might also have acted upon the common law of eminent domain, which allows the government to take private property for public use.

"Such a taking, however, would have required, under the Illinois 'Takings Clause,' that the taking be approved by the Illinois general assembly, . . . that just compensation be given (Art. VIII, clause 11)."

("Nauvoo Expositor," at "Wikipedia," <http://www.answers.com/topic/nauvoo-expositor>)

--Summing Up Smith: Damn the Constitution, Fire Up the Presses

As Loren Franck reported in his "Ten Lies I Told as a Missionary":

"It did not matter that they [the Nauvoo City Council] did not have legal authority to [destroy the presses of the Nauvoo Expositor. . . .

"It did not matter that the sole reason for declaring it a 'public nuisance' was that it publicly dared to state that Joseph Smith was a polygamist and had established a political Kingdom of God on earth, both of which were true. . . .

"The press had to go and the Mayor, conveniently none other than Joseph Smith himself, saw to it with a vengeance."

Edited 9 time(s). Last edit at 11/15/2015 04:25AM by steve benson.

Re: [Exposing Devious Dallin on the Nauvoo Expositor's Illegal Destruction \(2\)](#)

Posted by: randyj ()

Date: November 14, 2015 10:18PM

("Dallin's Legalese," by "Randy J.," 14 March 2003, <http://www.salamandersociety.com/foyer/prophets/dallinhoaks/>);

As surely as night follows day, Steve Benson will quote Randy J. :-)

The notable thing about the material which I had written on this subject, 13-14 years ago, is that most of it came from church-published or church-friendly sources. Governor Ford's response to Joseph Smith's destruction of the "Expositor" press is carried in "Teachings of the Prophet Joseph Smith," and Dallin Oaks' comments were published in his and Marvin Hill's book "Carthage Conspiracy."

When I first began seriously questioning the church around 1996, I dragged out old church books that had been in closets or the attic for years---some of which I had never fully read---to learn the details of the subject for myself. I read literally every word of dozens of apologetic/doctrinal books. While reading, I highlighted passages which contained relevant info on controversial subjects, so I could refer

back to them later.

Many TBMs and apologists accuse us evil apostates of using anti-Mormon/antagonistic sources to refute Mormonism's claims. So, when I was debating the issues with TBMs on internet sites, I used pro-Mormon sources as much as possible. It's impossible for a TBM to question your sources, when they are published by the church.

[Re: Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: Liz ()
Date: November 14, 2015 10:12AM

Now THIS is something that should be in every Sunday School manual in the LDS church and what should be taught in every LDS seminary class for high school students.

Not only does it prove that Joseph Smith acted in defiance of every law of the time, but that currently Dallin Oaks is defending something that was unlawful and illegal.

The leaders of the LDS church act with legal jargon to justify and defend illegal and destructive policies and practices. Thus they defend the LDS corporation at all cost, disregarding the fallout it has for members.

As long as the tithes continue to be collected, the legal dance will continue. Justifying things that are against the law seems to be the way the church has always operated.

But what do we expect from something based on a con....

As long as people like Steve continue to publish and share facts from history the music will slowly wind down and the dance of the LDS church will fade into history. They will become a very small sect, even if a very rich sect.

Yes, there will always be some who will be stalwart and endure to the end as members, but in the meantime those dancing shoes they wear will pinch their feet and the dance will be painful as they follow and defend dishonest leaders and divisive policies.

[Re: Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: quinlansolo ()
Date: November 14, 2015 10:19AM

No statement could be more natural than this....

After all...God was on Joseph's side.

How can one fight against the will of God with a puny/little Constitution?

[Re: Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: presleyfactsrock ()
Date: November 14, 2015 11:01AM

Fascinating to read William Law's eloquent words Thanks for sharing your research.

Re: [Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: Shummy ()
Date: November 14, 2015 11:16AM

Aw, Steve just has a grudge against Devious Dallin.

And who could blame him?

Certainly not me. :o)

[Devious Dallin is simply not a good faker. He needs to give up pitching](#)

Posted by: steve benson ()
Date: November 14, 2015 01:33PM

products he knows are crap--like the Books of Mo and Abe, as well as give up defending his client Joe Smith, who he knows is guilty of lying and breaking the law.

He'd be a lot happier and a lot less scowly.

It must be depressing living by the motto, "Life is a Mormon and then you die."

Edited 3 time(s). Last edit at 11/15/2015 12:59AM by steve benson.

Re: [Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: rhgc ()
Date: November 14, 2015 02:43PM

1. In his book about the trial of the conspirators Dallin Oaks briefly noted that Brigham Young, Taylor, and others including notably Daniel H. Wells hid themselves to avoid testifying for the prosecution in the trial of the conspirators. But Oaks failed to stress that the decided actions assured the acquittal of the alleged conspirators and the later oaths against the state and nation for deaths of Joseph and Hyrum.
2. Oaks also attacked the trial court in Carthage for granting the "challenge to the array", forcing a new jury panel. He did not discuss the effect of the hiding of Daniel H. Wells, of MMM involvement (the elected coroner who was next in line to pick a panel) who did not take the oath of office and remained hidden. As a rare attorney who has actually filed and argued a "challenge to the array" I find Oaks' discussion of such to be poor.
3. I would also like to add that less than two years earlier, after John C. Bennett had left and written a book, Robert Foster had written a critical letter attacking Bennett for exactly what Foster later knew to be true and was written in the Expositor. The church had given great publication of that earlier letter attacking Bennett which can be found on line.
4. Note that Joseph Smith was also held under a charge of treason.

Edited 1 time(s). Last edit at 11/14/2015 03:39PM by rhgc.

[Re: Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: rationalist01 ()
Date: November 14, 2015 02:46PM

I am not a fan of ad-hominem, but with Oaks, I can't help it. Doesn't this douche look like the quintessential oily, devious lawyer?? I hate this guy. Always have.

[Re: Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: randyj ()
Date: November 14, 2015 10:23PM

"Doesn't this douche look like the quintessential oily, devious lawyer??"

Yes, and he also looks like Skeletor. :-)

[Re: Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: verilyverily ()
Date: November 14, 2015 03:08PM

The CULT could come up with a legal defense for anything. ISIS should hire them for PR. Then less people would hate ISIS.

[Re: Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: GNPE ()
Date: November 15, 2015 12:16AM

"In the time of universal deceit, telling the truth is a revolutionary act." George Orwell1984

[Re: Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: eaglejedi ()
Date: November 15, 2015 03:07AM

Great job Steve...and loved your statue of Liberty heading to Paris cartoon...

Edited 1 time(s). Last edit at 11/15/2015 03:07AM by eaglejedi.

[Re: Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: smirkorama ()
Date: November 15, 2015 03:51AM

There you go, Steve, dismantling the platform that Oaks used to elevate/ jack himself into the position of MORmON ASSpostHOLE.

With Judicial *Prudence* like that of Oaks' prevailing, justifying any MORmON actions,

we could be living in the MORmON version of Iran. MORmON Zion (Utah) and surrounding supporting provinces, instead of the United States of America –Sounds like a MORmON pipe dream right out of Brigham Young's MORmON playbook.

Re: [Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

Posted by: misterzelp ()
Date: November 15, 2015 11:17AM

Oaks defended the "Salamander Letter" in FREAKING general conference BEFORE he knew it was a hoax.

[Exposing Devious Dallin Oaks on the Nauvoo Expositor's Illegal Destruction](#)

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Nov. 2015