People of Illinois v James Brooks

The Nauvoo subpoena of August 1849

Four witnesses were summoned. Two are named in the marshal's return. One surviving sheet opens a window onto a case whose accusation and outcome remain unknown.



Nauvoo across the Mississippi. Meyer's Universum, 1853. Missouri History Museum, N29124. A period view published after the case. [I1]

The people at a glance

James Brooks The defendant at the center of the case. The surviving paper gives his name but leaves the accusation unexplained.

Samuel Payne and Isaac Davis Two witnesses the marshal reports reaching. Their testimony has not survived with this paper.

Charles Scott and John Demming Two more men ordered to appear. John's surname remains an uncertain reading; the return does not name either man.

C Robison The issuing justice, identified here as Chauncey Robison, a county official who became Nauvoo's mayor.

B Bartlett The city marshal whose return records service and mileage totaling thirty-five cents. His full name remains unknown.

Illustrated narrative edition • October 2026

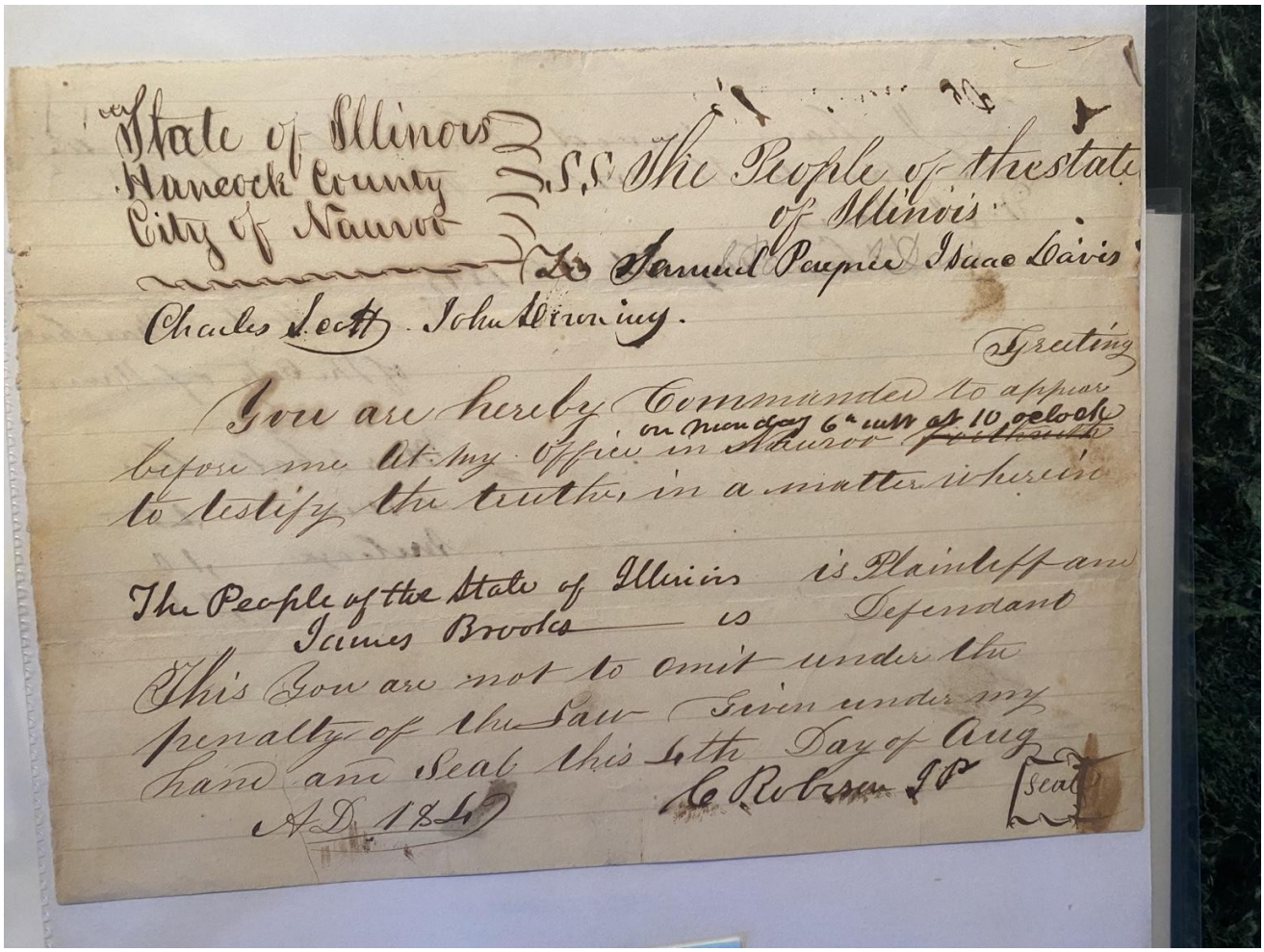
Inside Original paper and readings 2–4 • The story 5 • The people 6
Earlier biographies and research notes follow at the rear

A brief introduction

On Saturday, 4 August 1849, a justice in Nauvoo signed a paper ordering four men to appear at his office. They were to come on Monday the sixth, at ten o’clock, and tell what they knew in a matter involving James Brooks. On the back, a city marshal recorded reading the summons to two of them. His account came to thirty-five cents. [D1–D2]

That small transaction is the doorway into this case. We can follow the order from the justice’s desk to the marshal’s return, see the names in their original handwriting, and ask what brought these people together. The accusation, their testimony, and the result remain missing. The pages that follow put the surviving evidence first, then explain the people and the search for their identities.

D1 The original summons


State of Illinois
Hancock County
City of Nauvoo } S.S. The People of the state of Illinois

To Samuel Pauper Isaac Davis
Charles Scott . John Wroning .

Greeting

You are hereby Commanded to appear before me At my Office in Nauvoo on Monday 6th inst at 10 oclock forthwith to testify the truth, in a matter wherein

The People of the State of Illinois is Plaintiff and James Brooks is Defendant

This You are not to omit under the penalty of the Law Given under my hand and Seal this 4th Day of Aug A.D. 1849

G. Robison JP [Seal]

Front of the original paper, IMG_3504(2).jpeg. Read the four names near the top and the appointment inserted above the body text. The transcription follows.

Date note This edition reads the year as 1849, correcting the earlier report’s 1845 date. The manuscript dates and Monday appointment agree with 1849. The evidence and resulting biographical corrections are explained in the research notes.

D1 Reading the summons

Transcription preserves the principal manuscript line divisions. Brackets identify editorial description or an uncertain reading. Horizontal placement is approximate.

State of Illinois } S.S. The People of the State
Hancock County } of Illinois
City of Nauvoo }
To Samuel Payne Isaac Davis
Charles Scott. John [Demming?].
Greeting
You are hereby Commanded to appear
before me at my office in Nauvoo [forthwith deleted]
to testify the truth in a matter wherein

The People of the State of Illinois is Plaintiff and
James Brooks is Defendant
This You are not to omit under the
penalty of the law Given under my
hand and seal this 4th Day of Aug
A D 1849 C Robison J P [Seal]

The inserted appointment

Above the line ending with the deleted word “forthwith,” the paper adds:

on Monday 6th inst at 10 o’clock

What the order asks

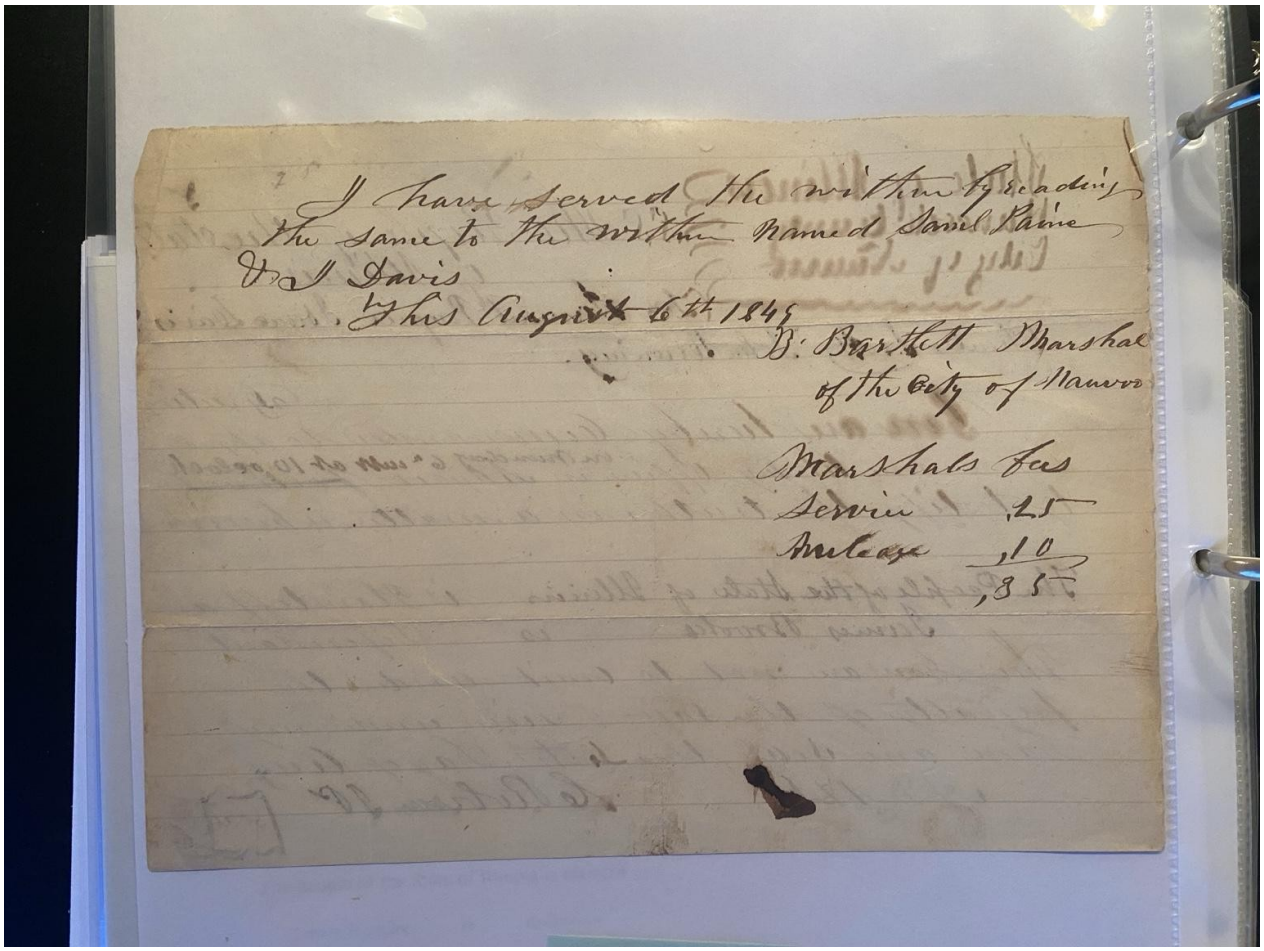
Samuel Payne, Isaac Davis, Charles Scott, and a fourth man provisionally read as John Demming were commanded to come to the issuing justice’s Nauvoo office and testify in the matter against James Brooks. “Inst” abbreviates “instant,” meaning the current month. The words “J P” following the signature indicate justice of the peace. [D1]

The order gives no description of the alleged offense. It does not identify the person who requested these witnesses, summarize their expected evidence, or state that Brooks had been convicted. The named witnesses should not be described as accusers merely because they were summoned.

The handwriting and the paper

The photograph shows handwriting on ruled paper. At the lower right is a drawn outline and the word “Seal,” beside a discolored area. An embossed county seal cannot be established from this image. The fourth witness’s surname is not fully secure; Demming and Deming remain working readings. The year is read as 1849 for the reasons set out at the rear.

D2 The marshal returns the paper



Reverse of the same sheet, IMG_3505(2).jpeg. The return names two witnesses and itemizes the officer's charge.

Reading the return

I have Served the within by reading
the Same to the within Named Saml Paine
& I Davis
This August 6th 1849
B. Bartlett Marshal
of the City of Nauvoo

Marshals fees
Service ,25
Mileage ,10
,35

"Saml" is an abbreviation of Samuel. "I Davis" corresponds to Isaac Davis on the front. The fee figures use a comma-like mark before the cents. They total 35 cents. This return does not record service on Charles Scott or the fourth witness.

The story behind the paper

A summons with a deadline

The front of the paper sets the scene with unusual precision: a city, an office, four names, and an appointed morning. It gives us no courtroom dialogue or witness statement. What it preserves is the moment before people were expected to speak. The justice wanted their attendance, and the order warned them not to omit it “under the penalty of the law.” [D1]

One alteration makes the paper especially worth looking at. The word read as “forthwith” has been crossed out. Above it, the writer supplied Monday the sixth at ten o’clock. The change leaves a practical trace of arranging the proceeding. It does not tell us why the appointment was fixed or changed, or whether an earlier hearing had taken place.

Four names on the front and two on the back

Turn the sheet over and the perspective changes. Here the marshal reports what he did with the order. Samuel Payne becomes “Saml Paine,” an ordinary spelling variation within the same paper. Isaac Davis becomes “I Davis.” These are the two people named in the service statement. Charles Scott and the fourth witness are absent from that statement. [D2]

The distinction matters. An instruction to summon four people is different from a return recording service on two. We do not know whether the others were unavailable, served separately, or dealt with in another way. We also cannot turn the reported service into proof that either Payne or Davis attended, took an oath, or gave evidence.

The fee account is modest and specific: twenty-five cents for service, ten cents for mileage. It brings the officer’s work into view without explaining the underlying dispute. The sum is not Brooks’s fine, the value of stolen property, a damage award, or the total cost of the case. Nothing on the sheet supplies those facts.

A city with a continuing story

The corrected year places this proceeding after the main Latter-day Saint departure from Nauvoo in 1846. The city’s history continued as new residents arrived and civic institutions developed. Andrew Jenson’s 1889 history records renewed city incorporation in spring 1849 and lists Chauncey Robison as mayor in 1849–1850. It also describes the arrival of the French Icarian community that spring. These events locate the case in a changing town; they do not identify the witnesses as Icarians or members of any other group. [S2–S3]

The engraving at the front offers a wider view: a steamboat on the Mississippi, the town beyond it, and a small house on the nearer bank. Published in 1853, it gives the reader a period image of the setting. It is an artist’s view issued after the subpoena, not a record of the hearing or a reliable inventory of buildings standing on that August morning. [I1]

The people and what we know

James Brooks

Brooks is the person we most want to know, and the paper gives us remarkably little. It names him as defendant opposite the People of the State of Illinois. It gives no age, occupation, address, family connection, or description. The existence of the proceeding does not establish guilt. [D1]

The earlier research considered a later Latter-day Saint pioneer associated with Box Elder and missionary service, and a James Brooks linked in Winter Quarters material with Barbara Newbigging. Neither proposed identity has a demonstrated connection to this subpoena. Those are research leads, not a biography of the defendant. [R1]

Samuel Payne and Isaac Davis

These two names occur on both sides of the paper, which gives them a firmer place in the episode than a name on the witness list alone. The return says the writ was read to them on 6 August. It does not say where they lived, what they had seen, or how they knew Brooks. [D1–D2]

The earlier report proposed an English immigrant, Samuel Payne, and two different Latter-day Saint men named Isaac Davis. Their stories are retained later in this volume. The revised date changes their relevance: the reported deaths of all three precede August 1849. They therefore cannot be presented as the witnesses on the strength of those biographies. The men actually served remain unidentified. [R1; S4–S6]

Charles Scott and the fourth witness

Charles Scott is clearly named in the command, but the return does not record service on him. No reliable family, occupation, residence, or religious affiliation has been established for this man. The earlier report rightly resisted merging him with a John Scott mentioned in accounts of the death of Irvine Hodges. A shared surname does not supply that link. [D1–D2; R1]

The fourth name is retained as John Demming, with Deming a search variant and the surname marked uncertain in the transcription. Downing was an earlier alternative. Another document in the same case could settle the reading. Hancock County sheriff Minor R. Deming is a different person; his prominence in the history of 1845 does not identify a witness whose first name is John. [D1; R1]

Chauncey Robison

The “C Robison J P” signature fits Chauncey Robison’s civic career. Born on 27 March 1805 in Oneida County, New York, he moved to Hancock County in 1829. He served as county recorder in 1839–1847 and Carthage postmaster, and married Hannah D. Hughes in 1841. [D1; S1]

Robison moved to Nauvoo in 1847 and was mayor in 1849–1850. His documented Nauvoo Masonic Lodge membership and service as Hancock Lodge secretary in 1843 correct a gap in the earlier report. He later lived in Appanoose Township and Topeka, Kansas, where he died on 4 November 1891. These facts help place the signature; they do not explain his personal knowledge of the case. [S1]

B Bartlett

The officer signed “B. Bartlett,” styled himself Marshal of the City of Nauvoo, and recorded service and fees. His first name, appointment, and career remain unresolved. The paper does not call him a deputy. [D2]

Earlier searches did not identify B. Bartlett or Benjamin Bartlett. Bartlett Sessions is an unsound match because Bartlett was his given name; Franklin J. Bartlett also lacks a demonstrated link. An appointment record or fuller signature could resolve the identity. [R1]

Earlier biographical research

The following sketches preserve substantial work from the earlier case file. They concern people once proposed as witnesses under the 1845 dating. Their reported deaths precede the corrected 1849 date, so these lives must now be read as former research leads rather than biographies of the men named in the return.

Samuel Payne and Mary Ann Barnes

The previous report's most developed Payne lead was Samuel Payne Sr., said to have been born in July 1814 in or near Melbourne, Cambridgeshire, England, and married to Mary Ann Barnes. Its reconstruction placed their conversion to the Latter-day Saint faith in England and their arrival at Nauvoo, by way of New Orleans, in about 1843. Those details explain why he once seemed a reasonable candidate for a paper dated 1845. They do not make him a witness in 1849. [R1; S5]

The family's later histories describe an arduous journey west and the loss of both parents. One reconstruction places Samuel's death in Iowa in 1847; another gives 1848. Both precede this subpoena. Mary Ann's death is also inconsistently represented, although the Harris Grove reconstruction gives 2 October 1848. The children subsequently appear in other households. These accounts deserve preservation as a family story, with their contradictions visible. [S5–S6]

The earlier report favored the birth of Joseph Barnes Payne at Arrington, Cambridgeshire, on 10 September 1840 over later accounts that relocated family births to Kirtland or Nauvoo. It also recorded a reported temple endowment date of 2 February 1846 for Samuel and Mary Ann. The original ordinance entry was not independently inspected, so that date remains a reported detail rather than a newly verified finding. [R1]

No exact baptism date, baptizing missionary, priesthood office, mission assignment, trade, Nauvoo property description, temple construction work, Legion service, patriarchal blessing, or Masonic membership was established in the earlier search. These gaps belong to the Payne family research. They must not be used to describe the unidentified witness's beliefs or activities. [R1]

Isaac Davis Jr and Edith Ann Richards

Isaac Davis Jr. was born on 18 February 1783 in New Jersey. He married Edith Ann Richards, whose recorded birth is 16 March 1794 in Bedford County, Virginia. Their marriage is dated 11 August 1814 at Lisbon, Ohio. The previous research placed the family's conversion in Ohio around 1838 and recorded their son Elisha Hildebrand Davis's baptism on 20 August 1838 by Edwin Dilworth Woolley. The son's date does not establish either parent's baptism date. [R1; S4]

The property and religious references are unusually specific. The Early Latter-day Saints database assigns Isaac a Nauvoo lot, Block 11 Lot 4, and cites the Nauvoo Temple Endowment Register, page 280. It also places him in Winter Quarters wards 1 and 11. A note about building a house for Eliza Cox appears with Winter Quarters material; it should not be converted into a claim that he built the Nauvoo Temple. [S4]

His death is recorded at Winter Quarters on 19 May 1847, from bilious fever, at age sixty-four. That date excludes him from service as a living witness in August 1849. The earlier preference for him over the other Isaac Davis was understandable under the mistaken 1845 date, but it must now be withdrawn. The lot and ordinance references remain useful biographical findings about this man. [S4]

Isaac Davis and Sarah Salisbury

The second Davis profile belongs to a different household. The earlier report described a man born about 1788 in New York, while noting competing birth years around 1780 or 1781. It recorded marriages first to Arthusa Saulsbury and then to her sister Sarah, also called Sally Salisbury. These spelling and chronology differences remain unresolved in the inherited research. [R1; S7]

His property references included Township 4 North, Range 5 West, sections 32 and 33, and interests in the Lee County, Iowa, Half-Breed Tract. The earlier report also associated him with Nauvoo baptisms for the dead and considered him a possible person in separate Joseph Smith land-bond material. Neither a regional landholding nor a religious record connects a person to this case by itself. [R1; S7]

Family-derived accounts place his death by drowning near Mount Pisgah in 1846, with his body not recovered. That reported death also precedes the corrected subpoena date. The earlier report's numerical ranking of the two Davis candidates has therefore been removed. The second profile is preserved as a former lead, not as a competing identification for a witness in 1849. The linked database entry could not be reopened during this revision; these details remain attributed to the earlier research. [R1; S7]

What remains useful in these lives

The family, migration, land, and ordinance details may support separate biographical entries. The earlier search found no individual mission, priesthood office, patriarchal blessing, Legion rank, temple-building contribution, Masonic membership, anti-Mormon affiliation, or personal account of the Smith murders for either proposed Isaac Davis. These are limits of the earlier search, not claims that such records cannot exist. [R1]

Research notes and corrections

The distinction throughout this edition is between what the paper says, what other records establish about a named person, and what remains an inference. The corrections below replace the earlier conclusions. They also explain why several appealing biographies have moved to the rear.

Point	Earlier report	This edition
Year	1845	1849 is the preferred reading of both dates. Monday 6 August agrees with 1849; in 1845 it was Wednesday.
Physical form	Printed subpoena form and embossed county seal	The photographs show handwritten text on ruled paper and a drawn seal label. They do not support the earlier description of a printed form or embossed county seal.
Service	All four witnesses served	The return names only Saml Paine and I Davis.
Fee	Thirty-five cents	Total retained; itemized as 25 cents service and 10 cents mileage.
Witness identities	Payne probable and two Davis candidates ranked	The reported deaths of those proposed men precede 1849. Their biographies are retained as former leads.
Robison	Masonic connection not established	The Joseph Smith Papers biography records lodge membership and service as a lodge secretary.

Why this edition uses 1849

The final digit in the date at the foot of the front has a loop and descending stroke read here as 9. The return's final digit is also read as 9. The inserted appointment supplies an independent check: it specifies Monday the sixth of the current month. In the Gregorian calendar, 6 August 1849 was Monday; 6 August 1845 was Wednesday. Both manuscript readings and the weekday therefore support 1849. A weekday mistake is possible in principle, but 1845 requires disregarding this combined evidence. [D1–D2]

Robison's recorded move to Nauvoo in 1847 and mayoral term in 1849–1850 provide compatible external context. They are supporting evidence, not a substitute for reading the paper. This edition

adopts 4 August 1849 for issuance and 6 August 1849 for the appointment and return. The photographs remain at the front so the conclusion can be checked. [S1–S2]

What the earlier searches can still tell us

The saved report describes searches in the Nauvoo Neighbor and regional newspaper references, the Joseph Smith Papers, Church History Biographical Database, Early Latter-day Saints and Winter Quarters databases, genealogy sites, Masonic records, and histories of anti-Mormon activity. It included Payne/Paine, Deming/Demming/Downing, Robison/Robinson, and Bartlett variants. That work produced useful leads and cautions, but much of it was organized around 1845. [R1]

Those negative results cannot be represented as an exhaustive search of the corrected 1849 case. This revision reexamined the original photographs, checked the weekday, verified the engraving and Robison's profile, and revisited key biographical sources. It did not inspect unindexed court dockets or all newspapers for 1849. No companion complaint, testimony, judgment, or disposition has been identified in the material available for this report.

Affiliations and mistaken connections

For Brooks, the four witnesses, and Bartlett, this case file establishes no Church membership, dissenting or anti-Mormon role, correspondence-committee service, militia rank, Masonic membership, or connection to the Smith murders. These are unknowns, not proven absences. Robison's documented Masonic affiliation is an exception to that general lack of identification. The religious histories of the excluded Payne and Davis candidates cannot be transferred to the witnesses. [R1; S1]

The previous report also excluded an identification of Isaac Davis through Amos Davis or Jacob C. Davis. It separated Charles Scott from John Scott and John Deming from Minor R. Deming. Those distinctions remain prudent. Neither the common surnames nor the city's larger political conflicts disclose the accusation against Brooks. [R1]

Where another record could change the story

The most useful next discovery would identify the charge or repeat the witness names with additional personal information. The following records offer specific possibilities; they are a guide to unresolved evidence, not a claim that those records have been inspected.

Record group	What it could resolve
Justice and municipal records for August 1849	Robison's docket, minutes, and loose papers may identify the charge, appearances, and outcome. Start with the issuing justice rather than assuming a circuit-court trial.
Hancock County case papers and indexes	A complaint, recognizance, related return, or later circuit-court entry could connect the names and explain the proceeding.
City officer appointments and accounts	A marshal's appointment, payroll, or fuller signature could identify B Bartlett.
The 1850 census and local property records	Households, occupations, and adjacent property entries may help distinguish living Payne, Davis, Scott, Demming, and Brooks candidates near Nauvoo.
Family and institutional records	Church, temple, lodge, and migration records become useful identity checks once a living 1849 candidate has been linked to the case.

The case as it now stands

A justice issued a summons, four men were named, and a marshal recorded service on two of them. The preferred date is August 1849. That is the surviving episode. Its interest lies in the encounter it preserves and the questions the paper allows us to ask. The missing accusation and ending remain open, while the original sheet gives the reader a direct view of the people's names and the work of bringing a case before the law.

Sources and illustration credit

D references identify the original photographs at the front. R1 identifies inherited research. S references identify historical and biographical sources, and I1 identifies the engraving. Public sources were checked in October 2026 where indicated.

D1 and D2 The original paper

Owner-supplied photographs IMG_3504(2).jpeg and IMG_3505(2).jpeg, reproduced in this edition. Front: subpoena in People of the State of Illinois v. James Brooks, dated 4 August, year read here as 1849. Reverse: return dated 6 August, year read here as 1849. Photographs were rotated for reading; manuscript text was not retouched. These are the primary evidence for the names, command, service, and fees.

R1 The earlier project report

People_of_Illinois_v_James_Brooks_Final_Report.docx, retrieved from the existing project. This is the source for inherited biographical leads and the earlier search record. Its 1845 date, physical description, statement that all four witnesses were served, and preferred Payne and Davis identifications are superseded by this edition. References to sources not newly inspected are retained as leads and are identified accordingly.

I1 The Nauvoo engraving

Nauvoo (Mississippi), plate DCLXXXXII, steel engraving, catalogued 1853. Missouri History Museum, Meyer's Universum Collection, identifier N29124, resource 204190. Digital reproduction via Wikimedia Commons, whose file page identifies the image as public domain in the United States. The artist is not identified in that record. Publication date is not proof of the date on which the view was drawn.
https://commons.wikimedia.org/wiki/File:Nauvoo_(Mississippi)._Plate_DCLXXXXII.jpg

S1 Chauncey Robison

The Joseph Smith Papers, "Robison, Chauncey," biographical entry, accessed October 2026. Supports his civic career, family particulars, Nauvoo residence and mayoral term, and Masonic connections. The full-name identification of the C Robison signature is an inference from that compatible record.
https://www.josephsmithpapers.org/person/chauncey-robison

S2 Nauvoo after the exodus

Andrew Jenson, "Nauvoo, Hancock County, Illinois," The Historical Record 8, nos. 2–3 (March 1889), pp. 743–843, especially pp. 842–843. The final pages describe new arrivals, the Icarians, renewed incorporation in spring 1849, and mayoral terms. This retrospective account supplies context, not evidence about Brooks's charge. Public-domain scan, Scripture Central.
https://storage.googleapis.com/scripturecentral-prod-strapi-uploads/voo_hancock_county_illinois_march_1889_743_843_2d6ec90f68/voo_hancock_county_illinois_march_1889_743_843_2d6ec90f68.pdf

S3 The Nauvoo departure

National Park Service, "Nauvoo National Historic Landmark," accessed October 2026. Used for the broad chronology of the Latter-day Saint departure beginning in February 1846.
https://www.nps.gov/places/nauvoo-national-historic-landmark.htm

S4 Isaac Davis Jr and his family

Early Latter-day Saints Database, Isaac Davis Jr. profile I165899, reopened October 2026. Records birth, marriage, death on 19 May 1847, Nauvoo property, temple register reference, and Winter Quarters notes. The database is a compilation with source pointers; its original temple and cemetery records were not independently inspected in this revision.
https://www.earlylds.com/getperson.php?personID=I165899&tree=Earlylds
Related leads retained from R1: Edith Ann Richards, profile I3327; Church History Biographical Database, Elisha Hildebrand Davis, 1815.
https://www.earlylds.com/getperson.php?personID=I3327&tree=Earlylds
https://history.churchofjesuschrist.org/chd/individual/elisha-hildebrand-davis-1815?lang=eng

S5 The Payne family in Iowa

Winter Quarters and Iowa Settlements, Harris Grove residents, especially the Joseph Barnes Payne material, reopened October 2026. Used for the family's route to Nauvoo, Samuel's reported 1847 death, and Mary Ann's reported death on 2 October 1848.
https://winterquartersbyu.earlylds.com/settlements/harrison-county/residents-harrison-county.html

S6 A later Payne family history

Bear Lake County, Idaho, genealogy site, "Children of Samuel Payne and Emily Sarah Aland," family material attributed to Emma Payne Krogue, reopened October 2026. The account gives the elder Samuel's death as 1848 and includes inconsistent family dates and places. It is used to show the conflict in the later traditions, not to resolve every vital event.
https://bearlake.idgenweb.org/samuelpayne.htm

S7 The second Isaac Davis

Early Latter-day Saints Database profiles cited by R1: Isaac Davis, I10424, and Sarah Salisbury, I10425. The Isaac profile could not be reopened for this revision. The second Davis biography therefore preserves the earlier report's attributed findings without claiming a fresh examination of the underlying records.
https://www.earlylds.com/getperson.php?personID=I10424&tree=Earlylds
https://www.earlylds.com/getperson.php?personID=I10425&tree=Earlylds

S8 Additional sources retained from the earlier research

R1 also cited the John Taylor Nauvoo Journal for January–September 1845; the Nauvoo Neighbor, including 25 June and 1 and 29 October 1845; Joseph Smith Papers Nauvoo place and plat references; Dallin H. Oaks and Marvin S. Hill, Carthage Conspiracy; Susan Easton Black, Membership of The Church of Jesus Christ of Latter-day Saints 1830–1848; and the Nauvoo Temple Endowment Register, 1845–1846. R1 consulted the latter two through database or family-history references rather than original entries. These are background and biographical leads, not proof of an 1849 Brooks case outcome.
https://byustudies.byu.edu/article/the-john-taylor-nauvoo-journal-january-1845-september-1845
https://byustudies.byu.edu/online-book/nauvoo-neighbor/
https://www.josephsmithpapers.org/place/nauvoo-illinois
https://www.josephsmithpapers.org/bc-jsp/content/jsp/images/content/library/pdf/J3_Map9_Nauvoo-Plat.pdf