A Stolen Horse and the World Around Nauvoo

The Martin Kinney case of 1843

Revised illustrated reading edition • Prepared for David Larsen • 25 October 2026

A horse worth sixty dollars

On October 11, 1843, Samuel Fleming accused Martin Kinney of stealing a horse, saddle, bridle, and overcoat. By the end of the day, a constable had brought Kinney before a justice of the peace, and the justice had sent him to jail. Five days later, a grand jury approved a charge of horse theft. [1]

What happened to Kinney—and why do the names in his case lead us into the history of Nauvoo? The answer begins with a small bundle of court papers. They preserve an accusation, an arrest, the names of witnesses, and, in an unexpected place, the outcome of the prosecution.

For a Latter-day Saint reader, some of the people become familiar as their stories unfold. The accuser kept a Warsaw hotel whose household later testified in the proceedings over Joseph and Hyrum Smith's murders. The grand-jury foreman would oppose the burning of Mormon homes. The arresting constable had family connections to men associated with Carthage. Those events still lay ahead when the papers in this case were signed.

We begin in the autumn of 1843, with a horse later valued at sixty dollars. We know little about the man accused of taking it. Following his case lets us meet the neighbors and public officials among whom the Saints' history unfolded.

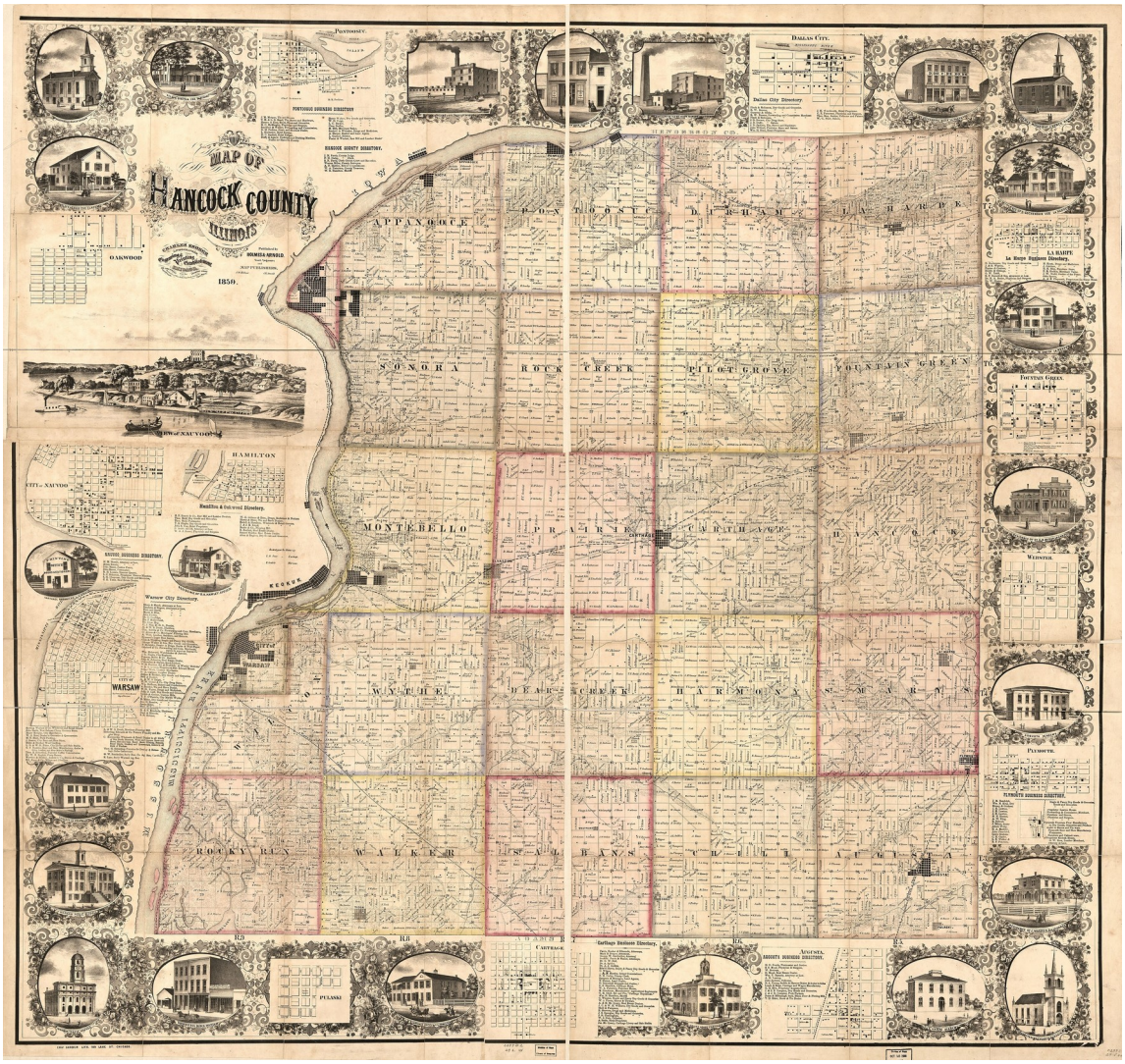
The document images follow the story in sequence. Each is followed by a reading transcript; uncertain words are marked in brackets. Biographical notes and sources appear at the end.

Three towns in one county

Three places will help us follow the story. Nauvoo and Warsaw stood along the Mississippi River, with Nauvoo to the north. Carthage lay inland to the east and served as Hancock County's seat of government.

Warsaw's officers handled Kinney's arrest and initial hearing; the prosecution then moved into the county's circuit court. Business and family ties connected these communities even as conflict divided them. The papers locate the alleged theft only within Hancock County.

Map guide: find Nauvoo on the western river bend, Warsaw farther south along the river, and Carthage inland to the east.



Hancock County in 1859, sixteen years after the prosecution. Holmes & Arnold, Map of Hancock County, Illinois, Library of Congress. This later map provides geographical orientation; its property ownership and buildings must not be read as evidence for 1843. [12]

The innkeeper and the accusation

Samuel Fleming kept the Warsaw House. A newspaper notice published a few weeks before the theft announced a judicial sale at his hotel—a reminder that an inn could also serve as a meeting place for county business. [2]

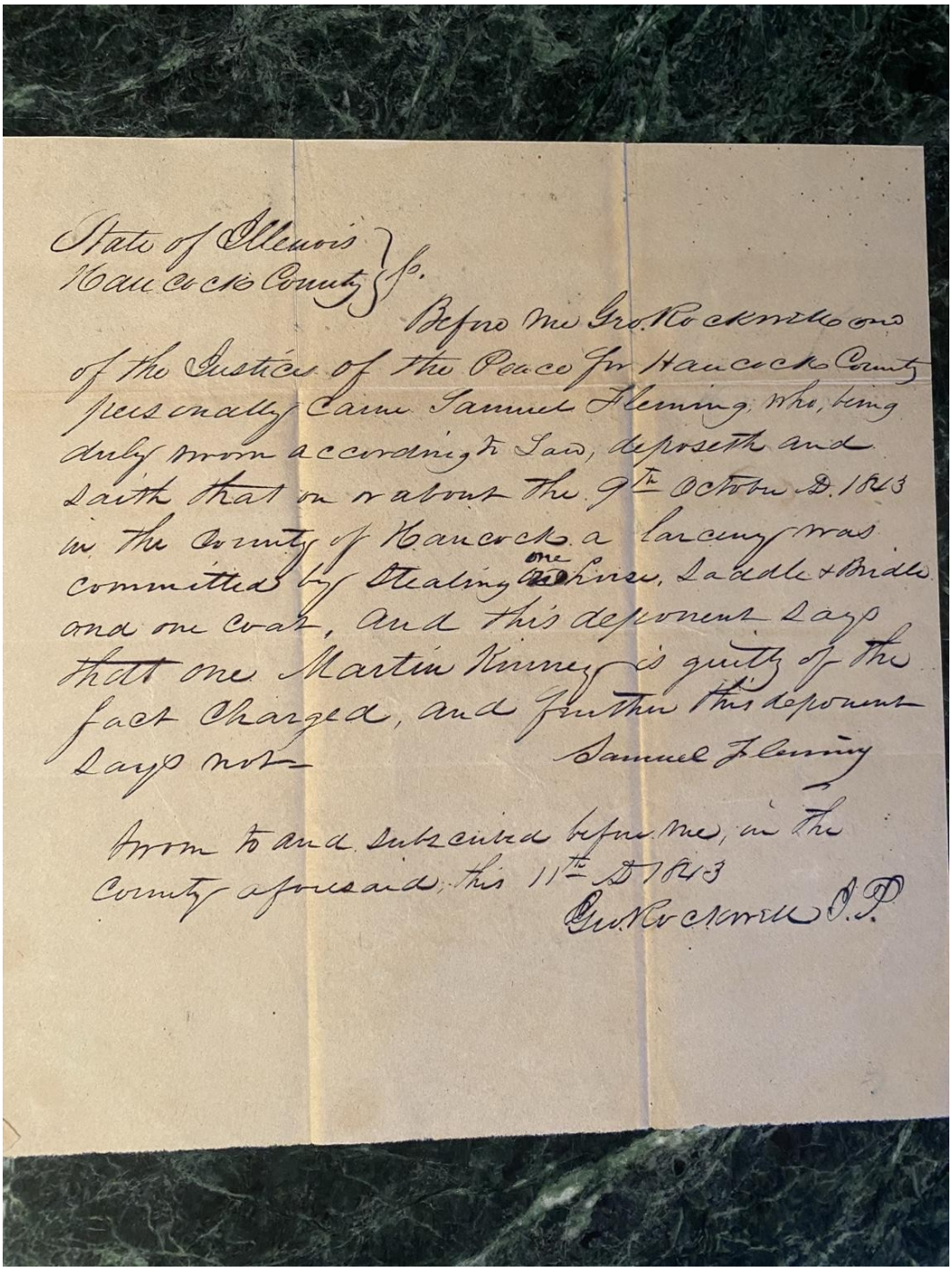
Now Fleming had legal business of his own. He went before George Rockwell, a justice of the peace authorized to hear complaints and examine accused persons. Fleming swore that the theft had occurred on or about October 9 and named Kinney as the offender. His affidavit, or sworn statement, set the prosecution in motion.

The horse belonged to Samuel Ramsey, according to the later indictment. Why Fleming made the complaint on Ramsey's behalf is not explained, and the papers do not place the theft at the Warsaw House. For now, the record gives us an accusation and the justice's signature. The next step was to bring Kinney before him.

Samuel Fleming makes his complaint

Look for the date of the alleged theft and Fleming's sworn accusation.

Original document • IMG_3778.jpeg • David Larsen collection



State of Illinois
Hancock County } ss.

Before me Geo. Rockwell one
of the Justices of the Peace for Hancock County
personally came Samuel Fleming, who, being
duly sworn according to Law, deposeth and
saith that on or about the 9th October D. 1843
in the County of Hancock a larceny was
committed by stealing one Horse, Saddle & Bridle
and one coat, and this deponent says
that one Martin Kinney is guilty of the
fact charged, and further this deponent
says not—

Samuel Fleming

Sworn to and subscribed before me, in the
County aforesaid, this 11th D 1843

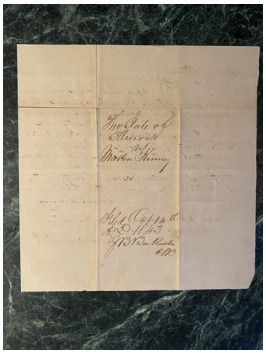
Geo. Rockwell J.P.

Transcript

State of Illinois Hancock County } ss. Before me Geo. Rockwell one of the Justices of the Peace for Hancock County personally Came Samuel Fleming, who being duly sworn according to Law, deposeth and saith that on or about the 9th October AD 1843 in the County of Hancock a larceny was committed by Stealing <one> Horse, Saddle & Bridle and over coat, and this deponent says {deleted: that} one Martin Kinney is guilty of the fact Charged, and further this deponent says not— Samuel Fleming Sworn to and subscribed before me, in the County aforesaid this 11th [AD?] 1843 Geo. Rockwell J.P. [The final jurat does not clearly repeat the month; October is established by the associated warrant and proceedings, not supplied silently here.]

The complaint is filed

Original document • IMG_3779.jpeg • David Larsen collection



Transcript

The State of Illinois Vs. Martin Kinney 30 Filed Oct 14th AD 1843 J B Backenstos Clk

A constable brings Kinney forward

Rockwell issued a warrant ordering Kinney's arrest. It authorized officers to pursue him into another Illinois county if necessary, though nothing in the surviving return establishes that he had fled.

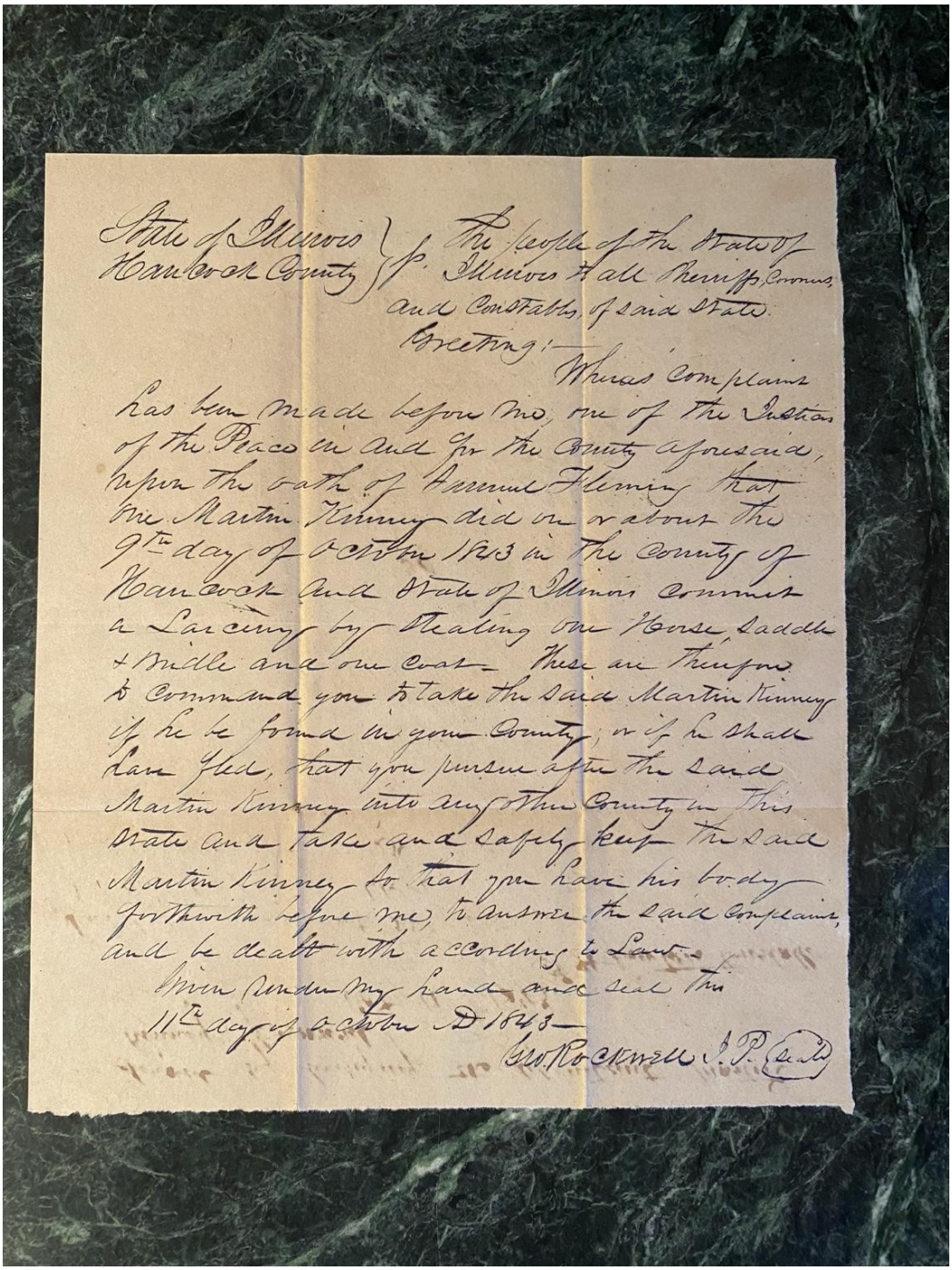
The officer who acted was John H. Lawton. Appointed Warsaw's constable on September 23, he had held the position for less than three weeks. On October 11 he reported that he had brought Kinney before the justice. [3]

Lawton's return—the officer's written account of carrying out the warrant—compresses the day's work into a few lines. It charges for serving the warrant, eighteen miles of travel, and committing Kinney to jail. The route is lost to us. The hearing record explains why the journey ended in confinement.

George Rockwell issues the warrant

The warrant orders an arrest; Lawton's return on the reverse records what he did.

Original document • IMG_3780.jpeg • David Larsen collection



State of Illinois } ss. The People of the State of
Hancock County } Illinois to all Sheriffs, Coroners,
and Constables, of said State.
Greeting:—

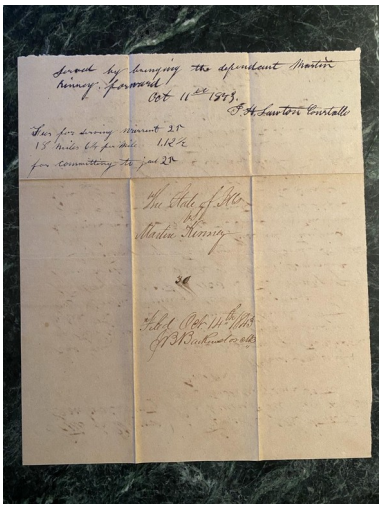
Whereas Complaint
has been made before me, one of the Justices
of the Peace in and for the County aforesaid,
upon the oath of Hiram Fleming that
one Martin Kinney did on or about the
9th day of October 1843 in the County of
Hancock and State of Illinois commit
a Larceny by Stealing one Horse, Saddle
& Bridle and one Coat— These are therefore
to Command you to take the said Martin Kinney
if he be found in your County, or if he shall
have fled, that you pursue after the said
Martin Kinney into any other County in this
State and take and safely keep the said
Martin Kinney so that you have his body
forthwith before me, to answer the said Complaint,
and be dealt with according to Law.
Given under my hand and seal this
11th day of October A.D. 1843—
Geo. Rockwell J.P. (Seal)

Transcript

State of Illinois Hancock County } ss. The people of the State of Illinois to all Sheriffs, Coroners, and Constables of said State. Greeting: Whereas Complaint has been made before me one of the Justices of the Peace in and for the County aforesaid, upon the oath of Samuel Fleming that one Martin Kinney did on or about the 9th day of October 1843 in the County of Hancock and State of Illinois commit a Larceny by Stealing one Horse, Saddle & bridle and over coat— These are therefore to Command you to take the said Martin Kinney if he be found in your County, or if he shall have fled, that you pursue after the said Martin Kinney into any other County in this State and take and safely keep the said Martin Kinney so that you have his body forthwith before me to answer the said Complaint, and be dealt with according to Law— Given under my hand and seal this 11th day of October AD 1843— Geo. Rockwell J.P. [seal]

John H Lawton returns the warrant

Original document • IMG_3781.jpeg • David Larsen collection



Transcript

Served by bringing the defendant Martin Kinney forward Oct 11th 1843. J. H. Lawton Constable Fees for serving warrant 25 18 miles 6¼ per mile 1.12½ for committing to jail 25

The State of Ills Vs Martin Kinney 30 Filed Oct. 14th 1843 J B Backenstos Clk [Fee total calculated from these components: $1.62½. The 18-mile charge gives no secure arrest-site identification.]

Three hundred dollars and three witnesses

Fleming appeared at the hearing with two other witnesses, William Houck and Simeon Stevens. After hearing the evidence, Rockwell required Kinney to enter a recognizance: a formal promise to return to court, backed by a financial obligation. The amount was three hundred dollars, with sufficient security to satisfy the justice.

Kinney could not provide that security. Rockwell ordered him held in jail to await the next stage of the prosecution. This was detention before the circuit-court proceedings; it was not yet a sentence for the theft.

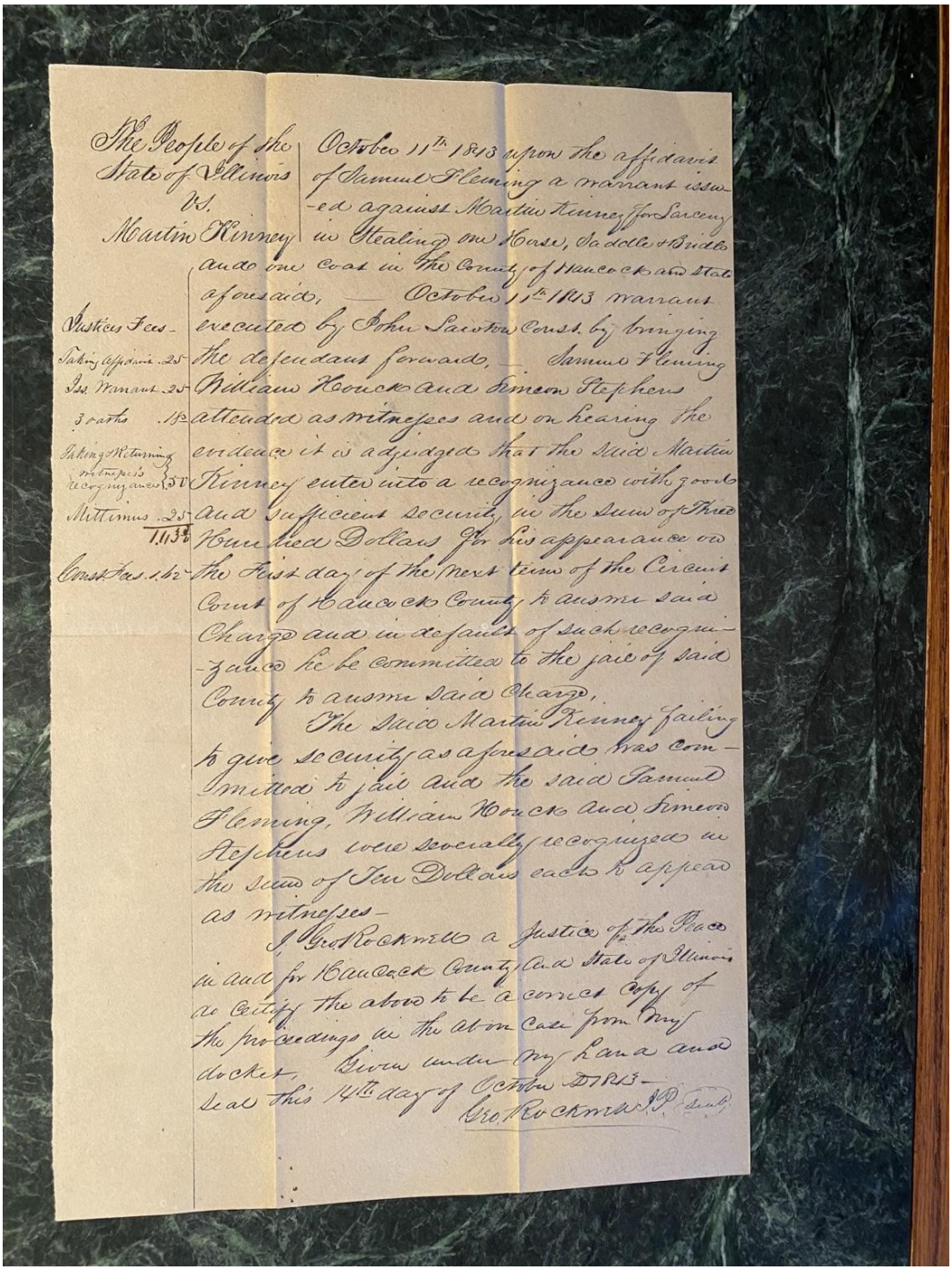
The witnesses made promises too. Each undertook a ten-dollar obligation to attend the coming court term and testify for the state. Their signatures appear together on the second document that follows. Simeon’s surname appears as both Stevens and Stephens in the papers, a variation we retain in the transcripts. [1]

Their testimony helped move the case forward, but these papers do not preserve what each man said. The surviving record resumes with the charge presented to the grand jury.

Rockwell records the hearing

The hearing record explains the three-hundred-dollar obligation and Kinney's confinement.

Original document • IMG_3773.jpeg • David Larsen collection



The People of the State of Illinois
vs.
Martin Kinney

October 11th 1843 upon the affidavit of Samuel Fleming a warrant issued against Martin Kinney for Larceny in Stealing one Horse, Saddle & Bridle and one Coat in the County of Hancock and State aforesaid, — October 11th 1843 warrant executed by John Sawtell Const. by bringing the defendant forward, — Samuel Fleming William Kouck and Simeon Stephens attended as witnesses and on hearing the evidence it is adjudged that the said Martin Kinney enter into a recognizance with good and sufficient security, in the sum of Three Hundred Dollars for his appearance on the First day of the next term of the Circuit Court of Hancock County to answer said Charge and in default of such recognizance he be committed to the jail of said County to answer said charge.

The said Martin Kinney failing to give security as aforesaid was committed to jail and the said Samuel Fleming, William Kouck and Simeon Stephens were severally recognized in the sum of Ten Dollars each to appear as witnesses—

Justices Fees—
Taking Affidavit .25
Iss. Warrant .25
3 oaths .18
Taking & Returning witnesses Recognizances .37½
Mittimus .25
1.13¾
Const. Fees 1.62½

J. Geo Rockwell a Justice of the Peace in and for Hancock County, and State of Illinois do certify the above to be a correct copy of the proceedings in the above case from my docket. Given under my hand and seal this 14th day of October D. 1843—

Geo Rockwell J.P. Seal

Transcript

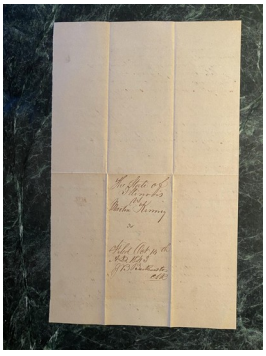
The People of the
State of Illinois
Vs.
Martin Kinney

October 11th 1843 upon the affidavit of Samuel Fleming a warrant issu- ed against Martin Kinney for Larceny in Stealing one Horse, Saddle & Bridle and over Coat in the County of Hancock and State aforesaid. October 11th 1843 warrant executed by John Lawton Const. by bringing the defendant forward. Samuel Fleming William Houck and Simeon Stephens attended as witnesses and on hearing the evidence it is adjudged that the said Martin Kinney enter into a recognizance with good and sufficient security in the sum of Three Hundred Dollars for his appearance on the first day of the next term of the Circuit Court of Hancock County to answer said Charge and in default of such recogni- zance he be committed to the jail of said County to answer said Charge. The said Martin Kinney failing to give security as aforesaid was com- mitted to jail and the said Samuel Fleming, William Houck and Simeon Stephens were severally recognized in the sum of Ten Dollars each to appear as witnesses— I Geo Rockwell a Justice of the Peace in and for Hancock County and State of Illinois do certify the above to be a correct Copy of the proceedings in the above case from my docket. Given under my hand and seal this 14th day of October AD 1843— Geo. Rockwell J.P. [seal]

[Left margin, fee abstract]
Justices Fees
Taking affidavit .25
Iss. Warrant .25
3 oaths .18[¾?]
Taking & Returning
witness's
recognizances .50
Mittimus .25
Total 1.43[¾?]
Const Fees 1.62[½?]
[The fractions are small. $1.43¾ is consistent with the justice's listed components. $1.62½ agrees with the separate constable return. Arithmetic supports, but does not replace, reading the ink.]

The hearing record reaches the clerk

Original document • IMG_3774.jpeg • David Larsen collection



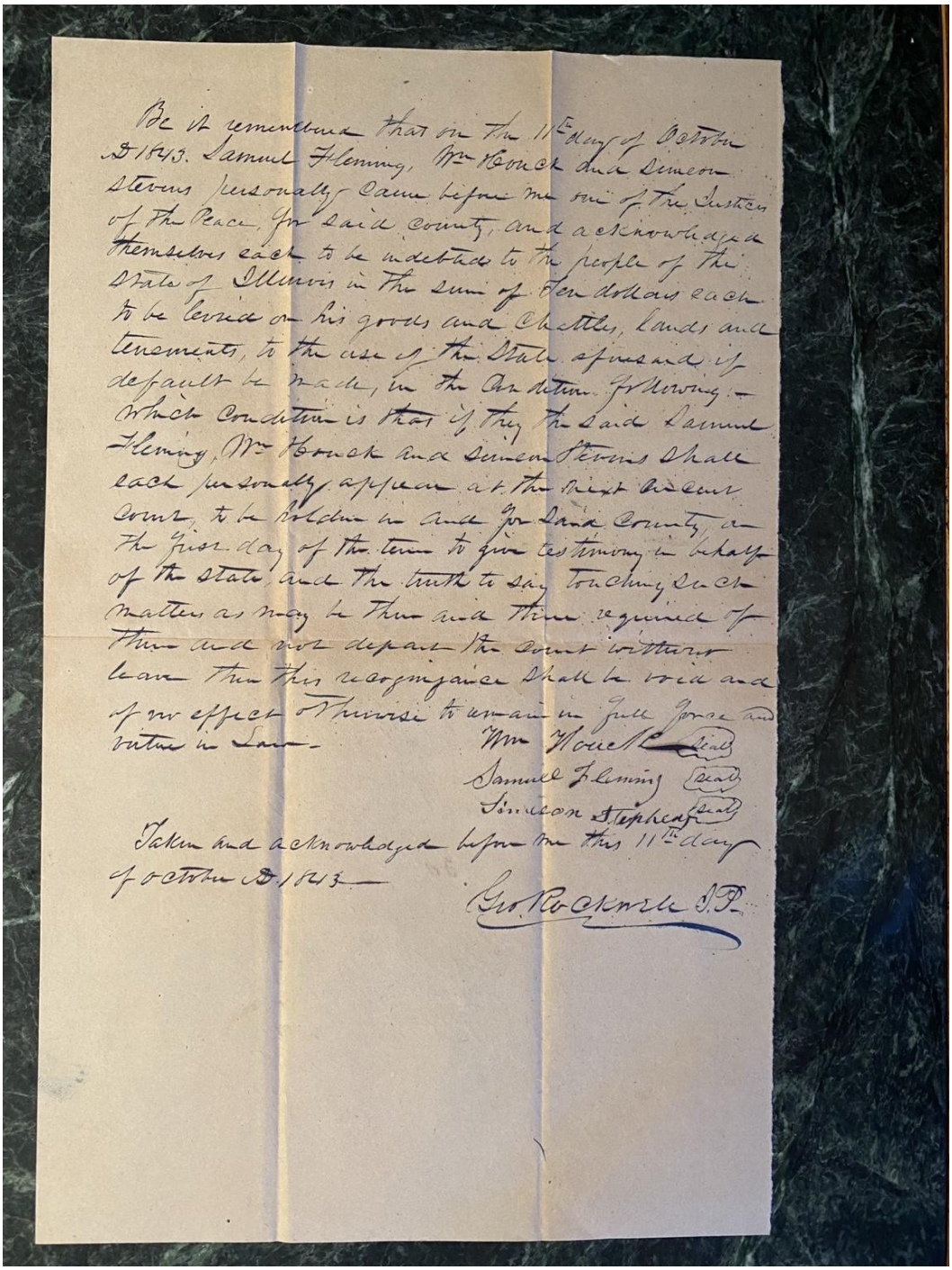
Transcript

The State of Illinois Vs Martin Kinney 30 Filed Oct 14th A.D. 1843 J B Backenstos Clk

Three witnesses promise to appear

The three witnesses promise to attend court; their signatures appear near the foot of the page.

Original document • IMG_3775.jpeg • David Larsen collection



Be it remembered that on the 11th day of October A.D. 1843. Samuel Fleming, Wm Houck and Simeon Stevens personally came before me one of the Justices of the Peace, for said County, and acknowledged themselves each to be indebted to the people of the State of Illinois in the sum of Ten dollars each to be levied on his goods and Chattles, lands and tenements, to the use of the State aforesaid if default be made, in the Condition following — Which Condition is that if they the said Samuel Fleming, Wm Houck and Simeon Stevens shall each personally appear at the next Circuit Court, to be holden in and for said County, on the first day of the term to give testimony in behalf of the State and the truth to say touching such matters as may be then and there required of them and not depart the Court without leave then this recognizance shall be void and of no effect otherwise to remain in full force and virtue in Law —

Wm Houck [Seal]
Samuel Fleming [Seal]
Simeon Stephens [Seal]

Taken and acknowledged before me this 11th day of October A.D. 1843 —

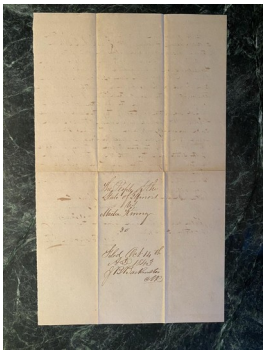
Geo Rockwell J.P.

Transcript

Be it remembered that on the 11th day of October AD 1843 Samuel Fleming, Wm Houck and Simeon Stevens personally came before me one of the Justices of the Peace for said county and acknowledged themselves each to be indebted to the people of the State of Illinois in the sum of Ten dollars each to be levied on his goods and Chattles, lands and tenements, to the use of the State aforesaid if default be made in the Condition following:— Which Condition is that if they the said Samuel Fleming, Wm Houck and Simeon Stevens shall each personally appear at the next Circuit Court to be holden in and for said County on the first day of the term to give testimony in behalf of the State and the truth to say touching such matters as may be then and there required of them and not depart the Court without leave then this recognizance shall be void and of no effect otherwise to remain in full force and virtue in Law— Wm Houck [seal] Samuel Fleming [seal] Simeon Stephens [seal] Taken and acknowledged before me this 11th day of October AD 1843— Geo. Rockwell J.P. [Stevens in the body; Stephens in the signature. Signature attribution is based on position and visible lettering, not forensic authentication.]

The witness undertaking is filed

Original document • IMG_3776.jpeg • David Larsen collection



Transcript

The People of the State of Illinois Vs. Martin Kinney 30 Filed Oct 14th AD 1843 J B Backenstos Clk

The charge reaches the grand jury

By October 16, William Elliott, the state's attorney, had signed the indictment—the formal written charge. It accused Kinney of stealing Samuel Ramsey's gelding, valued at sixty dollars. The saddle, bridle, and overcoat had dropped out of the charge, for a reason the papers do not explain.

One correction makes the sheet unusually vivid. The writer struck out "carry away" and substituted "Ride away." Even in this formal language, the stolen horse briefly comes into view.

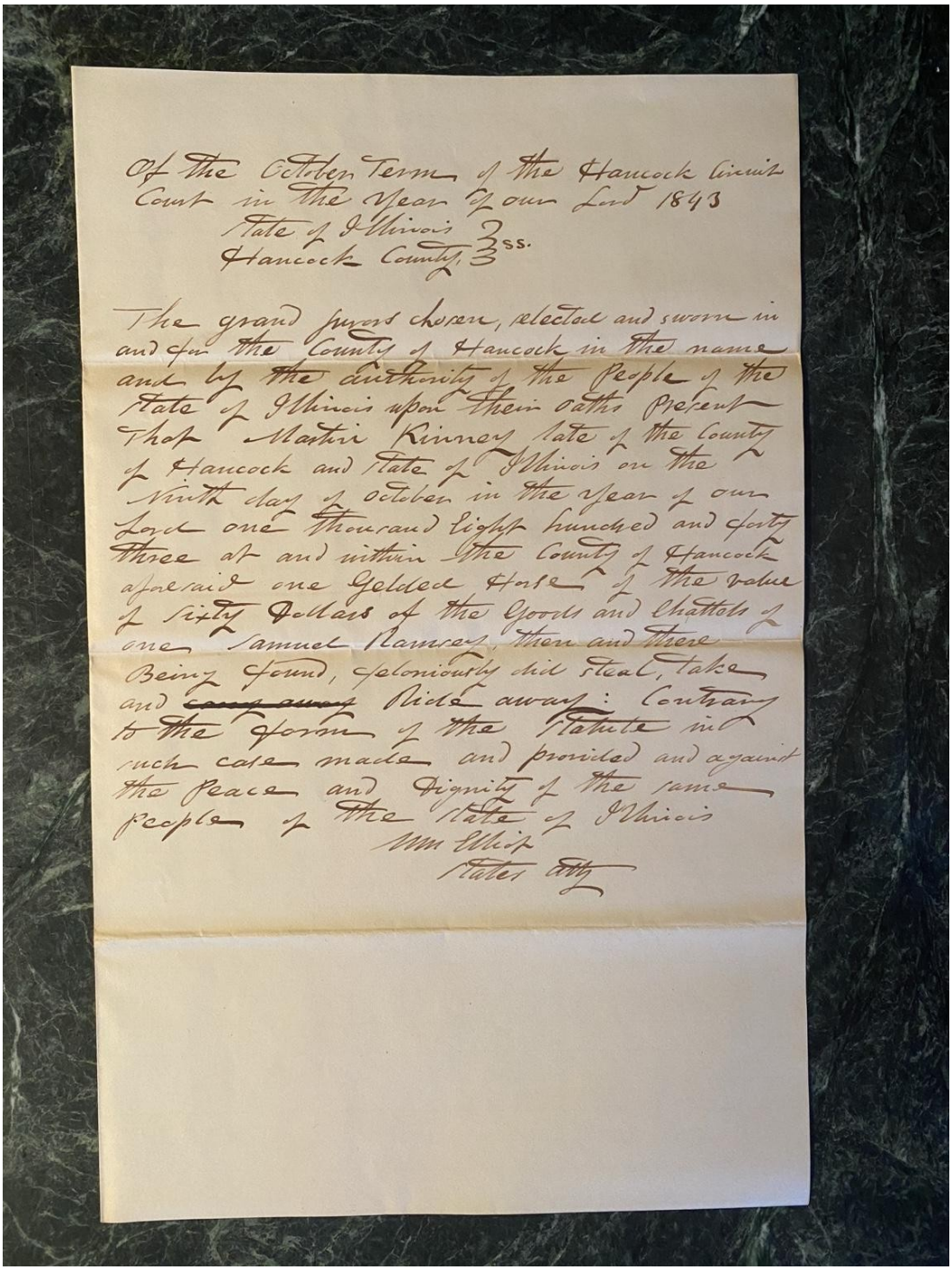
On the reverse, Edward Augustus Bedell, the grand-jury foreman, endorsed the indictment as a "True Bill." The grand jury had approved the charge for prosecution; a determination of guilt still lay ahead. The clerk filed it as case number 30, with Ramsey, Fleming, Stevens, and Houck listed as witnesses. [1]

Elliott and Bedell brought different backgrounds to this task. Elliott had studied law in Boston before opening an Illinois office; he had also translated Spanish satire. Bedell was a Warsaw merchant and public official. For the moment, their signatures moved Kinney's case toward a decision. [4,5]

The grand jury charges horse theft

Notice the correction from carry away to Ride away and the value of the horse.

Original document • IMG_3771.jpeg • David Larsen collection



Of the October Term of the Hancock Circuit Court in the Year of our Lord 1843

State of Illinois } ss.
Hancock County }

The grand jurors chosen, selected and sworn in and for the County of Hancock in the name and by the authority of the People of the State of Illinois upon their oaths present that Martin Kinney late of the County of Hancock and State of Illinois on the Ninth day of October in the Year of our Lord one thousand eight hundred and forty three at and within the County of Hancock aforesaid one Gelded Horse of the value of Sixty Dollars of the Goods and Chattels of one Samuel Ramsey, then and there being found, feloniously did steal, take and ~~carry away~~ Ride away: Contrary to the form of the Statute in such case made and provided and against the Peace and Dignity of the same People of the State of Illinois

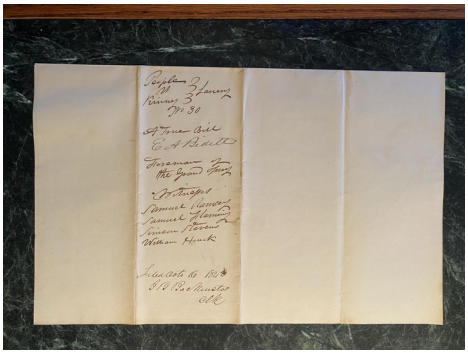
Wm Thompson
States Atty

Transcript

At the October term of the Hancock Circuit Court in the Year of our Lord 1843 State of Illinois Hancock County } ss. The grand jurors chosen, selected and sworn in and for the County of Hancock in the name and by the authority of the People of the State of Illinois upon their oaths Present That Martin Kinney late of the County of Hancock and State of Illinois on the ninth day of October in the Year of our Lord one thousand Eight hundred and forty three at and within the County of Hancock aforesaid one Gelded Horse of the value of Sixty Dollars of the Goods and Chattels of one Samuel [Ramsey?] then and there Being found, feloniously did Steal, take and {deleted: carry away} Ride away: Contrary to the form of the Statute in such cases made and provided and against the Peace and Dignity of the same People of the State of Illinois Wm Elliott States Atty

A true bill and four witnesses

Original document • IMG_3772.jpeg • David Larsen collection



Transcript

People vs Kinney } Larceny No 30 A True Bill E A Bedell Foreman of the Grand Jury Witnesses Samuel [Ramsey?] Samuel Fleming Simeon Stevens William Houck Filed Octo 16 1843 J B Backenstos Clk [The surname is clearer in the indictment body than on this endorsement; Ramsey remains the preferred reading, not an independently established identity.]

The outcome hidden in the bills

Did Kinney contest the charge? The answer survives in the clerk's bill for his work. Among the charges on the defendant's cost sheet is "Entry plea of Guilty." The other bill includes "Entry Judgt of conviction." Together, these brief entries record a guilty plea and a conviction. [1]

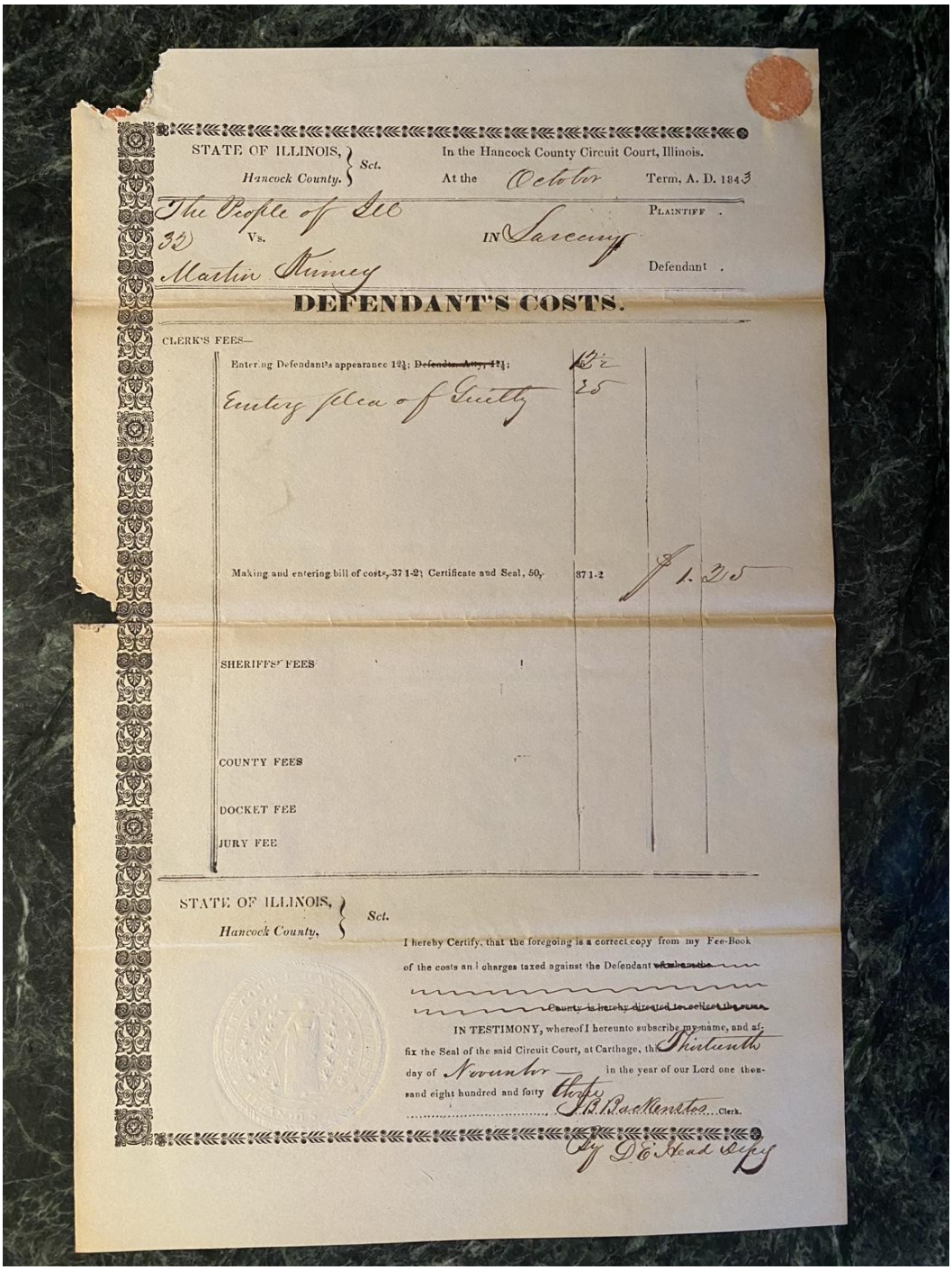
Deputy clerk David E. Head certified the copies on November 13 in the name of Clerk Jacob B. Backenstos. That date tells us when the copies were certified, not when Kinney pleaded or was sentenced. A published reference points to an October 17 judgment in the circuit court's Book D; the judgment itself remains to be examined. [6]

For now, the bills bring us to the limit of Kinney's recoverable story. They record the costs of court business, not his punishment. His sentence and later life remain unknown. Yet several people whose names appear beside his would soon enter a far better-known chapter of Illinois history.

The guilty plea in the fee book

The handwritten guilty-plea entry near the top supplies the outcome missing from the earlier papers.

Original document • IMG_3782.jpeg • David Larsen collection



STATE OF ILLINOIS, } Sct.
Hancock County. }

In the Hancock County Circuit Court, Illinois.

At the October Term, A. D. 1843

The People of Ill
Vs.
Martin Kinney

PLAINTIFF
IN Larceny
Defendant

DEFENDANT'S COSTS.

CLERK'S FEES—

Entering Defendant's appearance 12½; ~~Defendant Atty, 12½~~;	12½	
Entering plea of Guilty	25	
Making and entering bill of costs, 37 1-2; Certificate and Seal, 50,	87 1-2	1.25
SHERIFFS' FEES		
COUNTY FEES		
DOCKET FEE		
JURY FEE		

STATE OF ILLINOIS, } Sct.
Hancock County, }

I hereby Certify, that the foregoing is a correct copy from my Fee-Book of the costs and charges taxed against the Defendant ~~in the~~ ~~County is hereby directed to collect the same~~

IN TESTIMONY, whereof I hereunto subscribe my name, and affix the Seal of the said Circuit Court, at Carthage, this Thirteenth day of November in the year of our Lord one thousand eight hundred and forty three.

Chas. B. Mackenzie, Clerk.

By D. C. Head Dep.

Transcript

STATE OF ILLINOIS, Hancock County. } Sct.
In the Hancock County Circuit Court, Illinois.
At the October Term, A. D. 1843
The People of Ills — PLAINTIFF.
30 Vs. Martin Kinney — Defendant.
IN Larceny
DEFENDANT'S COSTS.

CLERK'S FEES—
Entering Defendant's appearance 12½; {deleted: Defendant's Att'y 12½} [amount] 12½
Entry plea of Guilty [amount] 25
Making and entering bill of costs, 37 1-2; Certificate and Seal, 50, [amount] 87 1-2
[Total] $1.25

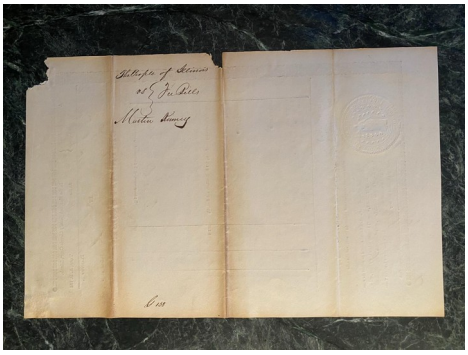
SHERIFFS' FEES [blank]
COUNTY FEES [blank]
DOCKET FEE [blank]
JURY FEE [blank]

STATE OF ILLINOIS, Hancock County, } Sct.
I hereby Certify, that the foregoing is a correct copy from my Fee-Book of the costs and charges taxed against the Defendant {deleted: [words obscured by cancellation] County is hereby directed to collect the same.}
IN TESTIMONY, whereof I hereunto subscribe my name, and affix the Seal of the said Circuit Court, at Carthage, this Thirteenth day of November in the year of our Lord one thousand eight hundred and forty three.
J. B. Backenstos Clerk.
By D. E. Head Depty
[Embossed seal; lettering not fully legible in the photograph.]

[Editorial note: Printed text and handwritten entries are combined in reading order. Canceled words that cannot safely be recovered are marked rather than reconstructed. Amounts are cents unless preceded by a dollar sign.]

The fee bill endorsement

Original document • IMG_3783.jpeg • David Larsen collection



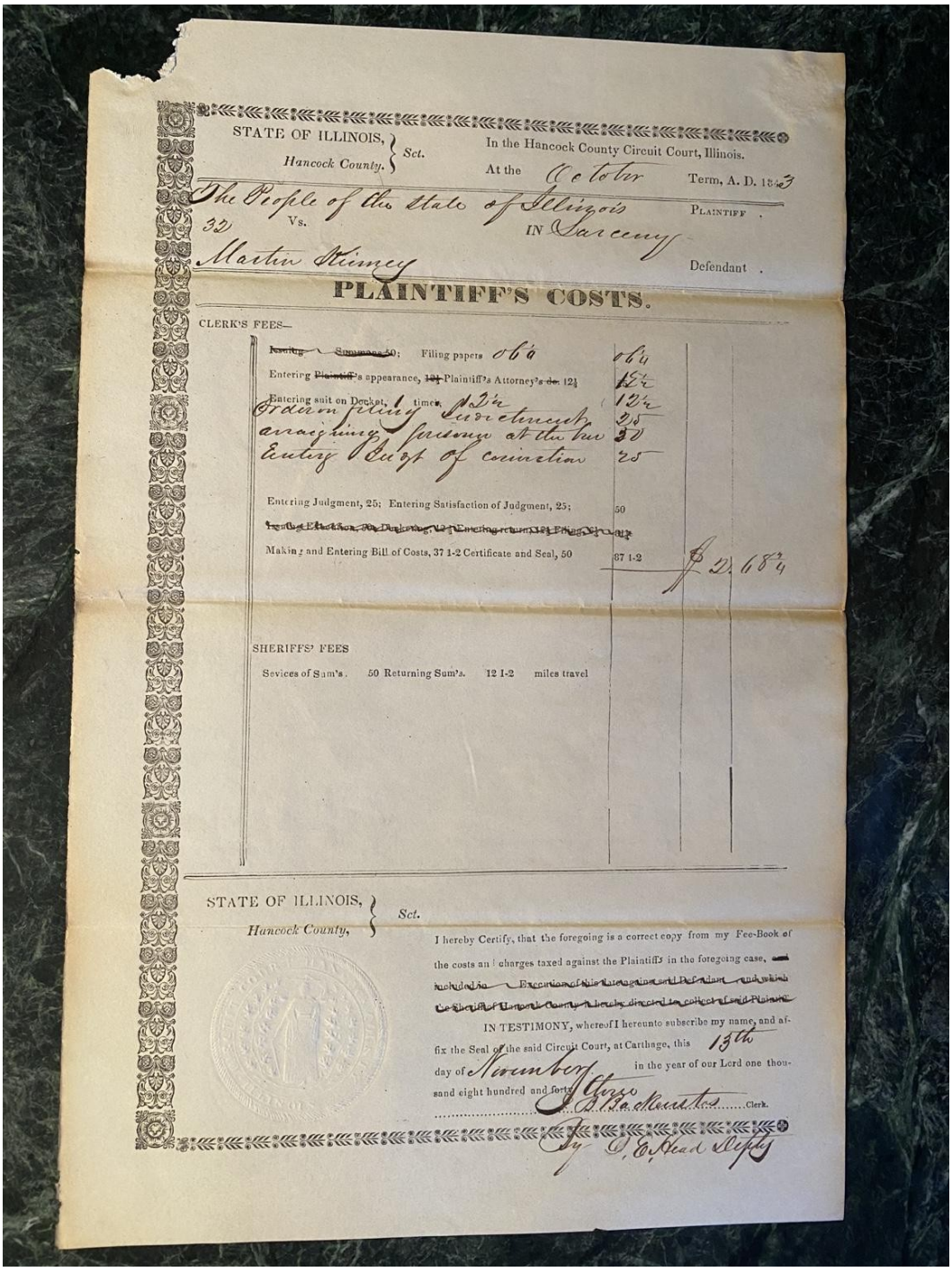
Transcript

The People of Illinois vs } Fee Bills Martin Kinney [Lower notation: D 138?; first character and significance uncertain.] [Embossed seal and show-through; no additional substantive narrative.]

The conviction in the fee book

The entry for judgment of conviction confirms how the prosecution ended.

Original document • IMG_3784.jpeg • David Larsen collection



STATE OF ILLINOIS, } Sct.
Hancock County.

In the Hancock County Circuit Court, Illinois.

At the October Term, A. D. 1843

The People of the State of Illinois Plaintiff.
Vs.
IN Larceny
Martin Kinney Defendant.

PLAINTIFF'S COSTS.

CLERK'S FEES—

~~Issuing Summons 50~~; Filing papers 06¼	06¼	
Entering ~~Plaintiff's~~ appearance, ~~12½~~ Plaintiff's Attorney's ~~do.~~ 12½	12½	
Entering suit on Docket, 1 times 12½	12½	
Traverse filing Indictment	25	
swearing Jurors at the bar	50	
Entry Court of conviction	25	
Entering Judgment, 25; Entering Satisfaction of Judgment, 25;	50	
~~Issuing Election, 50 Docketing, 12½ Entering return 12½ Filing do 12½~~		
Making and Entering Bill of Costs, 37 1-2 Certificate and Seal, 50	87 1-2	
		$2. 68¾

SHERIFFS' FEES

Sevices of Sam's. 50 Returning Sum's. 12 1-2 miles travel

STATE OF ILLINOIS, } Sct.
Hancock County,

I hereby Certify, that the foregoing is a correct copy from my Fee-Book of the costs and charges taxed against the Plaintiff in the foregoing case, ~~including the Execution of this Writ against the Defendant and also the Sheriff of Hancock County's bond directed to collect said Plaintiff's~~

IN TESTIMONY, whereof I hereunto subscribe my name, and affix the Seal of the said Circuit Court, at Carthage, this 13th day of November in the year of our Lord one thousand eight hundred and forty three.

J. Gross Clerk.

By D. Eckard Deputy

Transcript

STATE OF ILLINOIS, Hancock County. } Sct.
In the Hancock County Circuit Court, Illinois.
At the October Term, A. D. 1843
The People of the State of Illinois — PLAINTIFF.
30 Vs. Martin Kinney — Defendant.
IN Larceny
PLAINTIFF'S COSTS.

CLERKS FEES—
{deleted: Issuing Summons 50;} Filing papers 06¼ [amount] 06¼
Entering {deleted: Plaintiff's} appearance, {deleted: 12½;} Plaintiff's Attorney's do. 12½ [amount] 12½
Entering suit on Docket, 1 time, 12½ [amount] 12½
Order on filing indictment [amount] 25
arraigning prisoner at the bar [amount] 50
Entry Judgt of conviction [amount] 25
Entering Judgment, 25; Entering Satisfaction of Judgment, 25; [amount] 50
{deleted: Issuing Execution 50; Docketing 12½; Entering return of Execution 12½ [reading partly obscured]}
Making and Entering Bill of Costs, 37 1-2 Certificate and Seal, 50 [amount] 87 1-2
[Total] $2.68¾

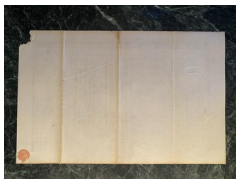
SHERIFFS' FEES
Services of Sum's. 50 Returning Sum's. 12 1-2 miles travel [no amounts entered]

STATE OF ILLINOIS, Hancock County, } Sct.
I hereby Certify, that the foregoing is a correct copy from my Fee-Book of the costs and charges taxed against the Plaintiffs in the foregoing case, {deleted: [word obscured] included in [blank] Execution of this date against the [word obscured] and that the Sheriff of Hancock County is hereby directed to collect of said Plaintiff [ending obscured].}
IN TESTIMONY, whereof I hereunto subscribe my name, and affix the Seal of the said Circuit Court, at Carthage, this 13th day of November in the year of our Lord one thousand eight hundred and forty three.
J. B. Backenstos Clerk.
By D. E. Head Depty
[Embossed seal; lettering not fully legible in the photograph.]

[Editorial note: The printed satisfaction-of-judgment charge does not independently establish payment or discharge. These fees are not Kinney's sentence. The opening handwritten entry and canceled boilerplate retain some reading uncertainty.]

The reverse of the plaintiff cost bill

Original document • IMG_3785.jpeg • David Larsen collection



Transcript

[No independent substantive writing identified. Blank verso with folds, seal impression, and show-through from the recto.]

The Warsaw household that entered another trial

Less than nine months after the alleged theft, Joseph and Hyrum Smith were murdered at Carthage Jail on June 27, 1844. The Kinney prosecution had no demonstrated part in those killings. Its papers bring us to people who later appeared in the story, beginning with the household of the innkeeper who made the complaint.

At the 1845 murder trial, Eliza Graham described what she had heard at the Warsaw House after the killings. She was a Latter-day Saint living in the Fleming household, and she identified Ann Fleming as her aunt. Ann disputed important parts of Eliza's account. Their testimony preserves disagreement within a household as well as conflict between communities. [7]

Eliza's testimony also offers a glimpse of her own life. She described about five years of Church membership, said her father lived in Nauvoo, and explained that she had moved there after the murders. Family ties connected her to Warsaw; her faith and her father connected her to Nauvoo. The trial gives this young woman a place in the record that a list of public officials would miss.

Her later family history is outlined in the biographical notes. Here, her testimony helps us see how closely the lives of the Saints and their neighbors could be intertwined.



Carthage Jail in a later etching, cataloged as circa 1885. Artist and original publication are unidentified. Included for the 1844 portion of the story, not as an image of Kinney's place of confinement. Wikimedia Commons, public-domain reproduction. [12]

The foreman who would not accept the burnings

The foreman who signed Kinney's indictment also left a personal account of the violence that followed Carthage. In September 1845, as Mormon homes were being burned, Edward Augustus Bedell was forced from Warsaw. Writing to Judge James H. Ralston on September 17, he began:

> *"You will be astonished when I inform you that I have been driven from my house and the Post Office, which I was appointed to fill a few weeks since." [5]*

According to his letter, Bedell handed the post-office key to his wife and escaped across the Mississippi in a friend's canoe. His family subsequently reached safety. The merchant and official who had helped administer the law now described being unable to remain safely at home.

Bedell was not a Latter-day Saint. His dealings with the Saints had included newspaper business, and he had testified for the defense in proceedings connected with the murders. His letters show his own position during the 1845 crisis. On September 26 he answered criticism that he had commanded Mormon men:

> *"As to 'commanding a squad of Mormons,' (as the Whig charges,) I am Deputy Sheriff of Hancock county and had command of a posse in that character." [5]*

He was claiming civil authority: a posse was a group called to assist an officer. On October 7 he challenged the anti-Mormon faction's claim to represent the old settlers and defended respect for "the rights and privileges of all as recognized by the laws of our beloved country." These were signed public letters, reprinted in the Nauvoo Neighbor, rather than transcripts of speeches. Their accusations against opponents remain Bedell's allegations.

Bedell also joined Almon W. Babbitt and Daniel H. Wells in negotiations with a Macomb committee over the crisis. Years later, he served as a federal Indian agent in Utah. He died on an eastward journey in May 1854, after a career that had carried him from the Illinois river settlements to the region where many former Nauvoo Saints had settled. [5]

A constable and his sisters

John H. Lawton, the constable who arrested Kinney, belonged to a family whose marriages connect several familiar names. His sister Sarah married Thomas Gregg, the future Hancock County historian. His sister Anne married Franklin Worrell, a member of the guard at Carthage Jail when Joseph and Hyrum were killed. Gregg's family account identifies all three siblings as children of Rev. John Lawton. [8]

Worrell's voice survives in the murder-trial record. Asked whether the six guards under his supervision had loaded blank cartridges, he answered, "I will not answer it." The ensuing discussion concerned protection against self-incrimination; the refusal alone does not establish how the guns were loaded. [9]

Sarah left a letter to her husband dated June 14, 1844, shortly before the murders. Its archival description concerns militia preparations involving the Mormons. The full letter has not yet been examined, so Sarah's own words and position remain to be recovered.

Anne outlived Worrell and later married Dr. George L. Hewitt. A modern local-history account reports a further marriage to Thomas Coke Sharp in 1881; the original marriage record still needs checking. That account also identifies a 1904 newspaper interview with her son Stanley Worrell. An infant in 1845, Stanley preserved family memory rather than an eyewitness recollection of the killings. [8]

These connections do not establish John's own views or actions. His county-history biography says he went East in June 1845 and married Hannah N. Felton in Massachusetts in April 1847. While relatives remained connected with the conflict's history, his life had taken him elsewhere.

Returning to Martin Kinney

We began by asking what happened to Martin Kinney. The surviving papers answer part of that question: arrest, a hearing, confinement for lack of security, an indictment, a guilty plea, and conviction. They do not yet tell us his sentence or where he went afterward. His family and religious affiliation remain unknown.

Along the way, the signatures have introduced people whose lives reached beyond the courthouse. Fleming's household later divided in its testimony about events following Carthage. Lawton's family connected him to the guard and to a future county historian. Bedell's letters preserve a public official's defense of legal protection for the Saints during the burnings of 1845.

Their later history gives us reason to look closely at these earlier papers. In 1843, Rockwell recorded a hearing, witnesses promised to attend court, and a deputy clerk kept track of fees. Those ordinary acts preserved a small part of the world around Nauvoo. The horse-theft case brought these people together in one file; their lives help us understand the wider community in which the Saints lived.

The people in the papers

These brief biographical accounts gather the principal identifications in one place. They distinguish the people documented in the case from similarly named people whose records cannot yet be joined to them.

Martin Kinney

The defendant is securely documented in October 1843. The complaint and warrant charged theft of a horse and accompanying property; the indictment charged the gelding alone. His failure to provide the required security led to commitment before the circuit-court proceedings. The fee books record a guilty plea and conviction. His age, occupation, family, religious affiliation, sentence, and later life remain unknown. [1,6]

Samuel Ramsey

The indictment identifies Ramsey as owner of the horse and lists him among the witnesses on its reverse. A local settler named Samuel Ramsey, husband of Eleanor Kime and father of Hannah Ramsey Browning, is a plausible candidate. Gregg places that family in the county from 1836 and reports Samuel's death in 1861. The family has not been conclusively connected to the horse owner. Its religious and political descriptions therefore cannot be transferred to the man in this case. [10]

Samuel and Ann Fleming

Samuel's complaint and witness undertaking provide direct evidence of his role in the prosecution. The 1843 newspaper notice identifies him as keeper of the Warsaw House. Ann appears in the later murder-trial testimony and is identified there as Eliza Graham's aunt. Compiled records support Ann's maiden name as Graham and a marriage to Samuel in 1836, but the complete family chain still requires original-record confirmation. A California political biography provides a strong later identification of Samuel, with Ann Graham as his wife; exact later-life details should remain attributed until supported by contemporary records. [2,7]

Eliza Jane Graham

Eliza was not a named witness in the Kinney prosecution. She enters this narrative because of the Fleming household's later importance. Her own testimony supplies the strongest evidence for her Church membership, relationship to Ann, and her father's presence in Nauvoo. The proposed identification with James and Mary Ann Butler Graham's daughter fits a contemporary family-name cluster in the 1843 memorial to Congress, but is not established by that cluster alone. An original 1860 census image places Eliza J. Porter in Robert H. Porter's Salt Lake household. It does not identify the mother of each child. Later accounts of childbirth, death, and burial remain traditions with unresolved details. No personal autobiography or diary has been located. [7]

William Houck

Houck appears in the justice's hearing record, signs the witness recognizance, and is listed on the indictment. These repeated occurrences support the reading Houck rather than Crouch. A tax index lists William Houk in the 1842 Nauvoo-area personal-property material, but the original tax page and an identity bridge remain outstanding. The 1845 murder proceedings include an attachment for William Houck and a not-found return. That process does not prove flight or establish the outcome of the attachment. No securely linked militia or Masonic membership has been demonstrated. [11]

Simeon Stevens or Stephens

The spelling changes within the case documents: Stevens appears in the text and Stephens in the signature. The witness's life beyond this prosecution remains unresolved. A Brown County Simeon Stephens appears in marriage and court records, but those records cannot safely be assigned to this man. William Daniels's accusation involving brothers named Stephens, described as coopers, does not name Simeon. Neither the shared surname nor that trade description establishes his involvement at Carthage. He must also remain distinct from the attorney Henry Stevens identified during the research. [11]

Officers and public lives

George Rockwell

Rockwell was the justice of the peace who received Fleming's complaint, issued the warrant, examined the accused, and certified the proceedings. His service ties this file to Warsaw's local administration. Later, Bedell's 1845 letters accused him of participating in the pressure that forced Bedell from town, while expressly denying that Rockwell had been identified as the leader. He was a different man from Orrin Porter Rockwell. [1,5]

John H Lawton

Lawton's appointment as Warsaw constable on September 23, 1843, strongly corroborates the identification of the officer in the October warrant return. Gregg gives his birth as February 22, 1819, in Vermont, and arrival in Carthage in 1835. He worked in several occupations and later lived at Plymouth, where he served as postmaster. A published affidavit of July 1842 attributes to him an account of a confrontation between John C. Bennett and Orrin Porter Rockwell. It is evidence of what Lawton reported hearing, not proof of responsibility for the shooting of Lilburn Boggs. A later militia compilation lists a John Lawton as a lieutenant in the Warsaw Cadets; original-roll confirmation remains open. [3,8]

William Elliott

The lifetime Dartmouth account gives Elliott's birth as August 17, 1803, at Marblehead, Massachusetts, and names his parents as Captain William and Mehitabel Preston Elliott. A Dartmouth graduate of 1826, he studied law with Peter Oxenbridge Thatcher, practiced in Massachusetts, and opened his Lewistown office in 1832. He married Frances Ann Crissey in 1833. His translation of Visions of Quevedo appeared in 1832. Congressional papers preserve his effort to repair a defective land title he had conveyed to another settler. His exact service chronology and death date conflict across later sources; no confident explanation of his absence from the May 1845 murder trial has been established. He must be distinguished from John C. Elliott. [4]

Edward Augustus Bedell

His father's 1833 letter places his birth about 1815–1816, earlier than the frequently repeated 1819. He married Elizabeth Montgomery; the reported 1838 marriage date remains dependent on compiled records, while a later Brigham Young letter independently identifies Elizabeth as his widow. Bedell worked as a merchant, justice, newspaper proprietor, postmaster, deputy sheriff, and Illinois Senate sergeant-at-arms. His three letters quoted in the narrative explain his opposition to anti-Mormon violence. His later Utah service and death at Green River in May 1854 complete a career extending far beyond Warsaw. The expanded biography preserves the family reconstruction and fuller source discussion. [5]

Jacob B Backenstos and David E Head

Backenstos's clerk endorsements received the case papers in October 1843. Head certified the November fee bills as his deputy. Backenstos later served as sheriff during the 1845 conflict; these earlier papers record his work as clerk. Head's work is essential to the reconstruction because the cost entries preserve the plea and conviction even though the judgment is presently missing. [1]

Notes on the documents and the evidence

Each photographed side is followed immediately by its transcript or, for the blank reverse, an explanation that no independent text is present. Images have been rotated for reading; the original photograph identifiers remain with them. The unrelated property material excluded during the case audit is not part of this edition.

The transcripts preserve substantive wording and original name spellings. Manuscript lines are sometimes reflowed for readability. Square brackets mark editorial description or uncertain readings; a question mark inside brackets marks doubt. Braces labeled “deleted” identify cancellations, and angle brackets identify insertions. Unreadable canceled print and seal lettering have not been invented. Capitalization and small punctuation remain subject to review; these are reading transcripts rather than facsimile typography.

The two cost forms include their printed headings, filled entries, and certifications. Canceled boilerplate is supplied only where readable. The justice’s marginal fees contain small fractional figures; their uncertainty is retained even where arithmetic supports a likely reading.

The report does not establish Kinney’s punishment or religious affiliation. It does not place the theft at Fleming’s tavern. The identity of the horse owner beyond the case remains open. Later surname matches, accusations, and family relationships are not evidence of an individual’s participation in the murders. The reported Sharp marriage is retained with its source qualification.

The next records capable of materially changing the account are Kinney’s October 1843 judgment in Circuit Court Record Book D, Ramsey’s relevant probate and land records, the full Sarah Gregg and Worrell–Lawton correspondence, the original 1904 Stanley Worrell interview, and the record of Anne’s reported 1881 marriage. These are specific outstanding documents; their absence need not prevent a careful account of what the surviving papers do establish.

Sources and illustration credits

1 Original case papers

David Larsen collection, IMG_3771–3776 and IMG_3778–3785. All fourteen sides reproduced with adjacent reading transcripts. The sequence follows the proceedings rather than photograph numbering.

2 Fleming and the Warsaw House

Nauvoo Neighbor, August 30, 1843, judicial-sale notice. The property offered for sale is not thereby the hotel parcel. https://byustudies.byu.edu/online-book/nauvoo-neighbor/august-30-1843-volume-1-number-18-144

3 Lawton

Warsaw town order, September 23, 1843, transcribed at https://en.wikisource.org/wiki/Warsaw_Message/October_4,_1843/Page_2 (web-title and masthead issue dates differ). Thomas Gregg, History of Hancock County (1880), p. 521, https://hancock.illinoisgenweb.org/biographies/john-h-lawton-bio.html

4 Elliott

George T. Chapman, Sketches of the Alumni of Dartmouth College (1867), p. 230: https://archive.org/details/sketchesofalumni00chaprich . Visions of Quevedo (1832), translator's title and preface: https://www.gutenberg.org/files/41950/41950-h/41950-h.htm . Senate Report 18, 29th Congress, 1st session, December 22, 1845, and House Report 118, January 20, 1846; detailed locators in William_Elliott_Targeted_Research_Findings.txt.

5 Bedell

Edward_Augustus_Bedell_Biography, revised October 25, 2026, with original and scholarly references. Principal newspaper voices: letters dated September 17 and 26 and October 7, 1845, reprinted in Nauvoo Neighbor, September 24 and October 29, 1845. https://byustudies.byu.edu/online-book/nauvoo-neighbor/october-29-1845-volume-3-number-23-144 . Joseph Smith journal, January 29, 1844; Joseph Smith Papers murder-trial accounts, May 1845. Peter Crawley, A Descriptive Bibliography of the Mormon Church, vol. 1, discussion of September 1845 negotiations.

6 Judgment locator

"Mormons and the Grand Jury in Hancock County, 1839–1845," Journal of Mormon History 45, no. 2 (2019), citation to People v. Martin Kinney, October 17, 1843, Circuit Court Record D. Locator only; judgment not examined. https://doi.org/10.5406/jmormhist.45.2.0068

7 Eliza and the Flemings

Joseph Smith Papers, Account of Trial, May 24–28, 1845, published version, p. 18: https://www.josephsmithpapers.org/paper-summary/account-of-trial-24-28-may-1845-a-as-published-in-trial-of-the-persons-indicted-state-of-illinois-v-williams-et-al/18 . Ann Fleming testimony, manuscript account A, p. 99, image 117. Memorial to Congress, November 28, 1843, p. 43. Original 1860 census, First Ward, Great Salt Lake City, p. 108, dwelling 759, family 21. Family reconstruction and limitations in Eliza_Graham_Fleming_Family_Findings.txt and Eliza_Graham_Six_Search_Completion.txt; later findings supersede earlier open leads.

8 Lawton family

Gregg, History of Hancock County (1880), pp. 809–810: https://ldsgenealogy.com/IL/books/History-of-Hancock-County-Illinois-together-with-an-outline-history-of-the-State-and-a-digest-of-State-laws-part-75.htm . Mary Lou Montgomery, "Historic cliff-side house has many stories to tell," August 2021: https://www.maryloumontgomery.com/single-post/historic-cliff-side-house-has-many-stories-to-tell . Sarah D. Gregg letter, June 14, 1844, BYU archival catalog; copy also cited in Saints, vol. 1, chapter 44, note 1. Full letter not examined.

9 Worrell testimony

Joseph Smith Papers, Account of Trial, May 21–28, 1845, Longhand, p. 26: https://www.josephsmithpapers.org/paper-summary/account-of-trial-21-28-may-1845-longhand-state-of-illinois-v-williams-et-al/26 . Longhand transcription from shorthand, made before August 24, 1858; reported voice, not autograph narrative.

10 Ramsey

Gregg, History of Hancock County (1880), pp. 595–596, George M. Browning biography. Candidate family only: https://ldsgenealogy.com/IL/books/History-of-Hancock-County-Illinois-together-with-an-outline-history-of-the-State-and-a-digest-of-State-laws-part-54.htm

11 Houck and Stevens

Kinney_Research_Completion_2026-10-25.txt; William_Houck_1842_Tax_Discovery.txt; Simeon_Stevens_Identity_Research.txt. Joseph Smith Papers, Attachment, May 23, 1845, State of Illinois v. Williams et al.; William Daniels affidavit, July 4, 1844, John McEwan copy, pp. 1–2. Tax and namesake records are leads, not completed identity proofs.

12 Illustrations

Case photographs supplied by David Larsen. Holmes & Arnold and Charles Shober, Map of Hancock County, Illinois (1859), Library of Congress, G4103.H3G46 1859 .H6, digital ID g4103h.la000115; reproduction via Wikimedia Commons: https://commons.wikimedia.org/wiki/File:Map_of_Hancock_County,_Illinois_LOC_2013593101.jpg . Later Carthage Jail etching, cataloged circa 1885, unknown artist and original source, public-domain designation: https://commons.wikimedia.org/wiki/File:CarthageJail1885.jpg . Neither historical illustration is represented as a view made in 1843.