

ABRAHAM THE JEW AND THE MORMON WAR

by

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On November 1, 1855, the French scientists, Jules Remy and Julius Brenchley, en route to California, arrived in Fillmore. Here they found Judge W. W. Drummond, who had arrived early, and now must wait the arrival of jurors, prisoners, witnesses, and all other personnel. Since this year the governmental affairs were to be carried on here, six long days' travel from Salt Lake City, and accommodations would be poor at best, it was a matter of sound planning for the Judge to be able to select his lodgings.

As a result of the evening's visit, the travelers made a perceptive analysis of the basic causes for the "Mormon War." They knew the bitterness of the Judge toward the Mormons; they perhaps did not guess the excesses of Mormon retaliation. They wrote:

There we found Judge Drummond, whom we had known at Great Salt Lake City, and who had come with the lovely Ada, his concubine, and big Cato, his negro, to preside over the district court....We passed the evening listening to the Anti-Mormon dissertations of Judge Drummond, in which his fair companion took part, who seemed as if she could not say often enough how tired she was of her long stay in Utah.....

It will be remembered it was Mr. Drummond's malice which more than anything else, gave rise to the military expedition against the Mormons. Those who desire to ascertain the earliest causes of this costly campaign, must search for them in the illicit union of this magistrate with his charming Ada. The contempt with which he was overwhelmed by all within his jurisdiction when the fact got the wind, the spite he felt and the vengeance he chose to take by such means as shame and hatred dictate to ignoble minds,--all this it was, insignificant as it seems, that brought about the crisis by which a nation was led to throw millions to the winds. History, alas! is full of wars which were not a particle wiser...

/ Jules Remy, A JOURNEY TO SALT LAKE CITY...in Two Volumes
(London 1861) Vol II pp. 341-343/

Here was tinder for a conflagration, needing only the spark to ignite it. This proved to be "Abraham the Jew", a shop keeper in the village, who wanted only to carry on his business to advantage.

The official account passed on by the Mormon Historian, B. H. Roberts, is to the effect that,

A remark made by one Levi Abrahams, a Jew convert to Mormonism and a shop-keeper at Fillmore, led to Judge Drummond sending his negro body servant to horsewhip the Jew. This was done, and both the Judge and the negro servant were arrested for assault and battery with intent to murder.

/Brigham H. Roberts, A Comprehensive History of the Church,
...Vol. 4; 202/

Mr. Roberts goes into some detail to prove the corruption and perfidy of the Judge, his sources, chiefly the Millennial Star accounts as told by Judge Appleby.

Although neither the date of baptism of Levi Abrams or any of the circumstances surrounding it have been found, it is easy to conclude that he was in full fellowship, though he was never called by any title except "Abraham, the Jew." It was this, no doubt, that led to the incorrect spelling of his name, --Levi Abrams--in the above story.

We meet this man first on June 17, 1854, when Thomas D. Brown, Historian of the Southern Indian Mission, wrote that Col. Reese's train had arrived on the Santa Clara, and added, "Abraham, the Jew, with a stock of goods, hauled by Father Sherwood, was in camp, and they were much annoyed with each other, weak teams the cause."

/Thomas D. Brown, "Journal of the Southern Indian Mission,"
typescript at Utah State Historical Society. Citations by date./

For many years Father Sherwood had been prominent among the Mormon people as a surveyor. Brown's casual reference to the Jew implies that he, too, was well known.

Evidently their troubles compounded, for on July 25 following, their case was in court in Salt Lake City. After two full days, it was referred to the Church High Council for settlement.

Sunday 30 July 1854...

The case of Sherwood vs Abrams was decided by the High Council, who rendered Judgment in favor of Sherwood for one hundred & 97 dollars and for Sherwood to pay the cost which had accrued before the Probate Court...

/Hosea Stout, On the Mormon Frontier, the Diaries of Hosea Stout. Ed. Juanita Brooks. (Salt Lake City 1964) p 524./

This meant that both men lost, for by the time Sherwood had paid the costs of court, he would have more than spent his payment. That they should accept the settlement is evidence that both were members of the Mormon Church.

They evidently made their own private peace, for just a year later they were traveling together again in the same relationship. On July 1, 1855, Thomas D. Brown told how, after a difficult exploring expedition to the Colorado River from the fort at Las Vegas, the group camped on the lower Virgin for a day of rest. Some fished, others bathed and washed clothes, all visited. "Father Sherwood" was in the company, bringing along some merchandise for one Abraham a Jew, also in the co'y."

Later Abrams was again brought into court, this time winning his case:

Friday, 19 Oct 1855...

Also the case of Thomas S. Williams vs Levi Abrams in action of debt \$303 56/00 I was on part of plff & Babbitt for the debt Jury rendered a virdict of no cause of action.

/Stout, 563/

Here may be more than meets the eye, for Thomas S. Williams, who had been the darling of the Mormon Battalion, who had on 14 Jan. 1853, contributed five hundred dollars cash to the missionaries, and had always before been loyal and devoted, had on 14 December 1854, spoken to the

combined legislative group "in relation to certain claims which he had paid to officers of the Legislature in the year 1851 and 2 amounting to 1131 dollars asking the Legislature to reimburse him for the same, which was answered by the gov. objecting to the claim." /Stout. 533/ He was not reimbursed.

Whatever the combination of circumstances, the point is that the Jew won.

On Monday 5 November 1855, Hosea Stout started for Fillmore to attend the November term of the District Court. He traveled with Anson Call, Deputy U.S. Marshall, "who had Levi Abrams in custody, a prisoner indicted for the murder of Too-ebe an Indian and is to be tried at Fillmore during the term of Court now pending." /Stout 564./ Dimick B. Huntington and his son Clark Allen were along as interpreters.

They met disagreeable weather, stormy and cold, so were late in leaving Salt Creek (Nephi). "...finally however about ten a.m. after laying in horse feed and engaging a load of wood for a camp fire we started and went to Chicken Creek Springs overtaking some others who were en route, as Jurors &c to Court where we all encamped, enjoying a luxurious oyster supper served up by Abrams the prisoner, meanwhile the load of wood arriving we fared extremely well, barring an occasional shower and gust of wind." /Ibid 565./

The Abrams case opened on November 13, with Almon W. Babbitt acting as attorney for the defense. At 10 p.m. Saturday November 17 the jury brought in a decision of "Not Guilty," and the next morning Abrams and Babbitt started back to Salt Lake City. Abrams returned immediately, bringing a stock of goods for his business establishment in Fillmore.

On Dec. 31 following, Albert P. Rockwood presented an appeal from the Jew to have his name changed from Levi Abrams to Abraham E. Levi [579/ The bill was read, but not mentioned again, though to have been sponsored by Rockwood, confidant of Brigham Young, would have assured its passage. If Abrams thought by this means to wipe out any stigma caused by the accusation that he had murdered an Indian, subsequent happenings would be dramatic enough to make him forget it.

It seems appropriate here to turn our attention briefly to the village where the little drama was enacted. In 1851, immediately after the Mormon leaders decided to place the seat of government in the geographic center of the Territory, they sent men to survey and lay out the city of Fillmore in the county of Millard. Almost every diarist who passed over the road for the next years mentioned the town and the progress which was being made.

In the spring of 1854 Carvalho wrote that "a wall of adobes is built all around the city, protecting the inhabitants from Indian aggressions." Thomas Bullock, official clerk for the same company, was more detailed, but does not make clear the relation of the original town and the area where the State House was built. Truly the town proper, whose gates they entered at 5:15 p.m., did have "adobe walls with bastions and embrazures and many loopholes for defense," while the area containing the State House was "picketed in."

[L.D.S. Journal History ^{May 18,} 1854]

Remy and Branchley estimated the population to be about 800. "It is shut up within a quadrilateral wall of adobes and divided into quarters of ten acres each...No church is to be seen and all the houses have the same poor look....The State House is to the south of the City, outside the walls. It is a large new building of red granite and is said to have

cost not less than forty thousand dollars. It is sixty-one feet long by forty-one wide..."

/Remy, 340/

The population of the village was almost doubled by the influx of officers and legislators. Writing on the day before Christmas, 1855, George A. Smith gave a summary of the little city:

..."A large tannery built by M. Hoyt of stone shows its adaptation to private buildings. There are a number of mercantile establishments in this place. Judge Kinney, Jos. A. Kelting, David Candland, Levi Abraham, /notice that here again the last name is incorrect! / Gabriel Huntsman, Samuel P. Hoyt, and Jas. Brown, Sen., are doing a stirring business in dry goods, groceries and hardware. There are a grist mill, two saw mills and two lath mills here; also a gunsmith's shop, not to mention blacksmiths, cabinet makers, carpenters, joiners, shoemakers, tailors, barbers and other mechanical establishments suited for the wants of a town of 1500 inhabitants.

/Journal History, Dec. 24, 1855/

Here the incident took place which set into motion a series of events which culminated in the sending of an army to Utah. The story has been widely and variously told. The most colorful version is that of Volney King, a resident of Fillmore, who was there at the time. The colloquial language and original spelling give it additional flavor:

"...There was living in Fillmore a Jew By the name of Levi Abrams who was e/n/ gaged in the mercantile bisuiness ...the Judge was very unpopular...& the Jew made this ridulous display with the cards showing the Judge up in a very poor light at which...the Judge...became much enraged & one night he sent Kato his negro servant to the Jews store to take summary vengeance upon the Jew & the negrow presenting himself at the store called the Jew up as though to purchase some very much needed article & as the Jew stepped behind the counter to get the article, the negro collered him but a large bowie knife was grasped by the Jew as he was being pulled over the counter & when the Jew reached the floor he was prepared to do

some carving at which the negro backed away & made for home. The next morning Mr Abrams...carried his war into the camp of the enemy, & armed himself with a shooting iron & as the Judge left his lodgings he was confronted with Mr. Abraham gun in hand & there was a hot time, Jew having rather the upper hand said about what he pleased making many accusations against the Judge for attempting his life by sending the negro servant to do him up & the Judge though greatly enraged had to swallow most of the ire of the Jew & of course every one close at hand was out to see the rumpuss & the Misses & Kato were on the tapose while the proceeding was going on. The Misses was urging Kato to take hold of the Jew but Kato didnt rather like to look down the barrel of the pistol & he shyed off to one side & couldnt face the music. Finally when Jew had vented his ire he returned to his quarters & swore out a complaint after consulting an Atty...& this was placed in the hands of the Sheriff who served the writ upon the Judge...

/Millard County, 1851-1875, The Diary of Volney King," Part II. Utah Humanities Review (Vol. 1, 1947) pp. 160-61.

On the evening of the arrest, Samuel W. Richards wrote to his brother in England: "Jan. 5, 1856...Some little excitement prevails in town today. An affair took place between Judge Drummond and a Jew trader here, which was rather amusing at the time, but may be more than fun for the Judge before he gets through with it."

/Edward W. Tullidge, History of Salt Lake City (S.L.C. ¹⁸⁸⁶ p. 145./

William Chandless, a traveler from England, left Salt Lake City on January 1, 1856, and arrived in Fillmore on Sunday, the day after the arrest of Judge Drummond. In his account he makes much of the race of the two assailants, as though this made a great difference. Because he went on the next day, he did not know of later events which were even more significant.

"The Judge fell to playing at cards with Abraham, the one Jew of Utah; a quarrel arose; the judge restrained

his own hands, but next morning his servant Cato, the one negro in Utah, spat in Abraham's face and pulled his nose. The Jew appealed to the laws of the country; for he was a Mormon and an American citizen. Here was a grievous offence: it was not simply an assault, but the assailant was one of the accursed race, "the descendants of Cain and Canaan," and he attacked one of the chosen race, and the solitary one whom Mormonism had a claim to. The Judge and Cato were summoned before the very probate judge whose jurisdiction Judge Drummond denied; in fact, he ought himself to have heard the case..."

/William Chandless, A Visit to Salt Lake,....(London, 1857,
p. 278/

It seems that Bill Hickman had his own private ax to grind, so he was eager to pick up the quarrel. According to him:

During the sitting of the Legislature, a Jew, by the name of Abrams, had a difficulty with him, in which Drummond threatened to kill him. The other two Judges were holding a term of the Supreme Court, and I thought this a good chance to get even with him, so I got the Jew to swear out a writ, and had him arrested. The Jew got me to prosecute the case for him. I got another attorney to assist me, as I learned Drummond had employed two. We went into the case, and, in spite of all opposition, showed him up in his proper light. We went into his character and general course, which we made look bad enough. After working at this four days, we got the Jew to withdraw the prosecution by Drummond paying the costs...

/Bill Hickman, Brigham's Destroying Angel:...(S.L.C. 1872)
pp. 111-112/

Judge Drummond had earlier--on 12 November 1855--spoken in no uncertain terms of the limitations of the Probate Courts, insisting that the Territorial Legislature could not confer civil and criminal jurisdiction by law on the Probate Courts. "He also instructed the grand jury that if they found that any of the Probate Judges had exercised civil or criminal jurisdiction that it was their duty to indict not only the judges, but all jurors and officers who had acted under them."

Stout
/565/ Thus his own arrest and plea for a writ of Habeus Corpus was a test of the powers of the local court. A part of Stout's account of the activities for 9 January 1856 seems worth including:

Wednesday 9 January 1856. This morning the Supreme Court should have met at the State House but while the three Judges were wending their way thither, Judge Drummond still being under the aforesaid arrest and virtually in the hands of the officer was intercepted on the way by a Possee who informed him that they had orders not to suffer him to pass out of the fort and so stoped him

This entirely took the Judiciary aback. A parley ensued, the two other Judges remonstrated, The Possee were inexorable. They would not let Judge Drummond go. So the place of the meeting of the Supreme Court was changed to Mr. Kings House & the three Judges repaired there to undergo a still worse humiliation for then the Posse would not let Drummond sit on the Bench and again the wheels of Judicial proceedings were brought to a stand still and the Supreme Court was certainly in a "fix" and not knowing exactly what to do adjourned till next Friday

Now comes another tack in the history of the Judiciary. The time had now come to commence operations on the Habeas Corpus Case, Drummond & his negro vs "The People" &c Chief Justice Kinney repaired to the school house to hear the closing arguments for and against the Powers of the probate Courts as on that Question alone hung the lawful or unlawful imprisonment of His Hon. Judge Drummond & Cato. It now seemed that the death Knell of the probate Courts would inevitably be sounded, as Judge Kinney's known and avowed opinion was adversely to the powers of the Probate Courts, yet their time had not come for Judge Drummond on the meeting of Kinneys Court with drew the suit and thus the Probates lives.

This ended the affair of the Habeas Corpus & also ended the prosecution against Judge Drummond. /Ibid. 584/

During all this, the Mormons were in high glee. On Tuesday night before the final action of the posse, they held another party in the State House. Judge Drummond's extreme humiliation, his enforced submission, and his report that the court records had been destroyed or stolen gave him a real case to present against the Mormons. Nor was he the first to complain of his treatment. Other public appointees had left in disgust or fear. The tenor of their reports was that, no matter who was named to act, Brigham Young was still the ruler in Utah, and his word the only law which the Mormons respected.

On October 3, 1856, W. M. F. McGraw wrote a letter of protest to President Pierce. This was not acted on at the time, but was later given consideration by President Buchanan. Judge Drummond wrote of his experiences in Utah in his letter of resignation to Hon. Jeremiah S. Black, Attorney-General of the United States. This was dated March 30, 1857. This, with a letter of April 2, enclosing substantiating witnesses to his charges, caused the President to pay attention.

Thus in the spring of 1857, with Congress adjourned, President Buchanan and John B. Floyd, Secretary of War, decided to name new officials for Utah and to send a military escort to support their authority. This might have resulted from Drummond's suggestion that:

I do believe that, if there was a man put in office as Governor of that Territory, who is not a member of the church, (Mormon), and he supported with a sufficient military aid, much good would result from such a course.

/Norman F. Furniss, The Mormon Conflict, (New Haven 1960) p. 57.2 ✓

General orders were issued, May 28, 1857, for the assemblage of 2500 troops at Fort Leavenworth, Kansas, to be dispatched to Utah. Two thousand head of beef cattle were to be procured and driven along the line of march. Equipage and supplies were to be freighted across the plains by contracting freight companies.

Seen from this distance, the "Mormon War," or "Buchanan's Blunder," was a serio-comic episode in which all parties lost. Perhaps no one has expressed it more succinctly than did Jesse Gove: "Wounded, none; killed, none; fooled, everybody." /Ibid. 227/

The President's orders were to the effect that, "The community, and in part, the civil government of Utah Territory, are in a state of substantial rebellion against the laws and authority of the United States...

The prudence expected of you requires that you should anticipate resistance, general organized, and formidable, at the threshold, and shape your movements as if it were certain." /Ibid. 98./

Thus it was that the Tenth Infantry and the Fifty Infantry regiments set out from Fort Leavenworth on July 18, 1857, dragging along four six-pounders and two twelve-pound howitzers in addition to their long trains of provision wagons and herds of cattle--as a bodyguard for the new Governor of Utah, Alfred Cumming.

In Utah, word of the approaching army was met with an immediate reaction: "With God's help, they shall NOT come here!" Preparations for resistance began at once, spurred by the most inflammatory war speeches and stirring battle songs. (These alone are material for a study of the times.) Throughout the territory men were mustered and drilled; units of horsemen were sent out to scout and harass the enemy; the canyon approaches swarmed with men preparing defenses. A desperate express across the desert west almost cost the lives of sixteen men and their animals in the urgency to call home the Carson Saints and --more importantlyk- to bring home two wagon-loads of ammunition from California.

The weather decided the issue. If God were really fighting their battles, the Mormons should recognize that He did it effectively in the sudden descent of a bitter winter.

By spring both the government officials and the Mormons were ready to talk. The Mormons would accept their new governor, but they did not want his retinue in the city. Rather than accept this military rule, they would move south and burn their Zion behind them. But where could they go? There was loose talk of Sonora or the islands of the sea. In March

a company of sixty men with as many horses, and with twenty wagons set out into the desert west and north of Cedar City--another expedition which almost ended in disaster--to seek out "A Place of Refuge." They learned only that there was no such place.

In the end, the gesture of protest was the mass movement of the people out of Salt Lake City toward the south. A few went nearly a hundred miles to Nephi; most of the others sifted into the settlements nearer home, setting up such temporary camps as they could.

On June 26 the army marched through the deserted city to take up camp some forty miles west. They met many of the Mormons returning to their homes; in fact, most were back by the first week in July.

What then of Abraham the Jew, who had been the unwitting cause of all this commotion? It was as if he had stepped onto a darkened stage, someone lighted the tableaux-powder at his feet, and for a minute he stood illumined and in full view of all the people. Then after the brief sputtering, the stage was dark again, and he was lost again in the crowd.

Did he remain in Southern Utah? Did he marry and raise a family there? Court records of marriages in Fillmore show that three Abrams girls from Kanosh were married to local men, but names of their parents are not given.

The Utah Gazetteer for 1874 lists one L. Abrahams, a saloon-keeper in the 14th Ward, South Temple, south side, between West Temple and First West.

With the assurance that he was a baptized Mormon comes the firm belief that somewhere at least one faithful descendant has made out the required family group sheets which give the pertinent details of his life.