

John D. Lee, Second Trial

Preliminary Material
and
Daniel H. Wells, Laban Morrill, and
James Haslam Testimonies

RT	MU	BT	PS
<p><i>[2nd trial Bk 1]/643</i></p> <p>SECOND LEE TRIAL.</p> <p>IN THE DISTRICT COURT FOR THE SECOND JUDICIAL</p>		<p><i>[[Book 1 1]]</i></p> <p>SECOND TRIAL OF J D LEE</p> <p>REPORTED BY ADAM PATTERSON & TRANSCRIBED BY W L COOK</p> <p>IN THE DISTRICT COURT FOT THE SECOND JUDICIAL</p>	<p><i>[[Cover of Book 2]]/644</i></p> <p>BOOK NO 2 - 2ND LEE TRIAL⁶⁴⁵ PEOPLE VS. LEE</p>

643. Handwritten table of contents in ink, except for pencil noted:

Book 1 1st Copy

Second Trial of Jno. D. Lee.

Thursday Sep 14, 1876

Page 1.	Indictment read to Lee.
—" 2.	Opening addresses to Jury by Sumner Howard, and W.W. Bishop
—" 3.	Affidavit of Brigham Young.
—" 9.	Affidavit of Geo. A. Smith.
—" 11. {1/2} ^p	Proclamation of Governor Brigham Young.
—" 14.	Report of Gov. Young to Supt Indian Affairs, Washington, D.C.
—" 19.	Letter of Jno. D. Lee, to Brigham Young.
—" 23.	Abstract from Report of Brigham Young to Denver, Com? from Prest
Young.	
25.	Circular to Col. Dame from Prest Young.
28.	Daniel H. Wells Testimony.
{James H. Haslam's testimony omitted} ^p	
29.	Laban Morrill —"
39.	Joel White ?[same as above] —"
43.	Joel White ?[same as above] —"
59.	Samuel M ^c Murdy. "
71.	Nephi Johnson —"
111.	Jacob Hamblin. —"
141	Nephi Johnson —" Recalled.

J. Rogerson.

Reporter. [*This page is not numbered by Rogerson.*]

644. Patterson Shorthand Book 1, containing jury interviews and opening arguments, is not extant.

645. This is in Rogerson's hand. The remainder is in Patterson's hand.

RT**MU****BT****PS**

<p>DISTRICT OF THE TERRITORY OF UTAH. COUNTY OF BEAVER. THE PEOPLE OF THE TERRITORY OF UTAH. VS JOHN D. LEE, WILLIAM H. DAME, ISAAC C. HAIGHT, ET AL. INDICTMENT FOR MURDER, SEPTEMBER 16TH, 1857. ∴ HELD IN THE COURT ROOM OF SAID COURT IN BEAVER CITY, UTAH.∴</p> <p>THURSDAY, SEPTEMBER 14TH 1876.</p> <p>JURY WAS EMPANELLED AND SWORN TO TRY THE CASE, AFTER WHICH THE COURT ADJOURNED UNTIL TO- MORROW MORNING THE FIFTEENTH.</p> <p>FRIDAY MORNING, SEPTEMBER 15TH 1876.</p> <p>COURT MET AS</p>		<p>DISTRICT OF THE TERRITORY OF UTAH. (BOOK 1)</p> <p>PEOPLE OF THE TERRITORY FO OF UTAH, VS. JOHN D. LEE. TESTIMONY IN THE ABOVE ENTITLED CASE.</p>	<p>PEOPLE AGAINST LEE 2</p>
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RT**MU****BT****PS**

<p>PER ADJOURNMENT, HON. JACOB S. BOREMAN,</p> <p>PRESIDING. SUMMER HOWARD UNITED STATES ATTORNEY; PRESLEY DENNY, DEPUTY UNITED STATES ATTORNEY, JAMES R. WILKINS CLERK, JOHN D. LEE THE DEFENDANT ON TRIAL WITH HIS ATTORNEYS WELLS SPICER, J.C. FOSTER, AND WILLIAM W. BISHOP; WILLIAM NELSON, UNITED STATES MARSHAL WITH HIS DEPUTIES WILLIAM STOKES, FRANKLIN BROWN AND EDWARD KEISEL.</p> <p>ALL PARTIES HAVING ANNOUNCED THEMSELVES READY FOR</p>		<p>HON. J.S. BOREMAN, JUDGE. PRESIDING. SUMNER HOWARD, U.S.</p> <p>ATTORNEY, AND PRESSLEY DENNEY ASSISTANT U.S. ATTORNEY. FOR PROSECUTION</p> <p>WELLS SPICER, J. C. FOSTER AND WILLIAM W. BISHOP,</p> <p>ATTORNEYS FOR DEFENDANT THE JURY HAVING BEEN EMPANELED</p>	
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RT**MU****BT****PS**

<p>TRIAL THE FOLLOWING PROCEEDINGS WERE HAD. CLERK WILKINS READ THE INDICTMENT TO LEE, IMPLEADED WITH OTHERS, TO THE ¹² JURY, AND STATED THE PLEA MADE BY THE DEFENDANT IN THE FORMER TRIAL, OF NOT GUILTY. SUMNER HOWARD STATED THE CASE TO THE JURY ON BEHALF OF THE PEOPLE, AND WHAT HE EXPECTED TO PROVE IN THE PRESENT TRIAL. WILLIAM W. BISHOP STATED THE CASE FOR</p> <p>THE DEFENDANT, AND WHAT HE EXPECTED TO PROVE IN BEHALF OF THE DEFENDANT AT THIS TRIAL. ON MOTION OF SUMNER HOWARD THE COURT APPOINTED A.S. PATTERSON ESQ.,</p>		<p>THE CLERK READ THE INDICTMENT..</p> <p>HOWARD MAKES STATEMENT OF THE CSASE TO THE JURY ON THE PART OF THE PROSECUTION.</p> <p>BISHOP MAKES STATEMENT TO JURY ON BEHALF OF THE DEFENDANT.</p>	
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RT**MU****BT****PS**

<p>AS OFFICIAL COURT REPORTER IN THE TRIAL OF THIS CAUSE, WHEN MR. HOWARD SAID: IF THE COURT PLEASE, I NOW PROPOSE TO OFFER IN EVIDENCE THE DEPOSITION OF BRIGHAM YOUNG. ∴ WHICH WAS OFFERED IN THE FORMER TRIAL AND FILED BUT NOT ACCEPTED BY THE COURT ∴ ALSO THE AFFIDAVIT OF G.A.SMITH ∴ WHICH WAS ALSO FILED AND ALSO REFUSED BY THE COURT TO BE READ IN EVIDENCE IN THE FIRST TRIAL</p>		<p>HOWARD: THERE ARE SEVERAL PAPERS WE AGREE TO ADMIT TO HAVE USED AS EVIDENCE IN THIS CASE.</p> <p>THERE IS ONE</p>	<p>[[1]]⁶⁴⁶ THERE ARE SEVERAL PAPERS WE AGREE TO ADMIT TO HAVE USED AS EVIDENCE IN THIS CASE [space] HE PASSED THEM OVER TO THE COURT THERE IS BUT ONE</p>
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646. There are two lines in the margin of this page.

RT	MU	BT	PS
<p>∴ I NOW ALSO OFFER A LETTER, WRITTEN BY JOHN D. LEE TO</p> <p>BRIGHAM YOUNG,</p>		<p>ORIGINAL DOCUMENT</p> <p>AMONG THE PAP[ERS] THAT WØILL HAVE TO BE SUPPLEMENTED BY PROOF OF THE HAND WRITING, UNLESS IT IS ADMITTED. BISHOP: WE ADMIT THE HAND-WRITING UNDER THE REPORT TO JOHN D. LEE, WITH THE UNDERSTANDING THAT IT MAY BE USED BY EITHER PARTY — WEITHER SIDE OF THE CASE.</p> <p>HOWARD; THE REPORT OF JOHN D. LEE TO GOVERNOR BRIGHAM YOUNG, DATED NOV. 20TH, 1857; AND THE CLERK WILL PLEASE MARK THEM AND ATBTHE SAME TIME MAKE A MEMORANDUM THAT THE SIGNATURE OF JOHN D. LEE IS</p>	<p>ORIGINAL DOCUMENT IN THEM YOUR AMONG THE PAPERS THAT DOCUMENT WILL HAVE TO SUPPLEMENT ITS ADMISSION BY PROOF OF THE HANDWRITING UNLESS IT IS ADMITTED. [space] BISHOP WE ADMIT THE HAND WRITING IN THE REPORT OF JOHN D. LEE. WITH THE UNDERSTANDING THAT IT MAY BE BROUGHT UP ≤ON EITHER≥ SIDE OF THE CASE BY EITHER PARTY [space] PR[?] NUMBER 1 THE REPORT OF JOHN D. LEE TO GOVERNOR BRIGHAM YOUNG DATED NOV 20 1857. THE CLERK WILL PLEASE MARK THEM AND AT THE SAME TIME MAKE A MEMORANDUM THAT THE SIGNATURE OF JOHN D. LEE IS</p>

RT**MU****BT****PS**

<p>ALSO THE REPORT OF BRIGHAM YOUNG TO THE</p> <p>DEPARTMENT OF INDIAN AFFAIRS,</p> <p>ANS ALSO THE PROCLAMATION OF BRIGHAM YOUNG THEN GOVERNOR AT THE TIME, OF THIS TERRITORY.</p>		<p>ADMITTED. SECOND—THE LETTER OF GRIGHAM YOUNG TO THE HON. JAMES W. DENVER, COMMISSIONER TO OF INDIAN AFFAIRS, DATED SEPTEMBER, 12TH, 1857. THIRD—SAME TO THE SAME, DATED JANUARY, 6TH, 1857. FOURTH — PROCLAMATION [2] OF GOVERNOR YOUNG,</p> <p>DATED SEPTEMBER, 15TH, 1857. FIFTH —AFFIDAVIT OF BRIGHAM YOUNG, DATED JULY 30TH, 1876. SIXTH— AFFIDAVIT OF GEORGE A. SMITH, DATED JULY 30TH, 1876. SEVENTH — LETTER OF GOV, YOUNG TO COL. WILLIAM H. DAME, DATED SEPTEMBER</p>	<p>ADMITTED [<i>space</i>] 2 LETTER OF BRIGHAM YOUNG TO THE HONORABLE JAMES W DENVER COMMISSIONER OF INDIAN 3 AFFAIRS DATED SEPTEMBER 12/57</p> <p>SAME TO THE SAME DATED JANUARY 6/58 (4) PROCLAMATION OF GOVERNOR YOUNG</p> <p>DATED SEPTEMBER 15 1857 [<i>space</i>] 5 AFFIDAVIT OF BRIGHAM YOUNG DATED JULY 30/1876 [<i>space</i>] 6 AFFIDAVIT OF GEORGE A SMITH DATED JULY 30/1876 [<i>space</i>] 7 LETTER OF GOVERNOR YOUNG TO COLONEL WILLIAM H DAME DATED SEPTEMBER 14</p>
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RT**MU****BT****PS**

THESE PAPERS HAVE BEEN SUBMITTED TO THE ATTORNEYS FOR THE DEFENSE,AND THEY HAVE CONSENTED TO THEIR INTRODUCTION AS EVIDENCE IN THIS CASE. I NOW FILE THEM, AND PLACE THEM IN EVIDENCE TO SAVE TIME. BISHOP: MAY IT PLEASE YOUR HONOR, WHILE WE DENY THAT THESE DOCUMENTS ARE LEGAL EVIDENCE OF THE FACT IN THE INDICTMENT AS CHARGED, WE STILL CONSENT TO THE SAME BEING INTRODUCED, BECAUSE IN THE FORMER TRIAL WE CAME NEAR BEING PLACED IN JAIL FOR OFFERING THE SAME PAPERS, ESPECIALLY ^[3] THE DEPOSITION OF BRIGHAM YOUNG, AND		14TH, 1857. MR.	1857
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THE AFFIDAVIT OF GEORGE A. SMITH, AS EVIDENCE AT THE FORMER TRIAL OF THIS DEFENDANT. WE WISH TO SEE TO WHAT LENGTH THE PROSECUTION WILL GO IN THIS COURT TO CONVICT THE DEFENDANT ON TRIAL BY LAW OR WITHOUT LAW. OUR OPINIONS, AS LAWYERS, WERE AGAINST THE ADMISSION OF THIS EVIDENCE, BUT OUR CLIENT INSISTS THAT THE EVIDENCE SHALL BE ADMITTED, CONTRARY TO OUR BEST JUDGMENT, WE HAVE CONSENTED. LET THE EVIDENCE GO IN, AND WITH IT ALL BESIDES, THAT THE AUTHORITIES OF THE CHURCH AT SALT LAKE CITY HAVE ON EARTH FOR THE PERUSAL OF OUR BROTHER			
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<p>HOWARD. WE KNOW WE ARE FIGHTING THE INDICTMENT AND ALSO THE SECRET FORCES AND POWERS OF THE MORMON CHURCH. MR. HOWARD THEN INTRODUCED THE FOLLOWING DOCUMENTARY EVIDENCE. <i>[RT pages 3 to 27 contain typescripts of the aforementioned documents. Transcripts of those original documents can be found in MMMCLP, chapter 36, "Documents Introduced into Evidence for John D. Lee's Second Trial."]</i></p>		<p>SPICER MOVES TO HAVE THE WITNESSES EXCEPT THE ONE ON THE STAND, EXCLUDED FROM THE COURT ROOM DURING THE TRIAL;</p>	
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PS

^{[[2]]}⁶⁴⁷ SPICER WELL YOUR HONOR? IF WE ~~MAKE A LIST~~ CALL THE WITNESSES HAVE THEM SWORN AND EXCLUDED COURT: WE'LL REQUIRE THE WITNESSES TO BE KEPT OUT OF THE COURT ROOM. [space] OBJECTED TO CALLING THE NAMES OF OUR WITNESSES [space] ALL THE WITNESSES TO BE KEPT OUT OF COURT IF ANY OF OUR WITNESSES FAIL THAT THEY DO IT AT THE EXPENSE OF THE PENALTY OF BEING EXCLUDED AS A WITNESSES. [space]⁶⁴⁸ BISHOP WE HAVE A RIGHT BY THE PRACTICE IN ALL COURTS WHERE I PRACTICE [space] THE FIRST TIME I EVER WAS IN THE PROSECUTION OF A CRIMINAL CASE THAT THERE WAS ANY OBJECTION TO THE CALLING OF EVERY WITNESSES WHOSE ~~WAS~~ PRESENCE COULD BE OBTAINED THEN INSTRUCTED BY THE COURT AND PLACED UNDER THE RULE [space] THE OBJECT OF THAT RULE IS AS MUCH AS THEY SHALL NOT CONVERSE WITH EACH OTHER ABOUT WHAT THEY HAVE TESTIFIED TO IS THAT THEY SHALL NOT HEAR THE TESTIMONY GIVEN. NOW IT IS POSSIBLE FOR A PERSON TO COMMIT A *TM*[?] BY TALKING WITH WITNESSES ONLY AS THEY HAVE BEEN PLACES UNDER THIS RULE ONLY AS HE CONSIDERED THE OPPORTUNITY OF UNIFYING THEM THAT IT WILL BE WRONG FOR THEM TO CONVERSE WITH EACH OTHER. CONSEQUENTLY WE CLAIM WE HAVE A RIGHT TO PLACE THE OFFICERS OF THE PROSECUTION UNDER THIS RULE WE HAVE A RIGHT TO KNOW WHO THEY ARE THAT WE MAY WATCH THEM SO THAT THEY DO NOT COME INTO COURT ROOM AND IF WE FIND THEM CONVERSING WITH EACH OTHER IN REGARD WHAT TESTIMONY THAT HAS BEEN GIVEN ON THE STAND THAT WE MAY *FIND*[?] THEY HAVE TOLD THE OTHERS IN IN SPITE OF HIS IN *COMPELLING*[?] THE COURT SAY THAT WITNESSES SHALL NOT TALK BECAUSE THAT IS THE GENERAL PRESUMPTION BUT THERE IS NO WAY TO COMPEL IT UNLESS THEY ARE NUMBERED ^{[[3]]} HERE A REASON OF THE RULE IS SUFFICIENT ANSWER TO OUR APPLICATION SUFFICIENT *ATTENTION*[?] FOR OUR DEMAND THAT THEY MAY BE PLACED UNDER THE RULE THAT THEY MAY BE NOTIFIED BY THE COURT [space] DEMAND THEREFORE AND THAT WE MAY HAVE A FAIR CHANCE IN THIS CASE. THEREFORE I ASK YOUR HONOR THAT THE WITNESSES FOR THE PROSECUTION IN THIS INSTANCE BE TREATED AS ALL WITNESSES HAVE BEEN HERETOFORE IN THIS COURT THOSE THAT ARE IN ATTENDANCE BE CALLED IF FOUND BE SWORN AND PLACED UNDER THE RULE *TH*[?] THE HEARING THE OTHER WITNESSES AND INSTRUCTED BY YOUR HONOR THAT THEY ARE NOT TO CONVERSE WITH EACH OTHER UP TO THE THEY ARE TO TESTIFY. THAT THEY MAY COME UPON THIS STAND AND TESTIFY FROM THEIR OWN RECOLLECTION AND NOT FROM WITNESSES WHO HAVE JUST LEFT THE STAND. HOWARD ~~JURY~~⁶⁴⁹ THIS IS THE QUESTION INTRODUCED *BEARING*[?] AND TO THE DECISION THAT MAY BE MADE UPON IT IS BUT IMPOSSIBLE IN A TRIAL OF

647. Large, dark * in left margin.

648. Rogerson's hand symbol in left margin of next three lines.

649. There is a longhand phrase that is thoroughly crossed out; it is illegible except for the last word: **JURY**.

CRIMINAL CASES *A MATTER OF JUSTICE*[?] WE'LL OCCUPY[?] IT
DISTANCES[?] AND IT IS TO LEAVE TO AN OPEN QUESTION I TOOK THE
POSITION AND I TYPED MY *PRM*[?] BUT *WHEN*[?] IT IS A RULE OF LAW THAT
AUTHORIZES THE COURT TO PUT WITNESSES FOR THE PARTIES WHERE
THEY SHALL NOT CONVERSE WITH EACH OTHER THERE IS NO RULE OF
LAW OR OF *PRACTICE*[?] AUTHORIZING THIS COURT OR ANY OTHER COURT
TO MAKE PROVISIONS TO WITNESSES TO PRESUME IN ADVANCE THAT
WITNESSES ARE MEN WHO MUST BE KEPT UNDER THE SURVEILLANCE OF
THE COURT AND WHOSE MOUTHS MUST BE CLOSED BY THE ORDER OF
THE COURT AND WHOSE EARS MUST BE STOPPED BY SUCH ORDER [space]
THE PRESUMPTION IS ^[14] THAT WITNESSES WHO HAVE ANY INTEREST IN
THE CASE WHO ARE BROUGHT UP IN THE COMMUNITY TO A DEGREE ARE
MEN OF HONOR AND OF INTEGRITY AND MEN WHO KNOWN TO BE SHALL
BE AND TREATED AS CRIMINAL AND GIVE ME EXPLANATION SHALL
AT/IT[?] ONCE BE *THRN/THREATENED*[?] ~ I ASK THAT POSITION I DEFY THE
INTRODUCTION OF ANY AUTHORITY AGAINST IT NOW TO APPLICATION OF
THE RULE [space] ~~IS NOT~~ IS SIMPLY THIS THE PROPOSITION IS SIMPLY THIS
THAT WITNESSES WHO HAVE NOT YET BEEN CALLED AND SWORN SHALL
NOT HERE WHAT IS BEING SAID BY THE WITNESSES WHO ARE IN
ADVANCE OF THEM THAT WHEN A WITNESS IS ON THE STAND TESTIFYING
THAT THOSE *ATTEND/TEND*[?] SAME AS THEY WHO ARE TO BE CALLED
AND THE SAME CONSIDERATION [space] SHOULD BE EXCLUDED BEYOND
HIS HEARING AND *UNDER*[?] THE ONLY PENALTY I HAVE EVER KNOWN
[space] ~ [space] THAT IF WITNESSES DISPUTE THERE UPON EVIDENCE OF
THE PARTY CALLING THEM OR FROM THEIR OWN NECESSITY TO BE
PRESENT [space] THEIR TESTIMONY WOULD BE EXCLUDED AND THEY
WOULD *BE PARTY*[?] TO BE PERMITTED TO BE SWORN WE ASK THE
APPLICATION OF THE RULE IN THIS CASE AS IT HAS BEEN APPLIED FROM
TIME IMMEMORIAL WE ASK SIMPLY THAT YOUR HONOR MAKE AN ORDER
THAT THE WITNESSES SHOULD ALL BE CALLED BY THE PROSECUTION
AND BY THE DEFENSE WE ARE NOT PARTICULAR TO OUR WITNESSES WE
ARE NOT PARTICULAR TO THEIR WITNESSES WE WOULD
SNTR/SNTHR/SNDR[?] THEY WOULD COME HERE AND HEAR EVERY *RULE*[?]
THAT THE WITNESSES ARE TO BE EXCLUDED THAT YOUR HONOR MAKE
AN ORDER OF ALL THE WITNESSES TO BE SUBPOENAED APPEAR BY THE
PROSECUTION AND DEFENSE [space] SHALL LEAVE THE ROOM ^[15] TO COME
WHEN THEIR NAMES ARE CALLED [space] NOW THERE ARE SEVERAL
REASONS WHY WE SHOULD NOT BE REQUIRED TO CALL THE NAMES OF
OUR WITNESSES AND I SHALL ~~M~~ [space] *MAY OPPORTUNE*[?] HERE TO
EXPLAIN/UNDERSTAND[?] YOU MAKE ANY REFLECTION IN THE FIRST
PLACE [space] THERE HAS BEEN IN THIS CASE FROM THE BEGINNING TO
THE END ON THE PART OF THE OF THE FRIENDS OF JOHN D. LEE AN
EFFORT TO TAMPER WITH WITNESSES THAT I NEVER SAW EQUAL IN ANY
CASE OR ANY COURT FRIENDS NEWSPAPER ARTICLES AND EVERYTHING
THAT COULD BE URGED HAVE BEEN THRUST IN THE FACE AND EYES OF
WITNESSES FOR THE PURPOSE OF EXCITING THEIR PREJUDICE AND

MAKING THEM [space] COURT: I YOU BETTER NOT STATE THAT BEFORE
 THE JURY [space] WHILE I *QUESTION*[?] COUNSEL YET I SAY THAT IT IS NOT
 DESIRABLE THAT THEY SHOULD BE FURNISHED WITH A LIST OF OUR
 WITNESSES WHEN THE FACT IS APPARENT THAT THE ONLY OBJECT [space]
 IS TO ENABLE OUTSIDERS IF THEY DESIRE TO TO APPROACH THOSE
 WITNESSES OPPORTUNE THOSE WITNESSES TAMPER WITH THEM OR DO
 SOMETHING THAT THEY DARE NOT DO IN THE FACE OF THE COURT [space]
 IF IT COULD BE ACCOMPLISHED THAT IS A POSSIBLE RESULT OF THE
 COURT MAKING ORDER ASK FOR ALL THE EVIDENCE AS THAT NOTHING
 ELSE TO BE ACCOMPLISHED COUNSEL [space] IF THEY HAVE THEIR NAMES
 THAT ARE NOT HERE THAT WITNESSES THAT NEED WATCHING THAT ARE
 NOT HERE ANOTHER THAT WITNESSES COULD WELL DISOBEY AN ORDER
 OF THE COURT [space] THERE IS NO PRESUMPTION IN ADVANCE THAT OUR
 WITNESSES NEED WATCHING AND AS EVERY WITNESS IS CALLED ^{[[6]]}
 UPON THE STAND AND THE OATH ADMINISTERED [space] . *SAY*[?] WHETHER
 THEY HAVE BEEN WITHIN THE HEARING OF THE OTHER WITNESSES AND
 IF YOUR HONOR DEEMS IT PERTINENT TO APPROVE THEY CAN ALSO ASK
 THEM WHETHER THEY HAVE TALKED AMONG THEMSELVES IN REGARD
 TO IT [space] NOW I INSIST THAT IS IN RULE OF LAW OR PRACTICE AND
 THOUGH THAT IS *ENTIRELY*[?] PROPER IN ASKING PROSECUTION TO
 FURNISH A LIST OF THE WITNESSES IN ADVANCE AND THE STATE HAS
 ALREADY GONE FAR ENOUGH IN THAT [space] AND—THAT THE NAMES OF
 THE WITNESSES WAS BEFORE THE GRAND JURY SHALL BE INTRODUCED
 THE REASON OF THAT WE ARE NOT HERE TO DISCUSS THE PROPRIETY OF
 IT RULE ALWAYS *DOUBTED/TD*[?] BUT IT IS LAW AND WE MUST COMPLY
 WITH IT AND DO COMPLY WITH IT [space] THERE IS ANOTHER REASON
 WHY WE SHOULD NOT BE OBLIGED TO FURNISH NAMES OF WITNESSES
 [space] IT IS NOT TO BE PRESUMED THAT PARTIES ENTERING INTO A CASE
 OF THIS KIND FACTS OF WHICH MUST BE BROUGHT OUT BY EVERY MEANS
 AT THE HANDS OF THE PROSECUTION EVERY MAN WHO MUST TESTIFY
 FROM MEMORY BACK TO A PERIOD OF NEARLY 20 YEARS THAT THE
 PROSECUTION WELL KNOW IN ADVANCE WHO THE WITNESSES ARE WE
 DO NOT KNOW WHO ALL THE WITNESSES ARE [space] THE LIST OF THE
 PROSECUTION [space] *COURT IS/COURSE/KRS*[?] BY THE DEFENSE AND
 [space] BUT THE SHAPE THE CASE MAY ASSUME MAY BRING UP NEW
 WITNESSES AND OF WHOSE EXISTENCE AT THIS TIME WE HAVE NO
 KNOWLEDGE NOW THAT PLAN RESTS SQUARELY ON THE RULE OF LAW
 WE ARE WILLING TO COMPLY WITH THE ESTABLISHED RULE OF LAW
 [space] ^{[[7]]} [space] *IN*[?] GOOD FAITH THAT WITNESSES SHOULD EACH BE
 CALLED BY THE PROSECUTION SHALL BE EXCLUDED BY THE COURT
 ROOM AND BE REQUIRED TO FURNISH A LIST OF OUR WITNESSES WE
 MUST RESPECTFULLY DECLINE UNLESS IT IS AN ORDER OF YOUR HONOR
 [space] WHEN THAT IS BROUGHT WE'LL GIVE OUT *TRUTHFUL/CHEERFUL*[?]
KSNS[?] [space] BISHOP ONE WORD IN REPLY WHILE I MUST POSITIVELY
 DISAGREE WITH BROTHER HOWARD AS TO THE RULE OF LAW I AM NOT
 PARTICULAR ABOUT ITS ENFORCEMENT I DO NOT KNOW WHERE THEY

CAN/CAN'T[?] DLK/DLKT[?] THE POSITION THAT THEY OCCUPY I DO NOT KNOW THAT —/THE[?] WITNESSES HAD BEEN PLACED IN JEOPARDY OR THAT THEY HAD BEEN THREATENED BY NEWSPAPERS OR ANYTHING OF THAT KIND BECAUSE I THINK THEY OF — —/ALL THE[?] NEWSPAPER [space] THAT WHEN OUTSIDE OF THE LINE OF THEIR DUTY AND [space] FAVOR THE PROSECUTION IN THIS CASE [space] —/AND[?] COMING HERE NOW AND HEARING ASSERTION THAT THE PROSECUTION MAY DEPART FROM THE ESTABLISHED FORM CERTAIN PARTIES THAT IS THE EVIDENCE OF CERTAIN PARTIES WHO WOULD NOT HAVE AN HONORABLE PURPOSE TO COME HERE AND TESTIFY AS THEY AND FEAR APPEAR[?] THAT WE MIGHT BE THE INSTRUMENTS OF PREVENTING PROSECUTION FROM MAKING OUT ITS FULL CASE I NOW ASK YOUR HONOR FOR LEAVE TO WITHDRAW MY MOTION AND TO GIVE THE PROSECUTION THE FULLEST POWER POSSIBLE [space] HE STANDS HERE HE SAYS FOR FAIRNESS [space] AND SO WE STAND [space] WHICH IS[?] IN PARTICULAR TO HIS WITNESSES A GOOD PRINCIPLE —[?] NEITHER[?] IS MY PLAN[?]. ^{[[8]]} I AM NOT AFRAID FOR HIS WITNESSES TO COME HERE AND LISTEN TO EACH OTHER BECAUSE WITNESSES THAT WOULD BE AFRAID TO BE PLACED UNDER THE RULE I AM NOT AFRAID OF [space] LEARNED THEIR LESSON BY ROTE AND THEN TELL IT LIKE A PARROT CALLING FOR CRACKER TALK ABOUT WITNESSES BEING TAMPERED WITH THAT SAME CHARGE REQUIRES[?] THAT TROUBLE OFFICERS ON THE OPPOSITE SIDE WE HAVE NO CHARGES TO MAKE AGAINST THE PROSECUTION I HOPE I MAY NOT BE COMPELLED TO WAGE AN OFFENSIVE AND DEFENSIVE WAR [space] I WISH TO SAY NOW FOR THE PURPOSE[?] CLEAR[?] JOHN D. LEE IF I HAVE A —[?] TO DO SO NO WAY UPON EARTH [space] A BROAD POSITION ON TESTIMONY/AND ITS[?] MOTION/MN[?] MY BROTHER HOWARD COMES HERE WITH HIS WISHES FOR THE PROSECUTION AND —/CONVINCING[?] ME[?] IF THEY CAN BUT THE PREJUDICE[?] IN THIS CASE COMPELS THEM TO DO THINGS THAT NOT COMMON THAT THEY WOULD HAVE DEEMED UNFAIR MOTION WHEN THEY COULD WORK TO GET A CASE OF THIS KIND MAY DO THINGS THAT KRSNS/KRSKSK[?] WOULD CONDEMN HIMSELF CONVINCED OF BEING SUSCEPTIBLE TO THE OUTSIDE IN A CRIMINAL CASE AND LANGUAGE[?] GOES FAR TO JUSTIFY MOTIONS PROPOSED TO JUDGE US [space] I NOW WITHDRAW MY OBJECTION AND AM WILLING THESE WITNESSES [space] COME FORWARD AND [space] WILLING [space] SHALL TAKE THE CUP[?] AND DRAW OUT ALL ENTIRE[?] FAIR[?] THING/ONN[?] AND DELIVER TO EACH WITNESS THIS ONE BEEN SWORN TO WITNESS THIS BEEN GIVEN BY THE ONE JUST LEFT[?] THE STAND [space] ^{[[9]]} HOWARD[?] [space] COURT: THE REMARKS IN REGARD TO INTIMIDATION OR ANYTHING OF THAT KIND AND JURY ON THE REGARD[?] AND [space] I HAVE LISTENED TO THIS DISCUSSION MOST OF WHICH WAS OUT OF ORDER AND THE QUESTION TO ME IS SO[?] PLAIN THAT IT DON'T SEEM TO ME IT WAS NECESSARY TO DISCUSS THE QUESTION AT ALL THE RULE IS THERE IS ANYTHING PENDING UPON THE COURT IN REGARD TO INSPECTION OF THE WITNESSES IT IS MERELY A QUESTION FOR THE COURT TO CONSIDER IN DOING THAT

WHICH HE CONSIDERS FOR THE BEST INTERESTS OF THE PUBLIC AND FOR THE DEFENDANT [space] THE PRACTICE IS THAT THE COURT MAY EXCLUDE EVERY WITNESSES ON BOTH SIDES HAVE MIND DO SO ALTHOUGH BOTH SIDES MAY ASK IT [space] AND THE FINAL DECISION OF THE COURT *LS/LST*[?] TO BE OVERTURNED ON ACCOUNT OF THE RULING IN SUCH CASE IT IS QUESTION ENTIRELY WITHIN THE DISCRETION OF THE COURT [space] IN THIS COURT WE HAVE GENERALLY EXCLUDED WHEREVER IT WAS REQUESTED AND EXCLUDED WITNESSES ON BOTH SIDES NEVER DID RECOGNIZE RULE IN THIS COURT THAT EITHER PARTY WOULD *KNOW*[?] ALL THE WITNESSES ON THE OTHER SIDE WHEN IT WAS REQUESTED [space] ~ [space] MADE AN ADDITIONAL RULE THAT ANY WHOSE NAMES WERE NOT CALLED WOULD BE EXCLUDED FROM THE COURT ROOM AND BE *FM/FAMILIAR*[?] THEY WERE EXPECTED TO TESTIFY *MUST*[?] SEE TO IT THAT THEY DID NOT COME INTO THE COURT ROOM THESE ARE THE GENERAL RULES RECOGNIZED IN THIS COURT ALWAYS BUT THE COURT WOULD NOT REQUIRE ALL THE WITNESSES NAMES TO CALL IF THERE WERE ANY REASONABLE GROUND FOR OBJECTION TO SUCH A RULE

RT	MU	BT	PS
<p>FIRST WITNESS FOR THE PROSECUTION. DANIEL H. WELLS, DIRECT EXAMINATION.</p> <p>BY JUDGE SUMNER HOWARD.</p>	<p>DANIEL H. WELLS.</p> <p>SWORN FOR THE PROSECUTION.</p> <p>HOWARD—</p>	<p>BUT AFTER A LONG ARGUEMENT BY COUNSEL ON BOTH SIDES THE MOTION WAS WITHDRAWN AND THE WITNESSES ARE</p> <p>ALLOWED TO REMAIN IN THE COURT ROOM.</p> <p>DANIEL WELLS, A WITNESS SWORN FOR THE PROSECUTION-, WAS EXAMINED IN CHIEF BY MR HOWARD &</p>	<p><i>[[10]] AND ENFORCEMENT</i>[?]]</p> <p>AS THE OBJECTION IS WITHDRAWN</p> <p>WITNESSES ON BOTH SIDES WILL BE PERMITTED TO BE IN THE COURT ROOM.</p> <p>D.H. WELLS</p> <p>SWORN FOR THE PROSECUTION [space]</p>

RT**MU****BT****PS**

<p>Q. HOW LONG HAVE YOU RESIDED IN THIS TERRITORY ?</p> <p>A. SINCE THE FALL OF 1848.</p> <p>Q. DO YOU KNOW JOHN D. LEE ? A. YES</p> <p>SIR. Q. DID YOU KNOW HIM IN 1857 ? A. YES SIR. Q. WHAT POSITION DID HE OCCUPY AT THAT TIME— ANY OFFICIAL POSITON ? A. I DON'T KNOW OF ANY POSITION EXCEPT IT WAS A FARMER TO THE INDIANS IN THE SOUTHERN PART OF THE TERRITORY. HE HAD BEEN A MAJOR IN THE MILITARY, BUT I DON'T KNOW WHETHER HE WAS AT THAT TIME OR NOT.⁶⁵⁰</p> <p>Q. WAS HE AT ANY PARTICULAR TIME ? A. I</p>	<p>HOW LONG HAVE YOU RESIDED IN THIS TERRITORY?</p> <p>SINCE THE FALL OF 1848.</p> <p>DO YOU KNOW JOHN D. LEE? YES,</p> <p>SIR. DID YOU KNOW HIM IN 1857? YES, SIR.</p> <p>WHAT POSITION DID HE OCCUPY AT THAT TIME OFFICIAL POSITION? I DON'T KNOW OF ANY POSITION EXCEPT IT WAS FARMER TO THE INDIANS IN THE SOUTHERN PART OF THE TERRITORY. HE HAD BEEN A MAJOR IN THE MILITARY. I DON'T REMEMBER WHETHER HE WAS AT THAT TIME OR NOT.</p> <p>AT THAT PARTICULAR TIME, I</p>	<p>TESTIFIED AS FOLLOWS</p> <p>HOWARD: Q.</p> <p>HOW LONG HAVE YOU LIVED IN THIS TERRITORY?</p> <p>A. SINCE THE FALL OF 1848.</p> <p>Q. DO YOU KNOW JOHN D. LEE? A. YES,</p> <p>SIR. Q.. QDID YOU KNOW HIN IN 1857? A. YES, SIR. Q. WHAT POSITION DID HE OCCUPY AT THAT TIME — OFFICIAL POSITION? A. I DON'T KNOW OOF ANY POSITION UNLESS IT WAS FARMER TO THE INDIANS IN THE SOUTHERN PART OF THE TERRITORY. HE HAD BEEN A MILITARY MAJOR. I DON'T KNOW WHETHER HE WAS IN</p> <p>AT THE PARTICULAR TIME OR NOT; I</p>	<p>HOW LONG HAVE YOU LIVED IN THIS TERRITORY?</p> <p>SINCE THE FALL OF 1848</p> <p>DID YOU KNOW JOHN D. LEE YES</p> <p>SIR DID YOU KNOW HIM IN 1857 YES SIR</p> <p>WHAT POSITION DID HE OCCUPY AT THAT TIME OFFICIAL POSITION I DON'T KNOW OF ANY POSITION UNLESS IT WAS FARMER TO THE INDIANS IN THE SOUTHERN PART OF THE TERRITORY. HE HAD BEEN IN THE MILITARY MAJOR I DON'T REMEMBER WHETHER HE WAS IN THEN</p> <p>AT THAT PARTICULAR TIME I</p>
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650. Lee was a major in the militia.

RT	MU	BT	PS
<p>THINK NOT. I THINK HE HAD BEEN SUSPENDED. Q. I WISH TO ASK YOU THE QUESTION, WHAT, FROM YOUR PERSONAL KNOWLEDGE WAS THE INFLUENCE OF JOHN D. LEE OVER THE INDIANS IN SOUTHERN UTAH, AND ^[29] IN THE VICINITY OF WHERE HE LIVED, OVER THE INDIANS OF WHOM HE HAD BEEN APPOINTED FARMER--WAS HE THE INTERPRETER OF THOSE INDIANS ALSO ? A. WELL I THINK HE UNDERSTOOD THE LANGUAGE IMPERFECTLY AND COULD PROBABLY CONVERSE WITH THE INDIANS. Q. STATE IF HE WAS A MAN OF</p>	<p>THINK NOT. I THINK HE HAD BEEN SUSPENDED. I WISH TO ASK YOU THE QUESTION, WHAT, FROM YOUR PERSONAL KNOWLEDGE, WAS THE INFLUENCE OF JOHN D. LEE OVER THE INDIANS</p> <p>TO WHOM HE HAD BEEN APPOINTED FARMER—WAS HE INTERPRETER</p> <p>^[318] ALSO? WELL, I THINK HE UNDERSTOOD THE LANGUAGE IMPERFECTLY; COULD PROBABLY CONVERSE WITH THE INDIANS. STATE IF HE WAS A MAN OF</p>	<p>THINK NOT. I THINK HE HAD BEEN SUPRESEDED. Q. I WISH TO ASK YOU THE QUESTION, WHAT, FROM YOUR PERSONAL KNOWLEDGE, WAS THE INFLUENCE OF JOHN D. LEE OVER THE INDIANS</p> <p>TO WHOM HE WAS APPOINTED FARMER — WAS HE INTERPRETER</p> <p>ALSO? A. WELL, I THINK HE UNDERSTOOD THE LANGUAGE IMPERFECTLY, PROBABLY CONVERSED WITH THE INDIANS. Q. STATE WHETHER HE WAS A MAN OF</p>	<p>THINK NOT [space] I THINK HE HAD BEEN SUPERSEDED [space] I WISH TO ASK YOU THE QUESTION WHAT FROM YOUR PERSONAL KNOWLEDGE WAS THE INFLUENCE OF JOHN D. LEE OVER THE INDIANS</p> <p>TO WHOM HE WAS APPOINTED ? ≤FARMER≥ WAS HE INTERPRETER</p> <p>ALSO WELL I THINK HE UNDERSTOOD THE LANGUAGE IMPERFECTLY ≤. COULD≥ PROBABLY CONVERSED WITH THE INDIANS [space] STATE WHETHER HE WAS MAN AN ≤OF></p>

RT	MU	BT	PS
<p>INFLUENCE WITH THOSE INDIANS AND A MAN THAT WAS POPULAR WITH THEM ? A. HE WAS SO CONSIDERED. BY PROSECUTION: THAT IS ALL. DEFENSE: WE HAV NO CROSS-EXAMINATION. [space] LABAN MORRILL,</p> <p>SWORN FOR PROSECUTION.</p> <p>Q. WHERE DO YOU RESIDE ? A. IRON COUNTY, AT WHAT? IS CALLED FORT JOHNSON. Q. HOW LONG HAVE YOU LIVED IN THE TERRITORY ? A. SINCE 1852. Q. DO YOU KNOW THE LOCATION OF MOUNTAIN MEADOWS ? A. NO SIR, I NEVER</p>	<p>INFLUENCE WITH THE INDIANS, A MAN POPULAR WITH THEM? HE WAS SO CONSIDERED.</p> <p>CROSS EXAMINATION WAIVED. LABAN MORRILL.</p> <p>SWORN FOR THE PROSECUTION.</p> <p>WHERE DO YOU RESIDE? IRON COUNTY, AT WHAT IS CALLED FORT JOHNSON. HOW LONG HAVE YOU LIVED IN THE TERRITORY? SINCE 1852. DO YOU KNOW THE LOCATION OF MOUNTAIN MEADOWS? NO, SIR. I NEVER</p>	<p>INFLUENCE WITH THESE INDIANS, A MAN POPULAR WITH THEM? A. HE WAS SO CONSIDERED.</p> <p>[3] CROSS-EXAMINATION WAIVED. LABAN MORRILL, A WITNESS CALLED & SWORN FOR THE PROSECUTION-, WAS EXAMINED IN CHIEF BY HOWARD: & TESTIFIED AS FOLLOWS:</p> <p>Q. WHERE DO YOU RESIDE? A. IRON COUNTY, WHAT IS CALLED FORT JOHNSON. Q. HOW LONG HAVE YOU LIVED IN THE TERRITORY? A. SINCE '52. Q. DO YOU KNOW THE LOCATION OF THE MOUNTAIN MEADOWS? A. NO, SIR, I NEVER</p>	<p>INFLUENCE WITH THESE INDIANS A MAN POPULAR WITH THEM ≤HE WAS> SO CONSIDERED [space]</p> <p>CROSS-EXAMINATION</p> <p>[[11]] LABAN MORRILL,</p> <p>SWORN FOR THE PROSECUTION [space]</p> <p>WHERE RESIDE? IRON COUNTY WHAT IS CALLED FORT JOHNSON [space] HOW LONG</p> <p>LIVED IN THE TERRITORY SINCE 52 DO YOU KNOW THE LOCATION OF MOUNTAIN MEADOWS NO SIR. NEVER</p>

RT	MU	BT	PS
<p>WAS THERE. ^[30] Q. WHERE DID YOU LIVE IN 1857 ? A. I THINK I LIVED AT CEDAR CITY. Q. H W FAR IS CEDAR CITY FROM BEAVER ? A. ABOUT THIRTY MILES. Q. DID YOU IN 19857 KNOW ANYTHING ABOUT AN EMIGRANT TRAIN KNOWN AS THE ARKANSAS</p> <p>TRAIN AND PASSING THROUGH THE TERRITORY TO SOUTHERN CALIFORNIA OR STARTING TO PASS ? A. BY REPORT ONLY. Q. DID YOU HAVE ANYTHING TO DO AS AN OFFICER OR CITIZEN AT CEDAR CITY WITH REGARD TO THE PASSAGE OF THOSE EMIGRANTS -- IF YOU DID STATE WHAT YOU</p>	<p>WAS THERE. WHERE DID YOU LIVE IN 1857? I THINK I LIVED AT CEDAR CITY. HOW FAR IS CEDAR CITY FROM BEAVER? ABOUT THIRTY MILES. DID YOU, IN 1857, KNOW ANY THING ABOUT AN EMIGRANT TRAIN, KNOWN AS THE ARKANSAS EMIGRANT TRAIN, PASSING THROUGH THE TERRITORY TO SOUTHERN CALIFORNIA, OR STARTING TO PASS? BY REPORT ONLY. DID YOU HAVE ANY THING TO DO AS AN OFFICER OR CITIZEN, AT CEDAR CITY, WITH REGARD TO THE PASSAGE OF THOSE EMIGRANTS? IF YOU DID, STATE WHAT YOU</p>	<p>WAS THERE. Q. WHERE DID YOU LIVE IN 1857? A. I THINK I LIVED IN CEDAR CITY. Q. HOW FAR IS CEDAR CITY BELOW BEAVER? A. ABOUT 30 MILES. Q. DID YOU, IN 1857, KNOW ANYTHING ABOUT AN EMIGRANT TRAIN, KNOWN AS THE ARKANSAS EMIGRANT TRAIN, PASSING THROUGH THE TERRITORY TO SOUTHERSN CALIFORNIA, OR STARTING TO PASS? A. BY REPORT ONLY. Q. DIDYOU KAVE ANYTHING TO DO AS AN OFFICER OR CITIZEN, AT CEDAR CITY, IN REGARD TO THE PASSAGE OF THESE EMIGRANTS? IF YOU DID STATE WHAT YOU</p>	<p>WAS THERE. RR/[?] WHERE DID YOU LIVE IN 1857 I THINK I LIVED IN CEDAR CITY. HOW FAR IS CEDAR CITY BELOW BEAVER ABOUT 30 MILES DID YOU IN 1857 KNOW ANYTHING ABOUT AN EMIGRANT TRAIN KNOWN AS THE ARKANSAS EMIGRANT TRAIN PASSING THROUGH THE TERRITORY TO SOUTHERN CALIFORNIA OR STARTING TO PASS BY REPORT ONLY DID YOU HAVE ANYTHING TO DO AS AN OFFICER OR CITIZEN ≤AT CEDAR CITY> IN REGARD TO THE PASSAGE OF THESE EMIGRANTS IF YOU DID STATE WHAT YOU</p>

RT	MU	BT	PS
<p>KNOW ABOUT THEIR PASSAGE, IN YOUR OWN WAY ? A. MERELY BY REPORT, THAT THERE WAS A COMPANY CAME THROUGH CEDAR CITY. I LIVED OFF AT A PLACE CALLED FORT JOHNSON, SIX MILES AND A HALF AND I WAS ENGAGED AT THAT TIME SOME LITTLE IN SEEING WHAT WAS THE BEST LOCALITY,</p> <p>OR WHAT WOULD BE FOR THE BEST GOOD FOR SOME THREE OR FOUR LITTLE PLACES, CEDAR CITY, FORT JOHNSON AND SHIRTS CREEK.⁶⁵¹ WE HAD FORMED A KIND OF A CUSTOM TO COME TOGETHER</p>	<p>KNOW ABOUT THEIR PASSAGE, IN YOUR OWN WAY. MERELY BY REPORT, THAT THERE WAS A COMPANY COME THROUGH CEDAR CITY. I LIVED OFF AT A PLACE CALLED FORT JOHNSON, SIX MILES AND A HALF. I WAS ENGAGED AT THAT TIME SOME LITTLE IN SEEING WHAT WAS CALLED THE BEST LOCALITY,</p> <p>OR WHAT WOULD DO THE BEST GOOD FOR SOME THREE OR FOUR LITTLE PLACES, CEDAR CITY, FORT JOHNSON AND SHIRTS' CREEK. WE HAD FORMED A KIND OF A CUSTOM TO COME TOGETHER</p>	<p>KNOW ABOUT THEIR PASSAGE IN YOUR OWN WAY. A. MERELY BY REPORT, THAT THERE WAS A COMPANY COMING THROUGH CEDAR CITY. I LIVED OFF AT A PLACE CALLED FORT JOHNSON, SIX MILES AND A HALF. I WAS AT THAT TIME ENGAGED SOME LITTLE IN WHAT WE CALLED THE BEST LOCALITY</p> <p>OR WHAT WOULD DO THE BEST GOOD FOR SOME THREE OR FOUR LITTLE PLACES, CEDAR CITY, FORT JOHNSON AND SHIRTZ CREEK. WE HAD FORMED A KIND OF A CUSTOM TO COME TOGETHER</p>	<p>KNOW ABOUT THEIR PASSAGE IN YOUR OWN WAY [space] MERELY BY REPORT THAT THERE WAS A COMPANY COMING THROUGH CEDAR CITY I <i>LIVED</i>[?] OFF AT A PLACE CALLED FORT JOHNSON SIX MILES AND HALF I WAS AT THAT TIME ENGAGED SOME LITTLE IN WHAT <i>WOULD</i>[?] CALLED TO SEE THE BEST <i>L/WHOLE/LAW</i>[?] <i>OBJECT/GOOD/K</i> <i>T</i>[?] OR WHAT WOULD DO THE BEST GOOD FOR SOME 3 OR FOUR LITTLE PLACES AT CEDAR CITY AND FORT JOHNSON AND SHIRTS CREEK WE HAD FORMED A KIND OF A CUSTOM TO COME TOGETHER</p>

651. Another name for Hamilton Fort.

RT**MU****BT****PS**

<p>ABOUT ONCE A WEEK TO TAKE INTO CONSIDERATION WHAT WOULD BE THE BEST GOOD FOR THOSE THREE PLACES. I HAPPENED ON SUNDAY TO COME TO CEDAR CITY, AS I USUALLY CAME, AND THERE THEN SEEMED TO BE A COUNCIL. WE MET TOGETHER ABOUT FOUR O'CLOCK IN THE AFTERNOON, AS A GENERAL THING. ON «SUNDAYS» AFTER THE EVENING SERVICE I WENT INTO THE COUNCIL AND SAW THERE WAS SOME LITTLE EXCITEMENT, IN REGARD TO SOMETHING THAT I DID NOT</p> <p>UNDERSTAND. I WENT IN AT A RATHER LATE HOUR. I INQUIRED OF THE REST</p>	<p>ABOUT ONCE A WEEK, TO TAKE INTO CONSIDERATION WHAT WOULD BE THE BEST GOOD FOR THOSE THREE PLACES. I HAPPENED ON SUNDAY TO COME TO CEDAR CITY, AS I USUALLY CAME, AND THERE SEEMED TO BE A COUNCIL. WE MET TOGETHER ABOUT FOUR O'CLOCK, AS A GENERAL THING, ON SUNDAY EVENING AFTER SERVICE. I WENT INTO THE COUNCIL, AND SAW THERE WAS A LITTLE EXCITEMENT IN REGARD TO SOMETHING I DID NOT</p> <p>UNDERSTAND. I WENT IN AT A RATHER LATE HOUR. I ENQUIRED OF THE REST</p>	<p>ABOUT ONCE A WEEK AND TO TAKE INTO CONSIDERATION WHAT WOULD BE THE BEST GOOD FOR THESE THREE PLACES. I HAPPENED ON SUNDAY TO COME TO CEDAR AS I USUALLY CAME, AND THERE SEEMED TO BE A COUNCIL. WE MET TOGETHER ABOUT FOUR O'CLOCK AS A GENERAL ^[4] THING, ON SUNDAY EVENING AFTER SERVICEES. I WENT INTO THE COUNCIL AND SAW THERE WAS A LITTLE EXCITEMENT IN REGARD TO SOMETHING I DID NOT EXACTLY</p> <p>UNDERSTAND. I WENT IN AT A RATHER LATE HOUR AND I ENQUIRED OF THE REST</p>	<p>ABOUT ONCE A WEEK AND TO TAKE INTO CONSIDERATION WHAT WOULD BE THE BEST GOOD FOR THESE THREE PLACES I HAPPENED ON SUNDAY TO COME TO CEDAR AS I USUALLY CAME AND THERE SEEMED TO BE A COUNCIL WE MET TOGETHER ABOUT FOUR O'CLOCK AS A GENERAL THING ON SUNDAY EVENING AFTER SERVICES I WENT INTO THE COUNCIL AND SAW THERE WAS A LITTLE EXCITEMENT IN REGARD TO SOMETHING I DID NOT EXACTLY</p> <p>UNDERSTAND I WENT IN AT A RATHER LATE HOUR AND I INQUIRED OF THE REST OF</p>
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RT	MU	BT	PS
WHAT WAS THE MATTER.	WHAT WAS THE MATTER.	WHAT WAS THE MATTER.	THE BISHOP AND PERHAPS <i>I</i> <i>CAME LATE</i> [?] ◀WHAT WAS THE MATTER▶ [[12]] SOME FEW OF THEM HAVE AND THEY SAID THERE WAS A COMPANY
THEY TOLD ME A COMP- ^[31] ANY OF EMIGRANTS HAD PASSED ALONG	THEY SAID A COMPANY HAD PASSED ALONG	THEY SAID A COMPANY HAD PASSED ALONG	PASSED ALONG AND HAD GONE TOWARDS MOUNTAIN MEADOWS WHO HAD GONE DOWN THERE AND
TOWARDS THE MOUNTAIN MEADOWS	TOWARD MOUNTAIN MEADOWS.	TOWARD MOUNTAIN MEADOWS, WHO HAD GON DOWN THERE, AND	THERE WAS MANY THREATS GIVEN CONCERNING US ~ SPICER ⁶⁵² [space]
AND THAT THERE WERE MANY THREATS GIVEN OUT CONCERNING THIS COMPANY. SPICER FOR DEFENDANT: WE OBJECT TO THOSE CONVERSTATIO NS IN WHICH THE WITNESS HAS NOT SHOWN THAT THE DEFENDANT WAS PRESENT. HOWARD FOR PROSECUTION: WE EXPECT TO CONNECT MR. LEE WITH THIS	THERE WERE MANY THREATS GIVEN CONCERNING THIS COMPANY. SPICER—FOR DEFENDANT— WE OBJECT TO THESE CONVERSATION S, IN WHICH THE WITNESS HAS NOT SHOWN THAT THE DEFENDANT WAS PRESENT. HOWARD—FOR THE PEOPLE— WE EXPECT TO CONNECT MR. LEE WITH IT	THERE WAS MANY THREATS GIVEN CONCERNING US ——— SPICER: WE OBJECT TO THIS AS A CONVERSATION IN WHICH THE WITNESS HAS NOT SHOWN THAT MR. LEE WAS PRESENT. HOWARD: WE PROPOSE TO CONNECT MR. LEE WITH IT	OBJECT TO AS A CONVERSATION IN WHICH THE WITNESS HAS NOT SHOWN THAT MR. LEE WAS PRESENT HOWARD WE PROPOSE TO CONNECT MR. LEE WITH IT

652. In left margin.

RT	MU	BT	PS
<p>CIRCUMSTANCE IN THIS WAY: WE PROPOSE TO SHOW THAT AT THAT COUNCIL A REPORT WAS MADE THAT THE INDIANS HAD STOPPED THIS TRAIN OF ARKANSAS EMIGRANTS OR WERE ABOUT TO STOP THEM, AND WE PROPOSE TO SHOW FURTHER THAT AT THAT TIME, IN CONSEQUENCE OF THE CONDITION OF THE COUNTRY, IT WAS CLAIMED BY SOME PEOPLE THAT THEY SHOULD BE HELD UNTIL A MESSAGE COULD BE SENT TO SALT LAKE CITY AND THEIR PASSAGE SECURED; ALSO THAT MR. MORRILL APPEARED THERE, OTHERS BEING IN FAVOR OF STOPPING THE EMIGRANTS,</p>	<p>IN THIS WAY: WE PROPOSE TO SHOW THAT AT THAT COUNCIL A REPORT WAS MADE THAT THE INDIANS HAD STOPPED THIS TRAIN OF EMIGRANTS, ^[319] OR WERE ABOUT TO STOP THEM; AND WE PROPOSE TO SHOW FURTHER THAT AT THAT TIME, IN CONSEQUENCE OF THE CONDITION OF THE COUNTRY, IT WAS CLAIMED BY SOME PEOPLE THAT THEY SHOULD BE HELD UNTIL A MESSAGE COULD BE SENT TO SALT LAKE AND THEIR PASSAGE SECURED; THAT MR. MORRILL APPEARED THERE— OTHERS BEING IN FAVOR OF STOPPING THE EMIGRANTS,</p>	<p>IN THIS WASY: WE PROPOSE TO SHOW THAT AT THAT COUNCIL A REPORT WAS MADE THAT THE INDIANS HAD STOPPED THIS TRAIN OF EMIGRANTS, OR WERE ABOUT TO STOP THEM. WE PROPOSE TO SHOW FURTHER, THAT AT THAT TIME, IN CONSEQUENCE OF THE CONDITION OF THE COUNTRY, IT WAS CLAIMED BY SOME PEOPLE THAT THEY SHOULD BE HELD UNTIL A MESASAGE COULD BE SENT TO SALT LAKE AND THEIR PASSAGE SECURED; THAT MR. MORRIL APPEARED THERE — OTHERS BEING IN FAVOR OF STOPPING THE EMIGRANTS</p>	<p>IN THIS WAY WE PROPOSE TO SHOW THAT AT THAT COUNCIL A REPORT WAS MADE THAT THE INDIANS HAD STOPPED THIS <TRAIN> COMPANY OF EMIGRANTS OR WERE ABOUT TO STOP THEM [<i>space</i>] PROPOSE TO SHOW FURTHER THAT AT THAT TIME IN CONSEQUENCE OF THE CONDITION OF THE COUNTRY IT WAS CLAIMED BY SOME PEOPLE THAT THEY SHOULD BE HELD UNTIL REPORTS A MESSAGE COULD BE SENT TO SALT LAKE AND THEIR PASSAGE <i>SECURED</i>[?] <i>THAT</i>[?] MR. MORRIL APPEARED THERE OTHERS BEING IN FAVOR OF STOPPING THE EMIGRANTS</p>

RT	MU	BT	PS
<p>AND AND PERHAPS DOING MORE THAN THAT. MR. MORRILL APPEARED THERE AND INSISTED THAT NO INTERFERENCE SHOULD BE HAD WITH THEM, UNTIL ORDERS CAME FROM BRIGHAM YOUNG -- FROM HEAD QUARTERS; AND AT FIRST INSISTING THAT THEY SHOULD BE ALLOWED TO PASS FREE AND UNMOLESTED,</p> <p>IF IT COULD BE AVOIDED. THAT THEY SHOULD BE PREVENTED BY ALL MEANS FROM INTERFERING WITH THEM. MR. MORRIL MADE SEVERAL SPEECHES TO THAT COUNCIL IN FAVOR OF THAT PROPOSITION,</p>	<p>AND PERHAPS DOING MORE THAN THAT. MR. MORRILL APPEARED THERE AND INSISTED THAT NO INTERFERENCE SHOULD BE HAD WITH THEM UNTIL ORDERS CAME FROM BRIGHAM YOUNG—FROM HEAD QUARTERS— AND AT FIRST INSISTING THAT THEY SHOULD BE ALLOWED TO PASS UNMOLESTED. THAT THE INDIANS SHOULD NOT BE ALLOWED TO MOLEST THEM IF IT COULD BE AVOIDED. THAT THEY SHOULD BE PREVENTED BY ALL MEANS FROM INTERFERING WITH THEM. MR. MORRILL MADE SEVERAL SPEECHES TO THAT COUNCIL IN FAVOR OF THAT PROPOSITION,</p>	<p>AND PERHAPS DOING MORE THAN THAT — MR. MORRIL APPEARED THERE AND INSISTED THAT NO INTERFERENCE SHOULD BE HAD WITH THEM UNTIL ORDERS CAME</p> <p>FROM HEAD QUARTERS, AND AT FIRST INSISTED THAT THEY SHOULD BE ALLOWED TO PASS UNMOLESTED; THAT THE INDIANS SHOULD NOT BE ALLOWED TO; INTERFERE IF THEY COULD</p> <p>BE PREVENTED, BY ALL MEANS, FROM INTERFERING WITH THEM. MR. MORRIL MADE SEVERAL SPEECHES TO THAT COUNCIL IN FAVOR OF THAT PROPOSITION;</p>	<p>PERHAPS DOING MORE THAN THAT MR. MORRIL APPEARED THERE AND INSISTED THAT NO INTERFERENCE SHOULD BE HAD WITH THEM UNTIL ORDERS CAME</p> <p>FROM HEAD QUARTERS AND AT FIRST INSISTED THAT THEY SHOULD BE ALLOWED TO PASS UNMOLESTED THAT THE INDIANS SHOULD NOT BE ALLOWED TO</p> <p>IF THEY COULD</p> <p>BE PREVENTED BY ALL MEANS FROM INTERFERING WITH THEM MR. MORRIL MADE SEVERAL SPEECHES TO THAT COUNCIL IN FAVOR OF THAT PROPOSITION</p>

RT	MU	BT	PS
<p>AND THAT FINALLY AN AGREEMENT A WAS MADE THAT THE EMIGRANTS SHOULD NOT BE INTERFERED WITH AND SUSPENDED ALL PROCEEDINGS IN REGARD TO EVEN STOPPING THEM, UNTIL A MESSAGE SHOULD COME FROM BRIGHAM YOUNG. AT THAT TIME BRIGHAM YOUNG WAS NOT ONLY THE PRESIDENT OF THE CHURCH, BUT GOVERNOR OF THE TERRITORY AND INDIAN AGENT. WE PROPOSE TO FOLLOW IT UP BY SHOWING THAT AN AGREEMENT <u>WAS</u> MADE AND A MESSENGER SENT POST- HASTE TO SALT LAKE. WE PROPOSE TO FOLLOW IT UP BY SHOWING</p>	<p>AND THAT FINALLY AN AGREEMENT WAS MADE THAT THE EMIGRANTS SHOULD NOT BE INTERFERED WITH, AND SUSPEND ALL PROCEEDINGS IN REGARD TO EVEN STOPPING THEM UNTIL A MESSAGE SHOULD COME FROM BRIGHAM YOUNG. AT THAT TIME BRIGHAM YOUNG WAS NOT ONLY THE PRESIDENT OF THE CHURCH, BUT GOVERNOR OF THE TERRITORY, AND INDIAN AGENT. WE PROPOSE TO FOLLOW IT UP BY SHOWING THAT AN AGREEMENT WAS MADE AND A MESSENGER SENT POST- HASTE TO SALT LAKE. WE PROPOSE TO FOLLOW IT UP BY SHOWING</p>	<p>AND THAT FINALLY AN AGREEMENT WAS MADE THAT THE EMIGRANTS SHOULD NOT BE INTERFERED WITH, AND SUSPENDED ALL PROCEEDINGS IN REGARD TO EVEN STOPPING THEM, UNTIL A MESSAGE COULD BE SENT TO BRIGHAM YOUNG. AT THAT TIME BRIGHAM YOUNG WAS NOT ONLY PRESIDENT OF THE CHURCH BUT GOVERNOR</p> <p>AND INDIAN AGENT.. WE PROPOSE TO FOLLOW IT UP BY SHOWING THAT A</p>	<p>AND THAT FINALLY AN AGREEMENT WAS MADE THAT THE EMIGRANTS SHOULD NOT BE INTERFERED WITH [space] SUSPEND ALL PROCEEDINGS IN REGARD TO EVEN STOPPING [space] THEM UNTIL A MESSAGE COULD BE SENT TO BRIGHAM YOUNG AT THAT TIME BRIGHAM YOUNG WAS NOT ONLY THE PRESIDENT OF THE CHURCH BUT GOVERNOR [space]</p> <p>INDIAN AGENT [space] WE PROPOSE TO FOLLOW IT UP BY SHOWING THAT AN AGREEMENT WAS MADE, TO SEND A MESSENGER POST HASTE ^{[[13]]} TO SALT LAKE [space] PERHAPS TO FOLLOW IT UP BY SHOWING</p>

RT	MU	BT	PS
<p>^[32] THAT A MESSENGER WAS SENT TO SEE THE INDIANS DID NOT INTERFERE WITH THE EMIGRANTS; WE PROPOSE TO FOLLOW IT UP BY SHOWING THAT JOHN D. LEE RECEIVED /THAT WORD. THAT THAT WAS THE AGREEMENT OF AND IN THAT COUNCIL AND THAT HE MUST NOT ALLOW THOSE EMIGRANTS TO BE INTERFERED WITH; THAT HE NOT ONLY RECEIVED THAT WORD BUT THAT HE MADE THE REMARK</p>	<p>THAT A MESSENGER WAS SENT TO SEE THAT THE INDIANS DID NOT INTERFERE WITH THE EMIGRANTS. WE PROPOSE TO FOLLOW IT UP BY SHOWING THAT JOHN D. LEE RECEIVED THAT WORD. THAT THAT WAS THE AGREEMENT OF THAT COUNCIL, AND THAT HE MUST NOT ALLOW THOSE EMIGRANTS TO BE INTERFERED WITH. THAT HE NOT ONLY RECEIVED THAT WORD, BUT THAT HE MADE THE REMARK</p>	<p>MESSAGE WAS SENT BELOW TO SEE THAT THE INDIANS DID NOT INTERFERE WITH THE EMIGRANTS. WE PROPOSE TO FOLLOW IT UP BY SHOWING THAT JOHN D. LEE RECEIVED THAT WORD; THAT THAT WAS THE AGREEMENT OF THAT ^[5] COUNCIL, THAT HE MUST NOT ALLOW THESE EMIGRANTS TO BE INTERFERED WITH; THAT HE NOT ONLY RECEIVED THE WORD BUT MADE THE REMARK THAT HE HAD SOMETHING TO DO WITH IT. THAT</p> <p>THE MAN IN AUTHORITY FROM THIS TIME CONSIDERED THAT THE</p>	<p>THAT A [space] MESSAGE WAS SENT BELOW TO SEE THAT THE INDIANS DID NOT INTERFERE WITH THE EMIGRANTS WE PROPOSE TO SHOW FOLLOW IT UP BY SHOWING THAT JOHN D. LEE RECEIVED THAT WORD THAT THAT WAS THE AGREEMENT OF THAT COUNCIL THAT HE MUST NOT ALLOW THESE EMIGRANTS TO BE INTERFERED WITH THAT HE NOT ONLY RECEIVED THE WORD⁶⁵³ MADE THE REMARK THAT HE HAD SOMETHING TO DO WITH IT [space] BUT THE WORD FROM THE MEN IN AUTHORITY FROM THIS TIME CONSIDERED THAT THE</p>

653. "RECEIVED THE WORD" in the left margin.

RT	MU	BT	PS
<p>“THAT HE HAD SOMETHING TO SAY ABOUT IT”. THE MAN WHO CARRIED THE MESSAGE WAS TOLD THAT HE HAD BETTER GET OUT OF THE WAY HIMSELF OR HE WOULD GET HURT.</p> <p>THERE HAS BEEN AN EFFORT MADE TO SHOW THAT OTHERS BESIDES JOHN D. LEE COMMENCED THIS ATTACK. WE PROPOSE TO SHOW TO THIS JURY THAT THE ATTACK WAS MADE IN DEFIANCE OF</p>	<p>THAT HE HAD SOMETHING TO SAY ABOUT IT. THE MAN WHO CARRIED THE MESSAGE WAS TOLD THAT HE HAD BETTER GET OUT OF THE WAY HIMSELF, OR HE WOULD GET HURT.</p> <p>THERE HAS BEEN AN EFFORT MADE TO SHOW THAT OTHERS BESIDES JOHN D. LEE COMMENCED THIS ATTACK. WE PROPOSE TO SHOW TO THIS JURY THAT THE ATTACK WAS MADE IN DEFIANCE OF</p>	<p>INDIANS WERE TO BE KEPT BACK AWAY FROM THE EMIGRANTS, AND THAT HE HAD SOMETHING TO SAY ABOUT IT. THAT THE MAN WHO CARRIED THE MESSAGE HIMSELF HAD BETTER GET OUT OF THE WAY OR HE WOULD GET HURT. THAT JOHN D. LEE OFFERED DEFIANCE TO THIS SECRET AGREEMENT. JOHN D. LEE WAS NOT AT THAT COUNCIL. THERE HAS BEEN AN EFFORET MADE TO SHOW THAT OTHERS BESIDES JOHN D. LEE COMMEENCED THIS ATTACK. WE PROPOSE TO SHOW TO THIS JURY THAT THE ATTACK WAS IN DEFIANCE OF</p>	<p>INDIANS WERE TO BE KEPT AWAY FROM THE EMIGRANTS FOLLOW IT UP [space] THAT HE HAD SOMETHING TO SAY TO THAT THAT THE MAN WHO CARRIED THE MESSAGE HIMSELF HAD BETTER GET OUT OF THE WAY HIMSELF OR HE WOULD GET HURT [space] THAT JOHN D. LEE [space] IN DEFIANCE OF THIS SECRET AGREEMENT ~ [space] JOHN D. LEE WAS NOT AT THAT COUNCIL THERE HAS BEEN AN EFFORT MADE TO SHOW THAT OTHERS BESIDES JOHN D. LEE COMMENCED THIS ATTACK WE PROPOSE TO SHOW TO THIS JURY THAT THE ATTACK WAS IN DEFIANCE OF</p>

RT	MU	BT	PS
<p>THE AUTHORITIES. THAT THEY NOT ONLY HELD THE LIVES OF THOSE EMIGRANTS SECURE; WERE NOT ONLY ANXIOUS THAT THEY</p> <p>SHOULD BE ALLOWED TO PASS, BUT THAT THEY SHOULD BE PROTECTED FROM THE INDIANS, IN ORDER TO SHOW THEIR SINCERITY, AND DO WHAT WAS RIGHT, IN VIEW OF ALL THE CIRCUMSTANCE S, AND THEY MADE A SOLEMN AGREEMENT THERE, AMONG THEMSELVES, THAT THE EMIGRANTS SHOULD NOT BE INTERFERED</p> <p>WITH UNTIL A DISPATCH</p> <p>SHOULD BE SENT TO GOVERNOR YOUNG AND AN</p>	<p>THE AUTHORITIES. THAT THEY NOT ONLY HELD THE LIVES OF THOSE EMIGRANTS SECURE; WERE NOT ONLY ANXIOUS THAT THEY</p> <p>SHOULD BE ALLOWED TO PASS, BUT THAT THEY SHOULD BE PROTECTED FROM THE INDIANS, IN ORDER TO SHOW THEIR SINCERITY AND DO WHAT WAS RIGHT IN VIEW OF THE CIRCUMSTANCE S, MADE A SOLEMN AGREEMENT HERE AMONG THEMSELVES THAT THE EMIGRANTS SHOULD NOT BE INTERFERED</p> <p>WITH UNTIL A DISPATCH</p> <p>COULD BE SENT TO GOVERNOR YOUNG AND</p>	<p>THE AUTHORITIES. THAT THEY NOT ONLY HELD THE LIVES OF THOSE EMIGRANTS SECURE, WERE NOT ONLY ANXIOUS, THAT THESE EMIGRANTS SHOULD BE ALLOWED TO PASS,, BUT</p> <p>BE PROTECTED FROM THE INDIANS AND TO SHOW THEIR INTEREST AND TO DO WHAT WAS RIGHT IN VIEW OF THE CIRCUMSTANCE S — MADE A SOLEMN AGREEMENT THERE AMONG THEMSELVES THAT THE EMIGRANTS SHOULD NOT BE INTERFERED SI INTERFERED</p> <p>WITH UNTIL A DISPATCH</p> <p>COULD BE SENT TO GOVERNOR YOUNG AND</p>	<p>THE AUTHORITIES THAT THEY NOT ONLY HELD THE LIVES OF THOSE EMIGRANTS SECURE WERE NOT ONLY ANXIOUS THAT THESE EMIGRANTS SHOULD BE ALLOWED TO PASS [<i>space</i>] AND TO BE PROTECTED FROM THE INDIANS BUT ONLY TO SHOW THEIR INTEREST AND [<i>space</i>] TO DO WHAT WAS RIGHT IN VIEW OF THE CONDITION [<i>space</i>] MADE A SOLEMN AGREEMENT THERE AMONG THEMSELVES THAT THE EMIGRANTS SHOULD NOT BE INTERFERED</p> <p>WITH UNTIL A DISPATCH COULD NOT COULD BE SENT TO GOVERNOR YOUNG AND</p>

RT	MU	BT	PS
ANSWER BROUGHT BACK. WE PROPOSE TO SHOW THAT THAT DISPATCH WAS SENT TO GOVERNOR YOUNG BY THAT MESSENGER, WITH INSTRUCTIONS NOT TO SPARE HORSEFLESH, BUT TO RIDE THERE DAY AND NIGHT, AND THAT BEFORE THIS MESSENGER RETURNED FROM SALT LAKE, JOHN D. LEE,	RETURNED. WE PROPOSE TO SHOW THAT THAT DISPATCH WAS SENT TO GOVERNOR YOUNG BY THAT MESSENGER, WITH INSTRUCTIONS NOT TO SPARE HORSE-FLESH, BUT TO RIDE THERE DAY AND ^[320] NIGHT; THAT BEFORE THIS MESSENGER RETURNED, JOHN D. LEE,	RETURNED. WE PROPOSE TO SHOW THAT THAT DISPATCH WAS SENT TO GOVERNOR YOUNG BY THAT MESSENGER, NOT TO SPARE HORSE-FLESH, BUT TO RIDE THERE DAY AND NIGHT. THAT BEFORE THIS MESSENGER RETURNED THE EMIGRANTS WERE MASSACRED. NOW, WE CAN SHOW THAT JOHN D. LEE AND OTHERS WERE PRESENT; WE CAN SHOW THAT THAT A COUNCIL WAS HELD AND THAT WORD WAS CARRIED TO HIM; THAT IN DEFIANCE	RETURN AND WE PROPOSE TO SHOW THAT THAT DISPATCH ^{[[14]]} WAS SENT TO GOVERNOR YOUNG [space] AND BY THAT MESSENGER NOT SPARE HORSEFLESH BUT TO RIDE BACK THERE [space] AND EMIGRANT PARTIES [space] BEFORE THAT CAME [space] THAT THESE EMIGRANTS WERE MASSACRED NOW WE CAN SHOW JOHN D. LEE AND OTHERS WERE PRESENT WE CAN SHOW THAT ⁶⁵⁴ <THAT THAT COUNCIL WAS HELD> WORD WAS CARRIED TO HIM [space] THAT IN DEFIANCE
IN DISOBEDIENCE	IN DEFIANCE	IN DEFIANCE	IN DEFIANCE

654. In left margin.

RT	MU	BT	PS
<p>TO THAT COUNSEL WENT AHEAD AND MASSACRED THE EMIGRANTS. SPICER: IF THE GENTLEMEN PROPOSE TO PROVE THAT LEE DID ANYTHING CONTRARY TO THE ORDERS OF THE CHURCH COUNCIL WE MAY WITHDRAW OUR OBJECTIONS. BUT WE KNOW THE PROSECUTION WILL FAIL IN THAT EFFORT. LEE DID NOTHING THAT WAS CONTRARY TO COUNCIL COUNSEL, AND THE FACT IS THAT HE OBEYED ORDERS.</p>	<p>OF THAT COUNCIL, MASSACRED THE EMIGRANTS. SPICER—IF THE GENTLEMAN PROPOSE TO PROVE THAT LEE DID ANYTHING CONTRARY TO THE ORDERS OF THE CHURCH COUNCIL, WE WILL WITHDRAW OUR OBJECTIONS. BUT WE KNOW THE PROSECUTION WILL FAIL IN THE EFFORT. LEE DID NOTHING THAT WAS CONTRARY TO COUNCIL, AND THE FACT IS, HE OBEYED ORDERS.</p>	<p>OF THAT COUNCIL HE MASSACRED THEM.</p> <p>SPICER: IF THAT IS THEIR PURPOSE</p> <p>WE WILL WITHDRAW OUR OBJECTION;</p> <p>BUT YOUR HONOR, WE DO OBJECT TO COUNSEL STATING IN THEIR SPECIAL</p>	<p>OF THAT COUNCIL <i>INCURRED</i>[?] THAT MASSACRE [<i>space</i>] <SPICER></p> <p>OBJECTION WITHDRAWN TO ALL [<i>space</i>]</p> <p>IN RELATION TO WHAT TOOK PLACE AT THAT COUNCIL [<i>space</i>] BUT WHILE WE DO OBJECT TO THE COUNSEL THEIR STATING [<i>space</i>] OR IN ANY[?] <i>SPECIAL</i>[?]</p>

RT**MU****BT****PS**

		<p>LANGUAGE WHAT TOOK PLACE AND ARGUING THE WHOLE CASE, AND REPEATING SO MANY TIMES THOSE MATERIAL PARTS OF THE EVIDENCE THAT ARE NOT YET REACHED— CONSTANTLY IMPRESSING ON THE JURY THAT THEY ARE GOING TO PROVE CERTAIN THINGS VERY DAMAGING TO LEE, AND BY OFT' REPEATING THEM THROUGH THE COURSE OF THE TRIAL IMPRESS THEM ON THE MINDS OF THE JURY. SOME ^[6] OF THEM MAY BELIEVE THAT IT HAS BEEN PROVEN.</p> <p>NOW, TAKE THE CONVERSATION OF THE GENTLEMAN IN</p>	<p>LANGUAGE TO GOING SO FAR IN THAT AS TO TAKE QUESTION AND ARGUE THIS WHOLE CASE AND REPEAT OVER SO MANY TIMES THOSE <i>MATERIAL/IMMA</i> <i>TERIAL[?]</i> PARTS OF THE EVIDENCE THAT ARE NOT YET REACHED CONSTANTLY IMPRESSING ON THE JURY THAT THEY ARE GOING TO PROVE CERTAIN THINGS VERY DAMAGING TO MR. LEE AND BY OFT REPEATING THEM DURING THE COURSE OF THE TRIAL [<i>space</i>] IMPRESS THEM [<i>space</i>]</p> <p>SOME OF THEM MAY BELIEVE THAT IT HAS BEEN PROVEN WHEN NOT ASK YOUR HONOR WILL <i>CAUTION[?]</i> ON. NOW TAKE THE REMARKS OF THE GENTLEMAN IN</p>
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RT**MU****BT****PS**

		<p>RELATION TO WHAT HE IS GOING TO PROVE₇.</p> <p>OUR CASES RESTS UPON A DENIAL OF THAT, AND WE SAY TO THE JURY THAT THEY ARE NOT GOING TO SHOW THAT BY COMPETENT EVIDENCE. THIS IS THE LINE OF OUR DEFENSE AND WE DO OBJECT TO THIS BEING REPEATED SO OFTEN.</p>	<p>RELATION TO WHAT HE IS GOING TO PROVE [space] AS BEING NOT PROVEN OUR CASE RESTS UPON A DENIAL OF THAT AND WE SAY TO THE JURY THAT THEY ARE NOT GOING TO SHOW THAT BY COMPETENT EVIDENCE THIS IS THE LINE OF OUR DEFENSE AND WE DO OBJECT TO THIS BEING REPEATED SO OFTEN ~ ^{[[15]]}</p> <p>[space]</p> <p>≦PERSONAL EXCEPTION></p> <p>[space] HOWARD</p> <p>[space] I APPRECIATE MY FRIEND'S POSITION THAT <i>FOR/IN</i>[?] A <i>FRN/DRN</i>[?] TRIAL HE HAD <i>ONLY/ONE</i>[?] <i>FN/VN</i>[?] TO IMPRESS OURSELVES WITH HIS ACTUAL POSITION <i>BUT/AND</i>[?] THAT HE HAD</p>
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RT**MU****BT****PS**

			<p>TO HAVE HIS <i>LESSON</i>[?] WRITTEN UP FOR HIM I COULD TRUST MYSELF TO SAY IT BUT IN REGARD TO <i>MY/HIM</i>[?] READING BEFORE THIS JURY I HOPE THE GENTLEMAN WAS NOT <i>AROUND</i>[?] TO NAME WE HAVE A JURY OF <i>PD/FD</i>[?] THAT TALK IMPRESSES SO EASILY. [<i>space</i>] WHEN A QUESTION IS OBJECTED IT IS SOMETIMES NECESSARY TO ASK COUNSEL TO STATE THEIR POSITION [<i>space</i>] I PROPOSE TO SHOW ~ NOW ACTION OF YOUR COUNSEL WOULD NOT BE <i>PRNF</i>/—[?] AS SOON AS I BRING IT TO THE KNOWLEDGE⁶⁵⁵ <i>OF/TO</i>[?] JOHN D. LEE I PROPOSE</p>
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655. Beginning with “I PROPOSE TO”, the phrase to this point is in very faint pencil and possibly added later.

RT

MU

BT

PS

<p>[33]</p> <p>HOWARD: MR. MORRILL. THE COURT DIRECTS THAT YOU STATE WHAT WAS DONE AT THAT COUNCIL IN CEDAR CITY ?</p> <p>A. AS I SAID IN THE FIRST TRIAL THERE APPEARED TO BE SOME CONFUSION, IN THAT COUNCIL. I INQUIRED IN A FRIENDLY</p>	<p>HOWARD—MR. MORRILL, THE COURT DIRECTS THAT YOU STATE WHAT WAS DONE AT THE COUNCIL?</p> <p>ANS.—AS I SAID,</p> <p>THERE APPEARED TO BE SOME CONFUSION IN THAT COUNCIL. I ENQUIRED IN A FRIENDLY</p>	<p>HOWARD: Q. THE COURT DIRECTS THAT YOU GO ON AND STATE WHAT WAS DONE AT THAT COUNCIL AND WHAT THE RESULT WAS—IN YOUR OWN WAY?</p> <p>A. AS I STATED,</p> <p>THERE APPEARED TO BE SOME LITTLE CONFUSION IN THAT COUNCIL. I ENQUIRED IN A FRIENDLY</p>	<p>TO SHOW IT FOLLOW IT UP BY SHOWING NOTICE OF THAT COUNCIL BROUGHT TO JOHN D. LEE ~ [space] ANY/NO[?] OBJECTION TO IT. [space]</p> <p>THE COURT DIRECTS THAT YOU GO ON AND STATE WHAT WAS DONE AT THAT COUNCIL AND WHAT THE RESULT WAS IN YOUR OWN WAY? THE COURT WILL PLEASE EXCUSE ME ON ACCOUNT I AM SOME ADVANCED IN YEARS MY MIND IS NOT SO FRESH IN REGARD TO IT. [space] BISHOP DO NOT TELL ANYTHING [space] AS I STATED</p> <p>THERE APPEARED TO BE SOME LITTLE CONFUSION IN THAT COUNCIL. I INQUIRED IN A FRIENDLY</p>
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RT	MU	BT	PS
<p>WAY WHAT WAS UP.</p> <p>I WAS TOLD THAT THERE WAS AN EMIGRANT TRAIN HAD PASSED ALONG DOWN TO THE MOUNTAIN MEADOWS AND THAT THEY HAD MADE THREATS HERE IN CEDAR IN REGARDS TO US AS A PEOPLE, SAYING THEY WOULD</p> <p>DESTROY EVERY DAMN MORMON. THERE WAS AN ARMY COMING ON THE SOUTH AND NORTH AGAINST US AND IT CREATED SOME LITTLE EXCITEMENT. I MADE TWO OR THREE REPLIES, IN A KIND OF</p>	<p>WAY WHAT WAS UP.</p> <p>I WAS TOLD THAT THERE WAS AN EMIGRANT TRAIN THAT PASSED ALONG DOWN TO NEAR MOUNTAIN MEADOWS, AND THAT THEY HAD MADE THREATS IN REGARD TO US AS A PEOPLE— SAID THEY WOULD</p> <p>DESTROY EVERY D—D MORMON. THERE WAS AN ARMY COMING ON THE SOUTH AND NORTH, AND IT CREATED SOME LITTLE EXCITEMENT. I MADE TWO OR THREE REPLIES IN A KIND OF</p>	<p>MANNER WHAT WAS UP.</p> <p>I WAS TOLD THERE WAS AN EMIGRANT TRAIN PASSED DOWN ALONG NEAR MOUNTAIN MEADOWS, AND THAT THEY MADE THEIR THREATS TO US</p> <p>AS A PEOPLE— SIGNIFYING THEY WOULD STAY THERE AND DESTROY EVERY DAMN MORMON. THERE WAS AN ARMY COMING ON THE SSOUTH ANSDÐ ONE ON THE NORTH, AND IT CREATED SOME LITTLE EXCITEMENT. I MADE SOME TWO OR THREE REPLIES IN A FRIENDLY</p>	<p>MANNER WHAT WAS UP. THE PRINCIPLE BE SOME VERY MANY PARTIES <i>SOME FEW/HAVING[?]</i> THEIR OWN ENEMIES I COULD NOT TELL AND SAID THERE WAS AN EMIGRANT TRAIN PASSED ALONG DOWN NEAR MOUNTAIN MEADOWS THEY MADE THEIR THREATS IN REGARD TO US AS A PEOPLE SIGNIFYING THEY WOULD STAY THERE AND DESTROY EVERY DAMN MORMON THERE WAS AN ARMY COMING ON THE SOUTH AND ONE ^{[[16]]} ON THE NORTH</p> <p>CREATED SOME LITTLE EXCITEMENT I MADE SOME 2 OR 3 REPLIES IN A KIND OF</p>

RT	MU	BT	PS
<p>DEBATING THE MEASURE THAT WAS BEING TAKEN INTO CONSIDERATION, AND DISCUSSING THE OBJECT, AND WHAT METHOD WE THOUGHT WOULD BE BEST TO TAKE IN REGARD TO</p> <p>PROTECTING THE LIVES OF THE CITIZENS.</p> <p>MY OBJECTIONS WERE NOT CO-INCIDED WITH.</p> <p>AT LAST WE TOUCHED UPON THE TOPIC LIKE THIS: WE SHOULD STILL KEEP QUIET AND IT WAS ADVISED THAT A DISPATCH SHOULD BE SENT TO PRESIDENT YOUNG TO KNOW WHAT WOULD BE THE BEST COURSE.</p>	<p>DEBATE OF MEASURES THAT WERE TAKEN INTO CONSIDERATION, DISCUSSING THE OBJECT, WHAT METHOD WE THOUGHT BEST TO TAKE IN REGARD TO</p> <p>PROTECTING THE LIVES OF THE CITIZENS.</p> <p>MY OBJECTIONS WERE NOT COINCIDED WITH.</p> <p>AT LAST WE TOUCHED UPON THE TOPIC LIKE THIS: WE SHOULD STILL KEEP QUIET, AND</p> <p>A DISPATCH SHOULD BE SENT TO GOVERNOR YOUNG TO KNOW WHAT WOULD BE THE BEST COURSE.</p>	<p>DEBATE, OF MEASURES THAT WERE TAKEN INTO CONSIDERATION, — DISCUSSING THE OBJECT, AND WHAT METHOD WE OUGHT TO TAKE IN REGARD TO</p> <p>PRESERVING THE LIVES OF THE CITIZENS. AFTER A WHILE WE CAME TO A CONCLUSION LIKE THIS: MY VIEWS WAS NOT CO-INSIDED WITH IN SOME TWO OR THREE STATEMENTS.. AT LAST WE TOUCHED UPON A TOPIC LIKE THIS: THAT ALL SHOULD BE KEPT STILL-QUIET—AND THAT THERE SHOULD BE A DISPATCH</p> <p>SENT TO GOVERNOR YOUNG TO KNOW WHAT WOULD BE THE BEST COURSE.</p>	<p>DEBATE OF MEASURES THAT WERE TAKEN IN CONSIDERATION DISCUSSING OBJECT WHAT METHOD THOUGHT BEST TO TAKE IN REGARD TO <i>SPS/EXPRESS</i>[?] PRESERVE LIVES OF CITIZENS AFTER A WHILE WE CAME TO A CONCLUSION LIKE THIS MY VIEWS WAS NOT CO-INCIDED WITH IN SOME TWO OR THREE STATEMENTS AT LAST WE TOUCHED UPON THE TOPIC LIKE THIS THAT ALL SHOULD KEEP STILL QUIET AND THAT THERE SHOULD BE A DISPATCH</p> <p>TO GOVERNOR YOUNG TO KNOW WHAT WOULD BE THE BEST COURSE</p>

RT	MU	BT	PS
<p>A VOTE WAS TAKEN AND IT WAS UNANIMOUS. AT LEAST, I CONSIDERED IT SO. IT SEEMED TO BE THE UNDERSTANDIN G THAT ON THE COMING MORNING OR NEXT DAY THERE SHOULD BE A MESSENGER SENT OR DISPATCHED. I TOOK SOME PAINS TO INQUIRE AND TO KNOW IF IT WOULD BE SENT IN THE MORNING. THE PAPERS WERE SENT TO BE MADE OUT, AND GOVERNOR YOUNG WAS TO BE INFORMED AND NO HOSTILE COURSE WAS TO BE PURSUED TILL THE MESSENGER RETURNED. I WENT</p>	<p>THE VOTE WAS UNANIMOUS. I CONSIDERED IT SO. IT SEEMED TO BE THE UNDERSTANDIN G THAT ON THE COMING MORNING, OR NEXT DAY, THERE SHOULD BE A MESSENGER DISPATCHED. I TOOK SOME PAINS TO ENQUIRE AND KNOW IF IT WOULD BE SENT IN IN THE MORNING. THE PAPERS WERE SAID TO BE MADE OUT, AND GOVERNOR YOUNG SHOULD BE INFORMED, AND NO HOSTILE COURSE PURSUED TILL HIS RETURN. I</p>	<p>IT SEEMED TO TAKE THE VOTE ALONG, AND AFTER THAT WAS UNANIMOUS, I CONSIDERED. IT SEEMED TO BE THE UNDERSTANDIN G THAT ON THE COMING MORNØING OR ON THE NEXT DAY THERE SHOULD BE A MESSENGER DISPATCHED. I TOOK SOME LITTLE PAINS TO KNOW AND ENQUIRE WHETHER IT WOULD BE SENT IN THE MORNING. THE PAPERS WAS SAID TO BE MADE OUT AND GOVERNOR YOUNG SHOULD BE INFORMED, AND HAVE NO HOSTILE COURSE PURSUED TILL HIS RETURN. I PRESENTLY</p>	<p>IT SEEMED TO TAKE THE VOTE ALONG <i>AND</i> <i>AFTER THAT/BUT</i> <i>FEW[?]</i> WAS UNANIMOUS IT SEEMED TO BE THE UNDERSTANDIN G THAT ON THE COMING MORNING OR ON THE NEXT DAY THERE SHOULD BE MESSENGER DISPATCHED [<i>space</i>] I TOOK SOME LITTLE PAINS TO KNOW TO INQUIRE AND KNOW WHETHER IT WOULD BE SENT IN THE MORNING [<i>space</i>] THE PAPERS WAS SAID TO BE MADE OUT AND GOVERNOR YOUNG SHOULD BE INFORMED AND HAVE NO HOSTILE PURPOSE PURSUED TILL RETURN. I PRESENTLY</p>

RT	MU	BT	PS
<p>BACK TO FORT JOHNSON,</p> <p>FEELING THAT ALL WAS WELL AND ALL RIGHT. ABOUT EIGHT AND FORTY HOURS BEFORE THE MESSENGER RETURNED</p> <p>BUSINESS CALLED ME TO CEDAR CITY AND WHEN I GOT THERE I ^[34] LEARNED THAT THE <u>JOB HAD BEEN DONE</u>, THAT IS, THAT THE DESTRUCTION OF THE EMIGRANTS</p> <p>HAD TAKEN PLACE.</p> <p>I CANNOT GIVE ANY FURTHER EVIDENCE</p>	<p>RETURNED BACK TO FORT JOHNSON,</p> <p>FEELING THAT ALL WAS WELL. ABOUT EIGHT AND FORTY HOURS BEFORE THE MESSENGER RETURNED—</p> <p>BUSINESS CALLED ME TO CEDAR CITY, AND I LEARNED THAT THE JOB HAD BEEN DONE, THAT IS, THE DESTRUCTION OF THE EMIGRANTS</p> <p>HAD TAKEN PLACE.</p> <p>I CAN'T GIVE ANY FURTHER EVIDENCE</p>	<p>TURNED BACK TO FORT JOHNSON, ABOUT 6 OR 7 MILES, FEELING THAT ALL WAS WELL. ABOUT 8 AND ^[7] 40 HOURS, I THINK, BEFORE THE MESSENGER HAD RETURNED, AS I LEARNED, BUSINESS CALLED ME TO CEDAR.</p> <p>I LEARNED THAT THE JOB HAD BEEN DONE; THAT IS, THAT THE DESTRUCTION AT THE MOUNTAIN MEADOWS OR THE MOUNTAIN MEADOWS MASSACRE HAD TAKEN PLACE ABOUT 8 AND 40 HOURS BEFORE THE MESSENGER HAD RETURNED. I THINK I CAN GIVE NO FURTHER INFORMATION</p>	<p>RETURNED BACK TO FORT JOHNSON ABOUT 6 OR 7 MILES FELLING THAT ALL WAS WELL <i>[space]</i> ABOUT 8 AND 40 HOURS I THINK BEFORE THE MESSENGER RETURNED AS I LEARNED <i>[space]</i> BUSINESS CALLED ME TO CEDAR</p> <p>I LEARNED THAT THE JOB HAD BEEN⁶⁵⁶ DONE THAT IS THAT THE DESTRUCTION TO MOUNTAIN MEADOWS</p> <p>HAD TAKEN PLACE ABOUT 48 AND 40 HOURS BEFORE THE MESSENGER RETURNED <i>[space]</i> I THINK I CAN GIVE NO FURTHER INFORMATION</p>

656. "HAD BEEN" is in the left margin.

RT	MU	BT	PS
ON THE SUBJECT AT PRESENT. Q. WHAT WAS THE NAME OF THE MESSENGER SENT TO SALT LAKE WITH THAT DISPATCH? A. JAMES HASLAEM.	ON THE SUBJECT AT PRESENT. WHAT WAS THE NAME OF THE MESSENGER SENT TO SALT LAKE? JAMES HASLEM.	ON THE SUBJECT AT PRESENT. Q. WHAT WAS THE NAME OF THAT MESSENGER SENT TO SALT LAKE CITY? A. JAMES HASLAM, I TINK.	ON THE SUBJECT- AT PRESENT [space] WHAT WAS THE NAME OF THAT MESSENGER SENT TO SALT LAKE JAMES HASLAM I THINK. ^{[[17]]}
CROSS - EXAMINED BY W.W.BISHOP.	CROSS- EXAMINED BY W. W. BISHOP.—	Q- CROSS- EXAMINATION BY BISHOP.	CROSS- EXAMINATION [space] ◀BISHOP▶
Q. YOU THINK THAT ABOUT FORTY EIGHT HOURS BEFORE THE MESSENGER RETURNED FROM SALT LAKE CITY YOU LEARNED THAT THE <u>JOB</u> <u>WAS DONE</u> ÷	YOU THINK THAT ABOUT FORTY-EIGHT HOURS BEFORE THE MESSENGER RETURNED FROM SALT LAKE, YOU LEARNED THAT THE JOB WAS DONE,	Q. YOU SAY THAT ABOUT 48 HOURS BEFORE THE MESSENGER RETURNED FROM SALT LAKE YOU LEARNED THAT THE THING HAD TAKEN PLACE—	[space] YOU SAY THAT ABOUT 48 HOURS BEFORE THE MESSENGER RETURNED [space] FROM SALT LAKE YOU LEARNED THAT THE THING WAS DONE
AND THAT THE PEOPLE WEE KILLED AT THE MOUNTAIN MEADOWS ? A. YES SIR.	THE PEOPLE KILLED AT MOUNTAIN MEADOWS.	THE PEOPLE KILLED AT THE MOUNTAIN MEADOWS?	THE PEOPLE KILLED AT MOUNTAIN MEADOWS
Q' DO YOU MEAN BY THAT THAT THE KILLING THAT HAD BEEN TALKED OF AT THAT COUNCIL ? A. I	DO YOU MEAN BY THAT, THE KILLING THAT HAD BEEN TALKED OF AT THAT COUNCIL? I	DO YOU MEAN BY THAT THE KILLING THAT HAD BEEN TALKED OF A IN THAT COUNCIL? A. I	DO YOU MEAN BY THAT THE KILLING THAT HAD BEEN TALKED ABOUT IN THAT COUNCIL I

RT	MU	BT	PS
<p>SUPPOSE IT WAS SIR. Q. WHO WAS PRESENT AT THAT COUNCIL THAT YOU RECOLLECT OF ? A. MR. SMITH.</p> <p>Q. GIVE ME THE NAME OF ANY THAT WERE THERE THAT YOU CAN CALL TO MIND BESIDES ? A. I THINK ISAAC C. HAIGHT WAS THERE. Q. WAS JOHN D. LEE PRESENT ? A. NO, SIR, NOT TO MY KNOWLEDGE. Q. DID YOU SEE THAT MESSENGER START TO BRIGHAM YOUNG ? A. I DID NOT. Q. DID YOU SEE THE MESSAGE THAT HE TOOK TO BRIGHAM YOUNG ?</p> <p>^[35] A. I DID NOT. Q. DID YOU EVER</p>	<p>SUPPOSE IT WAS, SIR. WHO ^[321] WAS PRESENT AT THAT COUNCIL THAT YOU RECOLLECT? MR. SMITH.</p> <p>GIVE ME THE NAME OF ANY THERE THAT YOU CAN CALL TO MIND? I THINK ISAAC C. HAIGHT WAS THERE. WAS JOHN D. LEE PRESENT? NO, SIR, NOT TO MY KNOWLEDGE. DID YOU SEE THAT MESSENGER START TO BRIGHAM YOUNG? I DID NOT. DID YOU SEE THE MESSAGE THAT HE TOOK TO BRIGHAM YOUNG?</p> <p>I DID NOT. DID YOU EVER</p>	<p>SUPPOSE IT WAS, SIR. Q. WHO WAS PRESENT AT THAT COUNCIL THAT YOU RECOLLECT OF? A. MR. SMITH—KLINGENSMITH—I RECOLLECT BUT VERY FEW THAT WAS THERE. Q. GIVE ME THE NAMES OF ANY OTHER ONES THAT YOU CAN CALL TO MIND? A. I THINK ISAAC C. HAIGHT WAS THERE. Q. WAS JOHN D. LEE PRESENT? A. NO, SIR, NOT TO MY KNOWLEDGE. Q. DID YOU SEE THAT MESSENGER START TO BRIGHAM YOUNG? A. I DID NOT. Q. DID YOU SEE THE MESSAGE THAT HE TOOK TO BRIGHAM YOUNG?</p> <p>A. I DID NOT. Q. DID YOU HEAR IT</p>	<p>SUPPOSE IT WAS SIR. ^[space] WHO WAS PRESENT AT THAT COUNCIL THAT YOU RECOLLECT? MR. SMITH KLINGENSMITH I RECOLLECT BUT VERY FEW THAT WAS THERE. ^[space] GIVE THE NAMES OF ANY OTHER ONES THAT YOU CAN CALL TO MIND I THINK ISAAC C HAIGHT WAS ^[space] WAS JOHN D. LEE PRESENT NO SIR NOT TO MY KNOWLEDGE DID YOU SEE THAT MESSENGER START TO BRIGHAM YOUNG I DID NOT DID YOU SEE THE MESSAGE THAT HE TOOK TO BRIGHAM YOUNG THAT WAS PREPARED^[?] BY THAT COUNCIL I DID NOT DID YOU HEAR IT</p>

RT	MU	BT	PS
<p>REAT IT ? A. I DID NOT. Q. DID YOU KNOW OR HAVE ANY KNOWLEDGE THAT ANY WRITTEN COMMUNICATIO N WAS GIVEN BY THE COUNCIL TO ANY PERSON TO CARRY TO PRESIDENT YOUNG ? A. THE UNDERSTANDIN G OF THE COUNCIL WAS THAT ONE SHOULD BE WRITTEN OUT FOR HIM PRIOR TO HIS STARTING. Q. DO YOU KNOW OF YOUR OWN KNOWLEDGE THAT ONE WAS WRITTEN OUT ? A. I DIDN'T SEE MR. HAIGHT DO IT BUT HE SHOULD HAVE MADE IT OUT IN TIME; I DIDN'T SEE THE PAPER. Q. THEN THE UNDERSTANDIN G OF THE COUNCIL,AS I</p>	<p>READ IT? I DID NOT. DID YOU KNOW, OR HAVE ANY KNOWLEDGE THAT ANY WRITTEN COMMUNICATIO N WAS GIVEN BY THE COUNCIL TO ANY ONE TO CARRY TO PRESIDENT YOUNG? THE UNDERSTANDIN G OF THE COUNCIL WAS THAT ONE SHOULD BE WRITTEN OUT FOR HIM PRIOR TO HIS STARTING. DO YOU KNOW OF YOUR OWN KNOWLEDGE THAT ONE WAS WRITTEN OUT? I DIDN'T SEE MR. HAIGHT, BUT HE SHOULD HAVE MADE IT OUT IN TIME. I DIDN'T SEE THE PAPER. THEN THE UNDERSTANDIN G OF THE COUNCIL, AS I</p>	<p>READ? A. I DID NOT. Q. DO YOU KNOW OF YOUR OWN KNOWLEDGE THAT ANY WRITTEN COMMUNICATIO N WAS GIVEN BY THAT COUNCIL TO CARRY TO PRESIDENT YOUNG? ^[8] A. THE UNDERSTANDIN G OF THE COUNCIL WAS THAT THERE SHOULD BE ONE WRITTEN OUT PRIOR TO HIS STARTING. Q. DO YOU KNOW OF YOUR OWN KNOWLEDGE. QA. I DID'N'T SEE MR. HAIGHT, HE SHOULD HAVE MADE IT OUT IN TIME FOR HIM. I DIDN'T SEE THE PAPER. Q. THEN THE UNDERSTANDIN G OF THE COUNCIL, AS I</p>	<p>READ I DID NOT DO YOU KNOW OF YOUR OWN KNOWLEDGE THAT ANY WRITTEN COMMUNICATIO N WAS GIVEN BY THAT COUNCIL TO CARRY TO PRESIDENT YOUNG [space] UNDERSTANDIN G OF THE COUNCIL WAS THAT THERE SHOULD BE ONE WRITTEN OUT <i>PREPARE TO[?]</i> HIS STARTING. [space] DO YOU KNOW OF HIS OWN KNOWLEDGE [space] I DIDN'T SEE MR. HAIGHT OUGHT TO HAVE MADE IT OUT IN TIME TO HIM [space] I DIDN'T SEE THE PAPER. THEN THE UNDERSTANDIN G OF THE COUNCIL AS I</p>

RT	MU	BT	PS
<p>TAKE IT, WAS THIS; THAT THE DIFFERENT PARTIES PRESENTED DIFFERENT PLANS FOR HAVING THE PEOPLE FOLLOW</p> <p>THE EMIGRANTS; THAT</p> <p>AFTER ALL THIS</p> <p>ARGUMENT IT WAS AGREED TO BY THE PARTIES THERE THAT</p> <p>A MESSENGER SHOULD GO TO BRIGHAM YOUNG FOR INSTRUCTIONS AS TO HOW THE PEOPLE SHOULD TREAT THE EMIGRANTS IN THAT TRAIN AND NOTHING SHOULD BE DONE WITH THOSE EMIGRANTS UNTIL THAT MESSENGER</p>	<p>TAKE IT, WAS THIS, THAT DIFFERENT PARTIES PRESENTED DIFFERENT PLANS FOR HAVING THE PEOPLE FOLLOW</p> <p>THE EMIGRANTS; THAT</p> <p>AFTER ALL THIS</p> <p>ARGUMENT IT WAS AGREED BY THE PARTIES THERE THAT</p> <p>A MESSENGER SHOULD GO TO BRIGHAM YOUNG FOR INSTRUCTIONS AS TO HOW THE PEOPLE SHOULD TREAT THE EMIGRANTS IN THAT TRAIN, AND NOTHING SHOULD BE DONE WITH THOSE EMIGRANTS UNTIL THAT MESSENGER</p>	<p>TAKE IT, WAS THIS: THAT DIFFERENT PARTIES PRESENTED DIFFERENT PLANS FOR HAVING THE PEOPLE FOLLOW WITH REGARD TO THE EMIGRANTS, THAT AFTERWARDS, AFTER ALL THIS CONSULTATION AND ARGUEMENT IT WAS AGREED BY THE PARTIES THERE PRESENT THAT THE A MESSENGER SHOULD GO TO BRIGHAM YOUNG FOR INSTRUCTIONS IN REGARD TO WHAT THE PØEOPLE SHOULD DO WITH THAT TRAIN OF EMIGRANTS, AND THAT NOTHING SHOULD BE DONE TOWARD THESE EMIGRANTS UNTIL THAT MESSENGER</p>	<p>TAKE IT WAS THIS THAT DIFFERENT PARTIES PRESENTED DIFFERENT PLANS FOR HAVING THE PEOPLE FOLLOW WITH REGARD TO THE EMIGRANTS THAT AFTERWARDS AFTER ALL OF THIS CONSULTATION AND ARGUMENT IT WAS AGREED BY THE PARTIES THERE PRESENT THAT A MESSENGER SHOULD GO TO BRIGHAM YOUNG ^{[[18]]} FOR INSTRUCTIONS IN REGARD TO WHAT THE PEOPLE SHOULD DO WITH THAT TRAIN OF EMIGRANTS AND THAT NOTHING SHOULD BE DONE TO[?] THESE EMIGRANTS UNTIL THAT MESSENGER</p>

RT	MU	BT	PS
<p>RETURNED? THAT WAS THE AGREEMENT, AND I UNDERSTOOD IT SO. Q. WHO ELSE DID THEY AGREE TO SEND A MESSENGER TO, IF ANY ONE ? A. I HEARD OF NO OTHER PERSON BUT GOVERNOR YOUNG, AND THAT WAS MY PROPOSITION. Q. THEN YOU NEVER HEARD OF A MESSENGER BEING SENT TO ANY OTHER PLACE OR TO ANY OTHER PARTY</p> <p>THAN THAT COUNCIL ? A. NO, I DID NOT PAY ANY ATTENTION TO ANY OTHER POINT OR WHAT WAS CONSIDERED THE PLACE TO SEND IT TO, ONLY THAT A</p>	<p>RETURNED? THAT WAS THE AGREEMENT I UNDERSTOOD IT SO. WHO ELSE DID THEY AGREE TO SEND A MESSENGER TO? I HEARD OF NO OTHER BUT GOVERNOR YOUNG. THAT WAS MY PROPOSITION. THEN YOU NEVER HEARD OF A MESSENGER BEING SENT TO ANY OTHER PLACE, OR TO ANY OTHER PARTY,</p> <p>FROM THAT COUNCIL? NO, I DID NOT PAY ANY ATTENTION TO ANY OTHER POINT, OR WHAT WAS CONSIDERED;</p> <p>ONLY THE ONE POINT THAT A</p>	<p>RETURNED? A. THAT WAS THE AGREEMENT— I UNDERSTOOD IT SO. Q. WHO ELSE HAD THEY AGREED TO SEND A MEASSENGER TO? A. I DON'T KNOW OF ANY OTHER THAN JUST TO GOV. YOUNG.—THAT WAS MY IMPRESSION. Q. THEN YOU NEVER HEARD OF A MESSENGER BEING SENT TO ANY OTHER PLASCE OR ANYOTHER PARTY EXCEPT EXCEPT TO PRESIDENT YOUNG AT THAT TIME, AT THAT COUNCIL? A. NO, I DIDN'T PAY ANY ATTENTION TO WHAT WAS CONSIDERED,</p> <p>ONLY THAT ONE POINT, THAT A</p>	<p>RETURNED [space] THAT WAS THE AGREEMENT I UNDERSTOOD IT SO. [space] WHO ELSE HAD THEY AGREED TO SEND A MESSENCE TO [space] I DON'T KNOW OF ANY OTHER THAN JUST TO GOV. YOUNG THAT WAS MY IMPRESSION [space] THEN YOU NEVER HEARD OF A MESSENCE BEING SENT TO ANY OTHER PLACE OR ANY OTHER PARTY EXCEPT TO PRESIDENT YOUNG AT THAT TIME AT THAT COUNCIL [space] NO I DIDN'T PAY ANYTHING ANY ATTENTION TO WHAT THEY CONSIDERED AND <i>FOR/AFTER</i>[?] ONLY THAT ONE POINT. THAT A</p>

RT	MU	BT	PS
<p>MESSENGER SHOULD GO TO [36] PRESIDENT YOUNG. RE-DIRECT .</p> <p>Q. DID YOU UNDERSTAND THAT A MESSENGER WAS TO BE SENT DOWN TO JOHN D. LEE ? A. I DID, BUT I DID NOT SEE HIM START. I UNDERSTOOD THAT AT THE SAME TIME THE MESSENGER WAS TO BE SENT.</p> <p>Q. WHAT DID YOU UNDERSTAND ? A. I UNDERSTOOD THAT THERE WAS TO BE WORD SENT DOWN TOWARDS PINTO CREEK</p>	<p>MESSENGER SHOULD GO TO PRESIDENT YOUNG. RE-DIRECT BY HOWARD —</p> <p>DID YOU UNDERSTAND THAT A MESSENGER WAS TO BE SENT DOWN TO JOHN D. LEE? I DID, BUT IDID NOT SEE HIM START. I UNDERSTOOD THAT AT THE SAME TIME A MESSENGER WAS TO BE SENT.</p> <p>WHAT DID YOU UNDERSTAND? I UNDERSTOOD THAT THERE WAS TO BE WORD SENT DOWN TOWARDS PINTO CREEK.</p>	<p>MESSENGER SHOULD GO TO PRESIDENT YOUNG. RE-DIRECT EXAMINATION.</p> <p>Q. DID YOU NOT HEAR THAT WORD WAS TO BE SENT BELOW DOWN TO LEE? A. I DID, SIR, BUT I DIDN'T SEE HIM START. Q. YOU UNDERSTOOD THAT AT THE SAME TIME A MESSENGER WAS SENT TO LEE — WHAT DID YOU UNDERSTAND? A. I UNDERSTOOD THAT THERE WAS GOING TO BE SOMEBODY SENT DOWN TOWARDS [9] PINTO CREEK.</p>	<p>MESSENGE SHOULD GO TO PRESIDENT YOUNG [space] RE-DIRECT⁶⁵⁷ EXAMINATION. HAVE YOU SEE A MESSAGE/MASSA GER[?] OR HEAR ANYTHING OF A MESSAGE [space] REPEAT THAT QUESTION [space] DID YOU NOT HEAR THAT WORD WAS TO BE SENT BELOW DOWN TO LEE I DID SIR [space] I DIDN'T SEE HIM START [space] YOU UNDERSTOOD THAT AT THE SAME TIME A MESSENGER WAS SENT TO LEE ~ —[?] WHAT DID YOU UNDERSTAND I UNDERSTOOD THAT THERE WAS GOING TO BE SOMEBODY SENT DOWN TOWARDS PINTO CREEK</p>

657. “RE-CROSS” was written over “RE-DIRECT” or vice-versa.

RT	MU	BT	PS
<p>Q. FOR WHAT PURPOSE ? A. TO HAVE THE THING STAYED</p> <p>ACCORDING TO THE CONTRACT, TO AGREEMENT MADE.</p> <p>Q. WHAT DO YOU MEAN BY THE THING BEING STAYED – WAS THE MASSACRE OF THAT EMIGRANT TRAIN DISCUSSED THERE IN YOUR HEARING AT ALL ? A. IT WAS SIR, AND SOME WERE IN FAVOR OF IT AND SOME WERE NOT. Q. WHO WERE THEY ? A. BISHOP SMITH I CONSIDERED WAS THE HARDEST AMN THAT I HAD TO CONTEND WITH THERE. Q. WHO ELSE</p>	<p>FOR WHAT PURPOSE? TO HAVE THE THING STAYED</p> <p>ACCORDING TO CONTRACT, TO AGREEMENT MADE.</p> <p>WHAT DO YOU MEAN BY THE THING BEING STAYED? WAS THE MASSACRE OF THAT EMIGRANT TRAIN DISCUSSED THERE AT ALL? IT WAS, SIR; AND SOME WERE IN FAVOR OF IT, AND SOME WERE NOT. WHO WERE THEY? BISHOP SMITH, I CONSIDERED, WAS THE HARDEST MAN I HAD TO CONTEND WITH. [322] WHO ELSE</p>	<p>Q. FOR WHAT PURPOSE? A. TO HAVE THE THING STAID AS I SUPPOSED ACCORDING TO CONTRACT—TO AGREEMENT MADE. Q. NOW, PERHAPS BEFORE THIS JURY YOU HAD BETTER EXPLAIN WHAT YOU MEAN BY “THE THING BEING STAID.” WAS THE MASSACRE OF THAT EMIGRANT TRAIN DISCUSSED THERE AT ALL?? A. IT WAS, SIR, AND SOME WAS IN FAVOR OF IT. Q. SOME WAS — WHO WERE THEY? A; BISHOP SMITH, I CONSIDERED THE HARDEST MAN I HAD TO CONTEND WITH. Q. WHO ELSE</p>	<p>FOR WHAT PURPOSE TO HAVE THE THING STAID AS/YES[?] I SUPPOSED ACCORDING TO CONTRACT TO AGREEMENT MADE. NOW, PERHAPS YOU OWE IT TO THIS JURY TO EXPLAIN WHAT YOU MEAN BY HAVING THE THING STAID WAS THE MASSACRE OF THAT EMIGRANT TRAIN DISCUSSED THERE AT ALL? IT WAS SOME ^{[[19]]} AND SOME WAS IN FAVOR OF IT [space] SOME WAS [space] WHO WERE THEY? [space] BISHOP SMITH [space] I CONSIDERED THE HARDEST MAN I HAD TO CONTEND WITH WHO ELSE THAT</p>

RT	MU	BT	PS
<p>SPOKE ABOUT IT ? A. ISAAC C. HAIGHT AND ONE OR TWO OTHERS, I RECOLLECT EMY COMPANIONS WERE MORE THAN ANYONE</p> <p>ELSE. Q. THEY WERE ANXIOUS AND RABID WERE THEY NOT ? A. THEY SEEMED TO</p> <p>THINK IT WOULD E THE BEST TO KILL THE EMIGRANTS. SOME OF THE EMIGRANTS SWORE THAT THEY HAD KILLED OLD JOSEPH SMITH, AND THERE WAS QUITE A LITTLE EXCITEMENT THERE IN CEDAR CITY AT THAT TIME.</p>	<p>SPOKE ABOUT IT? ISAAC HAIGHT AND ONE OR TWO OTHERS. I RECOLLECT MY COMPANIONS MORE THAN ANY</p> <p>ONE ELSE. THEY WERE VERY ANXIOUS AND RABID WERE THEY NOT? THEY SEEMED TO</p> <p>THINK IT WOULD BE BEST TO KILL THE EMIGRANTS. SOME OF THE EMIGRANTS SWORE THAT THEY HAD KILLED OLD JOSEPH SMITH; THERE WAS QUITE A LITTLE EXCITEMENT THERE.</p>	<p>SPOKE ABOUT IT? A. ISAAC C. HAIGHT AND SOME ONE OR TWO. I RECOLLECT MY COMPANIONS MORE THAN ANY</p> <p>ONE ELSE. Q. THEY WERE VERY ANXIOUS AND RABBID WERE THEY NOT? A. THEY SEENED TO</p> <p>THINK THAT WOULD BE BEST TO KILL THE EMIGRANTS. SOME OF THE EMIGRANTS SWORE THAT THEY HAD KILLED OLD JOE SMITH. THERE WAS QUITE A LITTLE EXCITEMENT. SOME HAD HEARD THE STATEMENT, THEAYT HAD HELPED TO KILL OLD JOE SMITH,</p>	<p>SPOKE ABOUT IT ISAAC C HAIGHT AND SOME ONE OR TWO I RECOLLECT MY COMPANIONS MORE THAN ANY <OTHER MEN ONE ELSE.⁶⁵⁸ [space] THEY WERE VERY ANXIOUS AND RABID WERE THEY NOT [space] THEY SEEMED TO HAVE THE THINK⁶⁵⁸ THAT WOULD BE BEST THING MEASURE TO BE TAKEN SOME OF THEM <OF THE EMIGRANTS⁶⁵⁸ SWORE THAT THEY HAD KILLED OLD JOE SMITH [space] AND QUITE A LITTLE EXCITEMENT SOME HAD MADE THE STATEMENT THAT THEY HAD HELPED TO KILL OLD JOE SMITH</p>

658. Word possibly added later.

RT	MU	BT	PS
<p>[37] Q. YOU HAVE GIVEN US THE NAMES OF TWO WHO WERE IN FAVOR OF KILLING THOSE EMIGRANTS -- WHO WERE THE OTHERS ? A. THOSE WERE MY COMPANIONS -- ISAAC C. HAIGHT AND KLINGENSMITH. I RECOLLECT NO OTHERS.</p> <p>Q. YOU REMEMBER THAT COUNCIL, AND THE AGREEMENT THAT THEY WOULD NOT DO ANYTHING UNTIL THE MESSENGER CAME BACK WITH WORD</p>	<p>YOU HAVE GIVEN US THE NAMES OF TWO WHO WERE IN FAVOR OF KILLING THOSE EMIGRANTS — WHO WERE THE OTHERS? THOSE WERE MY COMPANIONS, ISAAC C. HAIGHT AND KLINGENSMITH. I RECOLLECT NO OTHERS.</p> <p>YOU REMEMBER THAT COUNCIL, AND THE AGREEMENT THAT THEY WOULD NOT DO ANYTHING UNTIL</p> <p>WORD</p>	<p>OUT OF THIS EMIGRANT TRAIN AND THAT MADE A LITTLE EXCITEMENT.. Q. YOU HAVE GIVEN US THE NAMES OF TWO WHO WERE IN FAVOE OF JKKILLING THESE EMIGRANTS, WHO WERE THE OTHERS? A. THOSE ARE MY COMPANIONS, ISAAC C. HAIGHT AND KLINGENSMITH. I RECOLLECT NO OTHERS.</p> <p>Q. YOU RECOLLECT THAT COUNCIL AND THE AGREEMENT THAT THEY WOULD NOT DO ANYTHIING UNTIL</p> <p>WORD</p>	<p>OUT OF THIS EMIGRANT TRAIN AND MADE LITTLE EXCITEMENT [space] YOU HAVE GIVEN US THE NAMES OF TWO WHO WERE IN FAVOR OF KILLING THOSE EMIGRANTS WHO WERE THE OTHERS [space] THOSE ARE MY COMPANIONS</p> <p>I RECOLLECT OTHERS [space] ISAAC C HAIGHT AND KLINGEN SMITH THEY WHO HAD BEEN AT COUNCIL I CONSIDER IT MIGHT HAVE BEEN W/F/W/T[?] [space] YOU REMEMBER THAT COUNCIL PUT[?] AGREEMENT THAT THEY WOULD NOT BE DO ANYTHING UNTIL</p> <p>WORD</p>

RT	MU	BT	PS
<p>FROM PRESIDENT YOUNG ? A. YES SIR. Q. ALTHOUGH YOU DIDN'T SEE EITHER OF THOSE MESSENGERS START YOU UNDERSTOOD THAT MESSENGERS WERE SENT EACH WAY ? A. YES SIR, TO STAY THE OPPOSITION UNTIL THAT MESSENGER</p> <p>RETURNED. RE-CROSS- EXAMINATION. Q. YOU SAY YOU UNDERSTOOD THE MESSENGER WAS TO BE SENT TO PINTO CREEK -- DID JOHN D. LEE LIVE AT PINTO CREEK ? A. NO, HE LIVED AT HARMONY. Q. WAS IT MENTIONED IN THAT COUNCIL THAT A</p> <p>MESSENGER WAS TO BE SENT</p>	<p>CAME BACK FROM PRESIDENT YOUNG? YES, SIR. ALTHOUGH YOU DIDN'T SEE EITHER OF THOSE MESSENGERS START, YOU UNDERSTOOD</p> <p>MESSENGERS WERE SENT EACH WAY? YES, SIR; TO STAY THE OPPOSITION UNTIL THAT MESSENGER</p> <p>RETURNED. RE-CROSS EXAMINATION— YOU SAY YOU UNDERSTOOD A</p> <p>MESSENGER WAS TO BE SENT TO PINTO CREEK. DID JOHN D. LEE LIVE AT PINTO CREEK? HE LIVED AT HARMONY. WAS IT MENTIONED IN THAT COUNCIL THAT A</p> <p>MESSENGER WAS TO BE SENT</p>	<p>CAME BACK FROM PRESIDENT YOUNG. A. YES, SIR. Q. ALTHOUGH YOU DIDN.T SEE EITHER OF THOSE MESSENGERS SENT, YOU UNDERSTOOD</p> <p>MESSENGERS WERE SENT EACH WAY? ^[10] A. YES, SIR, TO STAY THE OPPOSITION UNTIL THAT MESSENGER SHOULD RETURN. RE-CROSS EXAMINATION. Q. YOU SAY YOU UNDERSTOOD A</p> <p>MESSENGER TO BE SENT TO P0INTO CREEK?</p> <p>A. HE LIVED AT HARMONY. Q. WAS IT MENTIONED IN THAT COUNCIL THAT A MESSAGE MESSENGER WAS TO BE SENT</p>	<p>CAME BACK FROM PRESIDENT YOUNG <i>[space]</i> YES SIR ALTHOUGH YOU DIDN'T SEE ANY EITHER OF THOSE MESSENGERS SENT YOU UNDERSTOOD</p> <p>MESSENGER WERE SENT EACH WAY YES SIR TO STAY THE OPPOSITION UNTIL THAT MESSENGER SHOULD RETURN ^{[[20]]} RE-CROSS <i>[space]</i></p> <p>YOU SAY YOU UNDERSTAND</p> <p>MESSENGER TO BE SENT TO PINTO CREEK DID JOHN D. LEE LIVE AT PINTO CREEK <i>[space]</i> HE LIVED AT HARMONY <i>[space]</i> WAS IT MENTIONED IN THAT COUNCIL <i>[space]</i></p> <p>TO GO</p>

RT	MU	BT	PS
<p>TO PINTO CREEK TO STAY THE THING</p> <p>UNTIL THE OTHER MESSENGER THAT WAS SENT TO SALT LAKE GOT BACK ? A. UNDERSTAND ME, THERE WAS NOTHING SAID IN THAT COUNCIL IN REGARD TO PINTO, ONLY THAT THE THING SHOULD BE STAYED. THEY TOOK SUCH MEASURES TO STAY IT IS THEY THOUGHT PROPER. AFC AFTER THE MESSENGER, MR.</p> <p>HASLEM RETURNED, I ASKED MR. HAIGHT ABOUT IT AND HE SAID HE ∴.PRESIDENT YOUNG∴. HAD SENT WORD TO LET THEM PASS, OF COURSE,</p>	<p>TO PINTO CREEK TO STAY THE THING</p> <p>UNTIL THE OTHER MESSENGER</p> <p>GOT BACK? UNDERSTAND ME, THERE WAS NOTHING SAID IN THAT COUNCIL IN REGARD TO PINTO, ONLY THAT THE THING SHOULD BE STAYED. THEY TOOK SUCH MEASURES TO STAY IT AS THEY THOUGHT PROPER. AFTER THE MESSENGER, MR.</p> <p>HASLEM, RETURNED I ASKED MR. HAIGHT ABOUT IT, AND HE SAID HE</p> <p>HAD SENT WORD TO LET THEM PASS, OF COURSE.</p>	<p>TO PINTO CREEK TO STAY THE EXECUTION THE THING UNTIL THE OTHER MEASSENGER</p> <p>GOT NBACK? A. UNDERSTAND ME, THERE WAS NOTHING SAID IN THAT COUNCIL IN REGARD TO PINTO ONLY THE THING SHOULD BE STAID. THEY TOOK SUCH MEASURES TO STAY IT AS THEY THOUGHT PROPER. AFTER THE MESSENGER RETURNED, MR.</p> <p>HASLAM ASKED MR. HAIGHT ABOUT IT; AND MR. HAIGHT SAID HE</p> <p>HAD SENT WORD TO LET THEM PASS OF OF COURSE.</p>	<p>TO PINTO CREEK TO [<i>space</i>]</p> <p>UNDERSTAND ME NOTHING SAID IN THAT COUNCIL IN REGARD TO PINTO ONLY THE THING SHOULD BE STAID THEY TOOK SUCH⁶⁵⁹ MEASURES TO STAY IT AS THEY THOUGHT PROPER [<i>space</i>] AFTER THE MESSENGER RETURNED MR ◀I ASKED MR. HAIGHT▶ HASLAM ABOUT IT ◀MR. HAIGHT SAID▶ MR. HAIGHT SAID ◀HE</p> <p>HAD SENT WORD▶ LET THEM PASS OF COURSE</p>

659. Word apparently added later.

RT	MU	BT	PS
<p>THAT WAS THE END OF MY EXPERIENCE IN REGARD TO IT. [38]</p> <p>HOWARD: WHERE DID JOHN D. LEE LIVE AT THAT TIME ? A. HE LIVED AT HARMONY. Q. HOW FAR IS HARMONY FROM PINTO CREEK ? A. I DON'T KNOW. Q. WHAT WAS LEE'S POSITION AT THAT TIME ? A. HE WAS A MAN OF SOME INFLUENCE AMONG THE INDIANS, AND ALSO HELD A POSITION IN THE MILITARY. Q. WAS HE NOT INDIAN FARMER ? A. I ? THINK HE HAD DONE SOMETHING TOWARDS IT.</p>	<p>THAT WAS THE END OF MY EXPERIENCE IN REGARD TO IT.</p> <p>HOWARD— WHERE DID JOHN D. LEE LIVE AT THAT TIME? HE LIVED AT HARMONY. HOW FAR IS HARMONY FROM PINTO CREEK? I DON'T KNOW. WHAT WAS HIS POSITION AT THAT TIME? HE WAS A MAN OF SOME INFLUENCE AMONG THE INDIANS, AND ALSO HELD A POSITION IN THE MILITARY. WAS HE NOT INDIAN FARMER? I THINK HE HAD DONE SOMETHING TOWARDS IT.</p>	<p>THAT WAS THE END OF MY EXPERIENCE IN REGARD TO IT.. RE-DIRECT EXAMINATION. Q. WHERE DID JOHN D. LEE LIVE AT THAT TIME? A. LIVED AT HARMONY. Q. HOW FAR WAS HARMONY FROM PINTO CREEK? A. I DON'T KNOW. Q. WHAT WAS HIS POSITION AT THAT TIME? A. HE WAS A MAN OF SOME INFLUENCE AMONG THE INDIANS AND ALSO HELD A POSITION IN THE MILLITIA. Q. WAS HE NOT INDIAN FARMER? A. I THINK HE HAD DONE SOMETHING TOWARD IT. Q. DID YOU NOT LEARN IN THAT DISCUSSION THAT JOHN D. LEE WAS</p>	<p>THAT WAS THE END OF MY EXPERIENCE IN REGARD TO IT⁶⁶⁰</p> <p>HOWARD WHERE DID JOHN D. LEE LIVE AT THAT TIME LIVED AT HARMONY HOW FAR HARMONY FROM PINTO CREEK I DON'T KNOW [space] WHAT WAS HIS POSITION AT THAT TIME HE WAS A MAN OF SOME INFLUENCE AMONG THE INDIANS AND ALSO HELD A POSITION IN THE MILITARY [space] WAS HE NOT INDIAN FARMER I THINK HE HAD DONE SOMETHING TOWARDS IT [space] DID YOU NOT LEARN IN THAT DISCUSSION THAT JOHN D. LEE WAS THERE</p>

660. "TO IT" possibly added later.

RT	MU	BT	PS
<p>ONE THING I PASSED OVER THAT TOOK PLACE THAT COUNCIL; I INQUIRED BY WHAT AUTHORITY THEY WERE DOING IT, AND THEY SAID BY THEIR OWN AUTHORITY. SAYS I “HAS DAME GOT A LETTER HERE - IS THERE ANYTHING FROM MR. DAME OF PAROWAN” THEY SAID “NO” I DEMANDED A WRITTEN LETTER OR ORDER FROM HIM BEFORE I WOULD ACT AND THEY SAID THEY HAD NONE</p>	<p>ONE THING I PASSED OVER AT</p> <p>THAT COUNCIL; I INQUIRED BY WHAT AUTHORITY THEY WERE DOING IT, AND THEY SAID BY THEIR OWN AUTHORITY. SAYS I, HAS DAME GOT A LETTER HERE; IS THERE ANYTHING FROM MR. DAME OF PAROWAN? THEY SAID NO. I DEMANDED A WRITTEN LETTER OR ORDER FROM HIM BEFORE I WOULD ACT; THEY SAID THEY HAD NONE.</p>	<p>WITH THE INDIANS AND THAT HE WAS IN THEY WERE UNDER HIS THEY WERE UNDER HIS CONTROL? OBJECTED TO AS LEADING. WITNESS: ONE THING THAT I PASSED OVER AT</p> <p>THAT POUNCIL, I ENQUIRED BY WHAT AUTHORITY THEY WAS DOING IT, AND THEY SAID BY HTHEIR OWN AUTHORITY.^[11] SAYS I, MR. DAME GOT A LETTER HERE — IS THERE ANYTHING FROM MR DAME OF PAROWAN? THEY SAID NO.. I DEMANDED A WRITTEN LETTER OR ORDER FROM HIM BEFORE I WOULD ACT. THEY SAID THEY HAD NONE.</p>	<p>WITH THE INDIANS AND THAT</p> <p>HE WAS IN CONTROL OBJECTED TO AS LEADING [space] ONE THING THAT I PASSED ALONG <OVER> AT</p> <p>COUNCIL I INQUIRED BY WHAT AUTHORITY THEY WAS DOING IT [space] BY THEIR OWN AUTHORITY [space] SAYS I MR. DAME GIVEN^[12]] A LETTER HERE IS ANYTHING FROM MR DAME OF PAROWAN THEY SAID NO I DEMANDED A WRITTEN LETTER OR ORDER FROM HIM BEFORE I WOULD ACT THEY SAID THEY HAD NONE [space]</p>

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<p>[space]</p>	<p>JAMES HASLEM</p> <p>TESTIFIED THAT HE WENT AS A MESSENGER FROM ^[323]HAIGHT TO BRIGHAM YOUNG, AND THAT BRIGHAM YOUNG SENT BACK WORD THAT “THOSE MEN MUST BE PROTECTED AND ALLOWED TO GO IN PEACE.” HE GOT BACK WITH THE MESSAGE SUNDAY AFTER THE MASSACRE, AND REPORTED TO HAIGHT, WHO SAID, “IT IS TOO LATE.”</p>	<p>Q. DID YOU LEARN AT THAT TIME THAT OTHER DISCUSSIONS HAD BEEN HELD PREVIOUS TO THAT TIME— OR OTHER COUNCILS? A. I DID NOT. JOHN JAMES HASLAM SWORN FOR THE PROSECUTION-, AND EXAMINED AS FOLLOWS:</p> <p>Q. WHERE DID YOU LIVE IN 1857? A. CEDAR CITY, IRON</p>	<p>DID YOU LEARN AT THAT TIME THAT OTHER DISCUSSIONS HAD BEEN HELD PREVIOUS TO THAT TIME OR OTHER COUNCILS I DID NOT. [space] JAMES HASLEM SWORN FOR THE PROSECUTION [space]</p> <p>WHERE DID YOU LIVE IN 1857 CEDAR CITY IRON</p>
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		<p>COUNTY. Q. DO YOU KNOW WHERE THE MOUNTAIN MEADOWS ARE SITUATED? A. YES, I HAVE BEEN ON THEM A GREAT MANY TIMES? Q. DO YOU KNOW WHAT COUNTY THEY ARE IN? A. I DO NOT. Q. DEFTS. COUNCIL FOR PROS:: WHAHSHINGTO N COUNTY, NO DOUBT ABOUT IT. Q. HOW FAR IS CEDAR FROM THIS TOWN? A. I SHOULD JUDGE ABOUT 57 MILES.</p> <p>Q. DO YOU REMEMBER THIS MOUNTAIN MEADOW MASSACRE, SO CALLED? A. I REMEMBER HEARING ABOUT IT. Q. WAS YOU THE MAN THAT WAS CALLED TO CARRY THE</p>	<p>COUNTY [space] DO YOU KNOW WHERE THE MOUNTAIN MEADOWS ARE SITUATED YES I HAVE BEEN ON THEM GOOD MANY TIMES [space] DO YOU KNOW WHAT COUNTY THEY ARE IN I DO NOT [space] COUNCIL ≤FOR DEFENSE≥ WASHINGTON COUNTY NO QUESTION ABOUT IT [space] HOW FAR IS CEDAR FROM THIS TOWN? I HAVE JUDGED ABOUT 57 MILES [space] CEDAR CITY FROM BEAVER [space] BISHOP ACTUAL DISTANCE 53 [space] DO YOU REMEMBER THIS MOUNTAIN MEADOW MASSACRE SO CALLED I REMEMBER HEARING OF IT WAS YOU THE MAN WHO WAS CALLED UPON TO CARRY A</p>
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RT**MU****BT****PS**

		<p>MESSAGE TO YOUNG? A. I WAS. Q. STATE THE PARTICULARS ABOUT UYOUR BEING CALLED UPON AND BY WHOM WAS IT DONE? A. IF MY MEMORY SERVES ME RIGHT, ON SEPTEMBER 7TH, 1857, ISAAC C. HAIGHT SENT WORD TO ME SAYING THAT HE WISHED TO SEE ME DOWN AT HIS OFFICE PLACE I WENT DOWN AND WHEN I GOT THERE HE TOLD ME HE HAD REXCEIVED A MESSAGE FROM JOHN D. LEE THAT THE INDIANS HAD GOT THE EMIGRANTS COR CORRALED ON THE MOUNTAIN MEADOWS, AND HE SAID I WISH YOU WOULD TAKE A MESSAGE FOR ME TO PRESIDENT YOUNG; I TOLD</p>	<p>MESSAGE TO YOUNG? <i>BN/PN[?] I WAS</i> STATE THE PARTICULARS ABOUT YOUR BEING CALLED UPON AND ALL THAT WAS DONE [<i>space</i>] IF MY MEMORY SERVES ME RIGHT ON SEPTEMBER 7TH 57 ISAAC C HAIGHT SENT WORD TO ME SAYING THAT HE WISHED TO SEE ME DOWN AT HIS <i>PLACE[?]</i> I WENT DOWN WHEN I GOT THERE HE TOLD ME HE HAD RECEIVED A MESSAGE FROM JOHN D. LEE ^{[[22]]} THAT THE INDIANS HAD GOT THE EMIGRANTS CORRALLED TO THE MOUNTAIN MEADOWS AND SAID HE I WISH YOU TO TAKE A MESSAGE FROM ME TO PRESIDENT YOUNG I TOLD</p>
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RT**MU****BT****PS**

		<p>HIM I WOULD DO SO. HE ASKED ME HOW [12] SOON I WOULD BE READY; I TOLD HIM JUST AS QUICK AS I COULD GET MY HORSE.</p> <p>HE TOLD ME HE SHOULD SEND A MESSAGE DOWN TO JOHN D. LEE TO QUIET THE INDIANS AND KEEP THEM IN CHECK UNTIL I GOT BACK FROM PRESIDENT YOUNGS. I STARTED, TO THE BEST OF MY KNOWLEDGE, ABOUT HALF PAST FIVE O'CLOCK IN THE AFTERNOON— CHANGED HORSES, — GOT ONE RIGHT HERE AT BEAVER, RODE THAT TO</p>	<p>HIM I WOULD DO SO [space] HE ASKED ME HOW SOON I WOULD BE READY I TOLD HIM JUST AS QUICK AS I COULD GET MY HORSE I TOLD MY WIFE I WAS GOING TO THE CITY T[?] [space] I WAS IN THE ACT OF SADDLING WHEN HAIGHT TOLD ME HE SHOULD SEND A MESSENGER DOWN TO JOHN D. LEE TO ≪QUIET THE INDIANS≫ AND KEEP ≪THEM≫ THE INDIANS IN CHECK UNTIL I GOT BACK FROM PRESIDENT YOUNG. I STARTED, TO THE BEST OF MY KNOWLEDGE ABOUT HALF PAST FIVE ≪O'CLOCK≫ IN THE AFTERNOON AND CHANGED HORSES GOT ONE RIGHT HERE AT BEAVER RODE THAT TO</p>
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RT**MU****BT****PS**

		<p>FILLMORE, GOT ANOTHER, RODE THAT ONE TO SALT CREEK;⁶⁶¹ AND WHEREVER I COUNLD GET A RELIEF OF HORSES I GOT THEM UNTIL I GOT TO THE CITY. WHEN I GOT TO THE CITY PRESIDENT YOUNG TOLD ME TO GO AND LIE DOWN FOR TWO HOURS AND LET MY HORSE REST. ABOUT</p> <p>TWO O’OCLOCK I WAS READY TO START HOME AND I WENT TO HIM AND HE ASKED ME IF I THOUGHT I COULD START, I SAID YES; WELL, SAID HE, GO AND DON’T SPARE HORSEFLESH; THESE KEN MEN MUST BE PROTEXCTED AND ALLOWED TO GO IN PEASCE. I GOT BACK AND</p>	<p>FILLMORE GOT ANOTHER RODE THE ONE TO SALT CREEK AND WHEREVER I COULD GET A RELIEF OF HORSES I GOT THEM UNTIL I GOT TO THE CITY WHEN I GOT TO THE CITY PRESIDENT YOUNG TOLD ME TO GO AND LIE DOWN 2 HOURS AND LET MY HORSE REST AND AFTER [space] THAT BE AT HIS OFFICE BY 2 O’CLOCK. I DID SO AS I STARTED</p> <p>FROM HIM I ASKED ME IF I THOUGHT I COULD START [space] SAID HE GO AND DON’T SPARE HORSEFLESH THESE MEN MUST BE PROTECTED AND ALLOWED TO GO IN PEACE I GOT BACK AND</p>
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661. Nephi.

RT**MU****BT****PS**

		<p>DELIVERED THE MESSAGE.. Q. WHAT TIME DID YOU PASS THROUGH HERE COMING BACK? A. TO THE BEST OF MY MEMORY IT WAS ABOUT THREE O'CLOCK ON SUNDAY MORNING AFTER THE MONDAY THAT I LEFT. Q. DID YOU SEE ON YOUR ARRIVAL HERE ANY INDIANS? WAS THERE ANY DIFICULTY BELOW HERE? A. I SAW A FEW INDIANS BETWEEN HERE AND FILLMORE. SURROUNDED A GOOD MANY TIMES BY THEM,- SOME COMING THIS WAY AND SOME GOING TO FILLMOERE. THERE WAS A BAND OF EMIGRANTS CAMPED DOWN HERE ON THE CREEK WHEN I WENȲT UP TO THE CITY. Q. WHAT WAS THE NAME OF THAT</p>	<p>DELIVERED THE MESSAGE [space] WHAT TIME DID YOU PASS THROUGH HERE COMING BACK BEST OF MY MEMORY IT WAS ABOUT THREE O'CLOCK ON SUNDAY MORNING AFTER THE MONDAY THAT I LEFT ^{[[23]]} DID YOU SEE ON YOUR ARRIVAL HERE ANY INDIANS WAS THERE SOME DIFFICULTY BELOW HERE I SAW A FEW INDIANS BETWEEN HERE AND FILLMORE SURROUNDED GOOD MANY TIMES BY THEM [space] SOME COMING THIS WAY AND SOME GOING TO FILLMORE THERE WAS A COMPANY OF EMIGRANTS CAMPED DOWN HERE ON THE CREEK WHEN I WENT UP TO THE CITY. WHAT WAS THE NAME OF THAT</p>
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RT**MU****BT****PS**

		<p>EMIGRANT TRAIN? A. I DON'T RECOLLECT. Q. DON'T YOU KNOW IT WAS THE DULE DUKE COMPANY? A. I DONT RECOLLECT. Q. WHEN YOU CAME BACK FROM SALT LAKE DOD DID YOU SEE THESE EMIGRANTS AGAIN? ^[13] A. I DID, SIR. Q. WHERE? A. ABOUT NINE MILES AND A HALF, MAY BE TEN— JUST AT THE DIVIDE. Q. WAS THERE SOME DIFICULTY BETWEEN THESE EMIGRANTS AND THE INDIANS THAT YOU LEARNED ABOUT AT THAT TIME? OBJECTED TO AS IRRELEVANT AND IMMATERIEAL, BEING A TRANSACTION THAT TOOK</p>	<p>◀TRAIN OF▶ EMIGRANT? I DON'T RECOLLECT. DON'T YOU KNOW IT WAS DUKE COMPANY. I DON'T RECOLLECT [space] ◀▶ WHEN YOU CAME BACK FROM SALT LAKE DID YOU SEE THESE EMIGRANTS AGAIN I DID SIR. WHERE. ABOUT NINE MILES AND HALF MAYBE 10 JUST AT THE DIVIDE [space] WAS THERE SOME DIFFICULTY BETWEEN THESE EMIGRANTS AND THE INDIANS THAT YOU LEARNED ABOUT AT THE TIME? OBJECTED TO AS IRRELEVANT AND IMMATERIAL ◀BEING A▶ TRANSACTION TAKING</p>
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RT**MU****BT****PS**

		PLACE AFTER THE DATE CHARGED IN THE INDICTMENT AS THE DAY WHEN THE MASSACRE TOOK PLACE.	PLACE AFTER THE DATE CHARGED IN THE INDICTMENT AS THE DAY WHEN THE MASSACRE TOOK PLACE. HOWARD IT WAS FORESHADOWE D IN THE OPENING TO STATE FULLY <i>OF THESE</i> <i>ATTACKS[?]</i> THAT THIS COMPANY OF MOUNTAIN MEADOW EMIGRANTS HAD DIFFICULTY WITH THE INDIANS BEFORE THIS ALSO FORESHADOWE D BY THE TESTIMONY OF MR. MORRILL THAT THAT HE TESTIFIES & C I PROPOSE TO SHOW ALL THIS IS INDICATOR OF THAT COMPANY THAT THE INDIANS THAT LIVED ABOVE HERE WERE NOT BELOW HERE THEY WERE NOT
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RT

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BT

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			WITH JOHN D LEE AND IF HE PROPOSES TO SHOWING THAT I PROPOSE TO SHOW THAT AT THE TIME THAT THIS MESSENGER WAS ON HIS WAY TO SALT LAKE <i>WHEN</i> [?] HE PASSED AND ON THE RETURN HERE THAT THESE SAME EMIGRANTS WERE ATTACKED BY THE THE INDIANS LIVING ABOVE HERE THAT WHEN HE CAME BACK HERE TWO OF THESE EMIGRANTS HAD BEEN SHOT BY THESE INDIANS ^{[[24]]} 662 BUT <i>ONLY/ONE/WHEN</i> [?] INDIANS BEEN SHOT BY EMIGRANTS THE DAY THAT THE WOUNDED MEN [<i>space</i>] RETURNED TO THE PLACE AT KANOSH IT MAY BE
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662. Line in margin covers entire page.

RT**MU****BT****PS**

			ANTICIPATED ~ THAT THE ONLY INDIANS THAT JOHN D. LEE HAD WITH HIM ON THE MORNING OF MASSACRE WERE HIS OWN INDIANS MEN THAT HE WAS APPOINTED FARMER OVER [space] THAT THESE INDIANS DID NOT GO BELOW HERE IT IS NOT FOR THE PURPOSE OF EXCITING ANY PREJUDICE THERE IS NO OBJECT OF THAT KIND NOTHING OF THAT KIND SHOULD BE ACCOMPLISHED WE ARE NOT HERE TO EXCITE PREJUDICE WE ARE HERE WILLING THAT THE WHOLE HISTORY OF THIS CASE SHALL COME OUT WE ARE HERE AND ◀SOLEMNLY ENGAGED▶ IN —/WHAT[?] SHOULD BE CLEAR BE
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RT**MU****BT****PS**

			<p>PROVED UPON THIS STAND WE ANNOUNCED THAT YESTERDAY WE ANNOUNCED IT TODAY THAT WE ARE PRESSING NO MAN UNLESS HIS HANDS HAVE BEEN RED WITH THE BLOOD OF THESE VICTIMS WE HAVE NOTHING ELSE TO DO HERE WE HAVE NO OTHER MOTION NOW <i>TO/BUT[?]</i> SAY THAT THE INDIANS WHO WERE ENGAGED HERE DURING THAT WEEK <i>[space]</i> AFFIRMATIVELY SHOWS THAT NOT ANY DOWN THERE <i>[space]</i> THAT \LeftarrowTHAT THIS\Rightarrow SAME \LeftarrowMESSENGER\Rightarrow <i>LEARNED[?]</i> JOHN D. LEE LED THE ATTACK <i>[space]</i> <i>FOR/IF[?]</i> IS IN THE ORDER TO PROVE YET SIMPLY STATED I PROPOSE TO CONNECT IT WITH THE CASE</p>
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RT**MU****BT****PS**

		<p>WE HAEVE AN OBJECTION TOO AS TO THE ORDER.</p> <p>ARGUED BY COUNSEL ON BOTH SIDES.</p>	<p>BY SHOWING THAT THESE EMIGRANTS WERE HERE ENGAGED WITH THESE INDIANS AT THE VERY TIME THAT JOHN D. LEE WAS ENGAGED DOWN BELOW WITH THE <i>MOUNTAIN MEADOW[?]</i> INDIANS. [<i>space</i>] BISHOP [<i>space</i>] TO PROVE A CRIME WAS BEING COMMITTED NO CONNECTION <i>OPERATION[?]</i> [[25]] BUT THE <i>TRUTH/ATTORNE Y[?]</i> WAS CAN HAVE NO CONNECTION WITH THIS CASE. ~ THAT IS IN THE PROSECUTION OF IT. [<i>space</i>] BISHOP WE HAVE WAIVES THE <i>OBJECTION[?]</i> AS TO ORDER [<i>space</i>] COURT: THE TESTIMONY [<i>space</i>]</p> <p>COURT: [<i>space</i>]</p>
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RT

MU

BT

PS

			THE TESTIMONY WOULD BE PREPARED RAPIDLY [space] HOWARD [space] MR. BISHOP WE HAVE THE ORDER. [space] BISHOP IT IS NOT THE ORDER OF/TO[?] THE PROOF BUT IT IS IRRELEVANT IN ANY EVENT [space] I SIMPLY PROPOSE TO PROVE BY THIS WITNESS AND ONE OR TWO OTHERS THE FACT THAT THE INDIANS LIVING ABOVE HERE WHO CLAIM THAT THEY HAD BEEN INJURED BY THIS BODY OF MOUNTAIN MEADOW EMIGRANTS NEVER FOLLOWED THEM BELOW THIS POINT FOR IN THE THEORY OF THE DEFENSE THAT POINT WILL BE CLAIMED THAT THESE EMIGRANTS WERE MASSACRED BECAUSE OF
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RT**MU****BT****PS**

		<p>QUESTION WITHDRAWN. Q. WHAT TIME DID YOU GET BACK TO CEDAR? SOMETIME, I, SHOULD JUDGE, BETWEEN 10 AND 11 O'CLOCK IN THE FORENOON ON SUNDAY. Q. WAS THAT BEFORE OR AFTER THE MOUNTAIN MEADOW MASSACRE THAT YOU CAME BACK? A. WHEN I DELIVERED THE MESSAGE TO MR. HAIGHT HE SAID IT WAS TOO LATE. Q. DID HE TELL YOU WHEN THE MASSACRE OCCURRED? A. HE DID.</p>	<p>POISONING OX AND BECAUSE OF POISONING WATER ABOVE HERE [space] THAT WILL JUSTIFY WHOLE ATTACK ITSELF ~ [space] EMIGRANTS. QUESTION WITHDRAWN. [space] WHAT TIME DID YOU GET BACK TO CEDAR [space] SOMETIME I SHOULD JUDGE BETWEEN 10 AND 11 O'CLOCK IN THE FORENOON ON SUNDAY [space] WAS THAT BEFORE OR AFTER THE MOUNTAIN MEADOW MASSACRE THAT YOU CAME BACK [space] WHEN I DELIVERED THE MESSAGE TO MR. HAIGHT HE SAID IT WAS TOO LATE DID HE TELL YOU WHEN THE MASSACRE OCCURRED [space] HE DID NOT EXPLAIN</p>
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RT**MU****BT****PS**

		<p>Q. TELL THE JURY WHAT HE SAID? A. HE DIDN'T SAY ANY MORE. HE SAID IT WAS TOO LATE.</p> <p>Q. AT THE TIME YOU STARTED TO GO TO SALRT LAKE, WAS THERE A MESSAÆGNSGER SENT IN ANOTHER DIRECTION?</p> <p>A. THERE WAS, SIR. Q. WHO WAS IT? A. JOSEPH CLOEWS.</p> <p>Q. WHAT WAS THE MESSAGE?</p> <p>A. I WON'T TELL ANYTHING BUT WHAT I KNOW. JOSEPH CLOEWS STARTED ABOUT ^[14] FIVE MINUTES BEFORE I DID. I HEARD ISAAC C. HAIGHT SAY TO HIM AS HE GAVE HIM THE MESSAGE, "TAKE THAT TO JOHN D. LEE AND TELL HIM TO USE ALL HIS INFLUENCE TO KEEP BACK</p>	<p>←TELL THE JURY⇒ WHAT HE SAID HE DIDN'T SAY ANY MORE HE SAID IT WAS TOO LATE ^{[[26]]}</p> <p>AT THE TIME YOU STARTED TO GO TO SALT LAKE WAS THERE A MESSENGER SENT IN ANOTHER DIRECTION THERE WAS SIR WHO WAS IT JOSEPH CLEWES. ^[space]</p> <p>WHAT WAS THE MESSAGE I WON'T TELL ANYTHING ELSE BUT WHAT I KNOW JOSEPH CLEWES STARTED ABOUT FIVE MINUTES BEFORE I DID I HEARD ISAAC C HAIGHT SAY TO HIM AS HE GAVE HIM THE MESSAGE TAKE THAT TO JOHN D. LEE AND TELL HIM TO USE ALL HIS INFLUENCE TO KEEP</p>
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RT**MU****BT****PS**

		<p>THOSE INDIANS, BACK FROM THE EMIGRANTS UNTIL HASLAM CAME BACK FROM BRIGHAM. Q. DID HE START? A. YES, SIR, IN ABOUT FIVE MINUTES. Q. DID YOU LEARN AFTERWARDS WHETHER JOHN D. LEE GOT THAT MESSAGE? A. NOLY BY HEARSAY, I NEVER HEARD THE MESSENGER SAY ANYTHOING ABOUT IT. Q. DO YOU KNOW WHERE HE IS? A. I GOT A LETTER FROM HIM ABOUT FIVE YEARS AGO. HE WAS THEN IN CALIFORNIA. I HAVE NEVER HEARD FROM HIM SINCE. EQ. HOW DID THAT MESSENGER GO AND IN WHAT DIRECTION? A. HE WENT SOUTH ON HORSEBACK, THE SAME AS I</p>	<p>THEM INDIANS BACK FROM THE EMIGRANTS UNTIL HASLAM COMES BACK FROM BRIGHAM [space] DID HE START [space] YES SIR ABOUT 5 MINUTES DID YOU LEARN AFTERWARDS WHETHER JOHN D. LEE GOT THAT MESSAGE ONLY FROM HEARSAY I NEVER HEARD THE MESSENGER SAY ANYTHING ABOUT IT [space] DO YOU KNOW WHERE HE IS I GOT A LETTER FROM HIM ABOUT FIVE YEARS AGO HE WAS THEN IN CALIFORNIA I HAVE NEVER HEARD FROM HIM SINCE [space] HOW DID THAT MESSENGER GO AND IN WHAT DIRECTION HE WENT SOUTH ON HORSEBACK THE SAME AS I</p>
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RT**MU****BT****PS**

		<p>WENT NORTH.. Q. WHEN YOU GOT TO SALT LAKE, WILL YOU TELL THE MESSAGE YOU DELIVERED —VERBAL MESSAGE TO GOV. YOUNG? A. I DIDN'T DELIVER ANY VERBAL MESSAGE TO GOV. YOUNG, I GAVE HIM A MESSAGE. Q. WHAT VERBAL MESSAGE DID HE GIVE YOU? A. THAT I WAS, IF I COULD STAND THE TRIP, TO GO AND TO NOT SPARE HORSE- FLESH. THEM MEN MUST BE PROTECTED IF IT TOOK ALL THE MEN IN IRON COUNTY TO FDO IT; THEY MUST DEPART IN PEACE. Q. DID YOU COME BACK?? A. I DID AS QUICK AS I COULD GET MY HORSE ON THE ROAD.</p>	<p>CAME NORTH. [space] WHEN YOU GOT TO SALT LAKE WILL YOU TELL THE MESSAGE YOU DELIVERED VERBAL MESSAGE TO GOVERNOR YOUNG AND ASSOCIATES[?] I DIDN'T DELIVER ANY VERBAL MESSAGE TO GOVERNOR YOUNG, I GAVE HIM THE MESSAGE [space] WHAT VERBAL MESSAGE DID HE GIVE YOU THAT I WAS IF I COULD STAND THE TRIP TO GO TO NOT SPARE HORSE- FLESH THEM MEN MUST BE PROTECTED IF IT TOOK ALL THE MEN IN IRON COUNTY [[27]] THEY MUST DEPART IN PEACE DID YOU COME BACK I DID AS QUICK AS I COULD GET MY HORSE ON THE ROAD.</p>
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John D. Lee, Second Trial

Joel White, Samuel Knight,
and Samuel McMurdy Testimonies

RT

MU

BT

PS

[Bk 1 39 cont.]	[232 cont.]	[Bk 1 15]	[[Bk 2 27 cont.]]
<p>JOEL WHITE SWORN FOR PROSECUTION.</p>	<p>JOEL WHITE. SWORN FOR THE PROSECUTION.</p>	<p>JOEL W. WHITE SWORN FOR THE PROSECUTION.</p>	<p>⁶⁶³ JOEL MWWHITE</p>
<p>A WITNESS CALLED ON BEHALF OF THE PEOPLE, AFTER BEING DULY SWORN WAS EXAMINED AS FOLLOWS:</p>		<p>A WITNESS CALLED ON BEHALF OF THE PEOPLE, AFTER BEING DULY SWORN WAS EXAMINED AS FOLLOWS:</p>	
<p>Q. WHERE DI D YOU LIVE IN 1857 ? A. I LIVED IN CEDAR CITY, IRON COUNTY.</p>	<p>WHERE DID YOU LIVE IN 1857? I LIVED IN CEDAR CITY, IRON COUNTY.</p>	<p>Q. WHERE DO YOU LIVE? A. I LIVE IN CEDAR CITY, IRON COUNTY.</p>	<p>WHERE DID YOU LIVE IN 57 I LIVE IN CEDAR CITY IRON COUNTY</p>
<p>Q. DO YOU REMEMBER WHAT HAS S INCE BEEN CALLED THE MOUNTAIN MEADOWS BAND OF EMIGRANTS ?</p>	<p>DO YOU REMEMBER THE</p>	<p>Q. DO YOU REMEMBER</p>	<p>[space] DO YOU REMEMBER</p>
<p>A. YES SIR. Q. DID YOU AT THAT TIME KNOW JOHN D. LEE ? A. YES SIR. Q. AND KLINGENSMITH ? A. YES SIR. Q. WERE YOU EVER ENTRUSTED BY ANYBODY WITH A MESSAGE TO JOHN D. LEE OR</p>	<p>MOUNTAIN MEADOWS BAND OF EMIGRANTS? YES, SIR. DID YOU AT THAT TIME KNOW JOHN D. LEE? YES, SIR. AND KLINGENSMITH? YES, SIR. WERE YOU EVER ENTRUSTED BY ANYBODY WITH A MESSAGE TO JOHN D. LEE, OR</p>	<p>THE MOUNTAIN MEADOW BAND OF EMIGRANTS? A. YES, ISIR. Q. DID YOU KNOW AT THAT TIME JOHN D . LEE.? Q. YES, SIR. Q. AND KILNGENSMITY? A. YES, SIR. Q. WAS YOUN EVER INTRUSTED</p>	<p>THE MOUNTAIN MEADOW BAND OF EMIGRANTS YES SIR DID YOU KNOW AT THAT TIME JOHN D . LEE YES SIR AND KILNGEN SMITH YES SIR WAS YOU EVER ENTRUSTED BY ANY BODY WITH A MESSAGE TO JOHN D. LEE OR</p>

663. Hand symbol often used by Rogerson to left of "**JOEL MWWHITE**".

RT	MU	BT	PS
<p>TO ANY OTHER PERSON ? A. NO SIR, NOT TO JOHN D. LEE.</p> <p>Q. DURING THE DELIVERY OF WHICH DID YOU MEET JOHN D. LEE ? A. YES SIR, BUT I WAS AWAY FROM HOME AT THE TIME THE EMIGRANTS PASSED THROUGH CEDAR CITY. I CAME BACK JUST BEFORE NIGHT, HOME. I CAN'T RECOLLECT THE DAY OR DATE NOR ANYTHING OF THAT KIND, BUT MR. HAIGHT CALLED ME AS I WAS PASSING AND SAID HE WANTED A MESSAGE TAKEN TO PINTO CREEK, AND WANTED TO;KNOW IF I WOULD GO. I ASKED IF IT HAD TO GO TO-NIGHT HE SAID IT HAD,THAT THE EMIGRANTS</p>	<p>TO ANY OTHER PERSON? NO, SIR, NOT TO JOHN D. LEE.</p> <p>DURING THE DELIVERY OF WHICH YOU MET JOHN D. LEE? YES, SIR. I WAS AWAY FROM HOME AT THE TIME THE EMIGRANTS PASSED THROUGH CEDAR CITY. I CAME HOME JUST BEFORE NIGHT. I CAN'T RECOLLECT THE DAY OR DATE, NOR ANYTHING OF THAT KIND; BUT MR. HAIGHT CALLED ME AS I WAS PASSING, AND SAID HE WANTED A MESSAGE TAKEN TO PINTO CREEK, AND WANTED TO KNOW IF I WOULD GO. I ASKED IF IT HAD TO GO TO-NIGHT. HE SAID IT HAD, THAT THE EMIGRANTS</p>	<p>TO ANY OTHER PERSON? A. NO, SIR, NOT TO JOHN D. LEE.</p> <p>Q. DURING THE DELIVERY OF WHICH YOU MET JOHN D. LEE? A. YES, SIR, I WAS AWAY FROM HOME AT THAT TIME THE EMIGRANTS PASSED THROUGH CEDAR CITY. I CAME HOME JUST BEFORE NIGHT. I CAN'T RECOLECT THE DAY NOR DATE NOR ANYTHING OF THAT KND KIND, BUT MR. HAIGHT CALLED TO ME AS I WAS PASSING AND SAID HE WANTED A MESSAGE TAKEN TO PINTO CREEK, AND WANTED TO KNOW IF I WOU D GO. I WANTED TO KNOW IF IT HAD TO GO TO NIGHT; HE SAID IT HAD THAT THE EMIGRANTS</p>	<p>TO ANY OTHER PERSON NO SIR NOT TO JOHN D. LEE</p> <p>[space] DURING THE DELIVERY OF WHICH YOU MET JOHN D. LEE [space] ←YES SIR→I WAS AWAY FROM HOME AT THE TIME THE EMIGRANTS PASSED THROUGH CEDAR CITY I CAME HOME JUST BEFORE NIGHT I CAN'T RECOLLECT DAY NOR DATE NOR ANYTHING OF THAT KIND BUT MR. HAIGHT CALLED TO ME AS I WAS PASSING AND SAID HE WANTED A MESSAGE TAKEN TO PINTO CREEK AND WANTED TO KNOW IF I WOULD GO I WANTED TO KNOW IF HAD TO GO TO NIGHT HE SAID IT DID EMIGRANTS</p>

RT	MU	BT	PS
<p>WOULD PASS PINTO TO-MORROW. HE TOLD ME THE NATURE OF THE DISPATCH, IT WAS TO THE MAN IN CHARGE THERE AT PINTO, TO PACIFY THE INDIANS IF POSSIBLE TO LET THE EMIGRANTS PASS. KLINGENSMITH WAS STANDING BY AND HE VOLUNTEERED TO GO WITH ME. I ACCEPTED HIS COMPANY. [40] Q. DID YOU START WITH THAT MESSAGE ? A. YES SIR. Q. TELL WHAT OCCURRED ? A. WHEN I GOT DOWN TO THE LOWER CORNER OF THE FIELD,AFTER WE HAD STARTED,PROBA BLY A MILE AND A HALF OR SUCH A MATTER, I</p>	<p>WOULD PASS PINTO TO-MORROW. HE TOLD ME THE NATURE OF THE DISPATCH. IT WAS TO THE MAN IN CHARGE THERE AT PINTO, TO PACIFY THE INDIANS IF POSSIBLE, AND LET THE EMIGRANTS PASS. KLINGENSMITH WAS STANDING BY AND VOLUNTEERED TO GO WITH ME, AND I ACCEPTED HIS COMPANY. DID YOU START WITH THAT MESSAGE? YES, SIR. TELL WHAT OCCURRED. WHEN I GOT DOWN TO THE LOWER CORNER OF THE FIELD, AFTER WE HAD STARTED, PROBABLY A MILE AND A HALF, OR SUCH MATTER, I</p>	<p>WOULD PASS THROUGH PINTO TOMORROW. HE TOLD ME THE NATURE OF THE DISPATCH WAS FOR THE MEN THERE IN CARE CHARGE AT PINTO TO PASSIFY THE INDIANS THERE IF POSSIBLE AND TO LET THE EMIGRANTS PASS. KLINGENSMITH WAS STANDING BY AND VOLUNTEERED TO FGO WITH ME; I ACCEPTED HIS COMPANY. Q. DID YOU START WITH THAT MESSAGE? A. YES, SIR?. Q. TELL WHAT OCCURRED. A- WHEN I GOT DOWN TOWARDS THE LOWER <CORNER> PART OF THE FIELDS AFTER WE HAD [16] STARTED PROBABLY A MILE AND A HALF OR SUCH A MATTER; I</p>	<p>WOULD PASS PINTO TOMORROW HE TOLD ME THE NATURE OF THE DISPATCH WAS TO THE MEN IN CHARGE THERE AT PINTO TO PACIFY THE INDIANS THERE IF POSSIBLE AND/TO[?] LET THE EMIGRANTS PASS KLINGEN SMITH WAS PASSING STANDING BY AND VOLUNTEERED TO GO WITH ME I ACCEPTED HIS COMPANY [space] DID YOU START WITH THAT MESSAGE YES SIR TELL WHAT OCCURRED WHEN I GOT DOWN TOWARDS THE LOWER CORNER OF THE FIELD AFTER WE HAD STARTED PROBABLY MILE AND HALF OR SUCH MATTER I</p>

RT	MU	BT	PS
<p>DON'T RECOLLECT THE DISTANCE NOW, I MET JOHN D. LEE; IT WAS ABOUT DARK AND</p> <p>HE WAS COMING TOWARDS CEDAR.</p> <p>HE ASKED US WHAT THE CALCULATION OF THE PEOPLE WAS IN REGARD TO THOSE EMIGRANTS, IN REGARD TO LETTING THEM PASS. Q. DID HE ASK YOU WHERE YOU WERE GOING ? A. I DON'T RECOLLECT -- I TOLD HIM -- WE BOTH TOLD HIM, BUT I TOLD HIM IN PARTICULAR --</p>	<p>DON'T RECOLLECT THE DISTANCE NOW, I MET JOHN D. LEE. IT WAS ABOUT DARK;</p> <p>HE WAS COMING TOWARD CEDAR.</p> <p>HE ASKED US WHAT THE CALCULATION OF THE PEOPLE WAS IN REGARD TO THOSE EMIGRANTS— IN REGARD TO LETTING THEM PASS. DID HE ASK YOU WHERE YOU WERE GOING? I DON'T RECOLLECT. I TOLD HIM—WE BOTH TOLD HIM, BUT I TOLD HIM IN PARTICULAR—</p>	<p>DON'T RECOLLECT THE DISTANCE NOW I MET JOHN D. LEE. IT WAS ABOUT DUSK, AS NEAR AS I CAN RECOLLECT, HE WAS COMING TOWARDS CØEDAR.</p> <p>HE ASKED US WHAT THE CALCULATIONØ S OF THE PEOPLE WAS IN REGARD TO THOSE EMIGRANTS PEOPLE — IN REGARD TO LETTING THAM PASS. Q. DID HE ASK YOU WHERE YOU WAS GOING? A. I DON'T RECOLLECT, I TOLD HIM, WE BOTH TOLD HIM, BUT I TOLD HIM IN PARTICULAR, AND I THINK MR. SMITH THE SAME, THAT</p>	<p>DON'T RECOLLECT ^{[[28]]} THE DISTANCE NOW I MET JOHN D. LEE IT WAS ABOUT DUSK AS NEAR AS I CAN RECOLLECT ≤HE WAS> GOING TOWARDS CEDAR HE ASKS US TOGETHER HE SPOKE MORE PARTICULARLY TO ME BUT TO EACH ONE OF US ≤HE ASKED US> WHAT THE CALCULATION OF THE PEOPLE WAS IN REGARD TO THIS EMIGRANT PEOPLE IN REGARD TO LETTING THEM PASS (8)⁶⁶⁴ DID HE ASK YOU WHERE YOU WAS GOING I DON'T RECOLLECT [space] I TOLD HIM WE BOTH TOLD HIM BUT I TOLD HIM IN PARTICULAR AND I THINK MR. SMITH THE SAME THAT</p>

664. Possibly added later.

RT	MU	BT	PS
<p>THE CONCLUSION WAS TO LET THEM PASS, AND THAT I WAS GOING TO PINTO WITH A LETTER TO THAT EFFECT, TO HAVE THE INDIANS PACIFIED, AS MUCH AS POSSIBLE, AND LET THE EMIGRANTS PASS. MR. LEE SPOKE UP AND SAID "I DON'T KNOW ABOUT THAT" OR "I HAVE SOMETHING TO DO ABOUT THAT" I DON'T EXACTLY RECOLLECT THE WORDS, AND WE DROVE ON.</p> <p>Q. WHERE WERE THE EMIGRANTS AT THAT TIME ?</p> <p>A. THEY WERE CAMPED ON A LITTLE STREAM IN THE MOUNTAINS BETWEEN CEDAR AND PINTO, JUST OFF THE ROAD. WE</p>	<p>THE CONCLUSION WAS TO LET THEM PASS, AND THAT I WAS GOING TO PINTO WITH A LETTER TO THAT EFFECT, TO HAVE THE INDIANS PACIFIED AS MUCH AS POSSIBLE, TO LET THEM PASS.</p> <p>MR. LEE SPOKE UP AND SAID, "I DON'T KNOW ABOUT THAT," OR, "I HAVE SOMETHING TO DO ABOUT THAT," I DON'T EXACTLY RECOLLECT THE WORDS, AND DROVE ON.</p> <p>^[324] WHERE WERE THE EMIGRANTS AT THAT TIME?</p> <p>THEY WERE CAMPED ON A LITTLE STREAM IN THE MOUNTAINS, BETWEEN CEDAR CITY AND PINTO, JUST OFF THE ROAD. WE</p>	<p>THE CONCLUSION WAS TO LET THEM PASS; AND THAT I WAS GOING TO PINTO WITH A LETTER TO THAT EFFECT, TO HAVE THE INDIANS PASSIFIED AS MUCH AS POSSIBLE TO LET THEM PASS.</p> <p>MR. LEE SPOKE UP AND SAID, I DON'T KNOW ABOUT THAT OR I HAVE SOMETHING TO SAY ABOUT THAT, I DON'T EXACTLY RECOLLECT THE WORDS, AND RDROVE ON.</p> <p>Q. WHERE WERE THOSE EMIGRANTS AT THAT TIME?</p> <p>A. THEY WAS ACAMPED ON A LITTLE STREAM IN THE MOUNTAINS BETWEEN CEDAR CITY, JUST OFF FROM THE ROAD. WE</p>	<p>THE CONCLUSION THEM WAS TO LET THEM PASS AND THAT I WAS GOING TO PINTO WITH A LETTER TO THAT EFFECT TO HAVE THE INDIANS PACIFIED AS MUCH AS POSSIBLE TO LET THEM PASS</p> <p>MR. LEE SPOKE UP AND SAID I DON'T KNOW ABOUT THAT OR I HAVE SOMETHING TO DO ABOUT THAT I DON'T EXACTLY RECOLLECT WORDS AND DROVE ON</p> <p><i>[space]</i> WHERE WERE THOSE EMIGRANTS AT THAT TIME</p> <p>THEY WAS CAMPED ON A LITTLE STREAM IN THE MOUNTAINS BETWEEN CEDAR CITY AND PINTO JUST OFF FROM THE ROAD</p>

RT	MU	BT	PS
<p>SAW THEM INDISTINCTLY, AS WE PASSED THEM ON THE NIGHT,</p> <p>BUT AS WE CAME BACK NEXT DAY WE MET THEM TRAVELING ON THE ROAD. Q. WHAT WAS THAT PLACE WHERE YOU SAW THEM CAMPED ? A. IRON SPRINGS, A</p> <p>LITTLE SPRING, I HARDLY REMEMBER THE LOCALITY. Q. THE EMIGRANTS HADN'T YET REACHED PINTO, HAD THEY ? A. NO SIR, ZZ BECAUSE WE MET THEM TRAVELING AS I SAY. THE FIRST TIME I ^[41] HAD EVER SEEN THEM I SAW THEM COMING UP ALONG THERE. CROSS-EXAMINED. Q. IN WHICH DIRECTION WAS</p>	<p>SAW THEM INDISTINCTLY AS WE PASSED THEM IN THE NIGHT,</p> <p>BUT AS WE CAME BACK NEXT DAY WE MET THEM ON THE TRAVEL.</p> <p>WHAT PLACE WAS THAT?</p> <p>IRON SPRINGS. A VERY LITTLE SPRING, I HARDLY REMEMBER THE LOCALITY. THE EMIGRANTS HADN'T YET REACHED PINTO? NO, SIR, BECAUSE WE MET THEM. THE FIRST TIME I HAD EVER SEEN THEM I SAW THEM COMING UP ALONG THERE. CROSS-EXAMINED— IN WHICH DIRECTION WAS</p>	<p>SAW THEM AS WE PASSED THEM IN THE NIGHT. WE DIDN'T SEE THEM BUT AS WE COME BACK THE NEXT DAY WE MET THEM ON THE TRAVEL. Q. WHAT PLACE WAS THAT?</p> <p>IRON SPRINGS — LITTLE SPRINGS IN THERE , I HARDLY REMEMBER THE LOCALITY. Q. THE EMIGRANTS HADN'T YET REACHED PINTO? A. NO, SIR, BECAUSE WE MET THEM. THE FIRST TIME I HAD EVER SEEN THEM WE SAW THEM COMING UP ALONG THERE. CROSS-EXAMINATION. Q. WHICH DIRECTION WAS</p>	<p>SAW THEM AS WE PASSED THEM IN THE NIGHT WE DIDN'T SEE THEM BUT AS WE COME BACK NEXT DAY WE MET THEM ON THE TRAVEL [space] WHAT PLACE SAW THEM</p> <p>IRON SPRINGS ON THAT VERY LITTLE SPRING IN THERE I HARDLY REMEMBER THE LOCALITY THE EMIGRANTS HADN'T YET REACHED PINTO NO SIR BECAUSE WE MET THEM FIRST TIME I HAD EVER SEEN THEM I SEEN THEM COMING UP LONG HILL</p> <p>[[29]] CROSS [space] WHICH DIRECTION WAS</p>

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LEE COMING ? A. HE WAS COMING UP THE ROAD TOWARDS CEDAR CITY. Q. WHAT DAY WAS IT ? A. I DON'T RECOLLECT NEITHER THE DAY OF THE WEEK NOR THE MONTH. Q. YOU SAY IT WAS ABOUT DARK ? A. IT WAS ABOUT DUSK THEN.	LEE COMING? HE WAS COMING UP THE ROAD TOWARDS CEDAR CITY. WHAT DAY WAS IT? I DON'T RECOLLECT NEITHER THE DAY OF THE WEEK NOR THE MONTH. YOU SAY IT WAS ABOUT DARK? IT WAS ABOUT DUSK THEN.	LEE COMING-? A. HE WAS COMING ¥UP THE ROAD TOWARDS CEDAR CITY. Q. WHAT DAY WAS IT? A. I DON'T RECOLLECT NEITHER THE DAY OR THE WEEK NO¥R THE MONTH. ^[17] Q. YOU SAY IT WAS ABOUT DUSK? A. IT WAS ABOUT DUSK.	LEE COMING HE WAS ≤COMING≥ UP THE ROAD TOWARDS CEDAR CITY WHAT DAY WAS IT I DON'T RECOLLECT NEITHER THE DAY OF THE WEEK NOR THE MONTH [space] YOU SAY IT WAS ABOUT DUSK IT WAS ABOUT DUSK THEN [space] YOU SAY THAT THE EMIGRANTS [space] KNOW TO FIX IT[?] HOW LONG WAS IT BEFORE THE MASSACRE I COULD NOT SAY ABOUT THAT AS FOR CERTAIN [space] ABOUT HOW MANY DAYS PROBABLY 4 OR 5 MAYBE 6 MAYBE NOT SO LONG I COULD NOT SAY [space] YOU PASSED THE EMIGRANTS THEN ON YOUR WAY
Q. HOW LONG WAS IT BEFORE THE MASSQACRE ? A. I COULD NOT SAY ABOUT THAT FOR CERTAIN. Q. WELL ABOUT HOW MANY DAYS ? A. PROBABLY FOUR OR FIVE, MAY BE SIX, MAY BE NOT SO LONG, I COULD NOT SAY. Q. YOU PASSED THE EMIGRANTS THEN ON YOUR WAY	HOW LONG WAS IT BEFORE THE MASSACRE? I COULD NOT SAY ABOUT THAT FOR CERTAIN. ABOUT HOW MANY DAYS? PROBABLY FOUR OR FIVE, MAY BE SIX, MAY BE NOT SO LONG; I COULD NOT SAY. YOU PASSED THE EMIGRANTS THEN ON YOUR WAY	Q. HOW LONG WAS IT BEFORE THE MASSACRE? A. I COULD NOT SAY ABOUT THAT AS FOR CERTAIN. Q. ABOUT HOW MANY DAYS? A PROBABLY FOUR OR FIVE, MA¥Y BE SIX, MAY BE NOT ÐSO LONG, I COULD NOT SAY. Q. YOU PASSED THE EMIGRANTS THEAN ON YOUR WAY	

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<p>THAT NIGHT ? A. YES, WE PASSED THEM BUT WE DIDN'T SEE THEM. Q. WHO WAS THE MAN THAT YOU WERE CARRYING THE MESSAGE TO ? A. IT WAS THE MAN IN CHARGE OF THEM, THE SETTLERS THERE IN PINTO CREEK AT THAT TIME -- I CAN'T RECOLLECT HIS NAME. Q. WAS NOT HIS NAME RICHARD ROBINSON ? A. THAT IS MY IMPRESSION,BU T I WILL NOT BE SURE, AS THERE WERE SEVERAL CHANGES. THERE WAS RUFUS ALLEN, RICHARD ROBINSON AND THORNTON AND DIFFERENT ONES THAT HAD CHARGE ALONG ABOUT THAT TIME. I CAN' T RECOLLECT BUT I THINK IT WAS RICHARD ROBINSON.</p>	<p>THAT NIGHT? WE PASSED, BUT DIDN'T SEE THEM. WHO WAS THE MAN THAT YOU WERE CARRYING THE MESSAGE TO? IT WAS THE MAN IN CHARGE OF THE</p> <p>THERE IN PINTO CREEK AT THAT TIME. I CAN'T RECOLLECT HIS NAME. WAS NOT HIS NAME RICHARD ROBINSON? THAT IS MY IMPRESSION, BUT I WILL NOT BE SURE, AS THERE WERE SEVERAL CHANGES. THERE WAS RUFUS ALLEN, RICHARD ROBINSON, THORNTON, AND DIFFERENT ONES THAT HAD CHARGE ALONG ABOUT THAT TIME. I CAN'T RECOLLECT, BUT I THINK IT WAS RICHARD ROBINSON.</p>	<p>THAT NIGHT? A. WE PASSED BUT DIDN'T SEE THEM. Q. WHO WAS THE MAN YOU WAS CARRYING THIS MESSAGE TO? A. IT WAS A MAN IN CHARGE OF THEM</p> <p>THERE IN PINTO CREEK AT THAT TIME, I CANT RECOLLECT HIS NAME. Q. WASN'T HIS NAME RICHARD ROBINSON? A. THAT IS MY IMPRESSION BUT I WILL NOT BE SURE BECAUSE THERE WERE SEVERAL CHANGES. THERE WAS RUFUS ALLEN, RICHARD ROBINSON AND THORNTON, AND DIFFERENT ONES THAT HAD CHARGE ALONG ABOUT THAT TIME. I CAN'T RECOLLECT BUT I THINK IT WAS RICHARD ROBINSON.</p>	<p>THAT NIGHT WE PASSED BUT DIDN'T SEE THEM. WHO WAS THE MAN YOU WAS CARRYING THIS MESSAGE TO IT WAS THE MAN IN CHARGE OF THEM</p> <p>THERE IN PINTO CREEK AT THAT TIME [space] I CANT RECOLLECT HIS NAME. [space] WASN'T HIS NAME RICHARD ROBINSON THAT IS MY IMPRESSION BUT I MAY NOT BE SURE BECAUSE THERE WERE SEVERAL CHANGES THERE WAS RUFUS ALLEN RICHARD ROBINSONS AND THORNTON AND DIFFERENT ONES THAT HAD CHARGE ALONG ABOUT THAT TIME I CAN'T RECOLLECT BUT I THINK IT WAS RICHARD ROBINSON\$</p>

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<p>Q. WHEN DID YOU MOVE TO CEDAR CITY ? ^[42] A. I MOVED THERE IN THE FALL OF 1853. Q. HOW LONG DID YOU LIVE THERE ? A. I LEFT THERE IN THE SUMMER OF '58. I LEFT THERE AND CAME TO BEAVER, AND FROM THERE WENT NORTH. Q. WHERE DO YOU RESIDE NOW ? A. I LIVE AT WHAT IS CALLED CEDAR FORT, CEDAR VALLEY, IN UTAH COUNTY, FIVE MILES FROM CAMP FLOYD. Q. YOU SAY YOU PASSED BY NEAR THE EMIGRANT'S CAMP BUT DIDNOT SEE THEM A. YES SIR,BUT WE SAW</p> <p>THEM THE NEXT DAY ON THE TRAVEL. Q.</p>	<p>WHEN DID YOU MOVE TO CEDAR CITY? I MOVED THERE IN THE FALL OF 1853? HOW LONG DID YOU LIVE THERE? I LEFT THERE IN THE SUMMER OF '58. I LEFT THERE AND CAME TO BEAVER, AND FROM THERE WENT NORTH. WHERE DO YOU RESIDE NOW? I LIVE AT WHAT IS CALLED CEDAR FORT, CEDAR VALLEY, IN UTAH COUNTY, FIVE MILES FROM CAMP FLOYD. YOU SAY YOU PASSED BY NEAR THE EMIGRANTS' CAMP, BUT DIDN'T SEE THEM? YES, SIR. WE SAW</p> <p>THEM NEXT DAY ON THE TRAVEL.</p>	<p>Q. WHEN DID YOU MOVE TO CEDAR CITY? A. I MOMVED THERE IN THE FALL OF '53. Q. HOW LONG DID YOU LIVE THERE? A. I LEFT THERE IN THE SUMMER OF '58. I LEFT THERE AND THEN CAME TO BEAVER, AND FROM THERE WENT NORTH. Q. WHERE DO YOU RESIDE NOW? A. I RESIDE AT WHAT IS CALLED CEDAR FORT, CEDAR VALLEY, IN UTAH COUNTY, FIVE MILES FROM CAMP FLOID. Q. YOU SAY YOU PASSED BY NEAR THE EMIGRANTS CAMP BUT DIDN'T SEE THEM? A. YES, SIR, I SAID WE SAW WHERE THE CAMP WAS, AND SAYW THEM THE NEXT DAY ON THE TRAVEL. ^[18] Q.</p>	<p>[space] WHEN DID YOU MOVE TO CEDAR CITY I MOVED THERE IN THE FALL OF '53 HOW LONG DID YOU LIVE THERE I LEFT THERE IN THE SUMMER OF '58 I LEFT THERE AND THEN CAME TO BEAVER AND FROM HERE WENT NORTH [space] WHERE DO YOU RESIDE NOW [space] RESIDE AT WHAT IS CALLED CEDAR FORT CEDAR VALLEY IN UTAH COUNTY FIVE MILES FROM CAMP FLOYD ^[30] YOU SAY YOU PASSED BY NEAR THE EMIGRANTS TO[?] CAMP BUT DIDN'T SEE THEM YES SIR I SAID THERE WAS WE SAW WHERE THEIR CAMP WAS AND SAW THEM THAT DAY ON THE TRAVEL</p>
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<p>YOU AFTERWARDS SAW THOSE F EMIGRANTS, I BELIEVE AT THE MEADOWS ? A. YES SIR, A PORTION OF THEM. Q. YOU WERE PRESENT AT THE MEADOWS AT THE TIME OF THE MASSACRE ? A. YES SIR. RE - DIRECT.</p> <p>Q. YOU DON'T REMEMBER THE DAY OR THE DATE, BUT ON YOUR WAY BACK, AFTER DELIVERING THE MESSAGE YOU MET THOSE SAME EMIGRANTS, AND YOU KNOW THEY WERE THE MOUNTAIN MEADOWS EMIGRANTS ? A. YES SIR. RE - CROSS - EXAMINED. Q. YOU KNOW THEY WERE THE SAME ONES FROM PASSING THEM AND</p>	<p>YOU AFTERWARDS SAW THOSE EMIGRANTS, I BELIEVE, AT THE MEADOWS? YES, SIR, A PORTION OF THEM. ^[325] YOU WERE PRESENT AT THE MEADOWS AT THE TIME OF THE MASSACRE? YES, SIR. RE-DIRECT—</p> <p>YOU DON'T REMEMBER THE DAY NOR THE DATE, BUT ON YOUR WAY BACK, AFTER DELIVERING THE MESSAGE, YOU MET THESE SAME EMIGRANTS, AND YOU KNOW THEY WERE THE MOUNTAIN MEADOWS EMIGRANTS? YES, SIR. RE-CROSS- EXAMINED— YOU KNOW THEY WERE THE SAME ONES FROM PASSING THEM AND</p>	<p>YOU AFTERWARDS SAW THOSE EMIGRANTS, I BELIEVE, AT THE MEADOWS? A. YES, SIR, A PORTION OF THEM. Q. YOU WERE PRESENT AT THE MEADOWS AT THE TIME OF THE MASSACRE? A. YES, SIR. RE-DIRECT EXAMINATION. Q. YOU DON'T REMEMBER THE DAY NOR THE DATE BUT ON YOUR WAY BACK AFTER AFTER DELIVERING THE MESASAGE, YOU MET THOSE EMIGRANTS, AND YOU KNOW THEY WERE THE MOUNTAIN MEADOWS EMIGRANTS?? A. YES, SIR. RE-CROSS. Q. YOU KNOW THEY WERE THE SAME ONES, BECAUSE IN PASSING THEM</p>	<p>YOU AFTERWARDS SAW THOSE EMIGRANTS I BELIEVE AT THE MEADOWS YES/NO[?] SIR PORTION OF THEM YOU WERE PRESENT AT THE MEADOWS AT THE TIME OF THE MASSACRE YES SIR <i>[space]</i> RE-DIRECT <i>[space]</i> YOU DON'T REMEMBER THE DAY NOR THE DATE BUT ON YOUR WAY BACK AFTER DELIVERING THE MESSAGE YOU MET THIS SAME EMIGRANT COMPANY AND KNOW THEY WERE THE MOUNTAIN MEADOWS EMIGRANTS YES SIR RE-CROSS <i>[space]</i> YOU KNOW THEY WERE THE SAME ONES BECAUSE IN PASSING THEM</p>

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<p>AFTERWARDS SEEING THEM AT THE MEADOWS,AFTE R THEY WERE KILLED ? A. KLINGENSMITH WAS WITH ME AND HE HAD SEEN THE EMIGRANTS WHEN THEY HAD PASSED THROUGH CEDAR CITY AND THERE WERE SOME OF THE PRINCIPAL ONES THAT HE POINTED OUT TO ME AS WE PASSED BY THEM. ^[43] Q. WHY DID HE POINT THEM OUT TO YOU ? A. ONE MAN THAT HAD MADE THESE</p> <p>THREATS THAT HE HAD HELPED KILL JOE. SMITH ETC. Q. DID YOU SEE THAT SAME PARTY AT THE MEADOWS AFTERWARDS ? A. I DON'T RECOLLECT THE SAME PARTY, I</p>	<p>AFTERWARDS SEEING THEM AT THE MEADOWS AFTER THEY WERE KILLED? KLINGENSMITH WAS WITH ME, AND HE HAD SEEN THE EMIGRANTS WHEN THEY HAD PASSED THROUGH CEDAR CITY, AND THERE WERE SOME OF THE PRINCIPAL ONES THAT HE POINTED OUT TO ME AS WE PASSED BY THEM. WHY DID HE POINT THEM OUT TO YOU? ONE MAN THAT HAD MADE THESE</p> <p>THREATS THAT HE HAD HELPED KILL JOE SMITH, AND SO FORTH. DID YOU SEE THAT SAME PARTY AT THE MEADOWS AFTERWARDS? I DON'T RECOLLECT THE SAME PARTY. I</p>	<p>AFTERWARDS AND SEEING THEM AT THE MEADOWS AFTER THEY WERE KILLED? A. KLINGENSMITH WAS WITH ME AND HE HAD SEEN THE EMIGRANTS WHEN THEY HAD PASSED THROUGH CEDAR CITY, AND THERE WAS SOME PRINCIPAL ONES THAT HE POINTED OUT TO ME AS WE PASSED <BY> THEM. Q. WHAY DID HE POINT THEM OUT TO YOU? A. ONE MAN THAT HAD MADE THESE</p> <p>THREATS, THAT HE HAD HELPED KILL JOE SMITH &C. Q. DID YOU SEE THAT SAME PARTY AT THE MEADOWS AFTERWARDS. A. I DON'T RECOLLECT THE SAME BAND; I</p>	<p>AFTERWARDS AND SEEING THEM AT THE MEADOWS AFTER THEY WERE KILLED [space] KLINGENSMITH WAS WITH ME AND HE HAD SEEN EMIGRANTS WHEN THEY HAD PASSED THROUGH CEDAR CITY AND THERE WAS SOME PRINCIPAL ONES THAT HE POINTED TO ME AS WE PASSED BY THEM [space] WHY DID HE POINT THEM OUT TO YOU [space] ONE MAN THAT HAD MADE THESE THESE THREATS THAT HE HAD HELPED KILL JOE SMITH &C [space] DID YOU SEE THAT SAME PARTY AT THE MEADOWS AFTERWARDS I DON'T RECOLLECT SAME BAND I</p>

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SAW THE SAME BAND OF EMIGRANTS, I SUPPOSE AT ANY RATE NO OTHERS HAD PASSED DURING THAT TIME [space] SAMUEL KNIGHT, SWORN FOR PROSECUTION.	SAW THE SAME BAND OF EMIGRANTS, I SUPPOSE AT ANY RATE NO OTHERS HAD PASSED. SAMUEL KNIGHT. SWORN FOR THE PROSECUTION.	SAW THE SAME BAND OF EMIGRANTS I SUPPOSE, AT ANY RATE THERE WAS NO OTHERS HAD PASSED. <u>SAMUEL</u> <u>KNIGHT</u> SWORN FOR THE PROSECUTION. & EXAMINED IN CHIEF AS FOLLOWS: Q.	SAW THE SAME BAND OF EMIGRANTS I SUPPOSE AT ANY RATE THERE WAS NO OTHERS HAD PASSED [space] [[31]] SAMUEL KNIGHT SWORN FOR THE PROSECUTION [space]
Q. WHERE DO YOU LIVE ? A. I LIVE AT SANTA CLARA. Q. HOW LONG HAVE YOU LIVED THERE ? A. IN THE NEIGHBORHOOD OF 22 YEARS.	WHERE DO YOU LIVE? I LIVE AT SANTA CLARA. HOW LONG HAVE YOU LIVED THERE? IN THE NEIGHBORHOOD OF TWENTY- TWO YEARS.	WHERE DO YOU LIVE? A. I LIVE AT SANTA CLARA. Q. HOW LONG HAVE YOU LIVED THERE? A. IN THE NEIGHBORHOOD OF 20 YEARS.	WHERE DO YOU LIVE [space] LIVE AT SANTA CLARA HOW LONG HAVE YOU LIVED THERE? NEIGHBORHOOD OF 22 YEARS I DO NOT EXACTLY KNOW THE TIME [space]
Q. WHERE DID YOU LIVE IN 1857 ? A. I LIVED AT SANTA CLARA, THAT WAS MY HOUSE. I LIVED ON THE MOUNTAIN MEADOWS. I WAS STOPPING ON THE MOUNTAIN MEADOWS THAT SUMMER. Q.	WHERE DID YOU LIVE IN '57? I LIVED AT SANTA CLARA; THAT WAS MY HOUSE. I LIVED ON THE MOUNTAIN MEADOWS. I WAS STOPPING ON THE MOUNTAIN MEADOWS THAT SUMMER.	Q. WHERE DID YOU LIVE IN '57? A. I LIVED AT SANTA CLARA; THAT WAS MY HOME; I LIVED ON THE MOUNTAIN ^[19] MEADOWS. I WAS STOPPING ON THE MOUNTAIN MEADOWS THAT SUMMER. Q.	WHERE DID YOU LIVE '57 I LIVED AT SANTA CLARA THAT WAS MY HOME I LIVED ON THE MOUNTAIN MEADOWS I WAS STOPPING ON THE MOUNTAIN MEADOWS ≤THAT SUMMER. ≥WILL

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<p>WILL YOU STATE HOW YOU CAME UP TO THE MOUNTAIN MEADOWS, AND HOW YOU WERE SITUATED THERE ? A. MY FAMILY WERE SICK AT THE TIME AND I MOVED MY FAMILY UP ON ACCOUNT OF THE HOT WEATHER IN THE SOUTH. I WAS HERDING STOCK AT THE MEADOWS AND MILKING COWS.</p> <p>[44] Q. WHO WAS WITH YOU ? A. JAKE HAMBLIN AND MYSELF WERE PROPRIETORS. Q. DESCRIBE THE LOCALITY OF THE MEADOWS TO THE COURT AND JURY ? A. THE LOCATION IS AT THE NORTH END OF WHAT IS TERMED MEADOW VALLEY Q. HOW LONG IS</p>	<p>WILL YOU STATE HOW YOU CAME UP TO MOUNTAIN MEADOWS, AND HOW YOU WERE SITUATED THERE? MY FAMILY WAS SICK AT THE TIME, AND I MOVED MY FAMILY UP ON ACCOUNT OF THE HOT WEATHER. I WAS HERDING STOCK AT THE MEADOWS AND MILKING COWS.</p> <p>WHO WAS WITH YOU? JAKE HAMBLIN AND MYSELF WERE PROPRIETORS. DESCRIBE THAT LOCALITY TO THE COURT AND JURY?</p> <p>THE LOCATION IS AT THE NORTH END OF WHAT IS TERMED MEADOW VALLEY. HOW LONG IS</p>	<p>WILL YOU STATE WHEN YOU CAME UP TO THE MOUNTAIN MEADOWS AND HOW YOU WERE SITUATED THERE? QA. MY FAMILY WAS SICK AT THE TIME AND I MOVED MY FAMILY UP ON ACCOUNT OF THE HOT WEATHER. I WAS HERDING STOCK AT THE MEADOWS AND MILKING COWS.</p> <p>Q. WHO WAS WITH YOU? A. JAKE HAMBLIN AND MYSELF WERE THE PROPRIETORS. Q. DESCRIBE THAT LOCATION TO THE COURT AND JURY AS NEAR AS YOU CAN? A. THE LOCATION IS AT THE NORTH END OF WHAT IS TERMED MEADOW VALLEY. Q. HOW LONG IS</p>	<p>YOU STATE WHEN YOU CAME UP TO MOUNTAIN MEADOWS AND HOW YOU WERE SITUATED THERE MY FAMILY WAS SICK AT THE TIME AND I MOVED MY FAMILY UP ON ACCOUNT OF THE HOT WEATHER [space] HERDING STOCK AT THE MEADOWS AND MILKING COWS [space] HOW WHO WAS WITH YOU JAKE HAMBLIN AND MYSELF WERE THE PROPRIETORS [space] DESCRIBE THAT LOCATION TO THE COURT AND JURY</p> <p>THE LOCATION IS AT THE NORTH END OF WHAT IS TERMED MEADOW VALLEY HOW LONG IS</p>

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<p>THE MEADOW VALLEY ? A. FOUR MILES LONG AND ABOUT ONE MILE</p> <p>WIDE.</p> <p>Q. IS IT ENTIRELY SURROUNDED BY MOUNTAINS AND HILLS ?</p> <p>A. YES SIR, IT IS ENTIRELY SURROUNDED, EXCEPT A GAP AT THIS END --</p> <p>THE GAP AT WHICH</p> <p>HAMBLIN'S RANCH WAS SITUATED, AND THE GAP AT THE OTHER END LEADS YOU OUT ON THE DESERT. IT HAS A STREAM THAT LEADS TO THE SANTA CLARA STREAM.</p> <p>Q. ON THE FIRST OF SEPTEMBER 1857 YOU SAY YOU WERE STOPPING</p>	<p>THE MEADOW VALLEY? A. FOUR MILES LONG, AND ABOUT ONE MILE</p> <p>WIDE.</p> <p>IS IT ENTIRELY SURROUNDED BY MOUNTAINS AND HILLS?</p> <p>YES, SIR, IT IS ENTIRELY SURROUNDED, EXCEPT A GAP AT THIS END—</p> <p>THE GAP AT WHICH</p> <p>HAMBLIN'S RANCH WAS SITUATED, AND THE GAP AT THE OTHER END LEADS YOU OUT ON THE DESERT. IT HAS A STREAM THAT LEADS TO THE SANTA CLARA STREAM.</p> <p>^[326] ON THE FIRST OF SEPTEMBER, 1857, YOU SAY YOU WERE STOPPING</p>	<p>THE MEADOW VALLEY? A. FOUR MILES LONG, AND A HALF LONG AND A MILE TO A 1/2 A MILE WIDE.</p> <p>Q. IS IT ENTIRELY SURROUNDED BY HILLS AND MOUNTAINS.</p> <p>A. YES, SIR, IT IS ENTIRELY SURROUNDED EXCEPT A GAP AT EACH END OF THE MEADOWS. THE GAP AT THIS END WAS THE GAP AT WHICH</p> <p><THE></p> <p>HAMBLIN'S RANCH WAS LOCATED, AND THE GAP AT THE OTHER END LEADS YOU OUT ON TO THE DESERT. IT HAS A STREAM THAT LEADS TO THE SANTA CLARA STREAM.</p> <p>Q. ON THE FIRST OF SEPTEMBER, 1857, YOU SAY YOU WERE STOPPING</p>	<p>THE MEADOW VALLEY 4 MILES</p> <p>HALF MILE TO A MILE WIDE</p> <p>[space] IS IT ENTIRELY SURROUNDED BY HILLS AND MOUNTAINS</p> <p>YES SIR IT IS ENTIRELY SURROUNDED EXCEPT A GAP AT EACH END OF THE MEADOWS</p> <p>[space] THE GAP AT THIS END WAS THE GAP AT WHICH THE</p> <p>HAMBLIN'S RANCH WAS LOCATED AND THE GAP AT THE OTHER END LEADS YOU OUT ON THE DESERT [space]</p> <p>IT HAS A STREAM THAT LEADS TO THE SANTA CLARA STREAM. [space]</p> <p>ON THE FIRST OF SEPTEMBER 1857 YOU SAY YOU WERE STOPPING</p>

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<p>THERE WITH YOUR WIFE WHO WAS OUT OF HEALTH ? A. A FEW DAYS BEFORE SHE HAD BEEN CONFINED AND WAS LYING NEARLY AT THE POINT OF DEATH. WE WERE LIVING IN A WAGON BOX BY THE SIDE OF JAKE HAMBLIN'S BOARD SHANTY.</p> <p>Q. DID YOU ABOUT THAT TIME GO DOWN TO YOUR PLACE AT</p> <p>SANTA CLARA ? A. YES SIR,</p> <p>FROM THE MOUNTAIN MEADOWS. I WENT DOWN A FEW DAYS PREVIOUS TO THIS OCCURRENCE – THIS MASSACRE, TO SEE TO</p>	<p>THERE WITH YOUR WIFE, WHO WAS OUT OF HEALTH? A FEW DAYS BEFORE SHE HAD BEEN CONFINED, AND WAS LYING NEARLY AT THE POINT OF DEATH; WE WERE LIVING IN A WAGON- BOX BY THE SIDE OF JAKE HAMBLIN'S BOARD SHANTY.</p> <p>DID YOU ABOUT THAT TIME GO DOWN TO YOUR PLACE AT</p> <p>SANTA CLARA? YES, SIR,</p> <p>FROM MOUNTAIN MEADOWS. I WENT DOWN A FEW DAYS PREVIOUS TO THIS OCCURRENCE— THIS MASSACRE—TO SEE TO</p>	<p>THERE WITH YOUR WIFE, WHO WAS OUT OF HEALTH? A. A FEW DAYS BEFORE THAT SHE HAD BEEN CONFINED, AND WAS LYING NEARLY AT THE POINT OF DEATH. WE WERE LIVING IN A WAGON BOX BY THE SIDE OF JAKE HAMBLIN'S SHANTY.</p> <p>Q. DID YOU, ABOUT THAT TIME,GO DOWN TO YOUR PLACE AT</p> <p>SANTA CLARA? A. YES, SIR,</p> <p>FROM THE MOUNTAIN MEADOWS. I WENT A FEW DAYS PREVIOUS TO THIS OCCURRENCE— THE MASSACRE—TO SEE ABOUT</p>	<p>THERE AND WITH YOUR WIFE WHO WAS OUT OF HEALTH [<i>space</i>] FEW DAYS BEFORE THAT SHE HAD BEEN CONFINED AND WAS LYING NEARLY AT THE POINT OF DEATH WE WERE LIVING IN A WAGON BOX BY THE SIDE OF JAKE HAMBLIN'S BOARD SHANTY [[32]] BY/BEY⁶⁶⁵</p> <p>DID YOU ABOUT THAT TIME GO DOWN TO YOUR PLACE MOUNTAIN MEADOWS <SANTA CLARA> YES SIR OR AT SANTA CLARA <VALLEY></p> <p>FROM MOUNTAIN MEADOWS I WENT DOWN FEW DAYS PREVIOUS TO THIS OCCURRENCE THIS MASSACRE TO SEE TO</p>

665. In top left-hand corner of page.

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<p>SOME BUSINESS DOWN THERE ABOUT</p> <p>WATERING THE CROP THERE. Q. WHAT TIME DID YOU RETURN ? A. IT IS NOT IN MY MEMORY THE DAY OF THE WEEK. Q. WELL, WITH REFERENCE TO THE GENERAL MASSACRE ? A. IT WAS THE EVENING AFTER IT HAD BEEN DONE IN THE MORNING -- THAT IS ^[45] THE FIRST ATTACK. Q. I MEAN WITH REFERENCE TO THE GENERAL MASSACRE OF THE WOMEN AND CHILDREN ? A. THAT WAS NEARLY A WEEK AFTER I THINK. Q. YOU ARE SURE ABOUT THAT ARE YOU ? A. I DON'T EXACTLY REMEMBER, BUT IT WAS SEVERAL DAYS. Q. WHAT DO</p>	<p>SOME BUSINESS DOWN THERE—ABOUT</p> <p>WATERING THE CROP THERE. WHAT TIME DID YOU RETURN? IT IS NOT IN MY MEMORY, THE DAY OF THE WEEK. WITH REFERENCE TO THE GENERAL MASSACRE? IT WAS THE EVENING AFTER IT HAD BEEN DONE IN THE MORNING— THAT IS, THE FIRST ATTACK. I MEAN WITH REFERENCE TO THE GENERAL MASSACRE OF THE WOMEN AND CHILDREN? THAT WAS NEARLY A WEEK, I THINK. YOU ARE SURE ABOUT THAT, ARE YOU? I DON'T EXACTLY REMEMBER, BUT IT WAS SEVERAL DAYS. WHAT DO</p>	<p>SOME BUSINESS THERE IN THE WAY OF WATTERING THE CROP THERE. Q. WHAT TIME DID YOU RETURN? A. IT IS NOT IN MY MEMORY WHAT DAY OF THE WEEK. Q. WHTH REFERENCE TO THE GENERAL MASSACRE? A. IT WAS THE EVENING AFTER IT HAD BEEN DONE IN THE MORNING, THAT IS, ^[20] THE FIRST ATTACK. Q. I MEAN WITH REFERENCE TO THE GENERAL MASAACRE OF THE MEN WOMEN AND CHILDREN. QA. THAT WAS NEARLY A WEEK, I THINK. Q. YOU ARE SURE ABOUT THAT ARE YOU? A. I DON'T EXACTLY REMEMBER, BUT IT WAS SEVERAL DAYS. Q. WHAT DO</p>	<p>SOME BUSINESS DOWN THERE IN THE WAY OF WATERING MY CROP THERE WHAT DAY DID YOU RETURN? IT IS NOT IN MY MEMORY WHAT DAY OF THE WEEK [space] WITH REFERENCE TO THE GENERAL MASSACRE [space] IT WAS THE EVENING AFTER IT HAD BEEN DONE IN THE MORNING THAT IS THE FIRST ATTACK [space] I MEAN WITH REFERENCE TO THE GENERAL MASSACRE OF THE MEN WOMEN AND CHILDREN [space] THAT WAS NEARLY A WEEK I THINK [space] YOU ARE SURE ABOUT THAT ARE YOU? I DON'T EXACTLY REMEMBER BUT IT WAS SEVERAL DAYS [space] WHAT DO</p>

RT	MU	BT	PS
<p>YOU MEAN BY THE FIRST ATTACK AND FROM WHOM DID YOU GET YOUR INFORMATION ?</p> <p>A. WHAT INFORMATION I GOT WAS FROM JOHN D. LEE.</p> <p>Q. NOW STATE THE PARTICULARS ?</p> <p>A. AS I SAID BEFORE I WAS ON MY WAY TO WHERE I WAS STAYING AT THE TIME FROM MY HOME AT SANTA CALRA, FROM THE RANCH TO SANTA CLARA SETTLEMENT IS ABOUT THIRTY FIVE MILES. Q. HOW FAR BELOW THE LOWER MOUNTAIN OF THE MOUNTAIN MEADOWS ?</p> <p>A. ABOUT TEN MILES TO WHERE I MET JOHN D. LEE. Q. HOW WAS HE DRESSED ? A. I THINK HE HAD</p>	<p>YOU MAN BY THE FIRST ATTACK, AND FROM WHOM DID YOU GET YOUR INFORMATION?</p> <p>WHAT INFORMATION I GOT WAS FROM JOHN D. LEE.</p> <p>STATE THE PARTICULARS?</p> <p>AS I SAID BEFORE, I WAS ON MY WAY TO WHERE I WAS STAYING AT THE TIME FROM MY HOME AT SANTA CLARA. FROM THE RANCH TO SANTA CLARA SETTLEMENT WAS THIRTY-FIVE MILES. Q. HOW FAR BELOW THE LOWER MOUNTAIN OF THE MOUNTAIN MEADOWS?</p> <p>ABOUT TEN MILES TO WHERE I MET JOHN D. LEE.</p> <p>I THINK HE HAD</p>	<p>YOU MEAN BY THAE SIRAST FIRST ATTACK AND FROM WHOM DID YOU GET YOUR INFORMATION?</p> <p>A. WHAT INFORMATION I GOT WAS FROM JOHN D. LEE.</p> <p>Q. STATE THE PARTICULARS,</p> <p>A. AS I SAID BEFERE I SWAS ON MY WAY TO MY HOME TO WHERE I WAS STOPPING AT THE RANCH, FROM SANRA CLARA. FROM THE RANCH TO SANTA CLARA SETTLEMENT WAS 35 MILES. Q. WHOW FAR BELOW THE 5 LOWER MOUNTAIN IN THE MEADOWS?</p> <p>A. ABOUT 10 MILES TO WHERE I MET JOHN FD D. LEE.</p> <p>I THINK HE HAD</p>	<p>YOU MEAN BY THE FIRST ATTACK AND FROM WHOM DID YOU GET YOUR INFORMATION</p> <p>WHAT INFORMATION I GOT FROM JOHN D. LEE</p> <p>[space] STATE THE PARTICULARS</p> <p>[space] AS I SAID BEFORE I WAS ON MY WAY FROM MY HOME TO WHERE I WAS STOPPING AT THE RANCH FROM HOME</p> <p>CLARA. IS WAS ONLY FROM THE RANCH TO SANTA CLARA SETTLEMENT IS 35 MILES</p> <p>Q. HOW FAR BELOW LOWER MOUNTAIN IN THE MEADOWS</p> <p>ABOUT 10 MILES TO WHERE YOU MET I MET JOHN D. LEE [space]</p> <p>I THINK HE HAD</p>

RT	MU	BT	PS
<p>ON A HICKORY SHIRT A STRAW HAT AND HOMESPUN PANTS. Q. DID YOU HAVE ANY CONVERSATION A. YES SIR, AS I WAS RIDING ALONG HE HAILED ME. Q. WHO WAS WITH YOU ? A. I DON'T KNOW THAT IT IS PROPER FOR ME TO STATE THAT. Q. HAD YOU UP TO THAT TIME KNOWN ANYTHING ABOUT THE ATTACK ON THE EMIGRANTS ? A. NO SIR, I HAD NOT. Q. DID YOU NOTICE ANY PARTICULAR THING ABOUT JOHN D. LEE AT THAT TIME ^[46] A. HE SHOWED EM SOME BULLET HOLES IN HIS CLOTHING</p> <p>AND MAY BE ONE OR TWO IN HIS HAT. Q.</p>	<p>ON A HICKORY SHIRT, A STRAW HAT, AND HOME-SPUN PANTS. DID YOU HAVE ANY CONVERSATION ? YES, SIR. AS I WAS RIDING ALONG HE HAILED ME. WHO WAS WITH YOU? I DON'T KNOW THAT IT IS PROPER FOR ME TO STATE. HAD YOU UP TO THAT TIME KNOWN ANY THING ABOUT THE ATTACK ON THE EMIGRANTS? NO, SIR, I HAD NOT. DID YOU NOTICE ANY THING PECULIAR ABOUT JOHN D. LEE AT THAT TIME? HE SHOWED ME SOME BULLET HOLES IN HIS CLOTHING,</p> <p>AND MAY BE ONE OR TWO IN HIS HAT.</p>	<p>ON A HICOK-SHIRT, A STRAW HAT, AND HOME-SPUN PANTS. Q. DID YOU HAVE ANY CONVERASATIO N? A. YES, SIR, AS I WAS RIDING ALONG HE HAILED ME. Q. WHO WAS WITH YOU? A. I DONT KNOW THAT IT IS PROPER FOR ME TO STATE. Q. DID YOU, UP TO THAT TIME, KNOW ANYTHING ABOUT THAT ATTACK ON THE EMIGRANTS? A. NO SIR, I DIDN'T. Q. DID YOU NOTICE ANYTHIGN G PECULAIAR ABOUT JOHN D. LEE AT THAT TIME? A. HE SHOWED ME SOME BULLET HOLES IN THE COURSE OF THE VCOURSE OF THE CONVERSATION, AND MAY BE ONE OR TWO IN HIS HAT.. Q.</p>	<p>ON HICKORY SHIRT STRAW HAT AND HOMESPUN PANTS <i>[space]</i> DID YOU HAVE ANY CONVERSATION YES SIR AS I WAS RIDING ALONG HE HAILED ME WHO WAS WITH YOU I DON'T KNOW THAT IT IS PROPER FOR ME TO STATE ^[33] HAD YOU UP TO THAT TIME KNOWN ANYTHING ABOUT THIS ATTACK ON THE EMIGRANTS NO SIR I HAD NOT <i>[space]</i> DID YOU NOTICE ANYTHING PECULIAR ABOUT JOHN D. LEE AT THAT TIME <i>[space]</i> HE SHOWED ME SOME BULLET HOLES IN THE COURSE OF THE CONVERSATION AND MAYBE ONE OR TWO IN HIS HAT</p>

RT	MU	BT	PS
<p>STATE THE CONVERSATION -- ALL THE CONVERSATION -- YOU CAN TELL WHAT YOU RECOLLECT ? A. I THINK HE TOLD ME <u>THAT</u> <u>HE HAD MADE</u> AN ATTACK WITH THE INDIANS AND HAD GOT REPULSED. Q. WHEN DID HE SAY HE HAD MADE IT ? A. I THINK THAT MORNING AT DAY LIGHT OR NEAR DAY LIGHT. Q. DO YOU KNOW WHETHER HE TOLD YOU SO OR NOT ? A. I AM PRETTY POSITIVE HE DID. Q. DID HE TELL YOU ANYTHING ABOUT ANY ESCAPE THAT HE HAD HAD ? A. HE SAID HE HAD RUN A NARROW ESCAPE,SHOWIN G ME THE HOLES IN</p>	<p>STATE THE CONVERSATION. ALL THE CONVERSATION ? YOU CAN TELL WHAT YOU RECOLLECT. I THINK HE TOLD ME THAT HE HAD MADE AN ATTACK WITH THE INDIANS, AND GOT REPULSED. WHEN DID HE SAY HE HAD MADE IT? I THINK THAT MORNING AT DAYLIGHT, OR NEAR DAYLIGHT. [327] DO YOU KNOW WHETHER HE TOLD YOU SO OR NOT? I AM PRETTY POSITIVE HE DID. DID HE TELL YOU ANYTHING ABOUT ANY ESCAPE THAT HE HAD HAD? HE SAID HE HAD RUN A NARROW ESCAPE, SHOWING ME THE HOLES IN</p>	<p>STATE THE CONVERSATION. A. ALL THE CONVERSATION. [21] Q. YOU CAN TELL WHAT YOU DO RECOLLECT. A. I THINK HE TOLD ME THAT HE HAD MADE AN ATTACK WITH THE INDIANS AND GOT REPULSED. Q. WHEN DID HE SAY THEMA HE MADE IT? A. I THINK THAT MORNING AT DAYLIGHT OR NEARLY DAYLIGHT. Q. DO YOU KNOW WHETHER HE TOLED YOU SO OR NOT.? A. I AM PRETTY POSITIVE HE DID, Q. DID HE TELL YOU ANYTHING ABOUT THE ESCAPE THAT HE HAD HAD? A. HE SAID HE HAD RUN A NARROW ESCAPE, SHOWING ME THE Ø HOLES IN</p>	<p>STATE THE CONVERSATION ALL THE CONVERSATION [space] YOU CAN TELL WHAT YOU DO RECOLLECT I THINK HE TOLD ME THAT HE HAD MADE AN ATTACK WITH THE INDIANS AND GOT REPULSED WHEN DID HE SAY HE HAD MADE IT I THINK THAT MORNING AT DAYLIGHT OR NEAR DAYLIGHT [space] DO YOU KNOW WHETHER HE TOLD YOU SO OR NOT I AM PRETTY POSITIVE HE DID [space] DID YOU DID HE TELL YOU ANYTHING ABOUT ANY ESCAPE THAT HE HAD MADE HAD SAID HE HAD RUN A NARROW ESCAPE SHOWING ME THE HOLES IN</p>

RT	MU	BT	PS
HIS HAT AND SHIRT WHERE HE HAD NARROWLY ESCAPED BEING SHOT. Q. NOW PLEASE STATE ALL THE CONVERSATION IF YOU CAN REMEMBER IT A. HE RODE ALONG WITH US UP TO SOME EIGHT OR TEN MILES OF WHERE HIS CAMP WAS.	HIS HAT AND SHIRT, WHERE HE HAD NARROWLY ESCAPED BEING SHOT. STATE ALL THE CONVERSATION. HE RODE ALONG WITH US UP TO SOME EIGHT OR TEN MILES OF WHERE HIS CAMP WAS.	HIS HAT AND SHIRT, WHERE HE HAD NARROWLY ESCAPED BEING SHOT. Q. TELL ALL THE CONVERSATION. Q. HE RODE ALONG WITH US UP TO SOME 8 OR 10 MILES TO WHERE HIS CAMP WAS- CAMP TO WHERE I CAME TO HIM, - AND WHEN I SAW HIM IT WAS GETTING DUSK, AND WE RODE ALONG TOGETHER AS FAR AS THE CAMP. Q. WAS HE ALONE WHEN HE MET YOU? A. YES, SIR, AS FAR AS I KNOW. Q. DID HE TELL YOU WHETHER ANY OTHER WHITE MAN HAD BEEN WITH HIM IN THE ATTACK? A. I AM NOT CERTAIN, I GOT	HIS HAT AND SHIRT WHERE HE HAD NARROWLY ESCAPED BEING SHOT [space] TELL ALL THE CONVERSATION [space] HE RODE ALONG WITH US UP TO SOME 8 OR 10 MILES TO WHERE HIS CAMP WAS CAMPED WHEN HE CAME TO ME OR WHEN I SAW HIM IT WAS GETTING DUSK AND WE RODE ALONG TOGETHER AS FAR AS THE CAMP WAS HE ALONE WHEN HE MET YOU YES SIR AS FAR AS I KNOW I DO NOT KNOW DID HE TELL YOU WHETHER ANY OTHER WHITE MAN HAD BEEN WITH HIM IN THE ATTACK I AM NOT CERTAIN I GOT

RT	MU	BT	PS
<p>THE IMPRESSION FROM WHAT HE TOLD ME THAT THERE WAS NOT. A. DID HE TELL YOU FROM WHOM HE GOT THE BULLETS THROUGH HIS CLOTHES OR NOT ? ^[47] A. I TOOK IT FOR GRANTED OF COURSE. Q. DID HE SAY HE GOT IT IN THAT \$\$ ASSAULT ON THE EMIGRANTS ? A. I CANNOT GIVE THE EXACT LANGUAGE. Q. WHAT WS THE SUBSTANCE OF WHAT HE TOLD YOU ABOUT IT ? A. I GATHERED FROM WHAT HE SAID THAT HE HAD ATTACKED THE CAMP OF THESE EMIGRANTS WITH THE INDIANS, AND THAT IN MAKING THE ATTACK HE HAD</p>	<p>THE IMPRESSION FROM WHAT HE TOLD ME THAT THERE WAS NOT. DID HE TELL YOU FROM WHOM HE GOT THE BULLETS THROUGH HIS CLOTHES, OR NOT? I TOOK IT, OF COURSE. DID HE SAY HE GOT IT ON THAT ASSAULT ON THE EMIGRANTS? I CAN'T GIVE THE EXACT LANGUAGE. WHAT WAS THE SUBSTANCE OF WHAT HE TOLD YOU ABOUT IT? I COLLECTED FROM WHAT HE SAID THAT HE HAD ATTACKED THE CAMP OF THESE EMIGRANTS WITH THE INDIANS, AND THAT IN MAKING THE ATTACK HE</p>	<p>THE IMPRESSION FROM WHAT HE TOLD ME THAT THERE WAS NOT. Q. DID HE TELL YOU FROM WHOM HE GOT THE BULLETT THROUGH HIS CLOTHES, OR NOT? A. I TOOK IT OF COURSE — Q. DID HE SAY THAT GOT IT, ON THE ASSAULT ON THE EMIGRANTS? A. I CAN'T GIVE THE EXACT LANGUAGE. Q. WHAT WAS THE SUBSTANCE THAT HE TOLD YOU ABOUT THIS? A. WHAT I COLLECTED FROM WHAT HE SAID WAS THAT HE HAD ATTACKED A CAMP OF THESE EMIGRANTS WITH THE INEDIANS AND THAT IN MAKING THE ATTACK ^[22] HE</p>	<p>THE IMPRESSION FROM WHAT HE TOLD ME THAT THERE WAS NOT [space] DID HE TELL YOU FROM WHOM HE GOT THE BULLETS THROUGH HIS CLOTHES OR NOT WHAT FROM I TOOK IT OF COURSE ~ [space] DID HE SAY THAT GOT IT IN THAT ASSAULT ON THE EMIGRANTS? I CAN'T GIVE THE ^{[[34]]} EXACT LANGUAGE [space] WHAT WAS THE SUBSTANCE THAT THE TOLD YOU ABOUT THIS <i>NEAR AS</i>[?] WHAT I COLLECTED FROM WHAT HE SAID WAS THAT HE HAD ATTACKED THE CAMP OF THESE ≤EMIGRANTS WITH THE> INDIANS AND THAT IN MAKING THE ATTACK HE</p>

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<p>RECEIVED THOSE SHOTS FROM THEIR CAMP. THAT THE BULLETS HAD COME NEAR TO HIM, ONE THROUGH HIS SHIRT AND ANOTHER THROUGH HIS HAT. Q. DID HE SAY ANYTHING ABOUT HIS HAVING HAD A NARROW ESCAPE ? A. I THINK HE DID. Q. WHAT CAMP DID HE REFER TO ? A. THE CAMP OF THE MOUNTAIN MEADOWS EMIGRANTS. Q. YOU SAY HE CAME BACK PART OF THE WAY TO THE MOUNTAIN MEADOWS ? A. I DON'T KNOW BUT WHAT HE WENT CLEAR ACROSS THE MEADOWS, I AM NOT POSITIVE, I KNOW HE RODE BACK WITH ME. HE RODE BACK TO WHERE THE CAMP WAS AT LEAST, BUT</p>	<p>RECEIVED THE SHOTS FROM THE CAMP, THAT THE BULLETS HAD COME NEAR TO HIM, ONE THROUGH HIS SHIRT AND ANOTHER THROUGH HIS HAT. DID HE SAY ANYTHING ABOUT HAVING A NARROW ESCAPE? I THINK HE DID. WHAT CAMP DID HE REFER TO? THE CAMP OF THE MOUNTAIN MEADOWS EMIGRANTS. YOU SAY HE CAME BACK PART OF THE WAY TO THE MOUNTAIN MEADOWS? I DON'T KNOW BUT WHAT HE WENT CLEAR ACROSS THE MEADOWS, I AM NOT POSITIVE. I KNOW HE RODE BACK WITH ME. HE RODE BACK TO WHERE THE CAMP WAS, AT LEAST, BUT</p>	<p>RECEIVED THOSE SHOTS FROM THE CAMP; THAT THE BULLETTs HAD COME NEAR TO HIM, ONE THOUGH HIS SHIRT AND THROUGH HIS HAT. Q. DID HE SAY ANYTHING ABOUT HAVING A NARROW EXSCAPE? A. I THINK HE DID. Q. Q. WHAT CAMP DID HE REFER TO? A. THE CAMP OF THE MOUNTAIN MEADOWS EMIGRANTS. Q. YOU SAY HE CAME BACK PART WAY TOWARD THE MOUNTAIN MEADOWS? A. I DON'T KNOW BUT WHAT HE WENT CLEAR ACROSS THE MEADOWS, I AM NORT POSITIVE. I KNEW HE RODE BACK TO ME; HE RODE BACK TO WHERE THE CAMP WAS, AT LEASRT; BUT</p>	<p>RECEIVED SHOTS FROM THE CAMP THAT THE BULLETS HAD COME NEAR TO HIM ONE THROUGH HIS SHIRT AND THROUGH HIS HAT DID HE SAY ANYTHING ABOUT HAVING NARROW ESCAPE I THINK HE DID [space] WHAT CAMP DID HE REFER TO CAMP ON THE MOUNTAIN MEADOWS OF EMIGRANTS. YOU SAY HE CAME BACK PART WAY TOWARDS MOUNTAIN MEADOWS I DON'T KNOW BUT WHAT HE WENT CLEAR ACROSS THE MEADOWS I AM NOT POSITIVE I KNOW HE RODE BACK WITH ME HE RODE BACK TO WHERE THE CAMP WAS AT LEAST BUT</p>

RT**MU****BT****PS**

<p>WHETHER HE STOPPED THERE OR NOT I WILL NOT BE POSITIVE. Q. DID YOU SEE HIM GO TOWARDS THE INDIAN CAMP AFTERWARDS ? A. I DIDN'T KNOW WHERE THE INDIAN CAMP WAS. THIS WAS IN THE NIGHT AND HE CAME TO ME ABOUT DUSK. IT WAS EIGHT OR NINE O'CLOCK WHEN WE GOT TO WHERE THE CAMP WAS LOCATED. I WENT RIGHT OVER TO MY HOME. Q. STATE WHETHER YOU NOTICED ANYTHING PECULIAR ABOUT MR. LEE'S PERSON ASIDE FROM HIS DRESS ? A. NO, NOTHING MORE THAN WHAT I HAVE STATED. Q. STATE WHETHER HE HAD ANY PAINT ON HIM ? ^[48] A. I</p>	<p>WHETHER HE STOPPED THERE OR NOT I WILL NOT BE POSITIVE. DID YOU SEE HIM GO TOWARDS THE INDIAN CAMP AFTERWARDS? I DIDN'T KNOW WHERE THE INDIAN CAMP WAS. IT WAS IN THE NIGHT. HE CAME TO ME ABOUT DUSK. IT WAS EIGHT OR NINE O'CLOCK WHEN WE GOT TO WHERE THE CAMP WAS LOCATED. I WENT RIGHT OVER TO MY HOME. STATE WHETHER YOU NOTICED ANYTHING PECULIAR ABOUT MR. LEE'S PERSON, ASIDE FROM HIS DRESS. NO, NOTHING MORE THAN WHAT I HAVE STATED. STATE WHETHER HE HAD ANY PAINT ON HIM. I</p>	<p>WHETHER HE STOPPED THERE I COULD NOT BE POSITIVE. Q. DID YOU SEE HIM GO TOWARD THE INDIAN CAMP AFTERWARDS? A. I DIDN'T KNOW WHERE THE INDIAN CAMP WAS. IT WAS IN THE NIGHT; HE CAME TO ME ABOUT DUSK. IT WAS 8 OR 9M O'CLOCK WHEN WE GOT GOT TO WHERE THE CAMP WAS LOCATED. I WENT RIGHT OVER TO MY HOMSE.. Q. STATE WHETHER YOU NOTICED ANYTHING PECULIAR ABOUT MR. LEE'S PERSON ASIDE FROM HIS DRESS? A. NO, NOTHING MORE THAN I SAID. Q. WHETHER HE HAD ANY PAINT ON HIM? A. I</p>	<p>WHETHER HE STOPPED THERE I WOULD NOT BE POSITIVE [space] {AND};ⁱ DID YOU SEE HIM GO TOWARD THE INDIAN CAMP AFTERWARDS I DIDN'T KNOW WHERE THE INDIAN CAMP WAS IT WAS IN THE NIGHT HE CAME TO ME ABOUT DUSK [space] 8 OR 9M O'CLOCK WHEN WE CAME TO WHERE CAMP WAS LOCATED I WENT RIGHT OVER TO MY HOME STATE WHETHER YOU NOTICED ANYTHING PECULIAR ABOUT MR. LEE'S PERSON ASIDE FROM HIS DRESS NO NOTHING MORE THAN WHAT I SAID [space] WHETHER HE HAD ANY PAINT ON HIM I</p>
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RT	MU	BT	PS
<p>DIDN'T NOTICE ANY, IT WAS BETWEEN SUNDOWN AND DAYLIGHT. IT WAS NEARLY DUSK WHEN I FIRST SAW HIM. WE HADN'T TALKED ONLY A FEW MINUTES WHEN IT BECAME DARK.</p> <p>Q. HOW LONG AFTER THIS -- HOW MANY DAYS PASSED UNTIL THE GENERAL MASSACRE TOOK PLACE ?</p> <p>A. I THINK SOME FIVE OR SIX DAYS.</p> <p>Q. DID YOU REMAIN THERE WITH YOUR WIFE DURING ALL THAT TIME ? A.</p> <p>YES SIR, WITH THE EXCEPTION OF BEING OUT AFTER MY STOCK ONCE OR TWICE.</p> <p>Q. HAD YOU ANYTHING TO DO WITH LEE, OR DID YOU SEE HIM AFTER THAT TIME A.</p> <p>HE CAME OVER</p>	<p>DIDN'T NOTICE ANY. IT WAS BETWEEN SUNDOWN AND DAYLIGHT. IT WAS NEARLY DUSK WHEN ^[328] I FIRST SAW HIM. WE HADN'T TALKED BUT A FEW MINUTES, WHEN IT WAS DARK.</p> <p>HOW LONG A TIME</p> <p>PASSED UNTIL THE GENERAL MASSACRE?</p> <p>SOME FIVE OR SIX DAYS.</p> <p>DID YOU REMAIN THERE WITH YOUR WIFE DURING ALL THAT TIME?</p> <p>YES, SIR, WITH THE EXCEPTION OF BEING OUT AFTER MY STOCK ONCE OR TWICE.</p> <p>HAD YOU ANYTHING TO DO WITH LEE, OR SEE HIM AFTER THAT TIME?</p> <p>HE WAS OVER</p>	<p>DIDN'T NOTICE ANY. IT WAS BETWEEN SUNDOWN AND DAYLIGHT. IT WAS NEARLY DARK WHEN I SAW HIM FIRST. WE DIDN'T TALK BUT A FEW MINUTES UNTIL IT WAS DUSK.</p> <p>Q. HOW LONG A TIME</p> <p>ELAPSED UNTIL THE GENERAL MASSACRE?</p> <p>A. SOME FIVE OR SIX DAYS.</p> <p>Q. DID YOU REMAIN THERE WITH YOUR WIFE ATT DURING ALL THAT TIME? A.</p> <p>YES, SIR, WITH THE EXCEPTION OF BEING OUT AFTER MY STOCK ONCE OR TWICE</p> <p>Q. HAD YOU ANYTHING TO EDO WITH LEE OR SEE HIM AFTER THAT TIME? A.</p> <p>HE WAS OVER</p>	<p>DIDN'T NOTICE ANY IT WAS BETWEEN SUNDOWN AND DAYLIGHT IT WAS NEARLY DUSK WHEN I SAW FIRST SAW HIM WE DIDN'T TALK BUT A FEW MINUTES UNTIL IT WAS DARK ^[space]</p> <p>HOW LONG TIME</p> <p>ELAPSED UNTIL THE GENERAL MASSACRE</p> <p>SOME 5 OR 6 ^{[[35]]} DAYS ^[space]</p> <p>DID YOU REMAIN THERE WITH YOUR WIFE DURING THAT TIME</p> <p>YES SIR WITH THE EXCEPTION OF BEING OUT AFTER MY STOCK ONCE OR TWICE ^[space]</p> <p>HAD YOU ANYTHING TO DO WITH LEE OR SEE HIM AFTER THAT TIME</p> <p>HE WAS OVER</p>

RT**MU****BT****PS**

<p>TO HAMBLIN'S RANCH A FEW TIMES. Q. WHAT WAS HE THERE FOR ? A. I DID NOT KNOW. Q. DID HE COME THERE ALONE ? A. HE WAS THERE WITH OTHER MEN, BUT HOW HE CAME I DON'T KNOW. Q. DID HE AT ANY TIME COME THERE TO GET YOUR TEAMS ? A. YES SIR. Q. WHAT DAY WAS THAT WITH REFERENCE TO THE MASSACRE OF THE MEN, WOMEN AND CHILDREN ? A. I THINK IT WAS THE DAY IT WAS DONE. Q. WELL WHAT TIME IN THE DAY ? A. I THINK IT WAS A LITTLE BEFORE 12 O'CLOCK, ABOUT THE MIDDLE OF THE DAY. Q. WHO CAME WITH HIM ? A. I THINK IT WAS KLINGENSMITH. ^[49] Q. WHERE WERE YOU AND</p>	<p>AT HAMBLIN'S RANCH A FEW TIMES. WHAT WAS HE THERE FOR? I DON'T KNOW. DID HE COME ALONE? HE WAS THERE WITH OTHER MEN, BUT HOW HE CAME I DON'T KNOW. DID HE AT ANY TIME COME TO YOU TO GET YOUR TEAMS? YES, SIR. WHAT DAY WAS THAT WITH REFERENCE TO THE MASSACRE OF THE MEN, WOMEN AND CHILDREN? IT WAS THE DAY IT WAS DONE. WHAT TIME? I THINK IT WAS A LITTLE BEFORE 12 O'CLOCK, THE MIDDLE OF THE DAY. WHO CAME WITH HIM? I THINK IT WAS KLINGENSMITH. WHERE WERE YOU, AND</p>	<p>TO HAMBLINS RANCHE A FEW TIMES. Q. WHAT WAS HE THERE FOR? ^[23] A. I DON'T KNOW. Q. DID HE COME ALONE? A. HE WAS THERE WITH OTHER MEN, BUT HOW HE CAME I DON'T KNOW. Q. DID HE AT ANY TIME COME TO YOU TO GET YOUR TEAM? A. YES, SIR. Q. WHAT TIME WAS THAT WITH REFERENCE TO THE MASSACRE OF THE MEN, WOMEN AND CHILDREN? A. IT WAS THE DAY IT WAS DONE. Q. WHAT TIME. A. I THINK IT WAS A LITTLE BEFORE 12 O'CLOCK— MIDDLE OF THE DAY. Q. WHO CAME WITH HIM? A. I THINK IT WAS KLINGENSMITH. Q. WHERE WERE YOU, AND</p>	<p>TO HAMBLINS RANCH A FEW TIMES [space] Q. WHAT WAS HE THERE FOR I DON'T KNOW DID HE COME ALONE HE WAS THERE WITH OTHER MEN BUT HOW HE CAME I DON'T KNOW DID HE AT ANY TIME COME TO YOU TO GET YOUR TEAM YES SIR WHAT TIME WAS THAT WITH REFERENCE TO THE MASSACRE OF THE MEN WOMEN AND CHILDREN IT WAS THE DAY IT WAS DONE WHAT TIME I THINK IT WAS LITTLE BEFORE 12 O'CLOCK MIDDLE OF THE DAY WHO CAME WITH HIM I THINK IT WAS KLINGEN SMITH WHERE WERE YOU AND</p>
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RT	MU	BT	PS
<p>WHAT WERE YOU DOING ? A. I WAS AT HOME WAITING ON MY SICK WIFE WHO WAS THERE IN THE WAGON AND DOING CHORES NECESSARY TO BE DONE ABOUT HOME. Q. STATE THE CONVERSATION THAT TOOK PLACE BETWEEN YOU AND LEE OR YOU AND KLINGENSMITH IN THE PRESENCE OF LEE ABOUT WHAT THEY CAME THERE FOR A. THEY TOLD ME THATY CAME THERE TO GET MY TEAM AND WAGON TO GO OVER AND HAUL AWAY THE SICK AND WOUNDED FROM THE TRAIN AND</p> <p>TAKE THEM BACK TO THE SETTLEMENTS WHERE THEY COULD TAKE</p>	<p>WHAT WERE YOU DOING? I WAS AT HOME WAITING UPON MY SICK WIFE, WHO WAS THERE IN THE WAGON, AND DOING CHORES NECESSARY TO BE DONE ABOUT HOME. STATE THE CONVERSATION THAT TOOK PLACE BETWEEN YOU AND LEE, OR YOU AND KLINGENSMITH, IN THE PRESENCE OF LEE, ABOUT WHAT THEY CAME FOR? THEY TOLD ME THEY CAME TO GET MY TEAM AND WAGON TO GO OVER AND HAUL AWAY THE SICK AND WOUNDED FROM THE TRAIN, AND</p> <p>TAKE THEM BACK TO THE SETTLEMENTS WHERE THEY COULD</p>	<p>WHAT WERE YOU DOING? A. I WAS AT HOME WAITING UPON MY SICK WIFE, THAT WAS THERE IN THE WAGON BOX, AND DOIENG OTHER CHORSES NECESSARY TO BE DONE ABOUT HHOME. Q. TELL THE CONVERSATION THAT TOOK PLACE BETWEEN LEE AND YOU AND YOU AND KLINGENSMITH IN THE PRESENCE OF LEE — WHAT THEY CAME FOR? A. THEY TOLD ME THEY CAME TO GET MY TEAM AND WAGON TO GO OVER AND HAUL AWAY THE SICK AND WOUNDED FROM THE TRAIN THAT HAD BEEN KILLED—TO TAKE THEM BACK TO THE SETTLEMENT WHERE THEY COULD</p>	<p>WHAT WAS YOU DOING I WAS AT HOME WAITING UPON MY SICK WIFE THAT WAS THERE IN THE WAGON BOX AND DOING OTHER CHORES NECESSARY TO BE DONE BY ME</p> <p>TELL THE CONVERSATION THAT TOOK PLACE BETWEEN YOU AND LEE AND YOU AND KLINGEN SMITH IN THE PRESENCE OF LEE <ABOUT> WHAT THEY CAME FOR THEY TOLD ME THEY CAME TO GET MY TEAM AND WAGON TO GO OVER AND HAUL AWAY THE SICK AND WOUNDED FROM THE TRAIN THAT HAD KILLED TO TAKE THEM BACK TO THE SETTLEMENTS WHERE THEY COULD</p>

RT**MU****BT****PS**

<p>CARE OF THEM, AS WAGONS WERE SCARCE. I DID NOT CONSENT AT FIRST, AND I TOLD THEM I DIDN'T WANT TO GO, THAT MY FAMILY NEEDED MY ATTENTION AT HOME, AND I SHOULDN'T GO. THEY INSISTED THAT I SHOULD GO AND SAID THAT DUTY CALLED ME TO GO THERE, THEN I SAID IF THE TEAM WENT I SHOULD GO WITH IT.</p> <p>MY TEAM WAS A YOUNG TEAM AND HAD ONLY BEEN BROKE A FEW DAYS, AND THEY WERE FRACTIONOUS.</p>	<p>CARE FOR THEM, AS WAGONS WERE SCARCE. I DIDN'T CONSENT AT FIRST, I TOLD THEM THAT I DIDN'T WANT TO GO, THAT MY FAMILY NEEDED MY PRESENCE AT HOME.</p> <p>THEY INSISTED THAT I SHOULD GO AND SAID THAT DUTY CALLED ME TO GO. I SAID IF THE TEAM WENT I SHOULD GO MYSELF WITH IT.</p> <p>MY TEAM WAS A YOUNG TEAM AND HAD JUST BEEN BROKE A FEW DAYS, AND THE HORSES WERE FRACTIONOUS.</p>	<p>CARE FOR THEM, AS WAGONS WERE SCARCE. I DIDN'T CONSENT AT FIRST, I TOLD THEM I DIDN'T WANT TO GO, THAT MY FAMILY NEEDED MY PRESENCE AT HOME.</p> <p>THEY INSISTED THAT I SHOULD GO AND THAT MY DUTY CALLED ME TO GO. I SAID IF THE TEAM WENT I SHOULD GO WITH IT MYSELF.</p> <p>MY TEAM WAS A YOUNG TEAM, HAD HAD JUST BEEN BROKE A FEW DAYS, AND THE HORSES WERE FRACTIONOUS. I DIDN'T WORK THEM BUT A FEW DAYS — YOUNG HORSES,</p>	<p>CARE FOR THEM AS WAGONS WERE SCARCE. [space] I DIDN'T CONSENT AT FIRST I TOLD THEM I DIDN'T WANT TO GO THAT MY FAMILY NEEDED MY PRESENCE AT HOME</p> <p>THEY INSISTED I SHOULD GO AND SAID THAT[?] DUTY CALLED ME TO GO ^{[[36]]} AND [space] I SAID IF THE TEAM WENT I SHOULD GO WITH IT [space] WHY DID YOU [space] DID YOU EXPLAIN TO THEM ~ MY TEAM WAS A YOUNG TEAM JUST HAD BEEN BROKE A FEW DAYS AND THE HORSES WERE FRACTIONOUS I HAD NOT WORKED THEM BUT A FEW DAYS YOUNG HORSES</p>
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RT	MU	BT	PS
<p>Q. FROM THAT POINT WHAT WAS DONE ?</p> <p>A. WELL, I WENT OVER THERE. I HITCHED UP THE TEAM AND WENT OVER, WERE WENT WITH A COMMON LUMBER WAGON AND BOX ON IT.</p> <p>Q. DID YOU LEAVE YOUR WIFE THERE AT THAT PLACE ?</p> <p>A. YES SIR. Q. WELL, WHERE DID YOU GO ? A. I WENT RIGHT TO THE MOUNTAIN MEADOWS, RIGHT ON TO THE SOUTH END OF THE</p> <p>MEADOWS, OR PRETTY NEAR THERE. I DROVE UP TO A CAMP OF INDIANS AND SOME MEN THAT WEERE CAMPED SOMEWHERE TO THE LEFT OF THE ROAD, PROBABLY</p>	<p>FROM THAT POINT WHAT WAS DONE?</p> <p>WELL, I WENT OVER. I HITCHED UP MY TEAM AND WENT OVER. WENT WITH A COMMON LUMBER WAGON AND BOX ON IT.</p> <p>DID YOU LEAVE YOUR WIFE THERE?</p> <p>YES, SIR. WHERE DID YOU GO? I WENT RIGHT ON TO THE MOUNTAIN MEADOWS, RIGHT ON TO THE SOUTH END OF THE MOUNTAIN MEADOWS, OR NEAR THERE. I DROVE UP TO A CAMP OF INDIANS AND MEN</p> <p>CAMPED SOMEWHERE TO THE LEFT OF THE ROAD, PROBABLY</p>	<p>FRACTIOUS HORSES.</p> <p>Q. FROM THAT POINT, WHAT WAS DONE?</p> <p>A. WELL, I WENT OVER. I HITCHED UP MY TEAM AND WENT OVER— WENT WITH A COMMON LUMBER WAGON AND BOX ON ON IT.</p> <p>^[24] Q. DID YOU LEAVE YOUR WIFE THERE?</p> <p>A. YES, SIR. Q. WHERE DID YOU GO? A. I WENT RIGHT TO THE MOUNTAIN MEADOWS, TO THE SOUTH END OF THE MOUNTAIN MEADOWS OR NEAR THERE. I DROVE UP TO A CAMP OF INDIANS AND MEN</p> <p>CAMPED SOMEWHERE HERE TO THE LEFT OF THE ROAD, PROBABLY A</p>	<p>FRACTIOUS HORSES [<i>space</i>]</p> <p>FROM THAT POINT WHAT WAS DONE</p> <p>WELL I WENT OVER I HITCHED UP MY TEAM AND WENT OVER WENT WITH A COMMON LUMBER WAGON AND BOX ON IT</p> <p>DID YOU LEAVE YOUR WIFE THERE?</p> <p>YES SIR WHERE DID YOU GO I WENT RIGHT ON TO THE MOUNTAIN MEADOWS TO THE SOUTH END OF THE MOUNTAIN MEADOWS OR NEAR THERE I DROVE UP TO A CAMP OF INDIANS AND MEN</p> <p>CAMPED SOMEWHERE TO THE LEFT <OF THE ROAD> PROBABLY</p>

RT	MU	BT	PS
<p>HALF A MILE,MAY BE NOT SO FAR,BUT AT A LITTLE SPRING TO THE LEFT OF THE ROAD, AND I WAITED THERE A LITTLE WHILE. I STOPPED SOME FOUR OR ^[50] FIVE RODS FROM THIS CAMP AND STOOD BY MY TEAM UNTIL I WAS TOLD TO DRIVE DOWN TOWARDS THE CAMP. Q. WHO TOLD YOU ? A. IT IS NOT IN MY MEMORY. Q. DID YOU DRIVE DOWN TOWARDS THE CAMP ? A. I DID. Q. WHAT CAMP ? A. THE EMIGRANT CAMP. Q. DID ANY OTHER CONVEYANCE GO DOWN AT THE SAME TIME ? A. YES SIR, ANOTHER WAGON, AND I WENT BEHIND IT. Q. DID YOU SEE LEE THERE ?</p>	<p>HALF A MILE, MAY BE NOT SO FAR, AT A LITTLE SPRING TO THE LEFT OF THE ROAD, AND WAITED ^[329] THERE A LITTLE WHILE. I STOPPED SOME FOUR OR FIVE RODS FROM THIS CAMP AND STOOD BY MY TEAM UNTIL I WAS TOLD TO DRIVE DOWN TOWARDS THE CAMP. WHO TOLD YOU? IT IS NOT IN MY MEMORY. DID YOU DRIVE DOWN TOWARDS THE CAMP? I DID. WHAT CAMP? THE EMIGRANT CAMP. DID ANY OTHER CONVEYANCE GO DOWN AT THE SAME TIME? YES, SIR, ANOTHER WAGON, I WENT BEHIND IT. DID YOU SEE LEE THERE?</p>	<p>HALF A MILE, MAY BE NOT SO FAR-, AT A LITTLE SPRING TO THE LEFT OF THE ROAD, AND WAITED THERE FOR A LITTLE WHILE. I STOPPED SOME FOUR OR FIVE RODS FROM THIS CAMP AND STOOD BY MY TEAM, UNTIL I WAS TOLD TO DRIVE DOWN TO THE CAMP. Q. WHO TOLD YOU? A. IT IS NOT IN MY MEMORY. Q. DID YOU DRIVE DOWN TOWARD THE CAMP? A. I DID. Q. WHAT CAMP? A. THE EMIGRANT CAMP. Q. DID ANY OTHER CONVEYANCE GO DOWN AT THE SAME TIME? A. YES, SIR, ANOTHER WAGON. I WENT BEHIND IT. Q. DID YOU SEE LEE THERE?</p>	<p>HALF A MILE MAYBE NOT SO FAR LITTLE SPRING TO THE LEFT OF THE ROAD AND WAITED THERE A LITTLE WHILE UNTIL I STOPPED SOME TEN TO OR FIVE RODS FROM THIS CAMP STOOD BY MY TEAM UNTIL I WAS TOLD TO DRIVE DOWN TOWARDS THE CAMP [<i>space</i>] WHO TOLD YOU IT IS NOT IN MY MEMORY [<i>space</i>] DID YOU DRIVE DOWN TOWARDS THE CAMP I DID WHAT CAMP <i>MOUNTAIN MEADOWS THEIR</i> —[?] DID ANY OTHER CONVEYANCE GO DOWN AT THE SAME TIME YES SIR ANOTHER WAGON I WENT BEHIND IT DID YOU SEE LEE THERE</p>

RT	MU	BT	PS
<p>A. YES SIR. Q. TELL WHAT HE DID FROM THE FIRST TIME YOU</p> <p>SAW HIM THAT MORNING, IN THAT PARTICULAR PIECE OF GROUND ? A. I DO NOT KNOW WHAT HE DID ALL THE TIME. WHILE I WAS WAITING AT THE CAMP</p> <p>I DON'T KNOW THAT I SAW HIM WHILE I WAS THERE. Q. HOW FAR WAS THAT FROM THE EMIGRANTS ?</p> <p>A. I THINK NEARLY HALF A MILE. Q. DID YOU SEE ANYBODY GO TO THAT EMIGRANT</p>	<p>YES, SIR. TELL WHAT HE DID FROM THE FIRST TIME YOU</p> <p>SAW HIM THAT MORNING ON THAT PARTICULAR PIECE OF GROUND? I DON'T KNOW WHAT HE DID ALL HE TIME. WHILE I WAS WAITING AT THE CAMP</p> <p>I DON'T KNOW THAT I SAW HIM WHILE I WAS THERE. HOW FAR WAS THAT FROM THE EMIGRANTS?</p> <p>I THINK NEARLY HALF A MILE. DID YOU SEE ANYBODY GO TO THAT EMIGRANT</p>	<p>A. YES, SIR. Q. TELL WHAT HE DID FROM THE TIME YOU FIRST WENT THERE THAT MORNING FIRST SAW HIM THAT MORNING ON THAT PARTICULAR PIECE OF GROUND? A. I DIDN'T KNOW WHAT HE DID ALL THE TIME. WHILE I WAS WAITING AT THE CAMP, I DON'T THINK</p> <p>I SAW HIM WHILE I WAS THERE. Q. HOW FAR WAS THAT FROM THE EMIGRANTS? A. I PE I PRESUME SOME FOUR OR FIVE RODS. Q. I MEAN HOW FAR THE FIRST CAMP YOU SPOKE OF? A. I THINK NEARLY A HALF A MILE. Q. DID YOU SEE ANYBLOBDY GO TO THAT EMIGRANT</p>	<p>YES SIR TELL WHAT HE DID FROM THE TIME YOU</p> <p>FIRST SAW HIM THAT MORNING ON THAT PARTICULAR PIECE OF GROUND I DIDN'T KNOW WHAT HE DID ALL THE TIME [space] WHILE I WAS WAITING AT THE CAMP AFTER I GOT ^{[[37]]} UP TO THE INDIANS AND MEN I DON'T KNOW THAT I SAW HIM WHILE I WAS THERE HOW FAR WAS THAT FROM THE EMIGRANTS I PRESUME SOME FOUR OR FIVE RODS/YARDS[?] ~ I MEAN HOW FAR THE FIRST CAMP YOU STOPPED[?] AT [space] I THINK NEARLY A HALF A MILE. DID YOU SEE ANYBODY GO TO THAT EMIGRANT</p>

RT	MU	BT	PS
<p>CAMP ? A. NO SIR, I SAW A MAN CARRYING A WHITE FLAG. Q. WHO WAS THAT MAN ? A. I COULD NOT TELL. Q. WAS ANYBODY WITH HIM ? A. YES SIR, I THINK HOGN D. LEE WAS WITH HIM OR NEAR HIM AND WALKED DOWN TO THE CAMP. ^[51] Q. WHAT OCCURRED THERE ? A. THEY WALKED WITH THIS WHITE FLAG NEAR THE CAMP, AND ANOTHER MAN MET THEM WITH A WHITE RAG ON A STICK. HE CAME FROM THE EMIGRANT CAMP AND THEY MET SOME DISTANCE FROM THE CAMP AND FELL HELD A CONGULTATION FOR A FEW MINUTES AND THEN WE WERE TOLD TO DRIVE ALONG, OR WE</p>	<p>CAMP? NO, SIR. I SAW A MAN CARRYING A WHITE FLAG. WHO WAS THAT MAN? I COULD NOT TELL. WAS ANYBODY WITH HIM? YES, SIR, I THINK JOHN D. LEE WAS WITH HIM, OR NEAR HIM, AND WALKED DOWN TO THE CAMP. WHAT OCCURRED THERE? THEY WALKED WITH THIS WHITE FLAG NEAR THE CAMP, AND ANOTHER MAN MET THEM WITH A WHITE RAG ON A STICK. HE CAME FROM THE EMIGRANT CAMP, AND THEY MET SOME DISTANCE FROM THE CAMP, AND HELD A CONSULTATION FOR A FEW MINUTES, AND THEN WE WERE TOLD TO DRIVE ALONG, OR</p>	<p>CAMP? ^{[[25]]} A. YES, SIR, I SAW A MAN CARRYING A WHITE FLAG. Q. WHO WAS THAT MAN? A. I COULD NOT TELL. Q. WAS ANYBODY WITH HIM? A. YES, SIR, I THINK SO; JOHN D. LEE WAS WITH HIM OR NEAR HIM AND WALKED DOWN TO THÆ CAMP. Q. WHAT OCCURRED THERE? A. THEY WALKED DOWN WITH THIS WHITE FLAG NEAR THE CAMP; AND ANOTHER MAN MET THEM WITH A WHITE RAG ON A STICK. HE CAME FROM THIS EMIGRANT CAMP AND THEY MET SOME DISTANCE FROM THE CAMP AND HELD A CONSULTATION FOR A FEW MINUTES, AND THEN WE WAS THOLD TO DRIVE ALONG OR</p>	<p>CAMP YES SIR I SAW A MAN CARRYING A WHITE FLAG WHO WAS THAT MAN I COULD NOT TELL WAS ANYBODY WITH HIM <YES SIR> I THINK SO JOHN D. LEE WITH HIM OR NEAR HIM ≤AND WALKED DOWN TO THE CAMP≥ WHAT OCCURRED THERE THEY WALKED DOWN WITH THIS WHITE FLAG NEAR THE CAMP AND ANOTHER MAN THEM MET THEM WITH WHITE RAG ON STICK. HE CAME FROM THIS EMIGRANT CAMP AND THEY MET SOME DISTANCE FROM THE CAMP AND HELD CONSULTATION FOR A FEW MOMENTS AND THEN WE WAS TOLD TO DRIVE ALONG OR</p>

RT	MU	BT	PS
WERE MOTIONED TO COME DOWN. Q. DID ANY OTHER MAN BESIDES THIS MAN AND JOHN D. LEE GO ? A. NOT ANY DISTANCE. I DON'T REMEMBER THAT THEY DID. Q. WHO HELD THAT CONSULTATION ? A. I WAS NOT ACQUAINTED WITH THEM AND WAS SOME DISTANCE FROM THEM, BUT I THINK IT WAS JOHN D. LEE, THE MAN THAT CARRIED THE FLAG, AND ONE OR TWO WHO CAME FROM THE EMIGRANT CAMP. Q. WHO MOTIONED FOR YOU TO GO ALONG AFTER THE CONSULTATION ? A. I CAN'T	MOTIONED TO. DID ANY OTHER MAN BESIDES THIS MAN AND JOHN D. LEE GO? NOT ANY DISTANCE. I DON'T REMEMBER THAT THEY DID. WHO HELD THAT CONSULTATION? I WAS NOT ACQUAINTED WITH THEM, AND WAS SOME DISTANCE FROM THEM, BUT I THINK IT WAS JOHN D. LEE, THE MAN THAT CARRIED THE FLAG, AND ONE OR TWO WHO CAME FROM THE EMIGRANT CAMP. WHO MOTIONED FOR YOU TO GO ALONG AFTER THE CONSULTATION? I CAN'T	MOTIONED TO. Q. DID ANY OTHER MAN GO OVER FROM THE CAMP BESIDES JOHN D. LEE AND THIS MAN? A. NOT ANY DISTANCE. I DON'T REMEMBER WHAT THEY DID. Q. WHO HELD THAT CONSULTATION. A. I WAS NOT ACQUAINTED WITH THEM AND WAS SOME DISTANCE FROM THEM, BUT I THINK IT WAS JOHN D. LEE, THE MAN THAT CARRIED THE FLAG AND ONE OT TWO WHO CAME FROM THE EMIGRANT CAMP. Q. WHO MOTIONED TO YOU TO GO ALONG AFTER THE CONSULTATION ? A. I CANT	MOTIONED TO DID ANY OTHER MAN GO FROM THE CAMP TO TWO WHITE MEN AND[?] JOHN D. LEE NOT ANY DISTANCE I DON'T REMEMBER THAT THEY DID [space] WHO HELD THAT CONSULTATION I WAS NOT ACQUAINTED WITH THEM AND WAS SOME[?] DISTANCE FROM THEM [space] BUT I THINK IT WAS JOHN D. LEE, THE MAN THAT CARRIED THE FLAG WITH THE ONE OR TWO CAME WHO CAME FROM THE <EMIGRANT> CAMP [space] WHO MOTIONED TO YOU TO GO ALONG AFTER THE CONSULTATION [space] I CANT

RT	MU	BT	PS
TELL, BUT THE WHOLE FRATERNITY UP THERE MOVED ALONG WITH THE WAGONS. Q. WHEN YOU GOT DOWN TO THE CAMP	TELL, BUT THE WHOLE FRATERNITY UP THERE MOVED ALONG WITH THE WAGONS. WHEN YOU GOT DOWN TO THE CAMP	TELL BUT THE WHOLE FRATERNITY UP THERE MOVED ALONG WITH THE WAGONS. Q. WHEN YOU GOT DOWN TO THE CAMP	TELL BUT THE WHOLE FRATERNITY UP THERE MOVED ALONG AND ALONG WITH THE WAGONS WHEN YOU GOT DOWN TO THE CAMP THEY[?] TURNED ≤WHAT OCCURRED≥ MY WAGON WAS LOADED WITH SOME GUNS SOME BEDDING AND FEW INDIVIDUALS [space] WHO SUPERINTENDE D THAT LOADING UP ⁶⁶⁶
WHAT OCCURRED ? A. MY WAGON WAS LOADED WITH SOME GUNS, SOME BEDDING AND A FEW INDIVIDUALS. Q. WHO SUPERINTENDE D THE LOADING UP OF THAT WAGON ? A. JOHN D. LEE.	WHAT OCCURRED? MY WAGON WAS LOADED WITH SOME GUNS, SOME BEDDING, AND A FEW INDIVIDUALS. WHO SUPERINTENDED THAT LOADING UP? JOHN D. LEE.	WHAT OCCURRED? A. MY WAGON WAS LOADED WITH SOME GUNS, SOME BEDDING AND A FEW INDIVIDUALS. Q. WHO SUPERINTENDE D THAT LOADING UP? A. JOHN D. LEE. Q. WERE THERE OTHERS PRESENT—OF MEN SURROUNDING THE CAMP AT THAT TIME? A. YES, SIR.. [26] Q. WHAT GUNS WERE LOADED INTO YOUR WAGON. A. THE GUNS FROM THE EMIGRANT	JOHN D. LEE DID PRSH/PRN[?] [138] WERE THERE OTHER PRESENT OF MEN FROM HIS CAMP AT THAT TIME NO/YES[?] SIR [space] WHAT GUNS GUNS WERE LOADED INTO YOUR WAGON ≤GUNS> EMIGRANT
Q. WHAT GUNS WERE LOADED INTO YOUR WAGONS ? A. THE GUNS FROM THE EMIGRANT	WHAT GUNS WERE LOADED INTO YOUR WAGONS? THE GUNS FROM THE EMIGRANT		

666. Word apparently added later.

RT	MU	BT	PS
<p>CAMP.</p> <p>Q. WHEN THE EMIGRANTS CAME OUT AFTERWARDS WERE THEY ARMED OR NOT ? A. THEY WERE NOT THAT I SAW.</p> <p>Q. WHAT DID THEY LOAD INTO YOUR WAGON ? ^[52] A. GUNS, BEDDING AND SOME CLOTHING OF DIFFERENT KINDS, AND SEVERAL PERSONS GOT INTO IT, I THINK THREE OR FOUR GOT IN. Q.</p> <p>WHAT WERE THOSE PERSONS ? A. AS NEAR AS I CAN RECOLLECT THERE WERE TWO MEN, ONE WOMAN, AND I THINK SOME CHILDREN. Q. STATE WHETHER THOSE MEN WERE WOUNDED MEN,</p>	<p>CAMP.</p> <p>WHEN THE EMIGRANTS CAME OUT AFTERWARDS, WERE THEY ARMED OR NOT? THEY WERE NOT; NOT THAT I SAW.</p> <p>^[330] WHAT DID THEY LOAD INTO YOUR WAGON? GUNS, BEDDING, AND SOME CLOTHING OF DIFFERENT KINDS, AND SEVERAL PERSONS GOT IN. I THINK THREE OR FOUR GOT IN.</p> <p>WHAT WERE THOSE PERSONS? AS NEAR AS I CAN RECOLLECT, THERE WERE TWO MEN, ONE WOMAN, AND, I THINK, SOME CHILDREN. Q. STATE WHETHER THOSE MEN WERE WOUNDED</p>	<p>CAMP.</p> <p>Q. WHEN THE EMIGRANTS CAME OUT AFTERWARDS, WERE THEY ARMED OR NOT? A. THEY WERE NOT, NOT THAT I SAW.</p> <p>Q. WHAT DID THEY LOAD INTO THAT WAGON? A. GUNS BEDDING AND SOME CLOTHING OF DIFFERENT KINDS; AND SEVERAL PERSONS GOT IN. I THINK THREE OR FOUR GOT IN, PROBABLY. Q. WHAT WERE THORSE PERSONS? A. AS NEAR AS I CAN RECOLLECT THERE WAS TWO MEN, ONE WOMAN AND HT I THINK SOME CHILDREN. Q. STATES WHETHER OR NOT THESE MEN WERE WOUNDED MEN</p>	<p>CAMP I THINK FROM YOUR [space] DIRECTION</p> <p>WHEN THE EMIGRANTS CAME OUT AFTERWARDS WERE THEY ARMED OR NOT THEY WERE NOT NOT THAT I SAW [space] WHAT DID THEY LOAD INTO YOUR WAGON GUNS BEDDING AND SOME CLOTHING OF DIFFERENT KINDS SEVERAL PERSONS GOT IN I THINK 3 OR 4</p> <p>PROBABLY Q. WHAT WERE THOSE PERSONS NEAR AS I CAN RECOLLECT THERE WAS TWO MEN ONE WOMAN AND I THINK SOME CHILDREN. STATE WHETHER THESE MEN WERE WOUNDED MEN;</p>

RT	MU	BT	PS
<p>SICK MEN, OR WHAT ? A. I THINK THEY WERE WOUNDED, BUT I STOOD HOLDING MY TEAM. Q. STATE WHETHER IT WAS QUITE NECESSARY FOR YOU TO GIVE ALL YOUR ATTENTION TO YOUR TEAM ? A. YES, IT WAS, I CONSIDERED IT SO. Q. THEN WHAT OCCURRED --? A. AFTER THEY WERE LOADED IN WE WERE TOLD TO DRIVE ON TOWARDS HOME. Q. BY WHOM ? A. I DON'T RECOLLECT. Q. DID YOU DRIVE ALONG ? A. WE DID. Q. DO YOU KNOW WHAT WAS PUT INTO THE OTHER WAGON ? A. MOSTLY PEOPLE. Q. WERE BOTH THOSE WAGONS</p>	<p>THEN, SICK MEN, OR WHAT? I THINK THEY WERE WOUNDED, BUT I STOOD HOLDING MY TEAM. STATE WHETHER IT WAS QUITE NECESSARY FOR YOU TO GIVE ALL YOUR ATTENTION TO YOUR TEAM? I CONSIDERED IT SO. THEN WHAT OCCURRED? AFTER THEY WERE LOADED IN WE WERE TOLD TO DRIVE ON TOWARDS HOME. BY WHOM? I CAN'T RECOLLECT. DID YOU DRIVE ALONG? WE DID. DO YOU KNOW WHAT WAS PUT INTO THE OTHER WAGON? MOSTLY PEOPLE. WERE BOTH THOSE WAGONS</p>	<p>—SICK MEN— OR WHAT-? A. I THINK THEY WERE WOUNDED, BUT I STOOD HOLDING MY TEAM. Q. STATES WHETHER IT WAS QUITE NECESSARY FOR YOU TO GIVE ALL YOUR ATTENTION TO YOUR TEAM? A. I CONSIDERED IT NECESSARY. Q. THEN WHAT OCCURRED? Q. AFTER THEY WERE LOADED IN, WE WERE TOLD TO DRIVE ON TOWARD HOME. Q. BY WHOM? A. I CAN'T RECOLLECT. A. Q. DID YOU DRIVE ALONG? A. WE DID. Q. DID YOU KNOW WHAT WAS PUT INTO THE OTHER WAGON? A. MOSTLY PEOPLE. Q. WERE BOTH OF THESE WAGONS</p>	<p>SICK MEN OR WHAT I THINK THEY WERE WOUNDED BUT I STOOD HOLDING MY TEAM. WHETHER IT WAS QUITE NECESSARY FOR YOU TO GIVE ALL YOUR ATTENTION TO YOUR TEAM I CONSIDERED IT NECESSARY [space] THEN WHAT OCCURRED⁶⁶⁷ AFTER THEY WERE LOADED IN WE WERE TOLD TO DRIVE ON TOWARD HOME BY WHOM I CAN'T RECOLLECT [space] DID YOU DRIVE ALONG WE DID DID YOU KNOW WHAT WAS PUT INTO THE OTHER WAGON I THINK MOSTLY PEOPLE WERE BOTH OF THESE WAGONS</p>

667. "THEN WHAT OCCURRED" is in the left margin.

RT	MU	BT	PS
<p>LOADED FROM THE EMIGRANT CAMP ? A. YES SIR; I STARTED TOWARDS MY HOME NORTH ACROSS THE MEADOWS AND LENGTHWISE OF THE MEADOWS, WHICH LEAD TO THE NORTH. Q. AFTER YOU STARTED HOW CLOSE TO YOU DID THE OTHER WAGON FOLLOW ? A. I FOLLOWED IT; THE WAGON WENT AHEAD OF ME. WQ. WHAT FOLLOWED YOU ? ^[53] A. THE MEN, WOMEN AND CHILDREN; COMING ALONG AFTER WE DROVE OUT A LITTLE WAYS.</p> <p>Q. DID YOU</p>	<p>LOADED FROM THE EMIGRANT CAMP? YES, SIR. I STARTED TOWARDS MY HOME, NORTH ACROSS THE MEADOWS, LENGTHWISE OF THE MEADOWS. IT LED TO THE NORTH. AFTER YOU STARTED, HOW CLOSE DID THE OTHER WAGON FOLLOW? I FOLLOWED IT; IT WENT AHEAD.</p> <p>WHAT FOLLOWED YOU? THE MEN, WOMEN AND CHILDREN; COMING ALONG AFTER WE DROVE OUT A LITTLE WAYS.</p> <p>DID YOU</p>	<p>LOADED FROM THE EMIGRANT CAMP? A. YES, SIR. I STARTED TOWARDS MY HOME NORTH ACROSS THE MEADOWS.— LENGTHWISE OF THE MEADOWS, IT LEAD TO THE NORTH. Q. AFTER YOU STARTED HOW CLOSE TO YOU DID THE OTHER WAGON FOLLOW? ^[27] A. I FOLLOWED IT, THE OTHER WENT AHEAD. Q. WHAT FOLLOWED YOU? A. MEN, WOMEN AND CHILDREN, COMING ALONG AFTER WE DROVE OUT A LITTLE WAYS.. I DIDN'T LOOK BACK TO SEE WHAT FOLLOWED ME. I SAW MEN, WOMEN AND CHILDREN COMING ALONG AFTER WE DROVE OUT A LITTLE WAY. Q. DID YOU</p>	<p>LOADED FROM THE EMIGRANT CAMP YES SIR I STARTED TOWARDS MY HOME NORTH ACROSS THE MEADOWS LENGTHWISE TO/OFF[?] THE MEADOWS IT LEAD TO THE NORTH AFTER YOU STARTED HOW CLOSE TO YOU DID THE OTHER WAGON FOLLOW I FOLLOWED IT THE OTHER WENT AHEAD <i>[space]</i> WHAT FOLLOWED YOU MEN WOMEN AND CHILDREN</p> <p>I DIDN'T LOOK BACK TO SEE WHICH WHAT FOLLOWED ME ^{[[39]]} I SAW MEN WOMEN AND CHILDREN GOING ALONG AFTER WE DROVE OUT A LITTLE WAY DID YOU</p>

RT	MU	BT	PS
<p>UNDERSTAND FROM WHAT YOU SAW THERE THAT THE EMIGRANTS VACATED THAT CAMP AND FOLLOWED YOU ? A. I DID SIR. Q. AS YOU PASSED ALONG DID YOU GO WITH THEM OR DID YOU GO FASTER ? A. WE TRAVELLED A LITTLE FASTER. Q. HOW FAR IN ADVANCE OF THEM DHID YOU GET ? A. I THINK WE GOT MAY BE</p> <p>A QUARTER OF A MILE, IT MIGHT NOT HAVE BEEN THAT FAR, BUT QUITE A LITTLE DISTANCE. Q. WHAT ORDER DID THOSE EMIGRANTS MARCH IN, WHETHER SINGLE FILE, TWO ABREAST, OR HOW ? A. I COULD NOT GIVE ANY TESTIMONY ON THAT, I DID NOT</p>	<p>UNDERSTAND, FROM WHAT YOU SAW HERE, THAT THE EMIGRANTS VACATED THAT CAMP AND FOLLOWED YOU? I DID, SIR. AS YOU PASSED ALONG, DID YOU GO WITH THEM, OR DID YOU GO FASTER? WE TRAVELED A LITTLE FASTER. HOW FAR IN ADVANCE OF THEM DID YOU GET? I THINK WE GOT MAY BE</p> <p>A QUARTER OF A MILE. IT MIGHT NOT HAVE BEEN THAT FAR, BUT QUITE A LITTLE DISTANCE. Q. WHAT ORDER DID THOSE EMIGRANTS MARCH IN, WHETHER SINGLE FILE, TWO ABREAST, OR HOW? I COULD NOT GIVE ANY TESTIMONY ON THAT. I DID NOT</p>	<p>UNDERSTAND FROM WHAT YOU SAW THERE THAT THEY EVACATED THAT CAMP TO FOLLOW YOU? A. I DID SIR. Q. AS YOU PASSED ALONG DID YOU GO WITH THEM OR DID YOU GO FASTER? A. WE TRAVELED A LITTLE FASTER. Q. HOW FAR IN ADVANCE OF THEM DID YOU GO? A. I THINK WE GOT MAY BE 40 OR 50 — MAY BE A QUARTER OF A MILE. IT MIGHT NOT HAVE BEEN THAT FAR, BUT IT WAS QUITE A LITTLE DISTANCE. Q. WHAT ORDER DID THOSE EMIGRANTS MARCH IN, WHETHER SINGLE FILE, TWO ABREST, OFR HOW? A. I COULD NOT GIVE ANY TESTIMONY ON THAT, I DID NOT</p>	<p>UNDERSTAND FROM WHAT YOU SAW THERE THAT THEY VACATED THAT CAMP TO FOLLOW YOU ALONG I DID SIR AS YOU PASSED ALONG DID YOU GO WITH THEM OR DID YOU GO FASTER WE TRAVELED A LITTLE FASTER [space] HOW FAR IN ADVANCE OF THEM DID YOU GO I THINK WE GOT MAY BE 40/50 MAYBE A QUARTER OF A MILE MIGHT NOT HAVE BEEN THAT FAR BUT IT QUITE A LITTLE DISTANCE WHAT ORDER DID THOSE EMIGRANTS MARCH IN WHETHER SINGLE FILE TWO ABREAST OR HOW I COULD NOT GIVE ANY TESTIMONY ON THAT I DID NOT</p>

RT	MU	BT	PS
<p>LOOK BACK TO SEE. Q. WHO ACCOMPANIED YOU WITH YOUR WAGON – WHO CAME ALONG ? A. I REMEMBER JOHN D. LEE BEIGN ALONG WITH THE WAGONS. Q. AHEAD OF THE EMIGRANTS ? A. YES SIR. Q. DID ANYTHING OCCUR AFTER YOU HAD GOT UP TO THE POINT DESIGNATED AS PERHAPS A QUARTER OF A MILE AHEAD OF THOSE EMIGRANTS ? A. THE FIRST THING THAT I HEARD HAD OCCURRED; IT WAS THE SOUND THAT I HEARD OF A GUN BEING FIRED Q. WHERE WAS THAT GUN ? A. I DON'T KNOW THE LOCALITY EXACTLY, BECA USE IT WAS BEHIND ME. Q. WAS IT NEAR</p>	<p>LOOK BACK TO SEE. WHO ACCOMPANIED YOU WITH YOUR WAGON, WHO CAME ALONG? I REMEMBER JOHN D. LEE BEING ALONG WITH THE WAGONS. AHEAD OF THE EMIGRANTS? YES, SIR. DID ANYTHING OCCUR AFTER YOU HAD GOT UP TO THE POINT DESIGNATED AS, PERHAPS, A QUARTER OF A MILE AHEAD OF THOSE EMIGRANTS? THE FIRST THING THAT I HEARD HAD OCCURRED. I HEARD A GUN FIRED. WHERE WAS THAT GUN? I DON'T KNOW THE LOCALITY EXACTLY. IT WAS BEHIND ME. ^[331] WAS IT NEAR</p>	<p>LOOK BACK TO SEE. Q. WHO ACCOMPANIED YOU WITH YOUR WAGON, WHO CAME ALONG? A. I REMEMBER JOHN D. LEE BEING ALONG WITH THE WAGONS. Q. AHEAD OF THE EMIGRANTS? A. YES, SIR. Q. DID ANYTHING OCCUR AFTER YOU GOT TO THE POINT DESIGNATED AS PERHAPS A QUARTER OF A MILE AHEAD OF THOSE EMIGRANTS? A. THE FIRST THING THAT OCCURRED I HEARD A GUN FIRED. Q. WHERE WAS THAT GUN? A. I DON'T KNOW THE LOCALITY EXACTLY, IT WAS BEHIND ME. Q. WAS IT NEAR</p>	<p>LOOK BACK TO SEE. [<i>space</i>] WHO ACCOMPANIED YOU WITH YOUR WAGONS WHO CAME ALONG I REMEMBER JOHN D. LEE BEING ALONG WITH THE WAGONS ~ AHEAD OF THE EMIGRANTS YES SIR DID YOU DID ANYTHING OCCUR AFTER YOU GOT UP TO THE POINT DESIGNATED AS PERHAPS QUARTER MILE AHEAD OF THOSE EMIGRANTS [<i>space</i>] FIRST THING I HEARD THAT OCCURRED I HEARD A GUN FIRE [<i>space</i>] WHERE WAS THAT GUN I DON'T KNOW THE LOCALITY EXACTLY IT WAS BEHIND ME WAS IT NEAR</p>

RT	MU	BT	PS
<p>YOU OR DOWN WHERE THE EMIGRANTS WERE ? A. I THINK IT WAS BELOW. ^[54] Q. HOW FAR BEHIND YOU WAS IT ? A. I SHOULD JUDGE NEARLY QUARTER OF A MILE, THE FIRST GUN THAT I HEARD FIRED. Q. WHAT OCCURRED THEN ? A. I LOOKED AROUND AND SAW THE INDIANS RISING UP FROM BEHIND THE BRUSH AND WENT TO BUTCHERING THESE EMIGRANTS. Q. DID YOU SEE ANYTHING OF THEM ? A. I DIDN'T SEE ANYTHING OF THE EMIGRANTS. Q. DID YOU SEE ANY OF THOSE EMIGRANTS IN YOUR WAGON INTERFERED WITH A. NO</p>	<p>YOU, OR DOWN WHERE THE EMIGRANTS WERE? IT WAS BELOW. HOW FAR BEHIND YOU? I SHOULD JUDGE NEARLY A QUARTER OF A MILE, THE FIRST GUN I HEARD. WHAT OCCURRED THEN? I LOOKED AROUND AND SAW THE INDIANS RISING UP FROM BEHIND THE BRUSH, AND WENT TO BUTCHERING THESE EMIGRANTS. DID YOU SEE ANYTHING OF THEM? I DIDN'T SEE ANYTHING OF THE EMIGRANTS. DID YOU SEE ANY OF THOSE EMIGRANTS IN YOUR WAGON INTERFERED WITH? NO,</p>	<p>YOU OR DOWN WHERE THE EMIGRANTS WERE? A. IT WAS BELOW. ^[28] Q. HOW FAR BELOW YOU? A. I SHOULD JUDGE A QUARTER OF A MILE THE FIRST GUN THAT I HEARD. Q. WHAT OCCURRED THEN? A. I LOOKED AROUNFD AND SAW THE INDIANS RAISING UP FROM BEHIND THE BRUSH, AND WENT TO BUTCHERING THESE EMIGRANTS. Q. DID YOU SEE ANYTHING FOF THEM? A. I DIDN'T SEE ANYTHING OF THE EMIGRANTS. Q. DID YOU SEE ANYTHING OF THEOSE EMIGRANTS IN YOUR WAGON INTERFERED WITH? A. NO,</p>	<p>YOU OR DOWN TO THE <WHERE THE> EMIGRANTS WERE IT WAS BELOW HOW FAR BEHIND YOU I SHOULD JUDGE NEARLY A QUARTER OF A MILE THE FIRST GUN I HEARD [<i>space</i>] WHAT OCCURRED THEN I LOOKED AROUND AND SAW THE INDIANS RAISING UP FROM BEHIND THE BRUSH AND WENT TO BUTCHER THESE EMIGRANTS ^{[[40]]} DID YOU SEE ANYTHING OF THEM I DIDN'T SEE ANYTHING OF THE EMIGRANTS ~ DID YOU SEE ANY OF THOSE EMIGRANTS IN YOUR WAGON INTERFERED WITH NO</p>

RT	MU	BT	PS
SIR, NOT AFTER I HEARD THE FIRST SOUND OF THE GUN, I LEAPED FROM MY WAGON	SIR; NOT AFTER I HEARD THE FIRST SOUND OF THE GUN. I LEAPED FROM MY WAGON	SIR, NOT AFTER THE FIRST SOUND OF THE GUN. . I LEAPED FROM THE WAGON	SIR NOT AFTER I HEARD THE FIRST SOUND OF THE GUN I LEAPED FROM THE WAGON AND MY AND ≤TO SEE TO MY TEAM≥
TO SEE TO MY TEAM AFTER THE REPORT OF THE FIRST GUN. Q. DID YOU SEE JOHN D. LEE DO ANYTHING TO ANY OF THOSE EMIGRANTS ? A. I SAW JOHN D. LEE RAISE SOMETIME SOMETHING IN THE ACT OF STRIKING A PERSON, AND I THINK IT WAS A WOMAN. I SAW THE PERSON FALL, BUT MY ATTENTION WAS ATTRACTED AT THE SAME TIME TO MY TEAM JUMPING FORWARD AND LUNGING. Q. WHAT BECAME OF THAT	TO SEE TO MY TEAM. DID YOU SEE JOHN D. LEE DO ANYTHING TO ANY OF THOSE EMIGRANTS? I SAW JOHN D. LEE RAISE SOMETHING IN THE ACT OF STRIKING A PERSON—I THINK IT WAS A WOMAN. I SAW THAT PERSON FALL, BUT MY ATTENTION WAS ATTRACTED AT THE SAME TIME TO MY TEAM JUMPING AND LUNGING. WHAT BECAME OF THAT	TO SEE TO THE MY TEAM. Q. DID YOU SEE JOHN D. LEE DO ANYTHING TO ANY OF THE EMIGRANTS? A. I SAW JOHN D. LEE RAISE SOMETHING IN THE ACT OF STRIKING A PERSON. I THINK IT WAS A WOMAN. I SAW THAT PERSON FALL, BUT MY ATTENTION WAS ATTRACTED AT THE SAME TIME TO MY TEAM, JUMPING AND LUNGING. Q. WHAT BECAME OF THAT WAGON? WOMAN A. I COULD NOT SAY. Q. WILL YOU STATES TO THE JURY THE	DID YOU SEE JOHN D. LEE DO ANYTHING TO ANY EMIGRANT [space] I SAW JOHN D. LEE RAISE SOMETHING IN THE ACT OF STRIKING A PERSON I THINK IT WAS WOMAN I SAW THAT PERSON FALL BUT MY ATTENTION WAS ATTRACTED AT THE SAME TIME BY MY TEAM JUMPING AND LUNGING [space] WHAT BECAME OF THAT WOMAN I COULD NOT SAY WILL YOU STATE TO THE JURY THE

RT**MU****BT****PS**

<p>MANNER OF THAT STRIKING ? A. WELL AS NEAR AS I CAN RECOLLECT IT IT WAS DONE AS THOUGH HE HAD A CLUB OR GUN IN HIS HANDS,BUT WHICH OF THE TWO I CANNOT TELL. SHE WAS FALLING WHEN I FIRST SAW HER AND WHEN I TURNED MY EYES AWAY SHE WAS FALLING. Q. AND YOU SAY YOU KNOW THAT HE STRUCK THAT WOMAN ? A. YES SIR. ^[55] Q. EITHER WITH A GUN OR WITH A CLUB ? A. YES SIR.</p> <p>Q. YOUR TEAM, YOU SAY,BECAME VERY FRACTIOUS – IS THAT ALL YOU SAW JOHN D. LEE DO ? A. THAT IS ALL I COULD BE POSITIVE</p>	<p>MANNER OF THAT STRIKING? WELL, AS NEAR AS I CAN RECOLLECT IT, IT WAS DONE AS THOUGH HE HAD A CLUB OR GUN IN HIS HANDS, BUT WHICH OF THE TWO I CANNOT TELL. SHE WAS FALLING WHEN I FIRST SAW HER. WHEN I TURNED MY EYES AWAY SHE WAS FALLING.</p> <p>YOU KNOW HE STRUCK THAT WOMAN? YES, SIR. EITHER WITH A GUN OR WITH A CLUB? YES, SIR.</p> <p>YOUR TEAM, YOU SAY, BECAME VERY FRACTIOUS. IS THAT ALL YOU SAW JOHN D. LEE DO? THAT IS ALL I COULD BE POSITIVE</p>	<p>MANNER OÐF THAT STRIKING?? A. WELL, AS NEAR AS I CAN RECOLLECT, IT WAS DONE AS IF HE HAD A CLUB OR GUN IN HIS HAND, BUT WHICH OÐF THE TEWO I CANNOT TELL. SHE WAS FALLING WHEN I FIRST SAW HER— WHEN I TURNED MY EYES AWAY SHE WAS FALLING. Q. YOU KNOW HE STRUCK THAT WOMAN? A. YES, SIR. Q. EITHER WITH A GUN OR A CLUB? A. YES, SIR.</p> <p>Q. YOUR TEAM, YOU SAY, BECAME VERY FRACTIOUS — IS THAT ALL YOU SAW JOHN D. LEE DO THERE? A. THAT IS ALL I COULD BE POSITIVE</p>	<p>MANNER OF THAT STRIKING WELL AS NEAR AS I CAN RECOLLECT IT WAS DONE AS IF HE HAD A CLUB OR GUN IN HIS HAND BUT WHICH OF THE TWO I CANNOT TELL [space] SHE WAS[space] SHE WAS FALLING WHEN I FIRST SAW HER WHEN I TURNED MY EYES AWAY SHE WAS FALLING AND [space] YOU KNOW HE STRUCK THAT WOMAN YES SIR EITHER WITH A GUN OR WITH A CLUB YES SIR [space] IS THAT THE ONLY YOUR TEAM YOU SAY BECAME VERY FRACTIOUS IS THAT ALL YOU SAW JOHN D. LEE DO THERE THAT IS ALL I COULD BE POSITIVE</p>
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RT	MU	BT	PS
<p>ABOUT. Q. WHAT WAS HE DOING BESIDES THAT ? A. I COULD NOT BE POSITIVE WHAT HE WAS DOING ALL THE TIME. Q. STATE WHETHER ALL OF THOSE PEOPLE WERE KILLED THERE AND THEN ? A. THEY WERE, THOSE IN THE WAGON, ALL KILLED. Q. WAS IT IN YOUR WAGON; OR THE ONE BEHIND YOU, THAT JOHN D. LEE STRUCK THAT WOMAN ? A. IT WAS IN THE ONE AHEAD OF ME. Q. WAS THAT WOMAN KILLED ? A. I THINK SHE WAS, THEY WERE ALL KILLED.</p> <p>Q. HOW MANY CATTLE HAD THIS EMIGRANT</p>	<p>ABOUT. WHAT WAS HE DOING BESIDES THAT? I COULD NOT BE POSITIVE WHAT HE WAS DOING ALL THE TIME? STATE WHETHER ALL OF THOSE PEOPLE WERE KILLED THERE AND THEN? THEY WERE; THOSE IN THE WAGON WERE ALL KILLED. Q. WAS IT IN YOUR WAGON OR THE ONE BEHIND YOU THAT JOHN D. LEE STRUCK THAT WOMAN? IT WAS IN THE ONE AHEAD OF ME. WAS THAT WOMAN KILLED? I THINK SHE WAS. THEY WERE ALL KILLED.</p> <p>HOW MANY CATTLE HAD THIS EMIGRANT</p>	<p>ABOUT. Q. WHAT WAS HE DOING BESIDES THAT? [29] A. I AM NOT POSITIVE AS TO WHAT HE WAS DOING ALL THAT TIME. Q. STATE WHETHER OR NOT ALL OF THOSE PERSONS WERE KILLED THEN AND THERE? A. THEY WERE-; THOSE IN THE WAGONS WERE KILLED. Q. WAS IT IN YOUR WAGON OR THE WAGON BEHIND YOU THAT JOHN D. LEE STRUCK THE WOMAN? A. IT WAS Ø IN THE ONE AHEAD OF ME. Q. WAS THAT WOMAN KILLED? A. I THINK SHE WAS, THEY WERE ALL KILLED. Q. HOW MANY WAGONS HAD THESE Q. HOW MANY CATLTLE HAD THESE EMIGRANTS</p>	<p>ABOUT [space] AND WHAT WAS HE DOING BESIDES THAT I AM NOT POSITIVE AS TO WHAT HE WAS DOING ALL THE TIME STATE WHETHER ANY OR ALL OF THOSE PERSONS WERE KILLED THEN AND THERE THEY WERE THAT WERE IN THE WAGONS THEY WERE ALL KILLED [space] WAS IT IN YOUR WAGON OR THE WAGON BEHIND YOU THAT JOHN D. LEE STRUCK THE WOMAN IT WAS IN THE ONE AHEAD OF ME [space] WAS THAT WOMAN KILLED I THINK SHE WAS THEY WERE ALL KILLED</p> <p>[[41]] HOW MANY CATTLE HAD THESE EMIGRANTS</p>

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<p>TRAIN ? A. I DON'T KNOW SIR, BUT I SHOULD JUDGE FROM THREE TO FOUR HUNDRED HEAD. Q. DO YOU KNOW WHO DROVE THESE CATTLE AWAY FROM THAT GROUND ? A. NO SIR, I DO NOT. Q. DO YOU KNOW WHOSE MEN DROVE THEM OFF ? A. NO SIR, ONLY BY REPORT, VB BY RUMOR. Q. DID YOU</p> <p>SEE LEE DRIVE ANY OF THEM ? A. NO SIR, I DID NOT. Q. DID YOU HEAR HIM SAY ANYTHING ABOUT IT ? A. I DID NOT. ^[56]</p> <p>Q. DID LEE REMAIN THERE</p> <p>UNTIL ALL THE EMIGRANTS</p> <p>WERE KILLED ?</p> <p>A. I THINK HE DID.</p>	<p>TRAIN? I DON'T KNOW, SIR. SHOULD JUDGE THREE OR FOUR HUNDRED HEAD. DO YOU KNOW WHO DROVE THESE CATTLE AWAY FROM THAT GROUND? NO, SIR; I DO NOT. DO YOU KNOW WHOSE MEN DROVE THEM OFF? NO, SIR; ONLY BY REPORT— BY RUMOR. ^[332] DID YOU</p> <p>SEE LEE DRIVE ANY OF THEM? NO, SIR; I DID NOT. DID YOU HEAR HIM SAY ANYTHING ABOUT IT? I DID NOT.</p> <p>DID LEE REMAIN THERE</p> <p>UNTIL ALL IN THE WAGONS</p> <p>WERE KILLED?</p> <p>I THINK HE DID.</p>	<p>THERE? A. I DON.T KNOEW, SIR, SHOULD JUDGE THREE OR FOUR HUNDRED HEAD. Q. DO YOU KNOW WHO DROVE THOSE CATTLE AWAY FROM THE GROUND? A. NO, SIR, I DO NOT. Q. DO YOU KNOW WHO'S MEN DROVE THEM OFF? A. NO, SIR, I DONT ONLY BY RUMOR. Q. DID YOU REMEMBER SEEING LEE DRIVE ANY OF THEM? A. I DO NOT? Q. DID YOU HEAR HIM SAY ANYTHING ABOUT THEM? A. I DID NOT.</p> <p>Q. WAS LEE DOWN THERE WITH THEM, UP UNTIL ALL OF THEM</p> <p>WERE KILLED IN THESE WAGONS? A. I THINK HE DID.</p>	<p>THERE I DON.T KNOW SIR SHOULD JUDGE 3 OR 4 HUNDRED HEAD DO YOU KNOW WHO DROVE THOSE CATTLE AWAY FROM THE GROUND I DO NOT DO YOU KNOW WHO'S MEN DROVE THEM OFF NO SIR I DON'T ONLY BY RUMOR ^[space] DO YOU REMEMBER SEEING LEE DRIVING ANY OF THEM I DO NOT</p> <p>HEAR HIM SAY ANYTHING ABOUT THEM NOT TO MY RECOLLECTION. DID THEY DID LEE DOWN THERE WITH THAT PARTY UNTIL ALL OF THEM CROSS-EXAMINATION WERE KILLED IN THESE WAGONS I THINK HE DID</p>

RT	MU	BT	PS
<p>Q. WHERE DID YOU GO THEN ? A. I DROVE IMMEDIATELY</p> <p>HOME. Q. WHICH WAY DID LEE GO ? A. I DON'T KNOW. HE WAS ON THE GROUND WHEN I LEFT.</p> <p>Q. DO YOU KNOW THE NAMES OF ANY OF THOSE PARTIES WHO WERE KILLED THERE A. NO SIR, I DO NOT.</p> <p>CROSS - EXAMINED.</p> <p>Q. HOW MANY PEOPLE WERE PRESENT AROUND THE WAGONS WHEN YOU SAW YOU SAW LEE STRIKE THAT WOMAN ?</p> <p>A. I DON'T KNOW HOW MANY.</p>	<p>WHERE DID YOU GO THEN? I DROVE IMMEDIATELY</p> <p>HOME. WHICH WAY DID LEE GO? I DON'T KNOW— HE WAS ON THE GROUND WHEN I LEFT.</p> <p>DO YOU KNOW THE NAMES OF ANY OF THOSE PARTIES WHO WERE KILLED THERE? NO, SIR; I DO NOT.</p> <p>CROSS- EXAMINED— HOW MANY PEOPLE WERE PRESENT AROUND THE WAGONS WHEN YOU SAY YOU SAW LEE STRIKE THE WOMAN?</p> <p>I DON'T KNOW HOW MANY.</p>	<p>WAS. Q. WHERE DID YOU GO THEN? A. I IMMEDIATELY DROVE RIGHT <TOWARDS> HOME. Q. WHICH WAY DID LEE GO? A. I DHONT KNOW, HE WAS ON THE GROUND AT THE TIME I LEFT.</p> <p>Q. DO YOU KNOW THE NAMES OF ANY OF THOESSE PARTIES THAT WERE KILLESD TYHERE? A. I DON'T THEY WAS PERFECT STRANGERS TO ME. ^[30] Q. DO YOU KNOW HOW MANY PERSONS WERE KILLED THERE? A. NO I DO NOT.</p> <p>CROSS- EXAMINATION.</p> <p>Q. HOW MANY PEOPLE WERE PRESENT, — AT THE TIKME THAT YOU SAY YOU SAW JOHN D. LEE STRIKE THE WOMAN,— THERE, AROUND THE WAGON? A. I DON'T KNOW HOW MANY.</p>	<p>[space] WHERE DID YOU GO THEN I IMMEDIATELY DROVE RIGHT TOWARDS HOME [space] WHICH WAY DID LEE GO I DON'T KNOW HE WAS ON THE GROUND AT THE TIME I LEFT</p> <p>[space] DO YOU KNOW THE NAMES OF ANY OF THOSE PARTIES THAT WERE KILLED THERE I DON'T THEY WAS PERFECT STRANGERS TO ME DO YOU KNOW HOW MANY PERSONS WERE KILLED THERE I DO NOT [space] CROSS- EXAMINATION [space] HOW MANY PEOPLE WERE PRESENT AT THE TIME THAT YOU SAY YOU SAW JOHN D. LEE STRIKE THE WOMAN THERE AROUND THE WAGON I DON'T KNOW HOW MANY</p>

RT	MU	BT	PS
<p>Q. WHERE THERE ANY OTHERS THERE EXCEPT LEE AND YOURSELF ? A. I HAVE AN IMPRESSION THAT THERE WERE, BUT I DON'T KNOW WHO THEY WERE. I HAVE ALWAYS HAD AN IDEA THAT THERE WERE ONE OR TWO MORE MEN. Q. DON'T YOU KNOW, AS A MATTER OF FACT, THAT THERE WERE MORE ? A. YES SIR, THERE WAS ANOTHER MAN THAT DROVE THE OTHER WAGON, BUT HOW MANY MORE I DO NOT KNOW. Q. YOU DON'T KNOW THE NAMES OF THE MEN ? A. NO, I CANNOT RECOLLECT OF THEM NOW. Q. WERE THERE ANY INDIANS AROUND THERE ? A. YES SIR. Q. ANY AROUND THE</p>	<p>WERE THERE ANY OTHERS THERE EXCEPT LEE AND YOURSELF? I HAVE AN IMPRESSION THAT THERE WERE, BUT I DON'T KNOW WHO THEY WERE. I HAVE ALWAYS HAD AN IDEA THAT THERE WERE ONE OR TWO MORE MEN. DON'T YOU KNOW, AS A MATTER OF FACT, THAT THERE WERE? YES, SIR; THERE WAS ANOTHER MAN THAT DROVE THE OTHER WAGON, BUT HOW MANY MORE I DON'T KNOW. YOU DON'T NOW THE NAMES OF THE MEN? NOT THAT I RECOLLECT OF. WERE ANY INDIANS AROUND THERE? YES, SIR. ANY AROUND THE</p>	<p>Q. WERE THERE ANYOTHER MEN BESISES LEE LEE AND YOURSELF? A. I HAVE AN IMPRESSION THERE WERE, BUT I DON'T KNOW WHO THEY WERE. I HAVE ALWAYS HAD AN IDEA THAT THERE WAS ONE OT TWO MORE MEN. Q. DON'T YOU KNOW AS A MATTER OF FAC¥T THAT THERE WERE? A. YES, SIR, THERE WAS ANOTHER MAN THAT DROVE THE OTHER WAGON, BUT HOW MANY MORE I DON'T KNOW. Q. DON'T KNOW THE NAMES OF THE MEN? A. NOT THAT I RECOLLECT OF. Q. WERE ANY INDIANS AROUND THERE? A, YES, SIR. Q. ANY AROUND THE</p>	<p>WERE THERE ANY OTHER MEN BESIDES LEE AND YOURSELF I HAVE AN IMPRESSION THERE WERE BUT I DON'T KNOW WHO THEY WERE I HAVE ALWAYS HAD AN IDEA THAT THERE WAS ONE TO TWO MORE MEN. DON'T YOU KNOW AS A MATTER OF FACT THERE WERE YES SIR THERE WAS ANOTHER MAN THAT DROVE THE OTHER WAGON BUT HOW MANY MORE I DON'T KNOW DON'T KNOW THE NAMES OF THE MEN NOT THAT I RECOLLECT OF ANY INDIANS AROUND THERE YES SIR ANY AROUND THE</p>

RT	MU	BT	PS
<p>WAGONS ? A. YES SIR. Q. DID YOU SEE THEM TAKE ANY PART IN THE KILLING ? ^[57] A. YES SIR, THEY TOOK SOME PART IN THE KILLING; THERE WERE NOT MORE THAN ONE OR TWO MEN THERE,JOHN D. LEE AND THE MEN THAT DROVE THE WAGON.</p> <p>Q. HOW MANY INDIANS ? A. I CAN'T TELL. Q. IS NOT IT A MATTER OF FACT THAT ABOUT THAT TIME YOU WANTED TO GET AWAY FROM THERE AND TO SEE AS LITTLE AS POSSIBLE ? A. I PAID JUST AS LITTLE ATTENTION AS I POSSIBLY COULD. Q. DID</p>	<p>WAGONS? YES, SIR DID YOU SEE THEM TAKE ANY PART IN THE KILLING? YES, SIR; THEY TOOK SOME PART IN THE KILLING. THERE WERE NOT MORE THAN ONE OR TWO MEN THERE, JOHN D. LEE</p> <p>AND THE MEN THAT DROVE THE WAGON.</p> <p>HOW MANY INDIANS? I CAN'T TELL. ISN'T IT A MATTER OF FACT THAT ABOUT THAT TIME YOU WANTED TO GET AWAY FROM THERE, AND TO SEE AS LITTLE AS POSSIBLE? I PAID JUST AS LITTLE ATTENTION AS I POSSIBLY COULD. DIDN'T</p>	<p>WAGONS? A. YES, SIR. Q. DID YOU SEE THEM TAKE ANY PART IN THE KILLING? A. YES, SIR, THEY TOOK SOME PART OF THE KILLING. THERE WAS NOT MOMORE THAN ONE OR TWO MORE THAN JOHN D. LEE</p> <p>AND THE MEN THAT DROVE THE WAGONS JOHN D. LEE AND ANOTHER MAN OR TWO, AND THEN THE INDIANS. Q. HOW MANY INDIANS? A. I CAN'T TELL. Q. ISN'T IT A MATTER OF FACT, THAT ABOUT THAT TIME, THAT YOU WANTED TO GET AWAY FROM THERE, AND TO SEE AS LITTLE AS POSSIBLE? A. I PAID JUST AS LITTLE ATTENTION AS I POSSIBLE COULD DO. Q. DIDN'T</p>	<p>WAGONS YES SIR DID YOU SEE THEM TAKE ANY PART IN THE KILLING YES SIR THEY TOOK SOME PART OF THE ^{[[42]]} KILLING [<i>space</i>] THERE WAS NOT MORE THAN ONE OR TWO MORE THAN JOHN D. LEE AND [<i>space</i>] LEE AND THE MAN THAT DROVE WAGON JOHN D. LEE AND ANOTHER ONE OR TWO AND THEN INDIANS HOW MANY INDIANS I CAN'T <i>TELL</i>[?] [<i>space</i>] ISN'T IT MATTER OF FACT THAT BY THAT TIME THAT YOU WANTED TO GO AWAY FROM THERE AND TO SEE AS LITTLE AS POSSIBLE I PAID JUST AS LITTLE ATTENTION AS I POSSIBLE COULD DO [<i>space</i>] DIDN'T</p>

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<p>YOU NOT MAKE AN EFFORT TO SEE AS LITTLE OF THAT WF AFFAIR AS YOU COULD ? A. I DID. Q. THAT EXPLAINS WHY YOU DID NOT SEE ALL OF IT ?</p> <p>A. YES SIR, I TOOK ALL THE PAINS I COULD TO SEE AS LITTLE AS I COULD THEN;</p> <p>Q. DID NOT THE INDIANS RAISE A YELL AND MAKE A RUSH FOR THE WAGONS BEFORE YOU JUMPED OUT ? A. YES SIR, OR ABOUT THAT TIME. Q. WERE THEY NOT SURROUNDING THE WAGONS AT THE TIME THAT YOU SAW LEE STRIKE ? A. YES SIR. Q. THERE WERE INDIANS ALL AROUND AND</p>	<p>YOU MAKE AN EFFORT TO SEE AS LITTLE OF IT AS YOU COULD? I DID, SIR. THAT EXPLAINS WHY YOU DID NOT SEE ALL OF IT?</p> <p>YES, SIR, I TOOK ALL THE PAINS I COULD TO SEE AS LITTLE AS I COULD.</p> <p>DID NOT THE INDIANS RAISE A YELL, AND MAKE A RUSH FOR THE WAGON BEFORE YOU JUMPED OUT? YES, SIR, OR ABOUT THAT TIME. WERE THEY NOT SURROUNDING THE WAGONS AT THE TIME</p> <p>YOU SAW LEE STRIKE? YES, SIR. THERE WERE INDIANS ALL AROUND AND</p>	<p>YOU MAKE AN EFFORET TO SEE AS LITTLE OF IT AS YOU COULD? ^[31] A. I DID,,SIR. Q. THAT EXPLAINS WHY YOU DIDN'T SEE ALL OF IT?</p> <p>A. YES, SIR, I TOOK ALL THE PAINS I COULD TO SEE AS LITTLE AS I COUNLD.</p> <p>Q. DIDN'T THE INDIANS RAISE A HOOT AND MAKE A RUSH AT THE WAGONS BEFORE YOU JUMPED OUT? A. YES, SIR, I JUMPED OUT ABOUT THAT TIME. Q. WERE THEY NOT SURROUNDING THE WAGONS AT THE TIME YOU SAY YYOU SAYW YOU SAW LEE STRIKE? A. YES, SIR. Q. THERE WERE INDIANS RIGHT</p>	<p>YOU MAKE AN EFFORT TO SEE AS LITTLE OF IT AS YOU COULD I DID SIR THAT EXPLAINS WHY YOU DIDN'T SEE ALL OF IT BE ABLE APPRAISE EVERYTHING</p> <p>YES SIR I TOOK ALL THE PAINS I COULD TO SEE AS LITTLE AS I COULD THAT THAT TRANSPIRED ^[space] DIDN'T THE INDIANS RAISE A HOOT AND MAKE A RUSH AT THE WAGONS BEFORE YOU JUMPED OUT YES SIR I JUMPED OUT BY THAT TIME ^[space] WERE THEY NOT SURROUNDING THE WAGONS AT THE TIME YOU SAY YOU SAW LEE STRIKE YES SIR WERE ANY INDIANS RIGHT</p>

RT	MU	BT	PS
<p>CLOSE TO YOU AT THE TIME ? A. YES SIR, THERE WERE LOTS OF INDIANS, ALL AROUND— QUITE A NUMBER, ALL AROUND THERE.</p> <p>Q. DID THE INDIANS RUSH TOWARDS THE PEOPLE IN THE WAGONS</p> <p>WITH HOSTILE INTENTIONS ? ^[58] A. YES SIR, WITH APPARENTLY HOSTILE INTENTIONS. Q. YOU SAW THEM KILL A NUMBER OF PEOPLE— DIDN'T THEY KILL THAT WOMAN A. IT WAS MY IMPRESSION THAT JOHN D. LEE KILLED HER. Q. DO YOU KNOW IT ? A.</p>	<p>CLOSE TO YOU AT THE TIME? YES, SIR, THERE WERE</p> <p>INDIANS ALL ROUND; QUITE A NUMBER ALL ROUND THERE.</p> <p>[333] DID THEY RUSH TOWARD THE PEOPLE IN THE WAGONS</p> <p>WITH HOSTILE INTENTIONS? YES, SIR, WITH APPARENTLY HOSTILE INTENTIONS. YOU SAW THEM KILL A NUMBER OF PEOPLE— DIDN'T THEY KILL THAT WOMAN? IT WAS MY IMPRESSION THAT JOHN D. LEE KILLED HER. DO YOU KNOW?</p>	<p>CLOSE BY HIM, AT THAT TIME? A. YES, SIR,</p> <p>INDIANS ALL AROUND, THAT IS QUITE A NUMBER ALL AROUND THERE. AT THE TIME OF THE ALARM THE INDIANS RAISED UP VERY CLOSE BY, RIGHT IN THE BRUSH— SEVERAL RAISED FROM THE BRUSH. Q. DID THEY RUSH TOWARDS THE PEOPLE IN THE WAGONS FRANTICLY WITH HOSTILE INTENTIONS?? A. WITH APPARENTLY HOSTILE INTENTIONS.. Q. YOU SAW THEM KILL A NUMBER OF PEOPLE. DIDN'T THEY KILL THOSE AT WOMEAN? A. IT WAS MY IMPRESSION THAT JOHN D. LEE KILLER HER. Q. DO YOU KNOW. A.</p>	<p>CLOSE BY HIM AT THAT TIME YES SIR</p> <p>INDIANS ALL AROUND THAT IS QUITE A NUMBER ALL AROUND THERE AT THE TIME OF THE ALARM THE INDIANS RAISED UP FROM CLOSE BY RIGHT IN THE BRUSH SEVERAL RAISED FROM THE BRUSH DID THEY RUSH TOWARDS THE PEOPLE IN THE WAGONS APPARENTLY WITH HOSTILE INTENTIONS AND APPARENTLY [space] HOSTILE INTENTIONS [space] YOU SAW THEM KILL NUMBER PEOPLE DIDN'T THEY KILL THIS WOMAN IT WAS MY IMPRESSION THAT JOHN D. LEE KILLED HER DO YOU KNOW</p>

RT	MU	BT	PS
<p>YES SIR, I DO. Q. DID YOU SEE HIM DO ANYTHING ELSE EXCEPT STRIKE ? A. NO SIR.</p> <p>Q. BUT THAT MUCH YOU DID SEE ? A. YES SIR, I DID. Q. WHO WAS THAT MAN WITH YOU AT THE MEADOWS THE FIRST TIME</p> <p>YOU SAW JOHN D. LEE, THE NIGHT AFTER THE FIRST ATTACK ? A. I DECLINE TO TELL.</p> <p>RE - DIRECT. Q. STATE WHERE THOSE CATTLE OF THE EMIGRANTS WERE AT THE TIME OF THE</p> <p>MASSACRE ? A. THEY WERE NORTH A LITTLE, UP THIS WAY. Q.</p>	<p>YES, SIR, I DO. DID YOU SEE HIM DO ANYTHING ELSE EXCEPT STRIKE? NO, SIR.</p> <p>THAT MUCH YOU DID SEE? YES, SIR, I DID. WHO WAS THAT MAN WITH YOU AT THE MEADOWS, THE FIRST TIME</p> <p>YOU SAW JOHN D. LEE, THE NIGHT AFTER THE FIRST ATTACK: I DECLINE TO TELL.</p> <p>RE-DIRECT— STATE WHERE THOSE CATTLE OF THE EMIGRANTS WERE AT THE TIME OF THE</p> <p>MASSACRE. THEY WERE NORTH A LITTLE; UP THIS WAY.</p>	<p>YES, SIR, I DO. Q. DID YOU SEE HIM DO ANYTHING ELSE EXCEPT STRIKE? A. NO, SIR.</p> <p>Q. THAT MUSCH YOU DID SEE? A. YES, SIR-, I DID. Q..WHO WAS THAT MAN THAT WAS WITH YOU THE FIRST TIME THAT YOU SAY YOU SAW JOHN D. LEE, AT THE MEADOWS?</p> <p>A. I DECLINE TO TELL. IF IT IS REALLY WANTED I HAVE NO OBJECTION. RE-DIRECT.^[32] Q. WHERE WERE THOSE CATTLE OF THE EMIGRANTS,— WHERE AT THE TIME OF THE</p> <p>MASSACRE? A. THEY WERE NORTH A LITTLE WAY UP THIS WAY. Q.</p>	<p>YES SIR I DO [space] DID YOU SEE HIM DO ANYTHING ELSE EXCEPT STRIKE NO SIR [space] [[43]] THE INDIANS—[?] SCATTERED BY/ABOUT[?] THAT MUCH YOU DID SEE YES SIR I DID WHO WAS THAT MAN THAT WAS WITH YOU THE FIRST TIME YOU SAY YOU SAW JOHN D. LEE AT THE MEADOWS</p> <p>I DECLINE TO TELL [space] IF IT IS REALLY WANTED I HAVE NO OBJECTIONS [space] RE- DIRECT [space] WHERE THOSE CATTLE OF THE EMIGRANTS WERE AT THE TIME OF THE EMIGRANT MASSACRE THEY WERE NORTH A LITTLE WAY UP THIS WAY [space]</p>

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<p>HOW SOON AFTER THAT WERE THEY DRIVEN AWAY ? A. I THINK NEXT DAY. Q. DO YOU KNOW WHOSE MEN DROVE THEM AWAY ? A. I DO NOT.</p> <p>Q. WERE THE EMIGRANTS</p>	<p>HOW SOON AFTER THAT WERE THEY DRIVEN AWAY? I THINK NEXT DAY. DO YOU KNOW WHOSE MEN DROVE THEM AWAY? I DO NOT.</p> <p>WERE THE EMIGRANTS'</p>	<p>HOW SOON AFTER THAT WERE THEY DRIVEN AWAY? A. THE NEXT DAY. Q. DO YOU KNOW WHO'S MEN DROVE THEM AWAY? A. I DO NOT. I HAD , AS I RELATED THERE, BEEN HERDING STOCK. JAKE HAMBLIN WAS AT SALT LAKE CITY AND I WAS LEFT IN CHARGE. I HAD GATHERED UP THE STOCK. I WAS HERDING AND TAKEN THEM BACK TO THE FOOT HILLS SO THEY WOULD NOT GET MIXED, DRIVING THEM BACK ABOUT A HALF A MILE FROM THE ROAD, AND ON THE SIDE OF THE LITTLE MOUNTAINS SO THEY COULD PASSED. Q. WERE THE EMIGRANT</p>	<p>HOW SOON AFTER THAT WERE THEY DRIVEN AWAY [space] I THINK NEXT DAY AND YOU SEE THEM DO YOU KNOW WHOSE MEN DROVE THEM AWAY [space] I DID NOT I HAD AS I RELATED HERE AS PARTY ENGAGED IN HERDING STOCK JAKE HAMBLIN WAS AT SALT LAKE CITY WAS LEFT IN CHARGE I HAD GATHERED UP THE STOCK I WAS HERDING AND TAKEN THEM BACK <i>OR</i> <i>AROUND</i>[?] TO THE FOOT HILLS SO THEY WOULD NOT GET MIXED DRIVEN THEM BACK ABOUT HALF A MILE FROM THE ROAD AND ON THE SIDE THE LITTLE MOUNTAINS SAW THEM PASS [space] WERE THE EMIGRANT</p>

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<p>WAGONS DESTROYED THERE ON THE GROUND, OR WERE THEY TAKEN AWAY ?</p> <p>A. I DON'T KNOW, THEY PASSED ALONG. Q. WAS THE FIELD CLEARED OF THE EMIGRANT PROPERTY ? ^[59] A. YES SIR, CATTLE AND EVERYTHING ELSE. Q. WERE THERE ANY WAGONS BURNED OR DESTROYED ? A. NO SIR, NOT THAT I KNOW OF. Q. HOW LONG DID YOU STAY THERE AFTER THAT ? A. NEARLY A MONTH. <i>[space]</i></p> <p>SAMUEL MC MURDY ,</p> <p>SWORN FOR PROSECTUION.</p>	<p>WAGONS DESTROYED THERE ON THE GROUND, OR WERE THEY TAKEN AWAY?</p> <p>I DON'T KNOW. THEY PASSED ALONG. Q. WAS THE FIELD CLEARED OF THE EMIGRANT PROPERTY? YES, SIR, CATTLE AND EVERYTHING. WERE</p> <p>ANY WAGONS BURNED OR DESTROYED? NO, SIR, NOT THAT I KNOW OF. HOW LONG DID YOU STAY THERE AFTER THAT? NEARLY A MONTH.</p> <p>SAMUEL M'MURDY.</p> <p>SWORN FOR THE PROSECUTION.</p>	<p>WAGONS DESTROID THERE ON THE GROUND OR WERE THEY TAKEN OFF? A. THEY PASSED A. I DON'T KNOW THEY PASSED ALONG.. Q. WAS THE FIELD CLEARED OF THE MEMIGRANT PARTY? A. YES, CATTLE AND EVERYTHING. Q. WAS THERE ANY BURNING— ANY WAGGONS BURNED OR DESTROID? A. NO, SIR, NOT THAT I KNOW OF. Q. HOW LONG DID YOU STAY THERE? A. I WAS THERE NEARLY A MONTH AFTER THAT</p> <p>BEFORE MY FAMILY WAS ABLE TO LEAVE.</p> <p>SAMUAL MC MURDY BEING SWORN FOR THE PROSECUTION- WAS EXAMED IN CHIEF BY</p>	<p>WAGONS DESTROYED THERE ON THE GROUND OR WERE THEY TAKEN OFF <i>[space]</i> PASS I DON'T KNOW THEY PASSED ALONG <i>[space]</i> WAS THE FIELD CLEARED OF THE EMIGRANTS' PROPERTY AND</p> <p>CATTLE AND EVERYTHING WAS ANY BURNING ANY WAGONS BURNED AND DESTROYED NO SIR THAT I KNOW OF HOW LONG DID YOU STAY THERE I WAS THERE NEARLY A MONTH AFTER THAT HAPPENED BEFORE MY FAMILY WAS ABLE TO LEAVE. <i>[space]</i> ^{[[44]]} SAMUEL MC MAC MURDY SWORN FOR THE PROSECUTION</p>

RT	MU	BT	PS
<p>Q. WHERE DO YOU LIVE NOW ? A. I LIVE IN CACHE COUNTY, PARADISE. Q. DID YOU LIVE AT ANY OTHER</p> <p>PLACE THAN PARADISE IN 1857 ? A. I LIVED AT CEDAR CITY, BUT I DON'T RECOLLECT DATES. Q. DID YOU LIVE THERE AT THE TIME OF THE MOUNTAIN MEADOWS MASSACRE</p> <p>A. YES SIR. Q. STATE WHETHER YOU WERE CALLED UPON TO; GO TO THE MOUNTAIN MEADOWS ? A. I WAS CALLED UPON TO GO AND TAKE MY TEAM AND WAGON. Q. BY WHOM ? A. I BELIEVE IT WAS JOHN M. HIGBEE THAT CALLED ME. Q. STATE</p>	<p>WHERE DO YOU LIVE NOW? I LIVE IN CACHE COUNTY, PARADISE. DID YOU LIVE IN ANY OTHER</p> <p>PLACE THAN PARADISE IN 1857? I LIVED AT CEDAR CITY. I DON'T RECOLLECT DATES. DID YOU LIVE THERE AT THE TIME OF THE MOUNTAIN MEADOWS MASSACRE?</p> <p>YES, SIR. STATE WHETHER YOU WERE CALLED UPON TO GO TO MOUNTAIN MEADOWS? I WAS CALLED UPON TO GO AND TAKE MY TEAM AND WAGON. BY WHOM? I BELIEVE IT WAS JOHN M. HIGBEE THAT CALLED ME. STATE</p>	<p>HOWARD & TESTIFIED AS FOLLOWS: Q. WHERE DO YOU LIVE NOW? A. I LIVE IN CACHE COUNTY, PARADISE? Q. DID YOU LIVE IN ANYOTHER</p> <p>PLACE THAN PARADISE IN '57? A. I LIVED AT CEDAR CITY, I DON'T RECOLLECT DATES. Q. DID YOU LIVE THERE AT THE TIME OF THE MOUNTAIN MEADOWS MASSACRE? [33]</p> <p>A. YES, SIR. Q. STATE WHETHER YOU WAS CALLEDUTPON TO GO TO THE \$MOUNTAIN KMEADOWS? A. I WAS CALLED UPON TO GO AND TAKE MY WAGON AND TEAM. Q. BY WHOM? A. I BELIEVE IT WAS JOHN M. HIGBEE THAT CALLED ME. Q. STATE</p>	<p>WHERE DO YOU LIVE NOW I LIVE IN CACHE COUNTY PARADISE. [space] DID YOU LIVE IN ANY DIFFERENT[?] PLACE THAN PARADISE IN 57 I LIVED AT CEDAR CITY I DON'T RECOLLECT THE DATES DID YOU LIVE THERE AT THE TIME OF THE MOUNTAIN MEADOWS MASSACRE</p> <p>YES SIR [space] STATE WHY YOU WAS CALLED UPON TO GO TO THE MEADOWS I WAS CALLED UPON TO GO AND TAKE MY WAGON AND TEAM [space] BY WHOM I BELIEVE IT WAS JOHN M HIGBEE THAT CALLED ME STATE</p>

RT	MU	BT	PS
<p>THE PARTICULARS FROM THAT POINT, AND ALL THE CIRCUMSTANCES ? A. I WAS THRESHING MY GRAIN, I HAD MY GRAIN SPREAD OUT IN THE YARD, AND WAS TRAMPING IT OUT WITH HORSES AT THE TIME I WAS CALLED UPON. I WAS NOTIFIED TO LEAVE IN TWO HOURS. THAT WAS SOMETIME IN THE AFTERNOON THAT ^[60] I WAS CALLED UPON TO GO.</p> <p>Q. OF WHAT DAY ? A. I COULD NOT STATE. Q. WITH REFERENCE TO THE DATE OF THE GENERAL MASSACRE ? A. I THINK IT WAS A DAY PRIOR TO IT.</p>	<p>FROM THAT POINT THE CIRCUMSTANCES? I WAS THRESHING MY GRAIN. I HAD MY GRAIN SPREAD OUT IN THE YARD, AND WAS TRAMPING IT WITH HORSES AT THE TIME I WAS CALLED UPON. I WAS NOTIFIED TO LEAVE IN TWO HOURS' NOTICE. IT WAS SOMETIME IN THE AFTERNOON THAT I WAS CALLED UPON.</p> <p>OF WHAT DAY? I COULD NOT STATE. WITH REFERENCE TO THE DATE OF THE GENERAL MASSACRE? I THINK ^[334] IT WAS A DAY PRIOR TO IT.</p>	<p>FROM THAT POINT THE CIRCUMSTANCES? A. I WAS THRESHING MY GRAIN; I HAD MY GRAIN SPREAD OUT ON THE GROUND YARD AND WAS TRAMPING IT WITH HORSES AT THE TIME I WAS CALLED UPON. I WAS NOTIFIED TO LEAVE IN TWO HOURS NOTICE.. IT WAS IN THE AFTERNOON I WAS CALLED UPON.</p> <p>Q. Q. ABOUT WHAT DAY? A. I WCOULD NOT STATE. Q. WITH REFERENCE TO THE DAY OR THE GENERAL MASSACRE? A. I THINK IT WAS A DAY PRIOR TO IT.</p>	<p>FROM THAT POINT THE CIRCUMSTANCES? I WAS THRESHING MY GRAIN I HAD MY GRAIN SPREAD OUT ON THE YARD AND TRAMPING IT WITH HORSES AT THE TIME I WAS CALLED UPON I WAS NOTIFIED TO ARRIVE IN TWO HOURS NOTICE IT WAS IN THE AFTERNOON I WAS CALLED UPON <i>SEPTEMBER</i>[?] <i>[space]</i> <i>ABOUT/BUT</i>[?] WHAT DAY I COULD NOT STATE. WITH REFERENCE TO THE DAY OF THE GENERAL MASSACRE I THINK IT WAS THE DAY PRIOR TO IT <i>[space]</i> THINK IF THAT WAS FRIDAY MORNING</p>

RT	MU	BT	PS
<p>Q. WAS IT STATED TO YOU FOR WHAT PURPOSE YOU WERE TO GO THERE ? A. NO SIR. Q. WELL, DID YOU KNOW WHY YOU WERE TO GO THERE ?</p> <p>A. NO SIR.</p> <p>Q. DID YOU GO ? A. YES SIR.</p> <p>Q. WHO WENT WITH YOU ? A. THERE WERE QUITE A</p> <p>NUMBER THAT WENT AND SEVERAL IN THE WAGON WITH ME. SOME I CAN RECOLLECT, KLINGENSMITH FOR ONE, AND A MAN BY THE NAME OF HOPKINS AND TWO OR THREE MORE BESIDES, THAT WENT DURING THE TIME THAT I WENT DOWN THERE. I UNDERSTOOD</p>	<p>WAS IT STATED TO YOU FOR WHAT PURPOSE YOU WERE TO GO THERE? NO, SIR.</p> <p>DID YOU KNOW?</p> <p>NO, SIR.</p> <p>DID YOU GO? YES, SIR.</p> <p>WHO WENT WITH YOU? THERE WERE A</p> <p>NUMBER THAT WENT IN THE WAGON WITH ME. SOME I CAN RECOLLECT, KLINGENSMITH FOR ONE, A MAN BY THE NAME OF HOPKINS, AND TWO OR THREE MORE BESIDES THAT WENT DURING THE TIME THAT I WENT DOWN, I UNDERSTOOD</p>	<p>Q. WAS IT STATED TO YOU FOR WHAT PURPOSE YOU WERE TO GO THERE? A. NO, SIR. Q. DID YOU KNOW?</p> <p>A. NO, SIR.</p> <p>Q. DID YOU GO? A. I WENT. Q. WHO WENT WITH YOU? A. THERE WAS A</p> <p>NUMBER THAT WENT IN THE WAGON WITH ME. SOME I CAN'T RECOLLECT. KLINGENSMITH FOR ONE, MAN BY THE NAME OF HOPKINS AND TWO OR THREE MORE BESIDES THAT WENT DURING THE TIME THAT I WENT DOWN, I UNDERSTOOD</p>	<p>APPEARED[?] WAS CALLED UPON THURSDAY AFTERNOON[?]</p> <p>WAS IT STATED TO YOU FOR WHAT PURPOSE YOU WERE TO GO THERE NO SIR AND DID YOU KNOW</p> <p>NO SIR DID YOU GO I WENT WHO WENT WITH YOU THERE WAS</p> <p>NUMBER THAT WENT IN THE WAGON WITH ME SOME I CAN'T RECOLLECT KLINGEN SMITH FOR ONE MAN BY THE NAME OF HOPKINS TWO OR 3 MORE BESIDES THAT WENT AT THE TIME THAT I WENT DOWN I UNDERSTOOD</p>

RT	MU	BT	PS
<p>FROM THE MEN THAT WERE IN THE WAGON. I ASKED THEM WHAT WAS THE MATTER. THEY TOLD ME THAT THE EMIGRANTS HAD BEEN ATTACKED, AND WE HAD TO GO DOWN AND ARREST THE ATTACK, IF POSSIBLE, THAT WAS THE PURPOSE THAT I EXPECTED TO GO FOR; IT WAS TO PRESERVE THE EMIGRANTS FROM; THE INDIANS. Q. WHAT TIME DID YOU GET THERE ? A. IT WAS IN THE AFTERNOON, WHEN WE STARTED—LATE, IT MUST HAVE BEEN AWAY IN THE NIGHT WHEN WE GOT THERE, I COULD NOT TELL YOU THE TIME BUT WE TRAVELLED A GOOD MANY HOURS IN THE NIGHT,</p>	<p>FROM THE MEN THAT WERE IN THE WAGON. I ASKED THEM WHAT WAS THE MATTER. THEY TOLD ME THAT THE EMIGRANTS HAD BEEN ATTACKED, AND WE HAD TO GO DOWN AND ARREST THE ATTACK, IF POSSIBLE. THAT WAS THE PURPOSE THAT I EXPECTED TO GO FOR—WAS TO PRESERVE THE EMIGRANTS FROM THE INDIANS. WHAT TIME DID YOU GET THERE? IT WAS IN THE AFTERNOON WHEN WE STARTED—LATE. IT MUST HAVE BEEN WAY IN THE NIGHT WHEN WE GOT THERE. I COULD NOT TELL YOU THE TIME. WE TRAVELED A GOOD MANY HOURS IN THE NIGHT.</p>	<p>FROM THOSE MEN THAT WAS IN THE WAGON. I ASKED THEM WHAT WAS THE MATTER. THEY TOLD ME THAT THE EMIGRANTS HAD BEEN ATTACKED AND WE HAD TO GO DOWN AND ARREST THE ATTACK IF POSSIBLE. THAT WAS THE PURPOSE THAT I EXPECTED TO GO FOR—TO PRESERVE THE EMIGRANTS FROM THE INDIANS. ^[34] Q. WHAT TIME DOD YOU GET THERE? A. IT WAS IN THE AFTERNOON THAT WE STARTED—LATE. IT MUST HAVE NBEEN AWAY IN THE NIGHT, I COULD NOT TELL YOU THE TIME. WE TRAVELED A GOOD MANY HOURS IN THE NIGHT, IT WAS A DARK NIGHT.</p>	<p>FROM THOSE MEN THAT WAS IN THE WAGON I ASKED THEM WHAT WAS THE MATTER THEY TOLD ME THAT THE EMIGRANTS HAD BEEN ATTACKED AND WE HAD TO GO DOWN AND ARREST THE ATTACK IF POSSIBLE THAT WAS THE PURPOSE THAT I EXPECTED TO GO WAS TO PRESERVE THE EMIGRANTS FROM THE INDIANS <i>[space]</i> WHAT TIME DID YOU GET THERE IT WAS IN THE ^{[[45]]} AFTERNOON THAT WE STARTED ~ LATE IT MUST HAVE BEEN WAY IN THE NIGHT I COULD NOT TELL YOU THE TIME WE TRAVELED A GOOD MANY HOURS IN THE NIGHT IT WAS DARK NIGHT</p>

RT	MU	BT	PS
<p>GOT THERE AND</p> <p>TURNED OUT THE HORSES AND CAMPED. ^[61] Q. DID YOU STAY UNTIL MORNING ? A. YES SIR, STAYED THERE UNTIL MORNING AND DURING THE NEXT DAY AND THEN I GOT UP MY HORSES. Q. DID ANYBODY GIVE YOU ORDERS ? A. YES SIR. Q. WHO ? A. JOHN D. LEE, HE TOLD ME TO TAKE THE WAGON AND FOLLOW HIM TO CAMP. Q. WHAT CAMP ? A. THE CAMP OF THE EMIGRANTS. Q. THE EMIGRANTS THAT WERE AFTERWARDS KILLED ? A. YES SIR. Q. DID YOU GO ? A. I DID. Q. STATE WHAT YOU SAW ?</p>	<p>GOT THERE AND</p> <p>TURNED OUT THE HORSES AND CAMPED. DID YOU STAY UNTIL MORNING? YES, SIR; STAIID THERE TILL MORNING, AND DURING THE NEXT DAY I GOT UP MY HORSES.</p> <p>ANYBODY GIVE YOU ORDERS? YES, SIR. WHO? JOHN D. LEE. HE TOLD ME TO TAKE THE WAGON AND FOLLOW HIM TO CAMP. WHAT CAMP? THE CAMP OF THE EMIGRANTS. THE EMIGRANTS THAT WERE AFTERWARDS KILLED? YES, SIR. DID YOU GO? I DID. STATE WHAT YOU SAW.</p>	<p>WE GOT THERE BEFORE MORNING, TURNED OUT OUR HORSES AND CAMPED. Q. DID YOU STAY UNTIL MORNING? A. YES, SIR, STAIID THERE TILL MORNING, AND DURING THE NEXT DAY I GOT UP MY HORSES. Q. ANYBODY GIVE YOU ORDERS? A. YES, SIR. Q. WHO? A. JOHN D. LEE, HE TOLD ME TO TAKE THE WAGONS AND FOLLOW HIM TO CAMP. Q. WHAT CAMP? A. THE CAMP OF THE EMIGRANTS. Q. THE EMIGRANTS THAT WERE AFTERWARDS KILLED? A. YES, SIR. Q. DID YOU AFTERWARDS GO? A. I DID. Q. STATE WHAT YOU SAW.</p>	<p>GOT THERE BEFORE MORNING TURNED OUT THE HORSES AND CAMPED. ^[space] DID YOU STAY UNTIL MORNING YES SIR STAYED THERE TILL MORNING AND DURING THE NEXT DAY I GOT UP MY HORSES</p> <p>ANYBODY GIVE YOU ORDERS <YES SIR> WHO JOHN D. LEE ^[space] FOLLOW TAKE THE WAGON AND FOLLOW HIM TO CAMP WHAT CAMP CAMP OF THE EMIGRANTS THE EMIGRANTS THAT WERE AFTERWARDS KILLED <YES SIR> DID YOU GO AFTER/WITH[?] I DID ^[space] STATE WHAT YOU SAW I WANT YOU TO BRING IN MEN PARTING/OPERA</p>

RT	MU	BT	PS
<p>A. WELL I WENT WITH HIM TO CAMP, AND THERE WAS ANOTHER WAGON THERE, IF I RECOLLECT RIGHT. THE MAN THAT DROVE THE WAGON WAS A STRANGER TO ME. I NEVER SAW HIM BEFORE. WHEN WE GOT WITHIN A SHORT DISTANCE OF THE CAMP THERE WAS A MAN WITH A FLAG OF TRUCE SENT OUT. Q. WHO WAS THAT MAN ? A. HIS NAME WAS MR. BATEMAN. Q. WHERE IS HE ? A. DEAD.⁶⁶⁸ Q. WHERE WAS HE SENT FROM ? A. SENT FROM WHERE WE STOOD TO THE WAGONS. ^[62] Q. WHO WENT WITH HIM ? A. JOHN D. LEE FOLLOWED IMMEDIATELY AFTERWARDS.</p>	<p>I WENT WITH HIM TO CAMP, AND THERE WAS ANOTHER WAGON, IF I RECOLLECT RIGHT. THE MAN THAT DROVE THE WAGON WAS A STRANGER TO ME. I NEVER SAW HIM BEFORE. WHEN WE GOT WITHIN A SHORT DISTANCE OF THE CAMP THERE WAS A MAN WITH A FLAG OF TRUCE SENT OUT. WHO WAS THAT MAN? HIS NAME WAS MR. BATEMAN. WHERE IS HE? DEAD. WHERE WAS HE SENT FROM? SENT FROM WHERE WE STOOD WITH THE WAGONS. WHO WENT WITH HIM? JOHN D. LEE FOLLOWED IMMEDIATELY AFTERWARDS.</p>	<p>A. I WENT WITH HIM TO CAMP, AND THERE WAS ANOTHER WAGON IF I RECOLLECT RIGHT. THE MAN THAT DROVE THE WAGON WAS A STRANGER TO ME. I NEVER SAW HIM BEFORE. WHEN HE GOT WITHIN A SHORT DISTANCE OF CAMP THERE WAS A MAN WITH A FLAG OF TRUCE SENT OUT. Q. WHO WAS THAT MAN? A. HIS NAME WAS MR. BATEMAN. Q. WHERE WAS IS HE? A. DEAD. Q. WHERE WAS HE SENT FROM? A. SENT FROM WHERE HE STOOD WITH THE WAGONS. ^[35] Q. WHO WENT WITH HIM? A. JOHN D. LEE FOLLOWED IMMEDIATELY AFTERWARDS.</p>	<p>TING[?] ↔ [space] I WENT WITH HIM TO CAMP AND THERE WAS ANOTHER WAGON IF I RECOLLECT RIGHT ALONG THE MAN THAT DROVE THE WAGON WAS A STRANGER TO ME I NEVER SAW HIM BEFORE WHEN WE GOT WITHIN ≡SHORT≡ A DISTANCE OF CAMP THERE WAS A MAN WITH A FLAG OF TRUCE SENT OUT WHO WAS THAT MAN HIS NAME WAS MR. BATEMAN WHERE IS HE DEAD ≡WHERE WAS HE SENT FROM≡ SENT OUT FROM WHERE WE STOOD WITH THE WAGONS WHO WENT WITH HIM JOHN D. LEE FOLLOWED IMMEDIATELY AFTERWARDS</p>

668. He died March 19, 1869.

RT	MU	BT	PS
<p>Q. WHAT OCCURRED ? A. A MAN CAME OUT FROM THE CAMP AND HAD AN INTERVIEW WITH JOHN D. LEE. Q. WHAT WAS THE SUBSTANCE OF THAT CONVERSATION ? A. I WAS TOO FAR OFF TO TELL, BUT I SAW LEE AND THIS MAN TALKING. Q. DID YOU HEAR ANY OF THE TALKING ? A. NOT ANY THAT I COULD DISTINGUISH. Q. AFTER THEY TALKED WHAT WAS DONE ? A. AFTER THEY TALKED THEY SEEMED TO COME TO AN UNDERSTAND;IN G, TEN, FIFTEEN OR TWENTY MINUTES; THEN LEE ORDERED US TO DRIVE UP THE WAGONS. WE DROVE UP THE WAGONS. THE EMIGRANTS, ASSISTED BY LEE, LOADED</p>	<p>WHAT OCCURRED? A. A MAN CAME OUT FROM THE CAMP AND HAD AN INTERVIEW WITH JOHN D. LEE. WHAT WAS THE SUBSTANCE OF THAT CONVERSATION ? I WAS TOO FAR OFF TO TELL. I SAW LEE AND THIS MAN TALKING. ^[335] DID YOU HEAR ANY OF THE TALKING? NOT ANY THAT I COULD DISTINGUISH. AFTER THEY TALKED WHAT WAS DONE? AFTER THEY TALKED THEY SEEMED TO COME TO AN UNDERSTANDIN G, TEN, FIFTEEN OR TWENTY MINUTES, THEN LEE ORDERED US TO DRIVE UP THE WAGONS. WE DROVE UP THE WAGONS. THE EMIGRANTS, ASSISTED BY LEE, LOADED</p>	<p>Q. WHAT OCCURRED? A. A MAN CAME OUT FROM THE CAMP THAT HAD AN INTERVIEW WITH JOHN D. LEE. Q. WHAT WAS THE SUBSTANCE OF THAT INTERVIEW? A. I WAS TOO FAR OFF TO TELL, BUT I SAW LEE AND THIS MAN TALKING. Q. DID YOU HEAR ANY OF THE TALK? A. NO, SIR, NOT THAT I COULD DISTINGUISH. Q. AFTER THAT TALK WHAT WAS DONE? A. AFTER THAT TALK THEY SEEMED TO COME TO AN UNDERSTANDIN G— 10 OR 15 OR 20 MINUTES, - AND LEE ORDERED US TO DRIVE UP THE WAGONS, AND WE DROVE UP THE WAGONS. THE EMIGRANTS ASSISTED BY LEE LOADED</p>	<p>WHAT OCCURRED A MAN CAME OUT FROM CAMP THAT HAD AN INTERVIEW WITH JOHN D. LEE [space] WHAT WAS THE SUBSTANCE OF THAT INTERVIEW I WAS TOO FAR OFF TO TELL BUT I SAW LEE AND THIS MAN TALKING DID YOU HEAR ANY OF THE TALK NO SIR NOT THAT I COULD DISTINGUISH AFTER THAT TALK WHAT WAS DONE AFTER THEY TALKED AND SEEMED TO COME TO AN UNDERSTANDIN G 10 15 20 MINUTES AND LEE ORDERED US TO DRIVE UP THE WAGONS AND WE DROVE UP THE WAGONS AND EMIGRANTS ASSISTED BY LEE LOADED</p>

RT	MU	BT	PS
<p>THE WAGONS. MY WAGON WAS LOADED WITH SOME BEDDING AND SOME OTHER TRUCK OF DIFFERENT KINDS, BELONGING TO THE PEOPLE THAT GOT IN. SOME WOULD HAVE THEIR THINGS WITH THEM</p> <p>AS IF THEY WERE GOING A JOURNEY. A NUMBER GOT IN, MEN, WOMEN AND CHILDREN, FROM THE EMIGRANT CAMP. SOME OF THEM WERE APPARENTLY WOUNDED. I COULD NOT SAY HOW MANY, IT IS SO; LONG AGO I NEVER CHARGED MY MEMORY WITH IT, I COULD NOT STATE HOW MANY THERE WERE. Q. WELL, GO ON ? A. WE WERE ORDERED TO</p>	<p>THE WAGONS. MY WAGON WAS LOADED WITH SOME BEDDING, SOME TRUCK OF DIFFERENT KINDS, BELONGING TO THE PEOPLE THAT GOT IN. SOME WOULD HAVE THEIR THINGS WITH THEM,</p> <p>AS IF THEY WERE GOING A JOURNEY. A NUMBER GOT IN, MEN, WOMEN AND CHILDREN, FROM THE EMIGRANT CAMP, SOME OF THEM APPARENTLY WOUNDED. I COULD NOT SAY HOW MANY, IT IS SO LONG AGO. I NEVER CHARGED MY MEMORY WITH IT. I COULD NOT STATE HOW MANY THERE WERE. GO ON. WE WERE ORDERED TO</p>	<p>THE WAGONS. MY WAGON WAS LOADED WITH SOME BEDDING AND SOME TRUCK OF DIFFERENT KINDS BELONGING TO THE PEOPLE THAT GOT IN. SOME WOULD</p> <p>CARRY ALONG THINGS AS IF THEY WERE GOING ON A JOURNEY. A NUMBER GOT IN, MEN, WOMEN AND CHILDREN FROM THE EMIGRANT CAMP. SOME OF THEM APPARENTLY WOUNDED. I COULD NOT SAY HOW MANY, IT IS SO LONG AGO. I NEVER CHARGED MY MEMORY WITH IT. I COULD NOT STATE HOW MANY THERE WERE. Q. GO ON. A. WE WAS ORDERED TO</p>	<p>THE WAGONS MY WAGON WAS LOADED WITH SOME BEDDING AND SOME ^{[[46]]} TRUCK OF DIFFERENT KINDS BELONGING TO THE PEOPLE THAT GOT IN [space] SOME WOULD HAVE PERSON/PERSON AL[?] AND THEY CARRIED ALONG AS IF THEY WERE GOING JOURNEY [space] A NUMBER GOT IN MEN AND WOMEN</p> <p>FROM THE EMIGRANT CAMP SOME OF THEM APPARENTLY WOUNDED I COULD NOT SAY HOW MANY IT IS SO LONG AGO I NEVER CHARGED MY MEMORY OF IT I COULD NOT STATE HOW MANY THERE WAS. GO ON [space] WE WAS ORDERED TO</p>

RT**MU****BT****PS**

<p>START OUT BY JOHN D. LEE, AND WE STARTED OUT FROM THAT PLACE . Q. STATE WHETHER THE OTHER WAGON WAS LOADED ALSO ? A. IT WAS.</p> <p>Q. WERE THERE ANY GUNS PUT INTO EITHER WAGON ? ^[63] A. THERE WERE NOT IN MINE. Q. DID YOU AT ANY TIME LEAVE YOUR TEAM ? A. NO SIR. Q. WHEN DID JOHN D. LEE DIRECT YOU TO DRIVE— WHAT TOOK PLACE ? A. WE PROCEEDED SOME DISTANCE .ON THE MEADOWS, MINE WAS THE LEADING TEAM. Q. WHO ACCOMPANIED YOU ? A. JOHN D. LEE WAS</p>	<p>START OUT BY JOHN D. LEE, AND WE STARTED OUT FROM THAT PLACE. STATE WHETHER THE OTHER WAGON WAS LOADED ALSO? IT WAS.</p> <p>WERE THERE ANY GUNS PUT INTO EITHER WAGON? THERE WERE NOT IN MINE. DID YOU AT ANY TIME LEAVE YOUR TEAM? NO, SIR. WHEN JOHN D. LEE DIRECTED YOU TO DRIVE, WHAT TOOK PLACE? WE PROCEEDED SOME DISTANCE ON THE MEADOWS. MINE WAS THE HEAD TEAM.</p> <p>WHO ACCOMPANIED YOU? JOHN D. LEE WAS</p>	<p>START OUT BY JOHN D. LEE AND WE STARTED OUT FROM THIS PLACE— Q. STATE WHETHER THE OTHER WAGON WAS LOADED ALSO? A. IT WAS.</p> <p>Q. WERE THE EMIGRANT GUNS PUT INTO EITHER WAGON? A. THEY WAS NOT IN MINE. Q. DID YOU AT ANY TIME LEAVE YOUR TEAM? A. NO, SIR. Q. WHEN JOHN D. LEE ORDERED YOU TO DRIVE, TELL WHAT TOOK PLACE? ^[36] A. WE PROCEEDSED ON SOME DISTANCE ALONG THE MEADOWS. I WAS THE HEAD TEAM DRIVING. Q. WHO ACCOMPANIED YOU? A. JOHN D. LEE WAS</p>	<p>START OUT BY JOHN D. LEE AND WE STARTED OUT FROM THIS PLACE ~ STATE WHETHER THE OTHER WAGON WAS LOADED ALSO IT WAS WITH WHAT WAS IT I COULD NOT [space] WERE THE EMIGRANT GUNS PUT INTO EITHER WAGON IF THERE WAS NOT IN MINE DID YOU AT ANY TIME LEAVE YOUR TEAM NO SIR WHEN JOHN D. LEE ORDERED YOU DRIVE TELL WHAT TOOK PLACE [space] ↔ ? WE PROCEEDED ON A DISTANCE ALONG THE MEADOWS I WAS THE HEAD TEAM DRIVING WHO ACCOMPANIED YOU JOHN D. LEE WAS</p>
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RT	MU	BT	PS
<p>WALKING BEHIND THE WAGON, BETWEEN THE TWO WAGONS.</p> <p>COURT: Q. WERE THERE ANY PERSONS IN THOSE TWO WAGONS ? A. YES SIR, THEY WERE LOADED UP WITH PERSONS AND THINGS.</p> <p>Q. WERE BOTH OF THOSE WAGONS LOADED WITH MEN WOMEN AND CHILDREN FROM THAT CAMP OF EMIGRANTS ? A. YES SIR, AND OTHER THINGS BESIDES. Q. HOW MANY GOT INTO YOUR WAGON ? A. I COULD NOT SAY, IT IS</p>	<p>WALKING BEHIND THE WAGON, BETWEEN THE TWO WAGONS. BY THE</p> <p>COURT—WERE THERE ANY PERSONS IN THOSE TWO WAGONS? YES, SIR. THEY WERE LOADED UP WITH PERSONS AND THINGS.</p> <p>WERE BOTH OF THOSE WAGONS LOADED WITH MEN, WOMEN AND CHILDREN FROM THAT CAMP OF EMIGRANTS? YES, SIR, AND OTHER THINGS BESIDES. Q. HOW MANY GOT INTO YOUR WAGON? I COULD NOT SAY. IT IS</p>	<p>WALKING BEHIND MY WAGON, BETWEEN THE TWO WAGONS</p> <p>COURT: WERE THERE ANY PERSONS IN THOSE TWO WAGONS? A. YES, SIR, THEY WAS LOADED UP WITH PERSONS AND THINGS.</p> <p>Q. WERE BOTH OF THESE WAGONS LOADED WITH WITH MEN, WOMEN AND CHILDDERREN FROM THE EMIGRANT CAMP? A. YES, SIR, AND OTHER THINGS BESIDES. Q. HOW MANY GOT INTO YOUR WAGON? A. I COULD NOT SAY, IT IS</p>	<p>WALKING BEHIND MY WAGON BETWEEN THE TWO WAGONS [space]</p> <p>COURT: WERE THERE ANY PERSONS IN THOSE TWO WAGONS YES SIR THEY WAS LOADED UP WITH PERSONS AND THINGS [space] ABOUT HOW MANY PERSONS WAS LOADED ON[?] OF THESE OF THAT EMIGRANT CAMP? MY WAGON WAS LOADED WITH WOUNDED [space] WERE BOTH OF THESE WAGONS LOADED WITH MEN WOMEN AND CHILDREN FROM THAT EMIGRANT CAMP YES SIR AND OTHER THINGS BESIDES HOW MANY GOT INTO YOUR WAGON I COULD NOT SAY [space] IT IS</p>

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<p>IMPOSSIBLE FOR MEE ME TO TELL, BUT I SHOULD THINK A HALF A DOZEN. Q. WHAT WERE THEY WMEN AND WOMEN— ANY CHILDREN IN YOURS ? A. I THINK THERE WERE SOME SMALL CHILDREN. Q. AND AS YOU STARTED ON YOU SAW MLEE TAKE A POSITION BETWEEN THE TWO WAGONS AND WALK ON BEHIND YOU ? A. YES SIR. Q. HOW FAR BEHIND YOU ? A.</p> <p>I COULD NOT TELL YOU, I HAD AS MUCH AS I COULD DO TO ATTEND TO ME MY TEAM, WE MUST HAVE BEEN QUITE A LITTLE DISTANCE AHEAD OF THE</p>	<p>IMPOSSIBLE FOR ME TO TELL. I SHOULD THINK HALF A DOZEN. WHAT WERE THEY—MEN AND WOMEN; ANY CHILDREN IN YOUR'S? I THINK THERE WERE SOME SMALL CHILDREN. AND AS YOU STARTED ON YOU SAW LEE TAKE A POSITION BETWEEN THE TWO WAGONS AND WALK ON BEHIND YOU? YES, SIR. HOW FAR BEHIND YOU?</p> <p>I COULD NOT TELL YOU. I HAD AS MUCH AS I COULD DO TO ATTEND TO MY TEAM. WE MUST HAVE BEEN QUITE A LITTLE DISTANCE AHEAD OF THE</p>	<p>IMPOSSIBLE FOR ME TO TELL, I SHOULD THINK ABOUT A HALF A DOZEN. Q. WHAT WERE THEY, MEN AND WOMEN? ANY CHILDREN IN YOURS? A. I THINK THERE WERE SOME SMALL CHILDREN. Q. AND AS YOU STARTED ON YOU SAW LEE TAKE A POSITION BETWEEN THE TWO WAGONS AND WALKED BEHIND—</p> <p>HOW FAR BEHIND? A. WE PRECEDED THEM , BUT HOW FAR I COULD NOT SAY TELL YOU. I HAD ALL I COULD DO TO ATTEND TO MY TEAM. WE MUST HAVE BEEN QUITE A DISTANCE AHEAD OF THE</p>	<p>IMPOSSIBLE FOR ME TO TELL [<i>space</i>] I SHOULD THINK A HALF A DOZEN [<i>space</i>] ^{[[47]]} WHAT WERE THEY MEN AND WOMEN [<i>space</i>] ANY CHILDREN IN YOURS I THINK THERE WAS SOME SMALL CHILDREN AND AS YOU STARTED ON YOU SAW LEE TAKE POSITION BETWEEN THE TWO WAGONS AND WALK BEHIND [<i>space</i>]</p> <p>HOW FAR BEHIND THE OTHER [<i>space</i>] WE PRECEDED THEM I COULD NOT TELL YOU I HAD ALL I COULD DO TO ATTEND TO MY TEAM WE MUST HAVE BEEN QUITE A LITTLE DISTANCE AHEAD ◀OF THE</p>
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OTHER TEAM, MY TEAM WAS A VERY FAST WALKING TEAM;	OTHER TEAM. MY TEAM WAS A VERY FAST WALKING TEAM.	OTHER TEAM. MY TEAM WAS A VERY FAST WALKING TEAM—VERY LIVELY TEAM.	OTHER TEAM.➤ MY TEAM WAS VERY FAST WALKING TEAM VERY LIVELY TEAM
LEE CHECKED ME UP SEVERAL [64] TIMES. I HAD TO HOLD ON TO THE LINES. Q. DID HE GIVE YOU ANY REASONS FOR IT ? A. NO SIR, I OUTWALKED HIM, WE WALKED VERY FAST. Q. HOW MANY TIMES DID HE TELL YOU NOT TO WALK SO FAST ? A. SEVERAL TIMES. HOWARD: WHAT OCCURRED FROM THAT POINT ? A. HE CALLED TO ME TO HALT AFTER WE GOT OUT OF SIGHT OF THE CAMP. Q. WHO DID ? A. JOHN D. LEE.	LEE CHECKED ME UP SEVERAL TIMES. I HAD TO HOLD ON TO THE LINES. DID HE GIVE YOU ANY REASONS FOR IT? NO, SIR. I OUTWALKED [336] HIM. WE WALKED VERY FAST. HOW MANY TIMES DID HE TELL YOU NOT TO WALK SO FAST? SEVERAL TIMES. BY HOWARD— WHAT OCCURRED FROM THAT POINT? HE CALLED TO ME TO HALT AFTER WE GOT OUT OF SIGHT OF THE CAMP. WHO DID? JOHN D. LEE.	LEE CHECKED ME UP SEVERAL TIMES. I HAD TO HOLD ON TO THE LINES. Q. DID HE GIVE YOU ANY REASONS FOR IT? A. YES, I OUT-WALKED HIM. WE WALKED VERY FAST. Q. HOW AMANY TIMES DID HE TELL YOU BNOT TO GO SO FAST? A. SEVERAL TIKMES. Q. WHAT OCCURRED FROM THAT POINT? A. HE CALLED ME TO HALT AFTER WE GOT OUT OF SIGHT OF THE OF THE CAMP? [37] Q. WHO DID? A. JOHN D. LEE, AND WHEN WE GOT OVER THE HILL WE	LEE CHECKED ME UP SEVERAL TIMES I HAD TO HOLD ON TO THE LINES DID HE GIVE YOU ANY REASON FOR IT [space] YES I OUT WALKED HIM [space] WE WALKED VERY FAST HOW MANY TIMES DID HE TELL YOU NOT TO GO SO FAST [space] SEVERAL TIMES [space] WHAT DID YOU WHAT OCCURRED FROM THAT POINT? HE CALLED ME TO “HALT” AFTER WE GOT OUT OF SIGHT OF THE CAMP ◀WHO DID▶ JOHN D. LEE [space] AND WHEN WE GOT OVER THE HILL THERE IS[?] WE

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PASSED OUT OF SIGHT OF EVERYTHING.	PASSED OUT OF SIGHT OF EVERYTHING.	PASSES OUT OF SIGHT OF EVERYTHING.	PASSED OUT OF SIGHT OF EVERYTHING <i>THAT</i> <i>VIEW/FEW[?]</i> <i>THEY/HAVE[?]</i> <i>PR/BR/APPEAR/B</i> <i>EAR[?]</i> DOWN ON THE EMIGRANT MEADOWS
THERE IS A RISING GROUND ABOUT THERE. WE WERE THIS SIDE OF IT AND EVERYTHING BACK TOWARDS THE EMIGRANTS WAS OUT OF SIGHT. WHEN WE GOT TO THIS PLACE LEE ORDERED ME TO HALT. AT THAT INSTANT I HEARD THE SOUND OF A GUN. I TURNED AND LOOKED OVER MY SHOULDER, AND LEE HAD HIS GUN TO HIS SHOULDER, AND WHEN	THERE IS A RISING GROUND THERE. WE WERE THIS SIDE OF IT, AND EVERYTHING BACK TOWARDS THE EMIGRANTS WAS OUT OF SIGHT. WHEN WE GOT TO THIS PLACE LEE ORDERED ME TO HALT. AT THAT INSTANT I HEARD THE SOUND OF A GUN. I TURNED AND LOOKED OVER MY SHOULDER, AND LEE HAD HIS GUN TO HIS SHOULDER, AND WHEN	THERE IS A RISING GROUND THERE, WE WAS THIS SIDE OF IT, AND EVERYTHING BACK TOWARDS THE EMIGRANTS WAS OUT OF SIGHT; BUT WHEN LEE GOT AT THIS PLACE LEE ORDERED ME TO HALT. AT THAT INSTANT I HEARD THE SOUND OF A GUN. I TURNED AND LOOKED OVER MY SHOULDER AND LEE HAD HIS GUN TO HIS SHOULDER, AND ABOUT WHEN	THERE IS A RISING GROUND THERE WE WAS THIS SIDE IT AND EVERYTHING BACK TOWARDS EMIGRANTS WAS OUT OF SIGHT BUT WHEN WE GOT AT THIS PLACE LEE ORDERED ME TO HALT ≪INSTANT≫ <i>INSTANT[?]</i> I HEARD SOUND OF GUN I TURNED AND LOOKED OVER MY SHOULDER AND LEE HAD HIS GUN TO HIS SHOULDER AND ABOUT WHEN <i>EXPLOSIONS[?]</i> THE GUN HAD EXPLODED I SAW HIM HER <I THINK IT WAS WOMAN> FALL BACKWARDS I HAD TO ATTEND
THE GUN HAD EXPLODED I SAW WHAT I THINK WAS A WOMAN FALL BACKWARDS. I HAD TO TEND	THE GUN HAD EXPLODED I SAW, I THINK IT WAS A WOMAN, FALL BACKWARDS. I HAD TO ‘TEND	THE GUN HAD EXPLODED I SAW, I THINK I SAW A WOAMAN FALL BACKWARDS. I HAD TO ATTEND	

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TO MY TEAM AT THAT TIME.	TO MY TEAM AT THE TIME.	TO MY TEAM AT THE TIME BUT IT SOUNDED TO ME—	TO MY TEAM AT THE TIME BUT IT SOUNDED TO ME—— [<i>space</i>]
Q. WHO DISCHARGED THAT GUN ? A. JOHN D. LEE MUST HAVE DISCHARGED IT. Q. DID HE HOLD IT IN HIS HAND ? A. YES SIR, HE MUST HAVE HIT HER IN THE BACK OF THE HEAD. SHE FELL IMMEDIATELY. Q. GO ON ? A. I TURNED AROUND, AND IT SEEMED THAT I HEARD SOUNDS OF STRIKING WITH A HEAVY INSTRUMENT	WHO DISCHARGED THAT GUN? JOHN D. LEE MUST HAVE DISCHARGED IT. DID HE HOLD IT IN HIS HAND? YES, SIR. HE MUST HAVE HIT HER IN THE BACK OF THE HEAD. SHE FELL IMMEDIATELY. GO ON. I TURNED ROUND. IT SEEMED TO ME LIKE I HEARD SOUNDS OF STRIKING WITH A HEAVY INSTRUMENT,	Q. WHO DISCHARGED THAT GUN? A. JOHN D. LEE MUST HAVE DISCHARGED IT. Q. DID HE HOLD IT IN HIS HAND? A. YES, SIR, HE MUST HAVE HIT HER IN THE BACK OF THE HEAD. SHE FELL IMMEDIATELY. Q. GO ON. A. I TURNED AROUND. IT SOUNDED TO ME AS IF I HEARD A SOUND OF STRIKING WITH A HEAVY INSTRUMENT,, SOMETHING	WHO DISCHARGED THAT GUN JOHN D. LEE MUST HAVE DISCHARGED IT DID HE HOLD IT <i>IN/ON</i> HIS ^{[[48]]} <i>BEING</i> [?] YES SIR MUST HAVE HIT HER AT THE BACK OF THE HEAD SHE FELL IMMEDIATELY. [<i>space</i>] GO ON? [<i>space</i>] I TURNED AROUND BACK IT SOUNDED TO ME AS IF I HEARD A SOUND OF STRIKING WITH A HEAVY INSTRUMENT SOMETHING
LIKE A GUN WOULD MAKE, BUT I NEVER SAW ANY STRIKING DONE, BUT I TURNED AROUND TO THE OTHER SIDE A FEW MINUTES AFTER- ^[65] WARDS, AND SAW LEE DRAW HIS PISTOL AND SHOOT FROM	LIKE A GUN WOULD MAKE, BUT I NEVER SAW ANY STRIKING DONE. BUT I TURNED ROUND TO THE OTHER SIDE A FEW MINUTES AFTERWARDS, AND SAW LEE DRAW HIS PISTOL AND SHOOT FROM	LIKE A GUN WOULD MEAKE; BUT I NEVER SAW ANY STRIKING DONE; BUT I TURNED AROUND TO THE OTHER SIDE, A FEW MOMENTS AFTERWARDS AND SAW LEE DRAW HIS PISTOL AND SHOOT FROM	LIKE A GUN WOULD MAKE BUT I NEVER SAW ANY STRIKING DONE BUT I TURNED AROUND TO THE OTHER SIDE A FEW MOMENTS AFTERWARDS AND SAW LEE DRAW HIS PISTOL AND SHOOT FROM

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<p>TWO TO THREE IN THE HEAD OF THOSE WHO WERE IN THE WAGON. Q. DID HE KILL THEM ? A. HE MUST HAVE KILLED THEM. Q. WHAT WERE THOSE HE SHOT, MEN, WOMEN OR CHILDREN ? A. MEN AND WOMEN. Q. AND THEY FELL OFF UNDERNEATH THE WAGON, THEN AND THERE ? A. I COULD NOT SAY THEN AND THERE, BUT THEY MUST HAVE BEEN ALL KILLED.</p> <p>Q. DID YOU GO BACK AT ALL ? A. NO SIR. Q. NEVER WANTED TO GO BACK ? A. NO SIR, NEVER. Q. WHO FIRED THE FIRST</p>	<p>TWO TO THREE IN THE HEAD OF THOSE WHO WERE IN THE WAGON. DID HE KILL THEM? HE MUST HAVE KILLED THEM. Q. WHAT WERE THOSE HE SHOT—MEN, WOMEN OR CHILDREN? MEN AND WOMEN. AND THEY FELL OFF UNDERNEATH THE WAGON, THEN AND THERE? I COULD NOT SAY THEN AND THERE. THEY MUST HAVE BEEN ALL KILLED.</p> <p>DID YOU GO BACK AT ALL? NO, SIR. NEVER WANTED TO GO BACK? NO, SIR—NEVER. WHO FIRED THE FIRST</p>	<p>TWO TO THREE IN THE HEAD, OF THOSE THAT WAS IN MY WAGON. Q. DID HE KILL THEM? A. HE MUST HAVE KILLED THEM. Q. WHO WERE THOSE THAT HE SHOT?</p> <p>A. MAN AND WOMAN. Q. WERE ALL IN THAT WAGON KILLED THEN AND THERE? A. I COULD NOT SAY THEN AND THERE; THEY MUST HAVE BEEN ALL KILLED. [38] Q. DID THEY DIE RIGHT THERE OR RATHER AFTER THE ACT WAS COMMITTED? A. I COULD NOT TELL. Q. DID YOU GO BACK AT ALL? A. NO, SIR. Q. NEVER WANTED TO GO BACK? A. NO, SIR, NEVER. Q. WHO FIRED THE FIRST</p>	<p>TWO TO 3 IN THE HEAD OF THOSE THAT WAS IN MY WAGON <DID HE KILL THEM?> HE MUST HAVE KILLED THEM [space] WHO WERE THOSE HE SHOT [space]</p> <p>MEN AND WOMEN WERE ALL THE PEOPLE IN YOUR WAGON KILLED THEN AND THERE [space] I COULD NOT SAY THEN AND THERE THEY MUST HAVE BEEN ALL KILLED [space] BY YOUR OWN DID THEY DIE RIGHT THERE OR RATHER AFTER ACT COMMITTED I COULD NOT TELL [space] DID YOU GO BACK AT ALL NO SIR NEVER [space] WANTED TO GO BACK NO SIR NEVER [space] WHO FIRED THE FIRST</p>

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<p>GUN, WHICH WAS THE FIRST GUN FIRED ? A. IT WOULD BE IMPOSSIBLE FOR ME TO TELL; THE FIRST GUN I HEARD WAS THE FIRST GUN FIRED RIGHT AT THE BACK OF ME THAT ATTRACTED MY ATTENTION. Q. YOU LOOKED AROUND AND SAW THE GUN IN LEE'S HANDS ? A. YES SIR, THAT WAS THE FIRST GUN I HEARD. Q. WERE THERE IMMEDIATELY FOLLOWING VOLLEYS OF FIRING ? A. YES SIR, I HEARD FIRING IMMEDIATELY AFTERWARDS. Q. WAS THAT THE SIGNAL TO BEGIN FIRING ? A. YES SIR, THAT WAS THE BEGINNING. Q. HOW LONG AFTER LEE TOLD YOU TO HALT WAS THAT FIRING ? ^[66] A. IT WAS INSTANTLY</p>	<p>GUN—WHICH WAS THE FIRST GUN FIRED? IT WOULD BE IMPOSSIBLE FOR ME TO TELL. THE FIRST GUN I HEARD WAS THE FIRST GUN FIRED RIGHT AT THE BACK OF ME THAT ATTRACTED MY ATTENTION. YOU LOOKED AROUND AND SAW THE GUN IN LEE'S HANDS? YES, SIR; THAT WAS THE FIRST GUN I HEARD. WERE THERE IMMEDIATELY VOLLEYS OF FIRING? YES, SIR; I HEARD FIRING IMMEDIATELY AFTERWARDS. WAS THAT THE SIGNAL TO BEGIN FIRING? YES, SIR, THAT WAS THE BEGINNING. ^[337] HOW LONG AFTER LEE TOLD YOU TO HALT WAS THAT FIRING? IT WAS INSTANTLY</p>	<p>GUN?—WHICH WAS THE FIRST GUN FIRED? A. IT WOULD BE IMPOSSIBLE FOR ME TO SAY. THE FIRST GUN I HEARD WAS THIS GUN FIRED AT THE BACK OF ME, THAT ATTREACTED MY ATTENTION. Q. YOU LOOKED AROUND AND SAW THE GUN IN LEE'S HANDS? A. YES, SIR, THAT IS THE FIRST GUN I HREARD. Q. WAS THERE IMMEDIATELY VOLLEYS OF FIRING? A. YES, SIR. I HEARD FIRING IMMEDIAIATELY AFTERWARDS. Q. WAS THAT THE SIGNAL TO BEGIN FIRING? A. YES, SIR, THAT WAS TH4E BEGINNING. Q. HOW LONG AFTER LEE TOLD YOU TO HALT WAS THAT FIRING? A. IT WAS INSTANTLY</p>	<p>GUN WHICH WAS THE FIRST GUN FIRED IT WOULD BE IMPOSSIBLE FOR ME TO SAY THE FIRST GUN I HEARD WAS THIS GUN FIRED AT THE BACK OF ME THAT ATTRACTED MY ATTENTION <i>[space]</i> YOU LOOKED AROUND AND SAW THE GUN IN LEE'S HAND ←YES SIR→ THIS IS THE FIRST GUN I HEARD <i>[space]</i> WAS THERE IMMEDIATELY VOLLEYS OF FIRING <i>[space]</i> YES SIR I HEARD FIRING IMMEDIATELY AFTERWARDS WAS THAT THE SIGNAL TO ←BEGIN FIRING→ <i>[space]</i> YES SIR THAT WAS THE BEGINNING HOW LONG AFTER LEE TOLD YOU TO HALT WAS THAT FIRING IT WAS INSTANTLY</p>

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DONE.	DONE.	DONE.	DONE ^{[[49]]}
Q. AND YOU LOOKED AROUND AND SAW THE GUN ? A. YES SIR. CROSS - EXAMINED. Q. YOU SAY THAT YOU GOT YOUR ORDERS FROM HIGBEE TO GO DOWN THERE ? A. YES, I BELIEVE IT WAS FROM HIGBEE, BUT I AM NOT SURE, I AM ALMOST POSITIVE IT WAS FROM HIM THOUGH. Q. DID HIGBEE GO WITH YOU ? A. I DON'T RECOLLECT.	AND YOU LOOKED AROUND AND SAW THE GUN? YES, SIR. CROSS EXAMINED— YOU SAY THAT YOU GOT YOUR ORDERS FROM HIGBEE TO GO DOWN THERE? I BELIEVE IT WAS FROM HIGBEE, BUT I AM NOT SURE. I AM ALMOST POSITIVE IT WAS FROM HIM. DID HIGBEE GO WITH YOU? I DON'T RECOLLECT.	Q. AND YOU LOOKED AROUND AND SAW THE GUN? A. YES, SIR. Q-ROSS-EXAMINATION. Q. YOU SAY YOU GOT YOUR ORDERS FROM HIGBEE TO GO DOWN THERE? A. I BELIEVE IT WAS FROM HIGBEE, BUT I AM NOT SURE. I AM ALMOST POSITIVE IT WAS FROM HIM. Q. DID HIGBEE GO WITH YOU? A. I DON'T RECOLLECT.	SIMULTANEOUSLY WITH THE HALT-COMING REPORT [space] AND YOU LOOKED AROUND AND SAW THE GUN YES SIR [space] CROSS-EXAMINATION [space] YOU SAY THAT YOU GOT YOUR ORDERS FROM HIGBEE TO GO DOWN THERE I BELIEVE IT WAS FROM HIGBEE BUT I AM NOT ALMOST NOT ALMOST POSITIVE IT WAS FROM HIM DID HIGBEE GO WITH YOU I DON'T RECOLLECT DID YOU SEE HIM DOWN THERE UPON GROUND [space] WHERE DID YOU CAMP THAT NIGHT ON THE MEADOWS (WERE THEY DID/HAD[?] THE I AM SURE) [space] HOW MANY MEN WERE
Q. WHERE DID YOU CAMP THAT NIGHT ? A. ON THE MEADOWS.	WHERE DID YOU CAMP THAT NIGHT? ON THE MEADOWS.	Q. WHERE DID YOU CAMP THAT NIGHT? A. ON THE MEADOWS.	
Q. HOW MANY MEN WERE	HOW MANY MEN WERE	Q. HOW MANY MEN WERE	HOW MANY MEN WERE

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<p>THERE ? A. I COULD NOT SAY. Q. ABOUT HOW MANY WERE THERE ? A. I COULD NOT GIVE IT BECAUSE I WENT IN THE DARK AND HAD MY TEAM TO HUNT NEXT MORNING. I TURNED THEM OUT AND IT TOOK UP ALL MY ATTENTION . Q. NEXT MORNING HOW MANY MEN DID YOU SEE THERE ? A. I DON'T RECOLLECT ANYTHING ABOUT IT. Q. YOU DID NOT SEE ANYBODY THERE EXCEPT YOURSELF AND JOHN D. LEE AND THE MAN THAT CARRIED THE FLAG, DID YOU ? A. I SAW A GOOD MANY THERE, BUT THEY WERE STRANGERS TO ME. Q. YOU CAN'T TELL ABOUT HOW</p>	<p>THERE? I COULD NOT SAY. ABOUT HOW MANY MEN WERE THERE? I COULD NOT GIVE IT, BECAUSE I WENT IN THE DARK, AND HAD MY TEAM TO HUNT NEXT MORNING. I TURNED THEM OUT, AND IT TOOK UP ALL MY ATTENTION. NEXT MORNING HOW MANY MEN DID YOU SEE THERE? I DON'T RECOLLECT ANYTHING ABOUT IT. YOU DID NOT SEE ANYBODY THERE EXCEPT YOURSELF, AND JOHN D. LEE, AND THE MAN THAT CARRIED THE FLAG, DID YOU? I SAW A GOOD MANY THERE, BUT THEY WERE STRANGERS TO ME. YOU CAN'T TELL ABOUT HOW</p>	<p>THERE. A. I COULD NOT SAY. ^[39] Q. ABOUT HOW MANY? A. I COULD NOT GIVE A GUESS. I WENT IN AT DARK AND HAD MY TEAM TO HUNT THE NEXT MORNING. I TURNED THEM OUT AND IT TOOK UP ALL MY ATTENTION. Q. NEXT MORNING HOW MANY MEN DID YOU SEE THERE? A. I DON'RT RECOLLECT ANYTHING ABOUT IT. Q. DIDN'T SEE ANYBODY ELSE THERE EXCEPT YOURSELF AND JOHN D. LEE, AND THIS MAN THAT CARRIED THE FLAG, DID YOU? A. I SAW A GOOD MANY THERE BUT THEY WERE ALL STRANGERS TO ME. Q. YOU CANT TELL HOW</p>	<p>THERE I COULD NOT SAY ABOUT HOW MANY I COULD NOT GIVE A GUESS I WENT IN IN THE DARK AND HAD MY TEAM TO HUNT NEXT MORNING—[?] TURNING THEM OUT AND IT TOOK UP ALL MY ATTENTION [space] NEXT MORNING HOW MANY MEN DID YOU SEE THERE I DON'T RECOLLECT ANYTHING ABOUT IT. [space] DIDN'T SEE ANYBODY THERE EXCEPT YOURSELF AND JOHN D. LEE AND THIS MAN THAT CARRIED FLAG [space] I SAW A GOOD MANY THERE BUT STRANGERS [space] YOU CAN'T TELL [space]</p>

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<p>MANY WERE THERE ? A. I MIGHT IF I HAD COUNTED THEM AND IMPRESSED MY MEMORY WITH IT. Q. DO YOU THINK THERE WAS ANYTHING YOU SAW</p> <p>DURING THE TIME YOU WERE ABSENT FROM HOME BUT WHAT IS <u>BURNED</u> INTO YOUR MEMORY, SO THAT IT IS ^[67] IMPOSSIBLE FOR YOU TO FORGET IT ? A. YES SIR, A NUMBER OF THINGS.</p> <p>Q. ONE OF THE PRINCIPAL THINGS THAT YOU CANNOT RECOLLECT IS THE NAMES OF YOUR FRIENDS WHO WERE THERE ? A. I DON'T KNOW THAT I HAD ANY FRIENDS THERE ANY MORE THAN I HAVE</p>	<p>MANY WERE THERE? I MIGHT IF I HAD COUNTED THEM, AND IMPRESSED MY MEMORY WITH IT. DO YOU THINK THERE IS ANYTHING YOU SAW,</p> <p>DURING THE TIME YOU WERE ABSENT FROM HOME, BUT WHAT IS BURNED INTO YOUR MEMORY, SO THAT IT IS IMPOSSIBLE FOR YOU TO FORGET IT? YES, SIR, A NUMBER OF THINGS.</p> <p>ONE OF THE PRINCIPAL THINGS THAT YOU CANNOT RECOLLECT IS THE NAMES OF YOUR FRIENDS WHO WERE THERE? I DON'T KNOW THAT I HAD ANY FRIENDS THERE, ANY MORE THAN I HAVE</p>	<p>MANY? A. I MIGHT IF I HAD COUNTED THEM OR IMPRESSED MY MEMORY WITH IT. Q. DO YOU THINK THERE IS ANYTHING YOU SAW FROM FROM THE TIME YOU LEFT HOME</p> <p>DURING THE TIME YOU WERE ABSENT FROM HOME, BUT WHAT HAD BEEN BURNED INTO YOUR MEMORY, SO THAT IT IS IMPOSSIBLE FOR YOU TO FORGET IT? A. YES, SIR, A NUMBER OF THINGS.</p> <p>Q. ONE OF THE PARTICULAR THINGS THAT YOU CANNOT RECOLLECT IS THE NAMES OF ANY OF YOUR FRIENDS THAT WERE THERE? A. I DON'T KNOW THAT I HAD ANY FRIENDS THERE ANY MORE THAN I HAVE</p>	<p>I MIGHT IF I HAD COUNTED THEM OR IMPRESSED MY MEMORY WITH [space] DO YOU THINK <i>FROM THIS/—[?]</i> ANYTHING YOU SAW</p> <p>DURING THE TIME YOU WAS ABSENT FROM HOME BUT WHAT HAS BEEN BURNED INTO YOUR MEMORY SO THAT IS IT IS IMPOSSIBLE FOR YOU TO FORGET [space] YES SIR A NUMBER OF THINGS I DO NOT KNOW IT [space] ONE OF THE PARTICULAR THINGS THAT YOU CANNOT RECOLLECT THE NAMES OF ANY OF YOUR FRIENDS THAT WAS THERE I DON'T KNOW THAT I HAD ANY FRIENDS THERE ANY MORE THAN I</p>

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<p>HERE. Q. CAN YOU GIVE ME THE NAMES OF ANY OF THE MEN THAT YOU SAW THERE THAT DAY ? A. WELL SIR, I COULD NOT REALLY RECOLLECT, I SUPPOSE NOT. I MIGHT IF I WAS TO SIT DOWN AND THINK FOR A WHILE; A LITTLE THING LIKE THAT YOU WOULD NOT RECOLLECT YOURSELF.</p> <p>Q. WILL YOU PLEASE TELL ME THE NAMES OF THE PARTIES</p> <p>THAT WERE PRESENT ON THE GROUND AT THE TIME YOU STARTED TO DRIVE DOWN TO THE EMIGRANT CAMP ? A. IT IS</p>	<p>HERE. CAN YOU GIVE ME THE NAMES OF ANY OF THE MEN THAT YOU SAW THERE THAT DAY? WELL, SIR, I COULD NOT REALLY RECOLLECT. I SUPPOSE NOT? I MIGHT IF I WAS TO SIT DOWN AND THINK FOR A WHILE. A LITTLE THING LIKE THAT YOU WOULD NOT RECOLLECT.</p> <p>WILL YOU PLEASE TELL ME THE NAMES OF THE PARTIES</p> <p>THAT WERE PRESENT ON THE GROUND, AT THE TIME YOU STARTED TO DRIVE DOWN TO THE EMIGRANT CAMP? IT IS</p>	<p>HERE. Q. CAN YOU GIVE US THE NAMES OF ANY OF THE MEN THAT YOU SAW AROUND THERE THAT DAY? A. WELL, SIR, I REALLY COULD NOT RECOLLECT. I SUPPOSE NOT; I MIGHT IF I WAS TO SIT DOWN AND THINK FOR A WHILE. A LITTLE THING LIKE THAT YOU WOULD NOT RECOLLECT.</p> <p>Q. WILL YOU PLEASE TELL ME THEN, SIR, THE NAMES OF ANY THAT WERE OF THE PARTIES</p> <p>THAT WERE THERE PRESENT ON THE GROUND AT THE TIME YOU STARTED TO DRIVE DOWN TO THE EMIGRANT CAMP? A. IT IS</p>	<p>HERE CAN YOU GIVE US THE NAME OF ANY OF THE MEN YOU SAW AROUND THERE THAT DAY WELL SIR I —[?] COULD NOT RECOLLECT THEM [space] I SUPPOSE NOT I MIGHT IF I WAS TO SIT DOWN TO <i>DMTION</i>[?] TO THINK FOR A ^[150]] <i>LSS/MSS</i>[?] [space] LITTLE MATTER OF THAT KIND YOU WOULD NOT <RECOLLECT> ~ OBJECTION— [space] COURT: [space] WILL YOU PLEASE TELL ME THEN SIR THE NAMES OF THE PARTIES THAT WERE OF THE PARTIES THAT WERE THERE PRESENT ON THE GROUND AT THE TIME YOU STARTED TO DRIVE DOWN TO THE EMIGRANT CAMP IT IS</p>

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<p>IMPOSSIBLE FOR ME TO DO IT. Q. HOW MANY MEN WERE THERE IN SIGHT AT THE TIME YOU STARTED TO DRIVE DOWN, OF YOUR FRIENDS— PARTIES FROM CEDAR CITY OR ELSEWHERE ? A. WELL SIR, I COULD NOT SAY, I DON'T RECOLLECT SEEING ANY OF THEM. I WAS TOO MUCH ABSORBED IN MY TEAM AND IN MY OWN SURROUNDINGS. Q. WHAT CAUSED YOU TO BE SO MUCH ABSORBED —) ≤A≥ ANY MAN THAT HAS A TEAM TO ATTEND TO UNDER CIRCUMSTANCES OF FIRING OF GUNS ? Q. WERE THERE ANY GUNS FIRING THEN ? A. NOT THEN.</p>	<p>IMPOSSIBLE FOR ME TO DO IT. HOW MANY MEN WERE IN SIGHT AT THE TIME YOU STARTED TO DRIVE DOWN— OF YOUR FRIENDS, PARTIES FROM CEDAR CITY OR ELSEWHERE? WELL, SIR, I COULD NOT SAY. I DON'T RECOLLECT SEEING ANY OF THEM. I WAS TOO MUCH ABSORBED IN MY TEAM AND IN MY OWN SURROUNDINGS. WHAT CAUSED YOU TO BE SO MUCH ABSORBED? ANY MAN THAT HAS A TEAM TO ATTEND TO UNDER CIRCUMSTANCES OF FIRING OF GUNS— ^[338] WERE ANY GUNS FIRING THEN? NOT THEN.</p>	<p>IMPOSSIBLE FOR ME TO DO IT. Q. HOW MANY MEN WERE IN SIGHT OF THE WAGONS AT THE TIME YOU DROVE DOWN TO YOUR FRIENDS— PARTIES FROM CEDAR CITY OR ELSEWHERE? A. WELL, SIR, I COULD NOT SAY; I DON'T RECOLLECT SEEING ANY OF THEM. ^[40] I WAS TOO MUCH ABSORBED IN MY TEAM AND MY OWN SURROUNDINGS. Q. WHAT MADE YOU BE ABSORBED? A. ANY MAN THAT HAS A TEAM TO ATTEND TO UNDER CIRCUMSTANCES OF FIRING OF GUNS—Q. WERE ANY GUNS FIRING THEN? A. Q. NOT THEM.</p>	<p>IMPOSSIBLE FOR ME TO DO SO HOW MANY MEN WERE IN SIGHT OF THE WAGONS AT THE TIME YOU DROVE DOWN? OF YOUR FRIENDS PARTIES FROM CEDAR CITY AND ELSEWHERE WELL SIR I DON'T I COULD NOT SAY I DON'T RECOLLECT SEEING ANY OF THEM I WAS TOO MUCH ABSORBED IN MY TEAM AND MY OWN SURROUNDING ^[space] WHAT MADE YOU BE ABSORBED ANY MAN THAT HAS A TEAM TO ATTEND TO UNDER CIRCUMSTANCES OF FIRING OF GUN ~ ^[space] ANY GUNS FIRING NOT THEN ^[space]</p>

RT**MU****BT****PS**

<p>Q. YOU DID NOT GET ROUSED UP UNTIL AFTER THEY HAD LOADED YOUR WAGON ^[68]— HAD ANYTHING HAPPENED TO EXCITE YOU PREVIOUS TO THE LOADING UP OF YOUR WAGON AT THE EMIGRANT CAMP ? A. I AM NOT AWARE OF ANYTHING PARTICULAR.</p> <p>Q. YOU DIDN'T KNOW AT THAT TIME THAT ANYONE WAS TO BE KILLED ? A. NO SIR. Q. YOU HAD NOT EVEN HEARD THAT ANY ONE WAS TO BE KILLED ? A. NO SIR. Q. YOU THOUGHT YOU WERE ON AN ERRAND OF MERCY ? A. YES SIR. Q. YOU THOUGHT YOU HAD GONE THERE IN GOOD FAITH TO HELP THOSE EMIGRANTS BACK TO CEDAR CITY ? A. YES</p>	<p>YOU DID NOT GET ROUSED UP UNTIL AFTER THEY HAD LOADED YOUR WAGON. HAD ANYTHING HAPPENED TO EXCITE YOU PREVIOUS TO THE LOADING UP OF YOUR WAGON AT THE EMIGRANT CAMP? I AM NOT AWARE OF ANYTHING PARTICULARLY. YOU DIDN'T KNOW AT THAT TIME THAT ANY ONE WAS TO BE KILLED? NO, SIR. YOU HAD NOT EVEN HEARD THAT ANY ONE WAS TO BE KILLED? NO, SIR. YOU THOUGHT YOU WERE ON AN ERRAND OF MERCY? YES, SIR. YOU THOUGHT YOU HAD GONE THERE IN GOOD FAITH TO HELP THOSE EMIGRANTS BACK TO CEDAR CITY? YES,</p>	<p>Q. YOU DID NOT GET ROUSED UNTIL AFTER YOU THEY HAD LOADED YOUR WAGON. HAD NOTHING HAPPENED TO EXCITE YOU PREVIOUS TO THE LOADING UP OF YOUR WAGON AT THE EMIGRANT CAMP? A. I AM NOT AWARE OF ANYTHING PARTICULARLY. Q. YOU DIDN'T KNOW AT THAT TIME THAT ANYONE WAS TO BE KILLED? A. NO., SIR. Q. YOU HADN'T HEARD THAT ANYBODY WAS TO BE KILLED? A. NO, SIR. Q. YOU THOUGHT YOU WERE ON AN ERRAND OF MERCY? A. UYES, SIR. Q. THOUGHT YOU HAD GON THERE IN GOOD FAITH TO HELP THOSE EMIGRANTS BACK TO CEDAR CITY? A. YES,</p>	<p>YOU DID NOT GET ROUSED UNTIL AFTER THEY HAD LOADED YOUR WAGON <i>[space]</i> HAD ANYTHING HAPPENED TO EXCITE YOU PREVIOUS TO THE LOADING UP OF YOUR WAGON AT THE EMIGRANT CAMP I AM NOT AWARE OF ANYTHING PARTICULARLY <i>[space]</i> YOU DIDN'T KNOW AT THAT TIME THAT ANYONE WAS TO BE KILLED NO SIR <i>[space]</i> HADN'T HEARD ANY THAT ANYBODY WAS TO BE KILLED NO SIR <i>[space]</i> THOUGHT YOU WAS ON AN ERRAND OF MERCY YES SIR THOUGHT YOU HAD GONE GONE THERE IN GOOD FAITH TO HELP THOSE EMIGRANTS BACK TO CEDAR CITY YES</p>
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RT**MU****BT****PS**

<p>SIR, THAT WAS MY UNDERSTANDING. Q. YOU HAD DRIVEN DOWN ACROSS THE VALLEY TO THE EMIGRANT CAMP, AND THE ONLY MEN YOU SAW DURING THAT ENTIRE TIME, WERE JOHN D. LEE AND THIS MAN THAT CARRIED THE FLAG ?</p> <p>A. I SAW A LOT OF EMIGRANTS AROUND THERE.</p> <p>Q. I AM SPEAKING NOW OF THE PEOPLE WHO LIVED IN THAT VICINITY ?</p> <p>A. OUTSIDE OF THE MEN THAT LIVED AT CEDAR CITY THEY WERE STRANGERS TO ME, AND I COULD NOT TELL WHO THEY WERE. Q. BUT YOU SAW THEM THE NIGHT BEFORE ? A. NO, SIR, I DID NOT. Q. DIDN'T YOU SEE THEM ON THE</p>	<p>SIR, THAT WAS MY UNDERSTANDING. Q. YOU HAD DRIVEN DOWN ACROSS THE VALLEY TO THE EMIGRANT CAMP, AND THE ONLY MEN YOU SAW DURING THAT ENTIRE TIME WERE JOHN D. LEE AND THIS MAN THAT CARRIED THE FLAG?</p> <p>I SAW A LOT OF EMIGRANTS AROUND THERE. I AM SPEAKING NOW OF THE PEOPLE WHO LIVED IN THAT VICINITY? OUTSIDE OF THE MEN THAT LIVED AT CEDAR CITY, THEY WERE STRANGERS TO ME, AND I COULD NOT TELL WHO THEY WERE. YOU SAW THEM THE NIGHT BEFORE? NO, SIR, I DID NOT. DIDN'T YOU SEE THEM ON THE</p>	<p>SIR, THAT WAS MY UNDERSTANDING. Q. HAD DRIVEN DOWN ACROSS THE VALLEY TO THE EMIGTANT CAMP, AND THE ONLY MAN YOU SAW DURING THAT ENTIRE TIME WAS JOHN D. LEE AND THIS MAN THAT CARRIED THE FLAG OF TRUCE.</p> <p>A. I ASAW A NUMBER OF EMIGRANTS AROUND THERE. I AM SPEAKING NOW OF MEN THAT LIVED IN THAT VICINITY, OUTSIDE OF THE MEN THAT LIVED IN CEDAR CITY THAT WERE STRANGERS TO ME, AND I COULD NOT TELL WHO THEY WERE. Q. YOU SAW THEM THE NIGHT BEFORE? A. NO, SIR, I DID NOT. ^[41] Q. DIDN'T YOU SEE THEM IN THE</p>	<p>SIR THAT WAS MY UNDERSTANDING [space] HAD DRIVEN DOWN ACROSS THE VALLEY TO THE EMIGRANT CAMP AND ONLY MEN YOU SAW DURING THAT ENTIRE TIME WERE JOHN D. LEE THIS MAN THAT ^{[[51]]} CARRIED FLAG OF TRUCE [space] I SAW A NUMBER OF EMIGRANTS AROUND THERE I AM SPEAKING NOW OF THEM THAT LIVED IN THAT VICINITY OUTSIDE OF THE MEN THAT LIVED IN CEDAR CITY THEY WERE STRANGERS TO ME AND I COULD NOT TELL WHO THEY WERE [space] . YOU SAW THEM THE NIGHT BEFORE NO SIR I DID NOT [space] DIDN'T YOU SEE THEM IN THE</p>
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<p>GROUND BEFORE YOU STARTED TO DRIVE DOWN TO THE EMIGRANT CAMP ? A. I COULD NOT SAY THAT I DID. I DON'T RECOLLECT OF SEEING ANY QUANTITY OF MEN WHERE I WAS AT ALL. ^[69] Q. YOU DIDN'T SEE ANY INDIANS THAT MORNING ? A. NO SIR. Q. NO INDIANS AT THE TIME OF THE KILLING ? A. I COULD NOT SAY ABOUT THAT, I BELIEVE THERE WERE INDIANS ALL AROUND THERE. Q. WELL, WHAT DO YOU KNOW ? A. I DON'T RECOLLECT. Q. YOU DO NOT RECOLLECT TO HAVE SEEN ANY INDIANS ? A. YES SIR, I SAW INDIANS AROUND THERE, BUT AT THE</p>	<p>GROUND BEFORE YOU STARTED TO DRIVE DOWN TO THE EMIGRANT CAMP? I COULD NOT SAY THAT I DID. I DON'T RECOLLECT OF SEEING ANY QUANTITY OF MEN WHERE I WAS, AT ALL. YOU DIDN'T SEE ANY INDIANS THAT MORNING? NO, SIR. NO INDIANS AT THE TIME OF THE KILLING? I COULD NOT SAY ABOUT THAT. I BELIEVE THERE WERE INDIANS AROUND. WELL, DO YOU KNOW? I DON'T RECOLLECT. YOU DO NOT RECOLLECT TO HAVE SEEN ANY INDIANS? YES, SIR, I SAW INDIANS AROUND THERE, BUT AT THE</p>	<p>MORNING BEFORE YOU STARTED TO DRIVE DOWN TO THE EMIGRANT CAMP? A. I CAN NOT SAY THAT I DID, I DON'T RECOLLECT OF SEEING ANY QUANTITY OF MEN WHERE I WAS AT ALL. Q. YOU DIDN'T SEE ANY INDIANS AT THAT MORNING? A. NO, SIR. Q. NO INDIANS AT THE TIME OF THE KILLING? A. I COULD NOT S AY ABOUT THAT; I BELEIEVE THERE WAS INDIANS AROUND. Q. WELL, DO YOU KNOW? A. I DON'T RECOLLECT. Q. DON'T RECOLLECT OF HAVING SEEN ANY INDIANS AT ALL? A. YES, SIR, I SAW INDIANS AROUND THERE, BUT AT THE</p>	<p>MORNING BEFORE YOU STARTED OUT TO DRIVE DOWN ≤TO THE EMIGRANT CAMP> I CAN NOT SAY THAT I DID ~ I DON'T RECOLLECT OF SEEING ANY QUANTITY OF MEN WHERE I WAS AT ALL. DIDN'T SEE ANY INDIANS THAT MORNING. NO SIR [<i>space</i>] NO INDIANS AT THE TIME OF THE KILLING I COULD NOT SAY TO THAT I BELIEVE THERE WAS INDIANS AROUND WELL DO YOU KNOW I DON'T RECOLLECT [<i>space</i>] DON'T RECOLLECT OF HAVING SEEN ANY INDIANS AT ALL YES SIR I SAW INDIANS AROUND THERE BUT AT THE</p>

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PRECISE MOMENT OF TIME I COULD NOT SAY.	PRECISE MOMENT OF TIME I COULD NOT SAY.	PRECISE MOMENT OR TIME I COULD NOT SAY.	PRECISE MOMENT OR TIME I COULD NOT SAY [space] ‡ DO/DID NOT [?]
Q. DID YOU SEE MORE THAN ONE OR TWO INDIANS ? A. I SAW A GREAT MANY INDIANS THERE AFTER THE FIRING COMMENCED. Q. WHERE DID THOSE INDIANS COME FROM ?	DID YOU SEE MORE THAN ONE OR TWO INDIANS? I SAW A GREAT MANY INDIANS THERE AFTER THE FIRING COMMENCED. WHERE DID THOSE INDIANS COME FROM?	Q. DID YOU SEE MORE THAN ONE OT TWO INDIANS? A. I SAW A GREAT MANY INDINANS THERE AFTER THE FIRING COMMENCED. Q. WHERE DID THESE INDIANS COME FROM— FROM THE SURROUNDINGS ?	DID YOU SEE MORE THAN ONE OR TWO INDIANS I SAW A NUMBER GOOD GREAT MANY INDIANS THERE AFTER FIRING COMMENCED WHERE DID THESE INDIANS COME FROM FROM THE SURROUNDINGS OF THE [?] OUTSIDE/ETC. [?]
A. I DON'T KNOW.	I DON'T KNOW.	A. I DON'T KNOW WHERE THEY CAME FROM. Q.	I DON'T KNOW WHERE THEY CAME FROM. Q.
Q. WHAT WERE THEY DOING ? A. I COULD NOT TELL. Q. DID YOU SEE THEM COMMIT ANY ACTS OF HOSTILITY ? A. I DON'T RECOLLECT—I DON'T DOUBT BUT WHAT THEY DID, BUT I CAN'T RECOLLECT OF THEIR DOING ANYTHING OF THE KIND. Q. DO YOU	WHAT WERE THEY DOING? I COULD NOT TELL. DID YOU SEE THEM COMMIT ANY ACTS OF HOSTILITY? I DON'T RECOLLECT. I DON'T DOUBT BUT THEY DID, BUT I CAN'T RECOLLECT OF THEIR DOING ANYTHING OF THE KIND. YOU	THEY DOING? A. I COULD NOT TELL YOU. Q. DID YOU SEE THEM COMMIT ANY ACTS OF HOSTILITY? A. I DON'T RECOLLECT; I DON'T DOUBT BUT THEY DID, BUT I CAN'T RECOLLECT OF THEIR DOING ANYTHING OF THE KIND. Q. YOU	THEY DOING I COULD NOT TELL YOU DID YOU SEE THEM COMMIT ANY ACTS OF HOSTILITY I DON'T RECOLLECT I DON'T DOUBT BUT WHAT THEY DID BUT I CAN'T RECOLLECT OF THEIR DOING ANYTHING OF THE KIND [space] YOU

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<p>PRETEND TO SAY NOW, THAT AT THE TIME THE GUN WAS FIRED AND FROM THAT TIME ON YOUR EXCITEMENT AND FEAR WAS SO GREAT THAT YOU CAN'T RECOLLECT ALL THAT DID HAPPEN ?</p> <p>A. YES SIR, THAT IS ABOUT TRUE. Q. HOW FAR DID YOU HAUL THOSE PEOPLE AFTER THEY WERE KILLED ? A. LEFT THEM RIGHT THERE. ^{[[70]]} Q. WHO TOOK THEM OUT ? A. JOHN D. LEE.</p> <p>Q. DON'T YOU THINK HE KILLED A DOZEN ? A. I COULD NOT TELL.</p> <p>Q. GIVE US YOUR BEST IMPRESSION ?</p> <p>A. MY IMPRESSION</p>	<p>PRETEND TO SAY NOW THAT AT THE TIME THE GUN WAS FIRED, AND FROM THAT TIME ON, YOUR EXCITEMENT AND FEAR WERE SO GREAT ^{[[339]]} THAT YOU CAN'T RECOLLECT ALL THAT DID HAPPEN?</p> <p>YES, SIR, THAT'S ABOUT TRUE. HOW FAR DID YOU HAUL THOSE PEOPLE AFTER THEY WERE KILLED? LEFT THEM RIGHT THERE. WHO TOOK THEM OUT? JOHN D. LEE.</p> <p>DON'T YOU THINK HE KILLED A DOZEN? I COULD NOT TELL.</p> <p>GIVE US YOUR BEST IMPRESSION?</p> <p>MY IMPRESSION</p>	<p>PRETEND TO SAY NOW, THAT AT THE TIME THE GUN WAS FIRED, AND FROM THAT TIME ON, HYOUR EXCITEMENT AND FEAR WAS SO GREAT THAT YOU CAN'T RECOLLECT ALL THAT DID HAPPEN?</p> <p>A. NO, SIR, THAT IS ABOUT TRUE. Q. HOW FAR DID YOU HAUL THOSE PEOPLE AFTER THEY WERE KILLED? A. LEFT THEM RIGHT THERE.</p> <p>Q. WHO TOOK THEM OUT? ^{[[42]]} A. JOHN D. LEE.</p> <p>Q. DON'T YOU THINK HE KILLED A DOZEN? A. I COULD NOT TELL</p> <p>EXACTLY. Q. GIVE US YOUR BEST IMPRESSION.</p> <p>A. MY IMPRESSION</p>	<p>PRETEND TO SAY NOW THAT AT THE TIME THE GUN WAS FIRED AND FROM THAT TIME ON YOUR EXCITEMENT AND FEAR WAS SO GREAT YOU CAN'T RECOLLECT ALL THAT DID HAPPEN THIS IS ABOUT YES SIR THAT IS ABOUT TRUE ^{[[52]]} HOW FAR DID YOU HAUL THOSE PEOPLE THEY THAT WERE KILLED LEFT THEM RIGHT THERE</p> <p>[space] WHO TOOK THEM OUT [space] JOHN D. LEE [space] DO YOU DON'T YOU THINK HE KILLED A DOZEN I COULD NOT TELL</p> <p>GIVE US YOUR BEST IMPRESSION I TOLD YOU MY MY IMPRESSION IS I TOLD YOU</p>

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<p>IS THAT THERE MIGHT BE A HALF DOZEN. Q. YOU DIDNOT HELP TO KILL ANY ONE—DID YOU KILL ANY ONE THERE ?</p> <p>A. I HAD NOTHING TO DO WITH IT AT ALL. Q. THEN YOU DID NOT RAISE YOUR HAND AGAINST ANY ONE AT THAT TIME, OR DO ANY OF THE KILLING OF THE EMIGRANTS ? A. I BELIEVE I AM NOT UPON</p>	<p>IS THAT THERE MIGHT BE HALF A DOZEN. YOU DID NOT HELP KILL ANY ONE—DID YOU KILL ANY ONE THERE?</p> <p>I HAD NOTHING TO DO WITH IT AT ALL. THEN YOU DID NOT RAISE YOUR HAND AGAINST ANY ONE AT THAT TIME, OR DO ANY OF THE KILLING OF THE EMIGRANTS? I BELIEVE I AM NOT UPON</p>	<p>IDS THAT THERE MIGHT HAVE BEEN A HALF A DOXZEN. Q. YOU DIDN'T HELP KILL ANYBODY?</p> <p>OBJECTED TO, AS THE WITNESS IS NOT COMPELLED TO ANSWER ANYTHING THAT WOULD TEND TO CRIMINATE HIMSELF. Q. DO YOU REFUSE TO ANSWER? A. ANSWER WHAT? Q. WHETHER YOU KILLED ANYBODY OR NOT, OR ASSISTED THERE? A. I HAD NOTHING TO DO WITH IT AT ALL. Q. THEN YOU DIDN'T RAISE YOUR HAND AGAINST ANY PERSON AT THAT TIME, NOR DO ANY OF THE KILLING OF THOSE PEOPLE? A. I BELIEVE I AM NOT ON</p>	<p>IS THAT THERE MIGHT BE HALF A DOZEN [space] YOU DIDN'T HELP KILL ANYBODY</p> <p>OBJECTED TO AS <WITNESS NOT COMPELLED TO ANSWER> ANYTHING</p> <p>TO CRIMINATE HIMSELF AND [space] DO YOU REFUSE TO ANSWER ANSWER WHAT [space] WHETHER YOU KILLED ANYBODY OR NOT OR ASSISTED THERE I HAD NOTHING TO DO WITH IT AT ALL [space] THEN YOU DIDN'T RAISE YOUR HAND AGAINST ANY PERSON AT THAT TIME NOR DO ANY OF KILLING OF ANY OF THOSE MEN? I BELIEVE I AM NOT ON</p>

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<p>TRIAL SIR. Q. I ASK YOU IF YOU REFUSE TO ANSWER THAT QUESTION ? NO ANSWER.</p> <p>Q. DID YOU UPON THAT OCCASION, ON THE DAY WHEN THE MOUNTAIN MEADOWS MASSACRE TOOK PLACE, SHOOT AND KILL ANY PERSON UPON THAT GROUND, OR ASSIST IN THE KILLING OF ANY PERSON ?</p>	<p>TRIAL, SIR. I ASK IF YOU REFUSE TO ANSWER THE QUESTION? NO ANSWER.</p> <p>DID YOU UPON THAT OCCASION, ON THE DAY WHEN THE MOUNTAIN MEADOWS MASSACRE TOOK PLACE, KILL ANY PERSON UPON THAT GROUND OR ASSIST IN THE KILLING OF ANY PERSON?</p>	<p>TRIAL, SIR. Q. I ASKED IF YOU REFUSED TO ANSWER THAT QUESTION ? IF ANY QUESTION THAT I ASK YOU IS CALCULATED TO CRIMINATE YOURSELF IN ANY WAY, YOU HAVE A RIGHT TO REFUSE TO ANSWER IT. IF YOU REFUSE TO ANSWER IT I SHALL STOP THE EXAMINATION, OF COURSE. DID YOU UPON THAT OCCASION ON THE DAY WHEN THE MOUNTAIN MEADOW MASSACRE TOOK PLACE, KILL ANY PERSON UPON THAT GROUND OR AID OR +ASSIST IN THE KILLING OF ANY PERSON UPON THAT GROUNED OR AID DIROR ASSIST IN KILLING ANY</p>	<p>TRIAL SIR [<i>space</i>] I ASKED YOU IF YOU REFUSED TO ANSWER THAT QUESTION ? IF ANY QUESTION I ASK YOU IS CALCULATED TO CRIMINATE YOURSELF IN ANY WAY, YOU HAVE A RIGHT TO REFUSE TO ANSWER IT?? IF YOU SAY YOU REFUSE TO ANSWER IT I SHALL STOP THE EXAMINATION OF COURSE? [<i>space</i>] DID YOU UPON THAT OCCASION ON THE DAY WHEN THE MOUNTAIN MEADOW MASSACRE TOOK PLACE KILL ANY PERSON UPON THAT GROUND OR AID OR ASSIST IN THE KILLING OF ANY PERSON UPON THAT GROUND OR AID OR ASSIST IN KILLING ANY</p>

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<p>A. I DON'T WISH TO ANSWER. Q. YOU SAY THAT EVERY PERSON THAT WAS IN THE WAGONS WAS KILLED ? A. TO MY BEST</p> <p>RECOLLECTION AND KNOWLEDGE. Q. DON'T YOU KNOW, AS A MATTER OF FACT, THAT THERE WERE SOME SEVENTEEN CHILDREN IN THOSE WAGONS THAT WERE NOT KILLED ? A. I DON'T RECOLLECT THE NUMBER. Q. DON'T YOU KNOW THERE WERE A NUMBER OF CHILDREN THAT WERE NOT KILLED ? A. YES SIR. ^[71] Q. EXPLAIN WHAT YOU MEAN ? A. I MEAN ALL THE GROWN PERSONS WERE KILLED, BUT</p>	<p>I DON'T WISH TO ANSWER. YOU SAY EVERY PERSON THAT WAS IN THE WAGONS WAS KILLED/ TO MY BEST</p> <p>RECOLLECTION AND KNOWLEDGE. DON'T YOU KNOW, AS A MATTER OF FACT, THAT THERE WERE SOME SEVENTEEN CHILDREN IN THOSE WAGONS THAT WERE NOT KILLED? I DON'T RECOLLECT THE NUMBER. DON'T YOU KNOW THERE WERE A NUMBER OF CHILDREN THAT WERE NOT KILLED? YES, SIR. Q. EXPLAIN WHAT YOU MEAN? I MEAN ALL OF THE GROWN PERSONS WERE KILLED,</p>	<p>PERSON? A. I DON'T WISH TO ANSEWER. Q. YOU SAID THAT EVERY PERSON IN THE WAGON WAS KILLED? A. TO THE BEST OF MY RECOLLECTION AND KNOWLEDGE KNOWLEDGE. Q. YOU DON'T KNOW AS A MATTER OF FACT THAT THERE WAS SOME 17 CHILDREN IN THOSE WAGGONS THAT WERE NOT KILLED? A. I DON'T RECOLLECT THE NUMBER. ^[43] Q. DON'T YOU KNOW THERE WERE A NUMBER OF CHILDREN THAT WERE NOT KILLED? A, YSE, SIR. Q. EXPLAIN WHAT YOU MEAN? A. I MEAN ALL OF THE GROWN PERSONS WERE KILLED,</p>	<p>PERSON I DON'T WISH TO ANSWER. <i>[space]</i> YOU SAID THAT EVERY PERSON IN THE WAGON WAS KILLED TO THE TO MY BEST</p> <p>RECOLLECTION AND KNOWLEDGE <i>[space]</i> YOU DON'T KNOW AS A MATTER OF FACT THAT THERE WAS SOME 17 CHILDREN IN THOSE WAGONS THAT WERE NOT KILLED I DON'T RECOLLECT NUMBER[?] <i>[space]</i> DON'T YOU KNOW THERE WAS A NUMBER OF CHILDREN THAT WERE NOT KILLED YES SIR <i>[space]</i> EXPLAIN WHAT YOU <i>[space]</i> MEAN I MEAN ALL OF THE GROWN PERSONS WERE KILLED</p>

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<p>THE CHILDREN WERE SAVED SIR. I BELIEVE I ASSISTED TO HAUL THEM AWAY—TO TAKE THEM OFF. RE-DIRECT.</p> <p>Q. HOW MANY CHILDREN WERE SAVED FROM THE MASSACRE ? A. I HAVE NO RECOLLECTION.</p> <p>Q. WHERE DID YOU TAKE THEM TO—THOSE THAT YOU HAD ?</p> <p>A. THEY WERE DISTRIBUTED AROUND—ONE WENT TO ONE HOUSE AND ANOTHER TO ANOTHER.</p> <p>[space]</p>	<p>THE CHILDREN WERE SAVED, SIR. I BELIEVE I ASSISTED TO HAUL THEM AWAY, TO TAKE THEM OFF. RE-DIRECT—</p> <p>HOW MANY CHILDREN WERE SAVED FROM THE MASSACRE? I HAVE NO RECOLLECTION.</p> <p>WHERE DID YOU TAKE THEM TO—THOSE THAT YOU HAD?</p> <p>THEY WERE DISTRIBUTED AROUND; ONE WENT TO ONE HOUSE, AND ANOTHER TO ANOTHER.</p>	<p>THE CHILDREN WERE SAVED, SIR, I BELIEVE. I ASSISTED TO HAUL THEM AWAY, TO TAKE THEM OFF. RR-DIRECT EXAMINATION.</p> <p>Q. HOW MANY CHILDREN WERE SAVE FROM THE MASSACRE? A. I HAVE NO RECOLLECTION?</p> <p>A. THEY WERE DISTRIBUTED AROUND I BELIEVE ONE WENT TO ONE HOUSE AND ANOTHER.</p>	<p>CHILDREN WERE SAVED SIR. I BELIEVE I ASSISTED TO HAUL THEM AWAY TO TAKE THEM OFF. ^{[[53]]} RE-DIRECT</p> <p>[space]</p> <p>HOW MANY CHILDREN WERE SAVED FROM THE MASSACRE I HAVE NO RECOLLECTION</p> <p>[space] WHERE DID YOU TAKE THEM TO THOSE THAT YOU <i>DID/HAD</i>[?]</p> <p>[space] THEY WERE DISTRIBUTED AROUND I BELIEVE ONE WENT TO ONE HOUSE AND —[?] TO ANOTHER.</p> <p>[space]</p>

John D. Lee, Second Trail

Nephi Johnson Testimony

RT**MU****BT****PS**

<p>[Bk 1 71 cont.]</p> <p>NEPHI JOHNSON SWORN FOR PROSECUTION. Q. WHERE DID YOU LIVE IN 1857 ? A. I LIVED AT A PLACE CALLED FORT JOHNSON IN IRON COUNTY. Q. WHAT WAS YOUR BUSINESS ? A. I WAS LIVING WITH MY FATHER, FARMER. Q. WERE YOU AN INDIAN INTERPRETER ? A. YES SIR, I COULD TALK SOME WITH THE INDIANS AT THAT TIME.</p> <p>Q. WERE YOU AT THE MOUNTAIN MEADOWS MASSACRE ? A. YES SIR. Q. HOW OLD WERE YOU AT THAT TIME ? A. I WAS IN MY NINETEENTH YEAR. Q. DID YOU KILL ANYBODY OR HELP TO KILL ANYBODY</p>	<p>[339 cont.]</p> <p>NEPHI JOHNSON. SWORN FOR THE PROSECUTION. WHERE DID YOU LIVE IN 1857? I LIVED AT A PLACE CALLED FORT JOHNSON, IRON COUNTY. WHAT WAS YOUR BUSINESS? I WAS LIVING WITH MY FATHER— FARMER. [340] WERE YOU AN INDIAN INTERPRETER? YES, SIR; I COULD TALK SOME WITH THE INDIANS AT THAT TIME.</p> <p>WERE YOU AT THE MOUNTAIN MEADOWS MASSACRE? YES, SIR. HOW OLD WERE YOU AT THAT TIME? I WAS IN MY NINETEENTH YEAR. DID YOU KILL ANYBODY, OR HELP TO KILL ANYBODY</p>	<p>[Bk 1 43 cont.]</p> <p>N,EPHI JOHNSON SWORN FOR THE PROSECUTION. Q. WHERE DID YOU LIVE IN '57.? A. I LIVED AT A PLACE CALLED FORT JOHNSON IN IRON COUNTY. Q. WHAT WAS YOUR BUSINESS? A. I WAS LIVING WITH MY FATEHER FARMING. Q. WAS YOU AN INDIAN INTERPRETER? A. YES, SIR. I COULD TALK WITH THE INDIANS SOME AT THAT TIME.</p> <p>Q. WERE YOU AT THE MOUNTAIN MEADOWS MASSACRE? A. YES, SIR.</p> <p>Q. DID YOU KILL ANYBODY OR HELP TO KILL ANYBODY</p>	<p>[[Bk 2 53 cont.]]</p> <p>NEPHI JOHNSON SWORN FOR THE FOR THE PROSECUTION. [space] WHERE DID YOU LIVE IN '57 I LIVED AT PLACE CALLED FORT JOHNSON IN IRON COUNTY [space] WHAT WAS YOUR BUSINESS I WAS LIVING WITH MY FATHER FARMING [space] WAS YOU AN INDIAN INTERPRETER YES SIR I COULD TALK SOME WITH THE INDIANS [space] ≤19TH YEAR AT THE TIME≥ WERE YOU AT THE MOUNTAIN MEADOWS MASSACRE YES SIR [space]</p> <p>DID YOU KILL ANYBODY OR HELP KILL ANYBODY</p>
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RT	MU	BT	PS
<p>THERE ? ^[72] A. NO SIR, I DID NOT. Q.</p> <p>TELL THIS COURT AND JURY ALL YOU KNOW ABOUT THAT CIRCUMSTANCE ? A. I WAS CALLED ON</p> <p>THURSDAY, THE WEEK THAT THEY WERE KILLED THEY WERE KILLED THE NEXT DAY. Q. WHERE WERE YOU ? A. I WAS ON MY FATHER'S FARM, FINISHING UP MY HARVESTING. Q. WHAT OCCURRED ? A. THERE WAS A YOUNG MAN THERE BY THE NAME OF CLEWS— HIS NAME HAS BEEN MENTIONED HERE, I AM NOT CERTAIN ABOUT ITS BEING CLEWS, IT MAY HAVE BEEN</p>	<p>THERE? NO, SIR, I DID NOT.</p> <p>TELL THIS COURT AND JURY ALL YOU KNOW ABOUT THAT?</p> <p>I WAS CALLED ON</p> <p>THURSDAY OF THE WEEK THEY WERE KILLED. THEY WERE KILLED THE NEXT DAY. WHERE WERE YOU? I WAS ON MY FATHER'S FARM, FINISHING UP MY HARVESTING. WHAT OCCURRED? THERE WAS A YOUNG MAN BY THE NAME OF CLEWS— HIS NAME HAS BEEN MENTIONED HERE. I AM NOT CERTAIN ABOUT ITS BEING CLEWS, IT MAY HAVE BEEN</p>	<p>THERE AT THAT TIME A. NO, SIR, I DID NOT.</p> <p>Q. TELL THIS COURT AND JURY OF ANY TROUBLE THERE.</p> <p>A. I WAS CALLED ON THURSDAY, SOMETIME IN IN SEPTEMBER— THURSDAY OF THE WEEK THEY WAS KILLED— THEY WAS KILLED THE NEXT DAY. Q. WHERE WAS YOU? A. I WAS ON MY FATHERS FARM, FINISHING UP MY HARVESTING. Q. WHAT OCCURRED? A. THERE WAS A YOUNG MAN BY THE NAME OF CLEWAS— HIS NAME HAS BEEN ^[44] MENTIONED HERE. I AM NOT CERTAIN ABOUT ITS BEING CLEWS.</p>	<p>THERE NO SIR I DID NOT TELL YOUR ^[space] TELL THIS COURT AND JURY OF ANY TROUBLE</p> <p>IT[?] WAS CALLED ON THURSDAY SOMETIME IN SEPTEMBER THURSDAY OF THE WEEK THEY WAS KILLED ^[space] KILLED NEXT DAY WHERE WAS YOU I WAS ON MY FATHER'S FARM WAS FINISHING UP MY HARVESTING ^[space] WHAT OCCURRED THERE WAS A YOUNG MAN BY THE OF/AND[?] THIS MAN CLEWS WHOSE NAME HAS BEEN MENTIONED I AM NOT CERTAIN ABOUT BEING CLEWS</p>

RT**MU****BT****PS**

<p>YOUNG KLINGENSMITH, CAME DOWN WITH A NOTE FROM ISAAC C. HAIGHT THAT I WAS WANTED IN CEDAR CITY. I WENT TO CEDAR CITY, AND HE TOLD ME SOME MEN WERE GOING OUT TO THE MOUNTAIN MEADOWS, AND THAT I MUST ACCOMPANY THEM, AND I DID SO.</p> <p>Q. WHAT DID HE TELL YOU THEY WERE GOING THERE FOR ? A. HE DIDN'T TELL ME, BUT I UNDERSTOOD THEY WERE GOING OUT TO BRING IN THE DEAD SLAIN BY THE INDIANS. Q. WOULD YOU HAVE GONE IF YOU HAD HAD ANY OTHER UNDERSTANDING ? A. NO, NOT IF I COULD</p>	<p>YOUNG KLINGENSMITH, CAME DOWN WITH A NOTE FROM ISAAC C. HAIGHT, THAT I WAS WANTED IN CEDAR CITY. I WENT TO CEDAR CITY, AND HE TOLD ME SOME MEN WERE GOING OUT TO THE MOUNTAIN MEADOWS AND THAT I MUST ACCOMPANY THEM, AND I DID SO.</p> <p>WHAT DID HE TELL YOU THEY WERE GOING THERE FOR? HE DIDN'T TELL ME. I UNDERSTOOD THEY WERE GOING OUT TO BRING IN THE DEAD, SLAIN BY THE INDIANS. WOULD YOU HAVE GONE IF YOU HAD HAD ANY OTHER UNDERSTANDING? NO, NOT IF I COULD</p>	<p>YOUNG KLINGENSMITH CAME DOWN WITH A NOTE FROM ISSAAC C. HAIGHT, THAT I WAS WANTED AT CEDAR CITY. I WENT TO CEDAR CITY AND HE TOLD ME SOME MEN WERE GOING TO THE MOUNTAIN MEADOWS, THAT I MUST ACCOMPANY THEM, AND I DID SO.</p> <p>Q. WHAT DID HE TELL YOU THEY WERE GOING THERE FOR? A. HE DIDN'T TELL ME. I UNDERSTOOD THEY WERE GOING THERE TO BURY THE DEAD SLAIN BY THE INDIANS. Q. WOULD YOU HAVE GON THERE IF YOU HAD ANY OTHER UNDERSTANDING? A. NO., SIR, NOT IF I COULD</p>	<p>YOUNG KLINGENSMITH CAME DOWN FROM WITH NOTE FROM ISAAC C HAIGHT THAT I WAS WANTED AT CEDAR CITY I WENT TO CEDAR CITY HE TOLD ME SOME MEN WERE GOING TO THE MOUNTAIN MEADOWS THAT I MUST ACCOMPANY THEM AND I DID SO GO DOWN THERE WHAT DID -T? WHAT DID HE TELL YOU THEY WERE GOING THERE FOR [space] DIDN'T TELL ME I UNDERSTOOD GOING THERE TO BURY DEAD SLAIN BY THE INDIANS [space] WOULD YOU HAVE GONE THERE IF YOU HAD ANY OTHER UNDERSTANDING NO SIR NOT IF I COULD</p>
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RT	MU	BT	PS
HAVE HELPED IT. Q. DID YOU GO THERE ? A. YES SIR. Q. WHAT TIME DID YOU GET THERE ? A. I SHOULD JUDGE	HAVE HELPED IT. DID YOU GO THERE? YES, SIR. WHAT TIME DID YOU GET THERE? I SHOULD JUDGE	HAVE HELPED IT. Q. DID YOU GO THERE? A. YES, SIR. Q. WHAT TIME DID YO GO, T¥HERE? A. I SHOULD JUDJE FROM THE NIGHT, BETWEEN 12 AND ONE O’CLOCK IN THE NIGHT. I GOT TO HAMBLIN’S RANCH AT THAT TIME. Q. WHO DID YOU SEE THERE? A. I SAW JOHN D. LEE AND KLINGENSMITH, AND A MAN BY THE NAME OF WESTON. ^[73] I DID NOT SEE THOSE MEN UNTIL MORNING. Q. WAS HAMBLIN AT HOME ? A. NO SIR, HE WAS NOT. Q. DID YOU LEARN THAT HE HAD GONE ANYWHERE ? A. YES SIR. Q. DID YOU HAVE ANY CONVERSATION	HAVE HELPED IT [<i>space</i>] ^[154] DID YOU GO THERE YES SIR WHAT TIME DID YOU GO THERE I SHOULD JUDGE FROM THE NIGHT BETWEEN 12 AND 1 O’CLOCK IN THE NIGHT I GOT TO HAMBLIN’S RANCH AT THAT TIME [<i>space</i>] WHOM DID YOU SEE THERE I SAW JOHN D. LEE AND KLINGEN SMITH AND A MAN BY THE NAME OF WSN/RSN[?] ⁶⁶⁹ I DID NOT SEE THESE MEN TILL MORNING. WAS HAMBLIN AT HOME NO SIR WAS NOT DID YOU LEARN THAT HE HAD GONE NORTH YES SIR HE HAD. DID YOU HAVE ANY CONVERSATION

669. Rogerson wrote “WEYSON” above Patterson’s shorthand character. The shorthand character is ambiguous, though it could not read “WESTERN” or “WESTON”.

RT**MU****BT****PS**

<p>WITH LEE ABOUT HIS HAVING BEEN IN THE FIGHT WITH THE EMIGRANTS ? A. NO SIR, I DIDN'T HAVE ANY CONVERSATION WITH HIM IN RELATION TO IT Q. DID YOU HEAR HIM SAY ANYTHING ABOUT IT ? A. YES SIR. Q. WHAT DID YOU HEAR HIM SAY ? A. IN SPEAKING TO THE INDIANS HE REFERRED TO HAVING BEEN IN A FIGHT WITH THE EMIGRANTS. Q. WHAT DID HE SAY ? A. HE SAID THAT THE INDIANS AND HIMSELF HAD MADE AN ATTACK ON THE EMIGRANTS AND BEEN REPULSED. Q. WHAT ELSE DID HE SAY— DID HE SAY ANYTHING ABOUT</p>	<p>WITH LEE ABOUT HIS HAVING BEEN IN A FIGHT WITH THE EMIGRANTS? NO, SIR; I DIDN'T HAVE ANY CONVERSATION WITH HIM IN RELATION TO IT. DID YOU HEAR HIM SAY ANYTHING ABOUT IT? YES, SIR. WHAT DID YOU HEAR HIM SAY? IN SPEAKING TO THE INDIANS, HE REFERRED TO HAVING BEEN IN A FIGHT WITH THE EMIGRANTS. WHAT DID HE SAY? HE SAID THAT THE INDIANS AND HIMSELF HAD MADE AN ATTACK ON THE EMIGRANTS AND BEEN REPULSED. [341] WHAT ELSE DID HE SAY? DID HE SAY ANYTHING ABOUT</p>	<p>WITH LEE ABOUT THAIS HAVING BEEN IN A FIGHT WITH THE EMIGRANTS? A. NO, SIR, I DIDN'T HAVE ANY CONVERSATION WITH HIM IN RELATION TO IT. Q. DID YOU HEAR HIM SAY ANYTHING ABOUT IT? A. YES, SIR. Q. WHAT DID YOU HEAR HIM SAY? A. IN SPEAKING TO THE INDIANS, HE REFERRED TO HAVING BEEN IN A FIGHT WITH THE EMIGTANTS. [45] Q. WHAT DID HE SAY? A. HE SAID HIMSELF AND THE INFDIANS HAD MADE AN ATTACK ON THE EMIGRANT TRAIN AND BEEN REPULSED.. Q. WHAT ELSE DID HE SAY? DID HE SAY ANYTHING ABOUT</p>	<p>WITH LEE ABOUT HIS HAVING BEEN IN A FIGHT WITH THE EMIGRANTS NO SIR I DIDN'T HAVE ANY CONVERSATION WITH HIM IN RELATION TO IT [space] DID YOU HEAR HIM SAY ANYTHING ABOUT IT YES SIR WHAT DID YOU HEAR HIM SAY IN SPEAKING TO THE INDIANS HE REFERRED TO HAVING BEEN IN A FIGHT WITH THE EMIGRANTS WHAT DID HE SAY HE SAID THAT THEY HIMSELF AND INDIANS HAD MADE AN ATTACK ON THE EMIGRANT TRAIN AND BEEN REPULSED [space] WHAT DID WHAT ELSE DID HE SAY DID HE SAY ANYTHING ABOUT</p>
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RT	MU	BT	PS
<p>RUNNING ANY NARROW RISKS ? A. NO SIR, HE DID NOT. Q. DID HE SHOW ANY PLACE WHERE HIS CLOTHING WAS SHOT? A. THERE WAS A BULLET HOLE WHICH I NOTICED IN HIS SHIRT, WHICH WHICH THE INDIANS HAD TOLD ME WAS RECEIVED DOWN AT THE CAMP IN THAT ATTACK. Q. WAS THERE ANYTHING PARTICULAR ABOUT HIS HAT ? A. I DIDN'T NOTICE ANYTHING ABOUT HIS HAT. ^[74] Q. DID YOU NOTICE ANYTHING AS TO PAINT BEING ON HIM ? A. AFTER MATURE REFLECTION I DON'T THINK I DID, BUT I HAVE THE IMPRESSION THAT I</p>	<p>RUNNING ANY NARROW RISKS? NO, SIR; HE DID NOT. DID HE SHOW ANY PLACE WHERE HIS CLOTHING WAS SHOT? THERE WAS A BULLET-HOLE WHICH I NOTICED IN HIS SHIRT, WHICH THE INDIANS TOLD ME WAS RECEIVED DOWN AT THE CAMP IN THAT ATTACK.</p> <p>ANYTHING</p> <p>ABOUT HIS HAT? I DIDN'T NOTICE ANYTHING ABOUT HIS HAT. DID YOU NOTICE ANYTHING ABOUT PAINT ON HIM? AFTER MATURE REFLECTION, I DON'T THINK I DID; I HAVE THE IMPRESSION THAT I</p>	<p>RUNNING ANY NARROW ESCAPE? A. NO, SIR, HE DIDN'T. Q. DID HE SHOW ANY PLACE WHERE HIS CLOTHES WERE SHOT? A. THERE WAS A BULLET HOLE, I NOTICED IN HIS SHIRT, WHICH THE INDIANS TOLD ME WAS RECEIVED DOWN AT THE CAMP IN THAT ATTACK. Q.</p> <p>ANYTHING</p> <p>ABOUT HIS HAT? A. I DIDN'T NOTICE ANYTHING IN RELATION TO HIS HAT. Q. DID YOU NOTICE ANYTHING IN RELATION TO PAINT ON HIM? A. AFTER MATURE REFLECTION, I DON'T THINK I DID. I HAD THE IMPRESSION THAT I DID</p>	<p>RUNNING ANY NARROW ESCAPES NO SIR HE DIDN'T DID HE SHOW ANY PLACE WHERE HIS CLOTHING WAS SHOT THERE WAS A BULLET HOLE I NOTICED IN HIS SHIRT WHICH THE INDIANS TOLD ME WAS RECEIVED DOWN AT THE CAMP IN THAT ATTACK [space]</p> <p>ANYTHING</p> <p>ABOUT HIS HAT I DIDN'T NOTICE ANYTHING IN RELATION TO HIS HAT [space] DID YOU NOTICE ANYTHING IN REGARD TO ANY PAINT ON HIM [space] AFTER MATURE REFLECTION I DON'T⁶⁷⁰ THINK HE DID [space] I HAD THE IMPRESSION THAT I</p>

670. "I DON'T" possibly added later.

RT	MU	BT	PS
<p>NOTICED SOMETHING OF THAT KIND AROUND HIS HAIR. Q. DID HE SAY WHEN THE ATTACK WAS MADE ? A. HE TOLD ME ∴ THOSE WERE A FEW INDIANS HE WAS TELLING ∴ THAT THERE WERE THE THREE INDIANS THERE THAT HAD BEEN WOUNDED, AND I WAS CONVERSING WITH THEM AFTER I GOT IN IN THE NIGHT. Q. WERE YOU ACQUAINTED WITH THE INDIANS—N THE PAHVANTE INDIANS ? A. YES SIR, SOMEWHAT ACQUAINTED. Q. WERE YOU ACQUAINTED WITH THE INDIANS BELOW ? A. YES SIR. Q. WHAT WAS LEE'S POSITION AT THAT TIME WITH THE</p>	<p>NOTICED SOMETHING OF THAT KIND AROUND HIS HAIR. DID HE SAY WHEN THE ATTACK WAS MADE? HE TOLD ME (THOSE WERE A FEW INDIANS HE WAS TELLING) THERE WERE THREE INDIANS THERE THAT HAD BEEN WOUNDED, AND I WAS CONVERSING WITH THEM AFTER I GOT IN, IN THE NIGHT. WERE YOU ACQUAINTED WITH THE INDIANS—THE PAH VANT INDIANS? YES, SIR; SOMEWHAT ACQUAINTED. WERE YOU ACQUAINTED WITH THE INDIANS BELOW? YES, SIR. WHAT WAS LEE'S POSITION AT THAT TIME WITH THE</p>	<p>DISCOVERED SOMETHING OF THAT KIND AROUNFD HIS HAIR. Q. DID HE SAY WHEN THE ATTACK WAS MADE? A. HE DIDN'T TELL ME, THERE WAS A FEW INDIANS HE WAS TELLING.. THERE WAS THREE INDIANS THAT HAD BEEN WOUNDED, AND I WAS CONVERSING WITH THEM AFTER I GOT IN IN THE NIGHT. Q. WERE YOU ACQUAINTED WITH THE INDIANS, THE PAH VANT INDIANS? A. YES, SIR, SOMEWHAT ACQUAINTED. Q. WAS YOU ACQUAINTED WITH THE INDIANS BELOW? A. YES, SIR. Q. WHAT WAS LEE'S POSITION AT THE TIME WITH THE</p>	<p>DISCOVERED SOMETHING OF THAT KIND AROUND HIS HAIR DID HE SAY WHEN THE ATTACK WAS MADE [space] HE DIDN'T TELL ME— THESE ARE WERE FEW INDIANS HE WAS TELLING THERE WAS 3 INDIANS THERE THAT HAD BEEN WOUNDED AND I WAS CONVERSING WITH THEM AFTER I GOT IN IN THE NIGHT [space] WAS YOU ACQUAINTED WITH THE INDIANS THE PAHVANT INDIANS YES SIR SOME ACQUAINTED [space]^{[[55]]} WAS YOU ACQUAINTED WITH THE INDIANS BELOW YES SIR WHAT WAS LEE'S POSITION AT THAT TIME WITH THOSE</p>

RT	MU	BT	PS
<p>INDIANS ? A. WELL HE USED TO FARM FOR THEM—HELP THEM TO FARM. Q. WHAT WAS HIS INFLUENCE OVER THEM ? A. HIS INFLUENCE WAS GOOD. Q. WERE ANY OF THE PAHVANT INDIANS DOWN THERE ? A. I DIDN'T SEE ANY. Q. YOU ARE NOW AT HAMBLIN'S RANCH, FRIDAY MORNING— STATE WHAT TOOK PLACE THAT DAY ON THE GROUND ? A. I GOT ON MY HORSE IN THE MORNING. Q. WHY DID YOU DO THAT ? A. JOHN D. LEE TOLD ME AND KLINGENSMITH TOLD ME TO GO WITH THEM DOWN TO THE CAMP, THE</p> <p>MAIN INDIAN CAMP, WHICH WAS DOWN BELOW THE EMIGRANT</p>	<p>INDIANS? WELL, HE USED TO FARM FOR THEM, HELP THEM TO FARM. WHAT WAS HIS INFLUENCE OVER THEM? HIS INFLUENCE WAS GOOD. WERE ANY OF THE PAH VANT INDIANS DOWN THERE? I DIDN'T SEE ANY. YOU ARE NOW AT HAMBLIN'S RANCH, FRIDAY MORNING. STATE WHAT TOOK PLACE THAT DAY ON THE GROUND. I GOT ON MY HORSE IN THE MORNING. WHY DID YOU DO IT? JOHN D. LEE TOLD ME TO, AND KLINGENSMITH TOLD ME TO GO WITH THEM DOWN TO THE CAMP. THE</p> <p>MAIN INDIAN CAMP WAS DOWN BELOW THE EMIGRANT</p>	<p>INDIANS? A. WELL, HE USED TO FARM FOR THEM, HELPED THEM TO FARM. Q. WAHAT WAS HIS INFLUENCE OVER THEM? A. HIS INFLUENCE WAS GOOD. Q. WAS ANY OF THE PAH VANT INDIANS DOWN THERE? A. I DIDN'T SEE ANY. ^[46] Q. YOU ARE NOW AT HAMBLINS RANCH, FRIDAY MORNING. STATE WHAT TOOK PLACE THAT DAY ON THAT GROUND? A. I GOT ON MY HORSE IN THE MORNING. WQ. WHY DID YOU FDO IT? A. JOHN D. LEE TOLD ME TO, AND KLINGENSMITH TOLD ME TO GO WITH HIM THEM DOWN TO THE CAMP. THE</p> <p>MAIN INDIAN CAMP WAS DOWN BELOW THE EMIGRANT</p>	<p>INDIANS WELL HE USED TO FARM FOR THEM HELP THEM TO FARM WHAT WAS HIS INFLUENCE OVER THEM HIS INFLUENCE WAS GOOD [space] WAS ANY OF THE PAH VANT INDIANS DOWN THERE I DIDN'T SEE ANY [space] YOU ARE NOW AT HAMBLINS RANCH FRIDAY MORNING STATE WHAT TOOK PLACE THAT DAY ON THAT GROUND I GOT ON TO MY HORSE IN THE MORNING [space] WHY DID YOU DO IT JOHN D. LEE TOLD ME TO AND KLINGEN SMITH TOLD ME TO GO WITH THEM DOWN TO THE CAMP THE WHERE THE MAIN INDIAN CAMP WAS DOWN BELOW THE EMIGRANT</p>

RT**MU****BT****PS**

<p>TRAIN AND I GOT ON MY HORSE AND RODE DOWN WITH THEM IN THE MORNING. THERE WERE SOME MEN CAMPED DOWN ON THE MEADOWS DOWN NEAR THE INDIAN ^[75] CAMP. THERE WERE A FEW MEN THERE AND A FEW MEN ARRIVED WHILE I WAS THERE. THEY WERE TALKING AROUND. I DIDN'T KNOW WHAT WAS SAID.</p> <p>A MAN WENT OUT NEAR TO THE EMIGRANT CAMP AND THERE WAS A WHITE FLAG—</p> <p>A FLAG OF TRUCE, ON A STICK, SENT DOWN TO THE EMIGRANT CAMP. Q. WHO SENT IT THERE ? A. JOHN D. LEE HAD THE</p>	<p>TRAIN, AND I GOT ON MY HORSE AND RODE DOWN WITH THEM IN THE MORNING. THERE WERE SOME MEN CAMPED DOWN ON THE MEADOWS, DOWN NEAR THE INDIAN CAMP. THERE A FEW MEN THERE, AND A FEW ARRIVED WHILE I WAS THERE. THEY WERE TALKING AROUND. I DIDN'T KNOW WHAT WAS SAID.</p> <p>A MAN WENT OUT NEAR TO THE EMIGRANT CAMP, AND THERE WAS A WHITE FLAG—</p> <p>A FLAG OF TRUCE ON A STICK SENT DOWN TO THE EMIGRANT CAMP. WHO SENT IT DOWN? IT WAS JOHN D. LEE HAD THE</p>	<p>TRAIN, AND I GOT ON MY HORSE AND RODE DOWN WITH THEM IN THE MORNING. THERE WAS SOME MEN CAMPED DOWN THERE ON THE MEADOWS, DOWN NEAR THE INDIAN CAMP. THERE WAS A FEW MEN THERE AND A FEW ARRIVED HERE WHILE I WAS THERE. THEY WERE TALKING AROUND. I DIDN'T KNOW WHAT WAS SAID.</p> <p>A MAN WENT OUT NEAR THE EMIGRANT CAMP, AND THERE WAS A WHIGHT RAG ON A STICK— FLAG OF TRUCE SENT DOWN TO THE CAMP. Q. WHO SENT IT DOWN? A. IT WAS JOHN D. LEE HAD THE</p>	<p>TRAIN AND I GOT ON TO MY HORSE AND RODE DOWN WITH THEM IN THE MORNING THERE WAS SOME MEN CAMPED DOWN THERE ON THE MEADOWS DOWN NEAR THE INDIAN CAMP THERE WAS A FEW MEN THERE AND A FEW ARRIVED ≤WHILE I WAS THERE> THEY WERE TALKING AROUND I DON'T KNOW WHAT WAS SAID THEY WERE TALKING AND A MAN WENT OUT NEAR TO THE EMIGRANT CAMP AND THERE WAS A WHITE RAG ON STICK ≤FLAG OF TRUCE> SENT DOWN TO THE CAMP [space] WHO SENT IT DOWN? IT WAS JOHN D. LEE HAD THE</p>
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RT	MU	BT	PS
MANAGEMENT OF THE CONCERN IF I ? REMEMBER RIGHT WELL, I WILL SAY THAT I UNDERSTAND THAT HE DID. Q. FOLLOW THAT FLAG OF TRUCE AND STATE WHAT OCCURRED ? A. WE WENT DOWN TO THE EMIGRANT CAMP	MANAGEMENT OF THE CONCERN, IF I UNDERSTAND IT RIGHT—WELL, I WILL SAY THAT HE DID. FOLLOW THAT FLAG OF TRUCE, WHAT OCCURRED? IT WENT DOWN TO THE EMIGRANT CAMP,	MANAGEMENT OF THE CONSERN, IF I UNDERSTAND IT RIGHT—WELL, I WILL SAY HE DID. Q. FOLLOWING THAT FLAG OF TRUCE WHAT OCCURRED? A. I WENT DOWN TO THE EMIGTANT CAMP, AND WHEN DOWN NEAR THE EMIGRANT CAMP, TWO MEN CAME OUT AND AND MET ME IT, AND IT RETURNED BACK AGIAN; AND JOHN D. LEE AND ANOTHER MAN WENT DOWN TO MEET WITH THE TWO THAT CAME DOWN FROM THE CAMP. Q. DID THEY TALK? A. THEY SPOKE THERE A WHILE, I COULD NOT HEAR WHAT THEY SAID. Q. DID THEY APPEAR TO BE IN	MANAGEMENT OF THE CONCERN IF I UNDERSTAND IT RIGHT WELL I WILL SAY HE DID. [space] FOLLOW THAT FLAG OF TRUCE WHAT OCCURRED IT WENT DOWN TO THE EMIGRANT <i>CORRAL</i> [?] AND WHEN DOWN NEAR THE EMIGRANT CAMP TWO MEN CAME OUT AND MET IT AND IT RETURNED BACK AGAIN AND JOHN D. LEE AND ANOTHER MAN WENT DOWN TO MEET WITH TWO THAT CAME OUT FROM THE CAMP [space] DID THEY TALK THEY SPOKE THERE A WHILE. I COULD NOT HEAR WHAT THEY SAID [space] DID THEY APPEAR TO BE IN
AND TWO MEN CAME OUT AND MET HIM AND RETURNED BACK AGAIN, AND JOHN D. LEE AND ANOTHER MAN WENT DOWN TO MEET WITH THE TWO THAT CAME OUT OF THE CAMP. Q. DID THEY TALK ? A. THEY SPOKE THERE A WHILE, BUT I COULD NOT HEAR WHAT WAS SAID. Q. DID THEY APPEAR TO BE IN	AND TWO MEN CAME OUT AND MET IT AND ^[342] RETURNED BACK AGAIN, AND JOHN D. LEE AND ANOTHER MAN WENT DOWN TO MEET WITH THE TWO THAT CAME OUT OF THE CAMP. DID THEY TALK? THEY SPOKE THERE A WHILE, I COULD NOT HEAR WHAT WAS SAID. DID THEY APPEAR TO BE IN		

RT	MU	BT	PS
<p>CONVERSATION ? A. YES SIR, AND FINALLY THEY RETURNED AND SOME WAGONS WERE SENT TO GO DOWN TO THE CAMP AND TAKE OUT SOME CLOTHING AND GUNS AND SOME FEW PERSONS THAT WERE WOUNDED. Q. WHO DIRECTED THOSE WAGONS TO GO ? A. WELL SIR, IT WAS KLINGENSMITH OR JOHN D. LEE, THEY SEEMED TO BE ENGINEERING THE WHOLE THING. Q. DID JOHN D. LEE GO DOWN TO THE EMIGRANT CAMP ? A. YES SIR. Q. HOW MANY PEOPLE WERE LOADED INTO THOSE WAGONS, AND WHO WERE THOSE PEOPLE ? A. I CAN'T TELL YOU. JUST AS THEY WENT DOWN I WAS</p>	<p>CONVERSATION ? YES, SIR; AND FINALLY THEY RETURNED, AND SOME WAGONS WERE SENT FOR TO GO DOWN TO THE CAMP AND TAKE OUT SOME CLOTHING AND GUNS, AND SOME FEW WOUNDED. Q. WHO DIRECTED THOSE WAGONS TO GO? WELL, SIR, IT WAS KLINGENSMITH OR JOHN D. LEE, THEY SEEMED TO BE ENGINEERING THE THING. DID JOHN D. LEE GO DOWN TO THE EMIGRANT CAMP? YES, SIR. HOW MANY PEOPLE WERE LOADED INTO THOSE WAGONS, AND WHO WERE THOSE PEOPLE? I CAN'T TELL YOU. JUST AS THEY WENT DOWN I WAS</p>	<p>CONVERSATION ? A. YES, SIR, AND FINALLY THEY RETURNED AND SOME WAGONS WAS SENT FOR TO GO DOWN TO THE CAMP AND TAKE OUT SOME CLOTHING AND GUNS AND SOME FEW WOUNDED. Q. WHO DIRECTED THOSE WAGONS TO GO? ^[47] A. WELL, SIR, IT WAS KLINGENSMITH AND JOHN D. LEE, THEY SEEMED TO BE ENGINEERING THE THING. Q. DID JOHN D. LEE GO DOWN TO THE EMIGRANT CAMP? A. YES, SIR. Q. WHOW MANY PEOPLE WERE LOADED INTO THOSE WAGONS, AND WHAT WERE THOSE PEOPLE? A. I CAN'T TELL YOU. JUST AS I WENT DOWN I WAS SAW</p>	<p>CONVERSATION YES SIR [<i>space</i>] AND FINALLY THEY RETURNED AND SOME WAGONS WAS SENT FOR TO GO DOWN TO THE CAMP AND TAKE OUT SOME CLOTHING AND GUNS AND SOME FEW WOUNDED. Q. WHO DIRECTED THOSE WAGONS TO GO [<i>space</i>] ^{[[56]]} WELL SIR IT WAS KLINGENSMITH AND JOHN D. LEE; THEY SEEMED TO BE ENGINEERING THE THING [<i>space</i>] DID JOHN D. LEE GO DOWN TO THE EMIGRANT CAMP YES SIR [<i>space</i>] HOW MANY PEOPLE WERE LOADED INTO THOSE WAGONS AND WHAT WERE THOSE PEOPLE I CAN'T TELL YOU JUST AS THEY WENT DOWN I WAS</p>

RT	MU	BT	PS
<p>WHERE THE MEN WERE ^[76] I HAD RIDDEN DOWN AND TIED MY HORSE TO A ROOT OF A TREE ON THE HILL. HE GOT LOOSE AND I WENT FOR HIM AS THE</p> <p>WAGONS WENT DOWN TO THE EMIGRANT CAMP. JUST AS</p> <p>THE WAGONS STARTED AWAY FROM THE CAMP.</p> <p>Q. HOW MANY WAGONS STARTED FROM THE CAMP ? A. TWO.</p> <p>Q. WHAT POSITION DID THEY OCCUPY ? A. I HAD NOT GOT BACK WITH MY HORSE. Q. WERE YOU ON THE HILL ? A. YES, ON A PROMINENCE. I WAS NOT OVER THREE HUNDRED</p>	<p>WHERE THE MEN WERE. I HAD RIDDEN DOWN AND TIED MY HORSE TO A ROOT ON THE HILL; HE GOT LOOSE AND I WENT FOR HIM, AS THE</p> <p>WAGONS WENT DOWN TO THE EMIGRANT CAMP, JUST AS</p> <p>THE WAGONS STARTED AWAY FROM THE CAMP.</p> <p>HOW MANY WAGONS STARTED FROM THE CAMP? TWO.</p> <p>WHAT POSITION DID YOU OCCUPY? I HAD NOT GOT BACK WITH MY HORSE. WERE YOU ON THE HILL— ON A PROMINENCE? I WAS NOT OVER 300</p>	<p>WHERE THE MEN WERE—I HAD RODE DOWN AND TIED MY HORSE TO A ROOT ON THE HILL; HE GOT LOOSE AND I WENT AFTER HIM AS THE WAGONS AS THE WAGONS WENT DOWN TO THE EMIGRANT CAMP. JUST AS I WAS GOING BACK THE WAGONS STARETED AWAY FROM THE CAMP.</p> <p>Q. HOW MANY WAGONS STARTED FROM THE CAMP? A. TWO.</p> <p>Q. WHAT POSITION DID YOU TAKE? A. I HAD NOT GOT GACK WITH MY HORSE. Q. WERE YOU HON A HILL, ON A PROMINENCE? A. I WAS NOT OVER 300 HUNDRED</p>	<p>WHERE THE MEN WERE I HAD RODE DOWN AND <i>[space]</i> TIED <i>MY/HIM[?]</i> <i>ROOT/RIGHT[?]</i> ON THE HILL HE GOT LOOSE AND I WENT AFTER HIM AS THE EMIGRANTS ≤WAGONS≥ WENT DOWN TO THE EMIGRANT ≤CAMP≥ JUST AS I WAS GOING BACK THE WAGONS STARTED AWAY FROM THE CAMP WITH THE PEOPLE FOLLOWING <i>[space]</i> HOW MANY WAGONS STARTED FROM THE CAMP (ABOUT 2) <i>[space]</i> WHAT <i>[space]</i> POSITION DID YOU TAKE I HAD NOT GOT/DID NOT GO[?] BACK WITH MY HORSE <i>[space]</i> WERE YOU ON A HILL ON A PROMINENCE I WAS ≤NOT OVER≥ 3 HUNDRED</p>

RT	MU	BT	PS
<p>YARDS FROM THE PEOPLE, WHERE THE PEOPLE WERE PASSING ALONG, THE EMIGRANTS FOLLOWING THE WAGONS. Q. HOW MANY WAGONS ? A. TWO. Q. WERE THESE PEOPLE IN THOSE WAGONS ? A. YES SIR. Q. DID YOU SEE LEE THERE ? A. YES SIR. Q. WHAT POSITION DID HE OCCUPY WHEN YOU SAW HIM ? A. FOLLOWING BETWEEN THE WAGONS. Q. WHICH WAY WERE THEY GOING ? A. NORTH, TOWARDS HAMBLIN'S RANCH. Q. DID YOU SEE THE EMIGRANTS FOLLOWING THE WAGONS OUT OF THEIR CAMP A. YES SIR. Q. WERE THEY ARMED OR</p>	<p>YARDS FROM THE PEOPLE, WHERE THE PEOPLE WERE PASSING ALONG; THE EMIGRANTS FOLLOWING THE WAGONS. HOW MANY WAGONS? TWO. WERE THESE PEOPLE IN THOSE WAGONS? YES, SIR. DID YOU SEE LEE THERE? YES, SIR. WHAT POSITION DID HE OCCUPY WHEN YOU SAW HIM? FOLLOWING BETWEEN THE WAGONS. WHICH WAY WERE THEY GOING? NORTH, TOWARDS HAMBLIN'S RANCH. DID YOU SEE THE EMIGRANTS FOLLOWING THE WAGONS OUT OF THEIR CAMP. YES, SIR. WERE THEY ARMED OR</p>	<p>YARDS FROM WHERE THE PEOPLE WERE PASSING ALONG. THE EMIGRANTS FOLLOWED THE WAGONS. Q. HOW MANY WAGONS? A. TWO. Q. WERE THE PEOPLE IN THOSE WAGONS? A. YES, SIR. Q. DID YOU SEE LEE THERE? A. YES, SIR. Q. WHAT POSITIOD DID HE OCCUPY WHEN YOU SAW HIM? A. FOLLOWING BETWEEN THE WAGONS. Q. WHICH WAY WERE THEY GOING? A. NORTH, TOWARDS HAMBLINS RANCH. Q. DID YOU SEE THE EMIGRANTS FOLLOWING THE WAGONS AND OUT OF THEIR CAMP? A. YES, SIR. ^[48] Q. WERE THEY ARMED OR</p>	<p>YARDS <FROM> WHERE THE PEOPLE WERE PASSING ALONG THEY WERE THE EMIGRANTS FOLLOWED THE WAGONS HOW MANY WAGONS 2 GIVE THEIR POSITION WERE THE PEOPLE IN THOSE WAGONS YES SIR DID YOU SEE LEE THERE YES SIR WHAT POSITION DID HE OCCUPY WHEN YOU SAW HIM FOLLOWING BETWEEN THE WAGONS WHICH WAY WERE THEY GOING NORTH TOWARDS HAMBLINS RANCH [space] DID YOU SEE THE EMIGRANTS FOLLOWING THE WAGONS OUT OF THEIR CAMP YES SIR <WERE THEY ARMED OR</p>

RT	MU	BT	PS
<p>UNARMED ? A/ Q NOT ARMED. ^{[[77]]} Q. HOW FAR BEHIND THE WAGONS ? A. THE WOMEN AND CHILDREN WERE ALONG WITH THE WAGONS AND THE MEN A LITTLE BEHIND. Q. YOU MEAN ALONG IN THE TRAIL, BEHIND THE WAGONS ? A. YES SIR. Q. THE MEN BEHIND ALL ? A. YES SIR. Q. HOW MANY OF THEM ? A. I SHOULD JUDGE ABOUT 25 OR 30 MEN. Q. HOW MANY WOMEN ? A. PROBABLY THERE WERE NOT SO MANY WOMEN AS MEN. Q. YOU DON'T PRETEND TO GIVE THE NUMBER ? A. NO SIR. Q. HOW FAR FROM THE WAGONS AT THE HEAD OF THE COLUME</p>	<p>UNARMED? NOT ARMED. HOW FAR BEHIND THE WAGONS? THE WOMEN AND CHILDREN ALONG WITH THE WAGONS, THE MEN A LITTLE BEHIND. DO YOU MEAN ALONG IN THE TRAIL BEHIND THE WAGONS? YES, SIR. AND THE MEN BEHIND ALL? YES, SIR. HOW MANY OF THEM? I SHOULD JUDGE ABOUT TWENTY-FIVE OR THIRTY MEN. HOW MANY WOMEN? PROBABLY THERE WERE NOT SO MANY WOMEN AS MEN. YOU DON'T PRETEND TO GIVE THE NUMBER? NO, SIR. HOW FAR FROM THE WAGONS AT THE HEAD OF THE COLUMN</p>	<p>UNARMED? A. UNARMED. Q. HOW FAR BEHIND THE WAGONS WERE THEY? A. THE WOMEN AND CHILDREN ALONG WITH THE WAGONS, AND THE MEN A LITTLE BEHIND. Q. DID YOU MEAN ALONG IN THE TRAIL BEHIND TH E WAGONS? A. YES, SIR. Q. HOW MANY OF THEM? A. I SHOULD JUDGE AS MUCH AS 25 OR 30 MEN. Q. HOW MANY WOMEN.? A. PROBABLY THERE WERE NOT SO MANY WOMEN AS MEN. Q. YOU DON'T PRETEND TO GIVE THE NUMBER? A. NO, SIR. Q. HOW FAR FROM THE HEAD OF THE COLUKN TO</p>	<p>UNARMED➤ UN ARMED HOW FAR BEHIND WAGONS WERE THE WOMEN AND CHILDREN ALONG WITH THE WAGONS AND MEN A LITTLE BEHIND [space] DO YOU MEAN ALONG IN THE TRAIL BEHIND THE WAGONS YES SIR (AND THE MEN BEHIND ALL YES SIR. HOW MANY OF THEM I SHOULD JUDGE AS MUCH AS 25 OR 30 MEN [space] AND HOW MANY WOMEN PROBABLY WAS NOT SO MANY WOMEN AS MEN [space] YOU DON'T PRETEND TO GIVE THE NUMBER NO SIR AND HOW FAR FROM THE WAGONS TO THE ^{[[57]]} HEAD OF THE COLUMN TO</p>

RT**MU****BT****PS**

WERE THE PEOPLE THAT WERE WALKING ? A. THE WAGONS GOT A GOOD DEAL AHEAD. Q. WERE THE PEOPLE MARCHING IN DOUBLE OR SINGLE FILE ? A. I COULD NOT TELL YOU, THE WOMEN AND CHILDREN WERE FOLLOWING ALONG PROMISCUOUSL Y, AND SOME OF THE MEN. Q. WERE YOU WHERE YOU COULD SEE THE WAGONS PLAIN, AND SEE LEE ? A. YES SIR. Q. WERE YOU ARMED ? A. I HAD A PISTOL. Q. DID YOU SHOOT IT OFF AT ALL ? A. NO SIR. ^[78] Q. DID YOU HAVE ANYTHING TO DO IN ANY WAY, SHAPE OR MANNER WITH THAT MASSACRE ? A. NO SIR. Q.	WERE THE ^[343] PEOPLE THAT WERE WALKING? THE WAGONS GOT A GOOD DEAL AHEAD. WERE THE PEOPLE MARCHING IN DOUBLE OR SINGLE FILE? I COULD NOT TELL YOU. THE WOMEN AND CHILDREN WERE FOLLOWING ALONG PROMISCUOUSL Y, AND SOME OF THE MEN. WERE YOU WHERE YOU COULD SEE THE WAGONS PLAIN AND SEE LEE? YES, SIR. WERE YOU ARMED? I HAD A PISTOL. DID YOU SHOOT IT OFF AT ALL? NO, SIR. DID YOU HAVE ANYTHING TO DO, IN ANY WAY, SHAPE OR MANNER WITH THAT MASSACRE? NO, SIR.	WERE THE PEOPLE THAT WERE KILLED? A. THE WAGONS GOT A GOOD DEAL AHEAD. Q. WERE THE PEOPLE MARCHING IN DOUBLE OR SINGLE FILE? A. I COULD NOT TELL YOU. THE WOMEN AND CHILDREN WERE FOLLOWING ALONG PROMISCUOUSL Y AND SO WERE SOME OF THE MEN. Q. WERE YOU WHERE YOU COULD SEE SSOME THE WAGONS PLAINLY AND SEE LEE? A. YES, SIR. Q. Q. WERE YOU ARMED? A. I HAD A PISTOL. Q. DID YOU SHOOT IT OFF THERE AT ALL? A. NO, SIR. W. DID YOU HAVE ANYTHING TO DO IN ANY WAY, SHAPE OR MANNER, WITH THAT MASSACRE? A. NO, SIR. ^[49] Q.	THE PEOPLE THAT WERE WALKING [space] THE WAGONS GOT GOOD DEAL AHEAD [space] PEOPLE MARCHING IN DOUBLE OR SINGLE FILE I COULD NOT TELL YOU [space] WOMEN AND CHILDREN WERE FOLLOWING ALONG PROMISCUOUSL Y AND SOME OF MEN WERE YOU WHERE YOU COULD SEE THE WAGONS PLAINLY AND SEE LEE YES SIR WERE YOU ARMED I HAD A PISTOL DID YOU SHOOT IT OFF THERE AT ALL NO SIR [space] DID YOU HAVE ANYTHING TO DO IN ANY WAY SHAPE OR MANNER WITH THAT MASSACRE NO SIR
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RT	MU	BT	PS
<p>WILL YOU TELL THE JURY WHAT YOU SAW DONE AT THOSE WAGONS, AND THE ORDER IN WHICH YOU SAW IT ? A. WHEN THE WAGONS GOT UP A PIECE AHEAD OF THE MEN I HEARD A GUN FIRED Q. WHERE WAS IT ? A. I THINK IT WAS BEHIND, I AM NOT SURE IT WAS BEHIND</p> <p>THE WAGONS, I TURNED AROUND TO LOOK AND AT THAT TIME THE INDIANS AND WHITES MADE A RUSH</p> <p>AND THERE WAS A GENERAL FIRING. Q. WHERE WAS THAT GUN FIRED OFF ? A. I THINK THE GUN FIRED WAS SOME DISTANCE BEHIND THE</p>	<p>WILL YOU TELL THE JURY WHAT YOU SAW DONE AT THOSE WAGONS, AND THE ORDER IN WHICH YOU SAW IT? WHEN THE WAGONS GOT UP A PIECE AHEAD OF THE MEN I HEARD A GUN FIRED. WHERE WAS IT? I THINK IT WAS BEHIND. I AM NOT SURE IT WAS BEHIND</p> <p>THE WAGONS. I TURNED ROUND TO LOOK, AND AT THAT THE INDIANS AND WHITES MADE A RUSH,</p> <p>AND THERE WAS A GENERAL FIRING. WHERE WAS THAT GUN FIRED OFF? I THINK THE GUN FIRED WAS SOME DISTANCE BEHIND THE</p>	<p>WILL YOU TELL THE JURY WHATWHAT YOU WHATSAW DONE AT THOSE WAGONS AND THE THE AND THE ORDER IN WHICH YOU SAW IT? A. WHEN THE WAGONS GOT A PIESECE AHEAD OF THE MEN I HEARD A GUN FIRED.— Q. WHERE WAS IT? A. I THINK IT WAS BEHIND; I AM NOT SURE IT WAS BEHIND</p> <p>THE WAGONS. I TURNED AROUND TO LOOK AND AT THAT THE INDIANS RAISED AND MADE A RUSH FOR THE EMIGRANTS⁶⁷¹</p> <p>AND THERE WAS A GENERAL FIRING. Q. WHERE WAS THAT GUN FIRED ?OFF? A. I THINK THE GUN FIRED WAS SOME DISTANCE BEHIND THE</p>	<p>WILL YOU TELL THE JURY WHAT YOU SAW DONE AT THOSE WAGONS AND THE ORDER IN WHICH YOU SAW IT WHEN THE WAGONS GOT UP A PIECE AHEAD OF THE MEN I HEARD A GUN FIRE [space] WHERE WAS IT I THINK IT WAS BEHIND I AM NOT SURE IT WAS BEHIND [space] BEHIND THE WAGONS I TURNED AROUND TO LOOK AND AT THAT THE INDIANS RAISED AND MADE A RUSH</p> <p>AND THERE WAS A GENERAL FIRING WHERE WAS THAT GUN FIRED OFF I THINK THE GUN FIRE WAS SOME DISTANCE BEHIND THE</p>

671. This appears to be Rogerson's handwriting; it is not Cook's.

RT	MU	BT	PS
<p>WAGONS. Q. WHAT TOOK PLACE THEN ? A. THE PEOPLE WERE KILLED. Q. DID YOU SEE ANY OF THEM KILLED ? A. YES SIR. Q. DID YOU SEE JOHN D. LEE KILL ANY OF THEM ? A. I SAW HIM FIRE OFF AND SAW A WOMAN FALL AS I LOOKED DOWN TO THE WAGONS. Q. WHAT WAGON WAS IT ? A. I AM NOT CERTAIN BUT I THINK IT WAS THE HEAD WAGON.</p> <p>Q. TELL WHAT OCCURRED ? A. I SAW HIS GUN FIRED, HEARD THE REPORT OF THE GUN AND SAW IT FIRED AND SAW A PERSON FALL AND THE GUN WAS HELD IN HIS HAND. ^[79] Q. DID IT KILL</p>	<p>WAGONS. WHAT TOOK PLACE THEN? THE PEOPLE WERE KILLED. DID YOU SEE ANY OF THEM KILLED? YES, SIR. DID YOU SEE JOHN D. LEE KILL ANY OF THEM? I SAW HIM FIRE OFF, AND SAW A WOMAN FALL AS I LOOKED DOWN TO THE WAGONS. WHAT WAGON WAS IT? I AM NOT CERTAIN. I THINK IT WAS THE LEAD WAGON.</p> <p>TELL WHAT OCCURRED? I SAW HIS GUN FIRED, HEARD THE REPORT OF THE GUN AND SAW IT FIRED, AND SAW A PERSON FALL, AND THE GUN WAS HELD IN HIS HAND. DID IT KILL</p>	<p>WAGONS. Q. WHAT TOOK PLACE THEN-? A. THE PEOPLE WERE KILLED. Q. DID YOU SEE ANY OF THEM KILLED? A. YES, SIR. Q. DID YOU WSEE JOHN D. LEE KILL ANY OF THEM? A. I SAW HIM FIRE HIS GUN AND SAW A MWOMAN FALL AS I LOOKED DOWN TO THE WAGONS. Q. WHAT WAGON WAS THAT?</p> <p>A. I THINK IT WAS IN THE LEAD WAGON.</p> <p>Q. W TELL HOW IT WAS. A. I SAW HIS GUN FIRED, HEARD THE REPORT OF THE GUN FIRED AND SAW IT FIRED, AND SAW A PERSON FALL, AND THE GUN WAS HELD IN HIS HANDS. Q. DID IT KILL</p>	<p>WAGONS WHAT TOOK PLACE THEN PEOPLE WERE KILLED DID YOU SEE ANY OF THEM KILLED YES SIR DID YOU SEE JOHN D. LEE KILL ANY OF THEM I SAW HIM FIRING HIS GUN AND SAW A WOMAN FALL AS I LOOKED DOWN TO THE WAGONS <i>[space]</i> WHAT WAGON WAS IT</p> <p>I THINK IT WAS IN THE LEAD WAGON I AM NOT CERTAIN TELL HOW IT WAS IT WAS BEHIND THE WAGON <i>[space]</i> TELL WHAT OCCURRED I SAW HIS GUN FIRED HEARD THE REPORT OF THE GUN SAW IT FIRED AND SAW A PERSON FALL <i>[space]</i> AND THE GUN WAS HELD IN HIS HAND ^{[[58]]} DID IT KILL</p>

RT**MU****BT****PS**

<p>HER ? A. I DIDN'T GO TO SEE, THE INDIANS RUSHED. Q. WHAT DID YOU SEE HIM DO NEXT ? A. I LOOKED DOWN BELOW TO THE MEN THAT WERE BWLO BELOW, AND THEN WHEN I LOOKED BACK AGAIN——— Q. WAS THE MASSACRE GOING ON THEN DOWN LOWER ? A. YES SIR, INDIANS AND ALL ALONG THE LINE; I SAW JOHN D. LEE AND SOME INDIANS PULLING SOME PERSONS OUT OF THE WAGONS. Q. WHAT DID YOU SEE HIM DO TO ANYBODY ELSE ?</p> <p>A. I CAN'T SWEAR BUT FROM THE MOTIONS I SHOULD SAY</p>	<p>HER? I DIDN'T GO TO SEE. THE INDIANS RUSHED. WHAT DID YOU SEE HIM DO NEXT? I LOOKED DOWN BELOW TO THE MEN THAT WERE BELOW, AND THEN WHEN I LOOKED BACK AGAIN— WAS THE MASSACRE GOING ON THEN DOWN LOWER? YES, SIR, INDIANS AND ALL ALONG THE LINE. I SAW JOHN D. LEE AND SOME INDIANS PULLING SOME PERSONS OUT OF THE WAGONS. WHAT DID YOU SEE HIM DO TO ANYBODY ELSE?</p> <p>I CAN'T SWEAR, BUT FROM MOTIONS I SHOULD SAY</p>	<p>HER. A. I DIDN'T GO TO SEE. THE INDIANS RUSHED—— Q. WHAT DID YOU SEE HIM DO NEXT? A. I LOOKED DOWN BELOW, TO THE MEN THAT WERE BELOW, AND THEN WHEN I LOOKED BACK AGAIN—— Q. WAS THE MASSACRE GOING ON THEN DOWN BELOW? A. YES, SIR, INDIANS AND ALL ALONG THE LINE. I SAW JOHN D. LEE AND SOME INDIANS PULLING SOME PERSONS OUT OF THE WAGONS. Q. WHAT DID YOU SEE HIM DO TO ANYBODY ELSE. [50] Q. WHAT DID YOU SEE HIM DO TO ANYBODY ELSE? ZA. I XCANT SWERAR, BUT FROM THE MOTIONS, I SHOULD SAY</p>	<p>HER I DIDN'T SEE GO TO SEE [space] INDIANS RUSHED ~ PAST ME— [space] WHAT DID YOU SEE HIM DO NEXT I LOOKED DOWN BELOW TO THE MEN THAT WERE BELOW AND THEN WHEN I LOOKED BACK AGAIN ~ WAS THE MASSACRE GOING ON THEN DOWN <i>LITTLE</i>[?] YES SIR INDIANS ALL ALONG THE WHOLE LINE. I SAW JOHN D. LEE AND SOME INDIANS PULLING SOME PERSONS OUT OF THE WAGONS [space] WHAT DID YOU SEE HIM DO TO ANYBODY ELSE</p> <p>I CANT SWEAR BUT FROM THE MOTIONS I SHOULD SAY</p>
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RT	MU	BT	PS
<p>HE CUT A MAN'S THROAT. Q. WELL, TELL HOW HE DID IT ? A. I CAN'T TELL YOU, ONLY I SAW HIS ARMS MOVING AROUND PULLING MEN OUT OF THE WAGONS; THEY WENT</p> <p>TO THE LEFT OF HIM. I WAS NOT NEAR ENOUGH TO SEE BUT HE SEEMED TO HOLD ON TO HIM. Q. WHO PULLED HIM OUT OF THE WAGON ? A. JOHN D. LEE AND AN INDIAN. Q. DID YOU SEE JOHN D. LEE MAKE ANY MOTIONS ? A. I DID. Q. WHAT WERE THEY ? A. I THOUGHT AT THE TIME THAT HE WAS CUTTING A MAN'S THROAT, BUT THEN I WAS SO FAR OFF. Q. YOU WERE IN PLAIN SIGHT ? A. YES SIR. ^[80] Q. HAVE YOU</p>	<p>HE CUT A MAN'S THROAT. TELL HOW HE DID IT? I CAN'T TELL YOU, ONLY I SAW HIS ARMS MOVING AROUND PULLING MEN OUT OF THE WAGONS. THEY WENT</p> <p>TO THE LEFT OF HIM. I WAS NOT NEAR ENOUGH TO SEE, BUT HE SEEMED TO HOLD ON TO HIM. WHO PULLED HIM OUT OF THE WAGON? JOHN D. LEE AND AN INDIAN. ^[344] DID YOU SEE JOHN DID LEE MAKE ANY MOTIONS? I DID. WHAT WERE THEY? I THOUGHT AT THE TIME THAT HE WAS CUTTING A MAN'S THROAT, BUT THEN I WAS SO FAR OFF. YOU WERE IN PLAIN SIGHT? YES, SIR. HAVE YOU</p>	<p>THAT HE CUT A MANS THROAT. Q. TELL HOW HE DID IT. A. I CAN'T TELL YOU ONLY I SAW HIS ARMS MOVING AROUND, PULLING MEN OUT OF THE WAGON. THEY WENT WERE TO THE LEFT OF HIM. I WAS NOT NEAR ENOUGH TO SEE BUT SEEMED TO HOLD ONTO HIM. Q. WHO PULLED HIM OUT OF THE WAGON? A. JOHN D. LEE AND AN INDIAN. Q. DID YOU SEE JOHN D. LEE MAKE ANY MOTIONS? A. I DID. Q. WHAT WERE THEY? A. I THOUGHT AT THE TIME THAT HE WAS CUTTING A MANS THROAT, BUT THEN I WAS SO FAR OFF. Q. YOU WERE IN PLAIN SIGHT? A. YES, SIR., Q. HAVE YOU</p>	<p>THAT HE CUT A MANS THROAT AND [space] TELL HOW HE DID IT I CAN TELL YOU ONLY I SAW HIS ARMS MOVING AROUND PULLING MEN OUT OF THE WAGON [space] THEY <i>WENT/WERE[?]</i> TO THE LEFT OF HIM I WAS NOT NEAR ENOUGH TO SEE BUT SEEMED TO HOLD ON HIM [space] WHO PULLED HIM OUT OF THE WAGON JOHN D. LEE AND AN INDIAN DID YOU SEE JOHN D. LEE MAKE ANY MOTIONS I DID WHAT WERE THEY I THOUGHT AT THE TIME THAT HE WAS CUTTING A MANS THROAT BUT THEN I WAS SO FAR OFF. ~ YOU <i>D/DID[?] <WERE></i> IN PLAIN SIGHT [space] YES SIR HAVE YOU</p>

RT	MU	BT	PS
<p>ANY DOUBT THAT IS WHAT HE DID THERE ? A. YES SIR. Q. WHAT ELSE DID YOU SEE HIM DO ? A. I DIDN'T SEE HIM DO ANYTHING ELSE AT THE TIME. Q. AT ANY OTHER TIME ? A. NO SIR. Q. DID YOU SEE HIM DO ANYTHING ELSE TOWARDS KILLING THOSE PEOPLE ? A. NO SIR. Q. HOW LONG A TIME DID IT OCCUPY—THAT MASSACRE ? A. NOT OVER FIVE MINUTES, NOT OVER THREE MINUTES. Q. HOW MANY PEOPLE WERE KILLED, DO YOU KNOW ? A. NO SIR, I DON'T. Q. DID YOU HAVE ANY CONVERSATION WITH JOHN D. LEE AFTER THAT ABOUT IT ? A. I HAVE HAD AT DIFFERENT</p>	<p>ANY DOUBT THAT IS WHAT HE DID THERE? NO, SIR. WHAT ELSE DID YOU SEE HIM DO? I DIDN'T SEE HIM DO ANYTHING ELSE AT THE TIME. AT ANY OTHER TIME? NO, SIR. DID YOU SEE HIM DO ANYTHING ELSE TOWARDS KILLING THOSE PEOPLE? NO, SIR. HOW LONG A TIME DID IT OCCUPY, THAT MASSACRE? NOT OVER FIVE MINUTES— NOT OVER THREE MINUTES. HOW MANY PEOPLE WERE KILLED, DO YOU KNOW? NO, SIR, I DON'T. DID YOU HAVE ANY CONVERSATION WITH JOHN D. LEE AFTER THAT ABOUT IT? I HAVE HAD AT DIFFERENT</p>	<p>ANY DOUBT THAT THAT IS WHAT HE DID THERE? A. NO, SIR. Q. WHAT ELSE DID YOU SEE HIM DO? A. I DIDN'T SEE HIM DO - ANYTHING ELSE AT THAT TIME? Q. AT ANY OTHER TIME? A. NO, SIR. Q. DID YOU SEE HIM DO ANYTHING ELSE TOWARD KILLING THOSE PEOPLE? A. NO, SIR. Q. HOW LONG A TIME DID IT OCCUPY, THAT MASSACRE? A. NOT OVER FIVE MINUTES. MAY BE NOT OVER THREE MINUTES. Q. HOW MANY PEOPLE WERE KILLED DO YOU KNOW? A. NO, SIR, I DON'T . Q. DID YOU HAVE ANY CONVERSATION WITH JOHN D. LEE AFTER THAT ABOUT IT? ^[51] A. WE HAD AT DIFFERENT</p>	<p>ANY DOUBT THAT THAT IS WHAT HE DID THERE NO SIR WHAT ELSE DID YOU SEE HIM DO I DIDN'T SEE HIM DO ANYTHING ELSE AT THE TIME [space] AT ANY OTHER TIME NO SIR [space] DID YOU SEE HIM DO ANYTHING ELSE TOWARDS KILLING ANY OF THOSE PEOPLE NO SIR HOW LONG A TIME DID IT OCCUPY THAT MASSACRE NOT OVER 5 MINUTES [space] MAYBE NOT OVER 3 MINUTES [space] HOW MANY PEOPLE KILLED DO YOU KNOW NO SIR I DON'T [space] ^[59] DID YOU HAVE ANY CONVERSATION ABOUT IT WITH JOHN D. LEE AFTER THAT ABOUT IT WE DID AT DIFFERENT</p>

RT	MU	BT	PS
<p>TIMES, BUT I DON'T KNOW THAT I CAN RECOLLECT THE CONVERSATION THAT PASSED. Q. DID YOU EVER HAVE A CONVERSATION WITH HIM IN WHICH HE TOLD YOU THE PARTICULARS OF THE FIRST ATTACK ? A. HE TOLD ME ONCE SOMETHING IN RELATION TO IT, BUT IT IS SO LONG AGO Q. WHAT WAS IT ? A. IT WAS ONLY THAT HE ATTACKED THEM. THAT THE ATTACK WAS MADE JUST AS DAY LIGHT WAS APPEARING IN THE MORNING. HE SAID HE WENT WITH THE INDIANS TO MAKE THE ATTACK. Q. DID HE GIVE YOU ANY REASONS FOR MAKING THE ATTACK ? A. NO SIR. ^[81] Q. HOW MANY CATTLE WERE</p>	<p>TIMES, BUT I DON'T KNOW THAT I CAN RECOLLECT THE CONVERSATION THAT PASSED. DID YOU EVER HAVE A CONVERSATION WITH HIM IN WHICH HE TOLD YOU THE PARTICULARS OF THE FIRST ATTACK? HE TOLD ME ONCE SOMETHING IN RELATION TO IT, BUT IT IS SO LONG AGO. IT WAS ONLY THAT HE ATTACKED THEM; THAT THE ATTACK WAS MADE JUST AS DAYLIGHT WAS APPEARING IN THE MORNING. HE SAID HE WENT WITH THE INDIANS TO MAKE THE ATTACK. DID HE GIVE YOU ANY REASONS FOR MAKING THE ATTACK? NO, SIR. HOW MANY CATTLE WERE</p>	<p>TIMES, BUT I DON'T KNOW AS I CAN RECOLLECT THE CONVERSATION THAT PASSED. Q. DID YOU EVER HAVE ANY CONVERSATION WITH JOHN D. LEE IN WHICH HE TOLD YOU THE PARTICULARS OF THE FIRST ATTACK? A. HE TOLD ME ONCE SOMETHING IN RELATION TO IT, BUT IT IS SO LONG AGO— IT WAS ONLY THAT THE ATTACK WAS MADE JUST AS THE DAYLIGHT WAS APPEARING IN THE MORNING. HE SAID HE WENT WITH THE INDIANS TO MAKE THE ATTACK Q. DID HE GIVE YOU ANY REASONS FOR MAKING THAT ATTACK? A. NO, SIR. Q. HOW MANY CATTLE WERE</p>	<p>TIMES BUT I DON'T KNOW AS I CAN RECOLLECT THE CONVERSATION THAT PASSED [space] DID YOU EVER HAVE ANY CONVERSATION ABOUT IT <WITH HIM[?]> IN WHICH HE TOLD YOU THE PARTICULARS OF THE FIRST ATTACK? NO HE TOLD ME ONCE SOMETHING IN RELATION TO IT BUT IT IS SO LONG AGO ~ IT WAS ONLY THAT THE ATTACK WAS MADE JUST AS THE DAYLIGHT WAS APPEARING IN THE MORNING HE SAID HE WENT WITH THE INDIANS TO MAKE THE ATTACK DID HE GIVE YOU ANY REASON FOR MAKING THAT ATTACK NO SIR [space] HOW MANY CATTLE WERE</p>

RT	MU	BT	PS
<p>THERE BELONGING TO THAT TRAIN ? A. THAT I CANNOT TELL, THERE WAS</p> <p>QUITE A IBIT OF STOCK. Q. HOW MANY WAGONS DID THOSE EMIGRANTS HAVE ? A. THIRTEEN I COUNTED. Q. DO YOU KNOW WHAT WAS DONE WITH THE CATTLE ? A. TAKEN TO IRON SPRINGS. Q. WHO TOOK THEM THERE ? A. I DON'T KNOW WHO TOOK THEM THERE,</p> <p>SOME MEN TOOK THEM THERE.</p> <p>Q. DO YOU KNOW OF LEE HAVING AND USING ANY OF THE WAGONS AFTERWARDS ? A. I SAW SOME OF THE</p>	<p>THERE BELONGING TO THAT TRAIN? THAT I CANNOT TELL. THERE WAS QUITE A NUMBER—</p> <p>QUITE A LOT OF STOCK. HOW MANY WAGONS DID THOSE EMIGRANTS HAVE? THIRTEEN I COUNTED. DO YOU KNOW WHAT WAS DONE WITH THE CATTLE? TAKEN TO IRON SPRINGS. WHO TOOK THEM AROUND THERE? I DON'T KNOW WHO TOOK THEM THERE—</p> <p>SOME MEN TOOK THEM THERE.</p> <p>DO YOU KNOW OF LEE HAVING AND USING ANY OF THE WAGONS AFTERWARDS? I SAW SOME OF THE</p>	<p>THERE?</p> <p>A. THAT I CAN'T TELL, THERE WAS QUITE A NUMBER—</p> <p>QUITE A LOT OF STOCK. Q. HOW MANY WAGONS DID THESE EMIGRANTS HAVE? A. THIRTEEN I COUNTED. Q. DO YOU KNOW WHAT WAS DONE WITH THOSE CATTLE? A. TAKEN AROUND TO THE IRON SPRINGS.. Q. WHO TOOK THEM AROUND? A. I DON'T KNOW WHO TOOK THEM THERE. THERE WAS SOME MEN THAT TOOK THEM Q. AROUND THERE. Q. DO YOU KNOW OF LEE'S HAVING AND USING ANY OF THOSE WAGONS AFTER? A. I SAW SOME OF THOSE SAME</p>	<p>THERE</p> <p>THAT I CAN'T TELL THERE WAS QUITE A NUMBER</p> <p>QUITE A LOT OF STOCK [<i>space</i>] HOW MANY WAGONS DID THESE EMIGRANTS HAVE 13 I COUNTED DO YOU KNOW WHAT WAS DONE WITH THOSE CATTLE TAKEN AROUND TO THE IRON SPRINGS WHO TOOK THEM AROUND MEN I DON'T KNOW WHO TOOK THEM THERE THERE WAS SOME MEN THAT TOOK THEM AROUND THERE [<i>space</i>] DO YOU KNOW OF LEE'S HAVING AND USING ANY OF THOSE WAGONS AFTER [<i>space</i>] I SAW SOME OF THOSE SAME</p>

RT	MU	BT	PS
<p>WAGONS AT HARMONY, SEVERAL WEEKS AFTERWARDS. Q. WHAT DID YOU SAY BECAME OF THE CATTLE ? A. THEY WERE TAKEN TO IRON SPRINGS. Q. BY WHOM ? A. I UNDERSTOOD BY JOHN D. LEE'S ORDERS. Q. DO YOU KNOW WHAT WAS DONE WITH THE CATTLE ? A. I SAW SOME OF THE CATTLE AFTERWARDS ON THE HARMONY RANGE, CLOSE TO LEE'S RESIDENCE. Q. THERE UNDER HIS CHARGE ? A. I SUPPOSE SO, I AM NOT DEFINITE ABOUT THAT. Q. DO YOU KNOW WHETHER ANY OF THEM WERE KILLED BY LEE ? A. NO SIR, NEVER SAW HIM</p>	<p>WAGONS AT HARMONY SEVERAL WEEKS AFTERWARDS. WHAT DID YOU SAY BECAME OF THE CATTLE? TAKEN TO IRON SPRINGS. BY WHOM? I UNDERSTOOD BY JOHN D. LEE'S ORDERS. DO YOU KNOW WHAT WAS DONE WITH THE CATTLE? I SAW SOME OF THE CATTLE AFTERWARDS ON THE HARMONY RANGE CLOSE TO LEE'S RESIDENCE. ^[345] THERE UNDER HIS CHARGE? I SUPPOSE SO. I AM NOT DEFINITE ABOUT THAT. DO YOU KNOW WHETHER ANY OF THEM WERE KILLED BY LEE? NO, SIR. NEVER SAW HIM</p>	<p>WAGONS AT HARMONY, SEVERAL WEEKS AFTERWARDS. Q. WHAT DID YOU SAY BECAME OF THE CATTLE? A. THEY WERE TAKEN AROUND TO THE IRON SPRINGS. Q. BY WHOM? A. I UNDERSTOOD BY JOHN D. LEE'S ORDERS. Q. DO, YOU KNOW WHAT WAS FINALLY DONE WITH THOSE CATTLE? A. I SAW SOME OF THE STOCK AFTERWARDS ON THE HARMONY RANGE NEAR LEE'S RESIDENCE. Q. THERE UNDER HIS CHARGE? ^[52] A. I SUPPOSE SO; I AM NOT DEFINITE ABOUT THAT. Q. DO YOU KNOW WHETHER ANY OF THEM WERE KILLED BY LEE? A. NO, SIR, I NEVER SAW HIM</p>	<p>WAGONS AT HARMONY [space] SEVERAL WEEKS AFTER [space] (CATTLE) [space] THEY WERE DRIVEN AROUND TO THE IRON SPRINGS [space] BY WHOM I UNDERSTOOD BY JOHN D. LEE'S ORDER DO YOU KNOW WHAT WAS FINALLY DONE WITH THOSE CATTLE I SAW SOME OF THE STOCK AFTERWARDS ON THE HARMONY RANGE NEAR LEE'S RESIDENCE [space] THERE UNDER HIS CHARGE I SUPPOSE SO I AM NOT DEFINITE ABOUT IT [space] DO YOU KNOW WHETHER ANY OF THEM WERE KILLED BY LEE NO SIR I NEVER SAW HIM</p>

RT	MU	BT	PS
KILL ANY OF THEM. HE TOLD ME ONCE THAT HE HAD GIVEN THE INDIANS SEVERAL DEEVES, AND THE INDIANS TOLD ME THAT HE HAD.	KILL ANY OF THEM; HE TOLD ME ONCE THAT HE HAD GIVEN THE INDIANS SEVERAL BEEVES, AND THE INDIANS TOLD ME HE HAD.	KILL ANY OF THEM. HE TOLD ME ONCE THAT HE HAD GIVEN THE INDIANS CONSIDERABLE OF THE BEEF, AND THE INDIANS TOLD ME HE HAD.	KILL ANY OF THEM. [space] HE TOLD ME ONCE THAT HE HAD GIVEN THE INDIANS CONSIDERABLE OF THE BEEF AND THE INDIANS TOLD ME HE HAD. [space] ^{[[60]]}
		RECESS.	CROSS EXAMINATION RECESS [space] JURY CALLED ALL PRESENT [space] CROSS EXAMINATION
Q. HOW LONG HAD YOU BEEN ACQUAINTED WITH THE INDIANS IN SOUTHERN UTAH ^[82] AT THE TIME OF THE MASSACRE ? A. I HAD BEEN SOMEWHAT ACQUAINTED WITH THEM FOR FIVE YEARS. I CAME TO IRON COUNTY IN THE SPRING OF '51 AND RESIDED	HOW LONG HAD YOU BEEN ACQUAINTED WITH THE INDIANS IN SOUTHERN UTAH AT THE TIME OF THE MASSACRE? I HAD BEEN SOMEWHAT ACQUAINTED WITH THEM OR FIVE YEARS. I CAME TO IRON COUNTY IN THE SPRING OF '51 AND RESIDED	EXAMINATION OF <u>NEPHI JOHNSON</u> CONTINUED. Q. HOW LONG HAD YOU BEEN ACQUAINTED WITH THE INDIANS IN SOUTHERN UTAH AT THE TIME OF THIS MASSACRE? A. I HAD BEEN SOMEWHAT ACQUAINTED WITH THEM FOR SOME SIX YEARS. I CAME TO IRON COUNTY IN THE SPRING OF '51, AND RESIDED	CONTINUED [?] ⁶⁷² [space] HOW LONG HAD YOU BEEN ACQUAINTED WITH THE INDIANS IN SOUTHERN UTAH AT THE TIME OF THIS MASSACRE? I HAD BEEN SOME ACQUAINTED WITH THEM FOR SOME 6 YEARS I CAME TO IRON COUNTY IN THE SPRING OF 51 AND RESIDED

672. Rogerson's hand symbol.

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<p>THERE UNTIL '57. Q. WERE YOUR RELATIONS WITH THE INDIANS INTIMATE ? A. WITH SOME PORTIONS OF THEM THEY WERE. Q. DO YOU KNOW AT THAT DATE THE TIME OF THIS MASSACRE, WHAT THE RELATIONS WERE EXISTING BETWEEN THE PEOPLE OF SOUTHERN UTAH AND THE INDIANS— WHETHER THEY WERE HOSTILE OR WHETHER THEY WERE FRIENDLY ? A. THEY WERE FRIENDLY. Q. STATE WHETHER THEY WERE IN</p> <p>GOOD SUBJECTION OR NOT ? BISHOP FOR DEFENSE</p> <p>OBJECTED TO THE</p>	<p>THERE UNTIL '57. WERE YOUR RELATIONS WITH THE INDIANS INTIMATE? WITH SOME PORTIONS OF THEM THEY WERE. DO YOU KNOW AT THAT DATE, THE TIME OF THIS MASSACRE, WHAT THE RELATIONS WERE EXISTING BETWEEN THE PEOPLE OF SOUTHERN UTAH AND THE INDIANS; WHETHER THEY WERE HOSTILE OR WHETHER THEY WERE FRIENDLY? THEY WERE FRIENDLY. STATE WHETHER THEY WERE IN</p> <p>GOOD SUBJECTION OR NOT? BISHOP</p> <p>OBJECTED TO THE</p>	<p>THERE UNTIL '57. Q. WERE YOUR RELATIONS WITH THE INDIANS INTIMATE? A. WITH SOME PORTIONS OF THEM IT WAS. Q. DID YOU KNOW AT THAT TIME, THE TIME OF THIS MASSACRE, WHAT THE RELATIONS WERE EXISTING BETWEEN THE PEOPLE OF SOUTHERN UTAH AND THESE INDIANS? WHETHER THEY WERE HOSTILE TO THEM OR WHETHER THEY WERE FRIENDLY? A. THEY WERE FRIENDLY. Q. STATE WHETHER THEY WERE IN SUBJECTION— GOOD SUBJECTION OR OTHERWISE?? MR. BISHOP: WE OBJECT. IF THE COURT PLEASE I OBJECT TO THE</p>	<p>THERE UNTIL 57 WERE YOUR RELATIONS WITH THE INDIANS INTIMATE WITH SOME PORTION OF THEM IT WAS DO YOU KNOW AT THAT TIME THE TIME OF THIS MASSACRE WHAT THE RELATIONS WERE EXISTING BETWEEN THE PEOPLE OF SOUTHERN UTAH AND THOSE INDIANS WHETHER THEY WERE HOSTILE TO THEM OR WHETHER THEY WERE FRIENDLY THEY WERE FRIENDLY STATE WHETHER THEY WERE IN SUBJECTION GOOD SUBJECTION OR OTHERWISE</p> <p>OBJECTED TO [space] IF THE COURT PLEASE I OBJECT TO THE</p>

RT	MU	BT	PS
<p>INTRODUCTION OF THIS TESTIMONY BY THIS WITNESS, FIRST, BECAUSE THE PROPER FOUNDATION HAD NOT BEEN LAID TO SHOW THAT THIS WITNESS KNEW HOW FAR THE INDIANS HAD BEEN PLACED UNDER SUBJECTION, SECOND, BECAUSE</p> <p>THE PROSECUTION HAD INTRODUCED WRITTEN EVIDENCE, DOCUMENTS WRITTEN BY BRIGHAM YOUNG AND JOHN D. LEE, TO SHOW THE EXACT CONDITION OF THE INDIANS AT THAT TIME AND BEFORE THAT,</p> <p>THIRD, THEY SEEK TO PROVE THAT THE INDIANS</p>	<p>INTRODUCTION OF THIS TESTIMONY BY THIS WITNESS. FIRST, BECAUSE THE PROPER FOUNDATION HAD NOT BEEN LAID TO SHOW THAT THIS WITNESS KNEW HOW FAR THE INDIANS HAD BEEN PLACED UNDER SUBJECTION. SECOND,</p> <p>BECAUSE THE PROSECUTION HAD INTRODUCED WRITTEN EVIDENCE, DOCUMENTS WRITTEN BY BRIGHAM YOUNG AND JOHN D. LEE, TO SHOW THE EXACT CONDITION OF THE INDIANS AT THAT TIME, AND BEFORE THAT.</p> <p>THIRD, THEY SEEK TO PROVE THAT THE INDIANS</p>	<p>INTRODUCTION OF THIS TESTIMONY BY THIS WITNESS. FIRST— BECAUSE A PROPER FOUNDATION HAS NOT BEEN LAID TO SHOW THAT THIS WITNESS KNOWS HOW FAR THE INDIANS HAD BEEN PLACED UNDER SUBJECTION. AND ANOTHER REASON IS THAT BECAUSE THE PROSECUTION HAS INTRODUCED WRITTEN</p> <p>DOCUMENTS</p> <p>TO SHOW THE EXACT CONDITION OF THE INDIANS AT THAT TIME AND BEFORE THAT TIME; AND THE</p> <p>THE THIRD GROUND, THEY SEEK TO PROVE THAT THE INDIANS</p>	<p>INTRODUCTION OF THIS TESTIMONY BY THIS WITNESS FIRST BECAUSE A PROPER <i>FRKT</i>—[?] HAS NOT BEEN LAID TO SHOW THAT THIS WITNESS KNOWS HOW FAR THE INDIANS HAD BEEN PLACED IN SUBJECTION AND ANOTHER REASON IS THIS THAT BECAUSE THE PROSECUTION HAS INTRODUCED WRITTEN</p> <p>DOCUMENTS</p> <p>TO SHOW THE EXACT CONDITION OF THE INDIANS AT THAT TIME AND BEFORE TO THESE EVENTS [<i>space</i>] ON THE THIRD GROUND THEY SEEK TO PROVE THAT THE INDIANS</p>

RT**MU****BT****PS**

<p>WERE FRIENDLY TO THE PEOPLE OF UTAH; THAT IS IRRELEVANT AND IMMATERIAL HERE, FROM THIS FACT, THAT THERE IS NO QUESTION NOW BEFORE THE COURT OR JURY AS TO WHETHER THE INDIANS OF UTAH WERE FRIENDLY WITH THE CITIZENS OF UTAH OR NOT. IT IS NOT CLAIMED BY EITHER THE PROSECUTION OR THE</p> <p>DEFENSE THAT THE INDIANS HAD MADE ANY ATTACK AT THAT TIME, OR THAT THEY AFTERWARDS MADE ANY ATTACK ON THE CITIZENS OF UTAH. THE ONLY QUESTION ON TRIAL IS AS TO THE FATE OF CERTAIN PEOPLE, NON-</p>	<p>WERE FRIENDLY TO THE PEOPLE OF UTAH; THAT IS IRRELEVANT AND IMMATERIAL HERE, FROM THIS FACT, THAT THERE IS NO QUESTION NOW BEFORE THE COURT OR JURY AS TO WHETHER THE INDIANS OF UTAH WERE FRIENDLY WITH THE CITIZENS OF UTAH OR NOT. IT IS NOT CLAIMED BY EITHER THE PROSECUTION OR THE</p> <p>DEFENSE, THAT THE INDIANS HAD MADE ANY ATTACK AT THAT TIME, OR THAT THEY AFTERWARDS MADE ANY ATTACK ON THE CITIZENS OF UTAH. THE ONLY QUESTION ON TRIAL IS AS TO THE FATE OF CERTAIN PEOPLE, NON-</p>	<p>WERE FRIENDLY TO THE PEOPLE OF UTAH; THAT IT IS IRRELEVANT AND IMMATERIAL HERE, FROM THIS FACT, THAT THERE IS NO QUESTION NOW BEFORE THIS COURT AND JURY AS TO ^[53] WHETHER THE INDIANS OF UTAH WERE FRIENDLY TOWARDS THE CITIZENS OF UTAH OR NOT. IT IS NOT CLAIMED BY EITHER THE PROSECUTION OR THE CITIZENS</p> <p>DEFENSE THAT THE INDIANS HAD MADE ANY ATTACK AT THAT TIME OR THAT THEY AFTERWARDS MADE ANY ATTACK UPON THE CITIZENS OF UTAH. . THE ONLY QUESTION UPON TRIAL IS AS TO THE FATE OF CERTAIN PEOPLE, NON-</p>	<p>WERE FRIENDLY TO THE PEOPLE OF UTAH THAT IT IS IRRELEVANT AND IMMATERIAL HERE FROM THIS FACT THAT THERE IS NO QUESTION NOW BEFORE THIS COURT AND JURY AS TO WHETHER THE INDIANS OF UTAH WERE FRIENDLY TOWARDS THE CITIZENS OF UTAH OR NOT IT IS NOT CLAIMED BY EITHER THE PROSECUTION OR THE</p> <p>DEFENSE THAT THE INDIANS HAD MADE ANY ATTACK AT THAT TIME OR THAT THEY AFTERWARDS MADE ANY ATTACK UPON THE CITIZENS OF UTAH THE ONLY QUESTION UPON TRIAL IS TO THE FAITH FATE OF CERTAIN PEOPLE NON-</p>
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RT	MU	BT	PS
<p>RESIDENTS OF UTAH, AND THE FACT AS TO WHETHER THIS DEFENDANT ^[83] WAS CONNECTED WITH THEIR TAKING OFF OR NOT.</p>	<p>RESIDENTS OF UTAH, AND THE FACT AS TO WHETHER THIS DEFENDANT WAS CONNECTED WITH THEIR TAKING OFF OR NOT.</p>	<p>RESIDENTS OF UTAH; AND THE FAØCT AS TO WHETHER THIS DEFENDANT WAS CONNECTED WITH THE ATTACKING OR NOT.. MR. HOWARD: WE PROPOSE TO SHOW THAT THIS INFLUENCE OVER THEM WAS SUCH AS <THAT> HE COULD HAVE PREVENTED THE MASSACRE. AND AS TO THE POWER OF LEADING THEM OFF OR SAVING THEM WHEN HE MIGHT HAVE, IS EQUALLY,—IS HE NOT EQUALLY GUILTY AS ONE WHO LEADS THEM NO? IT IS A FACT THAT THESE INDIANS IN IT IS A FACT THAT THESE IN DIANS WERE IN AN ATTACK, THAT BY SOME PRECONSERTED SCHEAM THEY</p>	<p>RESIDENTS OF UTAH AND THE FACT AS TO WHETHER THIS DEFENDANT WAS CONNECTED WITH THE ATTACKING OR WAS NOT. [space] HOWARD.... PROPOSE TO SHOW THAT HIS INFLUENCE OVER THEM WAS SUCH THAT HE COULD HAVE PREVENTED THAT MASSACRE [space] AND AS TO THE POWER TO LEAD THEM OFF AND SAVE MIGHT HAVE IS NOT EQUALLY GUILTY WITH ONE WHO LEADS THEM ON. IT IS A FACT THAT THOSE INDIANS WERE IN THE ATTACK THAT BY SOME PRECONCERTED SCHEME THEY</p>

RT**MU****BT****PS**

		<p>WERE LED IN AMBUSH.</p> <p>I PROPOSE TO SHOW THAT JOHN . D. LEE AND EVERY OTHER WHITE MAN ON THE GROUND COULD HAVE PREVENTED THEIR ACTING THERE. I PROPOSE AND I DO HOPE BY THESE SAME WITNESSES TO SHOW, THAT TWO OR THREE TIMES BEFORE LEE WENT DOWN TO THE</p>	<p>WERE LED IN AMBUSH THEY BY <i>DIRECTING</i>[?] ADVANCE PLANNED TO FIND THE SAVAGES AND HE APPEARS TO ASSUME THESE SAVAGES HAD BEEN LED OUT THAT THIS WAS A SUBJECTION TO WHOMEVER WAS IN COMMAND OF WAS SO SUPREME THAT THEY DID NOT MAKE THE ATTACK UNTIL THE COMMAND WAS GIVEN.~.. [space] ^{[[61]]} FOR THE PURPOSE OF SHOWING THAT JOHN . D. LEE AND EVERY OTHER WHITE MAN ON THAT GROUND COULD HAVE PREVENTED THEIR GOING THERE I PROPOSE AND I DO HOPE BY THIS SAME WITNESS TO SHOW THAT 2 OR 3 DAYS BEFORE LEE WENT DOWN TO THE</p>
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		EMIGRANT CAMP, THAT THE INDIANS ASKED HIM TO COME AND GO DOWN WITH HIM THEM, AND THAT LEE DID GO TOO. THAT THIS WITNESS WAS REQUESTED TO GO BY JOHN .D LEE BECAUSE OF HIS BEING ABLE TO TAKE TALK WITH THE INDIANS.	EMIGRANT CAMP THAT THE INDIANS ASKED HIM TO COME GO DOWN WITH THEM [<i>space</i>] TO—[?] THAT LEE DID AGREE TO GO [<i>space</i>] HE WAS REQUESTED TO GO BY JOHN .D LEE BECAUSE OF HIS ABLE TO TALK TO THE INDIANS THINK I SHALL BE ABLE TO SHOW THAT HE WAS PUT OVER THESE INDIANS SEVERAL TIMES. [<i>space</i>]
AFTER THE ARGUMENT THE QUESTION WAS WITHDRAWN. Q. WHAT WAS THE INFLUENCE OF JOHN D. LEE OVER THE INDIANS OF SOUTHERN UTAH, THOSE THAT WERE THERE PRESENT AT THE MASSACRE ? OBJECTED TO BY DEFENSE UNTIL IT IS	AFTER ARGUMENT THE QUESTION WAS WITHDRAWN. WHAT WAS THE INFLUENCE OF JOHN D. LEE OVER THE INDIANS OF SOUTHERN UTAH, THOSE THAT WERE THERE PRESENT AT THE MASSACRE? OBJECTED TO UNTIL IT IS	QUESTION WITHDRAWN Q. WHAT WAS THE INFLUENCE OF JOHN D. LEE OVER THE INDIANS OF SOUTHERN UTAH. THOSE INDIANS THAT WERE THERE AT THE MASSACRE? OBJECTED TO UNTIL IT IS	QUESTION WITHDRAWN. [<i>space</i>] WHAT WAS THE INFLUENCE OF JOHN D. LEE OVER THE INDIANS OF SOUTHERN UTAH THOSE INDIANS THAT WERE THERE [<i>space</i>] OBJECTED TO UNTIL THE

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<p>SHOWN THAT THIS PARTY KNOWS WHAT THAT INFLUENCE WAS. QUESTION WITHDRAWN. Q. DO YOU KNOW THE RELATIONS EXISTING BETWEEN JOHN D. LEE AND THOSE INDIANS ? A. THE RELATIONS BETWEEN JOHN D. LEE AND THOSE INDIANS, A SMALL PORTION OF THE INDIANS THAT ROVED AROUND IN</p> <p>THERE WAS AOOS GOOD, BUT THE INDIANS FARTHER SOUTH I DON'T KNOW. THE INDIANS OF SANTA CLARA AND FURTHER ON I DID NOT KNOW.</p>	<p>SHOWN THAT THIS PARTY KNOWS WHAT THAT INFLUENCE WAS. QUESTION WITHDRAWN. DO YOU KNOW THE RELATIONS EXISTING BETWEEN JOHN D. LEE AND THOSE INDIANS? THE RELATIONS BETWEEN JOHN D. LEE AND THOSE ^[346] INDIANS, A SMALL PORTION OF INDIANS THAT ROVED AROUND IN</p> <p>THERE, WERE GOOD; BUT THE INDIANS FURTHER SOUTH, I DON'T KNOW. THE INDIANS OF SANTA CLARA, AND FURTHER ON, I DID NOT KNOW.</p>	<p>SHOWN THAT THIS PARTY KNOWS THAT WHAT THAT INFLUENCE WAS? QUESTION WITHDRAWN. Q. DO YOU KNOW THE RELATION EXISTING BETWEEN JOHN D. LEE AND THOSE INDIANS? A. THE RELATION BETWEEN JOHN D. LEE AND THOSE INDIANS—A SMALL ^[54] PORTION OF INDIANS THAT LIVED IN AROUND</p> <p>THERE WAS GOOD; BUT THE INDIANS FURTHER SOUTH I DON'T KNOW. THE INDIANS OF SANTA CLARA AND FURTHER ON, I DID NOT KNOW. Q. DO YOU KNOW WHAT HIS RELATIONS WERE WITH</p>	<p>TESTIMONY SHOWS THAT THIS PARTY KNOWS THAT WHAT INFLUENCE WAS. <i>[space]</i> QUESTION WITHDRAWN. <i>[space]</i> DO YOU KNOW THE RELATION EXISTING BETWEEN JOHN D. LEE AND THOSE INDIANS <i>[space]</i> THE RELATION BETWEEN JOHN D. LEE AND</p> <p>SMALL BAND OF INDIANS THAT LIVED IN AROUND COUNTRY THERE WAS GOOD BUT THE INDIANS FURTHER SOUTH I DON'T KNOW THE SANTA CLARA INDIANS AND FURTHER ON I DO NOT KNOW <i>[space]</i> DO YOU KNOW WHAT HIS RELATIONS WERE WITH</p>

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<p>Q. HAD YOU ANY INFORMATION BEFORE YOU WENT THERE FROM JOHN D. LEE'S INDIANS THAT HE HAD CONTROL OF THAT HE HAD PROMISED TO GO THERE ?</p> <p>A. I HAD INFORMATION FROM INDIANS WHO WENT THERE.</p> <p>Q. HOW LONG WAS THAT BEFORE YOU WENT ?</p> <p>A. IT WAS ON MONDAY EVENING BEFORE THE MASSACRE ON FRIDAY.</p> <p>Q. WHAT WAS THAT INFORMATION ?</p> <p>OBJECTED TO</p>	<p>HAD YOU ANY INFORMATION, BEFORE YOU WENT THERE, FROM JOHN D. LEE'S INDIANS, THAT HE HAD CONTROL OF, THAT HE HAD PROMISED TO GO THERE?</p> <p>I HAD INFORMATION FROM INDIANS THAT WENT THERE.</p> <p>HOW LONG WAS THAT BEFORE YOU WENT? IT WAS ON MONDAY EVENING, BEFORE THE MASSACRE ON FRIDAY.</p> <p>WHAT WAS THAT INFORMATION?</p> <p>OBJECTED TO.</p>	<p>THESE INDIANS THAT HE HAD ON THIS G ON THAT GROUND?</p> <p>A. FROM WHAT I UNDERSTOOD FROM THE INDIANS——</p> <p>OBJECTED TO.</p> <p>Q. HAD YOU ANY INFLUENCE INFORMATION BEFORE YOU WENT THERE FORM JOHN D. LEE'S INDIANS,— THAT HE HAD CONTROLL OF,—THAT HE HAD PROMISED TO GO THER?E?</p> <p>A. I HAD INFORMATION FROM THE INDIANS THAT WENT THERE.</p> <p>WQ. HOW LONG WAS THAT BEFORE YOU WENT? A. IT WAS ON MONDAY EVENING BEFORE THE MASSACRE ON FRIDAY.</p> <p>Q. WHAT WAS THAT INFORMATION?</p> <p>OBJECTED TO.</p>	<p>THESE INDIANS THAT HE HAD ON THAT GROUND? FROM WHAT I UNDERSTOOD FROM THE INDIANS ~</p> <p>OBJECTED TO</p> <p>[space] ASK YOU THIS OTHER QUESTION HAD YOU ANY</p> <p>INFORMATION BEFORE YOU WENT THERE FROM JOHN D. LEE'S INDIANS THAT HE CONTROLLED THAT HE HAD PROMISED TO GO THERE</p> <p>I HAD INFORMATION FROM INDIANS THAT WENT THERE</p> <p>HOW LONG WAS THAT BEFORE YOU WENT? IT WAS ON MONDAY EVENING BEFORE THE MASSACRE ON FRIDAY</p> <p>WHAT WAS THAT INFORMATION?</p> <p>OBJECTED TO</p>

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<p>AND THE QUESTION WITHDRAWN. CROSS - EXAMINED . Q. HOW OLD WERE YOU AT THE TIME OF THE MASSACRE ? A. I WAS IN MY TWENTIETH YEAR.</p> <p>Q. WHERE WERE YOU AT THE TIME MR. HAIGHT ORDERED YOU TO GO TO THE MOUNTAIN MEADOWS ? ^[84] A. I WAS AT CEDAR CITY. Q. WHAT TIME IN THE</p>	<p>QUESTION WITHDRAWN. CROSS- EXAMINED.— HOW OLD WERE YOU AT THE TIME OF THE MASSACRE? I WAS IN MY TWENTIETH YEAR.</p> <p>WHERE WERE YOU AT THE TIME MR. HAIGHT ORDERED YOU TO GO TO THE MOUNTAIN MEADOWS? I WAS AT CEDAR CITY. WHAT TIME IN THE</p>	<p>QUESTION WITHDRAWN. CROSS- EXAMINATION. Q. HOW OLD WAS YOU AT THE TIME OF THIS MASSACRE? A. I WAS IN MY 20TH YEAR. Q. YOU STATED, I BELIEVE, THAT YOU WAS REQUESTED TO GO TO THE MEADOWS BY MR. HIGBEE? A. NO, SIR, BY MR. HAIGHT. Q. DIDN'T YOU STATE AT THE START THAT IT WAS MR. HIGBEE THAT REQUESTED YOU TO GO DOWN THERE? A. NO, SIR. Q. WHERE WERE YOU AT THE TIME THAT MR. HAIGHT REQUESTED YOU TO GO TO THE MOUNTAIN MEADOWS? A. I WAS AT CEDAR CITY. Q. WHAT TIME IN THE</p>	<p>OBJECTION QUESTION WITHDRAWN. ^[space] CROSS- EXAMINATION ^[space] HOW OLD WAS YOU AT THE TIME OF THIS MASSACRE I WAS IN MY 20TH YEAR ^[space] YOU STATED I BELIEVE THAT YOU WAS REQUESTED TO GO TO THE MEADOWS BY MR. HIGBEE? NO SIR BY MR. H ^[corner torn] ^{[[62]]} DIDN'T YOU STATE AT THE START THAT IT WAS MR. HIGBEE THAT REQUESTED YOU TO GO DOWN THERE? <u>NO SIR</u> ^[space] WHERE WAS YOU AT THE TIME THAT MR. HAIGHT REQUESTED YOU TO GO TO THE MOUNTAIN MEADOWS I WAS AT CEDAR CITY ^[space] WHAT TIME IN THE</p>

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<p>DAY WAS THAT ? A. IT WAS</p> <p>SOMETIME IN THE AFTERNOON OF THURSDAY. Q. THE DAY BEFORE THE MASSACRE ? A. YES SIR. Q. HOW MANY MEN WENT WITH YOU TO CEDAR CITY ? A. TWO WENT WITH ME TO CEDAR. Q. WHO WERE THEY ? A. KLINGENSMITH'S SON, AND I CAN'T RECOLLECT WHO THE OTHER WAS, CAME DOWN TO TELL ME THAT I WAS WANTED UP THERE. A MAN BY THE NAME OF CHARLES HOPKINS AND CHARLES WESTERN WENT WITH ME TO THE MEADOWS. I WENT ON HORSEBACK AND JOHN</p>	<p>DAY WAS THAT? IT WAS</p> <p>SOME TIME IN THE AFTERNOON OF THURSDAY. THE DAY BEFORE THE MASSACRE? YES, SIR. HOW MANY MEN WENT WITH YOU TO CEDAR CITY?</p> <p>TWO WENT WITH ME TO CEDAR CITY. WHO WERE THEY? KLINGENSMITH'S SON, AND I CAN'T RECOLLECT WHO THE OTHER WAS, CAME DOWN TO TELL ME I WAS WANTED THERE. A MAN BY THE NAME OF CHARLES HOPKINS, AND CHARLES WESTERN, WENT WITH ME TO THE MEADOWS. I WENT ON HORSEBACK, AND JOHN</p>	<p>DAY WAS THAT? ^[55] A. IT WAS IN THE AFTERNOON, SOMETIME IN THE AFTERNOON ON THURSDAY. Q. THE DAY BEFORE THE THE MASSACRE? A. YES, SIR. Q. HOW MANY WENT WITH YOU TO CEDAR CITY? A. THERE WAS TWO MEN WENT WITH ME TO CEDAR CITY. Q. WHO WERE THEY? A. KLINGENSMITH'S SON, BUT I DON'T RECOLLECT WHO THE OTHER WAS, CAME DOWN TO TELL ME I WAS WANTED THERE. ; MAN BY THE NAME OF CHARLES HOPKINS AND JOHN WESTON-, WENT WITH ME TO THE MEADOWS. I WENT ON HORSEBACK AND JOHN</p>	<p>DAY WAS THAT IT WAS IN THE AFTERNOON SOMETIME IN THE AFTERNOON OF THURSDAY THE DAY BEFORE THE MASSACRE YES SIR HOW MANY WENT WITH YOU TO CEDAR CITY THERE WAS TWO MEN WENT WITH ME TO CEDAR CITY WHO WERE THEY KLINGEN SMITH'S SON BUT I CAN'T RECOLLECT WHO THE OTHER WAS CAME DOWN TO TELL ME I WAS WANTED THERE MAN BY THE NAME OF CHARLES HOPKINS AND JOHN WSN/RSN/[?] WENT WITH ME TO THE MEADOWS I WENT ON HORSEBACK AND JOHN</p>

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WESTERN WENT WITH THE WAGONS. THERE WERE NO OTHERS WENT AT THAT TIME. THERE WERE OTHERS WENT BEFORE, I UNDERSTOOD. Q. HOW MANY DID YOU FIND THERE WHEN YOU GOT THERE CITIZENS OF CEDAR CITY AND THE SURROUNDING COUNTRY ? A. I CAN'T TELL YOU THE NUMBER. Q. HOW MANY— TEN, FIFTEEN OR TWENTY ? A. I SHOULD JUDGE TEN OR FIFTEEN. Q. IS IT NOT A FACT THAT THERE WERE MORE THAN TWENTY FIVE OR THIRTY WHITE MEN THERE THAT YOU SAW ON THE GROUND ? A. THERE MIGHT	WESTERN WENT WITH THE WAGONS. THERE WERE NO OTHERS WENT AT THAT TIME. THERE WERE OTHERS BEFORE, I UNDERSTOOD. HOW MANY DID YOU FIND THERE WHEN YOU GOT THERE, CITIZENS OF CEDAR CITY AND THE SURROUNDING COUNTRY? I CAN'T TELL YOU THE NUMBER. HOW MANY, TEN, FIFTEEN OR TWENTY? I SHOULD JUDGE TEN OR FIFTEEN. IS IT NOT A FACT THAT THERE WERE MORE THAN TWENTY-FIVE OR THIRTY MEN—WHITE MEN—THERE, THAT YOU SAW ON THE GROUND? THERE MIGHT	WESTON WENT WITH THE WAGONS. [space] OTHERS WENT BUT THERE WAS NO OTHERS WENT AT THAT TIME. THERE WAS SOME OTHERS BEFORE, I UNDERSTAND. Q. HOW MANY DID YOU FIND THERE WHEN YOU GOT THERE? CITIZENS OF CEDAR AND THE SURROUNDING COUNTRY? A. I CAN'T TELL YOU THE NUMBER.. AQ. ABOUT HOW MANY, 10 OR 15[?]OR 20-? A. I SHOULD JUDGE 10 OR 15. Q. ISN'T IT A FACT THAT THERE WAS 25 OR 30 WHITES THAT YOU SAW THERE? A. THERE MIGHT	W/SN/RSM[?] WENT WITH WAGONS ≤. OTHERS WENT➤ THERE WAS NO OTHERS WENT AT THAT TIME THERE WAS SOME OTHERS BEFORE ≤ ➤ WE[?] UNDERSTOOD [space] HOW MANY DID YOU FIND THERE WHEN YOU GOT THERE? CITIZENS OF CEDAR AND SURROUNDING COUNTRY [space] I CAN'T TELL YOU THE NUMBER ABOUT HOW MANY 10 15 20 I SHOULD JUDGE 10 OR 15 MEN [space] ISN'T IT FACT THAT THERE WAS 25 OR 30 WHITES THAT YOU SAW THERE [space] THERE MIGHT

RT	MU	BT	PS
HAVE BEEN. Q. WAS NOT THERE THAT NUMBER ?	HAVE BEEN. WASN'T THERE THAT NUMBER?	HAVE BEEN. Q. WASN'T THERE THAT NUMBER? WASNT THERE THAT NUMBER?	HAVE BEEN [space] WASN'T THERE THAT NUMBER
A. I COULD NOT TELL YOU. Q. WHY CAN'T YOU TELL ME ? A. BECAUSE I DIDN'T COUNT THEM. I WAS NOT THERE LONG ENOUGH TO ASCER- ^[85] TAIN THE NUMBER OF MEN THAT WERE THERE. Q. WHERE DID YOU GO THAT NIGHT WHEN YOU WENT ON THE GROUND ? A. I WENT TO HAMBLIN'S RANCH, GOT THERE ABOUT 12 OR 1 O'CLOCK, NOT FAR FROM MID,NIGHT AND LAID DOWN THERE UNTIL MORNING. Q. WHAT TIME DID YOU GET TO	I COULD NOT TELL YOU. WHY CAN'T YOU TELL ME? BECAUSE I DIDN'T COUNT THEM. I WAS NOT THERE LONG ENOUGH TO ASCERTAIN THE NUMBER OF MEN THAT WERE THERE. WHERE DID YOU GO THAT NIGHT WHEN YOU WENT ON THE GROUND? I WENT TO HAMBLIN'S RANCH. GOT THERE ABOUT TWELVE OR ONE O'CLOCK—NOT FAR FROM MIDNIGHT— AND LAY DOWN THERE TILL MORNING. ^[347] WHAT TIME DID YOU GET TO	ISNT IT A FACT THAT THERE WERE 35 OR 40 WHITES THERE? A. I CANT TELL YOU. Q. WHY CANT YOU TELL M?E? A. BECAUSE I DIDN'T COUNT THEM. I WAS NOT THERE LONG ENOUGH TO ASCERTAIN THE NUMBER OF MEN THAT WAS THERE. Q. WHERE DID YOU GO THAT NIGHT WHEN YOU WENT ON TO THE GROUND? A. I WENT TO HAMBLINS RANCHE. GOT THERE ABOUT 12 OR ONE O'CLOCK—NOT FAR FROM MIDNIGHT— AND LAID DOWN THERE TILL MORNING. ^[56] Q. FWHAT TIME DID YOU GET TO	ISN'T IT FACT THAT THERE WERE 35 OR 40 WHITES THERE I CANT TELL YOU [space] WHY CANT YOU TELL ME BECAUSE I DIDN'T COUNT THEM AND I WAS NOT THERE LONG ENOUGH TO ASCERTAIN THE NUMBER OF MEN THAT WAS THERE [space] WHERE DID YOU GO THAT NIGHT WHEN YOU WENT ON TO THE GROUND I WENT TO HAMBLINS RANCH GOT THERE 12 OR 1 O'CLOCK NOT FAR FROM MIDNIGHT LAID DOWN THERE TILL MORNING. WHAT TIME DID YOU GO TO

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<p>THE MEADOWS NEXT MORNING ? A. IT WAS SOMETIME IN THE FOREPART OF THE DAY. Q. DID YOU GO TO THE CAMP WHERE THE CITIZENS WERE LOCATED ? A. YES SIR. Q. ABOUT HOW MANY MEN DID YOU FIND THERE ? A. THERE WERE SOME IN TWO PLACES. I FOUND SOME EIGHT OR TEN AT THE PLACE I WENT. Q. DID YOU GO TO THE OTHER PLACE ?</p> <p>A. I DIDN'T GO THERE. Q.</p> <p>THEN HOW DO YOU KNOW MEN WERE THERE ?</p> <p>A. I SAW THEM. Q. HOW FAR OFF ? A.</p> <p>SOME WERE IN SIGHT. Q. WERE THEY</p>	<p>THE MEADOWS NEXT MORNING? IT WAS SOME TIME IN THE FOREPART OF THE DAY. DID YOU GO TO THE CAMP WHERE THE CITIZENS WERE LOCATED? YES, SIR. ABOUT HOW MANY MEN DID YOU FIND THERE? THERE WERE SOME IN TWO PLACES. I FOUND SOME EIGHT OR TEN AT THE PLACE I WENT. DID YOU GO TO THE OTHER PLACE?</p> <p>I DIDN'T GO THERE.</p> <p>THEN HOW DO YOU KNOW MEN WERE THERE?</p> <p>I SAW THEM. HOW FAR OFF?</p> <p>SOME WERE IN SIGHT. WERE THEY</p>	<p>THE MEADOWS THE NEXT MORNING? A. IT WAS SOME TIME IN THE FORE PART OF THE DAY. Q. DID YOU GO TO THE CAMP WHERE THE CITIZENS WERE LOCATED? A. YES, SIR. Q- ABOUT HOW MANY MEN DID YOU FIND THERE? A. THERE WERE SOME IN TEWO PLACES. I FOUND 8 OR 10 ABOUT IN THE PLACE I WENT. Q. DID YOU GO TO THE OTHER PLACE? A. I DON'T KNOW. I DIDN'T GO THERE; Q. HOW MANY DID YOU SEE—HOW DO YOU KNOW THERE WAS ANOTHER? A. I SAW THEM. Q. HOW FAR WERE THEY OFF.? A. A. THERE WERE SOME IN SIGHT. Q. WERE YTHEY</p>	<p>THE MEADOWS NEXT MORNING? IT WAS SOME TIME IN THE FORE PART OF THE DAY- [space] DID YOU GO TO THE CAMP WHERE THE CITIZENS WERE LOCATED YES SIR ABOUT HOW MANY MEN DID YOU FIND THERE THERE WAS SOME IN TWO PLACES I FOUND SOME 8 OR 10 ^{[[63]]} TO THE PLACE I WENT SEEN [space] DID YOU GO TO THE OTHER PLACE [space] I DON'T KNOW I DIDN'T GO THERE [space] HOW MANY DID YOU SEE HOW DID YOU KNOW THERE WAS ANY [space] I SAW THEM [space] HOW FAR WERE THEY OFF THERE WAS SOME IN SIGHT [space] WERE THEY</p>

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<p>WITHIN A HALF A MILE OF YOU ? A. YES SIR.</p> <p>Q. WERE THERE ANY INDIANS ON THE MEADOWS AFTER YOU GOT THERE ? A. YES SIR. Q. WHERE WERE THE INDIANS WITH REFERENCE TO THE WHITE MEN ? A. THE INDIANS CAMPED SOME DISTANCE FROM THE WHITES.</p> <p>Q. WERE THE INDIANS OUT OF THEIR CAMP AND UP AT THAT OF THE WHITES ? A.</p> <p>SEVERAL CAME UP WHILE I WAS THERE. [86]</p> <p>Q. THEN AFTER THEY</p>	<p>WITHIN HALF A MILE OF YOU? YES, SIR.</p> <p>WERE THERE ANY INDIANS ON THE MEADOWS AFTER YOU GOT THERE? YES, SIR. WHERE WERE THE INDIANS WITH REFERENCE TO THE WHITE MEN? THE INDIANS CAMPED SOME DISTANCE FROM THE WHITES.</p> <p>WERE THE INDIANS OUT OF THEIR CAMP AND UP AT THAT OF THE WHITES?</p> <p>SEVERAL CAME UP WHILE I WAS THERE.</p> <p>THEN AFTER THEY</p>	<p>WITHIN HALF A MILE OF YOU? A. YES, SIR.</p> <p>Q. WITHIN A QUARTER OF A MILE? A. I DON.T THINK THEY WAS.</p> <p>Q. BETWEEN A QUARTER AND A HALF? A. YES, SIR. Q. WERE ANY INDIANS THERE ON THE MEADOWS AFTER YOU GOT THERE? A. YES, SIR. Q. WHERE WERE THE INDIANS WITH REFERENCE TO THE WHITESWHIT E? A. THE INDIAN CAMP WAS SOME DISTANCE FROM THE WHITWHITE CAMP. Q. WERE THE INDIANS AOUT OF THEIR CAMP AND UP TO THAT OF THE EMIGRANTS? A. THERE WERE SEVERAL CAME UP TO SEE ME AT THE CAMP I WENT TO.</p> <p>Q. THEN AFTER THEY</p>	<p>WITHIN HALF A MILE OF YOU YES SIR [space] BETWEEN WITHIN 1/4 MILE I DON'T THINK SO [space]</p> <p>BETWEEN QUARTER AND HALF YES SIR WAS ANY INDIANS THERE ON THE MEADOWS AFTER YOU GOT THERE YES SIR WHERE WERE THE INDIANS WITH REFERENCE TO THE WHITES? THE INDIAN CAMP WAS SOME DISTANCE FROM THE WHITE CAMP [space] WERE THE INDIANS OUT OF THEIR CAMP AND UP TO THAT OF THE WHITES THERE WERE SEVERAL CAME UP TO SEE ME AT THE CAMP I WENT TO. [space] THEN AFTER THEY</p>

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<p>CAME UP TO SEE YOU THEY STAYED UP THERE AROUND WHERE THE WHITE MEN WERE ? A. YES SIR. Q. WHAT MEN WERE AT THE CAMP WHERE YOU STOPPED A. WELL SIR, I DIDN'T STOP AT THE CAMP. I STAYED THERE A FEW MINUTES AND TALKED TO MR. BATEMAN. Q. WHO DID YOU SEE THERE ? A. MR. BATEMAN,</p> <p>CHARLES HOPKINS, AND</p> <p>KLINGENSMITH, WHERE I WAS TALKING. Q. WHERE IS BATEMAN ? A. DEAD. Q. WHERE IS HOPKINS ? A. I UNDERSTAND HE IS DEAD.</p> <p>Q. DO YOU REFER TO</p>	<p>CAME UP TO SEE YOU THEY STAYED UP THERE AROUND WHERE THE WHITE MEN WERE? YES, SIR. WHAT MEN WERE AT THE CAMP WHERE YOU STOPPED? WELL, SIR, I DIDN'T STOP AT THE CAMP. I STAYED THERE A FEW MINUTES AND TALKED TO MR. BATEMAN. WHO DID YOU SEE THERE? MR. BATEMAN,</p> <p>CHARLES HOPKINS AND</p> <p>KLINGENSMITH, WHERE I WAS TALKING. WHERE IS BATEMAN? DEAD. WHERE IS HOPKINS? I UNDERSTAND HE IS DEAD.</p> <p>DO YOU REFER TO</p>	<p>CAME UP TO SEE YOU THEY WERE AROUND WHERE THE OTHER WHITES WERE. A. YES, SIR. Q. WHAT MEN WERE AT THE CAMP THAT YOU STOPPED AT? ^[57] A. WELL, SIR, I DIDN'T STOP AT THEIR CAMP. I ONLY STOPPED A FEW MINUTES TO TALK WITH MR. BATEMAN. Q. WHO WAS THERE? A. MR. BATEMAN WAS THERE, CHARLES HOPKINS WAS THERE, & KLINGENSMITH WAS THERE WHERE,—I WAS TALKING. Q. WHERE IS BATEMAN? A. DEAD. Q. WHERE IS HOPKINS? A. I UNDERSTOOD HE IS DEAD. Q. DO YOU KNOW WHETHER KLINGENSMITH IS DEAD? A, NO, SIR. Q. DO YOU REFER TO</p>	<p>CAME UP TO SEE YOU THEY WERE AROUND WHERE THE OTHER WHITES WERE YES SIR WHAT MEN WERE AT THE CAMP THAT YOU STOPPED AT? WELL SIR I DIDN'T STOP AT THE CAMP I ONLY STOPPED A FEW MINUTES TO TALK WITH MR. BATEMAN <i>[space]</i> WHO WAS THERE MR. BATEMAN WAS THERE AND CHARLES HOPKINS WAS THERE KLINGEN SMITH WAS THERE WHERE I WAS TALKING <i>[space]</i> WHERE IS BATEMAN DEAD <i>[space]</i> WHERE IS HOPKINS I UNDERSTAND HE IS DEAD <i>[space]</i> DO YOU KNOW WHETHER KLINGEN SMITH IS DEAD NO SIR DO YOU REFER TO</p>

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<p>THE SAME KLINGENSMITH THAT WAS A WITNESS AT THE LAST TRIAL ? A.</p> <p>HE WAS THE AMAN THAT WAS BISHOP OF CEDAR CITY.</p> <p>Q. WHERE IS WESTERN ? A. I CAN'T TELL YOU, I DON'T KNOW</p> <p>WHETHER HE IS DEAD OR ALIVE.</p> <p>Q. DID YOU SEE ISAAC. C.</p> <p>HAIGHT ? A. NOT WHEN I FIRST WENT TO THE CAMP.</p> <p>Q. YOU SAW HIM AROUND AT THE MEADOWS ? A.</p> <p>YES SIR, I SAW HIM AT THE MEADOWS. Q. DID</p> <p>YOU SEE A MAN BY THE NAME OF STEWART ?</p> <p>A. I DON'T RECOLLECT. Q. DID YOU SEE HIGBEE ? A. YES SIR.</p> <p>^[87]</p> <p>Q.</p> <p>WILLDEN ?</p> <p>A. I DON'T RECOLLECT. Q' DID YOU</p>	<p>THE SAME KLINGENSMITH THAT WAS A WITNESS AT THE LAST TRIAL?</p> <p>HE WAS THE MAN THAT WAS BISHOP AT CEDAR CITY.</p> <p>WHERE IS WESTERN? I CAN'T TELL YOU. I DON'T KNOW</p> <p>WHETHER HE IS DEAD OR ALIVE.</p> <p>DID YOU SEE ISAAC C.</p> <p>HAIGHT? NOT WHEN I FIRST WENT TO THE CAMP.</p> <p>YOU SAW HIM AROUND AT THE MEADOWS?</p> <p>YES, SIR, I SAW HIM AT THE MEADOWS.</p> <p>DID</p> <p>YOU SEE A MAN BY THE NAME OF STEWART?</p> <p>I DON'T RECOLLECT.</p> <p>DID YOU SEE HIGBEE? YES SIR.</p> <p>WILDEN?</p> <p>I DON'T RECOLLECT.</p> <p>DID YOU</p>	<p>THE KLINGENSMITH THAT WAS HERE IN THE LAST TRIAL ON THIS CASE? A.</p> <p>HE WAS THE MAN THAT WAS BISHOP IN CEDAR CITY.</p> <p>Q. WHERE IS WESTION? A. I CAN'T TELL YOU; I CAN'T TELL YOU</p> <p>WHETHER HE IS DEAD OR ALIVE.</p> <p>Q. DID YOU SEE ISAAC C.</p> <p>HAIGHT? A. NOT WHEN I FIRST WENT TO THE CAMP.</p> <p>Q. YOU SAW HIM AROUND AT THE MEADOWS? A.</p> <p>YES, SIR, I SAW HIM AT THE MEADOWS? Q. DID</p> <p>YOU SEE A MAN BY THE NAME OF STEWART? A. I DON'T RECOLLECT. Q. DID YOU SEE HIGBEE? A. YES, SIR. Q. JOHN M. HIGBEE? A. YES, SIR. Q.</p> <p>WHEN? A. NO, SIR, I DON'T RECOLLECT. Q. DID YOU</p>	<p>THE SAME KLINGEN SMITH THAT WAS HERE THE LAST TRIAL OF THIS CASE</p> <p>HE WAS THE MAN THAT WAS BISHOP OF CEDAR CITY</p> <p>[space] WHERE IS WSN/RSM[?] I CAN'T TELL YOU DO NOT KNOW</p> <p>WHETHER HE IS DEAD OR ALIVE</p> <p>[space] I SAW ISAAC C</p> <p>HAIGHT NOT WHEN I FIRST WENT TO THAT CAMP [space]</p> <p>YOU SAW HIM AROUND AT THE MEADOWS</p> <p>I SAW HIM AT THE MEADOWS</p> <p>[space] ^{[[64]]} DID YOU SEE A MAN BY THE NAME OF STEWART</p> <p>I DON'T RECOLLECT</p> <p>DID YOU SEE HIGBEE YES</p> <p>SIR[?] JOHN M. HIGBEE YES</p> <p>SIR [space]</p> <p>WILDEN[?] NO</p> <p>SIR I DON'T RECOLLECT</p> <p>[space] DID YOU</p>

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<p>SEE OLD MAN YOUNG ? A. YES SIR. Q. HOW MANY OTHERS DID YOU SEE ? A. I CAN'T TELL YOU. Q. YOU STAYED THERE A FEW MINUTES AND THEN WENT TO GET YOUR HORSE, WHERE WAS IT YOU HEARD THE CONVERSATION BETWEEN JOHN D. LEE AND THE INDIANS A. IT WAS AT THE CAMP AT</p> <p>HAMBLIN'S RANCH. Q. GIVE THAT ENTIRE CONVERSATION THAT PASSED BETWEEN JOHN D. LEE AND THE INDIANS ? A. I CAN'T. Q. START IN AND GIVE FROM THE FIRST TO THE LAST OF IT AS WELL AS YOU CAN ? A. I DON'T KNOW AS I CAN SIR.</p>	<p>SEE OLD MAN YOUNG? YES, SIR. HOW MANY OTHERS DID YOU SEE? I CAN'T TELL YOU. YOU STAYED THERE A FEW MINUTES AND THEN WENT TO GET YOUR HORSE; WHERE WAS IT YOU HEARD THE CONVERSATION BETWEEN JOHN ^[348] D. LEE AND THE INDIANS? IT WAS AT THE CAMP AT</p> <p>HAMBLIN'S RANCH. GIVE THAT ENTIRE CONVERSATION THAT PASSED BETWEEN JOHN D. LEE AND THE INDIANS? I CAN'T. START IN AND GIVE FROM THE FIRST TO THE LAST OF IT AS WELL AS YOU CAN? I DON'T KNOW AS I CAN, SIR.</p>	<p>SEE OLD MAN YOUNG? ^[58] A. YES, SIR. Q. HOW MANY OTHERS DID YOU SEE? A. I CAN'T TELL YOU? Q. YOU STADID THERE A FEW MINUTES AND THEN YOU WENT OFF TO GET YOUR HORSES. WHERE WAS IT YOU HEARD THIS CONVERSATION BETWEEN ¥JOHN D. LEE AND YOURSELF THE INDIANS? A. IT WAS AT THE CAMP—</p> <p>HAMBLINS RANCH. Q. GIVE THAT ENTIRE CONVERSATION THAT PASSED BETWEEN JOHN D. LEE AND THE INDIANS? A. I CAN'T. Q. START IN AND GIVE FROM THE FIRST OF IT TO THE LAST OF IT- AS WELL AS YOU CAN. A. I DON'T KNOW AS I CAN, SIR. Q. HOW WAS THE TALKING,</p>	<p>SEE OLD MAN YOUNG YES SIR HOW MANY OTHERS DID YOU SEE I CAN'T TELL YOU YOU STAYED THERE A FEW MINUTES AND THEN YOU WENT OFF TO GET YOUR HORSE ~ WHERE WAS IT YOU HEARD THIS CONVERSATION BETWEEN JOHN D. LEE AND THE INDIANS IT WAS AT THE CAMP HAMBLIN'S CAMP—[?] ≤HAMBLINS RANCH> GIVE THAT ENTIRE CONVERSATION THAT PASSED BETWEEN JOHN D. LEE AND THE INDIANS NO SIR I CAN'T START IN AND GIVE ME THE FIRST OF IT TO THE LAST OF IT AS WELL AS YOU CAN.? I DON'T KNOW AS I CAN SIR [space] HOW WAS THE TALKING</p>

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		IN THE INDIAN LANGUAGE OR IN THE ENGLISH LANGUAGE?	IN THE ENGLISH LANGUAGE OR IN THE INDIAN LANGUAGE I GAVE THAT IN THE ENGLISH AND INDIAN LANGUAGE JOHN L. LEE [space] <DID YOU > WERE/WERE[?] THEY[?] THAT YOU YOU HAVE TESTIFIED TO AS HAVING SAID TO THEM ABOUT MAKING AN ATTACK UPON THE EMIGRANTS HAVE I SAID SR/YES SIR[?] HOW DID HE TALK TO THE INDIANS, IN WHAT LANGUAGE DID JOHN D. LEE TALK TO THE INDIANS? A. HE HAD AN INDIAN BOY AS INTERPRETER.
Q. WHAT LANGUAGE DID JOHN D. LEE TALK IN, TO THE INDIANS ? A. HE HAD AN INDIAN BOY AS INTERPRETER.	WHAT LANGUAGE DID JOHN D. LEE TALK IN TO THE INDIANS? HE HAD AN INDIAN BOY AS INTERPRETER.	HOW DID HE TALK TO THE INDIANS, IN WHAT LANGUAGE DID JOHN D. LEE TALK TO THE INDIANS? A. HE HAD AN INDIAN BOY AS INTERPRETER.	WHAT KIND OF LANGUAGE DID JOHN D. LEE TALK TO THE INDIANS HE HAD AN INDIAN BOY AS INTERPRETER IN RELATION TO THE TALK <I SUPPOSE SO> HE HAD AN INDIAN WHO WAS THAT INDIAN INTERPRETER IT WAS AN INDIAN BOY CALLED LEM WITH HIM DID
Q. WHO WAS THAT INDIAN INTERPRETER ? A. IT WAS THE INDIAN BOY CALLED ALMA. I THINK THAT	WHO WAS THAT INDIAN INTERPRETER. IT WAS THE INDIAN BOY CALLED ALMA, I THINK, THAT	Q. WHO WAS THZAT INDIAN INTERPRETER? A. IT WAS AN INDIAN BOY CALLED ALMA, THAT	

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HE WOULD TALK WITH,	HE WOULD TALK WITH	HE HAD TO TALK TO THOSE INDIANS	HE TALK WITH/TO [?] THOSE INDIANS AND THEN <TO YOU> AND THEN HAVE THE INDIAN INTERPRET TO THE INDIANS. Q. Q. THEN HE TALKED ENGLISH AND THE BOY
AND THEN HAVE THE INDIAN INTERPRET IT TO THE INDIANS. Q. Q. THEN HE TALKED ENGLISH AND THE BOY	AND THEN HAVE THE INDIAN INTERPRET IT TO THE INDIANS. THEN HE TALKED ENGLISH AND THE BOY	AND THEN HAVE THE INDIAN HIM INTERPRET TO THE INDIANS. Q. THEN HE TALKED ENGLISH AND THE INDIANS BOY	INDIAN INTERPRET TO THE INDIANS [space] THEN <HE> TALKED IN INDIAN ENGLISH AND THE INDIAN BOY WOULD TRANSLATE TO THE INDIANS I SUPPOSE SO [space] YOU UNDERSTAND UNDERSTOOD BOTH LANGUAGES DO YOU REMEMBER WHETHER THE INDIAN INTERPRETER AND TOLD THE INDIANS WHAT LEE SAID OR NOT ? ^[88] A. I DIDN'T HEAR HIM TELL THE BOY ANYTHING ABOUT THE ATTACK. Q. DIDN'T YOU TESTIFY THAT YOU HAD A TALK WITH LEE AND THAT
INTERPRETED IT TO THE INDIANS. A. I SUPPOSE SO. Q. YOU	INTERPRETED TO THE INDIANS? I SUPPOSE SO. YOU	TRANSLATED IT TO THE INDIANS? A. I SUPPOSE DO SO. Q. YOU	TRANSLATE TO THE INDIANS I SUPPOSE SO [space] YOU UNDERSTAND UNDERSTOOD BOTH LANGUAGES DO YOU REMEMBER WHETHER THE INDIANS INTERPRETER TOLD INDIANS WHAT LEE SAID ^{[[65]]} OR NOT I DIDN'T HEAR HIM TELL THE BOY ANYTHING IN RELATION TO THE ATTACK. [space] DIDN'T YOU TESTIFY THAT YOU HAD A TALK WITH LEE AND THAT
UNDERSTOOD BOTH LANGUAGES ?— DO YOU REMEMBER WHETHER THE INDIAN INTERPRETED AND TOLD THE INDIANS WHAT LEE SAID OR NOT ? ^[88] A. I DIDN'T HEAR HIM TELL THE BOY ANYTHING ABOUT THE ATTACK. Q. DIDN'T YOU TESTIFY THAT YOU HAD A TALK WITH LEE AND THAT	UNDERSTOOD BOTH LANGUAGES. DO YOU REMEMBER WHETHER THE INDIAN INTERPRETED AND TOLD THE INDIAN WHAT LEE SAID, OR NOT? I DIDN'T HEAR HIM TELL THE BOY ANYTHING ABOUT THE ATTACK. DIDN'T YOU TESTIFY THAT YOU HAD A TALK WITH LEE, AND THAT	UNDERSTOOD BOTH LANGUAGES. DO YOU REMEMBER WHETHER THE INTERPRETER TOLD THE INDIAN WHAT LEE SAID? A. I DIDN.T HEAR HIM TELL THE BOY ANYTHING IN RELATION TO THE ATTACK. Q. DIDN,T YOU TESTIFY THAT YOU HAD TALKED WITH LEE AND THAT	UNDERSTOOD BOTH LANGUAGES DO YOU REMEMBER WHETHER THE INDIANS INTERPRETER TOLD INDIANS WHAT LEE SAID ^{[[65]]} OR NOT I DIDN'T HEAR HIM TELL THE BOY ANYTHING IN RELATION TO THE ATTACK. [space] DIDN'T YOU TESTIFY THAT YOU HAD A TALK WITH LEE AND THAT

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<p>YOU HEARD HIM TALK WITH THE INDIANS AND SAY THAT HE HAD ATTACKED THE EMIGRANTS</p> <p>A.</p> <p>NO SIR, I SAID THE INDIANS TOLD ME SO. YES SIR, I DID. LEE WAS TALKING WHEN I WENT TO THE CAMP AND HE DID SAY SO.</p> <p>Q. TELL ME WHETHER HE TALKED ENGLISH OR INDIAN ?</p> <p>A.</p> <p>HE TALKED ENGLISH TO ME AND TOLD ME SO.</p> <p>Q. GIVE ME THAT CONVERSATION ?</p> <p>A. HE TOLD ME THEY HAD ATTACKED THE CAMP ON MONDAY NIGHT AND BEEN REPULSED.</p>	<p>YOU HEARD HIM TALK WITH THE INDIANS, AND SAY THAT HE HAD ATTACKED THE EMIGRANTS?</p> <p>NO, SIR, I SAID THE INDIANS TOLD ME SO. YES, SIR; I DID. LEE WAS TALKING WHEN I WENT TO THE CAMP, AND HE DID SAY SO.</p> <p>TELL ME WHETHER HE TALKED ENGLISH OR INDIAN?</p> <p>HE TALKED ENGLISH TO ME AND TOLD ME SO.</p> <p>GIVE ME THAT CONVERSATION ?</p> <p>HE TOLD ME THEY HAD ATTACKED THE CAMP ON MONDAY NIGHT, AND BEEN REPULSED.</p>	<p>YOU HEARD HIM TALK WITH THE INDIANS, AND SAY THAT THEY HAD ATTACKED THE EMIGRANTS?</p> <p>A.</p> <p>NO, SIR, I SAID THE INDIANS TOLD ME SO— YES, SIR, I DID. LEE HE ^[59] WAS TALKING WHEN I WENT TO THE CAMP, AND HE DID SAY SO. Q. TELL ME WHETHER HE TALKED IN INDIAN THEN-?</p> <p>A.</p> <p>HE TALKED ENGLISH TO ME WHEN HE TOLD ME SO.</p> <p>Q. GIVE ME THAT CONVERSATION ?</p> <p>A- HE TOLD ME THAY HAD ATTACKED THE CAMP ON MONDAY NIGHT AND BEEN REPULSED.</p>	<p>YOU HEARD HIM TALK WITH THE INDIANS AND SAY THAT HE HAD ATTACKED THE EMIGRANTS AND [space]</p> <p>NO SIR I SAID THE INDIANS TOLD ME SO [space] YES SIR I DID LEE SAID HE HE WAS TALKING WHEN I WENT TO THE CAMP AND DID SAY SO [space]</p> <p>TELL ME WHETHER HE WAS TALKING IN INDIAN THEN OR INDIAN ENGLISH HE TALKED ENGLISH TO ME/'EM[?]</p> <p>TOLD ME SO [space] GIVE ME THAT CONVERSATION HE TOLD ME THEY HAD ATTACKED THE CAMP ON MONDAY NIGHT AND WERE REPULSED [space] WHAT ELSE AND THAT THE TWO INDIANS—3 INDIANS TOLD ME THEY WERE</p>

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<p>Q. WHAT ELSE? A. I CAN'T BE EXPECTED TO REMEMBER ALL THE CONVERSATION, TWENTY YEARS AGO. Q. I WANT ALL THAT YOU DO KNOW—DO YOU KNOW ANY MORE ABOUT IT—CAN YOU RECOLLECT ANYTHING MORE THAT HE SAID ? A. NOTHING THAT I RECOLLECT. Q. DID HE GIVE YOU ANY REASON FOR ATTACKING THE EMIGRANTS ? A. NO SIR. Q. DID YOU FIND ANY FAULT WITH HIM FOR ATTACKING THEM—WAS ANYTHING SAID ABOUT WHETHER IT WAS RIGHT OR WRONG ? A. NO SIR, I WAS A BOY. I DIDN'T CONSIDER IT MY BUSINESS TO TALK TO MY</p>	<p>WHAT ELSE? I CAN'T BE EXPECTED TO REMEMBER ALL THE CONVERSATION TWENTY YEARS AGO. I WANT ALL THAT YOU DO KNOW. DO YOU KNOW ANY MORE ABOUT IT? CAN YOU RECOLLECT ANYTHING MORE THAT HE SAID? NOTHING THAT I RECOLLECT. DID HE GIVE YOU ANY REASON FOR ATTACKING THE EMIGRANTS? NO, SIR. DID YOU FIND ANY FAULT WITH HIM FOR ATTACKING THEM? WAS ANYTHING SAID ABOUT WHETHER IT WAS RIGHT OR WRONG? NO, SIR; I WAS A BOY; I DIDN'T CONSIDER IT MY BUSINESS TO TALK TO MY</p>	<p>Q. WHAT ELSE? A. I CAN'T BE EXPECTED TO REMEMBER ALL THE CONVERSATION 20YEARS AGO. Q. I WANT ALL YOU DO KNOW. DO YOU KNOW ANY MORE OF IT? CAN YOU RECOLLECT ANY MORE THAT HE SAID? A. NOTHING THAT I RECOLLECT. Q. DID HE GIVE YOU ANY REASON FOR ATTACKING THE EMIGRANTS? A. NO, SIR. Q. DID YOU FIND ANY FAULT WITH HIM FOR ATTACKING THEM? WAS ANYTHING SAID ABOUT WHETHER IT WAS RIGHT OR WRONG? A. NO, SIR, I DIDN'T , I WAS A BOY AND I DIDN'T CONSIDER IT MY BUSINESS TO TALK TO A</p>	<p>INDIANS [space] WHAT ELSE I CAN'T BE EXPECTED TO REMEMBER ALL THE CONVERSATION 20 YEARS AGO [space] I WANT ALL YOU DO KNOW DO YOU KNOW ANY MORE OF IT CAN YOU RECOLLECT ANYTHING [space] MORE THAT HE SAID [space] NOTHING THAT I RECOLLECT [space] DID HE GIVE YOU ANY REASON FOR ATTACKING THE EMIGRANTS NO SIR [space] DID YOU FIND ANY FAULT WITH HIM FOR ATTACKING THEM? WAS ANYTHING SAID ABOUT WHETHER IT WAS RIGHT OR WRONG NO SIR I DIDN'T I WAS A BOY AND I DIDN'T CONSIDER IT MY BUSINESS TO TALK TO A</p>

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<p>SUPERIOR OFFICERS IN REGARD TO SUCH THINGS. Q. HOW WAS THAT ABOUT LEE BEING YOUR SUPERIOR OFFICER ? A. I SAY I WAS A BOY AND DIDN'T CONSIDER I HAD A RIGHT TO TALK TO A MAN IN HIS POSITION IN SUCH MATTERS. ^[89] Q. DID HE HAVE ANY CONTROL OVER YOU ? A. NO. Q. WHAT RIGHT HAD HE TO CONTROL YOUR ACTIONS ? NO ANSWER. Q. WHAT POSITION DID HE HOLD THAT GAVE HIM THE RIGHT TO DIRECT YOUR MOVEMENTS ? A. I WAS SENT THERE.</p> <p>Q. YOU HAVE SPOKEN OF HIS BEING YOUR SUPERIOR OFFICER, TELL ME WHAT</p>	<p>SUPERIOR OFFICERS IN REGARD TO SUCH THINGS? HOW WAS THAT ABOUT LEE BEING YOUR SUPERIOR OFFICER? I SAY I WAS A BOY AND DIDN'T CONSIDER I HAD A RIGHT TO TALK TO A MAN IN HIS POSITION IN SUCH MATTERS. DID HE HAVE ANY CONTROL OVER YOU? NO. WHAT RIGHT HAD HE TO CONTROL YOUR ACTIONS? NO ANSWER. ^[349] WHAT POSITION DID HE HOLD THAT GAVE HIM THE RIGHT TO DIRECT YOUR MOVEMENTS? I WAS SENT THERE.</p> <p>YOU HAVE SPOKEN OF HIS BEING YOUR SUPERIOR OFFICER. TELL ME WHAT</p>	<p>SUPERIOR OFFICER IN REGARD TO SUCH THINGS. Q. HOW WAS THAT ABOUT LEE'S BEING A SUPERIOR OFFICER? A. I SAY I WAS A BOY, AND DIDN'T CONSIDER I HAD A RIGHT TO TALK TO A MAN IN HIS POSITION OF SUCH MATTERS.. Q. DID HE HAVE ANY CONTROL OVER YOU? WHAT RIGHT HAD HE TO CONTROL YOUR ACTIONS? WHAT POSITION DID HE HOLD THAT GAVE HIM A RIGHT TO DIRECT YOUR MOVEMENTS? A. I WAS SENT THERE. Q. TELL ME WHAT POSITIOIN JOHN D. LEE OCCUPIED YOU HAVE SPOKEN OF HIS BEING A SUPERIOR OFFICER— TELL ME WHAT</p>	<p>SUPERIOR OFFICER IN REGARD TO SUCH THINGS. ^[space] HOW WAS THAT LEE'S BEING A SUPERIOR OFFICER I SAY I WAS A BOY AND DIDN'T CONSIDER I HAD A RIGHT TO TALK TO A MAN IN HIS POSITION IN SUCH MATTERS ^[space] DID HE HAVE CONTROL OVER YOU WHAT RIGHT HAD HE TO CONTROL YOUR ACTIONS? HE WHAT POSITION DID HE HOLD THAT GAVE HIM A RIGHT TO DIRECT YOUR MOVEMENTS I WAS SENT THERE ~ ^[space] TELL ME WHAT POSITION ~</p> <p>YOU HAVE SPOKEN OF SUPERIOR OFFICER TELL ME WHAT ^{[[66]]}</p>

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<p>POSITION JOHN D. LEE HELD THAT ENABLED HIM TO CONTROL YOUR ACTIONS ? A. THEY CALLED HIM MAJOR LEE, AND I WAS SENT BY MAJOR HAIGHT TO GO TO MOUNTAIN MEADOWS TO MAJOR LEE. Q. THAT IS THE REASON YOU CONSIDERED THAT YOU HAD NOTHING TO DO WITH IT ? A. YES SIR. Q. DID HAIGHT TELL YOU WHAT YOU WERE TO DO THERE ? A. NO SIR. Q. HE SIMPLY TOLD YOU TO GO TO THE MOUNTAIN MEADOWS ? A. YES SIR. Q. WHAT DO YOU MEAN BY YOUR EVIDENCE, WHEN YOU WERE ASKED BY MR. HOWARD A QUESTION, AND</p>	<p>POSITION JOHN D. LEE HELD THAT ENABLED HIM TO CONTROL YOUR ACTIONS? THEY CALLED HIM MAJOR LEE, AND I WAS SENT BY MAJOR HAIGHT TO GO TO THE MOUNTAIN MEADOWS, TO MAJOR LEE. THAT IS THE REASON YOU CONSIDERED THAT YOU HAD NOTHING TO DO WITH IT? YES, SIR. DID HAIGHT TELL YOU WHAT YOU WERE TO DO THERE? NO, SIR. HE SIMPLY TOLD YOU TO GO TO THE MOUNTAIN MEADOWS? YES, SIR. WHAT DO YOU MEAN BY YOUR EVIDENCE, WHEN YOU WERE ASKED BY MR. HOWARD A QUESTION, AND</p>	<p>POSITION HE OCCUPIED— THAT ENABLED HIM TO CONTROL YOUR ACTIONS. A. THEY CALLED HIM MAJOR LEE, AND I WAS SENT BY MAJOR HAIGHT TO GO TO THE MOUNTAIN MEADOWS TO MAJOR LEE. ^[60] Q. WTHAT IS THE RESAON THAT YOU CONSIDER THAT YOU HAD NOTHING TO DO WITH IT? A. YES, SIR. Q. DID HAIGHT TELL YOU WHAT YOU WAS TO DO THERE? A. NO, SIR, Q. HE SIMPLY TOLD YOU TO GO TO THE MOUNTAIN MEADOWS? A. YES, SIR. Q. WHAT DO YOU MEAN BY YOUR EVIDENCE WHEN YOU WERE ASKED BY BROTHER HOWARD A QUESTION AND</p>	<p>POSITION JOHN D. LEE OCCUPIED THAT ENABLES HIM TO CONTROL YOUR ACTIONS THEY CALLED HIM MAJOR LEE AND I WAS SENT BY MAJOR HAIGHT TO GO TO THE MOUNTAIN MEADOWS TO GO TO MAJOR LEE THAT IS THE REASON THAT YOU CONSIDERED YOU HAD NOTHING TO DO WITH IT YES SIR [space] DID HAIGHT TELL YOU WHAT YOU WAS TO DO THERE NO SIR [space] HE SIMPLY TOLD YOU TO GO TO THE MOUNTAIN MEADOWS YES SIR WHAT DO YOU MEAN BY YOUR EVIDENCE WHEN YOU WERE ASKED BY BROTHER HOWARD A QUESTION AND</p>

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<p>YOU ANSWERED</p> <p>THAT YOU WOULD NOT HAVE GONE TO THE MEADOWS IF YOU HAD KNOWN WHAT WAS TO BE DONE ? A. THAT IS, NOT IF I COULD HELP IT. Q. STATE WHETHER YOU WERE UNDER ANY COMPULSION ? A. I DIDN'T CONSIDER IT WAS SAFE FOR ME TO OBJECT. Q. EXPLAIN WHAT YOU MEAN—THAT IS WHAT I WANT—WHERE WAS THE DAN-^[90] GER—WHO WAS THE DANGER TO COME FROM IF YOU OBJECTED —FROM HAIGHT OR THOSE AROUND HIM, FROM THE INDIANS OR</p>	<p>YOU ANSWERED</p> <p>THAT YOU WOULD NOT HAVE GONE TO THE MEADOWS IF YOU HAD KNOWN WHAT WAS TO BE DONE? THAT IS, NOT IF I COULD HELP IT. Q. STATE WHETHER YOU WERE UNDER ANY COMPULSION? I DIDN'T CONSIDER IT WAS SAFE FOR ME TO OBJECT. EXPLAIN WHAT YOU MEAN, THAT IS WHAT I WANT. WHERE WAS THE DANGER—WHO WAS THE DANGER TO COME FROM IF YOU OBJECTED —FROM HAIGHT OR THOSE AROUND HIM— FROM THE INDIANS, OR</p>	<p>YOU ANSWERED IT—YOU SAID IN REPLY TO THE QUESTION ASKED YOU BY THE PROSECUTION, THAT YOU WOULD NOT HAVE GONE TO THE MOUNTAIN MEADOWS IF YOU HAD KNOWN WHAT WAS TO BE DONE. A. THAT IS IF I COULD HAVE HELPED IT. Q. STATE WHETHER YOU WAS UNDER ANY COMPULSION? A. I DIDN'T CONSIDER IT WAS SAFE FOR ME TO OBJECT. Q. EXPLAIN WHAT YOU MEAN, THAT IS WHAT I WANT, WHERE WAS THE DANGER—WHO WAS THE DANGER TO COME FROM IF YOU OBJECTED —FROM HAIGHT OR FROM THOSE AROUND HIM, FROM THE INDIANS, OR</p>	<p>YOU ANSWERED ~ YOU SAID IN REPLY TO THE QUESTION ASKED YOU BY THE PROSECUTION THAT YOU WOULD NOT HAVE GONE TO THE MEADOWS IF YOU HAD KNOWN WHAT WAS TO BE DONE “THAT IS IF I COULD HAVE HELPED IT” ? WHETHER YOU WAS UNDER YOU ANY COMPULSION I DIDN'T CONSIDER IT WAS SAFE FOR ME TO OBJECT [space] EXPLAIN WHAT YOU MEAN THAT IS WHAT I WANT [space] WHERE WAS THE DANGER WHO WAS THE DANGER TO COME FROM IF YOU OBJECTED FROM HAIGHT [space] IT WAS FROM HIM OR FROM THE INDIANS OR</p>

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<p>FROM THE EMIGRANTS ? A. FROM THE MILITARY OFFICERS. Q. WHERE ? A. AT CEDAR CITY . Q. WAS HAIGHT ONE OF THOSE MILITARY OFFICERS ? A. YES SIR. Q. WHO WAS THE HIGHEST MILITARY OFFICER IN CEDAR CITY AT THAT TIME ? A. I THINK IT WAS ISAAC C. HAIGHT. Q. YOU THOUGHT IT WOULD NOT BE SAFE FOR YOU TO REFUSE —HAD YOU ANY REASONS TO FEAR DANGER— HAD ANY PERSONS EVER BEEN INJURED FOR NOT OBEYING OR ANYTHING OF THAT KIND ? A. I DON'T WANT TO ANSWER. Q. IT IS NECESSARY TO THE SAFETY OF THE MAN I AM</p>	<p>FROM THE EMIGRANTS? FROM THE MILITARY OFFICERS. WHERE? AT CEDAR CITY. WAS HAIGHT ONE OF THOSE MILITARY OFFICERS? YES, SIR. WHO WAS THE HIGHEST MILITARY OFFICER IN CEDAR CITY AT THAT TIME? I THINK IT WAS ISAAC C. HAIGHT. YOU THOUGHT IT WOULD NOT BE SAFE FOR YOU TO REFUSE, HAD YOU ANY REASONS TO FEAR DANGER— HAD ANY PERSONS EVER BEEN INJURED FOR NOT OBEYING, OR ANYTHING OF THAT KIND? I DON'T WANT TO ANSWER. IT IS NECESSARY TO THE SAFETY OF THE MAN I AM</p>	<p>FROM THE EMIGRANTS. A. FROM THE MILITARY OFFICERS. Q. WHERE. A. AT CEDAR CITY. Q. WAS HAIGHT ONE OF THOSE MILLITARY OFFICERS? A. YES, SIR. Q. WHO WAWAS THE HIGHEST MILLITARY OFFICER IN CEDAR CITY AT THAT TIME? A- I THINK IT WAS ISAAC C. HAIGHT. Q. YOU THOUGHT IT WOULD NOT BE SAFE FOR YOU TO REFUSE. HAD YOU ANY REASON TO FEAR DANGER? HAD ANY PERSON EVER BEEN INJURED FOR NOT OBEYING, OFR ANYTHING OF THAT KIND?. A. I DON'T WHAANT TO ANSWER. ^[61] Q. IT IS NECESSARY TO THE SAFETY OF THE MAN THAT I AM</p>	<p>FROM THE EMIGRANTS? FROM THE MILITARY OFFICERS. WHERE AT CEDAR CITY. [space] WAS HAIGHT ONE OF THOSE MILITARY OFFICERS YES SIR WHO WAS THE HIGHEST IN MILITARY OFFICERS IN CEDAR AT THAT TIME I THINK IT WAS ISAAC C HAIGHT. [space] YOU THOUGHT IT WOULD NOT BE SAFE FOR YOU TO REFUSE HAD YOU ANY REASON TO FEAR DANGER [space] HAD ANY PERSON EVER BEEN INJURED FOR NOT OBEYING OR ANYTHING OF THAT KIND I DON'T WANT TO ANSWER [space] IT IS NECESSARY FOR THE SAFETY OF THIS MAN I AM</p>

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<p>HOW OLD HAIGHT WAS THEN ? A. I CAN'T. Q. A FULL GROWN MAN I PRESUME ? A. YES SIR. Q' AFTER YOU HAD CAUGHT YOUR HORSE HOW FAR WERE YOU FROM THE WAGONS AT THE TIME YOU HEARD THE FIRST FIRING ? A. WELL, I WAS NOT OVER THREE HUNDRED YARDS, AND PERHAPS NOT MORE THAN TWO HUNDRED AND FIFTY. Q. WHAT WAS THE NATURE OF THE GROUND ? A. I WAS ON HIGHER GROUND. IF YOU HAVE EVER BEEN TO THE MOUNTAIN MEADOWS IT GRADUALLY DESCENDS DOWN FROM THE MOUNTAINS TO THE MEADOWS.</p>	<p>HOW OLD HAIGHT WAS THEN? I CAN'T. A MAN FULL- GROWN, I PRESUME? YES, SIR. AFTER YOU HAD CAUGHT YOUR HORSE, HOW FAR WERE YOU FROM THE ^[350] WAGONS AT THE TIME YOU HEARD THE FIRST FIRING? WELL, I WAS NOT OVER 300 YARDS, AND PERHAPS NOT MORE THAN 250. WHAT WAS THE NATURE OF THE GROUND? I WAS ON HIGHER GROUND; IF YOU HAVE EVER BEEN TO THE MOUNTAIN MEADOWS, IT GRADUALLY DESCENDS DOWN FROM THE MOUNTAINS TO THE MEADOWS.</p>	<p>WHAT AGE HAIGHT WAS AT THAT TIME? A. I CAN'T. Q. A MAN FULL GROWN I SUPPOSE. A. YES, SIR. Q- AFTER YOU HAD CAUGHT YOUR HORSES HOW FAR WAS YOU FROM THE WAGON AT THE TIME YOU FIRST HEARD THE FIRING? A. WELL, I WAS NOT OVER THREE HUNDRED YARDS, AND PERHAPS NOT OVER 250. Q. WHAT WAS THE NATURE OF THE GROUND?? A. I WAS ON HIGH GROUND. IF YOU HAVE EVER BEEN TO THE MOUNTAIN MEADOWS, IT GRADUALLY DESCENDS DOWN FROM THE MOUNTAINS RO & THE MEADOWS.</p>	<p>WHAT AGE HAIGHT WAS AT THAT TIME [space] MAN I CAN'T [space] MAN FULL GROWN I PRESUME YES SIR [space] HOW FAR AFTER YOU HAD CAUGHT YOUR HORSE HOW FAR WAS YOU FROM THE WAGONS AT THE TIME YOU HEARD THE FIRST FIRING. WELL I WAS NOT OVER 300 YARDS AND PERHAPS NOT OVER 250 [space] WHAT WAS THE NATURE OF THE GROUND I WAS ON HIGHER GROUND IF YOU HAVE EVER BEEN TO THE MOUNTAIN MEADOWS IT GRADUALLY DESCENDS DOWN FROM THE MOUNTAIN DOWN TO THE HILL [space]</p>

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<p>Q. YOU WERE ON THE UPLAND ABOVE THE WAGONS ? A. YES SIR. Q. BETWEEN YOU AND THOSE PARTIES WERE THERE ANY TREES OR SHRUBBERY OR ANYTHING OF THAT KIND ? A. THERE WERE SOME TO MY LEFT, KIND OF BEHIND ME. Q. YOU WERE AT THE LEFT OF THE COLUMN ? A. TO THE RIGHT OF THE COLUMN. Q. THEN TO YOUR LEFT IN BETWEEN YOU AND THE WAGONS THERE WAS NOTHING TO OBSTRUCT YOUR VISION WHATEVER ? A. NOT BETWEEN ME AND THE WAGONS. Q. AT THAT TIME COULD YOU SEE DOWN TO THE MEADOWS TO WHERE THE</p>	<p>YOU WERE ON THE UPLAND— ABOVE THE WAGONS? YES, SIR. BETWEEN YOU AND THOSE PARTIES WERE THERE ANY TREES OR SHRUBBERY, OR ANYTHING OF THAT KIND? THERE WERE SOME TO MY LEFT—KIND OF BEHIND ME. YOU WERE AT THE LEFT OF THE COLUMN? TO THE RIGHT OF THE COLUMN. THEN TO YOUR LEFT, IN BETWEEN YOU AND THE WAGONS, THERE WAS NOTHING TO OBSTRUCT YOUR VISION WHATEVER? NOT BETWEEN ME AND THE WAGONS. AT THAT TIME COULD YOU SEE DOWN TO THE MEADOWS TO WHERE THE</p>	<p>Q. YOU WERE ON THE UPLAND FROM THEM? A. YES, SIR. Q. BETWEEN YOU AND THOSE PARTIES WERE THERE ANY TREES, ANYTHING OF THAT KIND? ^[62] A. THERE WAS SOME TO MY LEFT, KIND OF BEHIND ME. Q. YOU WERE AT THE LEFT OF THE COLUMN? A. TO THE RIGGGHHT OF THE COMLUMN. Q. THEN TO YOUR LEFT, IN BETWEEN YOU AND THE WAGONS, THERE WAS NOTHING TO OBSTRUCT YOUR VISSION WHATHEVER-? A. NOT BETWEEN ME AND THE WAGONS. Q. AT THAT TIME COULD YOU SEE DOWN THE MEADOWS TO WHERE THE</p>	<p>YOU WAS ON THE UPLAND RATHER UP FROM THEM YES SIR [space] BETWEEN YOU AND THOSE PARTIES WAS THERE ANY TREES OR SHRUBBERY[?] ANYTHING OF THAT KIND THERE WAS SOME TO MY LEFT KIND OF BEHIND ME [space] YOU WAS AT THE LEFT OF THE COLUMN TO THE RIGHT OF THE COLUMN [space] THEN TO YOUR LEFT IN BETWEEN YOU AND THE WAGONS THERE WAS NOTHING TO OBSTRUCT YOUR VISION WHATEVER NOT BETWEEN ME AND THE WAGONS [space] AT THAT TIME COULD YOU SEE DOWN DOWN TO THE MEADOWS DOWN TO WHERE</p>

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<p>PRINCIPAL PART OF THE EMIGRANTS WAS KILLED ? ^[92] A. I COULD SEE THE HEAD OF THE COLUMN OF THE EMIGRANTS. THE LOWER PART OF THE COLUMN WAS HID BY THOS OAK BRUSH THAT IS THERE. Q. DID YOU SEE ANY INDIANS THERE AT THE TIME YOU HEARD THIS FIRST SHOT OR SOON AFTERWARDS ? A. YES SIR, SOON AFTERWARDS. Q. YOU STOPPED YOUR HORSE AT THE TIME YOU HEARD THE FIRST SHOT AND PAID PARTICULAR ATTENTION TO WHAT WAS GOING ON ? A. YES SIR. Q. YOU CONTINUED THERE INACTIVE UNTIL THE WHOLE THING WAS</p>	<p>PRINCIPAL PART OF THE EMIGRANTS WERE KILLED? I COULD SEE THE HEAD OF THE COLUMN OF THE EMIGRANTS. THE LOWER PART OF THE COLUMN WAS HID BY THIS OAK BUSH THAT IS THERE. DID YOU SEE ANY INDIANS THERE AT THE TIME YOU HEARD THIS FIRST SHOT, OR SOON AFTERWARDS? YES, SIR, SOON AFTERWARDS. YOU STOPPED YOUR HORSE AT THE TIME YOU HEARD THE FIRST SHOT AND PAID PARTICULAR ATTENTION TO WHAT WAS GOING ON? YES, SIR. YOU CONTINUED THERE INACTIVE UNTIL THE WHOLE THING WAS</p>	<p>PRINCIPAL PART OF THE EMIGRANTS WERE KILLED? A. I COULD SEE THE HEAD OF THE COLUMN OF THE EMIGRANTS. THE LOWER PART OF THIS COLUMN WAS HID BY THIS OAK BRUSH THAT IS THERE. Q. DID YOU SEE ANY INDIANS THERE AT THAT TIME THAT YOU HEARD THIS FIRST FIRING OR SOON AFTERWARDS. A. YES, SIR, SOOMN AFTER. Q. YOU STOPPED YOUR HORSE AT THE TIME YOU HEARD THE FIRST SHOT AND PAID PARTICULAR ATTAENTION TO WHAT WAS GOING ON? A. YES, SIR. Q. YOU CONTINUED THERE INA∇CTIVE TILL THE WHOLE THING WAS</p>	<p>PRINCIPAL PART OF THE EMIGRANTS WERE KILLED? I COULD SEE [space] THE HEAD OF THE COLUMN OF THE EMIGRANTS THE LOWER PART OF THIS COLUMN WAS HID BY THIS OAK BRUSH THIS SHRUBBERY DID YOU SEE ANY INDIANS THERE AT THE TIME YOU HEARD THIS FIRST SHOT OR SOON AFTERWARDS YES SIR SOON AFTERWARDS [space] YOU STOPPED YOUR HORSES AT THE TIME YOU HEARD THE SHOT AND PAID PARTICULAR ATTENTION <u>TO WHAT WAS GOING ON—</u> <u>YES SIR</u> THEN CONTINUED THERE INACTIVE TILL THE WHOLE THING ^{[[68]]} WAS</p>

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OVER ? A. YES SIR. Q. YOU SAY YOU SAW JOHN D. LEE THERE—	OVER? YES, SIR. YOU SAY YOU SAW JOHN D. LEE THERE.	OVER? A. YES, SIR. Q. YOU SAW JOHN D. LEE THERE. I WILL ASK YOU IF YOU DID NOT SEE AT THAT SAME TIME	OVER YES SIR [<i>space</i>] YOU SAW JOHN D. LEE THERE ASK YOU IF YOU DID NOT SEE AT THE TIME
DID YOU NOT SEE	DID YOU NOT SEE	SAMUEL MC MURDY, A DRIVER OF ONE OF THE WAGONS? A. YES, SIR. Q. WHAT DID HE DO? A. HE WAS HOLDING HIS HORSES ALL THE TIME. I DID NOT SEE HIM LET GO OF THEM.	SAMUEL MCMURDY DRIVER OF ONE OF THE WAGONS YES SIR WHAT DID HE DO HE WAS HOLDING HIS HORSES ALL THE TIME I DID NOT SEE HIM LET GO OF THEM [<i>space</i>]
SAMUEL MC MURDY— ONE OF THE DRIVERS THERE ALSO ? A. YES SIR. Q. WHAT DID HE DO ? A. HE WAS HOLDING HØIS HORSES ALL THE TIME, I DID NOT SEE HIM LET GO OF THEM. Q. DO YOU KNOW WHETHER Ì HE TOOK PART IN THE KILLING OR NOT ? A. NO SIR, I DON'T I CAN'T SAY. Q. WHAT WAS SAM. KNIGHT DOING ? A. SAM KNIGHT, WHEN I LOOKED AROUND	SAMUEL MCMURDY, ONE OF THE DRIVERS, THERE ALSO. YES, SIR. WHAT DID HE DO? HE WAS HOLDING HIS HORSES ALL THE TIME. I DID NOT SEE HIM LET GO OF THEM. DO YOU KNOW WHETHER HE TOOK PART IN THE KILLING, OR NOT? NO, SIR, I DON'T. I CAN'T SAY. WHAT WAS SAM KNIGHT DOING? SAM KNIGHT, WHEN I LOOKED AROUND,	SAMUEL MC MURDY, A DRIVER OF ONE OF THE WAGONS? A. YES, SIR. Q. WHAT DID HE DO? A. HE WAS HOLDING HIS HORSES ALL THE TIME. I DID NOT SEE HIM LET GO OF THEM ALL THE TIME Q. DO YOU KNOW WHETHER HE TOOK PART IN THE KILLING OR NOT? A. NO, SIR, I DON'T, I CAN'T SAY. Q. WHAT WAS SAMUEL KNIGHT DOING? A. SAMUEL KNIGHT, WHEN I LOOKED AROUND AND SAW HIM, WAS OUT ON THE GROUND HOLDING HIS HORSES. ^[63] Q. HOW LONG DID	SAMUEL MCMURDY DRIVER OF ONE OF THE WAGONS YES SIR WHAT DID HE DO HE WAS HOLDING HIS HORSES ALL THE TIME I DID NOT SEE HIM LET GO OF THEM [<i>space</i>] DO YOU KNOW WHETHER HE TOOK PART IN THE KILLING OR NOT NO SIR I DON'T I CAN'T SAY [<i>space</i>] WHAT WAS SAM KNIGHT DOING SAM KNIGHT WHEN I LOOKED AROUND AND SAW HIM HE WAS OUT ON THE GROUND HOLDING HIS HORSES [<i>space</i>] HOW LONG DID

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THEY STAND THERE AND HOLD THEIR HORSES ? A. NOT LONG, THE KILLING DID NOT LAST OVER FIVE MINUTES. Q. WHAT DID THEY DO WHEN THEY LET GO OF THEIR HORSES ? [93] A. I SAW THE WAGONS GOING OFF.	THEY STAND THERE AND HOLD THEIR HORSES? NOT LONG. THE KILLING DID NOT LAST OVER FIVE MINUTES. WHAT DID THEY DO WHEN THEY LET GO OF THEIR HORSES? I SAW THE WAGONS GOING OFF.	THEY STAND THERE AND HOLD THEIR HORSES? A. IT WAS NOT LONG, FOR THE KILLING DID NOT LAST OVER FIVE MINUTES. Q. WHAT DID THEY DO AFTER THEY LET GO OF THEIR HORZSES? A. I SAW THE WAGONS GOING OFF. .	THEY STAND THERE AND HOLD THEIR HORSES IT WAS NOT LONG FOR THE KILLING DID NOT LAST OVER FIVE MINUTES. [space] WHAT DID THEY DO AFTER THEY LET GO OF THEIR HORSES I SAW THE WAGONS GOING ON. YOU DO/DID[?] NOT PRETEND TO NOTICE WHAT [space] THERE WAS ANOTHER WHITE MAN THERE THAT WAS HIDING ⁶⁷³ ALONG WITH THE INDIANS BUT WHO HE WAS I DO NOT KNOW I CAN'T TELL NEVER INQUIRED I SUPPOSE ←NEVER INQUIRED TO→ TO FIND OUT? NO SIR I DID NOT. [space] THAT WAS THOUGHT IT WAS NONE OF YOUR
THERE WAS ANOTHER WHITE MAN THERE	THERE WAS ANOTHER WHITE MAN THERE	THERE WAS ANOTHER WHITE MAN THERE WITH THEM, ALONG WITH THE INDIANS, BUT WHO HE WAS I DO NOT KNOW—I CAN'T TELL AND	
ALONG WITH THE INDIANS, BUT WHO HE WAS I DON'T KNOW, I CAN'T TELL,	ALONG WITH THE INDIANS, BUT WHO HE WAS I DO NOT KNOW. I CAN'T TELL.		
I NEVER INQUIRED TO FIND OUT	I NEVER ENQUIRED TO FIND OUT.	I NEVER ENQUIRED TO FIND OUT.	
Q. IT WAS NONE OF YOUR	IT WAS NONE OF YOUR	Q. IT WAS NONE OF YOUR	

673. Encircled.

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<p>BUSINESS ? A. NO SIR. Q. AND YOU JUST LET THE MATTER PASS— BUT YOU DID SEE JOHN D. LEE KILLING EMIGRANTS, BUT YOU SO DON'T KNOW WHO ELSE KILLED ANY ?</p> <p>A. NO SIR. Q. HAVE YOU NOT GR TRIED TO FIND OUT SINCE ? A. NO SIR, I HAVE NOT. Q. YOU HAVE TALKED THIS OVER A GREAT MANY TIMES SINCE, AND HEARD IT TALKED OVER I SUPPOSE ? A. NO SIR,</p>	<p>BUSINESS? NO, SIR. AND YOU JUST LET THE MATTER PASS? BUT YOU DID SEE JOHN D. LEE KILLING EMIGRANTS, BUT YOU DON'T KNOW WHO ELSE KILLED ANY?</p> <p>[351] NO, SIR. YOU HAVE NOT TRIED TO FIND OUT SINCE, HAVE YOU? NO, SIR, I HAVE NOT. YOU HAVE TALKED THIS OVER A GREAT MANY TIMES SINCE, AND HEARD IT TALKED OVER, I SUPPOSE? NO, SIR,</p>	<p>BUSINESS. A. NO, SIR. Q. AND YOU JUST LET THE MATTER PASS? BUT YOU DID SEE JOHN D. LEE KILLING EMIGRANTS, BUT YOU DON'T KNOW WHO ELSE KILLED ANY? A, NO, SIR. Q. AND YOU JUST LET THE MATTER PASS. DID YOU SEE JOHN D. LEE KILL ANY OF THE EMIGRANTS.— YOU DON'T KNOE KNOW WHETHER ANYBODY ELSE KILLED ANY OR NOT? A. NO, SIR. Q. HAVE NEVER TRIED TO FIND OUT SINCE? A. NO, SIR, I HAVE NOT. Q. YOU HAVE TALKED THIS THING OVER A GREAT MANY TIMES SINCE, AND HEARD IT TALKED OVER? A. NO, SIR,</p>	<p>BUSINESS YESNO SIR SIR AND YOU JUST LET THE MATTER PASS [space] BUT YOU SEE JOHN D. LEE KILLING EMIGRANTS —[?] ←BUT YOU DON'T KNOW WHO KILLED ELSE KILLED ANY? → [space]</p> <p>NO SIR NEVER TRIED TO FIND OUT SINCE HAVE YOU (NO SIR I HAVE NOT). [space] YOU HAVE TALKED THIS OVER GREAT MANY TIMES SINCE AND HEARD IT TALKED OVER NO SIR ← → HAVE</p>

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<p>BUT VERY LITTLE. Q. YOU HAVE HAD PEOPLE ASK YOU ABOUT THE FACTS AND CIRCUMSTANCES, FREQUENTLY ? A. YES SIR, BUT IT IS SOMETHING THAT I HAVE AVOIDED. Q. IS THIS THE FIRST TIME SINCE YOU ARRIVED IN CEDAR CITY THAT YOU HAVE TALKED THIS THING ALL OVER, EXCEPT WHEN TALKING TO THE ATTORNEYS FOR THE PROSECUTION ?</p> <p>NO ANSWER. Q. FROM YOUR SILENCE I SEE YOU WISH TO AVOID TALKING TO ME TOO— YOU HAVE NEVER TALKED THIS OVER TO ANY ONE ? A. NO SIR. Q. UNTIL YOU CAME TO</p>	<p>BUT VERY LITTLE. YOU HAVE HAD PEOPLE ASK YOU ABOUT THE FACTS AND CIRCUMSTANCES FREQUENTLY? YES, SIR, BUT IT IS SOMETHING THAT I HAVE AVOIDED. IS THIS THE FIRST TIME, SINCE YOU ARRIVED IN BEAVER CITY, THAT YOU HAVE TALKED THIS THING ALL OVER, EXCEPT WHEN TALKING TO THE ATTORNEYS FOR PROSECUTION?</p> <p>NO ANSWER. FROM YOUR SILENCE I SEE YOU WISH TO AVOID TALKING TO ME, TOO. YOU HAVE NEVER TALKED THIS OVER TO ANY ONE? NO, SIR. UNTIL YOU CAME TO</p>	<p>BUT VERY LITTLE. Q. YOU HAVE HAD PEOPLE ASK YOU ABOUT THE FACTS AND CIRCUMSTANCES FREQUENTLY? A. YES, SIR, BUT IT IS SOMETHING THAT I HAVE AVOIDED. THIS IS ABOUT THE FIRST TIME.</p> <p>Q. HAVE YOU EVER TALKED OF THIS MATTER EXCEPT TO THE ATTORNEYS FOR THE PROSECUTION SINCE YOU CAME HERE? A. NO, SIR.</p> <p>Q. HAVE YOU NEVER TOLD THIS ALL OVER TO ANYBODY? A. NO, SIR. Q. UNTILL YOU CAME TO</p>	<p>NOT BUT VERY LITTLE [space] YOU HAVE HAD PEOPLE ASK YOU ABOUT THE FACTS AND CIRCUMSTANCES FREQUENTLY YES SIR BUT IT IS SOMETHING THAT I HAVE AVOIDED [space] THIS IS ABOUT THE SAME FIRST TIME</p> <p>THAT YOU HAVE TALKED OF THIS MATTER ^{[[69]]} EXCEPT TO THE ATTORNEYS FOR THE PROSECUTION SINCE YOU CAME HERE? [space]</p> <p>YOU HAVE NEVER TOLD THIS ALL OVER TO ANYBODY NO SIR TILL YOU CAME TO</p>

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<p>BEAVER ? ^[94]</p> <p>A. I MIGHT HAVE DONE, I CAN'T RECOLLECT.</p> <p>Q. HOW MANY OF THE MILITARY DID YOU SEE DRAWN UP IN LINE THERE ON THE FIELD OF THE MOUNTAIN MEADOWS ABOUT THE TIME THE WAGONS DROVE UP ? A. I CAN'T TELL YOU. Q. WUITE A NUMBER WERE THERE NOT ? A. YES SIR.</p> <p>Q. WHO WAS COMMANDING</p> <p>THAT MILITARY BODY</p> <p>DRAWN UP IN LINE THERE ? A. I CAN'T TELL WHICH IT WAS, KLINGENSMITH OR JOHN M. HIGBEE.</p> <p>Q. THEY WERE BOTH THERE ? A. YES SIR, I THINK SO. Q.</p>	<p>BEAVER?</p> <p>I MIGHT HAVE DONE SO. I CAN'T RECOLLECT.</p> <p>HOW MANY OF THE MILITARY DID YOU SEE DRAWN UP IN LINE THERE ON THE FIELD OF THE MOUNTAIN MEADOWS, ABOUT THE TIME THE WAGONS DROVE OFF? I CAN'T TELL YOU.</p> <p>QUITE A NUMBER, WERE THERE NOT?</p> <p>YES, SIR.</p> <p>WHO WAS COMMANDING</p> <p>THAT MILITARY BODY</p> <p>DRAWN UP IN LINE THERE? I CAN'T TELL WHICH IT WAS, KLINGENSMITH OR JOHN M. HIGBEE</p> <p>THEY WERE BOTH THERE? YES, SIR, I THINK SO.</p>	<p>BEAVER THIS TIME? ^[64] A. I MIGHT HAVE DONE, I DON.T RECOLLECT.</p> <p>Q. HOW MANY OF THE MILITARY DID YOU SEE DRAWN UP IN LINE THERE ON</p> <p>THE MOUNTAIN MEADOWS, JUST ABOUT THE TIME THE WAGONS DROVE OFF? A. I CAN'T TELL YOU. Q. QUITE A NUMBER OF THEM , WASN'T THERE? A. YES, SIR.</p> <p>Q. WHO WERE COMMANDING THESE PARTIES THERE—THAT MILITARY THAT HAD BEEN DRAWN UP?</p> <p>A.</p> <p>I CAN'T TELL YOU WHETHER IT WAS KLINGENSMITH OR JOHN M. HIGBEE.</p> <p>Q. THEY WERE BOTH THERE? A. YES, SIR, I THINK SO. Q.</p>	<p>BEAVER THIS TIME I MAY HAVE DONE I DON'T RECOLLECT.</p> <p><i>[space]</i> HOW MANY OF THE MILITARY DID YOU SEE DRAWN UP IN LINE THERE ON</p> <p>THE MOUNTAIN MEADOWS JUST ABOUT THE TIME THE WAGONS DROVE OFF I CAN'T TELL YOU <i>[space]</i></p> <p>QUITE A NUMBER OF THEM WASN'T THERE</p> <p>YES SIR</p> <p>WHO WERE COMMANDING THESE PARTIES THERE THAT MILITARY THAT HAD BEEN DRAWN UP</p> <p>I CAN'T TELL YOU WHETHER IT WAS KLINGEN SMITH OR JOHN M. HIGBEE JOHN M. HIGBEE AND <THEY BOTH THERE YES SIR I THINK SO></p>

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IS IT NOT THE FACT THAT THESE MEN WERE DRAWN UP IN MILITARY LINE,	IS IT NOT THE FACT THAT THESE MEN WERE DRAWN UP IN MILITARY LINE	ISN'T IT A FACT THAT THESE MEN WERE DRAWN UP THERE IN MILITARY LINE	[<i>space</i>] ISN'T IT A FACT THAT THESE MEN WERE DRAWN UP THERE IN MILITARY LINE LIKE MILITARY LINE AT REST MARCH DOWN WERE
STANDING THERE WITH ARMS IN THEIR HANDS,	—STANDING THERE WITH ARMS IN THEIR HANDS—	AND WERE STANDING THERE WITH THEIR ARMS IN THEIR HANDS WITH THEM. WERE THEY NOT UP THERE THE LAST YOU SAW OF THEM. THESE MEN THAT WERE THERE, ABOUT A COUPLE OF HUNDRED YARDS FROM	WERE THEY NOT UP THERE LAST YOU SAW OF THEM THESE MEN THAT WERE THERE [<i>space</i>] AT ABOUT COUPLE HUNDRED YARDS FROM
WITHIN TWO HUNDRED YARDS OF THE EMIGRANT CAMP ?	WITHIN TWO HUNDRED YARDS OF THE EMIGRANT CAMP?	CAMP— STANDING ABOUT 200 YARDS FROM CAMP?	CAMP STANDING ABOUT 200 YARDS FROM THE CAMP
A. I CAN'T TELL YOU. Q. DID YOU SEE THEM MARCH IN ? A. I SAW THEM MARCHING, AS I TOLD YOU, WHEN I GOT MY HORSE AND TURNED BACK, I SAW THEM	I CAN'T TELL YOU. DID YOU SEE THEM MARCH IN? I SAW THEM MARCHING, AS I TOLD YOU; WHEN I GOT MY HORSE AND TURNED BACK I SAW THEM	A. I CAN'T TELL YOU. Q. DID YOU SEE THEM MARCH IN? A. I THINK THEY WAS MARCHING IN AS I TOLD YOU WHEN I GOT MY HORSES. I TURNED BACK AND SAW THEM	I CAN'T TELL YOU [<i>space</i>] DID YOU SEE THEM MARCH IN I SAW THEM MARCHING AS I TOLD YOU WHEN I GOT MY HORSE I TURNED BACK I SAW THEM

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<p>MARCHING. Q. I UNDERSTOOD YOU TO SAY THAT IT WAS THE EMIGRANTS THAT YOU SAW MARCHING AFTER THE WAGONS—DID YOU SEE THE MILITIA FROM CEDAR CITY</p> <p>MARCHING TOO AT THE SAME TIME ? A. THERE WERE MEN COMING ALL ALONG—ALL TOGETHER, I CAN'T TELL YOU WHETHER THEY WERE MILITIA OR EMIGRANTS. ALL WERE MARCHING ALONG TOGETHER. Q. ABOUT WHAT TIME</p> <p>DID THE EMIGRANTS COME OUT OF THE CAMP ? A. IT WAS SOMETIME IN THE AFTERNOON I THINK. ^[95] Q. HOW LONG HAD YOU BEEN</p>	<p>MARCHING. I UNDERSTOOD YOU TO SAY THAT IT WAS THE EMIGRANTS THAT YOU SAW MARCHING AFTER THE WAGONS. DID YOU SEE THE MILITIA FROM CEDAR CITY</p> <p>MARCHING TOO, AT THE SAME TIME? THERE WERE MEN COMING ALL ALONG ALL TOGETHER. I CAN'T TELL YOU WHETHER THEY WERE MILITIA OR EMIGRANTS. ALL WERE MARCHING ALONG TOGETHER. ABOUT WHAT TIME</p> <p>DID THE EMIGRANTS COME OUT OF THE CAMP? IT WAS SOME TIME IN THE AFTERNOON, I THINK. HOW LONG HAD YOU BEEN</p>	<p>MARCHING.. Q. I UNDERSTOOD YOU TO SAY THAT WAS THE EMIGRANT COLUNS YOU SAW MARCHING.</p> <p>DID YOU SEE THE MILITIA FROM CEDAR CITY</p> <p>MARCHING TOO AT THE SAME TIME. A. THERE WERE MEN COMING ALONG TOGETHERE , I CAN'T TELL YOU WHETHER THEY WERE THE MILITIA OR EMIGRANTS, ALL MARCHING ALONG TOGETHERE. AQ. ABOUT WHAT TIME OF DAY WAS IT THAT THE EMIGRANTS CAME OUT OF THE CAMP. A. IT WAS SOME TIME IN THE AFTERNOON, I THINK. ^[65] Q. HOW LONG HAD YOU BEEN</p>	<p>MARCHING I UNDERSTOOD YOU TO SAY THAT WAS THE EMIGRANT COLUMN YOU SAW MARCHING</p> <p>DID YOU SEE THE MILITIA FROM CEDAR CITY DID YOU SEE THEM MARCHING TOO AT THE SAME TIME [space] THERE WERE MEN COMING ALONG ALL TOGETHER I CAN'T TELL YOU WHETHER THEY WERE THE MILITIA OR EMIGRANTS ALL MARCHING ALONG ALL TOGETHER. [space] ABOUT WHAT TIME OF DAY WAS IT THAT THE EMIGRANTS CAME OUT OF CAMP IT WAS SOME TIME</p> <p>AFTER NOON I THINK. ^{[[70]]} Q. HOW LONG HAD YOU BEEN</p>

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<p>THERE AT THE MOUNTAIN MEADOWS BEFORE THE MASSACRE TOOK PLACE ? A. WELL, I WENT FROM HAMBLIN'S RANCH IN THE MORNING. I HADN'T BEEN THERE A GREAT WHILE. Q. MR. JOHNSON WHERE WERE YOU BORN ? A. I WAS BORN IN THE STATE OF OHIO. Q. HOW OLD WERE YOU WHEN YOU ARRIVED IN UTAH ? A. I WAS SOME 12 YEARS OF AGE. Q. CAME I SUPPOSE WITH YOUR PARENTS TO UTAH TERRITORY ? A. YES SIR. Q. RESIDED IN UTAH EVER SINCE ? A. YES SIR. Q. RESIDE NOW AT JOHNSON'S FORT, THE SAME PLACE YOU DID AT THAT TIME ? A. NO SIR. Q. WHERE DO YOU LIVE</p>	<p>THERE AT THE MOUNTAIN MEADOWS, BEFORE THE MASSACRE TOOK PLACE? WELL, I WENT FROM HAMBLIN'S RANCH IN THE MORNING; I HADN'T BEEN THERE A GREAT WHILE. JOHNSON.— WHERE WERE YOU BORN? I WAS BORN IN THE STATE OF OHIO. HOW OLD WERE YOU WHEN YOU ARRIVED IN UTAH? I WAS SOME TWELVE YEARS OF AGE. ^[352] CAME I SUPPOSE WITH YOUR PARENTS, TO UTAH TERRITORY? YES, SIR. RESIDED IN UTAH EVER SINCE? YES, SIR. RESIDE NOW AT JOHNSON'S FORT, THE SAME PLACE YOU DID AT THAT TIME? NO, SIR. WHERE DO YOU LIVE</p>	<p>THERE AT THE MOUNTAIN MEADOWS, BEFORE THE MASSACRE TOOK PLACE? A-, WELL, I WENT FROM HAMBLINS RANCH IN THE MORNING; I HADN'T BEEN THERE A GREAT WHILE. Q. MR. JOHNSON, WHERE WERE YOU BORN? A. I WAS BORN IN THE STATE OF OHIO. Q. HOW OLD WERE YOU WHEN YOU ARRIVED IN UTAH? A. I WAS SOME TWELVE YEARS OF AGE. Q. CAME, I SUPPOSE, WITH YOUR PARENTS TO THIS TERRITORY? A. YES, SIR. Q. Q. RESIDED IN UTAH EVER SINCE? A. YES, SIR. Q. RESIDE NOW AT JOHNSONS FORT, THE SAME PLACE YOU DID AT THAT TIME? A. NO, SIR. Q. WHERE ABOUTS DO YOU LIVE</p>	<p>THERE AT THE MOUNTAIN MEADOWS BEFORE THE MASSACRE TOOK PLACE? WELL I WENT FROM HAMBLINS RANCH IN THE MORNING I HADN'T BEEN THERE A GREAT WHILE <i>[space]</i> JOHNSON WHERE WAS YOU BORN I WAS BORN IN THE STATE OF OHIO <i>[space]</i> HOW OLD WHEN YOU ARRIVED IN UTAH I WAS SOME TWELVE YEARS OF AGE. <i>[space]</i> CAME I SUPPOSE WITH YOUR PARENTS TO THIS TERRITORY YES SIR RESIDED IN UTAH EVER SINCE YES SIR RESIDE NOW AT JOHNSON'S FORT THE SAME PLACE YOU DID AT THAT TIME NO SIR <i>[space]</i> WHERE ABOUTS DO YOU LIVE</p>
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<p>NOW ? WITNESS: SHALL I ANSWER THAT QUESTION ? COUNSEL: YES SIR ? A. I LIVE AT KANAB. Q. HOW LONG HAVE YOU LIVED THERE ? A. ABOUT FOUR MONTHS. Q. WHERE HAD YOU BEEN LIVING AFTER THAT, SINCE YOU LIVED AT FORT JOHNSON —AFTER THE MASSACRE HOW LONG DID YOU LIVE AT FORT JOHNSON ? A.</p> <p>I MOVED INTO THE RIO VIRGEN COUNTRY IN THE FALL OF 1858 Q. HOW LONG DID YOU REMAIN THERE ? ^[96] A. WELL, I CAN COUNT UP IN A MINUTE,</p>	<p>NOW? SHALL I ANSWER THAT QUESTION? YES, SIR. I LIVE AT KANAB. HOW LONG HAVE YOU LIVED THERE? ABOUT FOUR MONTHS. WHERE HAD YOU BEEN LIVING BEFORE THAT, SINCE YOU LIVED AT FORT JOHNSON? AFTER THE MASSACRE HOW LONG DID YOU LIVE AT FORT JOHNSON?</p> <p>I MOVED INTO THE RIO VIRGIN IN THE FALL OF '58. HOW LONG DID YOU REMAIN THERE? WELL, I CAN COUNT UP IN A MINUTE—</p>	<p>NOW? A. A SMALL A. SHALL I ANSWER THAT QUESTION? COURT: YES. A. I LIVE AT KANAB. Q. HOW LONG HAVE YOU LIVED THERE? A. ABOUT FOUR MONTHS. Q. WHERE HAD YOU BEEN LIVING BEFORE THAT?. SINCE YOU LIVED AT FORT JOHNSON?, AFTER THE TIME OF THE MASSACRE, NOW, HOW LONG DID YOU LIVE AT FORT JOHNSON? A. AFTER THAT I TOLD YOU I MOVED AWAY FROM THERE, I MOVED ON TO THE RIO VIRGIN IN THE FALL OF '58. Q. HOW LONG DID YOU REMAIN THERE? A. WELL, I CAN COUNT UP IN A MINUTE, I AM NOET VERY QUICK WITH FIGURES.</p>	<p>NOW? <YES?> SHALL I ANSWER THAT QUESTION I LIVE AT KANAB. [space] HOW LONG HAVE YOU LIVED THERE? ABOUT FOUR MONTHS. WHERE HAVE YOU BEEN LIVING ~ YOU LIVED AT FORT JOHNSON AT THE TIME OF THE MASSACRE NOW HOW LONG DID YOU LIVE AT <FORT> JOHNSON AFTER THAT UNTIL YOU MOVED AWAY FROM THERE I MOVED ON TO THE RIO VIRGIN IN THE FALL OF '58 [space] HOW LONG DID YOU REMAIN THERE WELL I CAN COUNT UP IN A MINUTE I AM NOT VERY QUICK WITH FIGURES</p>

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<p>I LIVED THERE</p> <p>TEN OR TWELVE YEARS. Q. THEN WHERE DID YOU MOVE TO ? A. I MOVED TO THE SEVIER. Q. AND FROM THERE TO KANAB WHERE YOU LIVE NOW ? A. YES SIR. Q. YOU SAY YOU SAW A LOT OF THE WAGONS AT HARMONY AFTERWARDS ?</p> <p>A. I WILL NOT SWEAR TO BUT ONE. Q. DID YOU EVER SEE ANY OF THE WAGONS AT ANY OTHER PLACE— DID YOU NOT SEE SOME OF THEM AT CEDAR CITY ? A. YES SIR.</p>	<p>I LIVED THERE</p> <p>TEN OR TWELVE YEARS. THEN WHERE DID YOU MOVE TO? I MOVED TO THE SEVIER. AND FROM THERE TO KANAB, WHERE YOU LIVE NOW? YES, SIR. YOU SAY YOU SAW A LOT OF THE WAGONS AT HARMONY AFTERWARD?</p> <p>I WILL NOT SWEAR TO BUT ONE. DID YOU EVER SEE ANY OF THE WAGONS AT ANY OTHER PLACE— DID YOU NOT SEE SOME OF THEM AT CEDAR CITY? YES, SIR.</p>	<p>I LIVED ON THE RIO VIRGIN 10 OR 12 YEARS. Q. THEN WHERE DID YOU MOVE TO? ^[66] A. I MOVED TO THE SEVIER. Q. AND FROM THERE UP TO KANAB, WHERE YOU LIVE NOW? A. YES, SIR. Q. YOU SAY YOU SAW A LOT OF WAGONS AY HARMONY AFTERWARDS? HOW MANY OF THE WAGONS</p> <p>OF THE EMIGRANTS DID YOU SEE EAT HARMONY AFTERWARDS? A. I CANT SWEAR TO BUT ONE. Q. DID YOU EVER SEE ANY OF THE WAGONS AT ANY OTHER PLACE? A. DIDN'T YOU SEE A LOT OF THEM AT CEDAR? A. YES, SIR, I SAW SOME AT</p>	<p>WITHIN A YEAR WILL SATISFY ME <i>[space]</i> I LIVED ON THE RIO VIRGIN SOME 10 1/2 YEARS <i>[space]</i> THEN WHERE DID YOU MOVE TO I MOVED ON TO SEVIER AND FROM THERE UP TO KANAB WHERE YOU LIVE NOW YES SIR <i>[space]</i> YOU SAY YOU SAW A LOT OF THE WAGONS AT HARMONY AFTERWARDS HOW MANY OF THE WAGONS THAT HAD BELONGED TO THE EMIGRANTS DID YOU SEE AT HARMONY AFTERWARDS I CAN SWEAR TO BUT ONE. DID YOU EVER SEE ANY OF THE WAGONS ANY OTHER PLACE DIDN'T YOU SEE A LOT OF THEM AT CEDAR YES SIR I SAW SOME AT</p>

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<p>Q. WHERE WERE THEY IN CEDAR CITY ? A. THEY WERE AT KLINGENSMITH' S. Q. HOW MANY DID YOU SEE ? A. TWO. Q. WHAT POSITION DID KLINGENSMITH OCCUPY AT THAT TIME ? A. HE WAS BISHOP OF CEDAR CITY WARD. Q. YOU SPOKE OF SEEING SOME CATTLE ON THE HARMONY RANGE—DID YOU EVER SEE ANY OF THOSE CATTLE ON ANY OTHER RANGE ?</p> <p>A. THEY WERE RUNNING ABOUT HARMONY AND</p> <p>KANAB. Q. WHO HAD POSSESSION OR CONTROL OF THEM ? A. I CAN'T TELL YOU. Q. DO YOU KNOW HOW THEY</p>	<p>WHERE WERE THEY IN CEDAR CITY? THEY WERE AT KLINGENSMITH' S. HOW MANY DID YOU SEE? TWO. Q. WHAT POSITION DID KLINGENSMITH OCCUPY AT THAT TIME? HE WAS BISHOP OF CEDAR CITY WARD. Q. YOU SPOKE OF SEEING SOME CATTLE ON THE HARMONY RANGE. DID YOU EVER SEE ANY OF THOSE CATTLE ON ANY OTHER RANGE?</p> <p>THEY WERE RUNNING ABOUT HARMONY AND</p> <p>KANAB. WHO HAD POSSESSION OR CONTROL OF THEM? I CAN'T TELL YOU. DO YOU KNOW HOW THEY</p>	<p>CEDAR. WQ. WHERE ABOUTS WERE THEY IN CEDAR? A. THEY WERE AT KLINGENSMITH S. Q. HOW MANY DID YOU SEE THERE? A. TWO. Q. WHAT POSITION DID KLINGENSMITH OCCUPY AT THAT TIME? A. HE WAS BISHOP OF CEDAR CITY WARD. Q. YOU SPOKE OF SEEING SOME OF THE CATTLE OF THE ON THE HARMONY RAGNGE. DID YOU EVER SEE ANY OF THOSE CATTLE ON ANY OTHER RAGNGE AFTER THAT? A. THEY WERE RUNNING ABOUT HARMONY AND KANAE. KANARA. Q. WHO HAD POSSESSION OF THEM? A. I CAN'T TELL YOU. Q. DID YOU KNOW HOW THEY</p>	<p>CEDAR [space] WHERE ABOUTS WERE THEY IN CEDAR THEY WERE AT KLINGEN SMITH'S HOW MANY DID YOU SEE THERE [space] 2 [space] WHAT POSITION DID KLINGENSMITH OCCUPY ^{[[7]]} AT THAT TIME [space] HE WAS BISHOP OF CEDAR CITY WARD. [space] YOU SPOKE OF SEEING SOME OF THE CATTLE ON THE HARMONY RANGE DID YOU EVER SEE ANY OF THOSE CATTLE ON ANY OTHER RANGE AFTER THAT [space] THEY WERE RUNNING ABOUT HARMONY AND</p> <p>KANARA [space] WHO HAD POSSESSION AND CONTROL OF THEM I CAN'T TELL YOU [space] DO YOU KNOW HOW THEY</p>

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WERE BRANDED AFTER THAT ? A. NO SIR. Q. HOW DID YOU RECOGNICE THEM ? A. I RECOGNIZED THEM BY THE BRAND THAT WAS ON THEM, “S” ^[97] Q. DID YOU NOTICE THAT THEY WERE BRANDED WITH A ‘V’ THE FIRST TIME THAT YOU SAW THEM ? A. YES, AND THEY WERE A DIFFERENT KIND OF STOCK, THEY WERE TEXAS CATTLE, ∴ GOOD MANY OF THEM TEXAS CATTLE WITH LONG BROAD HORNS. THERE WERE NONE IN THE COUNTRY THAT I EVER SAW UNTIL I SAW THOSE. Q. GO ON AGAIN AND TELL US JUST EXACTLY WHAT YOU SAW JOHN D. LEE DO ? TELL ME ALL	WERE BRANDED AFTER THAT? NO, SIR. HOW DID YOU RECOGNIZE THEM? I RECOGNIZED THEM BY THE BRAND THAT WAS ON THEM OF “S.” DID YOU NOTICE THAT THEY WERE BRANDED WITH A “B” THE FIRST TIME YOU SAW THEM? YES, AND THEY WERE A DIFFERENT KIND OF STOCK; THEY WERE TEXAS CATTLE, A GOOD MANY OF THEM TEXAS CATTLE WITH LONG BROAD HORNS. THERE WERE NONE IN THE COUNTRY THAT I EVER SAW UNTIL I SAW THOSE. GO ON AGAIN AND TELL US JUST EXACTLY WHAT YOU SAW JOHN D. LEE DO; TELL ME ALL	WERE BRANDED AFTER THAT? A. NO, SIR. Q. HOW DID YOU RECOGNISE THEM? A. I RECOGNISED THEM WITH A BRAND THAT WAS ON THEM OF “B”. Q. YOU SAW THAT THEY WERE BRANDED WITH A “B” THE FIRST TIME THAT YOU LOOKED AT THEM? A, YES, AND THEY WERE A DIFFERENT KIND OF STOCK; THEY WERE TEXAS A GOOD MANY OF THEM. TESXAS CATTLE WERE LONG BROAD HORNES THERE WAS ^[67] NONE IN THE COUNTY THAT I EVER SAW UNTIL I SAW THOSE. Q. GO ON AGAIN AND TELL US WHAT YOU S W AW JOHN D. LEE DO THERE, AND TELL ME ALL	WERE BRANDED AFTER THAT NO SIR <i>[space]</i> HOW DID YOU RECOGNIZE THEM I RECOGNIZED THEM WITH THE BRAND THAT WAS ON THEM OF B <i>[space]</i> YOU[?] SAW THAT THEY WERE BRANDED WITH A B THE FIRST TIME YOU LOOKED AT THEM <i>[space]</i> YES AND THEY WERE DIFFERENT KIND OF STOCK THEY WERE TEXAS AND A GOOD MANY OF THEM <i>[space]</i> TEXAS CATTLE WITH LONG BROAD HORNS THERE WAS NONE IN THE COUNTY <THAT I EVER SAW> BEFORE I SAW THEM <i>[space]</i> GO ON AGAIN AND TELL US EXACTLY WHAT YOU SAW JOHN D. LEE DO THERE AND TELL ME ALL

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<p>THAT YOU SAW HIM DO ?—I WANT YOU TO MAKE IT JUST AS FULL AND BAD AS YOU CAN ? A. I HAVE TOLD YOU WHAT I SAW. Q. TELL IT TO ME AGAIN ? A. I TOLD YOU THAT I SAW HIM FIRE A GUN AND SAW A PERSON FALL. Q. GO ON AND GIVE IT ALL JUST AS YOU SAW IT—THE WHOLE THING ? A. AND THEN AFTER THAT I SAW HIM AND THE INDIANS PULLING PEOPLE OUT OF THE WAGONS. Q. WHAT ELSE ?</p> <p>A. THAT IS WHAT I RTOLD YOU BEFORE Q. I CANNOT HELP THAT , I AM NOW ASKING YOU TO TELL</p>	<p>THAT YOU SAW HIM DO. I WANT YOU TO MAKE IT JUST AS FULL AND BAD AS YOU CAN. I HAVE TOLD YOU WHAT I SAW. TELL IT TO ME AGAIN. I TOLD YOU THAT I SAW HIM FIRE A GUN, AND SAW A PERSON FALL. GO ON AND GIVE IT ALL JUST AS YOU SAW IT; THE WHOLE THING. ^[353] AND THEN AFTER THAT I SAW HIM AND THE INDIANS PULLING PEOPLE OUT OF THE WAGONS. WHAT ELSE?</p> <p>THAT IS WHAT I TOLD YOU BEFORE. I CANNOT HELP THAT, I AM NOW ASKING YOU TELL</p>	<p>YOU SAW HIM DO. I WANT YOU TO MAKE IT JUST AS BAD AS YOU CAN. A. I TOLD YOU WHAT I SAW. Q. TELL IT TO MYE AGAIN. A. I TOLD YOU THAT I SAW HIM FIRE THE FIRST GUN AND SAW A PERSON FALL. Q. GO ON ANED GIVE IT ALL JUST AS YOU SAW IT, THE WHOLE THING. A. AND THEN AFTER THAT I SAW HIM AND THE INDIANS PULLING THE PEOPLE OUT OF THE WAGONS. Q. WHAT ELSE? A. AND FROM THEIR MANOUVERS I TOOK IT THAT THEIR THROATS WAS CUT. Q. WHAT ELSE? A. THAT IS WHAT I TOLD YOU BEFORE. A. I CAN'T HELP THAT, I AM ASKING YOU</p>	<p>YOU SAW HIM DO I WANT YOU TO MAKE IT JUST AS BAD AS I CAN <i>[space]</i> I TOLD YOU WHAT I SAW <i>[space]</i> TELL IT TO ME AGAIN? I TOLD YOU THAT I SAW HIM FIRE HIS GUN AND SAW A PERSON FALL <i>[space]</i> GO ON GIVE IT ALL JUST AS YOU SAW IT THE WHOLE THING AND THEN AFTER THAT I SAW HIM AND THE INDIANS PULLING PEOPLE OUT OF THE WAGON/WAGONS <i>[?]</i> <i>[space]</i> WHAT ELSE AND FROM THEIR MANEUVERS I TOOK IT THAT THEIR THROATS WERE CUT. WHAT ELSE THAT IS WHAT I TOLD YOU BEFORE <i>[space]</i> I CAN'T HELP THAT <i>[space]</i> ASK YOU</p>

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<p>WHAT YOU KNOW ? A. THAT IS WHAT I DID SEE. Q. IS THAT ALL YOU SAW ? A. YES SIR. Q. YOU KNOW THE PARTIES HAD THEIR THROATS CUT I SUPPOSE ? A. NO SIR.</p> <p>Q. YOU WENT DOWN AND LOOKED AT THE BODIES AFTERWARDS ? A. NO SIR, I DID NOT, I DID NOT WANT T. Q. THEN IT IS ONLY A SUPPOSITION THAT THE PARTIES THROATS WERE CUT ? ^[98] A. THAT IS ALL. Q. DID YOU EVER GO BACK TO SEE IF</p> <p>THOSE PERSONS WERE DEAD OR NOT A. NO SIR, I DID NOT, I SAW THEM LYING THERE AFTER THE WAGONS HAD BEEN DRIVEN</p>	<p>WHAT YOU KNOW. THAT IS WHAT I DID SEE. IS THAT ALL YOU SAW? YES, SIR. YOU KNOW THE PARTIES HAD THEIR THROATS CUT, I SUPPOSE? NO, SIR.</p> <p>YOU WENT DOWN AND LOOKED AT THE BODIES AFTERWARDS? NO, SIR, I DID NOT; I DID NOT WANT TO. THEN IT IS ONLY A SUPPOSITION, THAT THE PARTIES' THROATS WERE CUT? THAT IS ALL. DID YOU EVER GO BACK TO SEE IF</p> <p>THOSE PERSONS WERE DEAD OR NOT? NO, SIR, I DID NOT; I SAW THEM LYING THERE AFTER THE WAGONS HAD DRIVEN</p>	<p>WHAT YOU KNOW. A. THAT IS WHAT I DID SEE; Q. IS THAT ALL YOU SAW. A. YES, SIR. Q. YOU KNOW THE PARTIES HAD THEIR THROATS CUT, I SUPPOSE? A. NO, SIR. Q. YOU LOOKED DOWN AND Q. YOU WENT DOWN AND LOOKED AT THE BODIES AFTERWARDS? A. NO, SIR, I DID NOT; I DID NOT WANT TO. Q. THEN IT WAS ONLY A SUPPOSITION THAT THEIR</p> <p>THROATS WERE CUT? A. THAT IS ALL. Q. DID YOU GO BACK TO SEE WHETHER THOSE PARTIES WERE DEAD OR NOT? A. NO, SIR, I DID NOT. I SAW THEM LAYING THERE AFTER THE WAGONS HAD DRIVEN</p>	<p>WHAT YOU KNOW [space] THAT IS WHAT I DID SEE IS THAT ALL YOU SAW YES SIR [space] YOU KNOW THE PARTIES HAD THEIR THROATS CUT I SUPPOSE NO SIR</p> <p>AND YOU WENT [space] DOWN AND LOOKED AT THE BODIES AFTERWARDS NO SIR I DID NOT WHY NOT I DID NOT WANT TO [space] THEN IT WAS ONLY SUPPOSITION THAT THEIR</p> <p>THROATS WERE CUT [space] ^{[[72]]} THAT IS ALL [space] DID YOU EVER GO BACK TO SEE WHETHER ANY OF THOSE PARTIES WERE DEAD OR NOT NO SIR I DID NOT DID YOU I SAW THEM LAYING THERE AFTER THE WAGONS HAD DRIVEN</p>

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<p>AWAY. Q. DO YOU KNOW WHETHER THEY WERE DEAD OR NOT OF YOUR OWN KNOWLEDGE ? A. NO SIR, I DO NOT,</p>	<p>AWAY. DO YOU KNOW WHETHER THEY WERE DEAD OR NOT, OF YOUR OWN KNOWLEDGE? NO, SIR, I DO NOT.</p>	<p>AWAY? ^{168]} Q. DO YOU KNOW WHETHER THEY ARE WERE DEAD OR NOT OF YOUR OWN KNOWLEDGE? A. NO, SIR, I DID NOT. Q. DID YOU EVER GO BACK THERE? A. NO, SIR. Q. ISN'T IT A FACT THAT YOU DIDN'T KNOW WHO OR OW HOW MANY THERE WERE, OR WHETHER OR NOT THEY WERE THERE ANY LEFT THERE DEAD OR NOT, EXCEPT FROM HEARSAY.—OF YOUR OWN KNOWLEDGE CAN YOU STATE THAT ANYNPERSON WAS LEFT UPON THAT FIELD DEAD AT THAT TIME? OF YOUR OWN OWNKNOWLEDGE DO YOU KNOW WHETHER ANY PERSON WAS LEFT UPON THAT FIELD DEAD OR NOT? A.YES, S THERE</p>	<p>AWAY [<i>space</i>] DO YOU KNOW WHETHER THEY WERE DEAD OR NOT OF YOUR OWN KNOWLEDGE NO SIR I DO NOT [<i>space</i>] DID YOU EVER GO BACK TO [<i>space</i>]— ISN'T IT A FACT THAT YOU DO NOT KNOW WHO OR HOW MANY WERE LEFT THERE OR WHETHER ANY WERE</p> <p>LEFT THERE DEAD OR NOT EXCEPT FROM HEARSAY OF YOUR OWN KNOWLEDGE CAN YOU STATE THAT ANY PERSON WAS LEFT UPON THAT FIELD DEAD AT THAT TIME? OF YOUR OWN KNOWLEDGE DO YOU KNOW WHETHER ANY PERSON WAS LEFT UPON THAT FIELD DEAD OR NOT YES SIR THERE</p>
I SAW PERSONS	I SAW PERSONS		

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<p>LYING ON THE GROUND DEAD, BACK BELOW WHERE THE TROOPS WERE. Q. HOW FAR FROM YOU ? A. I WENT TO THEM. Q. THEN YOU DID GO BACK—</p> <p>WERE THEY</p> <p>MEN THAT LEE KILLED, OR WERE THEY MEN KILLED BY KLINGENSMITH' S MEN, WHERE HE AND HIGBEE WERE ? A. THEY WERE DOWN WHERE KLINGENSMITH AND HIGBEE WERE. Q. THEN YOU DID GO DOWN TO THAT PLACE ? A. YES SIR, JOHN D. LEE SENT ME DOWN TO THE WAGONS THAT WERE DOWN BELOW TO KEEP THE INDIANS FROM TAKING THE THINGS OUT OF THE</p>	<p>LYING ON THE GROUND DEAD, BACK BELOW WHERE THE TROOPS WERE. HOW FAR FROM YOU? I WENT TO THEM. THEN YOU DID GO BACK?</p> <p>WERE THEY</p> <p>MEN THAT LEE KILLED, OR WERE THEY MEN KILLED BY KLINGENSMITH' S MEN, WHERE HE AND HIGBEE WERE? THEY WERE DOWN WHERE KLINGENSMITH AND HIGBEE WERE. THEN YOU DID GO DOWN TO THAT PLACE? YES, SIR; JOHN D. LEE SENT ME DOWN TO THE WAGONS, THAT WERE DOWN BELOW, TO KEEP THE INDIANS FROM TAKING THE THINGS OUT OF THE</p>	<p>WAS MEN AS I LEFT DEAD DOWN BELOW.</p> <p>Q. HOW FAR FROM YOU. A. I WENT TO THEM. Q. YOU DID GO BACK THEN. WERE THE THEY MEN THAT WERE LEFT WITH LEE; MEN THAT LEE KILLED, OR OR WERE THEY MEN DOWN BY</p> <p>WHERE KILINGENSMITH AND HAIGHT WERE? A—YES, SIR, DOWN BELOW.</p> <p>Q. THEN YOU DID GO DOEWN TO THE PLACE? A. YES, SIR, JOHN D. LEE SENT ME DOWN TO THE WAGONS THAT WAS DOWN BELOW TO KEEP THE INDIANS FROM TAKING THINGS OUT THE</p>	<p>WAS MEN AS I SAW DEAD DOWN BELOW BACK DOWN [space] HOW FAR FROM YOU I WENT TO THEM [space] YOU DID GO BACK [space] WERE THEY MEN THAT WERE WITH LEE MEN THAT LEE KILLED OR WERE THEY MEN DOWN BY</p> <p>WHERE KLINGEN SMITH AND HAIGHT WERE [space] THEY WERE DOWN WHERE KLINGENSMITH AND HAIGHT WERE [space] THEN YOU DID GO DOWN TO THE PLACE YES SIR YOU WENT TO JOHN D. LEE SENT ME DOWN TO THE WAGONS THAT WAS DOWN BELOW TO KEEP 'EM <THE INDIANS> FROM TAKING THE THINGS OUT OF THE</p>

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<p>WAGONS. Q. HOW DID HE GET YOU THERE ? A. HE TOLD ME TO GO AND I WENT. Q. DID YOU RIDE DOWN TO HIM AFTER THIS KILLING WAS OVER ? A. I WENT OVER TO</p> <p>WHERE KLINGENSMITH WAS AND LEE CAME DOWN.</p> <p>HE SENT ME DOWN THERE TO THE WAGONS. Q. WHAT DID HE SAY WHEN HE TOLD YOU TO GO BACK ? A. HE TOLD ME THAT HE WANTED ME TO GO DOWN TO THE WAGONS OF THE EMIGRANTS AND KEEP THE INDIANS FROM TAKING THE THINGS OUT. Q. HOW LONG DID YOU STAY</p>	<p>WAGONS. HOW DID HE GET YOU THERE? HE TOLD ME TO GO, AND I WENT. DID YOU RIDE DOWN TO HIM AFTER THIS KILLING WAS OVER? I WENT OVER TO</p> <p>WHERE KLINGENSMITH WAS AND LEE CAME DOWN;</p> <p>HE SENT ME DOWN THERE TO THE WAGONS. WHAT DID HE SAY WHEN HE TOLD YOU TO GO BACK? HE TOLD ME THAT HE WANTED ME TO GO DOWN TO THE WAGONS OF THE EMIGRANTS AND KEEP THE INDIANS FROM TAKING THE THINGS OUT. HOW LONG DID YOU STAY</p>	<p>WAGONS. Q. HOW DID HE GET YOU THERE? A. HE TOLD ME TO GO IAND I WENYT. Q. DID YOU RIDE DOWN TO HIM AFTER THIS KILLING WAS OVER? A. I WENT OVER TO</p> <p>WHERE KLINGENSMITH WAS AND LEE CAME DOWN THERE WHERE KLINGENSMITH WAS AND THEN HE SENT DOWN TO THE WAGONS. Q. WHAT DID HE SAY WHEN HE TOLD FYOU TO GO BACK? A. HE TOLD NE THAT HE WANTED ME TO GO DOWN TO THE WAGONS OF THE EMIGRANTS AND KEEP THE THINGS INDIANS FROM TAKING THE YTHINGS OUT. Q. HOW LONG DID YOU STAY</p>	<p>WAGONS [space] HOW DID HE GET YOU THERE [space] HE TOLD ME TO GO AND I WENT DID YOU RIDE DOWN TO THOSE TO HIM AFTER THIS KILLING WAS OVER [space] I WENT DOWN THERE TO THE COMPANY DOWN WHERE KLINGEN WAS [space]</p> <p>WHO SENT HIM DOWN THERE TO THE WAGONS [space] WHAT DID HE SAY WHEN HE TOLD YOU TO GO TO 'EM [space] TOLD ME HE WANTED ME ^{[[73]]} TO GO TO THE WAGONS OF THE EMIGRANTS TO KEEP THE INDIANS FROM TAKING THE THINGS OUT [space] HOW LONG DID YOU STAY</p>

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<p>THERE ? A. I STAYED THERE UNTIL JOHN D. LEE AND ISAAC C. HAIGHT CAME DOWN. ^[99] Q. ARE YOU CERTAIN THAT LEE CAME BACK ? A. YES SIR. Q. DON'T YOU KNOW AS A MATTER OF FACT THAT LEE WENT OUT TO HAMBLIN'S RANCH ? A. I STAYED THERE AT THE WAGONS UNTIL AFTER HE CAME BACK FROM HAMBLIN'S RANCH. Q. HOW LONG DID YOU STAY THERE ? A. I CAN'T TEL;L YOU. Q. DID YOU SLEEP THERE IN THE FIELD THAT NIGHT QITH WHITE,</p> <p>KLINGENSMITH AND OTHERS ? A. I THINK LIKELY I DID. I STAYED THERE UNTIL JOHN D. LEE AND ISAAC</p>	<p>THERE? I STAYED THERE TILL JOHN D. LEE AND ISAAC C. HAIGHT CAME DOWN. ARE YOU CERTAIN THAT LEE CAME BACK? YES, SIR. DON'T YOU KNOW AS A MATTER OF FACT THAT LEE WENT ON TO HAMBLIN'S RANCH? I STAYED THERE AT THE WAGONS UNTIL AFTER HE CAME BACK FROM HAMBLIN'S RANCH. HOW LONG DID YOU STAY THERE? I CAN'T TELL YOU. DID YOU SLEEP THERE IN THE FIELD THAT NIGHT WITH WHITE,</p> <p>KLINGENSMITH ^[354] AND OTHERS? I THINK LIKELY I DID. I STAYED THERE UNTIL JOHN D. LEE AND ISAAC</p>	<p>THERE? A. I STAID THERE UNTIL JOHN D. LEE AND ISAAC C. HAIGHT CAME DOWN. Q. YOU ARE CERTAIN THAT LEE CAME BACK? ^[69] A. YES, SIR. Q. DON'T YOU KNOW AS A MATTER OF AFACT, THAT LEE WENT ON TO HAMBLINS RANCH? QA. I STAID THERE</p> <p>UNTIL AFTER THE WAGONS CAME BACK FROM HAMBLIN'S RANCH. Q. HOW LONG DID YOU STAY THERE? A. I CAN'T TELL YOU. Q.DID YOU SLEEP THERE ON THE FIELD THAT KNIGHT WITH WHITE AND KLINGENSMITH AND OTHERS ON THE FIELD. A. I THINK LIKELY I DID, I STAID THERE UNTIL JOHN D. LEE AND IASCAAC</p>	<p>THERE I STAID THERE UNTIL JOHN D. LEE AND ISAAC HAIGHT CAME DOWN ARE YOU CERTAIN THAT LEE CAME BACK YES SIR [<i>space</i>] DON'T YOU KNOW AS A MATTER OF FACT THAT LEE WENT ON TO HAMBLIN'S RANCH I STAYED THERE AT THE WAGONS UNTIL AFTER HE CAME BACK FROM HAMBLIN'S RANCH <HOW LONG DID YOU STAY THERE I CAN'T TELL YOU> DID YOU SLEEP THERE ON THE FIELD THAT NIGHT WITH WHITE AND KLINGEN SMITH AND OTHERS ON THE FIELD? I THINK LIKELY I DID I STAYED THERE UNTIL JOHN D. LEE AND ISAAC</p>

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<p>C. HAIGHT CAME DOWN. Q. DON'T YOU KNOW YOU STAYED THERE THAT NIGHT</p> <p>AND UNTIL THE WAGONS WERE MOVED AWAY ? A. I THINK I DID. Q. DON'T YOU KNOW THAT YOU DID ? A. YES SIR, I DO. Q. WHO TOOK THOSE WAGONS AWAY— WHO ORDERED THE HITCHING UP OF THE OXEN AND TAKING AWAY OF THE WAGONS ? A. I DON'T KNOW. Q. WAS IT KLINGENSMITH ? A. NO SIR, HE DID NOT. Q. DID JOHN D. LEE ? A. NO SIR, BUT I DON'T KNOW. Q. DIDN'T YOU HELP DRIVE THE STOCK ? A. I WENT WITH THEM AROUND TO THE IRON</p>	<p>C. HAIGHT CAME DOWN. DON'T YOU KNOW YOU STAYED THERE THAT NIGHT,</p> <p>AND UNTIL THE WAGONS WERE MOVED AWAY? I THINK I DID. DON'T YOU KNOW THAT YOU DID? YES, SIR, I DO. WHO TOOK THOSE WAGONS AWAY— WHO ORDERED THE HITCHING UP OF THE OXEN AND TAKING AWAY OF THE WAGONS? I DON'T KNOW. WAS IT KLINGENSMITH? NO, SIR; HE DID NOT. DID JOHN D. LEE? NO, SIR. I DON'T KNOW. DIDN'T YOU HELP DRIVE THE STOCK? I WENT WITH THEM AROUND TO THE IRON</p>	<p>C. HAIGHT CAME DOWN. Q. DON'T YOU KNOW YOU DID STAY THERE AFTER THE NIGHT OF THE MASSACRE—</p> <p>UNTIL AFTER THEY MOVED THE WAGONS AWAY? A. I THINK I DID. Q. DON'T YOU KNOW YOU DID. A. YES, SIR, I DO. Q. WHO TOOK THOSE WAGONS AWAY? WHO ORDERED THE HITCHING UP OF OF THE OXEN AND TAKING AWAY OF THE WAGONS? A. I DON'T KNOW. Q. WAS IT KLINGENSMITH? A. NO, SIR, HE DIDN'T. Q. Q. DID JOHN D. LEE? A. NO,,SIR, I DON'T KNOW. Q. DIDN'T YOU HELP DRIVE THE STOCK? A. I WENT WITH THEM TO THE IRON</p>	<p>HAIGHT CAME DOWN DON'T YOU KNOW YOU DID STAY THERE THE NIGHT AFTER THE MASSACRE STAYED THERE UNTIL AFTER THEY MOVED THE WAGONS AWAY I THINK I DID [space] DON'T YOU KNOW YOU DID YES SIR I DO [space] WHO TOOK THOSE WAGONS AWAY [space] WHO ORDERED THE HITCHING UP OF THE OXEN TAKING AWAY OF THE WAGONS I DON'T KNOW [space] KLINGEN SMITH NO SIR DO NOT KNOW JOHN D. LEE NO SIR I DON'T KNOW DIDN'T YOU HELP DRIVE THE STOCK NO SIR I WENT WITH THEM AROUND TO THE IRON</p>

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<p>SPRINGS. ^[100] Q. WHO HELPED TO TAKE THE WAGONS DOWN THERE — CAN'T YOU GIVE ME THE NAMES OF A FEW OF THEM. WITNESS REFUSED TO ANSWER.</p> <p>Q. HOW MANY WHITES DID YOU SEE ON THE MOUNTAIN MEADOWS AT THE TIME OF THE MASSACRE ? A. I DID NOT COUNT THEM. Q. ABOUT HOW MANY ? A. THERE WAS A CONSIDERABLE NUMBER, AS MANY AS FORTY OR FIFTY. Q. HOW FAR WERE THEY FROM WHERE YOU KEPT WATCH AT THE WAGONS ? A.</p> <p>ABOUT HALF A MILE. Q. HALF A MILE FROM THE EMIGRANTS WAGONS ?</p> <p>A. YES SIR,</p>	<p>SPRINGS. WHO HELPED TAKE THE WAGONS DOWN THERE—CAN'T YOU GIVE ME THE NAMES OF A FEW OF THEM? WITNESS REFUSED TO ANSWER.</p> <p>HOW MANY WHITES DID YOU SEE ON THE MOUNTAIN MEADOWS, AT THE TIME OF THE MASSACRE? I DID NOT COUNT THEM. ABOUT HOW MANY? THERE WAS A CONSIDERABLE NUMBER, AS MANY AS FORTY OR FIFTY. HOW FAR WERE THEY FROM WHERE YOU KEPT WATCH AT THE WAGONS?</p> <p>ABOUT HALF A MILE. HALF A MILE FROM THE EMIGRANTS' WAGONS?</p> <p>YES, SIR;</p>	<p>SPRINGS. Q. WHO HELPED TAKE THE WAGONS DOWN THERE? CAN YOU GIVE ME THE NAMES OF A FEW OF THE MEN? A. WITNESS REFUSES TO ANSWER.</p> <p>Q. HOW MANY PEOPLE DID YOU SEE OUT THERE ON THE FIELD?</p> <p>^[70] A. IDIDN'T COUNT TEHEM. Q. ABOUT HOW MANY? A. THERE WAS CONSIDERABLE, AS MANY AS 40 OR 50. Q. HOW FAR WERE THEY FROM WHERE YOU KEPT WATCH AT THE WAGONS? A. THEY WERE ABOUT A HALF A MILE. Q. HALF A MILE FROM THE WAGONS OF THE EMIGRANTS. A. YES, SIR,</p>	<p>SPRINGS [<i>space</i>] WHO HELPED TAKE THE WAGONS DOWN THERE? CAN YOU GIVE ME THE NAMES OF A FEW OF THEM? BUT IT IS A LITTLE MATTER. I DO NOT SUPPOSE YOU RECALL IT ~ HOW MANY PEOPLE DID YOU SEE LYING DEAD THERE UPON THE FIELD</p> <p>I DIDN'T COUNT THEM. [<i>space</i>] ABOUT HOW MANY? THERE WAS CONSIDERABLE MANY 40 OR 50 [<i>space</i>] HOW FAR WERE THEY FROM WHERE YOU KEPT WATCH AT THE WAGONS? THEY WERE ABOUT A HALF A MILE [<i>space</i>] HALF A MILE FROM THE WAGONS OF THE EMIGRANTS YES</p>

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ABOUT THAT FAR.	ABOUT THAT FAR.	ABOUT THAT FAR. MAY BE A LITTLE FARTHER.	OR A LITTLE FARTHER ^{[[74]]}
Q. WHO KEPT WATCH WITH YOU THAT	WHO KEPT WATCH WITH YOU THAT	Q. WHO KEPT WATCH WITH YOU THAT	WHO KEPT WATCH WITH YOU THAT
NIGHT AT THE	NIGHT AT THE	AFTERNOON AND NIGHT AT THE WAGONS	AFTERNOON AND NIGHT AT THE WAGONS
EMIGRANT CAMP TO KEEP THE INDIANS FROM STEALING ?	EMIGRANT CAMP, TO KEEP THE INDIANS FROM STEALING?	OF OF THE EMIGRANT CAMP TO KEEP THE INDAINS FROM STEALING.	OF THE EMIGRANT TO KEEP THE INDIANS FROM STEALING? I
A. I DON'T WANT TO BRING IN NEW NAMES.	I DON'T WANT TO BRING IN NEW NAMES.	A. I DON'T WANT TO BRING IN MEN'S NAMES. A Q.	DON'T KNOW I DON'T WANT TO BRING IN MEN'S NAMES [space]
Q. I SEE YOU DO NOT — EXCEPT LEE'S — HOW IS THAT? A. I HAVE MENTIONED A GOOD MANY NAMES. Q.	I SEE YOU DO NOT—EXCEPT LEE'S—HOW IS THAT? I HAVE MENTIONED A GOOD MANY NAMES.	I KNOW YOU DON'T EXCEPT LEE'S — QA. I HAVE MENTIONED A GOOD MANY NAMES. Q.	I KNOW YOU DON'T EXCEPT LEE'S [space] I HAVE MENTIONED A GOOD MANY NAMES. [space]
YOU HAVE BEEN SWORN TO TELL THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH	YOU HAVE BEEN SWORN TO TELL THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH;	YOU HAVE BEEN SWORN TO TELL THE TRUTH, THE WHOLE TRUTH AND NOTHING B\UT THE TRUTH,	YOU HAVE BEEN SWORN TO TELL THE TRUTH THE WHOLE TRUTH AND NOTHING BUT THE TRUTH I WANT
AND I WANT YOU TO TELL ME THE NAMES OF THOSE MEN ?	AND I WANT YOU TO TELL ME THE NAMES OF THOSE MEN.	AND I WANT YOU TO TELL ME THE NAMES OF THOSE MEN.	≤AND I WANT YOU TO TELL THE NAMES OF THOSE MEN≥
A. WELL A MAN NAMED URIE WAS WITH ME. Q. WHAT WAS HIS	WELL, A MAN NAMED URE WAS WITH ME. WHAT WAS HIS	A. WELL, THERE WAS A MAN WAS NAMED URIE WAS WITH ME. Q. WHAT WAS HIS	THERE WAS A MAN BY THE NAME OF URE STAYED WITH ME [space] WHAT WAS HIS

RT	MU	BT	PS
<p>FULL NAME ? A. JOHN URIE. Q. HOW OLD WAS HE ? A. I CAN'T TELL. ^[101] Q. WAS HE A GROWN MAN ? A. YES SIR. Q. IS HE LIVING OR DEAD ? A. HE IS ALIVE. Q-Q. HOWHOWLLON G WAS IT AFTER YOU WENT THERE TO KEEP THE INDIANS FROM STEALING THAT THESE OTHER PARTIES CAME TO YOU ? A. I DON'T RECOLLECT OF ANY COMING UNTIL JOHN D. LEE AND ISAAC C. HAIGHT CAME. Q. NEXT DAY ? A. YES SIR. Q. DID YOU SUCCEED IN KEEPING THE INDIANS FROM STEALING THERE ? A. THEY HAD TAKEN A GOOD DEA L BEFORE I WENT THERE, AFTER I WENT THEY</p>	<p>FULL NAME? JOHN URE. HOW OLD WAS HE? I CAN'T TELL. WAS HE A MAN GROWN? YES, SIR. IS HE LIVING OR DEAD? HE IS ALIVE. HOW LONG WAS IT AFTER YOU WENT THERE TO KEEP THE INDIANS FROM STEALING THAT THESE OTHER PARTIES CAME TO YOU? I DON'T RECOLLECT OF ANY COMING UNTIL JOHN D. LEE AND ISAAC C. HAIGHT CAME. NEXT DAY? YES, SIR. DID YOU SUCCEED IN KEEPING THE INDIANS FROM STEALING THERE? THEY HAD TAKEN A GOOD DEAL BEFORE I WENT THERE. AFTER I WENT THEY</p>	<p>OTHER NAME. A. JOHN URIE. Q. HOW OLD WAS HE? A. I CAN'T TELL YOU HIS AGE. Q. HEW WAS A MAN GROWN? A. YES, SIR. Q. IS HE LIVING OR DEAD? A. HE IS LIVING. Q. HOW LONG WAS IT AFTER YOU WENT THERE TO KEEP THE INDIANS FROM STEALING, THAT THESE OTHER PRPARTIES CAME TO YOU? A. I DON'T RECOLLECT OF ANY COMING TILL TO JOHN D. LEE AND ISAAC C. HAIGHT CAME. Q. NEXT DAY? ^[71] A. YES, SIR. Q. DID YOU SEUESUCCEED IN KEEPING THE INDIANS FROM STEALING THERE? A. THE INDIANS HAD TAKEN A GOOD DEAL BEFORE I WENT THERE. AFTER I WENT THEY</p>	<p>OTHER NAME JOHN URE HOW OLD WAS HE I CAN'T TELL HIS AGE HE WAS A MAN GROWN \leqYES SIR \Rightarrow IS HE LIVING OR DEAD HE IS ALIVE. [space] HOW LONG WAS IT AFTER YOU WENT THERE TO TALK TO KEEP THE INDIANS FROM STEALING WAS IT BEFORE THAT THESE OTHER PARTIES TO CAME TO YOU I DON'T RECOLLECT OF ANY COMING TILL JOHN D. LEE AND ISAAC HAIGHT CAME [space] NEXT DAY YES SIR DID YOU SUCCEED IN KEEPING THE INDIANS FROM STEALING THERE? THE INDIANS HAD TAKEN GOOD DEAL BEFORE I WENT THERE AFTER I WENT THERE THEY</p>

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<p>DIDN'T. Q. YOU HAD CONSIDERABLE CONTROL OVER THE INDIANS WHEN YOU GOT THERE, THEY KNEW YOU AND YOU COULD TALK THEIR LANGUAGE, AND WHEN YOU TOLD THEM TO DO ANYTHING THEY WOULD DO IT ? A. SOME OF THEM WOULD AND SOME WOULDN'T. Q. THEY ALL AGREED TO QUIT STEALING, DIDN'T THEY ? A. NO SIR. Q. HOW DID YOU KEEP THEM FROM STEALING THEN ? A. I DIDN'T. Q. WHAT DID THEY STEAL AFTER YOU GOT THERE ?</p> <p>A. I CAN'T TELL YOU. Q. DID THEY STEAL</p>	<p>DIDN'T. YOU HAD CONSIDERABLE CONTROL OVER THE INDIANS WHEN YOU GOT ^[355] THERE. THEY KNEW YOU, AND YOU COULD TALK THEIR LANGUAGE, AND WHEN YOU TOLD THEM TO DO ANYTHING THEY WOULD DO IT? SOME OF THEM WOULD, AND SOME WOULDN'T. THEY ALL AGREED TO QUIT STEALING, DIDN'T THEY? NO, SIR. HOW DID YOU KEEP THEM FROM STEALING, THEN? I DIDN'T. WHAT DID THEY STEAL AFTER YOU GOT THERE?</p> <p>I CAN'T TELL YOU. DID THEY STEAL</p>	<p>DIDN,'T. Q. YOU HAD CONSIDERABLE CONTROL OVER THEM WHEN YOU GOT THERE. THEY KNEW YOU AND YOU COULD TALK THEIR LANGUAGE, AND WHEN YOU TOLD THEM TO DO ANYTING THEY WOULD DO IT? A. SOME OF THEM WOULD AND SOME OF THEM WOULD NOT. Q. THEY ALL AGREED TO QUIT STEALING, DIDN'T THEY? A. NO, SIR. Q. HOW DID YOU KEEP THEM FROM IT.</p> <p>A. I DIDN'T. Q. DID THEY STEAL ANY AFTER YOU GO T THERE? WHAT DID THEY STEAL AFTER YOU GOT THERE? A. I CAN'T TELL YOU. Q. DID THEY STEAL</p>	<p>DIDN'T. YOU HAD CONSIDERABLE CONTROL OVER THEM WHEN YOU GOT WITH THEM THEY KNEW YOU AND YOU COULD TALK THEIR LANGUAGE AND WHEN YOU TOLD THEM TO DO ANYTHING THEY WOULD DO IT SOME OF THEM WOULD AND SOME OF THEM WOULD NOT. ^[space] THEY ALL AGREED TO KEEP QUIT STEALING DIDN'T THEY NO SIR ^[space] Q. HOW DID YOU KEEP THEM FROM IT</p> <p>I DIDN'T DID THEY STEAL ANY AFTER YOU CAME THERE? WHAT DID THEY STEAL AFTER YOU GOT THERE I CAN'T TELL YOU. ^[space] DID THEY STEAL</p>

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<p>ANYTHING — YOU KNOW WHETHER THEY DID</p> <p>OR NOT ? ^[102]</p> <p>A. THE INDIANS WERE AT THE WAGONS WHEN I ARRIVED AND THEY HAD TAKEN OUT A GREAT DEAL OF STUFF.</p> <p>Q. WHAT DID THEY DO AFTER YOU ARRIVED ? A. THEY TOOK OFF WHAT THEY WANTED. Q. DID THEY STOP STEALING WHEN YOU TOLD THEM TO ? A. NOT ALTOGETHER. Q' WHAT DID THEY TAKE AWAY ? A. BEDDING AND BLANKETS. Q.</p>	<p>ANYTHING— YOU KNOW WHETHER THEY DID</p> <p>OR NOT?</p> <p>THE INDIANS WERE AT THE WAGONS WHEN I ARRIVED AND HAD TAKEN OUT A GOOD DEAL OF STUFF.</p> <p>WHAT DID THEY DO AFTER YOU ARRIVED?</p> <p>THEY TOOK OFF WHAT THEY WANTED. DID THEY STOP STEALING WHEN YOU TOLD THEM TO? NOT ALTOGETHER. WHAT DID THEY TAKE AWAY? BEDDING AND BLANKETS.</p>	<p>ANYTING — HYOU KNOW WHETHER,— AFTER YOU GOT THERE — WHETHER YOU PUT A STOP TO THIS INDISCRIMINAT E STEALING OR NOT, OR CAN'T YOU RECOLLECT? A. THE INDIANS HAD BEEN AT THE WAGONS</p> <p>AND</p> <p>GOT OUT A GOOD DEAL OF STUFF-, AND WAS THERE WHEN I ARRIVED. Q. AFTER YOU GOT THERE TELL ME WHAT THEY DID THEM? A. THEY TOOK AWAY ALL WHAT THEY HAD. Q. BUT DID THEY STOP STEALING WHEN YOU TOLD THEM? A. NOT ALL TOGETHER. Q. WHAT ELSE DID THEY TAKE WAWAY? A. BEDDING AND BLANKETS. Q.</p>	<p>ANYTHING YOU KNOW WHETHER AFTER YOU GOT THERE WHETHER YOU PUT A STOP TO THIS INDISCRIMINAT E STEALING OR NOT OR CAN'T YOU RECOLLECT? THE INDIANS HAD BEEN TO THE WAGONS</p> <p>AND</p> <p>GOT OUT A GOOD DEAL OF STUFF AND WAS THERE WHEN I ARRIVED ^{[[75]]} AFTER YOU GOT THERE TELL ME WHAT THEY DID THEN ^[space] THEY TOOK AWAY WHAT THEY HAD ^[space] BUT DID THEY STOP STEALING WHEN YOU TOLD THEM NOT ALL TOGETHER WHAT ELSE DID THEY TAKE? BEDDING AND BLANKETS</p>

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<p>IS NOT IT A FACT THAT THEY TOOK JUST WHAT THEY WANTED AND THAT YOU DID NOT STOP THEM FROM STEALING ? A. I DID STOP SOME OF THEM. Q. WELL DIDN'T THEY CARRY OFF ALL</p> <p>THEY WANTED ? A. THEY DIDN'T CARRY IT ALL AWAY BUT THEY DID A GREAT PART OF IT.</p> <p>Q. HOW MANY DID</p>	<p>ISN'T IT A FACT THAT THEY TOOK JUST WHAT THEY WANTED, AND THAT YOU DID NOT STOP THEM FROM STEALING? I DID STOP SOME OF THEM. WELL, DIDN'T THEY CARRY OFF ALL</p> <p>THEY WANTED? THEY DIDN'T CARRY IT ALL AWAY, BUT THEY DID A GOOD PART OF IT.</p> <p>HOW MANY DID</p>	<p>ISN'T IT A FACT THAT THEY TOOK JUST AS MUCH AS THEY WANTED AFTER YOU GOT THERE — DID YOU STOP THEM? ^[72]</p> <p>A. I STOPPED A FEW OF THEM. Q. WELL, DIDN'T THE OTHERS CARRY OFF?</p> <p>ISN'T IT A FACT THAT THEY CARRIED AWAY ALL THE BLANKETS AND PROVISSIONS THAT THEY WANTED? A. THEY DIDN'T CARRY IT ALL AWAY, THEY CARRIED AWAY A GOOD SHARE OF IT. Q. DIDN'T THEY CARRY ALL THAT THEY WANTED OFF? A. THERE WAS A FEW OF THEM DID? Q. HOW MANY WERE</p>	<p>ISN'T IT A FACT THAT THEY TOOK JUST AS MUCH AS THEY WANTED AFTER YOU GOT THERE [space] DID YOU STOP THEM AT ALL</p> <p>I STOPPED A FEW OF THEM [space] WELL DIDN'T THE OTHERS CARRY OFF THAT THAT ≪(THAT WHICH)≫ THESE FEW WOULD HAVE CARRIED OFF ~ ISN'T A FACT THAT THEY CARRIED AWAY ALL THE BLANKETS PROVISIONS THAT THEY WANTED THEY DIDN'T CARRY IT ALL AWAY BUT THEY CARRIED GOOD SHARE OF IT [space] DIDN'T THEY CARRY ALL THAT THEY WANTED TO CARRY THERE WAS A FEW THAT/F[?] DIDN'T HOW MANY DID</p>

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<p>YOU KEEP FROM STEALING ?</p> <p>A. FIVE OR SIX. Q. HOW MANY INDIANS WERE THERE THAT YOU COULD NOT STOP — HOW MANY WERE THERE AROUND THE WAGONS ? A. THERE WAS QUITE A LOT THAT WENT AWAY WITH THEIR GOODS. Q. 50, 745 OR 100 ?</p> <p>A. NOT THAT MANY Q. HOW MANY DID YOU SEE THAT DAY ALTOGETHER ? A. THERE WAS A GREAT NUMBER, OVER A HUNDRED, THERE WAS A GREAT NUMBER OF THEM TOOK HORSES AND STARTED OFF. Q. WHERE DID THEY GET</p>	<p>YOU KEEP FROM STEALING?</p> <p>FIVE OR SIX. HOW MANY INDIANS WERE THERE THAT YOU COULD NOT STOP; HOW MANY WERE THERE AROUND THE WAGONS? THERE WAS QUITE A LOT THAT WENT AWAY WITH THEIR GOODS. FIFTY, SEVENTY- FIVE, OR ONE HUNDRED? NOT THAT MANY. HOW MANY DID YOU SEE THAT DAY ALTOGETHER? THERE WAS A GREAT NUMBER— OVER A HUNDRED— THERE WAS A GREAT NUMBER OF THEM TOOK HORSES AND STARTED OFF. WHERE DID THEY GET</p>	<p>THERE THERE YOU COULD NOT KEEP FROM STEALING? HOW MANY INDIANS AROUND THERE? A. SOME FIVE OR SIX. Q. HOW MANY OF THEM WERE THERE THERE YOU COULD NOT KEEP FROM STEALING; HOW MANY INDIANS AROUND THERE? A. THERE WERE QUITE A LOT THAT WENT AWAY WITH THE GOODS. Q. 50 , 75 OR A 100? A. YES, SIR, A. NO, SIR, NOT THAT MANY. Q. HOW MANY DID YOU SEE THAT DAY ALL TOGETHER? A. THERE WAS A GREAT MANY, OVER A HUNDRED. THERE WAS A GREAT AMANY OF THEM TOOK HORSES AND STARTED OFF. Q. WHERE DID THEY GET</p>	<p>YOU KEEP FROM STEALING</p> <p>SOME 5 OR 6 [<i>space</i>] HOW MANY THAT WERE THERE THERE YOU COULD NOT KEEP FROM STEALING HOW MANY INDIANS AROUND THERE THERE WAS QUITE A LOT THAT WENT AWAY WITH THE GOODS [<i>space</i>] 50 75 100 NO SIR NOT THAT MANY [<i>space</i>] HOW MANY DID YOU SEE THAT DAY ALL TOGETHER THERE WAS GREAT MANY [<i>space</i>] OVER 100- THERE WAS A GREAT MANY OF THEM TOOK HORSES AND STARTED OFF [<i>space</i>] WHERE DID THEY GET</p>

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<p>THE HORSES ? A. FROM AROUND THAT SECTION OF COUNTRY. ^[103] Q. EMIGRANTS HORSES, I SUPPOSE ? A. YES SIR. Q. ABOUT HOW MANY HORSES DID THE EMIGRANTS HAVE THERE ? A. I CAN'T TELL YOU. Q. DIDN'T YOU SEE THE HERD ? A. I SAW THE INDIANS WITH HORSES THAT THEY SAID THEY GOT THERE, BUT I DID NOT SEE THE HERD OF STOCK UNTIL IT WAS STARTED TO THE IRON SPRINGS, I ONLY CAME THERE THE NIGHT BEFORE. Q. DID YOU DO ANYTHING</p> <p>TOWARDS BURYING THE DEAD AFTER THE MASSACRE ? A. NO SIR. Q.</p>	<p>THE HORSES? FROM AROUND THAT SECTION OF COUNTRY. EMIGRANTS' HORSES, I SUPPOSE? YES, SIR. ABOUT HOW MANY HORSES DID THE EMIGRANTS HAVE THERE? I CAN'T TELL YOU. DIDN'T YOU SEE THE HERD? I SAW THE INDIANS WITH HORSES THAT THEY SAID THEY GOT THERE, BUT I DID NOT SEE THE HERD OF STOCK UNTIL IT WAS STARTED TO THE IRON SPRINGS. I ONLY CAME THERE THE NIGHT BEFORE. DID YOU DO ANYTHING</p> <p>TOWARD BURYING THE DEAD AFTER THE MASSACRE? NO, SIR.</p>	<p>THEIR HORSES? A. FROM AROUND THAT SECTION OF THE COUNTRY. Q. EMIGRANTS HORSES, I SPUPPOSE. A. YES, SIR. Q. ANBOUT HOW MANY DID THE EMIGRANTS HAVE THERE? A. I CAN'T TELL FYOU. Q. DIDN'T YOU SEE THE BAND. A. I SAW THE INDIANS WITH HORSES THAT THEY SAID THEY GOT THERE; BUT I DIDN'T SEE THE HERD OF STOCK UNTIL I STARTED I WAS STARTED TO THE IRON SPRINGS. I ONLY CAME THERE THE NIGHT BEFORE. Q. DID YOU DO ANYTHING THERE TOWARDS BURYING THE DEAD THERE AFTERWARDS? ^[73] A. NO, SIR. Q.</p>	<p>THEIR HORSES FROM AROUND THAT SECTION OF THE COUNTRY EMIGRANTS HORSES I SUPPOSE YES SIR ^[space] ABOUT HOW MANY HORSES DID THE EMIGRANTS HAVE THERE I CAN'T TELL YOU ^[space] DIDN'T YOU SEE THE BAND ^[space] I SAW THE INDIANS WITH HORSES THAT THEY SAID THEY GOT THERE BUT I DIDN'T SEE THE STOCK UNTIL IT WAS STARTED TO GO TO IRON SPRINGS I ONLY CAME THERE THE NIGHT BEFORE ^[space] ^[176] DID YOU ENGAGE DO ANYTHING</p> <p>TOWARDS BURYING THE DEAD THERE AT THE FIELD AFTERWARDS NO SIR</p>

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<p>THEN YOU DID NOT HELP TO DO THAT ? A. NO SIR. Q. WERE YOU THERE AT THE TIME IT WAS BEING DONE ? A. I SAW MEN THERE WORKING AT IT FROM WHERE I WAS AT THE CAMP, THEY COMMENCED BURYING THE DEAD RIGHT OFF. Q. THE SAME EVENING OF THE MASSACRE ? A. WELL SIR, I CAN'T TELL YOU. Q. YOU CANNOT TELL WHETHER IT WAS THE SAME NIGHT OR THE NEXT MORNING A. I CANNOT. Q. WHAT NUMBER OF MEN WENT FROM THERE TO THE IRON SPRINGS WITH YOU A. THERE WAS SOME TEN OR TWELVE WENT ALONG. I WENT ON</p>	<p>THEN YOU DID NOT HELP DO THAT? NO, SIR. WERE YOU THERE AT THE TIME IT WAS BEING DONE? I SAW MEN THERE WORKING AT IT FROM WHERE I WAS AT THE CAMP. THEY COMMENCED BURYING THE DEAD RIGHT OFF. ^[356] THE SAME EVENING OF THE MASSACRE? WELL, SIR, I CAN'T TELL YOU. YOU CANNOT TELL WHETHER IT WAS THE SAME NIGHT OR THE NEXT MORNING? I CANNOT. WHAT NUMBER OF MEN WENT FROM THERE TO THE IRON SPRINGS WITH YOU? THERE WERE SOME TEN OR TWELVE WENT ALONG. I WENT ON</p>	<p>DIDN'T HELP DO THAT? A. NO, SIR. Q. WERE YOU THERE AT THE TIME IT WAS BEING DONE? A. I SAW MEN WORKNING AT IT FROM WHERE I WAS AT THE CAMP. THEY COMMENCED BURYING THE DEAD RIGHT OFF. Q. THE SAME AFTERNOON OF THE MASSACRE. A. WELL, SIR, I CAN'T TELL YOU. Q. YOU CAN'T TELL WHETHER IT WAS THAT AFTERNOON OR THE NEXT MORNING? A. NO, SIR, I CAN'T. Q. ABOUT HOW MANY MEN WENT OVER THERE WITH YOU TO THE IRON SPRINGS? A. THERE SWAS SOME TEN OR TWELVE THAT I WENT WITH. I WENT ON</p>	<p>DIDN'T HELP DOING THAT NO SIR <i>[space]</i> WAS YOU THERE AT THE TIME IT WAS BEING DONE AND I SAW MEN WORKING AT IT FROM WHERE I WAS AT THE CAMP THEY COMMENCED BURYING THE DEAD RIGHT OFF. <i>[space]</i> THE SAME EVENING OF THE MASSACRE WELL SIR I CAN'T TELL YOU <i>[space]</i> YOU CAN'T TELL WHETHER IT WAS THAT EVENING OR NEXT MORNING NO SIR I CAN'T <i>[space]</i> ABOUT HOW MANY WENT WITH YOU OVER THERE TO IRON SPRINGS? THERE WAS SOME 10 OR 12 THAT I WENT WITH I WENT ON</p>

RT	MU	BT	PS
<p>AFTERWARDS. I HAD MY HORSE. I RODE MY HORSE.</p> <p>Q. GIVE ME THE NAMES OF AS MANY AS YOU CAN THAT WENT WITH YOU FROM THE MEADOWS TO THE IRON SPRINGS THE DAY AFTERWARDS ?</p> <p>A. I CAN'T — I DON'T KNOW AS I CAN GIVE THE NAMES. ^[104]</p> <p>Q. IF YOU SAY YOU CANNOT GIVE THE NAMES I WILL NOT PRESS IT ?</p> <p>A. WELL I SAY I CANNOT.</p> <p>Q. YOU SAY YOU CANNOT RECOLLECT ANY OF THE NAMES OF THOSE WHO HELPED DRIVE THE STOCK ? A.</p> <p>NO SIR, I CAN'T.</p> <p>Q. WHO HAD CHARGE OF THE PROPERTY AS IT WAS DRIVEN TO THE SPRINGS ?</p> <p>A. THAT I CANNOT TELL.</p>	<p>AFTERWARD. I HAD MY HORSE. I RODE MY HORSE.</p> <p>GIVE ME THE NAMES OF AS MANY AS YOU CAN THAT WENT WITH YOU FROM THE MEADOWS TO THE IRON SPRINGS THE DAY AFTERWARD.</p> <p>I CAN'T. I DON'T KNOW AS I CAN GIVE THE NAMES.</p> <p>IF YOU SAY YOU CANNOT GIVE THE NAMES, I WILL NOT PRESS IT.</p> <p>WELL, I SAY I CANNOT.</p> <p>YOU SAY YOU CANNOT RECOLLECT ANY OF THE NAMES OF THOSE WHO HELPED DRIVE THE STOCK?</p> <p>NO, SIR, I CAN'T.</p> <p>WHO HAD CHARGE OF THE PROPERTY AS IT WAS DRIVEN TO THE SPRINGS?</p> <p>THAT I CANNOT TELL.</p>	<p>AFTERWARDS. I HAD MY HORSE.; I RODE MY HORSE.</p> <p>Q. GIVE THE NAMES OF AS MANY AS YOU CAN THAT WENT WITH YOU FROM THE THE MOUNTAIN MEADOWS TO THE IRON SPRINGS THE NEXT DAY?</p> <p>A. I DON'T KNOW AS I CAN GIVE YOU THE NAMES OF THEM. Q. IF YOU SAY YOU CAN'T</p> <p>I WON'T PRESS IT.</p> <p>A. I CAN'T.</p> <p>Q. CAN'T RECOLLECT THE NAMES OF ANY OF THEM?</p> <p>A.</p> <p>NO, SIR.</p> <p>Q. WHO HAD CHARGE OF THE PROPERTY AS IT WENT TO THE IRON SPRINGS?</p> <p>A. THAT I CAN'T TELL</p>	<p>AFTERWARDS I HAD MY HORSE I RODE MY HORSE.</p> <p>[space] GIVE ME THE NAMES OF AS MANY AS YOU CAN THAT WENT WITH YOU FROM THE THE MEADOWS TO IRON SPRINGS THE NEXT DAY</p> <p>[space]</p> <p>I DON'T KNOW AS I CAN GIVE YOU THE NAMES OF THEM IF YOU SAY YOU CAN'T</p> <p>I WON'T PRESS IT</p> <p>I CAN'T [space]</p> <p>CAN'T RECOLLECT THE NAMES OF ANY OF THEM</p> <p>NO SIR [space]</p> <p>WHO HAD CHARGE OF THE PROPERTY AS IT WENT TO IRON SPRINGS THAT I CAN'T TELL</p>

RT	MU	BT	PS
Q. WHAT WAS KLINGENSMITH DOING THERE ?	WHAT WAS KLNGENSMITH DOING THERE?	YOU. Q. WHAT WAS KLINGENSMITH DOING ALONG WITH YOU AT THAT TIME?	YOU WHAT WAS KLINGEN SMITH DOING ALONG WITH <i>THEM</i> [?] AT THE TIME
A. I DON'T KNOW, I DON'T RECOLLECT SEEING HIM ALONG. Q. WHEN DID YOU LAST SEE HIGBEE THERE ON THE FIELD — DID YOU SEE HIM AFTER THE MASSACRE ?	I DON'T KNOW. I DON'T RECOLLECT SEEING HIM ALONG. WHEN DID YOU LAST SEE HIGBEE THERE ON THE FIELD? DID YOU SEE HIM AFTER THE MASSACRE?	A. I DON'T KNOW. I DON'T RECOLLECT SEEING HIM THERE? Q. Q. WHEN WAS THE LAST TIME YOU SAW HIGBEE THERE ON THE FIELd? ? DID YOU SEE HIM AFTER THE MASSACRE? A. YES M , SIR. Q. DID YOU SEE HIM THE DAY AFTER THE MASSACRE? A. I CAN'T TELL	I DON'T KNOW. DON'T YOU I DON'T RECOLLECT SEEING HIM ALONG [<i>space</i>] WHEN WAS THE LAST TIME YOU SAW HIGBEE THERE ON THE FIELD? DID YOU SEE HIM AFTER THE MASSACRE
WHETHER I DID OR NOT. Q. WERE YOU PRESENT AT ANY COUNCIL THAT WAS HELD THERE ON THE FIELD PREVIOUS TO THE MASSACRE AND DID YOU HEAR ANY AGREEMENT AS TO THE KILLING OF THE EMIGRANTS OR ANYTHING OF THAT	YES, SIR. DID YOU SEE HIM THE DAY AFTER THE MASSACRE? I CAN'T TELL WHETHER I DID OR NOT. WERE YOU PRESENT AT ANY COUNCIL THAT WAS HELD THERE ON THE FIELD PREVIOUS TO THE MASSACRE, AND HEAR ANY AGREEMENT AS TO THE KILLING OF THE EMIGRANTS OR ANYTHING OF THAT	YES M , SIR. Q. DID YOU SEE HIM THE DAY AFTER THE MASSACRE? A. I CAN'T TELL YOU WHETHER I D DID OR NOT. ^[74] Q. WAS YOU PRESENT AT ANY COUNCIL THAT WAS HELD THERE ON THE FIELD P E REVIOUS TO THE MASSACRE, AND HERD ANY AGREEMENT AS T O THE KILLING OF THE EMIGRANTS, ANYTHING O OF THAT	YES SIR DID YOU SEE HIM THE DAY AFTER THE MASSACRE I CAN'T TELL YOU WHETHER I DID OR NOT [<i>space</i>] WAS YOU PRESENT AT ANY COUNCIL THAT WAS HELD THERE ON THE FIELD PREVIOUS TO THE MASSACRE AND HEAR ANY AGREEMENT AS TO THE KILLING OF THE EMIGRANTS ANYTHING OF THAT

RT	MU	BT	PS
<p>SORT ? A. NO SIR, I DIDN'T. Q. YOU DID NOT HEAR THAT ANYBODY WAS TO BE KILLED UNTIL YOU HEARD THE SHOOTING ? A. YES SIR. Q. WHEN ? A. WHEN I STARTED AFTER MY HORSE, I HEARD THAT THE PEOPLE WERE TO BE KILLED. [105] Q. WHO TOLD YOU ? A. JOHN D. LEE TOLD ME.</p> <p>Q. I THOUGHT YOU SAID HE HAD LEFT YOU ? A. HE TALKED OF IT BEFORE HE WENT TO THE CAMP. Q. JUST BEFORE THAT THEN ? A. YES SIR. Q. I WISH TO GET ALL THIS, BECAUSE I WANT YOU TO TELL EVERYTHING THAT JOHN D. LEE DID, TELL ME WHAT</p>	<p>SORT? NO, SIR, I DIDN'T. YOU DID NOT HEAR THAT ANYBODY WAS TO BE KILLED UNTIL YOU HEARD THE SHOOTING? YES, SIR. WHEN? WHEN I STARTED AFTER MY HORSE I HEARD THAT THE PEOPLE WERE TO BE KILLED. WHO TOLD YOU? JOHN D. LEE TOLD ME.</p> <p>I THOUGHT YOU SAID HE HAD LEFT YOU? HE TALKED OF IT BEFORE HE WENT TO THE CAMP. JUST BEFORE THAT, THEN? YES, SIR. I WISH TO GET AT ALL THIS, BECAUSE I WANT YOU TO TELL EVERYTHING THAT JOHN D. LEE DID. TELL ME WHAT</p>	<p>SORT? A. NO, SIR, I DIDN'T. Q. YOU DIDN'T HEAR THAT ANYBODY WAS TO BE KILLED UNTIL AFTER YOU HEARD SHOOTING? A. YES, SIR. Q. WHEN? Q. WHEN</p> <p>I SRTARTED AFTER MY HORSE I HEARD THAT THE PEOPLE WAS TO BE KILLED. Q. WHO TOLD YOU? A. JOHN D. LEE TOLD ME. Q. WHERE WAS HE I THOUGHT</p> <p>HE LEFT YOU? A. HE TALKED OF IT BEFORE HE WENT TO THE CAMP. Q. Q. JUST BEFORE THAT THEN? A. YES, SIR. Q I WZANT TO GET ALL THIS, BECAUSE I WANT YOU TO TELL EVERYTHING THAT JOHN D. LEE DID. TELL ME WHAT</p>	<p>SORT NO SIR I DIDN'T [space] YOU DIDN'T HEAR THAT ANYBODY WAS TO BE KILLED UNTIL AFTER YOU HEARD THE SHOOTING YES SIR †</p> <p>WHEN I [[77]] STARTED FOR MY HORSE I HEARD THAT THE PEOPLE WAS TO BE KILLED [space] WHO TOLD YOU JOHN D. LEE TOLD ME ◀WHERE WAS HE▶ I THOUGHT</p> <p>HE LEFT YOU [space] HE TALKED OF IT BEFORE HE WENT TO THE CAMP [space] JUST BEFORE THAT THEN YES SIR I WANT TO GET ALL THIS BECAUSE I WANT TO TELL EVERYTHING THAT JOHN D. LEE DID [space] TELL ME WHAT</p>

RT	MU	BT	PS
<p>HE SAID TO YOU ABOUT IT ? A. HE WAS TALKING TO THE MEN ABOUT GETTING THE MEN OUT OF THEIR FORTIFICATION Q. WAS THIS AFTER THE FLAG OF TRUCE HAD BEEN SENT? A. NO SIR, BEFORE THAT. Q. WHO</p> <p>WAS LEE TALKING TO ? A. KLINGENSMITH, HIGBEE AND OTHERS. Q. WHO WERE THE OTHERS ? A. I CAN'T TELL YOU. Q. HOW MANY OTHERS ? A. THERE WAS QUITE A LOT OF MEN. Q. THIRTY OR FORTY ? A. I SHOULD JUDGE THERE WERE. Q. DID YOU HEAR HIGBEE SAY ANYTHING ? A. HIGBEE MAY HAVE TALKED. Q. DID</p>	<p>HE SAID TO YOU ABOUT IT? HE WAS TALKING TO THE MEN ABOUT GETTING THE MEN OUT OF THEIR FORTIFICATION. WAS THIS AFTER THE FLAG OF TRUCE HAD BEEN SENT? NO, SIR, BEFORE THAT. WHO</p> <p>WAS LEE TALKING TO? KLINGENSMITH, HIGBEE AND OTHERS. WHO WERE THE OTHERS? I CAN'T TELL YOU. ^[357] HOW MANY OTHERS? THERE WAS QUITE A LOT OF MEN. THIRTY OR FORTY? I SHOULD JUDGE THERE WERE. DID YOU HEAR HIGBEE SAY ANYTHING? HIGBEE MAY HAVE TALKED. DID</p>	<p>HE SAID TO YOU ABOUT IT? A. HE WAS TALKING OF GETTING THE MEN OUT OF THEIR FORTIFICATION NS. A. THAT WAS AFTER THE FLAG OF TRUCE HAD BEEN SENT, I SUPPOSE. A. NO, SIR. BEFORE THAT. Q. TELL ME WHO HE SWAST WAS TALKING ABOUT? WAS TALKING TO? A. KLINGENSMITH AND HIGBEE AND OTHERS. Q. WHO WERE THE OTHERS? A. I CAN'T TELL YOU. Q. HOW MANY OTHERS? A. THERE WAS QUITE A LOT OF THEM. Q. 30 OR 40? ^[75] A. I SHOULD JUDGE THERE WAS. Q. DID YOU HEAR HIGBEE SAY ANYTHING? A. HIGBEE MAY HAVE TALKED. Q. DID</p>	<p>HE SAID TO YOU ABOUT IT? HE WAS TALKING ABOUT GETTING THE MEN OUT OF THEIR FORTIFICATION THAT WAS AFTER THE FLAG OF TRUCE HAD BEEN SENT I SUPPOSE NO BEFOREHAND [space] TELL ME WHO HE</p> <p>WAS TALKING TO KLINGEN SMITH AND HIGBEE AND OTHERS WHO WERE THE OTHERS I CAN'T TELL YOU HOW MANY OTHERS THERE WAS QUITE A LOT OF MEN 30 OR 40 [space] I SHOULD JUDGE THERE WAS [space] DID YOU HEAR HIGBEE SAY ANYTHING HIGBEE MAY HAVE TALKED [space] DID</p>

RT	MU	BT	PS
<p>ANY PERSON MAKE ANY OBJECTION TO THE KILLING OF THE EMIGRANTS A. IT IS A THING SIR, THAT I DON'T LIKE TO ANSWER. ^[106] Q. I WISH YOU TO ANSWER THE QUESTION—DID ANY MAN OR MEN, PERSON OR PERSONS THERE ON THE GROUND</p> <p>MAKE AN OBJECTION TO THE KILLING OF ALL THE EMIGRANTS ? A YES SIR., <u>A GOOD MANY</u> <u>OBJECTED</u>, BUT THEY DIDN'T DARE TO SAY ANYTHING. Q. HOW DO YOU KNOW THEY BOBJECTED ? A. THEY DARE NOT SPEAK ABOUT IT TO THOSE MEN. Q. DID THEY SPEAK UP AT THE COUNCIL AND MAKE OBJECTIONS ? A.</p>	<p>ANY PERSON MAKE ANY OBJECTION TO THE KILLING OF THE EMIGRANTS? IT IS A THING, SIR, THAT I DON'T LIKE TO ANSWER. I WISH YOU TO ANSWER MY QUESTION. DID ANY MAN OR MEN, PERSON OR PERSONS, THERE ON THE GROUND,</p> <p>MAKE AN OBJECTION TO THE KILLING OF ALL THE EMIGRANTS? YES, SIR, A GOOD MANY OBJECTED. BUT THEY DIDN'T DARE TO SAY ANYTHING. HOW DO YOU KNOW THEY OBJECTED? THEY DARE NOT SPEAK ABOUT IT TO THOSE MEN. DID THEY SPEAK UP AT THE COUNCIL AND MAKE OBJECTIONS?</p>	<p>ANYBODY MAKE ANY OBJECTION TO THE KILLING OF THE EMIGRANTS? A. IT IS A THING, SIR, I DON'T LIKE TO ANSWER. Q. I WANT YOU TO ANSWER THE QUESTION?, WHETHER ANYBODY</p> <p>ON THAT RGROUND AT THE TIME AT THAT TIME, MAKED DE ANY OBJECTION TO THE KILLING OF THE EMIGRANTS OT NOT. A. YESMX, SIR, A GOOD MANY OBJECTED, BUT THEY DIDN'T DARE TO SAY ANYTHING. Q. HOW DO YOU KNOW THEY OBJECTED? A. THEY DARE NOT TELL THOSE MEN. Q. DID THEY SPEAK OF IT AT THAT COUNCIL, TO THE MEN?</p>	<p>ANYBODY MAKE ANY OBJECTION TO THE KILLING OF THE EMIGRANTS IT IS A THING SIR I DON'T LIKE TO ANSWER I WANT YOU TO ANSWER ME THE QUESTION WHETHER ANYBODY</p> <p>ON THAT GROUND AT THAT TIME MADE ANY OBJECTION TO THE KILLING OF THE EMIGRANTS OR NOT [<i>space</i>] YES SIR GOOD MANY MEN OBJECTED BUT THEY DIDN'T DARE TO SAY ANYTHING [<i>space</i>] HOW DO YOU KNOW THEN THEY OBJECTED THEY <i>DID NOT</i>[?] TELL THOSE MEN [<i>space</i>] DID THEY SPEAK UP AT THAT COUNCIL <i>TO/OFT</i>[?] MEN [<i>space</i>]</p>

RT	MU	BT	PS
I WAS NOT AT THE COUNCIL.	I WAS NOT AT THE COUNCIL.	A. I WAS NOT AT THE COUNCIL.	I WAS NOT AT THE COUNCIL
Q. DID ANY	DID ANY	Q. DID ANY OF THEM SAY ONE WORD IN YOUR PRESENCE, ANY ONE OF THAT 30 OR 40 MEN RAISE A VOICE AGAINST THE KILLING OF THOSE EMIGRANTS, AT THE COUNCIL, ON THE FIELD OR IN THE PRESENCE OF LEE, HIGBEE OR KLINGENSMITH OR ANY ONE ELSE ?	<i>[space]</i> JOHN D LEE WAS DID ANY OF THEM SAY ONE WORD IN YOUR PRESENCE ANY ONE OF THAT 30 OR 40 MEN RAISE HIS THEIR VOICE AGAINST THE KILLING OF THOSE EMIGRANTS? ANY PLACE THE FIELD IN THE PRESENCE OF JOHN D. LEE HAIGHT OR HIGBEE I WAS NOT AT THE COUNCIL <u>SAME QUESTION</u> — NO SIR <i>[space]</i> ^{[[78]]} TELL ME WHAT JOHN D. LEE SAID WHEN
A. NO SIR, THEY DID NOT. Q. WHAT DID JOHN D. LEE SAY ABOUT IT IN THE PRESENCE OF HAIGHT AND HIGBEE ?	NO, SIR, THEY DID NOT. WHAT DID JOHN D. LEE SAY ABOUT IT IN THE PRESENCE OF HAIGHT AND HIGBEE?	Q. TELL ME WHAT JOHN D. LEE SAID WHEN	HAIGHT AND HIGBEE WERE
A. HE SAID WE MUST GET THEM OUT OF THERE.	HE SAID WE MUST GET THEM OUT OF THERE.	HAIGHT AND HIGBEE WERE THERE PRESENT? A. HE SAID THAT HE MUSRT HGET THEM OUT OF THERE.	PRESENT? HE SAID THAT WE <i>[space]</i> MUST GET THEM OUT OF THERE.

674. This question and answer is marked with a line and a question mark in the left margin.

RT	MU	BT	PS
<p>Q. WHO WAS HE TALKING TO THEN ? A. HIGBEE AND THE OTHERS. Q. WERE THEY TALKING THE MATTER OVER ? A. YES SIR. Q. TELL ME WHAT WAS SAID ?</p> <p>A. I CAN'T RECOLLECT.</p> <p>Q. DO YOU RECOLLECT WHAT HAIGHT SAID ? A. HAIGHT WAS NOT THERE. Q. THEN HOW WAS IT THAT LEE WAS TALKING TO HAIGHT AND HIGBEE IF HAIGHT WAS NOT THERE ? [107] A. IT WAS HIGBEE AND</p>	<p>WHO WAS HE TALKING TO THEN? HIGBEE AND THE OTHERS. WERE THEY TALKING THE MATTER OVER? YES, SIR. TELL ME WHAT WAS SAID?</p> <p>I CAN'T RECOLLECT.</p> <p>DO YOU RECOLLECT WHAT HAIGHT SAID? HAIGHT WAS NOT THERE. THEN HOW WAS IT THAT LEE WAS TALKING TO HAIGHT AND HIGBEE IF HAIGHT WAS NOT THERE? IT WAS HIGBEE AND</p>	<p>Q. WHAT ELSE WAS SAID?, WHO WAS HE TALKING TO? A. HIGBEE AND OTHERS. Q. THEY WERE TALKING THE MATTER OVER. A. YES, SIR. Q. TELL ME WHAT WAS SAID? YOU ARE HERE TRYING TO HANG A MAN, AND I WANT WHAT WAS SAID, IF YOU DIN'T RECOLLECT IT SAY SO. A. I DON'T [76] DO YOU RECOLLECT WHAT HAIGHT SAID? A. HAIGHT WAS NOT THERE. Q. THEN HOW WAS HE TALKING TO HAIGHT AND HIGBEE IF HAIGHT WAS NOT THERE? A. IT WAS HIGBEE AND</p>	<p>WHAT ELSE WAS SAID WHO WAS HE TALKING TO THEN TALKING TO HIGBEE AND OTHERS AND ~ [space] THEY WERE TALKING THE MATTER OVER ≤YES SIR≥ TELL ME WHAT WAS SAID [space] I⁶⁷⁵ AND YOU[?] ARE HERE TRYING TO HANG A MAN AND I WANT WHAT WAS SAID I DO NOT IF YOU DON'T [space] RECOLLECT IT AT ALL SAY SO. I DON'T [space] DO YOU RECOLLECT WHAT HAIGHT SAID? HAIGHT WAS NOT THERE [space] THEN HOW WAS HE TALKING TO HAIGHT AND HIGBEE IF HAIGHT WAS NOT THERE [space] HIGBEE AND</p>

675. Word is possibly crossed out.

RT	MU	BT	PS
KLINGENSMTIH HE WAS TALKING TO. Q. WHAT WAS IT THAT KLINGENSMITH SAID ABOUT KILLING THE EMIGRANTS ? A. I CAN'T TELL. Q. THEN YOU CANNOT RECOLLECT WHAT ANYONE SAID OR DID EXCEPT JOHN D. LEE ? A. NO, BECAUSE JOHN D. LEE WAS THE MOST CONSPICUOUS THING MAN IN THE WHOLE THING. Q. KLINGENSMITH THE BISHOP OF THE CHURCH AT CEDAR CITY, HAIGHT AND HIGBEE, AS MAJORS OF THE MILITIA, ALL STOOD BACK AND GAVE: JOHN D. LEE FULL CONTROL, DID THEY ? A. HE HAD CONTROL OF EVERYTHING ON THE FIELD, HE ACTED LIKE	KLINGENSMITH HE WAS TALKING TO. WHAT WAS IT THAT KLINGENSMITH SAID ABOUT KILLING THE EMIGRANTS? I CAN'T TELL. THEN YOU CANNOT RECOLLECT WHAT ANY ONE SAID OR DID EXCEPT JOHN D. LEE? NO, BECAUSE JOHN D. LEE WAS THE MOST CONSPICUOUS MAN IN THE WHOLE THING. KLINGENSMITH, THE BISHOP OF THE CHURCH AT CEDAR CITY, HAIGHT AND HIGBEE, AS MAJORS IN THE MILITIA, ALL STOOD BACK AND GAVE JOHN D. LEE FULL CONTROL, DID THEY? HE HAD CONTROL OF EVERYTHING ON THE FIELD. HE ACTED LIKE	KLINGENSMITH , THEY WAS THE ONES. Q. WHAT WAS IT KLINGENSMITH SAID ABOUT THE EMIGRANTS? A. I DON'T RECOLLECT. Q. YOU CAN'T RECOLLECT WHAT ANYONE SAID EXCEPT JOHN D. LEE? A. NO,SSSSSS A. NO, BECAUSE JOHN D. LEE WAS THE MOST CONSPICUOUS MAN IN THE WHOLE AFFAIR THING. Q. KLINGENSMITH, THE BISHOP OF THE CHURCH AT CEDAR CITY, HAIGHT AND HIGBEE, AS MAJORS IN THE MILITIA, ALL STOOD BACK AND GAVE JOHN D. LEE FULL CONTROL, DID THEY? A. HE HAD CONTROL OF EVERYTHING ON THE FIELD. HE ACTED LIKE	KLINGEN SMITH WAS THE ONES [<i>space</i>] WAS IT KLINGEN SMITH SAID ABOUT KILLING EMIGRANTS ≤I DON'T RECOLLECT> YOU DON'T RECOLLECT WHAT ANY BODY SAID EXCEPT JOHN D. LEE [<i>space</i>] NO BECAUSE JOHN D. LEE WAS THE MOST CONSPICUOUS MAN IN THE WHOLE THING. [<i>space</i>] KLINGEN SMITH AS BISHOP OF THE CHURCH AND HAIGHT AS MAJOR ≤IN THE MILITARY> STOOD BACK AND LET JOHN D. LEE DIRECT THE WHOLE THING DIDN'T HE THEY HE HAD CONTROL OF EVERYTHING ON THE FIELD HE ACTED LIKE

RT	MU	BT	PS
<p>A MAN THAT HAD CONTROL. Q. DID HE NOT HAVE CONTROL ? A. I CAN'T SAY.</p> <p>Q. DID YOU NOT THINK AT THE TIME THAT JOHN D. LEE HAD FULL CONTROL OF EVERYTHING AND OF EVERY PERSON THERE ? A. HE ACTED LIKE IT. Q. WHAT DO YOU BELIEVE ABOUT IT ? NO ANSWER.</p> <p>Q. HAIGHT WANTED TO YOU TO GO THERE ?</p> <p>A. YES SIR, AND WHEN I GOT THERE I WENT TO LEE, THAT WAS THE INSTRUCTION. Q. AND YOU STAYED BY HIM AND OBEYED ALL OF HIS ORDERS ? A. NO SIR,</p>	<p>A MAN THAT HAD CONTROL. DID HE NOT HAVE CONTROL? I CAN'T SAY.</p> <p>DID YOU NOT THINK AT THE TIME THAT JOHN D. LEE HAD FULL CONTROL OF EVERYTHING AND OF EVERY PERSON THERE? HE ACTED LIKE IT. WHAT DO YOU BELIEVE ABOUT IT? NO ANSWER.</p> <p>HAIGHT ORDERED YOU TO GO THERE?</p> <p>YES, AND WHEN I GOT THERE I WENT TO LEE; THAT WAS THE INSTRUCTION. [358] AND YOU STAYED BY HIM AND OBEYED ALL OF HIS ORDERS? NO, SIR,</p>	<p>A MAN THAT HAD CONTROL. Q. DID HE NOT HAVE CONTROL? A. I CAN'T SAY.</p> <p>Q. DID YOU THINK THAT JOHN D. LEE HAD ABSOLUTE CONTROL OF EVERYTHING</p> <p>THERE? A. HE ACTED LIKE IT? Q. WHAT DO YOU BELIEVE ABOUT IT? NO ANSWER.</p> <p>Q. HAIGHT REQUESTED YOU TO GO THERE?</p> <p>A. YES, AND WHEN I GOT THERE I WENT TO LEE; THAT WAS THE INSTRUCTION. Q. AND YOU STAYED BY HIM AND OBEYED ALL HE TOLD YOU TO? A. NO, SIR,</p>	<p>A MAN THAT HAD CONTROL. [space] DID NOT HE HAVE CONTROL I COULD NOT TELL YOU DON'T YOU YOU THINK THAT JOHN D. LEE HAD ABSOLUTE CONTROL OF EVERYBODY</p> <p>THERE HE ACTED LIKE IT [space] WHAT DO YOU BELIEVE ABOUT IT ~ DO DON'T YOU BELIEVE HE HAD ABSOLUTE CONTROL OF EVERYBODY THERE HAIGHT REQUESTED YOU TO GO [space] <u>TO THE MOUNTAIN MEADOWS</u> YES WHEN I GOT THERE I WENT TO LEE THAT WAS THE INSTRUCTIONS [79] AND YOU STAYED BY HIM AND OBEYED WHAT HE TOLD ME/HIM [?] YOU [space] NO SIR DID HE WANT YOU TO DO</p>

RT	MU	BT	PS
<p>HE WANTED ME TO TALK TO THE INDIANS IN A WAY I DIDN'T WANT TO ^[108] Q. TELL ME HOW HE WANTED YOU TO TALK TO THE INDIANS —A. HE WANTED ME TO TELL THEM THAT THEY WOULD GET THE EMIGRANTS OUT SOMEWAYS THEY COULD GET THEIR GUNS AND HORSES. Q. YOU REFUSED TO TELL THE INDIANS THAT DID YOU A. WELL, I TALKED WITH THEM SOME. Q. DID YOU TELL THEM THAT OR NOT ? A. I DON'T WISH TO ANSWER THAT. COURT: YOU NEED NOT TELL ANYTHING TO CRIMINATE YOURSELF.</p> <p>Q.</p>	<p>HE WANTED ME TO TALK TO THE INDIANS IN A WAY I DIDN'T WANT TO. TELL ME HOW HE WANTED YOU TO TALK TO THE INDIANS? HE WANTED ME TO TELL THEM THAT THEY WOULD GET THE EMIGRANTS OUT SOME WAY, SO THEY COULD GET THEIR GUNS AND HORSES. YOU REFUSED TO TELL THE INDIANS THAT, DID YOU? WELL, I TALKED TO THEM SOME. DID YOU TELL THEM THAT OR NOT? I DON'T WISH TO ANSWER THAT. COURT.— YOU NEED NOT TELL ANYTHING TO CRIMINATE YOURSELF.</p> <p>BISHOP.</p>	<p>HE WANTED ME TO TALK TO THE INDIANS IN ZA WAY I DIDN'T WANT TO. Q. TELL ME HOW HE WANTED YOU TO TALK TO THE INDIANS? A. HE WANTED ME TO TELL THEM THAT HTHEY WOULD GET THE EMIGRANTS OUT ^[77] SOME WAY SO THEY COULD HAVE THEIR GUNS AND H HORSES. Q. YOU REFUSED TO TELL THE INDIANS THAT, DID YOU? A. WELL, I TALKED TO THEM. Q. DID YOU TELL THEM THAT OR NOT?</p> <p>A.COURT: YOU NEED NOT TELL ANYTHING TO CRIMINATE YOURSELF. HOWARD: TELL ALL HE TOLD YOU TO S&AY. BISHOP:</p>	<p>THAT YOU [space] WAS[?] [space] HE WANTED ME TO TALK TO THE INDIANS IN A WAY I DIDN'T WANT TO [space] TELL ME HOW ABOUT[?] HE WANTED YOU TO TALK [space] HE WANTED ME TO TELL THEM THAT THEY WOULD GET THE EMIGRANTS OUT IN SOME WAY SO THEY COULD HAVE THEIR GUNS AND HORSES AND YOU WOULD NOT TELL THE INDIANS THAT? DID YOU? WELL I TALKED TO THEM SOME DID YOU TELL THEM THAT OR NOT?</p> <p>COURT: YOU NEED NOT TELL ANYTHING TO CRIMINATE YOURSELF ~ ◀(HOWARD)▶ TELL ALL HE TOLD YOU TO SAY) BISHOP: —</p>

RT	MU	BT	PS
<p>CAN YOU TELL ME ANYTHING BESIDES THAT THAT YOU HEARD JOHN D. LEE SAY ?</p> <p>A. NO SIR, I CANNOT, THAT IS ALL I RECOLLECT.</p> <p>Q. WHAT TIME OF THE DAY WAS THAT WHEN LEE SAID WE MUST GET THEM OUT SOMEWAY ? A. IT WAS IN THE FOREPART OF THE DAY. Q. WHO WAS IN THE HEARING DISTANCE</p>	<p>—</p> <p>CAN YOU TELL ME ANYTHING BESIDES THAT, THAT YOU HEARD JOHN D. LEE SAY?</p> <p>NO, SIR, I CANNOT. THAT IS ALL I RECOLLECT.</p> <p>WHAT TIME OF DAY WAS THAT, WHEN LEE SAID, “WE MUST GET THEM OUT SOME WAY?” IT WAS IN THE FORE-PART OF THE DAY. WHO WAS IN HEARING DISTANCE</p>	<p>CAN YOU TELL ME WHAT HES SAID BESIDES THAT, WHAT</p> <p>LEE SAID AT THE TIME. GIVE ME ANYOTHER CONVERSATION THAT HE HAD?</p> <p>A. NO, SIR, THAT IS ALL I RECOLLECT.</p> <p>Q. WHAT TIME OF DAY WAS THAT WHEN HE SAID, WE MUST GET THE EMIGRANTS OUT?</p> <p>A. IT WAS IN THE FORE PART OF THE DAY. Q. WHO WAS IN HEARING OF HIM AT THE</p>	<p>[?]AND-I SUPPOSE ≤IT IS NOT DIFFICULT TO> PREMISE[?] ~THAT WOULD BE A VIOLATION SUPPOSITION [space]BISHOP YOU COULD NOT BLAME ME FOR HAVING THAT PRESUMPTION SUPPOSITION. [space]CAN YOU TELL ME WHAT HE SAID BESIDE THAT WHAT</p> <p>LEE SAID AT THE TIME GIVE ME ANY OTHER CONVERSATION THAT HE HAD?</p> <p>NO SIR THAT IS ALL YOU ≤I> RECOLLECT IS THAT ~ [space] WHAT TIME OF DAY WAS IT WHEN HE SAID WE MUST GET THE EMIGRANTS OUT?</p> <p>IT WAS IN THE FORE PART OF THE DAY WHO WAS IN HEARING OF HIM AT THE</p>

RT	MU	BT	PS
<p>WHEN LEE SAID THAT ? A. I DECLINE TO ANSWER. HOWARD: YOU DON'T DECLINE BECAUSE IT WOULD CRIMINATE YOU, DO YOU ? A. NO SIR. HOWARD: THEN YOU CANNOT DECLINE. BISHOP: TELL ME WHO WAS PRESENT AND HEARD THAT STATEMENT OF LEE'S A. I CAN'T TELL, THERE WAS A LOT OF THEM THERE.</p> <p>Q. AFTER</p> <p>YOU ARRIVED AT THE IRON SPRINGS DID YOU AND THOSE WITH YOU TALK</p>	<p>WHEN LEE SAID THAT? I DECLINE TO ANSWER. HOWARD.— YOU DON'T DECLINE BECAUSE IT WOULD CRIMINATE YOU, DO YOU? NO, SIR. THEN YOU CANNOT DECLINE. BISHOP.—TELL ME WHO WAS PRESENT, AND HEARD THAT STATEMENT OF LEE'S? I CAN'T TELL— THERE WAS A LOT OF THEM THERE.</p> <p>AFTER</p> <p>YOU ARRIVED AT IRON SPRINGS, DID YOU AND THOSE WITH YOU TALK</p>	<p>TIME HE SAID THAT? A. I DECLINE TO ANSWER. HOWARD: YOU DON'T DECLINE BECAUSE IT WOULD CRIMINATE YOU, DO YOU? A. NO, SIR. Q. THEN YOU CANT DECLINE. BISHOP: TELL ME NOW, WHO ELSE HEARD THIS STATEMENT OF LEES? A. I CAN'T TELL YOU, THERE WAS A LOT OF MEN THERE.</p> <p>Q. AFTER THIS WHEN</p> <p>YOU GOT UP TO IRON SPRINGS, DID YOU MAKE ANY AGREEMENT THERE WHETHER YOU WOULD TALK IT OVER AMONG YOURSELVES? WAS ANYTHING SAID THERE AT THE MEADOWS OR AT THE</p>	<p>TIME HE SAID IT? I DECLINE TO ANSWER [<i>space</i>] ≤(HOWARD)≥ YOU DON'T DECLINE BECAUSE IT WOULD AFFECT YOU NO SIR THEN YOU CAN'T DECLINE [<i>space</i>] TELL ME NOW WHO ELSE HEARD THIS STATEMENT OF LEES? I CAN'T TELL YOU THERE WAS A LOT OF MEN THERE BUT I HEARD THEM/THAT?. [<i>space</i>] AFTER THIS WHOLE THING WAS OVER YOU GOT UP TO IRON SPRINGS DID YOU MAKE ANY AGREEMENT THERE WHETHER YOU WOULD TALK IT OVER AMONG YOURSELVES WAS ANYTHING SAID THERE AT THE MEADOWS OR AT</p>

RT	MU	BT	PS
<p>THE MATTER OVER AND AGREE TO KEEP IT A SECRET ?</p> <p>A. THE MATTER WAS TALKED OVER AT THE CAMP AND AGAIN AT THE SPRINGS ^[109] ABOUT KEEPING IT A SECRET, BUT I CAN'T TELL WHAT THE AGREEMENT WAS THAT WAS COME TO. Q. WAS THE SUBJECT TALKED OVER AS TO WHETHER IT SHOULD BE</p> <p>TALKED OVER AFTERWARDS OR NOT ? A. I DON'T RECOLLECT.</p> <p>Q. AFTER THAT DID YOU TALK IT OVER</p>	<p>THE MATTER OVER AND AGREE TO KEEP IT A SECRET? THE MATTER WAS TALKED OVER AT THE CAMP, AND AGAIN AT THE SPRINGS, ABOUT KEEPING IT A SECRET, BUT I CAN'T TELL WHAT THE AGREEMENT WAS THAT WAS COME TO. WAS THE SUBJECT TALKED OVER AS TO WHETHER IT SHOULD BE</p> <p>TALKED OVER AFTERWARDS OR NOT? I DON'T RECOLLECT.</p> <p>AFTER THAT DID YOU TALK IT OVER</p>	<p>SDCSSCSSSS</p> <p>IRON SPRINGS AS TO WHETHER YOU WOULD KEEP THE MATTER SECRET OR WHETHER YOU WOULD TAKE IT OVER? A. THE MATTER WAS TALKED OF</p> <p>BUT IT DIDN T REMEMBER WHAT THE CONCLUSION WAS. Q. WAS THAT SUBJECT RAISED AS TO WHETHER IT WOULD BE ADVISABLE TO TALK IT OVER OFR TELL IT? ^[78] A.. I DON'T RECOLLECT.</p> <p>I WENT HOME FROM IRON SPRINGS TO WHERE I LIVED AT MY FATHERS FARM. Q. AFTER THAT DID YOU EVER HAVE ANY</p>	<p>IRON SPRINGS AS TO WHETHER YOU WOULD KEEP THE MATTER SECRET OR WHETHER WOULD TALK IT OVER THE MATTER WAS TALKED OF</p> <p>BUT IT DIDNT REMEMBER WHAT THE CONCLUSION WAS ^[space] WAS THAT SUBJECT RAISED AS TO WHETHER IT WOULD BE ADVISABLE TO TALK IT OVER AND TELL IT I DON'T RECOLLECT ^{[[80]]} IT SAID WAS THERE ANY AGREEMENT I WENT HOME FROM IRON SPRINGS TO WHERE I LIVED AT MY FATHER'S FARM ^[space] AFTER THAT DID YOU EVER HAVE</p>

RT	MU	BT	PS
<p>WITH THOSE WHO WERE ENGAGED IN THE AFFAIR WITH YOU, IN WHICH CONVERSATION YOU LEARNED IT WAS BEST TO KEEP SILENT CONCERNING THE WHOLE THING ? A. IT WAS TALKED OF THAT WAY, THAT IT WAS BEST TO KEEP STILL.</p> <p>Q. WHAT REASONS WERE GIVEN WHY IT WAS BEST TO KEEP STILL ?</p> <p>A. I CAN'T TELL YOU. Q. DO YOU KNOW WHAT THE REASONS WERE OR DO YOU DECLINE TO ANSWER, IS IT BECAUSE YOU FORGET OR WHY CAN'T YOU TELL ME ?</p> <p>A. IT WAS BECAUSE THEY DIDN'T WANT IT TO BE KNOWN, THOSE MEN WHO WERE IN IT — THE</p>	<p>WITH THOSE WHO WERE ENGAGED IN THE AFFAIR WITH YOU, IN WHICH CONVERSATION YOU LEARNED IT WAS BEST TO KEEP SILENT CONCERNING THE WHOLE THING? IT WAS TALKED OF THAT WAY— THAT IT WAS BEST TO KEEP STILL.</p> <p>WHAT REASONS WERE GIVEN, WHY IT WAS BEST TO KEEP STILL?</p> <p>I CAN'T TELL YOU. DO YOU KNOW WHAT THE REASONS WERE, OR DO YOU DECLINE TO ANSWER? IS IT BECAUSE YOU FORGET, OR WHY CAN'T YOU TELL ME?</p> <p>IT WAS BECAUSE THEY DIDN'T WANT IT TO BE KNOWN—THOSE MEN WHO WERE IN IT; THE</p>	<p>CONVERSATION WITH ANY ONE?, WHO WAS AT [space] WHO WAS AT THE MEADOWS WHEN IT WAS SAID THAT IT WAS ADVISABLE TO KEEP STILL IN REGARD TO THIS MATTER,— AS</p> <p>THAT IT WAS BEST TO KEEP STILL.</p> <p>WHAT REASONS WERE GIVEN WHY IT WAS BEST TO KEEP STILL? A. WELL, I CAN'T TELL YOU. Q..DO YOU KNOW WHAT THEY WERE OR DO YOU DECLINE TO ANSWER-? IS IT BECAUSE YOU FORGET-?</p> <p>A. IT WAS BECAUSE THEY DIDN'T WANT TO LET IT BE KNOWN, THOSE MEN WHO WERE THE</p>	<p>CONVERSATION WITH ANY ONE</p> <p>WHO WAS AT THE MEADOWS IN WHICH YOU UNDERSTOOD IT WAS ADVISABLE TO KEEP STILL IN REGARD TO THIS MATTER IT WAS TALKED OF</p> <p>THAT IT WAS BEST TO KEEP STILL [space] WHAT REASONS WERE GIVEN WHY IT WAS BEST TO KEEP STILL? ≪WELL≫ I CAN'T TELL YOU [space] DID YOU KNOW WHAT THEY WERE OR DO YOU DECLINE TO ANSWER IS IT BECAUSE YOU FORGOT IT OR?</p> <p>IT WAS BECAUSE THEY DIDN'T WANT TO LET IT BE KNOWN THOSE MEN WHO WERE THE</p>

RT**MU****BT****PS**

<p>LEADERS IN IT DIDN'T WANT IT TO GET OUT.</p> <p>Q. I ASK YOU WHETHER YOU EVER HAD ANY CONVERSATION WITH ANYONE IN REGARD TO IT ? A. I CAN'T TELL YOU WHETHER I HAD</p> <p>OR NOT. Q. OF COURSE, SUCH A THING AS THAT MEN WILL TALK ABOUT ? A. THAT IS WHAT'S THE MATTER NOW, IT HAS BEEN TALKED ABOUT AND CAN'T LIE STILL. Q. DID YOU EVER HAVE A CONVERSATION WITH HAIGHT ABOUT THIS MASSACRE</p>	<p>LEADERS IN IT DIDN'T WANT IT TO GET OUT.</p> <p>I ASKED YOU WHETHER YOU EVER HAD ANY CONVERSATION WITH ANY ONE IN REGARD TO IT? I CAN'T TELL YOU WHETHER I HAD</p> <p>OR NOT. ^[359] OF COURSE SUCH A THING AS THAT MEN WOULD TALK ABOUT. THAT'S WHAT THE MATTER NOW. IT HAS BEEN TALKED ABOUT AND CAN'T LIE STILL. DID YOU EVER HAVE A CONVERSATION WITH HAIGHT ABOUT THIS MASSACRE</p>	<p>LEADERS IN IT DIDN'T WANT IT TO GET OUT.</p> <p>Q. TELL US NOW, WHAT DID THEY SAY ABOUT IT—ANY INDIVIDUALS THAT WERE PRESENT AT THE MASSACRE? OBJECTED TO UNLESS HE STATES WHO THEY WERE.</p> <p>Q. ASK YOU WHETHER YOU HAD ANY CONVERSATION WITH ANYONE IN REGARD TO IT? A. I CAN'T TELL YOU WHETHER YOU I HAD ANY CONVERSATION OT NOT. OF COURSE SUCH A THING AS THAT A MAN WOULD TALK ABOUT IT. THAT'S JUST WHAT IS THE MATTER NOW. IT HAS BEEN TALKED ABOUT AND CAN'T LIE STILL. Q. DID YOU EVER HAVE A CONVERSATION WITH HAIGHT ABOUT THIS</p>	<p>LEADERS IN IT DIDN'T WANT IT TO GET OUT.</p> <p><i>[space]</i> TELL US NOW WHAT DID THEY SAY ABOUT IT ANY INDIVIDUALS THAT WERE PRESENT AT THE MASSACRE OBJECTED TO UNLESS YOU STATE WHO THEY WERE.</p> <p><i>[space]</i> ASK YOU WHETHER YOU HAD ANY CONVERSATION WITH ANYONE IN REGARD TO IT? I CAN'T TELL YOU WHETHER I HAD ANY CONVERSATION OR NOT OF COURSE SUCH A THING AS THAT MEN WOULD TALK ABOUT IT <i>[space]</i> THAT IS JUST WHAT IS THE MATTER NOW IT HAS BEEN TALKED ABOUT AND CAN'T LIE STILL. <i>[space]</i> DID YOU EVER HAVE A CONVERSATION WITH HAIGHT ABOUT THIS</p>
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RT	MU	BT	PS
<p>SINCE IT OCCURRED ? A. NOT THAT I KNOW OF. Q. DID YOU EVER HAVE A CONVERSATION WIT STEWART ? ^[110] A. NO SIR. Q. DID YOU EVER HAVE ONE WITH HIGBEE ABOUT KEEPING IT STILL ? A. NOT THAT I KNOW OF. Q. DID YOU EVER TALK WITH ALLEN, KLINGENSMITH OR ANY OTHER PARTY THAT WAS THERE ABOUT KEEPING IT STILL ?</p> <p>A. I TELL YOU I DON'T RECOLLECT HAVING A CONVERSATION ABOUT KEEPING IT STILL. SUCH A</p>	<p>SINCE IT OCCURRED? NOT THAT I KNOW OF. DID YOU EVER HAVE A CONVERSATION WITH STEWART? NO, SIR. DID YOU EVER HAVE ONE WITH HIGBEE ABOUT KEEPING IT STILL? NOT THAT I KNOW OF. DID YOU EVER TALK WITH ALLEN, KLINGENSMITH OR ANY OTHER PARTY THAT WAS THERE, ABOUT KEEPING IT STILL? NOT THAT I KNOW OF. DID YOU EVER TALK WITH ALLEN, KLINGENSMITH OR ANY OTHER PARTY THAT WAS THERE, ABOUT KEEPING IT STILL? I TELL YOU I DON'T RECOLLECT HAVING A CONVERSATION ABOUT KEEPING IT STILL. SUCH A</p>	<p>SINCE THAT OCCURRED?⁶⁷⁶ A. NOT THAT I KNOW OF. A Q. EVER HAVE ANY WITH STEWART? A. NO, SIR. Q. EVER HAVE ANY WITH HIGBEE ABOUT KEEPING IT STILL? A. NO, SIR, NOT THAT I KNOW OF. Q. DID YOU EVER HAVE ANY WITH IRA ALLEN, KLINGENSMITH OR ANY OTHER PARTY THAT WAS THERE?</p> <p>^[79] A. I TOLD YOU I DIDN'T RECOLLECT HAVING A CONVERSATION ABOUT KEEPING IT STILL. SUCH A</p>	<p>SINCE THAT TIME NOT THAT I KNOW OF I DID NOT EVER HAVE ONE WITH STEWART NO SIR [<i>space</i>] EVER HAVE ONE WITH HIGBEE ABOUT KEEPING IT STILL NO SIR NOT THAT I KNOW OF DID YOU EVER HAVE ONE ALLEN KLINGENSMITH OR ANY OTHER PARTY THAT WAS THERE</p> <p>I TOLD YOU I DON'T RECOLLECT HAVING CONVERSATION ABOUT KEEPING STILL SUCH</p>

676. A line in the margin marks this question and the previous answer.

RT	MU	BT	PS
<p>THING WAS TALKED ABOUT BUT I DON'T NOW RECOLLECT TALKING ABOUT IT. Q. DID YOU HEAR EITHER OF THESE MEN TALK ABOUT IT ABOUT KEEPING IT SECRET ? NO ANSWER. Q. IS IT NOT A FACT THAT AFTER THE PROPERTY WAS ALL GATHERED UP AT THE MEADOWS AND YOU WERE READY TO START FOR IRON SPRINGS THAT SPEECHES WERE MADE TO THE MEN PRESENT BY T OSE IN AUTHORITY,</p> <p>IN WHICH SPEECHES YOU WERE ORDERED TO KEEP IT A SECRET</p>	<p>THING WAS TALKED ABOUT, BUT I DON'T NOW RECOLLECT TALKING ABOUT IT. DID YOU HEAR EITHER OF THOSE MEN TALK ABOUT IT, ABOUT KEEPING IT SECRET? NO ANSWER. IS IT NOT A FACT THAT AFTER THE PROPERTY WAS ALL GATHERED UP AT THE MEADOWS, AND YOU WERE READY TO START FOR IRON SPRINGS, THAT SPEECHES WERE MADE TO THE MEN PRESENT, BY THOSE IN AUTHORITY,</p> <p>IN WHICH SPEECHES YOU WERE ORDERED TO KEEP IT A SECRET</p>	<p>TINKG WAS TALKED ABOUT BUT I DON'T KNOW RECOLLECT TALKING ABOUT IT. Q. DID YOU HEAR EITHER ONE OF THOSE MEN TALK ABOUT IT?</p> <p>NO ANSWER. A. ISN'RT IT A FACT THAT AFTER YOU GATHERED UP THE PROPERTY</p> <p>THAT A SPEECH WAS MADE THERE TO YOU, AND IT WAS UNDERSTOOD THERE THAT NOTHING SHOULD BE SAID ABOUT IT. SOME PERSON MADE YOU A SPEECH THAT IT WOULD BE BEST TO KEEP IT STILL? SILENT:?</p>	<p>THING WAS TALKED ABOUT BUT I DON'T RECOLLECT TALKING ABOUT IT [<i>space</i>] DID YOU HEAR <i>EITHER</i>[?] ONE OF THOSE MEN TALK ABOUT IT ~ ≤NO ANSWER> ISN'T IT A FACT THAT AFTER YOU GATHERED UP THE PROPERTY</p> <p>THAT THERE WAS A SPEECH MADE TO YOU AND IT WAS UNDERSTOOD THERE THAT NOTHING SHOULD BE SAID ABOUT IT SOME PERSON MADE YOU A SPEECH THAT IT WOULD BE BEST TO KEEP IT SILENT?</p>

RT	MU	BT	PS
<p>FOREVER. A. THERE WERE A GREAT MANY SPEECHES MADE. Q. AT THE MEADOWS BEFORE YOU LEFT THERE, WAS IT NOT TOLD YOU IN A SPEECH THEN MADE TO YOU, THAT IT MUST BE KEPT SECRET THAT IT WOULD BE BEST TO KEEP IT SILENT, WERE YOU NOT SO ADVISED BY YOUR LEADERS ? A. YES SIR.</p> <p>Q. WHO GAVE THAT ADVICE — WHO ORDERED YOU TO KEEP</p> <p>SILENT ? A. KLINGENSMITH AND HAIGHT GAVE THE ADVICE.</p>	<p>FOREVER? THERE WERE A GREAT MANY SPEECHES MADE. AT THE MEADOWS, BEFORE YOU LEFT THERE, WAS IT NOT TOLD YOU IN A SPEECH THEN MADE TO YOU, THAT IT MUST BE KEPT SECRET; THAT IT WOULD BE BEST TO KEEP SILENT? WERE YOU NOT SO ADVISED BY YOUR LEADERS? YES, SIR.</p> <p>WHO GAVE THAT ADVICE? WHO ORDERED YOU TO KEEP</p> <p>SILENT? KLINGENSMITH AND HAIGHT GAVE THE ADVICE. THE CROSS- EXAMINATION</p>	<p>A. WAS NOT⁶⁷⁷ A GREAT MANY SPEECHES MADE THERE. Q. AT THE MEADOEWS BEFORE YOU LEFT THERE, WAS IT NOT TOLD YOU IN A SPEECH, THEN MADE TO YOU, THAT IT M&UST BE KEPT STILL SECRET; THAT IT WOULD BE BEST TO KEEP SILENT? WERE YOU NORT SO ADVISED BY YOUR LEADERS? A. YES, SIR.</p> <p>Q. WHO GAVE THE ADVISE</p> <p>TO KEEP THE MATTER SECRET? A. KLINGENSMITH AND HAUGHT GAVE THE ADVISE.</p>	<p>GREAT MANY SPEECHES MADE THERE. [space]^{[[81]]} AT THE MEADOWS BEFORE YOU LEFT THERE WITH THE PROPERTY WAS NOT THERE —</p> <p>KEEP IT SECRET KEEP TO WAS NOT YOU ADVISED OF THAT BY YOUR LEADERS? YES SIR WHO GAVE YOU THAT ADVICE DO NOT KLINGENSMITH GIVE IT [space] WHO GAVE THE ADVICE</p> <p>TO KEEP THE MATTER SECRET KLINGENSMITH AND HAIGHT GAVE THE ADVICE.</p>

677. Inserted “**NOT**” in BT is in Rogerson’s hand.

RT

MU

BT

PS

	<p>WAS CONTINUED AT GREAT LENGTH, BUT THE WITNESS COULD NOT, OR WOULD NOT RECOLLECT ANYTHING EXCEPT WHAT HE HAD BEEN ADVISED BY HIS PRIESTLY RULERS TO SWEAR TO. NEPHI JOHNSON IS A FAIR SAMPLE OF THE WILLING TOOLS WHO COMMIT CRIMES FOR CHRIST'S SAKE, AND SWEAR FALSELY FOR THEIR OWN SAKE. I HAVE GIVEN SUFFICIENT OF HIS EVIDENCE TO PROVE TO THE READER, THAT NEPHI JOHNSON HAS NOT TOLD THE WHOLE TRUTH; HE HAS ONLY TOLD WHAT THE CHURCH LEADERS THOUGHT SUFFICIENT TO CONVICT LEE, AND KEPT BACK EVERY THING THAT WOULD</p>		
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RT

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BT

PS

	LEAD TO THE CONVICTION OF THE OTHER MURDERING WRETCHES, WHO STILL ADHERE TO THE MORMON FAITH, AND SKULK IN THEIR HIDING PLACES, FAR FROM THE HAUNTS OF LAW-ABIDING CITIZENS.	AQ. AFTER THAT DID YOU EVER HEAR ANY SPEECHES MADE AFTER YOU LEFT THE MEADOWS, WHEN THE SAME ADVICE WAS GIVEN? A. NO, SIR. Q. DID YOU EVER SEE THOSE CHILDREN THAT WERE SAVED FROM DEATH AT THAT TIME? A. YES, SIR, I SAW THEM. Q. HOW MANY WERE SAVED, DO YOU KNOW-? A. 18 I THINK. Q. WHAT WERE THE AGES OF THE CHILDREN? A. I CAN'T TELL YOU WHAT THE AGES WERE,	AFTER THAT DID YOU EVER HEAR ANY SPEECHES MADE AFTER YOU HAD LEFT THE MEADOWS WHEN THE SAME ADVICE WAS GIVEN NO SIR [space] DID YOU EVER SEE THOSE CHILDREN THAT WERE SAVED FROM DEATH AT THAT TIME? YES SIR I SAW THEM HOW MANY WERE SAVED DO YOU KNOW 18 I THINK WHAT WERE THE AGES OF THE CHILDREN? I CAN'T TELL YOU WHAT THE AGES WERE
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RT**MU****BT****PS**

		<p>THEY WERE SMALL CHILDREN. Q. WHO DROVE THE WAGONS ON TO HAMBLINS RANCH, AND WENT THERE WITH THE CHILDREN AFTER THE MASSACRE. ^[80] A. THAT I CANT TELL YOU. Q. DID YOU START TO RIDE BACK DOWN TO WHERE THE OLD CORAL OF THE EMIGRANTS WAS, BEFORE THE THE WAGONS STARTED ON WITH THE CHILDREN TOWARDS HAMBLINS RANCH-? THAT IS AFTER THE SHOOTING AFTER THE PARTIES WERE KILLED,</p> <p>DID YOU START BACK TO THE ORIGINAL CAMP OF THE EMIGRANTS BEFORE THE</p>	<p>THEY WERE SMALL CHILDREN [space] WHO DROVE THE WAGONS ON TO HAMBLIN'S RANCH AND WENT THERE WITH THE CHILDREN AFTER THE MASSACRE? THAT I CAN'T TELL YOU. DID YOU START TO RIDE BACK DOWN TO WHERE THE OLD CORRAL OF THE EMIGRANTS WAS BEFORE THE THE WAGONS STARTED ON WITH THE CHILDREN TOWARDS HAMBLIN'S</p> <p>THAT IS AFTER THE SHOOTING AFTER THE PARTIES WERE KILLED AT THE WAGONS AND THE MASSACRE DONE IN THE FIELD DID YOU START BACK TO THE ORIGINAL CAMP OF THE EMIGRANTS BEFORE THE</p>
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RT**MU****BT****PS**

		<p> THE WAGONS WITH THE CHILDREN— STARTED ON TOWARDDS HAMBLINS, OR NOT? A. I CAN'T RECOLLECT. Q. YOU DON'T RECOLLECT. A. NO, SIR. Q. HOW FAR FROM WHERE THE WAGONS WITH THE CHILDREN STOOD-, DID YOU STAND AT THE TIME THAT LEE GAVE YOU THE ORDERS TO GO BACK TO THE WAGONS TO PREVENT THE INDIANS FROM STEALING? THE WAGONS DRIVEN BY KNIGHT AND MC MURDY WERE WAGONS THAT WERE IN FROMNT OF THOSE MEN THAT YOU SAY YOU SAW LEE WITH-; HOW FAR WAS IT YOU STATED FROM THOSE MEN TWO WAGONS AT THE TIME LEE GAVE YOU THE </p>	<p> WAGONS WITH THE CHILDREN STARTED ON TOWARDS HAMBLIN'S OR NOT I CAN'T TELL YOU YOU DON'T RECOLLECT NO SIR [<i>space</i>] HOW FAR FROM WHERE THE WAGONS WITH THE CHILDREN STOOD DID YOU STAND AT THE TIME THAT LEE GAVE YOU THE ORDERS TO GO BACK TO THE WAGONS TO PREVENT THE INDIANS FROM STEALING? [<i>space</i>] WAGONS DRIVEN BY KNIGHT AND MC MURDY THE WAGONS THAT WERE IN FRONT OF THOSE WOMEN THAT YOU SAY YOU SAW LEE SHOOT [<i>space</i>] HOW FAR WAS IT YOU STOOD FROM THOSE TWO WAGONS AT THE TIME LEE GAVE YOU THE </p>
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RT**MU****BT****PS**

		<p>ADVICE TO GO BACK AND PREVENT THE INDIANS FROM STEALING? A. I CAN'T TELL YOU. Q. DID YOU FETCH THE WAGONS FROM WHERE THEY ORIGINALLY STOOD? A. I DIDN'T GO TO THE WAGONS, I WENT BACK DOWN. Q. SO YOU WERE NEARER THE WAGONS THAN YOU HAD BEEN AT THE TIME OF THE FIRST KILLING? A. NO, SIR. Q. DID YOU ADVANCE TOWARDS LEE OR LEE</p> <p>TOWARDS YOU WHEN THAT ADVICE WAS GIVEN? A. I WENT DOWN BELOW AND HE AND HE CAME DOWN BELOW WHERE I WAS. Q. WHERE DID LEE GO AFTER THAT, DID HE GO ON TO HAMBLINS RANCH? ^[81]</p>	<p>ADVICE TO GO BACK AND PREVENT THE INDIANS FROM STEALING? I CAN'T TELL YOU DID YOU APPROACH THE WAGONS FROM WHERE YOU ORIGINALLY STOOD I DIDN'T GO TO THE WAGONS I WENT BACK DOWN WAS YOU NEARER THE WAGONS THAN YOU HAD BEEN AT THE TIME OF THE FIRST KILLING NO SIR <i>[space]</i> DID YOU ADVANCE TOWARDS LEE OR LEE ADVANCE TOWARDS YOU WHEN THAT ADVICE WAS GIVEN I WENT DOWN BELOW AND HE CAME DOWN BELOW WHEN WHERE I WAS <i>[space]</i> WHERE DID LEE GO AFTER THAT DID HE GO ON TO HAMBLINS RANCH AND</p>
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RT**MU****BT****PS**

		<p>OR DID HE SATAY ON THE FIELD? A. I CAN'T TELL YOU WHETHER HE DID OR NOT,</p> <p>I DIDN'T SEE HIM ANY MORE TILL THE NEXT MORNING. Q. WHAT CAUSED YOU TO RIDE BACK DOWN FROM THE ORIGINAL CAMP AS YOU SAY YOU HAD STARTED? WHY DID YOU NOT KEEP ON IN THE SAME DIRECTION YOU HAD GONE BEFORE? AFTER THE KILLING WAS THROUGH, WHY DID YOU RIDE BACK DOWN THE VALLEY? A. I WAS GOING TO GO SOMEWHAT DOWN TO THE SPRINGS. Q. THE SPRINGS WERE CLOCE TO THE ORIGINAL EMIGRANT CAMP? A. YES, SIR. Q. ABOUT HOW</p>	<p>≤OR> DID HE STAY ON THE FIELD I CAN'T TELL YOU WHETHER HE DID OR NOT [space] WENT OUT OF MY SIGHT AND DIDN'T SEE HIM ANY ^{[[82]]} MORE TILL THE NEXT MORNING. [space] WHAT CAUSED YOU TO RIDE BACK DOWN TOWARD THE ORIGINAL CAMP AS YOU SAY YOU HAD STARTED WHY DID YOU NOT KEEP ON IN THE SAME DIRECTION YOU HAD GONE BEFORE? AFTER THE KILLING WAS THROUGH WHY DID YOU RIDE BACK DOWN THE VALLEY? I WAS GOING TO GO SOME WHAT DOWN TO THE SPRINGS [space] THE SPRINGS WAS CLOSE TO THE ORIGINAL EMIGRANT CAMP YES SIR [space] ABOUT HOW</p>
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RT**MU****BT****PS**

		<p>FAR WAS THAT SPRING ÐFROM THE CAMP WHERE THE WAGONS WERE CORALLED? A. WELL, IT WAS NOT A GREAT WAY OFF FROM THE WAGONS. Q. 100 OR 150 YARDS. A. I CAN'T TELL YOU EXACTLY.</p> <p>Q. I WANT TO KNOW ABOUT HOW FAR IT IS FROM THE EMIGRANT CAMP TO WHERE THE YARD WAS? A. IT WAS A HUNDRED YARDS PROBABLY, BUT I WON'T SAY FOR CERTAIN. Q. DID YOU GO INTO THE CORAL WHEN LEE WENT INTO THE CORAL TO LEAD THEM UP? A. NO, SIR, I DIDN'T GO TO THE CORAL. JUST AS HE WENT TO THE CORAL—</p>	<p>FAR WAS THAT SPRING FROM THE CAMP WHERE THE WAGONS WERE CORRALLED? WELL IT WAS NOT A GREAT WAY OFF FROM THE WAGONS [space] 100 150 YARD 150 I CAN'T TELL YOU EXACTLY WAGONS <i>WHO</i>[?] <i>WERE</i>[?] MORE THAN THAT <i>AND/TO</i>[?] SPRING I WANT TO KNOW ABOUT HOW FAR IT IS FROM THE EMIGRANT CAMP TO WHERE <i>HE/THE</i>[?] WAS WHY IT WAS A HUNDRED YARDS PROBABLY BUT I WON'T SAY FOR CERTAIN. DID YOU GO INTO THE CORRAL WHEN LEE WENT INTO THE CORRAL TO LEAD THEM UP NO SIR I DIDN'T GO TO THE CORRAL JUST AS HE WENT TO THE CORRAL [space]</p>
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RT**MU****BT****PS**

		<p>WENT DOWN THERE—I WENT FOR MY HORSE AS I WENT BEFORE TOLD YOU BEFORE. Q. YOU HAVE BEEN LIVING IN THE TERRITORY EVER SINCE THAT? A. YES, SIR. Q. HAVE YOU EVER BEEN BEFORE A COURT IN REGARD TO THIS MATTER? A, NO, SIR. Q. EVER BEEN BEFORE A GRAND JURY? A. NO. SIR. ^[82] Q. THIS IS THE FIRST EVIDENCE YOU HAVE EVER GIVEN IN REGARD TO IT? A. YES, SIR. Q. THE FIRST TIME YOU EVER TOLD THE FACTS TO ABNYBODY EXCEPT TO OFFICERS, COUNSEL;, OR HAVE YOU FREQUENTLY TOLD THE PEOPLE WHAT THE FACTS WERE. TELL ME HOW THAT IS, WHETHER YOU</p>	<p>WENT DOWN THERE I WENT FOR MY HORSE ≤AS I TOLD YOU BEFORE.≥ [space] YOU HAVE BEEN LIVING IN THE TERRITORY HERE EVER SINCE THAT YES SIR HAVE YOU EVER BEEN BEFORE A COURT BEFORE IN REGARD TO THIS MATTER NO SIR EVER BEEN BEFORE A GRAND JURY NO SIR [space] THIS IS THE FIRST EVIDENCE YOU HAVE EVER GIVEN IN REGARD TO IT YES SIR [space] FIRST TIME YOU EVER TOLD THE FACTS TO ANYBODY EXCEPT TO OFFICERS ~ COUNSEL? OR HAVE YOU FREQUENTLY TOLD PEOPLE WHAT THE FACTS WERE TELL ME HOW THAT IS WHETHER YOU</p>
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RT**MU****BT****PS**

		<p>HAVE REPEATEDLY TALKED IT OVER OT NORT? A. I HAVE TOLD IT SEVERAL TIMES. Q. TELL ME WHO YOU EVER TOLD IT TO? A. I TOLD IT ONCE TO MY FATHER. Q. IS YOUR FATHER LIVING NOW? A. YES, SIR. Q. WHEN WAS IT YOU TOLD HIM? A. ABOUT A YEAR AGO. Q. UP TO THEN, OR LAST YEAR, HAVE YOU EVER TOLD IT TO ANYBODY? YOU CONCLUDED AT THIS TIME THAT IT WAS YOUR DUTY TO COME FORWARD AND TELL ABOUT IF ANYBODY WITHOUT REGARD TO CONSEQUENCES ? A. I WAS SUBPOENAED TO COME HERE; BUT I NEVER HAVE TOLD BUT ONE STORY ABOUT IT, AND I</p>	<p>HAVE REPEATEDLY TALKED IT OVER OR NOT [space] I HAVE TOLD IT SEVERAL TIMES [space] TELL ME WHO YOU EVER TOLD IT TO? I TOLD IT ONCE TO MY FATHER [space] IS YOUR FATHER LIVING NOW? YES SIR WHEN WAS IT YOU TOLD HIM ABOUT A YEAR AGO [space] UP TO WITHIN THE LAST YEAR HAD YOU EVER TOLD IT TO ANYBODY? MAKING YOU TO CONCLUDE AT THIS TIME IT WAS YOUR DUTY TO COME ^{[[83]]} FORWARD AND TELL ABOUT ANYBODY WITHOUT REGARD TO CONSEQUENCES [space] I WAS SUBPOENAED TO COME HERE BUT I NEVER HAVE TOLD BUT ONE STORY ABOUT IT AND I</p>
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RT**MU****BT****PS**

		<p>CONME HERE TO TELL IT. I MEAN TO SAY THAT I ALWAYS TRIED TO TELL THE THING JUST AS IT WAS. Q. DID YOU EVER UNDERTAKE TO TELL FULLY, HOW IT WAS UNTIL THE LAST YEAR? A. I CAN'T SAY WHETHER I HAVE OR NOT. Q. MY REASON IS TO SEE WHETHER YOU HAVE TALKED IT OVER ENOUGH TO IMPRESS IT ON YOUR MIND. HAVE YOU TOLD IT TO ANYONE EXCEPT YOUR FATHER BEFORE YOU CAME HERE TO COURT. I DON'T ASK ABOUT OFFICERS OF COUNCIL. A. I HAVE TOLD IT TO SEVERAL MEN. Q. SINCE LAST YEAR? A. YES, SIR. ^[83] Q. DID YOU EVER TELL IT TO ANYONE</p>	<p>CAME HERE TO TELL IT I MEAN TO SAY THAT I ALWAYS TRIED TO TELL THE THING JUST AS IT WAS. [space] DID YOU EVER UNDERTAKE TO TELL FULLY HOW IT WAS UNTIL WITHIN THE LAST YEAR I CAN'T SAY WHETHER I HAVE OR NOT. [space] MY REASON IS TO SEE WHETHER YOU HAVE TALKED IT OVER ENOUGH TO IMPRESS IT ON YOUR MIND? HAVE YOU TOLD IT TO ANYBODY EXCEPT YOUR FATHER BEFORE YOU CAME TO COURT I DON'T ASK ABOUT OFFICERS COUNSEL [space] I HAVE TOLD IT TO SEVERAL MEN [space] SINCE THE LAST YEAR YES SIR DID YOU EVER TELL IT TO ANYBODY</p>
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RT**MU****BT****PS**

		<p>BEFORE A YEAR AGO? A. OH?, YES. Q. TO WHOM? A. I DON'T SEE THE PROPRIETY OF THE QUESTION. Q. PLEASE TELL ME WHO YOU HAVE TOLD IT TO, BEFORE THE YEAR JUST PASSED. A. YES, I HAVE TOLD IT TO MY BROTHER IN LAW WHO LIVES IN CACHE VALLEY. Q. WHAT IS HIS NAME? A. MARTINEAU. Q. ANYBODY ELSE. A. I MIGHT HAVE TOLD IT TO OTHERS. Q. YOU CAN'T RECOLLECT? A. HOW LONG ARE YOU GOING TO KEEP ASKING ME HOW MANY TIMES? Q. IF YOU WILL ANSWER MY QUESTION WE WILL GET THROUGH MUCH SOONER. Q. HAVE YOU</p>	<p>BEFORE A YEAR AGO? OH YES [space] WHOM TO I DON'T SEE THE PROPRIETY OF THE QUESTION [space] PLEASE TELL ME WHOM YOU HAVE TOLD IT TO? BEFORE THE YEAR JUST PASSED? YES I HAVE TOLD IT TO MY BROTHER IN LAW LIVES IN CACHE VALLEY [space] WHAT IS HIS NAME [space] MARTINEAU ANYBODY ELSE? I MIGHT HAVE TOLD IT TO OTHERS AND MIGHT NOT. YOU CAN'T RECOLLECT? ~ HOW LONG ARE YOU GOING TO KEEP ASKING ME HOW MANY TIMES [space] IF YOU WILL ANSWER MY QUESTION WE WILL GET THROUGH MUCH QUICKER —</p>
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RT**MU****BT****PS**

		<p>TOLD IT TO AMYBODY ELSE UNTIL A YEAR AGO? A. NO, SIR. Q. WHO ELSE DID YOU TELL IT TO THEN? A. I TOLD A PART TO MR. LEE'S SON-IN- LAW, MR. DARROW. Q. WHO ELSE DID YOU TELL IT TO — YOU DIDN'T TELL DARROW THE WHOLE OF IT? A. NO, SIR, I TOLD SOME OF IT AGAIN TO ANOTHER SON- IN-LAW OF HIS WHO ASKED ME IN RELATION TO IT Q. WHICH ONE IS THAT? A. CLARK. Q. WHEN DID YOU TELL DARROW OF IT? A. IT WAS ZAFTER THE TRIAL WAS HERE LAST SEASON. Q. WHERE WAS IT? A. IT WAS OVER ON THE SEVIER. Q. YOU TOLD HIM AS YOU HAVE STATED NOW, AS FAR AS</p>	<p>UNTIL AS NEAR AS YEAR AGO? NO SIR [space] WHO ELSE DID YOU TELL IT TO THEN? I TOLD A PART TO MR. LEE'S SON-IN- LAW WHICH ONE DARROW [space] WHO ELSE DID YOU TELL IT TO YOU DIDN'T TELL DARROW THE WHOLE OF IT NO SIR I TOLD SOME OF IT AGAIN TO ANOTHER SON- IN-LAW OF HIS WHO ASKED ME IN RELATION TO IT [space] WHICH ONE IS THAT CLARK WHEN DID YOU TELL DARROW OF IT? IT WAS AFTER THE TRIAL WAS HERE LAST SEASON [space] WHERE WAS IT IT [space] WAS OVER ON THE SEVIER [space] YOU TOLD HIM AS YOU HAVE TESTIFIED NOW AS FAR AS</p>
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RT**MU****BT****PS**

		<p>YOU DID GO? ^[84]</p> <p>A. YES, SIR.</p> <p>Q.</p> <p>WHERE WAS IT YOU TOLD CLARK? ABOUT IT? A. OVER NEAR KANAB UPPER KANAB.</p> <p>Q. HOW LONG AGO? A. LAIST JULY. Q. WHEN WAS THE SUBPOENA SERVED UPON YOU IN THIAS CASE, HOW LONG SINCE ABOUT. A. SERVED ON MES SOMETHING OEVER A WEEK AGO.</p> <p>Q. SINCE THE MASSACRE AT MOUNTAIN MEADOWS, HAVE YOU EVER BEEN PRESENT AT CEDAR CITY OR HARMONY OR ANY OTHER PLACE, WHERE THIS MATTER WAS TALKED OVER, AND YOU RECEIVED COUNCIL TO KEEP THE MATTER SILENT? A. NO, SIR Q. THEN THE ONLY COUNCIL YOU</p>	<p>YOU DID GO</p> <p>[space] YES SIR</p> <p>[space] ^{[[84]]}</p> <p>WHERE WAS IT YOU TOLD CLARK ABOUT IT OVER NEAR UPPER KANAB</p> <p>[space] HOW</p> <p>LONG AGO</p> <p>LAST JULY</p> <p>WHEN WAS THE SUBPOENA SERVED UPON YOU IN THIS CASE HOW LONG SINCE ABOUT?</p> <p>SERVED ON ME SOMETHING OVER A WEEK AGO. [space]</p> <p>SINCE THE MASSACRE AT MOUNTAIN MEADOWS HAVE YOU EVER BEEN PRESENT AT CEDAR CITY OR HARMONY OR ANY OTHER PLACE WHERE THIS MATTER WAS TALKED OVER AND YOU RECEIVED COUNSEL TO KEEP THE MATTER SILENT? NO SIR [space] THEN THE ONLY COUNSEL YOU</p>
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RT**MU****BT****PS**

		<p>EVER RECEIVED CONCERNING THE MATTER OF SILENCE, WAS ON THE FIELD AFTER THE MASSACRE, [page torn] FROM HAIGHT AND FROM KLINGENSMITH? A. YES, SIR, AND JOHN D. LEE. Q. ALL THREE SAID KEEP SILENT? A. YES, SIR. Q. HAVE YOU NOW TOLD ALL YOU KNOW ABOUT IT. HAVE YOU TOLD US EVERYBODY YOU KNOW THAT WAS THERE, AND EVERYBODY YOU KNOW THAT TOOK PART IN THE KILLING, OR DO YOU KNOW SOME MORE THAN YOU HAVE TOLD? A. H OH!, I DON'T REMEMBER ALL THE NAMES OF THE MEN. Q. THEN YOU HAVE NOT TOLD ALL YOU FO DO KNOW? A.</p>	<p>EVER RECEIVED CONCERNING THE MATTER OF SILENCE WAS ON THE FIELD AFTER THE MASSACRE FROM HAIGHT AND FROM KLINGENSMITH YES SIR AND JOHN D. LEE. [space] ALL THREE SAID KEEP SILENT YES SIR [space] HAVE YOU NOW TOLD ALL YOU KNOW ABOUT IT HAVE YOU TOLD US EVERYBODY YOU KNOW THAT WAS THERE AND EVERYBODY THAT TOOK PART IN THE KILLING OR DO YOU KNOW SOME MORE THAN YOU HAVE TOLD? OH I DON'T REMEMBER ALL NAMES OF MEN. [space] THEN YOU HAVE NOT TOLD ALL YOU DO KNOW? ALL</p>
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		ABOUT WHAT-? Q. ABOUT THE KILLING. HAVE YOU TOLD ALL YOU KNOW ABOUT IT? A. YES, SIR. Q. EVERYTHING, THE NAMES OF THE PEOPLE AND ALL? THE NAMES OF THOSE THAT WERE PRESENT-? ^[85] THAT WERE PRESENT, THOSE THAT TOOK PART IN THE KILLING, AND THOSE THAT TOOK PART IN GIVING COUNCIL AND ADVICE, YOU HAVE TOLD ALL THAT YOU KNOW ABOUT IT, YOU ARE CERTAIN ABOUT THAT, ARE YOU? A. I DON'T REMEMBER YOUR QUESTION. [space]	ABOUT WHAT ABOUT THE KILLING HAVE YOU TOLD ALL YOU KNOW ABOUT IT YES SIR EVERYTHING THE NAMES OF PEOPLE AND ALL? THE NAMES OF THOSE THAT WERE PRESENT THOSE THAT TOOK PART IN THE KILLING AND THOSE THAT TOOK PART IN GIVING COUNSEL AND ADVICE YOU HAVE TOLD ALL YOU KNOW ABOUT IT YOU ARE CERTAIN ABOUT THAT ARE YOU I DON'T UNDERSTAND YOUR QUESTION JACOB ⁶⁷⁸
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678. The remainder of Patterson Shorthand Notebook 2 is blank.

John D. Lee, Second Trial

Jacob Hamblin and
Nephi Johnson Testimonies

RT**MU****BT****PS**

<p><i>[Bk 1 111]</i></p> <p>JACOB HAMBLIN , SWORN FOR PROSECUTION. HOWARD: Q. WHERE DID YOU LIVE IN AUGUST AND SEPTEMBER 1857 ? A MY HOME WAS SUPPOSE TO BE AT THE CLARA, BUT I OCCUPIED AND STAYED AT THE MOUNTAIN MEADOWS IN THE SUMMER WITH MY STOCK. Q. WHAT COUNTY WAS MOUNTAIN MEADOWS IN AT THAT TIME ? A. IT WAS CONSIDERED IN IRON COUNTY, IT WAS BEFORE WASHINGTON COUNTY WAS ORGANIZED. Q. IT IS IN WASHINGTON COUNTY NOW ? A. YES, I</p>	<p><i>[360]</i> CHAPTER XXIII. TRIAL OF LEE CONTINUED. JACOB HAMBLIN SWORN FOR THE PROSECUTION. HOWARD— WHERE DID YOU LIVE IN AUGUST AND SEPTEMBER, 1857? MY HOME WAS SUPPOSED TO BE AT CLARA, BUT I OCCUPIED THE MOUNTAIN MEADOWS IN THE SUMMER WITH MY STOCK. WHAT COUNTY WAS MOUNTAIN MEADOWS IN AT THAT TIME? IT WAS CONSIDERED IN IRON COUNTY. IT WAS BEFORE WASHINGTON COUNTY WAS ORGANIZED. IT IS IN WASHINGTON COUNTY NOW? YES; I</p>	<p><i>[Bk 1 85 cont.]</i></p> <p>JACOB HAMBLIN SWORN FOR THE PROSECUTION. Q. WHERE DID YOU LIVE IN AUGUST AND SEPTEMBER, 1857? A. MY HOME WAS SUPPOSED TO BE AT CLARA, BUT I OCCUPIED THE MOUNTAIN MEADOWS IN THE SUMMER TIME WITH MY STOCK. Q. WHAT COUNTY WAS MOUNTAIN MEADOWS I N AT THAT TIME? A. IT WAS CONSIDERED IN IRON COUNTY. IT WAS BEFORE WASHINGTON COUNTY WAS, ORGANIZED. Q. IT IS WASHINGTON COUNTY NOW? A. YES, I</p>	<p><i>[[Bk 3 1]]</i>⁶⁷⁹ JACOB HAMBLIN SWORN FOR THE PROSECUTION <i>[space]</i> WHERE DID YOU LIVE IN AUGUST AND SEPTEMBER 1857? MY HOME WAS SUPPOSED TO BE AT THE CLARA BUT I OCCUPIED THE MOUNTAIN MEADOWS MEADOWS IN THE SUMMER WITH MY STOCK. WHAT COUNTY WAS MOUNTAIN MEADOWS I N AT THAT TIME? IT WAS CONSIDERED IN IRON COUNTY IT WAS BEFORE WASHINGTON COUNTY WAS ORGANIZED. <i>[space]</i> IT IS IN WASHINGTON COUNTY NOW YES I</p>
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679. The cover of Trial 2, Notebook 3, is written in Rogerson's hand: **BOOK NO. 3-2ND**
LEE TRIAL PEOPLE VS. LEE PEOPLE AGAINST LEE 3.

RT**MU****BT****PS**

<p>BELIEVE IT IS. Q. DO YOU REMEMBER THE TIME OF THIS MASSACRE ? A. I WAS NOT AT HOME, I LEFT BEFORE IT HAPPENED, AND I GOT BACK SEVEN OR EIGHT DAYS AFTER. A. HOW LONG BEFORE IT HAPPENED WAS IT THAT YOU LEFT HOME ? A. I DON'T KNOW, I MET THE COMPANY AT CORN CREEK AND CAMPED WITH THEM THERE. Q. YOU WERE GOING NORTH TO THE CITY ? A. YES SIR. Q. WHEN YOU RETURNED HAD THE MASSACRE TAKEN PLACE ? A. YES SIR, IT WAS DONE BEFORE I GOT HOME. I HEARD OF IT BEFORE I GOT HOME. Q. WHEN YOU GOT HOME</p>	<p>BELIEVE IT IS. DO YOU REMEMBER THE TIME OF THIS MASSACRE? I WAS NOT AT HOME; I LEFT BEFORE IT HAPPENED, AND I GOT BACK SEVEN OR EIGHT DAYS AFTER. HOW LONG BEFORE IT HAPPENED WAS IT THAT YOU LEFT HOME? I DON'T KNOW; I MET THE COMPANY AT CORN CREEK, AND CAMPED WITH THEM THERE. YOU WERE GOING NORTH, TO THE CITY? YES. WHEN YOU RETURNED HAD THE MASSACRE TAKEN PLACE? YES, SIR; IT WAS DONE BEFORE I GOT HOME—I HEARD OF IT BEFORE I GOT HOME. WHEN YOU GOT HOME,</p>	<p>BELIEVE IT IS. Q. DO YOU REMEMBER THE TIME OF THIS MASSACRE? A. I WAS NOT AT HOME, I LEFT BEFORE IT HAPPENED, BUT I GOT BACK SEVEN OR EIGHT DAYS AFTER. Q. HOW MANY DAYS WAS IT BEFORE IT HAPPENED— WAS IT THAT YOU LEFT HOME? A. I DON'T KNOW; I MET THE COMPANY AT CORN CREEK AND CAMPED WITH THEM THERE. Q. YOU WAS GOING NORTH TO CEDAR? SALT LAKE A. YES, Q. WHEN YOU RETURNED HOME H AD THE MASSACRE TAKEN PLACE? A. YES, SIR. Q. IT WAS DONE BEFORE YOU GOT THERE HOME. I HEARD OF IT BEFORE I GOT HOME. Q. WHEN YOU GOT HOME</p>	<p>BELIEVE IT IS [space] DO YOU REMEMBER THE TIME OF THIS MASSACRE I WAS NOT AT HOME I LEFT BEFORE IT HAPPENED AND I GOT BACK 7 OR 8 DAYS AFTER. HOW MANY DAYS WAS IT BEFORE IT HAPPENED WAS IT THAT YOU LEFT HOME? I DON'T KNOW I MET THE COMPANY AT CORN CREEK CAMPED WITH THEM THERE. YOU WAS GOING NORTH TO THE CITY YES. [space] WHEN YOU RETURNED HOME HAD THE MASSACRE TAKEN PLACE YES SIR IT WAS DONE BEFORE I CAME HOME I HEARD OF IT BEFORE I CAME HOME [space] WHEN YOU GOT HOME</p>
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RT	MU	BT	PS
<p>WHAT DID YOU FIND THERE ON THE GROUND ? A. WELL, THERE WERE THE BODIES OF THE COMPANY LYING ABOUT THERE. Q. WERE THEY DEAD OR ALIVE ? A. I DIDN'T SEE ANY LIVE ONES LYING THERE. ^[112] Q. HOW MANY DEAD ONES DID YOU SEE ? A. I SUPPOSE OVER ONE HUNDRED. Q. DID YOU COUNT THE SKULLS THERE ? A. THE NEXT SPRING</p> <p>I TOOK</p> <p>MY MAN AND WE BURIED OVER ONE HUNDRED AND TWENTY SKULLS, SKELETONS. I DON'T REMEMBER EXACTLY,</p>	<p>WHAT DID YOU FIND THERE ON THE GROUND? WELL, THERE WERE THE BODIES OF THE COMPANY LYING ABOUT THERE. WERE THEY DEAD OR ALIVE? I DIDN'T SEE ANY LIVE ONES LYING THERE. HOW MANY DEAD ONES DID YOU SEE? I SUPPOSE OVER ONE HUNDRED. DID YOU COUNT THE SKULLS THERE? THE NEXT SPRING,</p> <p>I TOOK</p> <p>MY MAN AND WE BURIED OVER ONE HUNDRED AND TWENTY SKULLS—SKELETONS; I DON'T REMEMBER EXACTLY,</p>	<p>WHAT DID YOU FIND TØHERE ON THE GROUND? ^[86] A. WELL, THERE WAS THE BODIES OF THE COMPANY LAYING ABOFUT THERE. Q. WERE THEY DEAD OR ALIVE? A. I DIDN'T SEE ANY LIVE ONES LAYING THERE Q. HOW MANY DEZAD ONES DID YOU SEE,SIR? A. I SUPPOSE OVER A HUNDRED. Q. DID YOU COUNTNTHE SKULLS? A. THE NEXT SPRING WHEN SCIRCUMSTANCES ADMITTED I TOOK ANOTHER</p> <p>MAN—MY MAN AND I—AND WE BURRIED 120 AND OVER,</p> <p>SKULLS,—SKELETONS. I DON'T REMEMBER EXACTLY,</p>	<p>WHAT DID YOU FIND THERE ON THE GROUND? WHERE, THERE WAS BODIES OF THE COMPANY LYING ABOUT THERE ^[space] WERE THEY DEAD OR ALIVE I DIDN'T SEE ANY LIVE ONES LAYING THERE HOW MANY DEAD ONES DID YOU SEE SIR? I SUPPOSE OVER 100 ^[space] DID YOU COUNT THE SKULLS THE NEXT SPRINGS WHEN CIRCUMSTANCE S ADMITTED ANOTHER ≤SPRING I TOOK MY MAN AND WE BURIED> MAN MY MAN AND I BURIED 120 AND OVER</p> <p>SKULLS ~ SKELETONS I DON'T REMEMBER EXACTLY</p>

RT	MU	BT	PS
<p>SOMETHING LIKE ONE HUNDRED AND TWENTY, TWO OF US GATHERED UP THE BONES. Q. DID YOU COUNT THE SKULLS ? A. YES SIR, WE COUNTED THEM. Q. CAN YOU NOW REMEMBER HOW MANY THERE WERE ? A. I THINK IT WAS ONE HUNDRED AND TWENTY ODD, I AM SATISFIED IT WAS OVER THAT, BUT I DON'T JUST REMEMBER THE NUMBER. Q. AFTER THE MASSACRE DID YOU HAVE ANY CONVERSATION WITH JOHN D. LEE ABOUT IT ? A. I DON'T KNOW AS I DID AFTER I GOT HOME. Q. DID YOU SEE HIM BEFORE YOU GOT HOME ON THAT TRIP ? A. I DID, I MET</p>	<p>SOMETHING LIKE ONE HUNDRED AND TWENTY. TWO OF US GATHERED UP THE BONES. DID YOU COUNT THE SKULLS? YES, SIR; WE COUNTED THEM. ^[361] CAN YOU NOW REMEMBER HOW MANY THERE WERE? I THINK IT WAS ONE HUNDRED AND TWENTY ODD; I AM SATISFIED IT WAS OVER THAT, BUT I DON'T JUST REMEMBER THE NUMBER. AFTER THE MASSACRE DID YOU HAVE ANY CONVERSATION WITH JOHN D. LEE ABOUT IT? I DON'T KNOW AS I DID AFTER I GOT HOME. DID YOU SEE HIM BEFORE YOU GOT HOME ON THAT TRIP? I DID. I MET</p>	<p>SOMETHING LIKE 120 OF THEM. TWO OF US GATHERED UP THE BONES. Q. DID YOU COUNT THE SKULLS? A. YES, SIR, WE COUNTED THEM. Q. CAN YOU NOW REMEMBER HOW MANY THERE WAS? A. I DON'T, I THINK IT WAS OVER 120 ODD. I AM SATISFIED IT WAS OVER THAT, BUT I DON'T KNOW JUST THE NUMBER. Q. AFTER THE MASSACRE DID YOU HAVE ANY CONVERSATION WITH JOHN D. LEE ABOUT IT? A. I DON'T KNOW AS I DID AFTER I GOT THERE HOME. Q. DID YOU SEE HIM BEFORE YOU GOT HOME ON THAT TRIP? A. I MET</p>	<p>SOMETHING LIKE 120 OF THEM. TWO OF US GATHERED UP THE BONES. DID YOU COUNT THE SKULLS YES SIR WE COUNTED THEM ^[space] CAN'T YOU NOW REMEMBER HOW MANY THERE WAS I DON'T I THINK IT WAS 120 ODD ^[12] I AM SATISFIED IT WAS OVER THAT BUT I DON'T KNOW JUST THE NUMBER ^[space] AFTER THAT MASSACRE DID YOU HAVE ANY CONVERSATION WITH JOHN D. LEE ABOUT IT I DON'T KNOW AS I DID AFTER I GOT HOME MUCH. DID YOU SEE HIM BEFORE YOU GOT HOME ON THAT TRIP I MET</p>

RT	MU	BT	PS
<p>HIM AT FILLMORE. Q. WAS THAT AFTER THE MASSACRE ? A. YES SIR, IT WAS THIS SIDE OF FILLMORE. I TOLD HIM I HEARD A RUMOR OF IT</p> <p>AMONG THE INDIANS AND HE TOLD ME ABOUT IT. Q. STATE WHETHER HE HAD ANY BOASTS TO MAKE ABOUT IT, OR COMMUNICATIO NS CONCERNING IT, IF SO WHAT AND HOW ? A. I ASKED HIM HOW IT CAME UP OR SOMETHING OF THAT KIND, HE SAID THAT THE EMIGRANTS PASSED THROUGH AND THREATENED TO MAKE THEIR OUTFIT OUT OF THOSE OUTLYING SETTLEMETNS AND THAT HE</p>	<p>HIM AT FILLMORE. WAS THAT AFTER THE MASSACRE? YES, SIR; IT WAS THIS SIDE OF FILLMORE. I TOLD HIM I HEARD A RUMOR OF IT</p> <p>AMONG THE INDIANS, AND HE TOLD ME ABOUT IT. STATE WHETHER HE HAD ANY BOASTS TO MAKE ABOUT IT, OR COMMUNICATIO NS CONCERNING IT. IF SO WHAT AND HOW? I ASKED HIM HOW IT CAME UP, OR SOMETHING OF THAT KIND. HE SAID THAT THE EMIGRANTS PASSED THROUGH AND THREATENED TO MAKE THEIR OUTFIT OUT OF THOSE OUTLYING SETTLEMENTS, AND THAT HE</p>	<p>HIM AT FILLMORE. AQ. WAS THAT AFTER THE MASSACRE? A. YES, THIS SIDE OF FILLMORE.. A- YES, I TOLD HIM I HAD HEARD A RUMOR OF IT OR SOMETHING AMONG THE INDIANÐS, AND HE TOLD ME ABOUT IT. Q. STATE WHETHER HE HAD ANY BOASTS TO MAKE OR COMMUNICATIO NS? IF SO, WHAT AND HOW? QA. I ASKED HIM HOW IT CAME UP.OR SOMETHINGOF FTHAT KINDÐ., HE SAIDITHE EMIGRANTS CAME THROUGH AND THREATENED TO MAKE THEIR OUTFIT OUT OF THOSE OUTLYING XSETTLEMENTS AND HE WENT</p>	<p>HIM AT FILLMORE WAS THAT AFTER THE MASSACRE YES [space] THIS SIDE OF FILLMORE. YES I TOLD HIM THAT I HAD HEARD A RUMOR OF IT OR SOMETHING AMONG THE INDIANS AND HE TOLD ME ABOUT IT [space] STATE WHETHER HE HAD ANY BOASTS TO MAKE OR COMMUNICATIO NS IF SO WHAT AND HOW I ASKED HIM HOW IT CAME UP OR SOMETHING OF THAT <KIND> BEGAN ~ HE SAID THAT THE EMIGRANTS PASSED THROUGH AND THREATENED TO MAKING THEIR OUTFIT OUT OF THOSE OUTLYING SETTLEMENTS AND HE WENT</p>

RT	MU	BT	PS
COULD NOT KEEP THE INDIANS BACK AND	COULD NOT KEEP THE INDIANS BACK, AND	OUT WITH SOME Ø HARMONY INDIANS ^[87] AND THAT THESE INDIANS MADE AN ATTACK ON THEM; AND WHEN HE WENT IN THERE ONE DAY	OUT WITH SOME HARMONY INDIANS AND THAT THESE INDIANS MADE AN ATTACK ON THEM AND [space] ONE <GOT KILLED> ATTACK AND ANOTHER WOUNDED AND THEY ⁶⁸⁰ CAME TO HIM AND MADE LEAD THE ATTACK [space] THAT HE GOT BULLET [space] THROUGH HIS HAT AND ANOTHER THROUGH
HE HAD TO GO AND LEAD THE NEXT ATTACK, AND HE GOT A BULLET HOLE ^[113] THROUGH HIS HAT AND	HE HAD TO GO AND LEAD THE NEXT ATTACK, AND HE GOT A BULLET-HOLE THROUGH HIS HAT AND	THEY CAME TO HIM AND MADE LEAD THE ATTACK; THAT HE GOT A BULLETT THROUGH HIS HAT AND ONE THROUGH AND ONE THROUGH HIS SHIRT. T Y HAT IS WHAT HE TOLD ME? Q. TOLD YOU THAT HE LED THE ATTACK AND THAT HE GOT A BULLETT	HIS SHIRT AND THAT IS WHAT HE TOLD ME [space] TOLD YOU THAT HE LED THE/AN [?] ATTACK AND GOT A BULLET THROUGH THE HAT AND SHIRT YES SIR THERE WAS A BULLET IN HIS HAT AND SHIRT. [space] WHETHER THERE WAS ANY BOASTING OF THAT THING
SHIRT, AND THEN AFTERWARDS GOT MORE INDIANS AND HAD TO DECOY THEM OUT.	SHIRT, AND THEN AFTERWARDS GOT MORE INDIANS AND HAD TO DECOY THEM OUT.	IN HIS HAT AND SHIRT.	

680. “AND THEY” was written in the left margin, possibly added later.

RT**MU****BT****PS**

		<p>Q. WHAT DID LEE SAY TO YOU, GIVE THE WHOLE CONVERSATION ?</p> <p>A. I ASKED WHY IT WAS AND HE SAID HE WANTED TO WATCH THEM, AND SEE THAT THEY DIDN'T GET THEIR OUTFITS OUT OF THOSE OUTLYING SETTLEMENTS, AND THEY HE COUNLD NOT KEEP THE INDIANS BACK, AND HE HAD TO GO AND LEAD THE NEXT ATTACK, AND HE GOT A BULLET THROUGH HIS HAT AND SHIRT; AND THEN AFTERWARDS GOT SOME MORE AND HAD TO</p>	<p>BY ANYBODY IN THE PRESENCE OF LEE BY LEE HIMSELF CONVERSATION TO YOU? I DO NOT <i>[space]</i> WHAT DID LEE SAY TO YOU GIVE THE WHOLE CONVERSATION <i>[space]</i> I WANT ALL THE CONVERSATION ? I ASKED HIM WHY IT WAS AND HE SAID HE WANTED TO WATCH THEM TO SEE THAT THEY DIDN'T GET THEIR OUTFITS OUT OF THOSE OUTLYING ^{<i>[[3]]</i>} SETTLEMENTS AND THEY COULD NOT KEEP THE INDIANS BACK AND HE HAD TO GO AND LEAD THE NEXT ATTACK AND HE GOT BULLET THROUGH HIS HAT AND SHIRT AND THEN AFTERWARDS GOT SOME MORE INDIANS AND HAD TO</p>
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RT	MU	BT	PS
<p>Q. TELL ME THE WHOLE CONVERSATION ? A. I WILL IF YOU WILL LET ME. THAT WAS THE CONVERSATION. I TALKED ABOUT IT WITH HIM AND HE JUSTIFIED HIMSELF IN THIS WAY, THAT THE INDIANS</p> <p>MADE HIM GO OUT AND GO AND LEAD THE NEXT ATTACK. AFTER THAT THEY CALLED ON THE CLARA INDIANS, AND THAT HE DECOYED THEM OUT AND THEY MASSACRED THEM. Q. DID HE SAY WHERE HE DECOYED THEM OUT ? A. DECOYED THEM OUT OF THE EMIGRANT CAMP.</p>	<p>TELL ME THE WHOLE CONVERSATION ? I WILL IF YOU WILL LET ME. THAT WAS THE CONVERSATION. I TALKED ABOUT IT WITH HIM, AND HE JUSTIFIED HIMSELF IN THIS WAY: THAT THE INDIANS</p> <p>MADE HIM GO OUT AND GO AND LEAD THE NEXT ATTACK; AFTERWARDS THEY CALLED ON THE CLARA INDIANS, AND THAT HE DECOYED THEM OUT, AND THEY MASSACRED THEM. DID HE SAY WHERE HE DECOYED THEM OUT? DECOYED THEM OUT OF THE EMIGRANT CAMP.</p>	<p>DECOY THEM OUT. Q. TELL ME THE WHOLE CONVERSATION ? A. I TALKED A-I WILL IF YOU WILL LET ME. THAT WAS THE CONVERWSATIO N. I TALKED ABOUT IT WITH HIM, AND HE JUSTIFIED HIMSELF IN THIS WAY: THAT THE INDIANS</p> <p>MADE HIM GO AND LEZAD THE ATTACK, AND AFTERWARDS THEY CALLED ON THE CLARA INDIANS AND THAT HE DECOYED THEM OUT AND THEY MASSACRED THEM. Q., DID HE SAY WHERE HE DECOYED THEM OUT? A. DECOYED THEM OUT OF THE EMIGRANT CAMP.</p>	<p>DECOY THEM OUT. [space] TELL ME THE WHOLE CONVERSATION [space] I WILL IF YOU WILL LET ME THAT WAS THE CONVERSATION I TALKED ABOUT IT WITH HIM AND HE JUSTIFIED HIMSELF IN THIS WAY THAT THE INDIANS FOR THE HEARSAY WAS THAT HE/THEY[?] HAD ◀MADE HIM▶ TO GO AND LEAD THE ATTACK AND AFTERWARDS THEY CALLED ON THE CLARA INDIANS AND THAT HE DECOYED THEM OUT AND THEY MASSACRED THEM. [space] DID HE SAY WHERE HE DECOYED THEM OUT [space] DECOYED THEM OUT OF THE EMIGRANTS CAMP DID HE SAY WHO [space] IN EMIGRANT</p>

RT	MU	BT	PS
<p>Q. DID HE SAY WHY THE MASSACRE TOOK PLACE ?</p> <p>A. YES, I BELIEVE HE GAVE REASONS FOR IT.</p> <p>Q. WHAT WERE THEY ?</p> <p>A. WELL THAT THE ATTACK HAD BEEN MADE BY THE INDIANS AND THAT THEY COULD NOT KEEP THEM BACK AND IT WAS SUPPOSED EXPEDIENT; THAT THERE WAS AN ARMY ON OUR BORDERS, THAT THEY WOULD LEAD TO GIVING THE PEOPLE MUCH BOTHER AND TROUBLE, AND THAT THEY WOULD TESTIFY AGAINST THEM AND SO ON AND IT WAS THOUGHT BEST TO <u>USE THEM UP</u>, ALL THAT COULD TELL TALES,</p> <p>THAT IS AS NEAR</p>	<p>DID HE SAY WHY THE MASSACRE TOOK PLACE?</p> <p>YES, I BELIEVE HE GAVE REASONS FOR IT.</p> <p>WHAT WERE THEY?</p> <p>WELL, THAT THE ATTACK HAD BEEN MADE BY THE INDIANS, AND THAT THEY COULD NOT KEEP THEM BACK, AND IT WAS SUPPOSED EXPEDIENT. THAT THERE WAS AN ARMY RIGHT ON OUR BORDER. THAT THEY WOULD LEAD TO GIVING THE PEOPLE MUCH BOTHER AND TROUBLE, AND THAT THEY WOULD TESTIFY AGAINST THEM, AND SO ON, AND IT WAS THOUGHT BEST TO USE THEM UP—ALL THAT COULD TELL TALES,</p> <p>THAT IS AS NEAR</p>	<p>Q. DID HE SAY WHY THE MASSACRE TOOK PLACE? A.</p> <p>YES, I BELIEVE HE GAVE REASONS FOR IT?</p> <p>Q. WHAT WERE THEY?</p> <p>A. WELL, THAT ATTACK HAD BEEN MADE BY THE INDIANS AND THEY COULD NOT KEEP THEM BACK, AND IT WAS SUPPOSED EXPEDIENT; AND THAT THERE WAS AN ARMY RIGHT ON OUR TR BORDERS THAT THEY WOULD LEAD TO GIVE THE PEOPLE MUCH TROUBLE; AND THEY WOULD TESTIFY AGAINST THEM &C., AND IT WAS THOUGHT BEST TO USE THEM UP, ALL THAT COULD TELL TALES,</p> <p>THAT IS AS NIGH ^[88]</p>	<p>CAMP ^[space] DID HE SAY WHY THE MASSACRE TOOK PLACE?</p> <p>YES I BELIEVE HE GAVE REASONS FOR IT.</p> <p>WHAT WERE THEY ^[space]</p> <p>WELL THAT THAT THE ATTACK HAD BEEN MADE BY THE INDIANS AND THEY COULD NOT KEEP THEM BACK AND IT WAS SUPPOSED EXPEDIENT ~</p> <p>ARMY RIGHT ON OUR BORDERS THAT THEY WOULD LEAD TO GIVE THE PEOPLE MUCH TROUBLE AND THEY WOULD TESTIFY AGAINST THEM &C AND IT WAS THOUGHT BEST TO USE THEM UP ALL THAT COULD TELL TALES YOU HAVE ASKED THAT IS AS NIGH</p>

RT	MU	BT	PS
<p>AS I CAN REMEMBER. Q. WHO DID HE SAY CONCLUDED THAT ? A. I DON'T THINK HE MENTIONED ANY NAMES. Q. DID HE TELL YOU WHETHER ANY OTHER WHITE MEN WERE WITH HIM OR NOT AT THE TIME HE LED THE ATTACK ? A. HE SAID THAT THERE WAS NO ONE WITH HIM. Q. DID HE TELL YOU HOW IT HAPPENED THAT HE GOT DOWN THERE AND WAS THERE ^[114] ALONE ? A. YES SIR, I TOLD YOU, HE WENT OUT TO WATCH THEM AND KEEP THEM FROM MAKING THEIR OUTFIT FROM THE OUTLYING SETTLEMENTS, AND THE INDIANS COULD NOT BE RESTRAINED. Q. HOW</p>	<p>AS I CAN REMEMBER. WHO DID HE SAY CONCLUDED THAT? I DON'T THINK HE MENTIONED ANY NAMES. DID HE TELL YOU WHETHER ANY OTHER WHITE MEN WERE WITH HIM OR NOT AT THE TIME HE LED THE ATTACK? HE SAID THAT THERE WAS NO ONE WITH HIM. DID HE TELL YOU HOW IT HAPPENED THAT HE GOT DOWN THERE AND WAS THERE ALONE? YES; I TOLD YOU. HE WENT OUT TO WATCH THEM ^[362] AND KEEP THEM FROM MAKING THEIR OUTFIT FROM THE OUTLYING SETTLEMENTS, AND THE INDIANS COULD NOT BE RESTRAINED. HOW</p>	<p>AS I CAN REMEMBER. Q. WHO DID HE SAY CONCLUDED THAT? A. I DON'T KNOW THAT HE MENTIONED ANY NAMES. Q. DID HE TELL YOU WHETHER ANY OTHER WHITE MAN WAS WITH HIM AT THE TIME HE LED THAT ATTACK? A. HE SAID THERE WAS NO ONE WITH HIM. Q. DID HE TELL YOU HOW IT HAPPENED THAT HE GOT DOWN THERE, AND WAS THERE ALONE? A. YES, I TOLD YOU HE WENT OUT TO WATCH THEM TO KEEP THEM FROM MAKING THEIR OUTFIT FROM THE OUTLYING SETTLEMENTS, AND THE INDIANS COULD NOT BE RESTAINED. Q. HOW</p>	<p>AS I CAN REMEMBER [space] WHO DID HE SAY CONCLUDED THAT? I DON'T KNOW THAT HE MENTIONED NAME [space] DID HE TELL YOU WHETHER ANY OTHER WHITE MAN WAS WITH HIM AT THE TIME HE LED THAT ATTACK HE SAID THERE WAS NO ONE WITH HIM NONE [space] DID HE TELL YOU HOW IT HAPPENED THAT HE CAME DOWN THERE AND WAS THERE ALONE YES I TOLD YOU HE WENT OUT TO WATCH THEM TO KEEP THEM TO KEEP FROM MAKING FIT OUT FROM THE OUTLYING SETTLEMENTS AND THE INDIANS COULD NOT BE RESTAINED [space] HOW</p>

RT	MU	BT	PS
<p>LONG DID HE SAY THAT ATTACK WAS</p> <p>BEFORE THE MASSACRE ?</p> <p>A. IT RAN ALONG THREE OR FOUR DAYS HE TOLD ME.</p> <p>CROSS - EXAMINED.</p> <p>Q. IN THE CONVERSATION THAT YOU HAD WITH LEE DID HE NOT STATE TO YOU THAT AFTER THE ATTACK HAD BEEN MADE BY THE INDIANS UPON THE EMIGRANTS THAT WORD HAD BEEN SENT TO CEDAR CITY FOR ASSISTANCE TO</p> <p>SAVE THE EMIGRANTS FROM THE INDIANS ?</p> <p>A. YES SIR— SAID THEY SENT WORD THERE. Q. WHO DID HE TELL YOU SENT WORD TO</p>	<p>LONG DID HE SAY THAT ATTACK WAS MADE</p> <p>BEFORE THE MASSACRE?</p> <p>IT RAN ALONG THREE OR FOUR DAYS, HE TOLD ME.</p> <p>CROSS- EXAMINED—</p> <p>IN THE CONVERSATION THAT YOU HAD WITH LEE, DID HE NOT STATE TO YOU THAT AFTER THE ATTACK HAD BEEN MADE BY THE INDIANS UPON THE EMIGRANTS, THAT WORD HAD BEEN SENT TO CEDAR CITY FOR ASSISTANCE TO</p> <p>SAVE THE EMIGRANTS FROM THE INDIANS?</p> <p>YES, SIR— SAID THEY SENT WORD THERE.</p> <p>WHO DID HE TELL YOU SENT WORD TO</p>	<p>LONG DID HE SAY THAT ATTACK WAS MADE</p> <p>BEFORE THE MASSACRE?</p> <p>A. IT RAN ALONG THREE THREE OR FOUR DAYS, HE TOLD ME.</p> <p>CROSS- EXAMINATION.</p> <p>Q. IN THE CONVERSATION THAT YOU HAD WITH HIM HIM, DID HE NOT STATE TO YOU THAT AFTER THE ATTACK HAD BEEN AMDE UPON THE INDIANS— UPON THE EMIGRANTS— THAT WORD HAD BEEN SENT TO CEDAR CITY FOR ASSISTANCE TO COME TO SAVE THE EMIGRANTS FROM THE INDIANS.</p> <p>A. YES, HE SAID THEY SENT WORD THERE. Q. WHO DID HE TELL YOU SENT WORD TO</p>	<p>LONG DID HE SAY THAT ATTACK WAS MADE</p> <p>BEFORE THE MASSACRE</p> <p>[space] IT RAN ALONG ^{[[4]]} 3 OR FOUR DAYS HE TOLD ME. [space]</p> <p>CROSS- EXAMINATION</p> <p>[space] IN THE CONVERSATION THAT YOU HAD WITH HIM DID HE NOT STATE TO YOU THAT AFTER THE ATTACK HAD BEEN MADE BY THE INDIANS UPON THE EMIGRANTS THAT WORD HAD BEEN SENT TO CEDAR CITY FOR ASSISTANCE TO COME AND SAVE THE EMIGRANTS FROM THE INDIANS</p> <p>YES HE SAID THEY SENT WORD THERE [space]</p> <p>WHO DID HE TELL YOU SENT WORD TO</p>

RT	MU	BT	PS
<p>CEDAR CITY ? A. HE DID, HE SENT WORD.</p> <p>Q. WHAT DID HE TELL YOU THAT WORD WAS THAT HE SENT TO CEDAR CITY ? A. HE SENT WORD THAT THE EMIGRANTS HAD BEEN ATTACKED, THAT THE INDIANS WERE VERY MAD AND HE DIDN'T KNOW HOW TO KEEP THEM DOWN. Q. GIVE AS NEAR AS YOU CAN THE</p> <p>CONVERSATION THAT YOU HAD WITH MR. LEE AT THE TIME YOU REFER TO ? A. I BELIEVE I HAVE. Q. DIDN'T HE TELL YOU THAT HAIGHT OR HIGBEE SENT BACK WORD THAT THE EMIGRANTS MUST BE DESTROYED BECAUSE</p>	<p>CEDAR CITY? HE DID— HE SENT WORD.</p> <p>WHAT DID HE TELL YOU THAT WORD WAS THAT HE SENT TO CEDAR CITY? HE SENT WORD THAT THE EMIGRANTS HAD BEEN ATTACKED— THAT THE INDIANS WERE VERY MAD, AND HE DIDN'T KNOW HOW TO KEEP THEM DOWN. GIVE, AS NEAR AS YOU CAN, THE</p> <p>CONVERSATION THAT YOU HAD WITH MR. LEE AT THE TIME YOU REFER TO? I BELIEVE I HAVE. DIDN'T HE TELL YOU THAT HAIGHT OR HIGBEE SENT BACK WORD THAT THE EMIGRANTS MUST BE DESTROYED, BECAUSE OF</p>	<p>CEDAR? A. HE DID, HE SENT WORD.</p> <p>Q. WHAT DID HE TELL YOU THAT WORD WAS THAT HE SENT TO CEDAR? A. HE SENT WORD THAT THE EMIGRANTS HAD BEEN ATTACKED, THAT THE INDIANS WERE VERY BAD MAD AND DIDN'T KNOW HOW TO KEEP THEM DOWN. Q. GIVE US AS NEAR AS YOU CAN THE ENTIRE CONVERSATION THAT YOU HAD WITH MR. LEE AT THE TIME YOU REFERR TO? A. I BELIEVE I HAVE. Q. DIDN'T HE TELL YOU THAT HAIGHT OR HIGBEE SENT BACK WORD THAT THE ^[89]</p> <p>EMIGRANTS MUST BE DESTROYED BECAUSE OF</p>	<p>CEDAR HE DID [<i>space</i>] HE SENT WORD [<i>space</i>] WHAT DID YOU WHAT DID HE TELL YOU THAT WORD WAS THAT HE SENT TO CEDAR HE SENT WORD THAT THE EMIGRANTS HAD BEEN ATTACKED THAT THE INDIANS WAS VERY MAD AND DIDN'T KNOW HOW TO KEEP THEM DOWN. [<i>space</i>] GIVE US AS NEAR AS YOU CAN THE ENTIRE CONVERSATION THAT YOU HAD WITH MR. LEE AT THE TIME YOU REFER TO [<i>space</i>] I BELIEVE I HAVE [<i>space</i>] DIDN'T HE TELL YOU THAT HAIGHT OR HIGBEE ≠SENT BACK WORD≧ THAT THE EMIGRANTS MUST BE DESTROYED BECAUSE OF</p>

RT	MU	BT	PS
<p>OF THE FACT THAT STEWART HAD KILLED AIDEN AT THE SPRINGS— DIDN'T HE MENTION SOMETHING OF THAT KIND TO YOU IN THAT SAME CONVERSATION ? A. I DON'T REMEMBER AS HE DID, HE SPOKE OF SOME MAN BEING SHOT AT LIT- [115] TLE PINTO IN THE COURSE OF THE EVENING. IT WAS AFTER THE INDIANS HAD ATTACKED, IF I ? REMEMBER RIGHT, THAT</p> <p>SOME MEN LEFT THE CAMP AND UNDERTOOK TO GO TO CEDAR CITY, AND WERE KILLED ON THE WAY—ONE OR TWO I THINK, AND ONE OR TWO CAME BACK. Q. GO ON AND TELL ALL THAT</p>	<p>THE FACT THAT STEWART HAD KILLED AIDEN AT THE SPRINGS? DIDN'T HE MENTION SOMETHING OF THAT KIND TO YOU IN THAT SAME CONVERSATION ? I DON'T REMEMBER AS HE DID. HE SPOKE OF SOME MAN BEING SHOT AT LITTLE PINTO IN THE COURSE OF THE EVENING. IT WAS AFTER THE INDIANS HAD ATTACKED, IF I REMEMBER RIGHT, THAT</p> <p>SOME MEN LEFT THE CAMP AND UNDERTOOK TO GO TO CEDAR CITY, AND WERE KILLED ON THE WAY—ONE OR TWO I THINK, AND ONE OR TWO CAME BACK. GO ON AND TELL ALL THAT</p>	<p>THE FACT THAT STEWART HAD KILLED AIDEN AT THE SPRINGS. DIDN'T HE MENTION SOMETHING OF THAT KIND TO YOU IN THAT SAME CONVERSATION ? A. I DON'T REMEMBER AS HE DID, HE SPOKE OF SOME MEN BEING SHOT AT LITTLE PINTO IN THE COURSE OF THE EVENING. IT WAS AFTER THE INDIANS HAD ATTACKED, IF I REMEMBER RIGHT, THAT THERE WAS SOME MEN LEFT THE CAMP AND UNDERTOOK TO GO TO CEDAR CITY AND WAS KILLED ON THE WAY—ONE OR TWO I THINK AND ONE OR TWO CAME BACK. Q. GO ON AND TELL ALL THAT</p>	<p>THE FACT THAT STEWART HAD —[?] ⁶⁸¹ KILLED AIDEN AT THE SPRINGS DIDN'T HE MENTION SOMETHING OF THAT KIND TO YOU IN THAT SAME CONVERSATION I DON'T REMEMBER AS HE DID HE SPOKE OF SOME MEN BEING SHOT AT LITTLE PINTO IN THE COURSE OF THE EVENING IT WAS AFTER THE INDIANS HAD ATTACKED IF I REMEMBER RIGHT THAT THERE WAS SOME MEN LEFT THE CAMP AND UNDERTOOK TO GO TO CEDAR CITY AND WAS KILLED ON THE WAY ONE OR TWO I THINK AND ONE OR TWO CAME BACK. [space] GO ON AND TELL ALL THAT</p>

681. Word may be crossed out.

RT	MU	BT	PS
<p>HE TOLD YOU ABOUT IT—ABOUT THE KILLING OF THAT MAN AT</p> <p>PINTO, HOW IT WAS DONE AND ALL ABOUT IT ? A. I DON'T KNOW THAT I CAN, I REMEMBER THAT HE SAID THAT THERE WAS ONE KILLED THERE THAT WENT OUT TO SEE IF THEY COULD GET HELP FROM CEDAR CITY. TWO OR THREE WENT AND ONE WAS KILLED AND ONE OR TWO CAME BACK IN THE NIGHT. I DON'T KNOW BUT THAT THEY GOT BACK TO CAMP. Q. DID HE TELL YOU WHAT WORD WAS SENT BACK TO HIM FROM CEDAR CITY AFTER THAT TIME ? A. YES,</p>	<p>HE TOLD YOU ABOUT IT, ABOUT THE KILLING OF THAT MAN AT PINTO—HOW IT WAS DONE, AND ALL ABOUT IT. I DON'T KNOW THAT I CAN. I REMEMBER THAT HE SAID THAT THERE WAS ONE KILLED THERE THAT WENT OUT TO SEE IF THEY COULD GET HELP FROM CEDAR CITY. TWO OR THREE WENT, AND ONE WAS KILLED AND ONE OR TWO CAME BACK IN THE NIGHT. I DON'T KNOW BUT THAT THEY GOT BACK TO CAMP. DID HE TELL YOU WHAT WORD WAS SENT BACK TO HIM FROM CEDAR CITY AFTER THAT TIME? YES;</p>	<p>HE TOLD YOU ABOUT TYHAT, ABOUT THE KILLING OF THE MAN AT THE SPRINGS,</p> <p>HOW IT WAS DONE AND FALL ABOUT IT? A. I DON'T KNOW THAT I CAN. I REMEMBER THAT HE SAID THERE WAS ONE KILLED THERE THAT WENT IN TO SEE IF THEY COULD GET HELP FROM CEDAR. TWO OR THREE WENT AND ONE WAS KILLED AND ONE OR TWO CAME BACK IN THE KIGHT. I DON'T KNOW FBUT THQAT THEY GOT BACK TO CAMP. Q. DID HE TELL YOU WHAT WORD WAS SENT BACK TO HIM FROM CEDAR CITY AFTER THAT TIME? A. YES,</p>	<p>HE TOLD YOU ABOUT THAT [space] ABOUT THE KILLING OF THAT MAN AT THE SPRINGS AT PINTO HAPPENED HOW IT WAS DONE AND ALL ABOUT THAT? I DON'T KNOW THAT I CAN [space] I REMEMBER HE SAID THERE WAS ONE KILLED THERE THEY WENT IN TO SEE IF THEY COULD NOT GET HELP FROM CEDAR TWO 3 WENT AND ONE KILLED AND ONE OR TWO CAME BACK IN THE NIGHT <i>OR NOT/DON'T</i>[?] I DON'T KNOW ^{[[5]]} BUT THEY GOT BACK TO CAMP [space] DID HE TELL YOU WHAT WORD WAS SENT BACK TO HIM FROM CEDAR CITY AFTER THAT TIME [space] YES</p>

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<p>HE TOLD ME SOMETHING ABOUT THE MESSAGE THAT CAME THERE. Q. TELL ME WHAT WAS SAID ABOUT IT ? A. ONE MESSAGE CAME TO NOT DISTURB THE EMIGRANTS, AND AFTER THE MESSAGE WENT THAT THEY HAD BEEN ATTACKED I THINK HE SAID THAT THERE WAS ONE THAT THEY BE ALL KILLED OR USED UP.</p> <p>Q. GO ON AND TELL WHAT HE SAID — WHAT HE SAID WAS IN THAT LAST MESSAGE — HE WAS EXPLAINING IT</p> <p>TO YOU ? A. I AM SATISFIED THE MESSAGE WAS — IT</p>	<p>HE TOLD ME SOMETHING ABOUT THE MESSAGE THAT CAME THERE. TELL ME WHAT WAS SAID ABOUT IT? ONE MESSAGE CAME TO NOT DISTURB THE EMIGRANTS, AND AFTER THE MESSAGE WENT THAT THEY HAD BEEN ATTACKED, I THINK HE SAID THAT THERE WAS ONE THAT THEY BE ALL KILLED OR USED UP.</p> <p>GO ON AND TELL WHAT HE SAID</p> <p>WAS IN THAT LAST MESSAGE —HE WAS ^[363] EXPLAINING IT</p> <p>TO YOU? I AM SATISFIED THE MESSAGE WAS— IT</p>	<p>SIR, HE TOLD SOMETHING ABOUT THE MESSAGE THAT CAME THERE. Q. TELL ME WHAT WAS SAID ABOUT IT. A. ONE MESASAGE CAME TO NOT DISTURB THE EMIGRANTS, AND AFTER THATHE MESSAGE WENT THAT THEY HAD BEEN ATTACKED; I THINK HE SAID THAT THE OTHER ONE WAS THAT THEY SHOULD BE USED UP OR KILLED. OBJECTED TO UNLESS IT IS SHOWN WHO THE MESSAGE WAS FROM. Q. GO ON AND TELL ME WHAT HE SAID THAT WAS IN THAT LAST MESSAGE —HE WAS EXPLAINING THIS MATTER TO YOU? A. I AM SATISFIED THAT THE MESSAGE READ — IT</p>	<p>HE TOLD ME SOMETHING ABOUT THE MESSAGE THAT CAME THERE [space] TELL ME WHAT WAS SAID ABOUT IT ONE MESSAGE CAME TO NOT DISTURB THE EMIGRANTS AND AFTER THE MESSAGE ONE THAT THEY HAD BEEN ATTACKED I THINK HE SAID THAT THE OTHER <ONE> WAS THAT THEY SHOULD BE USED UP ALL KILLED. OBJECTED TO UNLESS IT IS SHOWN WHO THE MESSAGE WAS FROM GO ON AND TELL ME WHAT HE SAID THAT WAS IN THAT LAST MESSAGE HE WAS EXPLAINING THIS MATTER TO YOU? I AM SATISFIED THAT THE MESSAGE WAS IT</p>

RT**MU****BT****PS**

<p>COMMENCED THAT THEY SHOULD BE USED UP OR SOMETHING LIKE THAT. Q. DID HE TELL YOU WHO THAT MESSAGE WAS FROM ? A. I DON'T THINK HE DID. Q. DID HE TELL YOU WHERE IT WAS FROM, WHETHER FROM CEDAR CITY OR ELSEWHERE ? A NO, HE USED THE LANGUAGE THAT HE GOT WORD. ^[116] RE-DIRECT. Q. DO YOU BELIEVE WHAT HE SAID THAT HE GOT A MESSAGE TO USE UP THOSE EMIGRANTS, FROM ANY AUTHORITY ? A. I DON'T KNOW THAT I DO. Q. DON'T YOU KNOW THAT HE LIED ABOUT IT ? NO ANSWER. Q. DON'T YOU THINK HE DID ? NO ANSWER. Q' HE WAS TELLING YOU</p>	<p>COMMENCED THAT THEY SHOULD BE USED UP, OR SOMETHING LIKE THAT. DID HE TELL YOU WHO THAT MESSAGE WAS FROM? I DON'T THINK HE DID. DID HE TELL YOU WHERE IT WAS FROM, WHETHER FROM CEDAR CITY OR ELSEWHERE? NO, HE USED THE LANGUAGE THAT HE GOT WORD. RE-DIRECT. DO YOU BELIEVE WHAT HE SAID, THAT HE GOT A MESSAGE TO USE UP THOSE EMIGRANTS, FROM ANY AUTHORITY? I DON'T KNOW THAT I DO. DON'T YOU KNOW THAT HE LIED ABOUT IT? NO ANSWER. DON'T YOU THINK HE DID? NO ANSWER. HE WAS TELLING YOU</p>	<p>COMMENCED THAT THEY SHOULD BE USED UP, SOMETHING LIKE THAT. Q. DID HE TELL YOU WHO THAT MESSAGE WAS FROM? A. I DON'T THINK HE DID. ^[90] Q. DID HE TELL YOU WHERE IT WAS FROM, WHETHER FROM CEDAR OR ELSEWHERE? A. NO, HE USED THE LANGUZA THAT HE GOT WORD. RE-DIRECT. Q. DID YOU BELIEVE WHAT HE SAID THAT HE GOT A MESSAGE TO USE UP THOSE EMIGRANTS FROM ANY AUTHORITY? A. I DON'T KNOW THAT I DO. Q. DON'T YOU KNOW THAT HE LIED ABOUT IT? NO ANSWER. Q. DON'T YOU THINK HE DID? NO ANSWER. Q. IF HE WAS TELLING YOU</p>	<p>COMMENCED THAT THEY SHOULD BE USED UP OR SOMETHING LIKE THAT [space] DID HE TELL YOU WHO THAT MESSAGE WAS FROM I DON'T THINK HE DID [space] DID HE TELL YOU WHERE IT WAS FROM WHETHER FROM CEDAR OR ELSEWHERE NO HE USED THE LANGUAGE THAT HE GOT WORD. [space] RE-DIRECT [space] DID YOU BELIEVE WHAT HE SAID THAT HE GOT A MESSAGE TO USE UP THOSE EMIGRANTS FROM ANY AUTHORITY? I DON'T KNOW THAT I DO DON'T YOU KNOW THAT HE LIED ABOUT IT? [space] DON'T YOU THINK HE DID? ~ [space] IF HE WAS TELLING YOU</p>
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<p>THIS IN JUSTIFICATION AFTER THE</p> <p>MASSACRE ?</p> <p>A. YES, HE TOLD ME THAT , I ASKED WHAT CALLED FOR SUCH AN ACT AND HE TOLD WHAT THE REASON WAS.</p> <p>Q. HE GAVE YOU THAT REPLY IN HIS JUSTIFICATION ?</p> <p>A. HE SAID HE GOT WORD TO USE THEM UP, THAT THIS ARMY WAS ON THE BORDERS.</p> <p>QM HE GOT WORD THAT BEING COMMENCED, THAT ON ACCOUNT OF THE ARMY BEING ON THE BORDERS THAT HE HAD BETTER FINISH IT ? A. YES.</p> <p>Q. DID YOU UNDERSTAND THAT THAT CAME FROM HIGBEE OR HAIGHT—THAT</p>	<p>THIS IN JUSTIFICATION AFTER THE</p> <p>MASSACRE?</p> <p>YES, HE TOLD ME THAT. I ASKED WHAT CALLED FOR SUCH AN ACT, AND HE TOLD WHAT THE REASON WAS.</p> <p>HE GAVE YOU THAT REPLY IN HIS JUSTIFICATION?</p> <p>HE SAID HE GOT WORD TO USE THEM UP, THAT THIS ARMY WAS ON THE BORDERS.</p> <p>HE GOT WORD THAT BEING COMMENCED, THAT ON ACCOUNT OF THE ARMY BEING ON THE BORDERS, THAT HE HAD BETTER FINISH IT? YES.</p> <p>DID YOU UNDERSTAND THAT THAT CAME FROM HIGBEE OR HAIGHT—THAT</p>	<p>THIS IN JUSTIFICATION FOR THE</p> <p>MATTER</p> <p>MASSACRE:?</p> <p>A. YES, HE TOLD ME THAT. I ASKED WHAT CALLED FOR SUCH AN ACT, HE TOLD WHAT HIS REASONS WERE.</p> <p>Q. HE GAVE YOU THAT REPLY IN HIS JUSTIFICATION?</p> <p>A. HE SAID HE GOT WORD TO USE THEM UP, THAT THIS ARMY WAS ON THE BORDERS.</p> <p>Q. HE GOT WORD THAT BEING COMMENCED,— THAT ON ACCOUNT OF THE ARMY BEING ON THE BORDERS,— THAT HE HAD BETTER FINISH IT? A. YES,</p> <p>Q. DID YOU UNDERSTAND THAT THAT CAME FROM HIGBEE OR HAIGHT—THAT</p>	<p>THIS IN JUSTIFICATION FOR THE</p> <p>MASSACRE</p> <p>YES[?]</p> <p>HE TOLD ME THAT I ASKED WHAT CALLED FOR SUCH AN ACT HE TOLD WHAT HIS REASONS WAS</p> <p>[space] HE GAVE YOU THAT REPLY IN HIS JUSTIFICATION</p> <p>[space] HE SAID HE GOT WORD TO USE THEM</p> <p>^{[[6]]} UP THAT THIS ARMY WAS ON THE BORDERS MAKE A DISPOSITION OF IT—GOT WORD THAT BEING COMMENCED THAT ON ACCOUNT OF THE ARMY BEING ON THE BORDERS THAT HE HAD BETTER FINISH IT YES</p> <p>[space] DID YOU UNDERSTAND THAT THAT CAME FROM HIGBEE OR HAIGHT THAT</p>

RT	MU	BT	PS
<p>WORD ? A. I DON'T THINK HE SAID. Q. DO YOU KBOW THE RELATIONS EXISTING BETWEEN HIGBEE, HAIGHT AND LEE, SO AS TO KNOW FROM WHOM IT CAME ? A. I WOULD EXPECT IT WOULD COME FROM ISAAC C. HAIGHT, IF ANY WORD WAS SENT FROM CEDAR CITY, IF IF IT WAS NORTH IT WOULD BE FROM PAROWAN, BUT I DON'T THINK HE TOLD ME WHERE IT WAS FROM. ^[117] Q. KLINGENSMITH WAS IN A POSITION, I SUPPOSE TO SEND SUCH WORD IF ANY WAS SENT ? A. KLINGENSMITH WAS PRESIDING BISHOP. IF IT WAS ORDERS IN A</p>	<p>WORD? I DON'T THINK HE SAID. DO YOU KNOW THE RELATIONS EXISTING BETWEEN HIGBEE, HAIGHT AND LEE, SO AS TO KNOW FROM WHOM IT CAME? I WOULD EXPECT IT WOULD COME FROM ISAAC C. HAIGHT, IF ANY WORD WAS SENT FROM CEDAR CITY; IF IT WAS NORTH, IT WOULD BE FROM PAROWAN, BUT I DON'T THINK HE TOLD ME WHERE IT WAS FROM. KLINGENSMITH WAS IN A POSITION, I SUPPOSE, TO SEND SUCH WORD, IF ANY WAS SENT? KLINGENSMITH WAS PRESIDING BISHOP. IF IT WAS ORDERS IN A</p>	<p>WORD? A. I DON'T THINK THAT HE SAID —— Q. DO YOU KNOW THE RELATIONS THAT EXISTED BETWEEN HIGBEE, HAIGHT AND LEE, SO AS TO KNOW FROM WHOM IT CAME? A. I WOULD EXPECT IT CAME FROM FROM ISCAAC C. HAIGHT IF ANY WORD WAS SENT FROM CEDAR CITY; IF IF IT WAS NOT IT WOULD BE FROM PAROWAN, BUT I DON'T THINK HE TOLD ME WHERE IT WAS FROM. ^[91] Q. KLINGENSMITH, I SUPPOSE, WAS IN SUCH A POSITION AS TO SEND SUCH WORD, IF ANY WAS SENT. A. KLINGENSMITH WAS PRESIDING JUDGED BISHOP. IF IT WAS ORDERED IN A</p>	<p>WORD [<i>space</i>] I DON'T THINK HE SAID DO YOU KNOW THE RELATIONS EXISTING BETWEEN HIGBEE HAIGHT AND LEE SO AS TO KNOW FROM WHOM IT CAME I WOULD EXPECT IT WOULD COME FROM ISAAC C HAIGHT IF ANY WAS SENT FROM CEDAR CITY IF IT BEEN NORTH IT WOULD BE FROM PAROWAN BUT I DON'T THINK HE TOLD ME WHERE IT WAS FROM. [<i>space</i>] KLINGENSMITH I SUPPOSE WAS IN POSITION TO SEND SUCH WORD IF ANY WAS SENT [<i>space</i>] KLINGEN SMITH WAS PRESIDING BISHOP IF IT WAS <ORDERS> OF A</p>

RT	MU	BT	PS
<p>MILITARY CAPACITY IT WOULD BE SOMEBODY ELSE. Q. IF IT WAS IN A MILITARY CAPACITY WHO WOULD IT HAVE BEEN FROM ? A. THE WAY I UNDERSTOOD IT IT WOULD BE DAME. Q. IF HE TOLD THE TRUTH AND AUTHORITY CAME TO HIM</p> <p>FROM A SUPERIOR MILITARY OFFICER</p> <p>AND IF IT CAME FROM AN ECCLESIASTICA L, WHO WOULD IT HAVE BEEN FROM ? A. IT WOULD HAVE BEEN FROM KLINGENSMITH.</p>	<p>MILITARY CAPACITY IT WOULD BE SOMEBODY ELSE. IF IT WAS IN A MILITARY CAPACITY, WHO WOULD IT HAVE BEEN FROM? THE WAY I UNDERSTAND IT, IT WOULD BE DAME. IF HE TOLD THE TRUTH, AND AUTHORITY CAME TO HIM</p> <p>FROM A SUPERIOR MILITARY OFFICER—</p> <p>AND IF IT CAME FROM AN ECCLESIASTICA L, WHO WOULD IT HAVE BEEN FROM? IT WOULD HAVE BEEN FROM KLINGENSMITH.</p>	<p>MILITARY CAPACITY IT WOULD BE SOMEBODY ELSE. Q. IF IT WAS IN A MILITARY CAPACITY, WHO WOULD IT HAVE BEEN FROM? A. THE WAY I UNDERSTOOD IT IT WOULD BE DAME. Q. IF HE TOLD THE TRUTH THAT THE AUTHORITY CAME FROM A HE CAME TO HIM; IF IT COME FROM A SUPERIOR MILITARY OFFICER,—, IT WOULD BE DAME. WHO WHO WOULD IT HAVE BEEN FROM IF ECCLESIASTICA L AUTHORITY.?</p> <p>A. IT WOULD HAVE BEEN FROM KLINGENSMITH. COURT ADJOURNED TILL TO- MORROW MORNING AT 10 O'CLOCK.</p>	<p>MILITARY CAPACITY IT WOULD BE SOMEBODY ELSE [space] IF IT WAS MILITARY CAPACITY IF WOULD WHO WOULD IT BEEN FROM THE WAY I UNDERSTOOD IT IT WOULD BE DAME [space] IF HE TOLD THE TRUTH THE AUTHORITY CAME FROM HIM TO HIM FROM SUPERIOR MILITARY OFFICER IT WOULD BE DAME [space] — WHO WOULD IT HAVE BEEN FROM ECCLESIASTICA L AUTHORITY</p> <p>IT WOULD HAVE BEEN KLINGEN SMITH. [space] COURT ADJOURNED TILL TO- MORROW MORNING 10 O'CLOCK [space]</p>

RT	MU	BT	PS
		SATURDAY SEPTEMBER, 16TH, 18876.	/// SATURDAY SEPT 16 TH 1876
		JURY CALLED. BISHOP: WE HAD A CONSULTATION WITH THE ATTORNEY FOR THE PROSECUTION AND WE ARE WILLING THAT THE COURT SHOULD— THAT YOUR HONOR SHOULD GIVE YOUR INSTRUCTIONS FOR THE AGRGUEMENT IN THE CASE, SO THAT THAT I WOLL THA WILL BE THE UNDERSTANDIN G. JACOB HAMBLIN RE-CALLED FOR THE PROSECUTION. HOWARD: I AM NOT IN THE HABIT, YOUR HONOR, OF RE-CALLING A WITNESS IN THIS WAY, BUT I WAS NOT FULLY	JURY CALLED [space] BISHOP WE HAD A CONSULTATION WITH THE ATTORNEY FOR THE PROSECUTION AND WE ARE WILLING THAT THE COURT SHOULD THE —[?] THAT YOUR HONOR SHOULD GIVE YOUR INSTRUCTIONS AFTER THE ARGUMENTS IN THE CASE SO THAT THAT WILL BE THE UNDERSTANDIN G. [space] JACOB HAMBLIN RE CALLED FOR PROSECUTION. HOWARD ⁶⁸² [space] I AM NOT IN THE HABIT YOUR HONOR OF RE-CALLING A WITNESS IN THIS WAY> I AM NOT BUT I WAS NOT FULLY
RE - CALLED	JACOB HAMBLIN. RE-CALLED.		
BY HOWARD. I AM NOT IN THE HABIT, YOUR HONOR, OF RECALLING A WITNESS THIS WAY, BUT I WAS NOT FULLY	HOWARD— I AM NOT IN THE HABIT, YOUR HONOR, OF RECALLING A WITNESS THIS WAY, BUT I WAS NOT FULLY		

682. In the left margin.

RT	MU	BT	PS
<p>POSTED IN REGARD TO ALL THE FACTS THAT MR. KAMBLIN WOULD TESTIFY TO. I HAVE FOUND HE KNOWS SOME ADDITIONAL FACTS, AND I ASK LEAVE TO</p> <p>EXAMINE HIM FURTHER.</p> <p>Q. HOW FAR ABOVE THIS PLACE, BEAVER, WAS IT THAT YOU HAD A CONVERSATION WITH JOHN D. LEE ?</p> <p>A. IT WAS ABOUT SOME SPRINGS THIS SIDE OF FILLMORE, PROBABLY SEVEN OR EIGHT MILES. Q. HOW FAR IS FILLMORE FROM HERE ? A. ABOUT 60 MILES. Q. HOW FAR IS CEDAR CITY</p>	<p>POSTED IN REGARD TO ALL THE FACTS THAT MR. HAMBLIN WOULD TESTIFY TO. I HAVE FOUND HE KNOWS SOME ADDITIONAL FACTS, AND I WILL ASK LEAVE TO</p> <p>EXAMINE HIM FURTHER.</p> <p>HOW FAR ABOVE THIS PLACE, BEAVER, WAS IT THAT YOU HAD A CONVERSATION ^[364] WITH JOHN D. LEE?</p> <p>IT WAS ABOUT SOME SPRINGS, THIS SIDE OF FILLMORE, PROBABLY SEVEN OR EIGHT MILES. HOW FAR IS FILLMORE FROM HERE? ABOUT SIXTY MILES. HOW FAR IS CEDAR CITY</p>	<p>POSTED IN REGARD TO ALL THE CFFACTS THAT MR. HAMBLIONS WOULD TESTIFY TO. I FIND HE KNEW SOME ADDITIONAL FACTS AND I WOULD ASK LEAVE TO</p> <p>EXAMINE HIM FURTHER.</p> <p>Q. HOW FAR ABOVE THIS PLACE, BEAVER, WAS IT THAT YOU HAD THE CONVERSATION WITH JOHN D. LEE, WHAT WAS THE PLACE. A. IT WAS BY SOME SPRINGS THIS SIDE OF OF FILLMORE,, PROBABLY 7 OR 8 MILES Q. HOW FAR IS FILLMORE FROM HERE? A. ABOUT 60 MILES. ^[92] Q. HOW FAR IS CEDAR FROM HERE? A.</p>	<p>POSTED IN REGARD TO ALL THE FACTS THAT MR. HAMBLIN WOULD TESTIFY TO. I I HAVE FOUND HE KNOWS SOME ADDITIONAL FACTS I WILL ASK LEAVE TO PUT HIM ON THE STAND TO EXAMINE HIM FURTHER. I HAD NO KNOWLEDGE OF SOME FACTS ^[space] HOW FAR ABOVE THIS PLACE BEAVER WAS IT THAT YOU HAD THE CONVERSATION WITH JOHN D. LEE WHAT WAS THE PLACE? IT WAS BY SOME SPRINGS THIS SIDE OF FILLMORE PROBABLY 7 OR 8 MILES ^[space] HOW FAR IS FILLMORE FROM HERE ABOUT 60 MILES ^[space] HOW FAR IS CEDAR CITY</p>

RT	MU	BT	PS
<p>FROM HERE ? A. SUPPOSED TO BE FIFTY FIVE MILES,</p> <p>FIFTY THREE TO FIFTY FIFTEEN TO FIFTEEN MILES.</p> <p>Q. IS THERE ANY OTHER PLACE CALLED CEDAR CITY EXCEPT THIS CEDAR CITY ? ^[118] A. NO SIR, I DON'T KNOW ANY. IT CALLED CEDAR OR CEDAR CITY .</p> <p>Q HOW FAR IS IT FROM CEDAR CITY TO PAROWAN ? A. EIGHTEEN MILES I USED TO SUPPOSE IT WAS. I HEARD IT CALLED THAT. Q. HOW FAR IS IT FROM PAROWAN TO HARMONY ? A. ABOUT THIRTY FIVE MILES IT IS SUPPOSED TO BE. Q. IS HARMONY ON THE ROAD OR IS IT OFF THE ROAD</p>	<p>FROM HERE? SUPPOSED TO BE FIFTY-FIVE MILES—</p> <p>FIFTY-THREE TO FIFTY-FIVE MILES.</p> <p>IS THERE ANY OTHER PLACE CALLED CEDAR CITY, EXCEPT CEDAR CITY? NO, SIR, I DON'T KNOW ANY. IT IS CALLED CEDAR OR CEDAR CITY. HOW FAR IS IT FROM CEDAR CITY TO PAROWAN? EIGHTEEN MILES, I USED TO SUPPOSE IT WAS. I HAVE HEARD IT CALLED THAT. HOW FAR IS IT FROM PAROWAN TO HARMONY? ABOUT THIRTY-FIVE MILES, IT IS SUPPOSED TO BE. IS HARMONY ON THE ROAD, OR IS IT OFF OF THE ROAD</p>	<p>55 MILES, I SUPPOSE, ABOUT 53 TO 55. Q. ARE YOU IN THE HABIT OF CALLING CEDAR CITY—IS THERE ANY OTHER PLACE CALLED CEDAR EXCEPT CEDAR CITY? A. NO, SIR, I DON'T KNOW ANY. - IT IS CALLED CEDAR— CEDAR CITY. Q. HOW FAR IS IT FROM CEDAR CITY TO PAROWAN. A. 18 MILES I USED TO SUPPOSE IT WAS. I HAVE HAEARD IT WAS CALLED THAT. Q. HOW FAR IS IT FROM PAROWAN TO HARMONY? A. ABOUT 35 MILES, SUPPOSED TO BE. Q. IS HARMONY ON THE ROAD OR IS IT OFF FROM THE ROAD</p>	<p>FROM HERE?</p> <p>55 MILES SUPPOSE, ABOUT 53 OR 5 ARE YOU IN THE HABIT OF CALLING CEDAR CITY IS THERE ANY OTHER PLACE CALLED CEDAR EXCEPT CEDAR CITY NO SIR I DON'T KNOW OF ANY IT IS CALLED CEDAR CEDAR CITY [space] HOW FAR IS IT FROM CEDAR CITY TO PAROWAN 18 MILES I USED TO SUPPOSE IT WAS HEARD IT ENOUGH/CALLED THAT[?] HOW FAR FROM PAROWAN TO HARMONY? ABOUT 36 MILES SUPPOSED TO BE IS HARMONY ON THE ROAD OR IS IT OFF FROM THE ROAD</p>

RT	MU	BT	PS
<p>FROM CEDAR CITY TO THE MEADOWS ? A. IT IS TWELVE MILES SOUTH OF THE ROAD. Q. WHERE DO YOU LEAVE THE ROAD GOING FROM PAROWAN TO THE MEADOWS, TO GO TO HARMONY ? A. WE LEAVE IT TWO AND A HALF MILES BELOW CEDAR CITY. Q. THEN IT IS OFF TO THE LEFT AS YOU ARE GOING ? A. YES SIR. Q. WHERE IS PINTO ? A. IT WOULD BE WITHIN</p> <p>SEVEN MILES OF THE END OF THE MEADOWS WHERE MY RANCH WAS.</p> <p>Q. WHAT WAS THE CONDITION OF THE MEADOWS</p>	<p>FROM CEDAR CITY TO THE MEADOWS? IT IS TWELVE MILES SOUTH OF THE ROAD. WHERE DO YOU LEAVE THE ROAD GOING FROM PAROWAN TO THE MEADOWS, TO GO TO HARMONY? A. WE LEAVE IT TWO AND A HALF MILES BELOW CEDAR CITY. THEN IT IS OFF TO THE LEFT AS YOU ARE GOING? A. YES, SIR. WHERE IS PINTO? IT WOULD BE WITHIN</p> <p>SEVEN MILES OF THE NORTH END OF THE MEADOWS, WHERE MY RANCH WAS.</p> <p>WHAT WAS THE CONDITION OF THE MEADOWS</p>	<p>FROM CEDAR CITY TO THE MEADOWS? A. 12 MILES SOUTH OF THE ROAD. Q. WHERE DO YOU LEAVE THE ROAD LEADING FROM PAROWAN TO THE MEADOWS, TO GO TO HARMONY? A. WE LEAVE IT TWO AND A HALF MILES BELOW CEDAR CITY. Q. THEN IT IS OFF TO THE LEFT AS YOU ARE GOING? A. YES, SIR. Q. WHERE IS PINTO? A. IT WOULD BE WITHIN TEN</p> <p>MILES OF THE NORTH END OF THE MEADOWS, WHERE MY RANCH WAS.</p> <p>Q. WHAT WAS THE CONDITION OF THE MEADOWS</p>	<p>FROM CEDAR CITY TO THE MEADOWS 12 MILES⁶⁸³ SOUTH OF THE ROAD [space] WHERE DO YOU LEAVE THE ROAD LEADING FROM PAROWAN TO THE MEADOWS TO GO TO HARMONY WE LEAVE IT 2 ½ MILES BELOW CEDAR CITY ^{[[8]]} THEN IT IS OFF TO THE LEFT AS YOU ARE GOING YES SIR [space] WHERE IS PINTO PINTO IS IN IT WOULD BE WITHIN TEN MILES TO WHERE IT OPENED IT IS 7 MILES TO THE NORTH END OF THE MEADOWS WHERE MY RANCH WAS AND 2 OR 3 MILES OVER TO THE MEADOWS PLACE [space] WHAT WAS THE CONDITION OF THE MEADOWS</p>

683. Rogerson's hand symbol in the left margin.

RT	MU	BT	PS
<p>AT THAT TIME WITH REGARD TO BEING A GOOD STOPPING PLACE FOR TRAVELERS ? A. AT THAT TIME IT HAD A VERY LUXURIANT GROWTH OF GRASS & ALL OVER THE VALLEY, AND SPRINGS AT EACH END; IT WAS CONSIDERED A GOOD STOPPING PLACE FOR COMPANIES, AND WAS OCCUPIED BY MYSELF AND TWO OR THREE OTHERS AT THE NORTH END. WE HAD THEN FORMED A SETTLEMENT CALLED THE CLARA. Q. IN THIS CONVERSATION THAT YOU HAD WITH MR& LEE</p> <p>DID HE SAY ANYTHING [119] TO YOU ABOUT THE</p>	<p>AT THAT TIME, WITH REGARD TO BEING A GOOD STOPPING- PLACE FOR TRAVELERS? AT THAT TIME IT HAD A VERY LUXURIANT GROWTH OF GRASS ALL OVER THE VALLEY, AND SPRINGS AT EACH END. IT WAS CONSIDERED A GOOD STOPPING- PLACE FOR COMPANIES, AND WAS OCCUPIED BY MYSELF AND TWO OR THREE OTHERS AT THE NORTH END. WE HAD THEN FORMED A SETTLEMENT CALLED THE CLARA. IN THIS CONVERSATION THAT YOU HAD WITH MR. LEE,</p> <p>DID HE SAY ANYTHING TO YOU ABOUT THE</p>	<p>AT THAT TIME IN REGARD TO BEING A GOOD STOPPING PLACE FOR TRAVELERS? A. AT THAT TIME IT HAD A VERY LUXURIANT GROTH OF GRASS ALL OVER THE VALLEY, AND SPRINGS AT EACH END; AND IT WAS CONSIDERED A GOOD STOPPING PLACE FOR COMPANIES. THE NORTH END WAS OCCUPIED BY MYSELF AND TWO OR THREE OTHERS. HE-WE HAD THEN FORMED A SETTLEMENT ON THE CLARA. Q. IN THIS CONVERSATION</p> <p>WITH MR. LEE, THAT YOU H&AD WITH HIM, DID HE SAY ANYTHING TO YOU INABOUT THE</p>	<p>AT THAT TIME IN REGARD TO <BEING A GOOD> STOPPING PLACE FOR TRAVELERS [space] AT THAT TIME IT HAD VERY LUXURIANT GROWTH OF GRASS <i>END</i>[?] OVER THE VALLEY AND SPRINGS AT EACH END AND IT WAS CONSIDERED A <GOOD> A STOPPING PLACE FOR COMPANIES THE NORTH END WAS OCCUPIED BY MYSELF AND 2 OR 3 OTHERS WE HAD THEN FORMED A SETTLEMENT ON THE CLARA. [space] IN THIS CONVERSATION</p> <p>WITH MR. LEE WHICH YOU HAD WITH HIM DID <i>HE</i>[?] SAY ANYTHING TO YOU ABOUT THE</p>

RT	MU	BT	PS
<p>MANNER IN WHICH OR BY WHOM THE MEN HAD BEEN DRAWN INTO THAT MASSACRE</p> <p>IF HE DID WILL YOU STATE ALL HE SAID IN YOUR OWN WAY ? A. IT WAS A LONG WHILE AGO BUT I RECOLLECT HIM TELLING ME THAT THERE WERE WHITE MEN THERE AND THAT THEY DIDN'T KNOW WHAT THEY WERE GOING FOR UNTIL THEY GOT THERE AND THAT SOME WOULD NOT ACT AND SOME WOULD. Q. WHAT DO YOU KNOW ABOUT THE DISPOSITION OF THE PROPERTY OF THOSE EMIGRANTS ? A. THERE WAS NONE ON THE MEADOWS WHEN I GOT</p>	<p>MANNER IN WHICH, OR BY WHOM, THE MEN HAD BEEN DRAWN INTO THAT MASSACRE?</p> <p>IF HE DID, WILL YOU STATE ALL HE SAID, IN YOUR OWN WAY? IT WAS A LONG WHILE AGO, BUT I RECOLLECT HIM TELLING ME THAT THERE WERE WHITE MEN THERE, AND THAT THEY DIDN'T KNOW WHAT THEY WERE GOING FOR UNTIL THEY GOT THERE, AND SOME WOULD NOT ACT AND SOME WOULD. WHAT DO YOU KNOW ABOUT THE DISPOSITION OF THE PROPERTY OF THOSE EMIGRANTS? THERE WAS NONE ON THE MEADOWS WHEN I GOT</p>	<p>MANNER IN WHICH, OR BY WHOM, THE MEN HAD^[98] BEEN DRAWN INTO THAT MASSACRE?</p> <p>IF HE DID WILL YOU STATE ALL ALL HE SAID IN YOUR OWN WAY? A. IT WAS A LONG WHLE AGO, BUT I RECOLLECT HIS TELLING ME THAT THERE WAS WHITE MEN THERE, AND THAT THEY DIDN'T KNOW WHAT THEY WERE GOING THERE FOR UNTIL THEY GOT THERE; AND SOME WOULD NOT ACT AND SOME WOULD. Q. WHAT DO YOU KNOW ABOUT THE DISPOSITION OF THE PROPERTY OF THOSE EMIGRANTS? A. THERE WAS NONE ON ETHE MEADOWS WHEN I GOT</p>	<p>MANNER IN WHICH OR BY WHICH THE MEN HAD BEEN DRAWN INTO THAT MASSACRE BEEN DRAWN INTO THAT MASSACRE? IF HE DID WILL YOU STATE ALL ALL HE SAID IN YOUR OWN WAY? IT WAS A LONG WHILE AGO BUT I RECOLLECT HIS TELLING ME THAT THERE WAS WHITE MEN THERE AND THAT THEY DIDN'T KNOW WHAT THEY WAS GOING FOR UNTIL THEY GOT THERE AND SOME WOULD NOT ACT AND SOME WOULD [space] WHAT DO YOU KNOW ABOUT THE DISPOSITION OF THE PROPERTY OF THOSE EMIGRANTS THERE WAS NONE ON THE MEADOWS WHEN I GOT</p>

RT	MU	BT	PS
<p>THERE THAT I SAW. I SAW TWO OR THREE YOUNG MEN DRIVING TWO OR THREE HUNDRED HEAD OF CATTLE, GOING TO THE IRON SPRINGS. AFTERWARDS I SAW THEM ON THE HARMONY RANGE — THAT DROVE OF TEXAS CATTLE. Q. WHOSE RANGE WAS THE HARMONY RANGE ? A. IT BELONGED TO THE HARMONY SETTLEMENT,</p> <p>THE CITIZENS OF HARMONY. Q. DO YOU KNOW OF MR. LEE USING ANY OF THOSE CATTLE</p> <p>OR BUTCHERING OR USING ANY OF THEM ? A. HE HAD CHARGE OF THEM.</p>	<p>THERE, THAT I SAW. I SAW TWO OR THREE YOUNG MEN DRIVING TWO OR THREE HUNDRED HEAD OF CATTLE, GOING TO THE IRON SPRINGS. AFTERWARDS I SAW THEM ON THE HARMONY RANGE—THAT DROVE OF TEXAS CATTLE. WHOSE RANGE WAS THE HARMONY RANGE? IT BELONGED TO THE HARMONY SETTLEMENT—</p> <p>THE CITIZENS OF HARMONY. ^[365] DO YOU KNOW OF MR. LEE USING ANY OF THOSE CATTLE,</p> <p>BUTCHERING OR USING ANY OF THEM? HE HAD CHARGE OF THEM.</p>	<p>HOME, THAT I SAW. I SAW TWO YOUNG MEN DRIVING TWO OR THREE HUNDRED HEARD OF CATTLE, GOING TO THE IRON SPRINGS. AFTERWARDS I SAW THEM ON THE HARMONY RANGE—THAT DROVE OF TEXAN CATTLE? Q. WHOS RANGE WAS THE HARMONY RANGE? A. IT BELONGED TO THE HARMONY SETTLEMENT. Q. WHO USED IT? A. ALL THE CITIZENS OF HARMONY. Q. DO YOU KNOW OF MR. LEE USING ANY OF THOSE CATTLE,</p> <p>BUTCHERING OF THEM OR USING THEM? A. WELL, HE HAD CHARGE OF THEM.</p>	<p>HOME THAT I SAW I MET 2 YOUNG MEN DRIVING 2 OR 3 HUNDRED HEAD OF CATTLE GOING TO THE IRON SPRINGS AFTERWARDS I SAW THEM ON THE HARMONY RANGE THAT DROVE OF TEXAN CATTLE [space] WHOSE RANGE WAS THE HARMONY RANGE BELONGED TO THE HARMONY SETTLEMENT WHO USED IT ALL THE CITIZENS OF HARMONY ^{[[9]]} DO YOU KNOW OF MR. LEE USING ANY OF THOSE CATTLE [space] <BUTCHERING ANY OF THEM AND USING THEM> WELL HE HAD CHARGE OF THEM [space] CALL YOUR ATTENTION BACK NOW THEN TO THE</p>

RT	MU	BT	PS
<p>BISHOP: TO SAVE TIME AND TROUBLE WE WILL ADMIT THE CORPUS DELICTI.</p> <p>OF COURSE IT IS UNDERSTOOD THAT COUNSEL CANNOT ADMIT ANYTHING AGAINST HIS CLIENT IN A CRIMINAL CASE, BUT THERE WILL BE NO QUESTION RAISED ABOUT IT. IT IS AN UNDISPUTED FACT THAT SOMETHING LIKE ONE HUNDRED AND TWENTY PEOPLE WERE KILLED ABOUT THAT TIME AND AT THAT PLACE, AND THAT THE NUMBER OF PEOPLE CHARGED IN THE INDICTMENT WERE KILLED, THERE WILL BE NO QUESTION. THAT THEY WERE KILLED AT THAT PLACE THERE</p>	<p>BISHOP—TO SAVE TIME AND TROUBLE, WE WILL ADMIT THE CORPUS DELICTI.</p> <p>OF COURSE IT IS UNDERSTOOD THAT COUNSEL CANNOT ADMIT ANYTHING AGAINST HIS CLIENT IN A CRIMINAL CASE. BUT THERE WILL BE NO QUESTION RAISED ABOUT IT. IT IS AN UNDISPUTED FACT THAT SOMETHING LIKE ONE HUNDRED AND TWENTY PEOPLE WERE KILLED ABOUT THAT TIME AND AT THAT PLACE. AND THAT THE NUMBER OF PEOPLE CHARGED IN THE INDICTMENT WERE KILLED, THERE WILL BE NO QUESTION. THAT THEY WERE KILLED AT THAT PLACE THERE</p>	<p>BISHOP: WE WILL ADMIT THE CORPUS DELICTI. WE ADMIT THIS FAR. OF COURSE IT IS UNDERSTOOD THAT COUNCIL CANNOT ADMIT ANYTHING AGAINST HIS CLIENT IN A CRIMINAL CASE.; BUT THERE WILL BE NO QUESTION RAISED ABOUT IT. IT IS AN UNDISPUTED FACT THAT SOMETHING LIKE 120</p> <p>PEOPLE WERE KILLED ABOUT THAT TIME, AT THAT PLACE; AND , THAT THE NUMBER OF PEOPLE CHARGED IN THE INDICTMENT, WERE KILLED, THERE WILL BE NO QUESTION. THAT THEY WERE KILLED AT THAT PLZACE , THERE</p>	<p>[<i>space</i>] BISHOP DEFENSE ≤WE'LL≥ ADMIT THE CORPUS DELICTI [<i>space</i>] WE ADMIT THIS AFFAIR OF COURSE IT IS UNDERSTOOD THAT COUNSEL CAN NOT ADMIT ANYTHING</p> <p>IN A CRIMINAL CASE BUT THERE WILL BE NO QUESTION RAISED ABOUT IT [<i>space</i>] IT IS UNDISPUTED FACT THAT SOMETHING LIKE 120</p> <p>PEOPLE WERE KILLED ABOUT THAT TIME AT THAT PLACE AND THAT THE NUMBER OF PEOPLE CHARGED IN THE INDICTMENT WERE KILLED THERE WILL BE NO QUESTION AND THAT THEY WERE KILLED AT THAT PLACE THERE</p>

RT	MU	BT	PS
<p>WILL BE NO QUESTION. WE WILL NEVER ARGUE BEFORE ANY COURT THAT THERE HAS NOT BEEN A KILLING AS CHARGED IN THE INDICTMENT, EXCEPT THAT WE WILL ALWAYS ARGUE THAT ^[120] THIS DEFENDANT DID NOT DO IT. Q. CALLING YOUR ATTENTION BACK TO THAT CONVERSATION I WILL ASK YOU TO TELL THE COURT AND JURY IN YOUR OWN WAY WHAT MR. LEE TOLD YOU IN REGARD TO HIS PERSONAL PARTICIPATION IN THAT KILLING, IF HE TOLD YOU ANYTHING? A. WELL, I BELIEVE I TOLD IT HERE YESTERDAY THAT HE SPOKE OF WHITE MEN BEING ENGAGED IN IT</p>	<p>WILL BE NO QUESTION. WE WILL NEVER ARGUE BEFORE ANY COURT THAT THERE HAS NOT BEEN A KILLING AS CHARGED IN THE INDICTMENT, EXCEPT THAT WE WILL ALWAYS ARGUE THAT THE DEFENDANT DID NOT DO IT. CALLING YOUR ATTENTION BACK TO THAT CONVERSATION, I WILL ASK YOU TO TELL THE COURT AND JURY, IN YOUR OWN WAY, WHAT MR. LEE TOLD YOU IN REGARD TO HIS PERSONAL PARTICIPATION IN THAT KILLING, IF HE TOLD YOU ANYTHING? WELL, I BELIEVE I TOLD IT HERE YESTERDAY— THAT HE SPOKE OF WHITE MEN BEING ENGAGED IN IT,</p>	<p>WILL BE NO QUESTION. WE WILL NOT ARGUE BEFORE ANY COURT THAT THERE HAS NOT BEEN A KILLING AS CHARGED IN THE INDICTMENT, EXCEPT THAT WE WILL ALWAYS CLAIM THAT THE DEFENDANT DID NOT DO IT. ^[94] Q. CALLING YOUR ATTENTION BACK TO THAT CONVERSATION I WILL ASK YOU TO TELL THE COURT AND JURY, IN YOUR OWN WAY, WHAT MR. LEE TOLD YOU IN REGARD TO HIS PERSONAL PARTICIPATION IN THE KILLING IF HE TOLD YOU ANYTHING? A. WELL, I BELIEVE I TOLD IT HERE YESTERDAY — THAT HE SPOKE OF THEIR BEING WHITE MEN BEING ENGAGED IN IT,</p>	<p>WILL BE NO QUESTION [space] WE WILL NOT ARGUE BEFORE ANY COURT THAT THERE HAS NOT BEEN A KILLING AS CHARGED IN THE INDICTMENT EXCEPT WE WILL ALWAYS CLAIM THAT THE DEFENDANT DID NOT DO IT [space] WANT TO CALL YOUR ATTENTION BACK TO THAT CONVERSATION AND ASK YOU TO TELL THE COURT AND JURY IN YOUR OWN WAY WHAT MR. LEE TOLD YOU IN REGARD TO HIS PERSONAL PARTICIPATION IN THAT KILLING IF HE TOLD YOU ANYTHING? WELL I BELIEVE I TOLD IT HERE YESTERDAY THAT HE SPOKE OF THERE BEING WHITE MEN ENGAGED IN IT</p>

RT	MU	BT	PS
<p>AND THAT HE MADE AN ATTACK AT DAY-LIGHT; THAT HE COULD NOT KEEP THE INDIANS BACK, THEY WERE</p> <p>SO MAD BECAUSE ONE OF THEIR MEN GOT KILLED AND ANOTHER WOUNDED. THAT HE LED THE ATTACK AND GOT A BULLET THROUGH HIS HAT AND ANOTHER THROUGH HIS SHIRT. THE TALK WAS SOMETHING LIKE THIS. THEY WENT OUT THERE TO WATCH THE EMIGRANTS AND SEE THAT THEY SHOULD NOT GET THEIR OUTFIT FROM THE OUTLYING SETTLEMENTS;</p>	<p>AND THAT HE MADE AN ATTACK AT DAYLIGHT; THAT HE COULD NOT KEEP THE INDIANS BACK. THEY WERE</p> <p>SO MAD BECAUSE ONE OF THEIR MEN GOT KILLED, AND ANOTHER WOUNDED, THAT HE LED THE ATTACK AND GOT A BULLET THROUGH HIS HAT AND ANOTHER THROUGH HIS SHIRT. THE TALK WAS SOMETHING LIKE THIS: THEY WENT OUT THERE TO WATCH THE EMIGRANTS AND SEE THAT THEY SHOULD NOT GET THEIR OUTFIT FROM THE OUTLYING SETTLEMENTS;</p>	<p>AND THAT HE MADE AN ATTACK AT DAYLIGHT; THAT HE COULD NOT KEEP THE INDIANS BACK. THEY ROUSED TO SUCH A PITCH — SO MAD BECAUSE ONE OF THEIR MEN HAD GOT KILLED, AND ANOTHER WOUNDED, THAT HE LED THE ATTACKHK AND GOT A BULLETT THROUGH HIS HAT AND ANOTHER THROUGH HIS SHIRT. . THE ATTACK WAS SOMETHING LIKE THIS: THAT WHEN HE WENT OUT TO WATCH THE EMIGRANTS THAT THEY SHOULD NOT GET THEIR OUTFIT FROM OUTLYING SETTLEMENTS;</p>	<p>AND THAT <i>HE/THEY[?]</i>⁶⁸⁴ MADE AN ATTACK AT DAYLIGHT THAT HE COULD NOT KEEP THE INDIANS BACK <i>[space]</i> THEY RAISED SUCH PITCH SO MAD AT HIM BECAUSE ONE OF THE MEN GOT KILLED AND ANOTHER WOUNDED THAT HE LED THE ATTACK ON PARTY AND GOT A BULLET THROUGH HIS HAT AND ANOTHER THROUGH HIS SHIRT ~ <i>[space]</i> THE ATTACK WAS SOMETHING LIKE THIS THAT WHEN HE WENT OUT TO WATCH THE EMIGRANTS THAT THEY SHOULD NOT GET AN OUTFIT FROM OUTLYING SETTLEMENTS</p>

684. The symbol is a small dash that could mean either “HE” or “THEY”.

RT	MU	BT	PS
<p>THAT THE INDIANS MADE THE ATTACK AT DAY-LIGHT AND ONE OF THEM GOT KILLED AND ANOTHER WOUNDED,AND THAT RAISED THEIR TEMPER TO SUCH A PITCH THAT THEY WENT FOR HIM AND COMPELLED HIM TO LEAD THE ATTACK, WHICH HE DID ONCE OR TWICE — ONCE ANYWAY — AND GOT THE BULLET THROUGH HIS HAT AND ONE THROUGH HIS SHIRT. THE EMIGRANTS WERE SO STRONGLY</p> <p>ENTRENCHED THEY COULD DO NOTHING WITH THEM. AND AFTERWARDS THEY WERE UNDER THE NECESSITY OF DECOYING THEM OUT WITH A FLAG OF</p>	<p>THAT THE INDIANS MADE THE ATTACK AT DAYLIGHT, AND ONE OF THEM GOT KILLED AND ANOTHER WOUNDED, AND THAT RAISED THEIR TEMPER TO SUCH A PITCH THAT THEY WENT FOR HIM AND COMPELLED HIM TO LEAD THE ATTACK, WHICH HE DID ONCE OR TWICE —ONCE ANYWAY—AND GOT THE BULLET THROUGH HIS HAT AND ONE THROUGH HIS SHIRT. THE EMIGRANTS WERE SO STRONGLY</p> <p>ENTRENCHED THEY COULD DO NOTHING WITH THEM. AND AFTERWARDS THEY WERE UNDER THE NECESSITY OF DECOYING THEM OUT WITH A FLAG OF</p>	<p>. THAT THE INDIANS MADE AN ATTACK AT DAYLIGHT,</p> <p>AND THAT RAISED THEIR TEMPER TO SUCH A PITCH THAT THEY WENT FOR HIM AND COMPELLED HIM TO LEAD THE ATTACK, WHICH HE DID ONCE OR TWICE — ONCE ANYWAY— AND GOT A BULLET THROUGH HIS HAT AND ONE THROUGH HIS SHIRT. TAHAT THE EMIGRANTS WERE SO STRONGLY TRENCHED ENTRENCHED THEY COULD NOT FDO ANYTHING WITH THEM. AND AFTERWARDS THEY WAS UNDER THE NECESSITY OF DECOYING THEM OUT WITH A FLAG OF</p>	<p>THAT THE INDIANS MADE AN ATTACK AT DAYLIGHT [space] —</p> <p>RAISED THEIR TEMPER TO SUCH A PITCH THAT THEY WENT FOR HIM AND COMPELLED HIM TO LEAD THE ATTACK ^{[[10]]} WHICH HE DID ONCE OR TWICE ONCE ANYWAY GOT A BULLET THROUGH HIS HAT AND ONE THROUGH HIS SHIRT</p> <p>WAS SO SEVERELY</p> <p>ENTRENCHED THEY COULD NOT DO ANYTHING WITH THEM AND AFTERWARDS THEY WAS UNDER NECESSITY OF DECOYING THEM OUT WITH FLAG OF</p>

RT	MU	BT	PS
<p>TRUCE; AND THEY CAME ALONG IN THE MEADOWS TO WHERE THE INDIANS WERE LYING IN AMBUSH AND THEY ROSE UP AND MASSACRED THEM. THE EMIGRANTS WERE UNARMED. Q. TELL WHAT ELSE HE TOLD YOU ? A. WELL HE SPOKE OF MANY LITTLE INCIDENTS. Q. MENTION ANY OF THOSE INCIDENTS ?</p> <p>A. THERE WERE TWO YOUNG LADIES BROUGHT OUT. ^[121] Q. WHO BY ? A. BY AN INDIAN</p>	<p>TRUCE. AND THEY CAME ALONG IN THE MEADOWS TO WHERE THE INDIANS WERE LYING IN AMBUSH, AND THEY ROSE UP AND MASSACRED THEM. THE EMIGRANTS WERE UNARMED. TELL WHAT ELSE HE TOLD YOU? WELL, HE SPOKE OF MANY LITTLE INCIDENTS. MENTION ANY OF THOSE INCIDENTS?</p> <p>THERE WERE TWO YOUNG LADIES BROUGHT OUT. WHOM BY? BY AN INDIAN</p>	<p>TRUCE.. AND THEY CAME ALONG THE MEADOWN TO WHERE THE INDIANS WAS LYING IN AMBUSH AND THEY ROSE UP AND MASSACRED THEM. THE EMIGRANTS WAS UNARMED. Q. TELL WHQT ELSE HE TOLD YOU? A. WELL, HE SPOKE OF MANY LITTLE INCIDENTS. Q. MENTION ANY OF THOSE INCIDENTS?</p> <p>A. THERE WAS TWO YOUNG LADIES BROUGHT OURT. Q. BY WHOM? A. BY AN INDIAN</p>	<p>TRUCE CAME ALONG IN THE MEADOWS TO WHERE THE INDIANS WAS LYING IN AMBUSH AND THEY ROSE UP AND MASSACRED THEM THE EMIGRANTS WAS UNARMED. [space] TELL WHAT ELSE LEE⁶⁸⁵ TOLD YOU WELL HE SPOKE OF MANY LITTLE INCIDENTS</p> <p>WAS THERE ANY UNDERSTANDIN G WITH THE CHARACTERS? AS TO RULES OF ALL[?] ONLY THEY WAS ALL[?] [space] THERE WAS TWO YOUNG LADIES BROUGHT OUT [space] WHO BY BY AN INDIAN</p>

685. The original shorthand reads “LS”, the symbol for “ELSE”; however, the “S” is crossed out, rendering the symbol “L” for “LEE”.

RT	MU	BT	PS
<p>CHIEF AT CEDAR CITY AND HE ASKED HIM WHAT HE SHOULD DO WITH THEM, AND THE INDIAN KILLED ONE AND HE KILLED THE OTHER.</p> <p>Q. TELL THE STORY AS HE TOLD YOU ?</p> <p>A. THAT IS ABOUT IT. Q. WHERE WERE THOSE YOUNG GIRLS BROUGHT FROM DID HE SAY ?</p> <p>A. FROM A THICKET OF OAK-BRUSH WHERE THEY WERE CONCEALED, IT WAS AN INDIAN CHIEF FROM CEDAR CITY.</p> <p>Q. TELL JUST WHAT HE SAID ABOUT THAT ?</p> <p>A. THE INDIAN KILLED</p>	<p>CHIEF AT CEDAR CITY, AND HE ASKED ^[366] HIM WHAT HE SHOULD DO WITH THEM, AND THE INDIAN KILLED ONE AND HE KILLED THE OTHER.</p> <p>TELL THE STORY AS HE TOLD YOU.</p> <p>THAT IS ABOUT IT. WHERE WERE THOSE YOUNG GIRLS BROUGHT FROM—DID HE SAY?</p> <p>FROM A THICKET OF OAK BRUSH, WHERE THEY WERE CONCEALED. IT WAS AN INDIAN CHIEF FROM CEDAR CITY.</p> <p>TELL JUST WHAT HE SAID ABOUT THAT.</p> <p>THE INDIAN KILLED</p>	<p>CHIEF ZAT CEDAT CITY, AND HE ASKED HIM WHAT HE SHOULD DO WITH HIM THEM, AND THE INDIAN KILLED ONE AND HE KILLED THE OTHER.</p> <p>Q. TELL THE STORY AS HE TOLD YOU? ^[95]</p> <p>A. THAT IS ABOUT IT . Q. WHERE WERE THO SE YOUNG WOMEN BROUGHT FROM, DUID HE SAY?</p> <p>A. FROM A THICKET OF OAK BROSH, WHERE THEY WERE CONCEALED. IT WAS AN INDIAN CHIEF OF CEDAR CITY:- BROUGHT THEM OUT. Q. TELL JUST WHAT HE SAID ABOUT THAT?</p> <p>A. THE INDIAN SHOT</p>	<p>CHIEF AT CEDAR CITY AND ASKED HIM WHAT HE SHOULD DO WITH THEM AND THE INDIAN KILLED ONE AND HE KILLED THE OTHER <i>[space]</i></p> <p>TELL THE STORY AS HE TOLD YOU <i>[space]</i> THAT IS ABOUT IT <i>[space]</i></p> <p>WHERE WERE THOSE YOUNG WOMEN BROUGHT WAS IF FROM DID HE SAY <i>[space]</i></p> <p>FROM A THICKET OF OAK BRUSH <i>WHERE</i>[?] THEY WERE CONCEALED IT WAS AN INDIAN CHIEF OF CEDAR CITY <i>[space]</i></p> <p>TELL JUST WHAT HE SAID ABOUT THAT SAY ABOUT HOW YOUNG[?] THEY WAS HOW THEY WERE KILLED WHAT THEY DID AND SAID <i>[space]</i> INDIAN SHOT</p>

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<p>ONE AND HE CUT THE OTHER ONES THROAT IS WHAT HE SAID. Q. WHO CUT THE OTHERS THROAT ? A. MR. LEE. Q. TELL ME WHAT MR. LEE SAID, STATE THE CIRCUMSTANCE S OF THAT KILLING, WHAT CONVERSATION PASSED BETWEEN THAT INDIAN CHIEF AND LEE AND THE CONVERSATION BETWEEN THE WOMAN AND HIMSELF ? A. I DON'T KNOW THAT I COULD. Q. TELL ALL YOU CAN REMEMBER ABOUT IT — YOU SAY THE CHIEF BROUGHT IN THE GIRLS ? A. I THINK SIR, I HAVE TOLD IT ABOUT ALL. Q.</p> <p>GO OVER IT AGAIN — TELL US THE</p>	<p>ONE AND HE CUT THE OTHER ONE'S THROAT, IS WHAT HE SAID. WHO CUT THE OTHER'S THROAT? MR. LEE. TELL ME WHAT MR. LEE SAID; STATE THE CIRCUMSTANCE S OF THAT KILLING, WHAT CONVERSATION PASSED BETWEEN THAT INDIAN CHIEF AND LEE, AND THE CONVERSATION BETWEEN THE WOMAN AND HIMSELF? I DON'T KNOW THAT I COULD. TELL AL L YOU CAN REMEMBER ABOUT IT; YOU SAY THE CHIEF BROUGHT HIM THE GIRLS. I THINK I HAVE TOLD IT ABOUT ALL.</p> <p>GO OVER IT AGAIN; TELL US ALL THE</p>	<p>ONE AND HE CUT THE OTHERS THROUAT, IS WHAT HE SAID. Q. WHO CUT THE OTHERS THROAT? A. LEE A. MR. LEE. Q. TELL ME WHAT MR. LEE SAID;X THE CIRCUMSTANCE S OF THAT KILLING WERE —THE CONVERSATION THAT PASSED BETWEEN THE INDIAN CHIEF AND LEE, AND THE CONVERSATION BETWEEN THE WOMAN AND HIMSELF. A. I DON'T KNOW THAT I COULD. Q. TELL ALL YOU HEARD AND REMEMBER ABOUT IT. YOU SAY THE CHIEF BROUGHT HIM THE GIRLS? A. I THINK I HAVE TOLD IT ABOUT ZALL. Q.</p> <p>GO OVER IT AGAIN; TELL US ALLL THE</p>	<p>ONE AND HE CUT THE OTHERS THROAT IS WHAT HE SAID [space] WHO CUT THE OTHERS THROAT [space] MR. LEE [space] TELL ME WHAT MR LEE SAID THE CIRCUMSTANCE S OF THAT KILLING WERE WHAT CONVERSATION PASSED BETWEEN THE INDIAN CHIEF AND HIM [space] AND BETWEEN THE WOMEN AND HIMSELF ^{[[11]]} I DON'T KNOW THAT I COULD [space] TELL ALL HEARD AND REMEMBER OF IT YOU SAY THE CHIEF BROUGHT HIM THE GIRLS I THINK I HAVE TOLD IT ABOUT ALL [space] GO OVER IT AGAIN TELL US ALL THE</p>

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<p>DETAILS OF THE CONVERSATION OF THE KILLING ? A. WELL HE SAID THEY WERE ALL KILLED;—ALL AS HE SUPPOSED. THAT THE CHIEF AT CEDAR CITY THEN BROUGHT OUT THE YOUNG LADIES. ^[122] Q. WHAT DID HE SAY THE CHIEF SAID TO HIM ? A. ASKED WHAT HE SHOULD DO WITH THEM. Q. WHAT ELSE DID THE CHIEF SAY ? A. HE SAID THEY DIDN'T OUGHT TO BE KILLED. Q. DID THE CHIEF SAY TO LEE WHY THEY SHOULD NOT BE KILLED ? A. WELL HE SAID THEY WERE PRETTY AND HE WANTED TO SAVE THEM. Q. WHAT DID HE TELL YOU THAT HE SAID TO THE</p>	<p>DETAILS OF THE CONVERSATION OF THE KILLING. WELL, HE SAID THEY WERE ALL KILLED—ALL, AS HE SUPPOSED; THAT THE CHIEF OF CEDAR CITY THEN BROUGHT OUT THE YOUNG LADIES. WHAT DID HE SAY THE CHIEF SAID TO HIM? ASKED WHAT HE SHOULD DO WITH THEM. WHAT ELSE DID THE CHIEF SAY? A. HE SAID THEY DIDN'T OUGHT TO BE KILLED. DID THE CHIEF SAY TO LEE WHY THEY SHOULD NOT BE KILLED? WELL, HE SAID THEY WERE PRETTY AND HE WANTED TO SAVE THEM. WHAT DID HE TELL YOU THAT HE SAID TO THE</p>	<p>DETAILS OF THE KILLING? A. WELL, HE SAID THEY WERE ALL KILLED—ALL AS HE SUPPOSED. THAT THE CHIEF OF CEDAR CITY BROUGHT OUT TWO YOUNG LADIES. Q. WHAT DID HE SAY THE CHIEF SAID TO HIM? A. ASKED WHAT HE SHOULD DO WITH THEM. Q. WHAT ELSE DID THE CHIEF SAY? A. THE CHIEF SAID THEY DIDN'T OUGHT TO BE KILLED. Q. WHY DID THE CHIEF SAY TO LEE THAT THEY SHOULD NOT BE KILLED? A. WELL, HE SAID THEY WAS PRETTY AND HE WANTED TO SAVE THEM. Q. WHAT DID LEE TELL YOU THAT HE REPLIED TO THE</p>	<p>DETAILS OF THE CONVERSATION OF THE KILLING? WELL HE SAID AFTER THEY WAS ALL KILLED ALL AS HE SUPPOSED THAT THE CHIEF OF CEDAR CITY BROUGHT OUT TWO YOUNG LADIES <i>[space]</i> WHAT DID HE SAY THE CHIEF SAID TO HIM <i>[space]</i> ASKED WHAT HE SHOULD DO WITH THEM <i>[space]</i> WHAT ELSE DID THE CHIEF SAY CHIEF THOUGHT THEY DIDN'T OUGHT TO BE KILLED <i>[space]</i> WHY DID THE CHIEF SAY TO LEE THAT THEY SHOULD NOT BE KILLED WELL HE SAID THEY WAS PRETTY AND HE WANTED TO SAVE THEM <i>[space]</i> WHAT DID LEE TELL YOU THAT HE REPLIED TO THE</p>

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CHIEF ? A. ACCORDING TO THE ORDERS THAT HE HAD THAT THEY WERE TOO OLD AND TOO BIG TO LET LIVE. Q. THEN WHAT DID HE SAY TOOK PLACE — WHAT DID HE SAY HE TOLD THE CHIEF TO DO ? A. THE CHIEF SHOT ONE OF THEM. Q. DID HE SAY HE TOLD THE CHIEF TO SHOOT HER ? A. HE SAID HE TOLD HIM TO. Q. WHAT DID HE SAY THE GIRL DID WHEN HE TOLD THE CHIEF TO SHOOT HER ? A. I DON'T KNOW. Q. DID SHE COVER HER FACE ? A. NO, HE DIDN'T SAY SHE COVERED HER FACE. Q. DID HE SAY SHE PULLED HER BONNET DOWN OVER HER FACE ? A. HE DIDN'T TELL ME SO. Q. WHO DID HE SAY WERE	CHIEF? ACCORDING TO THE ORDERS THAT HE HAD THAT THEY WERE TOO OLD AND TOO BIG TO LET LIVE. THEN WHAT DID HE SAY TOOK PLACE—WHAT DID HE SAY HE TOLD THE CHIEF TO DO? THE CHIEF SHOT ONE OF THEM. DID HE SAY HE TOLD THE CHIEF TO SHOOT HER? HE SAID HE TOLD HIM TO. WHAT DID HE SAY THE GIRL DID WHEN HE TOLD THE CHIEF TO SHOOT HER? I DON'T KNOW. DID SHE COVER HER FACE? NO; HE DIDN'T SAY SHE COVERED HER FACE. DID HE SAY SHE PULLED HER BONNET DOWN OVER HER FACE? HE DIDN'T TELL ME SO. WHO DID HE SAY WERE	CHIEF? A. ACCORDING TO THE ORDERS THAT HE HAD THAT THEY WAS TOO BIG AND TOO OLD TO LET LIVE. Q. THEN WHAT DID HE SAY TOOK PLACE, WHAT DID HE SAY HE TOLD THE ^[96] CHIEF TO DO? A. THE CHIEF SHOT ONE OF THEM. Q. DID HE SAY HE TOLD HIM TO SHOOT HER? A. HE SAID HE TOLD HIM TO. Q. WHAT DID HE SAY THE GIRL DID WHEN HE TOLD THE CHIEF TO SHOOT HER? A. I DON'T KNOW? Q. DID SHE COVER HER FACE? A. NO, HE DIDN'T SAY SHE COVERED HER FACE. Q. DID HE SAY SHE PULLED HER BONNET OVER HER FACE? A. HE DIDN'T TELL ME SO. Q. WHO DID HE SAY WAS	CHIEF ACCORDING TO THE ORDERS THAT HE HAD THAT THEY WAS TOO BIG AND OLD TO LET LIVE [space] THEN WHAT DID HE SAY TOOK PLACE WHAT DID HE SAY HE TOLD THE CHIEF TO DO [space] THE CHIEF SHOT ONE OF THEM [space] DID HE SAY HE TOLD HIM TO SHOOT HER [space] SAID HE TOLD HIM TO [space] WHAT DID HE SAY THE GIRL THAT DID WHEN HE TOLD THE CHIEF TO SHOOT HER? I DON'T KNOW DID SHE COVER HER FACE [space] NO HE DIDN'T SAY SHE COVERED HER FACE DID HE SAY SHE PULLED HER BONNET DOWN OVER S[?] FACE LEE DIDN'T TELL ME SO ^{[[12]]} WHO DID HE SAY WAS

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<p>BYE WHEN THAT SHOOTING TOOK PLACE ? A. INDIANS STANDING AROUND, A GOOD MANY. Q. AFTER THE CHIEF SHOT THAT ONE DID HE TELL YOU WHAT THE OTHER ONE SAID OR DID TO HIM, LEE ? A. I DON'T THINK MR. LEE DID TELL ME. ^[123] Q. DID HE TELL YOU HIMSELF HE KILLED THE OTHER ONE ?</p> <p>A. I TOLD YOU THAT HE SAID IT WAS A CEDAR CITY CHIEF THAT KILLED ONE. Q. WHO KILLED THE OTHER ? A. HE DID, HE SAID. Q. HOW ? A. HE THREW HER DOWN AND CUT HER THROAT. Q. DID HE TELL YOU WHAT SHE SAID TO HIM ?</p>	<p>BY WHEN THAT SHOOTING TOOK PLACE? INDIANS STANDING ROUND—A GOOD MANY. AFTER THE CHIEF SHOT THAT ONE DID HE TELL YOU WHAT THE OTHER ONE SAID OR DID TO HIM, LEE? I DON'T THINK MR. LEE DID TELL ME. ^[367] DID HE TELL YOU HIMSELF WHO KILLED THE OTHER ONE?</p> <p>I TOLD YOU THAT HE SAID IT WAS A CEDAR CITY CHIEF THAT KILLED ONE. WHO KILLED THE OTHER? HE DID IT, HE SAID. HOW? HE THREW HER DOWN AND CUT HER THROAT. DID HE TELL YOU WHAT SHE SAID TO HIM?</p>	<p>BY WHEN THAT SHOOTING TOOK PLACE? A. THE INDIANS STANDING AROUND — A GOOD MANY.. Q. AFTER THE CHIEF SHOT THAT ONE DID HE TELL YOU WHAT THE OTHER ONE SAID OR DID TO HIM, LEE? A. I DON'T THINK MR. LEE DID TELL ME. Q. DID HE TELL YOU HIMSELF WHO DID KILL THE OTHER ONE, THE OTHER YOUNG WOMAN? A. I TOLD YOU THAT HE SAID IT SWAS A CEDAR CITY CHIEF THAT KILLED ONE. Q. WHO KILLED THE OTHER? A. HE DONE IT, HE SAID. Q. HOW? A. HE THREW HER DOWN AND CUT HER THROAT. Q. DID HE TELL YOU WHAT SHE SAID TO HIM?</p>	<p>BY WHEN THAT SHOOTING TOOK PLACE [space] INDIANS STANDING AROUND GOOD MANY. [space] AFTER THE CHIEF SHOT THAT ONE DID HE TELL YOU WHAT THE OTHER ONE SAID OR DID TO HIM LEE I DON'T THINK MR. LEE DID TELL ME [space] DID HE TELL YOU HIMSELF WHO KILLED THE OTHER ONE THE OTHER YOUNG WOMAN I UNDERSTOOD HIM IT WAS A CEDAR CITY CHIEF KILLED ONE [space] WHO KILLED THE OTHER HE DONE IT HE SAID [space] HOW [space] HE THREW HER DOWN AND CUT HER THROAT [space] DID HE TELL YOU WHAT SHE SAID TO HIM</p>

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<p>A. NO. Q. WHO DID TELL YOU THAT ? A. THE INDIANS TOLD ME A GOOD MANY THINGS. Q. DIDN'T MR. LEE TELL YOU THAT SHE TOLD HIM TO SPARE HER LIFE AND SHE WOULD LOVE HIM AS LONG AS SHE LIVED ? A. LEE DIDN'T TELL ME THAT. Q. DID YOU ASCERTAIN IN THAT CONVERSATION, OR SUBSEQUENTLY, WHERE IT WAS THAT THEY WERE KILLED ? A. WHEN I GOT HOME I ASKED MY INDIAN BOY AND HE WENT OUT TO WHERE THIS TOOK PLACE AND HE SAW TWO YOUNG LADIES LYING THERE WITH THEIR THROATS CUT. Q. HOW OLD WAS HE ? A. SIXTEEN OR</p>	<p>NO. WHO DID TELL YOU THAT? THE INDIANS TOLD ME A GOOD MANY THINGS. DIDN'T MR. LEE TELL YOU THAT SHE TOLD HIM TO SPARE HER LIFE, AND SHE WOULD LOVE HIM AS LONG AS SHE LIVED? LEE DIDN'T TELL ME THAT. DID YOU ASCERTAIN IN THAT CONVERSATION, OR SUBSEQUENTLY, WHERE IT WAS THAT THEY WERE KILLED? WHEN I GOT HOME I ASKED MY INDIAN BOY, AND HE WENT OUT TO WHERE THIS TOOK PLACE, AND HE SAW TWO YOUNG LADIES LYING THERE WITH THEIR THROATS CUT. HOW OLD WAS HE? SIXTEEN OR</p>	<p>A. NO. Q. WHO DID TELL YOU THAT? A. THE INDIANS TOLD ME A GOOD MANY THINGS. Q. DIDN'T MR. LEE TELL YOU THAT SHE TOLD HIM TO SPARE HER LIFE, & THAT SHE WOULD SERVE HIM AS LONG AS SHE LIVED? ^[97] A. MR. LEE DIDN'T TELL ME THAT. Q. DID YOU ASCERTAIN IN THAT CONVER SATION, OR SUBSEQUENTLY, WHERE IT WAS THAT THEY WERE KILLED? A. WHEN I GOT HOME I ASKED MY INDIAN BOY, AND HE WE WENT OUT TO WHERE THIS TOOK PLACE AND HE WE SAW TWO YOUNG LZADIES LYING THERE WITH THEIR THROATS CUT. Q. HOW OLD WAS HE? A. 16 OR</p>	<p>[space] NO [space] WHO DID TELL YOU THAT? THE INDIANS TOLD ME GOOD MANY THINGS [space] DIDN'T MR LEE TELL YOU THAT SHE TOLD HIM TO SPARE HER LIFE THAT SHE WOULD SERVE HIM AS LONG AS SHE LIVED [space] MR. LEE DIDN'T TELL ME THAT. [space] DID YOU ASCERTAIN IN THAT CONVERSATION OR SUBSEQUENTLY WHERE IT WAS THAT THEY WERE KILLED WHEN I GOT HOME I ASKED AN INDIAN BOY ~ AND HE WENT OUT TO WHERE THIS TOOK PLACE AND THERE WAS TWO YOUNG LADIES LYING THERE WITH THEIR THROATS CUT. [space] HOW OLD WAS HE 16 OR</p>

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<p>SEVENTEEN. Q. WHAT WAS THE CONDITION OF THOSE BODIES ? A. THEY WERE RATHER IN A PUTRID STATE —THEIR THROATS WERE CUT; I DIDN'T LOOK FURTHER THAN THAT. Q. WHAT WERE THEIR AGES ? A. LOOKED ABOUT FOURTEEN OR FIFTEEN ^[124] Q. AT WHAT POINT WERE THEIR BODIES FROM THE OTHERS ? . A. SOUTHEAST DIRECTION TOWARDS SOME THICKETS OF OAK. Q. HOW FAR OFF ? A. ABOUT FIFTY YARDS. Q. WERE THOSE BODIES UP A LITTLE RAVINE A LITTLE WAYS ? A. YES, ON A RISE OF GROUND. Q. WHAT WERE THEIR AGES, ABOUT ?</p>	<p>SEVENTEEN. WHAT WAS THE CONDITION OF THOSE BODIES? THEY WERE RATHER IN A PUTRID STATE; THEIR THROATS WERE CUT; I DIDN'T LOOK FURTHER THAN THAT. WHAT WERE THEIR AGES? LOOKED ABOUT FOURTEEN OR FIFTEEN. AT WHAT POINT WERE THEIR BODIES FROM THE OTHERS? SOUTH-EAST DIRECTION, TOWARDS SOME THICKETS OF OAK. HOW FAR OFF? ABOUT FIFTY YARDS. WERE THOSE BODIES UP A LITTLE RAVINE, A LITTLE WAY? YES, ON A RISE OF GROUND. Q. WHAT WERE THEIR AGES, ABOUT?</p>	<p>18. Q. WHAT WAS THE CONDITION OF THOSE BODIES? A. THEY WAS RATHER IN A PUTRID STATE. THEIR THROATS WERE CUT; I DIDN'T LOOK FUTRHER THAN THAT. Q. ABOFUT WHAT WAS THEIR AGES? A. I LOOKED ABOUT 14 OR 15. Q. AT WHAT POINT WERE THEIR BODIES FROM THE OTHERS? A. IN A SOUTH EAST DIRECTION, TOWARDS SOME THICKETS OF OAK. Q. HOW FAR OFF? A. ABOUT 50 YARDS. Q. WERE THOSE BODIES UP A LITTLE RAVINE A LITTLE WAY? A. YES, ON A RAISE OF GROUND. Q. WHAT WERE THEIR AGES ABOUT ? A. 13</p>	<p>18 [space] WHAT WAS THE CONDITION OF THOSE BODIES THEY WAS RATHER IN A PUTRID STATE [space] THEIR THROATS WAS CUT I DIDN'T LOOK FURTHER THAN THAT. [space] ^[13] ABOUT WHAT WAS THEIR AGES LOOKED TO BE 14 OR 15 [space] STATE WHAT POINT WERE THE BODIES FROM THE OTHERS A SOUTH EAST DIRECTION TOWARDS SOME THICKETS OF OAK [space] HOW FAR OFF 50 YARDS [space] WERE THOSE BODIES UP A LITTLE RAVINE A LITTLE WAYS YES ON A RISE OF GROUND WHAT WERE THEIR AGES ABOUT? I</p>

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<p>A. THIRTEEN TO FIFTEEN I WOULD SUPPOSE. Q. DID YOU LEARN FROM THE CHILDREN OR FROM ANY OTHER SOURCE THEIR NAMES ? A. WELL I SUPPOSE I DID. Q. WHAT NAME ? A. THERE WAS A LITTLE GIRL AT MY HOUSE I FOUND WITH MY FAMILY THAT WAS IN THAT COMPANY; SHE SAID THEIR NAMES WERE DUNLAP. SHE CLAIMED TO BE THEIR SISTER. Q. HOW OLD WAS SHE ? A. EIGHT YEARS OLD SHE SAID. Q. DID YOU GO UP THERE AND FIND THOSE BODIES YOURSELF WITH THE ASSISTANCE OF THE INDIAN BOY ? A. I WALKED OVER THE GROUND,</p>	<p>THIRTEEN TO FIFTEEN, I WOULD SUPPOSE. DID YOU LEARN FROM THE CHILDREN, OR FROM ANY OTHER SOURCE, THEIR NAMES? WELL, I SUPPOSE I DID. WHAT NAME? THERE WAS A LITTLE GIRL AT MY HOUSE, I FOUND WITH MY FAMILY THAT WAS IN THAT COMPANY; SHE SAID THEIR NAMES WERE DUNLAP; SHE CLAIMED TO BE THEIR SISTER. HOW OLD WAS SHE? EIGHT YEARS OLD, SHE SAID. DID YOU GO UP THERE AND FIND THOSE BODIES YOURSELF, WITH THE ASSISTANCE OF THE INDIAN BOY? I WALKED OVER THE GROUND,</p>	<p>TO 15, I SHOULD JUDGE A. 13 TO 15, I SHOULD SUPPOSE. Q. DID YOU LEARN FROM THE CHILDREN OR FROM ANY OTHER SOURCE, THEIR NAMES? A. WELL, I SUPPOSE I DID. Q. WHAT NAME. A. THERE WAS A LITTLE GIRL AT MY HOUSE, I FOUND WITH MY FAMILY THAT WAS IN THAT CAMP COMPANY; SHE SAID THEIR NAMES WAS DUNLAP, SHE CLAIMED TO BE THEIR SISTER. Q. HOW OLD WAS SHE? ^[98] A. 8 YEARS OLD, SHE SAID. Q. DID YOU GO UP THERE AND FIND THOSE BODIES YOURSELF WITH THE ASSISTANEC E OF THE INDIAN BOY? A. I WALKED OVER THE GROUND</p>	<p>WOULD SUPPOSE FROM 13 TO 15 [space] DID YOU LEARN FROM ONE OF THE CHILDREN OR FROM ANY OTHER SOURCE THEIR NAMES? WELL I SUPPOSE I DID [space] WHAT NAME THERE WAS A LITTLE GIRL AT MY HOUSE I FOUND WITH MY FAMILY THAT WAS IN THAT COMPANY SAID THEIR NAMES WAS DUNLAP SHE CLAIMED TO BE THEIR SISTER [space] HOW OLD WAS SHE 8 YEARS OLD SHE SAID. [space] DID YOU GO UP THERE AND FIND THOSE BODIES YOURSELF WITH THE ASSISTANCE OF THE INDIAN BOY I WALKED OVER THE GROUND</p>

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<p>LOOKED AT IT ALL</p> <p>PRETTY MUCH AND SAW THESE TWO BODIES. Q. HE TOLD YOU WHERE THOSE TWO BODIES WERE TO BE FOUND DID HE ? A. YES SIR, THE OTHERS HAD BEEN BURIED SLIGHTLY, BUT THOSE TWO HADN'T BEEN. THERE WAS QUITE A NUMBER SCATTERING AROUND THERE. [125] Q. WHAT BECAME OF THE CHILDREN OF THOSE EMIGRANTS— HOW MANY CHILDREN WERE BROUGHT THERE ? A. TWO TO MY HOUSE AND SEVERAL IN CEDAR CITY; I WAS ACTING SUB- AGENT FOR FORNEY. I GATHERED THE CHILDREN UP FOR HIM,</p>	<p>LOOKED AT IT ALL</p> <p>PRETTY MUCH AND SAW THESE TWO BODIES. HE TOLD YOU WHERE THOSE TWO BODIES WERE TO BE FOUND, DID HE? YES, SIR. THE OTHERS HAD BEEN BURIED SLIGHTLY, BUT THOSE TWO HADN'T BEEN; THERE WAS QUITE A NUMBER SCATTERING AROUND THERE. WHAT BECAME OF THE CHILDREN OF THOSE EMIGRANTS? HOW MANY CHILDREN WERE BROUGHT THERE? TWO TO MY HOUSE, AND SEVERAL N CEDAR CITY. I WAS ACTING SUB- AGENT FOR FORNEY. I GATHERED [368] THE CHILDREN UP FOR HIM;</p>	<p>AND LOOKED AT ALL OF THE GROUND PRETTY MUCH AND I SAW THOSE BOYS TWO BOYS. GIRLS Q. HE TOLD YOU WHERE THOSE TWO BODIES WOULD BE FOUND DID HE? A. YES, SIR, THE OTHERS HAS BEEN BURIED SLIGHTLY, BUT THOSE TWO HAD NOT BEEN. THERE WAS QUITE A NUMBER SCATTERED AROUND THERE. Q. WHAT BECAME OF THE CHILDREN OF THOSE EMIGRANTS? HOW MANY CHILDREN WERE BROUGHT THERE? A. TWO TO MY HOUSE, AND SEVERAL IN CEDAR CITY. I WAS ACTING AS SUB- AGENT Ø FOR FORNEY. I GATHERED THE CHILDREN UP FOR HIM;</p>	<p>AND LOOKED AT ALL OF THE GROUND PRETTY MUCH AND I SAW THOSE TWO BODIES. [space] HE TOLD YOU ABOUT WHERE THOSE BODIES WOULD BE FOUND DID HE YES SIR THE OTHERS HAS BEEN BURIED SLIGHTLY BUT THOSE TWO HAD NOT BEEN ~[?] THERE WAS QUITE A NUMBER SCATTERED AROUND THERE. [space] WHAT BECAME OF THE CHILDREN OF THOSE EMIGRANTS HOW MANY CHILDREN WERE BROUGHT THERE TWO TO MY HOUSE AND SEVERAL IN CEDAR CITY AND I WAS ACTING SUB- AGENT FOR FORNEY I GATHERED THE CHILDREN UP TO HIM</p>

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<p>SEVENTEEN IN NUMBER, ALL I COULD LEARN OF.</p> <p>Q. WHOM DID YOU DELIVER THEM TO ? A. FORNEY, SUPERINTENDENT OF INDIAN AFFAIRS FOR UTAH. Q. WERE THERE ANY OF THE WAGONS OR OTHER PROPERTY BURNED THERE ON THE GROUND ? A. I NEVER SAW ANY SIGN OF BURNING, I NEVER HEARD OF ANY BEING BURNED. CROSS - EXAMINED BY BISHOP Q. WHAT DAY IN</p> <p>SEPTEMBER WAS IT THAT YOU HAD THIS CONVERSATION WITH JOHN D. LEE ABOUT 7 OR 8 MILES THIS SIDE OF FILLMORE ? A. I DON'T RECOLLECT THE</p>	<p>SEVENTEEN IN NUMBER, ALL I COULD LEARN OF.</p> <p>WHOM DID YOU DELIVER THEM TO? FORNEY, SUPERINTENDENT OF INDIAN AFFAIRS FOR UTAH. WERE THERE ANY OF THE WAGONS OR OTHER PROPERTY BURNED THERE ON THE GROUND? I NEVER SAW ANY SIGN OF BURNING, AND NEVER HEARD OF ANY BEING BURNED. CROSS- EXAMINED— BISHOP: WHAT DAY IN</p> <p>SEPTEMBER WAS IT THAT YOU HAD THIS CONVERSATION WITH JOHN D. LEE, ABOUT SEVEN OR EIGHT MILES THIS SIDE OF FILLMORE? I DON'T RECOLLECT THE</p>	<p>17 IN NUMBER, ALL I COULD LEARN OF.</p> <p>Q. WHOM DID YOU DELIVER THEM TO? A. FORNEY, SUPERINTENDANT OF INDIAN AFFAIRS FOR UTAH. Q. WAS THERE ANY OF THE WAGONS OR OTHER PROPERTY BURNED THERE ON THE GROUND. A. I NEVER SAW ANY SIGN OF BURNING, AND NEVER HEARD OF ANY BEING BURNED. CROSS- EXAMINATION-, BY BISHOP. Q. WHAT DAY WAS IT IN THE IN MONTH OF SEPTEMBER, 1857, THAT YOU HAD THIS CONVERSATION WITH JOHN D. LEE, ABOUT 7 OR 8 MILES THIS SIDE OF FILLMORE? A. I DON'T RECOLLECT THE</p>	<p>17 IN NUMBER ALL I COULD LEARN ABOUT [space] GATHERED UP 17 [space] ^{[[14]]} WHOM DID YOU DELIVER THEM TO [space] FORNEY SUPERINTENDENT OF INDIAN AFFAIRS FOR UTAH WAS THERE ANY OF THE WAGONS OR PROPERTY BURNED THERE ON THE GROUND I NEVER SAW ANY SIGN OF BURNING AND NEVER HEARD OF ANY BEING BURNED. [space] CROSS- EXAMINATION [space] WHAT DAY WAS IT IN THE MONTH OF SEPTEMBER 1857 THAT YOU HAD THIS CONVERSATION WITH JOHN D. LEE ABOUT 7 OR 8 MILES THIS SIDE OF FILLMORE I DON'T RECOLLECT THE</p>

RT	MU	BT	PS
<p>DATE, I LEFT THE CITY ABOUT THE FOURTEENTH AND CAME DIRECTLY THERE. Q. WHO WAS PRESENT AT THAT CONVERSATION ? A. A MAN BY THE NAME OF BISHOP. Q. THAT WAS NOT ME ? A. TH NO, THAT MAN HAD TWO GOOD EYES, AND YOU HAVE BUT ONE. Q. WHAT BISHOP WAS THAT — WAS HE A MORMON BISHOP ? A. NO, HE WAS NOT A MORMON BISHOP, HE WAS A MERCHANT, HE HAD BEEN HAULING GOODS FROM CALIFORNIA AND DEALING HERE SOME IN THESE SETTLEMENTS. Q. CAN YOU GIVE HIS OTHER NAME ? ^[126] A. NO SIR, I NEVER HEARD IT Q. WAS IT</p>	<p>DATE, I LEFT THE CITY ABOUT THE 14TH, AND CAME DIRECTLY THERE. WHO WAS PRESENT AT THAT CONVERSATION ? A MAN BY THE NAME OF BISHOP. THAT WAS NOT ME? NO; THAT MAN HAD TWO GOOD EYES, AND YOU HAVE BUT ONE. WHAT BISHOP WAS THAT, WAS HE A MORMON BISHOP? NO, HE WAS NOT A MORMON BISHOP; HE WAS A MERCHANT. HE HAD BEEN HAULING GOODS FROM CALIFORNIA, AND DEALING HERE SOME IN THESE SETTLEMENTS. CAN YOU GIVE ME HIS OTHER NAME? NO, SIR; I NEVER HEARD IT. WAS IT</p>	<p>DATE. I LEFT THE CITY ABOUT THE 14TH, AND CAME DIRECTLY THERE. Q. WHO WAS PRESENT AT THAT CONVERSATION ? A. A MAN BY THE NAME OF BISHOP. Q. THAT WAS NOT ME? ^[99] A. NO HE HAD TWO GOOD EYES.</p> <p>Q. WHAT BISHOP WAS THAT, IT WAS NOT A MORMON BISHOP? A. NO, HE WAS NOT A MORMON BISHOP; HE SAYS-WAS A MERCHANT. HE HAD BEEN HAULING GOODS FROM CALIFORNIA, AND DEALING HERE SOME IN THESE SETTLEMENTS. Q. CAN YOU GIVE ME HIS OTHER NAME? A. NO, SIR, I NEVER HEARD IT. Q. WAS IT</p>	<p>DATE I LEFT THE CITY ABOUT THE 14TH AND CAME DIRECTLY THERE <i>[space]</i> WHO WAS PRESENT AT THAT CONVERSATION <i>[space]</i> A MAN BY THE NAME OF BISHOP <i>[space]</i> IT WAS NOT ME <i>[space]</i> NO HE HAD TWO GOOD EYES <i>[space]</i></p> <p>WHAT BISHOP WAS THAT IT WAS A MORMON BISHOP NOT A MORMON BISHOP HE WAS A MERCHANT WHO HAD BEEN HAULING GOODS FROM CALIFORNIA AND DEALING HERE SOME IN THESE SETTLEMENTS CAN YOU GIVE ME HIS OTHER NAME NO SIR I NEVER KNEW IT. WAS IT</p>

RT	MU	BT	PS
<p>JESSE BISHOP ? A. I DON'T KNOW HIS OTHER NAME. Q. LEE TOLD YOU AND THIS MAN BISHOP ALL ABOUT IT, GOT YOU TWO TOGETHER AND TOLD YOU DID HE ? A. I DON'T THINK BISHOP HEARD THE CONVERSATION OR MUCH OF IT. Q. DID BISHOP HEAR ANY OF IT ? A. I DON'T KNOW THAT HE DID OR THAT HE DIDN'T. Q. THEN WHY DID YOU SAY THAT HE TOLD YOU AND THIS MAN BISHOP ? A. I SAID HE WAS THERE. Q. YOU HEARD THE CONVERSATION ? A. YES, I HEARD IT, BUT I DON'T KNOW AS ANY OTHER MAN HEARD IT. Q. BUT THERE WAS A MAN PRESENT BY THE NAME</p>	<p>JESSE BISHOP? I DON'T KNOW HIS OTHER NAME. LEE TOLD YOU AND THIS MAN BISHOP ALL ABOUT IT— GOT YOU TWO TOGETHER AND TOLD YOU? I DON'T THINK BISHOP HEARD THE CONVERSATION, OR MUCH OF IT. DID BISHOP HEAR ANY OF IT? I DON'T KNOW THAT HE DID, OR THAT HE DIDN'T. Q. THEN WHY DID YOU SAY THAT HE TOLD YOU AND THIS MAN BISHOP? I SAID HE WAS THERE. YOU HEARD THE CONVERSATION ? YES, I HEARD IT; BUT I DON'T KNOW AS ANY OTHER MAN HEARD IT. THERE WAS A MAN PRESENT BY THE NAME</p>	<p>JESSE BISHOP? A. I DON'T KNOW HIS OTHER NAME? Q. LEE TOLD YOU AND THIS MAN BISHOP ALL ABOUT IT— GOT YOU TOGETHER AND TOLD YOU ALL ABOUT IT? A. I DON'T THINK BISHOP HEARD MUCH OF THE CONVERSATION. Q. DID BISHOP HEAR ANY OF IT? A. I COULD NOT SAY THAT HE HDID OR DIDN'T. Q. THEN WHY DID YOU SAY HE TOLD YOU AND THIS MAN BISHOP? A. I SAID HE WAS THERE. Q. YOU HEARD THE CONVERSATION ? A. YES, I HEARD IT; BUT I DIDN'T KNOW AS ANY OTHER MAN HEARD IT. Q. THERE WAS A MAN PRESESNT BY THE NAME OF</p>	<p>JESSE BISHOP I DON'T KNOW HIS OTHER NAME [space] LEE TOLD YOU AND THIS MAN BISHOP ALL ABOUT IT GATHERED YOU TWO TWO TOGETHER I DON'T THINK BISHOP HEARD MUCH OF IT [space] DID BISHOP HEAR ANY OF IT I COULD NOT SAY THAT HE DID OR DIDN'T [space] THEN WHY DID YOU SAY HE TOLD AND [space] H-DID NOT SAY I SAID HE WAS THERE —/YOU[?] HEARD THE CONVERSATION YES I HEARD IT BUT I DIDN'T KNOW AS ANY OTHER MAN HEARD IT ^{[[15]]} THERE WAS A MAN PRESENT BY THE NAME</p>

RT	MU	BT	PS
<p>OF BISHOP ? A. HE WAS IN THE SAME CAMP. Q. WHERE WERE YOU AT THE TIME THIS</p> <p>CONVERSATION TOOK PLACE ? A. I WAS FIVE OR SIX MILES THIS SIDE OF FILLMORE, AT THE SPRINGS. Q. WHAT TIME OF THE DAY WAS IT ? A. IT WAS AFTERNOON SOMETIME.</p> <p>Q. WHICH WAY WAS JOHN D. LEE TRAVELING AT THE TIME YOU SAW HIM ? A. GOING NORTH TO THE CITY. Q. YOU WERE GOING SOUTH ? A. YES SIR. Q. TELL ME WHAT HE SAID ABOUT THE ORDERS THAT HE HAD — YOU HAVE SAID THAT HE TOLD THE CHIEF TO KILL THE</p>	<p>OF BISHOP? HE WAS IN THE SAME CAMP. WHERE WERE YOU AT THE TIME THIS</p> <p>CONVERSATION TOOK PLACE? I WAS FIVE OR SIX MILES THIS SIDE OF FILLMORE, AT THE SPRINGS. WHAT TIME OF DAY WAS IT? IT WAS AFTERNOON SOMETIME.</p> <p>WHICH WAY WAS JOHN D. LEE TRAVELING AT THE TIME YOU SAW HIM? GOING NORTH, TO THE CITY. YOU WERE GOING SOUTH? YES, SIR. TELL ME WHAT HE SAID ABOUT THE ORDERS THAT HE HAD. YOU HAVE SAID THAT HE TOLD THE CHIEF TO KILL THE</p>	<p>BISHOP? A. HE WAS IN THE SAME CAMP. Q. WHERE ABOUTS WERE YOU AT THE TIME THAT</p> <p>CONVERSATION TOOK PLACE. A. I WAS 5 OR 6 MILES THIS SIDE OF FILLMORE, AT THE SPRINGS. Q. WHAT TIME OF DAY WAS IT? A. AT WAS AFTERNOON SOMETIME?</p> <p>Q. WHICH WAY WAS H JOHN D. LEE TRAVELING WHEN YOU ASAW HIM. A. GOING NORTH TO THE CITY. Q. AND YOU WAS GOING SOUTH. A. YES, SIR. ^[100] Q. TELL ME WHAT HE SAID ABOUT THE ORDERS THAT HE HAD. YOU HAVE SAID THAT HE TOLD THE CHIEF TO KILL ONE</p>	<p>OF BISHOP WAS IN THE SAME CAMP Q. WHERE ABOUTS WERE YOU AT THE TIME THAT THAT CONVERSATION TOOK PLACE I WAS 5 OR 6 MILES THIS SIDE OF FILLMORE AT THE SPRINGS [space] WHAT TIME OF DAY WAS IT IT WAS AFTERNOON SOMETIME I FN/PN/HAPPENE D[?] AT FILLMORE TO GO ON OUT THIS WAY. WHICH WAY WAS JOHN D. LEE TRAVELING WHEN YOU SAW HIM GOING NORTH TO THE CITY [space] AND YOU WAS GOING SOUTH YES SIR TELL ME WHAT HE SAID ABOUT THE ORDERS THAT HE HAD YOU HAVE SAID THAT HE TOLD THE CHIEF TO KILL THE ONE</p>

RT	MU	BT	PS
<p>LITTLE GIRL AND THAT HE KILLED THE OTHER, BECAUSE HIS ORDERS WERE THAT THEY WERE ALL TO BE USED UP ? [127] A. HE SAID HE HAD ORDERS TO USE UP ALL THE COMPANY THAT COULD TELL TALES. Q.</p> <p>WHERE DID HE GET THOSE ORDERS FROM — DID HE TELL YOU THAT ? A. I TOLD YOU NO, THAT I DON'T REMEMBER THAT HE DID. Q. DO YOU RECOLLECT THAT HE DIDN'T ? A. IF HE DID I DON'T RECOLLECT IT. Q. I WANT TO GET AS FULL A STATEMENT OF THE FACTS AS POSSIBLE, I WANT YOU TO TELL ME EVERYTHING THAT YOU THINK HE SAID OR THAT HE DID SAY.</p>	<p>LITTLE GIRL, AND THAT HE KILLED THE OTHER, BECAUSE HIS ORDERS WERE THAT THEY WERE ALL TO [369] BE USED UP. HE SAID HE HAD ORDERS TO USE UP ALL THAT COMPANY THAT COULD TELL TALES.</p> <p>WHERE DID HE GET THESE ORDERS FROM? DID HE TELL YOU THAT? I TOLD YOU NO, THAT I DON'T REMEMBER THAT HE DID. DO YOU RECOLLECT THAT HE DIDN'T? IF HE DID I DON'T RECOLLECT IT. I WANT TO GET AS FULL A STATEMENT OF FACTS AS POSSIBLE. I WANT YOU TO TELL ME EVERYTHING THAT YOU THINK HE SAID, OR THAT HE DID SAY.</p>	<p>GIRL AND HE KILLED THE OTHER, BECAUSE HIS ORDERS WAS THAT THEY WERE ALL TO BE USED UP? A. SAID HE HAD ORDERS TO USE UP ALL THAT COMPANY THAT COULD TELL TALES. Q.</p> <p>WHERE DID HE GET THOSE ORDERS FROM? DID HE TELL YOU THAT-? A. I TOLD YOU NO , I DIDN'T REMEMBER THAT HE DID. Q. DO YOU RECOLLECT THAT HE DIDN'T? A. IF HE DID I DONT RECOLLECT IT. Q. I WANT TO GET AS FULL A STATEMENT OF FACTS AS POSSIBLE.. I WANT YOU TO TELL ME EVERYTHING THAT YOU THINK HE SAID, OR DID SAY.</p>	<p>GIRL[?] AND HE KILLED THE OTHER BECAUSE HIS ORDERS WAS THAT THEY WAS TOO [space]</p> <p>SAID HE HAD ORDERS TO USE UP ALL THAT COMPANY THAT COULD TELL TALES [space] WHERE DID HE GET THOSE ORDERS FROM DID HE TELL YOU</p> <p>NO I DON'T REMEMBER THAT HE DID [space] DO YOU RECOLLECT THAT HE DIDN'T IF HE DID I DONT RECOLLECT I WANT TO GET AS FULL</p> <p>FACTS AS POSSIBLE I WANT YOU TO TELL ME EVERYTHING THAT YOU THINK HE DID SAID OR DID SAY THERE</p>

RT	MU	BT	PS
<p>WHEN DID HE TELL YOU THAT HE GOT THOSE ORDERS FROM CEDAR CITY ? A. IT WAS MY IMPRESSION THAT HE GOT THEM FROM CEDAR CITY BUT I COULD NOT SAY WHAT THE MAN SAID ABOUT IT, BUT I HAD THAT IDEA. Q. WHO ELSE DID HE TELL YOU WAS ON THE GROUND AIDING IN THIS KILLING. A. THE NAMES I DON'T KNOW AS HE MTNIOB MENTIONED. I THINK HE MENTIONED BISHOP KLINGENSMITH BEING THERE. Q. WHO ELSE ? A. HE MENTIONED HIGBEE BEING THERE. Q. WHO ELSE DID HE MENTION ? A.</p>	<p>WHEN DID HE TELL YOU THAT HE GOT THOSE ORDERS FROM CEDAR CITY? IT WAS MY IMPRESSION THAT HE GOT THEM FROM CEDAR CITY, BUT I COULD NOT SAY WHAT THE MAN SAID ABOUT IT, BUT I HAD THAT IDEA. WHO ELSE DID HE TELL YOU WAS ON THE GROUND AIDING IN THIS KILLING? THE NAMES I DON'T KNOW AS HE MENTIONED. I THINK HE MENTIONED BISHOP KLINGENSMITH BEING THERE. WHO ELSE? HE MENTIONED HIGBEE BEING THERE. WHO ELSE DID HE MENTION?</p>	<p>WHERE DID HE TELL YOU THOSE ORDERS CM CAME FROM? A. IT WAS MY IMPRESSION THAT HE GOT THEM FROM CEDAR CITY, BUT I COULD NOT SAY WHAT THE MAN SAID ABOUT IT, BUT I HAD THAT IDEA. Q. WHO ELSE DID HE TELL YOU WAS THERE ON THE GROUND THAT AIDED IN THIS KILLING-? A. THE NAMES I DON'T KNOW AS HE MENTIONED. I THINK HE MENTIONED BISHOP KLINGENSMITH AS BEING THERE. Q. WHO ELSE? A. HE MENTIONED HIGBEE BEING THERE? Q. WHO ELSE DID HE MENTION? A.</p>	<p>[<i>space</i>] WHERE DID HE TELL ME TELL YOU THOSE ORDERS CAME FROM —IT WAS MY IMPRESSION THAT HE GOT THEM FROM CEDAR CITY BUT I COULD NOT SAY WHAT THE MAN SAID ABOUT IT BUT I HAD THAT IDEA [<i>space</i>] WHO ELSE DID HE TELL YOU WAS THERE ON THE GROUND THAT AIDED IN THIS KILLING? THE NAMES I DON'T KNOW AS HE MENTIONED BISHOP SMITH AS BEING THERE WHO ELSE HE MENTIONED [[16]]⁶⁸⁶ HIGBEE BEING THERE [<i>space</i>] WHO ELSE DID HE MENTION</p>

686. In center top of page: [12]. This the only page on which Patterson has inserted a page number, and it is incorrect.

RT	MU	BT	PS
HE MENTIONED MY BROTHER BEING THERE, BRINGING SOME INDIANS THERE.	HE MENTIONED MY BROTHER BEING THERE, BRINGING SOME INDIANS THERE.	HE MENTIONED MY BROTHER BEING THERE, BRINGING SOME INDIANS THERE. THAT HE SENT HIM WORD TO BRING SOME INDIANS THERE.	MENTIONED MY BROTHER BEING THERE BRINGING SOME INDIANS THERE THAT HE WENT TO TO WOULD NOT TELL [<i>space</i>]
HE SENT HIM WORD TO BRING THE INDIANS UP THERE. SENT HIM WORD OF THIS AFFAIR TAKING PLACE AND FOR HIM TO GO AND GET THE INDIANS AND TO BRING UP THE CLARA INDIANS. Q. YOUR BROTHER THEN BROUGHT THE INDIANS TO THE MEADOWS AND THEN LEFT THERE ? A. YES, HE TOLD ME SO. ^[128] Q. NOW HOW WAS IT ABOUT THE INDIANS MAKING AN ATTACK ABOUT DAY-LIGHT,	HE SENT HIM WORD TO BRING THE INDIANS UP THERE. SENT HIM WORD OF THIS AFFAIR TAKING PLACE, AND FOR HIM TO GO AND GET THE INDIANS, AND BRING UP THE CLARA INDIANS. YOUR BROTHER, THEN, BROUGHT THE INDIANS TO THE MEADOWS, AND THEN LEFT THERE? YES, HE TOLD ME SO. NOW, HOW WAS IT ABOUT THE INDIANS MAKING AN ATTACK ABOUT DAYLIGHT?	SENT HIM WORD TO BRING THE INDIANS UP THERE. SENT HIM WORD OF THIS AFFAIR TAKING PLACE AND TO GO AND GET THE INDIANS— TO BRING THE CLARA INDAINS. Q. YOUR BROTHER THEN BROUGHT THE INDIANS AND THEN LEFT THERE? A. YES, SO HE TOLD ME. ^[101] Q- NOW, HOW WAS IT ABOUT THE INDIANS MAKING THE ATTACK ABOUT DAYLIGHT, WHERE WERE THEY? WERE THEY REPULSED? A. YES, SIR. Q. ONE	WHO SENT HIM WORD TO BRING THE INDIANS UP THERE [<i>space</i>] SENT HIM WORD OF THIS AFFAIR TAKING PLACE TO GO AND GET THE INDIANS AND BRING THE CLARA INDIANS YOUR BROTHER THEN BROUGHT THE INDIANS AND THEN LEFT THERE [<i>space</i>] YES SO HE TOLD ME NOW HOW WAS [<i>space</i>] INDIANS MADE ATTACK ABOUT DAYLIGHT AND WAS REPULSED [<i>space</i>] YES SIR [<i>space</i>] ONE

RT	MU	BT	PS
<p>KILLED AND ANOTHER WOUNDED ? A. YES SIR. Q. AND THAT ENRAGED THE INDIANS AND THEN LEE LED THE NEXT ATTACK ? A. YES SIR. Q. WHO DO YOU MEAN WERE SO ENRAGED, THE INDIANS ? A. YES, THE INDIANS. HE</p> <p>CLAIMED THE IDEA THAT HE HAD TO DO IT TO SAVE HIS OWN LIFE. THEY WERE VERY MAD AND</p> <p>WANTED HIM TO HELP USE UP THAT COMPANY. Q. DID HE NOT TELL YOU IN THAT SAME CONVERSATION THAT HE TRIED TO APPEASE THE INDIANS AND KEEP THEM FROM ATTACKING THE</p>	<p>KILLED AND ANOTHER WOUNDED? YES, SIR. THAT ENRAGED THE INDIANS, AND SO LEE LED THE NEXT ATTACK? YES, SIR. WHO DO YOU MEAN WERE SO ENRAGED—THE INDIANS? YES, THE INDIANS. HE</p> <p>CLAIMED THE IDEA THAT HE HAD TO DO IT TO SAVE HIS OWN LIFE. THEY WERE VERY MAD, AND</p> <p>WANTED HIM TO HELP USE UP THAT COMPANY. DID HE NOT TELL YOU IN THAT SAME CONVERSATION THAT HE TRIED TO APPEASE THE INDIANS AND KEEP THEM FROM ATTACKING THE</p>	<p>KILLED AND ANOTHER WOUNDED? A. YES, SIR. Q. THAT ENRAGED THEM SO MADE THAT THEY TH MADE THE NEXT ATTACK? A. YES, SIR. Q. WHO DO YOU MEAN WAS ENRAGED, THE INDIANS? A. YES, THE INDIANS. HE HAD TO CARRYD THE IDEA THTAT HE HAD TO DO IT IN ORDER TO SAVE HIS OWN LIFE. THEY WAS VERY MAD AND</p> <p>WANTED HIM TO HELP USE UP THAT COMPANY. Q. DIDN'T HE TELL YOU IN THAT SAME CONVERSAION THAT HE TRIED TO APPEASE THE INDIANS AND KEEP THEM FROM ATTACKING THE</p>	<p>KILLED AND ANOTHER WOUNDED YES SIR AND ENRAGED AND</p> <p>MADE THE NEXT ATTACK YES SIR [<i>space</i>] WHO DO YOU MEAN WAS ENRAGED THE INDIANS [<i>space</i>] YES THE INDIANS WAS HE CARRIED THE IDEA THAT HE HAD TO DO IT TO SAVE HIS LIFE AND THEY WAS VERY MAD FOR GETTING THEM INTO THE SCRAPE OR SOMETHING WANTED HIM TO HELP TO USE UP THAT COMPANY [<i>lines</i>] DIDN'T HE TELL YOU IN THAT SAME CONVERSATION THAT HE TRIED TO APPEASE INDIANS AND KEEP THEM FROM ATTACKING THE</p>

RT	MU	BT	PS
<p>TRAIN ? A. I DON'T REMEMBER JUST THE WORDS, BUT HE SAID HE COULD NOT KEEP THEM FROM ATTACKING THEM JUST AT DAY-LIGHT. Q. DID HE TELL YOU THAT HE TRIED TO KEEP THEM OFF ? A. I DON'T THINK SO. I THINK HE SAID THAT HE COULD <u>NOT</u> KEEP THEM OFF. Q. DID HE SAY ANYTHING ABOUT THE INDIANS</p> <p>CALLING HIM ANY NAMES BECAUSE HE WOULD NOT GO ? A. HE WENT OFF TOWARDS THE CLARA AND CRIED, AND THEY CALLED HIM CRIER. “YAH - GUTS” Q. WHY DID THEY CALL HIM THIS ? A. BECAUSE HE</p>	<p>TRAIN? I DON'T REMEMBER JUST THE WORDS, BUT HE SAID HE COULD NOT KEEP THEM FROM ATTACKING THEM JUST AT DAYLIGHT. DIDN'T HE TELL YOU THAT HE TRIED TO KEEP THEM OFF? I DON'T THINK SO. I THINK HE SAID HE COULD NOT KEEP THEM OFF. DID HE SAY ANYTHING ABOUT THE INDIANS</p> <p>CALLING HIM ANY NAMES BECAUSE HE WOULD NOT GO? HE WENT OFF TOWARDS THE CLARA AND CRIED, AND THEY CALLED HIM CRIER— YAH GAUTS. WHY DID THEY CALL HIM THIS? BECAUSE HE</p>	<p>TRAIN? A. I DON'T REMEMBER THE JUST THE WORDS, BUT HE SAID HE COULD NOT KEEP THEM FROM ATTACKING THEM JUST AT DAYLIGHT. Q. DIDN'T HE TELL YOU THAT HE TRIED TO KEEP THEM OFF? A. I DON'T THINK SO. I THINK HE SAID HE COULD NOT KEEP THEM OFF. Q. DID HE SAY ANYTHING ABOUT THE INDIANS</p> <p>CALLING HIM NAMES BECAUSE HE WOULD NOT GO? A. HE WENT OFF TOWARDS THE CLARA AND CRIED, AND THEY CALLED HIM CRIER — “YAH GUTS.” Q. WHY DID THEY CALL HIM THAT? A. BECAUSE HE</p>	<p>TRAIN? I DON'T REMEMBER JUST THEM WORDS BUT HE SAID HE COULD NOT KEEP THEM FROM ATTACKING THEM JUST AT DAYLIGHT [space] DIDN'T HE TELL YOU HE TRIED TO KEEP THEM OFF [space] DON'T THINK SO SAID HE COULD NOT KEEP THEM OFF [space] ^{[[17]]} DID HE SAY ANYTHING ABOUT THE INDIANS HAVING CALLED HIM ANY NAMES BECAUSE HE WOULD NOT GO? HE WENT OFF TOWARDS THE CLARA AND CRIED AND THEY CALLED HIM CRIER YAH GUTS⁶⁸⁷ [space] WHY DID THEY CALL HIM THIS WHY BECAUSE HE</p>

687. The shorthand is written “Y GTS”; there are no vowels.

RT**MU****BT****PS**

<p>CRIED.</p> <p>Q. THAT WAS BEFORE HE LED THE ATTACK ?</p> <p>A. I DON'T KNOW. ^[129]</p> <p>Q. ARE YOU POSITIVE THAT HE TOLD YOU THAT HE CUT THAT WOMAN'S THROAT ? A.</p> <p>YES, I AM POSITIVE OF THAT OR I WOULD NOT HAVE TOLD IT.</p> <p>Q. HOW LONG IS IT SINCE YOU HAVE TOLD ANYBODY THAT JOHN D. LEE HAD TOLD YOU THAT?? A.</p> <p>IT HAS BEEN ABOUT THREE SECONDS. Q.</p> <p>WHERE HAVE YOU LIVED SINCE THE MOUNTAIN MEADOWS MASSACRE ? A.</p> <p>MY FAMILY HAS BEEN AT THE CLARA THE MOST OF THE TIME. THE LAST SIX YEARS I HAVE BEEN AT KANAB. Q.</p> <p>YOU HAVE LIVED IN UTAH</p>	<p>CRIED. ^[370]</p> <p>THAT WAS BEFORE HE LED THE ATTACK?</p> <p>I DON'T KNOW.</p> <p>ARE YOU POSITIVE THAT HE TOLD YOU THAT HE CUT THAT WOMAN'S THROAT?</p> <p>YES, I AM POSITIVE OF THAT, OR I WOULD NOT HAVE TOLD IT.</p> <p>HOW LONG IS IT SINCE YOU HAVE TOLD ANYBODY THAT JOHN D. LEE HAD TOLD YOU THAT?</p> <p>IT HAS BEEN ABOUT THREE SECONDS.</p> <p>WHERE HAVE YOU LIVED SINCE THE MOUNTAIN MEADOWS MASSACRE?</p> <p>MY FAMILY HAS BEEN AT THE CLARA THE MOST OF THE TIME; THE LAST SIX YEARS HAVE BEEN AT KANAB.</p> <p>YOU HAVE LIVED IN UTAH</p>	<p>CRIED.</p> <p>Q. THAT WAS BEFORE HE LED THE ATTACK?</p> <p>A. I DON'T KNOW.</p> <p>Q. ARE YOU POSITIVE THAT HE TOLD YOU THAT HE CUT THAT WOMAN'S THROAT? A.</p> <p>YES, I AM POSITIVE OF THAT OR I WOULD NOT HAVE TOLD IT.</p> <p>^[102] Q. HOW LONG IS IT HAS IT BEEN SINCE YOU TOLD ANYBODY THAT JOHN D. LEE HAD TOLD YOU THAT? A.</p> <p>IT HAS BEEN ABOUT THREE SECONDS. Q.</p> <p>WHERE HAVE YOU LIVED SINCE THE MOUNTAIN MEADOWS MASSACRE? A.</p> <p>MY FAMILY HAS BEEN AT THE CLARA THE MOST OF THE TIME; THE LAST 6 YEARS HAS BEEN AT KANAB. Q.</p> <p>YOU HAVE LIVED IN UTAH</p>	<p>CRIED <i>[space]</i></p> <p>THAT WAS BEFORE HE LED THE ATTACK</p> <p>I DON'T KNOW <i>[space]</i></p> <p>ARE YOU POSITIVE THAT HE TOLD YOU THAT HE CUT THAT WOMEN'S THROAT</p> <p>YES I AM POSITIVE OF THAT YES OR I WOULD NOT HAVE TOLD IT.</p> <p><i>[space]</i> HOW LONG HAS IT BEEN SINCE YOU TOLD ANYBODY THAT JOHN D. LEE HAD TOLD YOU THAT?</p> <p>IT HAS BEEN ABOUT THREE SECONDS <i>[space]</i></p> <p>WHERE HAVE YOU LIVED SINCE THE MOUNTAIN MEADOWS MASSACRE</p> <p>MY FAMILY HAS BEEN AT THE CLARA THE MOST OF THE TIME LAST 6 YEARS BEEN AT KANAB <i>[space]</i></p> <p>YOU HAVE LIVED IN UTAH</p>
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RT**MU****BT****PS**

<p>ALL THAT TIME ? A. MY HOME HAS BEEN IN UTAH.</p> <p>Q. DIDN'T LEE TELL YOU MORE THAN YOU HAVE TOLD — DIDN'T HE TELL YOU ABOUT A COUNCIL THAT WAS HELD ON THE FIELD BEFORE THE MASSACRE ? A. HE TOLD ME, WE HAD A GOOD DEAL OF CONVERSATION ABOUT IT. Q. TELL ME R IF HE DID NOT INFORM YOU THAT A COUNCIL WAS HELD ON THE FIELD ON THE MOUNTAIN MEADOWS BY THE PEOPLE FROM CEDAR CITY BEFORE THE MASSACRE, AND THAT HE OPPOSED THE KILLING OF THE EMIGRANTS UNTIL HE FOUND THAT HE</p>	<p>ALL THAT TIME? MY HOME HAS BEEN IN UTAH. THAT HAS BEEN YOUR HOME? MY HOME HAS BEEN IN UTAH. DIDN'T LEE TELL YOU MORE THAN YOU HAVE TOLD? DIDN'T HE TELL YOU ABOUT A COUNCIL THAT WAS HELD ON THE FIELD BEFORE THE MASSACRE? HE TOLD ME. WE HAD A GOOD DEAL OF CONVERSATION ABOUT IT. TELL ME IF HE DID NOT INFORM YOU THAT A COUNCIL WAS HELD ON THE FIELD, ON MOUNTAIN MEADOWS, BY HE PEOPLE FROM CEDAR CITY, BEFORE THE MASSACRE, AND THAT HE OPPOSED THE KILLING OF THE EMIGRANTS UNTIL HE FOUND THAT HE</p>	<p>ALL OF THAT TIME? A. MY HOME HAS BEEN IN UTAH. Q. THIS HAS BEEN YOUR MAIN HOME? A. MY HOME HAS BEEN U IN UTAH. Q. DIDN'T MR. LEE TELL YOU MORE THAN YOU HAVE TOLD? DIDN'T HE TELL YOU ABOUT A COUNCIL THAT WAS HELD ON THE FIELD BEFORE THE MASACRE? A. HE TOLD ME. WE HAD A GOOD DEAL OF CONVERSATIO N ABOUT IT. Q. TELL ME IF HE DIDN'T INFORM YOU THAT A COUNCIL WAS HELD ON THE FIELD, OF THE MOUNTAIN MEADOWS, BY THE PEOPLE OF CEDAR CITY, BEFORE THE MASACRE, AND THAT HE OPPOSED THE KILLING OF THE EMIGRANTS UNTIL HE FOUND HE</p>	<p>ALL OF THAT TIME MY HOME HAS BEEN IN UTAH THIS HAS BEEN YOUR MAIN HOME MY HOME HAS BEEN IN UTAH. DIDN'T MR. LEE TELL YOU MORE THAN YOU HAVE TOLD DIDN'T HE TELL YOU ABOUT A COUNCIL THAT WAS HELD ON THE FIELD BEFORE THE MASSACRE HE TOLD ME ~ WE HAD A GOOD DEAL OF CONVERSATION ABOUT IT TELL ME IF HE DIDN'T INFORM YOU THAT A COUNCIL WAS HELD ON THE FIELD OF MOUNTAIN MEADOWS BY THE PEOPLE OF CEDAR CITY BEFORE THE MASSACRE AND THAT HE OPPOSED THE KILLING OF THE EMIGRANTS UNTIL HE FOUND HE</p>
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RT	MU	BT	PS
<p>COULD DO NO GOOD ? A. AFTER WE HAD TALKED SOMETIME I ASKED HIM THE NECESSITY OF SUCH A THING OR WHY IT WAS AND HE TOLD ME THAT HE HAD ORDERS TO DO SO. Q. DID HE NOT TELL YOU THAT THERE WAS A COUNCIL HELD THERE AT THE MEADOWS AND THAT IT WAS THEN DECIDED THAT THEY SHOULD BE KILLED ? A. NO, I NEVER HEARD THAT THERE WAS A COUNCIL HELD THAT THERE TO MAKE ANY DECISION OR TO DECIDE ANYTHING, BUT THE SUBJECT OR COUNCILING HOW TO</p> <p>DECOY THEM OUT. [130] Q. WHO COUNSELED WITH THEM ?</p>	<p>COULD DO NO GOOD? AFTER WE HAD TALKED SOME TIME I ASKED THE NECESSITY OF SUCH A THING, OR WHY IT WAS, AND HE TOLD ME THAT HE HAD ORDERS TO DO SO. DID HE NOT TELL YOU THAT THERE WAS A COUNCIL HELD THERE AT THE MEADOWS, AND THAT IT WAS THEN DECIDED THAT THEY SHOULD BE KILLED? NO, I NEVER HEARD THAT THERE WAS A COUNCIL HELD THERE TO MAKE ANY DECISION, OR TO DECIDE ANYTHING BUT THE SUBJECT OR COUNSELING HOW TO</p> <p>DECOY THEM OUT. WHO COUNSELED WITH THEM?</p>	<p>COULD DO NO GOOD? A. AFTER HE HAD TALKED SOME TIME I ASKED THE NECESSITY OF SUCH A THING, OR WHY IT WAS, AND HE TOLD ME HE HAD ORDERS TO DO SO.. Q. DIDN'T HE TELL YOU THAT A COUNCIL WAS HELD THERE AT THE MEADOWS, AND IT WAS THEN DECIDED THAT THEY SHOULD BE KILLED? A. NO, I NEVER HEARD THAT THERE WAS A COUNCIL HELD THERE TO MAKE ANY DECISION OR TO DEDECIDE ANYTHING BUT THE SUBJECT, OR COUNCILING THERE HOW TO DECOY THEY COULD DECOFY THEM OUT. Q. WHO COUNCIOLED THEM? A. THERE</p>	<p>COULD DO NO GOOD? AFTER WE HAD TALKED SOME TIME I ASKED THE NECESSITY OF SUCH A THING OR WHY IT WAS AND HE TOLD ME HE HAD ORDERS TO DO <i>IT</i>[?] [<i>space</i>] [118]] DIDN'T HE TELL YOU THAT A COUNCIL WAS HELD THERE AT THE MEADOWS AND IT WAS THEN DECIDED THAT THEY SHOULD BE KILLED NO I NEVER HEARD THAT THERE WAS A COUNCIL HELD THERE TO MAKE ANY DECISION TO DECIDE ON ANYTHING BUT THE SUBJECT OF COUNSELING THERE HOW THEY COULD DECOY THEM OUT [<i>space</i>] WHO COUNSELED WITH HIM</p>

RT	MU	BT	PS
A. THERE WAS KLINGENSMITH THE BISHOP OF CEDAR CITY.	THERE WAS KLINGENSMITH, THE BISHOP OF CEDAR CITY.	WAS THE BISHOP — THEN THE BISHOP OF CEDAR CITY —	THERE WAS BISHOP THEN THE BISHOP OF CEDAR CITY ≤WHO WAS THAT BISHOP>
Q. WHO ELSE COUNSELED WITH HIM ?	WHO ELSE COUNSELED WITH HIM?	KLINGENSSMIT H. Q. WHO ELSE COUNCELED WITH THEM?	KLINGEN SMITH [space] WHO ELSE COUNSELED WITH HIM
A. I THINK HE SAID JOHN M. HIGBEE, I AM SATISFIED IT WAS.	I THINK HE SAID JOHN M. HIGBEE. I AM SATISFIED IT WAS.	A. I THINK HE SAID JOHN M. HIGBEE. I AM SATISFIED IT WAS. ^[103] Q. DID HE TELL YOU WHAT TIME THEY TALKED IT OVER? [space]	I THINK HE SAID JOHN M. HIGBEE I AM SATISFIED IT WAS [space] DID HE TELL YOU WHAT TIME THEY TALKED IT OVER
Q. DID HE TELL YOU HOW LONG BEFORE THE MASSACRE IT WAS THAT THEY TALKED THIS	DID HE TELL YOU HOW LONG BEFORE THE MASSACRE IT WAS THAT THEY TALKED THIS	DID HE TELL YOU HOW LONG BEFORE THE MASSACRE IT WAS THAT THEY TALKED THIS	DID HE TELL YOU HOW LONG BEFORE THE MASSACRE IT WAS THAT THEY TALKED THIS
OVER ?	OVER?	MATTGROVER MATTER OVER?	MATTER OVER
A. I DON'T THINK THAT HE DID. Q. YOU WERE	I DON'T THINK THAT HE DID. YOU WERE	A. I DON'T KNOW AS HE DID. Q. YOU WAS A KIND OF	I DON'T KNOW AS HE DID [space] YOU WAS A KIND OF
A SUB-AGENT AND INDIAN INTERPRETER AT THAT TIME, WERE YOU NOT ?	A SUB-AGENT AND INDIAN INTERPRETER AT THAT TIME, WERE YOU NOT?	A SUB-AGENT AND INDIAN INTERPRETER AT THAT TIME, WASN'T YOU?	A SUB-AGENT AND INDIAN INTERPRETER AT THAT TIME WASN'T YOU
A. RIGHT AWAY	RIGHT AWAY	A. RIGHT AWAY	[space] RIGHT
AFTER THAT FORNEY APPOINTED ME AS SUB-AGENT	AFTER THAT FORNEY APPOINTED ME AS SUBAGENT.	AFTER THAT FORNEY APPOINTED ME A SUB-	AFTER AWAY AFTER FORNEY APPOINTED ME TO ACT AS SUB-

RT	MU	BT	PS
<p>AT THAT TIME I WAS NO AGENT NOR IN ANY PARTICULAR OFFICE, UNLESS A MISSIONARY IN THE SOUTH COUNTRY TO ESTABLISH SOME SETTLEMENTS</p> <p>ON THE CLARA. Q. WHAT REASON DID LEE GIVE YOU IN THAT CONVERSATION FOR THE KILLING OF THE EMIGRANTS, HE MUST HAVE GIVEN YOU SOME REASON WHY IT WAS NECESSARY TO COMMIT SUCH A DEED ?</p> <p>A. I ASKED WHAT CALLED FOR IT, WHY THEY DID IT ? A. HE SAID THAT ATTACK</p>	<p>AT THAT TIME I WAS NO AGENT, NOR IN ANY PARTICULAR OFFICE, UNLESS A MISSIONARY IN THE SOUTH COUNTRY TO ESTABLISH SOME SETTLEMENTS</p> <p>ON THE CLARA. WHAT REASON DID LEE GIVE YOU IN THAT CONVERSATION OF THE KILLING OF THE EMIGRANTS? HE MUST HAVE GIVEN YOU SOME REASON WHY IT WAS NECESSARY TO COMMIT SUCH A DEED?</p> <p>I ASKED WHAT CALLED FOR IT, WHY THEY DID IT. HE SAID THAT ATTACK</p>	<p>AGENT. AT THAT TIME I WAS NOT AGENT — NO PARTICULAR OFFICE UNLESS A MISSIONARY IN THE SOUTH COUNTRY TO ESTABLISH SOME SETTLEMENTS, AND SOME OTHERS ON THE CLARA.. Q. WHAT REASON DID LEE GIVE YOU IN THAT CONVERSATION FOR THE KILLING OF THE EMIGRANTS? HE MUST HAVE GIVEN YOU SOME REASON WHY IT WAS NECESSARY TO COMMIT SUCH A CRIME DEED.</p> <p>A. I ASKED WHAT CALLED FOR IT, WHY THEY DID IT. HE SAID THAT THAT ATTACK</p>	<p>AGENT [<i>space</i>] AT THAT TIME I WAS NOT ANY AGENT NO PARTICULAR OFFICE UNLESS A MISSIONARY IN THE <i>SF/SV/SOUTH</i>[?] COUNTRY TO ESTABLISH SOME SETTLEMENTS AND SOME OTHERS ON THE CLARA [<i>space</i>] WHAT REASON DID LEE GIVE YOU IN THAT CONVERSATION FOR THE KILLING OF THE EMIGRANTS? HE MUST HAVE GIVEN YOU SOME REASON WHY IT WAS NECESSARY TO COMMIT SUCH A DEED WITHOUT ANY QUESTION YOU <i>COULD HAVE</i>[?] AS A REASONABLE MAN HAVE ~ I ASKED WHAT CALLED FOR IT WHY THEY DID IT HE SAID THAT THAT ATTACK</p>

RT**MU****BT****PS**

<p>AT DAY-LIGHT WOULD HAVE THROWN CENSURE UPON THIS PEOPLE Q. ON WHAT PEOPLE ? A. THE PEOPLE THAT WERE LIVING HERE. Q. YOU MEAN THE WHITES THAT WERE LIVING HERE AT THE TIME ? A. YES SIR. Q. GO ON AND TELL ALL HE SAID ? I WANT YOU TO MAKE IT AS BAD AS YOU CAN—TELL ALL THAT YOU SAID AND ALL THAT HE SAID ? A. I WOULD NOT UNDERTAKE THAT. ^[131] Q. TELL ALL THAT YOU CAN RECOLLECT ? A. I HAVE, THE SUBSTANCE OF IT. Q. THERE MUST HAVE BEEN A GOOD DEAL SAID ABOUT THE REASONS FOR DOING THIS THING ? A. THE CAUSE THAT HE</p>	<p>AT DAYLIGHT WOULD HAVE THROWN CENSURE UPON THIS PEOPLE. ^[371] ON WHAT PEOPLE? THE PEOPLE THAT WERE LIVING HERE. DO YOU MEAN THE WHITES THAT WERE LIVING HERE AT THE TIME? YES, SIR. GO ON AND TELL ALL HE SAID. I WANT YOU TO MAKE IT AS BAD AS YOU CAN—TELL ALL THAT YOU SAID, ALL THAT HE SAID? I WOULD NOT UNDERTAKE THAT. TELL ALL THAT YOU CAN RECOLLECT? I HAVE, THE SUBSTANCE OF IT? THERE MUST HAVE BEEN A GOOD DEAL SAID ABOUT THE REASON FOR DOING THIS THING? THE CAUSE THAT HE</p>	<p>AT DAYLIGHT WOULD HAVE THROWN SENSURE UPON THIS PEOPLE. Q. ON WHAT PEOPLE? A. THE PEOPLE THAT WAS LIVING THE HERE. Q. DO YOU MEAN THE WHITES THAT WAS LIVING HERE AT THAT TIME THEN? A. YES, SIR, Q. GO ON AND TELL ALL HE SAID. I WANT YOU TO MAKE AT AS BAD AS YOU CAN.- ALL THAT HE SAID AND ALL THAT YOU SAID? A. I WOULD NOT UNDERTAKE THAT. Q. ALL THAT YOU CAN RECOLLECT? A. I HAVE THE SUBSTANCE OF IT. Q. THERE MUST HAVE BEEN A GOOD DEAL SAID ABOUT THE REASONS FOR DOING THIS THING? A. THE CAUSE THAT HE HAD</p>	<p>AT DAYLIGHT WOULD HAVE THROWED CENSURE ON THIS PEOPLE [space] ON WHAT PEOPLE THE PEOPLE THAT WAS LIVING HERE [space] DO YOU MEAN THE WHITES THAT WAS LIVING HERE THEN YES SIR [space] ^{[[19]]} GO ON AND TELL ME ALL HE SAID I WANT YOU TO MAKE AT AS BAD AS YOU CAN ALL THAT HE SAID AND ALL THAT YOU SAID [space] I WOULD NOT UNDERTAKE THAT [space] ALL THAT YOU CAN RECOLLECT [space] I HAVE THE SUBSTANCE OF IT [space] THERE MUST HAVE BEEN GOOD DEAL SAID ABOUT THE REASONS FOR DOING THIS THING [space] THE CAUSE THAT HE</p>
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RT	MU	BT	PS
<p>ALWAYS GAVE TO ME WAS THAT THAT I</p> <p>TOLD YOU, THAT AFTER THEY CAME THROUGH HERE AND BEHAVED VERY ROUGH AND SAID THAT THEY HELPED TO KILL OLD JOE.SMITH AND WERE GOING TO READY THERE AT THE MEADOWS WHEN THEIR TEAMS GOT RECRUITED AND WHEN JOHNSTON COMMENCED ON THE NORTH END THEY WOULD ON THE SOUTH END AND HE WAS ASKED BY AUTHORITY —</p> <p>HAIGHT OR DAME, TO GO AND WATCH THOSE EMIGRANTS, AND SEE THAT THEY DIDN'T MOLEST THOSE</p>	<p>ALWAYS GAVE TO ME WAS THAT WHICH I</p> <p>TOLD YOU. THAT AFTER THEY CAME THROUGH THERE AND BEHAVED VERY ROUGH, AND SAID THAT THEY HELPED KILL OLD JOE SMITH, AND WERE GOING TO BE READY THERE AT THE MEADOWS WHEN THEIR TEAMS GOT RECRUITED, AND WHEN JOHNSTON COMMENCED ON THE NORTH END, THEY WOULD ON THE SOUTH END, AND HE WAS ASKED BY AUTHORITY—</p> <p>HAIGHT OR DAME—TO GO AND WATCH THOSE EMIGRANTS AND SEE THAT THEY DIDN'T MOLEST THOSE</p>	<p>ALWAYS GIVEN TO ME, WAS THAT WHICH I HAVE JUST TOLD YOU. THAT THEY CAME THROUGH THERE AND BEHAVED EVERY VERY ROUGH, SAYING THAT THEY HELPED KILL OLD JOE SMITH AND WAS GOING TO BE READY THERE AT THE TIME MEADOWS WHEN THEIR TEAMDS GOT RECRUITED, AND WHEN ^[104] JOHNSON COMMENCED ON THE NORTH END, THEY WOULD ON THE SOUTH END, AND HE WAS ASKED BY AUTHORITY— BISHPPOOP HAIGHT OR DAME — TO GO AND WATCH THOSE EMIGRANTS AND SEE THAT THEY DIDN'T MOLEST THESE</p>	<p>ALWAYS GAVE TO ME WAS THAT WHICH I HAVE TOLD YOU THAT THEY CAME THROUGH THERE BEHAVED VERY ROUGH AND [space] THAT THEY HELPED KILL OLD JOE SMITH⁶⁸⁸ AND WAS GOING TO BE READY THERE AT THE MEADOWS WHEN THEIR TEAMS GOT RECRUITED AND WHEN JOHNSTON COMES ON THE NORTH END THEY WOULD ON THE SOUTH END AND HE WAS ASKED BY AUTHORITY BISHOP HAIGHT OR DAME TO GO AND WATCH THOSE EMIGRANTS SEE THAT THEY DIDN'T MOLEST THOSE</p>

688. "SMITH" is in the left margin.

RT	MU	BT	PS
<p>WEAK SETTLEMENTS. WHEN I ASKED HIM WHAT IT WAS FOR—THAT IN DOING SO, WHEN THEY GOT THERE THE INDIANS MADE THIS ATTACK AT DAY-LIGHT. Q. THE INDIANS THEN MADE THE FIRST ATTACK ?</p> <p>A. HE SAID THEY MADE IT VOLUNTARILY. THEY MADE THE FIRST ATTACK. Q. YOU SPOKE OF</p> <p>GENERAL JOHNSTONE’S ARMY MARCHING TOWARDS UTAH, WHERE WAS IT ? A. ABOUT FORT BRIDGER THEN Q. WHO WAS IT UNDERSTOOD THAT JOHNSTONE WAS UNDERSTOOD TO BE MARCHING</p>	<p>WEAK SETTLEMENTS. WHEN I ASKED HIM WHAT IT WAS FOR—THAT IN DOING SO, WHEN THEY GOT THERE THE INDIANS MADE THIS ATTACK AT DAYLIGHT. THE INDIANS THEN MADE THE FIRST ATTACK?</p> <p>HE SAID THEY MADE IT VOLUNTARILY— THEY MADE THE FIRST ATTACK. YOU SPOKE OF</p> <p>GENERAL JOHNSTON’S ARMY MARCHING TOWARDS UTAH. WHERE WAS IT? AT FORT BRIDGER THEN. WHO WAS IT UNDERSTOOD THAT JOHNSTON WAS UNDERSTOOD TO BE MARCHING</p>	<p>WEAK SETTLEMENTS-, WHEN I ASKED HIM WHAT IT WAS FAR. THEN IN DOING ÐSO, WHEN THE INDIANS GOT THERE, THEY MADE THIS ATTACK AT DAYLIGHT. Q. THE INDIANS THEN MADE THE FIRST ATTACK?</p> <p>A. HE SAID THEY MADE IT VOLUNTARILY, THEY MADE THE FIRST ATTACK. Q. YOU SPOKE OF JOHNSON BEING AT FORT BRIDGER WITH HIS ARMY MARCHING TOWARDS UTAH. A. YES, FORT BRIDGER THEN. Q. WHO WAS IT UNDERSTOOD THAT JOHNSON WAS</p> <p>MARCHING</p>	<p>WEAK SETTLEMENTS WHEN I ASKED HIM WHAT IT WAS FOR THAT IN DOING SO WHEN THE INDIANS GOT THERE THEY MADE THIS ATTACK AT DAYLIGHT [space] THE INDIANS THEN MADE THE FIRST ATTACK THS/FS[?] SN[?] [space] HE SAID THEY MADE IT VOLUNTARILY ~ THEY MADE THE FIRST ATTACK [space] YOU SPOKE OF JOHNSTON BEING ON BORDER GENERAL JOHNSTON</p> <p>MARCHING THEN TOWARDS UTAH YES FORT BRIDGER THEN [space] WHO WAS IT UNDERSTOOD THAT JOHNSTON WAS</p> <p>MARCHING</p>

RT	MU	BT	PS
<p>AGAINST THEM.</p> <p>A.</p> <p>THE UNDERSTANDING AND FEELING WAS THAT HE WAS MARCHING AGAINST THE MORMONS AS A PEOPLE, CHURCH OR NATION AND WAS GOING TO TRY TO BURST UP THE WHOLE CONCERN, THAT WAS WHAT WE EXPECTED.</p> <p>Q. YOU EXPECTED THEN THAT JOHNSTONE WITH THE ARMY OF THE UNITED STATES ^[132] WAS LEADING THAT ARMY AGAINST THIS</p> <p>PEOPLE ? A. YES SIR. Q. WITH THE INTENTION OF EXTERMINATING THEM OR COMPELLING THEM TO ABANDON THEIR</p>	<p>AGAINST THEM?</p> <p>THE UNDERSTANDING AND FEELING WAS THAT HE WAS MARCHING AGAINST THE MORMONS AS A PEOPLE, CHURCH OR NATION, AND WAS GOING TO TRY TO BURST UP THE WHOLE CONCERN. THAT WAS WHAT WE EXPECTED.</p> <p>YOU EXPECTED, THEN, THAT JOHNSTON WITH THE ARMY OF THE UNITED STATES, WAS LEADING THAT ARMY AGAINST THIS</p> <p>PEOPLE? YES, SIR. WITH THE INTENTION OF EXTERMINATING THEM OR COMPELLING THEM TO ABANDON THEIR</p>	<p>AGAINST AT THAT TIME?</p> <p>A. IT WAS GELERALLY SUPPOSED AND THE UNDERSTANDING AND SPIRIT OF FEELING WAS THAT HE WAS COMING AGAINST THE MORMONS AS A PEOPLE , NATION OR CHURCH, AND WAS GOING TO BURST UP ALL THE WHOLE CONCERN, WAS WHAT WE EXPECTED.</p> <p>Q. YOU EXPECTED THEN THAT JOHNSON WAS LEADING THE ARMY OF THE UNITED STATES</p> <p>AGAINST THIS PARTICULAR PEOPLE? A. YES, SIR. Q. WITH THE INTENTION OF EXTERMINATING THEM OR COMPELLING THEM TO ABANDON THEIR</p>	<p>AGAINST AT THAT TIME IT WAS GENERALLY SUPPOSED AND UNDERSTOOD IN THE SPIRIT OF FEELING WAS THAT HE WAS COMING AGAINST MORMONS AS PEOPLE NATION CHURCH AND GENERALLY BUST UP ALL THE WHOLE CONCERN ^{[[20]]} WAS WHAT WE EXPECTED</p> <p>[space] YOU EXPECTED THEN THAT JOHNSTON WAS LEADING THE ARMY OF THE UNITED STATES</p> <p>AGAINST THIS PARTICULAR PEOPLE YES SIR WITH THE INTENTION OF EXTERMINATING THEM OR COMPELLING THEM TO ABANDON THEIR</p>

RT	MU	BT	PS
<p>RELIGION A. YES SIR, THAT WAS MY BELIEF, TO DO AWAY WITH THE MORMON RELIGION. Q. HOW LONG</p> <p>BEFORE THAT HAD IT BEEN THAT THIS SAME FEELING OF FEAR OR ANXIETY HAD BEEN FELT BY THIS PEOPLE, OCCASIONED BY JOHNSTONE'S APPROACH A. I THINK IT HAD BEEN TWO OR THREE MONTHS.</p> <p>IT HAD COME SOUTH AT THE TIME. I THINK IT WAS THE 24TH OF JULY WHEN A CELEBRATION WAS HELD IN ONE OF THE CANONS AND THAT WORD CAME, THAT JOHN STONE WAS ON HIS</p>	<p>RELIGION? YES, SIR, THAT WAS MY BELIEF —TO DO AWAY WITH THE MORMON RELIGION. HOW LONG</p> <p>BEFORE THAT HAD IT BEEN THAT THIS SAME FEELING OF FEAR OR ANXIETY HAD BEEN FELT BY THIS PEOPLE, OCCASIONED BY JOHNSTON'S APPROACH? I THINK IT HAD BEEN TWO OR THREE MONTHS,</p> <p>IT HAD COME SOUTH AT THE TIME. I THINK IT WAS THE 24TH OF JULY WHEN A CELEBRATION WAS HELD IN ONE OF THE CANYONS, THAT WORD CAME THAT JOHNSTON WAS ON HIS</p>	<p>RELIGION? A. YES, SIR, THAT WAS MY BELIEF —TO DO AWAY WITH THE MORMON RELIGION. Q. HOW LONG HAD IT BEEN BEFORE,</p> <p>THAT THIS SAME FEELING OF FEAR OR ANXIETY HAD BEEN FELT BY THIS PEOPLE, ; A OCCASIONED BY JOHNSONS APPROACKH? A. I THINK IT HAD BEEN ABOUT TWO OR THEREE MONTHS; AND FROM ONE TO TWO MONTHS IT HAD COME SOUTH, OR COMMENCED AT THE TIME. I THINK IT WAS THE 24TH OF JULY WHEN THERE WAS A CELEBRATION HELD IN ONE OF THE CANYONS THAT WORD CAME THAT JOHNSON WAS ON HIS</p>	<p>RELIGION [<i>space</i>] YES THAT WAS MY BELIEF ◀TO DO AWAY WITH THE MORMON RELIGION▶ HOW LONG HAD IT BEEN BEFORE THAT</p> <p>THAT THIS SAME FEELING OF FEAR OR ANXIETY HAD BEEN FELT BY THIS PEOPLE OCCASIONED BY JOHNSTONS APPROACH? I THINK IT HAD BEEN ABOUT 2 OR 3 MONTHS OR FROM ONE TO TWO MONTHS IT HAD COME SOUTH /T[?] COMMENCED AT THE TIME I THINK IT WAS 24 OF JULY WHEN THERE WAS CELEBRATION HELD IN ONE OF THE CANYONS THAT WORD CAME THAT JOHNSTON WAS ON HIS</p>

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<p>WAY TO UTAH. Q. AFTER THAT TWENTY FOURTH OF JULY DID THAT REPORT HAVE ANY EFFECT ON THIS PEOPLE TO CAUSE THEM TO ORGANIZE AS A MILITARY PEOPLE ?</p> <p>A. NO, THAT WAS ORGANIZED BEFORE THAT, AS FAR AS I KNEW AND WAS ACQUAINTED WITH THE COUNSEL. Q. FROM THAT TIME ON UP TO THE TIME OF THE MOUNTAIN MEAD WS MASSACRE, TELL ME IF THE PEOPLE WERE</p> <p>ORGANIZED AS A MILITIA AND ENROLLED AS SUCH A. THE INSTRUCTIONS WE HAD</p>	<p>WAY. AFTER THAT 24TH OF JULY, DID THAT REPORT HAVE ANY EFFECT ON THIS PEOPLE TO CAUSE THEM TO ORGANIZE AS A MILITARY PEOPLE?</p> <p>[372] NO, THAT WAS ORGANIZED BEFORE THAT, AS FAR AS I KNEW AND WAS ACQUAINTED WITH THE COUNSEL. FROM THAT TIME ON UP TO THE TIME OF THE MOUNTAIN MEADOWS MASSACRE, TELL ME IF THE PEOPLE WERE</p> <p>ORGANIZED AS A MILITIA, AND ENROLLED AS SUCH? THE INSTRUCTIONS WE HAD</p>	<p>WAY. Q. AFTER THAT 24TH OF JULY '57, DID TH TAT THAT HAVE ANY EFFECT UPON THIS PEOPLE TO CAUSE THEM TO ORGANSISE AS A MILITARY PEOPLE? — UPON THE MORMO [105] PEOPLE? — THE MORMON PEOPLE? A. NO, THEY WAS AORGANISED BEFORE THAT. ; AS FAR AS I WAS ACQUAINTED WITH THE COUNCIL — Q- FROM THAT TIME ON UP TO ABOUT THE TIME OF THE MOUNTAIN MEADOWS MASSACRE, TELL ME WHETHER THE PEOPLE WERE NOT ORGANIZED AS A MILITIA AND ENROLLED AS SUCH. Q. TSHE INSTRUCTIONS WERE HAD</p>	<p>WAY THAT WAS [space] AFTER THAT 24 JULY 57 DID THAT HAVE ANY EFFECT ON THIS PEOPLE TO CAUSE THEM TO ORGANIZE AS A MILITARY PEOPLE/AT ALL[?] UPON THE</p> <p>MORMON PEOPLE NO THEY WAS ORGANIZED BEFORE THAT AS FAR AS I WAS ACQUAINTED WITH THE COUNCIL/ORGAN IZATION[?] FROM THAT TIME ON UP TO ABOUT THE TIME OF THE MOUNTAIN MEADOWS MASSACRE TELL ME WHETHER THE PEOPLE WERE</p> <p>ENROLLED AS [space] MILITIA [space] THE INSTRUCTIONS WE HAD</p>

RT	MU	BT	PS
<p>FROM GEORGE A. SMITH, WHO WAS SENT AS REPRESENTING PRESIDENT YOUNG'S MIND, WAS TO SAVE EVERYTHING LIKE BREADSTUFF AND USE IT ONLY WHEN WE WANTED IT. Q. DID THE PEOPLE EVER MEET AND DRILL, HAVE EXERCISES AND MUSTERS SO AS TO MAKE THEM UNDERSTAND THE USE OF ARMS AND MAKE THEM FAMILIAR WITH MILITARY TACTICS ? A. THERE USED DR TO BE DRILLS</p> <p>SOMETIMES THOSE DAYS. Q. WAS IT NOT A GENERAL OCCURRENCE FOR THEM TO MEET AND DRILL ? ^[133] A. YES, THEY DRILLED AT FILLMORE AND</p>	<p>FROM GEORGE A. SMITH, WHO WAS SENT AS REPRESENTING PRESIDENT YOUNG'S MIND, WAS TO SAVE EVERYTHING LIKE BREADSTUFF, AND USE IT WHEN WE WANTED IT. DID THE PEOPLE EVER MEET AND DRILL, HAVE EXERCISES AND MUSTERS, SO AS TO MAKE THEM UNDERSTAND THE USE OF ARMS, AND MAKE THEM FAMILIAR WITH MILITARY TACTICS? YES, SIR, THERE USED TO BE DRILLS,</p> <p>SOMETIMES, THOSE DAYS. WAS IT NOT A GENERAL OCCURRENCE FOR THEM TO MEET AND DRILL? YES, THEY DRILLED AT FILLMORE AND</p>	<p>FROM GEORGE A. SMITH, WHO WAS SENT AS REPRESENTING PRESIDENT QYOUNG'S MIND, WAS TO SAVE EVERYTHING LIKE BREAD-STUFF, AND USE IT WHEN WE WANTED TX IT.— Q. DID THE PEOPLE EVER MEET AND DRILL, HAVE MUSTERS OR HAVE OR HAVE EXERCISE TO MAKE THEM UNDERSTAND THE USE OF ARMS, TO IMPROVE THEM IN MILITARY TACKTICS. A. YES, SIR, THERE USED TO BE DRILLS FOR DAYS, SOMETIMES.</p> <p>Q. WASN'T IT A GENERAL OCCURRENCE FOR THEM TO MEET AND DRILL? A. YES, THEY DRILLED IN FILLMORE AND</p>	<p>FROM GEORGE A SMITH WHO WAS SENT AS REPRESENTING PRESIDENT YOUNG'S MIND WAS TO SAVE EVERYTHING LIKE BREADSTUFF TO USE IT WHEN WE WANTED IT [<i>space</i>]^{[121]] DID THE PEOPLE EVER MEET TO DRILL HAVE MUSTERS OR HAVE EXERCISES TO MAKE THEM UNDERSTAND THE USE OF THE ARMS TO IMPROVE THEM IN MILITARY TACTICS [<i>space</i>] YES SIR THERE USED TO BE DRILLS FOR DAYS SOME [<i>space</i>]}</p> <p>WAS NOT IT GENERAL OCCURRENCE FOR THEM TO MEET AND DRILL YES THEY DRILL IN FILLMORE</p>

RT	MU	BT	PS
<p>CEDAR — I DON'T KNOW ABOUT HARMONY, USING AS MUCH EFFORT AS POSSIBLE TO PERFECT THEMSELVES IN MILITARY TACTICS, THEY WERE ALWAYS DOING THAT, THEY DID THAT IN ILLINOIS. Q. DID YOU NOT UNDERSTAND THAT ALL THE MEN BETWEEN 18 AND 60 YEARS OF AGE WERE ENROLLED IN THE MILITIA ? A. YES, I UNDERSTOOD IT SO. Q.</p> <p>WHO WAS THE HIGHEST MILITARY OFFICER IN THIS DIVISION ? A. WILLIAM H. DAME WAS FIRST IN COMMAND IN THE</p>	<p>CEDAR—I DON'T KNOW ABOUT HARMONY— USING AS MUCH EFFORT AS POSSIBLE TO PERFECT THEMSELVES IN MILITARY TACTICS. THEY WERE ALWAYS DOING THAT; THEY DID THAT IN ILLINOIS. DID YOU NOT UNDERSTAND THAT ALL THE MEN BETWEEN EIGHTEEN AND SIXTY YEARS OF AGE WERE ENROLLED IN THE MILITIA? YES, I UNDERSTOOD IT SO.</p> <p>WHO WAS THE HIGHEST MILITARY OFFICER IN THIS DIVISION? WILLIAM H. DAME WAS FIRST IN COMMAND IN THE SOUTHERN</p>	<p>CEDAR — AND I DON'T KNOW ABOUT HARMONY Q— USING AS MUCH EFFORE AS POSSIBLE TO PERFECT THEMSELVES IN MILITARY TACTICS. - A- YES, THEY WAS ALWAYS DOING THAT; THEY DID THAT IN ILLINOIS. Q. DIDN.T YOU UNDERSTAND THAT ALL FROM 18 TO 60 YEARS OF AGE WERE ENROLLED IN THE MILITIA? A. YES, I UNDERSTOOD IT SO. Q. WHO DID YOU KNOW OF THE MILITIA IN THIS SECTION OF THE COUNTRY — THAT IS WHO WAS THE HIGHEST MILITARY OFFICER IN THIS DIVISION? A. WILLIAM H. DAME WAS FIRST IN COMMAND IN THE SOUTHERN</p>	<p>CEDAR BUT I DON'T KNOW ABOUT HARMONY [space] USING AS MUCH EFFORT AS POSSIBLE TO PERFECT THEMSELVES IN MILITARY TACTICS YES THEY WAS ALWAYS DOING THEY DID THAT IN ILLINOIS DIDN'T YOU UNDERSTAND THAT ALL FROM 18 60 YEARS OF AGE WERE ENROLLED IN THE MILITIA YES I UNDERSTOOD IT SO WHO HAD <u>THE COMMAND OF THE MILITIA IN THIS SECTION OF THE COUNTRY</u> THAT IS WHO WAS THE HIGHEST MILITARY OFFICER IN THIS DIVISION WILLIAM H DAME WAS FIRST IN COMMAND IN THE SOUTHERN</p>

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<p>SOUNTRY, HE WAS COLONEL OF THE IRON MILITIA, AS I UNDERSTOOD IT, I WAS OUT A GOOD DEAL. Q. WHO WAS THE HIGHEST MILITARY OFFICER AT CEDAR CITY ? A. WELL THAT I COULD NOT TESTIFY TO BUT I THINK IT WAS ISAAC C. HAIGHT BUT I WOULD NOT TESTIFY TO IT BECAUSE I DON'T KNOW. Q. STATE IF YOU KNOW WHETHER JOHN M. HIGBEE BELONGED TO THE MILITIA OR NOT ? A. WELL, HE BELONGED TO THE MILITIA, BUT WHETHER AS PRIVATE OR OFFICER I DON'T KNOW. Q. HOW MANY MEN DID JOHN D. LEE TELL YOU HAD GONE FROM CEDAR CITY TO THE MOUNTAIN</p>	<p>COUNTRY. HE WAS COLONEL OF THE IRON MILITIA, AS I UNDERSTOOD IT. I WAS OUT A GOOD DEAL. WHO WAS THE HIGHEST MILITARY OFFICER AT CEDAR CITY? WELL, THAT I COULD NOT TESTIFY TO, BUT I THINK IT WAS ISAAC C. HAIGHT, BUT I WOULD NOT TESTIFY TO IT, BECAUSE I DON'T KNOW. STATE IF YOU KNOW WHETHER JOHN M. HIGBEE BELONGED TO THE MILITIA OR NOT? WELL, HE BELONGED TO THE MILITIA, BUT WHETHER AS PRIVATE OR OFFICER, I DON'T KNOW. HOW MANY MEN DID JOHN D. LEE TELL YOU HAD GONE FROM CEDAR CITY TO THE MOUNTAIN</p>	<p>COUNTRY. HE WAS COLONEL OF THE IRON MILITIA AS I UNDERSTOOD IT. I WAS OUT A GOOD DEAL. Q. WHO WAS THE HIGHEST MILITARY OFFICER AT CEDAR CITY? A. WELL, THAT I COULD NOT TESTIFY TO, BUT I THINK IT WAS ISAAC C. HAIGHT ^[106] BUT I WOULD NOT TESTIFY TO IT BECAUSE I DON'T KNOW? Q. STATE IF YOU KNOW WHETHER JOHN M. HIGBEE BELONGED TO THE MILITIA OR NOT? A. WELL, HE BELONGED TO THE MILLITIA, BUT WHETHER IT WAS PROVATE OR OFFICER I DON'T KNOW. Q. HOW MANY MEN DID JOHN D. LEE TELL YOU HAD GON FROM CEDAR CITY TO THE MOUNTAIN</p>	<p>COUNTRY HE WAS COLONEL OF THE IRON MILITIA AS I UNDERSTOOD IT I WAS OUT A GOOD DEAL [space] WHO WAS THE HIGHEST MILITARY OFFICER AT CEDAR CITY? WELL & THAT I COULD NOT TESTIFY TO BUT I THINK IT WAS ISAAC C HAIGHT <i>BUT</i>[?] THINK WOULD NOT DO THAT I TESTIFY TO IT BECAUSE I DON'T KNOW. [space] STATE IF YOU KNOW WHETHER JOHN M. HIGBEE BELONGED TO THE MILITIA OR NOT WELL HE BELONGED TO THE MILITIA WHETHER IT WAS PRIVATE OR OFFICER I DON'T KNOW [space] HOW MANY MEN DID JOHN D. LEE TELL YOU HAD GONE FROM CEDAR CITY TO THE</p>
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MEADOWS, AND THAT WERE.PRESENT	MEADOWS, AND THAT WERE PRESENT	MEADOWS, AND THAT WERE PRESENNT	MEADOWS ^{[[22]]} AND THAT WERE PRESENT AT THE MEADOWS
AT THE TIME OF THE MASSACRE A. WELL, IF HE TOLD ME I HAVE FORGOTTEN. Q. DID YOU EVER HAVE A CONVERSATION WITH HIM OR WITH ANY OTHER PERSON AS TO HOW MANY OR ABOUT HOW MANY WERE THERE ? A. NO, I DON'T KNOW THAT I HAVE. I HEARD THERE WAS SOMETHING LIKE FIFTY IN ALL FROM CEDAR CITY AND FROM BELOW THERE, BUT THAT IS NOTHING BUT AN IDEA,NOT FOUNDED ON FACT, AS REPORTS. Q. YOU SPOKE ABOUT LEE TELLING YOU THAT THERE	AT THE TIME OF THE MASSACRE? WELL, IF HE TOLD ME I HAVE FORGOTTEN. DID YOU EVER HAVE A CONVERSATION WITH HIM, OR WITH ANY OTHER PERSON, AS TO HOW MANY OR ABOUT HOW MANY WERE THERE? NO, I DON'T KNOW THAT I HAD. I HEARD THERE WAS SOMETHING LIKE FIFTY IN ALL FROM CEDAR CITY AND FROM BELOW THERE, BUT THAT IS NOTHING BUT AN IDEA—NOT FOUNDED ON FACT—AS REPORTS. YOU SPOKE ABOUT LEE TELLING YOU THAT THERE	AT THE TIME OF THE MASACRE?. A. WELL IF HE TOLD ME I HAVE FORGOTTEN. Q. DID YOU EVER HAVE ANY CONVERSATION WITH HIM OR WITH ANY OTHER MAN PERSONAS TO HOW MANY OR ABOUT HOW MANY THERE WERE THERE? A. NO, I DON'T KNOW THAT I DID.I HEARD THAT THERE WAS SOMETHING LIKE 50 IN ALL FROM BELOW THERE, BUT THAT IS ANOTHING BUT AN IDEA—NOT FOUNDED ON FACTS, JUST REPORTS. Q. YOU SPOKE ABOUT LEE TELLING YOU THAT THERE	AT THE TIME OF THE MASSACRE [space] WELL IF HE TOLD ME I HAVE FORGOTTEN DID YOU KNOW FROM ANY CONVERSATION WITH HIM OR ANY OTHER PERSON HOW MANY OR ABOUT HOW MANY WERE THERE NO I DID NOT BUT I HAD THE IDEA THERE WAS SOMETHING LIKE 50 IN ALL FROM BELOW AND THERE BUT THAT IS NOTHING BUT AN IDEA AND FOUNDED ON NO OTHER REPORTS. [space] YOU SPOKE ABOUT LEE TELLING YOU THERE

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<p>WAS A NECESSITY FOR KIL- ^[134] LING THOSE YOUNG GIRLS, BECAUSE THEY WERE OLDER THAN THOSE THAT HIS ORDERS PERMITTED HIM TO SAVE. Q. STATE NOW IF HE DID NOT TELL YOU IN THAT CONVERSATION SOME REASON FOR THE KILLING OF THE GROWN PEOPLE ? A. THE REASON</p> <p>WAS WHAT I TOLD YOU. Q. DID HE NOT SAY THAT IF THEY WERE PERMITTED TO GO THEY WOULD TELL THE TALE IN CALIFORNIA ABOUT WHAT HAD BEEN DONE THERE BY THE MORMONS A. HIS TALK WAS AND HIS EXCUSES WERE THAT IT</p>	<p>WAS A NECESSITY FOR KILLING THOSE YOUNG GIRLS, BECAUSE THEY WERE OLDER THAN THOSE THAT HIS ORDERS PERMITTED HIM TO SAVE. STATE NOW IF HE DID NOT ^[373] TELL YOU IN THAT CONVERSATION SOME REASON FOR THE KILLING OF THE GROWN PEOPLE. THE REASON</p> <p>WAS WHAT I TOLD YOU. DID HE NOT SAY THAT IF THEY WERE PERMITTED TO GO THEY WOULD TELL THE TALE IN CALIFORNIA, ABOUT WHAT HAD BEEN DONE THERE BY THE MORMONS? HIS TALK WAS AND HIS EXCUSES WERE THAT IT</p>	<p>WAS A NECESSITY FOR THE KILLING OF THOSE YOUNG GIRLS, BECAUSE THEY WERE OLDER THAN THOSE THAT HIS ORDERS PERMITTED HIM TO SAVE. STATE NOW IF HE DIDN'T TELL YOU IN THAT CONVERSATION SOME REASONS FOR THE KILLING OF THE GROOWN PEOPLE? A. THE REASON THAT HE TOLD ME WAS FWHAT I TOLD YOU. Q. DIDN'T HE SAY THAT IF THEY WERE PERMITTED TO GO THEY WOULD TELL THE TALE IN CALIFORNIA OF WHAT HAD BEEN DONE BY THE MORMONS? A. HIS TALK AND WEXCUSES WAS, THAT IF THEY DID GO IT</p>	<p>WAS A NECESSITY FOR THE KILLING OF THOSE YOUNG GIRLS BECAUSE THEY WERE OLDER THAN THOSE THAT HIS ORDERS HAD PERMITTED HIM TO SAVE STATE NOW IF HE DIDN'T TELL YOU IN THAT CONVERSATION SOME REASON FOR THE KILLING OF THE GROWN PEOPLE THE REASON HE GAVE ME WAS WHAT I TOLD YOU ^[space] DIDN'T HE SAY THAT IF THEY WERE PERMITTED TO GO THEY WOULD TELL THE TALE/PEOPLE[?] IN CALIFORNIA OF WHAT HAD BEEN DONE BY THE MORMONS ^[space] HIS TALK AND EXCUSES WAS THAT IF THEY DID GO IT</p>

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<p>WOULD BE A BAD THING FOR THE PEOPLE HERE IN UTAH IF IT WAS KNOWN AND GOT OUT IN SUCH A TROUBLESOME TIME, THEY COULD BRING MUCH TROUBLE ON THE MORMONS AS A PEOPLE. Q. WAS NOT THAT TROUBLE TO COME FROM THEIR NOTIFYING THE PEOPLE OF CALIFORNIA OF WHAT HAD TO BE DONE ? A. WELL, YES, WHEN I INTERROGATED HIM ABOUT THAT HE SAID— I THINK HE SAID —IT WOULD HAVE A TENDENCY TO BRING TROUBLE FROM CALIFORNIA. Q. DID HE NOT TELL YOU THAT THAT WAS THE UNDERSTANDING OF THE</p>	<p>WOULD BE A BAD THING FOR THE PEOPLE HERE IN UTAH, IF IT WAS KNOWN, AND GOT OUT IN SUCH A TROUBLOUS TIME. IT WOULD BRING MUCH TROUBLE ON THE MORMONS AS A PEOPLE. WAS NOT THAT TROUBLE TO COME FROM THEIR NOTIFYING THE PEOPLE OF CALIFORNIA OF WHAT HAD BEEN DONE? WELL, YES. WHEN I INTERROGATED HIM ABOUT THAT HE SAID— I THINK HE SAID —IT WOULD HAVE A TENDENCY TO BRING TROUBLE FROM CALIFORNIA. DID HE NOT TELL YOU THAT THAT WAS THE UNDERSTANDING OF THE</p>	<p>WOULD BE VERY BAD THING FOR THE PEOPLE HERE IN THE SOUTH. IF IT WAS KNOWN, AND THAT IF THIS GOT OUT IN SUCH A PRECARIOUS TIME, IT WOULD BRING ON ON MUCH TROUBLE ON THE PEOPLE. Q. WAS NOT THAT TROUBLE TO COME FROM NOTIFYING THE PEOPLE OF CALIFORNIA WHAT HAD BEEN DONE? A. WELL, YES, WHEN I INTERROGATED HIM ABOUT THAT HE SAID— I THINK HE SAID IT WOULD HAVE A TENDENCY TO BRING TROUBLE FROM CALIFORNIA. ^[107] Q. DIDN'T HE TELL YOU THAT WAS THE UNDERSTANDING OF THE</p>	<p>WOULD BE VERY BAD THING FOR THE PEOPLE HERE IN THE SOUTH IF IT WAS KNOWN» AND THAT THIS GETTING OUT IN SUCH A PRECARIOUS TIME SUPPOSE IT WOULD BRING ON MUCH TROUBLE ON THE PEOPLE. [<i>space</i>] WAS NOT THAT TROUBLE TO COME FROM THEIR NOTIFYING PEOPLE OF CALIFORNIA WHAT HAD BEEN DONE YES WHEN I INTERROGATED HIM ABOUT THAT HE SAID I THINK HE SAID IT WOULD HAVE A TENDENCY [<i>space</i>] TO BRING TROUBLE FROM CALIFORNIA DIDN'T HE TELL YOU THAT WAS THE UNDERSTANDING OF THE</p>

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<p>PEOPLE THAT IF THEY WERE PERMITTED TO GO THAT IT WOULD CALL AN ARMY FROM THE SOUTH AND THAT WAS THE REASON THESE INSTRUCTIONS WERE SENT AS THEY WERE ? A. HE DIDN'T SAY ANYTHING ABOUT THE PEOPLE. Q. DID HE NOT TELL YOU WHY THE INSTRUCTIONS CAME TO HIM AS THEY DID</p> <p>A. HE DID NOT TELL WHO IT CAME FROM; HE SAID HE DID IT BY AUTHORITY Q. DID HE NOT TELL YOU THAT HE DID IT BY AUTHORITY AND THE REASON THAT AUTHORITY GAVE WAS THAT THESE PARTIES IF</p>	<p>PEOPLE, THAT IF THEY WERE PERMITTED TO GO, THAT IT WOULD CALL AN ARMY FROM THE SOUTH, AND THAT WAS THE REASON THESE INSTRUCTIONS WERE SENT AS THEY WERE? HE DIDN'T SAY ANYTHING ABOUT THE PEOPLE. DID HE NOT TELL YOU WHY THE INSTRUCTIONS CAME TO HIM AS THEY DID?</p> <p>HE DID NOT TELL WHO IT CAME FROM, HE SAID HE DID IT BY AUTHORITY. DID HE NOT TELL YOU THAT HE DID IT BY AUTHORITY AND THE REASON THAT AUTHORITY GAVE WAS THAT THESE PARTIES, IF</p>	<p>PEOPLE, & THAT IF THEY WERE PERMITTED TO GO THAT IT WOULD CALL AN ARMY FROM THE SOUTH, AND THAT WAS THE REASON THESE INSTRUCTIONS WERE SENT AS THEY WERE? A. HE DIDN'T SAY ANYTHING ABOUT THE PEOPLE. Q. DIDN'T HE TELL YOU HOW THE INSTRUCTIONS CAME TO YOU HIM AS THEY DID? DIDN'T HE GIVE IT AS A REASON —A. HE DIDN'T TELL WHO IT CAME FROM, HE SAID HE HAD IT FROM AUTHORITY. Q..DIDN'T HE TELL YOU THAT HE HAD IT FROM AUTHORITY AND THE REASON THAT AUTHORITY GAVE IT WAS, THAT THESE PARTIES, IF</p>	<p>PEOPLE THAT IF THEY WERE PERMITTED TO GO THAT IT WOULD CALL AN ARMY FROM THE SOUTH AND THAT WAS THE REASON THESE INSTRUCTIONS WERE SENT —[?] HE DIDN'T SAY ^{[[23]]} ANYTHING ABOUT THE PEOPLE. [space] DIDN'T HE TELL YOU WHY THE INSTRUCTIONS —[?] CAME TO HIM AS THEY DID [space] DIDN'T HE GIVE IT AS A REASON HE DIDN'T TELL WHO IT CAME FROM HE SAID HE HAD IT FROM AUTHORITY [space] DIDN'T HE TELL YOU THAT HE HAD IT FROM AUTHORITY AND THE REASON THAT AUTHORITY GAVE IT WAS THAT THESE PARTIES IF</p>

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<p>PERMITTED TO GO WOULD RAISE A WAR CLOUD IN CALIFORNIA ? ^[135] A. I DON'T KNOW AS HE DID. HE SAID</p> <p>IT WOULD LEAD TO BRINGING AN ARMY DOWN UPON US. THAT IS WHAT HE TOLD ME. Q. DID HE TELL YOU ANYTHING FURTHER ? A. I THINK I HAVE TOLD YOU ALL THAT WAS IMPORTANT THAT JOHN D. LEE SAID. Q. DID NOT JOHN D. LEE TELL YOU IN THAT SAME CONVERSATION THAT AFTER THE INDIANS MADE THE ATTACK THE FIRST TIME THAT ONE OR MORE MEN STARTED FROM THE EMIGRANT CAMP FOR</p>	<p>PERMITTED TO GO, WOULD RAISE A WAR CLOUD IN CALIFORNIA? I DON'T KNOW AS HE DID. HE SAID</p> <p>IT WOULD LEAD TO BRINGING AN ARMY DOWN UPON US; THAT IS WHAT HE TOLD ME. DID HE TELL YOU ANYTHING FURTHER? I THINK I HAVE TOLD YOU ALL THAT WAS IMPORTANT THAT JOHN D. LEE SAID. DID NOT JOHN D. LEE TELL YOU IN THAT SAME CONVERSATION, THAT AFTER THE INDIANS MADE THE ATTACK THE FIRST TIME, THAT ONE OR MORE MEN STARTED FROM THE EMIGRANT CAMP FOR</p>	<p>PERMITTED TO GO, WOULD RAISE A RWAR CLOUD IN CALIFORNIA? A. I DON'T KNOW AS HE DID, HE SAID</p> <p>IT WOULD LEAD TO BRING AN ARMY UPON US; THAT IS WHAT HE TOLD ME FOR ONE THING. Q. DID HE TELL YOU ANYTHING FURTHER? A. I THINK I HAVE TOLD YOU ALL OF IMPOTRANCE—</p> <p>Q. DIDN'T JOHN D. LEE TELL YOU IN THAT SAME CONVERSATION THAT AFTER THE INDIANS MADE THE ATTACK THE FIRST TIME, THAT ONE OR MORE MEN STARTED FROM THE EMIGRANT CAMP FOR</p>	<p>PERMITTED TO GO WOULD RAISE A WAR CLOUD <—[?]> IN CALIFORNIA I DON'T KNOW AS HE DID. BUT I CALL WELL HE SAID IN MY MIND <THAT HE TOLD ME> THAT IT WOULD LEAD TO BRINGING AN ARMY UPON US THAT IS WHAT HE TOLD ME FOR ONE THING DID HE TELL YOU ANYTHING FURTHER I THINK I HAVE TOLD YOU ALL IMPORTANT ~</p> <p>DIDN'T JOHN D. LEE TELL YOU IN THAT SAME CONVERSATION THAT AFTER THE INDIANS MADE THE ATTACK FIRST TIME THAT ONE OR MORE MEN STARTED FROM THE EMIGRANT CAMP TO GO TO</p>

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<p>CEDAR CITY AND MET SOME MEN GOING TO THE EMIGRANT CAMP FROM CEDAR CITY. THAT THEY MET AT THE SPRINGS AND THAT YOUNG AIDEN WAS KILLED BY WILLIAM C. STEWART ? A. HE GAVE ME AN ACCOUNT OF IT Q. TELL ME WHAT HE SAID ABOUT IT ? A. I CAN'T DO</p> <p>THAT. Q. THEN GIVE ME THE SUBSTANCE OF IT ? A. IT WOULD BE FROM MEMORY AND THERE MIGHT BE AN ERROR IN IT. HE TOLD ME— HE SPOKE OF THREE MEN STARTING BACK TO GO TO CEDAR CITY TO GET ASSISTANCE AND TO GIVE</p> <p>INFORMATION OF WHAT WAS GOING ON</p>	<p>CEDAR CITY, AND MET SOME MEN GOING TO THE EMIGRANT CAMP FROM CEDAR CITY; THAT THEY MET AT THE SPRINGS, AND THAT THEN YOUNG AIDEN WAS KILLED BY WILLIAM C. STEWART? HE GAVE ME AN ACCOUNT OF IT. TELL ME WHAT HE SAID ABOUT IT? I CAN'T DO</p> <p>THAT. THEN GIVE THE SUBSTANCE OF IT. IT WOULD BE FROM MEMORY, AND THERE MIGHT BE AN ERROR IN IT. HE TOLD ME— HE SPOKE OF THREE MEN STARTING BACK TO GO TO CEDAR CITY TO GET ASSISTANCE AND TO GIVE</p> <p>INFORMATION OF WHAT WAS GOING ON</p>	<p>CEDAR CITY AND MET SOME MEN COMING</p> <p>FROM CEDAR CITY; THAT THEY MET AT THE SPRINGS</p> <p>WHEN ADEN WAS KILLED BY</p> <p>ATEWART?? A. HE GAVE ME AN ACCOUNT OF IT. Q. TELL ME WHAT HE SAID ABOUT IT? A. I CAN'T TELL YOU ABOUT THAT. Q. GIVE ME THE SUBSTANCE OF IT? A. IT WOULD BE FROM MEMORY AND THERE MIGHT BE AN ERROR IN IT. HE SPOKE OF THREE MEN STARTING TO GO TO CEDAR CITY TO GET ASSISTANCE AND TO GIVE THE INFORMATION OF WHAT WAS GOING ON</p>	<p>EMIGRANT CAMP</p> <p>FROM CEDAR CITY THAT MET AT THE SPRINGS</p> <p>WHEN ADEN WAS KILLED BY</p> <p>STEWART [<i>space</i>] HE GAVE ME AN ACCOUNT OF IT TELL ME WHAT HE SAID ABOUT THAT I CAN'T TELL YOU THAT [<i>space</i>] GIVE ME THE SUBSTANCE OF IT? IT WOULD BE FROM MEMORY AND IT MIGHT BE AN ERROR IN IT [<i>space</i>] HE SPOKE OF 3 MEN STARTING BACK TO GO TO CEDAR CITY TO GET ASSISTANCE AND TO GIVE</p> <p>INFORMATION OF WHAT WAS GOING ON</p>

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<p>AFTER THE FIRST INDIAN ATTACK. DURING THAT TIME THERE WERE THREE MEN WENT OUT IN THE NIGHT AND ONE WAS KILLED AT LITTLE PINTO FOUR MILES THIS SIDE OF THE</p> <p>MEADOWS. I DON'T KNOW WHO HE SAID KILLED THEM. I DON'T KNOW AS HE SAID THAT HE KNEW. I THINK ONE WAS KILLED THERE AND THE OTHER GOT BACK TO THEIR CAMP. THEY WOUNDED IN THE NIGHT AND THE THOUGHT WAS THAT THIS</p> <p>WOULD LEAD TO</p> <p>TROUBLE IF THEY WERE PERMITTED TO GO,</p>	<p>AFTER THE FIRST INDIAN ATTACK. DURING THAT TIME THERE WERE THREE MEN WENT OUT IN THE NIGHT, AND ONE WAS KILLED AT LITTLE PINTO, FOUR MILES THIS SIDE OF THE</p> <p>MEADOWS. I DON'T KNOW WHO HE SAID KILLED THEM. I DON'T [374] KNOW AS HE SAID THAT HE KNEW. I THINK ONE WAS KILLED THERE, AND THE OTHER GOT BACK TO THEIR CAMP. THEY WOUNDED ONE IN THE NIGHT, AND THE THOUGHT WAS THIS</p> <p>WOULD LEAD TO</p> <p>TROUBLE IF THEY WERE PERMITTED TO GO,</p>	<p>AFTER THE FIRST ATTACK OF THE INDIANS. DURING THAT TIME THERE WAS THREE MEN WENT OUT IN THE NIGHT AND ONE WAS KILLED AT LITTLE PINTO, FOUR MILES THIS SIDE OF THE [108] MOUNTAIN MEADOWS. I DON'T KNLW WHO HE SAID KILLED THEM. I DON'T KNOW AS HE SAID THAT HE KNEW. I THINK ONE WAS KILLED THERE AND THE OTHER GOT BACK TO CAMP, AND THEY WOUNDED ONE IN THE NIGHT, AND THAT AND OTHER THINGS AS HE SUPPOSED WOULD LEAD TO BRING ON THEIS TROUBLE IF THEY WAS PERMITTED TO GO. THAT</p>	<p>AFTER THE FIRST ATTACK OF THE INDIANS DURING THAT TIME THERE WAS 3 MEN WENT OUT IN THE NIGHT AND ONE WAS KILLED AT LITTLE PINTO 4 MILES THIS SIDE OF THE MOUNTAIN MEADOWS [[24]] TELL I DON'T KNOW WHO HE SAID KILLED THEM I DON'T KNOW AS HE SAID HE KNEW I THINK ONE WAS KILLED AND OTHER CAME BACK BUT THEY WOUNDED HIM ONE IN THE NIGHT AND THAT AND OTHER THINGS AS HE SUPPOSED WOULD LEAD TO BRINGING ON THIS TROUBLE IF THEY WAS PERMITTED TO GO [space] THAT</p>

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ON ACCOUNT OF THIS MAN BEING WOUNDED AND TELLING HOW IT WAS DONE	ON ACCOUNT OF THIS MAN BEING WOUNDED AND TELLING HOW IT WAS DONE,	ON ACCOUNT OF THIS MAN BEING WOUNDED AND TELLING HOW IT WAS DONE, AND ABOUT THE OTHER BEING KILLED AT THE SPRINGS, AND WHAT HAD HAPPENED IN THE PAST. THAT WAS WHAT HE SAID, ON ACCOUNT OF THOSE BEING WOUNDED THERE AND WHAT HAD HAPPENED IN THE PAST; IT WAS THE BEST THING TO DO. WHAT HAD HAPPENED WOULD LEAD TO	ON ACCOUNT OF THEM CONVERSATION [space] AND ONE KILLED AT THE SPRINGS [space] THAT WAS WHAT HE SAID ON ACCOUNT OF <i>THESE/THIS[?]</i> BEING WOUNDED THERE AND WHAT HAD HAPPENED IN THE PAST WAS BEST THING WHAT HAD HAPPENED WOULD LEAD TO
AND WHAT HAD HAPPENED IN THE PAST. THAT WAS ABOUT HIS LANGUAGE.	AND WHAT HAD HAPPENED IN THE PAST, WAS ABOUT HIS LANGUAGE;	WHAT HAD HAPPENED WOULD LEAD TO	BRINGING TROUBLE, PERHAPS AN ARMY ON THE SOUTHERN PEOPLE, AND ESPECIALLY THAT ACTION AT THE SPRINGS AND THE KILLING OF THAT
WHAT HAD HAPPENED WOULD LEAD TO ^[136] BRINGING AN ARMY UPON BRINGING TROUBLE, PERHAPS AN ARMY ON THE SOUTHERN PEOPLE, AND ESPECIALLY THAT ACTION AT THE SPRINGS AND THE KILLING OF THAT	BRINGING TROUBLE, PERHAPS AN ARMY ON THE SOUTHERN PEOPLE, AND ESPECIALLY THAT ACTION AT THE SPRINGS, IN THE KILLING THAT	BRING ON TROUBLE AND PERHAPS AN ARMY ON THE SOUTHERN PEOPLE, AND ESPECIALLY THAT ACTION THERE AT THE SPRINGS AND THE KILLING OF OF THAT	BRINGING TROUBLE AND PERHAPS AN ARMY ON THE SOUTHERN PEOPLE [space] AND <i>ESPECIALLY[?]</i> THAT ACTION THERE AT THE SPRINGS AND THE KILLING OF THAT

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MAN.	MAN.	MAN. I DON'T KNOW ABOUT THAT,- WHAT HE SAID ABOUT IT.?	MAN I DON'T KNOW ABOUT THAT WHAT HE SAID ABOUT IT.
Q. DID LEE TELL YOU WHO WAS AT THE SPRINGS AT THAT TIME ? A. NO, ? IF HE DID I DON'T REMEMBER.	DID LEE TELL YOU WHO WAS AT THE SPRINGS AT THAT TIME? NO, IF HE DID, I DON'T REMEMBER.	Q..DID HE TELL YOU WHO WAS AT THE SPRINGS AT THAT TIME?? A. IF HE DID, I DON'T REMEMBER.	[space] DID HE TELL YOU WHO WAS AT THE SPRINGS AT THAT TIME NO IF HE DID I DON'T REMEMBER BY/ABOUT[?] THE SCENE/ONLY[?] THAT HE ~[space] DIDN'T HE SAY THIS TO YOU THAT IT WAS UNDERSTOOD BY THE AUTHORITIES THAT ONE MAN WAS WOUNDED AT THE SPRINGS AND ONE MAN KILLED BY STEWART AND IF THOSE PEOPLE WERE PERMITTED TO GO TO CALIFORNIA THEY WOULD NOTIFY THE PEOPLE OF CALIFORNIA THAT THE WHITES HAD MADE AN ATTACK IN CONJUNCTION WITH THE INDIANS.
Q. DID HE SAY THIS TO YOU, THAT IT WAS UNDERSTOOD BY THE AUTHORITIES THAT ONE MAN WAS WOUNDED AT THE SPRINGS AND ONE MAN KILLED BY STEWART AND IF THOSE PEOPLE WERE PERMITTED TO GO TO CALIFORNIA THEY WOULD NOTIFY THE PEOPLE OF CALIFORNIA THAT THE WHITES HAD MADE AN ATTACK IN CONJUNCTION WITH THE INDIANS.	DID HE SAY THIS TO YOU— THAT IT WAS UNDERSTOOD BY THE AUTHORITIES THAT ONE MAN WAS WOUNDED AT THE SPRINGS, AND ONE MAN KILLED BY STEWART, AND IF THOSE PEOPLE WERE PERMITTED TO GO TO CALIFORNIA THEY WOULD NOTIFY THE PEOPLE OF CALIFORNIA THAT THE WHITES HAD MADE AN ATTACK IN CONJUNCTION WITH THE—— INDIANS;	Q. DID HE SAY THIS TO YOU: THAT IT WAS UNDERSTOOD BY THE A UTHORITIES THZAT THIS MAN BEING ATTACKED AT THE SPRINGS, AND THIS MAN BEING KILLED BY STW E WART, IF THESE PEOPLE WERE PERMITTED TO GO TO CALIFORNIA THEY WOULD NOTIFY THE P O EOPLE OF CALIFORNIA THAT THE WHITES HAD MADE AN ATTACK IN CONJUNCTION WITH THE INDIANS AND	THAT HE ~[space] DIDN'T HE SAY THIS TO YOU THAT IT WAS UNDERSTOOD BY THE AUTHORITIES THAT THESE MEN BEING ATTACKED AT THE SPRINGS AND THIS MAN BEING KILLED BY STEWART IF THOSE PEOPLE WERE PERMITTED TO GO TO CALIFORNIA THEY WOULD NOTIFY THE PEOPLE OF CALIFORNIA THAT THE WHITES HAD MADE AN ATTACK IN CONJUNCTION WITH THE INDIANS AND

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<p>THAT THEY WOULD LEAD AN ARMY FROM THE SOUTH AND WEST AND THAT FOR SAFETY THEY CONSIDERED IT NECESSARY AS A WAR MEASURE TO KILL THOSE PEOPLE ?</p> <p>A. I THINK HE TOLD <u>YOU</u> THAT MR. BISHOP. I TOLD YOU THAT WHEN I ASKED HIM HE TOLD ME THAT THAT WOULD LEAD TO BRINGING AN ARMY HERE. I AM SATISFIED THAT THAT IS WHAT HE SAID, BUT AS TO THE PARTICULARS OF THE KILLING AT LITTLE</p>	<p>THAT THEY WOULD LEAD AN ARMY FROM THE SOUTH AND WEST, AND THAT FOR SAFETY THEY CONSIDERED IT NECESSARY AS A WAR MEASURE TO KILL THOSE PEOPLE?</p> <p>I THINK HE TOLD YOU THAT, MR. BISHOP. I TOLD YOU THAT WHEN I ASKED HIM, HE TOLD ME THAT THAT WOULD LEAD TO BRINGING AN ARMY HERE. I AM SATISFIED THAT IS WHAT HE SAID. BUT AS TO THE PARTICULARS OF THE KILLING AT LITTLE</p>	<p>THAT THEY WOULD LEAD AN ARMY FROM THE SOUTH AND WEST; AND THAT FOR SAFETY IT WAS CONSIDERED NECESSARY AS A WAR MEASURE TO KILL THOSE PEOPLE.</p> <p>HOWARD: IF I WERE THE ATTORNEY FOR THE AUTHORITIES I WOULD OBJECT TO THIS QUESTION, BUT AS I AM NOT I WILL LET IT GO.</p> <p>A. I THINK IN TOLD YOU THAT MR. BISHOP. I THINK I TOLD YOU, MR. BISHOP, THAT WHEN I ASKED HIM THAT HE TOLD ME THAT THAT WOULD LEAD TO BRINGING AN ARMY HERE- SATISFIED THAT IS WHAT HE SAID.. BUT THE PARTICULARS OF THE KILLING AT LITTLE</p>	<p>THAT THEY WOULD LEAD AN ARMY FROM THE SOUTH AND WEST AND THAT FOR SAFETY IT WAS CONSIDERED NECESSARY AS A WAR MEASURE TO KILL THOSE PEOPLE.</p> <p>≤I THINK I TOLD YOU THAT MR. BISHOP⇒ I THINK I TOLD YOU MR. BISHOP THAT WHEN I ASKED HIM HE TOLD ME THAT THAT WOULD LEAD TO BRINGING AN ARMY HERE ^{[[25]]} SATISFIED THAT IS WHAT HE SAID BUT THE PARTICULARS OF THE KILLING AT LITTLE</p>

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		<p>JOHN D. LEE. I AM HERE AS AN ATTORNEY AND OFFICER OF THIS COURT, TO DEFEND THIS KMAN ACCORDING TO THE BEST OF MY ABILITY AND I F TEHE EVIDENCE NECESSARY TO HIS ACQUITAL SHOULD CONVICT ALL OF GOD’S CREATION I CAN’T HELP IT, NOR I DON’T CARE;</p> <p>BUT THE PROSECUTION WOULD TAUNT ME WITH THE FACT THAT IF THEY WERE THE ATTORNEYS FOR THE CHURCH OR THE AUTHORITIES THAT THEY WOULD OBJECT TO THIS TESTIMONY. WE ARE SEEKING FOR THE TRUTH AND</p>	<p>JOHN D. LEE I AM HERE AS AN ATTORNEY AND OFFICER OF THIS COURT TO DEFEND THIS MAN ACCORDING TO THE BEST OF MY ABILITY AND I F THE EVIDENCE NECESSARY FOR HIS ACQUITTAL SHALL CONVICT ALL OF GOD’S CREATION I CAN’T HELP IT NOR I DON’T CARE. I THINK THAT IF IT <i>COMES</i> WITH <i>THE/AN[?]</i> <i>OBJECT[?]</i> COURSE FROM THE PROSECUTION TO TAUNT ME WITH THE FACT THAT IF THEY WERE THE ATTORNEYS FOR THE CHURCH OR THE AUTHORITIES THAT THEY WOULD OBJECT TO THIS TESTIMONY I SIR ARE⁶⁹⁰ SEEKING FOR THE TRUTH AND</p>
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690. The shorthand was corrected to read “AM”.

RT**MU****BT****PS**

		<p>I WANT THIS WITNESS TO TELL EVERYTHING THAT HE KNOWS. I WANT EVERY WITNESS THAT COMES UPON THIS STAND TO TELL ALL HE KNOWS. I PROPOSE TO QUESTION WITNESSES WHEN THEY COME UPON THIS STAND TO GIVE THE PRECISE CONVERSATIONS. I PROPOSE TO BRING OUT ALL OF THAT CONVERSATION IF I AM ABLE TO, AND TO MAKE THEM GIVE THE ENTIRE FACTS; THEN I PROPOSE TO GO BEFORE THIS JURY AND GIVE THEM MY REASONS WHY THAT EVIDENCE IS NOT SUFFICIENT TO HANG JOHN D. LEE. I KNOW MY BROTHER HOWARD DOES NOT MAKE</p>	<p>I WANT THIS WITNESS TO TELL EVERYTHING THAT HE KNOWS AND I WANT EVERY WITNESS THAT COMES UPON THIS STAND TO TELL ALL HE KNOWS. I PROPOSE TO QUESTION WITNESSES WHEN THEY COME UPON THIS STAND TO GIVE THE <i>PRECISE/PRSH</i>[?] CONVERSATION I PROPOSE TO BRING OUT ALL OF THAT CONVERSATION THAT I AM ABLE TO BRING TO MAKE THEM GIVE THE ENTIRE FACTS THEN I PROPOSE TO GO BEFORE THIS JURY AND GIVE THEM MY REASONS WHY THAT EVIDENCE IS NOT SUFFICIENT TO HAVE HANG JOHN D. LEE I KNOW MY BROTHER HOWARD DOES NOT MAKE</p>
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RT**MU****BT****PS**

		<p>THESE REMARKS IN AN UNKIND SPIRIT-; BUT I FEEL IT MY DUTY TO MAKE THIS MUCH OF A PERSONAL EXPLENATION. I DO IT IN NO UNKINDNESS TO HIM OR &ANY OTHER PERSON, BUT THAT I MAY BE FULLY</p> <p>UNDERSTOOD.</p> <p>THE POSITION I OCCUPY IS A PECULIAR POSITION AS WELL AS BEING IN THE MIDST OF A PECULIAR PEOPLE. . I AM HERE NOW TO DO MY DUTY AS I UNDERSTAND IT, AND I PROPOSE TO DO IT IN FAIRNESS AND EARNESTLY, USING OTHERS AS I WOU;LD WH WISH TO BE USED MYSELF. IN SEEKING</p>	<p>THESE REMARKS ^{[[26]]} IN AN UNKIND SPIRIT [<i>space</i>] I FEEL IT MY DUTY TO MAKE THIS MUCH OF A PERSONAL EXPLANATION I MAKE IT I DO IT IN NO UNKINDNESS TO HIM OR ANY OTHER PERSONS BUT THAT I MAY BE FULLY UNDERSTAND UNDERSTOOD <i>REPEATING</i>[?] A [<i>space</i>] NEITHER ONE HAS RAISED TESTIMONY IN POSITION I OCCUPY A PECULIAR POSITION AS WELL AS BEING IN THE MIDST OF A PECULIAR PEOPLE I AM HERE NOW TO DO MY DUTY AS I UNDERSTAND IT I PROPOSE TO DO IT IN FAIRNESS AND EARNESTLY USING OTHERS AS I WOULD WISH TO BE USED MYSELF NOT SEEKING</p>
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RT**MU****BT****PS**

		<p>TO GET WITNESSES TO CONFESS FULLY ANYTHING OF THE KIND, THEY MAY KNOW, OR TO ENABLE THEM BY QUESTIONS THAT THAT WILL STRENGTHEN THEIR MEMORY TO GIVE ALL THEY KNOW ABOUT THAT HORRIBLE TRANSACTION. IN FACT I WZANT A WITNESS TO TO TELL IT AS BEST HE CAN AND IT IS TO ENABLE THE PROSECUTION TO KNOW THE FULL FACTS.</p> <p>IF THIS EVIDENCE BE TRUE IT CAN'T HURT JOHN D. LEE TO MAKE IT FULLER.</p>	<p>TO GET WITNESSES CONFUSED NOR ANYTHING OF THE KIND BUT TO ENABLE THEM BY QUESTIONS THAT WILL STRENGTHEN THEIR MEMORY TO GIVE ALL THEY KNOW ABOUT THAT HORRIBLE TRANSACTION IN FACT I WANT THE WITNESS TO TELL IT AS BEST I CAN AND IT IS TO ENABLE THE PROSECUTION TO KNOW THE FULL FACTS <i>THAT I AM HERE[?] TO [space] GOD KNOWS THAT IF THIS EVIDENCE BE TRUE IT CAN'T HURT JOHN D. LEE TO MAKE IT FULLER AND I WANT TO KNOW IF THEY HAD ANY CIRCUMSTANCE S ANY PLACES ANY OTHER PARTIES THAT WERE THE</i></p>
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RT	MU	BT	PS
		<p>[110] I HOPE MY BROTHER HOWARD WILL ACCEPT THIS EXPLENATION IN A SPIRIT IN WHICH IT IS INTENDED, THAT I MAY FOLLOW UP THIS COURSE OF DUTY, BECAUSE I BELIEVE IT TO BE A DUTY. HOWARD: I DON'T LIKE THE GENTLEMANS APPOLOGY EXPLENATIONS, BUT MAKING THE APPOLOGY W I WILL ACCEPT IT.</p> <p>THIS HAS BEEN A PECULIAR CASE IT IS A CASE AS I SAID IN MY OPENING I HAVE SPENT THE BEST THREE MONTHS OF MY LIFE PERHAPS NIGHT AND DAY IN ITS PREPARATION</p>	<p>MOVING CAUSE IN THIS CASE I HOPE MY BROTHER HOWARD WILL ACCEPT THIS EXPLANATION IN THE SPIRIT IN WHICH IT IS OFFERED THAT I <i>AM BOLD</i>[?] TO THIS COURSE AND DO IT BECAUSE I BELIEVE IT TO BE DUTY. [space] [[27]] HOWARD [space] I DON'T LIKE THE GENTLEMAN</p> <p>EXPLANATION MAKE <i>AM</i>[?] APOLOGY I WILL ACCEPT IT [space] I SUPPOSE I DID MYSELF⁶⁹¹ THIS HAS BEEN A PECULIAR CASE IT IS A CASE THAT AS I SAID IN MY OPENING I HAVE SPENT THE PAST 3 MONTHS OF MY LIFE PERHAPS NIGHT AND DAY IN ITS PREPARATION MY DEFENSE THAT AFTER</p>

691. A curved line encloses "I DID MYSELF".

RT**MU****BT****PS**

		<p>AND AFTER SPENDING THAT LENGTH OF TIME I COME HERE FAIRLY AND SQUARLY BEFORE THIS JURY AND LAID BEFORE THEM DOCUMENTARY EVIDENCE THAT WAS ADMITTED BY COUNSEL FOR THE DEFENSE FOR I CLAIMED THEN, & I SHALL CLAIM NOW, EXCLUDED THE AUTHORITIES FROM THE HEAD OF THE CHURCH DOWN —BROTHER BRIGHAM YOUNG DOWN TO THE AUTHORITIES AT CEDAR CITY FROM ANY COMPLICITY IN THIS CRIME. I THEN FOLLOWED IT UP BY SHOWING WHO’S HANDS WERE RED</p>	<p>HAVING ACCOMPANIED NO OTHER MAN IN INVESTIGATING IT AND AFTER SPENDING THAT LENGTH OF TIME I CAME HERE FAIRLY AND SQUARELY BEFORE THIS JURY AND LAID BEFORE THEM DOCUMENTARY EVIDENCE THAT WAS ADMITTED BY THE COUNSEL ≤FOR THE DEFENDANT> THAT I CLAIMED THEN AND SHALL CLAIM NOW EXCLUDED ≤THE AUTHORITIES FROM THE> THE HEAD OF THE CHURCH DOWN FROM FROM BRIGHAM YOUNG DOWN TO THE ≤AUTHORITIES AT≥ CEDAR CITY FROM ANY COMPLICITY IN THIS CRIME. I THEN FOLLOWED IT UP BY SHOWING WHO’S HANDS WERE RED</p>
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RT**MU****BT****PS**

		<p>I HAVE PROVEN BEFORE THE JURY THAT HE JOHN D. LEE COMMITTED THE ACT.. NOW WHERE ARE WE MET, AND HOW ARE WE MET BY THE PROSECUTION? THAT HE COVERED THE SOUTHERN END OF THIS TERRITORY AND IN FACT EVERY MAN WHO LIVED IN IT WERE DISGRACED BY EXCUSING HIMSELF FOR THE COMMISSION OF THIS CRIME HORRID CRIME BY LAYING IT UPON THE CHURCH WHO'S LEADERS HE HAS NOT IN THE LAST 10 OR 15 YEARS POLLUTED BY HIS PRESENCE. † SATAND HERE BEFORE THIS COMMUNITY AND SAY I STAND HERE</p>	<p>[space] ←WITH THE BLOOD OF THOSE⇒ I HAVE PROVEN BEFORE THE JURY THAT HE COMMITTED THE ACT. NOW WHERE ARE WE MET AND HOW ARE WE MET BY THE PROPOSITION THAT HE COVERED THE SOUTHERN END OF THIS TERRITORY AND IN FACT EVERY MAN THAT WHO LIVES IN IT THEY WERE DISGRACED BY EXCUSING HIMSELF FOR THE COMMISSION OF THIS HORRID CRIME BY LAYING IT UPON THE CHURCH AND ITS[?] LEADERS [space] HE HAS NOT IN THE LAST 10 OR 15 YEARS POLLUTED BY HIS PRESENCE.</p> <p>I STAND HERE</p>
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RT**MU****BT****PS**

		<p>AND SAY BEFORE THIS COMMUNITY BEFORE THIS JURY , BEFORE HIS HONOR, AYE, BEFORE THE WORLD AND CHALLENGE JOHN D. LEE TO BRING ONE IOTA OF EVIDENCE THAT WILL TAKE THIS DAMNING CRIME FROM HIS HANDS AND SADDLE IT UPON THE LEADERS OF THE MORMON CHURCH! IF HE CAN DO IT BY PROVING THIS FROM POSITIVE OR CIRCUMSTANTIAL EVIDENCE I SHALL NOT OBJECT TO IT, BUT ,SIR, HE IS A MAN WHO STANDS HERE CONVICTED BY EVIDENCE AND IT WILL REQUIRE SOMETHING ELSE THAN HIS OWN EXCUSE GIVEN TO MR. HAMBLIN FOR THIS CRIME TO</p>	<p>AND SAY BEFORE THIS COMMUNITY <BEFORE THIS> JURY BEFORE HIS HONOR AYE BEFORE THE WORLD AND CHALLENGE JOHN D. LEE TO BRING ONE IOTA OF EVIDENCE THAT ^{[[28]]} WILL SAY TAKE THIS DAMNING CRIME FROM HIS HAND <AND SADDLE IT UPON THE> SHOULDERS OF THE MORMON <CHURCH>; IF HE CAN DO IT BY PROVING THIS FROM POSITIVE OR CIRCUMSTANTIAL I SHALL NOT OBJECT TO IT BUT SIR HE IS NOT A MAN WHO STANDS HERE CONVICTED BY EVIDENCE AND IT WILL REQUIRE SOMETHING ELSE THAN HIS OWN EXCUSE GIVEN TO MR. HAMBLIN FOR THIS CRIME TO</p>
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RT	MU	BT	PS
		<p>SATISFY THIS JURY OF IT.</p> <p>IF HE IS TO PROVE THAT THE CHURCH COMMITTED THAT CRIME BRING ONE^[111] THE EVIDENCE.</p> <p>BISHOP: ≤BISHOP:≥ I AM SURPRISED THAT MY BROTHER HOWARD SHOULD GET EXCITED.</p> <p>I ASK THE INDULGENCE OF THE COURT TO MAKE THIS REMARK—</p>	<p>SATISFY THIS JURY THAT — [space] WHERE [space] IF HE IS TO PROVE THAT THE CHURCH COMMITTED THAT CRIME BRING ONE THE EVIDENCE [space] I AM SURPRISED THAT MY BROTHER HOWARD SHOULD GET EXCITED [space] FELLOW MAY SUPPOSE, [space] BISHOP⁶⁹² SUPPOSE [space] I ASK THE INDULGENCE OF THE COURT TO MAKE THIS REMARK— [space] COURT: THE FIRST REMARK WAS MADE BY THE PROSECUTING ATTORNEY AND WHEN MR. BISHOP [space] I AM NOT HERE IF YOUR HONOR PLEASE TO MAKE SUBJECT/SPEAK/ SP[?] TO PLEA/PEOPLE[?]</p>

692. In the left margin.

RT	MU	BT	PS
<p>Q. MR. HAMBLIN, HAVE YOU NOW DETAILED TO THE JURY ALL OF THE CONVERSATION THAT YOU HAD WITH JOHN D. LEE AT THE TIME THAT YOU MET HIM 7 OR 8 MILES THIS SIDE OF</p>	<p>MR. HAMBLIN, HAVE YOU NOW DETAILED TO THE JURY ALL OF THE CONVERSATION THAT YOU HAD WITH JOHN D. LEE, AT THE TIME THAT YOU MET HIM SEVEN OR EIGHT MILES THIS SIDE OF</p>	<p>I AM SURPRISED THAT THIS ARGUEMENT HAS COME UP HERE ABOUT THE LEADERS OF THE CHURCH AND AND ABOUT JOHN D. LEE NOT BEING IN THE CHURCH &C. FOR SO MANY YEARS.</p> <p>COURT: HE HAS NOT TEST TESTIFIED ON THAT AFFAIR. HOWARD: Q MR. HAMBLIN, HAVE YOU DETAILED TO THE JURY NOW ALL OF THE CONVERSATION THZAT YOU HAVE WITH JOHN D. LEE AT THE TIME THAT OU YOU MET HIM 7 OR 8 MILES FROM</p>	<p>TO <i>HAVE/IN</i>[?] ETC., WELL AS THE HONOR <i>ABOUT/OBJECT</i>[?]] I WISH TO <i>TAKE</i>[?] <i>THE</i>[?] I WISH TO SAY THIS THAT I AM SURPRISED THAT THIS ARGUMENT HAS COME UP HERE ABOUT THE LEADERS OF THE CHURCH AND ABOUT THAT JOHN D. LEE NOT BEING IN THE CHURCH &C FOR SO MANY YEARS UNDER THE TESTIMONY ~ <i>[space]</i> COURT: HE HAS NOT TESTIFIED ON THAT —[?]. <i>[space]</i> ^{<i>[[29]]</i>} MR. HAMBLIN HAVE YOU DETAILED TO THE JURY NOW ALL OF THE CONVERSATION THAT YOU HAD WITH JOHN D. LEE AT THE TIME THAT YOU MET HIM 7 OR 8 MILES FROM</p>

RT	MU	BT	PS
<p>FILLMORE ? A. I THINK I HAVE, THAT I RECOLLECT DISTINCTLY ENOUGH TO MENTION HERE. I MAY THINK OF SOMETHING ELSE. Q. YOU SAY YOU SAW SOME OF THE CATTLE ON THE HARMONY RANGE — HOW MANY PEOPLE USED THAT RANGE FOR THEIR CATTLE ?</p> <p>^[137] A. I THINK SOMETHING LIKE TWENTY FAMILIES. Q. DO YOU KNOW WHO TOOK CHARGE OF THE STOCK IMMEDIATELY AFTER THE MASSACRE ? A. I MET TWO YOUNG MEN DRIVING IT, BETWEEN 200 AND 300 HEAD. Q. WHO WERE THEY ? A. THEY LIVED AT CEDAR CITY, I DID NOT KNOW THEM. THEY SAID</p>	<p>FILLMORE? I THINK I HAVE, THAT I RECOLLECT DISTINCTLY ENOUGH TO MENTION HERE. I MAY THINK OF SOMETHING ELSE. Q. YOU SAY YOU SAW SOME OF THE CATTLE ON THE HARMONY RANGE. HOW MANY PEOPLE USED THAT RANGE FOR THEIR CATTLE? I THINK SOMETHING LIKE TWENTY FAMILIES. Q. DO YOU KNOW WHO TOOK CHARGE OF THE STOCK IMMEDIATELY AFTER THE MASSACRE? I MET TWO YOUNG MEN DRIVING IT— BETWEEN TWO AND THREE HUNDRED HEAD. WHO WERE THEY? THEY LIVED AT CEDAR CITY. I DID NOT KNOW THEM. THEY SAID</p>	<p>FILLMORE? A. I THINK I HAVE, THAT I RECOLLECT DISTINCRLY ENOUGH TO INTRODUCE HERE. I MAY THINK OSOF SOMETHING ELASE. Q. YOU SAY YOU SAW SOME OF THE CATTLE ON THE HARMONY RANGE, HOW MANY PEOPLE USED THAT RANGE??</p> <p>A. I THINK SOMETHING LIKE 20 MA FAMILIES. Q. DO YOU KNOW WHO TOOK CHARGE OF THE STOCK IMMEDIATELY AFTER THE MASSACRE? A. I MET TWO YOUNG MEN DRIVING IN BETWEEN TWO AND THREE HUNDRED HEAD. WQ. WHO WERE THEY? A. THEY LIVED AT CEDAR CITY. I DID NOT KNOW THEM THEY BSAID</p>	<p>FILLMORE [space] I THINK I HAVE THAT I RECOLLECT DISTINCTLY ENOUGH TO INTRODUCE HERE I MAY THINK OF SOMETHING ELSE Q. YOU SAY YOU SAW SOME OF THE CATTLE ON THE HARMONY RANGE HOW MANY PEOPLE USED THAT RANGE</p> <p>I THINK SOMETHING LIKE 20 FAMILIES [space] DO YOU KNOW WHO TOOK CHARGE OF THAT STOCK IMMEDIATELY AFTER THE MASSACRE? I MET TWO YOUNG MEN DRIVING IN BETWEEN 2 AND 3 HUNDRED HEAD [space] WHO WERE THEY [space] LIVED IN CEDAR CITY I DID NOT KNOW THEM THEY SAID</p>

RT	MU	BT	PS
<p>THEY WERE GOING TO DRIVE THEM TO THE IRON SPRINGS AND THEN AFTERWARDS I LEARNED THAT JOHN D. LEE TOOK THEM.</p> <p>Q. WHO WERE THOSE YOUNG MEN ?</p> <p>A. I DO NOT KNOW. I WAS NOT ACQUAINTED WITH THEM. I WAS NOT MUCH ACQUAINTED AT CEDAR CITY. THEY LIVED THERE THEY SAID. Q. HOW FAR DID YOU LIVE FROM CEDAR CITY AT THAT TIME ? A. MY FAMILY WAS THEN TWENTY EIGHT M LES FROM CEDAR CITY, AT THE MEADOWS. Q. DID YOU SPEND ANY TIME AT CEDAR CITY SOON AFTERWARDS ?</p> <p>A. WHEN I CAME</p>	<p>THEY WERE GOING TO DRIVE THEM TO THE IRON SPRINGS, AND THEN AFTERWARDS I LEARNED THAT JOHN D. LEE TOOK THEM.</p> <p>WHO WERE THOSE YOUNG MEN?</p> <p>I DO NOT KNOW. I WAS NOT ACQUAINTED ^[375] WITH THEM. I WAS NOT MUCH ACQUAINTED AT CEDAR CITY. THEY LIVED THERE, THEY SAID. HOW FAR DID YOU LIVE FROM CEDAR CITY AT THAT TIME? MY FAMILY WAS THEN TWENTY-EIGHT MILES FROM CEDAR CITY, AT THE MEADOWS. DID YOU SPEND ANY TIME AT CEDAR CITY SOON AFTERWARDS?</p> <p>WHEN I CAME</p>	<p>THEY WAS GOING TO DRIVE THEM TO THE IRON SPRINGS; AND THEN AFTERWARDS I LEARNED THAT MR. LEE TOOK THEM.</p> <p>Q. WHO WERE THOSE YOUNG MEN?</p> <p>A. I DON'T KNOW. I WAS NOT ACQUAINTED WITH THEM. I WAS NOT ACQUAINTED IN CEDAR CITY, THEY LIVED THERE THEY SAID. Q. HOW FAR DID YOU LIVE FROM CEDAR CITY AT THAT TIME? A. MY FAMILY WAS THEN 20 MILES FROM CEDAR CITY AT THE MEADOWS. Q. DID YOU SPEND ANY TIME IN CEDAR CITY AFTER THAT—SOON AFTERWARDS?</p> <p>A. WHEN I CAME</p>	<p>THEY WAS GOING TO DRIVE THEM TO THE IRON SPRINGS AND THEN AFTERWARDS I LEARNED THAT MR. LEE TOOK THEM.</p> <p><i>[space]</i> WHO WERE THOSE YOUNG MEN</p> <p>I DON'T KNOW THAT</p> <p>I WAS NOT ACQUAINTED IN CEDAR CITY. THEY LIVED THERE THEY SAID. HOW FAR DID YOU LIVE FROM CEDAR CITY AT THAT TIME MY FAMILY WAS THEN 28 MILES FROM CEDAR CITY AT THE MEADOWS <i>[space]</i> DID YOU SPEND ANY TIME IN CEDAR CITY AFTER THAT SOON AFTERWARDS WHEN I CAME</p>

RT	MU	BT	PS
<p>THROUGH I STOPPED ABOUT TEN MINUTES. I WAS ON AN EXPRESS. Q. WHERE WERE YOU CARRYING THE EXPRESS ? . A. I WAS GOING TO OVERTAKE ANOTHER COMPANY. COLONEL DAME WAS AFRAID THEY WOULD JUMP ON TO THEM AND WANTED ME TO GO AND SEE TO IT. Q. AFRAID WHO WOULD JUMP ON TO THEM ? A. THE INDIANS. Q. WHERE DID YOU GET THAT EXPRESS ? A. FROM HIM. ^[138] Q. WHERE AT ? A. AT WILD-CAT CANYON EIGHT OR TEN MILES NORTH OF HERE. Q. THAT WAS WHEN YOU WERE COMING FROM SALT LAKE—THAT WAS AFTER YOU HAD LEFT</p>	<p>THROUGH I STOPPED ABOUT TEN MINUTES. I WAS ON AN EXPRESS. WHERE WERE YOU CARRYING THE EXPRESS? I WAS GOING TO OVERTAKE ANOTHER COMPANY. COLONEL DAME WAS AFRAID THEY WOULD JUMP INTO THEM, AND WANTED ME TO GO AND SEE TO IT. AFRAID WHO WOULD JUMP INTO THEM? THE INDIANS. WHERE DID YOU GET THAT EXPRESS? FROM HIM. WHERE AT? A. AT WILD CAT CANYON, EIGHT OR TEN MILES NORTH OF HERE. THAT WAS WHEN YOU WERE COMING FROM SALT LAKE? THAT WAS. AFTER YOU HAD LEFT</p>	<p>THROUGH I STOPPED ABOUT 10 MINUTES. I WAS ON AN EXPRESS. Q. WAS YOU CARRYING THE EXPRESS? ^[112] A. I WAS GOING TO OVERTAKE ANOTHER COMPANY. COLONEL DAME WAS AFRAID THEY WOULD JUMP INTO THEM, AND WANTED ME TO GO AND SEE TO IT. Q. AFRAID WHO WOULD JUMP INTO THEM? A. THE INDIANS. Q. WHERE DID YOU GET THE EXPRESS? A. FROM HIM. Q. WHERE AT? A. AT WILD CAT CANTON, 8 OR 10 MILES NORTH OF THERE. Q- THAT WAS WHILE YOU WAS COMING FROM SALT LAKE ? A. THAT WAS. Q. AFTER YOU HAD LEFT</p>	<p>THROUGH I STOPPED ABOUT TEN ≤ 10 MINUTES I WAS ON AN EXPRESS [space] WHERE WAS YOU CARRYING THE EXPRESS I WAS GOING TO OVERTAKE ANOTHER COMPANY COLONEL DAME WAS AFRAID THEY WOULD JUMP INTO THEM AND WANTED ME TO GO AND SEE IT ABOUT IT [space] WHO [space] THE INDIANS [space] WHERE DID YOU GET THAT EXPRESS [space] FROM HIM WHERE AT [space] WILD CAT CANYON ^[130] 8 OR 10 MILES NORTH OF HERE [space] THAT WAS WHILE YOU WAS COMING FROM SALT LAKE THAT WAS AFTER YOU HAD LEFT</p>

RT	MU	BT	PS
JOHN D. LEE ? A. YES SIR.	JOHN D. LEE? YES, SIR.	JOHN FD. LEE. A. YES, SIR.	JOHN D. LEE YES HE WISHED ME TO [space]
Q. WHO WERE YOU CARRYING THAT EXPRESS TO ? A. TO THE INDIANS— IF THERE WERE ANY, HE SAID HE HAD LEARNED THEY WERE FOLLOWING UP THIS COMPANY. Q. WHAT COMPANY ? A. THE COMPANY THAT WAS FOLLOWING UP THE COMPANY THAT WAS MASSACRED. THEY WERE STOPPED HERE A WHILE AND THE INDIANS WOUNDED ONE OR KILLED ONE, OR SOMETHING. Q. HAVE YOU EVER GIVEN THIS CONVERSATION THAT YOU HAD WITH LEE	WHO WERE YOU CARRYING THAT EXPRESS TO? TO THE INDIANS— IF THERE WERE ANY. HE SAID HE HAD LEARNED THEY WERE FOLLOWING UP THIS COMPANY. WHAT COMPANY? THE COMPANY THAT WAS FOLLOWING UP THE COMPANY THAT WAS MASSACRED. THEY WERE STOPPED HERE A WHILE, AND THE INDIANS WOUNDED ONE, OR KILLED ONE, OR SOMETHING. HAVE YOU EVER GIVEN THIS CONVERSATION THAT YOU HAD WITH LEE,	Q. WAS YOU CARRYING THE EXPRESS TOO, TO THE INDIANS— IF THERE WAS ANY? A. HE SAID HE LEARNED THEY WERE FOLLOWING UP THIS COMPANY. Q. WHAT COMPANY? A. THE COMPANY THAT WAS FOLLOWING UP THE COMPANY THAT WAS MASSACRED. THEY WERE STOPPED HERE A WHILE AND THE INDIANS WOUNDED ONE, OR KILLED ONE OR SOMETHING. Q. HAVE YOU EVER GIVEN THIS CONVERSATION THAT YOU HAD WITH LEE. HAVE YOU EVER GIVEN IT TO ANYONE, OF THE PEOPLE GENERALLY — TOLD ABOUT IT?	WHO WAS YOU CARRYING THAT EXPRESS TO [space] CARRYING IT TO THE INDIANS IF THERE WAS ANY HE SAID HE HAD LEARNED THEY WERE FOLLOWING UP THIS COMPANY [space] WHAT COMPANY THE COMPANY THAT FOLLOWED THE COMPANY THAT WAS MASSACRED THEY WAS STOPPED HERE A WHILE THE INDIANS WOUNDED ONE OR KILLED ONE OR SOMETHING. [space] HAVE YOU EVER GIVEN THIS CONVERSATION THAT YOU HAD WITH LEE HAVE YOU EVER GIVEN IT IN FULL TO THE PEOPLE GENERALLY UNTIL TODAY
TO ANY ONE TO THE PUBLIC GENERALLY ?—	TO ANY ONE, TO THE PUBLIC GENERALLY?		

RT	MU	BT	PS
<p>I DO NOT ASK IF YOU HAVE STATED IT TO THE COUNSEL IN THIS CASE, BUT TO OTHERS ? A. I HAVE NO RECOLLECTION OF IT. Q. HAVE YOU EVER GIVEN IT TO ANY COURT OR JURY OR GIVEN A STATEMENT OF IT ? A. NO SIR, NOT AT ALL, NOT UNTIL NOW. Q. HAVE YOU EVER GIVEN A REPORT OF IT TO ANY OF YOUR SUPERIORS IN THE CHURCH OR OFFICERS OVER YOU ? A. <u>WELL I DID SPEAK OF IT TO PRESIDENT YOUNG AND GEORGE A. SMITH. Q. DID YOU EVER GIVE THEM THE WHOLE FACTS ? A. I GAVE THEM SOME MORE THAN I HAVE HERE BECAUSE I</u></p>	<p>I DO NOT ASK IF YOU HAVE STATED IT TO THE COUNSEL IN THE CASE, BUT TO OTHERS? I HAVE NO RECOLLECTION OF IT. HAVE YOU EVER GIVEN IT TO ANY COURT OR JURY, OR GIVEN A STATEMENT OF IT? NO, SIR, NOT AT ALL—NOT UNTIL NOW. HAVE YOU EVER GIVEN A REPORT OF IT TO ANY OF YOUR SUPERIORS IN THE CHURCH, OR OFFICERS OVER YOU? WELL, I DID SPEAK OF IT TO PRESIDENT YOUNG AND GEORGE A. SMITH. DID YOU GIVE THEM THE WHOLE FACTS? I GAVE THEM SOME MORE THAN I HAVE HERE, BECAUSE I</p>	<p>I DO NOT ASK IF YOU GIVE IT TO THE COUNSEL IN THE CASE. A. I HAVE NO RECOLLECTION OF IT. Q. HAVE YOU EVER GIVEN IT TO ANY COURT OR JURY, OR GIVEN A STATEMENT OF IT? A. NO, SIR, NOT UNTIL NOW. Q. HAVE YOU EVER GIVEN A STATEMENT OF IT TO ANY OF YOUR SUPERIORS— OFFICERS OVER YOU? ^[113] A. WELL, I DID SPEAK OF IT TO, PRESIDENT YOUNG AND GEORGE A. SMITH. Q. DID YOU GIVE THEM THE WHOLE FACTS? A. I GAVE THEM SOME MORE THAN I HAVE HERE BECAUSE</p>	<p>DO NOT ASK IF YOU GAVE IT TO THE COUNSEL IN THE CASE I HAVE NO RECOLLECTION OF IT [space] HAVE YOU EVER GONE BEFORE ANY COURT OR JURY OR/AND[?] GIVEN A STATEMENT OF IT NO SIR NOT UNTIL NOW [space] HAVE YOU EVER GIVEN A STATEMENT OF IT TO ANY OF YOUR SUPERIORS? ≤OFFICERS OVER YOU≥ [space] WELL I DID SPEAK OF IT TO PRESIDENT YOUNG AND GEORGE A SMITH DID YOU GIVE THEM THE WHOLE FACTS [space] I GAVE THEM SOME MORE THAN I HAVE HERE BECAUSE</p>

RT	MU	BT	PS
<p>RECOLLECTED MORE OF IT. ^[139] Q. DI Q. WHEN DID YOU DO THAT ? A. PRETTY SOON AFTER IT HAPPENED. Q. YOU ARE CERTAIN YOU TOLD IT FULLER THAN YOU HAVE TOLD IT HERE ON THE STAND ? A. I TOLD THEM EVERYTHING I COULD. Q. WHO ELSE DID YOU TELL IT TO ? A. I HAVE NO RECOLLECTION OF TELLING IT TO ANYONE ELSE. Q. WHY HAVE YOU NOT TOLD IT BEFORE THIS TIME ? A. BECAUSE I DID NOT FEEL LIKE IT. Q. WHY DID YOU NOT FEEL LIKE IT, YOU FELT AND KNEW THAT A GREAT CRIME HAD BEEN COMMITTED, DID YOU NOT ? A. I FELT THAT A GREAT CRIME</p>	<p>RECOLLECTED MORE OF IT. WHEN DID YOU DO THAT? PRETTY SOON AFTER IT HAPPENED. YOU ARE CERTAIN YOU TOLD IT FULLER THAN YOU HAVE TOLD IT HERE ON THE STAND? I TOLD THEM EVERYTHING I COULD. WHO ELSE DID YOU TELL IT TO? I HAVE NO RECOLLECTION OF TELLING IT TO ANY ONE ELSE. WHY HAVE YOU NOT TOLD IT BEFORE THIS TIME? BECAUSE I DID NOT FEEL LIKE IT. ^[376] WHY DID YOU NOT FEEL LIKE IT? YOU FELT AND KNEW THAT A GREAT CRIME HAD BEEN COMMITTED, DID YOU NOT? I FELT THAT A GREAT CRIME</p>	<p>I RECOLLECTED MORE OF IT. Q. WHEN DID YOU DO THAT? A. PRETTY SOON AFTER IT HAPPENED. Q. YOU ARE CERTAIN YOU GAVE THIS ONE FULLER THAN YOU DO</p> <p>HERE? A. I TOLD THEM EVERYTHING I COULD. Q. WHO ELSE DID YOU TELL IT TO? A. I HAVE NO RECOLLECTION OF TELLING IT TO ANYBODY ELSE. Q. WHY HAVN'T YOU?</p> <p>A. BECAUSE I DON'T FEEL KILE IT. Q. WHY DIDN'T YOU FEEL KILE IT? YOU FELT AND KNEW THAT A GREAT CRIME HAD BEEN COMMITTED?</p> <p>A. I FELT THAT A GREAT CRIME</p>	<p>I RECOLLECTED MORE OF IT [space] WHEN DID YOU DO THAT PRETTY SOON AFTER IT HAPPENED? YOU ARE CERTAIN YOU GAVE —[?] ONE BUT[?] FULLER THAN YOU DID</p> <p>HERE I TOLD THEM EVERYTHING I COULD [space] ^[31] WHO ELSE DID YOU TELL IT TO I HAVE NO RECOLLECTION TELLING IT TO ANYBODY ELSE [space] WHY HAVEN'T YOU</p> <p>BECAUSE I DON'T FEEL LIKE IT WHY DIDN'T YOU FEEL LIKE IT? ~ YOU FELT THAT A GREAT CRIME HAD BEEN COMMITTED [space] I FELT GREAT—</p>

RT	MU	BT	PS
<p>HAD BEEN COMMITTED, BUT BRIGHAM YOUNG TOLD ME THAT AS SOON AS WE CAN GET A COURT OF JUSTICE WE WILL FERRET THIS THING OUT, BUT TILL THEN DON'T SAY ANYTHING ABOUT IT.</p> <p>Q. THERE HAVE BEEN COURTS OF JUSTICE IN THIS TERRITORY EVER SINCE THAT TIME ? A. I HAVE NEVER SEEN THE EFFECTS OF IT YET. I HAVE SEEN IT TRIED.</p> <p>Q. THEN THIS IS THE FIRST TIME YOU HAVE EVER FELT AT LIBERTY TO TELL IT ? A. IT IS THE FIRST TIME I EVER FELT THAT ANY GOOD WOULD COME OF IT. I KEPT IT TO MYSELF UNTIL IT WAS CALLED</p>	<p>HAD BEEN COMMITTED. BUT BRIGHAM YOUNG TOLD ME THAT "AS SOON AS WE CAN GET A COURT OF JUSTICE, WE WILL FERRET THIS THING OUT, BUT TILL THEN DON'T SAY ANYTHING ABOUT IT."</p> <p>THERE HAVE BEEN COURTS OF JUSTICE IN THIS TERRITORY EVER SINCE THAT TIME? I HAVE NEVER SEEN THE EFFECTS OF IT YET. I HAVE SEEN IT TRIED.</p> <p>THEN THIS IS THE FIRST TIME YOU HAVE EVER FELT AT LIBERTY TO TELL IT? IT IS THE FIRST TIME I EVER FELT THAT ANY GOOD WOULD COME OF IT. I KEPT IT TO MYSELF UNTIL IT WAS CALLED</p>	<p>HAD BEEN COMMITTED, BUT BRIGHAM YOUNG; TOLD ME AS SOON AS WE CAN GET A COURT OF JUSTICE WE WILL FERRTET THIS THH THIS THING OUT, BUT TILL THEN DON'T SAY ANYTHING ABOUT IT.</p> <p>Q. THERE HAVE BEEN COURTS OF JUSTICE IN THIS TERRITORY?</p> <p>A. I HAVE NEVER SEEN THE ECEFFECTS OF IT YET; I HAVE SEEN IT TRIED.</p> <p>Q. THEN THIS IS THE FIRST TIME YOU HAVE EVER FELT AT LIBERTY TO TELL IT? A. IT IS THE FIRST TIME THAT I HAVE EVER FELT THAT ANY GOOD COULD COME OUT OF IT. I KEPT IT TO MYSELF UNTIL IT WAS CALLED</p>	<p>BUT BRIGHAM YOUNG TOLD ME AS SOON AS WE CAN GET A COURT OF JUSTICE WE WILL <i>FERRET/FEEL/PULL</i>[?] THIS THING OUT BUT TILL THEN DON'T SAY ANYTHING ABOUT IT [<i>space</i>]</p> <p>THERE HAS BEEN COURTS OF JUSTICE IN THIS TERRITORY [<i>space</i>]</p> <p>I HAVE NEVER SEEN THE EFFECTS OF IT YET I HAVE SEEN IT TRIED [<i>space</i>] THEN THIS IS THE FIRST TIME YOU HAVE EVER FELT AT LIBERTY TO TELL IT IT IS THE FIRST TIME THAT I HAVE EVER THOUGHT ANY GOOD WOULD OCCUR OUT OF IT I KEPT IT TO MYSELF UNTIL IT WAS CALLED</p>

RT	MU	BT	PS
<p>FOR IN THE PROPER PLACE. Q. YOU FEEL NOW THAT THE PROPER TIME HAS COME ? A. I DO INDEED. Q. I PRESUME YOU HAVE TALKED IT OVER WITH FRIENDS AND THEY ADVISE YOU THAT THIS WOULD BE A GOOD TIME AND PLACE TO TELL IT ? [140] A. I HAVE AN IDEA THAT IF I CAME HERE THAT IT WOULD BE A PRETTY GOOD PLACE TO TELL IT. Q. AND</p> <p>IN PURSUANCE OF THAT IDEA YOU ARE GOING ON TO TELL IT ? A. YES SIR. Q. ARE YOU CERTAIN THAT YOU HAVE TOLD ALL THAT YOU KNOW ABOUT IT ? A. I AM CERTAIN THAT I KNOW ALL I TELL. Q. ANSWER THE OTHER</p>	<p>FOR IN THE PROPER PLACE. YOU FEEL NOW THAT THE PROPER TIME HAS COME? I DO INDEED. I PRESUME YOU HAVE TALKED IT OVER WITH FRIENDS, AND THEY ADVISED YOU THAT THIS WOULD BE A GOOD TIME AND PLACE TO TELL IT? I HAD AN IDEA THAT IF I CAME HERE THAT IT WOULD BE A PRETTY GOOD PLACE TO TELL IT. AND</p> <p>IN PURSUANCE OF THAT IDEA YOU ARE GOING ON TO TELL IT? YES, SIR. ARE YOU CERTAIN THAT YOU HAVE TOLD ALL THAT YOU KNOW ABOUT IT? I AM CERTAIN THAT I KNOW ALL I TELL. ANSWER THE OTHER</p>	<p>FOR IN ITS PROPER PLACE. Q. YOU FEEL NOW THAT THE PROPER TIME HAS COME? A. I DO, INDEED. Q. YOU HAVE TALKED IT OØVER WITH FRIENDS, AND THEY AEDVISED YOU THAT THIS WOULD BE A GOOD TIME AND PLACE TO TELL IT? A. I HAD AN IDEA THAT IF I CAME HERE THAT THIS WOULD BE A PRETTY GOOD PLACE TO TELL IT. [114] Q. ANED YOU ARE GOING ON IN PURSUANCE OF THAT IDEA</p> <p>TO TELL IT? A. YES, SIR. Q. ARE YOU CERTAIN YOU HAVE TOLD ALL YOUØ KNOW ABOUT IT? A. YES, SIR, I AM CERTAIN I KNOW ALL I TELL. Q. ANSWER THE OTHER</p>	<p>FOR IN ITS PROPER PLACE [space] YOU FEEL NOW THAT THE PROPER TIME HAS COME I DO INDEED YOU HAVE TALKED IT OVER WITH FRIENDS ≤AND THEY ADVISED YOU THAT THIS WOULD BE A GOOD TIME TO TELL IT —/THE FACTS[?]≥ I HAD AN IDEA IF I CAME HERE THAT IT WOULD BE A PRETTY GOOD PLACE TO TELL IT [space] AND SO YOU ARE GOING ON IN PURSUANCE OF THAT IDEA</p> <p>AND TELLING IT YES SIR ARE YOU CERTAIN YOU HAVE TOLD ALL YOU KNOW ABOUT IT I AM CERTAIN I KNOW WHAT I TELL. [space] YOU ANSWER THE OTHER</p>

RT	MU	BT	PS
PART ?	PART?	PART?	PART IF THIS AND THIS AND THAT ⁶⁹³ <i>PROPOSE/PURPO</i> <i>SE[?]</i> BE FOR SOMETHING THAT YOU ⁶⁹⁴ [<i>space</i>] ANSWER THE OTHER PART ^{[[32]]} FOR ME [<i>space</i>] I THINK I HAVE EVERYTHING OF ANY IMPORTANCE Q. [<i>space</i>] HAVE YOU TOLD IT ALL NO SIR
A. I THINK I HAVE ALL THAT IS IMPORTANT. Q. HAVE YOU TOLD IT ALL ? A. NO SIR, I HAVE NOT. Q. THEN TELL IT ? A. I WILL NOT UNDERTAKE THAT NOW, I WOULD NOT LIKE TO UNDERTAKE IT. RE - DIRECT BY HOWARD. Q. HOW LONG HAVE YOU KNOWN JOHN D. LEE ? A. BETWEEN THIRTY AND FORTY YEARS. Q. HOW LONG IS IT SINCE MR. LEE CEASED TO BE SO ARDENT IN HIS FELINGS	I THINK I HAVE, ALL THAT IS IMPORTANT. HAVE YOU TOLD IT ALL? NO, SIR, I HAVE NOT. THEN TELL IT? I WILL NOT UNDERTAKE THAT NOW. I WOULD NOT LIKE TO UNDERTAKE IT. RE-DIRECT— HOWARD: HOW LONG HAVE YOU KNOWN JOHN D. LEE? BETWEEN THIRTY AND FORTY YEARS. HOW LONG IS IT SINCE MR. LEE CASED TO BE SO ARDENT IN HIS FEELINGS	A. I THINK I HAVE , EVERYTHING OF IMPORTANCE. Q. HAVE YOU TOLD IT ALL? A. NO, SIR. Q. Q. TELL THE BALANCE? A. I WOULD NOT KILE TO UNDERTAKE IT. RE-DIRECT. A Q. HOW LONG HAVE YOU KNOWN MR. LEE? A. BETWEEN 30 AND 40 YEARS. Q. HOW LONG IS IT SINCE MR. LEE CEASED TO BE SO ARDENT IN HIS FEELINGS	TELL THE BALANCE I WOULD NOT LIKE TO UNDERTAKE IT. [<i>space</i>] REDIRECT [<i>space</i>] HOW LONG HAVE YOU KNOWN MR. LEE BETWEEN 30 OR 40 YEARS HOW LONG IS IT SINCE MR. LEE CEASED TO BE SO ARDENT IN HIS

693. "IF THIS AND THIS AND THAT" is circled.

694. "*PROPOSE/PURPOSE[?]* BE FOR SOMETHING THAT YOU" has a circle drawn around it.

RT	MU	BT	PS
<p>AND RELIGIOUS ZEAL THAT HE WAS WILLING TO RUN THE RISK HE DID DOWN THERE AT THE MOUNTAIN MEADOWS TO DEFEND HIS RELIGION ? A. WHAT I KNOW OF HIM HE WAS ALWAYS PRETTY ZEALOUS IN WHAT IS CALLED MORMONISM— HE WAS AT THAT TIME. Q. HOW IS IT NOW ? BISHOP: WE OBJECT TO THE QUESTION, IT IS NOT EXPECTED THAT A MAN SHOULD BE CALLED A CRIMINAL FOR GIVING UP HIS BELIEF IN SUCH A CHURCH. IT IS WHOLLY FOREIGN TO THE QUESTION AT ISSUE. COURT SUSTAINED THE OBJECTION.</p>	<p>AND RELIGIOUS ZEAL THAT HE WAS WILLING TO RUN THE RISK HE DID DOWN THERE AT THE MOUNTAIN MEADOWS, TO DEFEND HIS RELIGION? WHAT I KNEW OF HIM, HE WAS ALWAYS PRETTY ZEALOUS IN WHAT IS CALLED MORMONISM— HE WAS AT THAT TIME. HOW IS IT NOW? BISHOP— WE OBJECT TO THE QUESTION; IT IS NOT EXPECTED THAT A MAN SHALL BE CALLED A CRIMINAL FOR GIVING UP HIS BELIEF IN SUCH A CHURCH. IT IS WHOLLY FOREIGN TO THE QUESTION AT ISSUE.</p> <p>OBJECTION SUSTAINED. [NOTE: TO FULLY APPRECIATE</p>	<p>AND RELIGIOUS ZEAL THAT HE WAS WILLING TO RUN THE RISK HE DID DOWN THERE AT THE MEADOWS, TO DEFEND HIS RELIGION? A. WHAT I KNOW OF HIM HE \$WAS ALWAYS PRETTY ZEALOUS IN WHAT IS CALLED MORMONISM. HE WAS AT THAT TIME. Q. HOW IDS HE NOW? OBJECTED TO..</p>	<p>RELIGIOUS ZEAL THAT HE WAS WILLING TO RUN THE RISK HE DID DOWN THERE AT THE MEADOWS TO DEFEND HIS RELIGION [<i>space</i>] WHAT I KNEW OF HIM HE WAS PRETTY ZEALOUS IN WHAT IS CALLED MORMONISM HE WAS AT THAT TIME [<i>space</i>] HOW IS IT NOW OBJECTED TO</p> <p>OBJECTION SUSTAINED. [<i>space</i>]</p>

RT	MU	BT	PS
<p>[141]</p> <p>NEPHI JOHNSON RECALLED BY PROSECUTION. HOWARD: I WILL INTRODUCE THE QUESTION I HAVE TO ASK BY ASKING YOU IF YOU KNOW ANYTHING ABOUT THIS SUBSEQUENT COMPANY —</p> <p>THE DUKES COMPANY A. YES SIR.</p> <p>Q. WHAT DO YOU KNOW ABOUT THAT ?</p>	<p>THE EVIDENCE OF THIS WITNESS, HAMBLIN, READ WHAT LEE SAYS ABOUT THE ACTS OF HAMBLIN AND NEPHI JOHNSON, IN THE STEALING OF THE CATTLE FROM THE DUKE’S TRAIN.]</p> <p>NEPHI JOHNSON. RE-CALLED BY PROSECUTION. [377] HOWARD—I WILL INTRODUCE THE QUESTION I HAVE TO ASK, BY ASKING YOU IF YOU KNOW ANYTHING ABOUT THIS SUBSEQUENT COMPANY—</p> <p>THE DUKE’S COMPANY? YES, SIR.</p> <p>WHAT DO YOU KNOW ABOUT THAT?</p>	<p>NEPHI JOHNSON RE-CALLED FOR THE PROSECUTION. Q. I WILL INTRODUCE THE QUESTION I HAVE TO ASKED BY ASKING YOU IF YOU KNOW ANYTHING ABOUT THIS COMPANY —</p> <p>THE DUKE COMPANY? A. YES, SIR.</p> <p>Q. WHAT DO YOU KNOW ABOUT THAT?</p>	<p>NEPHI JOHNSON RECALLED BY PROSECUTION. [space]</p> <p>INTRODUCE THE QUESTIONS I HAVE TO ASK BY ASKING YOU IF YOU KNOW ANYTHING ABOUT THIS SUBSEQUENT COMPANY THEY FOLLOWED THAT ONE THE JUKES/DUKES [?]⁶⁹⁵ COMPANY [space] WHEN THEY CAME [space] YES SIR [space] WHAT DO YOU KNOW ABOUT THAT OBJECTED TO IN</p>

695. Throughout the text, this shorthand is written “JUKES”; the obvious intent is Dukes.

RT**MU****BT****PS**

			CROSS EXAMINATION I <i>REFERRED/REPL</i> <i>Y[?]</i> HAMBLIN ASKED HIM ABOUT THIS OTHER COMPANY AND IT CAME OUT IN THIS WAY THAT HE SAID HE WAS CARRYING EXPRESS AND WENT ON HOME <i>AND/ON[?]</i> THE SAME TRIP BROUGHT OUT WAS WAS GOING FOR ONE PURPOSE BROUGHT OUT FOR ANOTHER AND AT WILD CAT CANYON <i>RECEIVE[?]</i> A DISPATCH TO BE CARRIED TO THE INDIANS ON ACCOUNT ANOTHER ^{[[33]]} 696 COMPANY I ASK WHAT IT WAS SO AS TO TEST HIS MEMORY. <i>NOTHING</i> <i>ONLY/FULL[?]</i> IN STRICT LEGAL CROSS EXAMINATION <i>[space]</i> HOWARD <i>[space]</i> I PROPOSE TO
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696. There is a line in the left margin the entire length of the page.

RT**MU****BT****PS**

			SHOW BY THIS WITNESS THAT THE <i>DUKES/JUKES</i> [?] COMPANY FOLLOWED THE OTHER ARRIVED HERE ONLY A LITTLE WAYS BELOW HERE PERHAPS 6 OR 8 MILES AND REMAINED UNTIL AFTER THE MASSACRE THAT THEN THE AUTHORITIES IN POWER HERE FOR THE PROTECTION OF THE JUKES COMPANY COMPELLED THIS MAN TO PILOT THEM OVER TO THE SANTA CLARA RIVER THAT HE DID PILOT THEM OVER IN SAFETY WITHOUT ANY <i>CONDITION</i> [?] <i>TO/OF</i> [?] THEM IS HEAR THAT HE MET JOHN D. LEE AT HARMONY AND THAT JOHN D. LEE THEN AND THERE PROPOSED TO HIM TO BRING THAT COMPANY INTO AMBUSH
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RT	MU	BT	PS
<p>OBJECTED TO UPON THE GROUND THAT IT RELATES TO A MATTER</p> <p>SUBSEQUENT TO THE CRIME AS CHARGED IN THE INDICTMENT.</p>	<p>OBJECTED TO UPON THE GROUND THAT IT RELATES TO A MATTER</p> <p>SUBSEQUENT TO THE CRIME AS CHARGED IN THE INDICTMENT.</p>	<p>OBJECTED TO ON THE GROUND THAT IT RELATES TO SOMETHING THAT IS SUBSEQUENT TO THE TIME AS CHARGED IN THE INDICTMENT.</p>	<p>AND HELP GET THE INDIANS TO SLAUGHTER THEM- THAT THIS WITNESS REPLIED TO JOHN D. LEE YOU SPILLED BLOOD ENOUGH AT THE MEADOWS AND I THINK YOU SHOULD BE SATISFIED AND THEN JOHN D. LEE SEIZED UPON HIM AND CALLED HIM A <i>HWF</i>[?] WHIFFER⁶⁹⁷ OR CRYBABY OBJ⁶⁹⁸ ◀OBJECTED TO▶</p> <p>MR. <i>SRSM/HASLAM</i>[?] THEN REMEMBERED <i>IT</i> <i>IS</i> <i>THE/DISTINCT</i>[?] CHARGE HAVING OBJECTED TO</p>

697. This insertion is in Rogerson's hand.

698. In the left margin.

RT

MU

BT

PS

			<p>FIRST BECAUSE IT IS NOT RIGHT THAT EVIDENCE SHOULD BE INTRODUCED HERE TO BRING ANYTHING THAT TOOK PLACE AFTER THE MASSACRE SECONDLY BECAUSE IF THE AUTHORITIES OF CEDAR CITY OR OF BEAVER OR THE <i>COMMUNITY/UNI</i> <i>TED[?]</i> AUTHORITIES OF SOUTHERN UTAH WERE ABLE TO PROTECT THE JUKES COMPANY THEY SHOULD HAVE PROTECTED THE OTHER (~ OBJECTED TO FIRST ARGUMENT) BUT AUTHORITIES ARE NOT ON TRIAL AND I CAN UNDERSTAND WHERE HE COMES IN THAT AN EFFORT SHOULD BE MADE TO WHITEWASH THE</p>
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RT**MU****BT****PS**

QUESTION WITHDRAWN.	QUESTION WITHDRAWN.	QUESTION WITHDRAWN.	AUTHORITIES OF SOUTHERN UTAH ASIDE FROM THAT WE'LL DROP THAT QUESTION AND REFER AGAIN CONVERSATION THAT HE HAD WITH LEE I HAVE NO OBJECTION ^{[[34]]} COURT: FIRST PART OF IT IS NOT LEGAL TESTIMONY [space] WHAT CONVERSATION DID YOU HAVE WITH MR. LEE ≡ AFTER THE MASSACRE ≡ WHEN I ARRIVED AT HARMONY MR. LEE WAS THERE ~ HOW LONG WAS THIS AFTER THE MASSACRE AT THE MEADOWS ONLY A FEW DAYS [space] WHERE DID YOU GO FROM I WENT FROM I STARTED FROM THIS CITY TO CEDAR CITY AT MY FATHER'S
Q. WHAT CONVERSATION DID YOU HAVE WITH MR. LEE AFTER THE MASSACRE ? A. WHEN I ARRIVED AT HARMONY JOHN D. LEE WAS THERE. Q. HOW LONG WAS THIS AFTER THE MASSACRE AT THE MEADOWS ? A. ONLY A FEW DAYS. Q. WHERE DID YOU GO FROM ? A. I STARTED FROM THIS CITY TO CEDAR CITY AT MY FATHER'S	WHAT CONVERSATION DID YOU HAVE WITH MR. LEE, AFTER THE MASSACRE? WHEN I ARRIVED AT HARMONY, JOHN D. LEE WAS THERE. HOW LONG WAS THIS AFTER THE MASSACRE AT THE MEADOWS? ONLY A FEW DAYS. WHERE DID YOU GO FROM? I STARTED FROM THIS CITY TO CEDAR CITY AT MY FATHER'S	^{[[115]]} Q. WHAT CONVERSATION EDID YOU HAVE WITH K JOHN D. LEE AFTER THE MASSACRE? A. WHEN I ARRIVED AT HARMONY MR. LEE WAS THERE—— Q. HOW LONG WAS THIS AFTER THE MASSACRE AT THE MEADOWS? A. ONLY A FEW DAYS. Q. WHERE DID YOU GO FROM? A. I STARTED FROM THIS C U ITY TO CEDA T R CITY AT MY FATHERS	

RT	MU	BT	PS
<p>RANCH. Q. WHERE WERE YOU GOING ? A. GOING WITH THE COMPANY TO SEE THEM SAFE THROUGH THE COUNTRY. Q. WHEN YOU GOT TO HARMONY DID YOU SEE JOHN D. LEE? A. YESSIR. Q. DID YOU HAVE ANY CONVERSATION WITH HIM ? A. YES SIR. Q. WHAT CONVERSATION ? A. HE ASKED ME TO TAKE THE COMPANY INTO THE MOUNTAINS IN THE SANTA CLARA AND THAT HE WOULD FOLLOW WITH THE INDIANS AND KILL THEM. Q. DID HE TELL YOU THAT HE HAD AUTHORITY TO DO THAT ? A. NO SIR, AND I SAID I WOULD NOT DO IT. I SAID THAT I</p>	<p>RANCH. WHERE WERE YOU GOING? GOING WITH THE COMPANY TO SEE THEM SAFE THROUGH THE COUNTRY. WHEN YOU GOT TO HARMONY, DID YOU SEE JOHN D. LEE? YES, SIR. DID YOU HAVE ANY CONVERSATION WITH HIM? YES, SIR. WHAT CONVERSATION? HE ASKED ME TO TAKE THE COMPANY INTO THE MOUNTAINS IN THE SANTA CLARA, AND THAT HE WOULD FOLLOW WITH THE INDIANS AND KILL THEM. DID HE TELL YOU THAT HE HAD AUTHORITY TO DO THAT? NO, SIR; I SAID I WOULD NOT DO IT. I SAID THAT I</p>	<p>RANCH. Q. WHERE WERE YOU GOING? A. GOING WITH THE COMPANY TO SEE THEM SAFE THROUGH THE COUNTRY. Q. WHEN YOU GOT TO HARMONEY DID YOU SEE JOHN D LEE? A. YES, SIR. Q. DID YOU HAVE A CONVERSATION WITH HIM? A. YES, SIR. Q. WHAT CONVERSATION? A. HE ASKED ME TO TAKE THE COMPANY INTO THE MOUNTAINS IN THE SANTA CLARA AND HE WOULD FOLLOW WITH THE INDAIANS AND KILL THEM. Q. DID HE TELL YOU THAT HE HAD AUTHORITY TO DO THAT? A. NO, SIR. I SAID I WOULD NOT DO IT, THAT I</p>	<p>RANCH [space] WHERE WAS YOU GOING [space] GOING WITH THE COMPANY TO SEE THEM SAFE THROUGH THE COUNTRY [space] WHEN YOU GOT TO HARMONY DID YOU SEE JOHN D. LEE [space] YES SIR [space] ≤DID YOU HAVE CONVERSATION YES SIR> WHAT CONVERSATION [space] HE ASKED ME TO TAKE THE COMPANY INTO THE MOUNTAINS IN THE SANTA CLARA AND THAT HE WOULD FOLLOW WITH THE INDIANS AND KILL THEM [space] DID HE TELL YOU THAT HE HAD AUTHORITY TO [space] DO THAT NO SIR [space] I SAID I WOULD NOT DO IT THAT I</p>

RT	MU	BT	PS
<p>WAS SENT TO ^[142] SEE THE COMPANY SAFELY THROUGH THE COUNTRY AND THAT I WOULD DO IT OR DIE. THAT THERE HAD BEEN ENOUGH BLOOD SPILLED AT MOUNTAIN MEADOWS. HE CALLED ME A GREAT MANY NAMES AND PASSED ON. CROSS - EXAMINED. Q. YOU MADE UP YOUR MIND THEN TO DIE FOR THE EMIGRANTS, DID YOU TRY TO DIE FOR THEM AT MOUNTAIN MEADOWS ? NO ANSWER.</p>	<p>WAS SENT TO SEE THE COMPANY SAFELY THROUGH THE COUNTRY, AND THAT I WOULD DO IT OR DIE. THAT THERE HAD BEEN ENOUGH BLOOD SPILT AT MOUNTAIN MEADOWS. HE CALLED ME A GREAT MANY NAMES, AND PASSED ON. CROSS- EXAMINED— YOU MADE UP YOUR MIND, THEN, TO DIE FOR THE EMIGRANTS. DID YOU TRY TO DIE FOR THEM AT MOUNTAIN MEADOWS? NO ANSWER.</p> <p>NEPHI JOHNSON</p>	<p>WASS SENT TO SEE THE COMPANY SAFE THROUGH THE COUNTRY AND WOULD DO IT OR DIE; THAT THERE HAD BEEN BLOOD ENOUGH SPILLED ATT THE MEADOWS. HE CALLED ME A GREAT MANY NAMES AND PASSED ON. CROSS- EXAMINATION. Q. YOU MADE UP YOUR MIND THEN TO DIE FOR THE EMIGRANTS. DID YOU TRIE TO DIE FOR THEM ON THE MOUNTAIN MEADOWS? NO ANSWER. BISHOP: THAT IS ALL. PROSECUTION RESTS. RECESS UNTIL TWO O’CLOCK.</p> <p>^[116] NEPHI JOHNSON SWORN</p>	<p>WAS SENT TO SEE THE COMPANY [space] SAFE THROUGH THE COUNTRY AND WOULD DO IT OR DIE THAT THERE HAD BEEN BLOOD ENOUGH SPILLED AT MOUNTAIN MEADOWS HE CALLED ME GREAT MANY NAMES AND PASSED ME [space] CROSS- EXAMINATION [space] YOU MADE UP YOUR MIND THEN TO DIE FOR THE EMIGRANTS DID YOU TRY TO DIE FOR THEM ON MOUNTAIN MEADOWS—NO ANSWER BISHOP THAT IS ALL [space] ^[35] PROSECUTION RESTS. [space] RECESS UNTIL TWO O’CLOCK [space] JURY CALLED ALL PRESENT [space] NEPHI JOHNSON</p>

RT	MU	BT	PS
<p>HOWARD: BY PERMISSION OF COUNSEL FOR DEFENSE I WILL ASK ONE QUESTION. BISHOP: ASK AS MANY AS YOU DESIRE. HOWARD: Q. HOW LONG HAVE YOU KNOWN JOHN D. LEE ? A. SINCE 1851. Q. DO YOU IDENTIFY THE PRISONER AT THE BAR AS THE JOHN D. LEE SPOKEN OF BY THE WITNESSES AND IN YOUR OWN TESTIMONY ? A. YES SIR.</p> <p>CROSS - EXAMINED . Q. WHERE DID YOU LIVE IN 1851 ? A. AT PAROWAN, IRON COUNTY. Q. WHAT TIME DID YOU GO TO IRON COUNTY,</p>	<p>RECALLED.</p> <p>HOWARD—BY PERMISSION OF COUNSEL FOR DEFENSE I WILL ASK ONE QUESTION. BIHSOP—ASK AS MANY AS YOU DESIRE. HOWARD— HOW LONG HAVE YOU KNOWN JOHN D. LEE? SINCE 1851. DO YOU IDENTIFY THE PRISONER AT THE BAR AS THE JOHN D. LEE SPOKEN OF BY THE WITNESSES AND IN YOUR OWN TESTIMONY? YES, SIR.</p> <p>CROSS- EXAMINED— WHERE DID YOU LIVE IN 1851? PAROWAN, IRON COUNTY. WHAT TIME DID YOU GO TO IRON COUNTY,</p>	<p>RECALLED FOR THE PROSECUTION. HOWARD: BY PERMISSION FOR COUNSEL FOR THE DEFENSE I WILL ASK ONE QUEASTION.</p> <p>Q. HOW LONG HAVE YOU KNOWN JOHN D. LEE? A. SINCE '51. A. DO YOU IDENTØIFY THE PRISONER AT THE BAR AS THE JOHN D. LEE SPOKEN OF BY THE WITNESSES AND BY IN YOUR OWN TESTIMONY? A. YES, SIR</p> <p>CROSS- EXAMINATION. Q. WHERE DID YOU LIVE IN '51? A. PAROWAN, IRON COUNTY. Q. WHAT TIME DID YOU COME TO</p>	<p>RECALLED [space]</p> <p>HOWARD⁶⁹⁹ BY PERMISSION OF COUNSEL FOR DEFENSE I WILL ASK ONE QUESTION. BY PROSECUTION.</p> <p>HOW LONG HAVE YOU KNOWN JOHN D. LEE SINCE '51 DO YOU IDENTIFY THE PRISONER AT THE BAR AS THE JOHN D. LEE SPOKEN OF BY THE WITNESSES AND YOUR OWN TESTIMONY [space] YES SIR [space] DEFENSE CROSS EXAMINATION [space] WHERE DID YOU LIVE IN 51 PAROWAN IRON COUNTY [space] WHAT TIME DID YOU COME TO</p>

699. In the left margin.

RT	MU	BT	PS
<p>PAROWAN ? A.</p> <p>IN THE SPRING OF '51. Q. WHERE DID YOU COME FROM WHEN YOU WENT THERE ? A. CAME FROM SALT LAKE VALLEY. Q. WHERE DID YOU COME FROM TO SALT LAKE A. FROM ILLINOIS. Q. WHAT PART ? A. KNOX COUNTY, ILLINOIS. ^[143] Q. WHEN DID YOU LEAVE KNOX COUNTY, ILLINOIS FOR SALT LAKE ? A. I THINK IT WAS IN 1849.</p>	<p>PAROWAN?</p> <p>IN THE SPRING OF '51. WHERE DID YOU CAME FROM WHEN YOU WENT THERE? CAME FROM SALT LAKE VALLEY. WHERE DID YOU COME FROM TO SALT LAKE? FROM ILLINOIS. ^[378] WHAT PART? KNOX COUNTY, ILLINOIS. WHEN DID YOU LEAVE KNOX COUNTY, ILLINOIS, FOR SALT LAKE? I THINK IT WAS IN 1849.</p>	<p>PAROWAN? A. I MOVED THERE IN THE SPRING OF 51. Q. WHERE DID YOU COME FROM WHEN YOU WENT THERE? A. I CAME FROM SALE ELAKE CITY VALLEY. Q. WHERE DID YOU COME FROM, TO SALET LAKE? A. FROM ILLINOIS.. Q. WHAT PART? A. KNOX COUNTY, ILLINOIS. Q. WHEN DID YOU LEAVE KNOWX COUNTY FOR SALET LAKE? A. I THINK IT WAS IN '49. Q. IN 1849? A. YES, SIR. Q. THEN IN '49 YOU LEFT KNOX COUNTY, ILLINOIS AND WENT TO SALT LAKE AND REMAINED THERE TILL '51, THEN WENT TO PAROWAN DID YOU? A. YES, SIR. Q. WHERE HAVE YOU LIVED</p>	<p>PAROWAN MOVE THERE [space] IN THE SPRING OF 51 [space] WHERE DID YOU COME FROM WHEN YOU CAME THERE CAME FROM SALT LAKE VALLEY [space] WHERE DID YOU COME FROM TO SALT LAKE FROM ILLINOIS WHAT PART KNOX COUNTY ILLINOIS [space] WHEN DID YOU LEAVE KNOX COUNTY TO GO TO SALT LAKE I THINK IT WAS '49 [space] IN 1849 YES SIR THEN 49 YOU LEFT KNOX COUNTY ILLINOIS WENT⁷⁰⁰ TO SALT LAKE CITY REMAINED THERE TILL 51 THEN WENT TO PAROWAN DID YOU YES SIR WHERE HAVE YOU LIVED</p>

700. "COUNTY ILLINOIS WENT" is in the left margin.

RT	MU	BT	PS
<p>Q. THEN YOU HAVE LIVED IN UTAH ALL THE TIME SINCE ?</p> <p>A. YES SIR.</p>	<p>THEN YOU HAVE LIVED IN UTAH ALL THE TIME SINCE?</p> <p>YES, SIR.</p>	<p>SINCE '57. HAVE YOU LIVED IN UTAH SINCE?</p> <p>A. YES, SIR. ^[117]</p> <p>Q. ALL THE TIME? A. YES, SIR.</p> <p>PROSECUTION RESTS.</p> <p>BISHOP:</p> <p>IF THE COURT PLEASE IN THIS CASE, THE PROSECUTION HAVING CLOSED MUCH SOONER THAN WE HAVE ANTICIPATED; THE CASE HAVING TAKEN SUCH AN UNUSUAL TURN —</p> <p>HAVING BASED THEIR CASE UPON SUCH A PECULLIAR STATEMENTS OF FACTS, THAT AFTER CONSULTATION WE HAVE COME TO THE CONCLUSION TO REST OUR CASE UPON THAT MADE OUT BY THE PROSECUTION; AND SHALL INTRODUCE NO</p>	<p>SINCE 57 HAVE YOU LIVED IN UTAH SINCE THAT YES SIR ALL THE TIME</p> <p>YES SIR. <i>[space]</i> ^{[[36]]}</p> <p>PROSECUTION RESTS <i>[space]</i></p> <p>BISHOP <i>[space]</i></p> <p>IF THE COURT PLEASE IN THIS CASE THE PROSECUTION HAVING CLOSED MUCH SOONER THAN WE HAVE ANTICIPATED THE CASE HAVING TAKEN SUCH AN UNUSUAL TURN THE PROSECUTION HAVING BASED THEIR CASE UPON SUCH A PECULIAR STATEMENT OF FACTS THAT AFTER CONSULTATION HAVE COME TO THE CONCLUSION TO REST OUR CASE UPON THAT MADE OUT BY THE PROSECUTION AND SHALL INTRODUCE NO</p>

RT	MU	BT	PS
<p>THE DEFENDANT HERE</p> <p>RESTED HIS CASE ON THE EVIDENCE THAT HAD BEEN INTRODUCED BY THE PROSECUTION.</p>	<p>THE DEFENDANT INTRODUCED NO WITNESSES, BUT RESTED HIS CASE UPON THE EVIDENCE THAT HAD BEEN INTRODUCED BY THE PROSECUTION.</p>	<p>TESTIMONY, LEAVING THE CASE TO BE DECIDED BY THE JURY UPON THE LAW AND THE TESTIMONY</p> <p>THAT HAS BEEN INTRODUCED.,</p> <p>AND NOW, IF YOUR HONOR PLEASE, KNOWING THE CONDITION OF AFFAIRS, , THAT PRESSLY DENNY HAS BEEN OCCUPIED BEFORE THE GRAND JURY ALMOST SINCE THE COMMENCEMEN T OF THIS TERM OF COURT, AND IT IS EXPECTED HE WILL OPEN THE ARGUEMENT</p>	<p>TESTIMONY LEAVING THE CASE TO BE DECIDED BY THE JURY UPON THE LAW AND THE TESTIMONY THAT THEY BELIEVE THAT HAS BEEN INTRODUCED</p> <p>AND NOW IF YOUR HONOR PLEASE KNOWING THE CONDITION OF AFFAIRS KNOWING THAT <i>PRESSLY</i>[?] DENNY HAS BEEN OCCUPIED BEFORE THE GRAND JURY ALMOST SINCE THE COMMENCEMEN T OF THIS TERM OF COURT AND IT IS EXPECTED THAT HE WILL OPEN THE ARGUMENT</p>

RT**MU****BT****PS**

		FOR THE PROSECUTION, AND IN ORDER TO BE FAIR, AND I BELIEVE TO SAVE TIME, I ASK YOUR HONOR THAT THE CASE NOW BE CONTINUED UNTIL MONDAY MORNING AT 10 O'CLOCK FOR ARGUMENT AND FOR THE FURTHER PURPOSE OF GIVING THE ATTORNEYS ON THE OTHER SIDE TIME TO PREPARE THEIR REQUESTS. HOWARD: WE JOIN IN THAT REQUEST. COURT ADJOURNED TILL MONDAY MORNING AT 10 O'CLOCK.	FOR THE PROSECUTION, IN ORDER TO BE FAIR AND I BELIEVE TO SAVE TIME I ASK YOUR HONOR THAT THE CASE NOW BE CONTINUED UNTIL MONDAY MORNING <i>AT</i> [?] 10 O'CLOCK FOR ARGUMENT AND FOR THE FURTHER PURPOSE OF GIVING THE ATTORNEYS ON OTHER SIDE TIME FOR PREPARING THEIR REQUESTS <i>[space]</i> HOWARD WE JOIN IN THAT REQUEST. <i>[space]</i> COURT ADJOURNED TILL MONDAY MORNING 10 O'CLOCK. <i>[space]</i>
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John D. Lee, Second Trial

Discussion of Utah Law

RS

PS

[*This is the only extant Rogerson
Shorthand for the second trial*]

[¹] MON SEP 178/76 –

LEE CASE-THIS MORNING [*space*]
MOTION BY DEFENSE *IN ITS*
PROVIDENCE/—[?] SECOND
JUDICIAL DISTRICT BEFORE
COMMON/K[?] PEOPLE OF THE
UNITED STATES TERRITORY OF
UTAH VS. JOHN D. LEE DEFENDANT
NOW COMES JOHN D. LEE IN HIS
OWN PROPER PERSON⁷⁰¹ AND BY
HIS COUNSEL AND MOVES COURT
TO A DISCONTINUANCE IN ABOVE
ENTITLED ACTION AND SAID
DEFENDANT ASSIGNS FOLLOWING
REASONS *GROUND*[?] FOR THIS
MOTION [*space*] INDICTMENT UPON
WHICH PROSECUTION IS BASED IN
SAID ACTION WAS FOUND UNDER
AND IN PURSUANCE OF AND
BASED UPON ACT OF GOVERNOR
AND LEGISLATURE OF THE
TERRITORY OF UTAH⁷⁰² “THAT
SAID ACT BEEN REPEALED BY AN
ACT OF GOVERNOR AND
LEGISLATURE” MARCH 4TH **MAR**
6/52 1876. 2[?] **ND** CRIME CHARGED
IN INDICTMENT IS ALLEGED IN
SAID INDICTMENT IN TRYING THIS
CASE TO HAVE BEEN COMMITTED
BY ABOVE NAMED DEFENDANT IN
SEPTEMBER 1857 AND BY THE
THIRD BY REASON OF LAW IN
FORCE THIS COURT HAS NO

[[*Bk 3 36 cont.*]]⁷⁰³

MONDAY SEPT 18TH 1876.

701. The shorthand has no vowels; it could also be the Latin “*propia persona*”.

702. Document is in pencil to this point, in ink thereafter.

703. On verso of page: 148 BISHOP ON STATUTORY CRIMES SECTION 151 175-6-
7 485 UTAH STATES —[?] DIGEST 706-65/66 [*space*] AMERICAN REPORTS 11 [*space*]
304 **COM./CORN**[?] **VS. BENNETT.**

RS

PS

JURISDICTION FURTHER INQUIRE
INTO OR PROCEED IN THIS ACTION
COUNSEL HAVE NOT HAD
OPPORTUNITY EXAMINE
ACQUAINT THEMSELVES WITH
SAID ACT [space] PRAY SAID
INDICTMENT BE QUASHED AND
DISMISSED BE FURTHER
DISCHARGE IN CASE [space] SIGNED
JOHN D. LEE AND SWORN TO BY
THE CLERK [space] **H** LET'S HAVE
UNDERSTANDING REGARDING
THIS AND TOLD THEM *THAT/WE*[?]
WAIVE [space] IN AS MUCH AS THIS
MOTION MAY BE MADE PART OF
RECORD HEREAFTER I ASK FOR
COPY OF IT DEFENSE AGREED GIVE
COPY OF MOTION SO MIGHT GO
UPON RECORDS [space] **SPICER**
ASKED BE PERMITTED LOOK AT
INDICTMENT IN THIS CASE, **SPICER**
CALLED ATTENTION OF COURT
ACT OF MARCH 6TH 18452 [space]
THIS INDICTMENT BASED UPON
THAT ACT. FOR THAT *PS*[?] WILL
CALL ATTENTION TO YOUR
HONOR'S WORDS USED IN THAT
INDICTMENT [space] READ
WORDING OF INDICTMENT, 16 DAY
SEPTEMBER 1857. INDICTMENT
FOUND UNDER TITLE SECOND
SECTION 4, 5 AND SIX OF THE
TERRITORIAL STATUTES OF UTAH
TERRITORY BEING INDICTMENT
FOR VIOLATION OF THOSE
STATUTES [space]

CALL ATTENTION *CLOSE*

FOSTER [space] MAY IT PLEASE
YOUR HONOR I HAVE
UNDERSTOOD AND I BELIEVE MY
BROTHER HOWARD SENSES THAT
THESE PAPERS I HOLD IN MY
HANDS IS A COPY OF THE LAST
LEGISLATURE'S

RS

PS

COMPARISONS[?] OF PENAL CODE OF UTAH; PAGE 113 THIS MANUSCRIPT SECTION 399 CIVIL ACTS OF THE GOVERNOR LEGISLATURE OF THIS TERRITORY IN THIS SECTION ALL TO THE SAME ARE HEREBY REPEALED **1ST** ACT ENTITLED IN RELATION CRIMES PUNISHMENTS —[?]

APPROVED MARCH 6 1852. THERE AND THEN *LEGISLATURE*[?] DECLARED *ACCEPTED*[?] IN *EXPRESS/PRINCIPLES*[?] WORDS OF SAID STATUTE UNDER WHICH THIS INDICTMENT WAS FOUND [space] IT BEING AN INDICTMENT *LARGELY*[?] IN VIOLATION OF THAT STATUTE [space] READ FROM FIRST SHEET SECTION 32^D PAGE ONE. THESE CODES TOOK EFFECT 12 O’CLOCK 4TH MARCH 1876 [space] ON 4TH MARCH 1876 THIS LAW CAME INTO EFFECT AND BECAME THE LAW OF TERRITORY OF UTAH KILLED PRIOR LAWS WITH THIS LAW DECLARES TO BE REPEALED WERE NO LONGER IN FORCE AND WITH THEIR ABROGATION FELL TO GROUND AND BECAME *NULL AND VOIDS*[?]

ACT
IN RELATION TO CRIMES AND PUNISHMENT. [space] HOWARD [space] YES SIR I BROUGHT IT HERE —[?] AND I *PRK/PRG*[?] *WITH THEM/THAT THEY*[?] ^[137] UNDERSTANDING OF THE COURT AT SALT LAKE *FIRST*[?]

READ IT FOR COURT [space]

SPICER MOTION WE HAVE TO MAKE IS AS FOLLOWS. ““ [space] UNDER THAT AUTHORITY THAT HE LAYS DOWN HERE THE WHOLE MATTER IS HERE *GIVES*[?] IN SECTION 185 IT IS *ESTABLISHED THERE*[?] [space] REASON WHY AUTHORITY GIVES IS *IN/NOT*[?] GOOD AUTHORITY [space].

RS

PS

<p>UNLESS THERE BE IN THIS SOME SAVING CLAUSE. SECTION READS NO PART OF IT IS RETURNED UNLESS SPECIFICALLY SO DECLARED [space] SECTION 4 <i>NO PART/PARTICULAR</i> APPLICATION <i>OUT</i> WITH REGARD</p> <p>ANY ACT OR OMISSION COMMENCED AFTER 12 O'CLOCK NOON OF DAY ON WHICH THIS CODE TAKES EFFECT IS CRIMINAL</p>	<p>“GENERALLY <i>ASSUME</i> THAT THE PUNISHMENT OF OFFENSES MUST FOLLOW THE LAW FOR THE PUNISHMENT <i>TIME</i>. [space] COURT: THIS STATUTE I HAD OCCASION TO EXAMINE IT ONCE BEFORE [space] I DON'T THINK THERE IS ANYTHING IN THE <i>CONTENT</i> <i>ARREST</i> THE STATUTES OF 52 WERE IN DOUBT SPICER REPLIED THERE IS NO DOUBT ABOUT THAT AND EXPLAINED EFFECT OF <i>IT/THE</i> <i>SPICER</i> REPLIED THOUGH <i>ABOUT/AFTER/TO</i> SAVING CLAUSE THERE WAS GOOD LOT OF</p> <p>LAW READ OF WHICH I DID NOT THINK THERE WAS ANY NECESSITY FOR ALTHOUGH [space] YET SO FAR AS THIS CASE IS CONCERNED WE COULD TAKE IT FOR GRANTED THAT THE LAW WAS AS LAID DOWN [space] I DO NOT SAY IT IS SO I SAY WE CAN TAKE IT AS FAR AS THIS CASE IS CONCERNED THAT THIS IS THE LAW [space] OR THERE IS NO AUTHORITY UPON STATUTE WHATEVER UPON A VITAL POINT IN THE MOTION I MAY POINT TO THE MOTION THIS IN REGARD TO THE EFFECT OF THIS SAVING CLAUSE <i>OR</i> LANGUAGE OF THIS <i>KRPR/KRP</i>. [space] THE SIMPLE LANGUAGE OF THE STATUTE THAT NO ACT OR OMISSION OR NO ACT OR OMISSION [<i>sic</i>] COMMENCED PRIOR TO THIS TIME</p>
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RS

PS

<p>OR PUNISHABLE EXCEPT AS PROVIDED BY THIS CODE OR BY <i>SOME/SUM</i>[?] OF STATUTES THEN IN FORCE COUNTY CITY OR PRECINCT REGULATION AND IN FORCE WHEN THIS CODE TAKES EFFECT AND ANY ACT OR OMISSION COMMENCED PRIOR THAT TIME MAY BE INQUIRED OF PROSECUTED AND PUNISHED IN THE SAME MANNER AS IF THIS CODE HAD NOT BEEN PASSED [space]</p> <p>NO ACT</p> <p>COMMENCED AFTER 12 O'CLOCK NOON⁷⁰⁴ CAN BE PUNISHED EXCEPT IN PURSUANCE OF THIS LAW "WE HOLD IT CLEAR THIS WORD COMMENCED⁷⁰⁵ HAS NOT ACQUIRED A PARTICULAR MEANING IN LAW" [space]</p>	<p>MAY BE INQUIRED <i>OF</i>[?] PROSECUTED AND PUNISHED — [space] PASSED". THIS PLAIN LANGUAGE SEEMS TO ME TO HAVE BUT ONE MEANING. NOW I DO NOT THINK THE COURT IS AUTHORIZED TO SAY THAT IT ONLY ^{[[38]]} HAD AUTHORITY TO SAY ACTS BEGUN AND THEN UNFINISHED [space] IT SAYS ANY ACT BEGUN BEFORE THAT TIME MAY BE PURSUED UNDER THE OLD LAW [space] IN OTHER WORDS IT MIGHT HAVE ALTHOUGH IN <i>MORE/GRAND</i>[?] WORDS THAN THIS THAT NO ACT WHETHER COMPLETED OR NOT COMPLETED PRIOR TO 12 O'CLOCK AND THAT IT MAY BE PURSUED IN ACCORDING TO THE OLD LAW [space]</p> <p>BUT IT IS SUFFICIENT TO SAY THAT ANY ACT COMMENCED BEFORE THAT TIME THAT MY IMPRESSION IF ACTS COMMENCED OR FINISHED ALSO —/<i>MRS/IMPARTS</i>[?] ACTS ACCORDING TO WHATEVER TIME THAT THAT LAW IS TO GO INTO</p>
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704. In left margin, in longhand: **WD, COMMENCED.**

705. Word emphasized in shorthand.

RS

PS

<p>“THIS HAS BEEN THE ABROGATION OF THAT STATUTE UNDER WHICH THIS INDICTMENT WAS FOUND [space] IT IS NOT FOR US IT IS <i>NOT</i>[?] COURT CONSIDER THE EFFECT OF THAT STATUTE WE STAND HERE AND CLAIM TODAY THAT IT IS A GENERAL JAIL DELIVERY IN UTAH EVERY OFFENSE COMMITTED PRIOR MARCH 45TH⁷⁰⁶ 1876 HAS BEEN BY LEGISLATIVE ARM OF TERRITORY OF UTAH WIPED OUT EVERYTHING IS CONDONED PARDONED ABROGATED AND HELD FOR NAUGHT [space] <i>EVERYTHING</i>[?] PREVIOUS TO THAT WAS LIKE JEWISH JUBILEE CONDONED AND PARDONED LEGISLATURE OF UTAH TERRITORY ASSUMED NO MYSTERY IN THIS [space]</p> <p>[2]707 BISHOP ON STATUARY CRIMES</p>	<p>EFFECT AND <i>NOT</i>[?] FINISHED [space]</p> <p>THERE IS NOTHING IN THE STATUTE TO HOLD THE PRISONER AND CONVEY THAT THE LEGISLATURE EVER INTENDED TO BRING AND A HAND TO JOHN D. LEE TO CRIMINALS THE SIMPLE PURPOSE WAS TO SAY THAT ALL CRIMES THAT TOOK PLACE PRIOR TO THAT TIME AND ALL ACTS WHICH HAD BEGUN AT THAT TIME AND WERE THEN INCOMPLETED COULD BE PURSUED ON UNDER THE OLD LAW AND THIS NEW LAW WOULD NOT APPLY TO IT [space] IT IS VERY PROPER FOR THIS LAW TO SAY [space] THAT THIS LAW WAS NOT TO BE IN A NATURE OF EX POST FACTO LAW [space]</p>
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706. “4” is written over “5” or vice versa.

707. In left margin, in longhand: **BP**.

RS

PS

SECTION 151; CHAPTER SEVEN
TREATING ON REPEAL OF
CRIMINAL STATUTES SECTION 151
BY SPECIFIC WORDS COMMON
WORDS **SPICER**⁷⁰⁸ MOST COMMON
FORM OF REPEAL WHICH NEEDS
NO ILLUSTRATION; STATUES
REPEALED BY SPECIFIC WORDS
NEEDS NO ILLUSTRATION SECTION
175, 6 & 7 IN HEADLINES “WRITE
AND ARE MADE DISTINCT”
THROUGH AUTHORITIES DIVIDED
ON PENAL CODE PROCEEDING
“SECTION 177 REPEAL STATUTES”
[space] “NNS[?] LKMNT[?] TH/F[?] ON
4TH DAY MARCH 1876 IS NOT THE
SAME IN SUBSTANCE OR FORM AS
THAT IN EXISTENCE BEFORE THAT
TIME WHICH WAS REPEALED
[space] THAT LEGISLATURE ≤OF
THE TERRITORY OF UTAH⁷⁰⁹>
ESTABLISHED THIS PENAL CODE
CAUSING IT GO INTO EFFECT AS
LAW OF THE TERRITORY OF UTAH
AT THAT TIME EXPRESSLY
DECLARING *CERTAIN*[?]
TERRITORIAL LAWS UNDER WHICH
THIS INDICTMENT IS FOUND AS
SEEN TO BE ABSOLUTELY
UNQUALIFIEDLY REPEALED AND
IN PLACE OF THAT REPEALED LAW
WE LEAVE THAT AS A POINT OF
DISPUTE THEY ESTABLISHED
ANOTHER AND ENTIRELY
DIFFERENT NOT IN SUBSTANCE OR
FORM THE SAME AS THE ONE THEY
REPEALED PROSECUTION CAN’T BE
CARRIED ON AFTER TWELVE
O’CLOCK NOON 4TH MARCH 1876
BECAUSE IT WAS PROSECUTION
UNDER AND IN PURSUANCE OF

708. In left margin, in longhand.

709. In left margin, in longhand: **ATTENTION**.

INDICATED STATUTE WHICH BECAME ~~VOID~~ AND IS NOT *LAW*[?] IT IS CLAIMED THAT THIS OPEN WIDE DOORS OF THE PRISONS JAILS IN TERRITORY [space] IT IS NEVERTHELESS THE LAW AND WAS INTENDED TO BE LAW *BROTHER*[?] BISHOP SENTENCE CAN'T BE PRONOUNCED **LAW OF MAR 4**⁷¹⁰ HE MUST BE DISCHARGED⁷¹¹. [space] MAY HAVE A DIFFERENT PUNISHMENT OR PUNISHMENT CAN TAKE PLACE UNDER ANOTHER STATUTE AND DEFENDANT PUNISHED FOR *HIS*[?] CRIME UNDER NEW LAW [space] **<REPEAL**⁷¹² SECTION 179 "SECTION 180 REPEAL CLAUSE". REPEAL OF THIS STATUTE IS NOT PARDON TO ALL UNPUNISHED OFFENSES AGAINST THAT STATUTE [space] *READ HERE*[?] LAW SECTION 181= **SEE**⁷¹³ [space] IF A STATUTE REPEAL EVERY ONE *CONTENDS/CONTAINS*[?] SUBSTITUTION THAT A SUIT UNDER THE OLD MAY BE FINISHED UNDER THE NEW "*OUR GIVEN*[?] REASON WHY IS, *IF THEY SUGGEST*[?] CONCLUSION IS NOT A *CONSIDERED*[?] *GTHR/—*[?]. ~~SECTION 186~~ "WHAT WAS SUBJECT⁷¹⁴" WHAT WAS SUBJECT⁷¹⁵ TO PENALTY OF DEATH WAS MADE PUNISHMENT FOR LIFE THE OLD LAW REPEALED AND THERE COULD BE NO PUNISHMENT UNDER IT; **LEG'AST** REPEALED THIS *DS-*

710. In left margin.

711. The phrase is repeated twice in the left margin.

712. In left margin.

713. In left margin.

714. In left margin.

715. In left margin.

RS

PS

/DESTROYED[?] IF FOR[?]
ANOTHER/ANY OTHER[?] CAN'T BE
MADE —[?] FOR THAT
PUNISHMENT BECAUSE THAT
STATUTE WAS REPEALED [space] TS
[space] SEC 5⁷¹⁶ NEW LAW.
APPROVED/PROVIDED[?] THAT
FOR/IF[?] —[?] IN MARCH 1876 ALL
ACTS AND ARE TO BE PUNISHED AS
PROSCRIBED IN THAT PENAL
CODE; THAT IS THE WORDS USED
IN THIS STATUTE AND THEREFORE
THEREFORE THEREFORE; $\Leftarrow^*\Rightarrow$ IN AS
MUCH AS FORMER HAS BEEN
REPEALED AND ANOTHER
SUBSTITUTED *WHO HAVE*/—[?] —[?]
FNR/F-R[?] COULD NOT BE
PUNISHED $\Leftarrow^*\Rightarrow$. [space] US DIG⁷¹⁷
1870⁷¹⁸ PAGE 667 [space]

SECTION 89. ARGUED NEW
STATUTE NOT **RETROACTIVE**
[space] LEGISLATURE WERE WIPED
IT AS A SPONGE UPON THE SLATE
WERE WIPED ALL PAST OFFENSES.
LEGISLATURE DID INTEND —[?]
JUST WHAT THAT LAW DECLARES
THAT LAW SHALL NOT BE
RETROACTIVE SAVING ONLY SUCH
CASES AS WERE THEN
COMMENCED AND UNFINISHED
[space] IF IT WERE NOT THERE
MIGHT BE ROOM FOR THE

AND SAYS HERE RETROACTIVE
UNLESS — SO FAR AS PUNISHMENT
OF CRIMES IS CONCERNED IT
COULD NOT BE RETROACTIVE NO
COURT WOULD ALLOW IT TO BE
RETROACTIVE IT WOULD BE IN
VIOLATION OF THE CONSTITUTION
[space] AND BE UNJUST [space]

716. In left margin.

717. In left margin.

718. “70” written over illegible digits.

CONSIDERATION THIS HERE A
 SAVING CLAUSE [*space*] AND
 IMPLIED CONSIDERATION IS
 PROVIDED WHEN THIS ACT
 COMMENCED COMMENCED AT THE
 TIME THIS ACT WENT INTO
 EFFECT[?] [*space*] **US DIG**⁷¹⁹ 1874
 PAGE 706, SECTION 65 & 66. [*space*]
 WE READ AND IT WILL BE, UPON
 WHICH THIS STATUTE WILL CLAIM
 AS ORGANIZED[?] 381 BISHOP ON
 STATUTORY CRIMES STATUTORY
 CRIMES. ALSO PROVISIONS FROM
 WHICH HE TAKES THIS LAW DON'T
 SUSTAIN HIM. WILL NOW SEE IF
 THIS STATUTE OF BISHOP SECTION
 181 WILL APPLY. [*space*]
 <**REENACTMENT**⁷²⁰>. THE ACT IN
 RELATION CRIMES PUNISHMENTS;
 WHOEVER KILLS ANY HUMAN
 BEING MALICE AFORETHOUGHT
 EITHER EXPRESSLY OR IMPLIED IS
 GUILTY OF MURDER [*space*] THEY
 ARE NOT SAME WORDS NOR THE
 NUMBER OF WORDS <**SEE NO OF
 WDS**> BUT THE VERY STATUTE
 THAT APPLIES THIS CASE AND
 BEARING UPON IT AS AFFECTS THE
 RIGHTS OF THIS DEFENDANT WILL
 BE FURTHER FOUND IN
 FOLLOWING SECTIONS [*space*] <**BE
 NO CLAIM**⁷²¹> THESE STATUTES
 ARE THE SAME OR IN WORDS THE
 SAME —[?] **READ NEW STATUTE.**
IT MUST BE AN REENACTMENT IN
 WORDS AND WE FIND THAT THESE
 ARE NOT THE SAME. LEGISLATURE
 OF THE TERRITORY OF UTAH THEY
 MUST INTENDED DELIBERATELY
 MAKE STATUTE PUT IT IN FORCE

719. In left margin.

720. In left margin.

721. In left margin.

RS

PS

TWELVE O'CLOCK NOON MARCH 4
1876 ABROGATED ALL
PROSECUTIONS THEN PENDING
CONDONED CAPITOL
PUNISHMENT[?] OF CRIMES AND
OFFENSES BEFORE THAT TIME
COMMITTED IT WAS A GENERAL
JAIL DELIVERY [*space*] **KENTS**
COM⁷²² **SEC 1 VOL 1 PAGE 507**, IT
CAN'T BE PUNISHED IF IT HAS
EXPIRED UNLESS REPEALED LAW
SPECIALLY IMPLIES OTHERWISE

THIS EVEN IF THAT PROVISION IF A
CRIME HAD BEEN COMMITTED
BEFORE THAT TIME THE COURTS
WOULD NOT ALLOW IT TO BE
PUNISHED UNDER THE ACT WHICH
OCCURRED *AFTER*[?] THAT TIME. I
DO NOT THINK THERE IS
ANYTHING WHATEVER *IN/FOR THE*
PUNISHMENT/—[?] AND NO NOT
THINK THAT THE END OF JOHN D.
LEE HAS COME ^{[[39]]} MOTION
OVERRULED. EXCEPTION.

722. In left margin.

John D. Lee, Second Trial

Rogerson Transcript and *Mormonism Unveiled*
Summaries of Trial End

RT**MU**

<p><i>[Trial 2 Bk 1 143 cont.]</i> THE CASE WAS THEN ARGUED FOR THE PROSECUTION BY HOWARD AND DENNY AND FOR THE DEFENDANT BY FOSTER AND BISHOP, AFTER WHICH THE COURT INSTRUCTED THE JURY AT LENGTH. AFTER A FEW HOURS DELIBERATION THE JURY RETURNED WITH A VERDICT OF GUILTY OF MURDER IN THE FIRST DEGREE. A MOTION WAS AFTERWARDS MADE AND ARGUED, FOR A NEW TRIAL. THE COURT OVERRULED THE MOTION AND DENIED THE APPLICATION FOR A NEW TRIAL AND LEE WAS SENTENCED TO BE SHOT. THE CASE WAS APPEALED TO THE SUPREME COURT OF UTAH TERRITORY AND ARGUED IN THAT COURT BY HON.FRANK TILFORD AND SUMNER HOWARD FOR THE PEOPLE AND W.W.BISHOP FOR LEE. THE SUPREME COURT SUSTAINED THE JUDGMENT AND SENTENCE OF THE DISTRICT COURT AND ORDERED THE DISTRICT COURT TO FIX A DAY FOR CARRYING THE SENTENCE INTO EFFECT. JUDGE BOREMAN AGAIN SENTENCED JOHN D. LEE TO BE SHOT TO DEATH AND FIXED THE DAY FOR EXECUTION ON MARCH 23RD 1877.</p>	<p>THE CASE WAS THEN ARGUED FOR THE PROSECUTION BY HOWARD AND DENNY, AND FOR THE DEFENDANT BY FOSTER AND BISHOP. THE COURT INSTRUCTED THE JURY AT LENGTH. THE JURY, AFTER A FEW HOURS' DELIBERATION, RETURNED A VERDICT OF "GUILTY OF MURDER IN THE FIRST DEGREE." A MOTION WAS AFTERWARDS MADE AND ARGUED FOR A NEW TRIAL. THE COURT OVERRULED THE MOTION, DENIED THE APPLICATION FOR A NEW TRIAL, AND SENTENCED LEE TO BE SHOT. THE CASE WAS APPEALED TO THE SUPREME COURT OF UTAH TERRITORY, AND ARGUED IN THAT COURT BY HON. FRANK TILFORD AND SUMNER HOWARD FOR THE PEOPLE, AND BY WM. W. BISHOP FOR LEE. THE SUPREME COURT SUSTAINED THE JUDGMENT AND SENTENCE OF THE DISTRICT COURT, AND ORDERED THE DISTRICT COURT TO FIX A DAY FOR CARRYING THE JUDGMENT INTO EFFECT. THE DISTRICT COURT AGAIN SENTENCED JOHN D. LEE TO BE SHOT TO DEATH, AND FIXED THE DAY FOR EXECUTION ON MARCH 23D, 1877.</p>
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John D. Lee, Second Trial

Pressley Denney and
J. C. Foster Closing Arguments

BT

PS

<p><i>[Bk 2 1]723</i> (BOOK 2) MONDAY SEPT. 18TH 1876 PRESSLEY DENNY'S ADDRESS TO THR JURY. MAY IT PLEASE THE COURT AND GENTLEMEN OF THE JURY, WE ARE NOW DRAWING TO A CLOSE OF PROSECUTION OF ONE OF THE MOSET COLD-BLOODED MURDERS THAT HAS EVER BEEN PERPETRATED. SO FAR AS I AM CONCERNED AT THE TIME, I WOULD WILLINGLY THAT THIS SIN MIGHT PASS AWAY. I WOULD BE WILLING TO LET THE EVIL DROP HERE, AND NOT TO PLEAD OR SAY ANOTHER WORD OF THIS MOST HORRIBLE TRANSACTION; BUT, IN THE COURSE OF THIS TRIAL, IT HAS BEEN CONCLUDED OTHERWISE; AND IT NOW BECOMES MY DUTY TO MAKE A FEW OPENING REMARKS. THE CASE SO FAR, IT SEEMS TO ME, IS SO PLAIN THAT FURTHER MRMARKS SEEMS UNNECESSARY. IT SEEMS IMPOSSIBLE TO MAKE IT MORE PLAIN. IT IS AS PLAIN AS THE NOON-DAY SUN. YOU ARE HERE, GENTLEMEN OF THE JURY, SIMPLY TO PASS UPON THE GUILT OR INNOCENCE OF ONE MAN, AND THAT MAN THE PRISONER AT THE BAR. WITH ANYTHING ELASSE, YOU HAVE NOTHING TO DO. HE IS CHARGED HERE WITH THE CRIME OF MURDER - NOT WITH THE CRIME OF MURDERING ONE, AS IS GENERALLY THE CASE - NOT WITH THE CRIME OF MURDERING TWO OR THREE OR HALF A DOZEN - BUT WITH THE CRIME OF MURDERING IN COLD-BLOOD VOVER 120 MEN,</p>	<p><i>[[Bk 3 39 cont.]]</i> PRESSLEY DENNY ADDRESSES ADDRESSED THE JURY <i>[space]</i> PLEASE THE COURT AND GENTLEMEN OF THE JURY <i>[space]</i> WE ARE NOW DRAWING TO A CLOSE OF PROSECUTION OF ONE OF THE MOST COLDBLOODED MURDERS THAT HAS EVER BEEN PERPETRATED. SO FAR AS I AM CONCERNED GENTLEMEN OF THE JURY I WOULD WILLINGLY THAT THIS SIN MIGHT PASS AWAY I WOULD BE- WILLING TO ALLOW THE DROP VEIL HERE AND NOT TO PLEAD OR SAY ANOTHER WORD ABOUT THIS MORE THAN HORRIBLE TRANSACTION; BUT IN THE COURSE OF THIS TRIAL IT HAS BEEN CONCLUDED OTHERWISE AND IT BECOMES MY DUTY TO MAKE A FEW OPENING REMARKS. THE CASE SO FAR, IT SEEMS TO ME, IS SO PLAIN THAT FURTHER REMARK IS UNNECESSARY IT IS IMPOSSIBLE TO MAKE THAT MORE PLAIN WHICH IS AS PLAIN AS THE NOONDAY SUN. YOU ARE HERE GENTLEMEN OF THE JURY SIMPLY TO PASS UPON THE GUILT OR INNOCENCE OF ONE MAN AND THAT MAN THE PRISONER AT THE BAR. WITH ANYTHING ELSE YOU HAVE NOTHING TO DO. HE IS CHARGED HERE WITH THE CRIME OF MURDER, NOT WITH THE CRIME OF MURDERING ONE, AS IS GENERALLY THE CASE, NOT WITH THE CRIME OF MURDERING TWO OR 3 OR HALF A DOZEN BUT WITH THE CRIME OF MURDERING IN COLD BLOOD OVER 120 MEN</p>
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723. See Trial matrix, p. 3780, for RT and MU summary of proceedings.

BT

PS

WOMEN AND CHILDREN. SUCH A HORRIBLE BUTCHERY, GENTLEMEN, HAS BEEN PRESENTED ~~Y~~TO YOU FOR THE LAST THREE OR FOUR DAYS. NEVER, SINCE COURTS OF JUSTICE BEGAN, HAS THERE BEEN BROUGHT INTO COURT SUCH A CRØIME, AND I HOPE TO GOD THAT THERE NEVER MAY BE AGAIN. THIS THING HAS LAIN SILENT FOR NINETEEN YEARS. IT HAS TAKEN, GENTLEMEN OF THE JURY, ALMOST THAT TIME TO UNEARTH THESE SINS. THIS CASE CAME UP FOR TRIAL ONCE BEFORE. IT HAS BEEN SAID THAT THE DEFENDANT WAS NOT CONVICTED BECAUSE NO DIRECT ACT WAS PROVEN ^[2] AGAINST HIM. NO MAN CAN SAY THAT NO DIRECT ACT HAS BEEN PROVEN AGAINST HIM THIS TIME, GENTLEMEN. NO MAN CAN LOOK AT THE PRISONER AT THE BAR AND SAY THAT HIS HAND IS NOT R4ED AND CARRYING WITH IT THE BLOOD OF 120 INNOCENT VICTIMS. THE DEFENSE, IN THE OPENING OF THIS CASE, TOLD YOU THEY DEFIED THE PROSECUTION TO PROVE BY COMPETENT TESTIMONY - COMPETENT AND RELIABLE TESTIMONY- THAT THE DEFENDANT WAS GUILTY; AND YOU MIGHT UNDERSTAND FROM THAT WHAT THE DEFENSE PROPOSE TO CLAIM, THAT COMPETENT AND RELIABLE TESTIMONY IS NOT TO BE TAKEN FROM ANY BODY WHO WERE THERE AND TOOK PART OR SAW THAT HORRIBLE TRANSACTION. OUR TESTIMONY, GENTLEMEN, DOES NOT RELYUPON THAT KIND OF TESTIMONY ALONE. IT IS TRUE THERE ARE ONE OR TWO

WOMEN AND CHILDREN. SUCH A HORRIBLE BUTCHERY GENTLEMEN HAS BEEN PRESENTED TO YOU FOR THE LAST 2 OR 3 DAYS. NEVER SINCE COURTS OF JUSTICE BEGAN HAS BEEN BROUGHT INTO COURT ^{[[40]]} AND I HOPE TO GOD THAT ONE NEVER MAY BE AGAIN. THIS THING HAS LAIN SILENT FOR 19 YEARS. IT HAS TAKEN GENTLEMEN OF THE JURY ALMOST THAT TIME TO UNEARTH THESE SINS THIS CASE CAME UP FOR TRIAL ONCE BEFORE IT HAS BEEN SAID THAT THE DEFENDANT WAS NOT CONVICTED BECAUSE NO DIRECT ACT WAS PROVEN AGAINST HIM NO MAN CAN SAY THAT NO DIRECT ACT HAS BEEN PROVEN AGAINST HIM THIS TIME GENTLEMEN NO MAN CAN LOOK AT THE PRISONER AT THE BAR AND SAY THAT HIS HAND IS NOT NOW RED AND GORY WITH THE BLOOD OF 120 INNOCENT VICTIMS. THE DEFENSE IN THE OPENING IN THIS CASE TOLD YOU [*space*] DEFIED THE PROSECUTION TO PROVE BY COMPETENT TESTIMONY ~ COMPETENT AND RELIABLE TESTIMONY THAT THE DEFENDANT WAS GUILTY; AND YOU MIGHT UNDERSTAND BY THAT WHAT THE DEFENSE PROPOSE TO CLAIM, THAT COMPETENT OR ~~≠MOSTLY?~~ RELIABLE TESTIMONY IS NOT TO BE TAKEN FROM ANY BODY WHO THERE WHO SAW AND TOOK PART IN THAT HORRIBLE TRANSACTION. OUR TESTIMONY GENTLEMEN DOES NOT RELY UPON THIS KIND OF TESTIMONY ALONE. IT IS TRUE THERE ARE ONE OR TWO

BT

PS

HERE WHO TOOK
PART IN IT; BUT,
GENTLEMEN, WE HAVE WITNESSES
HERE
WHO'S TESTIMONY CAN
NOT BE IMPEACHED. THERE IS
ENOUGH FROM HIS OWN
CONFESSIONS TO CONVICT HIM.
WHAT I WISH NOW, GENTLEMEN,
FOR A FEW MINUTES TO CALL YOUR
ATTENTION TO, IS THE CONDITION
OF THE COUNTRY AT THAT TIME.
SOMETHING WAS SAID TO YOU,
GENTLEMEN, BY MY BROTHER
BISHOP FOR THE PROSECUTION
DEFENSE:
THAT HE WISHED ALL TO
REMEMBER JOHNSONS ARMY AT
THE NORTH, AND THE CONDITION
OF THE INDIANS AT THE SOUTH,
AND THE PROCLAMATION OF THE
GOVERNOR DECLARING MARTIAL
LAW THROUGHOUT THE
TERRITORY. I WANT YOU,
GENTLEMEN, TO TAKE IN THE
SITUATION OF THE TERRITORY OF
UTAH AT THAT TIME JUST AS IT
WAS. THINK FOR A MOMENT,
GENTLEMEN, OF JOHNSONS ARMY
COMING IN AT THE NORTH. FIRST,
THIS TRAIN OF PRRHAPS 150
PERSONS WENDING ITS WAY
THROUGH ECHO CANYON TO SALET
LAKE CITY; WENDING ITS WAY
SOUTHWARD THROUGH THE
TERRITORY AT THAT TIME; PASSING
THOUGH BEAVER, PAROWAN,
CEDAR AND FINALLY
ENCAMPING AT MOUNTAIN
MEADOWS. ABOUT THAT TIME, OR
IT IS PRIOR TO THIS MURDER,
WAS THE PROCLAMATION OF THE
GOVERNOR DECLARING MARTIAL
LAW THROUGHOUT THE TERRITORY

HERE SOME WHO SAW ONE OR TWO
WHO [space] PARTICIPATED BUT LAY
THAT ASIDE GENTLEMEN
AND/BUT/TO[?] THE TESTIMONY OF
MEN WHOSE TESTIMONY CAN
NOT BE IMPEACHED. THERE IS
ENOUGH FROM HIS OWN
CONFESSIONS TO CONVICT HIM.
WHAT I WISH NOW GENTLEMEN
FOR A FEW MINUTES TO CALL YOUR
ATTENTION TO IS THE CONDITION
OF THE COUNTRY AT THAT TIME.
SOMETHING WAS SAID TIME
BROTHER
BISHOP'S
DEFENSE: ~~WHICH IS~~
THAT HE WISHED ALL TO
REMEMBER JOHNSTONS ARMY AT
THE NORTH UPRISING
OF THE ^{[[41]]} INDIANS AT THE SOUTH
[space] PROCLAMATION OF THE
GOVERNOR DECLARING MARTIAL
LAW THROUGHOUT THE
TERRITORY [space] I WANT YOU
GENTLEMEN TO TAKE IN THE
SITUATION OF THE TERRITORY OF
UTAH AT THAT TIME JUST AS IT
WAS [space] THINK FOR A MOMENT
GENTLEMEN OF JOHNSTONS ARMY
COMING IN AT THE NORTH FIRST
KNEW THIS TRAIN OF PERHAPS 150
PERSONS WENDING ITS WAY
THROUGH ECHO CANYON TO SALT
LAKE CITY WENDING ITS WAY
SOUTHWARD THROUGH THE
TERRITORY AT THAT TIME PASSING
THOUGH BEAVER PAROWAN
CEDAR CITY AND FINALLY
ENCAMPING AT MOUNTAIN
MEADOWS. ABOUT THAT TIME
BUT[?] IT IS PRIOR TO THIS MURDER
WAS THE PROCLAMATION OF THE
GOVERNOR DECLARING MARTIAL
LAW THROUGHOUT THE TERRITORY

BT

PS

ON ACCOUNT, AS HE SUPPOSED, OF THE INVASION OF THE UNITED STATES TROOPS. I WILL SHOW THAT THESE INDIANS THAT WERE CLAIMED TO BE SO HOSTILE, WERE⁷²⁴ WERE AT PEACE WITH ALL THE WHITES IN THIS NEIGHBORHOOD. I WILL SHOW TO YOU, GENTLEMEN OF THE JURY, THAT THE INDIANS WHICH THEY CLAIMED STIRRED UP THIS MASSACRE, NEVER PASSED BELOW BEAVER, AND TOOK NO PART IN IT; THAT THE ORIGIN OF THIS WHOLE TRANSACTION ORIGINATED SOUTH OF BEAVER, SOUTH OF PAROWAN AND EVEN SOUTH OF CEDAR; THAT THE VERY FIRST DESIGN OF THE MURDERING OF THESE EMIGRANTS ORIGINATED RIGHT AT HARMONY WHERE THE DEFENDANT WAS, AND WHERE HE HAD CONTROL OF THE INDIANS; THAT HE WAS GOING FROM THERE TO CEDAR AND THEN FROM CEDAR BACK AGAIN TO THE MEADOWS. IT ORIGINATED IN HIS VILE HEART FOR THE PURPOSE OF PILFERING AND NOTHING ELSE. THE FIRST THEN, WHICH I WISH TO CALL YOUR ATTENTION TO, IS THE REPORT OF GOVERNOR YOUNG AT THAT TIME TO JAMES W. DENVER, COMMISSIONER OF INDIAN AFFAIRS AT WASHINGTON, AS TO THE STATE OF INDIAN AFFAIRS AT THAT TIME. I WILL READ A PORTION OF IT WHICH I WILL CALL YOUR ATTENTION TO. [READS FROM REPORT] THAT, GENTLEMEN, IS THE PORTION OF THIS REPORT THAT I WISH WISH TO CALL YOUR

ON ACCOUNT AS HE SUPPOSED OF THE INVASION OF UNITED STATES TROOPS. I WILL SHOW THAT THESE INDIANS THAT WERE CLAIMED TO BE SO HOSTILE WERE AT PEACE WITH ALL THE WHITES IN THIS NEIGHBORHOOD I WILL SHOW TO YOU GENTLEMEN OF THE JURY THAT THE INDIANS WHICH THEY CLAIM OF STIRRING UP THIS MASSACRE NEVER PASSED BELOW BEAVER AND TOOK NO PART IN IT THAT THE ORIGIN OF THIS WHOLE TRANSACTION ORIGINATED SOUTH OF BEAVER SOUTH OF PAROWAN AND EVEN SOUTH OF CEDAR CITY. THAT THE VERY FIRST DESIGN OF THE MURDERING OF THESE EMIGRANTS ORIGINATED RIGHT AT HARMONY WHERE THE DEFENDANT WAS AND WHERE HE HAD CONTROL OF THE INDIANS AND IT WAS CARRIED FROM THERE TO CEDAR AND THEN FROM CEDAR BACK AGAIN TO THE MEADOWS. IT ORIGINATED IN HIS VILE HEART FOR THE PURPOSE OF PILFERING AND NOTHING ELSE. [space] THE FIRST THEN WHICH I SHALL CALL YOUR ATTENTION TO IS THE REPORT OF GOVERNOR YOUNG AT THAT TIME TO JAMES W DENVER, COMMISSIONER OF INDIAN AFFAIRS AT WASHINGTON AS TO THE STATE OF INDIAN AFFAIRS AT THAT TIME. I WILL READ A PORTION OF IT WHICH I WISH TO CALL YOUR [[42]] ATTENTION TO. READS⁷²⁴ [space] THAT GENTLEMEN IS THE PORTION OF THIS REPORT WHICH I WISH TO CALL YOUR

724. Circle drawn around the word.

BT

PS

ATTENTION TO. THE INDIANS, IN SPITE OF THE REPORT OF THEIR HOSTILITY IN WASHINGTON COUNTY, AND IN THE SOUTH WESTERN PORTION OF UTAH TERRITORY, “MANY OF THEM ARE NOW ENGAGED IN THE COMMON PURSUITS OF CIVILIZED LIFE.” AT THAT TIME, THEN, THAT THESE INDIANS PASSED SOUTHERLY, THESE INDIANS WERE UNDER THE CONTROL MOSTLY OF THE DEFENDANT, JOHN D. LEE. HE WAS FARMER, AS APPEARS FROM THE TESTIMONY OF DANIEL H. WELLS—FARMER FOR THE INDIANS AT HARMONY, THAT WERE MOSTLY ENGAGED IN THE DUTIES OF CIVILIZED LIFE. THESE, GENTLEMEN, ARE THE INDIANS WHICH THEY WOULD HAVE YOU BELIEVE WERE SO HOSTILE TO THIS EMIGRANT TRAIN AND TO THE WHITES. THESE ARE ^[4] THE INDIANS, GENTLEMEN, THAT PERPETRATED THIS CRIME ACCORDING TO THEIR STATEMENT OF THE THEORY. DO YOU BELIEVE IT? DO YOU BELIEVE THAT A BAND OF INDIANS THAT HAD BEEN WITH THE WHITES FOR SEVERAL YEARS, WHO WERE PARTIALLY CIVILIZED - MANY OF THEM LIVING ON FARMES - CAN YOU CONSISTENTLY BELIEVE IT? THAT TRAIN ONLY PASSED FROM CEDAR TO MOUNTAIN MEADOWS, AND TO STOP ONLY A DAY OR TWO AFTER IT ARRIVED THERE. WOULD THEY, WITHOUT ANYONE ELSE WITH A DEVILISH DESIGN IN HIS HEART. —WOULD THESE INDIAND HAVE CONCOCTED SUCH A DEPLORABLE CRIME AS THIS, TO

ATTENTION TO. THE INDIANS, *IN SPEAKING OF REPORT*[?] REFERENCE TO THE INDIANS IN WASHINGTON COUNTY AND IN THE SOUTH WESTERN PORTION OF UTAH TERRITORY “MANY OF THEM ARE NOW ENGAGED IN THE COMMON PURSUITS OF CIVILIZED LIFE”. AT THE TIME THEN THAT THIS TRAIN PASSED SOUTHWARD THESE INDIANS WERE UNDER THE CONTROL MOSTLY OF THE DEFENDANT JOHN D. LEE. HE WAS FARMER AS APPEARS FROM THE TESTIMONY OF DANIEL WELLS. FARMER FOR THE INDIANS AT HARMONY THEY WERE MOSTLY ENGAGED IN THE DUTIES OF CIVILIZED LIFE. THESE GENTLEMEN ARE THE INDIANS —[?] WHICH THEY WOULD HAVE YOU BELIEVE WERE SO HOSTILE TO THIS EMIGRANT TRAIN AND TO THE WHITES. THESE ARE THE INDIANS GENTLEMEN THAT PERPETRATED THIS CRIME ACCORDING TO THEIR STATEMENTS TO THEIR THEORY. DO YOU BELIEVE IT? DO YOU BELIEVE THAT A BAND OF INDIANS WHO HAD BEEN WITH THE WHITES FOR SEVERAL YEARS WHO WERE PARTIALLY CIVILIZED MANY OF WHOM WAS LIVING ON FARMS WOULD SUDDENLY [*space*] MIND YOU SUDDENLY BECAUSE THAT TRAIN ONLY PASSED FROM CEDAR TO MOUNTAIN MEADOWS UNTIL IT WAS STOPPED A DAY OR TWO AFTER IT ARRIVED THERE. WOULD THEY WITHOUT ANYONE ELSE PUTTING A DEVILISH DESIRE IN THEIR HEARTS WOULD THOSE INDIANS HAVE CONCOCTED SUCH DIABOLICAL CRIME

BT

PS

MASSACRE 120 INDIVIDUALS? NOT AT ALL. GENTLEMEN, THERE IS SOMETHING BACK OF ALL THIS. THE INDIANS MIGHT HAVE BEEN CIVILIZED, BUT THE WHITE MAN THAT WAS OVER THEM WAS NOT. NO GREATER SAVAGE WAS IN THAT BAND THAN THE MAN WHO WAS ~~ABOUT~~ THERE AND WAS THEIR FARMER,, AND TO WHOM THEY LOOKED FOR A GUIDE AND CONTROLL AND ASSISTANCE.. THE MAN TO WHOM THEY LOOKED FOR ADVICE WAS THE MAN WHO GOVERNED IT, AND ~~“FOLLOWING”~~ ~~THEY FOLLOWED~~ OUT THAT ADVICE, WITH HIM AS A LEADER, ~~THEY~~ FORMED AND PLANNED AN ATTACK UPON THIS EMIGRANT TRAIN. I WILL ON THIS SAME SUBJECT FURTHER CALL YOUR ATTENTION TO THE NEXT REPORT. THIS IS DATED JANUARY 6TH, 1858. THIS REPORT, GENTLEMEN, WAS MADE AFTER THE MASSACRE. I WILL READ A PORTION OF THE REPORT WHICH I WILL REFERR TO FURTHER ON IN A LETTER OF JOHN D. LEE’S. IT IS GIVEN BY THE GOVERNOR HERE AS A PORTION OF THE REPORT, AS HE RECEIVED IT FROM THE INDIAN AGENT AT THAT TIME: “IT IS OWING TO THE DISTURBED STATE OF OUR INDIAN AFFAIRS THAT THE ACCOUNTS OF THIS QUARTER HAVE BEEN SO CONSIDERABLY AUGMENTED. IT HAS ALWAYS BEEN MY POLICY TO CONCILIATE THE NATIVE TRIBES BY MAKING THEM PRESENTS AND TREATING THEM KINDLY, CONSIDERING IT MUCH MORE ECONOMICAL TO FEED AND CLOTH

AS THIS TO MASSACRE 120 INDIVIDUALS IN TOTO. GENTLEMEN THERE IS SOMETHING PECULIAR ABOUT THAT. THE INDIANS MIGHT HAVE BEEN CIVILIZED BUT THE WHITE MAN WHO WAS OVER THEM WAS NOT NO GREATER —/VIOLENCE[?] SAVAGE WAS IN THAT BAND THAN THE MAN WHO WAS *PUT*[?] THERE AND WAS THEIR FARMER AND TO WHOM THEY LOOKED FOR GUIDE AND CONTROL AND ASSISTANCE A ^{[[43]]} MAN TO WHOM THEY LOOKED FOR ADVICE WAS THE MAN WHO GAVE IT AND FOLLOWING OUT THAT ADVICE WITH HIM AS THE LEADER THEY FORMED AND PLANNED TO ATTACK THIS EMIGRANT TRAIN. I WILL ON THAT SAME SUBJECT FURTHER CALL YOUR ATTENTION TO THE NEXT REPORT. THIS IS JANUARY 6 1858 [*space*] THIS REPORT GENTLEMEN WAS MADE AFTER THE MASSACRE AND I WILL READ A PORTION OF THE REPORT WHICH I WILL REFER TO FURTHER *ON*[?] IN A LETTER OF JOHN D. LEE IT IS GIVEN BY THE GOVERNOR HERE AS A PORTION OF THE REPORT AS HE RECEIVED IT FROM THE INDIAN AGENT AT THAT TIME. “ IT IS OWING TO THE DISTURBED STATE & C [*space*]

BT

PS

THEM THAN TO FIGHT THEM. I HAVE THE SATISFACTION OF KNOWING THAT THIS POLICY HAS BEEN MOST EMINENTLY ^[5] SUCCESSFUL AND ADVANTAGEOUS, NOT ONLY TO THE SETTLEMENTS, BUT TO THE GOVERNMENT, AS WELL AS TO THE EMIGRANTS AND TRAVELERS.” THIS THEN WAS THE POLICY OF THE TERRITORY AT THAT TIME WITH REGARD TO THE INDIANS. THE POLICY WHICH THE SUPERINTENDANT HERE SAYS HAS BEEN MOST BENEFICIAL TO THE SETTLEMENTS, GOVERNMENT AND EMIGRANTS. THEIR POLICY WAS NOT THAT OF HOSTILITY TOWARD THE INDIANS, BECAUSE THEY HAD THE SETTLEMENTS HERE TO PROTECT; THEIR POLICY WAS BY PRESENTS, BY KIND TREATMENT TO MAKE THE INDIANS A FRIENDS INSTEAD OF A ~~AN EN~~ FOE. THIS, THEN, GENTLEMEN, IS THE CONDITION OF THE INDIANS IN SOUTHERN UTAH WHEN THIS EMIGRANT TRAIN PASSED THROUGH. IMAGINE YOU, GENTLEMEN, FOR A MOMENT – NOW MIND YOU THESE WHITES THAT PASSED THROUGH IN THIS TRAIN, ARE JUST THE SAME AS WHITES FROM ANY OTHER LAND. THERE IS NO PRETENSE THEN THAT THEY HAD ANY DIFFICULTY WHATEVER WITH THE INDIANS SOUTH OF HERE. ALL WHITES WITH THE INDIANS, FOR THE FIRST TIME, ARE NOT THE SAME.(?) THEY PERHAPS KNEW NOT WHETHER THEY WERE FRIENDS OF THE COMPAMNY. THEY MOST LIKELY TOOK THEM TO BE ALL THE SAME PEOPLE, CONSIDERING THEM TO BE

THIS THEN CONTAINS AT[?] THE POLICY OF THE TERRITORY AT THAT TIME WITH REGARD TO THE INDIANS THE POLICY WHICH THE SUPERINTENDENT HERE SAYS HAS BEEN MOST BENEFICIAL TO THE SETTLEMENTS GOVERNMENT AND EMIGRANTS. THEIR POLICY WAS NOT THAT OF HOSTILITY TOWARD THE UTE BECAUSE THEY HAD THE SETTLEMENTS HERE TO PROTECT THE POLICY THEN WAS BY PRESENTS BY KIND TREATMENT TO MAKE THE INDIAN A FRIEND INSTEAD OF A FOE. THIS THEN GENTLEMEN IS THE CONDITION OF THE INDIANS IN SOUTHERN UTAH WHEN THIS EMIGRANT TRAIN PASSED THROUGH. IMAGINE YOU GENTLEMEN[?] FOR A MOMENT [space] NOW MIND YOU THESE WHITES THAT PASSED THROUGH IN THIS TRAIN ARE JUST THE SAME AS WHITES FROM ANY OTHER LAND. THERE IS NO PRETENSE THEN THAT THEY HAD ANY DIFFICULTY WHATEVER WITH THE INDIANS SOUTH OF HERE. ALL WHITES TO THE INDIANS FOR THE FIRST TIME ARE THE SAME THEY PERHAPS KNEW NOT WHETHER THEY WERE FRIENDS OR FOES OF THIS COMPANY. THEY MOST LIKELY TAKING THEM TO BE ALL THE SAME PEOPLE CONSIDERING THEM TO BE

BT

PS

FRIENDS UNTIL THEY RECEIVED
UNFRIENDLY TREATMENT.

WOULD THEY HAVE A DESIRE
FOR REVENGE,, THAT BEING THE
POLICY OF THE GOVERNMENT
OF THE TERRITORY;? THAT BEING
THE CONDITION OF THE INDIANS AT
THAT TIME, IS IT LIKELY THAT
THEY, OF THEIR OWN SELVES,
WOULD ORIGINATE AND PLAN TO
MURDER AN EMIGRANT TRAIN OF
THAT SIZE? WHY, GENTLEMEN,
JUST TAKE THE WHOLE HISTORY OF
THIS COUNTRY — A TRAIN THAT
EVER PASSED EAST OR WEST SINCE
GOLD WAS FIRST DISCOVERED IN
CALIFORNIA TO THE PRESENT TIME,
AND WHERE IN THAT HISTORY HAS
SUCH A MURDER BEEN
PERPETRATED? WHERE IN HISTORY
HAS A TRAIN, ARMED AND
EQUIPED AS THEY WERE, EVER
BEEN ATTACKED BY
INDIANS ALONE? GENTLEMEN, AN
INDIAN MAY BE BRAVE,
BUT A TRAIN
OF THAT KIND, ARMED AND
EQUIPED AS THEY WERE, AND ^[6]
ATTACKED AND MURDERED BY
INDIANS ALONE, NEVER HAS BEEN
DONE OR HEARD OF IN THE
HISTORY OF THIS COUNTRY. THEY
MAY ATTACK A FEW DEFENSELESS
MEN; THEY MAY ATTACK A SMALL
TRAIN; BUT, GENTLEMEN, WHEN IT
COMES TO FORTY OR FIFTY MEN,

THEN I SAY TO YOU,
GENTLEMEN, IN THE FIRST PLACE,
THAT SOMEBODY ELSE BESIDES
THE INDIANS WERE AT THE
BOTTOM OF THE WHOLE SCHEAM

FRIENDS UNTIL THEY RECEIVED
UNFRIENDLY TREATMENT THEN
WOULD BE AND AS AT THAT TIME
WOULD HAVE THEIR DESIRE ^[144]
FOR REVENGE THAT BEING
POLICY OF THE GOVERNMENT
OF THE TERRITORY THAT BEING
THE CONDITION OF THE INDIANS AT
THAT TIME IS IT LIKELY THAT
THEY OF THEIR OWN SELVES
WOULD ORIGINATE AND PLAN TO
MURDER AN EMIGRANT TRAIN OF
THAT SIZE *[space]* WHY GENTLEMEN
JUST TAKE THE WHOLE HISTORY OF
THIS COUNTRY THE TRAINS THAT
HAVE PASSED EAST OR WEST SINCE
GOLD WAS FIRST DISCOVERED IN
CALIFORNIA TO THE PRESENT TIME
AND WHERE IN HISTORY HAS
SUCH A MURDER BEEN
PERPETRATED? WHERE IN HISTORY
HAS A TRAIN ARMED AND
EQUIPPED AS THEY WAS *OF THE*
NUMBER[?] BEEN ATTACKED BY
INDIANS ALONE. GENTLEMEN AN
INDIAN MAY BE BRAVE AND HE
MAY BE DANGEROUS BUT A TRAIN
OF THAT KIND ARMED AND
EQUIPPED AS THEY WERE TO
ATTACK AND MURDER AND BY
INDIANS ALONE NEVER HAS BEEN
DONE OR HEARD OF IN THE
HISTORY OF THIS COUNTRY. THEY
MAY ATTACK A FEW DEFENSELESS
MEN. THEY MAY ATTACK A SMALL
TRAIN BUT GENTLEMEN WHEN IT
COMES TO 40 OR 50 MEN; WHEN IT
COMES TO TRAIN OF 20 OR 30 THERE
HAS NEVER/IS ANOTHER THING[?]
[space] THEN I SAY TO YOU
GENTLEMEN IN THE FIRST PLACE
THAT SOMEBODY ELSE BESIDES
THE INDIANS WERE AT THE
BOTTOM OF THE WHOLE SCHEME

BT

PS

AND TRANSACTIONS, IS THERE ANY DOUBT IN REGARD TO THAT? WE FIND FROM THE TESTIMONY HERE, THAT AT THAT TIME, THE DEFENDANT, JOHN D. LEE, WAS A MAN WHO UNDERSTOOD WELL THE INDIAN LANGUAGE; WAS INDIAN INTERPRETER AT THAT PLACE; AND WAS CONSIDERED A MAN OF GREAT INFLUENCE AMONG THE INDIANS: WE FIND THAT ABOUT THAT TIME THE INDIANS BEGAN TO COLLECT AROUND IN THAT NEIGHBORHOOD; BUT THERE IS NO CONFUSION, GENTLEMEN, WHO WAS THE FIRST MAN UPON THE FIELD? THE INDIANS, HE SAYS, MADE THE FIRST ATTACK; ~~W~~WERE REPULSED AND THEN COMPELLED HIM TO JOIN IN THE ATTACK AFTERWARDS. WHILE HARMONY WAS SOME 15 OR 20 MILES AWAY FROM THE MOUNTAIN MEADOWS, WHAT WAS JOHN D. LEE DOING UPON THE GROUND THERE WHEN THAT ATTACK WAS FIRST MADE?. WHY WAS HE HIDING AND SCHEMING AROUND THERE? IN ORDER THAT THE INDIANS COULD CALL UPON HIM AND COMPEL HIM TO MAKE THE ATTACK?? HAD HE JUST HAPPENED THERE CASUALLY? HAD HE COME UP TO TRADE WITH THE EMIGRANTS? OR WAS HE OUT THERE ON A HUNTING EXPEDITION WITH THIS BAND OF INDIANS? TAKE HIS OWN STATEMENT THAT THE INDIANS FIRST MADE AN ATTACK. THESE FIRST ATTACKS WERE MADE NEARLY A WEEK—MONDAY PRIOR TO THE KILLING WHICH WAS ON FRIDAY. MR. KNIGHT MET MR. LEE ABOUT THE FIRST OF THE WEEK,

AND TRANSACTION LET'S NOW INQUIRE WHO THAT WAS. [space] WE FIND FROM THE TESTIMONY HERE THAT AT THAT TIME FORT HARMONY THE DEFENDANT JOHN D. LEE WAS A MAN WHO UNDERSTOOD WELL THE INDIAN LANGUAGE. WAS INDIAN INTERPRETER AT THAT PLACE AND WAS CONSIDERED A MAN OF GREAT INFLUENCE AMONG THE INDIANS. *WE*[?] FIND THAT ABOUT THAT TIME THE INDIANS BEGAN TO COLLECT AROUND IN THAT NEIGHBORHOOD THERE IS NO CONFUSION GENTLEMEN WHO WAS THE FIRST MAN UPON THE FIELD [space] THE INDIANS HE SAYS MADE THE FIRST ATTACK WERE REPULSED AND THEN COMPELLED HIM TO JOIN IN THE ATTACK AFTERWARDS WHILE HARMONY IS SOME 15 OR 20 MILES AWAY FROM MOUNTAIN MEADOWS WHAT WAS JOHN D. LEE ^{[[45]]} DOING UPON THE GROUND THERE WHEN THAT ATTACK WAS FIRST MADE? WHY WAS HE HIDING AND SCHEMING AROUND THERE? IN ORDER THAT THE INDIANS COULD CALL UPON HIM AND COMPEL HIM TO MAKE THE ATTACK. HAD HE JUST HAPPENED THERE CASUALLY? HAD HE COME UP TO TRADE WITH THE EMIGRANTS OR WAS HE OUT WITH A HUNTING EXPEDITION WITH THIS BAND OF INDIANS? TAKE HIS OWN STATEMENT THAT THE INDIANS FIRST MADE AN ATTACK. THESE FIRST ATTACKS WERE MADE NEARLY A WEEK MONDAY PRIOR TO THE KILLING WHICH WAS ON FRIDAY. MR. KNIGHT MET MR. LEE ABOUT THE FIRST OF THE WEEK

BT

PS

WHEN HE RELATES TO HIM THIS CONVERSATION—MIND YOU THIS WAS BEFORE ANY FRIENDLY WHITE MEN WERE UPON THE GROUND, BEFORE JOHN D. LEE HAD GONE BACK TO HARMONY.—MR. KNIGHT, WHOS RESIDENCE WAS AT THAT TIME ON THE SANTA CLARSA, COMES TO THE MOUNTAIN MEADOWS THERE SIMPLY FOR THE PURPOSE OF HERDING ^[7] HIS CATTLE; WHILE RETURNING HE MEETS JOHN D. LEE.— THIS WAS IN THE EARLY EARLY PART OF THE WEEK,— AND, AS HE SAYS, FIVE OR SIX DAYS PRIOR TO THE GENERAL MASSACRE. JOHN D. LEE AT THAT TIME HAD BEEN SHOT; THAT IS, HAD BULLET HOLES THROUGH HIS CLOTHES. HE THEN RELATES TO HIM THAT THE INDIANS, AFTER MAKING THE FIRST ATTACK, COMPELLED HIM TO LEAD THEM AND MAKE A SECOND ATTACK, AND HE RUN A VERY NARROW ESCAPE. NOW, THERE IS NO TESTIMONY, THAT WE HAVE BEEN ABLE TO FIND, OF ANY OTHER WHITE MAN BEING THERE ON THE GROUND EXCEPT JOHN D. LEE. WHAT WAS HE DOING THERE? WHY WAS HE LOLLING AROUND ON THE GROUND AT MOUNTAIN MEADOWS THERE IF IT WAS NOT FOR THE PURPOSE OF LEADING THAT BAND OF INDIANS TO ATTACK AND MURDER ALL THOSE EMIGRANTS?

WHEN HE WENT TO HARMONY WHY DIDN'T HE REMAIN THERE SO THEY COULD NOT CALL UPON

WHEN HE RELATES TO HIM THIS CONVERSATION. MIND YOU THIS WAS BEFORE ANY FRIENDLY WHITE MEN WERE UPON THE GROUND. BEFORE JOHN D. LEE HAD GONE BACK TO HARMONY MR. KNIGHT, WHOSE RESIDENCE WAS AT THAT TIME WAS ON THE SANTA CLARA, COMES TO MOUNTAIN MEADOWS THERE SIMPLY FOR THE PURPOSE OF HERDING HIS CATTLE. WHILE RETURNING HE MEETS JOHN D. LEE THIS WAS IN THE EARLY PART OF THE WEEK AND AS HE SAYS 5 OR 6 DAYS PRIOR TO THE GENERAL MASSACRE, JOHN D. LEE AT THAT TIME HAD BEEN SHOT; THAT IS, HAD BULLET HOLES THROUGH HIS CLOTHES HE THEN RELATES TO HIM THAT THE INDIANS AFTER MAKING THE FIRST ATTACK COMPELLED HIM TO LEAD THEM AND MAKE A SECOND AND HE RAN A VERY NARROW ESCAPE. NOW THERE IS ~~NOW~~ NO TESTIMONY THAT WE HAVE BEEN ABLE TO FIND OF ANY OTHER WHITE MAN BEING THERE ON THE GROUND EXCEPT JOHN D. LEE. WHAT WAS HE DOING THERE— WHY WAS HE LOLLING AROUND ON THE GROUND AT MOUNTAIN MEADOWS THERE IF IT WAS NOT FOR THE PURPOSE OF LEADING THAT BAND OF INDIANS TO THE ATTACK AND TO THE MURDER OF THOSE EMIGRANTS WHY *HAD*[?] ^{[[46]]} HE SCHEMING AROUND ON THE [*space*] PUTTING INDIANS FINALLY TO MURDER AND HIMSELF LEADING PACK AND IF HE HAD BEEN AT HOME TO HARMONY WHERE HE MIGHT HAVE BEEN THEY COULD NOT HAVE CALLED UPON

BT

PS

HIM FOR HIS AID SO EASILY? THERE IS BUT ONE CONCLUSION, GENTLEMEN: JOHN D. LEE FIRST ORIGINATED AND CONCOCTED A PLAN TO MURDER THOSE EMIGRANTS. TO CARRY OUT THIS DESIGN, HE FIRST BROUGHT AROUND HIM HIS INDIANS THAT HE HAD CHARGE OF AT HARMONY, CEDAR AND SOUTH OF THERE, AND WENT TO THE ATTACK; AND THEN AFTERWARDS, AS HE RELATES TO THE OLD MAN , HAMBLIN,

CALLED UPON THE SETTLEMENTS AND OTHER INDIANS FOR ASSISTANCE. NOW, I WISH YOU WOULD EXAMINE THE WITNESSES HERE AND SEE IF THEY ARE COMPETENT WITNESSES. EXAMINE THEM ONE BY ONE AS WE GO ALONG AND SEE IF THEY ARE RELIABLE WITNESSES; BECAUSE THE DEFENSE LAY GREAT STRESS UPON THAT; THAT NO MAN WAS RELIABLE WHO WAS THERE; NO MAN WAS RELIABLE WHO SAW THAT TRANSACTION;; NO MAN WAS RELIABLE IN ANY MANNER WHATEVER WHO HAD ANYTHING TO DO WITH IT. WE HAVE SOME TESTIMONY, AND CONSIDERABLE GENTLEMEN, FROM WITNESSES WHO WERE NOT CONNECTED WITH THE AFFAIR. FIRST, IS MR. DANIEL H. WELLS WHO HAS LIVED IN THIS TERRITORY 28 YEARS. HE IS PERHAPS KNOWN PERSONALLY TO MANY OF YOU. IF HE IS NOT ^[8] RELIABLE, GENTLEMEN, THERE ARE

HIM FOR HIS AID SO EASILY. THERE IS BUT ONE CONCLUSION THEN GENTLEMEN [space] JOHN D. LEE FIRST ORIGINATED AND CONCOCTED PLAN OF MURDERING THOSE EMIGRANTS. CARRYING OUT THAT DESIGN HE FIRST BROUGHT AROUND HIM HIS INDIANS THAT HE HAD CHARGE OF AT HARMONY CEDAR AND SOUTH OF THERE AND WENT TO THE ATTACK; AND THEN AFTERWARDS AS HE RELATES TO THE OLD MAN HAMBLIN WHEN THE ATTACK WAS MADE AND THEY WERE N[?] IT WAS NECESSARY BACK[?] THERE[?] AND THEN HE CALLS UPON THE SETTLEMENTS FOR

ASSISTANCE. [space] WE HAVE GENTLEMEN ~ I WISH YOU TO EXAMINE WITNESSES HERE AND SEE WHETHER THEY ARE COMPETENT WITNESSES. EXAMINE THEM ONE BY ONE AS WE GO ALONG AND SEE WHETHER THEY ARE RELIABLE WITNESSES BECAUSE THE DEFENSE LAY GREAT STRESS UPON THAT. THAT NO MAN WAS RELIABLE WHO WAS THERE, NO MAN WAS RELIABLE WHO SAW THAT TRANSACTION, NO MAN WAS RELIABLE WHO IN ANY MANNER WHATEVER HAD ANYTHING TO DO WITH IT [space] WE HAVE SOME TESTIMONY AND CONSIDERABLE GENTLEMEN THAT IS NOT CONNECTED WITH THAT *GENERAL*[?] AFFAIR FIRST IS MR. DANIEL H WELLS WHO HAS LIVED IN THIS TERRITORY 28 YEARS HE IS PERHAPS PERSONALLY KNOWN TO MANY OF YOU IF HE IS NOT RELIABLE GENTLEMEN THERE ARE

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PLENTY OF MEN, HUNDREDS OF THEM, , IN THIS TERRITORY WHO KNOW IT. IF HE IS NOT COMPETENT AND HIS TESTIMONY IS NOT TO BE BELIEVED, MANY COULD BE BROUGHT HERE TO SHOW THAT FACT, THAT HE COULD NOT BE BELIEVED UNDER OATH. HIS TESTIMONY IS AS TO THE INFLUENCE OF JOHN D. LEE, HIS SITUATION AT HARMONY. NEXT, GENTLEMEN, IS MR. LABIAN MORRIL. HE HAS LIVED IN THIS TERRITORY 24 YEARS. HE LIVED AT THAT TIME IN IRON COUNTY AT FORT JOHNSON - AND I BELIEVE HE LIVED THERE FOR YEARS. PERHAPS MANY OF YOU KNOW HIM. IS HIS TESTIMONY RELIABLE? AND WHAT I SAID OF MR. WELLS COULD VERY EASILY BE SAID OF MR. MORRIL. IF HE IS A MAN WHO IS NOT ~~RELI~~ **TO BE BELIEVED** ~~ABLE~~, IF HE IS A MAN WHO IS NOT RELIABLE HIS NEIGHBORS, AND I WILL VENTURE TO SAY TWO THIRDS OF IRON COUNTY, KNOW HIM; HAVE THEY APPEMPTED TO IMPEACH HIM? NOT AT ALL, GENTLEMEN, SIMPLY BECAUSE THEY COULD NOT. NOW, WHAT IS HIS TESTIMONY? HE WAS AT THAT TIME LIVING A FEW MILES FROM CEDAR. HE WAS SENT FOR ~~BUY~~ THE AUTHORITIES AT CEDAR

AS TO WHAT SHOULD BE DONE WITH THE EMIGRANT TRAIN. NOW, RIGHT HERE, GENTLEMEN, LET US SEE WHO CALLED THIS MEETING. THIS IS THE FIRST TESTIMONY WE HAVE OF A COUNCIL AT CEDAR TO

PLENTY OF MEN HUNDREDS OF THEM IN THIS TERRITORY WHO KNOW IT *[space]* IF HE IS NOT COMPETENT AND HIS TESTIMONY IS NOT RELIABLE MANY COULD BE BROUGHT HERE TO SHOW THAT FACT, THAT HE COULD NOT BE BELIEVED UNDER OATH *[space]* HIS TESTIMONY IS AS TO THE INFLUENCE OF JOHN D LEE HIS SITUATION AT HARMONY. *[space]* NEXT GENTLEMEN IS MR. LABAN MORRIL *[space]* HE HAS LIVED IN THIS TERRITORY 24 YEARS ^{[[47]]} HE LIVED AT THAT TIME IN IRON COUNTY AT FORT JOHNSON AND I BELIEVE HE LIVES THERE YET. PERHAPS MANY OF YOU KNOW HIM. IS HIS TESTIMONY RELIABLE? AND WHAT I SAID OF MR. WELLS COULD VERY EASILY BE SAID OF MR. MORRIL IF HE IS NOT A MAN WHO IS RELIABLE IF HE IS NOT A MAN TO BE BELIEVED HIS NEIGHBORS AND I WILL VENTURE TO SAY 2/3 OF IRON COUNTY KNOW THE FACT. HAVE THEY ATTEMPTED TO IMPEACH HIM? NOT AT ALL GENTLEMEN SIMPLY BECAUSE THEY COULD NOT. NOW WHAT IS HIS TESTIMONY HE WAS AT THAT TIME LIVING A FEW MILES FROM CEDAR. HE WAS SENT FOR BY THE AUTHORITIES AT CEDAR FOR THE PURPOSE OF HOLDING A MEETING THERE TO CONSIDER WHAT SHOULD BE DONE WITH THE EMIGRANT TRAIN. NOW RIGHT HERE GENTLEMEN LET'S SEE WHO CALLED THIS MEETING. THIS IS THE FIRST TESTIMONY WE HAVE OF THE COUNCIL AT CEDAR TO

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CONSIDER WHAT WAS BEST TO BE DONE WITH THIS TRAIN. THE REASON ASSIGNED BY MR. MORRIL WAS THAT WHEN HE ARRIVED AT CEDAR A TRAIN HAD MADE THREATS. THEY HAD MADE THREATS AGAINST THE SETTLERS AND THE SETTLEMENTS. THEY DEvised A COUNCIL. MR. HAIGHT—NOW MIND YOU THIS IS THE FIRST PROCEEDING. THEY HELD A COUNCIL AND IN THAT COUNCIL IT WAS SAID BY MR. ISAAC C. HAIGHT THAT HE HAD RECEIVED A LETTER FROM JOHN D. LEE WITH REGARD TO THE SETTLERS AND THE INDIANS. NOW, WHERE DID THIS WHOLE THING ORIGINATE? NOT EXACTLY AT CEDAR; AND WHEN THE COUNCIL CALLED FOR THE FIRST TIME TO CONSIDER THIS TRANSACTION, WAS IT ^[9] DISCUSSED FOR THE FIRST TIME IN THAT COUNCIL? NO; BUT WHERE? JOHN D. LEE HAD, PRIOR TO THAT TIME, ORIGINATED THE PLAN TO OFFER BEFORE THAT COUNCIL. HIS PLAN WAS LAID BEFORE THEM. ISAAC C. HAIGHT HAD BEFORE RECEIVED A LETTER FROM JOHN D. LEE WITH REGARD TO THE SETTLERS AND THE INDIANS; AND WITH REGARD TO THE PLAN THAT ORIGINATED DOWN FURTHER SOUTH. IT ORIGINATED AT HARMONY. IT ORIGINATED WITH JOHN D. LEE AND NO BODY ELSE. SEEING THAT THIS TRAIN WAS WEALTHY, CAMPED ALONE AT MOUNTAIN MEADOWS

CONSIDER WHAT WAS BEST TO BE DONE WITH THIS TRAIN. THE REASON ASSIGNED BY MR. MORRIL WAS THAT WHEN HE ARRIVED AT CEDAR THE TRAIN HAD MADE THREATS. THEY HAD MADE THREATS AGAINST THE SETTLERS AND THE SETTLEMENTS. THEY ADVISED/DEVISED[?] A COUNCIL MR. HAIGHT NOW MIND YOU THIS IS THE FIRST PROCEEDING THEY HELD A COUNCIL AND IN THAT COUNCIL IT WAS SAID BY MR. ISAAC C HAIGHT THAT HE HAD RECEIVED LETTER FROM JOHN D. LEE WITH REGARD TO THE ~~SETTLEMENTS~~ SETTLERS AND THE INDIANS. NOW WHERE DID THIS WHOLE THING ORIGINATE? NOT EXACTLY AT CEDAR AND WHEN A COUNCIL IS CALLED FOR THE FIRST TIME TO CONSIDER THIS TRANSACTION WHEN MR. [space] TESTIFIES THERE WAS IT FIRST SUGGESTED IN THAT COUNCIL NO [space] BUT WHERE JOHN D. LEE HAD PRIOR TO THAT TIME ORIGINATED THE PLAN AND OFFERED BEFORE THAT COUNCIL. HIS PLAN WAS LAID BEFORE THEM. ISAAC HAIGHT ^{[[48]]725} HAD ALREADY RECEIVED HIS LETTER FROM JOHN D. LEE WITH REGARD TO THE SETTLERS AND THE INDIANS THE PLAN THEN ORIGINATED DOWN FURTHER SOUTH [space] IT ORIGINATED AT HARMONY IT ORIGINATED WITH JOHN D. LEE AND NOBODY ELSE. SEEING THAT THIS TRAIN WAS WEALTHY CAMPED ALONE AT MOUNTAIN MEADOWS

725. Brief doodling on verso of page 47: THIS IS SPLENDID GOOD WRITING PAPER IS IT NOT [space].

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WHERE THEY COULD BE EASILY MURDERED AND THEIR GOODS TAKEN, THAT PLAN SUGGESTED ITSELF TO HIM AT ONCE. HE TRUMPS UP THIS CHARGE, THEN, THAT THE INDIANS COULD NOT BE RESTRAINED; AND HE SENDS A LETTER AT ONCE TO ISAAC C. HAIGHT ASKING FTØHEIR ASSISTANCE. MR. BISHOP: I DISLIKE TO INTERFERE WITH YOUR ARGUEMENT, **BUT I DON'T KNOW** OF ANY SUCH TESTIMONY AS THAT, THAT JOHN D. LEE HAD CALLED FOR ASSISTANCE OR WAS MENTIONED IN THAT COUNCIL. MR. DENNY: I THINK YOU WILL FIND IT IN MR. HASLAM'S TESTIMONY. RECESS TILL 2 O'CLOCK. PRESSLY DENNY'S ARGUEMENT RESUMED. IF IT PLEASE THE COURT, GENTLEMEN OF THE JURY, WHEN WE ADJOURNED WE WERE CONSIDERING THE TIME THAT MR. MORRIL WAS FIRST CALLED TO THE COUNCIL AT CEDAR. HE CAME THERE BY ORDERS. THEY HELD A COUNCIL, AND PART OF THAT COUNCIL WERE IN FAVOR OF MAKING SOME DISPOSITION OF THE EMIGRANTS. A PART OF THAT COUNCIL WERE IN FAVOR OF WAITING TILL ORDERS COULD BE RECEIVED FROM GOVERNOR YOUNG AS TO WHAT, UNDER THE CIRCUMSTANCES, WOULD BE BEST FOR THE PEOPLE AND THE SETTLEMENTS TO BE DONE. AS MR. MORRIL TESTIFIED THERE WAS

WHERE THEY COULD BE EASILY *STOPPED*[?] AND MURDERED AND THEIR GOODS TAKEN. THAT PLAN SUGGESTED ITSELF TO HIM AT ONCE HE TRUMPS UP THIS CHARGE THEN, THAT THE INDIANS COULD NOT BE RESTRAINED AND SENDS A LETTER AT ONCE TO ISAAC C HAIGHT ASKING THEIR ASSISTANCE [*space*] BISHOP [*space*] I DISLIKE TO INTERFERE WITH THAT ARGUMENT, BUT I CERTAINLY — [*space*] OR ANY PERSON SAID THAT JOHN D. LEE HAD CALLED FOR ASSISTANCE *BUT/TO*[?] —[?] TO ANOTHER IF JOHN D. LEE WAS MENTIONED THAT JOHN D. LEE WAS SOUTH. MR. [*space*] DENNY: TESTIMONY HASLAM [*space*] RECESS. [[Bk 4 1]]726 **DENNY** CONTINUED [*space*] IF THE COURT PLEASE GENTLEMEN OF THE JURY WHEN WE ADJOURNED WE WERE CONSIDERING THE TIME THAT MR. MORRIL WAS FIRST CALLED TO THE COUNCIL AT CEDAR HE CAME THERE BY ORDERS THEY HELD A COUNCIL AND PART OF THAT COUNCIL WERE IN FAVOR OF MAKING SOME DISPOSITION OF THE EMIGRANTS AND PART OF THAT COUNCIL WERE FAVOR OF WAITING TILL ORDERS COULD BE RECEIVED FROM GOVERNOR YOUNG AS TO WHAT UNDER THE CIRCUMSTANCES WOULD BE BEST FOR THE PEOPLE AND THE SETTLEMENTS TO BE DONE. AS MR. MORRIL WITNESSED THERE WAS

726. The cover of Book 4 reads: **BOOK NO 4 – 2ND LEE TRIAL** [*space*] **PEOPLE VS. JOHN D. LEE** [*space*]. “**BOOK NO. 4 - 2ND LEE TRIAL**” is in Rogerson’s longhand. On the top of page 1 in Rogerson’s longhand: **TRANSCRIBED**.

BT

PS

CONSIDERABLE EXCITEMENT WHEN HE ARRIVED AT CEDAT CITY, OWING TO THE THREATS WHICH ^[10] HAD BEEN MADE, AS HE LEARNED, BY THE EMIGRANTS. IT WAS DETERMINED IN THAT COUNCIL THQAT EVERYTHING SHOULD BE STAID, SO FAR AS THE EMIGRANTS WERE CONCERNED, TILL M A MESSENGER COULD BE SENT TO SALT LAKE WITH A DISPATCH AND RETURN. A MESSENGER - AS HE ALSO TESTIFIES, AND AS MR.HASLAM ASLSO TESTIFIES - WAS AT THE SAME TIME SENT SOUTH TO JOHN D. LEE, INSTRUCTING HIM THAT NO FURTHER PROCEEDINGS SHOULD BE TAKEN WITH REGARD TO THE EMIGRANTS UNTIL THAT MESSENGER RETURNED. THAT MESSENGER WENT,

AND THE FACT WHICH I WISH TO CALL YOUR ATTENTION TO. IS, THAT HE MET THE INDIANS NORTH OF HERE, ,BEAVER, A PORTION OF THEM. HE WENTDED HIS WAY FORWARD TO SALT LAKE; THEY HAVE HIS MESSAGE; HE RECEIVED HIS INSTRUCTIONS AND IMMEDIATELY RETURNED. WHEN HE RETURNED TO CEDAR WITH HIS ORDERXS THE HELLISH DEED HAD BEEN COMMITTED. NOW, AS TO MR. HASLAM'S TESTIMONY; WHAT WAS THAT? YOU HEARD IT READ BY THE REPORTER. ISAAC C. HAIGHT SENT FOR MR. HASLAM TO TAKETHIS MESSAGE TO GOVERNOR YOUNG. HE TOLD HIM IN THAT CONVERSATION THZAT

CONSIDERABLE EXCITEMENT WHEN HE ARRIVED AT CEDAR OWING TO THE THREATS WHICH HAD BEEN MADE AS HE LEARNED BY THE EMIGRANTS IT WAS DETERMINED IN THAT COUNCIL THAT EVERYTHING SHOULD BE STAYED SO FAR AS THE EMIGRANTS WERE CONCERNED TILL A MESSENGER WAS SENT TO SALT LAKE WITH A DISPATCH AND RETURNED A MESSENGER AS HE ALSO TESTIFIES AND AS MR. HASLAM ALSO TESTIFIES WAS AT THE SAME TIME SENT SOUTH TO JOHN D. LEE

THAT NO FURTHER PROCEEDING SHOULD BE TAKEN WITH REGARD TO THE EMIGRANTS UNTIL THAT MESSENGER RETURNED THAT MESSENGER WENT AND MET ONE TRAIN OF EMIGRANTS HERE AT BEAVER AND THE FACT WHICH I WISH TO CALL YOUR ATTENTION TO HE MET THE INDIANS NORTH OF HERE AT BEAVER A PORTION OF THEM [space] HE WENDED HIS WAY NORTHWARD TO SALT LAKE DELIVERED HIS MESSAGE RECEIVED HIS INSTRUCTIONS AND IMMEDIATELY RETURNED WHEN HE RETURNED TO CEDAR WITH HIS ORDERS THE HELLISH DEED HAD BEEN ACCOMPLISHED [space] NOW AS TO MR. HASLAM'S TESTIMONY WHAT WAS THAT YOU HEARD IT READ FROM THE REPORTER [space] ISAAC HAIGHT SENT FOR MR. HASLAM TO⁷²⁷ TAKE THIS MESSAGE TO GOVERNOR YOUNG HE TOLD HIM IN THAT CONVERSATION THAT

727. Rogerson's hand symbol is in the left margin.

BT

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HE HAD RECEIVED A DISPATCH OR A MESSAGE OF SOME ~~KIND~~ WORD FROM JOHN D. LEE, THAT THE INDIANS HAD THE EMIGRANTS UNDER CHECK AT MOUNTAIN MEADOWS. IMMEDIATELY HE WAS DISPATCHED WITH THAT MESSAGE TO GOVERNOR YOUNG, ANOTHER MESSENGER, AS HE TELLS YOU, ~~SWAS~~ SENT TO JOHN D. LEE WITH ORDERS TO WAIT THE RETURN OF THE MESSENGER FROM THE GOVERNOR. THERE PERHAPS MIGHT NOT BE BUT ONE CONCLUSION AS TO WHAT THAT MESSAGE WOULD BE. JOHN D. LEE KNEW AT THAT TIME WHAT THE ORDERS WOULD BE; BUT HE HAD THE INDIANS THERE; HE HAD THE EMIGRANTS SURROUNDED.

HE HAD THEM AT THAT TIME MORE IN HIS POWER THAN HE EVER WOULD AGAIN. THE EMIGRANTS AT THE MOUNTAIN MEADOWS; HE FEARED THE RESULT OF THAT MESSAGE; HE FEARED THAT IF HE WAITED UNTIL THE MESSENGER RETURNED HE WOULD BE DEPRIVED OF HIS SPOILS AND HIS BOOTY. HIS ORDERS WOULD BE ^[11] TO LET THE EMIGRANTS GO, AS MR. HASLAM TESTIFIED HIS ORDERS WERE, AND THUS WOULD HE BE DEPRIVED OF THE GAIN HE EXPECTED TO REAP BY MURDERING THE EMIGRANTS AT THAT PLACE. WHY, IF THOSE ORDERS WERE SENT TO JOHN D' LEE TO WAIT THE RETURN OF THE

THEY HAD RECEIVED A DISPATCH OR A MESSAGE OR SOME WORD FROM JOHN D. LEE THAT THE INDIANS HAD THE EMIGRANTS UNDER CHECK AT MOUNTAIN MEADOWS IMMEDIATELY HE WAS DISPATCHED NORTH ANOTHER MESSENGER AS HE TELLS YOU WAS SENT SOUTH TO JOHN D. LEE WITH ORDERS TO WAIT THE RETURN OF THE MESSENGER AND THE MESSAGE. THERE PERHAPS BUT MIGHT NOT BE BUT ONE CONCLUSION AS TO WHAT THAT MESSAGE WOULD BE JOHN D. LEE KNEW AT THE TIME HE HAD THE INDIANS THERE HE HAD THE EMIGRANTS SURROUNDED THERE WAS AN OPPORTUNITY FOR PLUNDER THERE WAS OPPORTUNITY AN FOR DEPREDATIONS TO BE ACTED *[space]* HE HAD AT THAT TIME ^[12] PERHAPS MORE FULLY IN HIS POWER THAN HE EVER WOULD THE EMIGRANTS AT MOUNTAIN MEADOWS *[space]* HE FEARED TO AWAIT THE RESULT OF THAT MESSAGE HE FEARED THAT IF HE WAITED UNTIL THE MESSENGER RETURNED HE WOULD BE DEPRIVED OF HIS SPOIL AND HIS BOOTY HIS ORDERS WOULD BE TO LET THE EMIGRANTS GO AS MR. HASLAM TESTIFIES HIS ORDERS WERE AND THUS WOULD HE BE DEPRIVED OF THE GAIN WHICH HE EXPECTED TO REAP BY MURDERING THE EMIGRANTS AT THAT PLACE *[space]* WHY IF THOSE ORDERS WERE SENT TO JOHN D LEE TO WAIT THE RETURN OF THAT

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MESSENGER, WHY DID HE NOT DO IT? WHY THE NECESSITY OF HURRYING UP THIS DEED UNLESS HE FEARED THAT IF HE WAITED THE RETURN OF ORDERS, HE WOULD NEVER BE PERMITTED TO ACCOMPLISH IT? A SUBSEQUENT HISTORY OF A PART OF THESE EMIGRANTS WILL SHOW ~~WHY~~ ONE MORE REASON WHY HE HAD TO GET POSSESSION OF IT AS SOON AS POSSIBLE. AT THIS TIME, GENTLEMEN, WE FIND THE DEFENDANT SCHEMING WITH THE INDIANS AND AGAINST THE EMIGRANTS TO ACCOMPLISH THEIR RUIN. HE IS ORDERED TO STOP; HE IS ORDERED TO STAY ALL PROCEEDINGS UNTIL AUTHORITY HAS BEEN OBTAINED FROM SALT LAKE. DOES HE DO IT? NO. MR. MORRIL TESTIFIES IT WAS **ACCOMPLISHED** 48 HOURS BEFORE THIS MESSENGER RETURNED, AND HE WENT IN ALL HASTE, **BUT THAT** THE DEED WAS ~~DONE~~ ACCOMPLISHED. THAT AT THAT TIME, THE TIME THAT THE MESSENGER LEFT <FOR> SALT LAKE, MR. WILDEN WAS THE ONLY MAN IN CHARGE. HE WAS THE ONLY MAN IN CHARGE OF THE INDIANS AT THAT PLACE. HE WAS THE ONLY MAN WHO, AT THAT TIME, HAD BEEN CONNECTED WITH THE AFFAIR. MR. ISAAC C. HAIGHT TELLS THE MESSENGER THAT HE HAS RECEIVED THIS COMMUNICATION BEFORE,— BUT MIND YOU, THIS IS THE FIRST TIME THAT MR. MORRIL KNOWS ANYTHING OF THIS COUNCIL AND THESE PROCEEDINGS; AND YET, AT THAT

MESSENGER WHY DID HE NOT DO IT WHY THE NECESSITY OF HURRYING UP THIS DEED UNLESS HE FEARED THAT IF HE WAITED THE RETURN OF ORDERS THAT *HE*[?] WOULD ~~BE~~ NEVER BE PERMITTED TO ACCOMPLISH IT [*space*] THE SUBSEQUENT HISTORY OF A PART OF THOSE EMIGRANTS WILL SHOW ONE GREAT REASON WHY HE HAD TO GET POSSESSION OF IT AS SOON AS POSSIBLE AT THIS TIME THEN GENTLEMEN WE FIND THE DEFENDANT SCHEMING WITH THE INDIANS AND AGAINST THE EMIGRANTS TO ACCOMPLISH THEIR RUIN HE IS ORDERED TO STOP HE IS ORDERED TO STAY ALL PROCEEDINGS UNTIL AUTHORITY IS OBTAINED FROM *SALT LAKE*[?] DOES HE DO IT? NO BUT ALL WITNESSES AS IS MR. MORRIL TESTIFIES 48 HOURS BEFORE THIS MESSENGER RETURNS AND HE WENT WITH ALL HASTE THE DEED WAS ACCOMPLISHED AT THAT TIME AT THE TIME MESSENGER LEFT FOR SALT LAKE MR. LEE THE DEFENDANT WAS THE ONLY MAN IN CHARGE [*space*] HE WAS THE ONLY MAN IN CONTROL OF THE INDIANS AT THAT PLACE HE WAS THE ONLY MAN WHO AT THAT TIME HAD BEEN CONNECTED WITH THE AFFAIR [*space*] ISAAC C HAIGHT DELIVERS THE MESSAGE THAT HE HAS RECEIVED THIS COMMUNICATION BEFORE BUT MIND YOU THIS IS THE FIRST TIME THAT MR. MORRIL KNOWS OF ANYTHING OF THIS COUNCIL AND THESE PROCEEDINGS AND YET AT THAT

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TIME, WE FIND THE DEFENDANT
HERE SCHEMING AND
ENDEAVORING TO ACCOMPLISH
THE RUIN OF THIS TRAIN.
MR.
HASLAM, NOW, DO YOU BELIEVE
HIM? IS HE A RELIABLE WITNESS? IS
HE A COMPETENT WITNESS? HE HAS
LIVED IN THE TERRITORY OVER
TWENTY YEARS. HE WAS KNOWN
AT THAT TIME; AND HE IS PERHAPS
KNOWN BY MANY OF YOU TO DAY.
IS HE RELIABLE? WAS HE
CONNECTED WITH THIS AFFAIR IN
ANY MANNER? THEY CAN'T CLAIM
THAT MR. HASLAM WAS AN
ACCOMPLICE ^[12] IN THIS CRIME.
IT WAS TALKED
OVER BY ALL. THEY CAN'T
CLAIM THAT MR. WELLS WAS AN
ACCOMPLICE. THERE ARE THEN,
GENTLEMEN, THREE WITNESSES
WHO CERTAINLY, BY ALL THE
RULES OF EVIDENCE, ARE RELIABLE
AND TRUSTWORTHY WITNESSES.
THEY ARE NOT ACCOMPLICES.
THEY WERE NOT THERE AT THE
TIME; AND FROM WHAT APPEARED
FROM THE TESTIMONY, KNEW
NOTHING ABOUT IT. THE
NEXT WITNESS, GENTLEMEN, IS
JOEL WHITE, A WITNESS WHO
TESTIFIED ON THE FORMER & TRIAL.
HE HAS RESIDED IN THIS
TERRITORY SOMETHING NEAR
TWENTY YEARS; HE GAVE HIS
TESTIMONY ON THE FORMER TRIAL,
AND IF IT IS NOT CORRECT,
THERE ARE CERTAINLY MANY IN
THIS TERRITORY WHO KNOW IT.
MOST OF HIS TESTIMONY HAS BEEN
PUBLISHED; AND I WILL SAY RIGHT
HERE THAT, SO FAR AS AN
ACCOMPLICE IS CONCERNED, IF

TIME WE FIND THE DEFENDANT
HERE SCHEMING AND
ENDEAVORING TO ACCOMPLISH
THE RUIN OF THIS TRAIN [space] ~~THE~~
~~NEXT WITNESS GENTLEMEN~~ MR.
HASLAM NOW DO YOU BELIEVE
HIM IS HE RELIABLE WITNESS IS
HE A COMPETENT WITNESS HE HAS
LIVED IN THIS TERRITORY OVER
20 YEARS HE WAS KNOWN
AT THAT TIME HE IS PERHAPS
KNOWN BY MANY OF YOU TODAY
^[13] IS HE RELIABLE HE WAS NOT
CONNECTED WITH THIS AFFAIR IN
ANY MANNER THEY CAN'T CLAIM
THAT MR. HASLAM WAS AN
ACCOMPLICE IN THIS CRIME [space]
MORRILL AND YET IT WAS TALKED
OVER BY ALL [space] THEY CAN'T
CLAIM THAT MR. WELLS WAS AN
ACCOMPLICE THERE THEN
GENTLEMEN ARE 3 WITNESSES
THAT CERTAINLY SHOULD BY ALL
RULES OF EVIDENCE BE RELIABLE
AND TRUSTWORTHY WITNESSES
THEY ARE NOT ACCOMPLICES
THEY WERE NOT THERE AT THE
TIME AND FROM WHAT APPEARS
FROM THE TESTIMONY KNEW
NOTHING ABOUT IT [space] THE
NEXT WITNESS GENTLEMEN IS
JOEL WHITE A WITNESS WHO
TESTIFIED ON THE FORMER TRIAL
HE HAS RESIDED IN THIS
TERRITORY SOMETHING NEAR
20 YEARS HE GAVE HIS
TESTIMONY ON THE FORMER TRIAL
AND IF IT WAS NOT CORRECT
THERE ARE CERTAINLY MANY IN
THIS TERRITORY WHO KNOW IT
MOST OF HIS TESTIMONY HAS BEEN
PUBLISHED AND I WILL SAY RIGHT
HERE THAT SO FAR AS AN
ACCOMPLICE IS CONCERNED IF

BT

PS

YOU BELIEVE THAT HE TOLD THE TRUTH; IF YOU BELIEVE THAT WHAT HE HAS TOLD YOU HERE IN COURT, YOU ARE AT LIBERTY TO BELIEVE HIM THE SAME AS ANY OTHER MAN. THE SIMPLE FACT THAT A MAN MAY SEE A MURDER COMMITTED; THE SIMPLE FACT THAT A MAN MAY BE ORDERED OR COMPELLED TO TAKE PART IN A TRANSACTION WHICH IS ABHORRENT TO HIM, THAT WILL NOT RENDER HIM INCOMPETENT; AND IF YOU BELIEVE THAT HE TESTIFIED TO THE TRUTH YOU ARE A AT LIBERTY TO GIVE FULL FAITH AND CREDIT TO HIS TESTIMONY. IS THERE ANYTHING IN MR. WHITE'S TESTIMONY THAT CASTS SUSPICION UPON IT? DO YOU BELIEVE, GENTLEMEN, FOR A MOMENT THAT HE DIDN'T SEE JUST WHAT HE TESTIFIES TO SEEING? WHY? THAT HE DIDN'T DO JUST WHAT HE WAS TOLD TO DO? WHAT DOES MR. WHITE TESTIFY TO? HIS TESTIMONY IN THIS CASE IS SHORT. HE WAS SENT ON A MISSION TO PINTO WITH AN ORDER. IMMEDIATELY AFTER A MESSENGER WAS STARTED TO SALT LAKE ANOTHER ONE WAS SENT TO JOHN D. LEE. HE WAS SENT WITH A MESSAGE TO PINTO —THIS, GENTLEMEN, WAS PRIOR TO THE ARRIVAL OF THE EMIGRANTS AT THAT PLACE, SHOWING THAT THE DEFENDANT HAD **BEEN** SCHEMING AND CONNIVING PRIOR TO THE ARRIVAL OF THIS ^[13] TRAIN AT

YOU BELIEVE THAT HE TELLS THE TRUTH IF YOU BELIEVE THAT WHAT HE IS TELLING YOU WHAT ACTUALLY OCCURRED YOU ARE AT LIBERTY TO BELIEVE HIM THE SAME AS ANY OTHER MAN. THE SIMPLE FACT THAT A MAN MAY SEE A MURDER COMMITTED THE SIMPLE FACT THAT A MAN MAY BE ORDERED OR COMPELLED TO TAKE A PART IN A TRANSACTION WHICH IS ABHORRENT TO HIM [space]

BELIEVE THAT HE TESTIFIES TO THE TRUTH YOU ARE AT LIBERTY TO GIVE FULL FAITH AND CREDIT TO HIS TESTIMONY. IS THERE ANYTHING IN MR. WHITE'S TESTIMONY THAT CASTS SUSPICION UPON IT. DO YOU BELIEVE GENTLEMEN FOR A MOMENT THAT HE DIDN'T SEE JUST WHAT HE⁷²⁸ TESTIFIES TO SEEING AND [space] HEAR [space] THAT HE DIDN'T DO JUST WHAT HE WAS TOLD TO DO [space] WHAT DOES MR. WHITE TESTIFY TO HIS TESTIMONY IN THIS CASE IS SHORT HE WAS SENT ON A MISSION TO PINTO WITH AN ORDER IMMEDIATELY AFTER THIS MESSENGER WAS STARTED FOR SALT LAKE AND THE OTHER WENT TO JOHN D. LEE [space] HE WAS SENT WITH A MESSAGE TO PINTO THIS GENTLEMEN WAS PRIOR TO THE ARRIVAL ^{[[4]]} OF THE EMIGRANTS AT THAT PLACE SHOWING TOO THAT THE DEFENDANT HERE HAD BEEN SCHEMING CONNIVING PRIOR <TO THE DESTRUCTION OF THAT TRAIN> TO THEIR ARRIVAL AT

728. Rogerson's hand symbol is in the left margin.

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THAT PLACE—JUST SENT WITH A MESSAGE TO A GENTLEMAN THERE AT PINTO TO USE HIS INFLUENCE WITH THE INDIANS TO CHECK THEM. ON THE WAY, HE TELLS YOU, THAT HE AND KLINGENSMITH, WHILE GOING ON THEIR WAY, MET JOHN D. LEE, THE DEFENDANT, COMING UP FROM HARMONY AND GOING TO CEDAR. LEE ASKS THEM WHAT THEIR MISSION WAS; AND THEY TOLD HIM THAT THEY WERE GOING TO PINTO. HE ASKS WHAT CONCLUSION THE COUNCIL AT CEDAR HAVE COME TO; AND THEY TELL HIM THAT THEY HAVE CONCLUDED TO WAIT TILL THE RETURN OF THE MESSENGER FROM SALT LAKE. HE SAYS MR. LEE'S REPLY WAS, "I HAVE SOMETHING TO SAY ABOUT THAT MYSELF"—I HAVE SOMETHING TO SAY ABOUT THAT. HE DID HAVE SOMETHING TO SAY, AND HE HAD SOMETHING TO DO ABOUT IT. HE GOES ON TO CEDAR, BUT WHAT TRANSPIRES THERE; BUT WHAT HE HAD TO SAY OR WHAT HE HAD TO DO, WE KNOW NOT: BUT THIS MUCH, GENTLEMEN, WE DO KNOW, THAT PRIOR TO THAT TIME THEY HAD AGREED TO TAKE NO ACTION IN THIS AFFAIR. THE NEXT THING WE HEAR OF JOHN D. LEE, AFTER HE TELLS MR. WHITE THAT HE HAS SOMETHING TO SAY ABOUT IT, HE IS ON THE FIELD AT THE MOUNTAIN MEADOWS LEADING IN AN ATTACK. WHAT HE HAD TO SAY, WHETHER HE CONTROLLED THAT COUNCIL, WHETHER THEY CHANGED OR WHAT THEY DID

THAT PLACE [space] HE IS SENT WITH A MESSAGE TO A GENTLEMAN THERE AT PINTO TO USE HIS INFLUENCE WITH THE INDIANS TO CHECK THEM ON THE WAY HE TELLS YOU THAT HE AND KLINGEN SMITH WERE GOING ON THE WAY THEY MET JOHN D. LEE THE DEFENDANT COMING UP FROM HARMONY AND GOING TO CEDAR HE ASKS THEIR MISSION AND THEY TELL HIM THAT THEY ARE GOING TO PINTO FOR THIS PURPOSE ASKS WHAT CONCLUSION THE COUNCIL AT CEDAR HAVE COME TO AND THEY TELL HIM THEY HAVE CONCLUDED TO WAIT TILL THE RETURN OF THE MESSENGER FROM SALT LAKE HE SAYS MR. LEE'S REPLY I HAVE SOMETHING TO SAY ABOUT THAT MYSELF [space] I HAVE SOMETHING TO SAY ABOUT THAT [space] HE DID HAVE SOMETHING TO SAY AND HE HAD SOMETHING TO DO ABOUT IT HE GOES ON TO CEDAR BUT WHAT TRANSPIRES THERE WHAT HE HAD TO SAY WHAT HE HAD TO DO WE KNOW NOT BUT THIS MUCH GENTLEMEN WE DO KNOW THAT PRIOR TO THAT TIME THEY HAD AGREED TO TAKE NO ACTION IN THIS AFFAIR AND/BUT[?] THE NEXT THING WE HEAR OF JOHN D. LEE AFTER HE TELLS MR. WHITE THAT HE HAS SOMETHING TO SAY ABOUT IT HE IS ON THE FIELD OF MOUNTAIN MEADOWS LEADING THE INDIANS IN AN ATTACK WHAT HE HAD TO SAY WHETHER HE CONTROLLED THAT COUNCIL WHETHER THEY CHANGED OR WHAT THEY DID

BT

PS

THERE, WE KNOW NOT; BUT WE DO KNOW THAT HE WENT IMMEDIATELY BACK AND ~~D~~ LED THE ATTACK AT MOUNTAIN MEADOWS. NOW, GENTLEMEN, MR. WHITE HAS LIVED IN THIS TERRITORY OVER TWENTY YEARS. YOU SAW HIM UPON THE STAND; AND YOU CAN JUDGE FROM HIS TESTIMONY, FROM THE MANNER IN WHICH HE GAVE HIS TESTIMONY, WHETHER HE IS RELIABLE OR NOT. YOU CAN'T SAY, GENTLEMEN, THAT HE DID NOT TELL THE TRUTH, I THINK.. WELL, NOW, PASS TO THE NEXT WITNESS, MR. SAMUEL KNIGHT,. MR. KNIGHT HAS LIVED IN THIS TERRITORY 22 YEARS. CERTAINLY IF HE IS ~~AN~~ NOT RELIABLE WITNESS SOMEBODY MUST KNOW IT. IF HE IS AN UNRELIABLE ^[14] WITNESS JOHN D. LEE KNOWS IT; AND HE KNOWS OTHER PARTIES THAT KNOW IT. IF HE IS NOT TO BE BELIEVED WHY HAVE THEY NOT SHOWN MORE OF HIS CHARACTER HERETOFORE; THEY HAVE HAD ALL THE OPPORTUNITY THEY WANTED. HE LIVED AT THAT TIME AT SANTA CLARA; AND HAS BEEN A RESIDENT OF THIS TERRITORY FOR NEARLY A QUARTER OF A CENTURY: BUT, YET, NOTHING, GENTLEMEN, HAS BEEN TOLD YOU AGAINST HIS CHARACTER. ARE YOU GOING TO SAY, THEN, THAT YOU WILL NOT BELIEVE HIM? I HARDLY THINK YOU WILL COME TO ANY SUCH A CONCLUSION. WHAT, NOW, IS HIS TESTIMONY—AND MIND YOU, GENTLEMEN, I PROPOSE TO SHOW YOU THAT HIS

THERE WE KNOW NOT BUT WE DO KNOW THAT HE WENT IMMEDIATELY BACK AND LED THE ATTACK AT MOUNTAIN MEADOWS. NOW GENTLEMEN MR. WHITE HAS LIVED IN THIS TERRITORY OVER 20 YEARS YOU SAW HIM UPON THE STAND YOU CAN JUDGE FROM HIS TESTIMONY FROM THE MANNER IN WHICH HE GAVE HIS TESTIMONY WHETHER HE IS RELIABLE OR NOT YOU CAN'T SAY GENTLEMEN THAT HE DID NOT TELL THE TRUTH I THINK. [space] WE'LL NOW PASS TO THE NEXT WITNESS MR. SAMUEL KNIGHT— [space] ^[15] MR. KNIGHT HAS LIVED IN THIS TERRITORY 22 YEARS CERTAINLY IF HE IS AN UNRELIABLE WITNESS SOMEBODY MUST KNOW IT IF HE IS AN UNRELIABLE WITNESS JOHN D. LEE KNOWS IT AND HE KNOWS OTHER PARTIES THAT KNOW IT IF HE IS NOT TO BE BELIEVED WHY HAVE THEY NOT SHOWN MR. KNIGHTS CHARACTER HERETOFORE THEY HAVE HAD ALL THE OPPORTUNITY HE LIVED AT THAT TIME AT SANTA CLARA AND HAS BEEN A RESIDENT OF THIS TERRITORY FOR NEARLY A QUARTER OF A CENTURY BUT YET NOTHING GENTLEMEN HAS BEEN TOLD YOU AGAINST HIS CREDIBILITY HIS CHARACTER ARE YOU GOING TO SAY THEN THAT YOU WILL NOT BELIEVE HIM I HARDLY THINK YOU WILL COME TO ANY SUCH CONCLUSION WHAT IN ALL HIS TESTIMONY AND MIND YOU GENTLEMEN I PROPOSE TO SHOW YOU THAT HIS

BT

PS

TESTIMONY IS CORROBERATED BY TWO OTHER WITNESSES, ONE ODF WHICH WAS NOT THERE, AND HAD NOTHING TO DO WITH THE TRANSACTION; AND THAT IS JACOB KAMBLIN;
YOU CAN'T SAY THAT JACOB HAMBLIN IS NOT TO BE BELIEVED BECAUSE HE IS AN ACCOMPLICE, FOR HE IS NOT. WE WILL NOW CONSIDER MR. KNIGHT'S TESTIMONY. HE TELLS YOU THAT AT THAT TIME HE LIVED AT SANTA CLARA;
THAT DURING THE SUMMER TIME HE STAID AT MOUNTAIN MEADOWS. HE WAS THERE WITH HIS WAGON AND TEAM; HAD NO HOUSE; HAD BEEN TO HIS HOME AT SANTA CLARA, AND WMET MR. LEE ON HIS WAY BACK, AND THEY RODE SEVERAL MILES TOGETHER.
NOW, HERE IS SOMETHING, GENTLEMEN, I WISH TO CONSIDER, AND THAT IS THE CONFESSION OF THE DEFENDANT; IF THAT IS MADE VOLUNTARILY; IF THAT IS MADE WITHOUT ANY COMPULSION, THEN IT IS REGARDED IN LAW AS THE VERY HIGHEST PROOF. AND WHY? BECAUSE IT IS PRESUMED THAT NO MAN WILL MAKE A CONFESSION, AN ADMISSION AGAINST HIMSELF — NO MAN WHO IS NOT GUILTY OF A CRIME WILL MAKE AN ADMISSION WHICH WILL IMPLICATE HIM IN THAT CRIM-E.
SECONDLY, WHEN YOU HEAR OF A MAN DELIBERATELY TELL YOU, AND MAKE CONFESSION THAT HE HAS BEEN GUILTY OF, OR CONCERNED IN, ANY CRIME, WITHOUT ANY THREATS UPON

TESTIMONY IS CORROBORATED BY TWO OTHER MEN ONE OF WHICH WAS NOT THERE AND HAD NOTHING TO DO WITH THE TRANSACTION AND THAT IS JAKE HAMBLIN [space] CONSEQUENTLY YOU CAN'T SAY THAT HE JAKE HAMBLIN IS NOT TO BE BELIEVED BECAUSE HE IS AN ACCOMPLICE FOR HE WAS NOT. [space] WE WILL NOW CONSIDER MR. KNIGHT'S TESTIMONY [space] HE TELLS YOU THAT AT THAT TIME HE RESIDED AT SANTA CLARA ~~THAT HE WAS~~—[?] THAT DURING THE SUMMER TIME HE STAYED AT MOUNTAIN MEADOWS HE WAS THERE WITH HIS WAGON AND TEAM HAD NO HOUSE HAD BEEN TO HIS HOME AT SANTA CLARA AND MET MR. LEE ON HIS WAY BACK AND THEY RODE SEVERAL MILES TOGETHER [space] NOW HERE IS SOMETHING GENTLEMEN I WISH TO CONSIDER AND THAT IS THE CONFESSION OF THE DEFENDANT IF THAT IS MADE VOLUNTARILY IF THAT TESTIMONY IS GIVEN WITHOUT ANY COMPULSION THEN IT IS REGARDED IN LAW AS THE VERY HIGHEST TESTIMONY AND WHY BECAUSE IT IS PRESUMED THAT NO MAN WILL MAKE AN ADMISSION AGAINST HIMSELF NO MAN WHO IS GUILTY OF A CRIME WILL MAKE AN ADMISSION WILL IMPLICATE HIM IN THAT CRIME
CONSEQUENTLY WHEN YOU HEAR A MAN DELIBERATELY TELL YOU OR MAKE A CONFESSION THAT HE HAS BEEN GUILTY OF CERTAIN OFFENSES
WITHOUT ANY THREATS ON

BT

PS

YOUR PART, WITHOUT ANY FEAR
UPON HIS PART, YOU MAY TAKE
THAT AS THE VERY HIGHEST ORDER
OF EVIDENCE; AND THERE IS ^[15]
PLENTY OF THAT KIND OF
EVIDENCE UPON
WHICH YOU CAN RELY; AND AFTER
HEARING THE
TESTIMONY HERE, NOT ONE OF YOU
WILL DARE TO SAY THAT JOHN D.
LEE NEVER MADE THOSE
CONFESSIONS TO
KNIGHT, TO HAMBLIN AND

TO
NEPHI JOHNSON.

THEY WERE MADE UNDER NO
THREATS OR FEAR OF CONVICTION,
WHATEVER. YOU ARE, THEN, TO
REGARD THOSE STATEMENTS OR
CONFESSIONS OF THE MOST
DETERMINING CHARACTER
AGAINST HIM. MR. KNIGHT MEETS
MR. LEE; OPENS A CONVERSATION
IN WHICH LEE TELLS HIM OF THE
ATTACK WHICH THE INDIANS HAD
MADE; THAT THEY WERE FIRST
REPULSED; AND THAT
AFTERWARDS THEY COMPELLED
HIM TO LEAD AN ATTACK. HE WAS
THERE, THEN, WATCHING THE
WHOLE PROCEEDINGS, WASN'T HE?
WHEN HE FIRST SAW
THEM AFTER THEY MADE AN
ATTACK AND WERE REPULSED,
WHEN THEY CAME TO HIM AND
ASKED HIM TO LEAD THEM
IN THE SECOND ATTACK, HE
WASN'T THERE AS A LOOKER ON.
WAS HE NOT THERE AS AN AIDER
OR ABETTOR? IF HE WAS NOT WHY
WAS HE THERE? THERE IS NO

YOUR PART ^[16] WITHOUT ANY FEAR
UPON HIS PART YOU MAY TAKE
THAT AS THE VERY HIGHEST ORDER
OF EVIDENCE AND THERE IS
PLENTY OF THAT
EVIDENCE AND BY MEN UPON
WHOM YOU CAN RELY *[space]* YET
PROVIDING THEY HAVE HEARD THE
TESTIMONY HERE NOT ONE OF YOU
WILL DARE TO SAY THAT JOHN D.
LEE NEVER MADE ONE OF THOSE
CONFESSIONS WILL PRESUME TO
SHOW *[space]* KNIGHT HAMBLIN AND
AND CONFESSION AND
STATEMENTS WHICH HE MADE TO
NEPHI JOHNSON. *KNOW/ANY[?]*
WHY/WAY[?] & THEY WERE *[space]*
DRAWN OUT *BY THEM/BEFORE[?]*
[space] MADE THEM WITHOUT ANY
THREATS OR FEAR OF CONFESSION
WHATEVER YOU ARE THEN TO
REGARD THOSE STATEMENTS AND
CONFESSIONS OF THE MOST
DAMNING[?] CHARACTER
AGAINST HIM MR. KNIGHT MEETS
MR. LEE OPENS CONVERSATION
AND TELLS HIM OF THE
ATTACK WHICH THE INDIANS HAD
MADE THAT THEY WERE FIRST
REPULSED THAT
AFTERWARDS THEY COMPELLED
HIM TO LEAD AN ATTACK HE WAS
THERE THEN WATCHING THE
WHOLE PROCEEDING WASN'T HE
FOR WHEN HE FIRST HAD TO SEE
THEM MADE AN
ATTACK AND WERE REPULSED AND
CAME TO HIM AND
ASKED HIM *ABOUT AIDING[?]* THEM
IN THE SECOND ATTACK
WASN'T THERE AS A *HELPER[?]*
HE NOT THERE AS AN AIDER
OR ABETTOR IF HE WAS NOT WHY
WAS HE THERE *[space]* THERE IS NO

BT

PS

CHANCE FOR A DOUBT, EITHER,
THAT THE INDIANS WHICH HE LED
IN ~~AN~~ THE ATTACK WERE

INDIANS OVER WHOM HE
HAD THE MOST COMPLETE
CONTROLL. DO YOU SUPPOSE,
GENTLEMEN, THAT THEY WOULD
COMPEL HIM TO LEAD AN
ATTACK, THEY
OVER WHOM HE HAD ~~CONRLT~~
CONTROL FOR MONTHS— PERHAPS
TWO OR THREE YEARS; WHO HAD
BEEN WITH HIM DAY BY DAY-?
THAT UNLESS THEY HAD BEEN
ABUSED OR IT HAD BEEN IN CASE
OF SELF DEFENSE, DO YOU THINK
~~THEY~~ THEY WOULD COMPEL~~L~~ HIM TO
LEAD AN ATTACK? NO, NOT AT ALL.
MR. KNIGHT COMES ON TO THE
MEADOWS WHERE HIS FAMILY IS;
HE REMAINS THERE SOME FOUR OR
FIVE DAYS WHEN MR. LEE, ~~MIND~~
~~YOU, NO BODY ELSE~~ MIND YOU
NO BODY ELSE BUT JOHN D. LEE,
THE DEFENDANT,—CALLS UPON
HIM ON AN ERRAND OF MERCY. HE
CALLS UPON HIM TO TAKE HIS
WAGON AND HIS TEAM TO GO
DOWN TO THE EMIGRANT TRAIN,
AND HAUL AWAY THE SICK AND
THE WOUNDED. WELL, GENTLEMEN,
AT FIRST MR. KNIGHT DON'T
DESIRE TO GO; BUT WHEN HE WAS
ABSOLUTELY ORDERED BY THE
DEFENDANT TO TAKE HIS TEAM
AND PROCEED THERE, WHAT DOES
HE HOLD OUT TO MR. ~~MC~~ KNIGHT?
WHAT KIND OF A ^[16]TALE OF
MERCY DOES HE HOLSD OUT TO MR.
KNIGHT TO INDUCE HIM TO TAKE
HIS TEAM AND WAGON AND GO
THERE? WHY TO HAUL AWAY
THE SICK AND WOUNDED;

CHANCE FOR A DOUBT THERE THAT
HIS FIRST CONFESSION TO THE
FIRST ATTACK IN WHICH ADMITS
THAT HE LEAD THE INDIANS THE
INDIANS *[space]* OVER WHOM HE
HAD THE MOST COMPLETE
CONTROL BUT DO YOU SUPPOSE
GENTLEMEN THAT THEY WOULD
COMPEL HIM ~~TO MAKE~~ TO LEAD AN
ATTACK WHO WERE CIVILIZED
OVER WHOM HE HAD
CONTROL FOR MONTHS PERHAPS
2 OR 3 YEARS WHO HAD
BEEN WITH HIM DAY BY DAY
THAT UNLESS IT HAD BEEN BY HIS
OWN EVIL DESIGNS TO WOUND AND
KILL DO YOU THINK
THEY WOULD COMPEL HIM TO
LEAD ATTACK NO NOT AT ALL ^{[[7]]}
MR KNIGHT COMES ON TO THE
MEADOWS WHERE HIS FAMILY IS
HE REMAINS THERE SOME FOUR OR
FIVE DAYS WHEN MR. LEE
MIND YOU
NOBODY ELSE BUT JOHN D. LEE
THE DEFENDANT CALLS UPON
HIM ON AN ERRAND OF MERCY. HE
CALLS UPON HIM TO TAKE HIS
WAGON AND HIS TEAM GO
DOWN TO THE EMIGRANT TRAIN
AND HAUL AWAY THE SICK AND
THE WOUNDED WELL GENTLEMEN
AT FIRST MR KNIGHT DIDN'T
DESIRE TO GO WHEN HE WAS
ABSOLUTELY ORDERED BY THE
DEFENDANT TO TAKE HIS TEAM
AND PROCEED THERE WHAT DOES
HE HOLD OUT TO MR. KNIGHT
WHAT KIND OF A PLEA OF
MERCY DOES HE HOLD OUT TO MR.
KNIGHT TO INDUCE HIM TO TAKE
HIS TEAM AND GO
THERE *[space]* WHY TO HAUL AWAY
THE SICK AND THE WOUNDED

BT

PS

THE SICK, GENTLEMEN, AND THE WOUNDED WHICH THE INDIANS HAD CAUSED MR. LEE — DOES NOT TELL HIM THAT THESE WERE THE SICK AND THE WOUNDED

THAT HE HAD LED THE ATTACK UPON, THAT HE HAD TRIED TO KILL; BUT THE SICK AND THE WOUNDED THAT HAD BEEN HURT IN THIS FIGHT. HE WISHES MR. KNIGHT TO GO AND HAUL THEM AWAY TO A PLACE OF SAFETY. WOULD NOT ANY MAN NATURALLY TAKE HIS TEAM AND WAGON AND GO ON SUCH AN ERRAND? MR. KNIGHT DID IT. IT IS CLAIMED BY THE DEFENSE THAT LEE ACTED BY ORDERS. WHERE DID THOSE ORDERS COME FROM? IF JOHN D. LEE ACTED BY ORDERS DOES HE NOT KNOW WHO GAVE HIM THOSE ORDERS?? DID ANY MAN ON THAT FIELD OF 30 OR 40 RECEIVE ORDERS? FROM WHOM? WHERE ARE THE WITNESSES OUT OF THAT 30 OR 40 TO TESTIFY TO IT? ~~WHERE ARE IS THE WITNESS~~ WHERE IS THE MESSENGER WHO BROUGHT THOSE ORDERS? WHO BROUGHT THEM? WHERE WAS THE MESSENGER? GENTLEMEN, THERE WERE NO ORDERS EXCEPT THE ORDERS THAT ORIGINATED IN HIS OWN ~~MIND~~ GUILTY BRAIN.. THOSE WERE THE ORDERS THAT HE ACTED UNDER; AND THOSE WERE THE ORDERS AND PLANS WHICH HE CARRIED OUT.. YOU MIGHT, GENTLEMEN, YOU MIGHT BE COMPELLED TO FIRE A GUN, SUPPOSING THERE WAS NO HIGHER AUTHORITY THAN JOHN D. LEE.; THEY MIGHT

[space] THE SICK GENTLEMEN AND THE WOUNDED WHICH THE INDIANS HAD CAUSED MR. LEE DOES NOT TELL HIM THAT THOSE THAT THE SICK AND THE WOUNDED THAT THOSE THAT THE SICK AND THE WOUNDED THAT HE HAD LED THE ATTACK THAT HE HAD TRIED TO KILL BUT THE SICK AND THE WOUNDED THAT HAD BEEN HURT IN THIS FIGHT WISHED MR. KNIGHT TO GO AND HAUL THEM AWAY TO A PLACE OF SAFETY WOULD NOT ANY MAN NATURALLY TAKE HIS TEAM AND WAGON AND GO ON SUCH AN ERRAND MR. KNIGHT DID IT [space] IT IS CLAIMED HERE AND HAS BEEN CLAIMED BY THE DEFENSE THAT HE ACTED BY ORDERS [space] WHO DID THOSE ORDERS COME FROM IF JOHN D. LEE ACTED BY ORDERS DOES HE NOT KNOW WHO GAVE HIM THOSE ORDERS DID ANY MAN ON THAT FIELD OF 30 OR 40 RECEIVE ORDERS FROM WHOM WHERE ARE THE WITNESSES THE 30 OR 40 THERE WHERE ARE THE MESSENGER WHO BROUGHT THOSE ORDERS WHO BROUGHT THEM WHERE WAS THE MESSENGER GENTLEMEN THERE WERE NO ORDERS EXCEPT THE ORDERS THAT ORIGINATED ^{[[8]]} IN HIS OWN GUILTY BRAIN THOSE WERE THE ORDERS THAT HE ACTED UNDER AND THOSE WERE THE ORDERS AND PLANS WHICH HE CARRIED OUT [space] YOU MIGHT GENTLEMEN YOU MIGHT BE COMPELLED TO FIRE A GUN FROM AN ORDER SUPPOSING THERE WAS NO HIGHER AUTHORITY THAN JOHN D. LEE THEY MIGHT

BT

PS

COMPEL YOU TO TAKE A MUSKET
IN YOUR HAND, AND GO TO THE
BATTLEFIELD; THEY MIGHT
COMPEL YOU TO PERFORM ALMOST
ANY PHYSICAL ACT; BUT,
GENTLEMEN, SWHERE IS THE
ORDER, EXCEPT FROM THE
ALMIGHTY, THAT COULD COMPEL A
MAN TO ORIGINATE IN HIS OWN
BRAIN, AND CARRY OUT THAT
MOST DAMNABLE PLAN AND
POLICY WHICH JOHN D. LEE
ADOPTED AND CARRIED OUT AT
MOUNTAIN MEADOWS?

COUND ANY ORDERS
FROM HAIGHT, HIGBEE, OR ANY
OTHER MAN IN THIS TERRITORY OR
ON THE GLOBE COMPEL HIM TO
ORIGINATE IN HIS MIND SUCH A
DAMNABLE DESIGN AS THAT? NO,
GENTLEMEN, ^[17] THEY COULD NOT
DO IT. THEY MIGHT COMPEL HIM TO
GO THERE ON THE FIELD UNDER
THREATS; THEY MIGHT COMPEL
HIM TO BRING A MUSKET IN HIS
HAND;: BUT WHEN THEY COME TO
COMPEL HIM TO SIT DOWN AND
ORIGINATE IN HIS OWN MIND AND
CARRY OUT SUCH A DEPLORABLE
PLOT OR SCHEAM, YOU DNEED NOT
TELL ME, GENTLEMEN, THAT
ANYTHING BUT HIS OWN GUILTY
BRAIN COULD COMPEL HIM TO DO
IT. NO, SIR, IT WAS BECAUSE HIS
HEAD, HIS HEART AND HIS MIND
WERE ENVELOPED IN THIS
SCHEAM. WE COME NOW TO

COMPEL YOU TO TAKE A MUSKET
IN YOUR HAND AND GO TO THE
BATTLE FIELD THEY MIGHT
COMPEL YOU ~~TO GO~~ TO CARRY
[space]BUT
GENTLEMEN WHERE IS
ORDER EXCEPT FROM THE
ALMIGHTY THAT COULD COMPEL A
MAN TO ORIGINATE IN HIS OWN
BRAIN AND CARRY OUT THAT
MOST DAMNABLE PLAN AND
POLICY WHICH JOHN D. LEE
ADOPTED AND CARRIED OUT AT
MOUNTAIN MEADOWS TO TAKE IN
A FLAG OF TRUCE TO SEND A MAN
UNDER THAT FLAG WHEREVER IT IS
BROUGHT EVEN BY ENEMIES WHO
BRING TO EACH OTHER [space]
ENEMY AT ONCE ALL HOSTILITIES
STOP [space] COULD ANY ORDER
FROM HAIGHT HIGBEE OR ANY
OTHER MAN IN THIS TERRITORY OR
ON THE GLOBE COMPEL HIM TO
ORIGINATE IN HIS MIND SUCH A
DAMNABLE DESIGN AS THAT NO
GENTLEMEN THEY COULD NOT
DO IT THEY MIGHT COMPEL HIM TO
GO THERE ON THE FIELD UNDER
THREATS THEY MIGHT COMPEL
HIM TO BRING A MUSKET IN HIS
HAND BUT WHEN THEY
COMPEL HIM TO SIT DOWN AND
ORIGINATE IN HIS OWN MIND AND
CARRY OUT SUCH A DIABOLICAL
PLOT AND SCHEME YOU NEED NOT
TELL ME GENTLEMEN THAT ANY
ORDERS EXCEPT HIS OWN GUILTY
BRAIN⁷²⁹ COULD COMPEL HIM TO
DO IT. NO SIR IT WAS BECAUSE HIS
HEAD HIS HEART AND HIS MIND
WERE ENVELOPED IN THIS
SCHEME. [space] WE COME NOW TO

729. Rogerson's hand symbol is in the left margin.

BT

PS

THE BATTLEFIELD. WE HAVE TWO WAGONS, AND TWO MEN TO CARRY THE SICK AND WOUNDED OF THE EMIGRANTS.

MR. JOHNSON

TESTIFIES, AND SO DOES MR HAMBLIN — MR. JOHNSON TESTIFIES THAT HE HEARD HIM CONVERSING WITH THE INDIANS THERE PRIOR TO THE ATTACK, THAT THE EMIGRANTS MUST BE INDUCED TO GET OUT FROM THEIR CAMP;

AS ONE INDIAN HAD BEEN KILLED, AND THEY SAY SEVERAL WOUNDED. THEY MUST TRY SOME OTHER PLAN;

SOME OTHER SCHEME MUST BE ADOPTED OR ELSE THE EMIGRANTS WILL BE PERMITTED TO GO, AND ALL OF THIS BOOTY WHICH JOHN D. LEE EXPECTS TO OBTAIN WILL BE LOST; CONSEQUENTLY, HE GOES TO WORK AND DEVISES THIS PLAN TO INDUCE THEM TO LAY DOWN THEIR ARMS; MARCH OUT FROM THEIR SAFETY; AND THEN, WHEN THEY ARE UNARMED AND DEFENSELESS, TO FALL UPON THEM AND MURDER THEM IN COLD-BLOOD. THEY SEND A MAN WITH A FLAG OF PEACE, OR A FLAG OF TRUCE; A FLAG WHOSE SIGNIFICATION

AMONG THE MOST HOSTILE ARMIES AND ENEMIES IS ALWAYS RESPECTED. THE EMIGRANTS BELIEVING AND RELYING, TRUSTING FULLY, IN

THE BATTLE FIELD WE HAVE TWO WAGONS AND TWO MEN TO ^{[[9]]} CARRY AWAY THE SICK AND WOUNDED OF THE EMIGRANTS

[space] HERETOFORE YOU HAVE HAD IT BOTH FROM MR. JOHNSON I ~~BELIEVE THAT YOU I BELIEVE THAT YOU~~

[space] TESTIFIES AND SO DOES MR HAMBLIN MR. JOHNSON TESTIFIES THAT HE HEARD HIM CONVERSING WITH THE INDIANS THERE PRIOR TO THE ATTACK THAT THE EMIGRANTS MUST BE INDUCED TO COME OUT FROM THEIR CAMP BEFORE A WEEK/AND WALK[?] HAD BEEN TMN/TMTION[?]

UP/PARTY[?] ONE INDIAN HAD BEEN KILLED AS THEY SAY AND SEVERAL WOUNDED THE INDIANS WERE HAPPY TO WITHDRAW FROM THIS HELLISH PLAN AND DESIGN SOME OTHER PLAN MUST BE

ADOPTED OR ELSE THE EMIGRANTS WILL BE PERMITTED TO GO AND ALL OF THIS BOOTY WHICH JOHN D. LEE EXPECTS TO OBTAIN WILL BE LOST CONSEQUENTLY[?] HE GOES TO WORK AND DEVISES THIS PLAN TO INDUCE THEM TO LAY DOWN THEIR ARMS MARCH OUT FIRST[?] OFFER THEM SAFETY AND THEN WHEN THEY ARE UNARMED AND DEFENSELESS TO FALL UPON THEM AND MURDER THEM IN COLD BLOOD [space] THEY SEND A MAN WITH A FLAG OF PEACE A FLAG

WHICH STATES SIGNIFICATION EVERY PLACE AND A FLAG WHICH AMONG THE MOST HOSTILE ARMIES AND ENEMIES IS ALWAYS RESPECTED [space] THE EMIGRANTS BELIEVING AND RELYING TRUSTING FULLY FAITHFULLY IN

PS

THAT AND SENT A MAN TO MEET HIM AS THEY SUPPOSE IN THE SAME SPIRIT IN WHICH IT IS SENT THEY HAVE A CONFERENCE AT THAT TIME I PRESUME MOST OF THE CATTLE ARE DRIVEN AWAY THEY ARE THERE IN DESTITUTE CIRCUMSTANCES

THIRSTING FOR WATER SCANT OF PROVISIONS THEY ARE WILLING TO ADOPT ANY PLAN WHICH WILL SAVE THEIR WIVES AND CHILDREN AND I UNDERTAKE TO SAY GENTLEMEN IT WAS FOR THIS THAT THE MEN LAY DOWN THEIR ARMS IT WAS TO SAVE THEIR DEFENSELESS WIVES AND LITTLE ONES THAT IS WHY *THEY HAVE*[?] ^{[[10]]} UNDER THE *FLAG*[?] OF FRIENDSHIP THEY AGREE TO LAY DOWN THEIR ARMS AND MARCH OUT BECAUSE HE PROMISES THEM SAFETY AND IMMUNITY FROM DANGER THEY WOULD BE TAKEN BACK TO THE SETTLEMENTS AND THERE CARED FOR AND PROTECTED UNDER THIS TREATY THEN THEY LAID DOWN THEIR ARMS THE WOUNDED ARE PLACED IN THE WAGONS AND THE CHILDREN AND MEN AND THE WOMEN MARCH AFTERWARDS THEY START OUT THEY START FOR A PLACE OF SAFETY THEY ARE UNSUSPECTING THEY PASS UP THE VALLEY THEY PASS OVER A LITTLE RAISE IN THE GROUND THAT HIDES THEM FROM THE CAMP AND THEY ARE SITUATED *WHERE*[?] THE HILLS AND THE ROCKS AND THE TIMBER WHERE MEN COULD LAY IN

BT

PS

AMBUSH, AND DESTROY THEM
WITHOUT A FEAR.
JOHN D. LEE
FOLLOWS THE FIRST WAGON AND IS
IN FRONT OF THE LINE. BEHIND
THEM ARE LED OUT THE
WOMEN MEN AND
CHILDREN. UNEXPECTEDLY
THEY TRAVEL ALONG. THEIR CAMP
IS FORSAKEN. THEIR GUNS ARE
DELIVERED UP TO THE ENEMY;
THEY HAVE NOTHING WITH WHICH
TO MAKE RESISTANCE.

A GENERAL HALT IS GIVEN; AND
WHO FIRES THE FIRST SHOT? THREE
MEN, MR.
MC MURDY, MR. KNIGHT, AND MR.
NEPHI JOHNSON WHO WAS ON THE
HILL SOME DISTANCE OFF,
TESTIFY THAT WHEN THE GENERAL
HALT WAS GIVEN JOHN D. LEE
FIRED THE FIRST SHOT, AND THAT
TOO, GENTLEMEN, AT A WOMAN
[?] OH, SHAME ON THE
MAN WHO COULD INDUCE THOSE
EMIGRANTS TO LAY DOWN THEIR
ARMES AND TO TRUST HIM, AND
THEN THE FIRST
VILLENIOUS ASSAULT TO BE MADE
ON A DEFENSELESS WOMAN!
IF YOU CAN SAY TO YOURSELVES
AFTER HEARING SUCH TESTIMONY,
THAT THE DEFENDANT IS
INNOCENT, THEN I SAY TO YOU LET
HIM GO HENCE FREE; BUT,
GENTLEMEN, YOU CAN'T DO THAT.
MR. MC MURDY LOOKED AROUND
AND SAW HIM FIRE THE FIRST SHOT
AT A WOMAN; AND THEN HE
DRAWS HIS REVOLVER AND
SHOOTS—WHO? TWO

AMBUSH AND DESTROY THEM
WITHOUT A FEAR OF LOSS THEY⁷³⁰
ARE LEAD ON JOHN D. LEE
FOLLOWS THE FIRST WAGON AND IS
IN FRONT OF THE LINE BEHIND
THEM/THEY[?] ARE LED OUT THE
MEN THE WOMEN AND THE LITTLE
CHILDREN [space] UNSUSPECTINGLY
THEY TRAVEL ALONG THEIR CAMP
IS FORSAKEN THEIR GUNS ARE
DELIVERED UP TO THE ENEMY
THEY HAVE NOTHING WITH WHICH
TO MAKE RESISTANCE THEY GO
OVER WHEN ALL AT ONCE THE
WORD HALT IS GIVEN AND
WHO FIRES THE FIRST SHOT TWO
MEN —/THREE[?] MEN TESTIFY MR.
MC MURDY MR. KNIGHT AND MR.
NEPHI JOHNSON WHO WAS ON THE
HILL SOME DISTANCE OFF
TESTIFIES THAT WHEN THE WORD
HALT WAS GIVEN JOHN D. LEE
FIRED THE FIRST SHOT AND THAT
TOO GENTLEMEN AT A WOMAN
[space] —[?] SHAME ON THE
MAN THAT COULD INDUCE THOSE
EMIGRANTS TO LAY DOWN THEIR
ARMS AND TRUST HIM AND
THEN THE FIRST
VILLAINOUS ASSAULT TO BE MADE
ON A DEFENSELESS WOMAN —[?]
IF YOU CAN SAY OF THIS ^{[[11]]}
DEFENDANT AFTER
HEARING THAT TESTIMONY

GO HE IS FREE [space] —
YOU CAN'T DO IT [space]
MR. MC MURDY LOOKED AROUND
AND SAW HIM FIRE THE FIRST SHOT
AT A WOMAN AND THEN HE
DRAWS HIS PISTOL AND
SHOOTS [space] WHO TWO

730. Rogerson's hand symbol is in the left margin.

BT

PS

WOUNDED AND DEFENSELESS
MEN THAT ARE IN HIS WAGON —
TWO MEN THAT HAVE BEEN
PLACED ^[19] THERE BY HIS ORDER,
AND WHO ARE THERE BY
HIS DIRECTION—TWO MEN WHO
HAVE ALREADY BEEN WOUNDED
BY HIS DESIGN, AND BY HIS
OWN ACTS IN LEADING INDIANS
ON; AND THEN PLACED IN THESE
WAGONS DEFENSELESS. THESE
ARE THE MEN THAT HE FIRST
ATTACKS. HE DIDNT MAKE AN
ATTACK UPON THE MEN
WHO WREERRE UNARMED, WHO
WERE COMPELLED TO FOLLOW HIM
ON FOOT; ÷BUT HE LEAVES THAT
FOR THE OTHER MEN AND THE
INDIANS, AND HE ATTACKS &THE
POOR DEFENSELESS WOMEN AND
CHILDREN AND WOUNDED MEN.
GENTLEMEN, WHAT CAN YOU
THINK OF A MAN OF THAT KIND?
WHAT CAN YOU THINK OF A
MAN THAT WILL LEAD IN A
TRANSACTION OF THAT KIND?
NOW, GENTLEMEN,

HERE IS
MR. KNIGHT;÷HE SAW THE
AWOMEAN FALLING? HERE IS MR.
MC MURDY, WHO SAW DROVE THE
TEAM IN WHICH THE MEN WERE
KILLED — TWO MEN; HE SAW THEM
THERE. THE FIRST SHOT MR. MC
MURDY HEARD FIRED WAS FIRED

WOUNDED AND DEFENSELESS
MEN⁷³¹ THAT ARE IN HIS WAGON
TWO MEN THAT HAVE BEEN
PLACED THERE BY HIS ORDERS
AND WHO HAVE PSPNT[?] THERE BY
HIS DIRECTION TWO MEN WHO
HAVE ALREADY BEEN WOUNDED
BY HIS OWN DESIGN AND BY HIS
OWN ACTS IN LEADING INDIANS
AND PLACED IN THE
WAGONS DEFENSELESS AND THESE
ARE THE MEN THAT HE FIRST
ATTACKS [space] HE DIDN'T EVEN SO
MUCH AS TO TURN UPON THE MEN
WHO WERE UNARMED WHO
WERE COMPELLED FOLLOW HIM
ON FOOT BUT HE LEAVES THAT
FOR THE OTHER MEN AND THE
INDIANS AND HE ATTACKS THE
POOR DEFENSELESS WOMEN
CHILDREN WOUNDED MEN
GENTLEMEN WHAT CAN YOU
THINK OF A MAN OF THAT KIND
[space] WHAT CAN YOU THINK OF A
MAN THAT WILL LEAD IN A
TRANSACTION OF THAT KIND [space]
I COMPREHEND GENTLEMEN THERE
CAN BE BUT ONE THOUGHT AND IF
THE DEFENDANT THOUGHT
LONGER[?] ALL THAT HE HAS
HASTENED TO DO I COMPREHEND
THAT IN ALL THIS ROOM NO ONE
TR[?] WOULD BE SO THIS IS
TESTIMONY GENTLEMEN WHICH
YOU CAN/CAN'T[?] DOUBT HERE IS
MR. KNIGHT WHO HAD THE TEAM
FOLLOWING HERE IS MR.
MC WHO DROVE THE
TEAM IN WHICH THE MEN WERE
KILLED TWO MEN WHO SAY THAT
THE FIRST SHOT THEY
HEARD FIRED WAS FIRED

731. The shorthand symbol is “WMN”. The “W” is crossed out. The second symbol referring to the same people clearly reads “MEN”.

BT

PS

BY JOHN D. LEE; HE SAW HIM
FIRE A SHOT AT THEM. NEPHI
JOHNSON, HE ALSO SAW
HIM FIRE A SHOT; AND SAW HIM
AND THE INDIANS DRAGING THE
WOUNDED MEN FROM THE WAGONS
AND CUT THEIR THROATS AS
THOUGH THEY WERE DOGS.
GENTLEMEN, WHAT ORDERS
COMPELLED THIS ACT? COULD
ORDERS—COULD ANY ORDERS
COMPEL SUCH A SCENE OF
BRUTALITY? NO, YOU CAN'T MAKE
ME BELIEVE THAT ANY ORDER
THAT COULD EVER COME FROM
ANY MAN ON EARTH COULD EVER
COMPEL A MAN TO MAKE SUCH A
VILLAIN OF HIMSELF; OR COULD
COMPEL A MAN TO COMMIT SUCH
AN ACT OF MURDER,
OR TO MAKE **SUCH**
A HEATHEN OF HIMSELF? NO ORDER
ON EARTH COULD COMPEL HIM TO
DO SO.. THE TESTIMONY
SHOWS, GENTLEMEN, THAT HE
ORIGINATED IT THERE HIMSELF
AND THAT THERE IS A DESIGN IN
CARRYING IT OUT. IF THERE WAS
ANY ORDERS HE CERTAINLY KNEW
WHERE HE GOT THEM FROM.
WHY HAS HE NOT PRODUCED
THEM?? HAS HE SHOWN YOU THE
SHADOW OF AN ~~ODR~~ ORDER? ANY
AUTHORITY FOR COMMITTING
SUCH AN ~~ACT~~ A HEINOUS ACT? NO,
NOT IN THE LEAST. THEN,
GENTLEMEN, YOU CANNOT SAY
THAT NO SPECIFIC ACT HAS BEEN
CHARGED AND PROVEN AGAINST
JOHN D. LEE. BESIDES THREE
WITNESSES WHO SAW HIM—^[20]
THREE WITNESSES WHO WERE
COMPELLED TO GO AND WHO,
WHEN THERE, GOT ~~ORDERS~~ ORDERS

BY ~~WAS~~ JOHN D. LEE WHO SAW HIM
FIRE A SHOT AND THEN NEPHI
JOHNSON WHO *[space]* ALSO SAW
HIM FIRE A SHOT AND SAW HIM
AND INDIAN ^{[[12]]} DRAGGING
WOUNDED MAN FROM THE WAGON
AND CUT HIS THROAT AS
THOUGH HE WAS A DOG. *[space]*
GENTLEMEN WHAT ORDERS
COMPELLED THIS COULD
ORDERS COULD ANY ORDER
COMPEL SUCH A SCENE OF
BRUTALITY NO YOU CAN'T MAKE
ME BELIEVE THAT ANY ORDER
THAT EMANATES FROM
ANY MAN ON EARTH COULD
COMPEL A MAN TO MAKE SUCH A
VILLAIN OF HIMSELF OR COULD
COMPEL MAN TO COMMIT
ACT TO MURDER *YOU CAN'T[?]*
[space] OR TO COMPEL HIM TO MAKE
A FIEND OF HIMSELF NO ORDER
ON EARTH COULD COMPEL HIM TO
DO SO. *[space]* THE TESTIMONY
SHOWS GENTLEMEN THAT HE
ORIGINATED THERE HIMSELF
AND THAT THERE IS A DESIGN TO
CARRYING IT OUT THERE WAS NO
ORDERS HE CERTAINLY KNOWS
WHERE HE GOT HIS ORDERS FROM
[space] WHY HAS HE NOT PRODUCED
IT HAS HE SHOWN YOU A
SHADOW OF AN ORDER THE
AUTHORITY FOR COMMITTING
SUCH A HEINOUS ACT. NO
NOT IN THE LEAST *[space]* THEN
GENTLEMEN YOU CANNOT SAY
THAT NO SPECIFIC ACT HAS BEEN
CHARGED AND PROVEN AGAINST
JOHN D. LEE BESIDES 3
WITNESSES WHO SAW HIM
3 WITNESSES WHO WERE
COMPELLED TO GO AND WHO
WENT THERE UNDER ORDERS

BT

PS

FROM JOHN D. LEE WE HAVE HIS OWN CONFESSION MADE AFTERWARDS. NOW, GENTLEMEN, THERE IS ONE THING IN THE LAW OF EVIDENCE THAT YOU CAN CONSIDER: FIRST- A MAN'S STATEMENTS; SECOND-~~L-YLX~~— DOES HE GIVE THE SAME KIND OF A TRANSACTION, AND IS THAT ACCOUNT WHICH HE GIVES OF IT TRUE? IF I COMMIT AN OFFENSE AND MAKE A STATEMENT OF IT TO YOU, WHICH YOU FIND OUT TO BE FALSE, WHAT IS YOUR INFERENCE? YOU INFER AT ONCE THAT I AM A GUILTY MAN. IF I MAKE A STATEMENT OF A CASE ON REASONS WHICH YOU FIND OUT TO BE FZALSE, IT IS THE STRONGEST EVIDENCE AGAINST ME. HERE IS A REPORT OF JOHN D. LEE'S TO GOVERNOR YOUNG, OF AFFAIRS OF THE INDIANS FOR WHOM HE WAS FARMER. [READS FROM REPORT]

THIS THE COMPANY, GENTLEMEN, OF WHOM YOU HEARD MR. NEPHI JOHNSON TESTIFY; AND FROM THE CONVERSATION HE HAD WITH JOHN D. LEE ABOUT THEM YOU CAN JUDGE OF THE CSINCERITY OF THAT CONVERSATION WHEN HE WANTED TO GO AND MURDER THIS

FROM JOHN D. LEE WE HAVE HIS OWN CONFESSIONS MADE AFTERWARDS. NOW GENTLEMEN THERE IS ONE THING IN THE LAW OF EVIDENCE THAT YOU CAN CONSIDER FIRST A MAN'S STATEMENTS SECONDLY DOES HE GIVE THE SAME ACCOUNT OF THE TRANSACTION AND IS THAT ACCOUNT WHICH HE GIVES OF IT TRUE [space] IF I COMMIT AN OFFENSE AND MAKE A STATEMENT TO YOU WHICH YOU FIND OUT TO BE FALSE WHAT IS YOUR INFERENCE YOUR INFERENCE IS AT ONCE THAT I AM GUILTY MAN [space] IF I MAKE A STATEMENT —[?] ON REASONS WHICH YOU FIND OUT TO FALSE IT IS THE STRONGEST TESTIMONY AGAINST ME. ^{[[13]]732} HERE IS A LETTER GENTLEMEN A REPORT RATHER MADE BY JOHN D. LEE BETWEEN THE 21^S ~~TO THE~~ READ MOUNTAIN MEADOWS 320 MILES FROM GREAT SALT LAKE CITY BETWEEN THE 21 TO 26 SEPTEMBER. [space] WAGONS AND PROPERTY MOSTLY COMMITTED TO THE FLAMES THIS IS THE THE COMPANY GENTLEMEN YOU HEARD MR. NEPHI JOHNSON'S TESTIMONY WHO WHEN HIS[?][space] YOU ALSO HEARD THE CONVERSATION THAT MR.[?] JOHN D. LEE HAD WITH HIM YOU CAN JUDGE OF THE SINCERITY OF HIS OF THAT CONVERSATION WHEN HE WANTED TO GO AND MURDER THE

732. On the verso of page 13: *WE HAD THE COMMUNITY*[?] [space] WHERE ARE YOU GOING I DO NOT KNOW WHAT IS YOUR OCCUPATION. I AM A CIVIL SURGEON. —[?] CAN YOU *RELY*[?] ANYTHING ON THIS [ink blot] *ATTORNEYS*[?] OF THE UNITED STATES *ON THIS*[?] WHERE DO YOU LIVE IN THIS IN THE — — — —[?] [space] OH TELL MY FATHER TO BE —[?] TO PUT IN YOUR *ARM*[?] —[?] IF A —[?] MAN HAS *GUIDED*[?] BY HIS OPINION.

BT

PS

COMPANY OF EMIGRANTS NOT LONG AFTER THE MASSACRE AT MOUNTAIN MEADOWS.

“FRIENDLY FEELINGS,” HE SAYS, “YET REMAIN BETWEEN THE NATIVES AND SETTLERS.” WHY, IF SUCH FRIENDLY RELATIONS EXISTED AS HE TELLS YOU

IMMEDIATELY **AFTER** THESE TWO TRANSACTIONS, DONT YOU THINK, GENTLEMEN, THAT HE COULD HAVE PREVENTED THESE INDIANS FROM COMMITTING A CRIME AT MOUNTIAN MEADOWS?? WAS IT THEY WHO MADE HIM, OR HE WHO MADE THEM? “MUCH GRAIN HAS BEEN RAISED BY THE INDIANS.” THIS LETTER IS SIGNED, “JOHN D. LEE, FARMER TO PAH UTES INDIANS.” ADDRESSED TO, “GOV. B. YOUNG, EX-OFFICIO AND SUPERINTENDANT OF INDIAN AFFAIRS.” GENTLEMEN, THIS LETTER IS WRITTEN AFTER ALL THIS SIN OCCURRS. LET US EXAMINE THE STATEMENTS NOW JUST FOR A MOMENT AND SEE WHAT TRUTH THERE IS IN THIS LETTER. THERE IS AN ADMISSION, GENTLEMEN, OVER HIS OWN SIGNATURE. IS IT TRUE OR IS IT NOT TRUE? IF THESE STATEMENTS ARE FALSE ^[21] ~~THEN YOU ARE~~, THEN YOU ARE TO CONSIDER THEM MOST STRONGLY AGAINST HIM “AS WAS THE CASE WITH CAPTAIN FRANCHERS COMPANY OF EMIGRANTS, PASSING THROUGH TO CALIFORNIA ABOUT THE MIDDLE OF SEPTEMBER LAST, ON CORN CREEK, 15 MILES SOUTH OF FILLMORE CITY, MILLARD

REST OF THE COMPANY

IN MOUNTAIN MEADOWS. AFTER ONE TRAIN HAS BEEN MURDERED [space] YET FRIENDLY RELATIONS STILL EXISTED BETWEEN THEM AND THE SETTLERS WHY IF SUCH FRIENDLY RELATIONS EXISTED AS HE TELLS YOU JUST N M[?] HE SAID FRIENDLY RELATIONS EXISTED IMMEDIATELY AFTER THESE TWO TRANSACTIONS DON’T YOU THINK GENTLEMEN THAT HE COULD HAVE PREVENTED THESE INDIANS FROM COMMITTING THE CRIME AT MOUNTAIN MEADOWS WAS IT HE THAT LEAD THEM OR THEY THAT LED HIM? “MUCH GRAIN HAS BEEN RAISED FOR THE INDIANS” THIS LETTER IS SIGNED JOHN D. LEE FARMER TO PAH UTE INDIANS ADDRESSED TO GOVERNOR B. YOUNG EX-OFFICIO AND SUPERINTENDENT OF INDIAN AFFAIRS [space] GENTLEMEN THIS LETTER IS WRITTEN NOW AFTER ALL THIS SIN/SCENE[?] OCCURS LETS EXAMINE THE STATEMENTS NOW JUST FOR A MINUTE AND SEE THE TRUTH THERE IS IN THIS LETTER THERE IS AN ADMISSION GENTLEMEN OVER HIS OWN SIGNATURE IS IT TRUE IS IT NOT TRUE IF THESE STATEMENTS ARE FALSE THEN YOU ARE TO CONSIDER THEM MOST STRONGLY AGAINST HIM [space]

HE SAID IN FIRST ABOUT THE MIDDLE OF ^[14] SEPTEMBER LAST ON CORN CREEK 15 SOUTH OF FILLMORE [space]

BT

PS

COUNTY, THE COMPANY THERE
POISONED THE MEAT OF AN OX.”
THIS THEY
TRIED TO PROVE ON THE LAST
TRIAL BUT ———
COURT: DON’T REFERR TO
ANYTHING NOT IN THIS TRIAL. MR.
DENNY: IF THE MEAT WAS
POISONED THERE, GENTLEMEN,
WHERE ARE THE WITNESSES? DID
NOT SOMEBODY SEE IT DONE?
AND RIGHT HERE JUST LET ME ASKE
YOU TO EXERCISE YOUR OWN
JUDGEMENT IN THIS MATTER.
TAKE A DEAD OX OR ANY OTHER
PIECE OF MEAT, AND HOW MUCH
POISON WOULD IT TAKE? JUST
CONSIDER HOW FAR THROUGH
THAT MEAT POISON WILL SPREAD..
THAT ODF ITSELF IS AN UTTER
FALSEHOOD. THE IDEA THAT WHEN
THE BLOOD HAS STOPPED
CIRCULATING
THAT POISON IS GOING TO
CIRCULATE
THROUGH THE ENTIRE ANIMAL. MR.
BISHOP: THE POISON WOULDN’T
HAVE TO BE DISTRIBUTED
THROUGHOUT THE WHOLE ANIMAL
TO POISON A FEW INDIANS. DENNY:
WE WILL NOW GO TO THE NEXT
STATEMENT:
“WHICH THEY
THE PAH VANT INDIANS TO EAT,
CAUSING FOUR OF THEM
TO DIE IMMEDIATELY,
BESIDES POISONING A NUMBER
MORE.” NOW, GENTLEMEN, WHAT
HAS THE PAH VANT TRIBE TO DO
WITH THE PAH UTE TRIBE BELOW
BEAVER. SUPPOSE THEY HAD
POISONED THREE OR FOUR OF THE
~~PAH VANT TRIBE OF THE PAH VANT~~
TRIBE; IS THE PAH UTE TRIBE

THE COMPANY THERE
POISONED THE MEAT OF AN OX
[space] THAT POISONING STORY WAS
TRIED ON THE LAST
TRIAL FOUND WANTING [space]
COURT: DON’T REFER TO
ANYTHING NOT IN THIS TRIAL
[space] IF THE MEAT WAS
POISONED THERE GENTLEMEN
WHERE ARE THE WITNESSES DID
NOT SOMEBODY SEE IT DONE [space]
AND RIGHT HERE JUST ASK
YOU TO EXERCISE YOUR OWN
JUDGMENT IN THIS MATTER
TAKE A DEAD OX OR ANY OTHER
PIECE OF MEAT AND HOW MUCH
POISON WOULD IT TAKE JUST
CONSIDER HOW FAR THROUGH
THAT MEAT POISON WILL SPREAD
THAT OF ITSELF IS AN UTTER
FALSEHOOD THE IDEA THAT WHEN
THE BLOOD HAS STOPPED
IN CIRCULATION IN A BEAST
THAT POISON IS GOING TO
CIRCULATE ~~BETWEEN~~
THROUGHOUT THE ENTIRE ANIMAL
[space] BISHOP— [space]

WE WILL GO TO THE NEXT
FISH STORY IN THE
~~NFSS/CONFESSIONS[?]~~ THEY GAVE
THE PAH VANT INDIANS TO EAT
CAUSING FOUR OR FIVE OF THEM
TO DIE IMMEDIATELY ~~POISON~~
BESIDES POISONING A NUMBER
MORE NOW GENTLEMEN WHAT
HAVE THE PAH VANT TRIBE TO DO
WITH THE PAH UTE TRIBE BELOW
BEAVER SUPPOSE THEY HAD
POISONED 3 OR FOUR OF THE
PAH VANT
TRIBE IS THE PAH UTE TRIBE

BT

PS

GOING TO REVENGE THE WRONGS OF THE PAH VANT, WHEN THEY THEMSELVES ~~DON'T HOLD TAKE~~ **ARE NOT CONCERNED INTEREST ENOUGH ENOUGH REVENGE AGAINST THEM** TO REVENGE THE DEATH OF MEMBERS OF THEIR OWN TRIBE; IS A TRIBE 100 MILES SOUTH TO REVENGE THAT WRONG? IT IS RIDICULOUS OF ITSELF. NOW, WAS ~~N~~ ANY OF THE PAH VANT TRIBE AT THE MOUNTAIN MEADOWS? MR. HASLAM, ON HIS ROAD NORTH MET THAT TRIBE ^[22] HERE AT CORN CREEK; THAT WAS TWO OR THREE DAYS AFTER THIS MASSACRE COMMENCED; AFTER THEY HAD MADE THE FIRST ATTACK AT MOUNTAIN MEADOWS. THEY HAVE NOT SHOWN BY A SINGLE WITNESS, OR ~~BUY~~ ANY WITNESS, THAT A SINGLE INDIAN OF THAT PAH VANT TRIBE EVER WENT SOUTH OF BEAVER; BUT, ON THE CONTRARY, MR. HASLAM TELLS YOU THAT TWO OR THREE DAYS AFTER HE STARTED TO SALT LAKE THAT TRIBE WAS HERE FOLLOWING UP ~~THEIR~~ **OTHER** EMIGRANTS WHO CAME TWO WEEKS AFTER. SECONDLY, IT WAS NOT THE PAH VANT TRIBE THAT HAD ANYTHING TO DO WITH THIS ~~TRIBE~~ **AFFAIR**. AND THERE IAS A SECOND STATEMENT THEN WHICH IS UTTELRLY FALSE. "THE COMPANY ALSO POISONED THE WATER WHERE THEY ENCAMPED." WELL, GENTLEMEN, THIS IS CORN CREEK. I WOULD LIKE—I DON'T KNOW,- YOU CAN'T OF YOUR

A DISTRICT NATION ARE THEY GOING TO *PK/TAKE/ATTACK*[?]
CARRIED OUT THIS AND WHEN THIS PAH VANT TRIBE DON'T TAKE THIS TO HEART ENOUGH TO REVENGE THE DEATH OF THEIR OWN TRIBE. IS A TRIBE 100 MILES SOUTH TO AVENGE THAT WRONG ^[15] IT IS RIDICULOUS OF ITSELF *[space]* AND NOW WAS ANY OF THE PAH VANT TRIBE AT MOUNTAIN MEADOWS MR. HASLAM ON HIS WAY NORTH MET THAT TRIBE HERE *AND*[?] AT CORN CREEK THAT WAS TWO OR THREE DAYS AFTER THIS MASSACRE HAD COMMENCED IF THEY HAD MADE THE FIRST ATTACK AT MOUNTAIN MEADOWS THEY HAVE NOT SHOWN BY A SINGLE WITNESS OR BY ANY TESTIMONY WHATEVER THAT A SINGLE INDIAN OF THAT PAH VANT TRIBE EVER WENT SOUTH OF BEAVER BUT ON THE OTHER HAND MR. HASLAM TELLS YOU THAT TWO OR 3 DAYS AFTER HE STARTED TO SALT LAKE THAT TRIBE WAS HERE FOLLOWING UP THE EMIGRANTS WHO CAME 2 WEEKS AFTER AND CONSEQUENTLY IT WAS NOT THE PAH VANT TRIBE THAT HAD ANYTHING TO DO WITH THIS KILLING AND THERE IS A SECOND STATEMENT THEN WHICH IS UTTERLY FALSE. *[space]* "THE COMPANY ALSO POISONED THE WATER WHERE THEY ENCAMPED *[space]* WELL GENTLEMEN *THIS IS/THOSE*[?] *WHO/SHOULD*[?] CORN CREEK I WOULD LIKE ~ I DON'T KNOW PERHAPS YOU CAN OF YOUR

BT

PS

OWN JUDGMENT—PERHAPS SOME OF YOU HAVE TRIED IT. I WOULD JUST LIKE TO SEE THE MAN THAT COULD POISON A RUNNING STREAM OF WATER SUFFICIENTLY THAT IT WOULD KILL ANY PERSON. WATER CLEARS AND PURIFIES ITSELF EVERY FEW RODS; AND YOU MIGHT POUR A BARREL OF POISON INTO THE RUNNING STREAM, AND ONE OR TWO MILES BELOW THE EFFECTS OF IT COULD NOT BE PERCEIVED. THIS THING OF POISONING WATER, GENTLEMEN, IS VERY THIN. “THIS UNGUIDED POLICY, PLANNED IN WICKEDNESS BY THIS COMPANY, RAISED THE IRE OF THE INDIANS, WHICH SOON SPREAD THROUGH THE SOUTHERN TRIBES, FIRING THEM UP WITH REVENGE TILL BLOOD WAS IN THEIR PATH.” THE SOUTHERN TRIBES WERE VERY CONSIDERATE. THESE INDIANS DIED RIGHT HERE. THEY TOOK THIS MEAT FROM THE OX. THEY DIED WITHIN 24 HOURS. THAT TRAIN, AT THAT TIME, WAS NOT 20 MILES FROM CORN CREEK. IF SUCH WAS THE FACT, WHY DIDN’T THE INDIANS FOLLOW THEM IMMEDIATELY? THAT TRAIN WAS NEARLY TWO WEEKS COMING FROM CORN CREEK TO CEDAR. IF SUCH WAS THE CASE, WOULD NOT THEY FOLLOW THE TRAIN RIGHT UP? THE MISCHIEF WAS DONE WHEN THE EMIGRANTS WERE SCARCELY OUT OF THEIR ^[23] SIGHT. WHY MOST CERTAINLY THEY WOULD. “ABOUT THE 22ND OF SEPTEMBER CAPTAIN FRANCHER AND COMPANY FELL VICTIM TO THEIR WRATH, NEAR MOUNTAIN

OWN JUDGMENT PERHAPS SOME OF YOU HAVE TRIED IT I WOULD JUST LIKE TO SEE THE MAN THAT COULD POISON A RUNNING STREAM OF WATER SO THAT IT WOULD KILL ANY PERSON WATER CLEARS AND PURIFIES ITSELF EVERY FEW YARDS/RODS[?] AND YOU MAY POUR BARRELS OF POISON INTO A RUNNING STREAM AND ONE OR TWO MILES BELOW THE EFFECTS OF IT COULD NOT BE PERCEIVED. THIS THING OF POISONING WATER, GENTLEMEN THIS IS VERY THIN THIS MISGUIDED POLICY PLANNED IN WICKEDNESS BY THIS COMPANY RAISED THE IRE OF THE INDIANS WHICH SOON SPREAD THROUGH THE SOUTHERN TRIBES FIRING THEM UP WITH REVENGE ^{[[16]]} THE SOUTHERN TRIBES WERE VERY CONSIDERATE. [space] THESE INDIANS DIED RIGHT HERE THEY ATE THIS MEAT FROM THE OX THEY DIED WITHIN 24 HOURS THAT TRAIN AT THAT TIME WAS NOT 20 MILES FROM CORN CREEK IF SUCH WAS THE FACT WHY DIDN’T THE INDIANS FOLLOW THEM IMMEDIATELY [space] THAT TRAIN WAS NEARLY TWO WEEKS GOING FROM CORN CREEK TO CEDAR IF SUCH WAS THE CASE WOULD NOT THEY FOLLOW THE TRAIN RIGHT UP THAT DID THE MISCHIEF WHEN THEY WERE SCARCELY OUT OF THEIR SIGHT WHY MOST CERTAINLY THEY WOULD. [space] “ABOUT THE MIDDLE OF SEPTEMBER CAPTAIN FRANCHER AND COMPANY FELL VICTIMS TO THEIR WRATH NEAR MOUNTAIN

BT

PS

MEADOWS; THEIR CATTLE AND HORSES WERE SHOT DOWN.” GENTLEMEN, DID YOU HEAR ANY TESTIMONY OF THAT KIND? WE CAN TELL YOU, GENTLEMEN, OF THE MEN THAT WERE SHOT DOWN ON THE MOUNTAIN MEADOWS; AND WITNESSES WHO WERE ON THE STAND TELL YOU OF INNOCENT WOMEN THAT WERE SHOT DOWN ON THE MOUNTAIN MEADOWS; OF INNOCENT CHILDREN THAT WERE SHOT DOWN ON THE MOUNTAIN MEADOWS; BUT NOT ONE OF THEM SAW A COW OR AN OX OR A HORSE SHOT DOWN ON THE MEADOWS; NONE OF THOSE WERE SHOT DOWN; THEY WERE DRIVEN OFF. WHERE? THE TESTIMONY IS THAT THERE WAS TWO OR THREE HUNDRED HEAD OF CATTLE THERE. MR. HAMBLIN TELLS YOU THAT ~~HE~~ **HE** SAW TWO YOUNG MEN DRIVING THESE CATTLE TO JOHN D. LEE,S PLACE AT HARMONY. THAT HE KNEW THE CATTLE, AND WHY? BECAUSE THEY WERE TEXAS CATTLE, A DIFFERENT CLASS OF CATTLE FROM ANY THAT HAD **TURNED** UP BEFORE IN THIS TERRITORY. HE SAW THEM ON MOUNTAIN MEADOWS; RECOGNISED THEM AS BELONGING TO THESE EMIGRANTS; AND AFTERWARDS SAW TWO MEN DRIVING THEM TO JOHN D. LEE’S PLACE; AND AFTERWARDS SAW THEEM AT HARMONY IN JOHN D. LERE’S CUSTODY. THERE, GENTLEMEN, IS WHERE THE CATTLE WERE SHOT DOWN. THEY WERE SHOT DOWN AT HAREMONY BY JOHN D. LEE, AND BY THE INDIANS LONG AFTER THE

MEADOWS THEIR CATTLE AND HORSES SHOT DOWN” GENTLEMEN DID YOU HEAR ANY TESTIMONY OF THAT KIND WE CAN TELL YOU GENTLEMEN OF MEN SHOT DOWN ON MOUNTAIN MEADOWS AND WITNESSES HERE WHO WERE ON STAND TOLD YOU OF INNOCENT WOMEN THAT— MOUNTAIN MEADOWS INNOCENT BABES [*space*]

BUT NOT ONE OF THEM SAW A COW OR OX OR HORSE SHOT DOWN ON MEADOWS NO THEY SAY AFTER ALL THIS WAS DONE THEY WERE DRIVEN OFF WHERE? THE TESTIMONY IS THAT THERE WAS 2 OR 3 HUNDRED HEAD OF CATTLE THERE MR. HAMBLIN TELLS YOU THAT HE SAW TWO YOUNG MEN DRIVING THESE CATTLE TO JOHN D. LEE’S PLACE AT HARMONY THAT HE KNEW THE CATTLE AND WHY BECAUSE THEY WERE TEXAN CATTLE DIFFERENT CLASS OF CATTLE FROM ANY THEY HAD IN THIS TERRITORY AT THE TIME [*space*] HE SAW THEM ON MOUNTAIN MEADOWS RECOGNIZED THEM AS BELONGING TO THESE EMIGRANTS [*space*] AFTERWARDS ^{[[17]]} SAW TWO MEN DRIVING THEM TO JOHN D. LEE’S PLACE AND AFTERWARDS SAW THEM AT HARMONY IN JOHN D. LEE’S CUSTODY THERE GENTLEMEN IS WHERE THE CATTLE WERE SHOT DOWN THEY WERE SHOT DOWN AT HARMONY BY JOHN D. LEE AND BY THE INDIANS LONG AFTER THE ~~INDIANS~~

BT

PS

<p>DEED WAS COMMITTED; AND THE MEAT WAS FEATEN AT THE SAME PLACE. THERE MAY BE A GREAT DEAL OF TRUTH IN THE STATEMENT THAT THE CATTLE WERE SHOT DOWN, BUT NOT AT MOUNTAIN MEADOWS. "THEIR WAGONS AND PROPERTY MOSTLY COMMITTED TO THE FLAMES." GENTLEMEN, MR. NEPHI JOHNSON STAID THERE AND WATCHED THERE TILL THE NEXT MORNING; TILL HAIGHT AND HIGBEE CAME AFTER THE PROPERTY, AS HE TELLS YOU. WAS THERE A SINGLE WITNESS ON THE STAND THAT TOLD YOU ^[24] OF A SINGLE PIECE OF PROPERTY THAT WAS COMMITTED TO THE FLAMES? NO, NOT ONE. BUT OF THAT PROPERTY TWO OF THE WAGONS WERE SENT TO HARMONY IN THE CUSTODY OF JOHN D. LEE. THE REST WAS TAKEN AWAY BY OTHERS; SOME TO CEDAR AND OTHER PLACSES; BUT NOT A PARTICLE WAS COMMITTED TO THE FLAMES. NOW, GENTLEMEN, THIS IS THE TESTIMONY OF JOHN D. LEE; THIS IS HIS OWN WRITTEN STATEMENT. THERE IS NO TRUTH IN THE STATEMENT THAT THE PROPERTY WAS COMMITTED TO THE FLAMES. YOU KNOW IT IS FALSE; HE KNEW IT WAS FALSE WHEN HE WROTE IT; IT IS FALSE. THAT PROPERTY WAS TAKEN BY HIM, AND WAS TAKEN AWAY FROM THERE. NOT A SINGLE COW OR OX OR CALF WAS SHOT DOWN THERE, UNLESS IT WAS FOR THEIR</p>	<p>DEED WAS COMMITTED AND THE MEAT WAS EATEN AT THE SAME PLACE <i>[space]</i> THERE MAY BE GREAT DEAL OF TRUTH IN THE THAT THE CATTLE WERE SHOT DOWN BUT NOT AT THE MOUNTAIN MEADOWS <i>[space]</i> THEIR WAGONS AND CATTLE MOSTLY COMMITTED TO THE FLAMES" GENTLEMEN MR. NEPHI JOHNSON STAYED THERE AND WATCHED THERE TILL THE NEXT MORNING TILL HAIGHT AND HIGBEE CAME FROM FOR THE PROPERTY AS HE TELLS YOU WAS THERE A SINGLE WITNESS ON THIS STAND THAT TOLD YOU OF A SINGLE PIECE OF PROPERTY THAT WAS COMMITTED TO THE FLAMES NO NOT ONE <i>[space]</i> BUT THAT PROPERTY WAS <i>[space]</i> TWO WAGONS WERE AFTERWARD SEEN AT HARMONY IN CUSTODY OF JOHN D. LEE THE REST WAS TAKEN AWAY BY OTHERS SOME TO CEDAR AND OTHER PLACES NOT A PARTICLE WAS COMMITTED TO THE FLAMES NOW GENTLEMEN THIS IS THE TESTIMONY OF JOHN D. LEE <i>[space]</i> THIS IS HIS OWN FALSE WRITTEN STATEMENT UPON HIS WORDS THERE ⁷³³ IS NO SECRET AS TO WHAT WAS DONE WITH THAT PROPERTY YOU KNOW IT IS FALSE HE KNEW IT WAS FALSE WHEN HE WROTE IT IT IS FALSE <i>[space]</i> THAT PROPERTY WAS TAKEN BY HIM AND WAS TAKEN AWAY FROM THERE NOT A SINGLE COW OR OX OR CALF WAS SHOT DOWN THERE UNLESS IT WAS FOR THEIR</p>
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733. Rogerson's hand symbol is in the left margin.

BT

PS

OWN FOOD; AND NOT A SINGLE WAGON WAS EVER COMMITTED TO THE FLAMES. THIS THEN, GENTLEMEN, IS HIS STATEMENT, MADE TWO MONTHS AFTER THE MASSACRE — HIS REPORT. IT IS AN OFFICIAL DOCUMENT. HE WAS FARMER TO THE INDIANS; AND HE ~~W~~MAKES OUT THIS REPORT TO THE SUPERINTENDANT OF INDIAN AFFAIRS, AT SALT LAKE. IT IS AN OFFICIAL REPORT ~~OF THE~~ ~~CONDITION~~ OF THE CONDITION OF THE INDIANS IN THAT TRANSACTION. AS ~~A~~FFAR AS THAT PART OF IT IS CONCERNED IT IS ~~U~~TTERLY FALSE; AND IT IS TO BE CONSIDERED MOST STRONGLY AGAINST HIM. WE NOW PASS ON TO MR. HAMBLIN'S TESTIMONY. I WISH YOU WOULD CONSIDER, GENTLEMEN, WHETHER THIS IS COMPETENT TESTIMONY. WE HAVE MR. MC MURDYS TESTIMONY. HE HAS BEEN HERE OVER 20 YEARS.. THE NEXT WITNESS IS MR. NEPHI JOHNSON. YOU SAW MR. JOHNSON ON THE STAND. DID HE IMPRESS YOU AS A MAN WHO WAS TELLING THE TRUTH, OR A MAN WHO WAS SWEARING TO A FALSEHOOD? AT THE TIME HE WAS ORDERED TO GO TO THE MOUNTAIN MEADOWS HE WAS A YOUNG MAN, SCARCELY 20 YEARS OF AGE. COUNCIL ASKED HIM WHY HE DIDN'T OBJECT TO THE ORDERS GIVEN BY LEE AND OTHERS. WHAT WAS HIS ANSWER? HE SAID HE DIDN'T CONSIDER IT HIS BUSINESS TO INTERFERE WITH THE ORDERS OF HIS SUPERIORS. HE WAS ^[25] ONLY A YOUNG MAN AT

OWN FOOD AND NOT A SINGLE WAGON EVER COMMITTED TO THE FLAMES [*space*] THIS THEN GENTLEMEN IS HIS STATEMENT MADE WITHIN TWO MONTHS HIS REPORT ^{[[18]]} IT IS AN OFFICIAL DOCUMENT HE WAS FARMER TO THE INDIANS MAKES THIS TO THE SUPERINTENDENT OF INDIANS ~~MAKES~~ AT SALT LAKE IT IS OFFICIAL REPORT OF THE CONDITION OF THE INDIANS IN THAT TRANSACTION *IF/FOR*[?] FAR AS THAT PART OF IT IS CONCERNED THEN IT IS UTTERLY FALSE AND IT ~~WAS~~ IS TO BE CONSIDERED MOST STRONGLY AGAINST HIM. WE NOW PASS ON TO MR. HAMBLIN'S TESTIMONY I WISH YOU WOULD CONSIDER GENTLEMEN ~~NOW~~ WHETHER THIS IS COMPETENT TESTIMONY [*space*] WE HAVE MR. MC MURDYS TESTIMONY HE HAS BEEN HERE OVER 20 YEARS [*space*] NEXT WITNESS IS MR. NEPHI JOHNSON YOU SAW MR. JOHNSON ON THE STAND DID HE IMPRESS YOU AS A MAN WHO WAS TELLING TRUTH OR A MAN WHO WAS SWEARING TO A FALSEHOOD AT THE TIME HE WAS ORDERED TO GO TO MOUNTAIN MEADOWS HE WAS A YOUNG MAN SCARCELY 20 YEARS [*space*] OF AGE COUNSEL ASKED HIM WHY HE DIDN'T OBJECT TO THE ORDERS GIVEN BY LEE AND OTHERS WHAT WAS HIS ANSWER SAID HE DIDN'T CONSIDER IT HIS BUSINESS TO INTERFERE WITH THE ORDERS OF HIS SUPERIORS AND THOSE WHO WERE ABOVE HIM HE WAS ONLY A YOUNG MAN AT

BT

PS

THAT TIME. HE WAS SENT THERE AS AN INTERPRETER. NOW, HIS TESTIMONY, AND I UNDERTAKE TO SAY GENTLEMEN, THAT NOT ONE OF YOU WILL DOUBT IT—HE ~~WHAS~~ BEEN A RESIDENT OF UTAH 20 YEARS, AND IS YET A RESIDENT OF IT. HE CORROBERATES MR. KNIGHT AS TO THE FIRST FIRING OF A GUN. HE ALSO CORROBERATES MR. ~~JOHN~~ MR. MC MURDY. JOHN D. LEE TOLD THE INDIANS IN HIS PRESENCE THAT THE FIRST ATTACK MADE THE INDIANS WERE REPULSED, &AND **THEY** COMPELLED HIM TO LEAD THEM FOR A SECOND ATTACK. THAT IS NO EXCUSE FOR SUCH A HIENOUS CRIME.; THAT CAN'T CERTAINLY BE ANY JUSTIFICATION TO HIM; THERE CERTAINLY SHOULD BE NO REASON WHY HE SHOULD GO ON THE FIELF AND BE THE MOST INCARNATE FIEND FOF ANY OF THE SAVAGES THERE. NOT AT ALL. TALK ABOUT THE SAVAGES, IF YOU EVER SAW A WHITE MAN A SAVAGE YOU SEE HIM THERE NOW. MR. JOHNSON CORROBERATES THESE ADMISSIONS. WE WILL TAKE UP NOW MR. JACOB HAMBLIN. MR. HAMBLIN HAS BEEN A RESEIDENT OF THIS TERRITORY FOR OVER 20 YEARS. HE RESIDED AT THAT TIME WHERE HE RESIDES NOW. HE HAS LIVED THERE ALL THAT TIME. PERHAPS SOME OF YOU KNOW HIM. DID HIS APPEARANCE ON THE STAND IMPRESS YOU FAVORABLY, OR OTHERWISE? WHAT WERE THE ADMISSIONS MADE TO HIM? MIND YOU THIS IS THE THIRD MAN THAT HE HAS

THAT TIME HE WAS SENT THERE AS AN INTERPRETER [*space*] NOW HIS TESTIMONY AND I UNDERTAKE TO SAY GENTLEMEN THAT NO ONE OF YOU WILL DOUBT IT BEEN A RESIDENT OF UTAH 20 AND IS A RESIDENT TODAY HE CORROBORATES MR. KNIGHT AS TO THE FIRST FIRING OF A GUN [*space*] CORROBORATES MR. MC MURDY JOHN D. LEE TOLD THE INDIANS IN HIS PRESENCE THAT THE FIRST ATTACK MADE AND INDIANS WERE REPULSED AND THEY COMPELLED HIM TO LEAD THEM IN THE SECOND ATTACK THAT IS NO EXCUSE FOR HIS HEINOUS ^{[[19]]} CRIME [*space*] THAT CERTAINLY CAN'T BE ANY JUSTIFICATION TO HIM THAT CERTAINLY SHOULD BE NO REASON WHY HE SHOULD GO ON THE MOUNTAIN MEADOWS AND BE THE MOST PERFECT INCARNATE FRIEND OF ANY OF THE SAVAGES THERE NOT AT ALL TALK ABOUT THE SAVAGE IF YOU EVER SAW A WHITE MAN A SAVAGE YOU SEE HIM THERE NOW MR. JOHNSON CORROBORATES THESE ADMISSIONS WE WILL TAKE UP NOW MR. JAKE HAMBLIN MR. HAMBLIN HAS BEEN A RESIDENT OF ~~UTAH~~ THIS TERRITORY FOR OVER 20 YEARS HE RESIDED AT THAT TIME WHERE HE RESIDES NOW HE HAS LIVED THERE ALL THAT TIME PERHAPS SOME OF YOU KNOW HIM DID HIS APPEARANCE ON THE STAND IMPRESS YOU FAVORABLY OR OTHERWISE WHAT WERE THE ADMISSIONS MADE TO HIM MIND YOU THIS IS THE THIRD MAN THAT HE HAS

BT

PS

MADE THESE ADMISSIONS TO, OF HIS ACTIONS IN THIS TERRIBLE AFFAIR. THE THIRD MAN, AND THAT TOO, AT CORN CREEK, MILES AWAY FROM THE SCENE; AND IT WAS MADE UNDER NO COMPULSION; IT WAS IN A CONVERSATION WITH MR. HAMBLIN WHEN HE MET HIM COMING FROM SALT LAKE. HE MADE THESE CONFESSIONS TO HIM VOLUNTARILY. THEY ARE THE SAME AS MADE TO KNIGHT AND JOHNSON, THAT THE INDIANS FIRST MADE AN ATTACK AND THEN COMPELLED HIM TO FOLLOW; AND HE ALSO MAKES CERTAIN OTHER STATEMENTS TO MR. HAMBLIN, NAMELY, THE REASON WHY IT WAS ACCOMPLISHED: THAT THE FIRST ATTACK BEING MADE, THEN IT WAS NECESSARY FOR THEM TO FOLLOW IT UP AND MAKE AN END TO THE TRAIN, OR ELSE THEY ^[26] WOULD GO THROUGH TO CALIFORNIA AND RETURN WITH AN ARMY AND DESTROY ALL OF THE SOUTHERN SETTLEMENTS. THAT IS THE REASON HE GAVE FOR THE MURDER. THAT IS ONE REASON; ANOTHER WAS THAT TWO OR THREE OF THOSE MEN HAD ESCAPED TO & RETURN; AND CONSIDERING ONE WAS KILLED AT PINTO: AND SECONDLY- ONE BEING KILLED IT BECAME NECESSARY FOR THEM TO KILL THE WHOLE TRAIN; BECAUSE IF THEY HAD STARTED TO MASSACRE THE TRAIN AND HAD KILLED A PORTION OF THEM, IF ANY OF THEM WERE ALLOWED TO RETURN - TO ESCAPE -

MADE THESE ADMISSION TO OF HIS CONNECTIONS WITH THIS TERRIBLE AFFAIR [space] THE THIRD MAN AND THAT TOO AT CORN CREEK MILES AWAY FROM THE SCENE AND IT WAS MADE UNDER NO COMPULSION IT WAS MADE IN A CONVERSATION WITH[?] HIM HE WAS RETURNING FROM SALT LAKE AND HE MADE THESE CONFESSIONS TO HIM VOLUNTARILY [space] THEY ARE THE SAME AS MADE TO KNIGHT AND TO JOHNSON THAT THE INDIANS FIRST MADE AN ATTACK AND THEN COMPELLED HIM TO FOLLOW AND HE ALSO MAKES CERTAIN OTHER STATEMENTS TO MR. HAMBLIN NAMELY THAT THE END WHY IT WAS ACCOMPLISHED AFTER THE FIRST ATTACK BEING MADE THEN IT WAS NECESSARY FOR THEM TO FOLLOW IT UP AN MAKE AN END TO THE TRAIN OR ELSE THEY WOULD GO THROUGH TO CALIFORNIA AND RETURN WITH AN ARMY AND DESTROY ALL OF THE SOUTHERN SETTLEMENTS THAT IS THE REASON HE GIVES FOR THE MURDER THAT IS ONE REASON ANOTHER REASON WAS THAT TWO OR 3 OF THOSE MEN HAD ^{[[20]]} ESCAPED AND WERE ENDEAVORING TO RETURN TO CEDAR AND ONE WAS KILLED AT PINTO AND CONSEQUENTLY ONE BEING KILLED IT BECAME NECESSARY FOR THEM TO KILL THE WHOLE TRAIN BECAUSE IF THEY HAD STARTED TO MASSACRE THE TRAIN AND HAD KILLED A PORTION OF THEM IF ANY OF THEM WERE ALLOWED TO ESCAPE THAT

BT

PS

IT WOULD BE BAD FOR THE
SETTLERS. THERE IS ANOTHER
STATEMENT WHICH HE MAKES,
AND THAT IS, HE
WENT OUT THERE BEFORE THE
ATTACK WAS MADE WITH THE
INDIANS. THIS IS THE REASON HE
GAVE FOR BEING UPON THE
GROUND, THAT THEY WENT THERE
TO WATCH THIS TRAIN AGAINST
COMMITTING ANY DEPREDACTIONS
ON THE SETTLEMENTS AND THE
SETTLER;S; THAT HE AND THE SE
INDIANS WENT TO
WATCH THEM AND SEE THAT THEY
COMMITTED NO DEPREDACTIONS
UPON THE SETTLEMENTS. NOW,
GEMNTLEMEN, HOW MANY
SETTLEMENTS ARE THERE BEYOND
CLARA? HOW MANY BEYOND
CLARA? AND HOW WERE THEY IN
1857?? THERE IS PIOCHE, WHICH
AT THAT TIME, CONSISTED OF TWO
OR THREE FAMILIES. THAT ROAD
GOES OVER INTO THE MEADOWS;
BEYOND THAT IS A BLANK
WILDERNESS. HOW MANY
SETTLEMENTS WERE THERE DOWN
THERE TO BE PROTECTED? THIS
MUCH THEN, ON THE ADMISSION
OF JOHN D. LEE MADE
TO A RELIABLE WITNESS AND A
COMPETENT WITNESS.. MR.
HAMBLIN, AS HE TESTIFIES, THAT,
WHILE HE RESIDED WITHIN THREE
OR FOUR MILES OF THE GROUND, WAS
AT THE TIME IN SALT LAKE;
AND THE FIRST TIME HE HEARD OF
IT WAS ON HIS RETURN; HE MEETS
JOHN D. LEE AT CORN CREEK,
SOMETHING I LIKE A HUNDRED
MILES AWAY FROM THE SCENE OF
THE MASSACRE; AND THERE HE
MAKES THIS FULL, OPEN

IT WOULD BE BAD FOR THE
SETTLEMENTS THERE IS ANOTHER
STATEMENT WHICH HE MAKES TO
MR HAMBLIN AND THAT IS THAT HE
WENT DOWN BEFORE THE
ATTACK WAS MADE AND WITH THE
INDIANS THIS IS THE REASON HE
GIVES FOR BEING UPON THE
GROUND THAT THEY WENT THERE
TO WATCH THIS TRAIN AGAINST
COMMITTING ANY DEPREDACTIONS
TO THE SETTLERS [space] TRAIN HAD
MADE THREATS [space] AND HE
WITH THE INDIANS WENT TO
WATCH THEM TO SEE THAT THEY
COMMITTED NO DEPREDACTIONS
UPON THE SETTLEMENTS NOW
GENTLEMEN HOW MANY
SETTLEMENTS ARE THERE BEYOND
CEDAR HOW MANY BEYOND
CEDAR AND HOW WERE THEY
1857 [space] THERE IS PIOCHE WHICH
AT THAT TIME CONSISTED OF 2
OR 3 FAMILIES THE ROAD
GOES OVER INTO THE MEADOWS
BEYOND THAT IS A BLANK
WILDERNESS HOW MANY
SETTLEMENTS WERE THERE DOWN
THERE TO BE PROTECTED THIS
THEN ON THE ADMISSION
GENTLEMAN OF JOHN D. LEE MADE
TO A RELIABLE WITNESS AND A
COMPETENT WITNESS MR.
HAMBLIN AS HE TESTIFIES THAT
WHILE HE LIVES WITHIN 3
OR FOUR MILES OF THE GROUND
WAS AT SALT LAKE
AND FIRST HE HEARD OF
IT WAS ON HIS RETURN HE MEETS
JOHN D. LEE AT CORN CREEK
SOMETHING LIKE 100
MILES AWAY FROM THE SCENE OF
THE MASSACRE AND THERE HE
MAKES THIS FULL AND OPEN

BT

PS

CONFESSION. IS HE TO BE BELIEVED? DO YOU BELIEVE IF THESE THINGS DIDN'T OCCUR THAT JOHN D. LEE WOULD VOLUNTARILY ADMIT: THAT HE WAS ENGAGED IN SUCH A DAMNABLE TRANSACTION? NO, SIR, NO MAN WOULD ADMIT ^[27] THAT HE WAS A LEADER, OR EVEN WAS ENGAGED IN SUCH A TRANSACTION AS THAT, WILLINGLY. IT, THEN, BEING AN ADMISSION MADE BY JOHN D. LEE AND MADE TO MR. JACOB HAMBLIN, IS THE STRONGEST KIND OF PROOF AGAINST HIM. YOU DON'T DOUBT MR. HAMBLIN'S TESTIMONY, THAT JOHN D. LEE TOLD HIM, AND MADE THIS CONFESSION TO HIM.. IF THEY WERE NOT TRUE, WHY DID HE MAKE THEM; FOR THEY WERE TESTIMONY ~~STR~~ TESTI STRONG ENOUGH AND SUFFICIENT TO CONVICT HIM. NOW, GENTLEMEN, THIS IS ~~ANT~~ NOT ALL THAT HE TOLD MR. HAMBLIN. IT IS A THING WHICH I HAVE HEARD OF BEFORE; BUT NEVER COULD FIND OUT ANY RELIABLE PROOF OF IT, UNTIL I GOT IT FROM HIS OWN CONFESSION. YOU HEARD THE TESTIMONY ABOUT THE TWO YOUNG GIRLS THAT WERE BROUGHT IN BY THE INDIAN CHIEF; GIRLS WHO HAD ESCAPED FROM THE GENERAL SCENE OF THE MASSACRE TO THE TIMBER OR BRUSH SOME HUNDRED YARDS BEYOND, OR MORE, AND BROUGHT IN BY THE INDIAN CHIEF; FOR, INDIAN SAVAGE <THOUGH> ~~THAT~~ HE WAS, WANTED TO SAVE THEM ACCORDING TO THE DEFENDANTS OWN TESTIMONY,

CONFESSION IS HE TO BE BELIEVED DO YOU BELIEVE IF THESE THINGS DIDN'T OCCUR THAT JOHN D. LEE WOULD VOLUNTARILY ADMIT THAT HE WAS ENGAGED IN SUCH A ^{[[21]]} DAMNABLE TRANSACTION NO SIR NO MAN WOULD ADMIT THAT HE WAS A LEADER OR EVEN WAS ENGAGED IN SUCH A TRANSACTION AS THAT WILLINGLY IT BEING AN ADMISSION THEN MADE BY JOHN D. LEE AND MADE TO MR. JAKE HAMBLIN IS THE STRONGEST KIND OF PROOF AGAINST HIM YOU DON'T DOUBT MR. HAMBLIN'S TESTIMONY THAT JOHN D. LEE TOLD HIM AND MADE THIS CONFESSION TO HIM IF THAT WERE NOT TRUE WHY DID HE MAKE THEM FOR THEY WERE TESTIMONY SUFFICIENT TO CONVICT HIM ALONE. NOW GENTLEMEN THIS IS NOT ALL THAT HE TOLD MR. HAMBLIN IT IS A THING WHICH I HAVE HEARD OF BEFORE BUT NEVER COULD FIND ANY RELIABLE PROOF OF IT UNTIL I GOT IT FROM HIS OWN CONFESSION YOU HEARD THE TESTIMONY ABOUT THE TWO YOUNG GIRLS THAT WERE BROUGHT IN BY THE INDIAN CHIEF GIRLS WHO HAD ESCAPED FROM THE GENERAL SCENE OF THE MASSACRE TO THE TIMBER OR BRUSH BEYOND SOME HUNDRED YARDS MORE AND BROUGHT IN BY AN INDIAN CHIEF FOR INDIAN SAVAGE THOUGH HE WAS WANTED TO SAVE THEM ACCORDING TO THE DEFENDANTS OWN TESTIMONY

BT

PS

THAT IS, ACCORDING TO THE
ADMISSION THAT HE MADE TO MR.
JACOB HAMBLIN. THAT SAVAGE,
AS HE WAS, WANTED TO SAVE
THOSE INNOCENT GIRLS; BUT WHAT
WAS THE DEFENDANTS DECISION?
NO, THEY ARE TOO LARGE, THEY
ARE TOO BIG: WE WANT NO ONE
THAT CAN TELL TALES.. IF HE WAS
ENGAGED IN AN ACT OF MERCY, AS
HE TRIES TO MAKE YOU BELIEVE,
WOULD HE WANT TO SUPPRESS
TESTIMONY THAT WOULD SHOW
THAT HE WAS MERCIFUL? IF HE
WAS ENGAGED THERE
ENDEAVORING TO KEEP BACK THE
INDIANS, ;WOULD HE NOT WANT
SOME ONE TO SORT OF TELL OF
HIS MERCY? BUT NO, THESE
INNOCENT GIRLS MUST BE
SACRIFICED BECAUSE THEY ARE
TOO OLD, THEY CAN TELL TALES.
THEY PREHAPS COULD TELL WHO
FIRED THE FIRST GUN. THEY
COULD TELL WHO WAS THE
LEADER AT THE MASSACRE. THEY
COULD TELL BY WHAT PROMISES
THE MEN WERE INDUCED TO LAY
DOWN THEIR ARMES, AND THE
INNOCENT WOMEN AND
CHILDREN WERE LED OUT FROM
THEIR CAMP; BUT THAT KIND OF
MERCY THE DEFENDANT ^[28] DIDN'T
WANT TO BE TOLD. THEY WERE
MURDERED, THEN, IN COLD-BLOOD.
AND WHAT DOES MR. HAMBLIN
TELL YOU? AFTER HE RETURNED
FROM SALT LAKE HE TOLD IT TO
HIS INDIAN BOY; THAT THEY WENT
TO THE PLACE DESCRIBED **BY** MR.
LEE AND WHAT DID THEY FIND? HIS
TESTIMONY WAS THAT LEE CUT
THE THROAT OF ONE OF THOSE
GIRLS, AND THE INDIAN KILLED

THAT WAS ACCORDING TO THE
ADMISSION THAT HE MADE TO MR.
JAKE HAMBLIN THAT SAVAGE
AS HE WAS WANTED TO SAVE
THOSE INNOCENT GIRLS BUT WHAT
WAS THE DEFENDANT'S DECISION
NO THEY ARE TOO LARGE THEY
ARE TOO BIG WE WANT NO ONE
THAT CAN TELL TALES. IF HE WAS
ENGAGED IN AN ACT OF MERCY AS
HE TRIES TO MAKE YOU BELIEVE
WOULD HE WANT TO SUPPRESS
TESTIMONY THAT WOULD SHOW
THAT HE WAS MERCIFUL IF HE
WAS ENGAGED THERE
ENDEAVORING TO KEEP BACK THE
INDIANS WOULD HE NOT WANT
SOME ONE TO *SWEAR*[?] TO TELL OF
HIS MERCY [*space*] BUT NO THESE
INNOCENT GIRLS MUST BE
SACRIFICED BECAUSE THEY ARE
TOO OLD THEY CAN TELL TALES
[*space*] THEY PERHAPS COULD TELL
WHO FIRED THE FIRST GUN THEY
COULD TELL WHO WAS THE
LEADER OF THAT MASSACRE THEY
COULD TELL BY WHAT PROMISES
THE MEN WERE INDUCED TO LAY
DOWN THEIR ARMS AND THE
INNOCENT WOMEN ^[22] AND
CHILDREN WERE LED OUT FROM
THEIR CAMP BUT THAT KIND OF
MERCY THE DEFENDANT DIDN'T
WANT TO BE TOLD THEY WERE
MURDERED THEN IN COLD-BLOOD
AND WHAT DOES MR. HAMBLIN
TELL YOU AFTER HE RETURNED
FROM SALT LAKE HE TOLD IT TO
HIS INDIAN BOY THEY WENT
TO THE PLACE DESCRIBED BY MR.
LEE AND WHAT DO THEY FIND HIS
TESTIMONY WAS THAT HE CUT
THE THROAT OF ONE OF THOSE
GIRLS AND THE INDIAN KILLED

BT

PS

THE OTHER. HE FINDS A VERIFICATION OF EVERYTHING THAT JOHN D. LEE TOLD HIM; HE FINDS THERE THE BODIES OF THOSE YOUNG GIRLS LYING IN THE BRUSH, THERE ON THE MOUNTAIN SIDE WITH THEIR THROATS CUT. IS NOT THAT, GENTLEMEN, A MOST TERRIBLE CONFIRMATION OF THE TRUTH OF HIS STATEMENTS; WHEN HE POINTS TO THE PLACE, TELLS THEM OF THE SLANT WHERE THEY WILL FIND THE REMAINS OF HIS VICTIMS, AND THEN THEY GO AND FIND THEM? WHAT MORE DO YOU WANT?

ADMITTING THAT HE WAS UNDER COMPULSION TO ATTACK THE MAIN BODY OF THE EMIGRANTS; AND EVEN THAT SAVAGES PLANNED THEIR DESTRUCTION; FROM HIS OWN STATEMENT, HE COULD HAVE SAVED THOSE GIRLS; BUT THAT IN COLD BLOOD HE CUTS THEIR THROATS. WHERE WAS THE COMPULSION THERE? IF THAT SAVAGE, IF THAT INDIAN DESIRED TO SAVE THEM, COULD NOT JOHN D. LEE HAVE CONCEALED THEM AND SAVED THEM IF HE DESIRED TO? IF HE WAS THERE ON AN ACT OF MERCY COULD HE NOT HAVE SHOWN IT BY SPARING THOSE INNOCENT CHILDREN? DID HE DO IT? NO SIR; HE WAS SIMPLY CARRYING OUT THE DEPLORABLE PLAN WHICH HE STARTED IN WITH. HIS THIRST FOR BLOOD WAS RAISED AND NOTHING BUT BLOOD WOULD SATISFY HIS BLOODY NATURE. THE LAST ONE WHO

THE OTHER [space] HE FINDS A VERIFICATION OF EVERYTHING WHICH JOHN D. LEE HAS TOLD HIM HE FINDS THERE THE BODIES OF THOSE YOUNG GIRLS LYING IN THE BRUSH THERE ON THE MOUNTAIN SIDE WITH THEIR THROATS CUT AND IS NOT THAT GENTLEMEN A MOST TERRIBLE CONFIRMATION OF THE TRUTH OF HIS STATEMENTS [space] WHEN HE POINTS TO THE PLACE AND TELLS THEM OF THE MOUNT/SLANT[?] WHERE THEY WILL FIND THE REMAINS OF HIS VICTIMS AND THEN THEY GO AND FIND THEM WHAT MORE PROOF DO YOU WANT AND MIND YOU GENTLEMEN ~~WAS THERE A/AND[?]~~ ~ ADMIT IF YOU CAN THAT THERE WAS NO CONFESSION AS TO THE ATTACK AND THE MURDER OF THE MAIN BODY OF THE EMIGRANTS IF THE SAVAGE WRATH HAD BEEN ALLOWED HERE IS THE TESTIMONY IF THIS HAD OCCURRED THESE TWO INNOCENT GIRLS AND YET IN COLD BLOOD HE CUTS THEIR THROATS WHERE WAS THE COMPULSION THERE IF THAT SAVAGE IF THAT INDIAN DESIRED TO SAVE THEM COULD NOT JOHN D. LEE HAVE CONCEALED THEM AND SAVED THEM IF HE DESIRED TO [space] IF HE WAS THERE ON AN ACT OF MERCY COULD HE NOT HAVE SHOWN IT BY CONCEALING THOSE INNOCENT CHILDREN [space] DID HE DO IT NO SIR HE WAS SIMPLY CARRYING OUT THE DIABOLICAL PLAN WHICH HE STARTED IN WITH HIS THIRST FOR BLOOD WAS RAISED AND NOTHING BUT BLOOD WOULD SATISFY HIS BLOODY NATURE ^{[[23]]} THE LAST ONE THAT

BT

PS

COULD TELL OF THOSE SISNS AND
HORROR MUST BE MURDERED;
AND HE WAS THE MAN WHO KILLED
THE FIRST AND KILLED THE LAST.
GENTLEMEN, I DON'T CARE
TO DWELL UPON THIS ANY LONGER.
THE TESTIMONY IS ALL
BEFORE YOU. IT IS PLAIN; THERE IS
NO DEROGATION IN IT FROM ONE
END TO THE OTHER. IT IS RELIABLE
BECAUSE IT IS TESTIMONY,
MOST OF WHICH COMES FROM
THE MOUTH OF THE DEFENDANT
HIMSELF. IT IS NECESSARY FOR
YOU TO SAY, GENTLEMEN WHAT
SHALL BE THE PUNISHMENT. ^[29] IF
YOU FIND THAT HE WAS THERE AS
STATED BY THE WITNESSES, YOUR
VERDICT CAN BE BUT ONE THING. I
TRUST THEN, GENTLEMEN, OF THE
JURY, THAT YOU WILL TAKE THIS
TESTIMONY AS IT IS GIVEN IN; THAT
YOU WILL CONSIDER IT
CAREFULLY; AND IF YOU FIND
THE DEFENDANT HAS BEEN
GUILTY OF ONE TENTH PART OF
WHAT IT HAS SHOWN HERE,
SAY BY YOUR
VERDICT THAT HE IS GUILTY. ^[Bk 3 1]
**2ND LEE TRIAL 3) (BOOK 3.) JUDGE
FORSTERS ADDRESS TO THE JURY.
(FOLLOWING MR DENNY)**
MAY IT PLEASE YOUR HONOR
AND GENTLEMEN OF THE JURY,
IN THE BEGINNING IT WAS NOT
MY INTENTION TO ADDRESS
THIS JURY, OR TO DO MORE THAN
SIMPLY TO ASSIST IN THE
PREPARATION, OR ASSIST IN
PRESENTING THE CASE. MY
ASSOCIATES HAVE SEEN FIT,
HOWEVER, TO ASSIGN ME THE

COULD TELL OF THOSE SCENES OF
HORROR MUST BE MURDERED
AND HE WAS THE MAN WHO KILLED
THE FIRST AND KILLED THE LAST
[space] GENTLEMEN I DON'T CARE
TO DWELL UPON THIS LONGER AND
THE TESTIMONY IS ALL NOW
BEFORE YOU IT IS PLAIN THERE IS
NO DEROGATION IN IT FROM ONE
END TO THE OTHER IT IS RELIABLE
BECAUSE IT IS THE TESTIMONY
MOST OF IT WHICH COMES FROM
THE MOUTH OF THE DEFENDANT
HIMSELF IT IS UNNECESSARY FOR
ME TO SAY GENTLEMEN WHAT
SHOULD BE THE PUNISHMENT IF
YOU FIND THAT HE WAS THERE AS
STATED BY THE WITNESSES YOUR
VERDICT CAN BE BUT ONE THING I
TRUST THEN GENTLEMEN OF THE
JURY THAT YOU WILL TAKE THIS
TESTIMONY AS IT IS GIVEN IN THAT
YOU WILL CONSIDER IT
CAREFULLY AND IF YOU FIND THAT
THE DEFENDANT THERE HAS BEEN
GUILTY OF ONE TENTH PART OF
WHAT IT HAS SHOWN HERE THAT
HE WAS AND SAY BY YOUR
VERDICT THAT HE IS GUILTY. [space]
~~TRANSCRIBED~~⁷³⁴ **JUDGE
FOSTER FOR DEFT**

MAY IT PLEASE OUR HONOR
AND GENTLEMEN OF THE JURY
[space] IN THE BEGINNING IT WAS
NOT MY INTENTION TO ADDRESS
THIS JURY OR TO DO MORE THAN
SIMPLY TO ASSIST IN THE
PREPARATION AND ASSIST IN
PRESENTING THE CASE MY
ASSOCIATES HAVE SEEN FIT
HOWEVER TO ASSIGN ME THE

734 “TRANSCRIBED” in Rogerson’s longhand in the left margin and above “FOR” in first line.

BT

PS

POSSITION OF OPENING THE CASE.
IN DOING SO I SHALL ATTEMPT TO
DO SO AS BRIEFLY AS POSSIBLE;
AND PRESENT THE POINTS AS
CLEARLY AS I KNOW HOW. IN THE
FIRST PLACE, GENTLEMEN OF THE
JURY, YOU ARE CALLED UPON TO
DETERMINE THE CASE. THIS IS THE
MOST REMARKABLE CASE THAT
EVER HAS OCCURRED IN THE
ANNALS OF THE TERRITORY.
IT IS REMARKABLE, BECAUSE
ONE HUNDRED AND ODD MEN,
WOMEN AND CHILDREN WERE
KILLED. IT IS REMARKABLE
BECAUSE IT HAS LAID THIS
LONG WITHOUT BEING
INVESTIGATED. 19 LONG YEARS
HAVE PASSED, GENTLEMEN, SINCE
THIS THING HAS OCCURRED; AND
FOR THE FIRST IN ALL THESE YEARS
LONG YEARS, HAVE COME
WITNESSES TO TESTIFY IN THIS
CASE.

GENTLEMEN OF THE
JURY, ANOTHER THING
REMARKABLE ABOUT IT, EVERY
ONE OF THESE WITNESSES WHO
HAVE BEEN BEFORE YOU HAVE
TOLD YOU THAT THEY HAVE
NEVER SPOKEN OF THIS CASE, AND
THAT THEY HAVE NEVER TOLD
ANYONE UNTIL LATELY, UNTIL THE
COMMENCEMENT OF THIS TRIAL,
WHAT THEY KNEW ABOUT IT.

THEIR MOUTHS HAVE
BEEN SEALED FOR 19 YEARS
PAST. AND THEN, GENTLEMEN,
ANOTHER THING THAT IS
REMARKABLE, IS THE FACT THAT
THESE WITNESSES HAVE TESTIFIED
TO CONVERSATIONS THAT

POSITION OF OPENING THE CASE
IN DOING SO I SHALL ATTEMPT TO
DO SO AS BRIEFLY AS POSSIBLE
PRESENT THE POINTS AS
CLEARLY AS I KNOW HOW IN THE
FIRST PLACE GENTLEMEN OF THE
JURY YOU ARE CALLED UPON TO
DETERMINE THE CASE. THIS IS THE
MOST REMARKABLE CASE THAT
EVER HAS OCCURRED IN THE
ANNALS OF *JURISPRUDENCE*[?]
[space] IT IS REMARKABLE BECAUSE
100 AND ODD MEN
WOMEN AND CHILDREN WERE
KILLED. IT IS REMARKABLE
BECAUSE IT HAS LAID THIS
LONG WITHOUT BEING ^{[[24]]}
INVESTIGATED 19 LONG YEARS
HAVE PASSED GENTLEMEN SINCE
THIS THING HAS OCCURRED AND
FOR THE FIRST IN ALL THESE
LONG YEARS HAVE COME
WITNESSES WHO TESTIFY IN THIS
CASE OTHER THAN THOSE WHO
WERE *PROUD/PRT/PRD*[?]
INFORMANTS GENTLEMEN OF THE
JURY ANOTHER THING
REMARKABLE ABOUT IT EVERY
ONE OF THESE WITNESSES WHO
HAVE BEEN BEFORE YOU HAVE
TOLD YOU THAT THEY HAVE
NEVER SPOKEN OF THIS CASE
THAT THEY HAVE NEVER TOLD
ANYONE UNTIL LATELY UNTIL THE
COMMENCEMENT OF THIS TRIAL
WHAT THEY KNEW ABOUT IT OR
WHAT THEY DID NOT KNOW ABOUT
IT THEIR MOUTHS ~~WERE~~ HAVE
BEEN SEALED FOR 19 YEARS AND
PAST AND THEN GENTLEMEN
ANOTHER THING THAT IS
REMARKABLE IS THE FACT THAT
THESE WITNESSES HAVE TESTIFIED
TO CONVERSATION THAT

BT

PS

OCCURRED 19 YEARS AGO~~49~~ —19 YEARS AGO, GENTLEMEN!! WHO OF YOU, ~~GENTLEMEN~~ IN THAT ~~THAT~~ BOX ~~X~~CAN REMEMBER ANY ONE CONVERSATION, EVEN TO GIVE THE SUBSTANCE OF IT, . TH~~Z~~AT OCCURRED THAT LENG~~T~~H OF TIME AGO. CAN ANY ONE OF YOU, GENTLEMEN, UPON A MOST IMPORTANT SUBJECT, UPON SOMETHING THAT CONSERNEG OYURSELVES MORE THAN ANYTHING ELSE, CAN ~~O~~YOU, REMEMBER THE SUBSTANCE OF ~~THE~~ A CONVERSATION THAT OCCURRED SIX MONTHS AGO. ^[2] A GENTLEMEN IN HERE REFUSED TO TELL A CONVERSATION BECAUSE HE SAID IT WAS IMPOSSIBLE FOR HIM EVEN TO TELL ~~THE~~ SUBSTANCE WHAT HE RECO~~L~~LECTED ABOUT IT, OR THE SUBSTANCE OF IT. IT HA~~E~~D BEEN TOO LONG— BY IT HE LOST HIS ESTATE. GENTLEMEN OF THE JURY, THERRE’S ANOTHER CASE THING THAT IS PECULIAR ~~Z~~ABOUT THIS CASE; EVERY ONE OF THESE WITNESSES, WITH THE EXCEPTION OF ONE, WERE PRESENT. EVERY **ONE** OF THESE WITNESSES WITH THE EXCEPTION OF THAT ONE HAS REFUSED,—HAS REFUSED TO TELL THE WHO~~L~~E TRUTH— SAID THEY DIDN’T REMEMBER EVERYTHING, AND SOME OF THEM DECLINED TO ANSWER. GENTLEMEN THIS IS A REMARKABLE THING. I MUST TELL YOU, GENTLEMEN, WHENEVER IT COMES DOWN TO A THING OF TH~~Z~~AT CHARA~~F~~CTER, WHENEVER ~~O~~ YOU FIND A WITNESS THAT~~B~~ TELLS YOU PART ~~O~~AND HAS

OCCURRED 19 YEARS AGO 19 YEARS AGO GENTLEMEN WHO OF YOU ~~UPON THAT~~ IN THAT BOX CAN REMEMBER ANY ONE CONVERSATION EVEN TO GIVE THE SUBSTANCE OF IT THAT OCCURRED THAT LENGTH OF TIME AGO CAN ANY ONE OF YOU GENTLEMEN UPON A MOST IMPORTANT SUBJECT UPON SOMETHING THAT CONCERNED YOURSELVES MORE THAN ANYTHING ELSE CAN YOU REMEMBER THE SUBSTANCE OF A CONVERSATION [*space*] I RECALL OF ABOUT 6 MONTHS AGO A GENTLEMEN IN HERE *WHO*[?] REFUSED TO TELL A CONVERSATION BECAUSE HE SAID IT WAS IMPOSSIBLE FOR HIM EVEN TO TELL WHAT HE RECOLLECTED OF IT OR THE SUBSTANCE OF IT IT HAD BEEN TOO LONG BY IT HE LOST HIS ESTATE [*space*] GENTLEMEN OF THE JURY THERE IS ANOTHER THING THAT IS PECULIAR ABOUT THIS CASE [*space*] EVERY ONE OF THESE WITNESSES WITH THE EXCEPTION OF ONE WERE PRESENT EVERY ONE OF THESE WITNESSES WITH THE EXCEPTION OF THAT ONE HAS REFUSED TO TELL THE WHOLE TRUTH SAID THEY DIDN’T TELL EVERYTHING AND SOME OF THEM DECLINED TO ANSWER GENTLEMEN THIS IS A REMARKABLE THING I WILL TELL YOU GENTLEMEN OF THE JURY WHENEVER IT COMES DOWN TO A THING OF THAT CHARACTER WHENEVER YOU FIND A WITNESS THAT TELLS YOU HE HAS

BT

PS

NOT TOLD YOU THE WHOLE TRUTH,—AND DECLINES TO TELL YOU THE BALANCE,—IT LOOKS SUSPICIOUS, AND ~~TH~~THERE IS DOUBT UPON HIS TESTIMONY.

~~IF~~ IF A MAN TELLS YOU THAT THAT ~~N~~HE HAS A HORSE OF A CERTTAIN CHARACTER, BUT REFUSED TO TELL YOU ALL OF THE D4EFFECTS OF THAT HORSE, WHY, A JUDGMNET COULD BE OBTAINED AGAINST MIM FOR SWINDELING OR MISREPRESENTING. ~~N~~YET, GENTLEMEN OF THE JURY, WE FIND THAT IN EVERY INSTANCE, WITH THE EXCEPHTIN OF HAMBLIN. I TELL YOU THAT MY EXPERIENCE OF THE L~~Z~~AW LAYS IT DOWN AS A ~~F~~ACT PROPOSITION THAT WHERE A MAN UNDE~~T~~RTAKES TO TELL WHAT OCCURRED, IT IS THE WEAKEST KIND OF TE~~W~~STIMONY UNLESS IT IS PERFECTLY NARRATED AND SUBSTANTIATED. THEN IT MAY BECOME STRONG. A RULE LAID DOWN IN GREENLEAF, SECTION~~Q00~~-200, GOE~~WS~~ 6TO THIS EFFECT: THAT WHERE VERBAL TESTIMONY IS GIVEN OF ANY

CONVERSATION ~~T~~THAT THAT OCCURRED, A JURY MUST TAKE IT WITH THE GREATEST OF CAUTION UNLESS THEY ARE PERFECTLY SATISFIED

~~T~~BEYOND ANY DOUBT THAT~~B~~ THE

NOT TOLD YOU THE WHOLE TRUTH AND DECLINES TO TELL YOU THE BALANCE IT LOOKS ^{[[25]]} SUSPICIOUS AND THROWS DOUBT UPON HIS TESTIMONY SUPPOSE IT WAS IN THE MOST TERRIBLE TRANSACTION ANY COULD *REFER*[?] IF A MAN TELLS YOU THAT THAT HE HAS A HORSE OF A CERTAIN CHARACTER BUT REFUSES TO TELL YOU ALL OF THE DEFECTS OF THAT HORSE WHY A JUDGMENT COULD BE OBTAINED AGAINST HIM FOR SWINDLING OR MISREPRESENTING YET GENTLEMEN OF THE JURY WE FIND THAT IN EVERY WITNESS WITH THE EXCEPTION OF HAMBLIN. I TELL YOU GENTLEMEN THAT MY EXPERIENCE OF THE LAW LAYS IT DOWN AS A PROPOSITION THAT WHERE A MAN UNDERTAKES TO TELL WHAT OCCURRED IT IS THE WEAKEST KIND OF TESTIMONY UNLESS IT IS RECENTLY RELATED PERFECTLY NARRATED AND SUBSTANTIATED THEN IT MAY BECOME STRONG A RULE LAID DOWN IN GREENLEAF IN SECTION 200 GOES TO THIS EFFECT THAT WHERE VERBAL TESTIMONY IS GIVEN ABOUT ANY ~~TRANSACTION THAT OCCURRED~~ CONVERSATION THAT OCCURRED A JURY MUST TAKE IT WITH THE GREATEST OF CAUTION UNLESS THEY ARE PERFECTLY SATISFIED THAT THE WITNESS HAD NO INTEREST IN ENRICHING THESE FACTS AND UNLESS JURY IS⁷³⁵ SATISFIED BEYOND ANY DOUBT ~~IF~~ ~~THEY DOUBT~~ THAT THE

735. Word in the left margin.

BT

PS

<p>CONVERSATION WAS PERFECTLY NARRATED AND THE WHOLE TRUTH TOLD. THEN, WHAT BECOMES OF THE TESTIMONY OF MANY OF THESE WITNESSES? WHAT BECOMES OF THE TESTIMONY OF ^[3] MORRILL, OF HASLAM, OF WHITE AND PARTICULARLY HAMBLIN? NOW, GENTLEMEN OF THE JURY, I DON'T WISH, NOR DO I DESIRE TO SAY THAT THESE WITNESSES WOULD WILLINGLY TELL THEM COME BEFORE YOU AND TESTIFY TO A THING THAT THEY DIDN'T BELIEVE, NOR, A THING THAT THEY DIDN'T IMPRESS UPON THEIR MINDS; BUT THE LENGTH OF TIME BETWEEN THE COLLATION OR STATEMENT, AND THE COLLATION IN COURT, MAY HAVE MADE THEM FORGET MANY OF THE MOST IMPORTANT FACTS THAT WERE COLLATED TO THEM. IN THIS I REFER PARTICULARLY TO HAMBLIN, AND OTHERS, GENTLEMEN OF THE JURY, THAT WERE PRESENT— THAT WERE THERE—WERE THEY THAT WERE THERE SHOWN THAT THEY REFUSED TO TELL THE TRUTH WHO WAS PRESENT WITH THEM? THEY REFUSED TO TELL EVERYTHING THAT THEY REALLY HEARD OR SAW, EXCEPT THE FACT THAT JOHN D. LEE WAS THERE AND THAT HE TOOK CERTAIN PARTS. NOW, AFTER THESE OPENING REMARKS I WILL TURN TO THE DOCUMENTARY EVIDENCE WHICH HAS BEEN INTRODUCED. IN THE FIRST PLACE I WILL READ</p>	<p>CONVERSATION WAS PERFECTLY NARRATED AND THE WHOLE TRUTH TOLD <i>[space]</i> THEN CONNECTED <i>WITH[?]</i> THIS TESTIMONY WHAT BECOMES OF THE TESTIMONY OF MANY OF THESE WITNESSES WHAT BECOMES OF THE TESTIMONY OF MORRILL OF HASLAM OF WHITE AND PARTICULARLY OF HAMBLIN NOW GENTLEMEN I DON'T WISH NOR DO I DESIRE TO SAY THAT THESE GENTLEMEN WOULD WILLFULLY COME BEFORE YOU AND TESTIFY TO A THING THAT THEY DON'T BELIEVE. NOR A THING THAT THEY HADN'T IMPRESSED UPON THEIR MIND BUT THE LENGTH OF TIME THAT THIS IS BETWEEN THE NARRATION OF STATEMENT AND THE NARRATION IN COURT MAY HAVE MADE THEM FORGET MANY OF THE MOST IMPORTANT FACTS THAT WERE NARRATED TO THEM IN THIS I REFER PARTICULARLY TO HAMBLIN. THE OTHERS GENTLEMEN OF THE JURY WERE PRESENT THEY WERE THERE WITH THEM THEY WERE THERE <i>GENTLEMEN/SHOWN[?]</i> THAT THEY ^{[[26]]} THEY REFUSED TO TELL WHO WAS PRESENT WITH THEM. THEY REFUSED TO TELL EVERYTHING THAT REALLY IMPORTANT EXCEPT THE FACTS THAT JOHN D. LEE WAS THERE AND THAT HE TOOK CERTAIN PARTS <i>[space]</i> NOW, IN THESE AFTER THESE OPENING REMARKS I WILL RETURN TO THE DOCUMENTARY EVIDENCE WHICH HAS BEEN INTRODUCED. IN THE FIRST PLACE I WILL READ</p>
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BT

PS

<p>YOU² THAT</p> <p>LETTER FROM SALT LAKE CITY, SEPTEMBER 14TH, TO COLONEL WILLIAM H, DAME FROM BRIGHAM YOUNG AND AND DANIEL H. WELLS. GREAT SALE LAKE CITY, SEPT. 14TH, 1857. COL. WILLIAM H. DAME, PAROWAN, IRON COUNTY: HERewith</p> <p>YOU YOU WILL RECEIVE THE GIOVERNORS PROCLAMATION DECLARING MARTIAL LAW. YOU WILL PROBABLY NOT BE CALLED ON THIS FALL, BUT ARE REQUESTED TO CONTINUE TO MAKE READY FOR A BIG FIGHT ANOTHER YEEAR. THE PLAN OF OPPERATION IS SUPPOSED TO BE ABOUT THIS: IN CASE THE UNITED STZATES GOVERNMENT SHOULD SEND OUT AN OVERPOWERING FORCE, WE INTEND TO DESOLSTE THE TERRITIORY, AND CONSEAL OUR FAMILIES, STOCK AND ALL OF OUTR EFFECTS IN THE FASTNESS OF THE MOUNTAINS WHERE THEY WILL BE SAFE, WHILE THE MEN WAYLAY OUT ENEMIES, ATTACK THEM FROM AMBUSH, STAMPEDE THEIR ANIMALS, ^[4] TAKE THE SUPPLY TRAINS, CUT OFF DETACHMENTS AND PARTIES SENT OUT TO THE CANYONS FOR WOOD, OR ON OTHER SERVICE. TO LAY WASTE EVERYTHING THAT WILL BURN— HOUSES FIELDS, FENCES, TREEAS, FIELDS AND GRASS, SO THAT THEY CZANNOT FIND A PARTICLE OF ANYTHING THAT WILL BE OF USE TO THEM, NOT EVEN STICKS TO MAKE A FIRE TO COOK THEIR SUPPLIES. TO WAIST AWAY OUR ENEMIES AND LOOSE NOENE; THAT</p>	<p><i>YOU FL/FILE/FULLY[?] AS SEEN[?] UNDER/GOVERNOR[?] CONTENT OF LETTER. FROM SALT LAKE CITY SEPTEMBER 14 TO COLONEL WILLIAM H DAME FROM ~ HERewith [space] GREAT SALT LAKE CITY SEPT. 14, 1857 COL. WILLIAM H DAME PAROWAN IRON COUNTY [space] HERewith</i></p> <p><i>YOU WILL RECEIVE THE GOVERNORS PROCLAMATION DECLARING MARTIAL LAW YOU WILL PROBABLY. [space]</i></p> <p><i>ENEMIES” [space]</i></p>
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BT

PS

WILL BE OUR MODE OF WARFARE. THUS YOU SEE THE NECESSITY OF PREPARING, FIRST;—SECURE PLACES IN THE MOUNTAINS WHERE THEY CANNOT FIND US, AND THEN PREPARE FOR OUR FAMILIES, BUILDING SOME CABBINS, CACHING FLOUR AND GRAIN. FLOUR SHOULD BE GROUND IN THE LATTER PART OF THE WINTER, OR EARLY IN THE SPRING TO KEEP. SOW GRAIN IN YOUR FIELDS AS EARLY AS POSSIBLE THIS FALL, SO THE HARVEST OF ANOTHER YEAR MAY COME OFF BEFORE THEY HAVE TIME TO GET HERE. CONCILIATE THE INDIANS AND MAKE THEM ~~ØY~~OUR FAST ~~FAST~~ FRIENDXS. IN REGARD TO LETTING THE PEOPLE PASS AND REPASS, OR TRAVEL TFHROUGH THE TERRITORY, THIS APPLIES TO ALL STRANGERS AND SUSPECTED ~~PARTIES~~ PERSONS. YOURSELF AND BROTHER ISAAAC C. HAIGHT, IN ~~ØU~~ YOUR DISTRICT, ARE AUTHORIZED TO GIVE SUCH PERMITS. EXAMINE ALL SUCH PERSONS BEFORE GIVING TO THEM PERMITS TO PASS. KEEP THINGS PERFECTLY QUIET, AND LET ALL THINGS BE DONE **PEACEFULLY** ~~PERFACECTLY~~, BUT WITH FIRMNESS, AND LET THERE BE NO EXCITEMENT. LET THE PEOPLE BE UNITED IN THEIR FEELINGS AND FAITH, AS WELL AS WORKS, AND KEEP ALIVE THE SPIRIT ~~ØF~~ THE REFORMATION. AND WHAT WE SAID IN REGARD TO ~~THE REFER~~-SAVING THE GRAIN AND PROVISIONS WE SAY AGAIN, LET THERE BE NO WASTE. SAVE LIFE ALWAYS WHEN IT IS POSSIBLE. WE DO NOT WISH TO SHED A DROP OF BLOOD IF IT CAN

BT

PS

BE AVOIDESD. THIS COURSE WILL
GIVE US GREAT INFLUENCE
ABROAD. BRIGHAM YOUNG. DANIEL
H. WELLS. ^[5] NOW, MARK YOU ,
GENTLEMEN, YOU ARE REQUIRED
TO ~~MAK~~ CONTINUE TO MAKE
READY FOR A BIG> FIGHT. THEN,
NGENTLEMEN, WHAT MUST WE
CONCLUDE FROM THAT, THAT THEY
HAD BEEN REQUIRED TO MAKE
READY FOR A BIG FIGHT,
EEVEN BEFORE THE 14TH
DAY OF SEPTEMBER, 1887. THEN
WHAT COMES NEXT; THAT THEY
SHALL
PUT AWAY THE
NECESSARY PROVISIONS AND
~~CONSULT~~ **CONSEAL** THEM AND
THEIR FAMILIES AND STOCK AND
ALL OF THEIR EFFECTS IN THE
FASTNESS OF THE MOUNTAINS;
WHILE THE MEN WAYLAY OUR
ENEMIES. NOW, GENTLEMEN OF THE
JURY, IT - IS PLAINLY SHOWN HERE
THAT JOHN D. LEE WAS AN OFFICER
~~OF~~ IN THE MILITARY; THAT HE WAS
A MAJOR IN THIS MILITARY
ARRANGEMENT; & **THIS LETTER**
WAS FOR THEM TO ~~BE~~ USED HERE IS
A PART OF THEIR INSTRUCTIONS,
HERE IS A PART OF THE PALAN OF
DEFENSE, IN MILIA6TARY
LANGUAGE.
I AM NOT ASKING THIS TO
~~THROUGH~~ **THROW** THE BLAME
UPON ANY ~~MILITARY~~
ASSOCIATION— UPON ANY
RELIGIOUS ASSOCIATION OR
ANY ~~RELIGIOUS~~ **MILITARY**
ASSOCIATION. I AM SIMPLY DOING
IT-, AND INTEND TO FOLLOW IT UP
BY SHOWING TO ~~OYU~~ **YOU** BY

NOW MARK YOU,
GENTLEMEN YOU ARE REQUIRED
TO CONTINUE TO MAKE
READY FOR A BIG FIGHT THEN
GENTLEMEN WHAT MUST WE
CONCLUDE FROM THAT THAT THEY
HAD BEEN REQUIRED AND TO
PREPARE FOR A BIG FIGHT THAT
THIS WAS DONE BEFORE THE 14TH
DAY OF SEPTEMBER 1857. THEN
WHAT COMES NEXT THAT THEY
SHALL ~~CONCEAL PROVIDE FOR THE~~
~~NECESSARY~~ PUT AWAY THE
NECESSARY PROVISIONS TO
CONCEAL THEM AND
THEIR FAMILIES AND STOCK AND
ALL OF *OURS/RS*[?] EFFECTS IN THE
FASTNESS OF THE MOUNTAINS;
WHILE THE MEN WAYLAY OUR
ENEMIES. NOW GENTLEMEN OF THE
JURY IT HAS BEEN SHOWN HERE
THAT JOHN D. LEE WAS AN OFFICER
IN THE MILITARY THAT HE WAS
A MAJOR IN THIS MILITARY
ARRANGEMENT IF THAT BE SO
THEN HERE IS
A PART OF THE INSTRUCTIONS
HERE IS A PART OF THE PLAN OF
DEFENSE ~ (IN MILITARY
LANGUAGE AT THAT TIME ~) [*space*]
I AM NOT ARGUING THIS TO
THROW THE BLAME
UPON ANY
ASSOCIATION UPON ANY
RELIGIOUS ASSOCIATION ^{[[27]]} OR
ANY OTHER MILITARY
ASSOCIATION I AM SIMPLY DOING
IT AND INTEND TO FOLLOW THIS UP
BY SHOWING TO YOU BY

BT

PS

THE FACT THAT AT THAT TIME THE TERRITORY WAS UNDER A PERFECT STATE OF EXCITEMENT , **THAT** WE MAY EXPECT THAT — IN FACT EVERYTHING SHOWN BY THESE LETTERS, EVERYTHING SHOWN SO FAR ON THE PART OF THE PROSECUTION, SHOWS THAT ~~AT THAT TIME~~ THIS PEOPLE AT THAT TIME LIVED IN A FEAR; AND THEN I WILL EXPLAIN WHAT MR. HAMBLIN TESTIFIED TO IN REFERENCE TO LEE. I DON'T WISH YOU TO UNDERSTAND ME FROM WHAT I MAY STATE THAT I AM MAKING ANY ATTACK ON ANY ONE. I AM SIMPLY TRYING TO SHOW, AND WILL SHOW BY THESE PAPERS THAT JOHN D. LEE AND OTHERS LABORED AT ~~THAT~~ THAT TIME UNDER AN EXTREME EXCITEMENT. I WILL READ THIS THROUGH. [REDA] NOW, THIS IS A PART OF THE EVIDENCE AND I READ IT FOR THE SAME PURPOSE TO SHOW **THE** STATE OF EXCITEMENT THAT EXISTED. . NOW, THEN, GENTLEMEN OF THE JURY, THIS IS A PART OF THEIR TESTIMONY THEY PUT IN. NOW WE DISPUTE ALL THESE THINGS AS A MATTER OF COURSE. WE SAY THAT IN THIS MATTER, THAT JOHN D. LEE, ACCORDING TO THE TESTIMONY BEFORE YOU, IN THE FIRST PLACE, WAS ^[6] ~~WAS~~ SENT OUT TO WATCH THOSE PARTIES, SO THAT THERE MIGHT BE ~~NO~~ OUT-LYING SETTLEMENTS LEVIED UPON OR LAID WASTE. THIS IS THE TESTIMONY. THIS IS THE FACT OF THE MATTER, THAT HE WAS SENT

THE FACT THAT AT THAT TIME THE TERRITORY WAS UNDER A⁷³⁶ PERFECT STATE OF EXCITEMENT [space] WE MAY EXPECT THAT IN FACT EVERYTHING SHOWN BY THESE LETTERS EVERYTHING SHOWN SO FAR ON THE PART OF THE PROSECUTION SHOWS THAT THIS PEOPLE AT THAT TIME LIVED IN FEAR AND THEN I WILL EXPLAIN WHAT MR. HAMBLIN TESTIFIED TO IN REFERENCE TO LEE. I DON'T WISH YOU TO UNDERSTAND I MAY STATE ESTABLISHED PRINCIPLE THAT I AM MAKING ANY ATTACK ON ANY ONE I AM SIMPLY TRYING TO SHOW AND WILL SHOW BY THESE PAPERS THAT JOHN D. LEE AND OTHERS LABORED AT THAT TIME UNDER AN EXTREME EXCITEMENT. I WILL READ THIS THROUGH.” [space] NOW THIS IS A PART OF THE EVIDENCE BUT I READ IT FOR THE SAME PURPOSE OF SHOWING STATE OF EXCITEMENT THAT EXISTED” [space] NOW THEN GENTLEMEN OF THE JURY THIS IS A PART OF THEIR TESTIMONY THEY PUT IN. NOW WE DISPUTE ALL THESE THINGS AS A MATTER OF COURSE. WE SAY THAT IN THIS MATTER THAT JOHN D. LEE ACCORDING TO THE TESTIMONY BEFORE YOU, IN THE FIRST PLACE WAS SENT OUT TO WATCH THOSE PARTIES SO THAT THERE MIGHT BE NO OUT-LYING SETTLEMENTS ~~UPON~~ UPON OR LAID WASTE. THIS IS THE TESTIMONY. THIS IS THE FACT OF THE MATTER, THAT HE WAS SENT

736. “UNDER A” was apparently added later.

BT

PS

OUT WITH THESE INDIANS FOR THAT PURPOSE. HAVIN~~FG~~ GONE OUT HE LOSES CONTROL OF THOSE IN~~ED~~DIANS, AND THAT CONTROL BEING GONE HE WAS ~~POUR~~**POWERLESS** AS A CHILD. WHAT BECOMES OF THE STATEMENT OF HAMBLIN UNDER THE LIGHT OF THAT EVIDENCE?

THERE IS ANOTHER LITTLE FACT, MY BROTHER HAS ALLUDED TO IT, AND I SHALL RIGHT HERE— IN REFERENCE TO IT, I SHALL RIGHT HERE REPLY TO IT AND THEN LEAVE IT FOREV4ER. THEY SAY THAT THERE WZAS NONE OF THOSE NORTHERN INDIANS THZAT WERE PRESENT AT THE MOUNTAIN MEADOW MASSACRE. I DONT CLAIM THERE WAS, I SHALL NEVER ARGUE THAT THERE WAS; BUT I DO ARGUE THIS , AND NO MAN THAT KNOWS THE CHARACTER OF THE INDIZAN AS I DO; AND MOST OF YOU GENTLEMEN, KNOW VERY WELL,— THAT **IF** OFFENCES **ARE** COMMITTED AGAINST O~~NE~~ TRIBE

THE OTHER HAS A RIGHT TO REVENGE ~~..~~**IT** THIS IS THE LAW ZAMONG THOSE SAVAGES. THEN AS QUICK AS THEY HEARD OF THIS;— AND, GENTLEMEN, WHILE THEY MAKE LIGHT OF IT, WHILE THEY MAY TELL YOU THAT JOHN D. LEE— THAT IT HAS BEEN PROVEN OTHER4WISE, OR RATHER THAT THIS LETTER HAS BEEN DISPROVED;—I TELL YOU IT IS THEIR TESTIMONY AND THEY ARE ~~ABOUT~~ **BOUND** BY IT, WHETHER WRITTEN OR VERBAL; ;

OUT WITH THOSE INDIANS FOR THAT PURPOSE. HAVING GONE OUT HE LOST CONTROL OF THOSE INDIANS AND THAT CONTROL BEING GONE HE WAS POWERLESS AS A CHILD. WHAT BECOMES OF THE STATEMENT OF HAMBLIN WHEN THEY CHARACTERIZE HIM LEE AS A CRY BABY THERE IS ANOTHER LITTLE FACT MY BROTHER HAS ALLUDED TO IT AND I SHALL RIGHT HERE ^{[[28]]} IN REFERENCE TO IT I SHALL RIGHT HERE REPLY TO IT AND THEN PASS IT FOREVER. THEY SAY THAT THERE WAS NONE OF THOSE NORTHERN INDIANS THAT WERE PRESENT AT THE MOUNTAIN MEADOW MASSACRE . I DON'T CLAIM THERE WAS I SHALL NEVER ARGUE THAT THERE WAS BUT I DO ARGUE THIS *TO/AND*[?] ANY MAN THAT KNOWS THE INDIAN CHARACTER AS WELL AS I DO AND MOST OF YOU GENTLEMEN KNOW VERY WELL THAT OFFENCES COMMITTED AGAINST ONE TRIBE UNLESS THEY ARE *PLJRND*/— [?] IS CONSIDERED COMMITTED AGAINST ANOTHER AND THE OTHER HAS A RIGHT TO REVENGE. THIS IS THE LAW AMONG THOSE SAVAGES. THEN AS QUICK AS THEY HEARD OF THIS POISONING AND GENTLEMEN WHILE THEY MAY MAKE LIGHT OF IT, WHILE THEY MAY TELL YOU THAT JOHN D. LEE = THAT IT HAS BEEN PROVED OTHERWISE OR RATHER THAT THIS LETTER HAS BEEN DISPROVED; I TELL YOU IT IS THEIR TESTIMONY AND THEY ARE BOUND BY IT WHETHER WRITTEN OR WHETHER VERBAL

BT

PS

THEY ARE BOUND BY THAT TESTIMONY . IT IS THEIR OWN AND LET THEM GET AROUND IT. . THEN, ASSUMING THAT I AM CORRECT IN THAT, WHAT DOES LEE SAY? MARK YOU, GENTLEMEN OF THE JURY, EVERY WORD IN THAT LETTER IS TAKEN TO BE TRUE, I DONE CARE IF FORTY THOUSAND WITNESSES COME HERE FOR THE PURPOSE OF TESTIFYING AGAINST IT. IT IS LIKE AN ANSWER IN CHANCERY ~~THAT A PARTY~~ THAT A PARTY CAN'T DEROGATE. DEROGATE IT IF THEY WILL, IT IS THEIRS; IT IS TRUE, AND GET AROUND AS BEST YOU CAN. NOW, THEN, WHAT DOES IT SAY: THE COMPANY THERE POISONED THE MEAT OF AN OX, WHICH THEY GAVE ~~OF TO~~ THE PAH VANT INDIANS TO EAT, CAUSING FOUR OF THEM ^[7] TO DIE. THAT STANDS BEFOER YOU GENTLEMEN AS IF NOTHING—NOT A WORD WAS AGAINST IT. IT MUST BE TAKEN BY ~~YOU~~ AS TRUE, AS HE WROTE IT ; AND NOTHING IN IT IS TO BE EXCEPTED NOT ONE SENTENCE IS TO BE EXCEPTED ABOUT THE HOSTILITY OF THOSE INDIANS. THEN, WHEN WE TAKE INTO CONSIDERATION THE OTHER FACT THAT JOHN D, LEE WAS SENT OUT FOR THE PURPOSE OF WATCHING THOSE EMIGRANTS, AND AS TESTIFIED TO BY HAMBLIN, WHO SAID THAT HE WENT FOR THE PURPOSE OF WATCHING, SO THAT THEY COULD NOT ~~MAKE~~ COMMIT DEPREDATIONS. - THERE IS ANOTHER FACT , **AN ADMISSION**

THEY ARE BOUND BY THAT TESTIMONY. IT IS THEIR OWN AND LET THEM GET AROUND IT. THEN ASSUMING THAT I CORRECT IN THAT WHAT DOES LEE SAY MARK YOU GENTLEMEN OF THE JURY EVERY WORD IN THAT LETTER IS TAKEN TO BE TRUE I DON'T CARE IF 40 THOUSAND WITNESSES COME HERE FOR THE PURPOSE OF TESTIFYING AGAINST IT IT IS LIKE AN ANSWER IN CHANCERY THAT A PARTY CAN'T DEROGATE [*space*] DEROGATE IT IF THEY WILL IT IS THEIRS AND IT IS TRUE AND GET AROUND IT AS BEST YOU CAN. NOW THEN WHAT DOES IT SAY “ [*space*] THE COMPANY THERE POISONED THE MEAT OF AN OX WHICH THEY GAVE TO THE PAH VANT TO EAT CAUSING 4 OF THEM TO DIE” THAT GENTLEMEN OF THE JURY STANDS BEFORE YOU AS IF NOTHING NOT A WORD WAS AGAINST IT. IT MUST BE TAKEN BY YOU AS TRUE AS HE WROTE AND NOTHING IS AN EXCEPTION *JUST*[?] THAT ONE SENTENCE IS EXPLANATION OF THE HOSTILITY ^{[[29]]} OF THOSE INDIANS THEN WHEN WE TAKE INTO CONSIDERATION THE OTHER FACT THAT JOHN D. LEE WAS SENT OUT FOR THE PURPOSE OF WATCHING THOSE EMIGRANTS AND AS TESTIFIED TO BY HAMBLIN WHO SAID THAT HE WENT FOR THE PURPOSE OF WATCHING THEM SO THAT THEY MIGHT NOT COMMIT DEPREDATIONS. THERE IS ANOTHER FACT AND ADMISSION

BT

PS

THAT MUST BE TAKEN BY YOU AS TRUE, AS HE WROTE. NOW, GENTLEMEN OF THE JURY, TAKING THESE TWO THINGS TOGETHER, USING THEM TOGETHER, YOU SEE THIS FACT AND ITS EXPLANATION; AND HOWEVER MUCH MAY BE SAID THAT JOHN D. LEE WENT OUT OF HIS OWN ACCORD, THERE IS NOT ~~ONE WORD ONE WORD ONE~~ ONE SCINTILLA OF EVIDENCE THAT HE EITHER GATHERED THE INDIANS ~~TOGETHER~~ TOGETHER TO GO OUT THERE, OR THAT HE WENT OF HIS OWN VOLITION. THEN GENTLEMEN, HE WENT THERE ON AN ERRAND OF MERCY; HE WENT THERE FOR THE PURPOSE OF PROTECTING THE SETTLEMENTS;

HE WENT THERE FOR NO OTHER PURPOSE BUT TO PROTECT THOSE SETTLEMENTS. NOW IF THAT BE TRUE, THIS STATEMENT THAT JOHN D. LEE LED THE CHARGE THAT JOHN D. LEE MADE UPON THE EMIGRANTS, IT MUST BE ALSO A FACT THAT HE LED IT UNDER COMPULSION. NOW, GENTLEMEN OF THE JURY, WE CAN'T COME TO ANY OTHER CONCLUSION FROM THEIR OWN TESTIMONY. IF HE MADE THAT CHARGE UNDER COMPULSION FROM THE INDIANS, FEARING HIS OWN LIFE, HE IS NO MORE ~~TO~~ ~~BLAME~~ RESPONSIBLE FOR IT THAN I AM TODAY. THEREFORE THE FIRST ATTACK UPON THESE **EMIGRANTS** FALLS TO THE GROUND. NOW, POISONING SPRINGS—THERE WAS A WORD **OR TWO** SAID ABOUT THEM. WHY, GENTLEMEN OF THE JURY, I TELL YOU AS A FACT, THAT

THAT MUST BE TAKEN BY YOU AS TRUE AS HE WROTE. NOW GENTLEMEN OF THE JURY TAKING THESE TWO THINGS TOGETHER USING THEM TOGETHER YOU SEE THIS FACT AND ITS EXPLANATION AND HOWEVER MUCH MAY BE SAID THAT JOHN D. LEE WENT OUT OF HIS OWN ACCORD THERE IS NOT ONE SCINTILLA OF EVIDENCE TO SHOW THAT HE EITHER GATHERED THE INDIANS TOGETHER TO GO OUT THERE OR THAT HE WENT OF HIS OWN VOLITION. THEN GENTLEMEN OF THE JURY HE WENT THERE ON AN ERRAND OF MERCY HE WENT THERE FOR THE PURPOSE OF PROTECTING THE SETTLEMENTS HE DID NOT GO FOR THE PURPOSE OF MURDERING HE WENT THERE FOR ANOTHER PURPOSE TO PROTECT THOSE SETTLEMENTS NOW IF THAT BE TRUE THIS STATEMENT THAT JOHN D. LEE LED THE CHARGE THAT WAS MADE UPON THE EMIGRANTS IT MUST BE ALSO A FACT THAT HE LED IT UNDER COMPULSION. NOW GENTLEMEN OF THE JURY WE CAN COME TO NO OTHER CONCLUSION FROM THEIR OWN TESTIMONY. IF HE MADE THAT CHARGE UNDER COMPULSION FROM THE INDIANS, FEARING HIS OWN LIFE, HE IS NO MORE RESPONSIBLE FOR IT THAN I AM TODAY. THEREFORE THE FIRST ATTACK UPON THESE EMIGRANTS FALLS TO THE GROUND. NOW POISONING SPRINGS THERE WAS A WORD OR TWO SAID ABOUT THAT. WHY GENTLEMEN OF THE JURY I TELL YOU AS A FACT

BT

PS

IN OUR SECTION OF THE COUNTRY

AND IT

WILL POISON EVERY ANIMAL THAT DRINKS OF IT OUT OF IT FOR THE NEXT TWO OR THREE MEALS. I TELL YOU, GENTLEMEN OF THE JURY, IT IS ^[8] IT IS NOT TO BE GOTTEN OVER. THAT IS A FACT AND IT CAN BE DONE. IT HAS BEEN

DONE—WE HAVE THE LETTER TO SHOW. THIS MAY BE ALL FALSE THAT IT WAS DONE; MAY BE ALL FALSE THAT IT WAS ATTEMPTED TO BE DONE; BUT THAT JOHN D. LEE BELIEVED IT, AND THAT THESE INDIANS BELIEVED IT, I HAVE NO MORE HESITATION IN SAYING THAN I HAVE IN

SAYING THAT I AM BEFORE YOU TO DAY. THEN LET US SUM THEM UP. HERE IS TESTIMONY THAT THESE MEN PASSED THROUGH HERE WHO

INSENCE THE CITIZENS, AND INSENCE THE INDIANS.

ANOTHER THING TO BE LOOKED AT IN THE TESTIMONY OF MORRILL—~~MR. MORRILL~~ MR. MORRILL TESTIFIES THAT THEY HAD THREATENED THE SETTLERS WITH AN ARMY—THAT AN ARMY WAS COMING IN AT THE NORTH AND ONE ON THE SOUTH. SELF PROTECTION WOULD OF NECESSITY OBLIGE THEM TO WATCH THESE EMIGRANTS. NOW, GENTLEMEN OF THE JURY. IF THEY WATCHED THESE EMIGRANTS, AND DONE IT IN A MANNER STATED BY LEE TO HAMBLIN, THERE WAS

IN OUR SECTION OF THE COUNTRY A CRUSTY MATERIAL THAT LIES UPON THE STREAM IF IT IS *BR/BG*[?] [*space*] LET THAT CRUSTY MATERIAL *DUMPED*[?] IT IS *BROUGHT/POURED*[?] INTO THAT STREAM FOR ONE MONTH AND IT WILL POISON EVERY ANIMAL THAT DRINKS OUT OF IT FOR THE NEXT 32 OR 3 MILES I TELL YOU ^[130] GENTLEMEN

IT IS NOT TO BE GOTTEN OVER [*space*] THAT IS A FACT AND IT CAN BE DONE WHETHER IT HAS BEEN DONE WE HAVE ONLY THIS LETTER TO SHOW. THIS MAY BE ALL FALSE THAT THIS WAS DONE MAY BE ALL FALSE THAT THIS WAS ATTEMPTED TO BE DONE BUT THAT JOHN D. LEE BELIEVED IT AND THAT THESE INDIANS BELIEVED I HAVE NO MORE HESITATION IN SAYING THAN I HAVE IN SAYING THAT I AM BEFORE YOU TODAY THEN LET US SUM THAT UP. HERE IS TESTIMONY THAT THOSE MEN PASSING THROUGH HERE DID THOSE DEEDS DID INCENSE THE CITIZENS AND DID INCENSE THE INDIANS [*space*]

ANOTHER THING THEY LOOKED AT IN THE TESTIMONY OF MORRILL MR. MORRILL THAT THEY HAD THREATENED THE SETTLERS THAT AN ARMY WAS COMING IN ON THE NORTH AND ONE ON THE SOUTH SELF PROTECTION WOULD OF NECESSITY OBLIGE THEM TO WATCH THOSE EMIGRANTS. NOW GENTLEMEN OF THE JURY IF THEY WATCHED THESE EMIGRANTS AND DONE IT IN THE MANNER STATED BY LEE TO HAMBLIN THERE WAS

BT

NO HARM IN IT. THAT WOULD HAVE BEEN JUST; THAT WOULD HAVE BEEN RIGHT; THAT WOULD HAVE BEEN SELF PROTECTION; BUT IT WILL BE ARGUED ON THE OTHER SIDE THZAT TE THERE WAS NO NECESSITY OF ~~TAKING~~ KILLING THEM. I I HAVE NOT ANYTHING TO SZAY ON THAT POINT. HOWEVER THAT MAY BE, JOHN D. LEE APPEARS TO BE THE ONLY ONE THAT WAS PRESENT, AND THAT RAISED A HAND.. OUT OF THE NUMBER OF WITNESSES HERE BEFORE YOU, NOT ONE OF THEM COULD TELL YOU WHO WAS THERE EXCEPT JOHN D. LEE AND TWO OR THREE OTHERS THAT WERE DEAD, AND KLINGENSMITH, OR SOME OTHER PERSON THAT HAD RUN OUT OF THE WAY—OUT OF THE COUNTRY. THERE APPEARS TO HAVE BEEN AN INTENTION ORN THE PART OF THOSRE WITNESSEES TO DISCLOSE NOTHING MORE THAN WAS ABSOLUTLY NECESSARY TO CONVICT JOHN D. LEE AND AT THAE SAME TIME GIVE NO CLUE TO ANYOTHER PERSON. GENTLEMEN, I AM JUSTIFIED IN SAYING THIS. I AM JUSTIFIED BECAUSE EVERY ONE OF THOSE WITNESSES **WHO** WERE UPON THE STAND REFUSED TO DISCLOSE ANY NAMES OF THE MEN THAT ARE STILL LIVING, AND THAT MAY BE REACHED BY THEX LAW.. MR,KNIGHT REFUSEED TO ^[9] GIVE US THE NAME OF THE MAN THAT WAS WITH HIM AT THE TIME THAT HE MET HIM, AS HE WAS COMING UP FROM THE CLARA. THIS IS A FACT, HE REFUSED TO TELL US THE NZAMES OF ANY PRESENT, OR RATHER HE DINDN,T REMEMBER,

PS

NO HARM IN IT THAT WOULD HAVE BEEN JUST THAT WOULD HAVE BEEN RIGHT THAT WOULD HAVE BEEN SELF PROTECTION BUT IT WILL BE ARGUED ON THE OTHER SIDE THAT THERE WAS NO NECESSITY OF KILLING THEM [*space*] I HAVE NOT ANYTHING TO SAY ON THAT POINT. HOWEVER THAT MAY BE JOHN D. LEE APPEARS TO BE THE ONLY ONE THAT WAS PRESENT *OR/AND*[?] THAT RAISED A HAND OUT OF THE NUMBER OF WITNESSES HERE BEFORE YOU NO ONE OF THEM COULD TELL YOU WHO WAS THERE EXCEPT JOHN D. LEE AND 2 OR 3 OTHERS THAT WAS DEAD AND KLINGEN SMITH AND SOME OTHER PERSON THAT HAD RUN AWAY AND LEFT COUNTRY. THERE APPEARS TO HAVE BEEN AN INTENTION ON THE PART OF THOSE WITNESSES TO DISCLOSE NOTHING MORE THAN WAS ABSOLUTELY NECESSARY TO CONVICT JOHN D. LEE AND AT THE SAME TIME GIVE NO CLUE TO ANY OTHER PERSON. GENTLEMEN, I AM JUSTIFIED IN SAYING THIS; I AM JUSTIFIED BECAUSE EVERY ONE OF THOSE ^[31] WITNESSES WERE UPON THE STAND REFUSED TO DISCLOSE ANY NAMES OF THE MEN THAT ARE STILL LIVING AND MAY BE REACHED BY THE LAW. MR. KNIGHT REFUSED TO GIVE US THE NAME OF THE MAN THAT WAS WITH HIM AT THE TIME THAT HE MET LEE AS HE WAS COMING UP FROM THE CLARA. THIS IS A FACT. HE REFUSED TO TELL US THE NAMES OF ANY PERSON *ELSE*[?] OR RATHER HE DIDN'T REMEMBER

BT

PS

THEM, EQUAL TO A REFUSAL. HE KNEW NOTHING, HE WAS HOLDING HIS TEAM ALL THE TIME. THEY NEVER ANY OF THEM KNEW ANYTHING ABOUT ANY OTHER PERSON BEING THERE EXCEPT JOHN D. LEE, AND THOSE WHO ADMITTED THEY WERE THERE. THEN, GENTLEMEN OF THE JURY, I AM FORCED TO THE CONCLUSION THAT THIS IS A CONSPIRACY ~~BETWEEN~~ AMONG THESE WITNESSES TO CLEAR THEMSELVES AND THEIR FRIENDS AND TO SACRIFICE JOHN D. LEE TO THE LAW. THAT CONCLUSION FORCES ITSELF UPON ME MY MIND, HOWEVER RELUCTANTLY IT MAY BE. SOME OF THOSE WITNESSES I KNOW— KNOW BY REPUTATION— BUT HOWEVER MUCH I MAY KNOW THEM, HOWEVER MUCH I MAY HAVE HEARD OF THEM, THIS CONCLUSION IS FORCED UPON MY MIND, AND NOTHING CAN ERADICATE IT. WHY, GENTLEMEN OF THE JURY, IF ONE OF YOU HAD BEEN THERE AND OVER 50 OR 70 OF THOSE MEN, YOUR NEIGHBORS, AND THOSE ABOUT YOU, YOU WOULD HAVE SEEN **MORE** OF IT. YOU WOULD HAVE SEEN MORE OF THEM; YOU WOULD HAVE TOLD OTHER NAMES; YOU WOULD HAVE EXPOSED THOSE NEAR HIM.

THEN THERE APPEARS TO BE A CONSPIRACY IN THIS CASE, AND THAT CONSPIRACY WHICH SAYS THE TRUTH HAS NOT BEEN TOLD; BUT THERE HAS BEEN ATTEMPTED TO MAKE JOHN D. LEE A

THEM EQUAL TO A REFUSAL. HE KNEW NOTHING HE WAS HOLDING HIS TEAM ALL THE TIME THEY NEVER ANY OF THEM KNEW ANYTHING ABOUT ANY OTHER PERSON BEING THERE EXCEPT JOHN D LEE AND THOSE WHO ADMITTED THEY WERE PRESENT. THEN, GENTLEMEN OF THE JURY, I AM FORCED TO THE CONCLUSION THAT THIS IS A CONSPIRACY BETWEEN THOSE WITNESSES TO CLEAR THEMSELVES AND THEIR ASSOCIATES TO SACRIFICE JOHN D. LEE TO THE LAW. THAT CONCLUSION FORCES ITSELF UPON MY MIND HOWEVER RELUCTANTLY IT MAY BE SOME OF THOSE WITNESSES I KNOW [space] KNOW BY REPUTATION BUT HOWEVER MUCH I MAY KNOW THEM, HOWEVER MUCH I MAY HAVE HEARD OF THEM THIS CONCLUSION IS FORCED UPON MY MIND AND NOTHING CAN ERADICATE IT. WHY GENTLEMEN IF ONE OF YOU HAD BEEN THERE AND OVER 50 TO 70 OF THOSE MEN YOUR NEIGHBORS AND THOSE ABOUT YOU YOU WOULD HAVE SEEN MORE OF IT YOU WOULD HAVE SEEN MORE OF THEM YOU WOULD HAVE TOLD THEIR NAMES YOU WOULD HAVE EXPOSED THOSE NEAR HIM [space] THIS CRUEL MURDER —/SHOULD HAVE BEEN DONE[?] THEN THERE APPEARS TO BE A CONSPIRACY IN THIS CASE AND IT THAT CONSPIRACY AND EACH SAYS THAT THE TRUTH HAS NOT BEEN TOLD BUT THERE HAS BEEN ATTEMPT TO MAKE JOHN D. LEE A

BT

PS

SCAPE GOAT. IN OTHER WORDS HE WAS TO BE SAFRIFICE~~XD~~ TO LET THE BALANCE FREE. NOW, GENTLEMEN OF THE JURY, IN MAKI~~NG~~ THESE RE~~L~~MARKS I HAVE NOT YET COME TO CRITICISE THEIR TESTIMONY; FOR I SHALL SHOW YOU BEFORE I GERT THROUGH THAT THERE IS NOT ONE OF THOSE WITNE~~SS~~ MEN BUT WHAT WERE MORE OR LESS IMPLICATED IN THIS. AND THEREFORE A CONVICTION CANNOT BE HAD. I COULD TELL YOU, GENTLEMEN, THAT IN THE BEGINNING WHERE THERE IS AN ACCOMPLICE, AND HE TESTIFIES TO A FACT, THAT MUST BE CORROBERATED; NOT ONLY THE FACT THAT A CRIME WAS COMMITTED B~~Y~~UT IN THE COMMISSION OF THE CRIME. ^[10] HOWZARD: I RISE TO A POINT OF ORDER. AS A POINT OF LAW I DENY THE PROPOSITION, ; AND I MAKE THE PROPOSITION THAT THE JURY ~~ARR~~ ARE THE JUDGES OF OF THE EVIDENCE; THAT THEY MAY BELIEVE AND ACT UPON UNCORROBERATED EVIDENCE OF AN ACCOMPLICE; AND I ASK YOUR HONOR TO SO INSTRUCT THE JURY. COURT: THE RULE WHICH I HAVE ALWAYS FOLLOWED IN THIS COURT, AND IN THE OTHER COURTS THAT I HAVE PRESIDED OVER, IS ALWAYS TO REQUIRE THE INSTRUCTIONS BEFORE THE EVIDENCE ARGUEMENTS. IN THAT CASE THERE IS NO DISPUTEING WHAT THE LAW IS. BY CONSENT OF

SCAPEGOAT IN OTHER WORDS THAT HE SHALL BE SACRIFICED AND THE BALANCE LET FREE. NOW GENTLEMEN OF THE JURY AFTER IN MAKING⁷³⁷ ^{[[32]]} THESE REMARKS I HAVE NOT YET COME TO CRITICIZE THEIR TESTIMONY; FOR I SHALL SHOW YOU BEFORE I GET THROUGH THAT THERE IS NOT ONE OF THOSE MEN BUT WHAT WERE MORE OR LESS IMPLICATED IN THIS AND THEREFORE A CONVICTION CANNOT BE HAD. I TELL YOU GENTLEMEN OF THE JURY THAT IN THE BEGINNING WHERE THERE IS AN ACCOMPLICE AND HE TESTIFIES TO A FACT THAT MUST BE CORROBORATED [space] CORROBORATED NOT ONLY THE FACT THAT A CRIME WAS COMMITTED BUT IN THE COMMISSION OF THE CRIME. [space] HOWARD I RISE TO A POINT OF ORDER THAT IS A POINT OF LAW I DENY THE PROPOSITION I MAKE THE PROPOSITION THAT THE JURY ARE THE JUDGES OF OF THE EVIDENCE THAT THEY MAY BELIEVE AND ACT UPON THE UNCORROBORATED EVIDENCE OF AN ACCOMPLICE AND ASK YOUR HONOR TO SO INSTRUCT THE JURY [space] COURT: THE RULE WHICH I HAVE ALWAYS FOLLOWED IN THIS COURT AND IN THE OTHER COURTS I HAVE PRESIDED OVER IS ALWAYS TO REQUIRE THE INSTRUCTIONS BEFORE THE ARGUMENTS IN THAT CASE THERE IS NO DISPUTING WHAT THE LAW IS BY CONSENT OF

737. The corner of the page is folded over.

BT

PS

COUNSEL IN THE CASE I LET IT GO UNTIL THE ARGUEMENTS WERE THROUGH. IT IS ONLY BY CONSENT OF COUNSEL HOWEVER THAT IT IS DONE. THE OBJECT IS TO PREVENT ANY MISSTATEMENT OF THE LAW TO THE JURY; BUT WHEN THE PARTIES DON'T CONSENT THE INSTRUCTIONS CAN,ET BE GIVEN UNTIL AFTER THE ARGUEMENTS. I DON,T THINK IT WOULD BE IMPROPER FOR THE COUNSELORS TO STATE WHAT THE INSTRUCTIONS OF THE COURT WOULD BE; THEN OF COURSE THE JURY WILL BE BOUND BY THE INSTRUCTIONS, BUT ATTORNEYS MAY STATE THEIR VIEWS OF THE LAW. WHATEVER THE LAW WAS THEY WOULD HAVE TO BOUND BY THAT.

THE ATTORNEY MAY STATE TO THE JURY WHAT HE THINKS THE LAW WILL BE, AND WHAT HE THINKS THE INSTRUCTIONS WILL BE; STILL THE JURY WILL BE BOUND BY THE INSTRUCTIONS WHATEVER THEY MAY BE. HOWARD: WE HAVE SOME AUTHORITIES I WILL INTRODUCE, SHOWING WHAT WE CLAIM TO BE THE LAW, THAT THE JURY MAY TAKE THE UNCORROBORATED STATEMENT OF ACCOMPLICES IF

COUNSEL IN THE CASE I LET IT GO UNTIL THE ARGUMENTS GET THROUGH. IT IS ONLY BY CONSENT OF COUNSEL HOWEVER THAT THIS IS DONE THE OBJECT IS TO PREVENT ANY MISSTATEMENT OF THE LAW TO THE JURY BUT WHEN BY THE CONSENT OF PARTIES THE INSTRUCTIONS ARE NOT TO BE GIVEN UNTIL AFTER THE ARGUMENTS I DON'T THINK IT WOULD BE IMPROPER FOR THE COUNSELORS TO ASK WHAT THE INSTRUCTIONS OF THE COURT WOULD BE THEN OF COURSE THE JURY WILL BE BOUND BY THE INSTRUCTIONS AND ATTORNEYS MAY STATE THEIR VIEW OF THE LAW [space] IF THE LAW WAS BEFORE GIVEN THEN THEY WOULD BE BOUND BY THE [space] HOWARD I AM LITTLE SENSITIVE OVER THIS POINT IF I REMEMBER IF/FOR[?] HE VERY [space] ^{[[33]]} RESPECTABLY COURT [space] : DIRECT IN MY COMMENTS TO ADDRESS HIMSELF/MATTERS[?] TO THE COURT IF THERE IS ANY QUESTION WHATEVER ~ [space] COURT: [space] THE ATTORNEY MAY STATE TO THE JURY WHAT HE THINKS THE LAW WILL BE AND WHAT HE THINKS THE INSTRUCTIONS WILL BE [space] STILL THE JURY WILL BE BOUND BY THE INSTRUCTIONS WHATEVER IT MAY BE. [space] HOWARD⁷³⁸ WE HAVE SOME AUTHORITIES AND WILL INTRODUCE THEM SHOWING WHAT WE CLAIM TO BE THE LAW THAT THE JURY MAY TAKE THE UNCORROBORATED STATEMENT OF ACCOMPLICES IF

738. In the left margin.

BT

PS

THEY BELIEVE IT. COURT: I
LIKE THE OTHER COURSE THE
BETTER—AND THEN ONE
ATTORNEY CANT SAY, I VIEW THE
LAW SO AND SO, AND I
BELIEVE THE COURT WILL SO
INSTRUCT THE JURY———

HOWARD: THE REASON
I WANTED TO HAVE THE RULE
SUSPENDED —I SUGGESTED IT
BECAUSE I NEVER UNTIL I CAME
INTO THIS DISTRICT—
I NEVER IN MY LIFE HEARD OF THE
PRACTICE OF INSTRUCTING THE
JURY BEFORE THE
~~Z~~ARGUMENT. I DISLIKE TO
INTERRUPT—
IF WE DISAGREE
UPON THE LAW WE SIMPLY
STATE ^{[[1]]} OUR VIEW OF ~~THE LAW~~ IT
WITH THE UNDERSTANDING THAT
THE JURY SHALL ~~3~~FINALLY TAKE
THE LAW FROM THE COURT. WE
CAN'T FIND—BUT
THE RULE IS STATED TO BE THIS,
THAT IF THEN JURY BELIEVE WHAT
AN ACCOMPLICE WITNESS ~~TELL~~
TESTIFIED TO, TAKE THAT
TESTIMONY UNCORROBERATED
AND A CIRCUIT COURT OF THE
UNITED STATES ———
HOWEVER ONE ~~TOF THE~~ DISTRICT
COURTS GAVE THIS ~~DECISION~~
INSTRUCTION, THAT IT WAS
ALWAYS BETTER FOR THE COURT
TO SAY TO THE JURY THAT THEY
SHOULD EXAMINE THAT
TESTIMONY WITH CARE AND
CAUTION, BUT THEY COULD NOT
LAY DOWN AN ARBITRARY RULE —
—— COURT: WHAT I THINK THE
LAW IS I WILL GIVE ~~TO THE~~ IN THE
INSTRUCTIONS, WHEN I COME TO

THEY BELIEVE IT. [space] COURT: I
LIKE THE OTHER COURSE THE
BETTER [space] —THAN ONE
ATTORNEY I SAY I VIEW THE
LAW SO AND SO AND [space] I
BELIEVE THE COURT WILL SO
INSTRUCT THE JURY AND I WANT
TO TALK TO THE JURY THAT WAY
[space] HOWARD [space] THE REASON
WE WANT TO HAVE THE RULE
SUSPENDED [space] I SUGGESTED IT
BECAUSE I NEVER UNTIL I CAME
INTO THIS DISTRICT
I NEVER IN MY LIFE HEARD OF THE
PRACTICE OF INSTRUCT
JURY BEFORE *THEIR/OTHER*[?]
ARGUMENT. [space] I DISLIKE TO
INTERRUPT HIM ~~COURT: WHEREVER~~
~~I SEEN IT~~. [space] IF WE DISAGREE
UPON THE LAW *BUT*[?] WE SIMPLY
STATE OUR VIEW OF IT
WITH THE UNDERSTANDING THAT
THE JURY SHALL FINALLY TAKE
THE LAW FROM THE COURT. WE
CAN'T FIND [space] I CONSIDER THE
RULE TO BE THIS;
IF THE JURY BELIEVE WHAT
AN ACCOMPLICE WITNESSES THEY
MAY TAKE THAT
TESTIMONY UNCORROBORATED
AND THE CIRCUIT COURT OF THE
UNITED STATES ~ [torn corner] ^{[[34]]}
HOWEVER ONE OF THE JUSTICES
GAVE THESE
INSTRUCTIONS THAT IT WAS
ALWAYS BETTER FOR THE COURT
TO SAY TO THE JURY THAT THEY
SHOULD EXAMINE THAT
TESTIMONY WITH CARE AND
CAUTION BUT THEY COULD NOT
LAY DOWN AN ARBITRARY RULE ~
[space] COURT: WHAT I THINK THE
LAW IS I WILL GIVE IN THE
INSTRUCTIONS- WHEN I COME TO

BT

PS

INSTRUCT THE JURY. I THINK IT IS PROPPER FOR COUNSEL TO STATE WHAT ~~HE THINKD~~ HE CONSIDERS THE LAW IS, AND WHAT HE ~~CONSIDER~~-THINK THE COURT WILL INSTRUCT THE JURY THE LAW IS. SPICER: MAY IT PLEASE THE COURT, AND GENTLEMEN OF THE JURY: AS I UNDERSTAND THE LAW IT IS THIS: AND THE SAME VIEW ~~IDS~~ TAKEN

BY THE SUPREME COURT AND ALL COURTS, BOTH UNITED STATES COURTS AND ENGLISH COURTS AND OUR OWN COURTS; THAT WHERE THERE IS NO CORROBERATING TESTIMONY OF AN ACCOMPLICE OR ONE WHO WAS PRESENT~~F~~, AIDING AND ABETTING, HE IS AN ACCOMPLICE BY LAW, - THAT THEY MUST SCAN THE TESTIMONY WITH A GREAT DEAL OF CARE. THEY MUST SCAN THE MOTIVES OF THE PARTIES GIVING ~~GIVING~~ THIS TESTIMONY; THEY MUST BE SURE THEY ARE CORRECT; AND THEN AFTER ALL THAT , UNLESS THEY ARE CORROBERZATED BY SOMETHING THAT NOT ONLY GOES TO CORROBERATE THE SIMPLE PROOF OF IT OR ANY PARTICULAR PORTION OF IT; BUT IT MUST GO TO A CORROBERATION OF ~~OF~~ THE FACTS.

AND THART WHERE THE CORROBERTATING TESTIMINY GOES ONLY TO ~~TH~~ SHOW THAT THE CRIME WAS COMMITTED, IT IS INSUFFICIENT AS CORROBERATING TESTIMONY. IT IS TAKEN FROM A VERY RESPRECTABLE AUTHORITY. .

INSTRUCT. I THINK IT IS PROPER FOR ATTORNEY TO STATE WHAT THEY CONSIDER THE LAW IS AND WHAT THEY THINK THE COURT WILL INSTRUCT THE JURY THE LAW IS. [space] MAY IT PLEASE YOUR HONOR AND GENTLEMEN OF THE AS I UNDERSTAND THE LAW IT IS THIS THAT TO LAY WHATEVER THE LAW IS SO *TO GIVE*[?] IT *SAME/SOME*[?] GROUND BY THE *SUPREME*[?] COURT OF ALL COURTS BOTH UNITED STATES COURTS AND ENGLISH COURTS AND OUR OWN COURTS THAT WHERE THERE IS NO CORROBORATING TESTIMONY OF AN ACCOMPLICE *OR*[?] ONE WHO WAS PRESENT AIDING AND ABETTING HE IS AN ACCOMPLICE BY LAW THAT THEY MUST SCAN THE TESTIMONY WITH A GREAT DEAL OF CARE. THEY MUST SCAN THE MOTIVES OF THE PARTIES GIVING THIS TESTIMONY THEY MUST BE SURE THEY ARE CORRECT AND THEN AFTER ALL OF THAT UNLESS THEY ARE CORROBORATED BY SOMETHING THAT NOT ONLY GOES TO CORROBORATE A SMALL PORTION OF IT OR ANY PARTICULAR PORTION OF IT BUT IT MUST ~~BE~~ GO TO A CORROBORATION OF THE FACTS JUST AS I HAVE BECAUSE WHEN *I*[?] GIVE THE INSTRUCTION TO THIS EFFECT THAT WHERE THE CORROBORATING TESTIMONY GOES ONLY TO SHOW THAT THE CRIME WAS COMMITTED IT IS INSUFFICIENT AS CORROBORATING TESTIMONY [space] IT IS TAKEN FROM A VERY RESPECTABLE AUTHORITY. [space]

BT

PS

NOW, GENTLEMEN,
I GOT A LITTLE OFF MY FEET
BY MY FRIEND HOWARD,S
INTERRUPTION ^[12] WE COME, NOW,
TO ANOTHER POINT IN THIS
CASE, THAT IS THIAS: AXS TO THE
WITNESSES THAT HAVE BEEN
BEFORE YOU, THEIR MOTIVES,
THEIR ACTS, THEIRRR ACTIONS
SINCE THZAT TIME—EVERYTHING
MUST B4E TAKEN INTO
CONSIDERATION AND CLOSELY
SCANNED. THEN, AS I
CONTEND FURTHER, THAT
IF THEY MAKE AOUT A CASE
AGAINST JOHN ,D LEE,—
UNLESS IT IS CORROBERATED TO
AN EXTENT BEYOND THE MERE
FACT THAT A CRIME WAS
COMMITTED,—YOU MUST FIND THE
CASE NOT PROVEN. THAT I SHALL
CONTEND IS THE LAW, AND I AM
SATISFIED THAT WILL BE THE
INSTRUCTIONS OF THE COURT.

NOW,
GENTLEMEN OGF THE
JURY, LET US COMMENCE — IN THE
FIRST PLACE, WE HAVE MR.
MORRIL. MR. MORRIL CAME UP ON
SUNDAY AND FOUND
CONSIDERABLE EXCITEMENT—
EXCITEMENT ABOUT THE TRAIN.
THIS WZAS AT CEDAR CITY. YOU
MUST RECOLLECT ALSO THAT
HARMONY WAS SOME DISTANCE
FROM CEDAR CITY. I
DON,T THINK IT NECESSARY FOR
ME TO ~~TO~~-TELL YOU MUCH
ABOUT THE PLACE; YOU HAVE IN
ALL PROBABILITY BEEN ~~ON~~ <OVER>
THE GROUND . THIS MAN

NOW THEN GENTLEMEN OF THE
JURY I GOT A LITTLE OFF MY FEET
BY MY FRIEND HOWARD'S
INTERRUPTION— [space] WE⁷³⁹ COME
DOWN TO ANOTHER POINT IN THIS
CASE THAT IS THIS AS TO THE
WITNESSES THAT HAVE BEEN
BEFORE YOU THEIR MOTIVES
THEIR ACTS AND THEIR ACTIONS
SINCE THAT TIME EVERYTHING
MUST BE TAKEN INTO
CONSIDERATION AND CLOSELY
SCANNED. THEN AS I [torn corner] ^{[[35]]}
CONTEND FURTHER THAT IN CASE
EVEN IF THEY MAKE OUT CASE
AGAINST JOHN D. LEE IN FULL
UNLESS IT IS CORROBORATED TO
AN EXTENT BEYOND MERE
FACT THAT THE CRIME WAS
COMMITTED YOU MUST FIND THE
CASE NOT PROVEN THAT I SHALL
CONTEND IS THE LAW I AM
SATISFIED TOO *LATER/LITTLE*[?]
PRIOR TO THE INSTRUCTION WILL
THERE[?] BE GIVEN *IT OUGHT NOT*[?]
BE GIVEN BY THE COURT. ¶ NOW
GENTLEMEN GENTLEMEN OF THE
JURY LET US COMMENCE = IN THE
FIRST PLACE WE HAVE MR.
MORRIL. MR. MORRIL CAME UP ON
SUNDAY AND FOUND
CONSIDERABLE EXCITEMENT =
EXCITEMENT ABOUT THE TRAIN
THIS WAS AT CEDAR CITY. YOU
WILL RECOLLECT ALSO THAT
HARMONY WAS SOME DISTANCE
FROM CEDAR CITY IN IN FACT. I
DON'T THINK IT NECESSARY FOR
ME ~~TO TALK~~-TO TELL YOU MUCH
ABOUT THE PLACE THAT HAVE IN
ALL PROBABILITY PASSED OVER
THE GROUND [space] THIS MAN

739. Rogerson's hand symbol is in the left margin.

BT

PS

CAME UP FROM WHEREVER HE LIVED AND FOUND THE PEOPLE EXCITED. THEY HAD A COUNSEL THERE. A COUNSEL WAS HELD AND AMONG OTHERS WAS HAIGHT, HIGBEE, SMITH AND SOME OTHERS. THE QUESTION AROSE THERE WHAT WAS TO BE DONE WITH THOSE EMIGRANTS. IT WAS STATED THAT THEY MADE THREATS AGAINST PARTIES. THIS EMIGRANT TRAIN MADE THREATS AGAINST THE CITIZENS; AND THEY WERE TOLD WHAT THOSE THREATS WERE; AND ONE OF THE WITNESSES AFTERWARDS SAID THAT ONE OF THE MEN HAD ASSERTED THAT HE WAS PRESENT WHEN JOE SMITH WAS KILLED; AND ASSISTED IN KILLING JOSEPH SMITH; THAT THAT MAN WAS SHOWN TO HIM, AND HE FORGOT ABOUT IT. TOLD THAT HE WOULD BE ON THE SOUTHERN PART OF THE TERRITORY WHEN THE NORTHERN ARMY CAME IN THERE. THIS OF COURSE WAS A GREAT AFFLICTION. THESE MEN AT THAT TIME WERE LIVING ON THE OUT SIDE SETTLEMENTS, AS YOU MAY SAY UNPROTECTED ONLY BY THEMSELVES. AGGRAVATED BY THREATS, AND WORSE THAN THAT, THE INDIANS AT THAT TIME COULD SCARCE BE CONTROLLED FROM WHAT ^[13] THEY HAD HEARD IN THE NORTH; TO WIT, NORTH OF CEDAR CITY. THIS MATTER WAS ALL DISCUSSED. NOW, MR, MORRIL STATES THAT HE ~~SIRAT~~ **FIRST** SPOKE,—OR THAT THEY ALL TALKED ABOUT IT; AND FINALLY THE CONCLUSION WAS THAT

CAME UP FROM WHEREVER HE LIVED AND FOUND THE PEOPLE EXCITED. THEY HAD A COUNCIL THERE A COUNCIL WAS HELD AND AMONG OTHERS WAS HAIGHT HIGBEE SMITH AND SOME OTHERS THE QUESTION AROSE THERE WHAT WAS TO BE DONE WITH THIS EMIGRANT TRAIN IT WAS STATED THEY HAD MADE THREATS AGAINST THE PARTIES. THIS EMIGRANT TRAIN HAD MADE THREATS AGAINST THE CITIZENS AND THEY WERE TOLD WHAT THOSE THREATS WERE AND ONE OF THE WITNESSES AFTERWARDS SAID THAT ONE OF THE MEN WHO HAD ASSERTED THAT HE WAS PRESENT WHEN JOE SMITH WAS KILLED AND ASSISTED IN KILLING JOSEPH SMITH THAT THAT MAN WAS SHOWN TO HIM AND HE BRAGGED ABOUT IT AND SAID HE WOULD BE ON THE SOUTHERN PART OF THE TERRITORY WHEN THE NORTHERN ARMY CAME IN THERE. THIS OF COURSE WAS AN AGGRAVATION *[space]* THOSE MEN AT THAT TIME WERE LIVING ON THE OUTSIDE SETTLEMENTS AND YOU MAY SAY UNPROTECTED ONLY BY THEMSELVES AGGRAVATED BY THREATS AND WORSE THAN THAT THE INDIANS AT THAT TIME COULD SCARCE BE CONTROLLED FROM WHAT THEY HAD HEARD HAD OCCURRED ^[36] NORTH OF THAT TO WIT NORTH OF CEDAR CITY. *[space]* THIS MATTER WAS ALL DISCUSSED. NOW MR MORRIL STATES THAT HE FIRST SPOKE OR THAT THEY ALL TALKED ABOUT IT AND FINALLY THE CONCLUSION WAS THAT

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PS

THEY SHOULD LET THAT TRAIN PASS, AND LET IT GO ON. NOW, MARK ~~F~~YOU, GENTLEMEN, AT THIS TIME THE TRAIN HAD ~~F~~GOT TO CEDAR CITY—JUST ABOUT TO CEDAR CITY, OR CLOSE THERETO. THEN AFTER IT PASSED THERE IT WAS THOUT~~F~~UGHT AFTER THESE THREZ~~A~~T~~S~~ WERE MADE THAT IT WAS PROPER TO WATCH THEM TO SEE THAT THEY COMMITTED NO OFFENCE AGAINST THE OUTSIDE SETTLEMENTS.

IT WAS NOTHING THAT THEY SHOULD BE WATCHED; IT WAS NOTNG THAT THEY SHOULD PASS BY THERE AND BE PERMITTED TO GO ON AND COMMIT DEPREDATIONS, NOR EVEN TO CARRY OUT THEIR THREATS. WE MUST TAKE THESE THREATS AS HAVING BEEN MADE, BECAUSE THEY HAVE BEEN PROVEN BY THE PROSECUTION IN PAIS. THEN, GENTLEMEN OF THE JURT, IT WAS STATED BY MR. ~~MORRIL~~ HAMBLIN THAT LEE WAS SENT FO~~T~~R THE PURPOSE OF WATCHING THEM SO THAT THEY DIDN~~;~~'T MAKE THEIR

THEY SHOULD LET THAT TRAIN PASS AND LET IT GO ON. NOW MARK YOU GENTLEMEN AT THIS TIME THE TRAIN HAD COME TO CEDAR CITY JUST ABOUT CEDAR CITY OR CLOSE THERETO AND THEN AFTER IT PASSED THERE IT WAS THOUGHT AFTER THESE THREATS HAD BEEN MADE THAT IT WAS PROPER TO WATCH THEM SO THAT THEY ~~MADE NO~~ COMMITTED NO OFFENCE AGAINST THE OUTSIDE SETTLEMENTS. MY BROTHER WAS WRONG WHEN HE SAID IT WAS HOWLING WILDERNESS UNDER THEM [*space*] CLARA MUDDY UNDER THEM THEY FOUND ANOTHER SPRING I HAVE FORGOTTEN IT IN VALLEY IN WHICH AT THAT TIME THERE WERE SETTLEMENTS [*space*] HE WAS WRONG IN THAT STATEMENT [*space*] I KNOW THAT PART OF THE COUNTRY PRETTY WELL WHEN THAT COUNTRY ESTABLISHED OF THIS LAND OF UTAH [*space*] THEN GENTLEMEN THE COUNSEL CAME TO THIS CONCLUSION IT WAS NATURAL

THAT THEY SHOULD BE WATCHED IT WAS NATURAL THEY SHOULD NOT PASS BY THERE AND BE PERMITTED TO GO ON AND COMMIT DEPREDATIONS NOR EVEN TO CARRY OUT THEIR THREATS WE MUST TAKE THESE THREATS AS HAVING BEEN MADE BECAUSE THEY HAVE BEEN PROVEN BY THE PROSECUTION IN PAIS. THEN GENTLEMEN OF THE JURY IT WAS STATED BY MR HAMBLIN THAT LEE WAS SENT OUT FOR THE PURPOSE OF WATCHING THEM SO THAT THEY DIDN'T MAKE THEIR

BT

PS

<p>OUTFITS ON THE OUTSIDE SETTLEMENTS.. THEN, IT IS FURTHER STATED BY MR, HAMBLIN AND YOU HAVE GOT TO TAKE HIS WHOLE STATEMENT OR NONE OF IT; THAT LEE TOLD HIM IT WAS IMPOSSIBLE FOR HIM TO RESTRAIN THESE INDIANS; AND IT WAS IMPOSSIBLE FOR HIM TO DO OTHERWISE; THAN HE DID; THAT THE INDIANS THEMSELVES BECAME ENRAGED; THAT THEY WERE UNDER HIS CONTROL; THAT THEY MADE THE ATTACK; WERE REPULSED; AND THEY CAME TO HIM AND TOLD HIM THAT HE MUST GO WITH THEM; AND THAT IN ORDER THAT THIS ATTACK MIGHT BE SUCCESSFUL HE WOULD HAVE TO LEAD THEM; AND THEY COMPELLED HIM TO LEAD THEM FOR THE SECOND ATTACK. THEN AGAIN THERE IS ANOTHER WITNESS, WHOS NAME I HAVE FORGOTTEN—HAMBLIN SAID THAT LEE WAS SHOT BY THE INDIANS —SHOT AT BY THE INDIANS. HOWARD: NO, BY THE EMIGRANTS IN THE ATTACK. FOSTER: AT ALL EVENTS HE WAS SHOT IN THIS; THAT TWO MEN WERE SENT BACK ^[14] FOR THE PURPOSE OF GETTING <WHAT> ASSISTANCE ASSISTANCE THEY COULD TO PROTECT THESE EMIGRANTS. THEN COMES HIGBEE AND HAIGHT UPON THE FIELD. NOW, GENTLEMEN OF THE JURY, LET US EXAMINE KNIGHTS TESTIMONY A LITTLE. MR. KNIGHT WAS THERE FOR THE PURPOSE OF</p>	<p>OUTFIT ON THE OUTSIDE SETTLEMENTS. THEN IT IS FURTHER STATED BY MR. HAMBLIN AND YOU HAVE GOT TO TAKE HIS WHOLE STATEMENT OR NONE OF IT ~ THAT LEE TOLD HIM IT WAS IMPOSSIBLE FOR HIM TO RESTRAIN THOSE INDIANS AND IT WAS IMPOSSIBLE FOR HIM TO DO OTHERWISE THAN HE DID DO. [space] ^[137] THAT THE INDIANS THEMSELVES BECAME ENRAGED THAT THEY WERE BEYOND HIS CONTROL THAT THEY MADE THE ATTACK WERE REPULSED AND THEY CAME TO HIM AND TOLD HIM THAT HE MUST GO WITH THEM [space] THAT IN ORDER THAT THIS ATTACK MIGHT BE SUCCESSFUL HE WOULD HAVE TO LEAD THEM AND THEY COMPELLED HIM TO LEAD THEM IN THE SECOND ATTACK. THEN AGAIN THERE IS ANOTHER WITNESS WHOSE NAME I HAVE FORGOTTEN ~ HAMBLIN STATED THAT LEE WAS SHOT BY THE INDIANS SHOT AT BY THE INDIANS [space] HOWARD NO BY THE EMIGRANTS IN THE ATTACK. ~ [space] AT ALL EVENTS HE WAS SHOT IN THIS = THAT THESE TWO MEN WERE SENT BACK FOR THE PURPOSE OF GOING AND GETTING ASSISTANCE TO PROTECT THESE EMIGRANTS. THEN COMES HIGBEE AND HAIGHT UPON THE SCENE. NOW THEN GENTLEMEN OF THE JURY LET'S EXAMINE KNIGHT'S TESTIMONY A LITTLE.⁷⁴⁰ MR. KNIGHT IS THERE FOR THE PURPOSE</p>
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740. Rogerson's hand symbol, in ink.

BT

PS

HERDING CATTLE—THERE
BECAUSE HIS WIFE IS SICK. HE ~~IDS~~
ON THE GROUND AND HE HAD THE
WILDEST TEAM OF HORSES THAT
EVER WAS HITCHED UP SINCE
JEHOVA DROVE ~~THEM~~. GENTLEMEN
OF THE JURY, HE WAS ~~COMING~~
UP FROM THE CLARA, OR SOME
WHERE DOWN THERE,
AND HE MET LEE. THERE WAS
ANOTHER MAN WITH HIM, AND
THAT MANS ANME HE NEVER
COULD RECOKKEC6T, NOR WOULD
HE TELL WHO WAS WITH HIM.
SUPPOSE I SHOULD COME
BEFORE YOU, GENTLEMEN OF THE
JURY, AND SAY TO YOU THAT
SOMEBODY S0TOLE THAT MONEY,
THAT I SAW HIM STAEAL IT, AND
YET REFUSED TO TELL WHO IT IS.
WOULD YOU BELIEVE ME? THERE,
GENTLEMEN, IS A ASUPPRESSION OF
EVIDENCE; THERE IS A
SUSPICION UPON THE WITNESS
THAT GAVE IT. THERE ISS
SOMETHING THAT SHOULD
DISCREDIT THAT WITNESS
HOWEVER MUCH HE MAY BE
RELIED UPON UNDER ANY OTHER
CIRCUMSTANCES. ANOTHER
REMARKABLE THING, JUST
AS SONON QAS HE GOT TO
THIS PLACE ALLUDED TO ,
HE
ONLY SAW LEE RAISE SOMETHING
LIKE A CLUB, AND THEN HE WAS
ENGAGED WITH THE TEAM.
HE TELLS YOU THAT THE FIRST
SHOT WAS FIRED IN THE REAR,
BACK WHERE THE COLUMN WAS, A
QUARTER OF A MILE FROM THERE;;
AND JUST A WS SOON AS THZAT
SHOT WAS FOTED JOHN D.
LEE RAISED A CLUB. HE DIDN;T SEE

OF HERDING CATTLE THERE
BECAUSE HIS WIFE IS SICK HE WAS
ON THE GROUND AND HE HAD THE
WILDEST TEAM OF HORSES THAT
EVER WAS HITCHED SINCE
JVRU[?] DROVE THEM GENTLEMEN
OF THE JURY HE WAS COMING
UP FROM THE CLARA OR
DOWN THERE SOMEWHERE
AND HE MET LEE THERE WAS
ANOTHER MAN WITH HIM AND
THAT MAN'S NAME HE NEVER
COULD RECOLLECT NOR WOULD
HE TELL WHO WAS WITH HIM.
SUPPOSE I SHOULD COME UP
BEFORE YOU GENTLEMEN OF THE
JURY SAY TO YOU THAT
SOMEBODY STOLE THAT MONEY
THAT I SAW HIM STEAL IT AND
YET REFUSED TO TELL WHO IT IS,
WOULD YOU BELIEVE ME THERE
GENTLEMEN IS A SUPPRESSION OF
EVIDENCE THAT THROWS
SUSPICION UPON THE WITNESS
THAT GAVE IT. THERE IS
SOMETHING THAT SHOULD
DISCREDIT THAT WITNESS
HOWEVER MUCH HE MAY BE
RELIED UPON UNDER ANY OTHER
CIRCUMSTANCES. ANOTHER
REMARKABLE THING THAT JUST
HAPPENED AS SOON AS HE GOT TO
THIS PARTY[?] PEOPLE LOADED UP
AND WAS STARTING OUT ^{[[38]]} HE
ONLY SAW LEE RAISE SOMETHING
LIKE A CLUB AND THEN HE WAS
ENGAGED WITH THE TEAM [space]
HE TELLS YOU THAT THE FIRST
SHOT WAS FIRED IN THE REAR
BACK WHERE THE COLUMN WAS A
QUARTER OF A MILE FROM HIM
AND JUST AS SOON AS THAT
SHOT WAS FIRED HE SAW JOHN D.
LEE RAISE A CLUB HE DIDN'T SEE

BT

HIM STRIKE.. NOW, GENTLEMEN OF THE JURY, THERE IS ~~N~~KNIGHTS TESTIMONY—THEN HIS HORSE BECAME VERY UNMANAGABLE. I ~~DON~~**M**'T THINK HE COULD HAVE HITCHED THEM TO 40 HITCHING POSTS AND HAD THEM SAFE. WHY, HE DIDN;'T ~~AP~~**P**ERAR TO KNOW ANYTHING; AND HE REFUSED TO ~~TEO~~**T**ELL YOU WHO WAS WITH HIM — WHO WAS PRE~~X~~**S**ENT. WHY HE WZAS UPON THE MEADOWS AND TELLS YOU THAT HE CAN'T RECOLLECT ANY OF THEM NOR THEIR NAMES. WHY, GENTLEMEN OF THE JURY, I TELL YOU THAT SCENE~~NE~~ IS UPON ~~PAINTED ON THE MINDS~~ ^[15] PAINTED ON THE MINDS OF EVERY MZAN THAT WAS THERE, AS PLAIN AS THE WHITEWASH UPON THAT WALL. IT WILL NEVER BE ERADICATED WHILE THEY LIVE— IT IS IMPOSSIBLE. ~~THEN~~, GENTLEMEN OF THE JURY, WE HAVE ~~ONE WITNESS~~ ONE OF THE PARTIES, THE FIRST WITNESS THZAT WAS PRESENT AT THE FIELD-, POSITIVELY REFUSING TO TELL YOU THE WHOLE TRUTH. ~~AND NOTHING BUT THE TRUTH.~~

WE THEN COME TO MC MURDY. HE WAS AT HOME THRESHING OUT ~~HE~~ **HIS** GRAIN. HE WAS THERE TREADING IT OUT ON THE GROUND WITH HIS HORSSSES. WHILE ~~IN~~-IN THAT CONDITION, HE WAS NOTIFIED BY HAIGHT, IF I RECOLLECT

PS

HIM STRIKE. NOW GENTLEMEN OF THE JURY THERE IS ~~LEE'S~~ ~~KNIGHTS~~ TESTIMONY THEN HIS HORSES BECAME VERY [space] ~~I~~ ~~DON~~**T** UNMANAGEABLE [space] I DON'T THINK HE COULD HAVE HITCHED THEM TO 40 HITCHING POSTS AND HAD THEM SAFE WHY HE DON'T *APPEAR*[?] KNOW BUT ANYTHING A HE REFUSED TO TELL YOU WHO WAS WITH HIM WHO WAS PRESENT WHOM HE SAW UPON THE MEADOWS AND TELLS YOU THAT HE CAN'T RECALL ANY OF THEM, NOR THEIR NAMES WHY GENTLEMEN OF THE JURY AND I TELL YOU THAT SCENE IS PAINTED IN THE MIND OF EVERY MAN THAT WAS THERE AS PLAIN AS THE WHITEWASH UPON THAT WALL. IT IS NEVER TO BE ERADICATED WHILE THEY LIVE; IT IS IMPOSSIBLE. THEN GENTLEMEN OF THE JURY WE HAVE ONE OF THE PARTIES THE FIRST WITNESS THAT WAS PRESENT AT THE FIELD OPENLY REFUSES TO TELL YOU WHOLE TRUTH AND NOW GENTLEMEN IF KNOW ANYTHING BETWEEN NOT TELLING THE WHOLE TRUTH [space] ~ THAN TELLING FALSITY WHEN YOU ARE SWORN TO TELL THE TRUTH [space] WE NEXT COME TO MR. [space] WE THEN COME TO MC MURDY HE WAS AT HOME PEACEABLY THRESHING HIS GRAIN HE WAS THERE TREADING IT OUT WITH THE HORSES UPON THE *GRAIN/GROUND*[?] WHILE IN THAT CONDITION HE WAS NOTIFIED BY HAIGHT IF I RECOLLECT

BT

PS

RIGHT OR HIGBEE, ONE OF THE TWO, THAT HE WAS TO BE READY IN TWO HOURS, FOR THE PURPOSE OF BRINGING IN THE WOUNDED, AND FOR THE PURPOSE OF BRINGING IN THE CHILDREN FROM THAT PLACE. HE GOES DOWN AND HE COMES TO ~~MC~~MURDY HAMBLINS RANCH. HE IS ORDERED NEXT MORNING TO GO OVER TO THAT PLACE, DOWN TO WHERE THE PARTIES WERE ENCAMPED. RECOLLECT, GENTLEMEN OF THE JURY, IT IS IN EVIDENCE HER4E THAT <WHERE> THE MASXSACRE TOOK PLACE IS ~~OVER~~ FROM FOUR TO SIX MILES FROM THAT RANCH. RECOLLECT THAT LDEE WAS AT THE RANCH; AT THE RANCH ONE DAY AT THE MEADOWS ANOTHER, BACK AND FORTH AND AEVERY PLACE AT THE SAME TIME. ACCORDING TO THE TESTIMONY HE GIVES HE IS ORDERED <BY LEE> TO GO ON ; HE GOES DOWN TO THE MEADOWS AND HE SAW THERE—WHAT? SOME INDIANS, AND ALSAS SOME WHITE MEN.

NOW, THEN, GENTKLEMEN OF THE JURY, THE NEXT THEING THAT HE FIGURES IN, — A HALT IS CALLED— HE DRIVES ON,— DROVE UNTIL HE GOT OVER THE HILL, RECOLLECT 20 OR 30 FEETET AHEAD OF NKNIGHT. KNIGHT COULD SEE LEE AND HE WAS 20 OR 30 FEET AHEAD OF OF HIM BUT COULD NOT SEE A THING

CORRECTLY OR HIGBEE ONE OF THE TWO ~~2~~ BUT ^{[[39]]} THAT HE WAS TO BE READY IN TWO HOURS FOR WHAT PURPOSE FOR THE PURPOSE OF BRINGING IN THE WOUNDED OR FOR THE PURPOSE OF BRINGING IN THE CHILDREN FROM THAT PLACE [space] HE GOES DOWN AND HE COMES TO HAMBLIN'S RANCH HE IS ORDERED BY JOHN D. LEE THE NEXT MORNING TO GO FROM THAT PLACE DOWN TO WHERE THE PARTIES WERE ENCAMPED. RECOLLECT GENTLEMEN OF THE JURY IT IS IN PROOF HERE THAT WHERE THE MASSACRE TOOK PLACE IS FROM FOUR TO 6 MILES FROM THAT RANCH RECOLLECT THAT LEE WAS AT THE RANCH THAT HE WAS AT THE RANCH ONE DAY AT THE MEADOWS ANOTHER BACK AND FORTH AND EVERY PLACE AT THE SAME TIME ACCORDING TO THE TESTIMONY [space] HE GOES <THERE> HE IS ORDERED BY LEE TO GO HE [space] GOES DOWN TO THE MEADOWS AND HE SAW THERE WHAT [space] SOME INDIANS [space] WHO ELSE SOME MEN [space] MILITARY COMPANY ORDER TO LAY UP NOTHING MORE SAID NOW THEN GENTLEMEN OF THE JURY NEXT THING THAT HE FIGURES IN A HALT IS MADE AND MARK YOU HE DRIVES ON DROVE UNTIL HE GOT OVER THE HILL ONLY RECOLLECT 20 OR 30 FEET AHEAD OF KNIGHT KNIGHT COULD SEE THE WHOLE LINE AND HE WAS 20 OR 30 FEET AHEAD OF HIM AND COULD NOT SEE A THING

BT

PS

OF THE MEN BY HIM. THE FØIRST
SHOT HEARD WAS LEE;’S SHOT.
LEE HAS A GUN AT HIS SHOULDER
AND A WOMAN FALLWS. THEN HE
SAW THIS THAT AND THE OTHER.—
SAW THE INDIANS RAISE AND
THEN HE SAW THIS TROUBLE
TERRIBLE MURDER COMMITTED.
GENTLEMEN OF THE JURY, WHE HE
WAS ASKED IF HE KILLED
ANYONE THERE HE
REFUSED TO TØ-TELL US.. IS THAT
THE TESTIMONY THZAT ^[16] OUGHT
TO BE BELIEVED? IS THAT
ANYTHING NMORE OR LESS THAN A
WHITEWASH OF HIMSELF?. AND
FURTHER THAN THAT,
HE COULD NOT TELL YOU A
SINGLE NAME, WITH THE
EXCEPTION ØF THOSE WHO ARE
DEAD OR OUT OF THE COUNTRY,
EXCEPT THE NAME OF JOHN D. LEE.
WHY, GENTLEMEN, I
NEVER IN MY LIFE, AND I HAVE
SEEN WITNESSED MANY **SINS**
SCENES IN COURT ROOMS, BUT
NEVER IN MY LIFE HAVE I SEEN THE
LIKE OF THIS, AND GOD
HELP ME I NEVER WISH TO TØ
SEE ANOTHER. NOW, GENTLEMEN
OF THE JURY, THIS IS THE
LANGUAGE OF SAMUEL MC MURDY.
NOW THEN WE COME TO NEPHI
JOHNSON. THERE IS A REMARKABLE
THING ABOUT HIS TESTIMONY. HE
WAXS A BOY, AN INTERPRETER.
NOW, GENTLEMEN, I DON;’T
SAY BUT WHAT TØHESE WITNESSES
WOULD UNDER ORDINARY
CIRCUMSTNACES TELL
THE TRUTH.

OF THE MEN BY HIM AND FIRST
SHOT HE HEARD WAS LEE’S SAW
LEE’S HAS GUN AT HIS SHOULDER
AND A WOMAN FALL THEN HE
SAW THIS THAT AND THE OTHER
SAW THE INDIANS RUSH IN AND
THEN HE SAW THIS
TERRIBLE MURDER COMMITTED
GENTLEMEN OF THE JURY WHE HE
WAS ASKED WHETHER HE KILLED
ANY ONE THERE OR NOT HE
REFUSED TO TELL US [space] IS THAT
A TESTIMONY THAT SHOULD
BE BELIEVED IS THAT
ANYTHING MORE OR LESS THAN A
WHITEWASH OF HIMSELF AND
FURTHER THAN THAT GENTLEMAN
HE COULD NOT TELL YOU ^[40] A
SINGLE NAME WITH THE
EXCEPTION OF THOSE WHO ARE
DEAD OR OUT OF THE COUNTRY
EXCEPT THE NAME OF JOHN D. LEE
WHY GENTLEMEN OF THE JURY I
NEVER IN MY LIFE AND I
SEEN MANY
SCENES IN COURT ROOMS BUT
NEVER IN MY LIFE HAVE I SEEN THE
LIKE OF THIS BEFORE AND GOD
HELP ME AND ⁷⁴¹ I NEVER WISH TO
SEE ANOTHER NOW THEN
THAT IS THE
LANGUAGE OF SAM MC MURDY.
NOW THEN WE COME TO NEPHI
JOHNSON THERE IS A REMARKABLE
THING ABOUT HIS TESTIMONY HE
WAS A BOY AND AN INTERPRETER.
NOW GENTLEMEN I DON’T **KNOW**
[space] SAY THAT THESE WITNESSES
UNDER ALL AND ORDINARY
CIRCUMSTANCES WOULD **BE** TELL
THE TRUTH [space] BUT YOU KNOW
THAT WHILE YOUNG HE IS *NEAR*[?]

741. In the left margin.

BT

PS

BUT THEY WISH TO COVER
THEMSELVES UP. THAT THERE ARE
MANY OF THESE MEN THAT
WOULD TELL THE TRUTH, BUT LIFE
AND LIBERTY IS EVEN SWEETER
THAN CONSCIENCE, TO MANY.
NOW, THEN, GENTLEMEN, OF THE
JURY, WE COME TO NEPHI JOHNSON.
AS I HAVE SAID
NEPHI JOHNSON WAS
QUIETLY AT WORK ON HIS
FATHERS FARM. A SON OF
KLINGENSMITH CAME DOWN
THERE AND SOME ONE ELSE—
HE COULD NOT TELL
THE NAME. NOW YOU KNOW THAT
IF YOU LIVED HERE 18 MONTHS IN
A SETTLEMENT LIKE THIS YOU
COULD PRETTY NEAR TELL THE
NAME OF EVERY MAN IN IT; AND
THIS IS SUCH A REMARKABLE
CIRCUMSTANCE,—SOMETHING
BEYOND THE HISTORY ALMOST OF
MAN; YET, THINKING IT OVER AND
TRYING TO RECOLLECT, HE FAILS
TO RECOLLECT WHO THIS YOUNG
MAN WAS THIS YOUNG WAS WITH
THIS YOUNG MAN SMITH
THAT CAME FOR HIM. HE
PROCEEDED AT ONCE TO THE
MEADOWS —RATHER HE CAME TO
HAMBLINS RANCH; THAT WAS THE
FIRST; SAW LEE LEE; HEARD LEE
TALK; RECOLLECTED WHAT HE
SAID; RECOLLECTED EVERYTHING
ABOUT IT; BUT WHEN WE CAME
TO ASK HIM THE NAMES OF THOSE
PARTIES THAT WERE, **THERE** HE
DIDN'T RECOLLECT, IF YOU
RECOLLECT HE SAID HE SPOKE IN
ENGLISH TO THE INDIANS THROUGH
HIS INTERPRETER, THE BOY. THAT
IS THE ^[17] FIRST, THAT IS THE

TO THE GRAVE
AND THEY WISH TO COVER
THEMSELVES UP THAT THERE ARE
MANY OF THESE MEN THAT MAY
HOLD OUT
AND LIFE AND LIBERTY IS EVEN
SWEETER THAN CONSCIENCE TO
MANY. NOW THEN GENTLEMEN OF
THE JURY WE COME TO NEPHI
JOHNSON AND AS I HAVE SAID
[space] NEPHI JOHNSON WAS
QUIETLY AT WORK ON HIS
FATHER'S FARM. A SON OF
KLINGEN SMITH CAME DOWN
THERE AND SOME BODY ELSE =
MARK YOU HE COULD NOT TELL
THE NAME. NOW YOU KNOW THAT
IF WE M[?] LIVE HERE 18 MONTHS IN
A SETTLEMENT LIKE THIS WE
CAN PRETTY NEAR TELL THE
NAME OF EVERY MAN IN IT. AND
THIS IS SUCH A REMARKABLE
CIRCUMSTANCE SOMETHING
BEYOND THE HISTORY ALMOST OF
MAN STILL THINKING IT OVER
RECALLING IT HE FAILS
TO RECOLLECT WHO
WAS WITH
THIS YOUNG MAN SMITH
THAT CAME FOR HIM. HE
PROCEEDED AT ONCE TO THE
MEADOWS RATHER HE CAME TO
HAMBLINS RANCH; THAT WAS THE
FIRST[?]; SAW LEE HEARD LEE
TALK; RECOLLECTED WHAT HE
SAID; RECOLLECTED EVERYTHING
ABOUT IT; BUT WHEN WE CAME ^{[[41]]}
TO ASK HIM THE NAMES OF THOSE
PARTIES THAT WERE PRESENT HE
DIDN'T RECOLLECT AND IF YOU
RECOLLECT HE SAID HE SPOKE IN
ENGLISH TO THE INDIANS THROUGH
AN INTERPRETER A BOY. THAT
IS THE FIRST THAT IS THE

BT

PS

INTRODUCTION OF OUR FRIEND
MR. JOHNSON. NOW, THEN, NEXT —
NEXT MORNING LEE TOLD HIM TO
GO DOWN TO THE
MEADOWS —WENT DIRECTLY ON
THE MEADOWS —WEN'T DOWN
WHERE THEY WERE AT THE TIME
ENCAMPED. WHEN HE REACHES
THAT CAMP A FEW MEN WENT UP:
WHEN THERE WAS A COUNSEL. DO
YOU RECOLLECT THAT,
GENTLEMEN:??HE WENT UP WHERE
THERE WAS A COUNSEL AND HE
AFTERWARDS, ~~AND HE~~
~~AFTERWARDS~~ ZADMITTED THAT
LEE CRIED THERE. LEE MUST
HAVE BEEN EXACTLY WHAT THE
INDIANS SAID HE WAS. LEE
CRIED THERE BUT HE CAME BACK—
HE KNEW THAT HIS HORSE
WWS LOST—MARK YOU HE KNEW
BEFORE HIS HORSE WAS LOST THAT
THESE MEN WERE TO BE KILLED. HE
COULD NOT TELL YOU THE NAME
OF ANYBODY ELSE BUT HAIGHT
AND HIGBEE THAT WERE THERE;
YET HE ADMITTS THERE WAS A
NUMBER. I AM SPEAKING OF THIS
JUST TO SHOW YOU THAT THIAS
MAN HAS TOLD A PORTION OF
THE TRUTH. THEREFORE I SAY,
WHEN A MAN EXPRESSES THE
TRUTH BUT NOT THE WHOLE
TRUTH, HE IS AS GUILTY OF
PÆRGERY AS HE IS IF HE
WILFULLY LIED. THEN,
GENTLEMEN OF THE JURY, HE
LOSES HIS HORSE AND GOES OUT
ON THE OUTSIDE TO HUNT HIS
HORSE WHEN HE KNEW THIS
TERRIBLE THING WAS TO TAKE
PLACE —GOT OUT ON THE SIDE

INTRODUCTION OF OUR FRIEND
MR. JOHNSON. NOW THEN NEXT
= NEXT MORNING LEE TOLD HIM TO
GO DOWN HE GOES DOWN TO THE
MEADOWS. WENT DIRECTLY ON
THE MEADOWS WENT DOWN
WHERE THEY WERE AT THE TIME
ENCAMPED WHEN HE REACHES
THAT CAMP A FEW MEN WENT UP
WHEN THERE WAS A COUNCIL DO
YOU RECOLLECT THAT
GENTLEMEN HE WENT UP WHERE
THERE WAS A COUNCIL AND HE
AFTERWARDS
ADMITTED THAT
LEE CRIED THERE [space] LEE MUST
HAVE BEEN EXACTLY WHAT THE
INDIANS SAID HE WAS AND LEE
CRIED THERE BUT HE CAME BACK
AND HE KNEW BEFORE HIS HORSE
WAS LOST MARK YOU HE KNEW
BEFORE HIS HORSE WAS LOST THAT
THESE MEN WERE TO BE KILLED. HE
COULD NOT TELL YOU THE NAME
OF ANYBODY ELSE BUT HAIGHT
AND HIGBEE THAT WERE THERE
YET HE ADMITS THERE WAS A
NUMBER I AM SPEAKING OF THIS
JUST TO SHOW YOU THAT THIS
MAN HAS EXPRESSED A PORTION OF
THE TRUTH⁷⁴² THEREFORE I SAY
IS NOT A PERSON EXPRESSES THE
TRUTH AND WHOLE
TRUTH HE IS AS GUILTY OF
PERJURY AS HE IS IF HE
WILLFULLY LIED [space] THEN
GENTLEMEN OF THE JURY HE
LOSES HIS HORSE HE GOT OUT
ON THE OUTSIDE TO HUNT HIS
HORSE WHEN HE KNEW THIS
TERRIBLE THING WAS TO TAKE
PLACE [space] GOT OUT ON THE SIDE

742. Rogerson's hand symbol, in ink.

BT

OF THE MOUNTAIN. MARK YOU, GENTLEMEN, HE WAS THREE HUNDRED YARDS AWAY AND HE SAW LEE SHOOT, AND THEN HE WAS LEE AND THE INDIANS PULL A MAN OUT OF THE WAGON, AND FROM THE MOTIONS HE THOUGHT HE WAS CUTTING HIS THROAT. THERE IS THE DISCRIPTION. HE DIDN'T GO ANY FURTHER BUT HE HEARS FIRING ALONG DOWN THE LINE BUT ~~CAN'T~~ **COULDN'T** SEE IT. UP ON THE MOUNTAIN WHERE HE COULD LOOK ALL OVER, HE HEARS THIS FIRING. WHETHER HE SAW IT OR NOT I AM NOT DISTINCT IN MY RECOLLECTION. THEN WHAT DOES HE DO?. ~~AMARK~~ YOU, GENTLEMEN, HE RODE DOWN THE LINE BACK— BACK FROM THE WAGON. NOW, THEN HE WAS GOING AWAY FROM LEE. THAT WAS NOT THE CLOSEST WAY HOME ACCORDING TO THE EVIDENCE. HE LIVED NORTH; HE WAS GOING SOUTH. CURIOSITY MIGHT HAVE CAUSED THE MAN TO HAVE GON A GREAT MANY PLACES; BUT WE CAN'T HARDLY ATTRIBUTE THIS TO CURIOSITY HE RODE DOWN ~~THWERE~~ ^[18] AND MR. LEE FOLLOWED HIM AND TOLD HIM — WHAT? TO WATCH THEM AND HE WENT DOWN AND CONTROLLED ALL THOSE INDIANS, AND ONLY PERMITTED THEN TO TAKE THE PLUNDER THEY HAD ALREADY GOT. NOW, GENTLEMEN, IF THAT MAN HAD RAISED A VOICE, & **SAID** I WILL NOT BE A PARTICIPANT IN THIS; HAD HE SAID I ~~PL~~PROTEST AGAINST THIS; I DON'T DESIRE THE

PS

OF THE MOUNTAIN. MARK YOU GENTLEMEN HE WAS 300 YARDS AWAY AND HE SAW LEE SHOOT, THEN HE SAW THE INDIANS AND LEE PULL A MAN OUT AND FROM THE MOTION HE THOUGHT ~~THEY WERE~~ HE WAS CUTTING HIS THROAT THERE IS THE DESCRIPTION HE SAYS HE DIDN'T GO ANY FURTHER BUT HE HEARS FIRING ALONG DOWN THE LINE BUT CAN'T SEE MUCH UP ON THE MOUNTAINS WHERE HE COULD LOOK ALL OVER HE HEARS THIS FIRING ^{[[42]]} WHETHER HE SAW IT OR NOT I AM NOT DISTINCT IN MY RECOLLECTION. THEN WHAT DOES HE DO MARK YOU GENTLEMEN HE RODE DOWN THE LINE BACK BACK FROM THE WAGON. NOW THEN HE WAS GOING THEN AWAY FROM LEE THAT WAS NOT HIS CLOSEST WAY HOME {AND}ⁱ ACCORDING TO THE EVIDENCE HE LIVED NORTH HE WAS GOING SOUTH CURIOSITY MIGHT HAVE LEAD A MAN TO HAVE GONE A GREAT MANY PLACES BUT WE CAN HARDLY ATTRIBUTE THIS TO CURIOSITY HE RODE DOWN THERE AND MR. LEE FOLLOWED HIM AND TOLD HIM WHAT TO DO TO WATCH THEM AND HE WENT DOWN AND CONTROLLED ALL THOSE INDIANS AND ONLY PERMITTED THEM TO TAKE THE PLUNDER THAT THEY HAD ALREADY GOT NOW GENTLEMEN OF THE JURY IF THAT MAN HAD RAISED HIS VOICE HAD HE SAID I WILL NOT BE A PARTICIPANT IN THIS HAD HE SAID I PROTEST AGAINST THIS I DON'T DESIRE THE

BT

PS

BLOOD OF ANY ~~AMMAN~~ MAN ON MY HANDS; AND I WILL NOT PERMIT YOU IF I CAN ~~HELP~~ POSSIBLY CONTROLL IT—I AM NOT , I WILL NOT PERMIT YOU TO SPILL THESE MEN’S BLOOD-; THEN HE WOULD NOT HAVE BEEN ASSOCIATED IN THE CRIME. IT IS FUNNY FOR HIM TO LOOSE HIS HORSES JUST AT THAT TIME. WHERE HE HAD HITCHED HIM, HOW HE HAD HITCHED ~~HIM~~ THAT HORSE—WHAT HE FASTENED HIM TO REMAINS A MISTERY TO US.

NOW, MARK YOU, GENTLEMEN OF THE JURY, THAT MAN DIDN’ ’T KNOW ANYONE UPON THE FIELD BUT LEE, HAIGHT, HIGBEE AND THOSE OTHER FELLOWS WHO ARE DEAD OR RUN AWAY, AND KLINGENSMITH. THEN , GENTLEMEN OF THE JURY, SO MUCH FOR THAT PART OF THE ~~OF THE~~ TESTIMONY . NOW, RIGHT IN CONNECTION WITH THIS HE ~~3~~ WAS WILLING TO DIE FOR THE NEXT EMIGRANT TRAIN THAT WENT THROUGH; WHILE THE INDIANS STOLE THEIR STOCK, AND HE WAS THERE FOR THE ~~Ø~~ PURPOSE OF PROTECTING AND GETTING THEM THROUGH SAFELY. KNIGHT MAY BE ~~AZS~~ TRUTHFUL A MAN AS EVER WAS PUT UPON A WITNESS STAND; BUT I SAY ACCORDING TO HIS OWN TESTIMONY IN THIS CASE HE IS UNWORTHY OF BELIEF.. THIS IS ALL I CLAIM, GENTLEMEN. NOW, THEN, WE COME TO MR. HAMBLIN.

BLOOD OF ANY MAN ON MY HANDS AND I WILL NOT PERMIT YOU IF I CAN POSSIBLY CONTROL IT I WILL NOT⁷⁴³ I WILL NOT PERMIT YOU TO SPILL THESE MEN’S BLOOD THEN HE WOULD NOT HAVE BEEN AN ASSOCIATE IN THE CRIME. BUT IT IS CONVENIENT FOR HIM TO LOSE HIS HORSE JUST AT THAT TIME JUST WHERE HE HAD HITCHED HIM HOW HE HAD HITCHED THAT HORSE WHAT HE HAD FASTENED HIM TO REMAINS A MYSTERY TO US AND I HAVE ONLY KNOWN HORSES SO FAR AS I KNOW.

NOW MARK YOU GENTLEMEN OF THE JURY THAT MAN DIDN’ ’T KNOW ANYONE UPON THAT FIELD BUT LEE HAIGHT AND HIGBEE AND THOSE OTHER FELLOWS WHO ARE DEAD OR RAN AWAY- ~~AND~~ KLINGEN SMITH. THEN GENTLEMEN OF THE JURY SO MUCH FOR THAT PART OF THE TESTIMONY. NOW RIGHT IN CONNECTION WITH THIS HE WAS WILLING TO DIE FOR THE NEXT EMIGRANT TRAIN THAT WENT THROUGH STILL THE INDIANS STOLE THE STOCK AND HE WAS THERE FOR THE PURPOSE OF INTERPRETER TO GET THEM THROUGH SAFELY [space] KNIGHT MAY BE AS TRUTHFUL A MAN AS EVER WAS PUT [corner torn]^{[[43]]} UPON A WITNESS STAND BUT I SAY ACCORDING TO HIS OWN TESTIMONY IN THIS CASE HE IS UNWORTHY OF BELIEF. THIS IS ALL I CLAIM GENTLEMEN. NOW THEN WE COME TO MR. HAMBLIN.

743. “I WILL NOT” is possibly crossed out.

BT

PS

HAMBLIN, IT APPEARS WAS NOT PRESENT. HE WAS NOT, I THINK AT THE TIME THIS OCCURRED. I HAVE NO DOUBT IN THE WORLD BUT WHAT MR. HAMBLIN IS A TRUTHFUL MAN; BUT RECOLLECT, GENTLEMEN 19 ~~YEARS~~ LONG YEARS HAVE PASSE~~D~~ OVER THIS BLOODY SCENE—19 YEARS HAVE PASSED SINCE THIS CONVERASATION ~~PASSED~~ TOOK PLACE;. AND MR. HAMBLIN IT SEEMS WAS HONEST ENOUGH TO STATE IN CONNE~~CT~~ION WITH HIS TESTIMONY THAT HE COULD NOT RELATE IT ALL, AND THAT HE DIDN'T PRETEND TO. THEN, GENTLEMEN OF THE JURY, THE RULE APPLIES THAT I SPOKE OF: ALL THIS TESTIMONY, THEN, MUST BE TAKEN BY ^{[[19]]}744 YOU JURORS WITH VERY GREAT RELUCTANCE. FOR AS I SAID BEFORE, I DON'T BELIEVE THE M~~S~~AN LIVES, OR THAT THERE IS A MAN WITHIN MY HEZARING THAT CAN TELL E~~R~~VERY WORD AOR GOVE THE SAME FACE TO ANY CONVERSATION THEY HAVE HEARD WITHIN THE LAST YEAR.

THEN, GENTLEMEN OF THE JURY, IN CONNE~~CT~~ION WITH THIS CONVERSATION, WHAT DOES HE SATY? I WANT NO STRONGER VINDIACATION OF LEE THAN I F~~O~~IND IN DIFFERENT PARTS OF HAMBLINS TESTIMON-Y. I INTEND TO REFER TO SOME THINGS IN MR. HAMBLINS TESTIMONY AND THEN I SHALL COMMENT A LITTLE ON MR. HAMBLIN HIMSELF.

HAMBLIN IT APPEARS WAS NOT PRESENT HE WAS NOT *I THINK*[?] AT THE TIME THIS OCCURRED I HAVE NO DOUBT IN THE WORLD BUT MR. HAMBLIN IS TRUTHFUL OR INTENDS TO BE A TRUTHFUL MAN BUT RECOLLECT GENTLEMEN 19 LONG YEARS HAS PASSED OVER THIS BLOODY SCENE 19 YEARS HAVE PASSED SINCE THIS CONVERSATION TOOK PLACE AND MR. HAMBLIN SEEMS WAS HONEST ENOUGH TO STATE IN CONNECTION WITH HIS TESTIMONY THAT HE COULD NOT RELATE IT ALL AND THAT HE DIDN'T PRETEND TO. THEN GENTLEMEN OF THE JURY THE RULE APPLIES THAT I SPOKE. ALL THIS TESTIMONY THEN MUST BE TAKEN BY YOU JURORS WITH VERY GRAIN OF ALLOWANCE FOR AS I HAVE SAID BEFORE I DON'T BELIEVE THE MAN LIVES OR THAT THERE IS A MAN WITHIN MY HEARING THAT CAN TELL EVERY WORD OR GIVE THE SAME FACE TO ANY CONVERSATION THEY HAVE HEARD WITHIN THE LAST YEAR AND I THINK IT TRIPLES BY EVERY OTHER YEAR THEN GENTLEMEN OF THE JURY IN CONNECTION WITH THIS CONVERSATION WHAT DOES HE SAY [*space*] I WANT NO STRONGER VINDICATION OF LEE THAN I FIND IN DIFFERENT PARTS OF MR. HAMBLIN'S TESTIMONY. I INTEND TO REFER TO SOME THINGS ~~IN~~ OF MR. HAMBLIN'S TESTIMONY. AND THEN I WISH TO COMMENT A LITTLE UPON MR. HAMBLIN.

744. This page is misnumbered as 20; page 19 was skipped. All of the page numbers that follow continue to be off by one through the end of this book.

BT

PS

HE SAYS HE TOLD HIM HE HAD ORDERS TO DO IT, AND SOMEHOW THEY GOT THEM OUT BY SMITH OR HIGBEE, THAT IS THERE SURE. HE SAID HE HAD ORDERS TO DO THIS DEED. NOW GENTLEMEN, IF THERE WERE ORDERS GIVEN THERE IS SOMEBODY RESPONSIBLE FOR ~~THEM~~ THOSE ORDERS. JUST FOR INSTANCE ORDERS GIVEN TO MURDER A MAN ~~IN~~ WHO IS IN PRISON. THE MAN WHO COMMITTED IT AND BELIEVED HE WAS DOING ~~RO~~RIGHT IS NOT RESPONSIBLE; BUT HOWEVER THAT M~~AY~~AY BE, WHERE EVER THEY MIGHT HAVE COME FR~~OM~~OM, SHOWS A REA~~W~~SON—SHOWS NO MALICE, SHOWS NO EVIL INTENT HERE ON THE ~~OP~~ART OF JOHN D². LEE TO COMMIT THIS CRIME. NOW, THEN, MR. HAMBLIN HAS SAID A GREZAT DEAL IN REFERENCE TO THAT MATTER; BUT I WILL PASS IT OVER AND LEAVE IT TO MY ASSOCIATES. HE SAYS HE NEVER MENTIONED IT IN ANY COURT OR ANYWHERE ELSE WITH THE EXCEPTION OF BRIGHAM YOUN~~EG~~G AND GEORGE A. SMITH. AND THEY~~N~~TOLD HIM TO KEEP IT TO HIMSELF UNTIL THE PROPER TIME CAME~~;~~; AND THIS WAS THE PROPER TIME. THAT SHOWS, GENTLEMEN OF THE JURY, THIS: THAT UNTIL ~~THIS~~ THIS TIME, A PROPER TIME HAD HAD NOT ARRIVED FOR HIM TO TELL IT, IN HIS ESTIMATION. WHILE ON THE OTHER HAND, THE LAW FOR INSTANCE REQUIRED HIM TO GIVE

HE SAYS HE TOLD HIM HE HAD ORDERS TO DO IT [*space*] AND/THE[?] COUNSEL/COUNCIL[?] HOW THEY WOULD GET THEM OUT BY SMITH OR HIGBEE THAT IS A VERY SHORT SYNOPSIS OF IT HE SAID HE HAD ORDERS TO COMMIT THIS DEED [*space*] NOW GENTLEMEN OF THE JURY [*space*] IF THERE WERE ORDERS GIVEN THERE IS SOMEBODY RESPONSIBLE FOR THOSE ORDERS JUST AS FOR INSTANCE ORDERS GIVEN TO MURDER A MAN IN A PRISON THE MAN ^{[[44]]} AND WHO DID IT AND BELIEVED HE WAS DOING RIGHT IS NOT RESPONSIBLE BUT HOWEVER THAT MAY BE THESE ORDERS WHEREVER THEY MAY HAVE COME FROM SHOWS THE REASON SHOWS NO MALICE SHOWS NO EVIL HERE ON THE PART OF JOHN D. LEE TO COMMIT THIS CRIME. NOW THEN MR. HAMBLIN HAS SAID A GREAT DEAL IN REFERENCE TO THAT MATTER BUT I WILL PASS THAT OVER AND LEAVE IT TO MY ASSOCIATES [*space*] HE SAYS HE NEVER MENTIONED IT IN COURT OR ANYWHERE ELSE ~~FOR~~ HE WAS TOLD~~»~~ WITH THE EXCEPTION OF BRIGHAM YOUNG AND GEORGE A SMITH THEY TOLD HIM TO KEEP IT TO HIMSELF UNTIL THE PROPER TIME AND THIS WAS THE PROPER TIME THAT SHOWS GENTLEMEN OF THE JURY THIS THAT UNTIL THAT IS TIME THE PROPER TIME HAD HAD NOT ARRIVED FOR HIM TO TELL IT IN HIS ESTIMATION. WHILE ON THE OTHER HAND THE LAW FOR INSTANCE REQUIRED HIM TO GIVE

BT

PS

INFORMATION, AND **BY**
THE NEAREST METHODS. NOW,
THERE IS ANOTHER PART OF THIS
CONVERSATION THAT I SHALL
REFER TO. HE TESTIFIED ~~AT~~ THAT LEE
AT THAT TIME TOLD HIM THAT HIS
BROTHER WAS PRESENT AT THIS
MASSACRE—HOW HE HAD
BROUGHT UP THE CLARA INDIANS.

NOW, THERE, RIGHT UPON
THAT ^{[[20]]} POINT WE MAY INFER
THIS: THAT THERE WAS SOME
INCLINATION ON HIS ~~PO~~ PART AT
LEAST NOT TO BRING EVERYTHING
FORTH BEFORE THE PUBLIC WHAT
HIS BROTHER HAD DONE. THAT
MIGHT BE WHY HE
DIDN'T GIVE ANY
INFORMATION BEFORE. NOW, THEN,
GENTLEMEN OF THE JURY, THERE IS
ANOTHER THING ABOUT IT—NO
CORROBORATION. IT IS CLAIMED
THAT HAMBLIN CORROBORATES
THE TESTIMONY OF EVERY ONE OF
THOSE PARTIES THAT WERE
PRESENT. I SAY IT IS NOT A
FACT. I WILL PROVE THAT TO
YOU. . HAMBLIN SAYS THAT LEE
TOLD HIM THAT THE NEXT DAY
AFTER THE MASSACRE THE
INDIAN CHIEF BROUGHT IN TWO
GIRLS,; THAT HE CUT ONE'S THROAT
AND THAT THE OTHER WAS KILLED
BY THE INDIAN CHIEF. NOW, THEN,
GENTLEMEN OF THE JURY, SHOW
ME ONE PARTICLE OF
EVIDENCE THAT IS
CORROBORATED—THAT THAT
CORROBORATES. IF THAT IS NOT

INFORMATION AT ONCE AND TO
THE NEAREST —[?]. NOW
THERE IS ANOTHER PART OF THIS
CONVERSATION THAT I WISH TO
REFER TO. HE TESTIFIES THAT LEE
AT THAT TIME TOLD HIM THAT HIS
BROTHER WAS PRESENT AT THIS
MASSACRE HOW HE HAD
BROUGHT UP THE CLARA INDIANS
BUT HE SAYS AT THE SAME TIME
THAT LEE TOLD HIM THAT HE WAS
NOT IN THE MASSACRE HIMSELF
BUT HAD BROUGHT UP THE
INDIANS
NOW THERE RIGHT ON THAT POINT
WE MAY INFER
THIS THAT THERE WAS SOME
INCLINATION ON HIS PART AT
LEAST NOT TO BRING
FORTH BEFORE THE PUBLIC WHAT
HIS BROTHER HAD DONE.
THAT MAY BE ONE REASON WHY HE
DIDN'T ~~44-21~~ ⁴⁴⁻²¹ GIVE ANY
INFORMATION BEFORE. NOW THEN
GENTLEMEN OF THE JURY THERE IS
ANOTHER THING ABOUT IT NO
CORROBORATION. IT IS CLAIMED
THAT HAMBLIN CORROBORATES
THE TESTIMONY OF EVERY ONE OF
THOSE PARTIES THAT WERE
PRESENT I SAY SUCH ISN'T THE
FACT AND I WILL PROVE THAT TO
YOU HAMBLIN SAYS LEE
TOLD HIM THAT THE *NEXT DAY*[?]
AFTER THE MASSACRE THE
INDIAN CHIEF BROUGHT IN 2
GIRLS THAT HE CUT ONE'S THROAT
AND THAT THE OTHER WAS KILLED
BY THE INDIAN CHIEF. NOW THEN
GENTLEMEN OF THE JURY SHOW
ME ONE ^{[[45]]} PARTICLE OF
TESTIMONY THAT HAS
CORROBORATED THAT THAT
CORROBORATES. IF THAT IS NOT

BT

PS

A CONTRADICTION OF EVERY ONE OF THE WITNESSES THAT WERE PLACED UPON THE STAND THEN I MISS MY GUESS. YOU RECOLLECT THEY ALL TESTIFIED THAT JOHN D. LEE, AS QUICK AS THE MASSACRE WAS OVER STZARTED BACK FOR CEDAR CITY—

HAMBLINS RANCH, I MEAN —AND THEN THEY WENT ON THE NEXT DAY. —I AM CORRECT IN THAT. AT ALL EVENTS THE TESTIMONY SHOWS THAT HE NEVER WENT BACK UPON THE MEADOWS AFTER THE DAY THAT THIS FEARFUL SECENE OCCURS. THEN HE IS CONTRADICTED BY EVERY WITNESS THAT TESTIFIED UPON THAT POINT, AND CORROBERARES NONE OF THEM;; BECAUCE IT IS A DIFFERENT TRZAANSACTION. THE KILLING OF 120 TODAY —SYHOOTING THEM DOWN AND MURDERING THEM—THE COMMISSION THAT HE LKILLED TWO TO-MORROW IS NO CORROBERATION OF THE STATEMENT THAT THAT-NUMBER WAS KILLED TO DAY. THEN HAMBLIN CORROBERATES NO BODY. HE DON;’T GO SO FAR AS TO SHOW EVEN IN HIS DIRECT TESTIMONY THAT LEE TOLD HIM ONE IOTA ABOUT ANUYTHING EXCEPT THAT THESE MEN WERE KILLED. HE DOES NOT SAY WHO DID IT. HAMBLIN DOES NOT SAY THAT LEE DID DID THIS KILLING, NOR PARTICIPARED IN IT; BUT HE SAYS HE WAS ORDERED. THIS IS THE EXTENT, I THINK IOF HIS

A CONTRADICTION OF EVERY ONE OF THE WITNESSES THAT WERE PLACED UPON THE STAND THEN I LOOSE MY CASE. YOU RECOLLECT THEY ALL TESTIFIED THAT JOHN D. LEE AS QUICK AS THE MASSACRE WAS OVER STARTED BACK FOR CEDAR THAT HE WENT TO CEDAR AND THAT THE TEAMS DROVE ON TO CEDAR ~~

HAMBLIN’S RANCH I MEAN AND THEN THEY WENT ON THE NEXT DAY ~ I AM CORRECT IN THAT [space] AT ALL EVENTS THE TESTIMONY SHOWS THAT HE NEVER WENT BACK UPON THE MEADOWS AFTER THE DAY THAT THIS FEARFUL SCENE OCCURS THEN HE IS CONTRADICTED BY EVERY WITNESS THAT TESTIFIED UPON THAT POINT AND CORROBORATES NONE OF THEM BECAUSE IT IS ≤A≥ DIFFERENT TRANSACTION. THE KILLING OF 120 TO DAY —[?] SHOOTING THEM DOWN AND KILLING AND MURDERING THEM THE CONFESSION THAT HE KILLED TWO TOMORROW IS NO CORROBORATION OF THE STATEMENT THAT THAT NUMBER WAS KILLED TODAY. THEN HAMBLIN CORROBORATES NOBODY HE DIDN’T GO SO FAR AS TO SAY EVEN IN HIS DIRECT TESTIMONY THAT LEE TOLD HIM ONE IOTA ABOUT ANYTHING EXCEPT THAT THESE MEN WERE KILLED. HE DOES NOT SAY WHO DID IT. HAMBLIN DOES NOT SAY THAT LEE DID THIS KILLING NOR PARTICIPATED IN IT BUT HE SAYS IT WAS ORDERED. THIS IS THE EXTENT I THINK OF HIS

BT

PS

TESTIMONY.. THEN
GENTLEMEN OF [*page torn*]RY,
UNLESS THESE PARTIES
ARE CORROBERATED ^{[[21]]} BY OTHER
TESTIMONY, OF MEN WHO ARE
NOT ACCOMPLICES, THEY ARE NOT
TO BE BELIEVED;; AND THE RULE, IS
AS I HAVE STATED IT
BEFORE, YOU SHOULD DISREGARD
THEIR TESTIMONY. THEN,
GENTLEMEN, THERE IS ANOTHER
POINT, IF YOU BELIEVE FROM THE
TESTIMONY, THAT THIS ~~TESTIMONY~~
~~OO~~MURDER WAS DONE UNDER
COMPULSION, THE GREATEST
VERDICT THAT YOU CAN BRING IS
EITHER MANSLAUGHTER OR
MURDER IN THE SECOND DEGREE.
I SAY, GENTLEMEN OF THE JURY,
THERE ARE MANY
CIRCUMSTANCES —AND
I THINK, GENTLEMEN OF THE JURY,
ANOTHER THING THAT IS NOT
PROVEN, BUT I THROW
THAT OUT AS SOMETHING YOU
MAY TAKE INTO CONSIDERATION,

THAT THERE IS NO
SUFFICIENT CORROBERATING
TESTIMONY TO ~~V~~CONVICT ~~THIS~~ THE
DEFENDANT IN THIS CASE. THEN,
GENTLEMEN O~~G~~F THE JURY, THIS
CASE SO FOAR AS I AM CONSERNED,
WILLMBE NOT A MOMENT BEFORE
YOU. I, FOR MY PART, AM
FIRMLY CONVINCED THAT THE
CASE IS NOT PROVEN AS AGAINST
MR. LEE, BY COMPETENT
TESTIMONY, AS MY FRIEND BISHOP
WOULD SAY CONTENDING FOR THE
REAL IDEA AND
CAUTIONING YOU AGAINST ANY
REFERENCE TO TAKING OF

TESTIMONY [*space*] THEN
GENTLEMEN OF THE JURY
UNLESS ~~THEY ARE~~ THESE PARTIES
ARE CORROBORATED BY
THE TESTIMONY OF MEN WHO ARE
NOT ACCOMPLICES THEY ARE NOT
TO BE BELIEVED AND THE RULE I
THINK IS AS I HAVE STATED IT
BEFORE YOU SHOULD DISREGARD
THEIR TESTIMONY [*space*] THEN
GENTLEMEN THERE IS ANOTHER
POINT IF YOU BELIEVE FROM THE
TESTIMONY THAT THIS
MURDER WAS DONE UNDER
COMPULSION THE GREATEST
VERDICT THAT YOU CAN BRING IS
EITHER MANSLAUGHTER OR
MURDER IN THE SECOND DEGREE.
[*space*] ^{[[46]]} I SAY
THERE ARE
MITIGATING CIRCUMSTANCES AND
I THINK GENTLEMEN OF THE JURY
ANOTHER THING THAT IT IS NOT
PROVEN BUT ~~I THINK~~ I THROW
THAT OUT AS SOMETHING YOU
MAY TAKE INTO CONSIDERATION
AS I HAVE YOU SHOULD AT THE
SAME TIME

THAT THERE IS NO
SUFFICIENT CORROBORATING
TESTIMONY TO CONVICT THE
DEFENDANT IN THIS CASE THEN
GENTLEMEN OF THE JURY THIS
CASE SO FOR AS I AM CONCERNED
WILL BE IN A MOMENT BEFORE
YOU [*space*] I FOR MY PART AM
FIRMLY CONVINCED THAT THE
CASE IS NOT PROVEN AS AGAINST
MR. LEE [*space*] BY COMPETENT
TESTIMONY AS MY FRIEND BISHOP
WOULD SAY CONTENDING FOR THE
RULE/REAL[?] IDEA AND
CAUTIONING YOU AGAINST ANY
REFERENCE TO THE TAKING OF

BT

PS

TESTIMONY OF PARTIES WHO MAY HAVE BEEN WHO MAY HAVE BEEN INTERESTED, OR WERE PARTIES TO THE THIS. TAKING THAT INTO CONSIDERATION I THINK THAT THE TESTIMONY IS INSUFFICIENT TO TO CONVICT THE PRISONER. ⁷⁴⁵	TESTIMONY OF PARTIES TO THE WEIGHING OF TESTIMONY WHO MUST HAVE BEEN INTERESTED OR WAS PARTIES TO THE DEED THEMSELVES. TAKING THAT INTO CONSIDERATION I THINK THE TESTIMONY IS INSUFFICIENT TO CONVICT THE PRISONER. [<i>space</i>]
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745. This note is written in Cook's longhand: (**FOLLOWING THIS SPEECH CAME JUDGE SPICERS ADDRESS TO THE JURY, PART OF ~~WH~~ OF THE FIRST OF WHICH IS NOT REPORTED & THE REMAINDER IS SO ILLEGIBLE THAT IT IS IMPOSSIBLE TO MAKE AN INTELLIGENT TRANSCRIPT OF IT. W L COOK TRANSCRIBER,**)

John D. Lee, Second Trial

Wells Spicer Closing Argument

PS [*Patterson Shorthand is only extant source for Spicer's closing*]

[[Bk 4 46 cont.]]⁷⁴⁶

JUDGE SPICER.⁷⁴⁷ [*space*] THERE IS BUT ONE POINT — [*space*]
IN RELATION TO THOSE MOST SINGULAR CIRCUMSTANCES THAT SO
MANY WITNESSES SHOULD COME FORWARD IN A SOLEMN VOICE TALK TO
YOU IN A WAY. [*space*] TO SET THE WHOLE BURDEN AND BLAME OF THIS
GREAT CRIME UPON JOHN D. LEE AS IF THEY WANT TO NAME SOMEONE
[*space*] THEREBY SCREENING THEMSELVES [*space*] SHIELDING
THEMSELVES NOT ONLY FROM THE CRIME AND PUNISHMENT OF THE
CRIME BEFORE THE LAW BUT OF THE OBLIQUITY AND ODIUM AND
DISGRACE TO V-[] UPON PARTICIPANTS IN IT ^{[[47]]} AND YOU MUST HAVE
NOTICED IN WHAT A PECULIAR WAY THEY COME FORWARD NOT CEASE
TELLING WONDERFUL THINGS ALL THE GREAT THINGS OF JOHN D. LEE
HOW THEY COME ASSUME CLEAR COURSE AND ONLY REMEMBER THING
IF HE HAS A *ROLE*[] OVER THE HEADS OF EVERYBODY COULD NOT SEE
THE ~~N~~ 120 *CROWD*[] AT ALL COULD NOT SEE THE 50 OR 60 PEOPLE COULD
~~THAT~~ JOHN D. LEE WAS THERE AND HE WAS KILLING THEM RIGHT
AND LEFT ~~ETC.~~ I SAY GENTLEMEN OF THE JURY WHEN WITNESSES
COME FORWARD IN THIS WAY TO EXPLAIN TO YOU SUCH A CONCEIVED
PLAN SUCH A DESIGN SUCH A PROPOSITION TO FASTEN A CRIME UPON
ONE MAN AND IT COMES TO YOUR KNOWLEDGE AS IT CERTAINLY HAS TO
FROM THESE WITNESSES THAT THERE WAS A DESIGN FROM THESE
WITNESSES TO SCREEN THEMSELVES AND PROTECT THEMSELVES THAT
THEY ARE PARTICIPANTS CRIMINATE TO THE OCCURRENCE *FACT IS*[]
THEY ARE PARTIES TO IT THEY ARE EQUALLY GUILTY [*space*] TO *JUDGE*[]
SUCH CRIMES YOU MUST CONSIDER THAT AND NOT TAKE TOO MUCH
STOCK IN THEIR TESTIMONY = NOT BELIEVE ~~OF IT~~ TOO MUCH OF IT. IT IS A
MATTER FOR YOU TO JUDGE AND JUDGE FROM THE TESTIMONY WHETHER
OR NOT THE DEFENDANT IS GUILTY OR NOT AND WHETHER *IT* WAS ACT
THAT THEY COMMITTED THE WHOLE OFFENSE [*space*] NOW FINDING THEY
ARE SAVING THEIR OWN REPUTATIONS ~~NECKS~~ SWEARING IT OFF AND
ON JOHN D. LEE [*space*] OTHERS ACT BECAUSE THEY MAY HAVE
OPINION/PN[] BECAUSE JOHN D. LEE WAS AT THAT TIME AN INDIAN
FARMER TO FEW INDIANS A DOZEN OR SO PERHAPS [*space*] LIVING ^{[[48]]}
WAY AT THAT LITTLE TOWN OF HARMONY [*space*] *SL*[] GREAT BODY OF
INDIANS WERE SCATTERED AROUND THE COUNTRY [*space*] HERE CORN
CREEK [*space*] CLARA MUDDY WASHINGTON AND THE VIRGIN WHILE FEW
ONLY A VERY FEW WERE LIVING THERE AT HARMONY TO WHICH HE WAS
RECEIVING PAY BY TEACHING THEM IN FARMING AND BECAUSE OF THAT

746. Written in longhand at the top of the first page of the Boreman transcript:
**(FOLLOWING THIS SPEECH COME JUDGE SPICERS ADDRESS TO THE JURY,
PART OF ~~WHI~~ THE FIRST OF WHICH IS NOT REPORTED & THE REMAINDER IS
SO ILLEGIBLE THAT IT IS IMPOSSIBLE TO MAKE AN INTELLIGENT
TRANSCRIPT OF IT. W L COOK TRANSCRIBER.)** The shorthand for Spicer's address is
not significantly more difficult than the rest of Patterson's shorthand. Rogerson's longhand
appears above many shorthand symbols.

747. This is Rogerson's longhand over Patterson's longhand.

CIRCUMSTANCE THEY SEEK TO SHIFT IT ALL UPON JOHN D. LEE [space] WHY, LOOK AT THE TESTIMONY OF THAT MAN NEPHI JOHNSON AND YOU MAY SAY THAT THIS WITNESS TO APPEAR BEFORE YOU IS CREDITABLE USING THE LANGUAGE OF OUR FRIEND *JETER*[?] *SKN/SKTION*[?]⁷⁴⁸ THE WITNESSES ARE GOOD THEY ARE HONEST CLEAN PARTIES AND WORTHY OF BELIEF NEPHI JOHNSON DISCLOSES THE FACT THAT HE WAS THE MAN THAT WAS GOVERNING THESE INDIANS AND NOT JOHN D. LEE HE WAS AN INTERPRETER AND OTHER PARTIES INNOCENT OF TALKING THEM [space] EMPLOYED TO LOOK AFTER THESE INDIANS AS AN INTERPRETER & C BUT WHEN THE SECOND TRAIN CAME THROUGH WAS NOT JOHN D. LEE SENT FOR BUT NEPHI SENT FOR [space] DID NOT HE AIDED LEE A LITTLE [space] TOOK THEM AWAY FROM THE PLACE WHERE ALL THEIR STOCK WERE STOLEN [space] WHAT DOES IT MEAN ? AND *THE*[?] CONVERSATION WITH JOHN D. LEE [space] BY GOING AFTER THIS TRAIN NEPHI JOHNSON *AS THE*[?] CIRCUMSTANCES OF THE [space] *CASE*[?] OCCASION [space] WANTS INDIANS TO GO AWAY WITH THE STOCK OF THAT TRAIN BUT IF JOHN D. LEE EVER ASKED HIM [space] ANYTHING ABOUT IT WAS ASKING FOR A THING WHICH JOHN D. LEE REFUSED TO ^{[[49]]} GIVE BUT I DON'T BELIEVE ANY SUCH CONVERSATION EVER TOOK PLACE [space] THEN AGAIN LOOK HOW COWARDLY WE MAY SAY MCMURDY THE GENTLEMAN SAYS BEFORE IS MCMURDY'S YOU BETTER ASK WHO WAS MCMURDY AND HOW SINGULAR IT IS BEFORE SPEAKING FURTHER OF HIM HOW SINGULAR IT IS THAT THIS THING HAS CHANGED SO MUCH IT IS MATTER OF [space] WITNESSES BEING BROUGHT IN AND TELLING OF THIS WAR FARE —[?] [space] EVEN THAT THEY WERE COUNSELED —[?] THAT THE POSITION *HE*[?] [space] BUT NOW IT SEEMS HAVE TO DO BETTER STATES HIS HORSES HERE WERE 40, 50, 60, ALL HUNTING AND RUNNING AFTER THEIR HORSES, WHILE JOHN D. LEE IN 3 MINUTES KILLED ~~420~~119 MEN WITH HIS OWN HANDS [space] WITNESSES DISCLOSE SUCH STATE OF AFFAIRS TESTIFYING IN THAT MIND AND *FERVOR*[?] AND IMPARTS UPON YOU THAT ACCOUNT OF WAR THEY NOT WORTHY OF BELIEF [space] THEY ARE THE KILLING PARTIES THROWING IT ALL UPON LEE [space] HERE WAS [space] HONEST A MAN IN THAT COUNTRY WE DON'T CLAIM ANY AUTHORITIES DONE IT FURTHER THAN THIS THAN THAT [space] HERE WAS A HORRIBLE STATE OF AFFAIRS FEW SETTLERS [space] SCATTERED, A FEW OF THE MORMON PEOPLE SEEKING TO SUPPORT THEMSELVES AND FAMILIES BY BUILDING UP LITTLE RANCHES SURROUNDED ON ALL SIDES BY INDIANS WHOM THEY WERE ATTEMPTING TO CIVILIZED TO BEST OF THEIR *ADVANTAGE*[?] ^{[[50]]}⁷⁴⁹ AND⁷⁵⁰ MAKING TREATIES WITH THEM ~ INDIANS BREAKING THEM [space] THOSE INDIANS TO BE PACIFIED BY PRESENTS AND BY HAVE TO GET ALONG WITH THE *PEACE/PARTIES*[?] WITH ALL INGENUITY *THAT*[?] THE PEOPLE COULD INVENT *WHILE*[?] AFTER ALL THOSE SERIOUS DESPAIRING DISASTROUS CIRCUMSTANCES AROUND THIS PEOPLE [space] HERE COME A RUMOR OF

748. Above name in Rogerson's longhand: **JETER SUCTON**[?].

749. Written twice, in the top left-hand corner of the page: IN HIS MIND.

750. In the left margin.

WAR [space] INDIANS HOSTILE HAVING HEARD WHAT WAS WAR IN THE LAND [space] THEIR CRUDE IDEAS BEING ABLE TO DISTINGUISH BETWEEN THE WHITE MEN LIVING HERE AND WHITE MEN COMING FROM THE EAST ALL THOSE THINGS PRESSING UPON PEOPLE HERE [space] MILITIA [space] COMMUNITY MEN [space] AND EVEN SILVER GREYS —[?] ONE HALF UP TO A MILLION POPULATION MAY BE ORGANIZED SO AS TO BE CALLED OUT TO PROTECT THEIR HOMES AND THEIR FAMILIES AND FROM THIS TIME THESE EMIGRANT TRAINS THAT CAME TO TRADE SUPPLIES ARE TO THE TESTIMONY AND BY THE *TESTIMONY*[?] OF BRIGHAM YOUNG TO DENVER AND LETTER TO DAME BEFORE THAT THESE EMIGRANT TRAINS PASSING THROUGH AND ESPECIALLY THOSE COMING AND GOING TO *CALIFORNIA*[?] WERE IN THE HABIT OF SHOOTING DOWN INDIANS ON SIGHT CAUSED THE INDIANS TO BE ALWAYS RAISING UP TO *ATTACK A FARMER*[?] AND REQUIRED THE SETTLERS TO MAKE TREATIES — IN ORDER TO KEEP PEOPLE EQUIPPED THIS ORGANIZATION THEN WAS EQUIPPED IN THAT WAY *FOR*[?] THE PURPOSE TO SEND OUT PEOPLE [space] ~~CALL~~ SEND OUT ^{[[51]]}751 FOR THE PURPOSE OF *KEEPING*[?] THIS TRAIN THE BOASTS ONE TO [space] JOE SMITH AND GOING TO RECRUIT THEIR STOCK AND THE PEOPLE OF THE COUNTRY WITH THIS MILITARY ORGANIZATION FOR THE PURPOSE OF ALLAYING THE INDIANS THERE WHOM THE TESTIMONY ITSELF DECLARES FOLLOWED THEM ALL THE WAY DOWN FROM CORN CREEK TO MOUNTAIN MEADOWS; AND THE TESTIMONY SHOWS THAT THEY HAD ~~FROM~~ THAT BATTLE AT CORN CREEK AND FOLLOWED THEM THERE [space] IN CONSEQUENCE OF THAT ALL OTHER INDIANS IN THE COUNTRY ROSE UP TO ASSIST THE OTHER INDIANS WHO WERE PURSUING THIS TRAIN [space] MILITARY ORGANIZATION WENT OUT SENT FROM COUNTRY TO KEEP THINGS QUIET BUT OH [space] IT SEEMS AS IF THERE WAS A GANG OF THIEVES BE TERM THEN THAT BE APPLIED TO THEM FAR WORSE THAN THE 40 THIEVES [space] A COMPANY OF MEN WHO ~~WERE~~ SEEM TO HAVE BEEN BENT ON PLUNDER MURDER THEIR TESTIMONY DISCLOSES THE FACT AND IT IS THE TESTIMONY OF THESE MEN THAT THEY ARE BRINGING FORWARD TO CONVICT LEE, AND THAT IS WHERE I MAKE MY POINT *AND/A*[?] FEW GOOD MEN IN THE COMPANY I CAN TURN TO MEN IN THE AUDIENCE NOW LISTENING TO ME [space] WERE NOT AT MOUNTAIN MEADOWS TO TAKE ANY PART IN THIS MURDER EITHER BEFORE OR AFTER DIRECTLY OR INDIRECTLY ACCESSORY AND ~~PRS~~ PARTICIPANTS CRIMINOUS BECAUSE ALL OF THEM ARE GUILTY EVERY ONE WHO HAVE SPOKE OUT HERE BUT THAT CLASS OF MEN WHO LIKE MR. MORRILL [space] ^{[[52]]} [space] HONEST CLEAN *B*[?] MET AND COUNSELED OVER THE PLAN OF MURDERING MASSACRING THESE EMIGRANTS AND HE IS THE MOST *MORAL*[?] OF THE WITNESSES WHO PURSUED THE MASSACRE AND WHOSE EVIDENCE YOU ARE ASKED TO TAKE HERE DID HE NOT GIVE IT [space] PROCLAIM IT SUFFER IT [space] OPPOSE IT [space] BUT NO THEY

751. The back cover of the book includes a lot of numbers in Rogerson's hand. It also has "PEOPLE VS JOHN D. LEE" in faint longhand, likely Patterson's hand. At this point Patterson turned the notebook over and wrote back to front.

WOULD LAY A PLAN OF MURDERING UNTIL SOME ONE MAN WOULD *SMITE IT*[?] [*space*] *AWAY*[?] BUT THEY CAME ALL TO *SLN/SMN*[?] *MIND*[?] AS TO WHETHER WE SHOULD MASSACRE THESE EMIGRANTS OR NOT, BUT THERE SEEMS TO HAVE BEEN SOMEONE AT THE BOTTOM OF ALL THIS THEN THIS MAN JOEL WHITE AND THE REST OF THE WITNESSES WHO HAVE BEEN AND TESTIFIED BEFORE YOU ALL WERE[?] PARTICIPANTS ACTUAL ASSASSINS ACCORDING TO THEIR OWN TESTIMONY PARTICIPANTS IN THIS CRIME, AND WE CLAIM THAT THEY ~~WAS~~ WHO WAS THERE THEY WHO DONE IT AND NOW *OFFERING ALL ON LEE*[?] BY THEM HAVING THE SPIRIT OF WAR WHEN THEY TESTIFY AND THINK YOU SHOULD NOT CONVICT ANY MAN UPON ANY SUCH COMBINATION OF WITNESSES AND THEIR TESTIMONY I DO NOT STAND HERE BEFORE YOU TO SAY THAT THIS IS NOT A HORROR⁷⁵² A MORE THAN HORROR CRIME AND WHO DENY IT [*space*] THESE MEN THAT APPEAR TO HAVE DONE A PART OF IT TELL YOU LEE DONE IT ALL [*space*] CAREFUL IN CONVICTING ANY MAN UPON SUCH TESTIMONY. ONE FURTHER POINT THEY BRING TO YOU CONFESSION OF LEE [*space*] GENTLEMEN OF THE JURY I ASK YOU EACH OF YOU ANY CHANCE IF HE HAS A SKIN BUT THINK TO YOURSELVES IF YOU HAD EVER COMMITTED SUCH DIABOLICAL CRIME AS HAD A MEN BEING UPON THE FACE OF THE ^[153]] EARTH THAT YOU WOULD TELL IT ALL. DOES NOT COMMON SENSE UPON THE FACE OF IT CONTRADICT THE WHOLE OF THESE STORIES IF YOU CAN BELIEVE THAT JOHN D. LEE WAS WEAK ENOUGH FOOL ENOUGH IMBECILE ENOUGH IF AFTER HAVING COMMITTED THESE HORRIBLE DIABOLICAL CRIMES THAT HE WOULD TELL THEM TO JAKE HAMBLIN OR ANY ONE ELSE YOU SHOULD FIND HIM NOT GUILTY ON A PLEA OF INSANITY IT IS CONTRARY TO ALL REASON AND SENSE THAT A MAN SHOULD MAKE SUCH A CONFESSION [*space*] THEN YOU CONSIDER THAT JAKE HAMBLIN WOULD COME FORWARD AND TELL [*space*] BROTHER JAKE AND MYSELF SPENT *MS/MOST/ALMOST*[?] [*space*] WE TRAVELED OVER SANDY DESERTS AND I KNOW JAKE PRETTY WELL 18 YEARS HAVE PASSED I THINK WITHIN THAT TIME JAKE HAS FORGOTTEN A GREAT DEAL AND I THINK HIS IMAGINATION HAS BUILT UP FURTHER [*space*] I DO NOT THINK THAT JAKE HAMBLIN WOULD GO ON THE WITNESS AND TELL A SINGLE THING BUT WHAT HE BELIEVES IS TRUE BUT THINK *THE*[?] MUTATIONS TO IT *WHAT TOLL*[?] HAVE HAD IN THE HUMAN MIND IN 19 YEARS JAKE HAMBLIN THINKS LEE TOLD HIM SO BUT IT IS CONTRARY TO REASON TO COMMON SENSE TO BELIEVE THAT LEE DID TELL HIM SO HE IS SIMPLY MISTAKEN AND THEN AGAIN BROTHER JAKE CONSENT TO GIVE THAT *TESTIMONY*[?] IN THIS MATTER [*space*] HE WAS STILL ACCORDING TO HIS OWN SHOWING AN ACCESSORY AFTER THE FACT HE SHOULD HAVE DISCLOSED — [*space*] ^[154]] AND THEN COMES IN THE *CATEGORY*[?] AS THE REST OF THEM AS BEING A LITTLE DEVIL FOR THAT REASON [*space*] HE SHOULD BE CONSIDERED CONFUSED AND LOOKED AT AND THOUGHT OF AS TO WHETHER HE SHOULD BE BELIEVED [*space*] WHETHER HE SHOULD NOT REQUIRE A CORROBORATION EVEN FOR HIM

752. Rogerson's handwriting does not appear in Spicer's closing from this point on.

WHEN HE TELLS OF THESE CONFESSIONS BEING MADE TO HIM NOW
 GENTLEMEN OF THE JURY IT IS A SINGULAR FACT THAT THESE
 WITNESSES ALL BRING IN THEIR TESTIMONY TENDING TO CONVICT JOHN
 D. LEE TO CONVINCE YOU THAT JOHN D. LEE IS GUILTY OF THIS AND THEY
 PROMOTE IT IN SUCH A PECULIAR MANNER NOW 19 YEARS HAVING
 LAPSED SINCE THIS CONVERSATION IS SAID TO HAVE TAKEN PLACE
 BETWEEN HAMBLIN AND LEE NO ONE PRESENT BUT ONLY HAMBLIN AND
 LEE THINK TO YOURSELVES WHAT DEFENSE WHAT SAFETY A MAN MAY
 HAVE ON HIS DEFENSE WHEN SUCH A STORY IS TOLD HOW CAN HE
 DISPROVE IT HOW CAN HE MEET IT WHAT SAFETY HAS ANY MAN WHEN
 ANOTHER WILL TESTIFY TO SUCH THINGS AGAINST HIM WE CAN ONLY
 SAY TO YOU THAT YOUR COMMON SENSE YOUR REASON SHOULD TELL
 YOU THAT FOR SOME REASON OR ANOTHER JAKE HAS GIVEN THAT
 ANOTHER OF PARTY SHOULD HAVE [space] THEN AGAIN THIS MCMURDY
 [space] BUT HE WAS [space] *ONE OF THEIR*[?] *3 WITNESSES*[?] DID IT ALL
 DENY [space] ASK HIM WHAT PART HE DONE ~~COULD NOT~~ WOULD NOT
 TELL [space] NOT A PART THAT HE DISCLOSES BUT LEE HAS A PART
 WITHOUT ANYONE ELSE WAS THE MAN WHO HE SAW AND ATTRIBUTE
 THESE THINGS [space] ~~IF HE~~ IF EXCUSES THE FACT THAT SUCH A LAPSE
 AND IT IS NOT OFTEN THAT SUCH A LAPSE AND — [space] TO SCREEN
 HIMSELF AND DEFEND HIMSELF BE TRUE TO ^{[[55]]} JUSTICE YET ALL THE
 WITNESSES TESTIFY IN SUCH A WAY THAT IT IS IMPOSSIBLE TO ME THAT
 BE NO CUNNING TESTIMONY NO EXPLAINING TESTIMONY NOTHING THAT
 WILL DO AWAY THE FACT OR LOOK TO OR URGE THE PARTICULAR
 PARTIES TO TESTIMONY THAT EACH AND ALL HAVE BEEN GIVING. [space]
~~IF/FOR~~[?] ~~GENTLEMEN OF THE JURY~~ ~ ONE THING FURTHER IN RELATION
 TO THESE CONFESSIONS IF ANY MAN WOULD MAKE THEM TO A CONFIDER
 TO A MAN AS DEEPLY GUILTY AS HIMSELF *STILL*[?] ACTING ON THAT THE
~~THAT~~ FACT THAT [space] THEY MUST HAVE BEEN AS DEEP IN THIS AS
 HIMSELF IF NOT DEEPER AND IF ONLY ALLOW TWO WITNESSES TO BE ON
 THE WITNESS STAND AND SWEAR MIGHT BE REFERENCE TO THE BOOT
 UPON THE OTHER FOOT AND AS IT IS REMEMBER HOW PECULIAR THESE
 WITNESSES TESTIFY YET THEY WERE THERE AND SAW IT THEY WERE
 AFTER THEIR HORSES THEMSELVES OR DID NOT HAVE THE BEST VIEWS
 OR HORSES WERE WILD AND FRACTIOUS AND THEY COULD NOT HOLD
 THEM THEY BROKE AWAY AND THEY WENT CHASING AFTER THEM YET
 THEY SAW IT [space] WHO *WAS THERE*[?] JOHN D. LEE DONE IT ALL [space]
FOLLOWING/FLNG[?] THE TRAGEDY FOR THEM [space] MANY SINCE DEAD
 [space] HERE LABOR BY MAKING A SET RULE DENY ALL OTHER PARTIES
 THEY CAME WITH [space] HIGBEE WAS THERE AND [space] I THINK
 TESTIMONY STATES AS THE DEPOSITION SAYS THE DEPONENT SAITH NO
 TO THE THE SAME THING *I SAW NO PERSON*[?] JOHN D. LEE KLINGEN [space]
 KLINGEN JOHN D. LEE [space] SOME MAY — [?] TO THAT HUMBLE
 CONCLUSION THAT JOHN D. LEE THEN WAS NOT THERE IT WAS KLINGEN
 SMITH *SOME FRIENDS*[?] AND GENERAL WELLS TELLS YOU WHAT IS DONE
 IN THE MILITARY OF THIS TERRITORY FROM ITS FIRST SETTLEMENT THAT

AT THAT TIME JOHN D. LEE HELD NO OFFICE HAD BEEN A MAJOR ^[156] AT THAT TIME [space] BUT WAS THEN OUT OF THIS [space] ~~AND CALLING~~ [space] ORDERS GIVEN CALLING MEN OUT [space] NONE OF YOU CAN DO THAT [space] MILITARY AUTHORITY FOR SOME MILITARY PURPOSE AND THAT MILITARY PURPOSE WAS OUTSIDE DESIGN OF THOSE COMPANIES AND ASSASSINS AND WAS PASSING UPON THE MASSACRE OF THESE MEN ~ KEEPING DOWN EXCITEMENT FROM *RUMOR*[?] AN OUTBREAK OF THE INDIANS AND MEN WERE CALLED OUT AT THE TIME THESE MEN WERE PLANNING THEIR DESTRUCTION IN THIS CONVENTION [space] THAT LEE WAS NOT THERE [space] MILITARY OFFICERS THERE OF WHOM LEE WAS NOT ONE [space] WHEN THESE MEN TALKED TO YOU ABOUT FEAR ABOUT RESTRAINT ABOUT THE CHARISMA THAT WAS EXISTING OVER THEM WHO ARE THEY AFRAID OF LEE WAS NOT AN OFFICER AND THEN AGAIN THAT MR. NEPHI JOHNSON TELLING OF THE FEAR THAT [space] HE WAS *HORRORS/WARRIORS*[?] IN THE INDIANS THEN LEE WAS THERE LEE WAS NOT MILITARY OFFICER WHO WERE THEY AFRAID OF IT SEEMS THE POWER THAT THEY MUST HAVE BEEN AFRAID OF THEN WAS SOMETHING OR SOMEBODY NOT LEE NOT THE INDIANS THEY BRING TO THAT ACCOUNT THAT THEY WERE AFRAID *THEM*[?] AND IT SEEMS TO ME GENTLEMEN OF THE JURY *EXCEPT*[?] NOT THE INDIANS DID NOT EVERY MEN THAT TOOK PART IN THAT DENY WAS FOR PLUNDER AND THESE PLUNDERERS ARE EXCUSING THEMSELVES TODAY [space] WHAT BECAME OF THE PROPERTY *IF/ANY/FOR*[?] *AS COMES*[?] AND WITNESSES HERE ONE OF THEM THINKS *HE*[?] RECOGNIZES THE [space] CATTLE ON THE HARMONY RANGE [space] YOU ALL KNOW HARMONY RANGE LIES NEXT CEDAR CITY KANARRA PAROWAN JOHNSON'S FORT ASH CREEK GOOD PLACES ^[157] WHERE THE CATTLE CAN RANGE AND [space] THE CATTLE MAY HAVE BEEN SEEN [space] — [space] AFTER THE EMIGRANTS WERE MASSACRED AND FACTS ARE *DISCLOSED*[?] NO DESCRIPTION OF THE WITNESSES HERE HAVE LEE BEING IN CHARGE OF THE PROVISION TO THE INDIANS IT MAY HAVE BEEN PASSED OVER TO HIM TO GIVE TO THE INDIANS BUT [space] GENTLEMEN OF THE JURY THESE WITNESSES WHO COME BEFORE YOU EVERY ONE OF THEM WENT TO THE SAME FACTORY WITH THESE OTHER TWO *AND HAVE*[?] OR IN THE VERY MIDST OF IT AND ALL COME FORWARD TO THE ONE WITH SINGLE OF PINNING IT ALL ON JOHN D. LEE AND KLINGENSMITH THEY SEEM TO SUSTAIN A FEELING TO STAMP TO KEEP OUT AND KEEP IN EVERYTHING THAT *OPPOSED/OPPRESSED*[?] TO HIM AND KEEP OUT EVERYTHING FOR HIM. THEY SEEM TO HAVE PUT HIM IN AS CHIEF OF THE STOCK AND FARMING [space] *SRK/SRM*[?] [space] GENTLEMEN OF THE JURY THE CRIME WAS HORRIBLE AND IT IS DETAILED BY THOSE WHO PERPETRATED IT AND THAT BEING THE CASE IF YOU ARE SATISFIED IT IS SO YOU SHOULD KNOW TO CONVICT NO MAN UPON THE TESTIMONY OF THOSE MEN. [space] COURT ADJOURNED UNTIL 10 O'CLOCK [space]⁷⁵³

753. The remainder of the notebook is blank.

John D. Lee, Second Trial

William W. Bishop and
Sumner Howard Closing Arguments

BT

PS

<p>[[Bk 4 1]]⁷⁵⁴ 2ND LEE TRIAL (BOOK 4) W W W. W. BISHOPS ADDRESS TO THE JURY.⁷⁵⁵ (FOLLOWING JUDGE SPICER) IF THE COURT PLEASE, GENTLEMEN OF THE JURY: IN COMING BEFORE YOU ON THIS OCCASION TO ARGUE THE CASE FOR THE DEFENSE, I FEEL THAT MORE THAN AN ORDINARY RESPONCIBLEITY RESTS UPON ME.. I AM PROMPTED TO APPEAR BEFORE YOU SIMPLY TO DEFEND JOHN D. LEE FOR THE VCRIME CHARGED IN THE INDICTMENT; BUT WHATEVER SEEMS TO BE THE ACCEPTIONATION OF THE PEOPLE, THAT WHILE I DON'T WANT DEFEND ONE I WILL PROSECUTE OTHERS:, . SUCH IS NOT MY PURPOSE. I AM HERE, GENTLEMEN, OF THE JURY, TO EXPLAIN TO YOU WHY JOHN D. LEE SHOULD</p> <p>AS BEST I CAN WHY THE EVIDENCE THAT HAS BEEN DETAILED TO YOU BY WITNESSES IS NOT WORTHY OF YOUR BELIEF. I PROFESS TO BE ABLE FROM THE EVIDENCE OF THE PROSECUTION ALONE TO SATIWSFY YOU AS WELL AS ALL FAIR MEN THAT THE POLIECY TO CONVICT JOHN D. LEE HAS BEEN LAID DEEP AND FIRMLY AND THAT IT EXISTS IN THE MINDS AND HEZARTS OF THE WITNESSES THAT HAVE BEEN APPEARED HERE; AND THAT IT IS</p>	<p>[[Bk 5 1]] TRANSCRIBED.⁷⁵⁶ SEPTEMBER TUESDAY 19th W. W. BISHOP [space]</p> <p>IF THE COURT PLEASE GENTLEMEN OF THE JURY IN COMING BEFORE YOU ON THIS OCCASION TO ARGUE THE CASE FOR THE DEFENSE, [ink blot] I FEEL THAT MORE THAN A COMMON RESPONSIBILITY RESTS UPON ME. I AM NOT <i>PROMPTED</i>[?] TO APPEAR BEFORE YOU SIMPLY TO DEFEND JOHN D. LEE FOR THE CRIME CHARGED IN THE INDICTMENT BUT IT SEEMS TO BE THE EXPECTATION OF THE PEOPLE THAT WHILE I DEFEND ONE I WILL PROSECUTE OTHERS SUCH IS NOT MY PURPOSE I AM HERE GENTLEMEN OF THE JURY TO EXPLAIN TO YOU WHY JOHN D. LEE SHOULD NOT BE CONVICTED I AM HERE TO EXPLAIN TO YOU AS BEST I CAN WHY THE EVIDENCE THAT HAS BEEN DETAILED TO YOU BY WITNESSES IS NOT WORTHY OF YOUR BELIEF [space] I PROFESS TO BE ABLE TO FROM THE EVIDENCE OF THE PROSECUTION ALONE TO SATISFY YOU AS WELL AS ALL FAIR MEN THAT A CONSPIRACY TO CONVICT JOHN D. LEE HAS BEEN LAID DEEP AND FIRMLY AND THAT IT EXISTS IN THE MINDS AND HEARTS OF THE WITNESSES WHO HAVE APPEARED HERE AND THAT IT HAS</p>
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754. See Trial matrix, p. 3780, for RT and MU summary of proceedings.

755. Written in the margin on the left side in longhand: **THIS SPEECH WAS VERY IMPERFECTLY REPORTED AND IN TRANSCRIBING I HAVE THOUGHT BEST TO ADHERE TO THE NOTES LITTERALLY AND LET THE AUTHOR FILL IN THE GAPS RATHER THAN ATTEMPT TO DO IT MYSELF. WL COOK.**

756. In Rogerson's longhand. A considerable amount of Rogerson's longhand appears above Patterson's shorthand symbols.

BT

PS

NOT THEIR POSITION IN EFFECT.. I CLAIM, GENTLEMEN OF THE JURY, THAT THE WITNESSES WHO HAVE COME BEFORE YOU, AND RAISED THEIR HANDS AND TAKEN THE OATH TO TELL THE **WHOLE** TRUTH AND NOTHING BUT THE TRUTH, HAVE COME HERE FOR A SELFISH PURPOSE. THEY HAVE BROUGHT BEFORE YOU NOT THE BEHESTS OF THE ~~PEOPLE~~ COMMON WEALTH, NOT ANY BEHEST OF LAW, NOT AS PARTIES WHO WISH TO EXPOSE CRIME AND PUNISH THE GUILTY; BUT AS MEN WHO COME WITH THEIR LIVES IN THEIR HANDS AND TESTIFYING JUST ENOUGH TO SAVE THEIR LIVES AND JUST ENOUGH TO CONVICT THIS DEFENDANT. I AM NOT HERE TO APPOLOGIZE FOR THE CRIME COMMITTED ON MOUNTAIN MEADOWS. NO MAN BORN UPON AMERICAN SOIL;NO MAN OF FOREIGN BIRTH WHO HAS TAKEN THE OATH OF ALLGIANCE TO THE GOVERNMENT OF THE UNITED STATES, **KNOWING** WHAT IT WAS, AND THE DUTIES THSAT DEVOLVES UPON HIM AS AN AMERICAN CITIZEN; NO MAN IN HARMONY WITH THE SPIRIT OF THE LAWS OF THE UNITED STATES; NO FRIEND OF HUMANITY; NO SERVANT OF THE MOST HIGH CAN EXCUSE THAT MOST UNNATURAL CRIME. ^[2] THEN IT MIGHT BE THOUGHT THAT UNLESS I AM AN APPOLOGIST FOR CRIME THAT I HAVE

NO OTHER FOUNDATION IN FACT. I CLAIM GENTLEMEN OF THE JURY THAT THE WITNESSES WHO HAVE COME BEFORE YOU AND RAISED THEIR HANDS AND TAKEN THE OATH TO TELL THE TRUTH THE **WHOLE** TRUTH AND NOTHING BUT THE TRUTH HAVE COME HERE FOR A SELFISH PURPOSE THEY HAVE APPEARED BEFORE YOU NOT ON BEHALF OF THE COMMON WEALTH NOT ON BEHALF OF OUTRAGED LAW NOT AS PARTIES WHO WISH TO EXPOSE CRIME AND PUNISH THE GUILTY BUT AS MEN WHO COME WITH THEIR LIFE IN THEIR HAND AND STATE WHAT TESTIFYING TO JUST ENOUGH TO SAVE THEIR LIVES AND JUST ENOUGH IN THEIR JUDGMENT TO CONVICT THIS DEFENDANT [*space*] I AM NOT HERE TO APOLOGIZE FOR THE CRIME COMMITTED ON MOUNTAIN MEADOWS NO MAN BORN UPON AMERICAN SOIL NO MAN OF FOREIGN BIRTH [*corner folded over*] WHO HAS TAKEN THE OATH OF ALLEGIANCE TO THE GOVERNMENT OF THE UNITED STATES UNDERSTANDING WHAT IT WAS AND THE DUTIES THAT DEVOLVED UPON HIM AS AN AMERICAN ^{[[2]]757} CITIZEN NO MAN IN HARMONY WITH THE SPIRIT OF THE LAWS OF THE UNITED STATES [*space*] NO FRIEND OF HUMANITY NO SERVANT OF THE MOST HIGH CAN UPHOLD OR EXCUSE THAT MOST UNNATURAL CRIME [*space*] THEN IT MAY BE THOUGHT THAT UNLESS I AM AN APOLOGIST/MAKE APOLOGIES[?] FOR CRIME I HAVE

757. "10:30" is written on the verso of page 2.

BT

PS

<p>N OTHING TO SAY; BUT, GENTLEMEN, THE VERY REASON WHY I APPEAR HERE IS THIS: THAT I BELIEVE THZAT TWO WRONGS NEVER MAKE A RIGHT; THAT BECAUSE CRIME WAS COMMITTED UPON THAT SEPTEMBER DAY ON MOUNTAIN MEADOWS; BECAUSE THAT EMIGRANT TRAIN WAS SWEEP FROM E€XISTANCE; BECAUSE 120 INNOCENT BEINGS WERE THERE FOULLY MURDERESD IS NO REASON WHY A LOT OF HARDENED, CRUEL ASSASSINS SHOULD COME HERE AND AT THE PRICE OF THEIR OWN LIVES SACRIFICE ANOTHER MAN. IF IT WAS WRONG, AS I C-LAIM IT WSAS, IF TO SACRIFICE THE PEOPLE UPON THE MOUNTAIN MEADOWS, IT IS EQUALLY WRONG AND CRIMINAL FOR PEOPLE AT THAIS TIME TO BIND THEMSELVES TOGETHER FOR THE PURPOSE OF CONVICTING ONE MAN TO SAVE 501 OTHER PEOPLE. I CAN'T DRZAW THE LINE OF DAEMARCATION SO AS TO TELL WHO WERE THE PARTIES THAT ATED THAT ACTED UPON THAT FIELD WERE INNOCENT. I CAN'T UNDERSTAND THE SYSTEM OF THEOLOGY IF SUCH EXISTED. NOR CAN I UNDERSTAND THE SYSTEM OF PHYSICS, IF \$SUCH EVER DID EXIST, THAT WOULD JUSTIFY MEN IN DOING WHA¥T THEY DID UPON THAT OCCASION.</p> <p>THE</p>	<p>NOTHING TO SAY [<i>space</i>] BUT GENTLEMEN THE VERY REASON WHY I APPEAR HERE IS THIS THAT I BELIEVE THAT TWO WRONGS NEVER MADE A RIGHT THAT BECAUSE CRIME WAS COMMITTED UPON THAT SEPTEMBER DAY ON MOUNTAIN MEADOWS BECAUSE THAT EMIGRANT TRAIN WAS SWEEP FROM EXISTENCE BECAUSE 120 INNOCENT BEINGS WERE THERE FOULLY AND USELESSLY MURDERED IS NO REASON WHY A LOT OF RED HANDED COWARDLY ASSASSINS SHOULD COME HERE AND AT THE⁷⁵⁸ PRICE OF THEIR OWN LIVES SACRIFICE ANOTHER MAN. IF IT WAS WRONG AS I CLAIM THAT IT WAS TO SACRIFICE THE PEOPLE UPON MOUNTAIN MEADOWS IT IS EQUALLY WRONG AND CRIMINAL FOR PEOPLE AT THIS TIME TO BIND THEMSELVES TOGETHER FOR THE PURPOSE OF CONVICTING ONE MAN TO SAVE 50 ODD OTHER PEOPLE. I CAN'T DRAW THE LINE OF DEMARCATION SO AS TO TELL WHO THAT ACTED UPON THAT FIELD WERE INNOCENT I CAN'T UNDERSTAND THE SYSTEM OF THEOLOGY IF SUCH EXISTED NOR CAN I UNDERSTAND THE SYSTEM OF ETHICS IF SUCH EVER DID EXIST THAT WOULD JUSTIFY MEN IN DOING WHAT WAS DONE UPON THAT OCCASION. I MIGHT SAY LIKE THE QUEEN OF BEERSHEBA⁷⁵⁹ WHEN SHE VISITED SOLOMON THAT THE HALF HAS NOT BEEN TOLD⁷⁶⁰ THE</p>
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758. Rogerson's hand symbol is above the shorthand symbol.

759. I.e., the queen of Sheba.

760. See 1 Kings 10:1–10.

BT

PS

PROSECUTION HAVE RESTED FOR SHORT OF THEIR DUTY. IT WAS EXPECTED—AND YOU EXPECTED WHEN YOU COME UPON THIS STAND AND TOOK THE OATH—YOU EXPECTED THAT THAT ENTIRE OATH SCENE WOULD BE REPEATED. YOU EXPECTED THAT THAT ENTIRE HISTORY WOULD BE GIVEN ~~TO~~ YOU WITH ALL OF ITS SICKENING DETAILS. YOU BELIEVED THAT THE SIN OF EVERY PARTY WOULD BE MADE MANIFEST; AND THAT THE ACTS COMMITTED BY THE 50 PEOPLE ON THAT GROUND SHOWN BY THE EVIDENCE HERE WOULD BE DESCRIBED ~~BY THE~~ TO YOU. SUCH IS NOT THE FACT. WHY I CAN'T STATE AND I AM NOT PERMITTED TO GUESS! YOU HAVE BEEN INFORMED BY THE PROSECUTION— BEEN INFORMED BY THE DOCUMENTARY EVIDENCE, THAT ~~Z~~AT THE TIME THE MASSACRE TOOK PLACE AT MOUNTAIN MEADOWS, THERE WAS A TERRIBLE CONDITION OF AFFAIRS EXISTING IN UTAH TERRITORY. HAVING LIVED IN UTAH TERRITORY YOU MIGHT BE ACQUAINTED WITH ITS FORMER HISTORY. YOU MAY BE ACQUAINTED WITH THE CAUSES THAT LED TO THE THEN EXISTING WAR. ^[3] OF THAT I HAVE A RIGHT TO SPEAK. UTAH AT THAT TIME WAS SETTLED BY WHAT IS KNOWN THROUGHOUT THE UNITED STATES AS A PECULIAR PEOPLE CALLED THE “LATTER DAY SAINTS.” I CAN'T GIVE THE WHOLE DETAIL, ~~BT~~UT YOU UNDERSTAND WHAT I MEAN; IN

PROSECUTION HAS RESTED FAR SHORT OF ITS DUTY IT *[space]* WAS EXPECTED AND YOU EXPECTED WHEN YOU COME UPON THIS STAND AND TOOK THE OATH *[space]* ~ YOU EXPECTED THAT THAT ENTIRE SCENE WOULD BE REPEATED YOU EXPECTED THAT THAT ENTIRE HISTORY WOULD BE GIVEN TO YOU WITH ALL OF ITS SICKENING DETAILS YOU BELIEVED THAT THE SIN OF EVERY PARTY WOULD BE MADE MANIFEST *[corner folded over]* ^{[[3]]} AND THAT THE ACTS COMMITTED BY THE 50 PEOPLE ON THAT GROUND SHOWN BY THE EVIDENCE HERE WOULD BE DESCRIBED TO YOU SUCH IS NOT THE FACT WHY I CAN'T STATE AND I AM NOT PERMITTED TO GUESS YOU HAVE BEEN TOLD BY THE PROSECUTION AND BEEN INFORMED BY THE DOCUMENTARY EVIDENCE THAT AT THE TIME THE MASSACRE AT MOUNTAIN MEADOWS TOOK PLACE THERE WAS A TERRIBLE CONDITION OF AFFAIRS EXISTING IN UTAH TERRITORY. HAVING LIVED IN UTAH TERRITORY YOU MIGHT BE ACQUAINTED WITH ITS FORMER HISTORY YOU MAY BE ACQUAINTED WITH THE CAUSES THAT LED TO THE THEN EXISTING WAR OF THAT I HAVE A RIGHT TO SPEAK. UTAH AT THAT TIME WAS SETTLED BY WHAT WAS KNOWN THROUGHOUT THE UNITED STATES AS A PECULIAR PEOPLE CALLED THE LATTER DAY SAINTS AND I CAN'T GIVE THE WHOLE DETAIL BUT YOU UNDERSTAND WHAT I MEAN IN

BT

PS

OTHER WORDS **THE** “MORMONS;”
THE PEOPLE WHO HAD BEEN FOR A
NUMBER OF YEARS MAKING AN
EFFORT TO ESTABLISH A CHURCH
AND A HOME IN VARIOUS PARTS OF
THE UNITED STATES; AS IN OHIO,
WHERE THEY LEFT FOR CAUSES
THAT MORMONS UNDERSTAND.
NEXT THEY SETTLED IN MISSOURI,
BELIEVING THAT UNDER THE
CONSTITUTION OF THE UNITED
STATES THEY HAD A RIGHT TO
WORSHIP GOD ACCORDING TO THE
DICTATES OF THEIR OWN
CONSCIENCES. THEY UNDERTOOK
TO MAKE A HOME IN JACKSON
COUNTY, MISSOURI. THEY LEFT
THERE FOR REASONS THAT ARE
KNOWN TO THE MORMON PEOPLE.
NEXT THEY SETTLED AT NAUVOO,
ILLINOIS,. THERE THEY BUILT
UP A CITY UNDER THE
LEADERSHIP OF JOSEPH SMITH.
THEY INCREASED IN NUMBERS;
AND COMMENCED AND, HAD WELL
NIGH BUILT A TEMPLE IN
WHICH TO WORSHIP GOD
ACCORDING TO THE DICTATES OF
THEIR OWN CONSCIENCES. AS THE
TESTIMONY FOR THE PROSECUTION
HAS SHOWN YOU JOSEPH SMITH
WAS KILLED BY PARTIES
THAT IT IS UNNECESSARY TO
NAME. HE FELL A VICTIM TO THE
WRATH OF THOSE WHO OPPOSED
THE MORMON RELIGION. THEN IT
WAS THAT THE MORMONS,— THOSE
THAT WERE LEFT TRAVELED
ACROSS THE MISSISSIPPI RIVER.
THEN IT WAS THAT THEY STRUCK
OUT UPON THE AMERICAN
DESERT, CROSSING THE PLAINS
INTO THE
FASTNESS OF THE WILDERNESS

OTHER WORDS THE MORMONS
A PEOPLE WHO HAD BEEN FOR A
NUMBER OF YEARS MAKING AN
EFFORT TO ESTABLISH A CHURCH
AND A HOME IN VARIOUS PARTS OF
THE UNITED STATES FIRST IN OHIO
WHERE THEY LEFT FOR CAUSES
THAT MORMONS UNDERSTAND.
NEXT THEY SETTLED IN MISSOURI
BELIEVING THAT UNDER THE
CONSTITUTION OF THE UNITED
STATES THEY HAD A RIGHT TO
WORSHIP GOD ACCORDING TO THE
DICTATES OF THEIR OWN
CONSCIENCES THEY UNDERTOOK
TO MAKE A HOME IN JACKSON
COUNTY MISSOURI. THEY LEFT
THERE FOR REASONS THAT ARE
KNOWN TO THE AMERICAN PEOPLE.
NEXT THEY SETTLED AT NAUVOO
ILLINOIS AND THERE THEY BUILT
UP A CITY THERE UNDER THE
LEADERSHIP OF JOSEPH SMITH
THEY INCREASED IN NUMBERS
AND COMMENCED AND HAD WELL
NIGH COMPLETED A TEMPLE IN
WHICH TO WORSHIP GOD
ACCORDING TO THE DICTATES OF
THEIR OWN CONSCIENCES AS THE
TESTIMONY FOR THE PROSECUTION
HAS SHOWN YOU JOSEPH SMITH
WAS KILLED THERE BY PARTIES
THAT IT IS UNNECESSARY TO
NAME HE FELL A VICTIM TO THE
WRATH OF THOSE WHO OPPOSED
THE MORMON RELIGION. THEN IT
WAS THAT THE MORMONS THOSE
THAT WERE LEFT THEY TRAVELED
ACROSS THE MISSISSIPPI RIVER
THEN IT WAS THAT THEY STRUCK
OUT UPON THE ^{[[4]]} AMERICAN
DESERT AND CROSSED THE PLAINS
AND *ESTABLISH A HOME*[?] IN THE
VASTNESS OF THE WILDERNESS

BT

PS

FOR THE PURPOSE OF BUILDING UP A HOME WHERE THEY WOULD HAVE A RIGHT TO WORSHIP GOD, AS THEY CLAIMED ACCORDING TO THE DICTATES OF THEIR OWN CONSCIENCES, AND UNINTERFERED **WITH** BY THE OUTSIDE WORLD. THEY SETTLED IN UTAH. THE HISTORY THAT GOES BEFORE THAT AS UNDERSTOOD **BY** ALL IS A HISTORY THAT THE AMERICAN PEOPLE ARE ASHAMED OF; AND TO REFER TO IT IS ALL THAT IS NECESSARY. ~~WELL~~ **WHILE** I CAN'T APOLOGIZE FOR THE DEED COMMITTED AT MOUNTAIN MEADOWS, NEITHER CAN THE PEOPLE OF THE UNITED STATES,—FOR THE ACTS COMMITTED AGAINST THE PEOPLE OF THE TERRITORY OF UTAH, —APOLOGIZE FOR THE ACTS OF THE PEOPLE THAT OPPOSED MORMONISM ^[4] IN JACKSON COUNTY MISSOURI, AND NAUVOO, ILLINOIS; AT THE TIME ~~THEN~~ **THEN** OR IMMEDIATELY PRECEDING THIS MASSACRE AN ARMY WAS MARCHING ACROSS THE PLAINS UNDER THE LEADERSHIP OF JOHNSON — COMING FOR WHAT? I CAN ONLY ARGUE FROM THE EVIDENCE OF THE PROSECUTION. WE ARE TOLD BY MR. ~~MORRIS~~ HAMBLIN WHO APPEARS AS A MAN REPRESENTING **THE SPIRIT OF** THIS PROSECUTION, THAT IT WAS THE GENERAL UNDERSTANDING OF THE PEOPLE THAT THIS ARMY WAS COMING TO WIPE OUT THE MORMONS—TO DESTROY THEM AS A CHURCH, A PEOPLE, AND THAT FOR THE PURPOSE OF RESISTING THEM FROM THE

FOR THE PURPOSE OF BUILDING UP A HOME WHERE THEY WOULD HAVE THE RIGHT TO WORSHIP GOD AS THEY CLAIMED ACCORDING TO THE DICTATES OF THEIR OWN CONSCIENCES AND UNINTERFERED WITH BY THE OUTSIDE WORLD THEY SETTLED IN UTAH [space] THE HISTORY THAT GOES BEFORE THAT AS UNDERSTOOD BY ALL IS A HISTORY THAT THE AMERICAN PEOPLE ARE ASHAMED OF AND A REFERENCE TO IT IS ALL THAT IS NECESSARY WHILE I CAN'T APOLOGIZE FOR THE ~~WHAT WAS~~ DEED COMMITTED AT MOUNTAIN MEADOWS NEITHER CAN THE GOVERNMENT OF THE UNITED STATES THAT ACTS FOR THE PEOPLE IN THE TERRITORY OF UTAH APOLOGIZE FOR THE ACTS OF THE PEOPLE THAT OPPOSED MORMONISM IN JACKSON COUNTY MISSOURI AND NAUVOO ILLINOIS [space] AT THE TIME THEN IMMEDIATELY PRECEDING THIS MASSACRE AN ARMY WAS MARCHING ACROSS THE PLAINS UNDER THE LEADERSHIP OF JOHNSTON COMING FOR WHAT? I CAN ONLY ARGUE FROM THE EVIDENCE OF THE PROSECUTION. WE ARE TOLD BY MR. HAMBLIN WHO APPEARS AS A MAN CONSTITUTED [space] A PART[?] OF THIS PROSECUTION THAT IT WAS THE GENERAL UNDERSTANDING THAT THIS ARMY WAS COMING TO WIPE OUT THE MORMONS TO DESTROY IT AS A CHURCH AND/A[?] PEOPLE AND THAT FOR THE PURPOSE OF RESISTING THEM *FROM/OVER*[?] THE

BT

PS

PEOPLE IN ~~UTAH~~ **THE** TERRITORY
OF UTAH, THEY TRIED~~N~~ WITH
MUSTERS UNDER THE
VARIOUS LEADERS AND
COMMANDERS BY DRILLING
BY THOSE SKILLED IN MILITARY
TACTICS IN ORDER TO RESIST THE
INVADING ARMY. IT IS
UNNECESSARY FOR US TO ENQUIRE
WHICH PARTY WAS RIGHT AT THIS
TIME. BUT AS THERE CAN BE NO
CRIME WITHOUT A GUILTY
INTENTION IT IS NECESSARY FOR
US TO CONSIDER THE
CIRCUMSTANCES SURROUNDING
THE PEOPLE AT CEDAR CITY AND
THE COMMON FEELING OF THE
PECULIAR PEOPLE THAT THEN
LIVED IN UTAH, IN ORDER TO
ARRIVE AT THE FEELINGS OF ~~OF~~
THOSE WHO WERE CHARGED WITH
THE COMMISSIN~~ON~~ OF THES CRIME.
WE ARE TOLD THEN THAT
JOHNSON WAS MARCHING FROM
THE EAST ~~TO THE SOUTH & NORTH~~
TO THE SOUTH; THAT IT WAS
FEZARED THAT AN ARMY WOULD
COME FROM THE SOUTH—FROM
CALIFORNIA —AND THAT
THE PEOPLE IN UTAH WOULD BE
ANNIHILATED; THEY WOULD
BE COMPELLED TO AGAIN LEAVE
THEIR HOMES; THAT THEY WOULD
AGAIN BECOME LIKE THE [space]
FROM THE ARMY — ~~WITH NO PLACE~~
A FUGITIVE UPON THE FACE OF THE
EARTH WITH NO POLACE UPON
WHICH TO REST THEIR FEET. THEY
FEEL THAT THEIR PERSECUTION
HAD BECOME GREATER THAN **THEY**
COULD BEAR. THEY WERE DRIVEN
TO FRENZY.. IT MIGHT BE SAID
~~THAT~~ THAT THEY WERE ALL
WRONG; SO BE IT, YET THE FEELING

PEOPLE IN UTAH TERRITORY
WERE
MUSTERING *IN/UNDER*[?] THE
VARIOUS
COMMANDERS AND BEING DRILLED
BY THOSE SKILLED IN MILITARY
TACTICS IN ORDER TO RESIST THE
INVADING ARMY. IT IS
UNNECESSARY FOR US TO ENQUIRE
WHICH PARTY WAS RIGHT AT THIS
TIME. BUT AS THERE CAN BE NO
CRIME WITHOUT A GUILTY
INTENTION IT IS NECESSARY FOR
US TO CONSIDER THE
CIRCUMSTANCES SURROUNDING
PEOPLE AT CEDAR CITY AND
THE COMMON FEELING OF THE
PECULIAR PEOPLE THAT THEN
LIVED IN UTAH IN ORDER TO
ARRIVE AT THE FEELINGS OF
THOSE CHARGED WITH
THE COMMISSION OF THIS CRIME.
WE ARE TOLD THEN THAT
JOHNSTON WAS MARCHING FROM
THE EAST AND NORTH
AND THAT IT WAS
FEARED THAT AN ARMY WOULD
COME FROM THE SOUTH FROM
CALIFORNIA [space] ^[15] AND THAT
THE PEOPLE IN UTAH WOULD BE
ANNIHILATED THAT THEY WOULD
BE COMPELLED TO AGAIN LEAVE
THEIR HOMES THAT THEY WOULD
AGAIN BECOME LIKE THE DOVE
SENT FROM THE ARK
FUGITIVE UPON THE FACE OF THE
EARTH WITH NO PLACE UPON
WHICH TO REST THEIR FEET THEY
FELT THAT THEIR PERSECUTION
HAD BECOME GREATER THAN **THEY**
COULD BEAR THEY WERE DRIVEN
TO FRENZY IT MAY BE SAID
THAT THEY WERE ALL
WRONG SO BE IT YET THE FEELING

BT

PS

WAS STRONG AND BITTER
THAT THEY MUST
EITHER DIE BATTLING FOR THEIR
RIGHTS OR ELSE GIVE UP THEIR
SYSTEM OF WORSHIP OR
FLEE TO LANDS THEY ~~KNOW~~ KNEW
NOT OF. THEY FELT THAT
DEATH IN ANY SHAPE WAS
PREFERABLE TO THIS. ; OR
RATHER, THEY FELT THAT ~~THAT~~
ANYTHING THAT WOULD WASTE
AWAY THEIR ENEMIES ^{/s/} AND
OTHER PEOPLE OF THE UNITED
STATES WAS ~~PREFERABLE~~
JUSTIFIABLE. THEY WERE TAUGHT
TO BELIEVE THAT AND THAT CAN'T
BE DENIED. GENTLEMEN, WE
DEPEND IN THIS CASE UPON THE
EVIDENCE OF THE PROSECUTION;
BUT HERE MY BROTHER DENNY
WITH ALL THE INGENUITY OF A
MASTER, HAS COME BEFORE YOU
AND SAID WHY DID THEY NOT
IMPEACH THE WITNESSES? SIMPLY
BECAUSE THEIR OWN STORY
IMPEACHES THEM. WHY DID JOHN
D. LEE NOT GIVE EVIDENCE OF THE
ORDERS THAT THEY RECEIVED AND
PERFORMED, AND HOW HE
RECEIVED THEM? SIMPLY BECAUSE
THE LAW HAS TIED HIS MOUTH—
CLOSED HIS MOUTH AND
SILENCED HIS UTTERANCE—
COMPELLED HIM TO SET THERE
SILENT DURING THIS
INVESTIGATION, AND PREVENTED
HIS UTTERING ONE WORD IN
EXPLANATION OR DEFENSE. THEN
TELL ME IT IS FAIR TO SAY
WHY IS IT NOT EXPLAINED?. HE
CAN'T EXPLAIN. THE LAW
HAS DENIED HIM THE RIGHT. TO
SHOW NOW THE PECULIAR
CONDITION OF AFFAIRS, I READ

WAS STRONG IN THE
HORROR/WAR[?] THAT THEY MUST
EITHER DIE BATTLING FOR THEIR
RIGHTS OR ELSE GIVE UP THEIR
CHOSEN SYSTEM OF WORSHIP OR
FLEE TO LANDS THEY KNEW
NOT OF THEY FELT THEN THAT
DEATH IN ANY SHAPE WAS
PREFERABLE TO THIS OR
RATHER THEY FELT THAT
ANYTHING THAT WOULD WASTE
AWAY THE ENEMY AND
THE OTHER PEOPLE OF THE UNITED
STATES WAS
JUSTIFIABLE THEY WERE TAUGHT
TO BELIEVE THAT AND THAT CAN'T
BE DENIED. GENTLEMEN WE
DEPEND IN THIS CASE UPON THE
EVIDENCE OF THE PROSECUTION
BUT HERE MY BROTHER DENNY
WITH ALL OF THE INGENUITY OF A
MASTER HAS COME BEFORE YOU
AND SAID WHY DID THEY NOT
IMPEACH THE WITNESSES? SIMPLY
BECAUSE THEIR OWN STORY
IMPEACHED THEM WHY DID JOHN
D. LEE NOT GIVE EVIDENCE OF THE
ORDERS THAT HE RECEIVED AND
PERFORMED *AND/HE*[?]
RECEIVED THEM SIMPLY BECAUSE
THE LAW HAS TIED HIS MOUTH
CLOSED HIS MOUTH AND
SILENCED HIS UTTERANCE [*space*]
COMPELLED HIM TO SIT THERE
SILENT DURING THIS
INVESTIGATION AND PREVENTED
HIS UTTERING ONE WORD OF
EXPLANATION OR DEFENSE. THEN
TELL ME THAT IT IS FAIR TO SAY
WHY IS IT NOT EXPLAINED HE
CAN'T EXPLAIN [*space*] THE LAW
HAS DENIED HIM THAT RIGHT. TO
SHOW YOU NOW THE PECULIAR
CONDITION OF AFFAIRS I READ

BT

PS

YOU WHAT THE PROSECUTION HAS NOT YET REZAD.
I DO IT SIMPLY IN A SPIRIT OF FAIRNESS MORE THAN FOR THE PURPOSE OF SUCCESS IN THIS CASE. BUT I ADMIT TO YOU THAT SUCCESS IS DEARER TO ME THAN ANYTHING ELSE ON EATRTH, AND AS YOU ARE TO DECIDE THIS CASE ACCORDING TO THE LAW AND THE EVIDENCE, YOU ARE ENTITLED TO KNOW WHAT THE EVIDENCE IS.

THE DATE CHARGED IN THE INDICTMENT AS THE TIME WHEN THE CRIME WAS COMMITTED IS THE 16TH OF SEPTEMBER. HOWARD: I CLAIM THIS OFFENCE WAS COMMITTED ON THE FRIDAY XSUCCEEDING THE MONDAY, THE 7TH DEAY OF SEPTEMBER,—THAT WOULD TBE THE 11TH OF SEPTEMBER. BISHOP: I AM GOING TO ARGUE THAT THIS IS NOT PROPDERLY FOUNDED. THEN, GENTLEMEN OF THE JURY, IT IS ALLEGED IN THE INDICTMENT THAT THIS CRIME WAS COMMITTED ON THE SIXTH 16TH OF SEPTEMBER; IT IS NOW CLAIMED ON THE 11TH OF SEPTEMBER. ALL RIGHT LET IT GO SO. NOW, GENTLEMEN, I CLAIM THAT THEY ARE MISTAKEN IN THEIR TIME, BECAUSE IF THE EVIDENCE OF THE PROSECUTION BE TRUE, AND THAT CRIME WAS COMMITTED ON THE 11TH. HASLAM

YOU WHAT THE PROSECUTION HAS NOT YET READ [space] AND I DO IT MORE IN THE SPIRIT OF FAIRNESS MORE THAN FOR THE PURPOSE OF SUCCESS IN THIS CASE BUT I ADMIT TO YOU THAT SUCCESS IS DEARER TO ME THAN ANYTHING ELSE ON EARTH AND AS YOU ARE [page folded]^{[[6]]} SWORN TO DECIDE THIS CASE ACCORDING TO THE LAW AND THE EVIDENCE YOU ARE ENTITLED TO KNOW WHAT THE EVIDENCE IS FOR WHEN YOU LEAVE THE JURY BOX YOU CAN TAKE THIS WRITTEN⁷⁶¹ EVIDENCE WITH YOU IT THAT[?] A PORTION OF THAT OF THEM. [space] THE DATE CHARGED IN THE INDICTMENT AS THE TIME[?] WHEN THE CRIME WAS COMMITTED IS THE 16 OF SEPTEMBER [space] HOWARD WE CLAIM THIS OFFENSE WAS COMMITTED ON THE FRIDAY SUCCEEDING MONDAY THE 7 DAY OF SEPTEMBER THAT WOULD BE THE 11TH OF SEPTEMBER [space] BISHOP I AM GOING TO ARGUE THAT THAT/WITH THEM[?] THIS IS NOT PROPERLY FOUNDED. [space] THEN GENTLEMEN OF THE JURY IT IS ALLEGED IN THE INDICTMENT THAT THIS CRIME WAS COMMITTED ON THE 16 OF SEPTEMBER IT IS NOW CLAIMED ON THE 11TH OF SEPTEMBER [space] ALL RIGHT LET IT GO SO [space] NOW GENTLEMEN I CLAIM THAT THEY ARE MISTAKEN IN THEIR TIME BECAUSE IF THE EVIDENCE FOR THE PROSECUTION BE TRUE AND THAT CRIME WAS COMMITTED ON THE 11TH HASLAM

761. Word may have been added later.

BT

PS

HAD ARRIVED IN SALT LAKE CITY WITH HIS INFORMATION ~~BEFORE THE~~ **ABOUT THE AFFAIRS AT TRAIN REACHED CEDAR CITY .** PREVIOUS TO THE ISSUANCE OF THE PROCLAMATION THAT IS SIGNED BY ^[6] ~~D~~DANIEL H. WELLS AND BY BRIGHAM YOUNG; BUT I CLAIM THAT NO NOTICE OF THE KIND THAT HASLAM DELIVERED TO BRIGHAM YOUNG, **THAT** THE PRESIDENT OF THE MORMON CHURCH, AND THEN GOVERNOR AND SUPERINTENDANT OF INDIAN AFFAIRS IN THIS TERRITORY WOULD NOT AND COULD NOT HAVE ISSUED A PROCLAMATION THAT WAS ISSUED IMMEDIATELY AFTER THAT IN REGARD TO THE TREATMENT OF EMIGRANTS AND PEOPLE GOING THROUGH. THERE IS SOMETHING WRONG HERE. EITHER IT WAS A CONSPIRACY OF THE ENTIRE **ENTIRE** PEOPLE OF THE TERRITORY OF UTAH TO COMMIT CRIME THEMSELVES, OR ELSE THE EVIDENCE FOR THE PROSECUTION IS UNTRUE, ONE OF ~~THE~~ TWO. YOU CAN'T DODGE IT. WHERE THE GUILTY IS GOD KNOWS, I DON'T, AT LEAST HE KNOWS THAT I DON'T; WHETHER HE KNOWS WHO IT IS OR NOT. THE FIRST THING THEN, GENTLEMEN, I COME TO ~~IN~~ **WITH** THIS DOCUMENTARY EVIDENCE WOULD BE THE LETTER OF COLONEL WILLIAM H. DAME. IT IS A PECULIAR HISTORY, AND IT MAY BE THAT SOME PEOPLE STILL LIVE IN UTAH THAT WISH IT WAS ~~BLOTTE~~D OUT BUT YOUR PARTICULAR FRIEND AND BROTHER

HAD ARRIVED IN SALT LAKE CITY WITH HIS INFORMATION ABOUT THE AFFAIRS AT CEDAR CITY PREVIOUS TO THE ISSUANCE OF THE PROCLAMATION THAT IS SIGNED BY DANIEL H. WELLS AND BY BRIGHAM YOUNG BUT I CLAIM THAT IF START NOTICE OF THE *DEED THAT*[?] KIND THAT HASLAM DELIVERED TO BRIGHAM YOUNG THAT THE PRESIDENT OF THE MORMON CHURCH AND THEN GOVERNOR AND SUPERINTENDENT OF INDIAN AFFAIRS IN THIS TERRITORY AND THE LIEUTENANT GENERAL OF ITS FORCES WOULD NOT AND COULD NOT HAVE ISSUED THE PROCLAMATION THAT WAS ISSUED IMMEDIATELY AFTER THAT IN REGARD TO THE TREATMENT OF EMIGRANTS AND PEOPLE GOING THROUGH. THERE IS SOMETHING WRONG HERE EITHER IT WAS A CONSPIRACY OF THE ENTIRE PEOPLE OF UTAH TO COMMIT THIS CRIME OR ELSE THE EVIDENCE FOR THE PROSECUTION IS UNTRUE ONE OF THE TWO [*space*] ^[7] YOU CAN'T DODGE IT. WHERE THE GUILT IS GOD KNOWS I DON'T AT LEAST HE KNOWS THAT I DON'T WHETHER HE KNOWS WHERE IT IS OR NOT. [*space*] THE FIRST THING, GENTLEMEN THEN TO COME IN THIS DOCUMENTARY EVIDENCE WOULD BE THE LETTER TO COLONEL DAME. BUT IT HAS A PECULIAR HISTORY AND IT MAY BE THAT SOME PEOPLE STILL LIVE IN UTAH THAT WISH IT WAS ~~BLOTTE~~D OUT BUT YOUR PARTICULAR FRIEND BY OTHER

BT

PS

<p>MORMON, THE UNITED STATES ATTORNEY HERE HAS TAKEN PARTICULAR PAINS TO RAISE ALL OF THE ODEUM FROM THE MORMON CHURCH, AND BY HIS POPENING SPEECH AND THE COURSE OF HIS CONDUCT IN THE TRIAL OF THIS CASE HA HAS MADE THE EFEFFORT IAS I HAVE MADE IT HERE BEFORE TO RAISE THE ODEUM FROM THE MORMON CHURCH; AS SUCH IT IS TOO LATE NOW FOR THE GOVERNMENT TO GO BACK AND CLAIM THAT THE MORMON VCHURCH PLANNED THIS MASSACRE— IT CAN'T BE DONE. STILL THEY HAVE INTRODUCED TESTIMONY HERE OF A PARTICULAR CHARACTER ; AND AS MY BROTHER NDENNY REMARKED, IT MAY BE EVIDENCE THZAT IS COMPETENT AND I WILL READ IT TO YOU. IT MIGHT SOUND WELL IN SOME OF THE PAPERS. THAT ARE PARTICULARLY FFRIENDLY TO THE MORMON CHURCH. ESPECIALLY TO THE SALT LAKE TRIBUNE, SAN FRANCISCO CHRONICLE, THE VIRGINIA ENTERPRISE, THE PIOCHE RECORD AND THE SAINT LOUIS REPUBLICAN. I DARE SAY THEY WILL DECREE BY UNANIMOUS VOTE OF EACH EDITOR, THAT THERE WAS NO PERSON IN THE WORLD THAT HAD ANYTHING TO DO WITH THKIS EXCEPT ONE OR TWO MEN AT CEDAR CIRTY. BUT THE TIME WILL COME WHEN YOU WILL SEE LEE ^[7] THE PROSECUTION GOING BACK</p>	<p>MORMONS <i>AND/THE</i>[?] UNITED STATES ATTORNEY HERE HAS TAKEN PARTICULAR PAINS TO ERASE ALL OF THE⁷⁶² ODIUM FROM THE MORMON CHURCH AND BY HIS OPENING SPEECH AND THE COURSE OF HIS CONDUCT IN THE TRIAL OF THIS CASE HAS MADE THE EFFORT AS I HAVE MADE IT HERE <i>BEFORE</i>[?] TO ERASE THE ODIUM FROM THE MORMON CHURCH AS SUCH AND IT IS TOO LATE NOW FOR THE GOVERNMENT TO GO BACK AND CLAIM THAT THE MORMON CHURCH PLANNED THIS MASSACRE IT CAN'T BE DONE. [<i>space</i>] STILL THEY HAVE INTRODUCED TESTIMONY HERE OF A PARTICULAR CHARACTER AND AS MY BROTHER DENNY REMARKED, IT MAY BE EVIDENCE THAT IS COMPETENT AND I WILL READ IT TO YOU. IT MAY SOUND WELL IN SOME OF THE PAPERS THAT ARE PARTICULARLY FRIENDLY TO THE MORMON CHURCH. ESPECIALLY TO THE SALT LAKE TRIBUNE AND SAN FRANCISCO CHRONICLE THE VIRGINIA ENTERPRISE THE PIOCHE RECORD AND THE SAINT LOUIS REPUBLICAN. [<i>space</i>] I DARE SAY THEY WILL DECREE BY UNANIMOUS VOTE OF EACH EDITOR THAT THERE WAS NO PERSON OF THE WORLD THAT HAD ANYTHING TO DO WITH THIS EXCEPT ONE OR TWO MEN AT CEDAR CITY BUT THE TIME WILL COME WHEN YOU WILL SEE THE PROSECUTION GOING BACK</p>
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762. Rogerson's hand symbol; a second hand symbol is in the margin to the left of this line.

BT

PS

UPON ITS TRACKS AS BOLDLY AS
THEY HAVE HAVE COME UPON THE
TRACK THAT WAS FORMED BY
SOME OF THEM IN THE FORMER
~~TRIAL~~ PROSECUTION.. THIS
IS

THE SIGNATURE OF JAMES JACK,
NOTARY PUBLIC OF SALE LAKE
CITY, SHOWING THAT IT IS A
JENUINE DOCKET; BUT I SUPPOSE
FROM THE POSITION THAT HE
OCCUPIES HE KNOWS. | COUNSEL
HERE HREAD THE DOCUMENT
THROUGH| THIS IS ABOUT TWO
DAYS BEFORE THE MASSACRE AS
CHARGED IN ~~THE~~ TO HAVE BEEN
COMMITTED IN THE INDICTMENT.
THEREE DAYS AFTER IT IS
CHARGED NOW TO HAVE BEEN
COMMITTED.

THEN HASLAM STATES THE DAY
AFTER HE S TARTED ON THE 7TH,
HE GOT TO SALT LSKE CITY..

THIS WAS

WRITTEN AFTER IT WAS
KNOWN THAT THE PEOPLE AT
CEDAT CITY HAD REACHED THIS
ENTIRE

HOSTILITY AGAINST THE
EMIGRANTS.

THIS THEN

WAS WRITTEN FOUR DAYS
AFTERWARDS— FOUR DAYS AFTER
HE HAD BEEN THERE. I WILL READ
THIS AGAIN| READS|

GENTLEMEN, ISN'T THAT A
PECULIAR CHARACTER OF
~~TESTIMONY~~ EVIDENCE TO BE
INTRODUCED BY THE PROSECUTION
THAT IS TRYING TO MAKE YOU
BELIEVE THAT ALL FOF THE
DIFFICULTIES ORIGINATED IN ~~UTAH~~
SOUTHERN UTAH, ROSE FROM
THE SPIRIT THAT ACTUATED ONE

UPON ITS TRACK AS BOLDLY AS
THEY HAVE IN THIS UPON THE
TRACK THAT WAS FORMED BY
SOME OF THEM IN THE FORMER
PROSECUTION THIS IS GOOD
WHOLESOME[?] AND PECULIAR IT IS
THE SIGNATURE OF JAMES JACK
NOTARY PUBLIC OF SALT LAKE
CITY SHOWING THAT IT IS A
GENUINE DOCKET BUT I SUPPOSE
FROM THE POSITION THAT HE
OCCUPIES HE KNOWS [*space*]^[18] “ —
[*space*]

THAT IS TWO

DAYS BEFORE THE MASSACRE IS
CHARGED TO HAVE BEEN
COMMITTED IN THE INDICTMENT
3 DAYS AFTER IT IS

CHARGED NOW TO HAVE BEEN
~~PROSECUTED~~ COMMITTED [*space*]

FOR HASLAM TELLS THE DAY
AFTER HE STARTED ON THE 7TH
GO TO SALT LAKE BUT IN THE DAY
~~THAT WAS~~ [*space*] THIS WAS

WRITTEN THEN AFTER IT WAS
KNOWN THAT THE PEOPLE AT
CEDAR CITY HAD *RDV/RCH*—[?] [*ink*
blot] THEMSELVES IN THEIR

HOSTILITY AGAINST THE
EMIGRANTS. <HOWARD> CEDAR

CITY MONDAY [*space*] THIS THEN
WAS WRITTEN FOUR DAYS
AFTERWARDS. FOUR DAYS AFTER
HE HAD BEEN THERE. [*space*] READ
THIS AGAIN “DOCUMENT” [*space*]

GENTLEMEN ISN'T THAT A
PECULIAR CHARACTER OF
EVIDENCE TO BE
INTRODUCED BY A PROSECUTION
THAT IS TRYING TO MAKE YOU
BELIEVE THAT ALL OF THE
DIFFICULTIES ORIGINATED IN
SOUTHERN UTAH AND ROSE FROM
THE SPIRIT THAT ACTUATED ONE

BT

PS

OR TWO MEN. ISN'T IT PECUKLIAR EVIDENCE TO BE INTRODUCED TO SHOW THAT JOHN D~~L~~. LEE AND ISAAC C. HAIGHT AND OLD MAN HOPKINS AND ONE OR TWO OTHERS SAT CEDAR CITY WENT IN DEFIANCE TO DO EXACTLY WHAT THE CHURCH AUTHORITIES DIRECETD THEM TO FDO A FEW DAYS AFTERWARDS. THAT DOFCUMENT IS PECULIAR IN ITS CHARACTER. IT WAS ISSUED UNDER A PECULIAR STATE OF EXCITEMENT. WHEN THE MAN WHO DRAFTED IT KNEW THAT THEY WERE MAKING WAR OR WAGING A WZAR AS IT WERE FOR EXISTANCE..

IT IS A DOCUMENT THAT UNEXPLAINED WOULD STAMP ~~THE~~ TWO MEN WHO WROTE IT AS ~~THE~~ BEING TRAITORS—..THE VILEST TRAITORS TO THE UNITED STARES THAT EVER EXISTED. . BUT UNDERSTAND THAT THE **EVIDENCE** ~~THAT THE~~ PROSECUTION HAS PUT IN HEDRE—YOU UNDERSTAND **IT** AND KNOW WHY IT WAS WRITTEN. YET IT COMES FØROM THE FRIENDS OF THE CHURCH, FROM THE PROSECUTION IN THIS CASE. THZAT IS WHAT THEY RECEIVED—THE ^[8]

PROCLAMATION WHICH I SHALL NOW READ. [COUNSEL READS PROCLAMATION| GENTLEMEN, YOU UNDERSTAND WHY THAT IS GOOD EVIDENCE.. IT IS DADMITTED THAT THIS IS AN EXACT COPY OF THE PROCLAMATION OF THE GOVERNOR OF THE TERRITORY OF UTAH,

OR TWO MEN ISN'T IT PECULIAR EVIDENCE TO BE INTRODUCED TO SHOW THAT JOHN D. LEE AND ISAAC C HAIGHT AND OLD MAN HOPKINS AND ONE OR TWO OTHERS AT CEDAR CITY CONCLUDED IN ADVANCE TO DO EXACTLY WHAT THE CHURCH AUTHORITIES DIRECTED THEM TO DO A FEW DAYS AFTERWARDS. THAT DOCUMENT IS PECULIAR IN ITS CHARACTER. IT WAS ISSUED UNDER A PECULIAR STATE OF EXCITEMENT WHEN THE MEN WHO DRAFTED IT KNEW THAT THEY WERE MAKING WAR OR WAGING A WAR AS IT WERE FOR EXISTENCE FIGHTING FROM NECESSITY AND *NOT*[?] FROM CHOICE A DOCUMENT THAT OF ITSELF UNEXPLAINED WOULD STAMP THE TWO MEN WHO WROTE IT AS BEING TRAITORS THE VILEST TRAITORS TO THE UNITED STARES THAT EVER EXISTED BUT EXPLAINED WITH THE EVIDENCE THAT THE PROSECUTION HAS PUT IN HERE YOU UNDERSTAND IT AND KNOW WHY IT WAS WRITTEN YET IT COMES FROM THE FRIENDS OF THE CHURCH FROM THE PROSECUTION IN THIS CASE. THAT SAYS THAT THEY WILL RECEIVE *THAT THEY/WITH THEM*[?] A PROCLAMATION WHICH I WILL NOW READ. [*space*] ^[19] “PROCLAMATION” [*space*] GENTLEMEN OF THE JURY YOU UNDERSTAND WHY THAT IS GOOD EVIDENCE —/R[?] —[?] IT IS ADMITTED THAT THIS IS AN EXACT COPY OF THE PROCLAMATION OF THE GOVERNOR OFUTAH TERRITORY

BT

PS

<p>ISSUED ON THE 15TH DAY LOF SEPTEMBER 1857. IT IS THE EVIDENCE INTRODUCED BY THE EPROSECUTION. THEY HAVE NO RIGHT TO DISPUT IT. THEY COULD NOT DISPUTE IT AFTER THEY HAVE INTRODUCED IT. SECONDLY ALL EVIDENCE HERE IS TAKEN AS TRUE. CALL YOUR ATTENTION TO SOME OF THOSE THINGS— WHY IT WAS THAT MARTIAL LAW WAS DECLARED. THIS PROCLAMATION SHOWS YOU YHERE WHY THE PROCLAMATION LETTER TO WILLIAM H. DAME WAS WRITTEN. AS I SAID BEFORE THE LETTER UNEXPLAINED WOULD SHOW BRIGHAM YOUNG AND DANIEL H. WELLSTO BE TRAITORS TO THE COUNTRY AND THAT THIS EXPLENATION WHICH SHOWS BY WHOM THEY WERE WRITTEN AND THAT MAN STATED IS BRIGHAM YOUNG; AND THISM THINKG MAY BE SAID: NOTHINGN ELSE COULD BE DONE. TAKE THIS EVIDENCE AND SEE WHAT WHAT WAS DONE.. “FOR THE LAST 25 YEARS WE HAVE TRUSTED OFFICIALS OF THE GOVERNMENT OFROM CONSTABLES AND JUSTICES AND JUDGES, GOVERNORS AND PRESIDENTS, ONLY TO BE SCORNED HELD IN DERISION, INSULTED AND BETRAYED. OUR HOUSES HAVE BEEN PLUNDERED AND THEN BURNED.” DO YOU BELIEVE THE WORDS OF BRIGHAM YOUNG. DO YOU BELIEVE THAT HE TALKS UNDERSTANDINGLY WHEN HE SAYS THAT YOUR HOUSEES HAVE BEEN PLUNDERED AND THEN</p>	<p>ISSUED ON THE 15TH DAY OF SEPTEMBER 1857 IT IS THE EVIDENCE INTRODUCED BY THE PROSECUTION THEY HAVE NO RIGHT TO DISPUTE IT THEY COULD NOT DISPUTE IT AFTER THEY HAVING INTRODUCED IT. CERTAINLY ALL <i>THIS</i>[?] HERE IS TAKEN AS TRUE. CALL YOUR ATTENTION TO SOME OF THOSE THINGS WHY IT WAS THAT MARTIAL LAW WAS DECLARED 46 THIS PROCLAMATION SHOWS YOU WHY THE LETTER TO WILLIAM H DAME WAS WRITTEN AS I SAID BEFORE THE LETTER UNEXPLAINED WOULD SHOW BRIGHAM YOUNG AND DANIEL H. WELLS TO BE TRAITORS TO THE COUNTRY WITH THIS EXPLANATION WHICH SHOWS <i>BY</i> <i>WHOM</i>[?] THAT WAS WRITTEN AND THAT <i>MAM</i>[?] STATED IS BRIGHAM YOUNG⁷⁶³ AND THIS THING MAY <i>WE/THAT</i>[?] STATED NOTHING ELSE COULD BE DONE TAKE THIS EVIDENCE SEE WHAT WAS DONE [<i>space</i>] FOR THE LAST 25 YEARS WE HAVE TRUSTED OFFICIALS OF THE GOVERNMENT FROM CONSTABLES AND JUSTICES AND JUDGES [<i>space</i>] GOVERNORS AND PRESIDENTS ONLY TO BE SCORNED HELD IN DERISION INSULTED AND BETRAYED OUR HOUSES HAVE BEEN PLUNDERED AND THEN BURNED DO YOU BELIEVE THE WORDS OF BRIGHAM YOUNG DO YOU BELIEVE THAT HE TALKS UNDERSTANDINGLY WHEN HE SAYS THAT YOUR HOUSES HAVE BEEN PLUNDERED AND THEN</p>
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763. Rogerson’s hand symbol.

BT

PS

BURNED? DO YOU BELIEVE HIM WHEN HE SAYS OUR FIELDS LAID WASTE, OUR PRINCIPLE MEN BUTCHERED WHILE UNDER THE PLEDGED FAITH OF THE GOVERNMENT FOR THEIR SAFETY? DO YOU BELIEVE THAT HE KNEW WHAT HE SAYS WAS WRITING ABOUT? DO YOU BELIEVE THAT HE UNDERSTOOD THE SITUATION? DO YOU BELIEVE THAT BRIGHAM YOUNG MISREPRESENTED THE FACTS TO THE PEOPLE OF UTAH WHEN HE WAS ASKING THEM TO RAISE AS ONE MAN AND DEFEND THEIR RELIGION AND THEIR HOMES? YOU MUST BELIEVE — INTRODUCED BY THE PROSECUTION IT IS THEIR EVIDENCE. AND FURTHER HE SAYS, “OUR FAMILIES HAVE BEEN DRIVEN FROM THEIR HOMES TO FIND SHELTER IN THE ^[9] BARREN WILDERNESS, AND THAT PROTECTION AMONG HOSTILE SAVAGES WHICH WAS DENIED THEM IN THE BOASTED ABODES OF CHRISTIANITY AND CIVILIZATION.” WAS NOT, IF THAT PROCLAMATION BE TRUE, THE PEOPLE THAT INHABITED UTAH IN 1857, A PERSECUTED PEOPLE? IT CAN’T BE DENIED—IT CAN’T BE DENIED QUESTIONED BUT WHAT THE GOVERNMENT OF THE UNITED STATES, JUDGING FROM THE TESTIMONY BEFORE THE PEOPLE AND BEFORE THIS JURY, BUT WHAT THE GOVERNMENT OF THE UNITED STATES WAS URGING — THEN CARRYING ON AND INTRODUCING WAR AGAINST THE PEOPLE OF UTAH. — AND I SHALL NOT GO OUTSIDE OF THE RECORD. I SAY THAT FROM THE TESTIMONY

BURNED DO YOU BELIEVE HIM WHEN HE SAYS OUR FIELDS LAID WASTE OUR PRINCIPLE MEN BUTCHERED WHILE UNDER THE PLEDGED FAITH OF THE GOVERNOR FOR THEIR SAFETY DO YOU BELIEVE THAT HE KNEW WHAT HE WAS WRITING ABOUT DO YOU BELIEVE THAT HE UNDERSTOOD THE SITUATION DO YOU BELIEVE THAT BRIGHAM YOUNG MISREPRESENTED THE FACTS TO THE PEOPLE OF UTAH WHEN HE WAS ASKING THEM TO RAISE AS ONE MAN TO DEFEND THEIR RELIGION AND THEIR HOMES YOU MUST BELIEVE IT = INTRODUCED BY THE PROSECUTION IT IS THEIR EVIDENCE [space] AND FURTHER HE SAYS OUR FAMILIES HAVE BEEN DRIVEN FROM THEIR HOME ^{[[10]]} TO FIND THAT SHELTER IN THE BARREN WILDERNESS AND THAT PROTECTION AMONG HOSTILE SAVAGES WHICH WE DENIED THEM IN THE BOASTED ABODES OF CHRISTIANITY AND CIVILIZATION” DON’T THINK THAT PROCLAMATION BE TRUE THE PEOPLE THAT INHABITED UTAH IN 1857 WERE A PERSECUTED PEOPLE IT CAN’T BE DENIED IT CAN’T BE QUESTIONED BUT WHAT THE GOVERNMENT OF THE UNITED STATES JUDGING FROM THE TESTIMONY BEFORE THE PEOPLE AND BEFORE THIS JURY BUT WHAT THE GOVERNMENT OF THE UNITED STATES WAS URGING THEN CARRYING ON AND INTRODUCING WAR AGAINST THE PEOPLE OF UTAH AND I SHALL NOT GO OUTSIDE OF THERECORD. I SAY THAT FROM THE TESTIMONY

BT

PS

BEFORE YOU , IT CAN'T BE DENIED
THAT AT THAT TIME WAR EXISTED
IN UTAH. A WAR BROUGHT ABOUT
BY BY CORRUPT MEN AND FOR EVIL
AND UNJUST PURPOSES. FOR THE
PURPOSE OF ANNIHILATING THE
PEOPLE THAT THEN LIVE D IN
UTAH.. FOR THE PURØPOSE OF
DESTROYING THE MORMON
RELIGION AND CAUSING THE
PEOPLE THAT THEN INHABITED
THEIS TERRITORY TO SUFFER
INDIGNATION AND CRUELTY.

THE
PROCLAMATION AND LETTER OF
GOVERNOR YOUNG
TO JAMES W. DENVER,
MISSIONARY TO INDIAN AFFAIRS,
WERE READ YESTERDAY. I WANT
TO READ TO YOU NOW THE
DEPOSITION OF BRIGHAM YOUNG
INTRODUCED BY THE PROSECUTION
FOR WHAT PURPOSE ON THE
ALMIGHTY FASHIONER OF THE
UNIVERSRE KNOWS, BUT I DON'YT
HOWARD: ISN'T IT
TO GØIVE YOU SOMETHING TO
READ? BISHOP: YOU HAVE
EXCITED MY CURIOSITY.

WHEN I LOOK AT THIS PAPER I CAN
SEE A STATE GOVERNMENT
LOOMING UP IN THE DISTANCE. I
HAVE GOT A RIGHT TO LOOK AT IT
AND ~~AND~~ SHOW WHAT I SEE.

BEFORE YOU IT CAN'T BE DENIED
THAT AT THAT TIME WAR EXISTED
IN UTAH A WAR BROUGHT ABOUT
BY CORRUPT MEN AND FOR EVIL
AND UNJUST PURPOSES. FOR THE
PURPOSE OF ANNIHILATING THE
PEOPLE THAT THEN LIVED IN
UTAH FOR THE PURPOSE OF
DESTROYING THE MORMON
RELIGION AND CAUSING THE
PEOPLE THAT THEN INHABITED
THIS TERRITORY TO SUFFER
INDIGNATION AND CRUEL AND
MORE BURDENSOME THAN THOSE
THAT HAD BEEN HEAPED UPON
THEM IN THE PAST THE *PCH*[?] FOR
THAT PART OF THE EVIDENCE A
LETTER TO READ THE
PROCLAMATION OF
GOVERNOR YOUNG ~~TO PRESIDENT~~
~~ISAAC~~ TO JAMES W DENVER
COMMISSIONER OF INDIAN AFFAIRS
WERE READ IN YESTERDAY I WANT
TO READ TO YOU NOW THE
DEPOSITION OF BRIGHAM YOUNG
INTRODUCED BY THE PROSECUTION
FOR WHAT PURPOSE THE
ALMIGHTY FASHIONER OF THE
UNIVERSE KNOWS BUT I DON'T
[space] HOWARD *[space]* *IS NOT IT*[?]
TO GIVE YOU SOMETHING TO
READ. *[space]* BISHOP COULD HAVE
EXCITED MY CURIOSITY. *[space]* WE
ARE HERE TO *GET ANY/ACT IN*[?]
MRKRING[?] INQUIRY IN THE
THINGS[?] AND IF I CAN NOT GO BY
THAT TO THESE INSTITUTIONS
HERE I AM TERRIBLY MISTAKEN.
WHEN I LOOK AT THIS PAPER I CAN
SEE A STATE GOVERNMENT ^{[[11]]}
LOOMING UP IN THE DISTANCE AND
I HAVE GOT A RIGHT TO LOOK AT IT
AND SHOW WHAT IT SAYS I CAN
SEE *[space]* *AND NO/ANY*[?] AMOUNT

BT

PS

<p>I CAN SEE AN INTENDED CONVICTION OF JOHN D. LEE AND A SHIFTING OF THE RESPONCIBILITY OF THE MOUNTAIN MEADOW MASSACRE FROME THE ST SHOULDERS OF THE PEOPLE OF THE OF SOUTHERN UTAH AND FASTENING IT UPON JOHN D. LEE.</p> <p>I CAN SEE ALL THAT BUT I CAN'T UNDERSTAND SEE WHAT IT HAS GOT TO DO WITH T IS CASE. THAT IS WHAT I DRAW FROM THE READING OF THIS IMMATERIAL EVIDENCE TESTIMONY. . SOME PEPLLE MAY SATFY THAT IS BOLD IN ME , BUT I AM GIFTED WITH THE GIFT OF SECOND SIGHT. THAT ALMOSYT ALL THE PEOPLE THAT HAVE COME OUT TO UTAH THEY COME FOR THE GOVERNMENT TO GO OUT TO DO.....^[10] THEY COULD NOT SATISFY THE MORMONS AND THE TW4ELVE APOSTLES SATISFY THE UNITED STZATES. SO THEY HAVE GONE OUT TO UTAH WITHOUT MUCH REPUTATION. THE MAJORITY OF THEM UNDER THE POSSIBILITIESAND</p>	<p>OF <i>SET/STATE</i>[?] FORCES [<i>space</i>] I CAN SEE <i>FURTHER</i>[?] PURPOSE <i>FOR</i>[?] INFLUENCE POLITICAL AND FINANCIAL HAS PRESSED UPON THIS DOCUMENT. I CAN SEEN AN INTENDED CONVICTION OF JOHN D. LEE AND A SHIFTING OF THE RESPONSIBILITY OF THE MOUNTAIN MEADOW MASSACRE FROM THE SHOULDERS OF THE PEOPLE OF SOUTHERN UTAH AND FASTENING IT UPON JOHN D. LEE AND THE PEOPLE WHO AID IN THE SHIFTING OF THE RESPONSIBILITY RIDING INTO THE UNITED STATES SENATE I CAN SEE ALL THAT BUT I CAN'T UNDERSTAND WHAT IT HAS GOT TO DO WITH THIS CASE THAT IS WHAT I DRAW FROM THE READING OF THIS IMMATERIAL⁷⁶⁴ TESTIMONY SOME SCOTCH BLOOD IN ME AND I AM GIFTED WITH THE GIFT OF SECOND SIGHT [<i>space</i>] <i>IT</i> <i>HAS HAPPENED THAT</i>[?] THE MOST OF THE PEOPLE THAT HAVE COME TO UTAH THAT ACT FOR THE GOVERNMENT TO <i>GO</i>[?] OUT OF IT UNHAPPILY THEY COULD NOT SATISFY THE MORMONS AND THE TWELVE APOSTLES THAT ASSIST CHRIST ON EARTH TO INTRODUCE THIS GOSPEL COULD NOT SATISFY THE UNITED STATES SO THEY HAVE GONE OUT OF UTAH WITHOUT MUCH REPUTATION THE MAJORITY OF THEM IN THAT <i>PSP/PSPSS</i>[?] HAS COME OF</p>
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764. Word could be “MATERIAL” or “IMMATERIAL”; there are no vowels to differentiate between the two.

BT

PS

<p>THE POLITICAL PART OF THE UNITED STATES AZPITANTS ASPIRANTS.</p> <p>BUT I AM GOING TO GIVE ØYOU THE</p> <p>ONCE I TRIED TO INTRODUCE THAT MYSELF AND WAS AFRAID I WOULD BE SENT TO JAIL FOR CONTEMPT OF COURT, BUT I WAS NOT. IT IS A GOOD DOCUMENT AND I CONSIDERED THAT IT IS TRUE. I CONSIDER IT IS TRUE NOW. COUNSEL HERE READ THE DEPOSITION OF BRIGHAM YOUNG TO THE JURY THEN THIS IS AN AFFIDAVIT OF GEORGE A. SMITH WHICH WAS INTRODUCED. READS AFFIDAVIT GENTLEMEN OF THE JURY, I HAVE READ THIS EVIDENCE FOR THE PURPOSE OF GOIVING YOU A-CONTRAST THE WITNESSENS TO CONTRAST WITH EVIDENCE T AT YOU MUST IN MY JUDGMENT BELIEVE, WITH-THOSE BELIEVE, WITH THOSE THAT IN MUY JUDGMENT YOU CAN'T BELIEVE. I HAVE READ PFOR THE PURPOSE OF SHOWING YOU EXACTLY THE EONDITION OF THE CASE. THEN HAVING DISPOSED OF THE DOCUMENTARY EVIDENCE —BECAUSE MY TIME WILL NOT PERMIT THAT I GO INTO THIS CASE IN AS FULL A MANNER AS I WOULD SWISH —IT WOULD TAKE LONGER THAN YOU WOULD PARDEN ME FOR OCCUPYING. GENTLEMEN OF</p>	<p>THE POLITICAL PART OF THE UNITED STATES ASPIRANTS I SUPPOSE THIS INTRODUCED FOR THE PURPOSE OF PLEASING BRIGHAM YOUNG I CAN UNDERSTAND NO OTHER OBJECT BUT I AM GOING TO GIVE YOU THE BENEFIT OF IT TRIED TO INTRODUCE BEFORE K[?] BECAUSE ONCE I TRIED TO INTRODUCE THAT MY SELF AND WAS AFRAID I WOULD BE SENT TO JAIL FOR CONTEMPT OF COURT BUT I WAS NOT. ➤ [space] IT IS A GOOD DOCUMENT AND I CONSIDER THAT IT IS TRUE I CONSIDER IT IS TRUE NOW “TRIED[?] TO/OR[?] UTAH[?] & C THEN IT IS THE AFFIDAVIT OF GEORGE A SMITH THAT WAS INTRODUCED. “READS [space] ^{[[12]]}765 GENTLEMEN OF THE JURY I HAVE READ THIS EVIDENCE FOR THE PURPOSE OF GIVING YOU A CHANCE TO CONTRAST THE EVIDENCE OF THOSE THAT YOU MUST BELIEVE WITH THOSE THAT IN MY JUDGMENT YOU CAN'T BELIEVE [space] I HAVE READ IT FOR THE PURPOSE OF SHOWING YOU THE EXACT CONDITION OF THE CASE THUS HAVING DISPOSED OF THE DOCUMENTARY EVIDENCE BECAUSE MY TIME WILL NOT PERMIT THAT I GO INTO THIS CASE IN AS FULL A MANNER AS I WOULD WISH IT WOULD TAKE LONGER THAN YOU WOULD PARDON ME FOR OCCUPYING. GENTLEMEN OF</p>
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765. “GENTLEMEN OF THE JURY” is written and crossed out six times in a row across the top of the page.

BT

PS

THE JURY, HAVE YOU EVER STOPPED TO CONSIDER HOW IT WAS THZAT PEOPLE AT MOUNTAIN MEADWOS WERE MASSACREED, OR DID YOU EVER STOP TO CONSIDER WHY THEY **WERE** MASSACRED:?
HAVING LISTENED TO THIS TESTIMONY THAT I RESAD TO YOU, YOU HAVE FOUND OUT THAT THE PEOPLE IN THE TERRITORY OF UTAH WERE IN ~~THE~~ A STATE OF UNUSUAL EXCITEMENT. YOU KNOW THAT THE ENTIRE PEOPLE OF THE TERRITORY ~~OF UTAH~~ SOME OF THE ~~SO~~AAME SPIRIT AND ~~SDISPOSITION~~ THAT ~~THAT~~ HALF THE PEOPLE AND THE AUTHORITIES HAD AT SA LT LAKE ~~DHAD~~ COME TO THE CONCLUSION THAT ~~AN~~ **THE** ARMY THEN MARCHING FROM THE NORTH ~~TO THE~~ OR EAST WAS COMING FOR ^[11] THE PURPOSE OF ANHILATING THE PEOPLE HERE IT WAS NECESSARY FOR THEM ~~TO~~ TO START IN AND AORGANIZE AN AARMY FOR THE ~~L~~PURPOSE OF RESISTANCE. YOU KNOW VERY WELL THAT THE PEOPLE OF SHOUTHERN UTAH CONDUCTED UTAH— HOW THEY ~~D~~CONDUCTED UTAH. YOU KNOW THAT THE MASSES OF THE PEOPLE HAD BEEN TRAINED AND ~~F~~DRILLED IN MILITARY SQUADS.. AND THAT FOR MILLITARY PURPOSES THEY LOOKED TO THE MILLITARY LEADERES FOR COUNSEL AND COMMAND. YOU KNOW THAT IN ~~THE~~ A TIME ODF SUCH EXCITEMENT AS THAT WHAT IS TO BE EXPECTED FROM A MILLITARY FORCE. THAT THE PEOPLE OF A COUNTRY LIKE THE PEOPLE OF CEDAR CITY ~~DIDN'T~~ DID NOT AND

THE JURY HAVE YOU EVER STOPPED TO CONSIDER HOW IT WAS THAT PEOPLE AT MOUNTAIN MEADOWS WERE MASSACRED, OR DID YOU EVER STOP TO CONSIDER WHY THEY WERE MASSACRED HAVING LISTENED TO THIS TESTIMONY THAT I READ TO YOU YOU HAVE FOUND OUT THAT THE PEOPLE IN THE TERRITORY OF UTAH WERE IN A STATE OF UNUSUAL EXCITEMENT YOU KNOW THAT THE ENTIRE PEOPLE OF THE TERRITORY *HAD[?] PR [space]* SOME OF THE SAME SPIRIT AND DISPOSITION THAT IF THE PEOPLE AND THE AUTHORITIES AT SALT LAKE HAD COME TO THE CONCLUSION THAT THE ARMY THEN MARCHING FROM THE NORTH AND EAST WAS COMING FOR PURPOSE OF ANNIHILATING THE PEOPLE HERE IT WAS NECESSARY FOR THEM TO START IN AND ORGANIZE AN ARMY FOR THE PURPOSE OF RESISTANCE YOU KNOW VERY WELL THAT THE PEOPLE OF SOUTHERN UTAH HAD A SIMILAR UTAH AT THAT TIME YOU KNOW THAT THE MASSES OF THE PEOPLE HAD BEEN TRAINED AND DRILLED IN MILITARY SQUADS AND THAT FOR MILITARY PURPOSES THEY LOOKED TO THEIR MILITARY LEADERS FOR COUNSEL AND COMMAND YOU KNOW THAT IN A TIME OF SUCH EXCITEMENT AS THAT IN A TIME WHEN ORDER IS EXPECTED FROM A MILITARY FORCE THAT THE PEOPLE OF A COUNTRY LIKE THE PEOPLE OF CEDAR CITY DID NOT AND

BT

PS

WOULD NOT TAKE ADVICE FROM THE SOVEREIGN. YOU KNOW THE TESTIMONY HERE OF DANIEL H. WELLS THAT JOHN D. LEE ~~HAD~~, AT PREVIOUS TIME~~S~~, IN THE HISTORY OF THE MORMON PEOPLE, ~~HAD KEPT THE~~ OCCUPIED THE POSITION OF MAJOR, BUT THAT OFFICE WAS THEN VACANT. SO FAR AS WE WAS CONCERNED HE HAD BEEN SUPERSEDED— ANOTHER MAN TOOK HIS PLACE. LEE THEN OCCUPIED ONLY A POSITION OF FARMER TO A SMALL BAND OF INDIANS AROUND HARMONY. THIS PART ~~OF A~~ OF ALL OF THE PROSECUTION, A READY ADVOCATE AND QUICK WITTED INDIVIDUAL, WHO WAS AN INDIAN FARMER TOO—HE IS A GOOD MAN BECAUSE HE TRAVELED ONCE WITH A MAN BY THE NAME OF BISHOP. HOWARD: HE SLEPT WITH SPICER. BISHOP: I HARDLY BELIEVE THAT OF JAKE. SPICE ~~AYS~~ SAYS HE DID, BUT I HARDLY BELIEVE IT BECAUSE I WON'T SLANDER HAMBLIN IF I DID TALK ABOUT HIM. THEN THIS MAN HAMBLIN WAS ALSO AN INDIAN FARMER~~W~~; WAS WITH GREATER INFLUENCE WITH THE INDIANS THAN LEE. THEN HERE IS THE IRREPRESSIBLE NEPHI JOHNSON, THAT WARRIOR THAT MET LEE AT HARMONY WHERE THE DUKES COMPANY CAME THROUGH. HE WAS GOING TO CARRY ~~THEM~~ THROUGH THAT COMPANY THROUGH WHATEVER RISK OF HIS OWN LIFE. PUTS ME IN MIND OF A GOOD ~~SSSTORY~~ TALE OF A BOY

WOULD NOT TAKE ADVICE FROM A CIVILIAN YOU KNOW THE TESTIMONY HERE OF DANIEL WELLS THAT JOHN D. LEE AT A PREVIOUS TIME IN THE HISTORY OF THE MORMON PEOPLE HAD OCCUPIED THE POSITION OF MAJOR BUT THAT OFFICE *HAD*[?] THEN VACANT SO FAR AS HE WAS CONCERNED HE HAD BEEN SUPERSEDED ANOTHER MAN TOOK HIS PLACE *IN MAJOR*[?] INSTEAD OF JOHN D. LEE LEE THEN OCCUPIED ^{[[13]]} ONLY THE *SB*—[?] POSITION OF FARMER TO A SMALL BAND OF INDIANS AROUND HARMONY THIS PART TOO OF THE PROSECUTION JAKE HAMBLIN A READY ADVOCATE AND QUICK WITTED INDIVIDUAL WHO WAS AN INDIAN FARMER TOO HE IS A GOOD MAN BECAUSE HE TRAVELED ONCE WITH A MAN BY THE NAME OF BISHOP [*space*] HOWARD HE SLEPT WITH SPICER [*space*] BISHOP I HARDLY BELIEVE THAT OF JAKE [*space*] SPICER SAYS HE DID BUT I HARDLY BELIEVE IT BECAUSE I WON'T SLANDER HAMBLIN IF I DID TALK ABOUT *BM/BLR*[?]. THEN THIS MAN HAMBLIN WAS ALSO AN INDIAN FARMER WAS A GREATER INFLUENCE WITH THE INDIANS THAN *LEE*[?] THEN HERE IS THE IRREPRESSIBLE NEPHI JOHNSON THAT WARRIOR THAT STAYED LEE OFF AT HARMONY WHERE THE DUKES COMPANY CAME THROUGH THEY WAS GOING TO CARRY THAT COMPANY THROUGH WHATEVER RISK TO HIS LIFE [*space*] PUT ME IN MIND A GOOD TALE OF A BOY

BT**PS**

~~THA~~ BACK EAST THAT WANTED
TO.....IN '61, SAID HE WAS A
GOOD DEAL LIKE HIS FATEHR
IN THE WAR OF 1812. HIS FATERHER
SAID HE WAS FOR THE COUNTRY
AND WAS ^[12] WILLING TO SUSTAIN
IT BUT WAS GOING IN FOR THE
PLUNDER.

THAT WAS THE WAY
WITH TH S FELLOW JOHNNSON;

BUT TALK ABOUT THAT FELLOW
FIGHTING, THERE IS
NOT A WOMAN IN UTAH THAT HE
WOULD FIGHT 40 MILES FROM ANY
MAN,—A FAIR FIGHT; BUT GOD
PROTECT ME FROM MEETING HIM
IN THE DARK ANYWHERE WHEN I
HAVE GOT VALUABLES ON ME.
THERE ARE A FEW
THINGS ON EARTH THAT I AM
AFRAID OF. I AM AFRAID OF
JOHNSON. I PLEAD GUILTY TO
IT RIGHT HERE. WHY WAS IT THEN
THAT THESE PEOPLE WERE KILLED
AT MOUNTAIN MEADOWS? IT WAS
BECAUSE ISAAC C. HAIGHT AND
THE PEOPLE THERE THAT HELD
THE COUNCIL WHEN OLD MAN
MORRIL WAS THERE HAD MADE UP
THEIR MINDS THAT THE PEOPLE
THERE WERE ENEMIES; THAT THEY
HAD COME AS WARRIORS; THAT
THEY WERE A HOSTILE FORCE;
THAT THEY HAD COME WITH
ARMES, SWELL EQUIPPED,
MARCHING THROUGH THE
TERRITORY. THEY HAD
DETERMINED TO GATHER AN
OUTFIT FROM THE OUTLYING
SETTLEMENTS. THEY SAID THAT

BACK EAST THAT WANTED
TO SIGN ON IN 61 SAID HE WAS A
GOOD DEAL LIKE HIS FATHER WAS
IN THE WAR OF 1812 HIS FATHER
SAID HE WAS FOR THE COUNTRY
AND WAS WILLING TO SUSTAIN
IT AND WAS GOING IN FOR THE
PLUNDER HURT OR CRIPPLE BUT HE
DID NOT WANT TO GIVE OUT DEATH
OR VNTR/[?] THAT WAS THE WAY
WITH THIS FELLOW JOHNSON *WAS*
WILLING TO BE CRIPPLED BE/BY
DOING[?] HARMONY [space]
OH/THE[?] CONSIDERATION
CONDUCT[?] BY THAT FELLOW
FIGHTING A FAIR FIGHT THERE IS
NOT A WOMAN IN UTAH THAT HE
WOULD FIGHT 40 MILES FROM ANY
MAN A FAIR FIGHT BUT GOD
PROTECT ME FROM MEETING HIM
IN THE DARK ANYWHERE WHEN I
HAVE GOT VALUABLES ON ME.
[space] ^[14] THERE ARE A FEW
THINGS IN LIFE THAT I AM
AFRAID OF BUT I AM AFRAID OF
NEPHI JOHNSON I PLEAD GUILTY TO
IT RIGHT HERE. WHY WAS IT THEN
THAT THESE PEOPLE WERE KILLED
AT MOUNTAIN MEADOWS? IT WAS
BECAUSE ISAAC C HAIGHT AND
THE PEOPLE THERE THAT HELD
THE COUNCIL WHEN OLD MAN
MORRIL WAS THERE HAD MADE UP
THEIR MINDS THAT THE PEOPLE
WERE ENEMIES; THAT THEY
HAD COME AS WARRIORS THAT
THEY WERE A HOSTILE FORCE
THAT THEY HAD COME WITH
ARMIES, WELL EQUIPPED
MARCHING THROUGH[?] THE
TERRITORY. THEY HAD
DETERMINED TO GATHER AN
OUTFIT FROM THE OUTLYING
SETTLEMENTS. THEY SAID

BT

PS

THEY HELPED KILL OLD JOE SMITH.
. THAT THEY MADE THE MORMONS
MAD IN SOME CASES _____

[space]

[13] BY TELLING THEM THAT THEY
HAD BURNED NAUVOO AND ~~OF~~
SAYING THAT THEY HELPED IN
THE KILLING OF JOSEPH SMITH.

YOU MUST
SACRIFICE EVERYTHING NOW IN
ORDER TO GET THIS TERRITORY IN
AS A STATE AND GET A FEW GOOD
GENTILES TO REPRESENT **YOU** IN
THE UNITED STATES SENATE. . THE
PEOPLE THEN HERE CONSIDERED
THEM A HOSTILE FORCE. THEY
CONSIDERED THEY HAD COME
HERE FOR THE PURPOSE IN
INJURING THE PEOPLE O F UTAH;
AND ~~KHE~~ **LIKE** OTHERS LEE MAY
HAVE ACTED WRONGLY, I
ADMIT; ~~BUT & I FEEL AND THEY~~
~~FELT THEN THAT THEY WERE~~
~~GRIGHT. A GOOD DEAL AS THEY~~
THEN BELIEVED WAS RIGHT. I
CAN 'T HELP BUT BELIEVE
THAT IF THEY WERE PEACEFUL

THAT EVERY ONE
DESERVES TO BE HUNG; YET
THE QUESTION ~~IDS~~ WHAT DID THEY
BELIEVE AND WHY DID THEY DO IT.
THEY BELIEVE THAT

THEY HELPED KILL JOE SMITH.
THEY WOULD MAKE THE MORMONS
MAD IN SOME CASES CAME HERE
BECAUSE YOU BELONG TO THE
LAST DISPENSATION THOSE
GOING/GIVING[?] *UTAH*[?] —[?]
STATE AND EVERYTHING IS ALL
RIGHT NOW AND

BURNING OF NAUVOO AND

THE KILLING OF JOE SMITH AND
EVERYTHING OF THAT KIND AND
MANNER SUPPOSE YOU MUST
NOT[?] PAY ANY ATTENTION TO
[space] THAT THEY ALL OF YOUR
PARTY THAT HAS BEEN
SLAUGHTERED COMMITTED TO
BEAST OF PREY [space] YOU MUST
SACRIFICE EVERYTHING NOW IN
ORDER TO GET THIS TERRITORY IN
AS A STATE AND GET A FEW GOOD
GENTILES TO REPRESENT YOU IN
THE UNITED STATES SENATE. THE
PEOPLE THEN THERE CONSIDERED
THEM A HOSTILE FORCE. THEY
CONSIDERED THEY HAD COME
THERE FOR THE PURPOSE OF
INJURING THE PEOPLE OF UTAH
AND HAIGHT AND THE OTHERS
WHILE[?] —[?] ACTING WRONGLY I
ADMIT AND I *FELT*[?]

GOOD DEAL AS THEY
THEN BELIEVED WAS RIGHT. I
CAN'T ~~BELIEVE~~ HELP BUT BELIEVE
~~THAT THEY~~ THAT IF THEY WERE
PSSN/PSSF[?] IN THEIR OWN ^{[[15]]}
[space] ALTHOUGH EVERY ONE
DESERVE TO BE HUNG. AND YET
THE QUESTION IS WHAT DID THEY
BELIEVE AND WHY DID THEY DO IT.
THEY BELIEVED THAT HERE IS A
FORCE THAT HAS ABLE CAPACITY

BT

PS

HERE IS A FORCE THAT
COMES DETERMINED TO OPPRESS
AND OPPOSE THE MORMON PEOPLE.
HERE IS AN EMIGRANT TRAIN
THAT SAY THAT THEY ASSISTED IN
THE MASSACRE AND DEATH OF
JOSEPH SMITH. PEOPLE THAT WILL
STAND UPON OUR SOUTHERN
BORDERS WHILE THE ARMY FROM
THE NORTH

THROUGHOUT
THE LENGTH AN BREADTH OF
SOUTHERN UTAH. THEY
COUNSEL THEM TO BE DOWN HERE
~~UPON THE~~. & WHY DO THEY
COUNSEL IT? SIMPLY BECAUSE
50 ODD MEN WERE THERE ON
THE GROUND; AND NOT
ONE OF THEM THERE BY LEES
ADVICE. IF YOU RECOLLECT THE
TESTIMONY IN THIS CASE, JOHN D.
LEE ASKED NO ONE TO GO THERE,

EXCEPT THAT IRREPRESSIBLE
TRAITOR THAT WAS GOING ~~THAT~~
~~WAS GOING~~ TO STAND AT THE
HEAD OF HIS HORSES AND FACE
SUCH DEATH.

HE WOULD HOLD HIS
HORSES IF EVERYBODY ELSE WAS
KILLED. THEN FOLLOWED SAMUEL
WHITE.⁷⁶⁶ HE WAS THE ONLY ONE
ACCORDING TO ALL THE

TO DESTROY SETTLEMENTS IN
UTAH HERE IS A FORCE THAT
COMES DETERMINED TO OPPRESS
AND OPPOSE THE MORMON PEOPLE
HERE IS AN EMIGRANT TRAIN
SAYING THAT THEY ASSISTED IN
THE MASSACRE AND THE DEATH OF
JOSEPH SMITH. PEOPLE THAT WILL
SIT UPON OUR SOUTHERN
BORDERS WHILE AN ARMY FROM
THE NORTH [space] — BRINGS
DEATH AND DESTRUCTION ALONG
THIS LAND THAT WE —[?] SAFE
WILL RAISE A CRY OF WAR AND
SPREAD THE FLAME TO THE —
/NSNPRS[?] STRETCH THROUGHOUT
THE LENGTH AN BREADTH OF
SOUTHERN UTAH [space] THEY
COUNSEL THEY SHOULD BE DONE
AWAY *WHY*[?] DID THEY
COUNSEL IT SIMPLY BECAUSE
[space] 50 ODD MEN WERE THERE ON
THE GROUND AND ~~ONE~~ [space] NOT
ONE OF THEM THERE BY LEES
ADVICE IF YOU RECOLLECT THE
TESTIMONY IN THIS CASE JOHN D.
LEE ASKED NO ONE TO GO THERE
JOHN D. LEE SENT NOBODY THERE
EXCEPT THAT IRREPRESSIBLE
TRAITOR THAT WAS GOING
TO STAND AT THE
HEAD OF HIS HORSES AND FACE
SUCH DEATH AND DESTRUCTION
BUT NEPHI JOHNSON WAS
PREPARED TO FACE *D/T*[?]
HARMONY HE WOULD HOLD HIS
HORSES IF EVERYBODY ELSE WAS
KILLED THIS FELLOW SAMUEL
WHITE HE WAS THE ONLY ONE
ACCORDING TO THE

766. There is a Samuel White in southern Utah who was on the high council in Cedar City. However, he died in 1868. The man referred to here is either Samuel White's brother, Joel White, Samuel Knight, or Samuel McMurdy, all of whom were witnesses at this trial.

BT

PS

TE STILMONY THAT LEE ASKED TO GO. ONE THING ECERTAIN THAPEN PEOPLE WERE KILLED AND OMEBODY KILLED THEM; AND YOU KNOW AS WELL AS I KNOW FROM THE EV EIDENCE HERE IT WAS A PLAN CONCOCTED AT CEDAR CITY.. IT WAS THE WHOLE PEOPLE AN D THE WHOLE COMMUNITY RAISING AND DOING THAT WHICH WAS DONE. IT IS A WELL SETTLED THING THAT YOU CAN'T ^[14] CONVICT A NATION FOR A THING OF THAT KIND NOR AN ENTIRE PEOPLE BUT THEY SAY WE HAVE TO SHOW THE RESPONSIBILITY TO THE GOVERNMENT OF THE UNITESD STATES. THEY ARE WILLING TO GRANT ABSOLUTION FOR EVERY BODY ELSE IN UTAH IF ~~THEY~~ ~~WILL JUST~~ YOU WILL ONLY PERMIT THEM THE PLEASURE OF HANGING JOHN D. LEE. THEY ARE WILLING THAT EVERYBODY ELSE WHO HAD ANYTHING TO DO WITH IT—BE WILLING THAT ALL THE MURDERERS AND ASSASSINS THAT HAVE EVER BEEN COMMI TED IN UTAH SHALL BE FORGOTTEN; SO THAT YOU HELP THE GOVERNMENT TO CONVICT ONE MAN THAT THEY FCLAIM COMMITTED ALL. ~~KNOW~~ NOW IF YOU KNEW ANYTHING ABOUT THE HISTORY OF THE MORMON PEOPLE YOU WOULD KNOW THIS; THAT A MAN LIVING OUTSIDE— LIVING IN ANY OTHER SETTLEMENT, —COULD NOT GET TO A PLACE LIKE CEDAR CITY TO LEAD OUT AN ENTIRE PEOPLE. YOU

TESTIMONY THAT LEE ASKED TO GO ONE THING CERTAIN THAT PEOPLE WERE KILLED AND SOMEBODY KILLED THEM [space] AND YOU KNOW AS WELL AS I KNOW FROM THE EVIDENCE HERE ^{[[16]]} THAT IT WAS A PLAN CONCOCTED AT CEDAR CITY. IT WAS THE WHOLE PEOPLE AND WHOLE COMMUNITY RAISING AND DOING THAT WHICH WAS DONE IT IS A WELL SETTLED QUESTION THAT YOU CAN'T CONVICT A NATION FOR A THING OF THAT KIND NOR AN ENTIRE PEOPLE BUT THEY SAY WE HAVE *SHOWED/SHADOW*[?] RESPONSIBILITY TO THE GOVERNMENT OF THE UNITED STATES WHO HAVE SENT *FOR*[?] AUTHORITIES *IF THEY ARE*[?] TO GRANT ABSOLUTION FOR EVERYBODY ELSE IN UTAH YOU WILL ONLY PERMIT THEM THE PLEASURE OF HANGING JOHN D. LEE. THEY ARE WILLING THAT EVERYBODY ELSE THAT HAS EVER *MPRT*—[?] THEIR HAND IN *FELLOW MAN'S BLOOD*[?] SHOULD GO FREE AND ALL OF THE MURDERS AND ASSASSINS THAT HAVE EVER BEEN COMMITTED IN UTAH SHALL BE FORGOTTEN SO THAT YOU HELP THE GOVERNMENT TO CONVICT ONE MAN THAT THEY CLAIMED COMMITTED ALL. NOW IF YOU KNEW ANYTHING ABOUT THE HISTORY OF THE MORMON PEOPLE YOU WOULD KNOW THIS THAT A MAN LIVING OUTSIDE LIVING IN ANY OTHER SETTLEMENT COULD NOT GO TO A PLACE LIKE CEDAR CITY AND LEAD OUT AN ENTIRE PEOPLE. YOU

BT

PS

SWOULD KNOW THAT SOME OTHER
AUTHORITY MUST BE
CONNECTED WITH IT. IT IS NO
USE TO DISCUSS THE FACT. ~~TO~~
~~PEOPLE THAT WERE IN AUTHORITY~~
THE PEOPLE THAT WEERE IN
AUTHORITY DIRECTED THESE
PEOPLE TO GO TO MOUNTAIN
MEADOWS FOR SOME PURPOSE..
WHAT DOES THIS MAN SAMUEL
KNIGHT MEAN WHEN HE SAYS
THST THEY DROVE DOWN FROM
WHERE THEIR CAMP WAS TOWARD
THE EMIGRANT CAMP AND THAT
THEIR WHOLE PARTY MOVED
DOWN THERE AND SOTOOD IN
LINE.. I SPEAK OF THE PEOPLE THAT
WERE THERE AND THAT WERE
UNDERE THE CHARGE
OF ~~SOME~~ **SOME** OTHER MEN; A
QUARTER OF A MILE FOFF FROM
WHERE THE WAGONS WERE AT
THE TIME OF THE ATTACK. WHO
COMMANDED THOSE PEOPLE:-? THE
~~INDIANS~~ **EVIDENCE** LEAVES YOU
~~KNOW THE TRACK IN THE DARK.~~
SECONDL, YOU ARE
SATISFIED GENTLEMEN, FROM THE
TESTIMONY AND MUST BE THZAT
THIS IS A CONSPIRACY ON THE
PART OF THE WITNESSES HERE; ~~OF~~
JOEL WHITE AND SAMUEL NIGHT,
SAMUEL MC MURDY, NEPHI
JOHNSON AND JAKE HAMBLIN,
HAVE SOME PURPOSE AND THEY A
RE ALL COME HERE TO SACRIFICE
J HN D. LEE, IN ORDER TO SAVE
OTHER PARTIES THAT TOOK A
HAND IN THZAT TRANSACTION.
THEY TELL YOU THAT THEY HAVE
THREE WITNESSES THAT ARE
ENTITLED TO BELIEF. SO THEY
HAVE,—DANIEL H. WELLS, HIS
EVIDENCE IS GOOD PERHAPS. IT IS

WOULD KNOW THAT SOME OTHER
AUTHORITY MUST HAVE BEEN
CONNECTED TO DO IT[?]. IT IS NO
USE TO DISCUSS THE FACT

THE PEOPLE THERE THAT WERE IN
AUTHORITY DIRECTED THESE
PEOPLE TO GO TO MOUNTAIN
MEADOWS FOR SOME PURPOSE.
WHAT DOES THIS MAN SAMUEL
KNIGHT MEAN WHEN HE SAYS
THAT THEY DROVE DOWN FROM
WHERE THEIR CAMP WAS TOWARD
THE EMIGRANT CAMP AND THAT
THEIR WHOLE PARTY MOVED
DOWN THERE AND STOOD IN
LINE I REFER TO THE PEOPLE THAT
WERE THERE AND THAT WERE
UNDER THE CHARGE OF AND
CONTROL OF SOME OTHER MEN A
QUARTER OF A MILE OFF FROM
WHERE THE WAGONS WERE ^{[[17]]} AT
THE TIME OF THE ATTACK WHO
COMMANDED THOSE PEOPLE THE
EVIDENCE LEAVES YOU
IN THE DARK
CONSEQUENTLY YOU ARE
SATISFIED GENTLEMEN FROM THE
TESTIMONY AND MUST BE THAT
THIS IS A CONSPIRACY ON THE
PART OF THE WITNESSES HERE OF
JOEL WHITE AND SAMUEL KNIGHT
SAMUEL MC MURDY NEPHI
JOHNSON AND JAKE HAMBLIN
HAVE SOME PURPOSE OR OTHER TO
COME HERE TO SACRIFICE
JOHN D. LEE IN ORDER TO SAVE THE
OTHER PARTIES THAT TOOK A
HAND IN THAT TRANSACTION.
THEY TELL YOU THAT THEY HAVE
THREE WITNESSES THAT ARE
ENTITLED TO BELIEF SO THEY
HAVE. DANIEL H. WELLS HIS
EVIDENCE IS GOOD PERHAPS IT IS

BT

PS

<p>A L RIGHT — ESTIFIES ^{[[15]]} TO THE TRUTH..</p> <p>LABIAN MORRIL TELLS YOU</p> <p>THAT HE LIVED AT FORT JOHNSON; DESCRIBED THAT THERE WERE TWO OR THREE LITTLE TOWNS AND OR SETTLEMENTS AROUND THERE. BELONGING TO ONE OF THESE COUNSELS, THEY MET TOGETHER FOR CONVENIENCE AT CEDAT CITY ONCE A WEEK. AS HE TELLS YOU MTHEY MET AT CERTAIN TIMES TO CONSIDER THE BEST GOOD FOR FOR A NUMBER OF TOWNS IN THAT PART OF THE COUNTRY; AND THAT THEY SHOULD COME TO CEDAR CITY UPON THIS DAY. HE DID NOT SAY THAT HE FOUND SUCH A SOCIETY IN SESSION WHEN HE ARRIVED IN CEDAR CITY; BUT HE TOLD YOU ABOUT THE ARGUEMENT OR THE STATE OF EXCITEMENT WHEN HE GOT OR WHAT HE SAID WHEN HE GOT INTO THE COUNSEL. HE FOUND SOME EXCITEMENT AND ENQUIRED WHAT WAS THE EXCITEMENT. SAYS THAT THE PEOPLE TOLD HIM THAT HIS RE THIS TRAIN OF EMIGRANTS THAT HAD GONE THROUGH THERE HAD SAID THEY WOULD DO CERTAIN THINGS, AND THEY ATTEMPTED MORE OR NLESS. SAID THEY HELPED KILL OLD JOE SMITH. KLINGENSMITH, ISSAC C. HIAGHT AND SOME OTHERS TALKED ABOUT KILLING THEM. AND UNDER THIS PROCLAMATION ISAAC C. HAIGHT WAS ONLY ACTING A LITTLE</p>	<p>ALRIGHT TESTIFIES TO THE TRUTH [space] — HAD BEEN MDR[?] [space] AND HAD BEEN SUSPECTED [space] INSISTED THAT ~ [space] LABIAN MORRIL TELLS YOU TO BE[?] BRIEF[?] IN SOME WAY OR THE OTHER THAT HE LIVED AT FORT JOHNSON DESCRIBED THAT THERE WERE TWO OR 3 LITTLE TOWNS AND SETTLEMENTS AROUND THERE BELONGING TO ONE OF THESE COUNCILS THEY MET TOGETHER FOR CONVENIENCE AT CEDAR CITY ONCE A WEEK — [space]</p> <p>GENERAL BENEFIT OF</p> <p>THE COUNTRY THAT ON/SHOULD[?] COMING TO CEDAR CITY UPON THIS DAY. HE DID NOT SAY THAT HE FOUND —[?]</p> <p>IN CEDAR[?]</p> <p>SUSPICION TOLD YOU ABOUT THE ARGUMENT OR</p> <p>HE SAID WHEN HE GOT INTO THE COUNCIL HE FOUND SOME EXCITEMENT AND ENQUIRED WHAT THAT EXCITEMENT WAS THAT THE PEOPLE THERE TOLD HIM THAT THIS TRAIN OF EMIGRANTS THAT HAD GONE THROUGH THERE HAD SAID THEY WOULD DO CERTAIN THINGS TO THE DAMN MORMONS AND THEY ADMITTED MORE OR LESS [space] HELPED KILL ^{[[18]]} JOE SMITH AND [space] KLINGEN SMITH AND ISSAC C HAIGHT WERE TALKING ABOUT KILLING THEM AND UNDER THIS PROCLAMATION ISAAC C HAIGHT WAS ONLY ACTING A LITTLE</p>
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BT

PS

AHEAD OF HIS AUTHORITY; ~~FOR IF~~ THIS PROCLAMATION AND THIS LETTER TO DAME IS TRUE. . ISAAC C. HAIGHT WAS INSTRUCTED ON THE 14TH DAY OF THE MONTH AND THE MASSACRE WAS COMMITTED ON THE 11TH OR 16TH OR ABOUT THERE. ISAAC C. HAIGHT WAS TAKING UPON HIMSELF THE RESPONSIBILITY OF DECIDING WHO SHOULD GO THROUGH, WASN'T HE?. HE WAS THE PARTY THAT SENT NEPHI JOHNSON THERE AND TOLD HIM HE MUST OBEY THE INSTRUCTIONS. ISAAC C. HAIGHT WAS ~~ACTING~~ ACTING THEN IN ACCORDANCE WITH THE INSTRUCTIONS THAT HE RECEIVED IMMEDIATELY AFTERWARDS, IF HE DIDN'T HAVE THEM BEFORE.

ISAAC C. HAIGHT WAS TELLING THAT COUNSEL — PRESIDENT OF THE STAKE, AYE, AAND A MAJOR OF THIS MILLITIA — FORB~~I~~AD~~H~~E THAT THAT TRAIN SHA LL ESCAPE FROM THIS TERRITORY. HIS VOI~~V~~CE WAS FOR THEIR EXTERMINATION. KLINGENSMITH ALSO TOOK PART IN ~~IN~~ DEVISING THEIR ATTACK; BUT MORRIL GOT HEM TO WAIT, AND THEY SENY HASLAM TO SALT LAKE ^[16] WHAT ~~Ø~~FOR? DO YOU BELIEVE THAT THAT COUNSEL AT THE TIME THAT THEY ST~~Z~~ARTED HASLAM FOR SALT LAKE CITY INTENDED TO ~~W~~WAIT TILL THEY HEARD FROM PRESIDENT YOUNG? NO, YOU CAN'T BELIEVE IT. THEY INTENDED THAT AS IT WAS A TIME OF WAR, THAT THEY WOULD KILL THAT

AHEAD OF HIS AUTHORITY IF THIS PROCLAMATION AND THIS LETTER TO DAME IS TRUE. ISAAC *HAIGHT*[?] WAS *S-D*[?] ON THE 14TH DAY OF THE MONTH AND THE MASSACRE WAS COMMITTED ON THE 11 OR 16 OR ABOUT THERE ISAAC C HAIGHT WAS TAKING UPON HIMSELF THE RESPONSIBILITY OF DECIDING WHO SHOULD GO THROUGH WASN'T HE HE WAS THE PARTY THAT SENT NEPHI JOHNSON THERE —[*space*] *APPARENT*[?] REFUSED HE MUST OBEY THE INSTRUCTIONS. ISAAC C HAIGHT WAS ACTING THEN IN ACCORDANCE WITH THE INSTRUCTIONS THAT HE RECEIVED IMMEDIATELY AFTERWARDS IF HE DIDN'T HAVE THEM BEFORE BUT *PARTIES/PST*[?] *PN/COMPANY*[?] WHO WAS CALLED THEM TO GO THERE —ISAAC C HAIGHT WAS TELLING THAT COUNCIL— [*space*] PRESIDENT OF THE STAKE TOO AYE AND A MAJOR OF THIS MILITIA FORBADE THAT THAT TRAIN SHALL ESCAPE FROM THIS TERRITORY HIS VOICE WAS FOR THEIR EXTERMINATION KLINGEN SMITH A HARDENED REPROBATE ALSO TOOK PART IN DEVISING THEIR ATTACK —[?] BUT MORRIL GOT THEM TO QUIT AND THEY SENT HASLAM TO SALT LAKE WHAT FOR DO YOU BELIEVE THAT THAT COUNCIL AT THE TIME THAT THEY STARTED HASLAM FOR SALT LAKE INTENDED TO WAIT TILL THEY HEARD FROM PRESIDENT YOUNG NO YOU CAN'T BELIEVE IT THEY INTENDED THAT AS IT WAS A TIME OF WAR THAT THEY WOULD KILL ALL THAT

BT

PS

<p>EMIGRANT TRAIN; AND CLAIM THAT IT WAS A MILITARY NECESSITY AND WITH THEMSELVES; THAT THE GOVERNMENT IN UTAH WOULD THINK THAT THEY HAD A RIGHT TO AT LEAST EXCUSE THEM. THEY COULD MAKE OUT THAT BECAUSE THEY SAID THEY HAD KILLED JOE SMITH. OUTLYING SETTLEMENTS THEY WOULD TAKE DO THIS UPON THEIR OWN HOOK. THEY HAD IT IN QUESTION BEFORE THAT.. HASLAM WENT AND MADE A QUICK TRIP. MORRIL SAYS THE MEN SENT SEVERAL. BUT, GENTLEMEN, DID YOU NOTICE WHETHER THAT MESSAGE WSENT TO JOHN D. LEE WAS EVER RECEIVED BY HIM OR NOT. THEY HAVE NOT INTRODUCED THAT PROOF TO SHOW THAT THE MESSAGE FORWARDED BY HZAIGHT TO JOHN D. LEE, THAT LEFT CEDAR CITY FIVE MINUTES BEFORE HASLAM FOR SALT LLAKE CITY, THAT IT WAS RECEIVED BY LEE. WE DO FIND THEN THAT THIS MAN JOEL WHITE LEFT ABOUT FIVE MINUTES BEFORE HASLAM TO GO TO PINTO TO ASK THE EMOSE MEN AT PINTO TO RIDE AHEAD OF THE EMIGRANT TRZAIN AND WITHHOLD THE SAVAGES AND LET THEM PPASS; BUT HE CAN'T TELL YOU WHO WENT UP. ONSE HE THOUGHT IT WAS ROBINSON; THEN AS THERE WERE SO MANY MEN THAT THEY HAD IN THAT GREAT BIG SETTLEMENT OF PINTO AND HE WENT HE COULD NOT TELL. OFF.</p>	<p>EMIGRANT TRAIN CLAIM THAT IT WAS A MILITARY NECESSITY AND THAT THEN THAT THE GOVERNMENT IN UTAH ^{[[19]]} WOULD THINK THEY HAD A RIGHT TO AT LEAST EXCUSE THEM THEY COULD <i>MAKE</i>[?] OUT THAT BECAUSE THEY SAID THEY HAD KILLED JOE SMITH [<i>space</i>] OUTLYING SETTLEMENTS THEY WOULD DO THIS UPON THEIR OWN HOOK THEY DID IT NO QUESTION ABOUT THAT. [<i>space</i>] HASLAM WENT AND MADE A QUICK TRIP MORRIL SAYS A MEN SENT SOUTH BUT GENTLEMEN DID YOU NOTICE THAT [<i>space</i>] WHETHER THAT MESSAGE EVER RECEIVED BY JOHN D. LEE OR NOT THEY HAVE NOT INTRODUCED THAT PROOF TO SHOW THAT THE MESSAGE FORWARDED BY HAIGHT TO JOHN D. LEE THAT LEFT CEDAR CITY FIVE MINUTES BEFORE HASLAM LEFT FOR SALT LAKE CITY [<i>space</i>] THAT IT WAS RECEIVED BY LEE WE DO FIND THEN THAT THIS MAN JOEL WHITE LEFT ABOUT 5 MINUTES BEFORE HASLAM TO GO TO PINTO TO ASK THAT MEN AT PINTO RIDE AHEAD OF THE EMIGRANT TRAIN TO WITHHOLD THE SAVAGES AND LET THEM PASS BUT HE CAN'T TELL YOU WHO WENT UP ONCE HE THOUGHT IT WAS ROBINSON THEN AS THERE WERE SO MANY MEN THAT THEY HAD IN THAT GREAT BIG SETTLEMENT OF PINTO THERE COULD NOT TELL <i>ONE</i>[?] WHO WENT UP [<i>space</i>] <i>SUFFICIENT</i>[?] ANSWER TO THIS THAT THE</p>
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BT

PS

HASLAM
DOES NOT COME TO JOHN D. LEE
WITH THIS TRANSACTION; AND THE
EVIDENCE OF JOEL WHIGHT IS ~~THAT~~
TO THE FACT THAT HE
STARTED TO COME DOWN UPON
THE FIELD 10 MILES FROM
MOUNTAIN MEADOWS; HE MET
JOHN D. LEE THERE ON HE WAY TO
CEDAR CITY; AND JOHN D. LEE
ASKED HIM WHAT
THE CONCLUSION WAS OF THE
PEOPLE AS REGARDS THIS TRAIN
AND WHERE HE WAS GOING; TOLD
HIM WHERE HE WAS GOING AND
FOR WHAT PURPOSE, AND THAT
THE CONCLUSION OGF THE
COUNSEL TO LET THE
PEOPOE GO UNTIL THEY HEARD
FROM PRESEIDENT YOUNFG. HE
SAYS THAT LEE THEN SZAID ~~THAT~~
“I HAVE OSOMETHING TO SAY
ABOUT THAT,” OR, “I DON’T KNOW
ABOUT IT-;”. AND LEE DROVE ON. - I
ONLY ASKED HIM ONE ^[17]
WUESTION WHETHER HE TOOK
PART OR WAS AT THE MOUNTAIN
MEADOWS OR NOT. DEAMON THAT
HE WAS, JOEL WHITE, WAS ONE OF
THE MEN THAT WERE THERE. I
HAVE NOTHING FUTRTHUR TO SAY
ABOUT HIM THAN THIS: HE HZAS
NOT TOLD THE WHOLE TRUTH
AND YOU ARE ENTITLED TO THROW
HIS EVIDENCE ASIDE.. SAMUEL
NIGHT SWORN TO TELL THE
TRUTH , THE WHOLE TRUTH AND
NOTHING BUT THE TRUTH.
TRAVELING FROM THE MEADOWS,
JOHN D. LEE OVERTOOK HIM AND
HEARD HIM TELL HIM CERTAIN
THINGS.

EVIDENCE OF MR. MORRIL HASLAM
DOES NOT CONNECT JOHN D. LEE
WITH THIS TRANSACTION THE
EVIDENCE OF JOEL WHITE IS
MERELY TO THE FACT THAT AS HE
STARTED COME DOWN UPON
THE FIELD SOME -0[?] MILES FROM
MOUNTAIN MEADOWS HE MET
JOHN D. LEE THERE ON HIS WAY TO
CEDAR CITY AND JOHN D. LEE
ASKED HIM ~~WHETHER~~ AND WHAT
THE CONCLUSION WAS OF THE
PEOPLE AS REGARDED THIS TRAIN
AND WHERE HE WAS GOING TOLD
HIM HE WAS GOING TO PINTO AND
FOR WHAT PURPOSE AND THAT
THE CONCLUSION OF THE
COUNCIL ^[120] WAS TO LET THE
PEOPLE GO UNTIL THEY HEARD
FROM PRESIDENT YOUNG HE
SAYS THAT LEE THEN SAID
I HAVE SOMETHING TO SAY
ABOUT THAT OR I DON’T KNOW
ABOUT IT. AND LEE DROVE ON I
ONLY ASKED HIM ONE
QUESTION WHETHER HE TOOK
PART OR WAS AT THE MOUNTAIN
MEADOWS OR NOT. DEMON THAT
HE WAS JOEL WHITE WAS ONE OF
THE MEN THAT WERE THERE I
HAVE NOTHING FURTHER TO SAY
ABOUT HIM THAN THIS HE HAS
NOT TOLD YOU THE WHOLE TRUTH
AND YOU ARE ENTITLED TO THROW
HIS EVIDENCE ASIDE. SAMUEL
KNIGHT SWORN TO TELL THE
TRUTH WHOLE TRUTH AND
NOTHING BUT TRUTH ~~TOLD~~ [space]
TRAVELING FROM THE MEADOWS
JOHN D. LEE OVERTOOK HIM
HEARD HIM TELL HIM CERTAIN
THINGS. [space] A GOOD HE HAS
COME UP HERE NOW IT IS SL/SK[?]
GOOD TIME TO TELL THE TRUTH

BT

PS

<p>I ZASKED HIM WHO IT WAS THAT WAS WITH HIM WHEN LEE MADE THAT STATEMENT AND HE DECLINED TO ANSWER. WHY? THE PARTY THAT WAS WITH HIM WHEN HE WENT TO THE FARM, WAS A MAN THAT WAS UPON THE FIELD FOR THE PURPOSE OF DIRECTING THE ENTIRE ARRANGEMENT OF THE KILLING OF THOSE PEOPLE. THAT THE MAN THAT HE REFUSED TO EXPOSE WAS ONE THAT HAD DENIED HIM THE ORDERS AND THAT WAS THERE TRYING TO RAISE UP THE PEOPLE TO REdden THE R HANDS IN THE LIFE BLOOD OF THESE EMIGRANTS. - THAT IT IS SOME MAN THAT HAS A HOLD UPON MR. MC MR. NIGHT AND HE FEELS THAT HE CAN'T FOR THE SAKE OF HIS OWN SOLE EXPOSE THAT MAN; BUT HIS EVIDENCE AS HE GIVES GAVE IT THERE ON THE STAND SATISFIES YOU THAT HE TELLS NOT THE WHOLE TRUTH. HE CAN'T RECOLLECT ANY MAN UNLESS HE IS DEAD. A FEW MEN WHO HAVE GON TO THE ØOTHER SHORE, A FEW PEOPLE WHO HAVE PASSED AWAY TO OTHER NATIONS, HE CAN RECOLLECT, BUT OF THE ENTIRE NUMBER OF 50 THERE IS HE SAYS THAT WAS THERE UPON THE FIELD, MEN THAT HE WAS WELL</p>	<p>NO/ANY/M[?] FURTHER TRUTH BUT/— [?] ANYBODY/NOBODY[?] BUT/OR HIS FRIENDS DID THEY THINK ABOUT THAT WHEN THEY TESTIFY ABOUT I ASKED HIM WHO IT WAS THAT WAS WITH HIM WHEN LEE MADE THAT STATEMENT AND HE DECLINED TO ANSWER WHY [<i>space</i>] DARE THEY[?] NO INTERFERENCE THE PARTY THAT WAS WITH HIM WHEN HE WENT TO INTERFERE WAS A MAN THAT WAS UPON THE FIELD FOR THE PURPOSE OF DIRECTING THE ENTIRE ARRANGEMENT OF THE KILLING OF THIS PEOPLE. THAT THE MAN THAT HE REFUSED TO EXPOSE WAS ONE THAT HAD DENIED HIM THE ORDERS AND THAT WAS THERE TRYING TO RAISE UP A PEOPLE TO REDDEN THEIR HANDS IN THE LIFE BLOOD OF THESE EMIGRANTS. THAT IT IS SAME MAN THAT HAS A HOLD UPON MR. SAMUEL KNIGHT AND HE FEELS THAT HE CAN'T FOR THE SAKE OF HIS OWN SOUL EXPOSE THAT MAN BUT HIS EVIDENCE AS HE GAVE IT THERE ON THE STAND SATISFIES YOU THAT HE TELLS NOT THE WHOLE TRUTH HE CAN'T RECOLLECT ANY MAN UNLESS HE IS DEAD A FEW MEN WHO HAVE GONE TO THE OTHER SHORE ^[121] OF IT AND A FEW PEOPLE WHO HAVE PASSED AWAY TO OTHER NATIONS[?] HE CAN RECOLLECT BUT OF THE ENTIRE NUMBER OF 50 OTHERS[?] THAT WERE THERE UPON THE FIELD MEN THAT HE WAS WELL</p>
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BT

PS

<p>ACQUAINTED WITH. - HE CAN RECOLLECT NO NAME OF ANY MAN LIVING EXCEPT JOHN D. LEE.. THEN THE MANNER IN WHICH HE HOLDS HIS HORSES, HIS REFUSAL TO TELL THE WHOLE TRUTH THE ENTIRE TRUTH, SATISFIES YOU THAT YOU CAN'T HANG A MAN UPON HIS TESTIMONY. YOU CAN'T DO IT. TALK AS YOU WILL, A MAN OR MEN ARE NOT CONSTITUTED SO CONSTITUTED THAT THEY CAN TAKE ANOTHER'S LIFE UPON THE EVIDENCE OF SUCH A WITNESS.. ¶ THEN LET US TAKE MC. MURDY. SHALL NOT TALK MUCH ABOUT ANY OF THESE WITNESSES YET I DON'T WISH TO PASS THEM. ^[18] GOD KNOWS IT IS BAD ENOUGH TO JUST TELL THE FACT ABOUT THEM. COME HERE WITH THE BLOOD OF OTHER MEN TRICKLING DOWN FROM THEIR FACES, SMARTING AND DARKENING AND DAMNING THEIR SOULS, UNREGENERATE REPROBATES, MURDERERS OF MEN, AND WOMEN AND CHILDREN, APPEALS TO GOD AND MAN TO ASK YOU TO BELIEVE THAT. I WOULD RATHER TAKE SATAN'S EXCUSE FOR HIS REPRESENTATION IN HEAVEN THAN THE STATEMENT OF ONE OF THOSE MEN CONCERNING ANY AFFAIR IN LIFE. NOT THAT THEY FEEL THAT THE HALL OF JUSTICE HAS BEEN SUSPENDEDHANGING AND DANGLING FROM THEIR HEADS, AND THAT THOUGH THOUGH MEN MAKE USE OF ALL THE</p>	<p>ACQUAINTED WITH HE CAN'T RECOLLECT ANY⁷⁶⁷ NAME OF ANY MAN LIVING EXCEPT JOHN D. LEE. THEN THE MANNER IN WHICH HE HELD HIS HORSES HIS REFUSAL TO TELL THE ENTIRE TRUTH SATISFIES YOU THAT YOU CAN'T HANG A MAN UPON HIS TESTIMONY YOU CAN'T DO IT <i>TALK AS YOU WILL/TAKE HIS</i> — [?] A MAN OR MEN ARE NOT SO CONSTITUTED THAT THEY CAN TAKE ANOTHER'S LIFE UPON THE EVIDENCE OF SUCH A WITNESS. [<i>space</i>] THEN LET US TAKE MC MURDY SHALL NOT TALK MUCH ABOUT ANY ONE OF THESE WITNESSES BECAUSE I DON'T WISH TO ABUSE THEM [<i>space</i>] GOD KNOWS IT IS BAD ENOUGH TO JUST TELL THE FACT BY THEM COME HERE WITH THE BLOOD AND <i>SLD/SRD</i>[?] OF OTHER MEN TRICKLING DOWN FROM THEIR FACES SMEARING THEIR COUNTENANCES AND DARKENING AND DAMNING THEIR SOULS [<i>space</i>] UNREGENERATE REPROBATES MURDERERS OF WOMEN AND CHILDREN OUTLAWS TO GOD AND MAN ASK YOU TO BELIEVE THEM [<i>space</i>] I WOULD RATHER TAKE SATAN'S EXCUSE FOR HIS REBELLION IN HEAVEN THAN THE STATEMENT OF ONE OF THOSE MEN CONCERNING ANY AFFAIR IN LIFE NOW THEY FEEL THAT THE HALTER OF JUSTICE HAS BEEN SUSPENDED AND IS NOW HANGING AND DANGLING OVER THEIR HEADS AND THAT THEY MUST MEN MAKE USE OF ALL THE</p>
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767. Could also read: CAN RECOLLECT NO.

BT

PS

SCHEAMING OF THE JUGLER IN
ORDER TO ESCAPT THE NOOS
STEALING DOWN UPON THEIR
GUILTY NECKS AND STRANGLING
THEIR GUILTY LIVES FROM THEIR
WORTHLESS CARCASSES; BUT FOR
THE PURPOSE OF SAVING THAT
LLI~~V~~FE THAT I SHOULD THINK
THEY WOULD SHRINK

..... RIDD
THEMSELVES OF. I CAN'T
UNDERSTAND WHY THAT SHOULD
BE; WHAT THEY ARE DOING TO
SAVE THAT WORTHLESS LIFE. THEY
COME HERE AND TESTIFY AS
STRONGLY FOR IT AS THOUGH
THEY WERE INNOCENT BABES
STILL FONDELING ON THEIR
MOTHERS KNEE.. MC MURDY
TELLS YOU THAT HE DØROVE
DOWN THERE JUST ABOUT
WHERE THE FIRST GUN WAS FIRE D;
SAW EVERYTHING THAT WAS DONE
ON THE FIELD; BUT, MIND YOU NO
BODY KILLED; NO PERSON
THERE EXCEPT JOHN D. LEE. HE
WAS THE ONLY PARTY, EXCEPT
WHEN I CAME TO ASK HIM THE
QUESTION IAND IN HIS GUILTY
HEAD HE UTTERED NO REPLY.
WHAT CAN YOU THINK OF SUCH
TESTIMONFY AS THAT; A MAN
THAT COMES BEFORE YOU TO DENY
THAT HE COMMITTED MURDER——
COMES TO YOU SWEARING
FOR HIS LIFE:-? . SAM. MC MURDEYS
HANDS, JUDGING FROM HIS ACTION
UPON THE STAND AND THE FACT
THAT HE WENT THERE UPON THE
FIELD AS A WILLING PARTY,
STANDS WITH THAT HAND
RAISED TO ALMIGHTY GOD, IAS
READ WITH INNOCENT BLOOD AS
ANY MAN EVER STOOD BEFORE

SCHEME OF A JUGGLER IN
ORDER TO ESCAPE THE NOOSES
SETTLING DOWN UPON THEIR
GUILTY NECKS AND STRANGLING
THEIR GUILTY LIVES FROM THEIR
WORTHLESS CARCASSES BUT FOR
THE PURPOSE OF SAVING THAT
LIFE THAT I SHOULD THINK
THEY WOULD *SHIRK*[?] *MELT*[?] ^{[[22]]}
TOGETHER TO RID
THEM OF [*space*] I CAN
UNDERSTAND WHY *THEY/THAT*[?]
CAN BE WHAT THEY ARE DOING TO
SAVE THAT WORTHLESS LIFE THEY
COME HERE TESTIFY AS
STRONGLY FOR IT AS THOUGH
THEY WERE INNOCENT BABES
STILL DANGLING[?] ON THEIR
MOTHERS KNEE [*space*] MC MURDY
TELLS YOU THAT HE DROVE
DOWN THERE *DSPS*[?] NIGH BY
WHERE THE FIRST GUN WAS FIRED
SAW EVERYTHING THAT WAS DONE
UPON THE FIELD BUT MIND YOU NO
BODY KILLED *ANY/NO*[?] PERSON
THERE EXCEPT JOHN D. LEE HE
WAS THE ONLY PARTY EXCEPT
WHEN I CAME TO ASK HIM THE
QUESTION HE HUNG HIS GUILTY
HEAD AND UTTERED NO REPLY
HE[?] —[?] TELL WHAT HE DID THEN
A MAN
THAT REFUSES TO DENY
THAT HE COMMITTED MURDER YOU
KNOW COMES TO YOU SWEARING
FOR HIS LIFE SAM MC MURDEY'S
HANDS JUDGING FROM HIS ACTION
UPON THE STAND AND THE FACT
THAT HE WENT THERE UPON THE
FIELD AS A WILLING PARTY
STANDS HERE WITH THAT HAND
RAISED TO ALMIGHTY GOD AS
RED WITH INNOCENT BLOOD AS
ANY MAN EVER STOOD BEFORE

BT

PS

<p>YOU. THEN WITH HIS HANDS WREAKING WITH BLOOD, A FACT EXISTING THAT HE WAS A PARTY TO THE COMMISSION OF THE CRIME. THE FACT THAT FOR 10 YEARS HE HAS REMAINED IN COWARDLY ^[19] SILENCE SHOWS YOU THAT HE COMES HERE TO SWEAR AND TO SWEAR T FOR HIS LIFE AND NOT FOR JUSTICE. YOU WOULD NOT HANG A DOG UPON THE EVIDENCE OF THAT MAN. THERE IS NOT ONE OF YOU THAT IF THAT PARTY WAS TO COME TO YOUR HOUSE AND TELL YOU THAT AN ANIMAL THAT BELONGED TO YOU HAD BEEN BITTEN BY A RABID DOG BUT WOULD TAKE THE CHANCES OF GETTING DISEASED RATHER THAN RATHER THAN KILL IT ON THAT MANS WORD . THEN NEPHI JOHNSON, HE OUGHT TO GO TO TURKEY AND STAND IN THERE WITH THE SERV CE; AND IF HE WOULD JUST TELL ONE OF THOSE TURKISH HAREMS TO STAND BACK AND COMM T NO MORE CRIMES THEY WOULD GO HOME. DON'T IT STRIKE YOU AS A LIT LE PECULI AR. HOW FUNNY THAT HORSE STARTED AWAY. HOW EASILY THAT HORSE LET HIM CATCH HIM. THE HORSE HAD SENSE ENOUGH TO BREAK LOOS JUST WHEN THAT FELLOW WANTED TO SEE. THEN THAT HORSE FSTOOD SO STILL & QUIET ON THE HILLSIDE, THAT AS HE LOOKED DOWN FROM THE HILLSIDE AND SAW ALL THIN THIS THEN THE HORSE OBEYED</p>	<p><i>YOUR/YOU[?]</i> MAKER AND THEN WITH HIS HANDS REEKING WITH BLOOD THE FACT EXISTING THAT HE WAS A PARTY TO THE COMMISSION OF THE CRIME THE FACT THAT FOR <i>19[?]</i> YEARS HE HAS REMAINED IN COWARDLY SILENCE SHOWS YOU THAT HE COMES HERE TO SWEAR AND TO SWEAR FOR HIS LIFE AND NOT FOR JUSTICE. [<i>space</i>] YOU WOULD NOT HANG A DOG UPON THE EVIDENCE OF THAT MAN. THERE IS NOT ONE OF YOU THAT IF THAT PARTY WAS TO COME TO YOUR HOUSE AND TELL YOU THAT AN ANIMAL THAT BELONGED TO YOU HAD BEEN BITTEN BY A ^[23]768 RABID DOG BUT WOULD TAKE THE CHANCES OF GETTING DISEASE RATHER THAN KILL IT ON THAT MANS WORD. THEN NEPHI JOHNSON HE OUGHT TO GO TO TURKEY AND STAND IN THERE WITH THE SERVICE AND IF HE WOULD JUST TELL ONE OF THOSE TURKISH HAREMS TO STAND BACK AND COMMIT NO MORE CRIMES THEY WOULD GO HOME. DON'T IT STRIKE YOU AS A LIT LE PECULIAR. [<i>space</i>] HOW FUNNY THAT HORSE STARTED AWAY [<i>space</i>] HOW EASILY THAT HORSE LET HIM CATCH HIM HORSE HAD SENSE ENOUGH JUST TO BREAK LOOSE JUST WHEN THAT FELLOW WANTED TO SEE— [<i>space</i>] THEN THAT HORSE STOOD SO STILL AND QUIET ON THE HILLSIDE THAT AS HE LOOKED DOWN FROM HIS SADDLE AND SAW ALL THIS THEN THE HORSE OBEYED</p>
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768. Brief doodling on the verso of page 23: 13 cases of *RGHS*[?], 16 cases of *THE RST/REST*[?], *OF/TO*[?], *HAUL/HOLD*[?], *WATCHES*[?].

BT

PS

<p>HIM SO NICELY— TRAVELED DOWN THE HILL—WHY HE TRAVELED RIGHT ALONG; AND LEE CAME UP TO TELL HIM AND TOLD HIM TO KEE P THOSE INDIANS FROM STEALING, WHEN THEY STOPPED STEALING AT ONCE. THE INDIANS THOUGH ANGRY AND EXCITED, THEY STOLE NO MORE-WHEN THAT MIGHTY MAN OF VALLOR STEPPED UPON THE WAGON TONGUE ZAND SAID ““DON’T, DON’T GOOD INDIANS MUST NOT STEAL, GOOD INDIANS PEACABLE INDIANS.” THE MIGHT NEPHI DROVE THEM BACK.</p> <p>WHY DIDN’T HE TRY THAT AUTHORITY A FEW MINUTES BEFORE? WHY DIDN’T HE RAISE HIS €VOIƆCE IN BAHALF OF JUSTICE? WHY DID HE NOT THROW HIMSELF UPON IN THEIR—AND OFFER TO DIE THAT THE EMIGRANTS MIGHT LIVE; BUT NO, HE SAVED HIS RESERVED HIS VALLOR FOR THE JUKES.</p> <p>HE TESTIFIES TO A LOT OF IMMATERIAL MATTER BUT I LET IT GO ALONG JUST TOSHOW THE CHARACTER OF THE WITNESS; BECAUSE I WOULD NOT LET</p>	<p>HIM SO NICELY [<i>space</i>] TRAVELED DOWN THE HILL AND— [<i>space</i>] WHY HE TRAVELED RIGHT ALONG AND LEE CAME UP TO TELL TO KEEP THOSE INDIANS FROM STEALING <i>WHEN</i>[?] STOP STEALING AT ONCE INDIANS WERE ANGRY AND <i>INSISTED/EXCITED</i>[?] THEY STOLE NO MORE WHEN THAT MIGHTY MAN OF VALOR STEPPED UPON A WAGON TONGUE AND SAID DON’T DON’T GOOD INDIANS MUST NOT STEAL GOOD INDIANS PEACEABLE INDIANS [<i>space</i>] THE MIGHTY NEPHI DROVE THEM BACK HUNGRY AND NAKED TO THE MOUNTAIN FASTNESS AND SAVED ALL OF IT ALL LOOSE STUFF SAVED TO COLLECT ₣ ~ [<i>space</i>] WHY DIDN’T HE TRY THAT AUTHORITY A FEW MINUTES ^{[[24]]} BEFORE [<i>space</i>] WHY DIDN’T HE RAISE HIS VOICE IN BEHALF OF JUSTICE WHY DID HE NOT THROW HIMSELF IN THEIR APPROACH AND OFFER TO DIE THAT THE EMIGRANTS MIGHT LIVE BUT NO HE RESERVED HIS VALOR FOR THE JUKES⁷⁶⁹ COMPANY THE NEXT COMPANY HE TAKES THE GREATEST PLEASURE AND HONOR <i>KNOW/NOW</i>[?] THAT YOU MAY CONVICT JOHN D. LEE WITHOUT A QUESTION FOR THE <i>ABETTING</i>[?] IN DOING UP COMPANY —[?] HE TESTIFIES TO A LOT OF IMMATERIAL MATTER BUT <i>WE</i>[?] LET IT GO IN JUST TO SHOW THE CHARACTER OF THE WITNESS [<i>space</i>] BECAUSE I WOULD NOT LET</p>
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769. Here, as elsewhere, Patterson writes “JKS”, Jukes, when referring to the Dukes Company.

BT

HIM TESTIFY TO EVERYTHING THAT HAPPENED FROM THE DAY OF THE CRUSIFIXION DOWN TO THE PRESENT TIME BUT FOR THAT PURPOSE; BUT IMMATERIAL-, IT IS NOT TO BE BELIEV ED ^[20] EVEN WHEN HE TELLS THE TRUTH. AND AS THIS OCCURRED DOWN TO HARMONY AND HE TELLS JOHN D. LEE BLOOD ENOUGH HAS BEEN SPILLED ON MOUNTAIN MEADOWS. YOU CAN'T KILL THIS TRAIN, HE WAS GOING TO PROTECT IT. I WOULD GIVE A PRETTY GOOD HORSE TO HAVE THE HISTORY WHILE IN THE TERRITORY OF THAT EMIGRANT TRAIN. IF THAT EMIGRANT TRAIN ESCAPED THE NEXT ONE DIES; BUT THE CHANCES ARE THAT THAT COMPANY WERE KILLED OR ROBBED.. THE LAST WITNESS THEY HAVE NOW IS JAKE HAMBLIN. JAKE COMES ON THE STAND AND TESTIFIES AS CAREFULLY AND CONSIDERATELY AS IT IS POSSIBLE FOR A MAN TO TESTIFY. BUT HE IS A MAN THAT HAS ALWAYS KEØPT SILENT FOR 19 YEARS. THIS IS HE FIRST TIME HE HAS EVER SEEN A PROPER CHANCE. WHY I WONDER IF HE MEAANS THZAT THIS IS A GOOD TIME BECAUSE THE PROSECUTION HAS CONCLUDED NOT TO HANG BRIGHAM YOUNG. I DON'TTHAINK THAT IS IT;

BUT THAT MUST BE WHAT HE MEANS. I WISH TO CALL YOUR ATTENTION TO THE EVIDENCE OF THE PROSECUTION ONE MOMENT AS COMPARED ~~AS COMPARED~~ WITH JAKE HAMBLIN'S. YOU HEARD THE

PS

HIM TESTIFY TO EVERYTHING THAT HAPPENED FROM THE TIME OF THE CRUCIFIXION DOWN TO THE PRESENT DAY [space] AND/BUT[?] MATERIAL[?] IS NOT TO BE BELIEVED EVEN WHEN HE TELLS THE TRUTH AND AS THIS OCCURRED DOWN THERE TO HARMONY AND HE TELLS JOHN D. LEE BLOOD ENOUGH HAS BEEN SPILLED ON MOUNTAIN MEADOW YOU CAN'T [space] KILL THIS TRAIN HE WAS GOING TO PROTECT I WOULD GIVE A PRETTY GOOD HORSE TO HAVE THE HISTORY [space] OF THE TR PR/TRUTH NOW[?] THAT THAT EMIGRANT TRAIN ESCAPED THE NEXT TRAIN DS/DOES[?] [space] BUT THE CHANCES ARE THAT THAT COMPANY WAS [space] THE LAST WITNESS THEY HAVE NOW IS JAKE HAMBLIN [space] JAKE COMES ON THE STAND AND TESTIFIES AS CAREFULLY AND CONSIDERATELY AS IT IS POSSIBLE FOR A MAN TO TESTIFY BUT HE IS A MAN THAT HAS ALWAYS KEPT SILENT FOR 19 YEARS THIS IS THE FIRST TIME THAT HE EVER SAW A PROPER CHANCE WHY I WONDER IF HE MEANS THAT HE THINKS/FINDS[?] THIS GOOD TIME BECAUSE THE PROSECUTION HAS CONCLUDED ^{[[25]]} NOT TO HANG BRIGHAM YOUNG I DON'T THINK THAT IS IT I DO NOT THINK THEY EVER HAD A CHANCE TO DO THAT [space] BUT THAT MUST BE WHAT HE MEANS I WISH TO CALL YOUR ATTENTION TO THE EVIDENCE OF THE PROSECUTION ONE MOMENT AS COMPARED WITH JAKE HAMBLIN'S YOU HEARD THE

BT

PS

EVIDENCE, AND BRIGHAM YOUNG, YOU HEARD HIS REPORT— THAT TO DENVER—WHAT HE SAID ABOUT THE EMIGRANT TRAIN SOME MONTHS AFTER THEY ONLY HEARD OF ANOTHER ARMY; YET JAKE HAMBLIN TELLS YOU THAT A SHORT TIME AFTERWARDS HE TOLD BRIGHAM YOUNG AND GEORGE A. SMITH OF ANOTHER TRANSACTION WITH MR M——— THEN HE DESCRIBED IT TO YOU, THAT HE GAVE IT IN FULLER DETAIL, AND GREATER PARTICULARITY TO THOSE TWO MEN THAN HE HAD GIVEN IT HERE, BECAUSE AT THAT TIME HIS MIND WAS FRESHER. THE SUBJECT WAS FRESHER IN HIS MIND AND HIS MEMORY WAS GOOD AND THAT HE COULD BE ABLE TO DETAIL THE WHOLE TRANSACTION TO THOSE TWO MEN. SO FROM THEIR TESTIMONY HERE THAT THIS IS DENIED, DO YOU BELIEVE, GENTLEMEN OF THE JURY, THAT IF THIS MAN HAD TOLD BRIGHAM YOUNG THE EXACT FACT ABOUT HOW THE MOUNTAIN MEADOW MASSACRE WAS COMMITTED THAT BRIGHAM YOUNG WOULD HAVE WRITTEN THAT LETTER TO DENVER? ^[21] BUT THE RULE CHANGED; THE PROSECUTION INTRODUCED CERTAIN PROOF. HOWARD, HE HAS KEPT HIS WORD MOST CLEARLY. HIS WITNESSES HAVE GONE FURTHER THAN EVEN MY OWN ACCEPTATION COULD HAVE PROMPTED ME TO BELIEVE THAT MEN HAVE TESTIFIED TO TELL A DIFFERENT SET OF

EVIDENCE AND BRIGHAM YOUNG YOU HEARD HIS REPORT WRITTEN THAT TO DENVER WHAT HE SAID ABOUT THE EMIGRANT TRAIN SOME MONTHS AFTER [space] THAT HE ONLY HEARD HAVE[?] ENTIRE/ANOTHER[?] ARMY[?] [space] YET JAKE HAMBLIN TELLS YOU THAT A SHORT TIME AFTERWARDS HE TOLD BRIGHAM YOUNG AND GEORGE A SMITH OF ENTIRE TRANSACTION WITH MR MARTINEAUS THEN HE DESCRIBED IT TO YOU [space] THAT HE GAVE IT IN FULLER DETAIL AND GREATER PARTICULAR TO THOSE TWO MEN THAN HE HAD GIVEN IT HERE BECAUSE AT THAT TIME HIS MIND WAS FRESHER THE SUBJECT WAS FRESHER IN HIS MIND AND HIS MEMORY WAS GOOD AND THAT HE COULD BE ABLE? TO DETAIL THE ENTIRE TRANSACTION TO THOSE TWO MEN SO FROM THEIR TESTIMONY HERE THAT THESE/THIS IS[?] IS DENY/DENIED[?] DO YOU BELIEVE GENTLEMEN OF THE JURY THAT IF THIS MAN HAD TOLD BRIGHAM YOUNG THE EXACT FACT ABOUT HOW THE MOUNTAIN MEADOW MASSACRE WAS COMMITTED THAT BRIGHAM YOUNG WOULD HAVE WRITTEN THAT LETTER TO DENVER [space] I HAVE CHALLENGED THE PROSECUTION AND INTRODUCE CERTAIN PROOF [space] HOWARD HAS KEPT HIS WORD MOST CLEARLY HIS WITNESSES HAVE GONE FURTHER THAN OUR EVEN MOST SINGULAR[?] EXPECTATION COULD HAVE PROMPTED ME TO BELIEVE MEN HAVE ^{[[26]]} TESTIFIED TO SUCH A DIFFERENT SET OF

BT

PS

FACTS. THAT I
ACKNOWLEDGE TO YOU THAT IN
MY STATEMENT I WAS WRONG
BECAUSE I MADE THAT STATEMENT
UPON MY KNOWLEDGE OF THIS
CASE DERIVED FROM LISTENING
TO THE SWORN TESTIMONY OF
WITNESSES, AND FROM THE
PERSONAL EXAMINATION OF THE
SAME CHARACTER AND CLASS OF
WITNESSES THAT HAVE TESTIFIED
UPON THE STAND HERE THOUGH
NOT UNDER OATH. I WAS MISTAKEN
BUT I THOUGHT I WAS TOLD THE
TRUTH. I BELIEVED THAT A MAN
WHEN HE WOULD COME UP TO
SWEAR TO IT WOULD SWEAR TO IT
AGAIN. I BELIEVED THAT THE
MAN WHO WAS TELLING HIM THE
FACTS IN THE CASE WAS TELLING
HIM THE TRUTH. I BELIEVE NOW
THAT THEY HAD TO HAVE SOME
REASON OR OTHER. I CAN'T
BELIEVE THAT THEY HAVE SWORN
TO THE TRUTH. YOU HAVE BEEN
ASKED BY MR. DENNY TO
DISCOURTEGE ~~THE FACTS THE~~
TESTIMONY ABOUT THE INDIANS,
BECAUSE HE TELLS YOU THAT
PARTLY CIVILIZED INDIANS WOULD
NOT COMMIT SUCH A CRIME. I
LEAVE THAT TO YOU WHETHER A
BAND OF PARTIALLY CIVILIZED
INDIANS ~~THAT~~ **THAT** WERE
SUFFERING FROM FROM SUCH
WRONGS WOULD
COMMIT **A CRIME** AS A LOT OF
MORMONS WOULD BECAUSE ~~THE~~
~~AN INDIANS AND~~ **OR A THE**
MORMONS, ONE OR THE OTHER
KILLED ~~THOSE~~ **THESE** EMIGRANTS
TRAIN. THEY CAN HAVE ~~IT~~ **IT** JUST
AS THEY WANT TO. I WAS
NOT THERE— I WAS NOT. YET I

FACTS TO WHAT I [space] THAT I
ACKNOWLEDGE TO YOU THAT IN
MY STATEMENT I WAS WRONG
BECAUSE I MADE THAT STATEMENT
UPON MY KNOWLEDGE OF THIS
CASE DERIVED FROM LISTENING
TO THE SWORN TESTIMONY OF
WITNESSES AND FROM THE
PERSONAL EXAMINATION OF THE
SAME CHARACTER AND CLASS OF
WITNESSES THAT HAVE TESTIFIED
UPON THE STAND HERE THOUGH
NOT UNDER OATH I WAS MISTAKEN
BUT I THOUGHT I WAS TOLD THE
TRUTH I BELIEVED THAT A MAN
WHEN HE WOULD COME UP TO
SWEAR TO IT WOULD SWEAR TO IT
AGAIN I BELIEVED THAT A
WHO TOLD ME THE
FACTS IN THE CASE WAS TELLING
ME THE TRUTH I BELIEVE NOW
THAT THEY HAD TO HAVE SOME
REASON OR OTHER I CAN'T
BELIEVE THAT THEY HAVE SWORN
TO THE TRUTH YOU HAVE BEEN
ASKED BY MR. DENNY TO
DISCOURTEGE ALL THIS
STORY ABOUT THE INDIANS
BECAUSE TELLS YOU THAT
PARTLY CIVILIZED INDIANS WOULD
NOT COMMIT SUCH A CRIME I
LEAVE THAT TO YOU WHETHER A
BAND OF PARTIALLY CIVILIZED
INDIANS THAT WERE
SUFFERING FROM FROM
IMAGINARY WRONGS WOULD
COMMIT A CRIME AS A LOT OF
MORMONS WOULD BECAUSE THE
INDIANS OR THE
MORMONS ONE OR THE OTHER
KILLED THIS EMIGRANT
TRAIN THEY CAN JUST HAVE IT
AS THEY WANT TO [space] I WAS
NOT THERE I DO NOT KNOW [space] I

BT

PS

BELIEVE THE INDIANS DID SOME OF THE KILLING. I BELIEVE THE WHITE MEN AIDED IN THE KILLING, AND THAT THERE WERE QUITE A NUMBER OF THEM THERE. I SIMPLY CALL YOUR ATTENTION TO THE FACT LIKE THE BEST OF MEN, THAT INDIANS NEVER DID ANYTHING WRONG. WHY DOES NOT LEE TELL US WHERE HE GOT HIS ORDERS FROM? <CAN'T TESTIFY.> IS NOT THAT VERY MATTER OF FACT SHOWED BY THE LETTER? THE LETTER WRITTEN BY LEE HAS BEEN READ TO YOU, TESTIMONY BEEN COMMENTED UPON, AND THIS OTHER EVIDENCE THAT I CAN'T DISPUTE.^[22] GENTLEMEN OF THE JURY, I SHALL REVIEW THIS CASE WITH YOU FOR A FEW MINUTES. AS IS WELL KNOWN THE HISTORY OF THIS COUNTRY IS VERY PECULIAR IN MANY RESPECTS. IT IS PECULIAR BECAUSE THE CONDITION OF THE COUNTRY AT THAT TIME THAT THE CRIME WAS COMMITTED WAS ONE OF THE MOST PECULIAR THAT EVER EXISTED ON THE AMERICAN CONTINENT,

AND THE PECULIAR OTHER EXCITEMENT WHICH OCCURRED. THIS TRAIN HAD ACTED IN A VERY PECULIAR AND UNSATISFACTORY MANNER. THEY HAD ACTED IN A FOOLISH MANNER IF THE EVIDENCE OF THE PROSECUTION BE TRUE. THEY HAD TAKEN EVERY EFFORT TO RAISE MISCHIEF AGAINST THEM. THEY HAD TAKEN EVERY EFFORT TO

BELIEVE THE INDIANS DID THE MOST OF THE KILLING I BELIEVE THAT WHITE MEN AIDED IN THE KILLING AND THAT THERE WERE QUITE A NUMBER OF THEM THERE I SIMPLY CALL YOUR ATTENTION TO THE FACT LIKE THE BEST OF MEN [space] THAT INDIANS NEVER DID ANYTHING WRONG [space] WHY DOES NOT LEE TELL US WHERE HE ^{[[27]]} GOT HIS ORDERS FROM [space] CAN/CAN'T[?] TESTIFY IS NOT THE VERY MATTER OF FACT SHOWED BY THE LETTER [space]. [space] THE LETTER WRITTEN BY LEE HAS BEEN READ TO YOU TESTIMONY BEEN COMMENTED ON AND THIS OTHER EVIDENCE THAT I CAN'T DISPUTE [space] GENTLEMEN OF THE JURY I SHALL REVIEW THIS CASE WITH YOU FOR A FEW MOMENTS. AS IS WELL KNOWN THE HISTORY OF THIS CASE IS VERY PECULIAR IN MANY RESPECTS. IT IS PECULIAR BECAUSE OF THE CONDITION OF THE COUNTRY AT THE TIME THAT CRIME WAS COMMITTED WAS ONE OF THE MOST PECULIAR THAT EVER EXISTED ON THE AMERICAN CONTINENT THE FEELINGS THE EXCITEMENT OF THE PEOPLE WERE PECULIAR THEIR EXCITEMENT GREAT THIS TRAIN HAD ACTED IN A VERY PECULIAR AND UNSATISFACTORY MANNER THEY HAD ACTED IN A FOOLISH MANNER IF THE EVIDENCE OF THE PROSECUTION BE TRUE THEY HAD TAKEN EVERY OPPORTUNITY TO REAR THE SETTLEMENTS THROUGH WHICH THEY PASSED AGAINST THEM THEY HAD TAKEN EVERY EFFORT TO

BT

PS

REAR THE PEOPLE AGAINST THE
OUTSIDERS. THEY HAD MADE
THREATS OF VIOLENCE, THREATS
OF COMMISSIONS OF CRIME. THEY
ASDMITTED
BEING THE LIFELONG ENEMIES OF
THE MORMONS; AND THE
MORMONS HAD DECIDED ~~TO~~ &
DECLARED THAT THEY WOULD BE
BOUND BY THE SAME. THEY
WOULD TAKE A DEADLEY
STAND WITH THE
RABBLE ~~ON THE~~ APPROACHING ON
THE SOUTH WHILE AN ARMY WAS
COMING IN ON THE NO~~TH~~RTH. THEN
THERE W ~~S~~AS A PECULI~~Z~~AR STATE
OF AFFIARS AAT THAT TIME. THE
CRIME

WAS COMMIT ED, AND BY
WHOM AND ~~WHOW?~~W ARE
TYE QUESTIONS THAT YOU MUST
DECIDE. FOR 18 YEARS
THIS CRIME HASS GON
UNPUNISHED WHILE GOVERNEMNT
JUDGES, HAVE BEEN IN THE
COURTS IN THEIR PLACES IN THIS
TERRITORY AND THE COURTS HAVE
BEEN OPEN
IN ORDER TO
DISPENSE JUSTICE. JURIES HACVE
WAIDED UP FROM
TERM TO TERM. THIS CASE HAS
BEEN CALED BEFORE AND TRIED.
THESE JWITNESSES HAD AN
OPPORTUNITY TO COME BEFORE
JURIES LONG AGO A~~B~~ND TELL
WHAT THEY KNEW OF THE
~~CAD~~CASE; BUT THE Y CAME NOT.
THE DEFENDANT WAS ARRESTED.
THEIR COUNSEL THEN MESSRS
MYSELF &
HAD THE CONDUCTING O ~~DF~~ THE

REAR PEOPLE AGAINST ALL
OUTSIDERS THEY HAD MADE
THREATS OF VIOLENCE THREATS
OF COMMISSION OF CRIME HAD
ADMITTED [*space*] HAD ADMITTED
BEING THE LIFELONG ENEMIES OF
THE MORMONS
HAD DECIDED AND
DECLARED THAT THEY WOULD
DOWN/TOWN[?] BY THE SAME THEY
WOULD TAKE [*space*] DEADLY [*space*]
STAND WITH *THEM*[?] AS *THE*[?]
RABBLE APPROACHED ON
THE SOUTH [*space*] ARMY
CAME IN FROM THE NORTH THEN
THERE WAS AS A PECULIAR STATE
OF AFFAIRS AT THAT TIME WHAT
WAS DONE AFTERWARDS WAS
GENERAL IN ITS CHARACTER
INEXCUSABLE ON ITS OWN. BUT
YES IT WAS COMMITTED AND BY
WHOM AND HOW [*space*] ^{[[28]]} ARE
THE QUESTIONS THAT YOU MUST
DECIDE FOR 18 YEARS OR NEARLY
THAT THE MATTER LAY
UNEXAMINED
JUDGES HAVE BEEN IN THE
COURTS IN THEIR PLACES IN THIS
TERRITORY *FEW*[?] COURTS HAVE
BEEN OPEN NOT ONE UPON THE
BENCH HAS BEEN READY TO
DISPENSE JUSTICE JURORS HAVE
WAITED UPON *HIM/'EM*[?] FROM
TERM TO TERM THIS CASE HAS
BEEN CALLED BEFORE AND TRIED
THOSE WITNESSES HAD AN
OPPORTUNITY TO COME BEFORE
JURORS LONG AGO AND TELL
WHAT THEY KNEW OF THE
CASE BUT THEY CAME NOT [*space*]
THE DEFENDANT WAS ARRESTED
THEIR COUNSEL THEN
MYSELF SPICER AND *C BATES*[?]
HAD THE CONDUCT OF THE

BT

PS

CZASE. BUSINESS REAASONS
AND AFFAIRS HAVE KEPT THEM
FROM COMING HERE AT THIS
TØIME. AND BROTHER SPICER AND
MYSELF WERE COMPELLED TO
TAKE THE CASE ALONE; FINA LY
MY BROTHER FOSTER ARRIVING
KINDLY CONSENTED TO
ASSIST BUT THE COUNSEL WHO
ÐLED IN THE DEFENSE BEFORE AT
THE OTHER TRIAL HAS BUSINESS
A T THIS TIME AND THE
RES- ^[23] PONSIBILITY RESTS UPON
ME AAND MY ASSOCIATES TO DO
ALLÆ THAT WE CAN. I HAVE
APPEARED HERE NØE ON ON THIS
TRISAL AS I DID AT THE LAST, AS I
ALWAYS EXPECT TO WHEN
DEFENDING A MAN CHARGED WITH
CRIME. I HAVE APPEARED BEFORE
YOU IN FAIRNESS AND
HONESTY. CONDUCTING THE CASE
~~IN FAIRNESS AND HONESTY~~
ACCORDING TO THE BEST OF MY
SKILL AND ABILITY FOR MY
CLIENT. I HAVE NOT ONLY TAKEN
OFF THIS COURT THE LAW.

BUT I HAVE TRIED TO
KEEP BACK NOT ONE WORD OF
TESTIMONY. I HAVE AIDED THE
PROSECUTION IN EVERY WAY THAT
I COULD TO BRING FAIR PLSAY AND
THE ENTIRE STATEMENT; TO LET
THE WITNESSES TELL ALL THAT
THEY KNEW; BECAUSE I BELIEVED
THEN AS I BELIEVE NOW, THAT
UPON SUCH EVIDENCE AS HAS
BEEN INTERODUCED HERE, NO
JURY CAN CONVICT. . FORTY
ACCOMPLICES STAND THE SAME IN
MY JUDGMENT AS ONE. THEN
A CONVICTION OF ACOMPLICES
THESE ØPARTIES THAT COME HERE

CASE [*space*] BUSINESS REASONS
AND AFFAIRS HAVE KEPT THEM
FROM COMING HERE AT THIS
TIME AND MY BROTHER SPICER
AND MYSELF WERE COMPELLED TO
TAKE THE CASE ALONE FINALLY
MY BROTHER FOSTER ARRIVED
AND KINDLY CONSENTED TO
ASSIST BUT THE COUNSELWHO
LED IN THE DEFENSE BEFORE AT
THE OTHER TRIAL HAS BUSINESS
AT THIS TIME AND THE
RESPONSIBILITY RESTS UPON
ME AND MY ASSOCIATES TO DO
ALL THAT WE CAN I HAVE
APPEARED HERE NOWON THIS
TRIAL AS I DID AT THE LAST AS I
ALWAYS EXPECT TO WHEN
DEFENDING A MAN CHARGED WITH
CRIME I HAVE APPEARED BEFORE
YOU *TOO*[?] IN FAIRNESS AND
HONESTY CONDUCTING THE CASE

ACCORDING TO THE BEST OF MY
SKILL AND ABILITY FOR MY
CLIENT I HAVE NOT ONLY TAKEN
TO THIS COURT OF LAW [*space*]
ABUSED YOUR MINDS AND
CONFIDENCES I HAVE TRIED TO
KEEP BACK NOT ONE WORD OF
TESTIMONY I HAVE AIDED THE
PROSECUTION IN EVERY WAY THAT
I COULD TO BRING FAIR PLAY AND
ENTIRE STATEMENT TO LET
THE WITNESSES TELL ALL THAT
THEY KNEW BECAUSE I BELIEVED
^[129]] THEN AS I BELIEVE NOW THAT
UPON SUCH EVIDENCE AS HAS
BEEN INTRODUCED HERE NO
JURY CAN CONVICT [*space*] 40
ACCOMPLICES STAND THE SAME IN
MY JUDGMENT AS ONE [*space*] THEN
A CONVICTION OF ACCOMPLICES
THESE PARTIES THAT COME HERE

BT

PS

WITH THE R HANDS STILL SMOKING
ZAND STAINED WITH INNOC ENT
BLOOD,
AND THEN TESTIFYING AND
HEARING EACH OTHER TESTIFY
AND MARKING AN ALL EXCEPT
SOME MINER DETAIL FOR THE
PURPOSE OF SECURING A
CONVICTION. IN THE EVIDENCE
JUST GIVEN THEY HAVE
COME UPON THE STAND TO
PROSECUTE AND
CONVICT LEE THAT THEIR ONWN
LIVES MAIGHT BE SAVED.

I ZASK YOU NOW,
GENTLEMEN, WHEN YOU RETIRE TO
YOUR JURY ROOM, TAKE THIS
EVIDENCE AND SCAN IT
CAREFULLY, AND ASK
YOURSELVES IF THE EVIDENCE
THAT HAS BEEN I INTRODUCED ALL
ALONG AND SEE IF IT
SHOWS THE GUI LT OF THAT
DEFENDANT. ~~TAHE~~ TAKE THE
EVIDENCE OF ALL THE WITNESSENS
THAT WERE NOT THERE, ALL~~E~~ THAT
WERE NOT GUI~~LT~~TY AND YOU
HAVE NOTHING TO SHOW GUILT.
NOT A THING IN CORROBERATION
NOTHING OF THE SORT, NOTHING
OF THE KIND OR CHARACTER. THEN
CONSIDER THE TALE AS TOLD BY
HAMBLIN, HOW HE IMPORVE S IN
IT! HOW EASILY HIS MIND IS
REFERESHED BY A SHORT RECESS.!
HOW HE TELLS ALL THAT HE
KNOWS ONE DAAY AND THEN ~~THE~~
NEXT DAY
HE COMES TO THE
CONCLUSION THAT HE HEARD
SOMETHING OF THE TWO YOUNG
~~GIRLES~~ WOMEN. GENTLEMEN, IF
YOU CAN FIND A VERDICT OF

WITH THE HANDS STILL SMOKING
STAINED WITH INNOCENT
BLOOD SWEAR BY AGREEMENT
AND THEN TESTIFYING EITHER
HEARING EACH OTHER TESTIFY
[space] AGREEING IN ALL EXCEPT
SOME MINOR DETAIL FOR THE
PURPOSE OF SECURING A
CONVICTION KNOWING THAT NO
JUST GOVERNED WILL PERMIT
THEM TO COME UPON THIS STAND
AND THEN PROSECUTE THEM
CONVICT THEM[?] SAVE THEIR
LIVES — [space] *HISTORY/TOO*/—[?]
PECULIAR [space] MY ACTION
PECULIAR [space] I ASK YOU NOW
GENTLEMEN WHEN YOU RETIRE TO
YOUR JURY ROOM TAKE THIS
EVIDENCE IN YOUR MIND SCAN IT
CAREFULLY AND ASK
YOURSELVES IF THE EVIDENCE
THAT HAS BEEN INTRODUCED BY
ANY DISINTERESTED WITNESS
THAT SHOWS THE GUI LT OF THAT
DEFENDANT TAKE THE
EVIDENCE OF ALL THE WITNESSES
THAT WERE NOT THERE ALL THAT
WERE NOT GUILTY AND YOU
HAVE NOTHING TO SHOW GUILT
NOT A THING IN CORROBORATION
NOTHING OF THE SORT NOTHING
OF THE KIND OR CHARACTER THEN
CONSIDER THE TALE AS TOLD BY
HAMBLIN HOW HE IMPROVES ON
IT HOW EASILY HIS MIND IS
REFRESHED BY A SHORT RECESS
HOW HE TELLS ALL THAT HE
KNOWS ONE DAY AND THEN THE
NEXT DAY COMES —/D[?] AND SITS
UP AND COMES TO THE
CONCLUSION THAT HE HEARD
SOMETHING OF THE TWO YOUNG
WOMEN GENTLEMEN IF
YOU CAN FIND A VERDICT OF

BT

PS

<p>GUILTY ^[24] UPON THAT EVIDENCE YOU ARE DIFFERENT MEN, MADE OF DIFFERENT MATERIAL AND DRAW YOUR CONCLUSIONS FROM DIFFERENT PREMISES TO ANY MAN THAT I EVER KNEW. DO YOU BELIEVE THAT BY CONVICTING THIS MAN UPON INSUFFICIENT EVIDENCE YOU CAN RAISE THE BLOTCH BLACK CLOUD THAT HAS HUNG OVER THE MORMON CHURCH? DO YOU BELIEVE THAT A WRONG VERDICT—DO YOU BELIEVE THAT ANOTHER INFAMOUS ACT, THAT A JUDICIAL MURDER WILL RAISE THAT CLOUD? DO YOU BELIEVE THAT IT WILL MAKE MAKE THE PEOPLE OF THE UNITED STATES BELIEVE THAT THE CRIME WAS LESS CHARGED TO THE AUTHORITIES THAN THEY BELIEVE IT NOW? FOR YOU KNOW THEY WILL BE SAYING, HERE “HERE THE PEOPLE IN UTAH ARE CUNNING; THEY HAVE GONE TO WORK AND TAKEN A FEW OF THE GUILTY WRETCHES AND LET THEM TESTIFY TO JUST ENOUGH TO HANG LEE. THE PROSECUTION HAS INTRODUCED DOCUMENTS ENOUGH TO CLEAR THE CHURCH AND THEY HAVE HUNG LEE AND NOW THE BALANCE GO FREE.” THAT WILL BE THE WAY THE PEOPLE WILL TALK. CALLING YOUR ATTENTION NOW TO THE FACT OF THE VERDICT, AS I HAVE A RIGHT TO. I HAVE A RIGHT TO ASK AND I DEMAND THAT YOU ACT WITH JUSTICE. I HAVE A RIGHT TO EXPECT THAT YOU WILL ABIDE BY THE LAW AND THE</p>	<p>GUILTY UPON THAT EVIDENCE ^[30] YOU ARE DIFFERENT MEN MADE OF DIFFERENT MATERIAL AND DRAW YOUR CONCLUSIONS FROM DIFFERENT PREMISES TO ANY MAN THAT I EVER KNEW DO YOU BELIEVE THAT BY CONVICTING THIS MAN UPON INSUFFICIENT EVIDENCE THAT YOU RAISE THE BLACK CLOUD THAT HAS HUNG OVER THE MORMON CHURCH DO YOU BELIEVE THAT A WRONG VERDICT DO YOU BELIEVE THAT ANOTHER INFAMOUS ACT THAT A JUDICIAL MURDER WILL RAISE THAT CLOUD DO YOU BELIEVE THAT IT WILL MAKE THE PEOPLE OF THE UNITED STATES BELIEVE THAT THE CRIME WAS LESS CHARGED TO THE AUTHORITIES THAN THEY BELIEVE IT NOW FOR YOU KNOW THEY WILL BE SAYING HERE THE PEOPLE IN UTAH ARE CUNNING THEY HAVE GONE TO WORK AND TAKEN A FEW OF THE GUILTY WRETCHES AND LET THEM TESTIFY TO JUST ENOUGH TO HANG LEE THE PROSECUTION HAS INTRODUCED DOCUMENTS ENOUGH TO CLEAR THE CHURCH AND THEY HAVE HUNG LEE AND NOW THE BALANCE GO FREE. THAT WILL BE THE WAY THE PEOPLE WILL TALK CALLING YOUR ATTENTION NOW TO THE EFFECT OF A VERDICT AS I HAVE A RIGHT TO I HAVE A RIGHT TO ASK AND DEMAND THAT YOU ACT WITH JUSTICE I HAVE A RIGHT TO EXPECT THAT YOU WILL BE GUIDED ⁷⁷⁰ BY THE LAW AND THE</p>
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770. Word may be crossed out.

BT

PS

EVIDENCE. THAT YOU BELIEVE,
~~AND~~ THAT YOU WILL NOT HAVE
ANY IMPROPER PURPOSE OR
REVENGE FOR THE
PURPOSE OF SATISFYING ANY
CLIQUE OR CONVENTION,
SACRIFICE THAT MAN. NO. THAT
YOU CANNOT DO.
GENTLEMEN, THIS CASE NOW GOES
TO YOU SO FAR AS WE ARE
CONCERNED. THE PROSECUTION
IS REPRESENTED BY ONE; I ~~A~~ MAY
SAY, OF THE BEST ~~PROSECUTING~~
<UNITED STATES> ATTORNEYS
THAT I HAVE EVER HEARD, AND I
HAVE HEARD A GREAT MANY. A
MAN ~~THAT~~ IS GUARDED AND
CAUTIONS IN HIS ACTIONS,
PLANS HIS CAM PAIGN WITH C~~Z~~ARE
AND <DUE> CONSIDERATION; AND
THEN WORKS RIGHT UP ~~P~~TO HIS
PLAN UNTIL HE COMES TO ~~HIS~~
~~ARGUMENT~~ ARGUE THE CA SE;
THEN HE WORKS AWAY BEYOND IT.
HE IS A BETTER TALKER PERHAPS
TH~~Z~~AN ANY MAN WHO HAS SPOKEN
IN THIS COURT HOUSE IN THE PAST
;AND IT IS BELIEVED BY MANY
THAT WHEN ~~HE COMES TO C~~ THEY
COME ~~<PAST>~~ TO
CONTR~~Z~~AST HIS ELOQUENCE WITH
THE EVERY DAY EXPRESSIONS OF A
COMMON MAN ^[25] LIKEE MEYSELF
THAT OUF~~R~~ SPEECHES WILL BE
FORGOTTEN, AND THE MUSICAL
ELOQUENCE THAT FLOWS FROM
MY BROTHER
HOWARD WILL CONVINCE YOU
THAT THE INNOCENCE IS GUILTY
AND THAT BLACK IS WHITE; AND
THAT ALL YOU WILL HAVE TO DO
TO ~~BRING A MALEM~~ IS TO
CONVICT JOHN D. LEE AND SUSTAIN
HIM IN HIS THEORIES. BUT YOU

EVIDENCE THAT YOU BELIEVE
THAT YOU WILL NOT HAVE
ANY IMPROPER PURPOSE OR FOR
PURPOSE OF REVENGE FOR THE
PURPOSE OF SATISFYING ANY
CLIQUE OR CONVENTION
SACRIFICE THAT MAN NO THAT
YOU CANNOT DO. [space]
GENTLEMEN THIS CASE NOW GOES
TO YOU SO FAR AS WE ARE
CONCERNED ^{[[31]]} THE PROSECUTION
IS REPRESENTED BY ONE I MAY
SAY OF THE ABLEST
UNITED STATES ATTORNEYS
THAT I HAVE EVER HEARD AND I
HAVE HEARD A GREAT MANY A
MAN THAT IS CAUTIOUS AND
GUARDED IN HIS ACTIONS [space]
PLANS HIS CAMPAIGN WITH CARE
AND DUE CONSIDERATION AND
THEN WORKS RIGHT UP TO HIS
PLAN UNTIL HE COMES TO
ARGUE CASE
THEN HE WORKS WAY BEYOND IT
HE IS A BETTER TALKER PERHAPS
THAN ANY MAN WHO HAS SPOKEN
IN THIS COURT HOUSE IN THE PAST
AND IT IS BELIEVED BY MANY
THAT WHEN ~~THAT WHEN THEY~~
~~COME AND GIVE A~~ JURY COMES TO
CONTRAST HIS ELOQUENCE WITH
THE EVERY DAY EXPRESSIONS OF A
COMMON MAN LIKE MYSELF
THAT OUR SPEECHES WILL BE
FORGOTTEN AND THE MUSICAL
ELOQUENCE THAT FLOWS FROM
THE MOUTH OF MY BROTHER
HOWARD WILL CONVINCE YOU
THAT THE INNOCENT IS GUILTY
AND THAT BLACK IS WHITE AND
THAT ALL YOU HAVE TO DO
TO BRING TO ~~MRM/MORMON~~[?] IS TO
CONVICT JOHN D. LEE AND SUSTAIN
HIM IN HIS THEORIES ~~YET/YES/NOT~~[?]

BT

PS

MUST NOT LET ELOQUENCE DECIDE THIS CASE.
LISTEN TO HIM CAREFULLY, ~~AND~~ **BUT** BELIEVE AS LITTLE OF IT, AS IS NOT ~~A~~ WARRANTED BY THE TESTIMONY, AS IS POSSIBLE.
DECIDE THIS CASE, GENTLEMEN, UPON THE FACTS, UPON THE EVIDENCE THAT YOU BELIEVE.
DON'T DECIDE IT ~~UPON~~ UPON EVIDENCE THAT YOU DON'T THINK IS SO. WHEN YOU RETIRE TO YOUR JURY ROOM RECOLLECT THIS. THE COURT WILL INSTRUCT YOU ABOUT THIS FACT. THEN YOU HAVE A RIGHT ~~IDF~~ IF YOU BELIEVE THE EVIDENCE TO FIND A VERDICT OF GUILTY OF MURDER IN THE FIRST OR MURDER IN THE SECOND DEGREE OR MANSLAUGHTER OR NOT GUILTY. IN ORDER TO ENABLE YOURSELVES, GENTLEMEN OF THE JURY, TO CONVICT IN THIS CASE, YOU MUST BELIEVE THAT JOHN D. LEE COMMITTED **THE CRIME** AS CHARGED IN THE INDICTMENT. YOU MUST BELIEVE THAT THIS HAS BEEN PROVEN BEYOND THE POSSIBILITY OF ~~A~~ DOUBT. YOU MUST BE SATISFIED IN YOUR OWN MINDS THAT THAT EVIDENCE THAT HAS BEEN DETAILED TO YOU BY THESE WITNESSES IS ~~Z~~ALL OF THE TRUTH, AND ~~THZ~~AT JOHN D. LEE COMMITTED THE ACT AND THAT THERE IS NO QUESTION OR NO EXCUSE. IF YOU BELIEVE THAT HE DIDN'T COMMIT IT; IF YOU DISBELIEVE ~~IF~~ THIS EVIDENCE; IF YOU BELIEVE THERE IS AN EXCUSE, LET YOUR VERDICT SHOW IT.
GENTLEMEN, I CAN DO NO MORE WITH THIS CASE. I LEAVE ~~THZ~~AT

IDEAS HE PRESENTED ON THIS IS *YET/YES/NOT[?]* PERHAPS ONLY IDEAS LISTEN TO HIM CAREFULLY BUT BELIEVE AS LITTLE OF IT AS IS NOT WARRANTED BY TESTIMONY.
DECIDE THIS CASE GENTLEMEN UPON THE FACTS UPON THE EVIDENCE THAT YOU BELIEVE.
DON'T DECIDE IT UPON EVIDENCE THAT YOU DON'T THINK IS SO [*space*] WHEN YOU RETIRE TO YOUR JURY ROOM RECOLLECT THIS [*space*] COURT WILL INSTRUCT YOU TO THIS EFFECT THAT YOU HAVE A RIGHT IF YOU BELIEVE THE EVIDENCE TO FIND A VERDICT OF GUILTY OF MURDER IN THE FIRST DEGREE MURDER IN THE SECOND DEGREE OR ^{[[32]]} MANSLAUGHTER OR NOT GUILTY IN ORDER TO ENABLE YOURSELVES GENTLEMEN OF THE JURY TO CONVICT IN THIS CASE YOU MUST BELIEVE THAT JOHN D. LEE COMMITTED THE CRIME AS CHARGED IN THE INDICTMENT. YOU MUST BELIEVE THAT THIS HAS BEEN PROVEN BEYOND THE POSSIBILITY OF A DOUBT YOU MUST BE SATISFIED IN YOUR OWN MINDS THAT THAT EVIDENCE THAT HAS BEEN DETAILED TO YOU BY THESE WITNESSES IS ALL OF THE TRUTH AND THAT JOHN D. LEE COMMITTED THE ACT AND THAT THERE IS NO QUESTION AND NO EXCUSE [*space*] IF YOU BELIEVE THAT HE DIDN'T COMMIT IT IF YOU DISBELIEVE THIS EVIDENCE IF YOU BELIEVE THERE IS AN EXCUSE LET YOUR VERDICT SHOW IT.
GENTLEMEN I CAN DO NO MORE WITH THIS CASE I LEAVE THAT

BT

PS

OLD MANS LIEFE IN YOUR ~~HAND~~
KEEPING. MY DUTY ENDS HERE
AND YOUR BEGINS. I HAVE STAID
WITH HIM DURING THE LONG DAYS
OF THE PAST; DURING HIS
ARRAIGNMENT AND CONFINEMENT
IN THE PRISON. I HAVE LABORED IN
THIS CASE IN EVERY WAY THAT I
KNOW HOW TO PRESENT IT
PROPERLY BEFORE YOU . THAT I
HAVE FAILED IN MANY RESPECTS
MUST BE EVIDENT TO YOU;
BUT I HAVE EQUIPPED MYSELF AS
WELL AS I KNOW HOW. NOW THE
LIEFE THAT GOD GAVE HIM STANDS
IN YOUR KEEPING. IT IS LEFT WITH
YOU ^[26] TO SEE WHETHER UPON
THE EVIDENCE OF PURGERED
WITNESSES— ~~UPON THE EVID~~ UPON
THE EVIDENCE OF MEN WHOS
HANDS ARE SMOKING WITH
INNOCENT BLOOD; UPON THE
EVIDENCE OF MEN WHO STAND
HERE CONVICTED OF THE MOST
FOUL AND UNEQUALED CRIME—
CRIME THAT THEY ACKNOWLEDGE
TO HAVE COMMITTED WITHOUT
ANY REASON WHATEVER ~~THAT THE~~
~~FACT~~ IF YOU CONVICT UPON SUCH
TESTIMONY AS THAT THEN,
GENTLEMEN, MY LABOR HAS BEEN
FUTILE AND IT IS USELESS FOR ME
TO WORK LONGER. MAY YOUR
VERDICT BE SUCH
AN ONE THAT WHEN YOU RETURN
HOME, LAY DOWN UPON YOUR
BED TO SLEEP, WHEN YOU GO TO
ADDRESS YOUR PRAYERS
TO THE ALMIGHTY GOD AND ASK
HIM TO BLESS YOUR AACTION
HERE; LET YOUR ACTS BE SO ~~HERE~~
THAT YOU CAN IN CONFIDENCE
ASK THE ALMIGHTY FOR HIS
BLESSINGS. MAY YOUR ACTS BE SO

OLD MANS LIFE NOW IN YOUR
KEEPING MY DUTY ENDS HERE
[space] AND YOURS BEGINS I STOOD
WITH HIM DURING THE LONG DAYS
OF THE PAST DURING HIS
ARRAIGNMENT AND CONFINEMENT
IN PRISON I HAVE LABORED IN
THIS CASE IN EVERY WAY THAT I
KNOW HOW TO PRESENT IT
PROPERLY BEFORE YOU THAT I
HAVE FAILED IN MANY RESPECTS
MUST BE EVIDENT TO YOU [space]
BUT I HAVE ACQUITTED MYSELF AS
WELL AS I KNOW HOW NOW THE
LIFE THAT GOD GAVE HIM STANDS
IN YOUR KEEPING IT IS LEFT WITH
YOU TO SAY WHETHER UPON
THE EVIDENCE OF PERJURED
WITNESSES UPON
THE EVIDENCE OF MEN WHOSE
HANDS ARE SMOKING WITH
INNOCENT BLOOD UPON THE
EVIDENCE OF MEN WHO STAND
HERE CONVICTED OF THE MOST
FOUL AND UNEQUALED CRIME
CRIME THAT THEY ACKNOWLEDGE
TO HAVE COMMITTED WITHOUT
ANY REASON WHATEVER
IF YOU CONVICT UPON SUCH
TESTIMONY AS THAT THEN
GENTLEMEN MY LABOR HAS BEEN
VAIN AND IT IS USELESS FOR ME
TO WORK LONGER MAY YOUR
VERDICT HAVE ^{[[33]]} TO[?] BE SUCH
AN ONE THAT WHEN YOU RETURN
HOME LAY DOWN UPON YOUR ~~BEDS~~
BED TO SLEEP, WHEN YOU GO TO
ADDRESS YOUR *PRVRS/PRAYERS*[?]
TO THE ALMIGHTY GOD AND ASK
HIM TO BLESS YOUR ACTION
HERE LET YOUR ACTS BE SO
THAT YOU CAN IN CONFIDENCE
ASK THE ALMIGHTY FOR HIS
BLESSINGS MAY YOUR ACTS BE SO

BT

PS

THAT IN YOUR FUTURE LIFE YOU
MAK~~Y~~ KNOW THAT YOU HAVE NOT
BEEN A PARTY TO ~~ZA~~ FOUL
CONSPIRACY. GENTLEMEN, IF I AM
RIGHT THAT THE WITNESSES HAVE
MADE UP THEIR PLAN
FOR THE PURPOSE OF ~~ASAVING~~
THEMSELVES, THEN THE CONDUCT
OF THESE MEN WOULD
BE AS BAD AS ANY CRIME THAT
THE ENGLISH LANGUAGE COULD
DESCRIBE. I AM NOT HERE TO ASK
FOR SYMPATHY, NOR IN PITY TO
ASK ~~FOR ALL~~ THAT. I ~~Z~~ASK THAT
YOU GO RIGHTLY, FAIRLY,
PROPERLY AND JUSTLY IN
ACCORDANCE WITH THE LAW AND
THE EVIDENCE AND YOUR DUTY AS
MEN. I THANK YOU. KINDLY FOR
THE ATTENTION YOU HAVE GIVEN
ME. ^[Bk 5 1] **(BOOK 5) SECOND LEE**
TRIAL SUMNER HOWARD'S
ADDRESS T TO THE JURY.

(FOLLOWING W. W. BISHOP.) I
CAME HERE A SHORT TIME AGO A
STRANGER TO YOU ALL, AND TOLD
YOU IN PLAIN LAN~~E~~GUAGE WHAT I
CAME FOR I CAME HERE TO TRY
A MAN ARRAIGNED FOR AN
OFFENSE CHARGED AGAINST HIM.
~~FOR AFTER FOR~~ 18 YEARS HAVE
ELAPSED ~~AGAINST HIM~~ AND THIS
CRIME HAS BEEN HANGING LIKE AN
ECLIPSE OVER THIS PEOPLE.

IT WAS YOUR
FAULT. IT WAS BECAUSE SOME
MEN DESIRED TO ESCAPE
INDIVIDUAL RESPONSIBILITY AND
SADDLE THE OFFENSE UPON THE
WHOLE PEOPLE~~;~~, AND TO DO, IF
WHAT IS SAID BY MY BROTHER
BISH~~PO~~P IS TRUE, THAT THE
TERRITORY OF UTAH IS LOOKED

THAT IN ~~F~~[?] LIFE YOU
MAY KNOW THAT YOU HAVE NOT
BEEN A PARTY TO A FOUL
CONSPIRACY GENTLEMEN IF I AM
RIGHT THAT THE WITNESSES HAVE
MADE UP THEIR PLAN [*space*] ——
FOR THE PURPOSE OF SAVING
THEMSELVES THEN THE TALKING
OF ALL THESE MEN [*space*] WOULD
BE AS BAD AS ANY CRIME THAT
THE ENGLISH LANGUAGE COULD
DESCRIBE I AM NOT HERE TO ASK
FOR SYMPATHY NOR FOR PITY TO
ASK ALL THAT I ASK THAT
YOU ACT RIGHTLY FAIRLY
PROPERLY JUSTLY IN
ACCORDANCE WITH THE LAW AND
THE EVIDENCE AND YOUR DUTY AS
MEN. I THANK YOU. KINDLY FOR
THE ATTENTION YOU HAVE GIVEN
ME. [*space*]
SUMNER HOWARD [*space*]

I
CAME HERE A SHORT TIME A
STRANGER TO YOU ALL AND TOLD
YOU IN PLAIN LANGUAGE WHAT I
CAME FOR I CAME HERE TO TRY
THE MAN ARRAIGNED FOR THE
OFFENSE CHARGED AGAINST HIM
FOR 18 YEARS HAVE
ELAPSED AND THIS
CRIME HAS BEEN HANGING LIKE AN
NNPS/NKLPS[?] UPON THIS PEOPLE.
OR *PNM*[?] DENOMINATION IT WAS
NOT MY FAULT IT WAS NOT YOUR
FAULT IT WAS BECAUSE ^[134] SOME
MEN DESIRED TO ESCAPE
INDIVIDUAL RESPONSIBILITY AND
SADDLE HIS OFFENSE UPON THE
WHOLE PEOPLE AND TODAY IF
WHAT IS SAID BY MY BROTHER
BISHOP IS TRUE THAT THE
TERRITORY OF UTAH IS LOOKED

BT

UPON WITH SUSPICION AND DERISION BECAUSE OF THIS OFFENSE. IT IS NOT YOUR FAULT; IT IS NOT MY FAULT; BUT IT WILL BE YOUR FAULT AND MINE AND BOTH IF, WHEN THE TESTIMONY IN THIS CASE GOES OUT ~~GOES OUT~~ FROM THESE MOUNTAINS WHEREVER ~~US~~ WORD HAS BEEN RECORDED JUSTICE IS NOT DONE TO THE GUILTY PARTY. THERE NEVER WAS A TIME IN THE HISTORY OF THIS OR ANY OTHER COUNTRY~~RY~~ WHERE THE REPUTATION AND CHARACTER AND STANDING OF A TERRITORY OR CITY OR A COMMUNITY ~~WAS~~ SO FULLY WITHIN THE HANDS OF 12 MEN AND THE REPUTATION AND ~~CA~~CHARACTER AND STANDING OF THIS TERRITORY RESTS IN YOURS TO-DAY. . BUT WHY THIS COMPLAINT WERE NEVER BEFORE-~~THAT AS THESE~~IS COURTS ~~NEVER~~ **DIDNT** PROCEEDED I KNOW NOT; BUT IT IS NOT FOR ME TO SAY. IT IS SUFFICIENT FO~~R~~ ME TO SAY THAT FROM A ~~THE~~ RESIDENCE OF THREE MONTHS IN THIS TERRITORY, LOOKING THIS CASE OVER — BEGINNING AT THE VERY HERAD OF THE CASE AS IT EXISTED IN 1857, AND COMING DOWN TO THE VERY LAST AND MOST HUMBLE INDIVIDUAL~~;~~, I FIND HERE A CRIME COMMITTED BY SOMEBOD~~Y~~, AND EXAMINING ALL THE WAY DOWN FROM THE TOP TO THE BOTTOM WITH A DETERMINATION TO FIND OUT IF I COULD AND PRESENT TO THE JURY THE FACTS THAT WOULD **PLACE** THE RESPONSIBILITY OF THAT CRIME WHERE IT BELONGED. I FOUND EVIDENCE—

PS

UPON WITH SUSPICION AND DERISION BECAUSE OF THIS OFFENSE IT IS NOT YOUR FAULT IT IS NOT MY FAULT BUT IT WILL BE YOUR FAULT OR MINE OR BOTH IF WHEN THE TESTIMONY IN THIS CASE GOES OUT FROM THESE MOUNTAINS WHEREVER WORD HAS BEEN RECORDED JUSTICE IS NOT DONE TO THE GUILTY PARTY [*space*] THERE NEVER WAS A TIME IN THE HISTORY OF THIS OR ANY OTHER COUNTRY WHERE THE REPUTATION AND CHARACTER AND STANDING OF A TERRITORY OR STATE OR A COMMUNITY WAS SO FULLY WITHIN THE HANDS OF 12 MEN AS THE REPUTATION AND CHARACTER AND STANDING OF THIS TERRITORY REST IN YOURS TODAY. BUT WHY THIS COMPLAINT THAT NEVER BEFORE *S THIS/ S THS[?]* COURTS DID NOT PROCEED I KNOW NOT IT IS NOT FOR ME TO SAY IT IS SUFFICIENT FOR ME TO SAY THAT FROM A RESIDENCE OF 3 MONTHS IN THIS TERRITORY LOOKING THIS CASE OVER BEGINNING AT THE VERY HEAD OF THE CASE AS IT EXISTED IN 1857 AND COMING DOWN TO THE VERY LAST AND MOST HUMBLE INDIVIDUAL I FIND HERE A CRIME COMMITTED BY SOMEBODY, AND EXAMINING ALL THE WAY DOWN FROM THE TOP TO THE BOTTOM WITH A DETERMINATION TO FIND OUT IF I COULD AND PRESENT TO THE JURY THE FACTS THAT WOULD FASTEN THE RESPONSIBILITY OF THAT CRIME WHERE IT BELONGED I FOUND EVIDENCE

BT

PS

DOCUMENTARY EVIDENCE THAT
CAN'T BE IMPEACHED. EVIDENCE
THAT WILL COMMENT ITSELF TO
YOU, THAT THERE WAS AN
INDIVIDUAL RESPONSIBILITY FOR
THIS CRIME. THAT IT WAS NOT A
CRIME THAT STANDS CHARGED
UP TO ALL THIS WHOLE PEOPLE ^[2]
THAT IT WAS NOT A CRIME THAT
SHOULD HAVE MADE THE NAME
OF "MORMON" STINK IN THE
NOSTRILS OF THE WHOLE WORLD
WHEN MOUNTAIN MEADOWS WAS
MENTIONED, BUT THAT IT WAS A
CRIME WHEN BROUGHT DOWN TO
OUR HARD PAN ... WAS
COMMITTED AS ALL OTHER CRIMES
ARE COMMITTED BECAUSE THE—
——LAYS IN SOME MENS
HEARTS & FOR NO OTHER
PURPOSE. NOW THESE ARE THE
FACTS, AND WHEN I CAME HERE
AND PROMISED TO PROSECUTE THIS
CASE AGAINST JOHN D. LEE AND
HIM ALONE, I DID IT BELIEVING
THAT FOR 18 YEARS THAT MAN
AND HIS VOTARIES HAD BEEN
HIDING FROM JUSTICE BEHIND
THE PROTECTION WHICH
THEY COULD RECEIVE FROM
HOLDING OUT IN THIS COMMUNITY,
SAS THE INVESTIGATION
SHOWS, THAT THEY WERE ACTING
UNDER SOMEBODY'S ORDERS AND
SHIRK THE RESPONSIBILITY
THEMSELVES. I CAME HERE
BEFORE A
MORMON JURY WELL SATISFIED,
WHEN THE JURY WAS FIRST DRAWN
AS I WAS WHEN THE EXAMINATION
WAS THROUGH. I ~~HAD NO~~ I HAD I
DID NOT KNOW A MAN AND HAD
NO OBJECTIONS. MY FRIENDS WERE
VERY ANXIOUS TO GET EVERY

DOCUMENTARY EVIDENCE THAT
CAN'T BE IMPEACHED EVIDENCE
THAT WILL COMMEND ITSELF TO
YOU THAT THERE WAS AN
INDIVIDUAL RESPONSIBLE FOR
THIS CRIME THAT IT WAS NOT A
CRIME THAT STANDS CHARGED
UP TO THIS WHOLE PEOPLE
THAT IT WAS NOT A CRIME THAT
SHOULD HAVE MADE THE NAME
MORMON STINK IN THE
NOSTRILS ^[35] OF THE WORLD
WHEN MOUNTAIN MEADOWS WAS
MENTIONED BUT THAT IT WAS A
CRIME *WHEN*[?] BROUGHT DOWN TO
HARD PAN WAS
COMMITTED AS ALL OTHER CRIMES
ARE COMMITTED BECAUSE HELL
BREAKS LOOSE IN SOME MEN'S
HEARTS AND FOR NO OTHER
PURPOSE NOW THESE ARE THE
FACTS AND WHEN I CAME HERE
AND PROMISED TO PROSECUTE THIS
CASE AGAINST JOHN D. LEE AND
HIM ALONE I DID IT BELIEVING
THAT FOR 18 YEARS THAT MAN
AND HIS VOTARIES HAD BEEN
DRAWING FROM THE GUILTY
CRIMES THE PROTECTION WHICH
THEY COULD RECEIVE FROM
HOLDING OUT IN THIS COMMUNITY
THE IDEA AS THAT INVESTIGATION
THAT THEY WERE ACTING
UNDER SOMEBODY'S ORDERS AND
HAVE NO RESPONSIBILITY
THEMSELVES I COME HERE
BEFORE WHAT IS CALLED A
MORMON JURY AS WELL SATISFIED
WHEN THE JURY WAS FIRST DRAWN
AS I WAS WHEN THE DRAWING GOT
THROUGH I
DID NOT KNOW A MAN AND HAD
NO OBJECTIONS MY FRIENDS WERE
VERY ANXIOUS TO GET EVERY

BT

PS

GENTILE OFF THE JURY; AND I KEPT STRIKING OFF MORMONS. I LET THEM DO IT BECAUSE I WANTED TO PUT RIGHT BEFORE YOU THE RESPONSIBILITY OF THIS THING. I WANTED 12 MEN THAT **THAT I BELIEVED** WOULD ACT HONESTLY AND JUSTLY AND ACT UPON THE CASE AS ~~THEY WOULD FIND IT~~ IT WAS PRESENTED BY THE RECORD; AND I KEPT STILL AS TO WHAT MY PLAN WAS UNTIL THEY HAD ~~PLANTED THIS~~ PLANTED THEMSELVES WHERE THEY HAD BEEN WORKING OR TRYING TO, SIMPLY UNDER THE MORMON CHURCH. WAS THERE NOT OTHER MORMONS.

HAVE I NOT KEPT MY WORD? HAVE I INTRODUCED A ~~WITNESS~~ A SINGLE WITNESS HERE UPON THIS STAND THAT YOU DON'T KNOW? HAVE I INTRODUCED A SINGLE WITNESS AGAINST HIM ~~AGAINST HIM~~ WHOM AN INDICTMENT OR CHARGE HAS EVER BEEN MADE AGAINST? I MIGHT HAVE INTRODUCED ONE. ~~THAT THAT I REALIZED AS SOON AS THE TRIAL COMMENCED; BUT I DID NOT DO IT BECAUSE I FELT~~ BUT I DID NOT DO IT (ALTHOUGH I MIGHT HAVE DONE IT,) BECAUSE I FELT DETERMINED THAT WHEN THIS CASE WAS HANDED OVER TO YOU THE FATE ALL WAS TO YOURSELVES. ^[3] HE HAS NOT OFFERED US THE TESTIMONY OF A SINGLE WITNESS WHO BY TESTIFYING AGAINST LEE CAN RELIEVE HIMSELF FROM THE LEAST BIT OF RESPONSIBILITY. NOT ONE OF

GENTILE OFF FROM THE JURY AND I KEPT STRIKING OFF MORMONS I LET THEM DO IT BECAUSE I WANTED TO PUT RIGHT BEFORE YOU *[space]* THE RESPONSIBILITY OF THIS THING I WANTED 12 MEN THAT THAT I BELIEVED WOULD ACT HONESTLY AND JUSTLY AND ACT UPON THE CASE AS IT WAS PRESENTED BY THE RECORD AND I KEPT STILL AS TO WHAT MY PLAN WAS UNTIL THEY HAD PLANTED THEMSELVES WHERE THEY HAD BEEN WORKING *TRYING*[?] SIMPLY UNDER THE MORMON CHURCH *[space]* WAS THERE NOT OTHER MORMONS — *[space]* YOU WERE SELECTED TO AND WHAT HAS BEEN THE RESULT HAVE I NOT KEPT MY WORD HAVE I INTRODUCED A ^{[[36]]} SINGLE WITNESS HERE UPON THIS STAND THAT YOU DON'T KNOW HAVE I INTRODUCED A SINGLE WITNESS AGAINST HIM WHOM AN INDICTMENT OR CHARGE HAS EVER BEEN MADE I MIGHT HAVE INTRODUCED ONE THAT I REALIZED AS SOON AS THIS TRIAL COMMENCED BUT I DID NOT DO IT ALTHOUGH I MIGHT HAVE DONE IT *[space]* — BECAUSE I FELT DETERMINED THAT WHEN THIS CASE WAS HANDED OVER TO YOU AND *VT/VTL*[?] TO SAY TO YOURSELVES HE HAS NOT OFFERED US THE TESTIMONY OF A SINGLE WITNESS WHO BY TESTIFYING AGAINST LEE CAN RELIEVE HIMSELF FROM PUNISHMENT LEAST BIT OF RESPONSIBILITY NOT ONE OF

BT

PS

THEM. NOT ONE OF MY WITNESSES
HAVE EVER BEEN INDICTED. NOT
ONE OF THEM EVER ARRAIGNED;
NOT ONE OF THEM ~~UNTIL UNTIL~~
~~UNTIL-T~~ THIS TIME ~~THAT WITH~~
WITH A BRE&TH OF SUSPENSE HAS
EVER BEEN UTTERED AGAINST.
~~ANY ONTE OF THEM—UNTIL NOT~~
~~ONE OF THEM UNTIL THIS TIME~~
HAS THIS DAY HAS EVER HAD THE
EPITHETS APPLITD TO THEM THAT
MY FRIEND HAS SEEN FIT TO APPLY
TO THEM. I LEAVE THAT TO
YOU. THEY ARE MEN THAT ARE
BROUGHT UP HERE WHOSE VERY
SOLES HAVE BEEN HARROWED
BYDETAILING ~~THE THEVER~~
CIRCUMSTANCES OF THIS TERRIBLE
CRIME. AND HE SAYS WHY HAVE
THEY NOT TOLD IT BEFORE. HAVE
THEY EVER HAD AN OPPORTUNITY.
TELL ME THE MAN WHO
IN THE SHISTORY OF THE
MOUNTAIN MEADOWS FROM THE
DAY THAT THE DARK CLOUD WAS
DRAWN OVER YOUR TERRITORY,
HAS THERE EVER BEEN AN
INVESTIGATION WHERE TEHE
HONEST TALE OF JAKE HAMBLIN
AND THE TALE OF NEPHI JOHNSON
AND THE AFFIDAVIT OF BRIGHAM
YOUNG AND GEORGE A. SMITH
WOULD BE IN HARMONY WITH
THE THEORY OF THE
PROSECUTION—ANY TIME?.
NEVER UNTIL NOW HAS
THERE A TIME BEEN WHEN THE
TESTIMONY OF EYE WITNESSENS OF
THAT TRANSACTION WOULD HAVE
BEEN WELCOMED OR ASKED FOR? I
AM GLAD THAT MY FRIEND
OCCUPIES THE POSITION THAT HE
DOES HER;E, BUT HE IS
DRIVVEN AT LAST TO OCCUPY THE

THEM NOT ONE OF MY WITNESSES
HAVE EVER BEEN INDICTED NOT
ONE OF THEM EVER ARRAIGNED
NOT ONE OF THEM UNTIL
THIS TIME WITH
A BREATH OF SUSPICION HAS
EVER BEEN UTTERED AGAINST
NOT
ONE OF THEM UNTIL
THIS DAY HAS EVER HAD THE —[?]
EPITHETS APPLIED TO THEM THAT
MY FRIEND HAS SEEN FIT TO APPLY
TO THEM [space] I LEAVE[?] THAT TO
YOU THEY ARE MEN THAT ARE
BROUGHT UP HERE WHOSE VERY
SOULS HAVE BEEN HARROWED
UP BY DETAILING THE
CIRCUMSTANCES OF THIS TERRIBLE
CRIME AND HE SAYS WHY HAVE
THEY NOT TOLD IT BEFORE HAVE
THEY EVER HAD AN OPPORTUNITY
[space] TELL ME YOU MEN[?] WHO
KNOW THE HISTORY OF THE
MOUNTAIN MEADOWS FROM THE
DAY THAT THE DARK CLOUD WAS
DRAWN OVER YOUR TERRITORY
HAS THERE EVER BEEN AN
INVESTIGATION WHERE THE
HONEST TALE OF JAKE HAMBLIN
AND THE TALE OF NEPHI JOHNSON
AND THE AFFIDAVIT OF BRIGHAM
YOUNG AND GEORGE A SMITH
WOULD BE IN HARMONY ^{[[37]]} WITH
THE THEORY OF THE
PROSECUTION [space] NOT A[?] TIME
[space] NEVER UNTIL NOW HAS
THERE A TIME BEEN WHEN THE
TESTIMONY OF EYE WITNESSES OF
THAT TRANSACTION WOULD HAVE
BEEN WELCOMED OR ASKED FOR I
AM GLAD THAT MY FRIEND
OCCUPIES THE POSITION THAT HE
DOES HERE. I AM HERE BUT HE IS
DRIVEN AT LAST TO OCCUPY THE

BT

PS

OPPOSITION THAT HE DOES
OCCUPY. THAT WAS MY PURPOSE.
AND HAVING REALLY SUCCEEDED
IN **DRIVING** MY GOOD FRIEND IN
BETWEEN JOHN D. LEE ~~IN BETWEEN~~
~~JOHN D. LEE~~ AND THE
AUTHORITIES **HERE** TO
SEPARATE THE TWO AND ~~LET~~
LETTING EACH ONE STAND UPON
ITS OEWN ~~MERITS~~ RECORD . I HAVE
A CCOMPLISHED JUST WHAT I
STARTED IN TO DO; AND MY FRIEND
WILL FIND IT VERY DIFFICULT TO
THROW THE RESPONSIBILITY OFF
FROM JOHN D. LEE AND ON TO THIS
COMMUNITY BYSTANDING HERE
AND DENOUNCING MEN WHO HAVE
BEEN AT MOUNTAIN
MEADOWS;. EVERY ONE OF THEM
CAN BE ACCOUNTED FOR AND
ACCOTED FOR IN
PROVEN
CIRCUMSTANCES WITH THEIR
HONESTY AND INTEGRITY OF
PURPOSE.. NOW, GENTLEMEN, I
HAVE PROPOSED HERE AND I SHOW
TO YOU FRANKLY AND ^[4]
POINTEFDLY THAT IN THE
PERFORMENCE OF MY DUTY FROM
THE TITIME I FIRST STEPPED FOOT
IN SALT LAKE CITY TO THE
PRESENT DAY, THE AUTHORITIES
OF THE CHURCH AND THE CITY
HAVE SECONDED **EVERY**
PROPOSITION AND EVERY EFFORT
THAT I HAVE MADE TO UNEARTH
BEFORE YOU THE MYSTERIES OF
THE MOUNTAIN MEADOWS; AND
MY PRPOΘPOSITION IS TO FOLLOW
IT DOWN TO THE END. IF GOD
SPARES MY LIFE, WHENEVER A
HEAD APPEARS ABOVE THE
SERFACE OF A MAN AWHO WENT
OT MOUNTAIN MEADOW S AS A

POSITION THAT HE DOES
OCCUPY THAT WAS MY PURPOSE
AND IF I HAVE SUCCEEDED
IN DRIVING MY GOOD FRIEND IN
BETWEEN JOHN D. LEE
AND THE
AUTHORITIES HERE TO
SEPARATING THE TWO AND
LETTING EACH ONE STAND UPON
ITS OWN RECORD I HAVE
ACCOMPLISHED JUST WHAT I
STARTED IN TO DO AND MY FRIEND
WILL FIND IT VERY DIFFICULT TO
THROW THE RESPONSIBILITY OFF
FROM JOHN D. LEE AND ON TO THIS
COMMUNITY BY STANDING HERE
AND DENOUNCING MEN WHOSE
PRESENCE AT MOUNTAIN
MEADOWS EVERY ONE OF THEM
CAN BE ACCOUNTED FOR AND
ACCOUNTED FOR IN
PROVEN/PERFECT[?]
CIRCUMSTANCES WITH THEIR
HONESTY AND INTEGRITY OF
PURPOSE. [*space*] NOW GENTLEMEN I
HAVE PROPOSED HERE AND I SAY
TO YOU FRANKLY AND
POINTEDLY THAT IN THE
PERFORMANCE OF MY DUTY FROM
THE TIME I FIRST STEPPED FOOT
IN SALT LAKE CITY TO THE
PRESENT DAY THE AUTHORITIES OF
THE CHURCH AND THE CITY
HAVE SECONDED EVERY
PROPOSITION AND EVERY EFFORT
THAT I HAVE MADE TO UNEARTH
BEFORE YOU THE MYSTERIES OF
THE MOUNTAIN MEADOWS AND
MY PROPOSITION IS TO FOLLOW
IT DOWN TO THE END IF GOD
SPARES MY LIFE WHENEVER A
HEAD APPEARS ABOVE THE
SURFACE OF A MAN WHO WENT
TO MOUNTAIN MEADOWS AS A

BT

PS

LEADER, FOR THE PURPOSE OF THAT FOUL BUTCHERY, HIS HEAD WILL GO OFF HIS NECK. THE DAY HAS COME WHEN MEN CANT SAY THAT THE TERRITORIAL AUTHORITIES, THAT THE CHURSCH AND SOME PARTIES THAT NEVER CAN BE REACHED ARE RESPONSIBLE FOR THAT; AND IT HAS COME WHEN JURIES CAN BE ASKED BY THE TESTIMONY OF WITNESSES TO PALANT THE CRIME SIMPLY UPON INDIVIDUALS; AND WHEN IT IS PLANTED THERE THE LAW IS STRONG ENOUGH TO VINDICATE ITSELF AND UPON INDIVIDUALS. NOW, I AM NOT HERE FOR ~~NAY~~ ANY OTHER PURPOSE THAN THAT. WHO WERE THE LEADERS IN THAT? JOHN D. LEE, CLINGENSMITH, HIGBEE AND OTHERS. LOOK SPRY **TO THE** LEADERS AND RESPONSIBLE ~~MEAN~~ AND **THE** MEN AGAINST WHOM ~~CALL~~ ALL THE TESTIMONY POINTS; AND ~~MEAN~~ WHOSE PERFIDY, WHOSE CRUELTY ENABLED THE INDIANS TO BUTCHER AND MURDER THOSE EMIGRANTS, STANDS HERE TO DAY ARRAIGNED BEFORE YOU. BY A MISGUIDED POLICY THOSE HERETOFORE CONNECTED WITH THIS ACT PROSECUTED THIS CASE WITH GREAT REACH WHISCH CAUSED ITS DOWNFALL.

BUT
ANOTHER POLICY HAS BEEN

LEADER FOR THE PURPOSE OF THAT FOUL BUTCHERY HIS HEAD WILL GO OFF HIS ^{[[38]]} NECK [space] AND THE DAY HAS COME WHEN MEN CAN'T SAY THAT THE TERRITORIAL AUTHORITIES THAT THE CHURCH AND SOME PARTIES THAT NEVER CAN BE REACHED ARE RESPONSIBLE FOR THAT THE DAY HAS COME WHEN JURIES CAN BE ASKED BY THE TESTIMONY OF WITNESSES TO PLANT THE CRIME SECURELY UPON INDIVIDUALS AND WHEN IT IS PLANTED *SAY/SEE*[?] THE LAW IS STRONG ENOUGH TO VINDICATE ITSELF AND UPON INDIVIDUALS [space] NOW I AM NOT HERE FOR ANY OTHER PURPOSE THAN THAT [space] WHO WERE THE LEADERS IN THAT JOHN D. LEE [space] KLINGEN SMITH HIGBEE AND OTHERS *TO/BUT*[?] LOOK *SPRY*[?] A LEADER RESPONSIBLE MAN A MAN AGAINST WHOM ALL THE TESTIMONY POINTS A MAN WHOSE PERFIDY WHOSE CRUELTY ENABLED THE INDIANS TO BUTCHER AND MURDER THOSE EMIGRANTS STANDS HERE TODAY ARRAIGNED BEFORE YOU [space] BY A MISGUIDED POLICY THOSE HERETOFORE CONNECTED THOSE WHO PROSECUTED THIS CASE A GREAT REACH FOUND A *DENIAL*[?] *EVEN*[?] OF JOHN D. LEE STANDS TODAY EXCLUDED [space] WOULD TO GOD THAT I COULD RENDER HIM HERE TODAY [space] ASK YOU TO METE OUT TO HIM THAT JUSTICE WHICH THE CRIMES OF KLINGEN SMITH DEMAND AS THE CRIMES OF JOHN D. LEE DEMAND TODAY. BUT ANOTHER POLICY HAS BEEN

BT

PURSUED AND TO-DAY WE CAN ONLY DEAL WITH LEE; AND I DON'T HESITATE TO SAY IN THAT CONNECTION THAT SO FAR AS MY INVESTIGATION HAS GONE SO FAR AS THE EVIDENCE IN THIS CASE ~~IS~~**HAS** DEVELOPED THE CONNECTION OF EVERY OTHER MAN THAT WAS ON THE MEADOWS AT THAT TIME, WITH THE EXCEPTION OF PERHAPS HIGBEE AND STEWART, THE ACTION OF EVERY OTHER MAN WAS CONSISTENT WITH ~~EVERY OTHER MAN~~ THE INNOCENCE OF EVERY OTHER MAN OF ANY GUILTY PURPOSE. I TAKE THE GROUND THAT MEN THAT WERE DESIGNED THERE, THAT MEN THAT WERE BROUGHT IN UNDER FALSE PRETENSES THEY ~~PO~~POSED LEE. NEPHI JOHNSON, THEY **O**PPPOSED HIM; MC MURDY AS HE ^[5] WAS A PARTY AT THAT TIME, ~~WERE~~ LED ON THAT GROUND BY FALSE PRETENSES AND DECEIT, ARE NOT GUILTY PARTIES; AND THEY SHOULD NOT BE PROSECUTED. **AND** WHEN NEPHI JOHNSON, AS HONEST A MAN AS I BELIEVE HIM TO BE, TOOK THE STAND AS HE DID AND FROM THAT TIME TO THE PRESENT SAID THAT HORRIBLE **PICTURE TO HIS MIND COMES TO HIS MIND** ~~COMES UPON HIM UPON HIM~~; AT LENGTH HE TELLS HIS STORY, THE ACTS OF THE PAST THE ACTS OF THAT COUNSEL AND ALL. HE HAS BEEN PUNISHED ENOUGH — IT WAS A TERRIBLE CRIME. WHEN I SAID TO YOU THAT THE ANNALS OF HISTORY FAILED TO FURNISH ITS PARALELL, I BE LIEVE I TOLD THE TRUTH.

PS

PURSUED AND TODAY WE CAN ONLY DEAL WITH LEE *BUT/AND[?]* I DON'T HESITATE TO SAY IN THAT CONNECTION THAT SO FAR AS MY INVESTIGATION HAS GONE SO FAR AS THE EVIDENCE IN THIS CASE HAS DEVELOPED THE CONNECTION OF EVERY OTHER MAN THAT WAS ON THE MEADOWS AT THAT TIME WITH THE EXCEPTION OF PERHAPS HIGBEE AND STEWART THE ACTION OF EVERY OTHER MAN WAS CONSISTENT WITH THE INNOCENCE OF ANY GUILTY PURPOSE ^[39] I TAKE THE GROUND THAT MEN THAT WERE DECEIVED THERE THAT MEN THAT WERE BROUGHT IN FALSE PRETENSES OPPOSED LEE NEPHI JOHNSON THAT OPPOSED LEE MC MURDY AS HE WAS A PARTY AT THAT TIME [*space*] WERE LED ON THAT GROUND BY FALSE PRETENSES AND DECEIT ARE NOT THE GUILTY PARTIES THEY SHOULD NOT BE PROSECUTED AND WHEN NEPHI JOHNSON AS HONEST A MAN AS I BELIEVE HIM TO BE TAKING THE STAND AS HE DID AND FROM THAT TIME TO THE PRESENT SAID THAT HORRIBLE PICTURE TO HIS MIND COMES UPON THE STAND AND TELLS HIS STORY THE ACTS AND ~~←PST/BS~~D[?] THAT HE ACTS FROM COUNSEL ^[space] GO BECAUSE HE HAS BEEN PUNISHED ENOUGH [*space*] IT WAS A TERRIBLE CRIME [*space*] WHEN I SAID TO YOU THAT THE ANNALS OF HISTORY FAILED TO FURNISH ITS PARALLEL I BELIEVE I TOLD YOU THE TRUTH

BT

PS

MY FRIEND UNDERTAKES TO EXCUSE IT IN PART BY SHOWING THE CONDITION OF THE COUNTRY AT THAT TIME. ~~NOT THIS PAPER~~ NOW, THIS IS A VERY PROPER STARTING POINT IN THIS WHOLE TRANSACTION. IN THAT CONNECTION HE ASSERTS THAT HE DIDN'T KNOW WHY I INTRODUCED ALL THESE AFFIDAVITS WITH THE EXCEPTION OF LEE'S LETTER. I INTRODUCED THIS LETTER FOR THE PURPOSE OF SHOWING WHAT THE CONDITION OF THE COUNTRY, **WAS** AND WHAT THE POLICY OF THE TERRITORIAL AUTHORITIES WAS IN REGARD TO THE ~~TERMINATION~~ **TREATMENT** OF THE EMIGRANTS; AND FOR THE DOUBLE PURPOSE OF SHOWING **YOU** THAT THIS BUG-BEAR OF THE AUTHORITIES OF THE CHURCH HAVING BEEN — WOULD BE SWEEP AWAY BY THE READING OF THESE PAPERS. AND I STAND HERE TO-DAY ON THAT PROPOSITION THAT THIS VERY DOCUMENT ASSUMED TWO THINGS. FIRST, THAT THE AUTHORITIES WERE NOT RESPONSIBLE FOR THAT CRIME; AND, SECOND, ~~THAT THAT~~ THAT SHOWS THAT JOHN D. LEE AND KLINGENSMITH WERE RESPONSIBLE FOR IT. THE ADMINISTRATION OF JAMES ~~BUCHANEN~~ **BUCHANEN** WAS AN INTERESTING ONE. WHY ALL THAT GREAT TALK THAT NOURISHED AND CHERISHED THE REBELLION THAT HE HAD ENTIRE POWER TO SUPPRESS A STATE IN THE INTERESTS OF THE SPANISH; ~~HOARD~~**AND HERE BELIEVING** THAT ~~HE HAD~~ **HE** HAD NO POWER TO SUPPRESS

MY FRIEND UNDERTAKES TO EXCUSE IT IN PART BY SHOWING THE CONDITION OF THE COUNTRY AT THE TIME [space] NOW THIS IS A VERY PROPER STARTING POINT IN THIS WHOLE TRANSACTION IN THAT CONNECTION HE ASSERTS THAT HE DIDN'T KNOW WHY I INTRODUCED ALL THIS EVIDENCE WITH THE EXCEPTION OF LEE'S LETTER [space] I INTRODUCED THESE LETTERS FOR THE PURPOSE OF SHOWING WHAT THE CONDITION OF THE COUNTRY WAS AND WHAT THE POLICY OF THE TERRITORIAL AUTHORITIES WAS IN REGARD TO THE TREATMENT OF EMIGRANTS AND FOR THE DOUBLE PURPOSE OF SHOWING YOU THAT THIS BUGBEAR OF THE AUTHORITIES OF THE CHURCH HAVING BEEN [space] WOULD BE SWEEP AWAY BY THE READING OF THESE PAPERS AND I STAND HERE TODAY ON THAT PROPOSITION THAT THESE VERY DOCUMENT SHOW YOU TWO THINGS [space] FIRST THAT THE AUTHORITIES WERE NOT RESPONSIBLE FOR THAT CRIME AND SECOND ^{[[40]]} THAT THEY SHOW THAT JOHN D. LEE KLINGEN SMITH WERE RESPONSIBLE FOR IT THE ADMINISTRATION OF JAMES BUCHANEN WAS AN INTERESTING ONE *WHY*[?] ALL THAT GREAT TALK THAT NOURISHED AND *CHERISHED*[?] THE REBELLION THAT HE HAD *NO*[?] POWER TO SUPPRESS A STATE IN THE INTERESTS OF EXPANSION HE MAY HAVE BELIEVED THAT HE HAD NO POWER TO SUPPRESS

BT

PS

<p>A TERRITORY BEFORE THE TERRITORY SENT MEN OUT HERE AND WERE FOUND WHEN THESE MEN CAME KNOCKING AT THE MOUNTAIN FASTNESS OF UTAH—A DIFFERENT POLICY, WHEN CE THE POLICY OF GOVERNOR YOUNG AND THE OTHER POLICY OF THE DEADLY AND HARD HANDED MURDERER, JOHN D. LEE. ^[6] BRIGHAM YOUNG SENDS DOWN FROM THE LENGTH AND BREADTH OF THIS TERRITORY HIS POLICY IN WRITING. DOES HE SAY WAR IS UPON US? — WHEN IS IT TO BE UPON US? THERE IS TO BE A CROP PLANTED AND GATHERED NEXT YEAR. ALL IS IN DANGER OF THE WAR COMING ARMY COMING. WE DON'T EXPECT THAT YOU WILL HAVE ANYTHING TO DO THIS YEAR; BUT NEXT YEAR IF THEY PERSIST IN COMING WE WILL TAKE A CERTAIN COURSE AND THAT COURSE—THE PRELIMINARY STEP TOWARDS THAT COURSE WILL BE THE HIDING OF ALL YOUR RESOURCES THE NEXT YEAR. PERHAPS WE MAY BE DRIVEN TO THE MOUNTAIN FASTNESS, AND IF WE ARE BURN EVERYTHING THAT WE LEAVE. BRIGHAM YOUNG AT THE SAME TIME SAYS TO THOSE MEN, “NOT ONE DROP OF BLOOD MUST BE SPILLED SHED IF WE CAN AVOID IT. KEEP QUIET. LET THERE BE NO EXCITEMENT. OUR POLICY IS TO CONDUCTING OURSELVES WELL AND PEACABLY IF IF WE CAN AND IT WILL GIVE US</p>	<p>A TERRITORY BUT HE TRIED IT SENT MEN OUT HERE AND WE FOUND WHEN THOSE MEN CAME KNOCKING AT THE MOUNTAIN FASTNESS OF UTAH AND DIFFERENT POLICIES ONE IS THE POLICY OF GOVERNOR YOUNG AND THE OTHER IS THE POLICY OF THE DEADLY AND RED HANDED MURDERER JOHN D. LEE [space] BRIGHAM YOUNG SENDS DOWN THROUGH THE LENGTH AND BREADTH OF THIS TERRITORY HIS POLICY IN WRITING [space] WHAT[?] DOES HE SAY WAR IS UPON US WHEN IS IT TO BE UPON US THERE IS TO BE A CROP PLANTED AND GATHERED NEXT YEAR BEFORE IS ANY DANGER OF THE ARMY COMING [space] WE DON'T EXPECT THAT YOU WILL HAVE ANYTHING TO DO THIS YEAR [space] BUT NEXT YEAR IF THEY PERSIST IN COMING WE WILL TAKE A CERTAIN COURSE AND THAT COURSE THE PRELIMINARY COURSE STEP TOWARDS THAT COURSE WILL BE THE HUSBANDING OF ALL YOUR RESOURCES THE NEXT YEAR [space] PERHAPS WE MAY BE DRIVEN TO THE MOUNTAIN FASTNESS AND IF WE ARE BURN EVERYTHING YOU LEAVE BRIGHAM YOUNG AT THE SAME TIME SAYS TO THOSE MEN NOT ONE DROP OF BLOOD MUST SHED IF WE CAN AVOID IT KEEP QUIET LET THERE ^{[[41]]771} BE NO EXCITEMENT OUR POLICY IS TO CONDUCT OURSELVES WELL PEACEABLY IF IF WE CAN AND IT WILL GIVE US</p>
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771. Two-thirds of the way down the page in the left margin: 6(500/8. It is presumably Rogerson's word tally.

BT

PS

STRENGTH ABROAD.” HOW DO YOU GO BACK OF THAT POLICY?. SHISTORY SHOWS THAT IT WAS AN ARMY COMING ALONG— COMING INTO SALT LAKE CITY, AND THEY HADN’T BEEN THERE SIX MONTHS BEFORE BRIGHAM YOUNG BY HIS DIPLOMACY AND HIS MANAGEMENT HAD CLEANED THEM OUT OF EVERY ~~<BIT PORK AND THEIR> BED AND~~ SADDLES, WAGONS AND HARNESSES. I DON’T KNOW WHETHER HE GAVE THEM MONEY ENOUGH TO GO BACK ON OR NOT. AND YET THERE WAS NOT A DROP OF BLOOD SPILLED. BACON, THOUSANDS AND THOUSANDS OF BARRELS SOLD HERE AT A CENT AND A CENT AND HALF A POUND TO YOUR PEOPLE, AND THEY TOOK IT AND SOLD IT OUT AGAIN FOR 15 AND 20 CENTS. THAT WAS THE POLICY OF BRIGHAM YOUNG. WHAT WAS THE POLICY OF JOHN D. LEE? DO YOU BELIEVE HE HAD ANY POLICY. HIS POLICY HAD NO MORE REFERENCE TO THE APPROACH OF THAT ARMY; HIS POLICY HAD NO MORE REFERENCE TO DEFENDING THIS TERRITORY— FIGURING NO GREATER THAN MY SPEAKING BEFORE YOU TO DAY HAS WITH THE RISING AND SETTING OF THE SUN. HE DIDN’T CARE ANYTHING ABOUT IT. AND, GENTLEMEN, THEY HAVE RECEIVED NO OTHER AID. DAME RECEIVED NO OTHER AID. BRIGHAM YOUNG ISSUED ONE SINGLE DOCUMENT FORESHADOWING^[7] WHAT HIS POLICY WOULD BE.

STRENGTH ABROAD HE HAD *BACK/PK[?]* OF THAT THAT SOME OTHER POLICY AND HISTORY SHOWS THAT IT WAS AND THE ARMY CAME ALONG CAME INTO SALT LAKE CITY AND THEY HADN’T BEEN THERE 6 MONTHS BEFORE BRIGHAM YOUNG BY HIS DIPLOMACY AND HIS MANAGEMENT HAD CLEANED THEM OUT OF EVERY BIT OF PORK *BY THE/THEIR[?]* AND THEIR SADDLE WAGONS HARNESSES AND I DON’T KNOW WHETHER HE GAVE THEM MONEY ENOUGH TO GO BACK OR NOT ~~TRADED~~ WITH THEM *[space]* THERE WAS NOT A DROP OF BLOOD SPILLED *[space]* BACON THOUSANDS AND THOUSANDS OF BARRELS SOLD HERE AT A CENT AND A CENT AND A HALF A POUND TO YOUR PEOPLE AND THEY TOOK IT AND SOLD IT OUT FOR 15 OR 20 CENTS THAT WAS THE POLICY OF BRIGHAM YOUNG. WHAT WAS THE POLICY OF JOHN D. LEE DO YOU BELIEVE HE HAD ANY POLICY HIS POLICY HAD NO MORE REFERENCE TO THE APPROACH OF THAT ARMY HIS POLICY HAD NO MORE REFERENCE TO DEFENDING THIS TERRITORY *[space] FIGURING/FACTORING[?]* NO GREATER THAN MY SPEAKING BEFORE YOU TODAY HAS WITH THE RISING AND THE SETTING OF THE SUN HE DIDN’T CARE ANYTHING ABOUT IT *[space]* GENTLEMEN HAVE NOT RECEIVED ANY OTHER AID DAME RECEIVED NO OTHER AID BRIGHAM YOUNG ISSUED ONE SINGLE DOCUMENT FORESHADOWING WHAT HIS POLICY WOULD BE

BT

PS

AND IT IS ALL ~~HUMBUG MUMBUB~~
TO SATAND HERE AND TALK TO
YOU OR ANY ONE ELSE TO TALK
THAT JOHN D. LEE WAS
GUIDED BY
THE DISTURBED STATE OF THE
COUNTRY. IT HAD NOTHING TO DO
WITH IT. IT HAD NO MORE TO DO
WITH THE BUTCHERY OF THOSE
PEOPLE THAN HIS EFFORT TO GET
NEPHI JOHNSON TO TAKE THE
OTHER S INTO AMBUSH WHERE HE
MIGHT BURCHER THEM HAD TO DO
WITH IT. THEN YOU MAY ASK
ME WHY I INTRODUCED THESE
DOCUMENTS. BECAUSE IN THE
PLAN OF THEIS CAMPAIN I DIDN'T
THINK IT WAS NECESSARY ~~FOR~~
TO SATISFY BRIGHAM
YOUNG—— NOT TO SATISFY
THIS COMMUNITY; BUT TO
SEND OUT TO THE WORLD
WHEREVER THIS FOUL~~D~~ CHARGE
HAS BEEN MANDE AGAINST YOU
AND YOUR PEOPLE. THIS ~~LIS~~
DOCUMENTARY EVIDENCE THAT
THE HANDS OF THE AUTHORITIES
OF THIS TERRITORY WERE CLAEAN.

~~THAT THAT~~ THAT WAS MY PURPOSE. .
~~T~~WHEN I AM TOLD THAT I AM NOT
TRYING THIS CASE BUT AM
TRYING TO VINDICATE THE
CHARACTER ~~AND VINDICATE ALL~~
~~THE PEOPLE~~ AND INTEGRITY OF
THE PEOPLE. I SAY TO YOU THAT
THAT IS TRUE. IF ANYTHINK I CAN
DO STANDING HERE AS AN OFFICER
OF THIS GOVERNEMNT TO SEND
OUT T O THE WORLD THE TRUTH
THAT WILL VINDIACATE THIS
TERRITORT FROM THIS FOUL
CHARGE, I SHALL HAVE DONE MY
DUTY AND NOTHING SHORT OF IT.

AND IT IS ALL HUMBUG
TO STAND HERE AND TALK TO
YOU OR ANY ONE ELSE TO TALK
THAT JOHN D. LEE WAS
GUIDED/ACTUATED[?] [*space*] ^{[[42]]} BY
THE DISTURBED STATE OF THE
COUNTRY IT HAD NOTHING TO DO
WITH IT IT HAD NO MORE TO DO
WITH THE BUTCHERY OF THOSE
PEOPLE THAN HIS EFFORT TO GET
NEPHI JOHNSON TO TAKE THE
OTHERS INTO AMBUSH WHERE HE
MIGHT BUTCHER THEM HAD TO DO
WITH IT [*space*] THEN YOU MAY ASK
ME WHY I INTRODUCED THESE
DOCUMENTS BECAUSE IN THE
PLAN OF THIS CAMPAIGN I DIDN'T
THINK IT WAS NECESSARY IN
ORDER TO SATISFY BRIGHAM
YOUNG— [*space*] NOT TO SATISFY
THIS COMMUNITY [*space*] BUT TO
SEND OUT TO THE WORLD
WHEREVER THIS FOUL CHARGE
HAS BEEN MADE AGAINST YOU
AND YOUR PEOPLE THIS IS
DOCUMENTARY EVIDENCE THAT
THE HANDS OF THE AUTHORITIES
OF THIS TERRITORY WERE CLEAN
OF THIS *FOUL/VILE*[?] OFFENSE
THAT WAS MY PURPOSE [*space*]
WHEN I AM TOLD THAT I AM NOT
TRYING THIS CASE BUT [*space*] AM
TRYING TO VINDICATE THE
CHARACTER
AND INTEGRITY OF
THE PEOPLE I SAY TO YOU THAT
THAT IS TRUE IF ANY THINK I CAN
DO STANDING HERE AS AN OFFICER
OF THIS GOVERNMENT TO SEND
OUT TO THE WORLD THE TRUTH
THAT WILL VINDICATE THIS
TERRITORY FROM THIS VILE
CHARGE I SHALL HAVE DONE MY
DUTY AND NOTHING SHORT OF IT

BT

PS

THAT WAS MY PURPOSE AND IT IS MY PURPOSE TO-DAY. AND I STAND HERE BEFORE YOU WITH THIS EVIDENCE THAT I HAVE INTRODUCED, RTO-DAY AND ASK YOU MEN, WILL YOU SECOND THE EFFORT? THIS I HAVE MADE TO CLAEEN TO THE ESCUTCHINGSS OF THIS TERRITORY FROM THE VILE BLOT THAT HAS RESTED UPON IT SO LONG. BUT IT IS NOT NECESSARY THAT YOU SHOULD SACRIFICE ANYBODY. IT IS NOT NECESSARY THAT YOU SHOULD DO THAT WHICH MIGHT BE BE STAMPED AS WRONG TERMED IN A STEALINGCONVERSATION “GO BACK ON A FRIEND ANYBODY.” IT IS NECESSARY THAT YOU IN THE MAGESTY OR TRUTH, SHOULRD RAISE UP AND SHOW, IN AS MUCH AS WE HAVE A PART TO PLANT THIS CRIME WHERE IT BELONGS. WE NOT ONLY SEND OUR VERDICT TO THE GUILTY BUT WE SEND RIGHT THERE THE ENVIDENCE UPON WHICH WE BASE IT. THESE THINGS CAN’T BE DONE AWAY WITH BY FALSIFYING WITNESSES AND CALLING THEM ^[8] BAD NAMES. THESE FACTS CAN’T BE SWEEP AWAY. THEYARE FACTS THAT ARE HISTORICAL. THAT FOR 18 LONG YEARS THE DARK CLOUD OF SUSPICION	THAT WAS MY PURPOSE IT IS MY PURPOSE TODAY [space] AND I STAND HERE BEFORE YOU WITH THE EVIDENCE THAT I HAVE INTRODUCED TODAY AND ASK YOU MEN [space] WILL YOU SECOND THE EFFORT I HAVE MADE TO CLEAN THE SKCHS/—[?] OF THIS TERRITORY FROM THE VILE BLOT THAT HAS RESTED UPON IT SO LONG BUT IT IS NOT NECESSARY THAT YOU SHOULD SACRIFICE ANYBODY IT IS NOT NECESSARY THAT YOU SHOULD DO THAT WHICH MIGHT BE TERMED IN A STEALING[?] ^{[[42]]772} CONVERSATION GO BACK ON ANYBODY [space] IT IS NECESSARY THAT YOU IN THE MAJESTY TRUTH SHOULD RAISE UP AND SHOW IN AS MUCH AS WE HAVE AN OPPORTUNITY < TO [space] PLANT WITH THE EVIDENCE TO —[?] US> THIS CRIME [space] WHERE IT BELONGS WE NOT ONLY SIGN/SEND[?] OUR VERDICT OF THE GUILT BUT WE SIGN/SEND[?] RIGHT THERE THE EVIDENCE UPON WHICH WE BASE IT. THESE THINGS CAN’T BE DONE AWAY WITH BY VILIFYING WITNESSES AND CALLING THEM BAD NAMES. THESE FACTS CAN’T BE SWEEP AWAY BY PREVENT[?] A/AND[?] SMLDS[?] AS FAR AS THEY ARE FACTS THEY ARE HISTORICAL THAT FOR 18 LONG YEARS THE DARK CLOUD OF SUSPICION
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772. Shorthand writers typically wrote on one side of each page in a notebook, moving from the front of the notebook to the back, then turned the notebook over and wrote on the verso of each page, moving from back to front. This facilitated rapid page turns, which was important when trying to keep up with a speaker. The previous page was the last page of the notebook. moving front to back. The notebook was then reversed, and shorthand recorded on the verso of each page. This is the first page of shorthand written on the verso of a page.

BT

PS

LOITERED OVER ONE OF THE MOST BEAUTIFUL TERRITORIES ON THE CONTINENT. ~~AND WITH PITY ALL OF THESE SINFUL YEARS~~ AND IT IS FOR YOU TO SAY ~~TO DAY~~ THAT THAT GUILTY CLOUD HAS BEEN DISPERSED AS THE MURKY CLOUD IN THE MORNING IS DISPERSED BY THE RISING OF THE SUN AND WITH IT THE LIGHT OF TRUTH COMES IN UPON THIS TRAGEDY AND SHOWS IT TO THE FACE OF THE WORLD AS IT OUGHT TO HAVE BEEN SHOWN BEFORE AND ~~A~~WOULD HAVE BEEN SHOWN BEFORE ~~BUT~~ **HAD** IT HAD BEEN THE DESIGN ~~TOTO~~ TRY ~~TØ~~HE MEN WHO COMMITTED THE CRIME; AND IN THEIR DESIGN TO MAKE POLITICAL CAPITAL FOR THE LIVES OF SOME MEN PLACES ~~AND THEM IN~~ ~~L~~POWER. I HAVE NO SYMPATHY WITH ANY OF THOSE THINGS. I CARE NOTHING FOR THAT. I KNOW BUT ONE WAY AND THAT IS BY OFFICIALLY AND PROFESSIONALLY DOING MY DUTY. IT IS PLAIN THAT IF JOHN D. LEE IS GUILTY HE SHOULD BE PUNISHED. IF IN THE TRIAL OF JOHN D. LEE THE FACTS SHOULD DEVELOPE THAT SOMEBODY ELSE ~~IF G~~-GUILTY IS ~~E~~AQUALLY GUILTY THEY MUST BE PUNISHED. BUT BECAUSE MEN WERE DESIGNED INTO IT; BECAUSE PARTIES WERE BROUGHT THERE UNDER FALSE PRETENCES, WHOSE VERY SOLES HAVE BEEN HARROWED FROM THAT TIME TO THE PRESENT, SHOULD THEY BE CONDEMED? SHOU LD THEY BE BLASTED AND THEIR REPUTATION BESMEARED BY EPITHETS? AND YOUR VERDICT

LOITERED OVER ONE OF THE MOST BEAUTIFUL TERRITORIES ON THE CONTINENT
AND THAT *TODAY ALL THIS IS FINALLY NOT[?]* TO BE PROVED *PS/PZ[?]* TO THE *CLOUD[?]* HAS BEEN DISPERSED AS A MURKY CLOUD IN THE MORNING IS DISPERSED UPON RISING OF THE SUN AND *THAT[?]* COMES TRUTH COMES IN UPON THIS TRAGEDY AND SHOWS IT TO THE FACE OF THE WORLD AS IT OUGHT TO HAVE BEEN SHOWN BEFORE AND WOULD HAVE BEEN SHOWN BEFORE HAD IT BEEN THE DESIGN TO TRY THE MEN WHO COMMITTED THE CRIME AND NOT THE DESIGN TO MAKE POLITICAL CAPITAL FOR THE LIVES OF SOME MEN AND PLACES *OF/AND[?]* POWER I HAVE NO SYMPATHY WITH ANY OF THOSE THINGS I CARE NOTHING FOR THAT I KNOW BUT ONE WAY AND THAT IS TO BE AN OFFICIAL TO PROFESSIONALLY DO MY DUTY IS PLAIN THAT IF JOHN D. LEE IS GUILTY HE SHOULD BE PUNISHED IF IN THE TRIAL OF JOHN D. LEE THE FACTS SHOULD DEVELOP [*space*] THAT SOMEBODY ELSE IS EQUALLY GUILTY THAT MEN SHOULD BE PUNISHED BUT BECAUSE MEN WERE DECEIVED IN IT BECAUSE PARTIES WERE ^{[[43]]} BROUGHT THERE UNDER FALSE PRETENSES WHOSE VERY SOULS HAVE BEEN HARROWED FROM THAT DAY TO THE PRESENT [*space*] SHOULD THEY BE CONDEMNED SHOULD THEY BE BLASTED AND THEIR REPUTATION BE SMEARED BY EPITHETS AND YOUR VERDICT

BT

PS

WILL ANSWER THE QUESTION. YOUR VERDICT IS MORE THAN AN HONEST CHARACTER; IT IS AN INDIVIDUAL CHARACTER OF EVERY ONE OF THESE MEN. YOU WILL EITHER SAY BY YOUR VERDICT THAT NEPHI JOHNSON AND HAMBLIN AND EVERY ONE OF THESE MEN ARE GUILTY OF BEING ACCESSORIES IN THIS TERRIBLE CRIME, OR YOU WILL SAY THAT THIS ENTIRE COMPANY BROUGHT UP HERE BY THE POWER OF SAY SO PROCESS TO TELL WHAT THEY WISH; AND I WOULD THAT THEY WERE ~~TO SHOW~~ COMPELLED TO SHOW, BUT WHAT OF IT, THEY WOULD GIVE ALL OF THEIR WORTH HAD THEY NEVER SEEN IT. THE FACTS IN ~~IN~~ THIS CASE ARE BRIEF. I WOULD LIKE TO ENTER INTO THE DISCUSSION OF THESE FACTS BEFORE DINNER, BUT I PRESUME WE HAD BETTER ^[9] LEAVE THEM TO WHEN WE COME IN AFTER DINNER. I PROMISE YOU ACCORDING TO THE BEST OF MY ABILITY TO TAKE UP THE FACTS, FOLLOW THEM THROUGH, SHOWING THEIR APPLICATION TO ~~H~~JOHN D. LEE; AND ~~Z~~AT THEIR CONCLUSION ASK YOU IF THEY ASSUME TO BE EQUAL TO A CONFESSION, AND FIND HIM SO ALTHOUGH ~~THEY~~ THEY SHOW SOMEBODY ELSE TO BE ~~GUILTY -~~ ~~EE~~WQUALLY GUILTY AND SELFISH; FOR THE DAY IS NEAR ~~TH~~ERETO AND THE GOVERNMENT HAS BROUGHT HIS PRO~~TE~~XCTION TO THOSE OTHER MEN WHO ARE NOT ENTITLED TO COME IN HERE

WILL ANSWER THE QUESTION YOUR VERDICT IS MORE THAN *NATIONAL*[?] CHARACTER IT IS THE INDIVIDUAL CHARACTER OF EVERY ONE OF THESE MEN. YOU WILL EITHER SAY BY YOUR VERDICT THAT NEPHI JOHNSON AND HAMBLIN AND EVERY ONE OF THESE MEN ARE GUILTY OF BEING ACCESSORIES IN THIS TERRIBLE CRIME OR YOU WILL SAY THAT THIS THEY HAVE BEEN BROUGHT UP HERE BY THE POWER OF SAY SO *PROCESS*[?] TO TELL WHAT THEY WISH AND I WOULD THEY WERE COMPELLED TO *SAY/SHOW*[?] [*space*] BUT WHAT OF IT, THEY WOULD GIVE ALL *THEIR/THEY'RE*[?] WORTH *BEFORE THAT NOBLE*[?] SCENE. [*space*] THE FACTS IN THIS CASE ARE BRIEF I WOULD LIKE TO ENTER UPON A DISCUSSION OF THESE FACTS BEFORE DINNER BUT I *PRN*[?] WE HAD BETTER LEAVE THEM TO WHEN WE COME IN AFTER DINNER [*space*] I PROMISE YOU ACCORDING TO THE BEST OF MY ABILITY TO TAKE UP THE FACTS FOLLOW THEM THROUGH SHOW THEIR APPLICATION TO JOHN D. LEE AND AT THEIR CONCLUSION TO ASK YOU IF THEY SEEM TO BE EQUAL TO A CONVICTION TO FIND HIM SO ALTHOUGH THEY SHOW SOMEBODY ELSE TO BE EQUALLY GUILTY AND SUFFICIENT FOR THE *DAY/DEED*[?] IS NEAR ~~TH~~ERETO AND THE *GOVERNMENT/GOVERNOR*[?] HAS BROUGHT HIS PROTECTION TO THOSE OTHER —[?] MEN WHO ARE NOT ENTITLED TO COME IN HERE

AND TELL WHAT THEY KNOW. NO GOVERNMENT WOULD EVER GO BACK UPON THOSE PROMICES. IT IS FOR YOU HERE SIMPLY TO DO AND TO ACT TRY JOHN D. LEE. THE OTHERS MUST REMAIN TO BE TRIED, IF IN THE POLICY OF THE GOVERNMENT IT SHOULD BE IN THE PAST.. RECESS UNTIL 2 O'CLOCK.

^{[[10]]}⁷⁷³ **(BOOK 5) SUMNER HOWARD'S ARGUMENT (CONTINUED) TO THE JURY IN THE SECOND TRIAL OF JOHN D. LEE (FOLLOWING W.W. BISHOP) HOWARD:** —MR BISHOP IN THE COMMENCEMENT OF THE SIX CASE COMPLIMENTED THE PROSECUTION AFTER I HAD MADE THE OPENING, AND CONGRATULATED HIMSELF THAT HE WAS CALLED UPON TO DEFEND A MAN WHO WAS TO BE TRIED AND THAT WE WERE TO TRY JOHN D. LEE. A CHANGE HAS COME OVER THE SPIRIT OF HIS DREAM SOME WAY, AND HE SEEMS TO BE OFFENDED THAT WE SHOULD HAVE TRIED JOHN D. LEE, AND INSISTS THAT WE SHOULD HAVE TRIED EVERY BODY ELSE. AT THE TIME HE DEFIED US TO BRING ANY PROOF AGAINST LEE, AND IN THE VERY COMMENCEMENT IF NOT IN THE SAME LANGUAGE ACKNOWLEDGES THAT HE WAS

AND TELL WHAT THEY KNOW NO GOVERNMENT/GOVERNOR[?] WOULD EVER GO BACK UPON THOSE PROMISES IT IS FOR YOU SIMPLY HERE TODAY TO TRY JOHN D. LEE [space] THE OTHERS MUST REMAIN TO BE TRIED [space] ^{[[44]]} IF IN THE POLICY OF THE GOVERNMENT IT SHOULD BE FOR BEST. [space] RECESS UNTIL TWO O'CLOCK

^{[[Bk 6 1]]}⁷⁷⁴ **TRANSCRIBED.**

SUMNER HOWARD'S CLOSING ARGUMENT

JURY⁷⁷⁵ JURY CALLED. [space]

MR. BISHOP, IN THE COMMENCEMENT OF THIS CASE, COMPLIMENTED THE PROSECUTION AFTER I HAD MADE THE OPENING AND CONGRATULATED HIMSELF THAT HE WAS CALLED UPON TO DEFEND THE MAN WHO WAS TO BE TRIED AND THAT WE WERE TO TRY JOHN D. LEE A CHANGE HAS COME OVER THE SPIRIT OF HIS DREAM SOME WAY AND HE SEEMS TO BE OFFENDED THAT WE SHOULD HAVE TRIED JOHN D. LEE; AND INSISTS THAT WE SHOULD HAVE TRIED EVERYBODY ELSE AT THAT TIME HE DEFIED US TO BRING ANY PROOF AGAINST LEE [space] AND IN THE VERY ANNOUNCEMENT/COMMENCEMENT[?]] IF NOT IN THE SAME LANGUAGE ACKNOWLEDGES THAT HE WAS

773. In the second portion of Howard's closing argument, page numbers restart with page 1. We have inserted page numbers so that all Book 5 page numbers are continuous.

774. On the front cover of the sixth notebook in Rogerson's longhand: **BISHOP'S ADDRESS, 2ND LEE TRIAL** [space] **BOOK NO 6.**

775. Longhand at the top of the page is in Rogerson's handwriting. In the left margin about two-thirds down the page is written: 2.00, 10.25, 3.25, 3.25.

BT

PS

WRONG WHEN HE TRHREW DOWN
THAT DEFIANCE AND ASSUMED
THAT WE HAVE HEARD THE PROOF.
FNOW THERE IS A VERY OUTSIDE
QUESTION, AND A VERY OUTSIDE
INFLUENCE, THAT PROOF IF WHAT
YOU ARE TO CONSIDER. I CAN
APPRECIATERX THE DIFFICULTY
THAT HAS SURROUNDED HIM,
DIFFISCULYUTY THAT HAS MET
HIM AT EVERY STEP. HE WAS
DISAPPOINTED WHEN I MADE MY
OPENING . THAT DIASAPPOINTMENT
WAS ONLY **LESSENED OPENED** BY
THE WANT OF CONFIDENCE THAT
HE HAD IN MY ABILITY OR PERHAPS
TO FOLLOW THE CASE. UP TO
THE OPENING THAT I HAVE MADE
HIS DIASAPPOINTMENT HAS BEEN
REXMOVED, AND I HOPE THAT HIS
CONFIEDENCE IN ME AS AN
ATTORNEY HAS BEEN WELL
GROUNDED. SO THAT HEREAFTER
WHEN I PROPOSE TO TRY A
PARTICULAT MAN HE WILL NOT GO
OFF IN EXECSTACIES OR IN THE
INTHUSIASM AND DELIGHT TILL HE
KNOWS WHERE THAT IS GOING TO
LAND HIM. HE TELLS US IN THE
LATTER STAGE OF THE CASE THAT
ALTHOUGH ~~HE HE DID~~ WE DID WH
JUST WHAT WE AGREED, JUST
WHAT ~~WE THOUGHT~~ WE THOUGHT
WAS THE CASE OF THE PEOPLE OF
THIS TERRITORY TO
CONGRATULATE THEMSELVES FOR,
WHAT WE WAS DOING; BUT
RATHER INSINUATES ^{[[11]]} THAT
WHAT WE HAVE BEEN DOING HAS
BEEN FOR THE PURPOSE OF
GAINING POLITICAL POWER,
PLACING SOMEBODY ON THE HIGH
ROAD OF POLITICAL POWER.
I DON'T KNOW WHAT

WRONG WHEN HE THREW DOWN
THAT DEFIANCE AND ASSUMED
THAT WE HAVE HEARD THE PROOF
NOW *THERE IS*[?] A VERY DECIDED
QUESTION AND A VERY DECIDED
ANSWER[?] THAT PROOF IS WHAT
YOU ARE TO CONSIDER. I CAN
APPRECIATE THE DIFFICULTY
THAT HAS SURROUNDED HIM,
DIFFICULTY THAT HAS MET
HIM AT EVERY STEP. HE WAS
DISAPPOINTED WHEN I MADE MY
OPENING THAT DISAPPOINTMENT
WAS ONLY LESSENED BY
THE WANT OF CONFIDENCE THAT
HE HAD IN MY ABILITY OR PERHAPS
TO FOLLOW THE CASE *UP*[?] AND
THE OPENING THAT I MADE
HIS DISAPPOINTMENT HAS BEEN
REMOVED AND I HOPE THAT HIS
CONFIDENCE IN ME AS AN
ATTORNEY HAS BEEN WELL
GROUNDED SO THAT HEREAFTER
WHEN I PROPOSE TO TRY A
PARTICULAR MAN HE WILL NOT GO
OFF IN ECSTASIES OR IN
ENTHUSIASM AND DELIGHT TILL HE
KNOWS WHERE THAT IS GOING TO
LAND HIM. HE TELLS US IN THE
LATER STAGE OF THE CASE THAT
ALTHOUGH WE DID
JUST WHAT WE AGREED = JUST
WHAT WE THOUGHT
WAS THE CASE OF THE PEOPLE OF
THIS TERRITORY TO
CONGRATULATE THEMSELVES FOR
WHAT *WE WAS*[?] DOING BUT
RATHER EXCUSES THAT
WHAT WE HAVE BEEN DOING HAS
BEEN FOR THE PURPOSE OF
GAINING POLITICAL POWER,
PLACING SOMEBODY ON THE HIGH
ROAD OF POLITICAL POWER [*space*]
<HOWARD[?] I DON'T KNOW WHAT

BT

PS

<p>HE MEANS, MY BROTHER BISHOP KNOWS MY POSITION, MY PROFESSIONAL STANDING AND AND MY R3RELATIONSHIP TO THIS COURT, AND YOUR HONOR KNOWS THAT CANNOT BE MY MOTIVE. HE KNOWS NOW, AND IF HE DOESN'T KNOW NOW, HE WILL KNOW, THAT I HAVE NO SYMPATHY WITH THE RELIGIOUS VIEWS AND THE BELIEF OF THE PEOPLE HERE, NOR THEY HAVE NO SYMPATHY WITH ME. HE KNOWS NOW, OR HE WILL KNOW, HOWEVER, THAT SO FAR AS THE ADMINISTRATION OF THE LAW IS CONCERNED I RECOGNISE THEIR RIGHTS TO THEIR RELIGIOUS BELIEFS, AND I WILL DO JUSTICE—JUSTICE TO MY RIGHTS, TO MY RELIGIOUS BELIEFS; BUT IF THERE WAS IN ALL CLOTHED IN THAT LANGUAGE AN INSINUATION THAT THIS PROSECUTION WAS BEING PURSUED BY ME FOR SUCH PURPOSE, MY BROTHER DOES NOT KNOW THE MAN HE IS TALKING ABOUT. THERE IS AN ACKNOWLEDGEMENT IN THAT IDEA HOWEVER, A SUGGESTION THAT I WOULD MAKE TO YOU: HE SEEMS TO TAKE IT FOR GRANTED THAT THE REASON — THE IDEA OF THE REASON THAT THIS TERRITORY HAS BEEN KEPT IN THE BACK GROUND, AND THE ONLY LOAD SHE HAS TO CARRY, SHE HAS GOT TO CARRY IS THE LOAD THIS PROSECUTION WILL HAVE A TENDENCEY TO SHAKE FROM HER IF WE SHOWED A HAND TO THE ASK A FAVOR HEREI SHALL BE GRIEVED IN THE MATTER.....</p>	<p>HE MEANS> MY BROTHER BISHOP KNOWS MY POSITION MY PROFESSIONAL AND OTHER RELATIONS AND YOUR HONOR KNOWS THAT CANNOT BE MY MOTIVE HE KNOWS NOW AND IF HE DOESN'T KNOW NOW HE WILL KNOW THAT I HAVE NO SYMPATHY IN THE RELIGIOUS ^[12] VIEW WITH THE BELIEF OF THE PEOPLE HERE NOR THEY HAVE ANY SYMPATHY WITH ME HE KNOWS NOW OR HE WILL KNOW <i>HOWEVER</i>[?] THAT SO FAR AS THE ADMINISTRATION OF THE LAW IS CONCERNED I RECOGNIZE THEIR RIGHTS TO THEIR RELIGIOUS BELIEFS AND I WILL DO JUSTICE = JUSTICE TO MY RIGHTS TO MY RELIGIOUS BELIEFS BUT IF THERE WAS CLOTHED IN THAT LANGUAGE AN INSINUATION THAT THIS PROSECUTION WAS BEING PURSUED BY ME FOR SUCH PURPOSE MY BROTHER DON'T KNOW THE MAN HE IS TALKING ABOUT THERE IS A CATCH IN THAT IDEA HOWEVER A SUGGESTION THAT I WOULD MAKE TO YOU [<i>space</i>] HE SEEMS TO TAKE IT FOR GRANTED THAT THE REASON <i>IDEA/I HAD</i>[?] AND THE REASON THIS TERRITORY HAS BEEN KEPT IN THE BACK GROUND AND THE ONLY LOAD SHE HAS TO CARRY SHE HAS GOT TO CARRY IS THE LOAD THAT THIS PROSECUTION WILL HAVE A TENDENCY ASK A FAVOR HERE IF WE <i>SHOWED A HAND</i>[?] TO THE — <i>/SL</i>[?] I SHALL BE GRIEVED IN THE MATTER [<i>space</i>] <i>RLD</i>/—[?]</p>
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BT

PS

<p>..... GETTING AT THE FACTS AT THIS CASE ANCD CLEARING THIS OBLOQUY FROM THE TERRITORIAL AUTHORITIES, AND PLACE IT UPON INDIVIDUALS, THE PEOPLE WILL DERIVE A POLITICAL OR OTHER ADVANTAGE IT IS THE LEGITIMATE PART OF THE PROSECUTION/BUT I CANNOT TBE.TO ALLOW MY BROTHER. THIS MOUNTAIN MEADOW MASSACRE HAS BEEN AW A GREAT BUGBEAR EVER SINCE THIS OCCURRENCE, BY WHICH YOU HAVE BEEN CHARACTERIZED AS A PEOPLE UNWORTHY OF POLITICAL POWER, AND THE SOONER YOU REMOEVE THAT ^{[[12]]} BUGBEAR AND LET THE DAYLIGHT INTO THE FACTS THE SOOHNER THE WORLD AT LARGE WILL KNOW WHERE YOU STQAND; AND AFTER THIS INCEVESTIGATION HAS PENETRATED THE POPULATFR MIND AND THROWN LIGHT UPON THE FACTS, YOU AND I BOTH WILL HAVE REASON TO CONGRATULATE OURSELVES THAT WE HAVE BEEN THEINSTRUKMENTS OF BRINGING THAT FDESIRABLE RESULT ABOUT. NOW, GENTLEMEN, SOMEBODY MUST BE RESPONSIBLE FOR THIS MURDER, AS MY FRIEND FOSTER STATED IN HIS OPENING, FTT WAS A PECULIAR CASE ON ACCOOOUNT OF THE LENGTH OF TIME THAT HAS ELAPSED SINÐCE THE COMMISSION OF THIS OFFENSE AND BECAUSE OF THE GREAT NUMBER OF THE</p>	<p>SHALL/WISH[?] SEEK PS/NS[?] TRY THEM BY GETTING AT THE FACTS IN THIS CASE AND CLEARING THIS OBLOQUY FROM THE TERRITORIAL AUTHORITIES AND PLACE IT UPON INDIVIDUALS THE PEOPLE HERE WILL DERIVE A POLITICAL OR OTHER ADVANTAGE IT IS THE LEGITIMATE [space] PART OF THE [space] PROSECUTION [space] BUT I CANNOT BE SORE WINNER WILL ALLOW MY BROTHER. THIS MOUNTAIN MEADOW MASSACRE HAS BEEN A GREAT BUGBEAR EVER SINCE ITS OCCURRENCE BY WHICH YOU HAVE BEEN CHARACTERIZED AS A PEOPLE UNWORTHY OF POLITICAL POWER AND THE SOONER YOU REMOVE THAT BUGBEAR AND LET THE DAYLIGHT INTO THE FACTS THE SOONER THE WORLD AT LARGE WILL KNOW WHERE YOU STAND AND AFTER THIS INVESTIGATION HAS PENETRATED THE PEOPLE AND THROWN LIGHT UPON THE FACTS YOU AND I BOTH WILL HAVE REASON TO CONGRATULATE OURSELVES THAT WE WERE THE INSTRUMENTS OF BRINGING THAT DESIRABLE RESULT ABOUT [space] ^{[[3]]}776 NOW GENTLEMEN SOMEBODY MUST BE RESPONSIBLE FOR THIS MURDER AS MY FRIEND FOSTER STATED IN HIS OPENING IT WAS A PECULIAR CASE BECAUSE OF THE LENGTH OF TIME THAT HAS ELAPSED SINCE THE COMMISSION OF THIS OFFENSE AND BECAUSE OF THE GREAT NUMBER OF THE</p>
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776. Shorthand in the left margin is too faint to read. A tally of numbers appears in the left margin: 450 + 140 + 140 + 100 = 830.

BT

PS

<p>PEOPLE THAT WERE AMASSACRED BECAUSE OF THE APPARENT WANT OF ANY MOTIVE THAT COULD ACTUATE ANY MAN TO VCOMMIT ANY A CRIME THAT HAS UPON ANY THEORY, THAT HAS BEFORE THIS TRIAL, EVER BEEN ADVOCATED. I HAVE NEVER BEEN ABLE TO SATISFY MYSELF BEFORE COMING HERE; AND WHEN READING-IN HEARING OF THIS CASE WHAT ADVANTAGE THE MAN WHOM WE CAHARGE WITH THE COMMISSION OF THIS CRIME COULD GAIN BY ITS COMMISSION; AND I SAY NOW, AND I WILL PROE PROVE IT TO YOU BY FACTS AND EVIDENCE IN THIS CASE THAT THE MORTIVE ATTRIBUTED TO THE AUTHORITIES WHO HAVE BEEN CHARGED WITH THE COMMISSION OF THIS CRIME WAS ENTIRELY INADEQUATE; AND THE ONLY REASONABLE MOTIVE, AND THE ONLY MOTIEVE THAT COMMENEDS ITSELF TO THE JUDGMENT OF A DELIBERATE MAN IS THE MORTIVE THAT I ATTRIBUTE TO JOHN D. LEE, AND THAT TO PLUNDER AND NOTHING ELSE. I WILL CALL YOUR ATTENTION IN THE FIRST ;PLACE TO THIS MATTER. THERE ARE THREE PARTIES, BUT THERE IS THE INDIVIDUAL THAT IS GUILTY OF THIS CRIME, THAT IS JOHN D. LEE, WITH HIS ASSOCIATE KLINGENSMITH OR THE TERRITORIAL AUTHORITIES OR THE CHURCH AS THEY WERE CALLED. NOW, THAT MAY BE DISTASTEFUL, BUT THAT HAS BEEN THE THEORY FROM THE BEGINNING; THAT IT IS EITHER AN</p>	<p>PEOPLE THAT WERE MASSACRED [space] I ADD TO THAT [space] — [space] BECAUSE OF THE APPARENT WANT OF ANY MOTIVE THAT COULD ACTUATE ANY MAN TO COMMIT A CRIME (UPON ANY THEORY THAT HAS BEFORE THIS TRIAL EVER BEEN ADVOCATED) I HAVE NEVER BEEN ABLE TO SATISFY MYSELF BEFORE COMING HERE AND WHEN HEARD OF OF THIS CASE, WHAT ADVANTAGE THE MEN WHO WERE CHARGED WITH THE COMMISSION OF THIS CRIME COULD GAIN BY ITS COMMISSION; AND I SAY NOW AND I WILL PROVE IT TO YOU BY FACTS AND EVIDENCE IN THIS CASE, THAT THE MOTIVE ATTRIBUTED TO THE AUTHORITIES WHO HAVE BEEN CHARGED WITH THE COMMISSION OF THIS CRIME WAS ENTIRELY INADEQUATE AND THE ONLY REASONABLE MOTIVE AND THE ONLY MOTIVE THAT COMMENDS ITSELF TO THE JUDGMENT OF A DELIBERATE MEN IS THE MOTIVE THAT ATTRIBUTE TO <u>JOHN D. LEE</u> AND THAT TO PLUNDER AND NOTHING ELSE [space] I WILL CALL YOUR ATTENTION IN THE FIRST PLACE TO THIS MATTER THERE ARE 3 PARTIES [space] 3 [space] THERE IS AN INDIVIDUAL THAT IS <i>EQUAL TO/GUILTY OF</i>[?] THIS CRIME THAT IS JOHN D. LEE WITH HIS ASSOCIATE KLINGEN SMITH [space] THE TERRITORIAL AUTHORITIES OR THE CHURCH THAT WERE GUILTY [space] NOW THAT MAY BE DISTASTEFUL BUT THAT HAS BEEN THE THEORY FROM THE BEGINNING THAT IT IS EITHER AN</p>
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BT

PS

<p>INDIVIDUAL MATTER, OF IT IS A MATTER WITH THE GOVERNMENT THAT THE GOVERNMENT OF THE TERRITORY OR THE CHURCH IS RESPONSIBLE FOR. ^{[[13]]} I THINK HAVE THIS DOCUMENTARY EVIDENCE HERE FURNISHED BY THE CHURCH AUTHORITIES THEMSELVES AND FOR WHICH THEY ARE RESPONSIBLE, AND AS YOU HAVE CONFIDENCE IN THEM, YOU WILL GIVE CONFIDENCE THAT TO THE DOCUMENTS TO THE DOCUMENTS THAT THEY BRING UP; THAT THESE DOCUMENTS ✓CLEAR THE SKIRTS OF THE CHURCH. I SUBMIT THEM TO YOU WILL WITH THE FULL CONFIDENCE THAT YOU WILL SEE FROM THESE DOCUMENTS THAT THE CHURCH HAD NO PART IN THIS MURDER. THESE DOCUMENTS ARE DATED AT A DAY AND AT A PLACE WHEN IT IS AN UTTER AND PHYSICAL IMPOSSIBILITY THAT THEY COULD HAVE HAD ANY REFERENCE WHATEVER TO THIS OFFENSE. THIS EVIDENCE WAS COMMENCED ON THE 7TH DAY OF SEPTEMBER, 1857; IT WAS CONSUMMATED ON FRIDAY THE 11TH, AND THERE IS NOT A DOCUMENT THAT HAS BEEN INTRODUCED HERE THAT WAS DATED BEFORE THE 12TH DAY, OF OF SEPTEMBER. NOW, HOW CAN IT BE ARGUED HOW CAN IT BE SAID—BY WHAT SYSTEM OF REASONING CAN IT BE SAID THAT THE DOCUMENTS INTRODUCED HERE HAD ANY REFERENCE</p>	<p>INDIVIDUAL MATTER OR IT IS A MATTER THAT THE GOVERNMENT OR THE HEAD OF CHURCH IS RESPONSIBLE FOR. I HAVE/THINK[?] THIS DOCUMENTARY EVIDENCE HERE FURNISHED BY THE CHURCH AUTHORITIES THEMSELVES AND FOR WHICH THEY ARE RESPONSIBLE ^{[[4]]}777 AND AS YOU HAVE CONFIDENCE IN THEM YOU WILL GIVE CONFIDENCE TO THE DOCUMENTS THAT THEY BRING UP THAT THESE DOCUMENTS CLEAR THE <i>SKIRTS</i>[?] OF THE CHURCH. I SUBMIT THEM TO YOU WITH THE FULL CONFIDENCE THAT YOU WILL SEE FROM THESE DOCUMENTS THAT THE CHURCH HAD NO PART IN THIS MURDER. THESE DOCUMENTS ARE DATED AT A DAY AND AT A PLACE WHEN IT IS UTTERLY AND PHYSICALLY IMPOSSIBLE THAT THEY COULD HAVE HAD ANY REFERENCE WHATEVER TO THIS OFFENSE. THESE EVENTS WAS COMMENCED ON MONDAY THE 7TH DAY OF SEPTEMBER 1857 IT WAS CONSUMMATED ON FRIDAY THE 11TH AND THERE IS NOT A DOCUMENT THAT HAS BEEN INTRODUCED HERE THAT WAS DATED BEFORE THE 12TH DAY OF SEPTEMBER. NOW HOW CAN IT BE ARGUED HOW CAN IT BE SAID, BY WHAT REASON OR SYSTEM OF REASONING CAN IT BE SAID THAT THE DOCUMENTS INTRODUCED HERE HAD ANY REFERENCE</p>
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777. Shorthand in left margin is illegible, mostly too faint to read. The verso of page 4 contains doodling.

BT

PS

<p>TO THE COMMISSION OF THIS OFFENSE? THE MOUNTAIN MEADOWS IS SOME 320 MILES FROM SALT L AKE CITY, AND YOU KNOW THE DISTANCE JUST AS WELL AS I DO . I SAY THEN, THAT THE POLICY OF THE TERRITORIAL , CIVIL AUTHORITIES IS FORESHADOWED IN THESE DOCUMENTS, IS FORESHADOWED BY THE BY THE VERY ACTS.</p> <p>..... DISPOSE TO PASS UNDER THE OUTRAGE; AND THE IDEA THAT THER TERRITORIAL CIVIL AUTHORITIES HAD NO ANY HAND IN IT; BUT ON THE CONTRARY THEIR EVERY DOCUMENT AND EVERY ACT THAT HSAS BEEN BROUGHT TO LIGHT — AND PRINCIPALLY AND PARTICULARLY DOCUMENTARY EVIDENCE ANDTHE TESTIMONY TOO, SHOWS THAT THEY WERE PURSUING AND ENTIRELY AND DIFFERENT POLICY THAN THAT THAT WHICH WAS LAID TO THE MURDER OF THE EMIGRANTS. BUT I SAY IN ADDITION TO THAT, ASIDE FROM THE TESTIMONY OF THE WITNESSES, ASIDE FROM LEE’S ADMISSIONS MADE TO HAMBLIN, THAT THESE DOCUMENTS WHICH I HOLD IN MY HAND THAT AN INDIVIDUAL TAND HE ALONE WAS RESPONSIBLE FOR THE COMMITING ^{[[14]]} OF THAT OUTRAGE; AND THAT HIS MOTICE[[2]]IVE AS SHOWN BY THAT DOCUMENT WAS THE PLUNDER OF THE EMIGRANTS. NOW, I HOPE I AM MADE PLAIN. I THINK I HAVE BEEN TOLD NBY MY GOOD FRIEND</p>	<p>WHATEVER TO THE COMMISSION OF THIS OFFENSE? MOUNTAIN MEADOWS IS SOME 320 MILES FROM SALT LAKE CITY ~ AND YOU KNOW THE DISTANCE JUST AS WELL AS I DO. I SAY THEN THAT THE <i>SPS/SUSPICIOUS</i>[?] OF THE <i>TRIAL</i>[?] CIVIL AUTHORITIES IS FORESHADOWED IN THESE DOCUMENTS <i>IS/AS</i>[?] FORESHADOWED BY THE VERY ACTS [<i>space</i>] DISPOSED TO PASS UNDER <i>ARCH/REACH</i>[?] THE IDEA THAT THE TERRITORIAL CIVIL AUTHORITIES HAD <i>NO/ANY</i>[?] HAND IN IT BUT ON THE CONTRARY THEIR <i>EVERY/VERY</i>[?] CONDUCT AND EVERY ACT THAT HAS BEEN BROUGHT TO LIGHT AND EVERY BIT DOCUMENTARY EVIDENCE AND THE TESTIMONY TOO TESTIMONY SHOWS THAT THEY WERE PURSUING ENTIRELY DIFFERENT POLICY THAN THAT WHICH WOULD LEAD TO THE MURDER OF THE EMIGRANTS. I SAY IN ADDITION TO THAT ASIDE FROM THE TESTIMONY OF THE WITNESSES ASIDE FROM LEE’S ADMISSIONS MADE TO HAMBLIN THAT THESE DOCUMENTS ^{[[5]]} WHICH I HOLD IN MY HAND THAT HE INDIVIDUALLY AND ALONE WAS RESPONSIBLE FOR THE COMMITTING OF THAT OUTRAGE, AND THAT HIS MOTIVE AS SHOWN BY THAT DOCUMENT WAS THE PLUNDER OF THE EMIGRANTS NOW I HOPE I AM MADE PLAIN <i>I THINK</i>[?] I HAVE BEEN TOLD BY MY GOOD FRIEND</p>
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BT

PS

NELSON, WHO HAS WORKED FROM THE BEGINNING TO THE END OF THIS CASE. I HAVE NOT TAKEN A STEP BUT WHAT I HAVE FOUND HIM BY MY SIDE. I HAVE NOT MOVED IN A DIRECTION TOWARD THE COMPLETION OF THIS TRIAL BUT WHAT HIS GOOD SOUND JUDGMENT HAS ASSISTED ~~ME~~ ASSISTED ME.

WHY, GENTLEMEN, HE SAYS — ~~MR. BISHOP~~ — THAT THE CHURCH DON'T NEED DEFENDING.

I SAY THE CHURCH DON'T NEED DEFENDING; BUT WHERE ~~ARE ATREE~~ YOU IN THE MATTER, BROTH R BISHOP?

BISHOP: (MR. BISHOP HERE MADE SOME REMARSKS THAT ARE NOT IN THE REPORTERS NOTES.) HOWARD: ~~IN MY PROPOSITION~~ I MAY PERHAPS SHOW TO YOU THAT JOHN D. LEE AND HIS COUNSEL IN MAKING THAT ASSERTION, NOT ONLY CARRY ~~OF~~ **OUT** THE PROGRAMME THAT WAS ADOPTED 15 OR 16 YEARS AGO THAT IS BY THE ~~THE MEETING~~ **METHOD OF BEST ALLOWING THE TERRITORY**

..... BUT HE IS DOING THAT WHICH THE FACTS IN THE CASE CANNOT JUSTIFY .

BISHOP: COULDN'T YOU HAVE CALLED OUT THE AUTHORITIES AT CEDAR CITY, ACTING AS HIS AUTHORITIES THERE. I HAVE NOT REFERRED TO THE AUTHORITIES THERE. HOWARD: I WILL NOW ~~W~~ **MODIFY** MY REMARK A LITTLE. THERE NEVER HAS BEEN

NELSON, WHO HAS WORKED FROM THE BEGINNING TO THE END OF THIS CASE I HAVE NOT TAKEN A STEP BUT WHAT I HAVE FOUND HIM BY MY SIDE. I HAVE NOT MOVED IN A DIRECTION TOWARD [space]

HIS GOOD SOUND JUDGMENT HAS ASSISTED ME HERE ~~DOWN/DONE~~[?] IN THE ~~LANGUAGE/THING~~[?] BUT HE SAYS THE CHURCH DON'T NEED DEFENDING [space] ~~←~~ [?] ~~→~~ I SAY [space] THE CHURCH DON'T NEED DEFENDING [space] BUT WE ARE ~~MET/MADE~~[?] BY MY BROTHER BISHOP [space]

MY PURPOSE TO SHOW YOU THAT JOHN D. LEE AND HIS COUNSEL IN MAKING THAT ASSERTION NOT ONLY CARRYING OUT THE PROGRAM THAT WAS ADOPTED 15 OR 16 YEARS AGO THAT IS TO BE ~~MADE/MD~~[?] A ~~BSPTR~~[?] IN THE WHOLE WORLD

BUT HE IS DOING THAT WHICH THE FACTS IN THE CASE CANNOT JUSTIFY. [space] ⁷⁷⁸BISHOP I ~~CAN/CAN'T~~[?] BELIEVE COULD NOT HE HAVE CALLED OUT THE AUTHORITIES AND ~~POSSES~~[?] AT CEDAR CITY ACTING AS HIS AUTHORITIES THERE I HAVE NOT REFERRED TO THE AUTHORITIES AT ALL. ⁷⁷⁹HOWARD I WILL NOW ~~MODIFY MYSELF~~ [space] A LITTLE [space] THERE NEVER HAS BEEN

778. In the left margin in longhand: **BISHOP**.

779. In the left margin in longhand: **HOWARD**.

BT

PS

<p>TILL LAST THURSDAY AN INSINUATION OF ANY OTHER FACT THEN THAT BRIGHAM YOUNG, GEORGE A. SMITH NAND ALL THE HIGH CHURCH AUTHORITIES OF THE CHURCH COMMITTED THIS MURDER . BUT LET US TAKE IT THAT THIS DOCUMENTARY EVIDENCE TEXCUSES THESE MEN, AND NO DOUBT HE WANTS TO PLACE PLAE IT DOWN TO THE SUBBORDINATE BRANCH OF THE CHURCH AT CEDAT CITY. I ASK YOU, I ASK HIM, I ASK THIS COMMUNITY, WHERE THERE IS TO TELL ME WHERE THERE IS AN IOTA OF EVIDENCE THAT POINTS TO THE CHURCH AT CEADATR CITY OR TO ANY OFFICER OF THAT CHUTRCH AND MAKES THEM RESPONSIBLE FOR THE COMMISSION OF THIS ^{[[15]]} OFFENSE, EXCEPT THEY GET THAT EVIDENCE FROM THE STATEMENT FROM JOHN D. LEE WHEN HE IN HIS EFFORTS TO EXPALAIN WHY THIS THING WAS DONE WAS LAYING IT ON TO THE HEADOF SOME OFTHE CHURCH ATUHORITIES. THERE IS NOT A SHADOW OF EVIDENCE EXCEPT THE ASSERTION OF JOHN D: LEE THAT HE WAS ORDERED TO FDO THIS GREAT CRIME; AND IT IS FOR YOU TO SAY WHETHER YOUR CONFIDENCE IN THESE AUTHORITIES SHALL BE SHAKEN BY THE STATEMENTS OF A MAN WHO, BY THE TESTIMONY OFTHREE OR FOUTR WITNESSES, WAS THERE IN THE VERY MIDST OF THIS UNHOLY ENHOLY MYURDER. IT IS FOR YOU TO SAY WHETHER HE HAVING MADE THESE STSATEMENTS FOR THE PURPOSE NOT ONLY OF SHEALDING HIMSELF</p>	<p>TILL LAST THURSDAY AN INSINUATION OF ANY OTHER FACT THAN THAT BRIGHAM YOUNG GEORGE A SMITH ^{[[6]]} AND ALL THE HIGH CHURCH AUTHORITIES COMMITTED THIS MURDER [<i>space</i>] BUT LET US <i>TKST</i>[?] THAT THIS DOCUMENTARY EVIDENCE EXCUSES THESE MEN AND NOW HE WANTS TO PLANE IT DOWN TO THE SUBORDINATE <i>BRANCH</i>[?] OF THE CHURCH AT CEDAR CITY I ASK YOU I ASK HIM I ASK THIS COMMUNITY OR ANY <i>BRANCH</i>[?] IN IT TO TELL ME WHERE THESE IS ONE IOTA OF EVIDENCE THAT POINTS TO THE CHURCH AT CEDAR CITY OR TO ANY OFFICER OF THAT CHURCH AND MAKES THEM RESPONSIBLE FOR THE COMMISSION OF THIS OFFENSE EXCEPT THEY GET THAT EVIDENCE FROM THE STATEMENTS OF JOHN D. LEE WHEN HE IN HIS EFFORTS TO EXPLAIN WHY THIS THING WAS DONE WAS LAYING IT ON TO HEAD OF SOME OF THE CHURCH AUTHORITIES THERE IS NOT A SHADOW OF EVIDENCE EXCEPT THE ASSERTION OF JOHN D. LEE THAT HE WAS ORDERED TO DO THIS GREAT CRIME; AND IT IS FOR YOU TO SAY WHETHER YOUR CONFIDENCE IN THESE AUTHORITIES SHALL BE SHAKEN BY THE STATEMENTS OF A MAN WHO BY THE TESTIMONY OF 3 OR 4 WITNESSES WAS THERE IN THE VERY MIDST OF THIS UNHOLY MURDER. IT IS FOR YOU TO SAY WHETHER HE HAVING MADE THESE STATEMENTS FOR THE PURPOSE NOT ONLY OF SHIELDING HIMSELF</p>
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BT

PS

<p>BUT BY THE CRIPPLING THE WHOLE OF THESE AUTHORITIES AND ASKING THEM TO BEAR HIM THROUGH IN SAFETY. THESE STATEMENTS USUALLY UNDERMINE YOUR CONFIDENCE IN THE MEN WHO ARE IMPLICATED BY THEIR STATEMENTS. I AM WILLING, GENTLEMEN, THAT YOU SOULD TAKE THE STATEMENTS OF JOHN D. LEE CHARGING THAT HE DID THIS BY AUTHORITY, SONC<small>ON</small>SIDERING THE MAN THAT MAK<small>SE</small>D THE STATEMENTS, CONSIDERING THE GREAT MOTIVE THAT ACTUATED HIM TO THROW THE BURDEN OF THIS OFFENSE FROM HIS OWN OWN SHOULDERS,</p> <p>AND THROW IT ON SOME OTHER MAN, AND SAY BY YOUR VERDICT WHETHER OR NOT THOSE STATEMENTS UNDER THOSE CURCUMSTANCES WILL UNDERMINE YOUR CONFIDENCE IN THE MEN WHO ARE IMPLICATED NBY THE MEN WHO ARE IMPLICATED BY THESE STATEMENTS. NOW, I SAY THAT</p>	<p>AND BY CRIPPLING THE WHOLE OF THESE AUTHORITIES AND ASKING THEM TO BEAR HIM THROUGH IN SAFETY. THESE STATEMENTS <i>SHALL/USUALLY</i>[?] UNDERMINE YOUR CONFIDENCE IN THE MEN WHO ARE IMPLICATED BY THEIR STATEMENTS I AM WILLING GENTLEMEN THAT YOU SHOULD TAKE THE STATEMENTS OF JOHN D. LEE CHARGING THAT HE DID THIS BY AUTHORITY, CONSIDERING THE MAN THAT MAKES THE STATEMENT CONSIDERING THE GREAT MOTIVE THAT ACTUATED HIM TO THROW THE BURDEN OF THIS OFFENSE FROM HIS OWN SHOULDERS, FROM HIS OWN SHOULDERS ^{[[7]]}780 THROW IT ON SOME OTHER MAN AND SAY BY YOUR VERDICT WHETHER OR NOT THOSE STATEMENTS UNDER THOSE CIRCUMSTANCES WILL UNDERMINE YOUR CONFIDENCE IN THE MEN WHO ARE IMPLICATED</p> <p>BY THESE STATEMENTS. NOW I SAY THAT</p>
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780. Longhand note at the top of the page is very faint and partially illegible:
WHEN/THEM[?] [space] PLEASE TO —[?] THIS IN *MUST*[?] *CAMP*[?] WILLING TO NEGOTIATE ALONG WITH THE BALANCE OF ~~ENOUGH~~ TO VERY[?] *POWER*[?] YOURSELF SOME OF THEM SEEM YOU MOMENT —[?]. SHORTHAND NOTE IN THE MARGIN READS: *WHAT*[?] DO YOU *STAND*[?] TO SAY CONCERNING THIS S MAN A *NOOSE/WHO KNOWS*[?] [space] JUST WHAT WE CAN STATE IN THIS *CONNECTION*[?] [space] *I KNOW THAT*[?] WHEN *THE/HE*[?] *STATES*[?] *GIVES COMMAND/COMES TO END*[?] EVERY THING SEEMS TO BE -*FR-PR*[?] CORROBORATE *OF/ALL*[?] [*TOO FAINT*]. PLEASE TO *LET/MEET*[?] JUST WHAT CAN STATE [space] KNOWING IT WOULD *APPEAR*[?] TO MANY —[?] OUT OF WHAT WAS TO BE [?] FROM THIS *SKNING/KLNING*—[?] [space] WOULD BE INTERESTED IN THIS *CONNECTION*[?]. IN THIS *CONNECTION*[?] I HAVE GOT A RIGHT TO RECEIVE [space] *THEN SHOW WHY*[?] YOU *CAN/GAIN*[?] *A/AND*[?] *MF/MV*[?] *FROM THIS*—[?] *TRUTH/TERRITORY*[?] *SML/SMR*[?] [space] *SINCE/AS SOON AS*[?] —[?] INTEREST IN THIS —[?] *WHEN IS THIS*[?] *NOW/KNOW*[?] IT WOULD *BRING*[?] AND *NOW/KNOW*[?] IT WOULD —[?].

BT

PS

PLUNDER WAS THE OBJECT OF THIS MURDER . I CALL YOUR ATTEMNTION TO JOHN D. LEE'S LETTER FOR TWO OR THREE PROPOSITIONS. I WILL NOW READ THE WHOLE OF IT: (COUNCSIEL READ LETTER) WE FIND IN THAT LETTER THIS SAYING, DEAR SIR, (AND CONTINUED TO READ THE LETTER WHISCH WAS NOT TAKEN BY THE REPORTER) TAKE THAT REPORT AND HARMONIZE IT IF YOU CAN WITH THE IDEA THAT IT WAS A REPORT OF TRZNSACTION WHICH HAD BEEN **MADE** BY AUTHORITY OR ORDER TO ENTER UPON, AND SEE IF YOU CAN HARMONIZE IT. ^{[[16]]} TAKE THA T REPORT AND HOLD IT UP PARALLEL WITH THE IDEA THAT IT WAS COMMUNICATING TO BRIGHAM YOUNG THE FIRST KNOLEDGE HE HAD OF THAT TRANSACTUION, AND WHERE DOES IT LEAVE IT? IF HE WAS ACTING AS AN OFFICER, IF HE HAD BEEN INSTRUCTED TO CARRY ON THAT MASSACRE, IF THE PROPERTY HE HAD RECEIVED HASD BEEN TAKEN INTO HIS HANDS BY MEANS OF THAT MASSACRE, AND WAS A LEGITIMATE PILE OF PLUNDER TO BE HANDED OVER TO HIS SUPERIOR OFFICERS HE WOULD HAVE NMADE A REPORT OF IT, OR HE WOULD HAVE EXCUSED HIMSELF FOR HE MUST HAVE KNOWN WHEN HE MADE THA T REPORT, IF MADE IN PURSUANCE OF PREVIOUS INSTRUCTION, THAT HE MUST GIVE SOME ACCOUNT OF THE PLUNDER THAT HE HAD RECEIVED. HOLD IT UP WITH THEIDEA THAT HE WENT IN THER TO MURDER THESE PEOPLE AND TAKE THEIR CATTLE

PLUNDER WAS THE OBJECT OF THIS MURDER. I CALL YOUR ATTENTION TO JOHN D. LEE'S LETTER FOR TWO OR 3 PROPOSITIONS. I WILL NOW READ THE WHOLE OF IT" *[space]* WE FIND IN THAT LETTER THIS LANGUAGE "DEAR SIR: *[space]* FOR MYSELF/FMSS[?]"

TAKE THAT REPORT AND HARMONIZE IT IF YOU CAN WITH THE IDEA THAT IT WAS A REPORT OF A TRANSACTION WHICH HE HAD BEEN BY AUTHORITY ORDERED TO ENTER UPON; SEE IF YOU CAN HARMONIZE IT. TAKE THAT REPORT AND HOLD IT UP PARALLEL WITH THE IDEA THAT IT WAS COMMUNICATING TO BRIGHAM YOUNG THE FIRST KNOWLEDGE HE HAD OF THAT TRANSACTION AND *WHERE[?]* DOES IT LEAVE IT IF HE WAS ACTING AS AN OFFICER, IF HE HAD BEEN INSTRUCTED TO CARRY ON THAT MASSACRE IF THE PROPERTY HE HAD RECEIVED HAD BEEN TAKEN INTO HIS HANDS BY MEANS OF THAT MASSACRE, AND WAS A LEGITIMATE PILE OF PLUNDER TO BE HANDED OVER TO HIS SUPERIOR OFFICERS HE WOULD HAVE MADE REPORT OF IT OR HE WOULD HAVE EXCUSED HIMSELF, FOR HE MUST HAVE KNOWN WHEN HE MADE THAT REPORT, IF MADE IN PURSUANCE OF PREVIOUS INSTRUCTION THAT HE MUST GIVE SOME ACCOUNT OF THE PLUNDER THAT HE HAD RECEIVED. HOLD IT UP WITH THE IDEA THAT HE WENT IN THERE TO MURDER THESE PEOPLE AND TAKE THEIR CATTLE

BT

PS

AND THEIR HORSES AND THEIR
WAGONS FOR HIS OWN INDIVIDUAL
BENEFIT, AND YOU CAN SEE SOME
BEARING THAT THE FALSITY HAS
ON THE CASE BY WH CH HE
UNDERATAKES TO MAKE THE
AUTHORITIES BELIEVE THAT THIS
WAS, ~~THAT THIS WAS~~ A COLD
BLOODED MURDER INSTIGATED BY
THE POISONING OFTHE OX AND
SPRING; AND ~~THAT~~ **AFTER** THE
PLUNDERING OF THE WAGONS, AND
THE CATTLE HAD BEEN ~~TOO~~ **ALL**
SHOT DOWN OR BURNT UP BY THE
INDIANS, WE FIND
CROPPING OUT ~~+~~
IN THAT REPORT THE VERY MOTIVE
THAT ACTUATED THIS MASSACRE,
THAT OF PLUNDER, HE HAD
RECEIVED BY THE MASSACRE OF
THE EMIGRANTS, A LARGE NUMBER
OF CATTLE, A LARGE NUMBER OF
WAGONS HE TOOK CARE TO HAVE.
HE SENT A MAN TO WATCH THEM
THAT NIGHT ~~BEFORE~~ **BUT** THAT
MAN ~~NEE~~VER RECEIVED A
FARTHING. ~~IF~~ **IS** THERE ANY
EVIDENCE OF IT? DID THIS MAN,
THAT MY FRIEND BISHOP TELLS
YOU ABOUT; WERE IN CONSPIRACY
WITH JOHN D. LEE, CARY OF ANY
OF THAT PROPERTY. TAKE
MCMURDY, TAKE ~~N~~KNIGHT~~S~~. THEY
TELL YOU THAT ~~+~~WHEN THEY LEFT
THAT SCENE OF CARNAGE IT WAS
JUST AS SOON AS THEY COULD
RDRIVE AWAY, AFTER THE SCENE
HAD BEEN ENACTED; BUT THE
IDEA OF LEAVING THE
PLUNDER, WHEN WE FIND JOHN D.

AND THEIR HORSES AND THEIR
WAGONS FOR HIS OWN INDIVIDUAL
BENEFIT AND YOU CAN SEE SOME
BEARING THAT THAT FALSITY HAS
UPON THE CASE, BY WHICH HE
UNDERTAKES TO MAKE THE
AUTHORITIES BELIEVE THAT THIS
WAS A COLD
BLOODED MURDER INSTIGATED BY
POISONING AN OX AND
SPRING⁷⁸¹ *[[8]]* AND THAT THE
PLUNDER WAGONS
CATTLE HAD BEEN ALL
SHOT DOWN OR BURNED UP BY THE
INDIANS, WE FIND
KEEPING/CROPPING[?] OUT THERE
IN THAT REPORT THE VERY MOTIVE
THAT ACTUATED THIS MASSACRE
THAT OF PLUNDER HE HAD
RECEIVED BY THE MASSACRE OF
THE EMIGRANTS A LARGE NUMBER
OF CATTLE A LARGE NUMBER OF
WAGONS HE TOOK CARE TO HAVE.
HE SENT A MAN TO WATCH THEM
THAT NIGHT, DID THAT
MAN NEVER RECEIVED A
FARTHING? ANY
EVIDENCE OF IT? DID THESE MEN
THAT MY FRIEND BISHOP TELLS
YOU ABOUT WERE IN CONSPIRACY
WITH JOHN D. LEE CARRY OFF ANY
OF THAT PROPERTY? TAKE
MCMURDY, TAKE KNIGHT, THEY
TELL YOU THAT WHEN THEY LEFT
THAT SCENE OF CARNAGE IT WAS
JUST AS SOON AS THEY COULD
DRIVE AWAY AFTER THE SCENE
HAD BEEN ENACTED *BEFORE[?]* THE
IDEA OF *LEAVING/HAVING[?]*
PLUNDER BUT WE FIND JOHN D.

781. Very faint longhand note on the bottom, right-hand side of the page: **MOTION TO DISSOL – N[?] UPON SPRINGVILLE MOTION**. Small shorthand characters in the note on the top of image 625 are far too faint to read.

BT

PS

LEE THERE WATCHING IT. DID THE INDIANS COMMIT THE OFFENSE FOR PLUNDER? NO, THEY WERE ^{[[17]]} WATCHING IT THAT THEY SHOULD NOT STEAL. IT IS UNNECESASARY TO PREVENT THEM FROM STEALING WHAT THEY HAD ACTUALLY CAPTURED. IT WAS WATCHED BY HIM. IT WAS CARRIED AWAY AND THE CATTLE THAT WEERE TAKEN FROM THESE EMIGRANTS WERE TAKEN TO HIS PLACE ~~OR AND~~ WERE SENT THERE. THEY WERE NOT BUTCHERED BUT ROAMED UPON THE HILLAS OF HARMONY ON JOHN D. LEE'S RANGE. I CARE NOT WHETHER IT IS A RANGE OF LIMITED EXTENT OR NOT. WHY SHOULD HE THINK THIS WAS A MASSACRE THE Sould NOT CONTROL. WHY SHOULD HE DELIBERATELY TWO MONTHS AFTER THAT TIME CONCEAL THE FACT THAT ALL THIS PROPLETY CAME IN HIS HANDS? WHY SHOULD HE DELIBERATE UPON THE PLAN TO REPORT THAT THE PROPERTY HAD BEEN DESTROYED? WHY SHOULD HE SEND JOHNSON THERE TO KEEP THE INDIANS FROM TAKING THAT PROPERTY AWAY IF HE DIDN'T THEN DESIGN TO REDUCE IT TO HIS OWN POSSESSIOHN, AND USE IT FOR HIS OWN PURPOSE? THESE ARE FACTWS THAT CANNOT BE PUT OUT OF THIS CASE BY DENOUNCING THE WITNESSES; THESE ARE FACTS THAT CANNOT BE OVERCOME BY CALLING THE WITNESS A ~~PURGERED~~ **PERJURED** AND RED-HANDED WITNESS; ~~THESE~~

LEE THERE WATCHING IT. DID THE INDIANS COMMIT THE OFFENSE FOR PLUNDER? NO THEY WERE WATCHING THAT THEY SHOULD NOT STEAL, IT IS UNNECESSARY TO PREVENT THEM FROM STEALING WHAT THEY HAD ACTUALLY CAPTURED. IT WAS AS IT WAS WATCHED BY HIM. IT WAS CARRIED AWAY AND CATTLE THAT WERE TAKEN FROM THESE EMIGRANTS WERE TAKEN TO HIS PLACE *UP THERE*[?] AND WERE SEEN THOSE THAT WERE NOT BUTCHERED ROAM UPON THE HILLS OF HARMONY ON JOHN D. LEE'S RANGE I CARE NOT WHETHER IT IS A RANGE OF LIMITED EXTENT OR NOT WHY SHOULD HE THINK THIS WAS A MASSACRE THAT HE COULD NOT CONTROL [*space*] *HE HAD*[?] HIS LIFE TO CONTROL WHY SHOULD HE DELIBERATELY 2 MONTHS AFTER THAT TIME CONCEAL THE FACT THAT ALL THIS PROPERTY CAME INTO HIS HANDS? WHY SHOULD HE ^{[[9]]} DELIBERATING UPON A PLAN TO REPORT THAT THE PROPERTY HAD BEEN DESTROYED? WHY SHOULD HE SEND JOHNSON THERE TO KEEP THE INDIANS FROM TAKING THAT PROPERTY AWAY IF HE DIDN'T THEN DESIGN TO REDUCE IT TO HIS OWN POSSESSION AND USE IT FOR HIS OWN PURPOSE? THESE ARE FACTS THAT CANNOT BE PUT *TO/OF*[?] THIS CASE BY DENOUNCING WITNESSES THESE ARE FACTS THAT CANNOT BE OVER COME BY CALLING THE WITNESSES PERJURED AND RED HANDED WITNESS

BT

PS

~~ARE FACTS THAT CANNOT BE OVER
COME BY CALLING THE~~ THESE ARE
FACTS **WE FIND THERE**
COMPOUNDED BY

..... JOHN D. LEE 20
YEARS AGO. THEY CAME UP HERE
& **CONFRONTED HIM**
THEN ISAY , GENTLEMEN, AND
EVERY DOCUMENT ESTABLISHES A
THE THEORY THAT THIS WAS AN
INDIVIDUAL MURDER CARRIED ON
FOR PLUNDER AND IN
PURSUANCE OF THAT DESIGN, THE
DOCUMENT WAS PENNED BY HIM
TO MISLEAD THE AUTHORITIES. IS
THERE A WORD SAID IN THAT
DOCUMENT ~~BY~~ **ABOUT** THESE VERY
RED HANDED VILLAINS? IS THERE A
WORD SAID IN THAT DOCUMENT
THAY ~~W~~THEY WERE COMPELLED
TO DO WHAT THEY DID? IS THERE A
EPHRASE IN THAT DOCUMENT
REQUIRING THAT HE SHOULD HAVE
BEEN FORCED BY ORDERS OF THE
AUTHORITIES HERE AT CEDAR TO
GO INTO THAT? IS THERE A
SINGLE WORD SHOWING THAT
JOHN D. LEE AT
THAT MOMENT
CHARGED ANYBODY ON THE FACE
OF THE EARTH EXCEPT THE
INDIANS, WITH BEING IN THE
MASSACRE? ^{[[18]]} I TELL YOU
WHERE IS SOMETHING THAT SHOWS
WHAT HE IS:
WHEN HE COMES
TO SPEAK OF THAT OTHER
COMPANY AND IN THE
SAME DOCUMENT, HE TELLS THE
PRESIDENT THAT THE NEXT
COMPANY WERE SAVED BY THE
INTERPOSITION OF COL DAME.
NOW, TELL ME THAT A MAN HAS
BEEN FORCED INTO THE

THESE ARE
FACTS WE FIND THERE [space]
~~PUBLISHED[?]~~ BY
JOHN D. LEE 20
YEARS AGO THEY CAME UP HERE
AND CONFRONT HIM.
THEN I SAY GENTLEMEN AND
EVERY DOCUMENT ESTABLISHES
THE THEORY THAT THIS WAS AN
INDIVIDUAL MURDER CARRIED ON
FOR PLUNDER AND THAT IN
PURSUANCE OF THAT DESIGN THE
DOCUMENT WAS PENNED BY HIM
TO MISLEAD THE AUTHORITIES. IS
THERE A WORD SAID IN THAT
DOCUMENT ABOUT THESE VERY
RED HANDED VILLAINS? IS THERE A
WORD SAID IN THAT DOCUMENT
THAT HE WAS COMPELLED
TO DO WHAT HE DID IS THERE A
PHRASE IN THAT DOCUMENT
REQUIRING THAT HE SHOULD HAVE
BEEN FORCED BY ORDER OF THE
AUTHORITIES HERE AT CEDAR TO
GO INTO THAT? IS THERE A
SINGLE WORD IN THAT DOCUMENT
SHOWING THAT JOHN D. LEE AT
THAT MOUNTAIN MEADOWS
CHARGED ANYBODY ON THE FACE
OF THE EARTH EXCEPT THE
INDIANS WITH BEING IN THAT
MASSACRE? I TELL YOU
WHERE IS SOMETHING THAT SHOWS
~~TREADING/TREATING[?]~~ RIGHT FROM
THE ~~LIFE/EARTH[?]~~ WHEN HE COMES
DOWN TO SPEAK OF THAT OTHER
EMIGRANT COMPANY AND IN THE
SAME DOCUMENT HE TELLS THE
PRESIDENT THAT THE NEXT
COMPANY WERE SAVED BY THE
INTERPOSITION OF COLONEL DAME.
NOW TELL ME THAT THE MAN HAS
BEEN FORCED INTO THE

BT

PS

MASSACRE. TELL ME THAT A MAN HAS BEEN ORDERED INTO THE MASSACRE. TELL ME THAT A MAN HAS EVEN BEEN IN A MASSACRE WHERE HE TOOK PART TO SAVE HIS OWN LIFE, AND WOULD WRITE A LETTER ABOUT IT TWO MONTHS AFTERWARDS AND WOULD NOTIFY ABOUT THE MASSACRE UPON UPON THAT GROUND. IF IT WERE TRUE THAT HE WERE THERE UPON AN ERRAND OF MERCY TO PROTECT THESE EMIGRANTS, AND THAT HE HAD BEEN ORDERED THERE FOR THAT PURPOSE. PRESIDENT YOUNG WOULD HAVE BEEN NOTIFIED OF IT IN THAT DOCUMENT. IT WOULD NOT HAVE RESTED 19 YEARS, AND THEN HAVE BEEN BROUGHT UP AS A FLIMSY DEFENSE WHEN THE CRIME IS BROUGHT HOME TO HIM. IF SO, JOHN D. LEE WOULD TELL THE TRUTH. IF HE WOULD EVER THROW THE RESPONSIBILITY OF THIS CRIME FROM HIS OWN SHOULDERS AND ON THE SHOULDERS OF OTHERS; IF HE WOULD EVER MAKE IT APPEAR THAT HE WAS ON AN ERRAND OF MERCY, — IT WOULD HAVE HAD BEEN WHEN THERE WAS PLACED IN THE ARCHIVES OF THIS TERRITORY THE DOCUMENT THAT WAS LIABLE TO REMAIN THERE UNTIL HE HAD PASSED FROM THE FACE OF THE EARTH. THIS PARTICULAR DOCUMENT COMES FROM THE TERRITORIAL ARCHIVES, WHERE IT SEEMS TO HAVE RESTED PERHAPS FOR A TWO-FOLD PURPOSE TO SHOW THAT WHEN HE WAS DRIVEN TO THE WALL AND OBLIGED TO GIVE SOME

MASSACRE; TELL ME ^{[[10]]} THAT THE MAN HAS BEEN ORDERED INTO THE MASSACRE TELL ME THAT THE MAN HAS EVEN BEEN IN A MASSACRE WHERE HE TOOK PART TO SAVE HIS OWN LIFE AND WOULD WRITE A LETTER ABOUT IT 2 MONTHS AFTERWARDS, AND WOULD NOTIFY ABOUT THE MASSACRE UPON THAT GROUND IF IT WERE TRUE THAT HE WAS THERE UPON AN ERRAND OF MERCY [space] TO PROTECT THESE EMIGRANTS [space] THAT HE HAD BEEN ORDERED THERE FOR THAT PURPOSE [space] PRESIDENT YOUNG WOULD HAVE BEEN NOTIFIED OF IT IN THAT DOCUMENT. IT WOULD NOT HAVE RESTED 19 YEARS, AND THEN HAVE BEEN BROUGHT UP AS A SLIMS[?] DEFENSE WHEN THE CRIME IS BROUGHT HOME TO HIM. IF EVER JOHN D. LEE WOULD TELL THE TRUTH IF HE WOULD EVER THROW THE RESPONSIBILITY OF THIS CRIME FROM HIS OWN SHOULDERS AND ON THE SHOULDERS OF OTHERS; IF HE WOULD EVER MAKE IT APPEAR THAT HE WAS ON AN ERRAND OF MERCY [space] IT WOULD HAVE BEEN WHEN THERE WAS PLACED IN THE ARCHIVES OF THIS TERRITORY THE DOCUMENT THAT WAS LIABLE TO REMAIN THERE UNTIL HE HAD PASSED FROM THE FACE OF THE EARTH. THIS VERY DOCUMENT COMES FROM THE TERRITORIAL ARCHIVES WHERE IT SEEMS TO HAVE RESTED PERHAPS FOR THE TWO FOLD PURPOSE OF SHOWING THAT WHEN HE WAS DRIVEN TO THE WALL & OBLIGED TO GIVE SOME

BT

PS

EXPLENATION OF HIS CONDUCT
THAT HE THEN AND THERE LAID IT
ENTIRELY UPON THE SAVAGES,
AND FOR THE OTHER PURPOSE OF
ASSISTING THE ~~TRYTORS~~
AUTHORITIES WHO.....
.....; TO SHOW THAT WHEN
HE MADE THE DOCUMENT TWO
MONTHS AFTER THE COMMISSION
OF THE OFFENSE, THEY THAT
HAD NO OTHER KNOWLEDGE, NO
~~FO~~OTHER SUSPICION THAT THIS
CRIME HAD BEEN PERPETRATED BY
~~J. D.~~ JOHN D. LEE, BUT THEIR
KNOWLEDGE RESTED ~~RESTED~~ UPON
~~WHAT~~ WHAT HAD BEEN
REPRESENTED. AND THE ONLY
INFERENCE FROM THAT ^{[[19]]}
REPORT WAS THAT IT WAS DONE
BY THE INDIANS ALONE
UPON THE
GROUND. THERE IS ONE THING,
GENTLEMEN, IN THIS CASE, THAT I
ASSKK YOU AND PUBLICLY TO
DECIDE. I MAY NEVER
UNDERSTAND IT BUT I ASK YOU TO
UNDERSTAND IT, AND THAT IS WHY
IT WAS NECESSARY TO HAVE ANY
CONSULTATION AT CEDAR AT ALL.
NOW, IT WAS NOT BECAUSE OF ANY
PROCLAMATION—BECAUSE OF ANY
PROCLAMATION THAT HAD
REACHED CEDAR O~~TR~~ THE PEOPLE.
IT WAS NOT BECAUSE OF THE
DESPERATE STATE OF THE
COUNTRY FOR THE INDIVIDUALS
THAT CAME THERE WEEKS
AFTER THAT ONLY - ?
..... THERE
MAY BEE SOME TROUBLE FROM
THE OUTSIDE. WHY WAS IT THAT
THERE WAS ANY DISCUSSION ANY
MORE ABOUT THESE
EMIGRANTS THAN ANY OTHERS?

EXPLANATION OF HIS CONDUCT,
THAT HE THEN AND THERE LAID IT
ENTIRELY UPON THE SAVAGES
FOR THE OTHER PURPOSE OF
ASSISTING THE
AUTHORITIES[?] WHO STAND [*space*]
TO SHOW THAT WHEN
HE MADE THE DOCUMENT 2
MONTHS AFTER THE COMMISSION
OF THE OFFENSE THEY THAT
HAD NO OTHER KNOWLEDGE NO
OTHER SUSPICION THAT THIS
CRIME HAD BEEN PERPETRATED BY
JOHN D. LEE BUT THEIR
KNOWLEDGE RESTED UPON HIS
REPORT
^{[[11]]} AND THE ONLY
INFERENCE FROM THAT
REPORT WAS THAT IT WAS DONE
BY THE INDIANS ALONE HE DID NOT
EVEN SAY HE WAS UPON THE
GROUND. THERE IS ONE THING
GENTLEMEN IN THIS CASE THAT I
ASK YOU AND PUBLIC TO
DECIDE. I HAVE MAY NEVER
UNDERSTAND IT BUT I ASK YOU TO
UNDERSTAND IT, AND THAT IS WHY
IT WAS NECESSARY TO HAVE ANY
CONSULTATION AT CEDAR AT ALL.
NOW IT WAS NOT BECAUSE OF ANY
PROCLAMATION BECAUSE NO
PROCLAMATION HAD
REACHED PEOPLE AT CEDAR,
IT WAS NOT BECAUSE OF THE
DESPERATE STATE OF THE
COUNTRY FOR THE INDIVIDUALS
THAT CAME THROUGH WEEKS
AFTER THAT ONLY — [*space*] AND
CORRECT[?] THERE
MAY BE SOME TROUBLE FROM
THE OUTSIDE. WHY WAS IT THAT
THERE WAS ANY DISCUSSION ANY
MORE ABOUT THAT —[?]
EMIGRANTS,

BT

PS

THE PROOF SHOWS THIS STATE OF FACTS, THAT THEY IN PASSING ALONG DOWN, HAD BEEN IN THE HABIT OF SHOOTING CHICKENS, USING INSULTING LANGUAGE AND AS MY FRIEND BISHOP SAID TO US MORE THAN ONE OF THEM HAD MADE THE BOAST THAT HE HAD BEEN ONE OF THE MEN WHO ASSASSINATED JOSEPH SMITH, AND THE PEOPLE WERE EXCITED. YOU MAY TAKE IT THAT YOU KNOW MORE ABOUT IT THAN I DO. TAKE THAT FACT, THE ASSASSINATION OF JOSEPH SMITH, IT IS A FACT THAT THE PEOPLE OF THIS TERRITORY ARE PECULIARLY SENSITIVE HERE. THESE EMIGRANTS HAD BEEN PASSING ALONG DOWN, HAD BEEN MAKING THESE THREATS, BEEN ARRESTED PART OF THEM FOR PROFANITY, AND THE DIFFICULTY THAT AROSE WAS OF SUFFICIENT MAGNITUDE TO CALL TOGETHER THAT COUNSEL. THEY CAME TOGETHER AS YOU KNOW THEY DID COME TOGETHER. LEE WAS NOT THERE. HE WAS DOWN BELOW; **GENTLEMEN OF THE JURY** AND I THINK WE WILL NEVER GET AT THE FACTS. I BELIEVE WE ARE WARRANTED IN SAYING AND BECAUSE OF THE DANGER ARISING FROM JOHN D. LEE'S INFLUENCE WITH THE INDIANS IN REGARD TO THEM THERE UPON THE PRETEXT THAT THERE WAS TRUTH IN THE STORY THAT THEY TOLD, THAT THEY HAD BEEN ACCUSED OF THE ASSASSINATION OF JOSEPH SMITH AND BECAUSE OF THE TROUBLE THEY HAD HAD IN THE DIFFERENT VILLAGES OR CITIES

THE PROOF SHOWS THIS STATE OF FACTS [space] THAT THEY IN PASSING ALONG DOWN, HAD BEEN IN THE HABIT OF SHOOTING CHICKENS, USING INSULTING LANGUAGE, AND AS MY FRIEND BISHOP SAID TO US MORE THAN ONE OF THEM HAD MADE THE BOAST THAT HE HAD BEEN ONE OF THE MEN WHO ASSASSINATED JOSEPH SMITH, AND PEOPLE WERE EXCITED. YOU MAY TAKE IT YOU KNOW MORE ABOUT IT THAN I DO. TAKE THAT FACT, THE ASSASSINATION OF JOSEPH SMITH IS A FACT THAT THE PEOPLE OF THIS TERRITORY ARE PECULIARLY SENSITIVE HERE. THESE EMIGRANTS HAD BEEN PASSING ALONG DOWN, HAD BEEN MAKING THESE THREATS, BEEN ARRESTED PART OF THEM FOR PROFANITY, AND THE DIFFICULTY THAT AROSE WAS OF SUFFICIENT MAGNITUDE TO CALL TOGETHER THAT COUNCIL. THEY CAME TOGETHER AS YOU KNOW THEY DID COME TOGETHER. LEE WAS NOT THERE, HE WAS DOWN BELOW. GENTLEMEN OF THE JURY AND ALTHOUGH WE WILL NEVER GET AT THE FACTS I BELIEVE WE ARE WARRANTED —[?] [space] BECAUSE OF THE DANGER ARISING FROM ^{[[12]]} JOHN D. LEE'S INFLUENCE WITH THE INDIANS IN REGARD TO THEM THERE UPON THE PRETEXT THAT THERE WAS TRUTH IN THE STORY THAT THEY TOLD THAT THEY HAD BEEN ACCUSED OF THE ASSASSINATION OF JOSEPH SMITH, AND BECAUSE OF THE TROUBLE THEY HAD HAD IN THE DIFFERENT VILLAGES OR CITIES

BT

PS

THROUGH WHICH THEY HAD PASSES, I AM JUSTIFIED IN THAT CONCLUSION BY THIS LITTLE FACT. JOEL WHITE WHEN HE STARTS DOWN FROM CEDAR AND MEETS JOHN D. LEE DOESN'T START FROM THIS COUNCIL THEMSELVES,— LONG BEFORE THE COUNCIL HAD SENT THE MEAN OFF TO SALT LAKE, FOR HE TELLS YOU—WHITE TELLS YOU THAT WHEN HE WENT DOWN THERE AND PASSED LEE LEE ASKED HIM WHERE HE WAS GOING, "TO CARRY WORD TO ROBINSON TO SEE THAT THIS EMIGRANT COMPANY PASSED ALONG WITH OUT TROUBLE." NEXT MORNING IN COMING BACK WHEN COMING BACK THEY DIDN'T REACH THE MEADOWS. THIS WAS SOME TIME BEFORE THE COUNCIL WAS HELD. THIS MATTER WAS BEING AGITATED ALL THROUGH THIS TIME. AND WHEN IT CAME TO THE POINT, AND YOU FIND MR. MORRIL AND OTHERS OPPOSED IT THERE, AND THEY INSISTED THAT THE EMIGRSNTS SHOULD BE ALLOWED TO PASS THROUGH; THAT AT THAT TIME INO MENTION OR IDEA OF MURDERING THESE EMIGRANTS WAS CONTEMPLATED OR SPOKE OF TILL THE SUBJECT OF THEIR DESTRUCTION "WHAT SHALL WE DO WITH THEM?" SHALL WE AREREST THEM FOR THEIR THREATS? SHALL WE PUNISH THEM FOR WHAT SOME OF THEM HAVE SAID, THAT THEY HAD HAD A HAND IN THE ASSASSINATION OF JOWEPH SMITH BACK IN THE STATE OF	THROUGH WHICH THEY HAD PASSED, I AM JUSTIFIED IN THAT CONCLUSION BY THIS LITTLE FACT. JOEL WHITE WHEN HE STARTS DOWN FROM CEDAR AND MEETS JOHN D. LEE, DOESN'T START FROM THIS COUNCIL FOR IS LONG BEFORE THE COUNCIL THAT SENT THE MAN TO SALT LAKE FOR HE TELLS YOU WHITE TELLS YOU THAT WHEN HE WENT DOWN THERE AND PASSED LEE LEE ASKED HIM WHERE HE WAS GOING TO CARRY WORD TO ROBINSON TO SEE THAT THESE EMIGRANT PASSED ALONG WITHOUT TROUBLE. NEXT MORNING GOING BACK DIDN'T REACH THE MEADOWS THIS WAS SOME TIME BEFORE THE COUNCIL WAS HELD THIS MATTER WAS BEING AGITATED ALL THROUGH THIS TIME AND WHEN IT CAME TO THE POINT [space] YOU[?] FIND MR. MORRIL THERE AND HE INSISTED THAT THE EMIGRANTS SHOULD BE ALLOWED TO PASS THROUGH [space] —THAT AT THAT TIME HAVE NO MENTION IN THAT COUNCIL OR IDEA OF MURDERING THESE EMIGRANTS WAS CONTEMPLATED OR SPOKE OF, TILL THE SUBJECT OF DISCUSSION WAS WHAT SHALL WE DO WITH THEM SHALL WE ARREST THEM FOR THEIR THREATS SHALL WE PUNISH THEM FOR WHAT SOME OF THEM HAS SAID THAT THEY HAD HAD A HAND IN < 782BACK IN THE STATE OF
--	--

782. Insertion mark without an insertion.

ILLINOIS? THAT WAS THE
EXTENT OF THAT **DISCUSSION**
~~DISCUSSION~~— THE IDEA THAT
THEY WERE DISCUSSING THERE
PUBLICLY.— MR. MORRIL AND
OTHERS. ~~AND OTHERS.~~—WHETHER
THE Y SHOULD MURDER THE
EMIGRANTS OR NOT IS ENTIRELY
UNFOUNDED IN FACT. THERE IS NO
EVIDENCE OF IT, AND THE TRUTH
IS THAT WHEN THE QUESTION ~~AS IS~~
RAISEED AS TO WHAT WAS
DISCUSSED IN THAT COUNCIL, ~~AND~~
NOT THAT IDEA OF THE MURDER OF
THE EMIGRANTS ~~OR BUT~~ THE
DESTRUCTION OF THE EMIGRANTS
WAS ~~AT THE MATTER UNDER~~
DISCUSSION, NOT DISCUSSED.
BISHOP:

.....AFTER
THE HEARING OF MR. MORRILL'S
TESTIMONY THAT IT WAS TALKED
OVER ABOUT THE KILLING OF THE
EMIGRANTS, DID HE STATE THAT
HE SAID THAT KLINGENSMITH AND
HAIGHT WERE IN FAVOR OF THE
KILLING OF THE ^{[[21]]} EMIGRANTS
AND THAT KLINGENSMITH WAS
THE WORST MAN. HOWARD:
ANYTHING THAT YOU CHARGE
KLINGENSMITH SAID I AM WILLING
TO ADMIT. I ASSUME THAT THAT
COUNCIL WAS NOT
ALTOGETHER ~~TOGETHER~~ TO
DECIDE WHETHER THEY SHOULD
KILL THESE EMIGRANTS AT ALL.
BUT WHETHER THIS IS A
MEATERIAL FACT OR NOT THIS IS
THE TRUTH, AND IS CANNOT BE
DISPUTED, THAT IT WAS THEN
AGREED ~~THAT THAN~~ NOTHING
SHOULD BE DOWN ~~W TH~~ WITH THE

ILLINOIS THAT WAS THE
EXTENT OF THAT DISCUSSION
THE IDEA THAT
THEY WERE DISCUSSING THERE
PUBLICLY [space] MORRIL, AND
OTHERS WHETHER
THEY SHOULD MURDER THESE ^{[[13]]}
EMIGRANTS OR NOT IS ENTIRELY
UNFOUNDED; IN FACT. THERE IS NO
EVIDENCE OF IT, AND THE TRUTH
IS, THAT WHEN THE QUESTION IS
RAISED AS TO WHAT WAS
DISCUSSED IN THAT COUNCIL
NOT THAT IDEA OF THE MURDER OF
THE EMIGRANTS OR THE
DESTRUCTION OF THE EMIGRANTS
WAS THE MATTER UNDER
DISCUSSION [space]

⁷⁸³ BISHOP [space] HAVE TO CALL FOR

A READING OF MORRILL'S
TESTIMONY THAT IT WAS TALKED
OVER ABOUT KILLING
EMIGRANTS I STATE THAT
HE SAID THAT KLINGEN SMITH AND
HAIGHT WERE IN FAVOR OF THE
KILLING OF THE EMIGRANTS
AND THAT KLINGEN SMITH WAS
THE WORST MAN [space] HOWARD:
ANYTHING THAT YOU CHARGE
KLINGEN SMITH SAID I WILL
ADMIT. [space] I ASSUME THAT THE
COUNCIL WAS NOT CALLED
TOGETHER TO
DECIDE — [space] COMPANY/COME/—
[?] [space]
BUT WHETHER THIS IS A
MATERIAL FACT OR NOT, THIS IS
TRUE, AND IT CANNOT BE
DISPUTED THAT IT WAS THEN
AGREED THAT NOTHING
SHOULD BE DONE WITH THE

783. In Rogerson's longhand in the left margin: **BISHOP**.

BT

PS

EMIGRANTS TILL WORD SHOULD
BE SENT TO SALT LAKE . THAT WAS
THE POLICY OF THE LOCAL
GOVERNMENT HERE. IT WAS THE
POLICY OF THE MAJORITY OF THE
MEN, **OR BUT** THEY ~~SOULD~~ NEVER
WOULD HAVE COME TO THAT
AGREEMENT **BEFORE AND** THE
MESSENGER WAS SENT TO SALT
LAKE TO THE AUTHORITIES.
BEFORE HE STARTED ANOTHER
MESSENGER WAS SENT TO JOHN D.
LEE. IT WAS A MATTER OF
IMPORTANCE AND THE MESSENGER
WAS STARTED OUT TO TELL HIM.
WE FIND BY THE EVIDENCE OF
WHITE THAT **HE WAS THEY WERE**
IN AN ATTITUDE OF DEFIANCE AND
~~AND~~ HOSTILE TO THAT COUNCIL.
THAT MESSENGER WENT FOR
THE PURPOSE ~~TO~~ OF TELLING HIM.
..... NEPHI JOHNSON
WITH THE INDIANS TOLD HIM
WHEN THEY CAME FOR HIM TO GO,
THAT JOHN D. LEE HAD AGREED TO
GO. THAT IS ONE OF THE
INSTANCES WHERE A MAN PUTS HIS
FOOT INTO IT BY BEING OVER
SHARP ON CROSS-EXAMINATION;
AND IN ADDITION ~~TO~~ THIS,
GENTLEMEN~~R~~, THE PRESUMPTION
THAT THAT MAN FOUND THE END
OF HIS JOURNEY AND DID THE
ERRAND HE WAS SENT TO DO IS
CARRIED OUT AND SUPPORTED BY
THE EVIDENCE THAT FOLLOWS
HIM. NOW, IN ADDITION TO
THAT WHAT WAS THE POLICY OF
THE AUTHORITIES, THAT HE SAYS
GAVE HIM THESE **ORDERS.**
~~AUTHORITIES.~~ WHY SHOULD ~~THAT~~ ~~ET~~
~~A~~ ~~OUTHORITIES~~ THERE,
MR. DAME,
SEND TEN MEN UP HERE T O

EMIGRANTS TILL WORD SHOULD
BE SENT TO SALT LAKE. THAT WAS
THE POLICY OF THE LOCAL
GOVERNMENT HERE. IT WAS THE
POLICY OF THE MAJORITY OF THE
MEN, OR THEY NEVER
WOULD HAVE COME TO THAT
AGREEMENT THE
MESSENGER WAS SENT TO SALT
LAKE =AUTHORITIES.
BEFORE HE STARTED ANOTHER
MESSENGER WAS SENT TO JOHN D.
LEE. [space] IT WAS A MATTER OF
IMPORTANCE A MESSENGER
WAS STARTED OUT TO TELL HIM.
[[14]] WE FIND BY THE EVIDENCE OF
WHITE THAT HE WAS
IN AN ATTITUDE OF DEFIANCE AND
HOSTILE TO THAT COUNCIL
THAT MESSENGER [space] WENT FOR
THE PURPOSE OF TELLING HIM
NEPHI JOHNSON [space]
THAT THE INDIANS TOLD HIM
WHEN THEY CAME FOR HIM TO GO
THAT JOHN D. LEE HAD AGREED TO
GO, THAT IS ONE OF THE
INSTANCES WHERE A MAN PUTS HIS
FOOT INTO IT BY BEING OVER
SHARP ON CROSS-EXAMINATION;
AND IN ADDITION TO THIS
GENTLEMEN THE PRESUMPTION
THAT THAT MAN FOUND THE END
OF HIS JOURNEY AND DID THE
ERRAND HE WAS SENT TO DO IS
CARRIED OUT AND SUPPORTED BY
THE EVIDENCE THAT FOLLOWS
HIM. [space] NOW IN ADDITION TO
THAT WHAT WAS THE POLICY OF
THE AUTHORITIES THAT, HE SAYS
GAVE HIM THESE ORDERS
WHY SHOULD THE
AUTHORITIES THERE AT THE SAME
TIME/THROUGH[?] MR. DAME[?]
SEND THE 10 MEN UP HERE TO

BT

PS

BEAVER TO PROTECT THAT COMPANY OF EMIGRANTS IF MURDER WAS IN HEIR HREARTS? WHY SHOULD THEY COME HERE TO THIS CAMP OF EMIGRANTS AND FURNISH TEN MEN FROM BEA#VER BY THE DIRECTION OF THE THEN ACTING BISHOP ^{[[22]]} AND GO OVER ANDDD BRING THE EMIGRANTS TOGETHER THAT HAD BEEN DIVIDED HERE, IF THEIR POLICY THERE WAS NOT CONSISTENT #WITH THE ORDERS THAT #CAME FROM SALT L KE CITY AFTERWARDS, IF THE POLIFCY WAS THAT OF MURDERING TO PLUNDER. THEREIS ANOTHER FACT. THIS VERY MAN, NEPHI JOHNSON, ~~THEN SLEPT THEM~~, A STRIPLING OF A BAOY WAS SENT BY THE AUTHORITIES AT CEADAR CITY, NOT BY JOHN D. LEE;. HE WAS SENT BY THE VERY MEAN THEY TELL YOU HAD A DAY OR TWO N BEFORE GIVEN ORDERS FOR THE MASSACRE OF THIS WHOLE ~~COMPANY. MASSACRE;~~ HE HAWAS SENT TO CARRY THE MESSAGE AND TAKE CARE OF THE EMIGRANTS, AND TO PILOT THEM THROUGH THE COUNTRY IN TO THE DESERT BELOW. WHY, THIS CHANGE OF POLICY, TO ASK A COMPANY OF MEN—ORGANIZATION OF MEN, WITH THEIR OFFICERS AND PRIVATE INDIVIDUALS ALL DAY RIDING THEIR HORSES, TRAVELING BY NIGHT, SELEVCTING THEIR INTERPRETERS, MEN OF INFLUENCE T O PILOT THE EMIGRANTS THROUGH SAFELY AND TO KEEP THEM FROM THE ATTACKS OF THE SAVAGES; AND THE NEXT DAY OR ~~TO HERE THE DAY~~ DAY OR

BEAVER TO PROTECT THAT COMPANY OF EMIGRANTS IF MURDER WAS IN THEIR HEARTS WHY SHOULD THEY COME HERE TO THIS CAMP OF EMIGRANTS AND FURNISH COMPANY OF MEN FROM BEAVER BY THE DIRECTION OF THE THEN ACTING BISHOP TO GO OVER AND BRING THE EMIGRANTS TOGETHER THAT HAD BEEN DIVIDED HERE, IF THEIR POLICY THERE WAS NOT CONSISTENT WITH THE ORDERS THAT CAME FROM SALT LAKE AFTERWARDS, IF ~~THE~~[?] POLICY WAS THAT OF MURDERING TO PLUNDER. THERE IS ANOTHER FACT. THIS VERY MAN, NEPHI JOHNSON ALTHOUGH THEN A STRIPLING OF A BOY, WAS SENT BY THE AUTHORITIES AT CEDAR = NOT BY JOHN D. LEE =HE WAS SENT BY THE VERY MAN THEY TELL YOU HAD A DAY OR TWO BEFORE GIVEN ORDERS FOR THE MASSACRE OF THIS WHOLE COMPANY; HE WAS SENT TO GUARD AND TAKE CARE OF EMIGRANTS ^{[[15]]} TO PILOT THEM THROUGH THE COUNTRY IN TO THE DESERT BELOW. WHY THIS CHANGE OF POLICY TO ~~USE~~[?] A COMPANY OF MEN = ORGANIZATION OF MEN, WITH THEIR OFFICERS AND PRIVATE INDIVIDUALS ALL DAY RIDING THEIR HORSES, TRAVELING BY NIGHT, SELECTING THEIR INTERPRETERS AND MEN OF INFLUENCE TO PILOT EMIGRANTS THROUGH SAFELY AND TO KEEP THEM FROM THE ATTACKS OF THE SAVAGES, AND THE NEXT DAY THE DAY BEFORE

BT

PS

TWO SAY THEY ORDERED THE
~~MEN BEFORE WAS THAT ORDERING~~
~~> OF EN~~ TO SLAUGHTER AND
COMMIT OUTRAGES SUCH AS
THEAT ~~COMMITTED~~ COMMITTED AT
THE MOUNTAIN MEADOWS IS
INCONSISTANT. THEIR WHOLE
POLICY IS FORESHADOWED BY
THESE ACTS AS SHOWN BY THESE
ACTS AS FORESHADOWED BY THE
ANXIETY TO ~~7~~ SEE THE EMIGRANTS
THROUGH, DOES AWQAY WITH THE
IDEA THAT JOHN D. LEE HASD ANY
AUTHORITY TO DO WHAT HE DID.
NOW, IT STRIKES ME
THAT THIS THING IS GETTING
DOWN PRETTY CLOSE TO AN
INDAVIDUAL MATTER **WITH THAT**
JOHN D. LEE ~~CANNOT~~; THAT IT IS A
MATTER THAT THEY CANNOT ~~PASS~~
~~BY~~ OPPOSE BY SIMPLE ASSERTION
AND THROW IT UPON
ANYBODY ELSE. BUT THEY TELL US
THAT OUR WITNESSES WERE IN A
CONSPIRACY; THAT EVERY MAN WE
HAVE BROUGHT HERE AND
INTRODUCED ON THIS STAND
SHOULD BE ~~S~~DISBELIEVED
BECAUSE OF THE PART THERY
TOOK IN THIS MATTER. THEY
ARGUE THAT OUR WITNESSES ARE
UNWORTH OF BELIEF, BECAUSE
THEY HAVE NE~~CV~~ER TOLD OF THIS
MATTER BEFORE. I HAVE SAID ALL
THAT IS NECESSARY TO BE SAID
UPON THAT, ~~AND~~ KNOWING THE
MEN~~T~~. ^{[[23]]} **I KNOW** THAT THERE
NEVER HAS ~~HAS~~ BEENA A TIME IN
THE HISTORY OFTHIS TERRITORY
WHEN WITNESSES HAVE BEEN
CALLED UPON TO GIVE THEIR
TESTIMONY IN REGZARD TO THE
MOUNTAIN MEADOW MASSACRE.
~~WITH NO IDEA WHATEVER~~

TO SAY THEY ORDERED THE
MAN
TO SLAUGHTER AND
COMMIT OUTRAGES SUCH AS
THAT COMMITTED AT
THE MOUNTAIN MEADOWS IS
INCONSISTENT THEIR WHOLE
POLICY IS FORESHADOWED BY
THESE ACTS IS SHOWN BY THESE
ACTS IS FORESHADOWED BY THEIR
ANXIETY TO SEE THE EMIGRANTS
THROUGH DOES AWAY WITH THE
IDEA THAT JOHN D. LEE HAD ANY
AUTHORITY TO DO WHAT HE DID
DO. [space] NOW IT STRIKES ME
THAT THIS THING IS GETTING
DOWN PRETTY CLOSE TO AN
INDIVIDUAL MATTER *THAT/WITH*[?]
JOHN D. LEE THAT IT IS A
MATTER, THAT WE CAN
POSE SIMPLE ASSERTION
AND THROW IT ALL UPON
ANYBODY ELSE. BUT THEY TELL US
THAT OUR WITNESSES WERE IN A
CONSPIRACY; THAT EVERY MAN WE
HAVE BROUGHT HERE AND
INTRODUCED ON THIS STAND
SHOULD BE DISBELIEVED,
BECAUSE OF THE PART THEY
TOOK IN THIS MASSACRE. THEY
ARGUE THAT OUR WITNESSES ARE
UNWORTHY OF BELIEF BECAUSE
THEY HAVE NEVER TOLD OF THIS
MATTER BEFORE. I HAVE SAID ALL I
THINK IS NECESSARY
UPON THAT [space] KNOWING **THE**
MEN. [space] THAT THERE
NEVER HAS BEEN A TIME IN
THE HISTORY OF THIS TERRITORY
WHEN WITNESSES HAVE BEEN
CALLED UPON TO GIVE THEIR
TESTIMONY IN REGARD TO THE
MOUNTAIN MEADOW MASSACRE,

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WITHOUT ANY **OTHER** IDEA **THAN**
OF IMPLICATING THE AUTHORITIES;
AND FROM THIS IDEA
NO ~~TO~~ OTHER PROSECUTION EVER
HAD ~~WAS~~ OF BRINGING IT RIGHT
DOWN TO THE GUILTY PARTIES
WHO PERPETRATED THE
OUTRAGE. I AM JUSTIFIED IN
THAT CONCLUSION. YOU TAKE
THESE MEN THAT HAVE BEEN
INTRODUCED HERE AS WITNESSES.
WHY SHOULD THEY WHEN THE
AUTHORITIES OF THE TERRITORY,
WHEN THE WHOLE COUNTRY
WAS ARRAIGNING THIS TERRITORY
FOR THIS TERRIBLE CRIME AND
CHARGING IT UPON IT AND
BROUGHT SOMETHING OF A
POLITICAL NATURE BEFORE ANY
OTHER THING WAS MADE UPON
A PRECONCEIVED IDEA THAT THIS
WHOLE TERRITORY WAS
COVERED WITH THE BLOOD OF
THESE EMIGRANTS. WHAT COURSE
HAD THEY TO PURSUE BUT JUST
THE COURSE THEY DID FOLLOW.
MEN ~~NOT~~ IN PUBLIC POSITION THAT
ARE FAVORITES OCCUPYING THE
UPPER PARTS OF THIS TERRITORY,
STANDING THERE WITH
THIS GREAT CRIME, HURLED
RIGHT IN THE TEETH OF THIS VERY
COMMUNITY, THIS CRIME THROWN
UPON THEM AND THEIR
ASSOCIATIONS IN RELIGIOUS AND
POLITICAL LIFE AS A TERRITORIAL
OFFENSE. WHAT COULD THEY DO?
~~Q. NOW~~ JOHN D. LEE HAS JUST HAD
SHREWDNESS ENOUGH TO
ENCOURAGE AND CARRY ON THAT
VERY IDEA AND TO DAY HIS
COUNSEL STANDS UP HERE AND
DOES ALL HE CAN TO MAKE YOU
BELIEVE AND MAKE THE

WITH/WITHOUT[?] ANY IDEA THAN
ARROGATING THE AUTHORITIES
IN THE FACE AND FROM THIS IDEA
NO OTHER PROSECUTION EVER
HAD[?] WAS OF BRINGING IT RIGHT
DOWN TO THE GUILTY PARTIES
WHO PERPETRATED THE
OUTRAGE ^{[[16]]} I AM JUSTIFIED IN
THAT CONCLUSION. YOU TAKE
THESE MEN THAT HAVE BEEN
INTRODUCED HERE AS WITNESSES.
WHY SHOULD THEY WHEN THE
AUTHORITIES OF THE TERRITORY
AND WHEN THE WHOLE COUNTRY
WAS ARRAIGNING THIS TERRITORY
FOR THIS TERRIBLE CRIME AND
CHARGING IT UPON IT AND
BROUGHT *SOMETHING*[?] OF A
POLITICAL NATURE BEFORE ANY
OTHER *THING/**N*[?] WAS MADE UPON
A PRECONCEIVED IDEA THAT THIS
WHOLE TERRITORY WAS
COVERED WITH THE BLOOD OF
THESE EMIGRANTS. WHAT COURSE
HAD THEY TO PURSUE BUT JUST
THE COURSE THEY DID FOLLOW.
MEN NOT IN PUBLIC POSITION THAT
ARE FAVORITES OCCUPYING THE
UPPER PARTS OF THIS TERRITORY
STANDING THERE *UNITED*[?] WITH
THIS GREAT CRIME HURLED
RIGHT IN THE VERY TEETH OF THIS
COMMUNITY THIS CRIME THROWN
UPON THEM AND THEIR
ASSOCIATIONS IN RELIGIOUS AND
POLITICAL LIFE AS A TERRITORIAL
OFFENSE. WHAT COULD THEY DO?
JOHN D. LEE HAS JUST HAD
SHREWDNESS ENOUGH TO
ENCOURAGE AND CARRY ON THAT
VERY IDEA AND TODAY HIS
COUNSEL STANDS UP HERE AND
DOES ALL HE CAN TO MAKE YOU
BELIEVE, AND TO MAKE THE

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PS

WORLD BELIEVE THAT JOHN D. LEE IS BEING SACRIFICED FOR THE PURPOSE OF SAVING ANY FURTHER INSINUATIONS ~~UPON THEM~~ OF THAT KIND UPON THE REPUTATION OF THIS TERRITORY. ~~W~~NOW, WHAT IS SACRIFICE? A MAN WHO IS SACRIFICED FOR THE ~~B~~GGOOD OF ANOTHER-; A MAN WHO IS SACRIFICED FOR THE GOOD OF A ~~A~~COMMUNITY; A MAN WHO IS SACRIFICED FOR THE CAUSE OF TRUTH AND RIGHT; AND ALL SUCH AS THIS MAY PROPERLY BE CALLED A SACRIFICE. BUT WHEN A COMMUNITY , A CHURCH OR A STATE ^{[[24]]} STANDING BEFORE A MAN WHO UNDERTAKES TO ~~C~~ONVER HIS OWN CRIME AND ~~I~~NOFAMY BY STICKING HIMSELF ~~I~~N THE DIRECTION OF THE SHADOW OF THAT COMMUNITY. ~~W~~HEN THEY EVER SEEK, WHEN THAT VERY INSINUATION COVERS A WHOLE COMMUNITY WITH INFAMY AND DISGRACE-, HE A ND HIS COUNSEL STANDS UP AND BOLDLY CALLS THAT A SACRIFICE. IT IS JUST TO HERALD HIM ~~UP OR HOLD HIM UP TO THE WORLD~~ , OR TO HOLD HIM UP TO THE WORLD. IT IS SELF DEFENSE OF YOURSELVES. IT IS SELF PROTECTION OF YOURSELVES THAT THIS MAN ~~WHO~~ **WHO IS GUILTY WHOSE GUILT** SHOULD ~~SHOULD~~ BE EXECUTED FROM HIS CRIMES; FOR THE WORLD SHOULD KNOW WHERE THE CRIME RESTS, AND THAT IT IS AN ~~AN~~ INDIVIDUAL AND NOT A TERRITORIAL. IT IS SELF DEFENCE TO YOU THAT YOU SHOULD SAY TO HIM, "IF YOU EVER HAD AN AUTHORITY

WORLD BELIEVE THAT JOHN D. LEE IS TO BE SACRIFICED FOR THE PURPOSE OF SAVING ANY FURTHER INSINUATIONS OF THAT *KIND*[?] UPON THE REPUTATION OF THIS TERRITORY. NOW WHAT IS SACRIFICE? A MAN WHO IS SACRIFICED FOR THE GOOD OF ANOTHER A MAN WHO IS SACRIFICED FOR THE GOOD OF COMMUNITY, A MAN WHO IS SACRIFICED TO THE CAUSE OF TRUTH AND RIGHT AND JUSTICE MAY PROPERLY BE CALLED A SACRIFICE, BUT WHEN A COMMUNITY A CHURCH OR A STATE STANDING A MAN WHO UNDERTAKES TO COVER HIS OWN CRIME AND INFAMY BY STICKING HIMSELF IN THE DIRECTION OF THE SHADOW OF THAT COMMUNITY WHEN THAT ^{[[17]]} VERY *KLK/CLACK*[?] WHEN THAT VERY INSINUATION COVERS A WHOLE COMMUNITY WITH INFAMY AND DISGRACE AND HIS COUNSEL STANDS UP AND *VERY*[?] *PR*[?] CRIES AND CALLS THAT A SACRIFICE IT IS JUSTICE TO HERALD HIM *AND*[?] TO HOLD HIM UP TO THE WORLD IT IS SELF DEFENSE OF YOURSELVES [*space*] IT IS SELF PROTECTION OF YOURSELVES [*space*] BUT THIS MAN IF HE IS GUILTY SHOULD BE EXECUTED FOR HIS CRIMES FOR THE WORLD SHOULD KNOW WHERE THE CRIME RESTS THAT IT IS AN INDIVIDUAL AND NOT A TERRITORIAL OFFENSE. IT IS SELF DEFENSE TO YOU THAT YOU SHOULD SAY TO HIM IF YOU EVER HAD AN AUTHORITY

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WRITTEN OR VERBAL, ~~PUT~~ BY WHICH YOU COMMITTED THIS CRIME, PUT IT UPON THE RECORD AND LET US HAVE IT AS PROOF.” IT IS NOT ENOUGH FOR YOU TO CLOSE YOUR MOUTH IN SUCH AN IMPORTANT MATTER AND FOR YOUR COUNSEL WHO STANDS UP BEFORE US AND BEFORE THE WORLD AND TELLS US THAT WE ARE NOT **TRYING** ~~TREATING~~ THIS CASE UPON **PRINCIPLES** OF RIGHT AND JUSTICE, BUT BOASTS OF THE FACT THAT HE TRIES HIS CASES AND———
IT IS A MATTER OF SELF PROTECTION TO YOURSELVES THAT YOU ~~W~~SHOULD DEMAND WHAT JOHN D. LEE ~~CAN~~ PRODUCE EITHER BY PAROL OR WRITTEN ~~EV~~8 EVIDENCE ABOUT WHAT ORDERS HE HAD IF HE EVER HAD ANY ORDERS. A GREAT DEAL HAS BEEN SAID ABOUT SACRIFICING HIM, **AND BUT** ABOUT THE EFFECT IT WOULD HAVE. NOW WHAT DO YOU CARE ABOUT THAT. YOU CARE JUST ABOUT AS LITTLE ABOUT IT AS I DO, WHAT PEOPLE MAY SAY. I DO NOT KNOW BUT ONE ~~BUT ONE~~ RULE ACTUATING ME IN THE DISCHARGE OF MY OFFICIAL DUTY, AND THAT IS TO DO JUST WHAT I BELIEVE TO BE RIGHT, AND ~~THEY~~ OURSIDE WORLD MAY SAY, THAT HE ~~S~~ IS SACRIFICED, AND THE WISH IS FATHER TO THE THOUGHT; AND I SAY BEFORE YOU TO DAY THAT THERE ARE MEN AND NEWSPAPERS AND POLITICAL PARTIE~~D~~S IN THE TERRITORY OF UTAH, AND IN THIS COUNTRY TO-DAY, THAT WOULD ROLL THIS MORSEL OF CONVICTION OF THE

WRITTEN OR VERBAL BY WHICH YOU COMMITTED THIS CRIME PUT IT UPON THE RECORD AND LET US HAVE IT AS PROOF. IT IS NOT ENOUGH FOR YOU TO CLOSE YOUR MOUTH IN SUCH AN IMPORTANT MATTER AND FOR YOUR COUNSEL WHO STANDS UP BEFORE US AND BEFORE THE WORLD AND TELLS US THAT HE IS NOT TRYING THIS CASE UPON THE PRECEPTS OF RIGHT AND JUSTICE, BUT BOASTS OF THE FACT THAT HE TRIES HIS CASES ALL ONLY OUT OF *HSRS/WRSRS*—[?]. IT IS A MATTER OF SELF PROTECTION TO YOURSELVES THAT YOU SHOULD DEMAND WHAT JOHN D. LEE CAN PRODUCE EITHER BY PAROLE OR WRITTEN EVIDENCE ABOUT HIS ORDERS IF HE EVER HAD ANY ORDERS. A GREAT DEAL HAS BEEN SAID NOT ONLY ABOUT SACRIFICING HIM OR ABOUT THE EFFECT IT WOULD HAVE. NOW WHAT DO YOU CARE ABOUT THAT. YOU CARE JUST ABOUT AS LITTLE ABOUT IT AS I DO WHAT PEOPLE MAY SAY —[?] I DO NOT KNOW BUT ONE RULE ACTUATING ME IN THE DISCHARGE OF MY OFFICIAL DUTY, THAT IS TO DO JUST WHAT I BELIEVE TO BE RIGHT THE OUTSIDE WORLD MAY SAY ^{[[18]]} THAT HE IS SACRIFICED THE WISH IS FATHER TO THE THOUGHT *EVEN*[?] AND I SAY BEFORE YOU TODAY THAT THERE ARE MEN AND NEWSPAPERS AND POLITICAL PARTIES IN THE TERRITORY OF UTAH AND IN THIS COUNTRY TODAY THAT WOULD ROLL THIS MORSEL OF CONVICTION OF THE

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<p>MORMON CHURCH ^{//25//} AND OF THIS GREAT CRIME UNDER THEIR TONGUES AS WSEWEET. THERE ARE MEN THAT DON'T WANT THIS THING TO CO GO WHERE IT BELONGS BECAUSE IT WOULD KNOCK THE WIND OUT OF HIM AS WELL AS OF THE INDICATE ENACT A JOY TO THE OFFENDER OFFENDER OUT OF THE COMPANY THIS IS NOT MY PROPOSITION. IT IS FOR YOU TO SAY WHETHER YOU WILL LAY IT UPON OTHERS, IT IS NOT FOR ME, HONESTLY AND FEARLESSLY DISCHARGE OF YOUR DUTIES AND IF WILL DICTATE INDICATE TO YOU THAT YOU CAN DO NOTHING SHORT OF HEARING THE EVIDENCE THAT IS INTRODUCED IN REGARD TO THE GUILT OF THIS MAN. THEN DEMAND OF OF HIM EVIDENCE OF HIM THAT WILL EXCULPATE HIM AND LEAVE THE SENTIMENT OR WHAT THE WORLD MAY SAY IN UTTER AND ENTIRE INDIFFERENCE. NOW, IN REGARD TO HIS PERSONAL RESPONSIBILITY. WE FIND JOHN D. LEE THE VERY FIRST ACTOR UPON THE SCENE AT THE MOUNTAIN MEADOWS. WHEN MR. NIGHTS COMES UP FROM ST GEORGE HE MEETS A MAN SIX OR EIGHT MILES BELOW THE MEADOWS AND RECOGNISES HIM AS JOHN D. LEE; THEY GET INTO THE WAGON TOGETHER. WHAT IS LEE DOING DOWN THERE? WHAT IS HIS BUSINESS THERE? HE TELLS MMR. NKNIGHT THEN AND THERE THAT THE INDIANS NEEDS A LEADERSHIP; THAT THEY HAVE HAD MADE ZAN ATTAVK ON</p>	<p>MORMON CHURCH THIS GREAT CRIME UNDER THEIR TONGUES AS SWEET. THERE ARE MEN THAT DON'T WANT THIS THING TO GO WHERE IT BELONGS, BECAUSE IT WOULD KNOCK THE WIND OUT OF THEIR SAILS AND THE OFFENDER OUT OF THEIR CAMPAIGNS THIS IS NOT MY PURPOSE IT IS FOR YOU TO SAY WHETHER YOU WILL LAY IT UPON OTHERS IT IS NOT FOR ME. HONEST AND FEARLESS DISCHARGE OF YOUR DUTY WILL DICTATE TO YOU THAT YOU CAN DO NOTHING SHORT OF HEARING EVIDENCE THAT IS INTRODUCED IN REGARD TO THE GUILT OF THIS MAN. THEN DEMANDING OF HIM EVIDENCE THAT WILL EXCULPATE HIM AND LEAVE THE SENTIMENTS OR WHAT THE WORLD MAY SAY IN UTTER AND ENTIRE INDIFFERENCE. [<i>space</i>] NOW IN REGARD <i>RATHER/WHETHER</i>[?] TO HIS PERSONAL RESPONSIBILITY WE FIND JOHN D. LEE THE VERY FIRST ACTOR UPON THE SCENE AT THE MOUNTAIN MEADOWS. WHEN MR. KNIGHT COMING UP FROM ST GEORGE HE MEETS A MAN SIX OR EIGHT MILES BELOW THE MEADOWS RECOGNIZES HIM AS JOHN D. LEE THEY GET INTO THE WAGON TOGETHER. WHAT IS LEE DOING DOWN THERE? WHAT IS HIS BUSINESS THERE HE TELLS; MR. KNIGHT, THEN AND THERE THAT THE INDIANS NEED LEADERSHIP. THAT THEY HAD MADE AN ATTACK</p>
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MONDAY MORNING ON THESE EMIGRANTS. IF HE WAS ON AN ERRAND OF MERCY~~Y~~; ~~IF~~ IF HE WAS THERE UNDER ORDERS, WOULD HE NOT HAVE TOLD MR. KNIGHT OF IT, IF HIS DESIGN WAS ~~TO~~ PROTECT THESE EMIGRANTS? WOULD HE NOT HAVE BEEN OUT AMONG THE CITIZENS URGING THEM TO COME THERE AND DEFEND THESE EMIGRANTS? WHAT DOES HE SAY ABOUT THAT? HE SAYS, "I RAN A VERY NARROW CHANCE~~;~~; "I GOT A BULLET THROUGH MY HAT AND ONE THROUGH MY HICKORY SHIRT"AND THEY WERE REPULSED: LEE TOLD YOU THE TRUTH THEN , GENTLEMEN, AND I WANT TO DISPOSSESS YOUR MINDS OF THE IDEA THAT ~~THE~~ A MAN'S STATEMENTS CANNOT BE USED AGAINST HIM IT IS THE BEST EVIDENCE THAT CAN BE PRODUCED. — ANYTHING SAID ABOUT **ANY OTHER** ~~THE ENTIRE~~ RESPONSIBILITY~~?~~ **NONE**. MR. KNIGHTS RIDES ALONG ANSD STOPS AT THE NORTH ENDE OF THE MEADOWS; HIS WIFE WAS **SICK**. ~~SICK~~; I SUPPOSE HE WAS TAKING CARE OF HIS ^{[[26]]} **WIFE** WHO WAS AT THA T T IME VERY SICK. AND THE NEXT WE HEAR OF JOHN D. LEE HE COMES THERE WITH KLINGENSMITH AND ORDERS MR. ~~KNIGHTS~~ TO GO DOWN THERE. FOR WHAT PURPOSE? IS THAT ANY EVIDENCE THAT HE HAD A WEAPON WITH HIM, OR WAS ORDERED TO TAKE A WEAPON WITH HIM. KNIGHT SAID I CAN'T GO~~;~~. HIS WIFE IS SICK. LEE THERE AND THEN SAID, "I MUST HAVE YOUR TEAM TO

MONDAY MORNING ON THESE EMIGRANTS. IF HE WAS THERE ON AN ERRAND OF MERCY, IF HE WAS THERE UNDER ORDERS WOULD HE NOT HAVE TOLD MR. KNIGHT OF IT? IF HIS DESIGN WAS TO PROTECT THESE EMIGRANTS? WOULD HE NOT HAVE BEEN OUT AMONG ^{[[19]]} THE CITIZENS URGING THEM TO COME THERE AND DEFEND THESE EMIGRANTS? WHAT DOES HE SAY ABOUT THAT "I RAN A VERY NARROW CHANCE I GOT A BULLET THROUGH MY HAT AND ONE THROUGH MY HICKORY SHIRT WE WERE REPULSED [*space*] HE TOLD THE THE TRUTH THEN GENTLEMEN AND I WANT TO ~~TELL~~ DISPOSSESS [*space*] YOUR MINDS OF THE IDEA THAT A MAN'S STATEMENT MAY NOT BE USED AGAINST HIM. [*space*] IT IS THE BEST EVIDENCE THAT CAN BE PRODUCED. ANYTHING SAID ABOUT ANY OTHER RESPONSIBILITY. NONE. MR. KNIGHT RIDES ALONG STOPS AT THE NORTH END OF THE MEADOWS HIS WIFE WAS SICK STATES WAS TAKING CARE OF HIS WIFE WHO WAS AT THAT TIME VERY SICK AND NEXT WE HEAR OF JOHN D. LEE HE COMES THERE WITH KLINGEN SMITH AND ORDERS MR. KNIGHT TO GO DOWN THERE; FOR WHAT PURPOSE? IS THERE ANY EVIDENCE THAT HE HAD A WEAPON WITH HIM OR WAS ORDERED TO TAKE A ~~WAGON~~ WEAPON WITH HIM? I CAN'T GO HIS WIFE IS SICK LEE SAYS THEN I MUST HAVE YOUR TEAM TO

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THEN GO". IS THERE ANY THING IN THAT THAT TEAM THAT WOULD TELL KNIGHTS IN ADVANCE WHAT HE ~~PRO~~ THE PURPOSE OF THE VISIT WAS? HE DOES GO DOWN THERE. HE GOES LIKE A SHEEP TO THE SLAUGHTER. WHY, DID HE KNOW WHAT HE WAS GOING FOR? HE TELLS YOU THAT HE ~~D~~HAD NO SUSPICIONS AT THAT TIME THAT THESE EMIGRANTS WOULD BE AMASSACRED OR THAT ANYTHING WOULD BE DONE WITH **THEM**. ~~TH~~ HE HAD BEEN UP THERE ON SOME BUSINESS, AND HAD COME BACK TO TAKE CARE OF HIS WIFE. HE HAD BUT LITTLE KNOWLEDGE OF WHAT WAS GOING ON. HE WAS AWAY HERE AT THE NORTH END OF THE MEADOWS. HE GOES DOWN THERE AS DIRECTED BY JOHN D. LEE, TO DRIVE HIS WAGON ~~AROUND~~ ALONG — AROUND TO THE EMIGRANTS CAMP. NOW, GENTLEMEN, IF THEY STICK TO THIS ARGUEMENT, I WILL ADMIT TO YOU **THAT** ~~THAT~~ UP TO THAT TIME JOHN D. LEE HAD NOT ONLY BEEN FORCED TO GO UPON THE GROUND, HAD BEEN FORCED TO MAKE THE ATTACK UPON THE EMIGRANTS, BEEN FORCED TO LEAVE HIS STOCK WITH THEM ~~THEM~~ AND THAT TOO BY THE INDIANS, THAT **HE WAS** ~~THEY WERE~~ PERFECTLY HELPLESS, AND STILL THERE IS ENOUGH IN THE CASE TO CONDEMN HIM. WHAT DOES HE DO? IS IT A MATTER ~~POF~~ PROTECTION TO SEND THAT FLAG OF TRUCE. WHAT DO THE INDIANS KNOW ABOUT A FLAG OF TRUCE. WERE THEY ACKNOWLEDGED WITH A COMMON

GO. IS THERE ANYTHING IN THAT TEAM THAT WOULD TELL KNIGHT IN ADVANCE WHAT THE PURPOSE OF THE VISIT WAS? HE DOES GO DOWN THERE; HE GOES LIKE A SHEEP TO THE SLAUGHTER WHY DID HE KNOW WHAT HE WAS GOING FOR. HE TELLS YOU THAT HE HAD NO SUSPICION AT THAT TIME THAT THESE EMIGRANTS WERE TO BE MASSACRED OR THAT ANYTHING WAS TO BE DONE WITH THEM. HE HAD BEEN UP THERE —[?] BUSINESS OF TAKING CARE OF HIS WIFE. HE HAD BUT LITTLE KNOWLEDGE OF WHAT WAS GOING ON HE WAS WAY HERE AT THE NORTH END OF THE MEADOWS [*space*] ^{[[20]]} HE GOES DOWN THERE AS DIRECTED BY JOHN D. LEE TO DRIVE HIS WAGON AROUND TO THE EMIGRANTS CAMP. NOW GENTLEMEN IF THEY ~~SM~~ TO THIS ARGUMENT I WILL ADMIT TO YOU THAT UP TO THAT TIME JOHN D. LEE HAD NOT ONLY BEEN FORCED TO GO TO THE GROUND, HAD BEEN FORCED TO MAKE THE ATTACK UPON THE EMIGRANTS BEEN FORCED TO LEAVE HIS —[?] *WITH THEM*[?] FROM —/*CEDAR*[?] [*space*] AND THAT TOO BY THE INDIANS, THAT HE WAS PERFECTLY HELPLESS AND STILL THERE IS ENOUGH IN THE CASE TO CONDEMN HIM. WHAT DOES HE DO? IS IT A MATTER OF PROTECTION TO SEND THAT FLAG OF TRUCE. WHAT THE INDIANS KNOW ABOUT FLAG OF TRUCE? WERE THEY ACKNOWLEDGED WITH A COMMON

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<p>NAME THERE THAT THEY C SHOULDHAVE A AND IN DEPTREDATION OF THAT FLAG OF TRUCE COMES FROM THE TESTIMONY OF NEPHI JOHNSON, HE TELLS YOU THAT LEE WANTED HIM TO TALK TO THE INDIANS AND PROMISE THEM GUNS AND HORSES IF THEY EGOT THESE EMIGRANTS AFTER THEY WAS MASSACRED; THAT NEPHI JOHNSON LAYS TO THAT FLAG A [[27]] CONSPIRACY AND DECEPTION AND IT HAD ITS ORIGIN IN THE MIND OF JOHN D. LEE. HE SAYS HE REFUSED TO DO IT, BUT MY FRIENDS STAND UP HERE WAND WITH A GREAT VOLUMN OF VOICE AND A LITTLE SENSATION. AND LITTLE SENSE IN THAT THE IDEA HE & TOLD YOU THAT NEPHI JOHNSON, SHOULDHAVE THROWN HIMSELF BEFORE JOHN D. LEE TO PREVENT THAT MASSACRE. A BOY 18 YEARS OF AGE, BROUGHT THERE BY THE DIRECTION OF JOHN D. LEE FALSE PREJUDICE. THE IDEA THAT HE AT THAT TIME SHOULD HAVE RAISED HIS HAND AGAINST JOHN D. LEE IS PREPOSTEROUS. THERE WOULD HAVE BEEN NO NEPHI JOHNSON TO DAY HAD HE DONE IT. NOW, GENTLEMEN, I CALL YOUR ATTENTION RIGHT DOWN TO WHAT I CONSIDER A THE MOST DESPICABLE AND MONSTROUS PEACE OF DAMNABLE INJENUITY THAT WAS EVER RESORTED TO BY ANY MAN , RED WHITE OR BALACK WITH HORNES OFR WITHOUT HORNES, WHOSE HISTORY IS RECORDED EITHER IN SACRED OR</p>	<p>ENEMY THERE THAT THEY SHOULD HAVE <i>A/AND[?][space]</i> THE INTERPRETATION OF THAT FLAG OF TRUCE COMES FROM THE TESTIMONY OF NEPHI JOHNSON TELLS YOU THAT LEE WANTED HIM TO TALK TO THE INDIANS THEN AND THERE AND PROMISE THEM GUNS AND HORSES IF THEY GOT THESE EMIGRANTS IF THEY WOULD MASSACRE THEM NEPHI JOHNSON LAYS TO THAT FLAG HOW CONSPIRACY AND DECEPTION HAD ITS ORIGIN IN THE MIND OF JOHN D. LEE HE SAYS HE REFUSED TO DO IT. BUT MY FRIENDS STAND UP HERE AND WITH A GREAT VOLUME OF VOICE AND <i>LITTLE[?] SENSE[?]</i> IN THE IDEA TELL YOU THAT NEPHI JOHNSON SHOULD HAVE THROWN HIMSELF BEFORE JOHN D LEE TO PREVENT THAT MASSACRE A BOY 18 YEARS OF AGE BROUGHT THERE BY DIRECTION OF JOHN D. LEE <i>[space]</i> FALSE PREJUDICE <i>[space]</i> [[21]] THE IDEA THAT HE AT THAT TIME SHOULD HAVE RAISED HIS HAND AGAINST JOHN D. LEE IS PREPOSTEROUS THERE WOULD HAVE BEEN NO NEPHI JOHNSON TODAY HAD HE DONE IT. NOW GENTLEMEN I CALL YOUR ATTENTION RIGHT DOWN TO WHAT I CONSIDER THE MOST DESPICABLE AND MONSTROUS PIECE OF DAMNABLE INGENUITY THAT WAS EVER RESORTED TO BY ANY MAN RED WHITE OR BLACK WITH HORNS OR WITHOUT HORNS WHOSE HISTORY IS RECORDED EITHER IN SACRED OR</p>
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PROFANE WRITINGS ; THAT THESE
EMIGRANTS THERE WHO HAD BEEN
HELD UNDER THE
LEADERSH~~IP~~ OF THIS MAN, WHE~~O~~
WAS THEN ~~F~~
WALKING AROUND THESE HILLS
SEEKING THE INTERPRETER TO
ASSIST IN KEEPING FRIENDS WITH
THESE SAVAGES BY PROMISING
THEM BOOTY TO ~~BE~~ ~~GE~~ GAINED BY
THIS MASSACRE; THAT HE SHOULD
THEN TAKE THE FLAG OF TRUCE
AND ORDER THE MEN TO WALK
DOWN WITH HIM TO THE
EMIGRANTS ENCAMPMENT

..... TELL
ME THAT THAT WAS DONE BY
ORDERS. GENTLEMEN STAND UPON
THE DIGNITY OF YOUR MANHOOD
AND SAY TO THAT MAN IF THE
ORDERS ~~F~~ CAME FROM ANYBODY
~~EVEN~~ ~~THAN~~ FROM THE ALMIGHTY
HIMSELF YOU WOULD NOT JUSTIFY
A MAN IN DOING IT; BUT MEN
LED OUT BY MEANS OF THE FLAG
OF TRUCE ~~BY THE EMIGRANTS~~
FROM THE EMBRACE OF HIS
CHILDREN AND WIFE, AND THE
AGED THAT ARE THERE UNDER HIS
CARE TO BE SLAUGHTERED IN
COLD BLOOD AND THEN TURNED
AND TELLS YOU HE DID IT BY
ORDERS. GENTLEMEN, THIS SCENE
IS TOO OLD TO ~~WD~~WELL
UPON. IF I COULD PHOTOGRAPH
UPON YOUR MINDS FOR A MOMENT
THE SCENE THAT TOOK PLACE
THEN AND THERE YOU WOULD
NOT LEND A WILLING EAR LONG TO
THE ^{[[28]]} ASSERTIONS OR THE
INSINUATIONS ~~THAT HAVE BEEN~~
~~GIVEN EXPRESSION TO YOU IN~~
~~BEHALF OF THIS VILLAIN~~, THAT
THERSE ~~WERE~~ ~~ARE~~ ACTS OF

PROFANE WRITINGS THAT THESE
EMIGRANTS THERE WHO HAD BEEN
ASSAULTED UNDER THE
LEADERSHIP OF THIS MAN WHO
~~WERE THEM~~ [space] WAS THEN
WALKING AROUND THESE HILLS
ASKING INTERPRETER TO
INCITE AND KEEP[?] THE FORCES OF
THESE SAVAGES BY PROMISING
THEM BOOTY TO BE GAINED BY
THIS MASSACRE THAT HE SHOULD
THEN TAKE THE FLAG OF TRUCE
ORDER THE MEN TO WALK
DOWN WITH HIM TO THE *FLAG*[?]
ENCAMPMENT— [space]

TELL
ME THAT THAT WAS DONE BY
ORDERS GENTLEMEN RISE UP *ON*[?]
YOUR [space] MANHOOD
AND SAY TO THAT MAN IF THE
ORDERS CAME FROM ANYBODY
EVEN FROM THE ALMIGHTY
HIMSELF YOU WOULD NOT JUSTIFY
A MAN IN DOING IT [space] BUT MEN
LED OUT BY MEANS OF FLAG
OF TRUCE
FROM THE EMBRACE OF HIS
CHILDREN AND HIS WIFE AND THE
AGED THAT ARE THERE UNDER HIS
CARE TO BE SLAUGHTERED IN
COULD BLOOD AND THEN TURNED
AND TELL YOU HE DID IT BY
ORDERS GENTLEMEN THIS SCENE
IS TOO *HORRID OLD*[?] TO DWELL
UPON. IF I COULD PHOTOGRAPH
UPON YOUR MIND FOR A MOMENT
THE SCENE THAT TOOK PLACE
THEN AND THERE ^{[[22]]} YOU WOULD
NOT LEND A WILLING EAR LONG TO
THE ASSERTIONS OR THE
EXCUSES,

THAT
THESE WERE ACTS OF

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PS

MERCY. IF I COULD REPRODUCE IN YOUR HEARING THE WAILS AND CRIES THAT WENT UP FROM THAT BAND OF EMIGRANTS OLD AND YOUNG, MEN AND WOMEN AND LET IT RE-ECHO IN YOUR EARS BUT ONE MOMENT ~~AND~~ YOU WOULD HAVE THEN BUT THE FAINT GLEAMS OF THE HORRORS OF THAT SCENE. YOU ARE FATHERS YOURSELVES, MOST OF YOU. IMAGINE YOURSELVES DRAWN OUT FROM THE PROTECTION OF YOUR LITTLE ONES, WHO HAD BEEN FOR DAYS KLINGEING TO YOU, PRAYING TO YOU, KNEELING TO YOU WHILE THEIR DEFENSES HAVE BEEN APPROACHED WITH THREATS, ASKING YOU ~~W~~FOR THAT PROTECTION WHA~~T~~ICH A FATHER WOULD WILLINGLY GRANT TO HIS CHILD AND THEN LET A MAN APPROACH YOU WITH OFFERS OF MERCY; LET HIM COME TO YOU WITH A FLAG OF TRUCE AND SAY TO YOU, DISARM YOURSELF, PUT AWAY YOUR WEAPONS, AND LET US CARRY THAT OUT BEYOND YOUR REACH. WE WILL TAKE CARE OF YOU AND YOUR LITTLE ONES, AND THEN SAY TO HIM, WE MUST SEPARATE YOU FROM YOUR CHILDREN AND PLACE THEM IN A WAGON WITH THE WOUNDED AND AGED, AND THE DIASABLED; MARCH YOU BEHIND THE TRAIN THAT HE ~~H~~A IS CONDUCTING AND YOU WILL FIND THEN SOMTHING OF A REALIZATION O~~F~~R A ~~F~~PICTURE AT LEAST OF THIS MOST DAMNABLE PIECE OF INFAMY. [space] IS THAT ALL? [space] IS THE DECEPTION OF~~T~~HE M~~N~~EN THAT WERE DRAWN THERE FROM THE

MERCY. IF I COULD REPRODUCE IN YOUR HEARING THE WAILS AND CRIES THE THAT WENT UP FROM THAT BAND OF EMIGRANTS, OLD AND YOUNG, MEN AND WOMEN AND LET IT RE-ECHO IN YOUR EARS FOR BUT ONE MOMENT, AND WOULD HAVE THEN BUT THE FAINT GLEAMS OF THE HORRORS OF THAT SCENE. YOU ARE FATHERS YOURSELVES MOST OF YOU. IMAGINE YOURSELVES DRAWN OUT FOR THE PROTECTION OF YOUR LITTLE ONES, WHO HAVE BEEN FOR DAYS CLINGING TO YOU, PRAYING TO YOU, KNEELING TO YOU WHILE THEIR *DGS*[?] HAVE BEEN APPROACHED WITH THREATS, ASKING YOU FOR THAT PROTECTION WHICH A FATHER WOULD WILLINGLY GRANT TO HIS CHILD, AND THEN LET A MAN APPROACH YOU WITH OFFERS OF SAFETY, LET HIM COME TO YOU WITH A FLAG OF TRUCE AND SAY TO YOU, DISARM YOURSELVES PUT AWAY YOUR WEAPONS AND LET US CARRY THEM OUT BEYOND YOUR REACH. WE WILL TAKE CARE OF YOU AND YOUR LITTLE ONES, AND THEN SEE HIM SEPARATE YOU FROM YOUR CHILDREN, PLACE THEM IN THE WAGONS WITH THE WOUNDED AND AGED AND THE DISABLED, MARCH YOU BEHIND THE TRAIN THAT HE IS CONDUCTING, AND YOU WILL HAVE THEN SOMETHING OF A REALIZATION OR A PICTURE AT LEAST OF THIS MOST DAMNABLE *PIECE OF*[?] INFAMY. IS THAT ALL? IS THE DECEPTION OF THE MEN THAT WERE DRAWN THERE FROM THE

FOUR CORNERS OF THIS TERRITORY AND THE ADJOINING TERRITORY, ALL? MEN WHO SINCE THAT TIME HAVE BEEN SKULKING AND MANY OF THEM LEAVING THE TERRITORY BECAUSE OF THE INFAMY THAT THIS THING BROUGHT UPON THEM, MEN WHO ~~W~~ARE MEN TO DAY BUT WERE THEN BEASTS? NO, THAT IS NOT ALL. THIS WRETCH, EVEN, TAHA STANDS HERE TO-SDAY, WHO, IF HE HAD A THOUSAND LIVES, COULDN NEVER WIPE ~~I~~OUT FROM THIS TERRITOTY THE INFAMY AND DISGRACE— THIS DAMNING ~~THING~~ **DEED** THAT ~~HAD~~ **HAS** COVERED THE TERRITORY WITH SHAME. THEY COME OUT WITH THESE WAGONS, ~~W~~AND WHAT DOES HE DO THEN? DOES HE DO AN ACT OF MERCY? ^{[[29]]} HERE ARE TWO MEN, ONE EACH DRIVING A TEAM UNDER HIS COMMAND LOADED WITH THE CHILDREN, LOADED WITH THE WOUNDED UNDER HIS DIRECTION WHO PLACED HIMSELF BETWEEN THE TWO WAGONS . DOES HE DO ANYTHING TO SHOW THIS ERRAND IS AN ERRAND OF MERCY? [space] YES. [space] WHEN THE TEAMS ARE THERE MOVING IN ADVANCE AND GETTING AHEAD OF THEHOSE ON FOOT AND PASSING THE INDIANS THAT WERE IN THE BUSHES AND HIS DOOPS THAT WERE BROUGHT THERE BY HIS PRETENCES, HE IS TOLD BY SOME OFHIS VICTIMS THAT HE IS DRIVING T O FAST. WHY DIDHE DRIVE SO FAST? BECAUSE IF HE HADN'T IT WOULD HAVE INTEREFERED WITH

FAR CORNERS OF THIS TERRITORY AND THE ADJOINING TERRITORY TOO? [space] MEN WHO SINCE THAT TIME HAVE BEEN SKULKING AND MANY OF THEM LEAVING THE TERRITORY BECAUSE OF THE INFAMY THAT THIS THING BROUGHT UPON THEM. MEN WHO ARE ^{[[23]]} MEN TODAY, BUT WERE THEN BEASTS. NO THAT IS NOT ALL. THIS WRETCH EVEN THAT STANDS HERE TODAY WHO IF HE HAD A THOUSAND LIVES COULD NEVER WIPE OUT FROM THIS TERRITORY THE INFAMY AND DISGRACE THIS DAMNING DEED HAS COVERED IT WITH —/PRSS[?].

≤THEY COME OUT>⁷⁸⁴ WITH THESE WAGONS AND WHAT DOES HE DO THEN; DOES HE DO AN ACT OF MERCY? HERE ARE TWO MEN, ONE EACH DRIVING A TEAM, UNDER HIS COMMAND, LOADED WITH THE CHILDREN, LOADED WITH THE WOUNDED UNDER HIS DIRECTION, WHO PLACED HIMSELF BETWEEN THE TWO WAGONS. DOES HE DO ANYTHING TO SHOW THAT HIS ERRAND IS AN ERRAND OF MERCY YES AND WHEN THE TEAMS ARE THERE AND MAY/M[?] HAVE LEFT[?]

THE INDIANS THAT WERE IN THE BUSHES AND HIS DUPES THAT WERE BROUGHT THERE BY HIS PRETENSES HE SAYS “YOU ARE DRIVING TOO FAST WHY OBJECT TO THE MEN DRIVING FAST, BECAUSE IT WOULD INTERFERE WITH

784. In the left margin.

BT

PS

AND DISARRANGED HIS
DIABOLICAL PLAN. “ YOU ARE
DRIVING TOO FAST.” A MAN AT
THAT MOMENT HOLLOWS ALL TO
“HALT.” HE DRIVES ALONG
SLOWLY; ALL AT ONCE THEIR EARS
ARE GREETED BY THE WORD
“HALT”. HE TURNS AROUND. THAT
COMES FROM JOHN D. LEE
AND WITH HIS GUN AT HIS
SHOULDER FIRES, AND HIS VICTIM
FALLS. IS THAT AN ERRAND OF
MERCY? WAS HE FORCED INTO
THAT BY THE SAVAGES. ~~IS THAT
AN ORDER THAT SHOULD COME
COULD COME IS THERE ANY ORDER
THAT COULD COME FROM FROM
THE THE AUTHORITIES; IS THAT AN
ORDER THAT MEN CAN JUSTIFY~~
IS THERE ANY ORDER THAT COULD
COME FROM GOD’S GREEN EARTH
, THAT A MAN CAN JUSTIFY NOT
FOR THAT ACT. I AM NOT
SURPRISED THAT THE CHRISTIAN
WORLD FROM ONE END OF THE
UNIVERST TO THE OTHER WHEN
THEY HEARD THE HORRIBLE
DETAILS OF THAT TERRIBLE DEED,
AND HEAR IT SOUNDED IN THE
SAME BREATH THAT THE PEOPLE
OF THIS TERRITORY JUSTIFY IT,
THAT THEY OCCUPY THE ATTITUDE
TOWARDS YOU TO DAY THAT THEY
DO. BUT I THANK MY GOD TO DAY
THAT THERE ARE TWELVE MEN
WHO SAT AND IN A POSITION TO
SAY BY THEIR ~~BE~~ VERDICT, BASED
UPON EVIDENCE IN OPEN COURT
THAT NOW THE FIRST VERDICT
THAT HAS EVER
BEEN GIVEN TO US WITHOUT
PREJUDICE, IS ABOUT TO BE GIVEN
TO US, IN REGARD TO THIS
DAMNABLE CRIME; AND IT IS NOT

AND DISARRANGE HIS
DIABOLICAL PLAN. YOU ARE
DRIVING TOO FAST, A MAN
HALLOS ALL TO
HALT DRIVES ALONG
SLOWLY AT ONCE HIS EAR
IS[?] GREETED WITH THE WORD
HALT HE TURN AROUND THAT
COMES FROM JOHN D. LEE
TO/AND[?] HAVE HIS GUN AT HIS
SHOULDER FIRES AND HIS VICTIM
FALLS. IS THAT AN ERRAND OF
MERCY WAS HE FORCED INTO
THAT BY THE SAVAGES

IS THAT ANY ORDER THAT COULD
COME FROM GOD’S GREEN EARTH
THAT A MAN CAN JUSTIFY NOT
FOR THAT ACT I AM NOT
SURPRISED THAT THE CHRISTIAN
WORLD FROM ONE END OF THE
UNIVERSE TO THE OTHER WHEN
THEY HEARD THE REVOLTING
DETAILS OF THAT TERRIBLE DEED
AND HEAR IT SOUNDED IN THE
SAME BREATH THAT THE PEOPLE
OF THIS TERRITORY JUSTIFY ^{[[24]]} IT
THAT THEY OCCUPY THE ATTITUDE
TOWARDS YOU TODAY THAT THEY
DO BUT I THANK GOD TODAY
THAT THERE ARE 12 MEN
WHO STAND IN A POSITION TO
SAY BY THEIR VERDICT BASED
UPON EVIDENCE IN OPEN COURT
THAT NOW THE FIRST
PR/PROSECUTION[?] THAT HAS EVER
BEEN GIVEN *TO US[?]* WITHOUT
PSS/RS/RSS[?]
TO THIS
DAMNABLE CRIME. IT DOES NOT

BT

PS

<p>TO STOP THERE. TAKE THE TESTIMONY OF KNIGHTS OF MC €MURDY AND NEPHI JOHNSON, AND LET THAT TESTIMONY ANSWER THE QUESTION.. NO, AFTER HAVING SHOT ^{[[30]]} THE GUN OFF AND DROPPING HIS VICTIM, HE THEN TAKES A MAKES A CLUB OFHIS GUN AND KNOCKS THE BRAINS OFUT OF ANOTHER; THEN HE DRAWS HIS PISTOL AND KILLS TWO MORE; AND THEN CEISING ANOTHER BY THE CHOLAR HE DRAWS HIM OUT OF THE WAGON BY THE ASSISTANCE OF A SAVAGE INDIAN AND CUTS HIS THROAT. EVERY ONE OF THESE MEN COULD HAVE BEEN SAVED BY HIM. I SAY THE TRUTH IN THIS CASE WOULD JUSTIFY ME IN STOPPINT THERE;-BUT IT SEEMS AS IF THE INCARNATE FIEND HIMSELF AND HAD BEEN LET LOOSE AND FOUND LODGMET IN THE BREAST OF THAT MEN. THE EMIGRANTS ARE MASSACRED BY THE SAVAGES AND BY OTHERS THAT WERE WORKING HWITH THEM, AND TWO YOUNG GIRLES HAPPEN TO EASCAPE AND GOT TO THE BUSHES ON THE HILLSIDE. THERE THEY FELL INTO THE HANDS OF THE SAVAGE MEN; THE AN INDIANS WHILE WITHOUT THE INFLUENCE OF CIVILIZATION AND CHRISTIANITY, HE BRINGS THEM TO JOHN D. LEE AND HIS NATURAL INSTINCTS SEEM TO HAVE GOT THEBEST OFHIM. HE THE INDIAN SAYS “WHAT SHALL WE DO WITH THESE, THEY ARE TOO PRETTY TO KILL?” THIS MEAON COMING UNDER ORDERS; THIS MAN HERE IS ON AN ERRAND</p>	<p>STOP THERE. TAKE THE TESTIMONY OF KNIGHT AND MCMURDY AND NEPHI JOHNSON, AND LET THAT TESTIMONY ANSWER THE QUESTION. NO, AFTER HAVING SHOT THE GUN OFF AND DROPPING HIS VICTIM HE THEN TAKES A CLUB OF HIS GUN AND KNOCKS THE <i>SPIRITS/BRAINS</i>[?] OUT OF ANOTHER THEN HE DRAWS HIS PISTOL AND KILLS TWO MORE, AND THEN SEIZING ANOTHER BY THE COLLAR, HE DRAWS HIM OUT OF THE WAGON BY THE ASSISTANCE OF A SAVAGE INDIAN AND CUTS HIS THROAT. EVERY ONE OF THESE MEN COULD HAVE BEEN SAVED BY HIM [<i>space</i>] I WISH THE TRUTH IN THIS CASE WOULD JUSTIFY ME IN STOPPING THERE, BUT IT SEEMS AS IF THE INCARNATE FRIEND HIMSELF HAD BEEN LET LOOSE AND HAD FOUND LODGMET IN THE BREAST OF THAT MAN. THE EMIGRANTS ARE MASSACRED BY THE SAVAGES AND BY OTHERS THAT WERE WORKING WITH ‘EM, AND BUT TWO HAVE FOUND AN ESCAPE AND GO TO THE BUSHES ON THE HILLSIDE. THERE THEY FELL INTO THE HANDS OF A SAVAGE MAN, AN INDIAN; WHILE WITHOUT THE INFLUENCE OF CIVILIZATION OR CHRISTIANITY; BRINGS ‘EM TO JOHN D. LEE, AND HIS NATURAL INSTINCTS SEEM TO HAVE GOT THE BEST OF HIM. WHAT SHALL WE DO WITH THESE, THEY ARE TOO PRETTY THIS MAN COMING <i>ON NO</i>[?] ORDERS. THIS MAN <i>COMES/ACTS</i>[?] HERE ^{[[25]]} ERRAND</p>
--	---

BT

OF MERCY WHERE HE HAD A
 CHANCE TO SHOW HIS MERCY,
 WHAT ~~H~~DOES HE DO? DIES HIS
 HANDS AND COVERS HIMSELF
 DEEPER
 IN DISGRACE AND
 OBLOQUY, ~~AND~~ SAYS TO THAT
 SAVAGE WHO SHOWS BETTER
 INSTINCTS THAN HIM, “THEY ARE
 TOO OLD TO LIVE, THEY WILL TELL
~~TALL~~TALES.” WHY SHOULD HE
 FEAR THAT THEY WOULD TELL
 TALES IF HE HAD ORDERS TO FALL
 B~~E~~ACK UPON, IF THE NECESSITY
 OFTH AT MASSACRE ~~A~~HAD BEEN
 FOR~~D~~CED UPON HIS, ~~M~~ IF
 EVERYTHING HE HAD DONE UP TO
 THAT MOMENT OF TIME WAS
 A MATTER THAT HE COULDN’T
 HELP DOING BECAUSE HE WAS
 FORCED BY THE SAVAGES, WHY
 SHOULD HE THEN, AND WHEN PLED
 TO BY THE INDIANS WHEN
 PRESENTED WITH THE QUIVERING
 VICTIMS OF HIS DAMNABLE
 WRATH, WHY REFUSE
 TO SAVE THEM — TELL ME
 WHY! COMPARE THE
 THEORY OF THE DEFEN~~D~~SE WITH
 THESE ACTS; TAKE THEIR EXCUSES
 TO YOUR HEART, VIEW THE
 MATTER
 UP TO THAT VERY MOMENT. THAT
 MOMENT HE ACTS HIMSELF FROM
 HIS OWN VOLITION; TAKES THOSE
 GIRLS

AND WHILE HER ^{[[31]]} TREMBLING
 FORM LIES THERE QUIVERING,
 THAT VILE FIEND CEI~~S~~ZES THE
 OTHER VICTIM THROWS HER UPON
 THE GROUND AND CUTS HER
 THROAT FROM EAR TO EAR. TELL
 ME IN THE NAME OF HUMANITY, I N

PS

OF MERCY *SN/IS ON*[?] —/*HRND*[?]
[space]

COVER
 DEEPER *HIMSELF/AS*[?] AND *M*[?]
 DEEPER WITH DISGRACE AND
 OBLOQUY SAYS TO THAT
 SAVAGE *[space]* WHO HAS BETTER
 INSTINCTS, “THEY ARE TOO
 OLD TO LIVE, THEY WILL TELL
 TALES *[space]*. WHY, SHOULD HE
 FEAR THAT THEY WOULD TELL
 TALES IF HE HAD ORDERS TO FALL
 BACK UPON; IF THE NECESSITY
 OF THAT MASSACRE HAD BEEN
 FORCED UPON HIM; IF
 EVERYTHING HE HAD DONE UP TO
 THAT MOMENT *[space]* OF TIME WAS
 A MATTER THAT HE COULDN’T
 HELP DOING, OF BEING
 FORCED BY THE SAVAGES; WHY
 SHOULD HE THEN WHEN PLED
 TO BY THE INDIANS WHEN
 PRESENTED WITH THE QUIVERING
 VICTIMS OF HIS DAMNABLE
 WRATH. WHY SHOULD HE REFUSE
 TO SAVE THEM *[space]* TELL ME
 WHY *[space]* COMPARE THEIR
 THEORY.
 TAKE THEIR EXCUSES
 TO YOUR HEART, VIEW
 MATTER AND *EXCUSING*[?] MATTER
 UP TO THAT VERY MOMENT, THAT
 MOMENT HE ACTS HIMSELF *LS/—*[?]
 AND *SEIZE*[?] *WHAT HER*[?] —[?]
TRODS/THROWS[?] HER BONNET
 DOWN FROM HER HEAD AND VIEWS
 THE VILE DEEDS AND WHILE HER
 FORM LIES THERE QUIVERING
[space] THAT VILE FIEND SEIZES THE
 OTHER VICTIM, THROWS HER UPON
 THE GROUND AND CUTS HER
 THROAT FROM EAR TO EAR. TELL
 ME IN THE NAME OF HUMANITY, IN

BT

PS

THE NAME OF OF CHRISTIANITY, AND IN THE HEART OF THIS TERRITORY AS THEY WERE ; HOW CAN MA ANY MAN DO SUCH A CRIME AND SHIELD HIMSELF UNDER ANY ORDERS IN ANY NECESSITY. IN THE NAME OF GOD, GENTLEMEN, IN THE NAME OF YOUR COUNTRY, AND YOUR MANHOOD, GIVE A THAT ASSERTION THE LIE, AS YOU ARE JUSTIFIED IN DOING BY THE TESTIMONY I HAVE BROUGHT BEFORE YOU. [space] NOW, WE HAVE PROVED THESE FACTS TO BE COMPETENT TESTIMONY. WE HAVE BROUGHT MEN HERE NOT ONE OF WHOM EVER APPEARED AS DEFENDANTS ON THE RECORD. WE HAVE BROUGHT MEN HERE AND SURROUNDED THEM BY EVIDENCE SHOWING HOW THAT THEY WERE FORCED AND DECEIVED INTO THAT TRANSACTION; AND WE HAVE FOUND ANOTHER ADMISSION MADE TO JAKE HAMBLIN THAT THEY WERE DECEIVED INTO IT; THAT HE HAD TO USE STRATAGEM TO GET THEM THERE. NOW, I AM NOT GOING TO TRAVERS JAKE HAMBLIN'S TESTIMONY, OR NEPHI JOHNSONS. I SIMPLY SAY TO YOU THAT JAKE HAMBLIN HAS NOTHING TO GAIN AND NOTHING TO LOOSE BY TESTIFYING ON THIS STAND. EVERYBODY CONCEDES THAT HE WAS AWAY AT THE TIME. EVERYBODY CONCEDES THAT HE HAD NOTHING TO DO WITH IT, AND HIS VERY MANNER ON THE STAND MUST SATISFY YOU THAT EVERY WORD THAT WAS DRAWN	THE NAME OF CHRISTIANITY AND IN THE HEART OF THIS TERRITORY AND THEY WERE —[?] CAN A MAN DO ^{[[26]]785} SUCH CRIMES AND SHELTER HIMSELF UNDER ANY ORDERS IN ANY NECESSITY, IN THE NAME OF GOD, GENTLEMEN, IN THE NAME OF YOUR COUNTRY AND YOUR MANHOOD, GIVE THAT ASSERTION THE LIE, AS YOU ARE JUSTIFIED IN DOING BY THE TESTIMONY I HAVE BROUGHT BEFORE YOU. NOW WE HAVE PROVED THESE FACTS BY COMPETENT TESTIMONY. WE HAVE BROUGHT MEN HERE NOT ONE OF WHOM EVER APPEARED AS DEFENDANT ON THE RECORD. WE HAVE BROUGHT MEN HERE AND SURROUNDED THEM BY EVIDENCE SHOWING YOU THAT THEY WERE FORCED AND DECEIVED INTO THAT TRANSACTION, AND WE HAVE FOUND ANOTHER ADMISSION MADE TO JAKE HAMBLIN, THAT THEY WERE DECEIVED INTO IT; THAT HE HAD TO USE STRATAGEM TO GET THEM THERE. NOW I AM NOT GOING TO TRAVERSE JAKE HAMBLIN'S TESTIMONY OR NEPHI JOHNSON'S. I SIMPLY SAY TO YOU THAT JAKE HAMBLIN, HAS NOTHING TO GAIN AND NOTHING TO LOSE BY TESTIFYING ON THIS STAND EVERYBODY CONCEDES THAT HE WAS AWAY AT THE TIME. EVERYBODY CONCEDES THAT HE HAD NOTHING TO DO WITH IT THEN, AND HIS VERY MANNER ON THE STAND MUST SATISFY YOU, THAT EVERY WORD THAT WAS DRAWN
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785. There is a profile of a man smoking on the verso of page 26. He is labeled “**MIKE**”.

BT

PS

FROM HIM, CAME AS FROM A MAN
THAT REALIZED WHAT HE WAS
SAYING WAS THE TRUTH; AND
WHOEVER HAS HEARD HIM FROM
THAT DAY TO THE PRESENT SAY IT
IS A TRUTHFUL STORY. MY GOOD
FRIEND SPICER YESTERDAY, WHEN
HE ADDRESSED YOU TOLD YOU
THAT THE WITNESS WHO
FOLLOWED HIM WAS A CLEAN
SLICK BO Y. THAT WAS NEPHI
JOHNSON: WHY, JAKE
HAMBLIN WASN'T A CLEAN SLICK
BOY, HE DIDN'T SAY . HE
✓CERTAINLY SLEPT WITH HIM
THREE MONTHS. THE INFERENCE
WILL SUGGEST ITSELF TO YOU.
NOW, IN REGARD TO NEPHI
JOHNSON, I UNDERTAKE TO SAY
THAT ^{[[32]]} A MORE TRUTHFUL AND
CANDED WITNESS , NEVER
APPEARED UPON A WITNES
STAND. I AM NOT HERE TO TELL
YOU WHY THESE MEN ARE SO
RELUCTANT IN TELLING ABOUT
THESE THINGS. ITIS IN THE FIRST
TIME IN THE HISTORY OF MY
PROFESSIONAL LIFE THAT EVER I
HEARD IT SAID , THAT WITNESSES
WERE TO BE DISBELIEVED,
BECAUSE THEY WERE SLOW.
~~USUALLY A WITNESS~~ SO THAT A
WITNESS THAT WANTS TO SWEAR
HERE AND HIS LANGUAGE IS FAST
YOU CAN CREDIT HIM. HERE
WITNESSES HAVE BEEN BROUGHT
UP BY FORCE
FROM THE FOUR CORNERSOF THIS
TERRITORY, PLACED UPON THE
STAND WITHOUT ANY OTHER
INFLUENCE BOROUGH TO BEAR
UPON THEM THAN THAT

FROM HIM CAME *WITH/THAT*[?] —[?]
WHICH A MAN [*space*]

HAS HEARD HIM FROM
THAT TIME TO THE PRESENT IT
IS A TRUTHFUL STORY MY GOOD
FRIEND SPICER YESTERDAY WHEN
HE ADDRESSED YOU TOLD YOU
THAT THE WITNESS WHO
FOLLOWED HIM WAS A CLEAN
SLICK BOY, THAT WAS NEPHI
JOHNSON. WHY JAKE ^{[[27]]}786
HAMBLIN WASN'T CLEAN SLICK
BOY HE DIDN'T SAY [*space*] HE
CERTAINLY SLEPT WITH HIM
3 MONTHS, THE INFERENCE
WILL SUGGEST ITSELF TO YOU.
NOW IN REGARD TO NEPHI
JOHNSON, I UNDERTAKE TO SAY
THAT A MORE TRUTHFUL AND
MORE CANDID WITNESS NEVER
APPEARED UPON A WITNESS
STAND. I AM NOT HERE TO TELL
YOU WHY THESE MEN ARE SO
RELUCTANT IN TELLING
THESE THINGS. IT IS THE FIRST
TIME IN THE HISTORY OF MY
PROFESSIONAL LIFE, THAT EVER I
HEARD IT SAID, THAT WITNESSES
WERE TO BE DISBELIEVED
BECAUSE THEY WERE SLOW [*space*]
SO A
WITNESS WHO WANTS TO SWEAR
HERE AND LANGUAGE IS FAST,
YOU CAN CREDIT HIM. HERE
WITNESSES HAVE BEEN BROUGHT
UP BY FORCE AND SUBPOENAED
FROM THE FOUR CORNERS OF THIS
TERRITORY PLACED UPON THE
STAND WITHOUT ANY OTHER
INFLUENCE BROUGHT TO BEAR
UPON THEM, THAN THAT

786. The verso of page 27 contains only a profile of an unidentified man.

BT

PS

<p>INFLUENCE WHICH FORCES THEM TO TELL YOU THE TRUTH IN REGARD TO THAT [space]. WHEN YOU TAKE THE WHOLE STOREY , THE STOREY OF EVERY ONE, IT MAKES A CASE THAT FORCES EVERY MAN TO SAY , A DIABLOICAL DEED WAS COMMITTED, A GREAT CRIME, AND INFAMOUS CRIME WAS COMMITTED; BUT THE IDEA OF ORDERS, I DON'T BELIEVE TO DAY THAT ANY ONE IOTA OF PROOF — NOT A QUESTION WAS ASKED AND AN ANSWER GIVEN BY WHICH YOU CAN INFER THAT HE DID IT UNDER ANY MOTIVE MOTIVE THAN THAT OF AVERICE, THAN THAT OF GAIN. WHY, IF THESE MEN WERE SUPP AS SUPPOSED, WHY SHOULD THEY RIDE OF FROM THAT FIELD AS SOON AS THEY COULD GET OFF. WHY NOT HAVE THE PLUNDER DEIVIDED? WHERE IS THERE A WORD OF EVIDENCE OR INSINUATION TO OFOUND THAT, UPON EITHER FROM JAKE HAMBLIN, JOHNSON, OR THAT OF MC MURDY OR NKNIGHT'S HAD ONE SINGLE DOLAR OF THIS PROPERTY:-? WHERE IS THERE EVIDENCE THAT JOHN D. LEE EVER MADE ANY REPORT OF THE DISPOSITION OF THE PROPERTY, EITHER TO THE CEDAR CAUTHORITIES OR ANY ONE ELSE. THE ONLY EVIDENCE YOU HAVE AFTER HE ORDERED NEPHI JOHNSON TO WATCH IT IS HTAHAT IT WAS SUBSEQUENTLY TAKEN AWAY TO THE DEFENDANT. WE FIND OUT THAT IT WAS TRACED</p>	<p>INFLUENCE WHICH FORCES THEM TO TELL <i>YOU/WHAT</i>[?] [space] IN REGARD TO THAT. WHEN YOU TAKE THE WHOLE STORY THE STORY OF EVERY ONE, IT MAKES A CASE THAT FORCES <i>THAT</i>[?] MAN TO SAY A DIABOLICAL DEED WAS COMMITTED, A GREAT CRIME, AND INFAMOUS CRIME WAS COMMITTED [space] THE IDEA OF ORDERS I DON'T BELIEVE TODAY BUT NOT ONE IOTA OF PROOF = NOT A QUESTION ASKED, NOR AN ANSWER GIVEN BY WHICH YOU CAN INFER THAT HE DID IT UNDER ANY MOTIVE THAN THAT OF AVARICE, THAN THAT OF GAIN. WHY IF THESE MEN WERE ^{[[28]]787} AS SUPPOSED, WHY SHOULD THEY RIDE OFF FROM THAT FIELD AS SOON AS THEY COULD GET OFF. WHY NOT HAVE THE PLUNDER DIVIDED. WHERE IS THERE A WORD OF EVIDENCE OR INSINUATION FOUND THAT EITHER JAKE HAMBLIN JOHNSON MCMURDY OR KNIGHT HAD ONE SINGLE DOLLAR WORTH OF THIS PROPERTY WHERE IS THERE EVIDENCE THAT JOHN D. LEE EVER MADE ANY REPORT OF THE DISPOSITION OF THAT PROPERTY, EITHER TO THE CEDAR AUTHORITIES OR ANYWHERE ELSE. THE ONLY EVIDENCE YOU HAVE IS THAT HE ORDERED NEPHI JOHNSON TO WATCH IT. THAT IT WAS SUBSEQUENTLY TAKEN AWAY TO DEFENDANT, WE FIND OF IT THAT WAS TRACED</p>
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787. The verso of page 28 contains only a man's drawn profile labeled "WILKINS".

BT

PS

INTO JOHN D. LEE'S POSSESSION.
MEN DO NOT GO INTO SUCH A
SCENTE AS THAT
UNLESS THEY ARE ACTUATED BY A
THE COMMON MOTIVE THAT
ACTUATES THEIR LEADER; MEN DO
NOT GO AND COVER THEMSELVES
ALL OVER WITH SIN AND SINK
THEIR ^{[[33]]} SOULS INTO PERDITION
AND THEN QUIETLY WALK AWAY
AEND LEAVE TO THEIR LEADER HE
PLUNDER AND ALL THE GAIN. I W
TELL YOU ,GENTLEMEN, IF YOU
WILL WEIGH ALL THE TESTIMONY
IN THIS CASE, AND IF YOU CAN GO
DOWN SO FAR INTO THE INFERNAL
REGIONS AS TO WEIGH AND
MEASURE THE MOTIVES OF A MAN
THAT YOUOLD DO SUCH A
DAMNABLE OFFENSE, THAT YOU
WILL FIND IT A SORDID SELFISH
MOTIVE OF GAIN AND NOTHING
ELSE . NOW, GENTLEMEN, I HAVE
OCCUPIED YOUR ATENTION TOO
LONG;. I PRESENT THIS CASE TO
YOU IN OPEN ASSERTION UPON
THE FACTS AS PROVEN TO YOU AND
AS I SPOKE TO YOU IN THE
OPENING; THERE NEVER WAS AND I
PREDICT NOW, THERE NEVER WILL
BE AGAIN, ~~AND PARTICULARLY FOR~~
~~THE~~ OPPORTUNITY FOR TWELVE
MEN WHO LOVED THEIR COUNTRY,
WHO LOVE THEIR GOOD NAME AND
THEIR NEIGHBORS; WHO ~~THE~~ LOVE
THE RELIGION THAT THEY PROFES;
WHO LOVE THEIR RULERS AND TO
EXPULCATE EXCULPATE THE
RULERS FROM THE ASPERSIONS
THAT THE CRIMESOF ONE MAN
HAVE GBROUGHT UPON THEM, TO
VINDICATE AT ONCE THEIR PEOPLE,
THEIR RELIGION,
AND TO WIPE OUT

INTO JOHN D. LEE'S POSSESSION.
MEN DO NOT GO INTO SUCH A
SCENE AS THAT AS *PLSS/PLST*[?]
UNLESS THEY ARE ACTUATED BY
THE COMMON MOTIVE THAT
ACTUATES THEIR LEADER. MEN DO
NOT GO AND COVER THEMSELVES
ALL OVER WITH SIN AND SINK
THEIR SOULS INTO PERDITION,
AND THEN QUIETLY WALK AWAY
AND LEAVE TO THEIR LEADER THE
PLUNDER AND ALL THE GAIN. I
TELL YOU GENTLEMEN IF YOU
WILL WEIGH THE TESTIMONY
IN THIS CASE AND IF YOU CAN GO
DOWN SO FAR INTO THE INFERNAL
REGIONS AS TO WEIGH AND
MEASURE THE MOTIVES OF A MAN
THAT WOULD COMMIT SUCH A
DAMNABLE OFFENSE THAT YOU
WILL FIND IT A SORDID SELFISH
MOTIVE OF GAIN AND NOTHING
ELSE. NOW GENTLEMEN I HAVE
OCCUPIED YOUR ATTENTION TOO
LONG [*space*] I PRESENT THIS CASE
TO YOU, IN OPEN ASSERTION UPON
THE ^{[[29]]} FACTS AS PROVEN AND
AS I SAID TO YOU IN THE
OPENING, THERE NEVER WAS AND I
PREDICT NOW THERE NEVER WILL
BE AGAIN,
AN OPPORTUNITY FOR 12
MEN WHO LOVE THEIR COUNTRY =
WHO LOVE THEIR GOOD NAME AND
THEIR NEIGHBORS = WHO LOVE
THE RELIGION THAT THEY PROFESS
= WHO LOVE THEIR RULERS TO
ACQUIT THOSE
RULERS FROM THE ASPERSIONS
THAT THE CRIMES OF ONE MAN
HAVE BROUGHT UPON THEM,
VINDICATE AT ONCE, THEIR PEOPLE
= THEIR RELIGION AND
THEMSELVES AND TO WIPE OUT

BT

PS

<p>THE ONLY STIGMA THAT HAS SO LONG RESTED UPON THEM, AND WHICH TO DAY THAT MANWOULD LET YOU BY ORDERS AND LET HIM GO SCOT FREE. COURT ADJOURNED TILL TO MORROW MORNING AT 11 O'CØLOCK. THE FOLLOWING MORNING JUDGE BOREMAN DELIVERED HIS CHGE TO THE JURY</p>	<p>THE FOUL STIGMA THAT HAS SO LONG RESTED UPON THEM AND WHICH TODAY <i>THAT MAN/THOUGH</i> <i>MEN</i>[?] WOULD —[?] YOU AS <i>WE/WITH</i>[?] <i>GN/KM</i>[?] AND WALK OFF OURSELVES SCOTT FREE. [<i>space</i>] COURT ADJOURNED TILL TO MORROW MORNING AT 10 O'CLOCK</p>
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John D. Lee, Second Trial

Judge Jacob S. Boreman
Charge to the Jury

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[[Bk 6 29 cont.]]788

WEDNESDAY [space]

BOREMAN J. TO THE
JURY [space]
JURY CALLED [space] *SPEECHES*[?]
TO THE JURY AND TO THE BAR
ALSO WAS *NTRPRN/NPRN*[?]
SO/SHOW/SH[?] *IT/AT*[?] CONVICTION
SO/SHOW[?] TOO MADE
EXAMINATION THIS MATTER UNTIL
LATE INTO THE NIGHT LAST NIGHT
AND *MUST/MYSELF*[?] AFTER THIS I
HAVE *GENERALLY*[?] IT AFTER
HAVING ←[?]= IT ALL READ [space]
OVER[?]. I THINK THIS COVERS ALL
THE GROUND IF THERE BE ANY
CHANGES HERE ~ [space]
GENTLEMEN OF THE JURY
IN ORDER TO AID YOU IN ARRIVING
AT A CORRECT CONCLUSION IN
YOUR VERDICT THE DUTY
DEVELOPED UPON ME TO
GIVE YOU ANY *CHARGE*[?] AND LAW
APPLICABLE ^{[[30]]} TO THE CASE AND
SUGGESTION AS THE
NECESSITY OF THE CASE
SEEM TO REQUIRE
YOU ARE TO BE THE SOLE
JUDGES OF THE FACTS AND OF THE
CREDIBILITY OF THE WITNESSES
AND WHATEVER I MAY SAY TO YOU
RESPECTING FACTS

[*Jacob S. Boreman, Charge to Jury,*
September 20, 1876, CCF 31.]

IN THE DISTRICT COURT FOR THE
SECOND JUDICIAL DISTRICT OF
UTAH TERRITORY:
SEPTEMBER TERM, 1876;
THE PEOPLE &^c
VS.}
JOHN D. LEE, IMPEADED WITH &^c
DEFENDANTS}
CHARGE OF THE COURT TO THE
JURY:

GENTLEMEN OF THE JURY:
IN ORDER TO AID YOU IN ARRIVING
AT A CORRECT CONCLUSION IN
YOUR VERDICT, THE DUTY
DEVOLVES UPON THE COURT TO
GIVE YOU IN CHARGE THE LAW
APPLICABLE TO THE CASE, AND TO
MAKE SUCH SUGGESTIONS AS THE
NECESSITIES OF THE CASE MAY
SEEM TO REQUIRE.
YOU ARE, HOWEVER, THE SOLE
JUDGES OF THE FACTS AND OF THE
CREDIBILITY OF THE WITNESSES;
AND WHATEVER I MAY SAY TO YOU
RESPECTING THE FACTS,

788. A drawing of a gate appears on the verso of page 29.

PS**CCF**

<p>ALTHOUGH IT MAY ASSIST YOU IN THE CIRCUMSTANCES OF THE CASE IS NOT BINDING UPON YOU AS YOU ARE THE SOLE JUDGES OF THE FACTS SO ON THE OTHER HAND THE COURT IS THE SOLE JUDGE OF THE LAW AND THE JURY CAN'T PASS THEIR JUDGMENT UPON ANY CASE OF LAW THEREFORE WHATEVER IS DECLARED BY THE COURT TO BE THE LAW IS CONCLUSIVE AND BINDING UPON THE JURY [<i>space</i>] THE PRISONER AT THE BAR JOHN D. LEE STANDS BEFORE YOU CHARGED WITH BEING A PARTICIPANT AND LEADER IN <i>THE/A</i>[?] MOST ATROCIOUS AND UNPROVOKED MASSACRE OF MAN BECAUSE AT MOUNTAIN MEADOWS IN THE SOUTHWEST PART OF THIS DISTRICT IN 1857 THE EVIDENCE SHOWS THAT THE PERSONS KILLED WERE EMIGRANTS WHO HAD PASSED AND BEFORE <i>BEGINNING</i>[?] THAT <i>THAT BEFORE/BY</i>[?] PASSING <i>OUT</i>[?] THROUGH THE TERRITORY</p> <p>ON THEIR WAY TO SOUTHERN CALIFORNIA BEGINNING THEIR JOURNEY OVER THE WIDE DESSERT THEY WERE RECRUITING THEIR STOCK UPON THE RICH AND <i>RNGDR</i>—[?] FOR SEVERAL DAYS</p> <p>MAKING ATTACKS UPON THEM AND HAVING <i>FAILED</i>[?] AFTER <i>R/</i>—[?] <i>AT THEIR/</i>—[?] —[?]</p>	<p>ALTHOUGH IT MAY ASSIST YOU IN THE CONSIDERATION OF THE CASE, IS NOT BINDING UPON YOU. AS YOU ARE THE SOLE JUDGES OF THE FACTS, SO ON THE OTHER HAND, THE COURT IS THE SOLE JUDGE ^[12] OF THE LAW, AND THE JURY CANNOT PASS THEIR JUDGMENT UPON ANY QUESTIONS OF LAW. THEREFORE, WHATEVER IS DECLARED BY THE COURT TO BE THE LAW IS CONCLUSIVE AND BINDING UPON YOU. THE PRISONER AT THE BAR, JOHN D. LEE, STANDS BEFORE YOU CHARGED WITH BEING A PARTICIPANT AND LEADER IN A MOST ATROCIOUS AND UNPROVOKED MASSACRE OF HUMAN BEINGS, MEN, WOMEN AND CHILDREN, AT MOUNTAIN MEADOWS IN THE SOUTH-WEST PART OF THIS DISTRICT, IN THE MONTH OF SEPTEMBER, 1857. THE EVIDENCE SHOWS THAT THE PERSONS KILLED WERE EMIGRANTS, WHO HAD PASSED WITH A NUMBER OF WAGONS AND MANY CATTLE, THROUGH THE SETTLEMENTS OF THIS TERRITORY, AND WERE ABOUT PASSING OUT OF THE TERRITORY UPON THE DESERTS TO THE WEST, ON THEIR WAY TO SOUTHERN CALIFORNIA. BEFORE BEGINNING THEIR JOURNEY OVER THE WIDE DESERTS, THEY WERE RECRUITING THEIR STOCK UPON THE <THEN> RANK AND RICH GRASSES OF THE MOUNTAIN MEADOWS. FOR SEVERAL DAYS A COMBINATION OF INDIANS AND WHITE MEN HAD BEEN MAKING ATTACKS UPON THEM, BUT HAVING FAILED IN EVERY EFFORT AT THEIR</p>
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<p>AND BEING DRIVEN BACK A <i>RESORT/CHANGE</i>[?] WAS <i>D/DECIDED</i>[?] UPON DECEIT TREACHERY AND DECEPTION TO EFFECT THEIR DESTRUCTION UNDER A WHITE FLAG THE PRISONER APPROACHES THE EMIGRANTS AND HAVING THERE <i>MEN/MET A</i>[?] DELEGATION FROM THE EMIGRANTS THE FEARS OF THOSE WHO HAD BEEN ATTACKED WERE BY SOME MEANS ALLAYED AND THEY GAVE ^{[[31]]} UP THEIR ARMS PUT THEM INTO THE WAGONS OF THE ATTACKING PARTIES AND THEN UNARMED PUT THEMSELVES IN THE PROTECTION OF THE WHITE MEN OF WHICH THE DEFENDANT LEE WAS ONE YOU HAVE HEARD THE SICKENING DETAILS OF THE PLOT AND FIENDISH WORK WHICH —[?] INDIANS AND WHITE MEN VIE WITH EACH OTHER IN THEIR EFFORTS AT THE WHOLESALE MURDER OF [space] 120 HUMAN BEINGS</p> <p>WHO HAD BEEN DISARMED AND LURED FROM THEIR STRONGHOLD BEHIND THEIR WAGONS YOU HAVE HEARD THE PART THE PRISONER PLAYED IN THE DREADFUL CHARGE [space] HOW [space] GUN [space] SHOT OTHERS WITH HIS PISTOL AND CUT THE THROAT OF ANOTHER AND TOLD AN INDIAN NOT TO SPARE A WOMAN'S LIFE WHOM THE SAVAGE ASKED TO HAVE SPARED</p>	<p>OVERTHROW AND BEEN ^{[[3]]} DRIVEN BACK, THE RESORT WAS HAD TO THE BASEST TREACHERY AND DECEPTION TO EFFECT THEIR DESTRUCTION. UNDER A WHITE FLAG,—A FLAG OF TRUCE—THE PRISONER AT THE BAR, APPROACHED THE EMIGRANTS AND HAVING THERE MET A DELEGATION FROM THEM, THE FEARS OF THE EMIGRANTS BY SOME MEANS, WERE ALLAYED AND THEY GAVE UP THEIR ARMS, PUTTING THEM INTO WAGONS FROM THE ATTACKING PARTY, AND THEN BEING UNARMED, THEY PUT THEMSELVES UNDER THE PROTECTION OF THE WHITE MEN OF WHICH THE PRISONER, LEE, WAS ONE. YOU HAVE HEARD THE SICKENING DETAILS OF THE BLOODY AND FIENDISH WORK WHICH FOLLOWED. INDIANS AND WHITE MEN VIED WITH EACH OTHER IN THEIR EFFORTS AT WHOLESALE MURDERING OF OVER ONE HUNDRED AND TWENTY HUMAN BEINGS, MEN, WOMEN AND CHILDREN, WHO HAD BEEN DISARMED AND LURED FROM THEIR STRONGHOLD BEHIND THEIR WAGONS. YOU HAVE HEARD THE PART WHICH THE PRISONER PLAYED IN THIS DREAD TRAGEDY: HOW, IT WAS SAID, HE SHOT ONE PERSON WITH HIS GUN: HOW HE SHOT OTHERS WITH HIS PISTOL AND CUT THE THROAT OF ANOTHER AND TOLD AN INDIAN NOT TO SPARE A WOMAN'S LIFE, WHOM THE ^{[[4]]} SAVAGE ASKED TO HAVE SPARED.</p>
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IT IS FOR YOU TO SAY WHETHER FROM THE TESTIMONY THE WITNESS WHO GAVE THIS TESTIMONY SHOULD BE BELIEVED AND JOHN D. LEE OR JOHN D. LEE IS A MAN TO BE CONSIDERED INNOCENT IF THERE BE ANY GOOD REASON FOR DISBELIEVING TESTIMONY BEFORE YOU THEN THE THE DEFENDANT MIGHT BE INNOCENT AND IT IS FOR YOU UPON YOUR OATH TO SAY WHETHER ANY FACT IS PROVEN OR NOT UPON ANY PARTICULAR POINT [space] IF YOU BELIEVE THE TESTIMONY [space] BY ANY OF THE WITNESSES THERE IS NO [space]

TESTIMONY IS OVERWHELMING AND THE *RN*—[?] HERE REVEALS IT A FIENDISH CRUEL DISPLAY [space] WERE IT NOT FOR THE REQUIREMENTS OF JUSTICE [space] ,

—[?] OF 19 YEARS THE PERPETRATORS HAVE GONE UNPUNISHED *THE/AND*[?] DEFENSE HAS INTRODUCED NO WITNESSES OR EVIDENCE BUT REFER TO TESTIMONY FOR THE PROSECUTION *AND*[?] REASONS ^{[[32]]} TO

SHAKE YOUR CONFIDENCE THAT

THESE WITNESSES UNWORTHY OF BELIEF AND MOST THAT COULD BE SAID ON THAT *THAT THE*[?] TESTIMONY OF A PORTION OF THE WITNESSES THOSE

IT IS FOR YOU TO SAY WHETHER THE WITNESSES WHO STATED THESE THINGS TOLD THE TRUTH; AND IT IS FOR YOU TO SAY WHETHER, FROM THE TESTIMONY, JOHN D. LEE, CAN BE CONSIDERED INNOCENT. IF THERE BE ANY GOOD REASON FOR DISBELIEVING THE TESTIMONY GIVEN BEFORE YOU, THEN THE DEFENDANT MAY BE INNOCENT, AND IT IS FOR YOU UPON YOUR OATH, TO SAY WHETHER ANY ALLEGED FACT IS PROVEN OR NOT. BUT IF YOU BELIEVE THE TESTIMONY DETAILED BY THE VARIOUS WITNESSES, THEN TRULY THERE IS NO ESCAPING THE CONCLUSION THAT THE PRISONER IS GUILTY. THE TESTIMONY IS OVERWHELMING. AND THE HUMAN HEART REVOLTS AT THE FIENDISH CRUELTY DISPLAYED, AND WERE IT NOT FOR THE REQUIREMENTS OF JUSTICE, IT SHOULD FOREVER BE SHELTERED IN OBLIVION. BUT IT WAS TOO HORRIBLE A DEED TO SLUMBER FOREVER, ALTHOUGH FOR NINETEEN YEARS, THE PERPETRATORS HAVE GONE UNPUNISHED. THE DEFENCE HAS INTRODUCED NO WITNESSES OR EVIDENCE TO REFUTE THE TESTIMONY FOR THE PROSECUTION, BUT RESTS THE WHOLE CASE UPON THE HOPE TO SHAKE YOUR CONFIDENCE IN THE WITNESSES FOR THE PROSECUTION. WERE THOSE WITNESSES UNWORTHY OF BELIEF? THE MOST ^{[[5]]} THAT COULD BE SAID IS THAT THE TESTIMONY OF A PORTION OF THE WITNESSES, THOSE

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<p>WHO WERE [space] SHOULD BE TAKEN WITH GREAT CAUTION IF UNCORROBORATED ON ANY MATERIAL POINT OF THE EVIDENCE WERE SUCH PARTIES UNWORTHY OF BELIEF THE LAW WOULD NOT ALLOW THEM TO BE PUT UPON THE WITNESS STAND AND ADMISSION OF ACCOMPLICES IS FULLY JUSTIFIED BY THE NECESSITIES OF THE CASE</p> <p>WHO ALONE WHICH TOOK PLACE UPON THAT BLOODY FIELD [space]</p> <p>FOR THEIR <i>NOTIFICATION</i>[?] YOU ARE TO WEIGH THEIR TESTIMONY AND SIFT THE TRUTH THEREFROM [space] ACCOMPLICES ARE NOT TO BE DISPELLED SIMPLY BECAUSE THEY ARE ACCOMPLICES <i>BUT/AND</i>[?] YOU ——— BEING FOUND</p> <p>CORROBORATED ON <i>NO/ANY</i>[?] MATERIAL POINT BY OTHER WITNESSES THEIR TESTIMONY ENTIRELY <i>SUSPICIOUS</i>[?] <i>TO</i> <i>WARRANT</i>[?] [space]</p> <p>IN REGARD TO THE ADMISSION SAID TO HAVE MADE BY THE PRISONER THE RULE OF LAW IS IF THE CORPUS DELICTI HAS BEEN PROVEN THEN ANY VOLUNTARY ADMISSION MADE BY THE PRISONER IS ADMISSIBLE AGAINST HIM AND IS RECOGNIZED AS STRONG</p>	<p>WHO WERE PARTICIPANTS IN THE MASSACRE, SHOULD BE TAKEN WITH GREAT CAUTION, IF UNCORROBORATED IN ANY MATERIAL POINT BY OTHER EVIDENCE. WERE SUCH PARTIES UNWORTHY OF BELIEF, THE LAW WOULD NOT ALLOW THEM TO BE PUT UPON THE WITNESS-STAND. THE ADMISSION OF ACCOMPLICES IS FULLY JUSTIFIED BY THE NECESSITY OF THE CASE, AND THERE WAS NOT AND COULD NOT HAVE BEEN ANY OBJECTION TO THEIR INTRODUCTION. WHO ELSE COULD TELL WHAT TOOK PLACE UPON THAT BLOODY FIELD BUT THOSE WHO WERE PRESENT, WILLING OR UNWILLING? AFTER THEIR INTRODUCTION, YOU ARE TO WEIGH THEIR TESTIMONY AND SIFT THE TRUTH THEREFROM. ACCOMPLICES ARE NOT TO BE DISBELIEVED, SIMPLY BECAUSE THEY WERE ACCOMPLICES, BUT YOU ARE TO WEIGH THEIR TESTIMONY IN CONNECTION WITH THE OTHER EVIDENCE, AND BEING CORROBORATED IN ANY MATERIAL POINT BY OTHER EVIDENCE, THEIR TESTIMONY IS ENTIRELY SUFFICIENT TO WARRANT A VERDICT IN ACCORDANCE THEREWITH. IN REGARD TO ADMISSIONS SAID TO HAVE BEEN MADE BY THE PRISONER, THE RULE OF LAW ^[16] IS THAT IF THE <u>CORPUS-DELICTI</u>, THE MASSACRE ITSELF, HAS BEEN PROVEN, THEN ANY VOLUNTARY ADMISSIONS MADE BY THE PRISONER IN REGARD TO HIS GUILT IS ADMISSIBLE AGAINST HIM, AND IS RECOGNIZED AS STRONG</p>
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<p>EVIDENCE OF HIS GUILT</p> <p>EVEN ~ [space] <i>IF THIS</i>[?] [space] HAD NOT OTHERWISE BEEN PROVEN THAT THE MASSACRE THIS HAD NOT BEEN PROVEN ANY ADMISSION THAT THE PRISONER MAY HAVE MADE THAT THERE HAD BEEN SUCH A KILLING AND THAT HE HAD PARTICIPATED WOULD OF COURSE BE BUT WEAK TESTIMONY AND WOULD NOT WARRANT A CONVICTION UPON SUCH ADMISSION ALONE IT IS VERY ^{[[33]]} DIFFERENT THING WHERE THE KILLING IS SHOWN</p> <p>AND FACT THAT THE MASSACRE OCCURRED IS NOT DISPUTED AND AND HENCE ANY ADMISSION THE PRISONER COULD HAVE MADE IN REGARD TO HIS PARTICIPATION THEREON IS RECOGNIZED IN LAW [space] IT IS HARDLY NECESSARY FOR ME TO SAY THAT YOU HAVE NOTHING TO DO WITH THE GUILT OR INNOCENCE OF ANY OTHER PERSON EXCEPT [space]</p> <p>IT IS NO CONCERN OF THE JURY WHETHER THE OTHER PARTIES INDICTED BE EVER BROUGHT TO JUSTICE OR NOT YOU HAVE ONLY TO DO WITH THE CASE BEFORE YOU THE CHARGE IN THIS CASE IS MURDER IN THE FIRST DEGREE AND IT IS [space] TO CONSTITUTE MURDER THE KILLING MUST HAVE BEEN WITH MALICE AFORETHOUGHT [space]</p>	<p>EVIDENCE OF HIS GUILT AND FULLY SUFFICIENT TO WARRANT A CONVICTION THEREON, EVEN IF HIS ACTUAL PARTICIPATION HAD NOT OTHERWISE BEEN PROVEN. IF THE MASSACRE ITSELF HAD NOT BEEN PROVEN, ANY ADMISSIONS THAT THE PRISONER MIGHT HAVE MADE, THAT THERE HAD BEEN SUCH A KILLING AND THAT HE WAS A PARTICIPANT, WOULD, OF COURSE, BE BUT WEAK TESTIMONY AND WOULD NOT WARRANT A CONVICTION UPON SUCH ADMISSIONS ALONE. BUT IT IS A VERY DIFFERENT THING WHERE THE KILLING IS SHOWN, AS IN THIS CASE, BY OTHER TESTIMONY. THE FACT THAT THE MASSACRE OCCURRED IS NOT DISPUTED; AND HENCE ANY ADMISSIONS THE PRISONER MIGHT HAVE MADE IN REGARD TO HIS PARTICIPATION THEREIN IS RECOGNIZED IN LAW AS STRONG EVIDENCE AGAINST THE HIM. IT IS HARDLY NECESSARY FOR ME TO SAY THAT YOU HAVE NOTHING TO DO WITH THE GUILT OR INNOCENSE OF ANY OTHER PERSON THAN THE PRISONER AT THE BAR. ^{[[7]]} HE ALONE IS ON TRIAL, AND IT IS NO CONCERN OF THIS JURY WHETHER THE OTHER PARTIES INDICTED BE EVER BROUGHT TO JUSTICE OR NOT. YOU HAVE ALONE TO DO WITH THIS CASE. THE CHARGE IN THIS CASE IS MURDER IN THE FIRST DEGREE. BUT IT IS NOT EVERY KILLING OF A HUMAN BEING THAT IS MURDER. TO CONSTITUTE MURDER, THE KILLING MUST HAVE BEEN WITH MALICE AFORETHOUGHT,</p>
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<p><i>THERE/EITHER</i>[?] [<i>space</i>] MALICE IS A WRONGFUL ACT DONE INTENTIONALLY AND <i>WITHOUT</i>[?] GOOD CAUSE OR EXCUSE MALICE IS AN ANCIENT INGREDIENT IN A KILLING TO CONSTITUTE THE CRIME OF MURDER BUT IT NEED NOT BE EXPRESSED BUT MAY BE IMPLIED FROM THE ACTS DONE OR THE GENERAL COURSE <i>AND</i>[?] [<i>space</i>] ACTS OF THE PARTY [<i>space</i>]</p> <p>DRAWN FROM THE FACTS CIRCUMSTANCES CONNECTED WITH THE KILLING AND WHICH INDICATE THE DISPOSITION AND STATE OF MIND</p> <p>IF THE KILLING ALLEGED WAS DONE BY OR PARTICIPATED IN BY THE PRISONER AND DONE WITH MALICE AFORETHOUGHT AND WAS WILLFUL HE IS GUILTY OF MURDER IN THE FIRST DEGREE AND IT IS YOUR DUTY SO TO FIND AND <i>UPON OATH</i>[?] FOR YOU CAN'T FIND HIM GUILTY OF LESS CRIME BUT YOU MUST IN A VERDICT BRING IN A VERDICT OF MURDER IN THE FIRST DEGREE ^{[[34]]} IF HOWEVER YOU FIND FROM THE EVIDENCE THAT THE KILLING WAS WITHOUT MALICE DONE WILLFULLY DELIBERATELY AND AND PREMEDITATEDLY [<i>space</i>]</p> <p>IF THAT KILLING WAS UNLAWFUL BUT THERE WAS NO MALICE THE CRIME</p>	<p>EITHER EXPRESSED OR IMPLIED. MALICE IS A WRONGFUL ACT DONE INTENTIONALLY AND WITHOUT GOOD CAUSE OR EXCUSE. MALICE IS AN ESSENTIAL INGREDIENT IN THE KILLING TO CONSTITUTE THE CRIME OF MURDER, YET IT NEED NOT BE EXPRESSED, BUT MAY BE IMPLIED FROM THE ACTS DONE AND THE GENERAL COURSE AND CONDUCT OF THE PARTY. IN MOST CASES MALICE IS NOT SUSCEPTIBLE OF DIRECT PROOF BUT MAY BE ESTABLISHED FROM INFERENCES MORE OR LESS STRONG TO BE DRAWN FROM THE FACTS AND CIRCUMSTANCES CONNECTED WITH THE KILLING AND WHICH INDICATE THE DISPOSITION OR STATE OF MIND WITH WHICH THE KILLING WAS DONE. IF THE KILLING ALLEGED WAS DONE OR PARTICIPATED IN BY THE PRISONER, AND DONE WITH ^{[[8]]} MALICE AFORETHOUGHT AND WAS WILFUL, DELIBERATE AND PREMEDITATED, HE IS GUILTY OF MURDER IN THE FIRST DEGREE, AND IT IS YOUR DUTY TO SO FIND, AND UPON YOUR OATH YOU CANNOT THEN FIND HIM GUILTY OF A LESSER CRIME, BUT YOU MUST BRING IN A VERDICT OF MURDER IN THE FIRST DEGREE. IF, HOWEVER, YOU FIND FROM THE EVIDENCE THAT THE KILLING WAS WITH MALICE AFORETHOUGHT, EITHER EXPRESS OR IMPLIED, BUT NOT WILFUL, DELIBERATE AND PREMEDITATED, IT WOULD BE MURDER IN THE SECOND DEGREE. AND IF THE KILLING WAS UNLAWFUL, BUT THERE WAS NO MALICE, THE CRIME</p>
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<p>WOULD BE MANSLAUGHTER IF THE KILLING WAS BY THE PRISONER OR IF HE PARTICIPATED AND IT WAS WITH MALICE AFORETHOUGHT YOU CAN'T SAY IT IS SIMPLY MANSLAUGHTER AND IF YOU FIND FROM THE EVIDENCE THAT THERE WAS MALICE AFORETHOUGHT AND ALSO THAT IT WAS WILLFUL DELIBERATE AND PREMEDITATED YOU CAN NOT SAY IT WAS MURDER IN THE FIRST SECOND DEGREE BUT YOUR VERDICT MUST BE MURDER IN THE FIRST DEGREE IT WOULD BE EITHER TO THAT DEGREE OF NONE AT ALL OR JUSTIFIABLE OR EXCUSABLE HOMICIDE TO BE JUSTIFIABLE HOMICIDE IT MUST HAVE FIRST ARISEN FROM AN UNAVOIDABLE NECESSITY [space]</p> <p>WITHOUT ANY BLAME AS FOR EXAMPLE <i>AND/THE[?]</i> [space] <i>AND AS[?]</i> [space]</p> <p>AND SECOND IT MUST HAVE BEEN COMMITTED FOR THE ADVANCEMENT OF PUBLIC JUSTICE [space] OFFICER IN THE DISCHARGE OF [space] WHO KILLS ASSAILANT IS EXCUSABLE HOMICIDE <i>AGAIN/KM[?]</i> [space] FIRST ONE</p> <p>A MISADVENTURE [space] WHEN WHERE ONE DOING A LAWFUL ACT</p>	<p>WOULD BE MANSLAUGHTER. IN OTHER WORDS IF THE KILLING WAS BY THE PRISONER, OR IF HE PARTICIPATED THEREIN, AND WAS WITH MALICE AFORETHOUGHT, YOU CANNOT SAY IT WAS SIMPLY MANSLAUGHTER, BUT IT IS OF A HIGHER GRADE OF OFFENSE; AND IF YOU FIND FROM THE EVIDENCE, THAT THERE WAS MALICE AFORETHOUGHT, AND WAS WILFUL, DELIBERATE AND PREMEDITATED, YOU CANNOT SAY IT WAS MURDER IN THE SECOND DEGREE, BUT YOUR VERDICT MUST BE MURDER ^[9] IN THE FIRST DEGREE. IT WOULD BE EITHER OF THAT DEGREE OR NO CRIME AT ALL, BUT JUSTIFIABLE OR EXCUSABLE HOMICIDE. TO BE JUSTIFIABLE HOMICIDE, IT MUST HAVE, FIRST, ARISEN FROM UNAVOIDABLE NECESSITY WITHOUT ANY WILL, INTENTION OR DESIRE IN THE PARTY KILLING, AND THEREFORE WITHOUT BLAME, AS FOR EXAMPLE THE EXECUTION ACCORDING TO LAW, OF A CRIMINAL WHO HAS BEEN LAWFULLY SENTENCED TO DEATH; OR, SECOND, IT MUST HAVE BEEN COMMITTED FOR THE ADVANCEMENT OF PUBLIC JUSTICE,—FOR EXAMPLE, IF AN OFFICER IN THE DISCHARGE OF HIS DUTIES, IS ASSAULTED AND RESISTED AND SHOULD KILL HIS ASSAILANT. EXCUSABLE HOMICIDE CAN ONLY EXIST IN TWO WAYS; FIRST, WHEN THE ACT WAS WHAT WAS CALLED A MISADVENTURE, THAT IS, WHERE IN DOING A LAWFUL ACT, THE PARTY WITHOUT ANY INTENT</p>
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<p>UNFORTUNATELY KILLS ANOTHER AND SECOND WHEN A PARTY ACTING IN SELF DEFENSE KILLS HIS ASSAILANT WAS THERE ANYTHING WHATEVER TO SHOW THAT THE KILLING WAS JUSTIFIABLE OR EXCUSABLE WAS THERE ANY UNAVOIDABLE NECESSITY SHOWN WAS THERE ANYTHING TO SHOW THAT THE KILLING WAS WITHOUT <i>REAL/WELL</i>[?] INTENTION OR DESIRE OR ANYTHING WHATEVER SUPPOSED TO MAKE THE KILLING EXCUSABLE [space]</p> <p>[[35]] ONLY IF THEY WHO DID THE KILLING WERE ACTING IN DEFENSE OF THEMSELVES THEIR FAMILIES OR THEIR PROPERTY IN ARRIVING AT THE GUILT OR INNOCENCE OF THE DEFENDANT IT IS NOT NECESSARY TO [space]</p> <p>IT IS SUFFICIENT IF THE KILLING OF ONE HUMAN BEING NOR IS IT NECESSARY THAT THE NAME OR NAMES OF THEM KILLED SHOULD BE SHOWN IN THE GENERAL RULE [space] BEFORE YOU CAN FIND THE DEFENDANT GUILTY YOU MUST BELIEVE FROM THE EVIDENCE BEYOND A REASONABLE DOUBT THAT THE PRISONER IS GUILTY AND TAKING THE WHOLE EVIDENCE TOGETHER IT MUST EXCLUDE [space]</p>	<p>TO HURT, UNFORTUNATELY KILLS ANOTHER; AND, SECOND, WHEN A PARTY ACTING IN SELF DEFENSE, KILL HIS ASSAILANT. THE QUESTIONS THEN ARISE: WAS THERE ANYTHING WHATEVER TO SHOW THAT THE KILLING WAS EITHER JUSTIFIABLE OR EXCUSABLE? WAS THERE ANY “UNAVOIDABLE NECESSITY”, SHOWN? WAS THERE ANYTHING TO ^{[[10]]} SHOW THAT THE KILLING WAS WITHOUT WILL, INTENTION OR DESIRE? AND NOTHING WHATEVER APPEARS TO MAKE THE KILLING EXCUSABLE HOMICIDE. THERE IS NO EVIDENCE TO SHOW THAT THE ASSAILANTS WERE DOING A LAWFUL ACT WHEN THE KILLING WAS OCCURRED; NOR THAT THEY WHO DID THE KILLING WERE ACTING IN DEFENSE OF THEMSELVES, THEIR <FAMILIES> FRIENDS OR THEIR OR PROPERTY. IN ARRIVING AT THE GUILT OR INNOCENCE OF THE DEFENDANT, IT IS NOT NECESSARY TO PROVE THAT A GREAT NUMBER OF PERSONS WERE KILLED. IT IS SUFFICIENT IS THE KILLING OF ONE HUMAN BEING HAS BEEN PROVEN. NOR IS IT NECESSARY THAT THE NAME OR NAMES OF THOSE KILLED SHOULD BE SHOWN. BEFORE YOU CAN FIND THE DEFENDANT GUILTY, YOU MUST BELIEVE FROM THE EVIDENCE BEYOND A REASONABLE DOUBT THAT THE PRISONER IS GUILTY, AND TAKING THE WHOLE EVIDENCE TOGETHER, IT MUST EXCLUDE EVERY OTHER</p>
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<p>BEYOND PROOF POSSIBILITY OF DOUBT [space] BUT THAT YOU HAVE AN ABIDING CONVICTION IN YOUR MIND TO A MORAL CERTAINTY THAT THE PRISONER IS GUILTY [space] READ TO YOU INSTRUCTION ON THE PART OF THE PROSECUTION AND GIVEN BY THE COURT A <i>WILLFUL</i>[?] AND DELIBERATE ADMISSION OF THE DEFENDANT MADE ABOUT THE COMMISSION OF THE OFFENSE MAY BE TAKEN BY THE JURY AS <i>EVIDENCE</i>[?] OF HIS GUILT [space] THE JURY MAY AND SHOULD CONSIDER THE CIRCUMSTANCES SURROUNDING THE DEFENDANT AND UNDER WHICH THE ALLEGED OFFENSES WERE MADE AND IF THE JURY BELIEVE [space] THE SAID OFFENSES THEY WOULD BE WARRANTED IN ACTING UPON THEM AS EVIDENCE OF GUILT THE CORPUS DELICTI HAVING BEEN PROVEN BY OTHER EVIDENCE AND [space] I WILL NOW READ THE INSTRUCTION <i>WHICH/ARE</i>[?] <i>SND</i>[?] OF <i>ATTORNEYS</i>[?] [space] GIVEN BY THE COURT [space] FIRST [space] THE JURY ARE THE SOLE JUDGES OF THE CREDIBILITY OF THE WITNESSES WHO HAVE ^{[[36]]} TESTIFIED IN THIS CASE [space] ALTHOUGH THE JURY MAY BE SATISFIED THAT THE OFFENSE CHARGED IN THE INDICTMENT HAS BEEN COMMITTED YET IF THEY</p>	<p>HYPOTHESIS BUT THE GUILT OF THE PRISONER. PROOF BEYOND THE POSSIBILITY OF DOUBT IS NOT REQUIRED, BUT THAT YOU HAVE AN ABIDING CONVICTION IN YOUR MINDS ^{[[11]]} TO A MORAL CERTAINTY THAT THE PRISON PRISONER IS GUILTY. I WILL NOW READ THE INSTRUCTIONS ASKED ON THE PART OF THE PROSECUTION AND GIVEN BY THE COURT. “THE VOLUNTARY AND DELIBERATE ADMISSIONS OR CONFESSIONS OF THE DEFENDANT, MADE AFTER THE COMMISSION OF THE OFFENSE, MAY BE TAKEN BY THE JURY AS EVIDENCE OF HIS GUILT—THE JURY MAY AND SHOULD CONSIDER THE CIRCUMSTANCES SURROUNDING THE DEFENDANT UNDER WHICH THE ALLEGED CONFESSIONS WERE MADE, AND IF THE JURY BELIEVE THE SAID CONFESSIONS, THEY WOULD BE WARRANTED IN ACTING UPON THEM AS EVIDENCE OF GUILT, THE <u>CORPUS-DELICTI</u> BEING PROVEN BY OTHER EVIDENCE”. AND I WILL NOW READ THE INSTRUCTIONS ASKED IN BEHALF OF THE DEFENDANT AND [ASSENTED TO]⁷⁸⁹ ASSENTED TO BY THE PROSECUTION AND GIVEN BY THE COURT:— I “THE JURY ARE THE SOLE JUDGES OF THE CREDIBILITY OF THE WITNESSES WHO HAVE TESTIFIED IN THIS CASE.” II. ALTHOUGH THE JURY MAY BE SATISFIED ^{[[12]]} THAT THE OFFENSE CHARGED IN THE INDICTMENT HAS BEEN COMMITTED, YET IF THEY</p>
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789. It appears that the strikethrough words are written over undecipherable words.

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<p>FIND THAT THE WITNESSES IN THIS CASE WERE ACCOMPLICES</p> <p>THEY CAN'T FIND A [space] UNLESS [space]</p> <p>HAVE SUCH OTHER EVIDENCE AS SHALL TEND TO CONNECT THE DEFENDANT WITH THE COMMISSION OF THE OFFENSE AND SUCH CORROBORATION WILL BE INSUFFICIENT IF IT MERELY SHOWS [space]</p> <p>BUT THEY MUST CONNECT THE DEFENDANT WITH THE CRIME CHARGED IN THE INDICTMENT</p> <p>IF THE JURY BELIEVE FROM THE EVIDENCE THAT THERE HAS BEEN A CONSPIRACY AMONG THE WITNESSES OR ANY OTHER PERSON OR PERSONS HAVE/IF[?] THE CRIME BY THE CONVICTION OF THE DEFENDANT ALONE IT IS A MATTER THAT THE JURY MAY TAKE INTO CONSIDERATION FOR THE PURPOSE OF DETERMINING CREDIBILITY OF THE WITNESSES [space] IN THIS CASE THE JURY ARE INSTRUCTED THAT THEY MAY FIND MURDER FIRST DEGREE [space] SECOND [space] MANSLAUGHTER OR NOT GUILTY AS THEY SHALL THINK WARRANTED BY THE TESTIMONY [space] NOW GENTLEMEN I HAVE DISCHARGED MY DUTY TO YOU IN THIS CASE AND IT RESTS THEN/WITHIN[?] YOU TO</p>	<p>FIND THAT THE WITNESSES IN THIS CASE WERE ACCOMPLICES IN THE COMMISSION OF THE OFFENSE THEY CANNOT FIND THE DEFENDANT GUILTY, UNLESS THOSE WITNESSES BE CORROBORATED BY SUCH OTHER EVIDENCE AS SHALL TEND TO CONNECT THE DEFENDANT WITH THE COMMISSION OF THE OFFENSE. AND SUCH CORROBORATION WILL BE INSUFFICIENT IF IT MERELY SHOWS THE COMMISSION OF THE OFFENSE OR THE CIRCUMSTANCES OF SUCH COMMISSION BUT THEY MUST CONNECT THE DEFENDANT WITH THE CRIME CHARGED IN THE INDICTMENT.”</p> <p>III. “IF THE JURY BELIEVE FROM THE EVIDENCE, THAT THERE HAS BEEN A CONSPIRACY AMONGST THE WITNESSES FOR THE PROSECUTION, TO SHIELD THEMSELVES, OR ANY OTHER PERSON OR PERSONS FROM PUNISHMENT FOR THE COMMISSION OF THE CRIME CHARGED IN THE INDICTMENT, BY THE CONVICTION OF THE DEFENDANT ALONE—IT IS A MATTER FOR THAT THE JURY MAY TAKE INTO CONSIDERATION FOR THE PURPOSE OF DETERMINING THE CREDIBILITY OF THE WITNESSES.”</p> <p>IV. “IN THIS CASE THE JURY ARE INSTRUCTED THAT THEY MAY FIND A VERDICT OF MURDER ^{[[13]]} IN THE FIRST DEGREE OR MURDER IN THE SECOND DEGREE OR MANSLAUGHTER, OR NOT GUILTY, AS THEY SHALL THINK WARRANTED BY THE TESTIMONY.”</p> <p>NOW, GENTLEMEN, I HAVE DISCHARGED MY DUTY TO YOU IN THIS CASE, AND IT RESTS WITH YOU TO</p>
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<p><i>PUT/HOPE</i>[?] [<i>space</i>]</p> <p>IT IS TO BE HOPED THAT YOU ARE PREPARED TO SHOW YOUR MANHOOD AND GIVE YOUR VERDICT IN ACCORDANCE WITH THE EVIDENCE WITHOUT REGARD TO [<i>space</i>] YOUR DUTY IS NOT ONLY TO THE PRISONER AT THE BAR [<i>space</i>] BUT ALSO</p> <p>YOUR ACTION WILL BE LOOKED TO WITH GREAT INTEREST BOTH FAR AND NEAR AND ANY [<i>space</i>] —[?] <i>L</i>[?] [<i>space</i>]</p> <p><i>[[37]]</i>⁷⁹⁰ I BELIEVE [<i>space</i>] DEFENSE COUNSEL EXCEPT TO THE CHARGE OF THE COURT [<i>space</i>] 20[?] BY 12 O'CLOCK</p>	<p>SAY, UPON YOUR OATHS, WHETHER THE DEFENDANT BE GUILTY OR NOT. IT IS TO BE HOPED THAT YOU ARE ABLE TO SHOW YOUR MANHOOD AND GIVE YOUR VERDICT IN ACCORDANCE WITH THE EVIDENCE, WITHOUT REGARD TO ANY OUTSIDE INFLUENCE. YOUR DUTY IS NOT ONLY TO THE PRISONER AT THE BAR BUT ALSO TO THE PEOPLE AND YOUR OWN CONSCIENCES. YOUR ACTION WILL BE LOOKED TO WITH GREAT INTEREST BOTH FAR AND NEAR, AND IT BEHOOVES YOU AS HONEST MEN TO ACT CANDIDLY, FEARLESSLY, CAREFULLY AND CONSCIENTIOUSLY.</p> <p>JACOB S. BOREMAN, JUDGE. [clerical notes] SECOND DISTRICT COURT. SEPTEMBER 1876 106 PEOPLE &^c VS.} JOHN D. LEE, IMPLEADED &^c CHARGE OF THE COURT TO THE JURY. FILED OCT. 6, 1876, JAMES R. WILKINS, CLERK</p>
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790. Page 37 is torn, with only one-third of the page remaining. At least five pages were torn out of the back of the notebook. Two of the pages were included in the collection, but none of them contain pertinent information; most of it is essentially doodling. A stamp has been placed on the back cover of the notebook: **THE MARION ENTERPRISE** —[?] **YOUNG &** —[?] **CERT. AGENTS.**

John D. Lee, Second Trial

John D. Lee Death Sentence

RS**Boreman**

[Death sentence of John D. Lee; undated; October 10, 1876]

[1 page, both sides; first side is numbered 3; verso has no page number]

[Jacob S. Boreman, Sentence of John D. Lee, October 10, 1876, Jacob S. Boreman Collection, Huntington Library. A note on the document wrapper states that it is "In the handwriting of Judge Boreman."]

SENTENCE OF JOHN D. LEE, IN THE
SECOND DISTRICT COURT OF UTAH:
JACOB S. BOREMAN, JUDGE:

THE COURT SAID:

"JOHN D. LEE, HAVE YOU ANYTHING
TO SAY WHY THE SENTENCE OF
DEATH SHALL NOT NOW BE
PRONOUNCED AGAINST YOU?"

LEE—"I HAVE NOT."

THE COURT:—"YOU, JOHN D. LEE,
PRISONER AT THE BAR, HAVE, BY
THE VERDICT OF A JURY, BEEN
FOUND GUILTY OF MURDER IN THE
FIRST DEGREE. FROM THE
EVIDENCE BEFORE THEM, THE JURY
COULD NOT HAVE DONE
OTHERWISE THAN TO FIND YOU
GUILTY. THE PROOF WAS CLEAR
AND POSITIVE.

THIS IS YOUR SECOND TRIAL. AT
THE TRIAL LAST YEAR, THE
EVIDENCES OF GUILT WERE PLAIN,
BUT THREE FOURTHS OF THE JURY,
FROM SOME CAUSE, WERE THEN
FOR YOUR ACQUITTAL.

THE TESTIMONY ADDUCED ON THE
PRESENT TRIAL IS MAINLY FROM
WITNESSES WHO COULD NOT THEN
BE OBTAINED. BUT THIS EVIDENCE,
FOR SOME CAUSE, HAS BEEN
UNSEALED AND THE WITNESSES
FOUND READY IN YOUR CASE TO
TELL WHAT PART YOU PLAYED IN
THE GREAT CRIME. THEY WILL
HEREAFTER HAVE OPPORTUNITIES
OF TELLING WHAT OTHERS DID TO

<p>[3] YET BOTH TRIALS TAKEN TOGETHER SHOW TT OTHERS & SOME HIGH IN AUTHORITY INAUGURATED & DECIDED UPON THE WHOLESale SLAGHTER OF THE EMIGRANTS {THAT SLAUGHTER TOOK PLACE 19 YR AGO FM THAT TIME DOWN TO THE PRESENT TERM OF COURT}¹ THER HAS BEN</p>	<p>AID IN PLANNING ^{[[2]]} AND EXECUTING IT. THE FACT THAT THE EVIDENCE WAS NOT BROUGHT OUT ON THIS TRIAL TO CRIMINATE SOME OTHER LEADERS, DOES NOT SHOW THAT SUCH EVIDENCE DOES NOT EXIST. MUCH OF SUCH TESTIMONY CAME OUT ON THE FORMER TRIAL AND THE PUBLIC IN ENDEOVERING TO REACH THE BOTTOM OF THE WHOLE AFFAIR, WILL NOT CONFINE ITSELF TO THE EVIDENCE BROUGHT OUT ON THIS TRIAL ALONE. THE EVIDENCE AT BOTH TRIALS WILL BE CONSIDERED TOGETHER. AND ACCORDING TO THE EVIDENCE ON THE FORMER TRIAL THE MASSACRE SEEMS TO HAVE BEEN THE RESULT OF A VAST CONSPIRACY EXTENDING FROM SALT LAKE CITY TO THE BLOODY FIELD. AND THE EMIGRANTS WERE ALL ALONG THEIR LINE OF TRAVEL AND NO WHERE WERE THE CITIZENS PERMITTED TO GIVE OR SELL THEM ANYTHING TO SUSTAIN LIFE EITHER IN MAN OR ANIMAL, ALTHOUGH THEY WERE IN GREAT NEED THEREOF. AND THE MEN WHO ACTUALLY PARTICIPATED IN THE DEED, WERE NOT THE ONLY GUILTY ONES. ALTHOUGH THE EVIDENCE SHOWS PLAINLY THAT YOU WERE A WILLING PARTICIPANT IN THE MASSACRE, YET BOTH TRIALS TAKEN TOGETHER SHOW THAT OTHERS AND SOME HIGH IN AUTHORITY INAUGURATED AND DECIDED UPON THE WHOLESale SLAUGHTER OF THE EMIGRANTS. THAT SLAUGHTER TOOK PLACE NINETEEN YEARS AGO. FROM THAT ^{[[3]]} TIME TO THE PRESENT TERM OF COURT THERE HAS BEEN</p>
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THROUGHOUT THE TERRY A
 PERSISTENT & DETERMINED
 OPPOSN TO AN
 INVESTIGATI OF THE MASS
 SHORTLY AFTER THE SLGHTER
 JUDGE CRADLEBAUGH SOUGHT
 TO HV IT INVESTGATED BUT HE
 FOR HIS EFFORTS IN THAT
 DIRCTION WAS VILIFID
 BEYOND MEASURE AS& THE
 RULG POWER AMNG THE
 PEOPLE CAUSD J CRADLEBAUGH
 EFFORTS TO BE ENTIRLY
 UNAVAILING [*the remainder of the
 document is in ink shorthand*] THE SAME
 POLICIES HAS THWARTED EVERY
 EFFORT FROM THAT DAY TO THIS
 TO BRING GUILTY TO JUSTICE.
 AT THE PRIOR TRIAL LAST
 YEAR THE WHOLE POWER
 AND INFLUENCE OF THOSE WHO
 ARE SUPPOSED TO HAVE
 SOMETHING TO DO WITH
 DREADFUL CRIME WERE AGAINST
 YOUR CONVICTION. THIS
 OPPOSITION TO INVESTIGATION
 WAS IN STRICT ACCORDANCE WITH
 THEIR SETTLED POLICY OF
 HOSTILITY PUTTING THE BLAME OF
 THIS CRIME WHERE IT BELONGS.
 BUT THEIR EFFORTS TO SMOTHER
 AND CRUSH OUT INVESTIGATION
 WERE FOUND TO ASSIST THEM
 AVAIL THEM NO LONGER IT WAS
 IMPOSSIBLE LONGER DELAY
 THE DAY WHEN THE INSIDE
 FACTS[?] OF THE CONSPIRACY
 SHOULD BE BROUGHT OUT AND
 THEY HAVE SUDDENLY CHANGED
 THEIR POLICY AND SEEM NOW TO
 BE CONSENTING TO YOUR DEATH. I
 DO NOT COMPREHEND WHY THIS IS
 SO UNLESS THEY HAVE HOPED BY
 YOUR CONVICTION TO APPEASE

THROUGHOUT THE TERRITORY, A
 PERSISTENT AND DETERMINED
 OPPOSITION TO ANY
 INVESTIGATION OF THE MASSACRE.
 SHORTLY AFTER THE SLAUGHTER,
 JUDGE CRADLEBAUGH SAUGHT
 TO HAVE IT INVESTIGATED, BUT HE,
 FOR HIS EFFORTS IN THAT
 DIRECTION, WAS VILLIFIED
 BEYOND MEASURE, AND THE
 RULING POWERS AMONG THE
 PEOPLE CAUSED HIS
 EFFORTS TO BE ENTIRELY
 UNAVAILING.
 THE SAME
 POLICY HAS THWARTED EVERY
 EFFORT FROM THAT DAY TO THIS
 TO BRING THE GUILTY TO JUSTICE.
 AT YOUR FORMER TRIAL, LAST
 YEAR, NEARLY THE WHOLE POWER
 AND INFLUENCE OF THOSE WHO
 WERE SUPPOSED TO HAVE HAD
 SOMETHING TO DO WITH THE
 CRIME WERE AGAINST
 YOUR CONVICTION. THIS
 OPPOSITION TO INVESTIGATION
 WAS IN STRICT ACCORDANCE WITH
 THEIR SETTLED POLICY OF
 HOSTILITY TO PLACING THE GUILT
 WHERE IT BELONGS.
 BUT THEIR EFFORTS TO SMOTHER
 AND CRUSH OUT INVESTIGATION
 WERE FOUND TO
 AVAIL THEM NO LONGER. IT WAS
 IMPOSSIBLE TO LONGER DELAY
 THE DAY WHEN THE INSIDE
 FACTS OF THE CONSPIRACY
 SHOULD BE BROUGHT OUT, AND
 THEY HAVE SUDDENLY CHANGED
 THEIR POLICY AND SEEM NO[W] TO
 BE CONSENTING TO YOUR DEATH. I
 DO NOT COMPREHEND WHY THIS IS
 SO, UNLESS THEY HAVE HOPED BY
 YOUR CONVICTION TO APPEASE

<p>THE PUBLIC INDIGNATION THROUGHOUT COUNTRY AND THAT YOUR CONVICTION AND DEATH WOULD END THE FURTHER INVESTIGATION OF THE MATTER BUT IN THIS THEY ARE GREATLY MISTAKEN. THIS DREAD CRIME WILL NOT DOWN IN YOUR CONVICTION IS BUT THE BEGINNING OF THE END. THE DEMANDS OF JUSTICE WILL NOT BE SATISFIED UNTIL THE GUILTY LEADERS IN PLAN AND EXECUTE THAT CRIME ARE KNOWN AND BROUGHT BAR OF JUSTICE AND THEIR ACTS INVESTIGATED <i>[space]</i> IN THE COURTS AND PASSED UPON BY AN IMPARTIAL JURY. IT GIVES ME NO PLEASURE TO SAY ANYTHING SN-S[?] AWFUL DEED IN WHICH YOU —/WAS[?] A WILLING PARTICIPANT. YOU AND ALL THOSE WHO PLOTTED THIS DEED OF BLOOD OR PARTICIPATED WILLINGLY THEREIN ARE NO DOUBT GUILTY OF A GREAT CRIME. AND THE INOFFENSIVE VICTIMS THEIR[?] MOUTHS ARE CLOSED IN THIS WORLD WILL MEET AND CONFRONT YOU ALL AT THE BAR OF ALMIGHTY GOD, WHERE THE SECRETS OF ALL HEARTS SHALL BE MADE SHOWN KNOWN AND THE GUILTY CAN'T AVOID THAT TRIBUNAL. <i>[space]</i> THE WORLD HAS NO SYMPATHY FOR PERPETUATORS OF SO DASTARDLY AND CRUEL BUTCHERY AND THE CHRISTIAN CIVILIZATION OF OUR DAY STANDS AGHAUST AT THE LONG AND PERSISTENT EFFORT TO PREVENT THE GUILTY FROM BEING BROUGHT</p>	<p>THE PUBLIC INDIGNATION THROUGHOUT THE COUNTRY, AND THAT YOUR CONVICTION AND DEATH ^{[[4]]} WOULD END THE FURTHER INVESTIGATION OF THE MATTER. BUT IN THESE THINGS THEY ARE GREATLY MISTAKEN. THIS DREAD CRIME WILL NOT DOWN AND YOUR CONVICTION IS BUT THE BEGINNING OF THE END. THE DEMANDS OF JUSTICE WILL NOT BE SATISFIED UNTIL THE GUILTY LEADERS IN PLANNING OR EXECUTING THAT CRIME ARE KNOWN AND BROUGHT TO THE BAR OF JUSTICE AND THEIR CASES INVESTIGATED IN THE COURTS AND PASSED UPON BY IMPARTIAL JURIES. IT GIVES ME NO PLEASURE TO SAY ANYTHING IN REFERENCE TO THIS AWFUL DEED IN WHICH YOU WERE A WILLING PARTICIPANT. YOU AND ALL THOSE WHO PLOTTED THIS DEED OF BLOOD OR WILLINGLY PARTICIPATED THEREIN, ARE NO DOUBT GUILTY OF A GREAT CRIME, AND THEIR UNOFFENDING VICTIMS, THOUGH THEIR MOUTHS ARE CLOSED IN THIS WORLD, WILL MEET AND CONFRONT YOU ALL AT THE BAR OF ALMIGHTY GOD, WHERE THE SECRETS OF ALL HEARTS SHALL BE MADE KNOWN. AND THE GUILTY CANNOT AVOID THAT TRIBUNAL. THE WORLD HAS NO SYMPATHY FOR PERPETRATORS OF SUCH DASTARDLY AND CRUEL BUTCHERIES, AND THE CHRISTIAN CIVILIZATION OF OUR DAY STANDS AGHAUST AT THE LONG AND PERSISTENT EFFORTS TO PREVENT THE GUILTY FROM BEING BROUGHT</p>
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TO JUSTICE AND THE LONG DELAY CAN ONLY BE ACCOUNTED FOR UPON THE SUPPOSITION THAT THE GUILTY LEADERS IN PLOTTING AND CARRYING INTO EXECUTION THIS CRIME CONTROLLED AND STILL CONTROL THE PUBLIC WILL AND PUBLIC SENTIMENT IN THIS TERRITORY. THERE IS A SYMPATHY FOR YOU AMONG SOME PEOPLE GROW OUT OF BELIEF THAT YOU HAVE BEEN DESERTED BY THE PARTIES AND THE PLOTTERS OF THE CRIME AND ALLOWED TO BE SACRIFICED BUT YET ALL GOOD MEN FEEL THAT YOUR CONVICTION IS BUT THE PROPER EXECUTION OF THE LAW. [space] IT IS PAINFUL THAT ANY HUMAN BEING SHOULD SUFFER DEATH FOR ANY REASON BUT OUTRAGED JUSTICE REQUIRES IT [space] BUT NO ONE THAT I KNOW OF CONNECTED JURISDICTION[?] OF THE LAW TAKES ANY PLEASURE IN YOUR DEATH NOR IN THE DEATH OF ANY ONE. IT IS A SETTLED DUTY WHICH DEVOLVES UPON THEM IN THIS MATTER AND THEY CAN'T AVOID IT. IN ACCORDANCE WITH VERDICT OF THE JURY AND THE LAW IT BECOMES MY DUTY PASS SENTENCE OF DEATH UPON YOU AND IN DOING THIS THE STATUTE REQUIRES THAT YOU MAY HAVE A CHOICE IF YOU DESIRE OF THREE DIFFERENT MODES OF EXECUTION NAMELY THAT BY HANGING BY SHOOTING OR BEHEADING. IF YOU HAVE ANY CHOICE OR DESIRE IN THIS RESPECT YOU CAN NOW EXPRESS IT. [space] HERE THE PRISONER ASKED TO BE

TO JUSTICE. AND THE LONG DELAY CAN ONLY BE ^{[[5]]} ACCOUNTED FOR UPON THE SUPPOSITION THAT THE GUILTY LEADERS IN PLOTTING AND CARRYING OUT THIS CRIME, CONTROLLED AND STILL CONTROL THE PUBLIC SENTIMENT IN THIS TERRITORY. THERE IS A SYMPATHY FOR YOU AMONG SOME PEOPLE, GROWING OUT OF THE BELIEF THAT YOU HAVE BEEN DESERTED BY THE PARTIES TO AND THE PLOTTERS OF THE CRIME, AND ALLOWED TO BE SACRAFICED. BUT YET ALL GOOD MEN FEEL THAT YOUR CONVICTION IS BUT THE PROPER EXECUTION OF THE LAW. IT IS PAINFUL TO THINK THAT ANY HUMAN BEING SHOULD SUFFER DEATH FOR ANY REASON, BUT OUTRAGED JUSTICE DEMANDS IT. BUT NO ONE THAT I KNOW OF, CONNECTED WITH THE ADMINISTRATION OF THE LAWS, TAKES ANY PLEASURE IN YOUR DEATH, NOR THE DEATH OF ANY ONE. IT IS A SAD DUTY WHICH DEVOLVES UPON THEM IN THIS MATTER AND THEY CANNOT AVOID. IN ACCORDANCE WITH THE VERDICT OF THE JURY AND THE LAW, IT BECOMES MY DUTY TO PASS THE SENTENCE OF DEATH UPON YOU, AND IN DOING THIS THE STATUTE REQUIRES THAT YOU MAY HAVE A CHOICE, IF YOU DESIRE, OF THREE MODES OF EXECUTION, ~~TO WIT~~, NAMELY, BY HANGING, BY SHOOTING OR BY BEHEADING. IF YOU HAVE ANY CHOICE OR DESIRE IN THIS RESPECT, YOU CAN NOW EXPRESS IT."

RS**Boreman**

EXECUTED BY SHOT [<i>space</i>] LEE SAID I WOULD RATHER BE SHOT. AS YOU HAVE MADE A CHOICE AND EXPRESSED A DESIRE THAT YOU BE EXECUTED BY BEING SHOT IT FOLLOWS THAT SUCH SHALL BE THE JUDGMENT OF THE COURT IS THEREFORE THAT YOU BE TAKEN HENCE TO A PLACE OF CONFINEMENT WITHIN THIS TERRITORY AND THAT YOU THERE BE SAFELY KEPT IN CONFINEMENT UNTIL FRIDAY 26 DAY JANUARY 1877 THAT BETWEEN HOURS OF TEN O’CLOCK IN FORENOON AND THREE O’CLOCK IN AFTERNOON OF THAT DAY YOU BE TAKEN FROM YOUR PLACE OF CONFINEMENT AND ANESTHETIZED BY PUBLIC SHOT UNTIL YOU ARE DEAD AND MAY ALMIGHTY GOD HAVE MERCY UPON YOUR SOUL	LEE—(THE PRISONER)—“I PREFER TO BE SHOT.” THE COURT: “AS YOU HAVE MADE CHOICE AND EXPRESSED ^{[[6]]} A DESIRE THAT YOU BE EXECUTED BY BEING SHOT, IT FOLLOWS THAT SUCH SHALL BE THE JUDGMENT OF THE COURT. THE JUDGMENT OF THE COURT THEREFORE IS THAT YOU BE TAKEN HENCE TO A PLACE OF CONFINEMENT WITHIN THIS TERRITORY, THAT YOU THERE BE SAFELY KEPT IN CONFINEMENT UNTIL FRIDAY, THE 26 th DAY OF JANUARY 1877; THAT BETWEEN THE HOURS OF 10 O’CLOCK A.M. IN THE FORENOON AND THREE O’CLOCK IN THE AFTERNOON OF THAT DAY, YOU BE TAKEN FROM YOUR PLACE OF CONFINEMENT AND IN THIS DISTRICT PUBLICLY SHOT UNTIL YOU ARE DEAD, AND MAY ALMIGHTY GOD HAVE MERCY UPON YOUR SOUL.”
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