John D. Lee, First Trial

E. C. Matthews, James Pearce, E. W. Thompson, John Macfarlane, Frank King, Isaac Riddle, and William Roberts Testimonies and Motions on Brigham Young and George A. Smith

RT	RS	BT	PS

[279] D. G.			F37 DG 11
^[279] E. C.	[[Bk 5 37 cont.]] <u>EC</u>	[Bk 4 96 cont.] E.C.	[No extant PS until
MATTHEWS,	MATTHEWS.	MATHEWS	James Pearce
SWORN FOR	OATH	SWORN FOR THE	Recall]
PROSECUTION	ADMINISTERED	PROSECUTION.	
	BY CLERK.		
0.10	() in m	EXAMINED BY	
Q. MR.	$\{\mathbf{Q}\}^1$ MR.	$M^{\underline{R}}$ Q. MR.	
MATTHEWS,WH	MATTHEWS	MATHEWS,	
ERE DO YOU	WHERE DO YOU	WHERE DO YOU	
RESIDE ? A.	RESIDE.	RESIDE? A.	
BEAVER CITY.	BEAVER CITY	BEAVER CITY.	
Q. HOW LONG	_Q HOW LONG	Q. HOW LONG	
HAVE YOU	YOU	HAVE YOU	
RESIDED IN	RESIDED	RESIDED IN	
BEAVER CITY ?	BEAVER CITY	BEAGVER CITY?	
A. WELL I HAVE	AWELL I HAVE	A. WELL, I HAVE	
BEEN	BEEN	BEEN HERE	
SINCE 1859,	SINCE 1859.	SINCE '59;	
KIND OF MADE	KIND OF MADE	KIND OF MADE	
IT MY HOME	IT MY HOME	IT MY HOME	
HERE. Q. STATE	HERE _Q STATE	HERE. Q. STATE	
WHERE YOU	WHERE YOU .	WHERE YOU	
WERE IN THE	{WERE IN THE} ¹	WERE IN THE	
MONTH	MONTH OF	MONTH	
OF SEPTEMBER	SEPTEMBER	OF SEPTEMBER,	
1857 ? A. I WAS	$57 \{A\}^1 I WAS$	'57? A. I WAS	
GOING	GOING	GOING	
THROUGH TO	THROUGH {TO} ⁱ	THROUGH TO	
CALIFORNIA ON	CALIFORNIA ON	CALIFORNIA, ON	
THE SOUTHERN	SOUTHERN	THE SOUTHERN	
ROUTE WITH A	ROUTE WITH	ROUTE WITH A	
FREIGHT TRAIN.	FREIGHT TRAIN	FREIGHT TRAIN.	
Q. FROM	FROM	Q. FROM	
	WHAT POINT TO	WHERE, WHAT	
WHAT	WHAT	PART, WHAT	
POINT WERE	POINT	POINT?	
YOU GOING	YOU AGOING	A. COMING	
FROM? A.	FROM	FROM	
WELL,FROM			
SALT LAKE	SALT LAKE	SALT LAKE	
CITY,TO	CITY TO	CITY TO TO	
SAN	SAN	SANBERNARDIN	
BERNARDINO,	BERNARDINO	Ο,	

RT	RS	BT	PS

CALIFORNIA. Q.	CALIFORNIA. o	CALIFORNIA. Q.	
STATE	STATE	STATE	
WHETHER OR	WHETHER	WHETHER	
NOT YOU	YOU	YOU	
PASSED	PASSED	PASSED	
THROUGH	THROUGH	THROUGH	
BEAVER ?	BEAVER OR	BEAVER OR	
A. YES	NOT AYES	NOT? A. YES,	
SIR. Q.	SIR o	SIR. Q.	
WHAT OTHER	WHAT OTHER	WHAT OTHER	
PLACES ? A.	PLACES { _A } ⁱ	PLACES? A.	
PAROWAN,	PAROWAN	PAROWAN,	
FILMORE,	CEDAR	CEDAR,	
CEDAR,	FILLMORE,	FILLEMORE,	
TRAVELED	TRAVELED	TRAVELED	
WHAT IS	WHAT IS	WHAT IS	
CALLED THE	CALLED	CALLED THE	
SOUTHERN	SOUTHERN	SOUTHERN	
ROUTE. Q.	ROUTE [[38]]267	ROUTE.	
DID YOU	$\{\mathbf{o}\}^{\mathrm{I}}$ DID YOU	Q. DID YOU	
PASS	PASS	PASS	
THROUGH THE	THROUGH	THROUGH THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOWS ? A.	MEADOWS	ME D ADOWS? A.	
YES SIR. Q.	YES SIR	YES, SI R. Q.	
ABOUT WHAT	ABOUT QWHAT	WHAT	
TIME DID YOU	TIME DID YOU	TIME DID YOU	
PASS THROUGH	PASS —[?]	PASS THROUGH	
PAROWAN? A.	PAROWAN { _A } ⁱ	PAROWAN? A. I	
COULD NOT	COULD NOT	COULD NOT	
TELL THE	TELL {THE} ^p	TELL THE	
DATES—DIDN'T	DATES, DIDN'T	DAY, I DIDN'T	
KEEP ANY	KEEP ANY	KEEP ANY	
JOURNAL—I	JOURNAL, I	JOURNAL. I	
THINK IT WAS	THINK IT WAS	THINK IT WAS	
ABOUT THE	THE	ABOU6T THE	
MONTH OF	MONTH OF	MONTH OF	
SEPTEMBER—	SEPTEMBER	SEPTEMBER—	
THE FORE PART	FORE PART	FORE PART	
OF THE MONTH.	OF MONTH.	OF THE MONTH.	
Q. WAS THERE	${QWAS}^{i}$	Q. WAS	
ANY PERSON	ANY PERSON	ANY PERSON	

267. In longhand at the top of the page: $\{\underline{\textbf{E. C. MATHEWS, CONTINUED.}}\}^p$

WITH YOU—IF	WITH YOU IF	WITH YOU IF	
SO STATE	SO STATE	SO STATE	
WHO PASSED?	WHO	WH OM O?	
A. TO THE BEST	ABEST	A. BEST	
OF MY	OF MY	OF MY	
REMEMBRANCE	REMEMBRANCE	REMEMBERAN	
		CE PARTIES	
		WITH ME —	
SIDNEY	SIDNEY	SIDNEY	
TANNER,	TANNER	TANNER AND	
MY FATHER,	MY FATHER	MY FATHER,	
WILLIAM	WILLIAM	WILLIAM	
MATTHEWS,	MATTHEWS	MATHEWS,	
MYSELF,	MYSELF	MYSELF,	
ROBIN	REUBEN	REUBEN	
TANNER,	TANNER	TANNER,	
	∠RUEBEN	ŕ	
	TANNER≥		
MARION	MARIAM	MARIAN	
LYMAN, ²⁶⁸ A	LYMAN A	LYMAN	
SON OF OLD	$SON{OLD}^p$	SON OF OLD	
MAN	MAN	AMASA	
LYMAN, ²⁶⁹	LYMAN,	LYMAN.	
12 OR	TWELVE OR	TWELVE OR OT	
14 OF US, I	14 OF US,	I4 OF US. I	
CAN'T	CAN'T	CANT	
REMEMBER ALL	REMEMBER ALL	REMEMBER ALL	
OF THEM.	OF THEM	OF THEM. ^[97.]	
Q. CAN YOU	$\{_{\mathbf{Q}}\}^{\mathrm{p}}$ CAN YOU	Q. CAN'T YOU	
TELL ABOUT	TELL ABOUT	TELL ABOUT	
WHAT TIME IN	WHAT TIME IN	WHAT TIME OF	
THE MONTH	MONTH	THE MONTH	
YOU ARRIVED	YOU ARRIVED	YOU ARRIVED	
IN PAROWAN?	IN PAROWAN	IN PAROWAN?	
A. WE	$\{_{\mathbf{A}}\}^{p}$ I	A. WE ,, LL SIR, I	
CALLED IT THE	CALLED IT	CALL IT THE	
FORE PART OF	FORE PART OF	FORE PART OF	
THE MONTH. [280]	MONTH	THE MONTH.	
Q. WHERE DID	WHERE DID	Q. WHERE DID	
YOU CAMP	YOU CAMP	YOU CAMP	
WHEN YOU	WHEN	WHEN YOU	

^{268.} Francis Marion Lyman. 269. Amasa Lyman.

RT

RS

BT

PS

RT	RS	BT	PS

PASSED	PASSED	PASSED	
1110022	THROUGH	THROUGH	
PAROWAN ? A.	PAROWAN A	PAROWAN? A.	
WE DROVE OUT	DROVE OUT	DRO C VE OUT	
TO WHAT THEY	TO WHAT THEY	TO WHAT IS	
CALL	CALL	CALLED	
SUMMIT	SUMMIT	SUMMIT	
CREEK,	CREEK,	CREEK÷;	
STOPPED A	STOPPED	ONLYSTOPPED	
FEW HOURS	FEW HOURS AT	A S FEW HOURS	
BETWEEN AND	PAROWAN,	AT PAROWAN;	
DROVE TO	DROVE	DROVE TO	
SUMMIT CREEK	SUMMIT CREEK	SUMMIT CREEK	
THAT DAY. Q.	THAT DAY o	THAT DAY.	
WHERE DI DYOU	WHERE DID YOU	WHERE DID YOU	
CAMP THEN ? A.	CAMP THEN $\{A\}^p$	CAMP THE N? A.	
THERE WAS	THERE WAS	THERE WAS	
NO DWELLINGS	NO DWELLINGS	NO DWELLINGS	
THERE, WE	THERE WE	THERE — WE	
CAME TO THAT	CAMPED ON THE	CAMPED ON THE	
CREEK. Q.	CREEK Q	₩CREEK. Q.	
HOW LONG	HOW LONG	HOW LONG	
DID YOU STAY	WERE YOU	WERE AYOU	
AT SUMMIT? A.	AT SUMMIT A	AT SUMMIT? A.	
WE	WE	WELL SAID	
LAID OVER	LAID OVER	STAID OVER	
THERE ONE	THERE ONE DAY	THERE ONE DAY	
DAY,CAMPED	CAMPED	AND CAMPED	
THERE TWO	THERE 2	THERE TWO	
NIGHTS.	NIGHTS	NIGHTS.	
Q. WAS	$_{\mathbf{Q}}$ WAS	Q. WAS	
THERE ANY	THERE ANY	THERE ANY	
REASON FOR	REASON FOR	R4EASON FOR	
CAMPING	CAMPING	CAMPING	
THERE	THERE A	THEREE ONE	
TWO	DAY AND TWO	DAY AND TWO	
NIGHTS, IF SO	NIGHTS IF SO	NIGHTS, IF SO	
STATE WHAT	STATE	STATE?	
A. IN THE	$\{_{\mathbf{A}}\}^{\mathbf{p}}$ IN THE	A. IN THE	
MORNING ONE	MORNING ONE	MORNING ONE	
OR TWO	TO TWO	OR TWO	
PARTIES CAME	PARTIES CAME	BOYS ACAME	
AND	BROUGHT	AND BROT	
WROTE A NOTE	{A} ^p NOTE	WROTE A NOTE	

TO THE	TO {THE} ^p	TO THE	
CAPTAIN OF	CAPTAIN OF	CAPTAIN OF	
THE	{THE} ^p	THE	
COMPANY – MR.	COMPANY MR.	COMPANY, MR.	
TANNER. HE	TANNER; HE	TANNER. HE	

BT

FATHER AND

PS

WENT BACK TO WENT BACK TO WENT BACK TO PAROWAN; PAROWAN, PAROWAN;, **SIDNEY** SIDNEY SIDNEY TANNER, HE TANNER, HE TANNER HE WENT BACK TO WENT BACK TO WENT BACK TO PAROWAN. Q. PAROWAN {o PAROWAN. Q. DID ANY ONE DID ANY ONE DID ANY ONE GO BACK WITH GO BACK GO BACK WITH YOU? A. NO ALONG $_{\mathbf{A}}$ $^{\mathbf{p}}$ ANY HIM; ANY ONE CAME ONE GO ONE GO **BACK WITH** BACK WITH **BACK WITH** US; HIM {YOU}^p HIM?

RS

RT

FATHER AND

I AYES I A.A. YES, I THINK THERE THINK THERE THINK THERE WAS TWO MEN WAS TWO MEN WAS TWO MEN SENT BACK SENT BACK WENT BACK WITH 'EM. I WITH HIM. I WITH HIM **HIM.** I THINK MY THINK MY THINK MY

FATHER AND

ONE OF THE ONE OF THE ONE OF THE PASSENGERS PASSENGER **PASSENGERS** GOING **GOING** GOING THROUGH WITH THROUGH WITH THROUGH WITH US²⁷⁰ O. WHERE US. o WHERE US. O. WHERE WAS THIS WAS THIS WAS THIS PASSENGER **PASSENGER** PASSENGER FROM $\{_{\mathbf{A}}\}^p$ I FROM? A. I FROM? A. I DON'T KNOW DON'T KNOW; DON'T KNOW.

I GOT HIM IN GOT HIM IN WE GOT HIM IN SALT LAKE SALT LAKE SALT LAKE CITY; I CITY, BUT I CITY; BUT I THINK HE WAS THINK THINK HE WAS FROM THE FROM THE FROM THE STATE OF STATE OF STATE OF

VERMONT. Q. VERMONT Q VERMONT. Q. WHAT WAS WHAT WAS WHAT WAS WHAT WAS HE

^{270.} This passenger is George M. Powers of Little Rock, Arkansas. See "The Late Horrible Massacre," *Los Angeles Star*, Oct. 17, 1857.

RT	RS	BT	PS

HE DODIC	(IIII) D D D I G	Donic
HE DOING –	$\{HE\}^p DOING =$	DOING;
DID HE PAY	DID {HE} ^p PAY	DID HE PAY
HIS PASAGE	HIS PASSAGE	HIS PASSAGE
WITH YOU ? A.	WITH YOU $\{A\}^p$	WITH YOU? A.
WAS GOING	YES GOING	YES, GOING
THROUGH AS A	THROUGH AS	THROUGH AS A
PASSENGER. Q.	PASSENGER. Q	PASSENGER. Q.
YOU SAY YOU	YOU SAY YOU	YOU SAY YOU
LAID A	LAID AT	LAID OVER AT
SUMMIT ABOUT	SUMMIT ABOUT	SUMMIT ABOUT
TWO DAYS ? A.	$2 \text{ DAYS } \{_{\mathbf{A}}\}^{p}$	TWO DAYS? A.
LAID THERE	LAID THERE	LAID THERE
ONE DAY AND	ONE DAY AND	ONE DAY AND
TWO NIGHTS. Q.	2 NIGHTS Q	TWO NIGHTS. Q.
WHAT DID YOU	WHAT DID YOU	WHAT DID YOU
DO THEN ? A.	DO THEN $\{A\}^p$	DO THEN? A.
HARNESSED UP	HARNESSED UP	HARNESSED UP
AND DROVE ON	DROVE ON {TO} ^p	AND DROVE ON
TO CEDAR	CEDAR CITY;	TO CEDAR
CITY; WENT	WENT	CIT Y . W H ENT
THROUGH	THROUGH	₩THROUGH X
WHAT WE	WHAT	WHAT IS
CALLED THE	CALLED THE	CALLED THE
OLD FORT	OLD FORT	OLD FORT;
ROUTE,	ROUTE;	RIGHT ON
WHERE THE	WHERE	WHERE THE
FORT ONCE	FORT ONCE	FORT ON S CE
STOOD,THERE	STOOD; THERE	STOOD; THERE
WE CAMPED	WE CAMPED	WE CAMPED
AGAIN. [281] Q.	AGAIN o	AGAIN. Q .
HOW LONG	HOW LONG	HOW LONG
WERE YOU	WERE YOU	WERE YOU
THERE ? A. I	THERE AI	THERE? A. I
CAN'T	CAN'T	CAN'T
REMEMBER;	REMEMBER WE	REMEMBER
STAYED THERE	STAYED THERE	STAYING THERE
ABOUT ONE	BUT ONE	B¥UT ONE
NIGHT. I	NIGHT	NIGHT, AND
STARTED OUT	STARTING, OUT	STARTED OUT
THE NEXT	THE NEXT	THE THE NEXT
	EVENING = WE	E C VENING. WE
HAD MULE	HAD MULES	HAD MULE
~		
ABOUT ONE NIGHT. I STARTED OUT THE NEXT EVENING; WE	BUT ONE NIGHT STARTING, OUT THE NEXT EVENING = WE	B¥UT ONE NIGHT, AND STARTED OUT THE THE NEXT E€VENING. WE

RT	RS	BT	PS

MULES TO	MULES TO	MULES TO	
THE WAGON?	{THE} ^p WAGON	THE WAGON?	
A. FOUR, AND	$\{_{\mathbf{A}}\}^{p} 4 \text{ AND}$	A. FOUR AND	
SOME HAD SIX.	SOME HAD 6	SOME HAD SIX.	
I DON'T	I DON'T	I DON'T	
REMEMBER	REMEMBER	REMEMBER	
STAYING	STAYING	SATAYING	
THERE BUT ONE	THERE BUT ONE	THERE BUT ONE	
NIGHT. O.	NIGHT o	NIGHT. Q.	
WHAT TIME, DID	WHAT TIME DID	WHAT TIME DID	
YOU	YOU	YOU	
START OUT	START OUT	STRART OUT	
FROM THERE ?	FROM THERE	FROM THERE?	
A. I THINK IT	$\{_{\mathbf{A}}\}^{\mathbf{p}}$ I THINK IT	A. I THINK IT	
WAS IN THE	WAS IN	WAS IN THE	
AFTERNOON –	AFTERNOON;	AFTERNOON; IT	
PAST TWELVE	PAST 12	WA WS PAST 12	
O'CLOCK	O'CLOCK	O'CLOCK WHEN	
OCLOCK	OCLOCK	WE WENT ON TO	
WHEN WE LEFT	WHEN WE LEFT	WHEN WE LEFT	
CEDAR CITY TO	CEDAR CITY TO	CEDAR CITY TO	
GO ON WEST. Q.	GO ON WEST o	GO ON WEST. Q.	
STATE	STATE	STATE	
WHETHER YOU	WHETHER YOU	WHETHER YOU	
SAW WILLIAM	SAW WILLIAM	SAW WILLIAM	
H. DAME AND	H DAME	H. DAME, AND	
ISAAC C.	ISAAC C	ISAAC C.	
HAIGHT	HAIGHT THERE	HAIGHT THERE	
AND IF SO	AND IF SO	AND IF SO,	
STATE WHAT	STATE WHAT	WHAT	
YOU DID?	DID THEY DO?	DID THEY DO?	
A. I SEEN	$\{_{\mathbf{A}}\}^{p}$ I SEEN,	[98] A. I SEEN	
WILLIAM H.	WILLIAM H	WILLIAM H.	
DAME, HE CAME	DAME; CAME	DAME; HE CAME	
AND GOT A	{AND} ^p GOT	AND GOT A	
PAIR OF MULES	PAIR OF MULES	PAIR OF MULES	
FROM OUR	FROM OUR	FROM OU T R	
TRAIN,AND	{THE} ⁱ TRAIN	TRAIN	
WENT	{AND} ^p WENT	AND WENT	
ON OUT AHEAD	ON OUT AHEAD	ON OUT AHEAD	
OF US,SOME	OF US. SOME	OF US. SOME	
OTHER MEN	OTHER MEN	OTHER MEN	
WERE WITH	WENT WITH	WENT WITH	
HIM; I THINK IT	HIM I THINK IT	HIM/ I THINK IT	

RT	RS	BT	PS

MACMD	WACMD	WACMD	
WAS MR.	WAS MR.	WAS MR.	
HAIGHT ,BUT	HAIGHT, TO	HAIGHT; BUT	
THAT I COULD	THAT I COULD	THAT I COULD	
NOT SWEAR	NOT SWEAR	NOT SWEAR	
POSITIVELY. I	POSITIVELY I	POSITIVELY. I	
THINK THAT	THINK THAT	THINK THAT	
WAS THE MAN.	WAS THE MAN	WAS THE MAN.	
Q. DID YOU SEE	_Q DID YOU SEE	Q. DID YOU SEE	
THEM AGAIN—	THEM AGAIN	THEM AGAIN?	
WHERE DID	WHERE DID	WHERE DID	
THEY GO TO	THEY GO TO	THEY GO TO	
WHEN THEY	WHEN THEY	WHEN THEY	
GOT THE	GOT THE	GOT THE	
MULES ? A. MR.	MULES, MR.	MULES? A. MR.	
DAME SAID	DAME SAID	DAME SAID	
THE		THA T THE	
INDIANS HAD	INDIANS HAD	INDIANS HAD	
ATTACKED	ATTACKED	ATTAC T K ED	
THE TRAIN ON	TRAIN ON	THE TRAIN	
AHEAD; HE WAS	AHEAD, HE WAS	ONAHEAD; HE	
GOING OUT TO	GOING OUT TO	WAS GOING ON	
TRY TO	TRY	OUT TO TRY	
CALL THE	CALL	AND CALL THE	
INDIANS OFF,	INDIANS OFF	INDIANS OFF—	
WAS HIS	AND WAS HE	WAS HIS	
WORDS,	WORDS	WORDS	
EXACTLY. HE	EXACTLY.	EXACTLY. HE	
STARTED IN	STARTED IN	STARTED IN	
THAT	THAT	THAT	
DIRECTION. Q.	DIRECTION	DIRECTION. Q.	
DID YOU	WHO DID YOU	DID YOU	
SAY ONE WAS	SAY WENT	SEE A MAN	
MR. HAIGHT?	WITH HIM	WITH HIM	
		HEAR ONE	
		NAMED SMITH?	
A. I THINK IT	I THINK IT	A. I THINK IT	
WAS ISAAC	WAS ISAAC	WAS ISAAC C.	
HAIGHT; I	HAIGHT I	HAIGHT; HE	
WAS A	WAS	WAS A	
STRANGER AT	STRANGER AT	STRANGER AT	
THAT TIME; I	THAT TIME	THAT TIME;	
DON'T	DON'T	DON'T	
REMEMBER	REMEMBER THE	REMEMBER THE	
THE MAN; I	MAN I	MAN MA N. I	

RT RS	i BI	PS

AINT CERTAIN,	AIN'T CERTAIN	AINT CERTAIN	
BUT	BUT	ABOUT THAT; I	
THINK HIG <the< td=""><td>THINK</td><td>THINK THERE</td><td></td></the<>	THINK	THINK THERE	
OTHERS>		WAS A MAN	
	HIS	NAMED HIS	
NAME IS	NAME IS	NAME IS	
LEWIS ²⁷¹ THE	LEWIS THE	L W EWIS. THE	
TIME WE LEFT	TIME WE LEFT	DAY WE LEFT	
CEDAR CITY	CEDAR CITY =	CEDAR CITY;	
THAT WAS	THAT WAS	THAT WAS	
THE DAY	{THE} ^p DAY	THE DAY	
FOLLOWING, IN	FOLLOWING IN	FOLLOWING	
THE		THE	
AFTERNOON,	AFTERNOON.	AFTERNOON ,	
WE MET THAT	WE MET THAT	WE MET THAT	
SAME PARTY	SAME OUTFIT	SAME PARTY	
COMING BACK,	COMING BACK,	COMING BACK	
JUST ABOUT A	JUST ABOUT A	JUST ABOUT A	
MILE THIS SIDE	MILE THIS SIDE	MILE THIS SIDE	
OF ^[282] LYNCH'S	OF LEACH'S	OFLEECHE'S	
SPRINGS	SPRINGS [[39]]272	SPRINGS .	
IN THE CANON;	IN THE CANYON,	IN THE CANYON.	
IT IS TWELVE	IT IS TWELVE	IT IS I2	
MILES FROM	MILES FROM	MILES FROM	
CEDAR CITY. Q.	CEDAR CITY o	CEDAR CITY. Q.	
WHAT COUNTY	WHAT COUNTY	WHAT COUNTY	
IS IT	IS IT	COULDTY IS IT	
IN? A. IN IRON	$IN \{_{\mathbf{A}}\}^{p}IRON$	IN? A. IRON	
COUNTY. Q.	COUNTY o	COUNTY. Q.	
WHAT DID YOU	WHAT DID YOU	WHAT DID YOU	
DO WHEN YOU	DO WHEN YOU	DO WHEN YOU	
MET	MET	MET METN	
THEM THERE?	THEM THERE ²⁷³	THEM THERE?	
A. STOPPED	$\{_{\mathbf{A}}\}^{p}$ STOPPED	A STOPPED	
AND GOT THE	AND GOT THE	AND GOT THE IR	
MULES BACK	MULES THEY	MEALS.	
THAT THEY GOT	GOT	THEY	
AND THEN	THEN	THEN	
STARTED ON.	STARTED ON.	ST R ARTED ON.	
Q. YOU PASSED	oYOU PASSED	Q. YOU PASSED	
AND THEN STARTED ON.	THEN STARTED ON.	THEN STRARTED ON.	
Q. YOU PASSED	QYOU PASSED	Q. YOU PASSED	

^{271.} James Lewis.

^{272.} At the top of the page: {**E.C. Matthews, contd.**} P On the verso of this page: 1875-32=1843.

^{273.} Word apparently added later.

KI K5 DI F3	RT	RS	BT	
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ON AND GOT ON GOT ON — GOT YOUR YOUR MULES WULES BACK,	
1 m : arr m m - rrarra m : arr m m - rrarr m - m - rrarra	
BACK DID YOU? BACK DID YOU DID YOU-?	
A. YES SIR. Q. AYES SIR Q A. YES, SIR. Q.	
PASSED ON PASSED ON PASSED ON	
FROM THERE? FROM THERE?	
A. YES SIR. Q. AYES SIR Q A. YES, SHR. Q.	
WHAT WAS WHAT WAS	
THE NEXT NEXT THE NEXT	
PLACE YOU PLACE YOU PLACE YOUR	
SAW. ? A. SAW SAW? A.	
WHERE THEY WHERE THERE WHERE THERE	
WAS IN THE WAS ANY WAS ANY	
SETTLEMENT SETTLEMENTS	
THE NEXT NEXT — THE NEXT	
PLACE – PLACE PLACE WAS	
PAINTER CREEK PAINTER CREEK. PINTO CREEK,	
- A SMALL SMALL A SMAPLL	
SETTLEMENT. SETTLEMENT. SETTLEMENT.	
Q. HOW FAR IS Q. HOW FAR IS	
THAT BEYOND THAT BEYOND THAT BEYOND	
LYNCH'S LEACH'S LEECHE'S	
SPRINGS ? A. SPRINGS SPRINGS? A.	
THAT IS 12 OR 15 IT IS 12 OR 15 IT IS 12 OR 15	
MILES, CAN'T MILES CAN'T MILES, I CAN'T	
EXACTLY SAY. EXACTLY SAY SAY EXACTLY.	
Q. IS PAINTER Q. IS PINTO	
CREEK IN IRON CREEK IN IRON CREEK IN IRON	
OR OR OR	
WASHINGTON WASHINGTON WASHINGTON	
COUNTY ? A. I COUNTY AI COUNTY? A. I	
THINK IT IS IN THINK IT IS THINK IT IS IN	
IRON COUNTY, IRON COUNTY IRON COUNTY; I	
CAN'T SAY CAN'T SAY CAN'T SAY	
POSITIVELY. POSITIVE. POSITIVELY.	
Q. ABOUT Q. WELL, ABOUT	
HOW NEAR THE HOW NEAR THE HOW NEAR THE	
LINE ? A. LINE $\{A\}^p$ LINE? A. I	
HAVEN'T SEEN HAVEN'T SEEN HAVN'T SEEN	
THE MAP OF THE MAP OF	
THE COUNTY, I COUNTY THE COUNTRY. I	
DON'T KNOW DON'T KNOW DON'T KNOW	
WHERE THE WHERE THE WHERE THE	
LINES DO LINES DO LINES HAVE	

RUN. Q.	RUN. o	BE EN RUN. Q.	
DID YOU PASS	DID YOU PASS	DID YOU PASS	
THROUGH THE	FIRST THROUGH	THROUGH THE	
MOUNTAIN	MOUNTAIN	MOUNTA I N	
MEADOWS ? A.	MEADOWS A	MEADOWS? A.	
YES SIR. Q.	YES SIR o	YES, SIR. Q.	
WHAT DAY ?	WHAT TIME	WHAT DAY.	
A. WE PASSED	$\{_{\mathbf{A}}\}^{\mathbf{p}}$ WE PASSED	A. WE PASSED	
THERE JUST AS	THERE JUST AS	THERE JUST AS	
IT WAS	IT WAS	IT WAS	
COMING LIGHT,	GETTING LIGHT	GCOMING LIGHT	
NOT QUITE	IN	IN THE	
MORNING,	MORNING	MORNING—	
JUST	JUST AS	JUST	
GETTING	GETTING	GETTING	
DAY LIGHT,	DAY LIGHT	DAYLIGHT.	
DIDN'T SEE A	DIDN'T SEE A	DIDN'T SEE A	
SOUL IN THE	SOUL IN	SOUL D IN THE	
	MOUNTAIN		
MOUNTAIN		MOUNTAIN	
MEADOWS; –	MEADOWS	MEADOWS—	
NOT A LIVING	NOT A LIVING	NOT A LIVING	
SOUL. AS I	SOUL AS I	SOUL. AS I	
PASSED I SEEN	PASSED I SEEN	PASSED I SEEM	
SOME BODIES	SOME BODIES	SOME BODIES	
LYING TO THE	LYING TO	LYING TO THE	
LEFT OF THE [283]	LEFT OF	LEFT T OF THE	
ROAD, ON THE	ROAD,	ROAD,	
LEFT	RIGHT	RIGHT	
HAND SIDE. THE	HAND SIDE.	IN SIGHT. TEAKS	
TEAMS TURNED	TEAMS TURNED	TEAMS TURNED	
A LITTLE OUT	LITTLE OUT	A LITTLE OUT	
TO THE LEFT.	TO THE LEFT.	TO THE LEFT.	
Q. WHAT MADE	{Q} ^p WHAT MADE	Q. WHAT MADE	
IT TURN OUT ?	IT TURN OUT	IT TURN OUT?	
A. I DON'T	{ _A } ^p I DON'T	A. I DON ' Y T	
KNOW, BUT THE	KNOW	KNOW. BUT	
OTHER TEAMS	OTHER TEAMS	OTHER TEAMS	
TURNED OUT	TURNED OUT	[99] TURNED OUT	
IN	TOO IN	IN FTROO IN	
FRONT OF ME. I	FRONT OF ME. I	FRONT OF ME. I	
WAS DRIVING	WAS DRIVING	WAS DRIVING	
THE THIRD OR	THE THIRD OR	THE THIRD OR	
FOURTH. Q. DID	4TH DID	FOURT H . Q. DID	
THEY TURN OUT	THEY TURN OUT	THEY TURN OUT	

RT	RS	BT	PS

ACTHOLICH	AC THOUGH	ACIE	
AS THOUGH	AS THOUGH	AS IF	
THEY WERE	THEY WERE	THEY WERE	
AFRAID OF	AFRAID $\{A\}^p$ OR	AFRAID OR	
SHEERED OUT	SHEERED OUT	SHEERED OUT?	
OBJECTED TO	OBJECTED TO	OBJECTED TO.	
BY COUNSEL	DIA DEEDNIGE DIA	DYCHINE	
FOR DEFENSE.	BY DEFENSE. BY	BY THE	
COURT: IT IS	COURT IT IS	COURTA: IT IS	
NOT VERY	NOT VERY	NOT VERY	
MATERIAL	MATERIAL	MATERIAL.	
EVIDENCE. Q.	EVIDENCE $\{Q\}^p$	Q.	
YOU SAY YOU	YOU SAY YOU	YOU SAY YOU	
SAW SOME	SAW SOME	SAW SOME	
CORPSES THERE	CORPSES THERE;	CORPSES?	
– WHAT KIND	WHAT KIND	WHAT KIND	
WERE THEY ?	WERE THEY	WERE THEY?	
A. THEY WAS	$\{A\}^p$ THEY WAS	A. THEY WERE	
WHITE MEN,	WHITE MEN	WHITE MEN,	
WOMEN AND	WOMEN AND	WOMEN AND	
CHILDREN, I	CHILDREN I	CHILDREN. I	
DIDN'T GET OUT	DIDN'T GET OUT	DIDN'T GET OUT	
OF MY WAGON	OF MY WAGON	OF MY WAGON,	
TO SEE – NEVER	NEVER	NECVER	
MADE A HALT	MADE HALT	MADE A HALT	
AT ALL. Q. HOW	AT ALL. _Q HOW	AT ALL. Q. HOW	
MANY WERE	MANY	MANY	
THERE AS NEAR	AS NEAR	AS NEAR	
AS YOU CAN	AS YOU CAN	AS YOU CAN	
TELL ? A. I SAW	TELL $\{A\}^p$ I SAW	TELL? A.I SAW	
TWO	ABOUT	ABOUT	
THREE OR FOUR,	3 OR 4	THREE OR FOUR	
IS ALL I	IS ALL I	IS ALL I	
NOTICED,	NOTICED	NOTICED —	
ABOUT THREE	ABOUT THREE	A V BOUT THREE	
OR FOUR.	OR FOUR ON	OR FOUR.—NOT	
	GROUND	MORE THAN	
Q. HOW	oHOW	THA T. Q. HOW	
FAR DID YOU	FAR DID YOU	FAR DID YOU	
DRIVE BEFORE	DRIVE BEFORE	DRIVE BEFORE	
YOU STOPPED?	YOU STOPPED	YOU STOPPED?	
A. TWO AND A	$^{1}_{A}2^{1/2}$	A. TWO AND A	
HALF MILES, TO	MILES TO	HALF MILES TO	
A PLACE	PLACE	A PLACE	
CALLED THE	CALLED	CALLED	

RT	RS	BT	PS

CANE SPRINGS.	CANE SPRINGS	KANE SPRINGS.
Q. WHAT	$\{_{0}\}^{\mathbf{p}}$ WHAT	Q. WHAT
CONDITION	CONDITION	CONDITION
WERE THE	{WERE THE} ^p	WERE THE
CORPSES	WERE CORPSES	CORPSES IN
IN THAT YOU	IN YOU	THAT YOU
SAW? A.	$SAW \{_A\}^p$ THEY	SAW? A. THEY
JUST	WAS JUST	WERE JUST
LYING ON THE	LYING ON THE	LAYING ON THE
GROUND,	GROUND	GROUND
WITHOUT	WITHOUT	WITHOUT
CLOTHES ON	CLOTHES ON	CLOTHES ON.
THEM,	THEM,	THEY WERE
NAKED, BARE,	NAKED BARE,	NAKED—BEAR.
THAT IS WHAT	THAT IS WHAT	THAT IS WHAT
MADE ME	MADE ME	MADE ME
NOTICE THEM.	NOTICE THEM	NOTICE THEM.
THESE I SAW	THOSE I SAW	THOSE I SAW
		WASN'T PIL E D
WAS NOT PILED, LAYING	WAS NOT PILED, LAYING	
		UP—LAYING SOME DISTANCE
SOME DISTANCE	SOME DISTANCE APART.	
APART. Q.		APART. Q.
ABOUT HOW	ABOUT HOW	ABOUT HOW
FAR FROM	FAR FROM	FAR FROM
PAINTER CREEK	PINTO CREEK	PINTO CREEK
TOWN THAT	TOWN	TOWN, WHICH
YOU CALL A	CALL A	YOU CALL THE
SETTLEMENT?	SETTLEMENT	SETTLEMENT?
A. IT IS NINE	$\{A\}^p$ IT IS NINE	A. IT IS 9
OR TEN MILES.	OR TEN MILES	OR IO MILES.
Q. IN WHAT	QWHAT	Q. WHAT
DIRECTION IS IT	DIRECTION	DIRECTION?
? A. RATHER	RATHER	A. RATHER
SOUTHERLY	SOUTHERLY	SOUTHERLY
DIRECTION,	DIRECTION	DIRECTION —
SOUTHWEST I	SOUTHWEST I	SOUTHWARDS, I
SHOULD	SHOULD	SHOULD
JUDGE, ABOUT	JUDGE ABOUT	JUDGE, ABOUT
A QUARTER	QUARTER	A QUARTER
ANGLE, AS	ANGLE AS	ANGLE. Q. WAS
THE ROAD	ROAD	THE ROAD
ANGLES	ANGLES	CLOSE TO
EDOM DADIEED	EDOM DDITTO	ENCLOSED EDOM PRITO
FROM PAINTER	FROM PINTO	FROM PINTO

RT	RS	BT	PS

CREEK,	CREEK	CREEK? A. NO,
RATHER	RATHER	RATHER
WESTWARD.	WESTWARD.	WESTWAR D .
Q. DID YOU	oDID YOU	Q. DID YOU
HAVE ANY	HAVE ANY	HAVE ANY
ORDERS TO	ORDERS TO	ORDERS TO
DRIVE ALL	DRIVE ALL	DRIVE ON ALL
NIGHT,	NIGHT	NIGHT OR NOR,
IF SO STATE	IF SO STATE	IF SO STATE
WHAT THEY	WHAT THEY	WHAT THEY
WERE [284]	WERE? BY	WERE? BY M ^R
HOGE: WE	HOGE WE	HOGE: WE
	OBJECT TO	
OBJECT TO		OBJECT TO
THAT QUESTION	THAT MAN	THAT. MEN
AS TEAMS HAVE	TRAVELING	TRAVELING
THE RIGHT TO	THROUGH	THROUGH THAT
TRAVEL NIGHT	THERE	COUNTRY IS
OR DAY AS THE	IS NOT	NOT
SEE FIT.	NECESSARY.	NECESSARY —
THE COURT	BY COURT THAT	BY THE COURT:
RULED THAT	QUESTION[?]	THE OFFICE OF
THE QUESTION	{QUESTION} ^p	THE QUESTION
WASS	IS	IS SO
OMEWHAT	SOMEWHAT	SOMEWHAT
LEADING,BUT	LEADING	LEADING BUT
YOU MAY ASK	YOU MAY ASK	YOU MAY ASK
HIM HOW HE	HIM HOW HE	HIM HOW HE
TRAVELLED.	TRAVELED.	TRAVELED.
Q. WAS THERE	$\{_{\mathbf{Q}}\}^{p}$ WAS THERE	Q. WAS THE R E
ANY	QANY	ANY
PARTICULAR	PARTICULAR	PARTICULAR
REASON WHY	REASON WHY	REASON FOR
YOU	YOU	YOUR
TRAVELLED	TRAVELED ALL	TRAVELING ALL
ALL NIGHT, IF	NIGHT IF	NIGHT, IF
SO STATE IT ?	SO STATE {IT.} ¹	SO STATE IT?
A. I KNOW OF	AI KNOW OF	A. I KNOW OF
NONE; WHEN	NONE. WHEN	NONE. WHEN
WE LEFT CEDAR	WE LEFT CEDAR	WE LEFT CEDAR
CITY WE	CITY WE	CITY WE
INTEMDED TO	INTENDED	INTENDED TO
CAMP AT LINH'	CAMP AT	CAMP AT
LYNCH'S	LEACHS	LEECHE'S
SPRINGS, AND I	SPRINGS, AND I	SPRINGS, AND I

DO NOT KNOW	DO NOT KNOW	DO NOT KNOW	
TO THIS DAY	TO THIS DAY	TO THIS DAY	
WHY WE	WHY WE	WHY WE	
TRAVELLED	TRAVELED	TRAVELED	
THAT NIGHT.	THAT NIGHT.	THA T NIGHT.	
	BY COURT YOU		
	CAN TAKE		
	WITNESS TO		
	DEFENSE BY		
	DEFENSE WE		
	HAVE NO		
	QUESTIONS TO		
	ASK THAT IS[?]		
	BY COURT YOU		
	CAN GO MR.		
	MATTHEWS.		
	{DEF WAIVED	CROSS-	
	CROSS	EXAMINATION	
	EXAMIN } ^p	WAIVED.	
JAMES	[End of Shorthand	[100] JAMES	
PIERCE SWORN	Book 5]	PEARCE SWORN	
FOR	-	FOR THE	
PROSECUTION.		PROSECUTION.	
		EXAMINED BY	
BASKIN: Q.		M^{R} CAREY: Q.	
WHAT IS YOUR		WHAT IS YOUR	
AGE ? A. THIRTY		NAME? A. JAMES	
TWO YEARS		PEARCE.	
OLD. ²⁷⁴ Q.		Q. WHERE DID	
WHERE WERE		YOU	
YOU RESIDING		LIVE IN	
IN THE FALL OF		THE FALL OF	
1857 ? A. I WAS		'57? A. I LIVE D	
IN		IN	
PAYSON,UTAH		PAYSON IN THE	
TERRITORY.		FALL OF '57.	
Q. DO		Q. STAT E IF OF	
YOU KNOW		YOU KNOW	
ANYTHING		ANYTHING	
ABOUT THE		ABOUT A	
ARKANSAS		COMPANY OF	
EMIGRANT		EMIGRANTS	

^{274.} Pearce was born March 6, 1839.

RT

RS

BT

PS

RT	RS	BT	PS

TRAIN HAVING	KNOWN AS THE
PASSED	ARKANSAS
THROUGH THAT	COMPANY?
COUNTRY	COMITATO
ABOUT THAT	
TIME? A. YES	A.
SIR, I SAW THEM	I SAW THE
WHEN THEY	TRAIN AS THEY
PASSED	PASSED
	THROUGH
PAYSON.	PAYSON? Q.
	WHAT KIND OF
	A COMPANY
Q. ABOUT HOW	WAS IT; HOW
MANY WAGONS	MANY WAGONS
HAD THEY IF	WERE THERE IN
ANY? A. I	THE TRQAIN?
COULD NOT	
SAY, BUT IT	
SEEMS TO ME	
THERE WAS AS	
NEAR AS I CAN	A. WELL,
REMEMBER	THERE WAS
SOMEWHERE	ABOUT
FROM TWENTY	30
	OR 40 WAGONS.
TO THIRTY, BUT	
COULD NOT	AND
SAY	
POSITIVELY,	
QUITE A LITTLE	
TRAIN. Q. HAD	
THEY ANY	
STOCK; OF ANY	
KIND, IF S O	
DESCRIBE WHAT	
KIND AND	
NUMBER A. I	
COULD	
NOTTELL YOU	
SIR WHAT	
NUMBER OF	
STOCK THEY	
HAD; THEY HAD	
^[285] THEIR	

RT	RS	ВТ	PS
TEAMS PRETTY			
GOODTEAMS,			
BUT THEY WAS			
PRETTY WELL			
DRILLED DOWN.			
Q. HAD THEY			
ANY CATTLE?		TO LANCE A	
A. I THINK THEY		THEY	
HAD; I DON'T		HAD SOME	
KNOW HOW		LOOSE STOCK	
MANY, I DIDN'T		BUT I DON'T	
NOTICE ABOUT		KNOW	
THEIR STOCK TO			
NOTICE HOW		HOW	
MANY THEY		MANY	
H A D. Q. ABOUT			
HOW MANY			
PERSONS WERE			
THERE IN THE			
TRAIN? A. I			
COULDNOT			
TELL YOU			
ABOUT HOW			
MANY. Q. OF			
COURSE YOU			
MAY			
APPROXIMATE			
TO IT? A. AS			
NEAR ASI CAN			
REMEMBER,BUT			
I COULD			
NOT SAY. Q.			
WELL, AS NEAR			
AS YOU CAN			
TELL BY			
IMPRESION			
MADE ON YOUR			
MIND – HOW			
MANY DO YOU			
THINK THERE			
WERE? A. THEY			
WAS MOSTLY			
MEN, A FEW			
WOMEN AND			

RT	RS	ВТ	PS
CHILDREN. Q.			
WERE THERE			
FIFTY IN THE			
TRAIN? A. I			
SHOULD JUDGE			
THERE WAS; I			
DON'T KNOW			
THROUG , H,BUT I			
SHOULD JUDGE			
THERE			
WASTHAT			
MANY. Q. WERE			
THERE WOMEN			
TO THAT			
NUMBER ? A.			
THAT I COULD			
NOT			
SAY, WHETHER			
THEREWAS OR			
NOT. Q. DO YOU			
REMEMBER			
WHAT DAY			
THEY PASSED			
THROUGH			
PAYSON? A. I			
DO NOT			
REMEMBER. Q.			
DO YOU			
REMEMBER IT			
WAS IN THE			
FALL OF THE			
YEAR ? A. YE S .			
Q. DO YOU		Q.	
REMEMBER			
WHAT MONTH		WHAT MONTH,	
IT WAS ? A. IT		WAS IT, IF YOU	
SEEMS TO ME		KNOW?	
IT WAS IN			
AUGUST. I			
KNOW IT WAS IN		A. IT WAS	
HARVEST TIME,		HARVEST TIME	
THE FALL OF			
THE YEAR. Q. IN			
WHICH			

IX.	KS	υ.	13
DIRECTION WAS			
THE TRAIN			
TRAVELING? A.			
TRAVELING ! A.			
SOUTH. [286] Q.			
AFTER THEY		WHEN THEY	
PASSED		PASSED	
THROUGH		THROUGH	
PAYSON		PAYSON. Q.	
DID		WHEN NEXT DID	
YOU EVER		YOU	
AFTERWARDS		CEE THE TO A DI	
SEE THAT TRAIN		SEE THE TRAIN,	
? A. YES SIR, I		IF AT ALL,	
DID. Q. WHEN?		AFTER THAT? A.	
A. AT THE		WE MOVED	
MOUNTAIN		FROM PAYSON	
MEADOWS,		ТО	
		WASHINGTON;	
		FATHER AND I	
		WENT DOWN	
A FEW		THERE. FOUR	
DAYS AFTER		DAYS AFTER	
THEY		THE TRAIN	
PASSED		PASSED	
		THROUGH	
PAYSON I		PAYSON; WE	
STARTED		STARTED	
DOWN,MY			
FOLKS WAS			
THEN LIVING IN		FOR	
WASHINGTON,W		WASHINGTON	
ITH AN OLD		TO LIVE THERE;	
MAN BY THE			
NAME OF			
JOSEPH ADAIR;			
HE HAD AN OX			
TEAM GOING TO			
WASHIGTON,			
WHERE MY			
FOLKS WAS;			
THEY HAD BEEN			
LIVING AT			
PAYSON BUT			
			•

RT

RS

BT

PS

RT	RS	ВТ	PS
MOVED TO WASHINGTON. I CAME DOWN AFTER THAT TRAIN PASSED THROUGH. Q. YOU SAY YOU SAW THAT TRAIN ON THE MOUNTAIN MEADOWS – HOW LONG WAS IT AFTER IT PASSED THROUGH PAYSON WAS IT THAT YOU SAW THEM ON THE MEADOWS – HOW MANY DAYS? A. THAT WAS SOMETIME, TRAVELING DOWN. THEY CAME VERY SLOW, THEIR TEAMS WAS POOR, TRAVELIN G SLOW, I COULD NOT		THEY TRAVELED SLOW BECAUSE THEIR OXEN WERE POOR. AND WE TRAVELED PRETTY FASTT SO THAT WE GOT THERE BEFORE THEY DID.	
TELL JUST HOW LONG; I CAME BEHIND WITH THIS OLD			

	RS	Σ.	
GENTLEMAN,			
DEAD NOW, A			
GOOD MANY			
HERE ARE			
ACQUAINTED			
WITH HIM. HE			
HAD AN OX			
TEAM. THE			
EMIGRANTS			
HAD GONE OFF			
AT THE FORKS			
OF THE ROAD			
BEFORE WE			
PASSED, THEY			
WASGOING			
VERY SLOW. Q.		Q. WHERE DID	
AFTER YOU GOT		YOU NEXT SEE	
DOWN TO		THAT TRAIN, AT	
WASHINGTON		WASHINGTON?	
DID YOU SEE			
THEM			
AFTERWARDS?			
A. YES SIR. Q.			
WHAT WERE			
THEY DOING?			
A. THEY WAS			
CORRALED . Q.			
HOW LONG DID			
THEYEREMAIN			
WAS			
THEY REMAIN	[[Bk 6 2]]275 AT		
THERE AT			
WASHINGTON?	WASHINGTON		
A. NO,,T T HAT	ANO THAT	A. NO, THAT	
TRAIN WAS NOT	TRAIN WAS NOT	TRAIN WASN'T	
AT	AT	AT	
WASHINGTON,	WASHINGTON;	WASHINGTON.	
THAT TRAIN	THAT TRAIN	THAT TRAIN	
WAS AT THE	WAS AT	WAS AT THE	

BT

PS

JULY 28/75 9AM - CON'T.

RT

RS

^{275.} Page 1 of RS is not extant. Page 2 is now the cover page; it is very dirty and in poor condition and therefore very difficult to read. At the top of page 2 in longhand, in purple pencil: {WEDNESDAY MORNING—BOOK 6—JULY 28/75 9AM - CONTD JAMES PEARCE, TESTIMONY CONTINUED.} p In pencil beneath the purple pencil: BOOK 6 -

KI	K5	БІ	P5

MOUNTAIN	MOUNTAIN	MOUNTAIN	
	MEADOWS		
MEADOWS,THEY		MEADOWS. Q.	
WERE ON	WERE WITH	THEY WENT ON	
THE	THEM ON	TO THE	
MEADOWG	MOUNTAIN	MOUNTAIN	
MEADOWS	MEADOWS	MEADOWS AND	
AT THE	AT THE	CAMPED AT THE	
FARTHER END	FARTHER END	FARTHER END	
OF THE	OF	OF THE	
MEADOWS	MEADOWS	MEADOWS,	
FROM HERE	FROM HERE,		
ABOUT FOUR	ABOUT FOUR	ABOUT FOUR	
MILES,	MILES THINK	MILES, I THINK	
FROM JACOB	FROM JACOB	FROM JACOB	
HAMBLIN'S	HAMBLIN	HAMBLIN'S	
RANCH I	RANCH I	RANCH.	
THINK. [287]	THINK. ²⁷⁶		
Q. WHAT WERE	$_{\mathbf{Q}}$ WHAT	Q. WHAT	
THY DOING	WERE THY	WERE THEY	
THERE ?	DOING THERE	DOING THERE.	
A. THEY WERE	ATHEY WERE	A. THEY WERE	
CORRALLED	CORRALLED	CORRALLED	
THERE. Q. HOW	THERE $\{_{\mathbf{Q}}\}^p$ HOW	THERE. Q. HOW	
MANY TIMES	MANY TIMES	MANY TIMES	
DID YOU SEE	DID YOU SEE	DID YOU SEE	
THEM? A. I	THEM I	THEM? A. I	
DON'T	DON'T	DON'T	
REMEMBER, IT	REMEMBER	KNOW,	
PROBABLY		PROBABLY	
TWICE OR	TWICE OR	TWICE OR	
THREE TIMES,	3 TIMES	THREE TIMES,	
MAY BE MORE.	MAYBE MORE	MAY BE MORE.	
Q. HOW NEAR	oHOW NEAR	Q. HOW NEAR	
TO THEIR	TO THEIR	TO THEIR	
CORRALL WERE	CORRAL WERE	COR R AL WERE	
YOU? A. I	YOU AI	YOU? A. I	
THINK IT WAS A	THINK IT WAS	THINK IT WAS A	
MILE AND A	MILE AND A	MILE AND A	
HALF ABOVE IN	HALF ABOVE IN	HALF ABOVE, IN	
A LITTLE	$\{\mathbf{A}\}^p$ LITTLE	A LITTLE	
CANON. THERE	CANYON THERE	CANYON. THERE	

^{276.} Above the line: {* **DEC 24/1030 PM**.} In the center of the page over the shorthand, "**COMPARED**" is written.

S

IS A LITTLE	IS LITTLE	IS A LITTLE	
CREEK COMES	CREEK COMES	CREEK CAOMES	
OUT THERE. I	OUT. I	OUT THAT WE	
WAS	WAS	WA W S	
CAMPED	CAMPED	CAMPED	
ABOVE. Q. HOW	ABOVE oHOW	ABOVE. Q. HOW	
DID YOU COME	DID YOU COME	DID YOU COME	
TO GO TO	TO GO {TO	TO GO TO	
THE	THE} ^p	THE	
MOUNTAIN	MOUNTAIN	MOUNTA N	
MEADOWS ON	MEADOWS ON	MEADOWS ON	
THAT	THAT	THAT	
OCCASION ? A. I	OCCASION { _A } ^p I	OCCASION? A. I	
WENT UP WITH	WENT UP WITH	WENT UP WITH	
A SMALL PARTY	A SMALL PARTY	A SMALL PARTY	
– SMALL PARTY	SMALL PARTY	; SMALL PARTY	
FROM	FROM	FROM	
WASHINGTON; I	WASHINGTON I	WASHINGTON. I	
WAS TOLD	WAS TOLD	WASNT TOLD	
TO GO ALONG –	TO GO ALONG,	TO GO ALONG; I	
ASKED TO GO	ASKED TO GO	ASKED TO GO	
ALONG. I WENT	ALONG = I WENT	ALONG. I WENT	
ALONG WITH	ALONG WITH	ALONG WITH	
THEM. Q. WAS	THEM oWAS	THEM? A. WAS	
THERE	THERE	THERE	
ANYTHING SAID	ANYTHING SAID	ANYTHING SAID	
AS TO WHAT	AS TO WHAT	AS TO WHAT	
YOU WERE TO	YOU WAS TO	YOU WERE TO	
GO FOR ? A. I	GO FOR _Q ≤I	GO FOR? A. I	
DON'T	DON'T >	DON'T	
REMEMBER ANY	REMEMBER ANY	REMEMBER ANY	
TALK OF IT	TALK OF IT	TALK. OF IT .	
BEFORE I	BEFORE I	BEFORE WE	
STARTED FROM	STARTED FROM	STARTED FROM	
THERE. Q. WHAT	HOME _Q WHAT	THERE. Q. WHAT	
DID THE	DID	DID THE	
COMPANY YOU	COMPANY YOU	I COMPANY	
WENT WITH	WENT WITH		
HAVE OR TAKE	HAVE OR TAKE	HAVE OR TAKE	
WITH THEM IN	WITH THEM IN	WITH YOU A. IN	
YOUR	YOUR	OT OR TAKE [101]	
POSSESSION ?	POSSESSION	ANY OF YOUR	
A.	A	PARTIES? A.	
I THINK	I THINK	I THINK THE	

RT	RS	BT	PS

MOST OF THEM	MOST OF THEM	MOST OF THEM	
MOST OF THEM	MOST OF THEM	MOST OF THEM	
HAD GUNS	HAD GUNS	HAD GUNS	
ALONG. Q. DID	ALONG _Q DID	ALONG. Q. DID	
YOU HAVE A	YOU HAVE	YOU HAVE A	
GUN? A. I DID, I	GUN AI DID I	GUN? A. I DID, I	
GOT ONE OF	GOT ONE OF	GOT ONE AT	
SOME OF THE	SOME OF	SOME OF THE	
NEIGHBORS	NEIGHBORS	NEIGHBORS	
THERE. Q. WHY	THERE QWHY	THERE. Q. WHY	
DID YOU GET A	DID YOU GET A	DID YOU GET A	
GUN? A.	GUN A	GUN? A.	
WELL, THERE	WELL THERE	WELL, THERE	
WAS A TALK	WAS TALK	WAS A REPORT	
THAT THERE	THAT THERE	THAT THERE	
WAS A TRAIN	WAS TRAIN	WAS A TRAIN	
PASSING	PASSING	PASSING	
THROUGH	THROUGH	THROUGH	
THAT HAD	THAT HAD	THAT HAD	
BEEN	BEEN	BEEN	
STOPPED,SOMET	STOPPED =	STOPPED,	
HING OF	SOMETHING OF	SOMETHING OF	
THAT KIND; I	THAT KIND = I	THAT SORT. I	
WAS A	WAS	WAS A	
STRANGER	STRANGER	STRANGER	
THERE,AS I	THERE AS I	THERE, AS I	
TOLD YOU.	TOLD YOU,	TOLD YOU,	
THERE WAS A	THERE WAS	THERE WAS A	
CROWD GOING	CROWD GOING	CROUD GOING	
UP AND I WENT	UP, I WENT	UP, I WENT	
ALONG WITH	ALONG WITH	ALONG WITH	
THEM. Q. DID	THEM _Q DID	THEM. Q. DID	
YOU HAVE ANY	YOU HAVE ANY	YOU HAVE ANY	
CONVERSATION	CONVERSATION	CONVERSATION	
WITH ANY	WITH ANY	WITH ANY	
PERSON ABOUT	PERSON ABOUT	PERSON ABOUT	
WHAT YOU	WHAT YOU	WHAT YOU	
WERE TO TAKE	WERE TO TAKE	WEREE TO TAKE	
WITH YOU – IF	WITH YOU IF	WITH YOU? IF	
SO, STATE	SO STATE	SO, STATE	
WHAT?	WHAT	WHAT ??	
OBJECTED TO	$\{\underline{OBJ}\}^p$	OBJECTED TO	
BY JUDGE	BY	BY MR.	
SUTHERLAND.	SUTHERLAND	SUTHERLAND. &	
	HIS TESTIMONY	OBJECTION	

	[5] CHOTH D	SUSTAINED.	
	——[?] SHOULD BE ASKED IT IS	SUSTAINED.	
	MATTER OF THE		
	UTMOST — —[?]		
^[288] Q. I WILL	$\{_{0}\}^{p}$ I WILL	Q. I WILL	
ASK YOU NOW	ASK YOU NOW	ASK YOU THEN	
FOSAETO	TO	TO	
STATE THE	STATE	STATE THE	
CIRCUMSTANCE	CIRCUMSTANCE	CIRCUMSTANCE	
S THAT LEAD	S WHAT LEAD	S THAT LED	
YOU TO GO OUT	YOU TO GO OUT	YOU OUT TO GO	
THERE ON THAT	ON THAT	ON THAT	
EXPEDITION –	EXPEDITION	EXPEDITION?	
STATE THE	STATE	STATE THE	
REASONS WHY	REASONS WHY	REASONS WHY	
YOU WENT AND	YOU WENT AND	YOU WENT;	
WHY YOU TOOK	WHY YOU TOOK	WHY YOU TOOK	
YOUR GUN	YOUR GUN	YOUR GUN	
WITH YOU?	WITH YOU IT	WITH YOU?	
A. I WAS	WAS AI WAS	A. I WAS	
TOLD TO TAKE	_TOLD TO> —[?]	TOLD TO TAKE	
MY GUN ALONG	MY GUN ALONG	MY GUN ALO N G	
BY SOME OF	BY SOME OF	BY SOME OF	
THE CITIZENS	CITIZENS	THE CITIZENS	
THERE. I HAD	THERE, I HAD	THERE. I HAD	
JUST MOVED	JUST MOVED	JUST MOVED	
DOWN THERE.	DOWN THERE.	DOWN THERE	
		ТО	
		WASHINGTON.	
THERE WAS A	THERE WAS	THERE WAS A	
CROWED GOING	CROWD GOING	CROUD GOIMNG	
UP—A SMALL	UP = SMALL	UP — SMA P LL	
PARTY FROM	PARTY FROM	PARTY FROM	
THERE. Q.	THERE. Q	THERE. Q.	
WHAT WAS YOU	WHAT WAS YOU	WHAT WAS YOU	
TO TAKE THE	TO TAKE A	TO TAKE A	
GUN FOR ? A. I	GUN FOR $\{A\}^p$ I SUPPOSE	GUN FOR? A.	
SUPPOSE		I SUPPO SE— OBJECTED TO	
OBJECTED TO BY JUDGE	OBJECTION BY DEFENSE	BY M ^R	
SUTHERLAND.	{OBJ SUTH} ^p	SUTHERLAND.	
SUTTEKLAND.	{ ОБЈ SUTП } ²	QBY	
	PROSECUTION	CAREY:	
Q. STATE WHAT	STATE WHAT	STATE WHAT	

S

TYOTY TO THE TYPE OF	******	******	
YOU KNEW? A.	YOU KNEW A	YOU KNEW? A.	
WELL SIR, UPON	WELL SIR UPON	WELL, SIR, UPON	
MY OATH, I	MY OATH, I	MY OATH, I	
DID NOT KNOW	DID NOT KNOW	DON'T KNOW	
WHAT I WAS	WHAT I WAS	WHAT I WAS	
TAKING T HE	TAKING	TAKING THE	
GUN FOR. Q.	GUN FOR. Q	GUN FOR. Q.	
HOW DID YOU	HOW DID YOU	HOW DID YOU	
COME TO TAKE	COME TO TAKE	COME TO TAKE	
YOUR GUN AT	YOUR GUN TO	YOUR GUN—TO	
THE TIME	TAKE IT WITH	TAKE IT WITH	
YOU WENT? A. I	YOU I	YOU. A. I	
WENT AND GOT	WENT GOT	WENT AND GOT	
IT AND TOOK IT	IT, TOOK IT	IT—TOOK IT	
WITH ME, AS I	WITH ME AS I	WITH ME AS I	
TOLD YOU	TOLD YOU	TOLD YOU	
BEFORE,	BEFORE,	BEFORE,	
BECAUSE THERE	BECAUSE THERE	BECAUSE THERE	
WAS OTHERS	WAS OTHERS	WAS OTHERS	
TAKING GUNS	TAKING GUNS	TAKING GUNS	
FROM THERE. I	FROM THERE, I	FROM THERE. I	
WAS INVITED	WAS INVITED	WAS INVITED	
TO GO ALONG	GO ALONG	TO GO ALONG,	
AND I TOOK MY	AND I TOOK MY	AND I TOOK MY	
GUN. Q. WHAT	GUN WHAT	GUN. Q. WH AT	
DID YOU TAKE	DID YOU —[?]	DID YOU TAKE	
IT FOR AND	FOR =	IT FOR?	
WHAT DID YOU	WHAT DID YOU	WHAT DID YOU	
DO WITH IT –	DO WITH	DO WITH	
WITH THE GUN?	THE GUN	THE GUN?	
A. IT WAS	$\{_{\mathbf{A}}\}^{p}$ IT WAS	A. WELL, IT WAS	
A FRONTIER	$\{A\}^p$ FRONTIER	A FREONTIER C	
INDIAN	INDIAN	INDIAN	
COUNTRY AND	COUNTRY FOR	COUNTRY FOR	
THERE WERE	ONE THING,	ONE THING,	
ONLY A VERY	ONLY VERY	ONLY A VERY	
FEW	FEW	FEW	
SETTLERS,AND	SETTLERS;	SETTLERS;	
WHEN WE	,	,	
WENT OUT LIKE			
THAT EVERY	EVERY	EVERY	
MAN PACKED	MAN PACKED	MAN PACKED	
HIS GUN AND SIX	HIS GUN AND SIX	HIS GUN OR AND SIX	

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SHOOTER WITH	SHOOTER WITH	SHOOTER WITH
HIM,BUT I	HIM BUT I	HIM; BUT I HAD
DIDN'T OWN A	DIDN'T OWN	NO
GUN AT THAT	GUN AT THAT	GUN AT THAT
TIME. Q.	TIME o	TIME. Q.
WHERE DID	WHERE DID	WH ERE DID
YOU GET THE	YOU GET THE	YOU GET THE
GUN THAT YOU	GUN THAT YOU	GUN THAT YOU
TOOK? A. I	TOOK AI	TOOK? A. I
COULD NOT	COULD NOT	FCOULD NOT
TELL YOU	TELL YOU SIR	TELL YOU SIR,
SIR, TO SAVE MY	{TO} ^p SAVE MY	TO SAVE MY
LIFE, WHO	LIFE, WHO	LI V FE WHO
OWNED IT. Q.	OWNED IT. o	OWNED IT. Q.
WAS THERE	WAS THERE	WAS THERE
ANYTHING SAID	ANYTHING SAID	ANYTHING SAID
AT THAT TIME	AT THAT TIME	AT THA T TIME
ABOUT THIS	ABOUT THIS,	ABOUT THIS
EXPEDITION, IF	EXPEDITION, IF	EXPEDITION, IF
SO BY WHOM?	SO BY WHOM	SO BY WHOM?
A. THERE WAS	$\{_{\mathbf{A}}\}^{p}$ THERE WAS	A. THERE WAS
SOME TALK OF	SOME TALK OF	SOME TALK OF
STOPPING THAT	STOPPING THEM	STOPPING THEM
EMIGRANTS, IT	EMIGRANTS; IT	EMIGRANTS. IT
WAS SAID	WAS SAID	WAS SAID
THERE [289] WAS	THERE WAS	THEREY
SOME	SOME	W AS ERE SOME
MOBOCRATS	MOBOCRATS	MOBOCRATS
TAHT HAD BEEN	THAT HAD BEEN	THAT HAD BEEN
IN THE MOB	IN {THE} ^p MOB	IN THE MOĐB
IN THE MOD	IN <the></the>	IN [102] THE
NAUVOO, AND	STATES;	STATES; TH
THEY SAID	SAID	SAID
THEY WOULD	THEY WOULD	THEY ¥WOULD
EXTERMINATE	EXTERMINATE	EXTERMANATE
THE MORMONS	THE MORMONS	THE MORMONS
WHEN THEY	WHEN THEY	WHEN THEY
GOT TO	GOT {TO}p	GOT TO
CALIFORNIA. I	CALIFORNIA; I	CALIFORNIA I
HEARD IT IN	HEARD IT IN	HEARD IT IN
THE CROWD I	THE CROWD I	THE CROUD I
WAS WITH,BUT I	WAS WITH, [[3]]	WAS WITH . I
COULD NOT	COULD NOT	COULD NOT
TELL YOU THE	TELL YOU	TELL YOU THE

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ENTICAL	IDENTICAL	
PWHAT ELSE		
WAS		
PORTED THEY	REPORTED THEY	
D BEEN	HAD BEEN	
ISONING	POI N SIONING	
RINGS	SPRINGS AS	
EY CAME	THEY CAME	
WN	DOWN AND	
MMITTING	COMMITTING	
TRAGES ON	OUTRAGES ON	
E PEOPLE;	THE PEOPLE;	
AT WAS THE	THAT WAS THE	
ORD	WORD	
ROUGH THE	THROUGH THE	
OWD, THAT	CROUD. THAT	
AS THE TALK	WAS THE TQALK	
EARD ABOUT	I HEARD ABOUT	
EM _O WHAT	THEM. Q. WHAT	
O YOU	DID YOU	
$AR\{T\}^p OUT$	A R TART OUT	
ERÈ TO DO	THERE TO DO?	
SUPPOSE	A. I SUPPOSED	
JECTED TO		
	BY M ^{<u>R</u>}	
THERLAND,	SOUTHERLAND:	
WITNESS		
ECIFY		
	I OBJECT TO	
	SITNESSES	
^p WHAT	WHAT	
	WAS SAID?	
	-	
,	BY $M^{\underline{R}}$	
THERLAND	SUTHERLAND: I	
JECTED TO	OBJECT TO	
S DRAWING	HIS DRAWING	
Y INFERENCE	INFERENCES	
TO WHAT		
	RTY, THAT AS THE TALK HAT ELSE AS SAID PWHAT ELSE WAS PORTED THEY D BEEN SONING RINGS EY CAME WN MMITTING TRAGES ON E PEOPLE; AT WAS THE DRD ROUGH THE OWD, THAT AS THE TALK EARD ABOUT EM QWHAT D YOU AR {T}P OUT ERE TO DO FUPPOSE JECTED TO THERLAND, WITNESS ECIFY PWHAT AS SAID {S - I J TO HIS}P THERLAND JECTED TO TO THERLAND JECTED TO	RTY, THAT S THE TALK HAT ELSE S SAID PWHAT ELSE WAS PORTED THEY D BEEN SONING RINGS EY CAME WN MMITTING TRAGES ON E PEOPLE; AT WAS THE DOWD, THAT S THE TALK EARD ABOUT EM QWHAT D YOU AR {T}P OUT ERE TO DO SUPPOSE JECTED TO SUPPOSE JECTED TO STINESS ECIFY PWHAT S S SAID {S - I J TO HIS}P PARTY BUT THAT WAS THE TALK. Q. WHAT ELSE WAS SAID? A. WHAT ELSE ——IT WAS REPORTED THEY HAD BEEN POINSIONING REPORTED THEY HAD BEEN THEY CAME OUTRAGES ON OUTRAGES ON THE PEOPLE; THAT WAS THE WORD THEROUGH THE CROUD. THAT WAS THE TQALK I HEARD ABOUT THEM. Q. WHAT DID YOU AR ATART OUT THERE TO DO? A. I SUPPOSED —— BY M® SOUTHERLAND: I OBJECT TO SITNESSES SUPPOSING. Q. WHAT WAS SAID? BY M® SUTHERLAND: I OBJECT TO HIS DRAWING INFERENCES

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WAS SAID. Q.	WAS SAID $\{Q\}^p$	WAS SAID. Q.	
FROM YOU	FROM	FROM	
WHAT YOU	WHAT YOU	WHAT YOU	
HEARD SAID OR	HEARD SAID	HEARD SAID A	
SAW	AND SAW	ND SAW	
THERE, WHAT	THERE, $\{o\}^p$	THERE,	
DID YOU	WHAT DID YOU	WHAT DID YOU	
GO OUT TO THE	GO OUT TO THE	GO OUT TO THE	
MOUTAIN	MOUNTAIN	MOUNTAIN	
MEADOWS TO	MEADOWS TO	MEADOWS TO	
DO ? OBJECTED	DO?	DO?	
TO BY JUDGE	DO :	BY M ^R	
SUTHERLAND.	SUTHERLAND I	SUTHERLAND: I	
SOTTIERED IN (B.	OBJECT	OBJECT.	
	OBJECT	SUSTAINED.	
Q. WHAT WAS	{ ₀ } ^p WHAT WAS	Q. WHAT WAS	
SAID AMONG	SAID AMONG	SAID AMONG	
THOSE WHO	THOSE WHO	THOSE WHO	
WENT OUT WITH	WENT OUT WITH	WENT OUT WITH	
YOU WITH	YOU WITH	YOU WITH	
REFERENCE TO	REFERENCE {TO	REFE ENCE TO	
THE OBJECT	THE} ^p OBJECT	THE OBJECT	
OF YOUR GOING	OF YOUR GOING	OF YOUR GOING	
TO THE	{TO THE} ^p	TO THE	
MOUNTAIN	MOUNTÁIN	MOUNTAIN	
MEADOWS ? A.	MEADOWS $\{_{A}\}^{p}$	MEADOWS? A.	
WELL, I HAVE	WELL I HAVE	WELL, I HA G VE	
ALREADY	ALREADY	ALREADY	
STATED IT, THE	STATED IT $\{A\}^p$	STATED IT.	
THING – AS I	THE THING AS I	THE THING AS I	
UNDERSTOOD	UNDERSTOOD	UNDERSTOOD	
IT; THAT THEY	IT THAT THEY	IT, THAT THEY	
HAD BEEN	HAD BEEN	HAD BEEN	
POISONING	POISONING	POIS IO NING	
	{SOME} ^p	SOME	
SPRINGS AS	SPRINGS AS	SPRINGS AS	
THEY CAME	THEY CAME	THEY CAME	
ALONG, THE	ALONG THE	ALONG. THE	
TALK, BY	TALK WAS {BY} ^p	TALK WAS BY	
THE PARTY, OR	PARTY;	THE PARTY;,	
SOME OF	SOME OF	THAT SOME OF	
THEM,SAID	THEM SAID	THEM SAID	
THEY HAD	THEY HAD	THEY HAD	
HELPED TO KILL	HELPED KILL	HELPED TO KILL	

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OLD JOE	OLD JOE	OLD JOE	
SMITH, AND	SMITH AND	SMIGTH AND	
THEY WERE	THEY WERE	THEY WERE	
GOING TO	GOING	GOING TO	
CALIFORNIA TO	CALIFORNIA TO	CALIFORNIA TO	
RAISE SOME FR	RAISE SOME	RAISE SOME	
NTS. TROOPS,	TROOPS SAYING	TROOPS THEY	
NIS. TROOFS,	GOING TO	WAS GOING	
	BELOW	DOWN BELOW	
	FOR	FOR A	
	TOK	THOUSAND	
	MEN GOING TO	MEN, GOING TO	
	GET MEN	GET MEN	
	ALREADY	ALREADY	
AND THEY	BELOW	ARMED, AND	
	WOULD COME	WOULD COME	
WOULD COME		BACK AND	
BACK AND	BACK DRIVE THE		
DRIVE THE	*	DRIVE THE	
MORMONS,	MORMONS	MORMONS OUT	
AND TAKE	AND TAKE	AND TAKE	
THEIR MEANS	THEIR MEANS	THEIR MEANS	
AWAY FROM	FROM	FROM	
THEM. Q. WAS	THEM. _Q WAS	THEM. Q. WAS	
THERE	THERE	THERE	
ANYTHING SAID	ANYTHING SAID	ANYTHING SAID	
WHAT WAS	WHAT WAS	WHAT WAS	
INTENDED TO	INTENDED TO	INTENDED TO	
BE DONE TO THE	BE DONE	BE DONE TO THE	
COMPANY? [290]	() n x p x p x y x m	COMPANY?	
A. I DIDN'T	{ _A } ^p I DIDN'T	A. I DON'T	
KNOW	KNOW HEAR,	KNOW,	
WHETHER	THEY WHETHER	WHETHER	
THEY WAS	THEY WAS	THEY WAS	
GOING TO	GOING TO	GOING TO	
ARREST THESE	ARREST THOSE	ARREST THESE	
PARTIES OR	PARTIES OR	PARTIES OR	
WHETHER THEY	WHETHER THEY	WHETHER THEY	
WAS GOING	WAS GOING	WERE GOING	
TO KILL	TO KILL	TOTO TO KILL	
THEM. Q. WAS	THEM $\{Q\}^p$ WAS	THEM. Q. WAS	
THERE	THERE	THERE	
ANYTHING	ANYTHING	ANYTHING	
SAID	SAID	THAT SWAS	
AS TO THE	AS TO {THE} ^p	SAID AS TO THE	

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OBJECT ? A. THE	OBJECT ?	OBJECT? A.	
MEN WAS	MEN WAS	MEN WERE	
GENERALLY	GENERALLY	GENERALLY	
LIKE ME, THEY	LIKE ME	LIKE ME,	
DIDN'T KNOW	DIDN'T KNOW	DIDN'T KNOW	
THE NATURE OF	THE NATURE OF	NOT A	
THE			
THING, WHAT	THING WHAT	THING -, WHAT	
WAS TO BE	WAS TO BE	WOULD BE	
DONE WHEN	DONE WHEN	DONE WHEN	
THEY GOT OUT	WE GOT OUT	WE GOT OUT	
THERE. Q. WAS	THERE OWAS	THERE. Q. STATE	
THERE	THERE	WHETHER	
ANYTHING SAID	ANYTHING	ANYTHING WAS	
OR TALKED	TALKED	TALKED	
AMONG THE	AMONG THE	AMONG THE	
PARTY? A. I	PARTY $\{A\}^p$ I	PARTY? A. I	
COULD NOT	COULD NOT	COULD NOT	
TELL WHAT	TELL WHAT	ETELL WHAT	
WAS SAID, ONLY	WAS SAID,	WAS SAID —	
SOME TALK	SOME TALK OF	SOME TALKED	
OF GOING TO	GOING	OF GOING TO	
ARREST	ARREST	ARREST [103]	
SOME OF THESE	SOME OF THOSE	SOME OF THESE	
MEN. SOME OF	MEN, SOME OF	MEN, SOME OF	
THEM GOING TO	THEM GOING TO	THEM GOING TO	
BE	BE STOPPED,	BE STOPPED—	
STOPPED, ARRES	ARRESTED,	ARESTE F D	
TED,FROM	FROM	FOR	
WHAT THEY	WHAT THEY	WHAT THEY	
HAD	HAD	HA S D	
SAID,BRAGGED	SAID,	SAID/. THEY	
WHAT	BRAGGED WHAT	BRAGED WHAT	
THEY HAD	THEY HAD	THEY HAD	
DONE. SOME	DONE, SOME	DONE — SOME	
TALK OF	TALK OF	TALK ED OF	
KILLING SOME	KILLING SOME	KILLING SOME	
OF THEM. Q.	OF THEM. Q	OF THEM. Q.	
WHAT TIME	WHAT TIME	WHAT TIME	
DID THEY	DID THEY	FIDID THEY	
REACH THE	REACH {THE} ^p	REACH THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOWS WITH	MEADOWS WITH	MEADOWS WITH	
THIS PARTY	THIS PARTY	THIS PARTY	

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	T	1	
YOU WENT	YOU WENT	THEY WENT	
WITH OR AFTER	WITH = AFTER	WITH. W AFTER	
REACHED	YOU REACHED	YOU REACH E D	
THE MEADOWS	THE MEADOWS	THE MEADOWS	
WHAT DID	{WHAT} ^p DID	WHAT DID	
YOU DO?	YOU SEE DO	YOU DO?	
A. I CAME UP	$\{A\}^p$ I CAME UP	A. I CAME UP	
IN A LITTLE	IN A LITTLE	IN A LITTLE	
HOLLOW,ABOUT	HOLLOW	HOLLOW	
A MILE,	ABOUT A MILE	ABOUT A MILE	
		FROM A LITTLE	
OVER A	OVER	HILL OVER A	
LITTLE	LITTLE HILL	LITTLE HILL,	
HILL,THE	VERY LITTLE;		
TRAIN	{THE} ^p TRAIN	THE TRAIN	
WAS IN SIGHT	WAS IN SIGHT;	WAS IN IN SIGHT,	
BUT THE CAMP	THE CAMP	THE CAMP	
WAS NOT IN	WAS NOT IN	WAS NOT IN	
SIGHT.	SIGHT AND	SIGHT, AND	
THERE WAS A	THERE WAS	THERE WAS A	
LITTLE HILL	LITTLE HILL	LITTLE HILL	
FROM WHERE	RIGHT	RIGHT B E Y,	
WE	BY = WE	WE	
COULD SEE	COULD SEE.	COUOD SEE.	
THEM. I THINK	I THINK	I THINK	
IT WAS TWO	IT WAS TWO	IT WAS TWO	
DAYS. Q.	DAYS $\{Q\}^p$	DAYS.——Q.	
HOW MANY	HOW MANY	HOW MANY	
WERE IN THAT	WERE IN THAT	WERE IN THAT	
CAMP WITH	CAMP WITH	CAMP WITH	
YOU,	YOU A	YOU	
INCLUDING	INCLUDING	INCLUDING	
		YOURSELF—	
THOSE WHO	THOSE WHO	THOSE THERE?	
WENT WITH	AWENT AWE	A. WHEN WE	
YOU AND	MADE	MADE	
CAMPED	CAMPED	CAMP	
AROUND THERE	AROUND THERE	AROUND THERE,	
? A. I DO NOT	I DO NOT	I DON'T	
KNOW. I AM	KNOW I AM	KNOW I AM	
NOT CERTAIN; I	CERTAIN I	CERTAIN; I	
DON'T	DON'T	DON'T	
REMEMBER	REMEMBER	REMEMBER	
THEM. THERE	THEM, THERE	THEM; THERE	

RT	RS	BT	PS

WAS A PARTY	WAS A PARTY	WAS A PARTY	
OF THEM,BUT I	OF THEM	OF THEM; I	
COULD NOT	COULD NOT	COULD NOT	
STATE. Q.	STATE o	STATE. Q.	
WELL, APPROXI	STATE Q ≤WELL≥	WELL,	
MATE	APPROXIMATE	APPROXIMATE	
IT AS NEAR	TO IT \leq AS NEAR	TO IT AS NEAR	
AS YOU CAN,	AS CAN≥	A S YOU CAN —	
AS TOU CAN,	$\{_{0}\}^{\mathbf{p}}$ AS NEAR AS	AS NEAR AS	
	YOU CAN.	AYOU CAN.	
YOU CAN TELL	YOU CAN TELL	YOU CAN TELL	
WHETHER	WHETHER	WHETHER	
THERE WAS ONE	THERE WAS ONE	THERE WAS ONE	
OR ONE		OR A	
	OR HUNDRED IF IT		
HUNDRED ?		HU NDRE D ?	
A THERE	IS ≤THERE WAS	A THERE	
A. THERE	NOT→ ATHERE	A. THERE	
WAS NOT ONE	WAS NOT	WASN'T A	
HUNDRED	HUNDRED	HUNDRED —	
MEN	FEW MEN	FEW MEN	
THERE. Q.	THERE. Q	THERE. Q.	
ABOUT HOW	ABOUT HOW	ABOUT HOW	
MANY WAS	MANY A	MANY? A.	
THERE? A. I	THERE WAS I	THERE WAS — I	
COULD NOT	COULD NOT	COULD NOT	
TELL	TELL YOU	TELL YOU.	
YOU,THERE	THERE	THERE	
WAS TWO	WAS TWO	WAS TWO	
CAMPS,	CAMPS;	CAMPS;	
ANOTHER	ANOTHER	ANOTHER	
LITTLE CAMP	LITTLE CAMP	LITTLE CAMP	
JUST [291] BELOW	JUST BELOW,	JUST BELOW —	
OF ENTIRE	OF ENTIRE	ENTIRE	
STRANGERS TO	STRANGERS TO	STRANGERS TO	
ME; I DON'T	ME ₄I DON'T	ME. I DON'T	
KNOW HOW	KNOW HOW	KNOW HOW	
MANY MEN	MANY MEN	MANY MEN T	
THERE WAS. I	THERE WAS I	THERE WAS . I	
WAS A LITTLE	WAS A LITTLE	WAS A LITT E LE	
TIMID TO	TIMID ABOUT	TIMID ABOUT	
RANT	RANT	RANTING	
AROUND	AROUND	AROUND	
AMONG THE	AMONG THE	AMOUNG THE	
MEN. Q. HOW	MEN _Q HOW	MEN. Q. HOW	

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MANIXACNIMAC	MANININAC	MANIMAC
MANY MEN WAS	MANY WAS	MANY WAS
THERE IN	THERE [[4]] IN	THERE IN
BOTH CAMPS,	BOTH CAMPS	BOTH CAMPS,
AS NEAR AS	AS NEAR AS	AS NEAR AS
YOU CAN	YOU CAN	YOU CAN
REMEMBER ?	REMEMBER $\{A\}^p$	REMEMBER;?
A. I COULD NOT	I COULD NOT	I COULD NOT
SAY, I EXPECT	SAY I EXPECT	SAY. I EXPECT
THOUGH	THOUGH	THOUGH,
THERE WAS	THERE WAS	THERE WAS
FIFTEEN TO	15 OR	I5 OR
TWENTY,COULD	20 COULD	20, I COULD
NOT SAY	NOT SAY	NOT SAY
POSITIVELY.	POSITIVE	POSITIVEL T Y.
Q. DO YOU	_Q DO YOU	Q. DO YOU
MEAN IN YOUR	MEAN IN YOUR	MEAN IN YOUR
CAMP OR BOTH	CAMP OR BOTH	CAMP OR BOTH
CAMPS A.	CAMPS $\{A\}^p$	CAMPS. A.
BOTH CAMPS,	BOTH CAMPS,	BOTH CAMPS;
AND THERE	AND THERE	AND THERE
MAY HAVE	MAY HAVE	L MAY HAVE
BEEN MORE	BEEN MORE	BEEN MORE
THAN THAT.	THAN THAT.	THAN THA T .
THERE IS	THERE ARE	THERE IS
A MAN HERE	SOME HERE	SOME HERE
WHO IS	WHO IS	WHO IS
ACQUAINTED	ACQUAINTED	ACQUAINTED
WITH THE	WITH THE	WITH THE
COUNTRY AND	COUNTRY	COUNTRY AND
COULD GIVE	COULD GIVE	COULD GIVEE
YOU MORE	YOU MORE	YOU MORE
ABOUT IT	ABOUT {IT} ^p	ABOUT IT
THAN I COULD.	THAN I COULD.	THAN I COULD.
Q. WONT YOU	oWONT YOU	Q. WON'T YOU
STATE THE	STATE {THE} ^p	STATE THE
NAMES OF ALL	NAMES OF ALL	NAMES OF ALL
YOU CAN	YOU CAN	YOU CAN
REMEMBER?	REMEMBER	REMEMBER?
A. THERE WAS	{ _A } ^p THERE WAS	A. THERE WAS
WILLIAM	WILLIAM	WILLIAM
YOUNG, I	YOUNG I	YOUNG, I
THINK, FROM	THINK FROM	THINK, FROM
WAHSINGTON	WASHINGTON	WASHINGTON
WAS THERE.	WAS THERE;	WAS THERE.

Q.	THERE WAS. Q	Q.
DO YOU KNOW	DO YOU KNOW	DO YOU KNOW
WHERE	WHERE	WHETRE
WILLIAM	WILLIAM	WILLIAM
YOUNG NOW	YOUNG NOW	YOUNG NOW
LIVES ? A. I	LIVES AI	LIVES? A. I
THINK HE IS	THINK HE IS	THINK HE IS
LIVING IN	LIVING IN	LIVING IN
WASHINGTON.	WASHINGTON.	WASHINGTON.
Q. WHAT SORT	$_{\mathbf{Q}}\{WHAT\}^{p}SORT$	Q. WHAT SORT
OF A LOOKING	OF LOOKING	OF A LOOKING
MAN IS HE? A.	MAN IS HE $\{A\}^p$	MAN IS HE? A.
HE IS AN OLD	HE IS AN OLD	HE IS AN OLD
MAN WITH ONE	MAN WITH ONE	MAN WITH ONE
EYE, AN	EYE. AN	EYE. AND AN
OLD	OLD	OLD
GENTLEM Z AN	GENTLEMEN	GENTLEMAN
THERE, BESIDE,	THERE	THERE
THAT HAS DIED	THAT HAS DIED	THAT HAS DIED
SINCE,BY THE	SINCE, BY	SINCE BY THE
NAME OF	NAME OF	NAME OF
SLADE; I KNEW	SLADE, I KNEW	SLADE, I KNEW
AFTERWARDS	AFTERWARDS	AFTERWARDS,
BY JUST	JUST	JUST
GETTING	GETTING	GETTING
ACQUAINTED	ACQUAINTED	ACQUAINTED
WITH HIM,	WITH HIM	WITH HIM.
AND	THEM;	
ANOTHER MAN	ANOTHER MAN	ANOTHER MAN
BY THE NAME	BY NAME	BY THE NAME
OF CLARK.	OF CLARK	OC CLARK. ²⁷⁷
Q. DO YOU	_Q DO YOU	[104] Q. DO YOU
KNOW WHERE	KNOW WHERE	KNOW WHERE
HE LIVES NOW?	HE LIVES NOW	HE LIVES NOW?
A. HE IS DEAD,	AHE IS DEAD,	A. HE IS DEAD.
AND THERE	AND THERE	AND THERE
WAS MORE	WAS MORE	WAS MORE
THAN THAT. Q.	THAN THAT. Q	THAN THAT. Q.
DID YOU SEE	DID YOU SEE	DID YOU SEE
HIGBEE THERE ?	HIGBEE THERE	HIGBEE THERE?
A. NOT TO BE	ANOT TO BE	A. NOT TO BE
CERTAIN, I	CERTAIN I	CERTAIN; I

BT

PS

RT

RS

^{277.} William Rufus Slade, Sr. (1811–1872) and John Wesley Clark (1818–1869).

RT	RS	BT	PS

THINK THAT I	THINK THAT I	THINK THAT I	
DID BUT I	DID BUT I	DID BUT I	
COULD NOT	COULD NOT	COULDNOT	
SAY. Q. DID YOU	SAY. _Q DID YOU	SAY. Q. DID YOU	
SEE JOHN D. LEE	SEE JOHN D. LEE	SEE JOHN D. LEE	
THERE ? A. I	THERE AI	THERE? A. I	
COULD NOT	COULD NOT	COULD NOT	
STATE THAT	STATE THAT	STATE THA T	
UNDER OATH, I	UNDER OATH I	UNDER OATH; I	
THINK I SAW	THOUGHT I SAW	THOUGHT I SAW	
LEE PASSING	LEE PASSING	LEE PASSIN T G	
AROUND THERE,	AROUND THERE	AROUND THERE;	
BUT I COULD	I COULD	BUT I COULD	
NOT BE SURE. Q.	NOT BE SURE Q	NOT BE SURE. Q.	
HAVE YOU	HAVE YOU	HAVE YOU	
BECOME	BECOME	BECOME	
ACQUAINTED	ACQUAINTED	AC U QUAINTED	
WITH JOHN D.	WITH JOHN D.	WITH JOHN D.	
LEE SINCE ? [292]	LEE SINCE	LEE SINCE?	
A. I KNOW HIM	AKNOW HIM	A. KNOW HIM	
BY SIGHT.	BY SIGHT VERY	BY SIGHT VERY	
Q. DID	WELL. _Q DID	WELL. Q. DID	
YOU KNOW HIM	YOU KNOW HIM	YOU KNOW HIM	
AT THE TIME ?	AT THE TIME	AT THE TIME?	
A. NO SIR. Q.	$\{_{\mathbf{A}}\}^{\mathbf{p}}$ NO SIR $_{\mathbf{Q}}$	A. NO, SIR. Q.	
HAD YOU	HAD YOU	HAD YOU	
EVER SEEN	EVER SEEN	G EVER SEEN	
HIM BEFORE ? A.	HIM BEFORE A	HIM BEFORE? A.	
NO SIR. Q.	NO SIR o	NO, SIR. Q.	
HAVING	HAVING	HAVE YOU EVER	
SEEN HIM SINCE	SEEN HIM SINCE	SEEN HIM SINCE	
THAT TIME,	THAT TIME	THAT TIME ;	
CAN'T YOU	CAN YOU	C Q AN YOU	
STATE	STATE	STATE	
WHETHER HE	WHETHER HE	WHETHER HE	
WAS THERE	WAS THERE	WAS THERE O T R	
OR NOT ? A. I	OR NOT AI	NOT? A. I	
THINK HE	THINK HE	THINK HE	
WAS. Q. DO	WAS _Q DID	W Q AS. Q. DO	
YOU KNOW	YOU KNOW	YOU KNOW	
KLINGENSMITH	KLINGENSMITH	KLINGENSMITH?	
? A. I THINK I	AI THINK I	A. I THINK I	
WOULD KNOW	WOULD KNOW	WOU O LD KNOW	
HIM 2. Q. DID	HIM _Q DID	HIM. Q. DID	

RT	RS	ВТ	PS

YOU SEE HIM	YOU SEE HIM	YOU SEE HIM	
THERE? A. I	THERE $\{A\}^p$ I	THERE? A. I	
THINK I	THINK I	THINK I	
DID,STILL,TO	DID. STILL. TO	DID. STILL TO	
BE POSITIVE	BE POSITIVE	BE POSITIVE	
ABOUT SOME OF	ABOUT SOME OF	ABOUT SOME OF	
THESE PARTIES,	THOSE PARTIES	THESE PARTIES	
I CANNOT. I	I CANNOT. I	I CANNOT. I	
HAVE BECOME	HAVE BECOME	HAVE BECOME	
ACQUAINTED	ACQUAINTED	ACQUAINTED	
WITH SOME OF	WITH SOME OF	WITH SOME OF	
THEM SINCE	THEM SINCE	THEM SINCE;	
THAT,BUT TO	<i>THAT</i> [?] TO	TO	
SAY SOME	SAY SOME	SAY THAT SOME	
OF THESE	OF	OF THESE	
PARTIES	PARTIES WAS	PARTIES	
THAT WAS	<that➤ td="" was<=""><td>WAS</td><td></td></that➤>	WAS	
THERE, I	THERE AI	THERE, I	
DO NOT KNOW.	DO NOT KNOW.	DO NOT KNOW.	
Q. HOW LONG	oHOW LONG	Q. HOW LONG	
HAD YOU LIVED	HAD YOU LIVED	DID YOU LIVE	
IN THAT	IN THAT	IN THAT	
COUNTRY	COUNTRY	COU L NTRY	
BEFORE YOU	BEFORE YOU	BEFORE YOU	
STARTED ON	STARTED ON	STARTED ON	
THIS	THIS	THEIS	
EXPEDITION,	EXPEDITION =	EXPEDITION —	
IN	THAT IS IN	THAT IS IN	
PASON? A. I	PAYSON A. I	PAYSON? A. I	
HAVE LIVED	HAVE LIVED	HA V D LIVED	
SOME	THERE SOME	THERE SOME	
5 OR 6	5 OR 6	FIVE OR SIX	
YEARS. WE	YEARS. WE	YEARS. WE	
CAME INTO	CAME INTO	CAME INTO	
PAYSON IN 1852,	PAYSON IN 1852,	PAYSON IN 1852;	
REMAINED	REMAINED	REMAINED	
THERE AT	THERE AT	THERE AT	
PAYSON OR	PAYSON OR	PAYSON OR	
POND TOWN	POND TOWN	POND TOWN	
TILL '57. ²⁷⁸ MY	TIL 57. MY	TILL '57. MY	
FATHER MOVED	FATHER MOVED	FATHER MOVED	
FROM DIXIE, IN	FROM DIXIE	TO DIXIE IN	

^{278.} Currently Salem, Utah.

RT	RS	BT	PS

THE SPRING OF	THE SPRING OF	THE SPRING OF	
'57; IN THE	57 IN THE	'57, AND IN THE	
FALL OF 1858	FALL OF 58	FALL OF '587.	
WHEN I WENT	WHEN I CAME	WHEN I CAME	
DOWN WITH	DOWN WITH	DOWN WITH	
THISOLD	HIS OLD	THIS OLD	
GENTLEMAN,	GENTLEMAN	GENT,	
JOSEPH ADAIR,	JOSEPH ADAIR,	JOSEPH ADAIR;	
HE WAS UP	HE WAS UP	HE WAS UP	
THERE AFTER	THERE AFTER	THERE FORR	
SOME OF HIS	SOME OF HIS	SOME OF HIS	
EFFECTS, WENT	EFFECTS WENT	EFFECTS, WENT	
UP THERE TO	UP THERE	UP THERE TO	
GET SOME OF	GET SOME OF	GET SOME OF	
HIS THINGS AND	HIS THINGS. I	HIS THINGS; I	
WENT DOWN	WENT DOWN	WENT DOWN	
BACK WITH	THERE WITH	THERE WITH	
HIM. Q. YOU	HIM. oYOU	HI J M. Q. YOU	
SAID YOU	SAID YOU	SAID YOU	
REMAINED IN	REMAINED IN	REMEINAED IN	
C AMP ABOUT	CAMP ABOUT	CAMP ABOUT	
TWO DAYS, I	2 DAYS; I	TWO DAYS ; I	
WANT YOU TO	WANT YOU TO	WANT YOU TO	
TELL WAHT	TELL WHAT	TWELL WHAT	
WAS DONE IN	WAS DONE IN	WAS DONE IN	
CAMP AT THAT	CAMP AT THAT	CAMP AT THAT	
TIME OR	TIME OR	TIME OR	
DURING THAT	DURING THAT	DU T RING THAT	
TIME ? A. THERE	TIME ATHERE	TIME? A. THEY	
WAS RUNNING	WAS RUNNING	WAS RUNNING	
AROUND THERE	AROUND THERE	AROUND THERE	
TALKING IN	TALKING IN	TALKING IN	
LITTLE	LITTLE	LITTLE	
GROUPS,	GROUPS	GROUPES	
		GROOUPES AND	
SQUADS. [293]	SQUADS	ASQUADS.	
Q. WHAT WERE	_Q WHAT WERE	Q. WHAT WAS	
THEY TALKING	THEY TALKING	THEY T L ALKING	
ABOUT,THE	ABOUT	ABOUT? A. THE	
EMIGRANTS	_A EMIGRANTS	EMIGRANTS.	
WHAT WERE	_Q WHAT WERE	Q. WHAT WERE	
THEY SAYING	THEY SAYING	THEY SAYING?	
OR TALKING			
ABOUT ? A.	A	A.	

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TALKING	TALKING	TALKING	
ABOUT	ABOUT	ABOUT	
ARRESTING	ARRESTING	ARRESTING	
SOME OF	SOME OF	SOME OF	
THEM,AND	THEM	THEM;	
TALING	TALKING	TALKING	
ABOUT KILLING	ABOUT KILLING	ABOUT KILLING	
THEM ALL	THEM ALL	THEM ALL	
KINDS OF TALK.	KINDS OF TALK	KINDS OF TALK.	
Q. WAS THERE	oWAS THERE	Q. WAS THERE	
ANYTHING SAID	ANYTHING SAID	ANYTHING SAID	
WHAT	WHAT	AS TO WHAT	
WAS TO BE	WAS TO BE	WAS TO BE BE	
DONE WITH	DONE WITH	GDONE WITH	
THESE	THOSE	THESE	
EMIGRANTS ? A.	EMIGRANTS, A	EMIGRANTS? A.	
SOME TALKED	SOME TALK	ISOME TALKED	
THEY WOULD	THEY WOULD	THEY WOULD	
KILL THEM ALL	KILL THEM ALL	KILL THEM ALL	
OFF, AND SOME	OFF SOME	OFF; SOME	
OF THE MEN	OF THEM	OF THEM	
WERE OPPOSED	WERE OPPOSED	WERE OPPOSED	
TO IT. Q.	TO IT	TO IT. [105] Q.	
HAD YOU	HAD YOU	HAD YOU	
LEADERS OR	LEADERS OR	LEADERS OR	
ANY PERSON	ANY PERSON	ANY PERSON	
COMMANDING?	COMMANDING	COMMANDING?	
A. I DON'T	AI DON'T	A. I DON'T	
KNOW, I SAW	KNOW I SAW	KNOW. I SAW	
SEVERAL MEN	SEVERAL MEN	SEVERAL MEN	
RUNNING	RUNNING	RUNNI G NG	
AROUND THAT	AROUND THAT	AROUND THAT	
SEEMED TO	[[5]] SEEMED TO	SEEMED TO	
HAVE	HAVE	HAVE	
SOMETHING TO	SOMETHING TO	SOMETHING TO	
SAY. Q. DID	SAY _O DID	SAY. Q. DIDYOU	
YOU HEAR	YOU HEAR	HEAR ANY	
ANY OF THESE	ANY OF THESE	OF THESE	
PARTIES SAY	PARTIES SAY	PARTIES SAY	
WHAT WS TO	WHAT WAS TO	WHAT WAS TO	
BE DONE ? A. I	BE DONE AI	BE DONE? A.I	
HEARD SOME OF	HEARD SOME OF	HEARD SOME OF	
THEE MEN WHO	THE MEN WHO	THEM MEN WHO	
LOOKED TO BE	LOOKED TO BE	LOOKED TO BE	

RT	RS	BT	PS

KIND OF	KIND OF	KIND OF	
LEADERS, SOME	LEADERS SOME	LEADERS; SOME	
TALKED AS	TALKED AS	TALKED AS	
THOUGH THEY	THOUGH THEY	THOUGH THEY	
MUST BE PUT;	MUST BE PUT -	MUST BE PUT	
OUT OF THE	OUT OF	OUT OF THE	
WAY; SOME	WAY. SOME	WAY. SOME	
SAID IT	SAID IT	SAID THA T IT	
NEVER WOULD	NEVER WOULD	NEVER WOULD	
DO,THERE WAS	DO. THEY WAS	DO. THEY WAS	
A QUARREL	QUARREL	QUARELING	
ABOUT IT, I	ABOUT IT. I	ABOUT IT. I	
DIDN'T PUT	DIDN'T PUT	DIDN'T PUT	
MYSELF IN THE	MYSELF IN THE	MYSELF IN THE	
	WAY KNOWING		
WAY ANY, I WAS A	I WAS	WAY, KNOWING I WAS	
STRANGER TO			
·	STRANGE TO	STRANFGE TO	
THEM, A BOY.	THEM A BOY.	THEM;;— A BOY.	
I JUST STAYED	I JUST STAYED	I JU D ST STAYED	
AROUND CAMP,	AROUND CAMP	AROUND CAMP	
ATTENDED	ATTENDED	AND	
STRICTLY TO	STRICTLY TO	ATTENEDED TO	
MY OWN	MY OWN	MY OWN	
BUSINESS. Q.	BUSINESS. Q	BUSINESS? AQ.	
HOW OLD	HOW OLD	QHOW OLD	
WERE YOU AT	WERE YOU AT	WERE YOU AT	
THAT TIME? A. I	THAT TIME AI	THAT TIME? A. I	
AM THIRTY TWO	AM 32	AM 32	
NOW.	NOW. COUNSEL	NOW. (COUNSEL	
	FIGURED IT UP.	FIGURED IT UP)	
WIT.: I WAS	AHE WAS	Q. HE YOU WAS	
NOT QUITE	NOT QUITE	NOT QUITE	
FOURTEEN, OR	14	I4 .	
ABOUT	OVER	A. SOME	
FOURTEEN	14	I4	
YEARS OLD.	YEARS OLD.	YEARS OLD.	
THERE IS AN	THERE IS AN	THERE IS AN	
OLD	OLD	OLD	
GENTLEMAN	GENTLEMAN	GENTLEMAN	
HERE,THIS	HERE THIS	HERE, THIS $\mathbf{M}^{\mathbf{R}}$	
YOUNG,HE SAID	YOUNG HE SAID	YOUNG, HE SAID	
HE	HE	HE	
REMEMBERED	REMEMBERED	REMEMBERED	
ME WELL.	≼ME> WELL I	ME, WELL, I	

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HAVE	HAVE	HAVE	
REMEMBERED	REMEMBERED	REMEMBERED	
HIM EVER	HIM EVER	HIM EVER	
SINCE. Q. H	SINCE. Q	SINCE. Q.	
AFTER YOU	AFTER YOU	AFTER WYOU	
WERE ON THAT	WERE ON THAT	WERE ON THE	
GROUND WHAT	GROUND WHAT	GROUND WHAT	
WAS DONE—	WAS DONE	WAS DONE?	
STATE WHAT			
WAS DONE?			
A. I DON'T	AI DON'T	A. I DO NOT	
KNOW SIR,BUT	KNOW SIR; BUT	KNOW , SIR; BUT	
AS FAR AS I DO	AS FAR AS I DO	AS FAR AS I DO	
KNOW THEY	KNOW, THEY	KNOW, THEY	
TALKED OF	TALKED OF	TALKED OF	
KILLING	KILLING	KILLING	
THEM—	THEM	THEM—	
KILLING THE	KILLING	KILLING THE	
EMIGRANTS,CH	EMIGRANTS	EMIGRANTS—	
ATTING	CHATTING	CHATTING IT	
ABOUT	OVER ABOUT	OVER ABOUT	
CAMP. I DON'T	CAMP, I DON'T	THE CAMP.	
REALLY KNOW;	REALLY KNOW		
I WAS NOT WITH	I WAS NOT WITH	I WASN'T WITH	
THIS MAN	THESE MEN	TH R ESE MEN	
WHO SEEMED	WHO SEEMED	WHO SEEMED	
TO BE A	TO BE	TO BE THE	
LEADING MAN.	LEADING MEN,	LEADING MEN;	
DIDN'T [294]	DIDN'T	DIDN'T	
KNOW THE	KNOW THE	KNOW THE	
PLAN. THE	PLAN.	L PLAN.	
FIRST I KNOW	FIRST I KNOW	FIRST I KNOW	
THE MEN	THE MEN	THE MEN	
WERE SHOVING	WAS SHOVING	WERE SHOVING	
OUT OF THE	OUT OF THE	OUT OF	
CAMP,AND I	CAMP WENT	CAMP; WENT	
THINK	OFF	OFF; I THINK	
THEY WAS	THEY WAS	THEY WAS	
GONE I GUESS	GONE I GUESS	GONE A	
FOR	HALF DAY	HALF A DAY,	
PROBABLY	PROBABLY	PROBABLY	
THREE OR FOUR	3 OR 4	THREE OR FOUR	
HOURS,	HOURS,	HOUSRS,	
MAY BE	MAYBE	AMAY BE A	
WIAIDE	WIAIDE	AWIA I DE A	

RT	RS	BT	PS

	I	ı	
HALF A DAY,	HALF DAY.	HALF A DAY.	
WHEN I CAME	WHEN I CAME	WHEN I COME	
INTO THE	INTO	BACK INTO	
CAMP THERE	CAMP THERE	CAMP, THERE	
WAS NOTHING	WAS NOTHING	WAS NOTHING	
THERE TO EAT	THERE TO EAT	THERE TO EAT	
BUT FRESH	BUT FRESH	BUT FRESH	
BEEF; I HADN'T	BEEF; I HADN'T	BEEF, I DIDN'T	
SUPPLIED	SUPPLIED	SUPPLY	
MYSELF WITH	MYSELF WITH	M U YSELF WITH	
PROV IS IONS,	PROVISIONS,	PROVISIONS	
AND I WAS AS	I WAS AS	AND I WAS	
HUNGRY AS	HUNGRY AS ≤A ≥	HUNGRY AS A	
A WOLF; WHEN I	WOLF. WHEN I	WOLF. WHEN I	
GOT THERE I	GOT THERE, I	GOT THERE I	
ATE HAVE OF	ATE HEAVY OF	ATE HEAVY OF	
FRESH BEEF,	FRESH BEEF	THE FRESH BEEF	
AND I HAD THE	AND I HAD THE	AND I HAD THE	
BOTTS	BOTS ≤BOTTS ≥	BOTTS.	
THERE, I WAS	THERE. I WAS	I WAS	
SICK;	SICK	SICK, WHILE	
THEY WAS	THERE WAS	THEREY WAS	
MOVING OUT.	MOVING OUT	MOVING OUT.	
Q. WHERE DID	oWHERE DID	Q. WHERE DID	
THEY SHOVE	THEY SHOVE	THEY SHOVE	
OUT TO ? A.	OUT TO A	OUT TO? A.	
DOWN	DOWN	DOWN	
TOWARDS THE	TOWARDS	TOWARDS THE	
EMIGRANTS –	EMIGRANTS Q	EMIGRANTS. Q.	
WHERE	WHERE/WERE[?]	WERE	
THEY WAS. Q.	THEY =	THEY—	
DO YOU	DO YOU	DO YOU	
KNOW WHO	KNOW WHO	KNO ₩W WHO	
GAVE THE	GAVE THE	GA F VE THE	
COMMAND IF	COMMAND IF	COMMAND ., IF	
ANY PERSON?	ANY PERSON	ANY PERSON?	
A. THEY JUST	A. THEY JUST	A. THEY JUST	
SEEMED TO	SEEMED TO	SEEMED TO	
ROLL RIGHT	ROLL RIGHT	ROLL RIGHT	
OUT,BUT I WAS	OUT; I WAS	OUT; I WAS	
NOT PAYING	NOT PAYING	NOT PAYING	
MUCH	MUCH	MUCH	
ATTENTION.	ATTENTION	ATTENTION.	
Q. WHAT DID	WHAT DID	Q. WHAT DID	

RT	RS	BT	PS

	T	T	
THEY TAKE	THEY TAKE	THEY TAKE	
WITH THEM ?	WITH THEM	WITH THEM?	
A. THEY TOOK	ATHEY TOOK	A. THEY TOOK	
THEIR GUNS	THEIR GUNS	THEIR GUNS	
WITH THEM,	WITH THEM,	WITH THEM	
MOVED	MOVED	AND MOVED	
TOWARDS THE	TOWARDS	TOWARDS THE	
EMIGRANT	EMIGRANT	EMIGRANT	
CAMP. Q. HOW	CAMP _Q HOW	CAMP. Q. HOW	
LONG WERE	LONG WERE	LONG WERE	
THEY GONE ? A.	THEY GONE A	THEY GONE? A.	
I C SHOULD SAY	I SHOULD SAY	I SHOULD SAY	
THREE OR FOUR	3 OR 4	THREE OR FOUR	
HOURSE,HALF	HOURS HALF	HOURS—HALF	
A DAY,MAY BE	A DAY MAY BE	A DAY MAY BE	
SO; I WAS	WAS	SO—	
SLEE P ING,BUT	ASLEEP		
THEY WAS	THEY WAS	THEY WAS	
GONE	GONE	F GONE	
SOMETIME. Q.	SOMETIME o	SOME TIME. Q.	
HAD YOU	HAD YOU	DID YOU	
WAKED WHEN	WAKED WHEN	WAKE WHEN	
THEY MOVED	THEY MOVED	THEY MOVED	
OUT ? A. I	OUT F/OFF[?] AI	OUT? A. I	
DIDN'T KNOW	DON'T KNOW	DON'T KNOW .	
WHEN THEY	WHEN THEY	[106] WHEN THEY	
LEFT CAMP,NOR	LEFT CAMP	LEFT CAMP	
WHETHER THEY	WHETHER THEY	WHETHER THEY	
MEANT TO	MEANT TO	MEANT TO	
KILLTHE	KILL	KILL THE	
EMIGRANTS,OR	EMIGRANTS OR	EMIGRANTS OR	
,		WHETHER THEY	
MEANT TO	MEANT TO	MEANT TO	
ARREST SOME	ARREST SOME	ARREST D SOME	
OF THEM.	OF THEM	OF THEM? A. W	
Q. WHEN THEY	_o WHEN THEY	Q. WHEN THEY	
WERE GONE	WERE GONE	WERE GONE	
WHAT DID YOU	WHAT DID YOU	WHAT DID YOU	
SEE OR HEAR?	SEE OR HEAR	SEE OR HEAR?	
A. I HEARD A	_A I HEARD	A. I HEARD A	
REPORT,	REPORT =	REPORT—A	
VOLLEY OF	VOLLEY OF	VOLLEY OF	
GUNS, A GREAT	GUNS GREAT	GUNS—GREAT	
MANS GUNS	MANY GUNS	MANY OF GUNS	

RT	RS	BT	PS

FIRING, BUT I	FIRING I	F⊎IRING. I	
WAS QUITE	WAS	WAS	
SICK. Q. DID	SICK DID	SICK. Q. DID	
YOU SEE THE	YOU SEE	YOU SEE THE	
VOLLEY ? A.	VOLLEY A	VOLLEY? A.	
NO, I WAS SICK	I WAS SICK	VOLLET: A.	
AT THE TIME. I	AT THE TIME. I	AT THE TIME I	
HAD TO	HAD NO	HAD NO	
ENERGY TO DO	ENERGY TO DO	ENERGY TO DO	
ANYTHING.	ANYTHING	ANYTHING	
ONLY TO [295]	ONLY TO	ONLY TO	
TRY TO LIVE; I	TRY TO LIVE. I	TRY TO LIVE. I	
HAD ATE TOO	HAD ATE TOO	HAD EATEN TOO	
MUCH FRESH	MUCH FRESH	MUCH FRESH	
BEEF. Q. BUT	BEEF. <0	BEEF. Q.	
YOU HEARD	YOU HEARD	YOU HEARD	
SHOOTING? A. I	SHOOTING> AI	SHOOTING? A. I	
HEARD	HEARD	HEARD	
VOLLEYS, YES	VOLLEYS YES	VOLLEYS—YES,	
SIR, I DID. Q. DID	SIR I DID oDID	SIR, I DI D . Q. DID	
YOU	YOU	YOU	
AFTERWARDS	AFTERWARDS	AFTERWARDS	
SEE THE	SEE THE	SEE THE	
COMPANY THAT	COMPANY THAT	COMPANY THAT	
WENT OUT	WENT OUT	WENT OUT	
ARMED ? A.	ARMED A	ARMED? A. I	
I SAW OUR	I SAW OUR	SAW OU T R	
PARTY -? A	PARTY	PARTY—	
LITTLE	LITTLE;	LITTLE	
PARTY,THAT	PARTY THAT	PARTY THAT	
WAS FROM	WAS FROM	WAS FROM	
WASHINGTON,	WASHINGTON	WASHINGTON,	
AND RETURNED	RETURNED	RETURNED	
THERE. WE	THERE WE	THERE. WE	
STARTED	STARTED	STARTED	
DIRECTLY	DIRECTLY	DIR CE ECTLY	
FOR HOME. Q.	FOR HOME. Q	FOR H I OME. Q.	
WHEN THEY	WHEN THEY	WHEN THEY	
RETURNED WAS	RETURNED WAS	RETURNED WAS	
THERE	THERE	THERE	
ANYTHING SAID	ANYTHING SAID	ANYTHING SAID	
ABOUT THE	ABOUT	ABOUT THE	
COMPANY ? A.	COMPANY A	COMPANY? A.	
THEY SAID	THEY SAID ALL	THEY SAID ALL	

RT	RS	BT	PS

RT	RS	BT	PS

	T = -= ================================		
DID THEY SHOW	DID THEY SHOW	DID THEY SHOW	
ANY HOSTILITY	ANY HOSTILITY	ANY HOSTILITY	
TOWARDS	TOWARDS	TOWARDS	
THESE MEN	THOSE MEN	THESE MEN	
WHO WERE	WHO WERE	WHO WERE	
CAMPED	CAMPED	CAMPED TERE	
THERE A. THEY	THERE ATHEY	THERE? A. THEY	
DID WHEN WE	DID WHEN WE	DID. WHEN WE	
WAS GOING	WAS GOING	WAS GOING	
HOME, THE	HOME, THEY	HOME, THE	
INDIANS HAD	INDIANS HAD	INDIANS HA G D	
GOT ALONG BY	GOT ALONG BY	GOT ALONG BY	
THE CLARA,	THE CLARA	THE CLARA,	
AND	AND	AND	
THREATENED	THREATENED	THREATENED	
TO KILL US. WE	TO KILL US. WE	TO KILL US. WE	
WAS ONLY A	WAS ONLY	WAS ONLY A	
		VERY SMAPPLL	
VERY SMALL	VERY SMALL	VERY SMALL	
PARTY FROM	PARTY FROM	PARTY FROM	
WASHINGTON.	WASHINGTON.	WASHINGTON.	
Q. WERE	≤ DID THEY	Q. T DID THEY	
THEY	SHOW	SHOW	
HOSTILE ON	HOSTILITY ON	HOSTILITY ON	
THE GROUND ,,	THE GROUND	THE GROUND	
ON THE			
MEADOWS, TO	TO	TO	
YOUR PARTY?	YOUR PARTY≥	YOUR PARTY?	
A. NO,NOT	ANO NOT	A. NO, NOT	
THERE ON THE	ON THE	ON THE	
GROUND,	GROUND	GROUND,	
THEY WAS NOT.	THEY DID NOT.	DT THEY DIDN'T.	
Q. DID YOU SEE	_Q DID YOU SEE	Q. DID YOU SEE	
ANY WHITE	ANY WHITE	ANY WHITE	
MEN TALKING	MEN TALKING	MEN TALKING	
WITH THEM ? A.	WITH THEM A	WITH THEM? A.	
I SAW	I SOME SAW	I SAW	
SOME MEN	SOME MEN	SOME MEN	
TALKING WITH	TALKING WITH	TALKING WITH	
THE INDIANS,	INDIANS	THE INDIANS,	
BUT I COULD	BUT I COULD	BUT I COULD	
NOT TELL YOU	NOT TELL YOU	NOT TELL YOU	
THE NAMES OF	NAMES OF	THE NAMES OF	
THE PARTIES.	PARTIES	THE PARTIES.	

RT	RS	BT	PS

^[296] Q. HOW	oHOW	Q. HOW	
LONG DID THE	LONG DID	LONG DID THE	
INDIANS	INDIANS	INDIANS	
REMAIN IN	REMAIN IN	REMAIN IN	
CAMP THERE ?	CAMP THERE	CAMP THERE?	
A. THEY WAS	ATHEY WAS	A. THEY WAS	
TO BE	TO BE	STO BEEBE	
SEEN	SEEN AT ONE	SEEN AT ONE	
AT THE	TIME AT	TIME—AT THE	
TIME THE	TIME	TIME THE	
COMPANY	COMPANY	COMPANY	
SHOVED OUT.	SHOVED OUT	SHOVED OUT.	
Q. WHERE	oWHERE	[107] Q. WHERE	
WERE THE	WERE THE	WERE THE	
INDIANS OUT	INDIANS OUT	INDIANS, OUT	
OF CAMP? A.	OF CAMP A	OF CAMP? A.	
THE INDIANS	THE INDIANS	THE INDIANS	
WAS OFF	WAS OFF	WERE OFF	
SOMEWHERE,	SOMEWHERE	SOMEWHERE	
BELOW,DOWN	BELOW DOWN	BELOW, DOWN	
THEIR HOLLER.	THE HOLLER;	THE HOLLOW.	
I DON'T KNOW	I DON'T KNOW	I DON'T KNOW	
WHERE THE	WHERE	WHERE THE	
INDIAN CAMP	INDIAN CAMP	INDIAN CAMP	
WAS EXACTLY.	WAS EXACTLY	WAS EXACTLY.	
Q. WAS THERE	OWERE THERE	Q. WAS THERE	
ANY	ANY	ANY	
EXCITEMENT AT	EXCITEMENT AT	EXCITEMENT AT	
THE TIME THEY	THE TIME THEY	THE TIME THEY	
FILED OUT ? A. I	FILED OUT AI	FILED OUT? A. I	
THINK THE	THINK THE	THINK THE	
INDIANS	INDIANS	INDIANS	
ALL WENT OFF	ALL WENT OFF	ALL WENT OFF	
TOO. Q. HOW	TOO _O HOW	TOO. Q. HOW	
LONG BEFORE	LONG BEFORE	LONG BEFORE	
THE SOLDIERS	SOLDIERS	THE SOLDIERS	
FILED	FILED	FILED PILED	
OUT THAT THE	OUT THAT THE	OUT THAT THE	
INDIANS	INDIANS	INDIANS	
DISAPPEARED?	DISAPPEARED	DISAPPE R ARED	
A. WELL SIR, I	_A WELL SIR, I	A. WELL, SIR, I	
DON'T	DON'T	DON'T	
REMEMBER;	REMEMBER	REMEMBER	
BEFORE	BEFORE	BEFORE	

RT	RS	BT	PS

THOUGH THEY	THEN	THEV	
THOUGH, THEY	THEY	THEY	
FILED OUT. Q.	FILED OUT. Q	PILED OUT. Q.	
WHEN DID YOU	WHEN DID YOU	WHEN DID YOU	
LAST NOTICE	LAST NOTICE	LAST NOTICE	
THE INDIANS	INDIANS	THE INDIANS	
AROUND YOUR	AROUND YOUR	AROUND THE	
CAMP ? A.	CAMP A	CAMP? A.	
ALONG	ALONG	ALONG	
SOMETIME	SOMETIME	SOMETIME	
THAT MORNING.	THAT MORNING	THAT MORNING.	
Q. I MEAN THE	_Q I MEAN THE	Q. I MEAN THE	
INDIANS –	INDIANS;	INDIANS.	
HAD THE	HAD THE	Q. HAD THE	
INDIANS BEEN	INDIANS BEEN	INDIANS BEEN	
CONSTANTLY	CONSTANTLY	CONSTANTLY	
AROUND YOUR	AROUND YOUR	AROUND YOUR	
CAMP ? A. YES,	CAMP AYES,	CAMP? A. YES,	
THEY HAD BEEN	THEY HAD BEEN	THEY HAD BEEN	
ABOUT THERE	ABOUT THERE	AROUND	
THAT MORNING	THAT MORNING	THAT MORNING	
THAT THEY	THAT THEY	THAT THEY	
DISAPPEARED	DISAPPEARED	DISAPPEARED.	
Q. DID YOU SEE	ODID YOU SEE	Q. DID YOU SEE	
ANY OF THE	ANY OF THE	ANY OF THE	
EMIGRANTS	EMIGRANTS	EMIGRANTS	
KILLED	KILLED	KILLED THAT	
ON	←ON	MORNING, ON	
THAT	THAT	THAT	
OCCASION ? A.	OCCASION≥ ANO	OCCASION? A.	
I DID NOT.	SIR I DID NOT.	I DID NOT.	
O. DO YOU	oDO YOU	O. DO YOU	
KNOW WHAT	*	KNOW WHAT	
WAS DONE ? A.	WAS DONE A	WAS DONE? A.	
BEEN SICK I	BEEN SICK I	BEEN SICK I	
SHOULD HAVE		SHOULD HAVE	
ALONG AND	ALONG AND	ALONG OR	
~	•	YOU SEE ANY	
OF THE			
-			
THEY HAD BEEN ABOUT THERE THAT MORNING THAT THEY DISAPPEARED Q. DID YOU SEE ANY OF THE EMIGRANTS KILLED ON THAT OCCASION? A. I DID NOT. Q. DO YOU KNOW WHAT WAS DONE? A. IF I HADN'T BEEN SICK I SHOULD HAVE BEEN RIGHT ALONG AND SEEN IT. Q. DID YOU SEE ANY	THEY HAD BEEN ABOUT THERE THAT MORNING THAT THEY DISAPPEARED QDID YOU SEE ANY OF THE EMIGRANTS KILLED ←ON THAT OCCASION → ANO SIR I DID NOT. QDO YOU KNOW WHAT WAS DONE A IF I HADN'T BEEN SICK I SHOULD HAVE BEEN RIGHT	THEY HAD BEEN AROUND THAT MORNING THAT THEY DISAPPEARED. Q. DID YOU SEE ANY OF THE EMIGRANTS KILLED THAT MORNING, ON THAT OCCASION? A. I DID NOT. Q. DO YOU KNOW WHAT WAS DONE? A. IF I HADN'T BEEN SICK I SHOULD HAVE BEEN RIGHT ALONG OR SEEN IT. Q. DID	

S

ON THAT	ON THAT	ON THAT	
OCCASION ? A.	OCCASION A	OCCASION? A.	
I DID	SIR, I DID	NO, SIR, I DID	
NOT. I HAD NO	NOT; I HAD NO	NOT: I HAD NO T	
INCLINATION	INCLINATION TO	INCLINATION TO	
TO SEE THEM	SEE THEM	SEE TH EM EM	
WHATEVER. Q.	WHATEVER o	WHATEVER. Q.	
D D ID YOU SEE	DID YOU SEE	DID YOU SEE	
ANY OF THE	ANY OF	ANY OF THE	
PROPERTY OF	PROPERTY OF	PROPERTY OF	
THAT TRAIN?	THAT TRAIN	THAT RTRAIN?	
A. I SAW THERE	AI SAW THERE	A. I SA¥W IT	
ABOUT THE	ABOUT THE	ABOUT THE	
TIME WE WAS	TIME WE WAS	TIME WE WAS	
MOVING CAMP –	MOVING CAMP,	MOVING CAMP:	
I SAW WAGONS	I SAW WAGONS	I SAW WAGONS	
MOVING THIS	MOVING THIS	MOVING THIS	
WAY. I KNOW	WAY; AI KNOW	WAY. I KNOW	
THERE WAS NOT	THERE WAS NOT	THERE WAS NOT	
A BIT OF	A BIT OF	A BIT OF	
PROPERTY	PROPERTY	PROPERTY	
TAKEN TO	TAKEN TO	TAKEN TO	
WASHINGTON,T	WASHINGTON	WASHINGTON.	
HE PROPERTY	APROPERTY	THE PROPERTY	
MOVED ALL	MOVED OFF	MOVED OFF	
THIS WAY, ALL.	THIS WAY	THIS WAY —	
[297]	BAD AND GOOD.	GOOD AND BAD.	
Q. YOU CAME	OYOU CAME	Q. YOU CAME	
INTO THE	INTO THE	INTO THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOWS	MEADOWS	MEADOWS	
FROMT HE	FROM THE	FROM THE	
SOUTHWEST?	SOUTHWEST	SOUTHWEST?	
A. YES SIR.	AYES SIR	A. YES, SIR, —	
Q. YOU	YES oYOU	YES. Q. YOU	
NEVER SAW	NEVĚR SAW	NEVER SAW	
ANY	ANY OF	ANY	
PROPERTY	PROPERTY	PROPERTY? A.	
AFTERWARDS?	AAFTERWARDS	AFTERWARDS	
A. THERE WAS A	THERE WAS	THERE WAS	
PARTY 33	PARTIES	PARTIES	
SOMEWHERE	SOMEWHERE	SOMEWHERE	
FROM THE	FROM THE	FROM THE	
NORTH	NORTH	NORTH	

S

COLDITAY.	COLINITAN	COT	
COUNTRY;	COUNTRY	GOVERNE	
SOME OF THIS	SOME OF THIS	SOME OF THIS	
PARTY, I	PARTY I	PROPERTY I	
JUDGE,CAME IN	JUDGE CAME IN	JUDGE CAME IN	
FROM THIS	FROM THIS	FROM THIS	
WAY,TOWARDS	WAY, THERE IS	WAY. THERE IS	
THE TWO	TWO	TWO	
ROADS,	ROADS	ROUTES	
COMING INTO	COMING INTO	COMING INTO	
THE MEADOWS,	MEADOWS	THE MEADOWS.	
	ONE FROM	ONE FROM THE	
ONE	SOUTH ONE	SOUTH AND ONE	
FROM THE	FROM	FROM THE	
NORTH. THE	NORTH. THE	NORTH. THE	
PROPERTY WAS	PROPERTY WAS	PROPERTY WAS	
MOVED OFF	MOVED OFF	MOVED OFF	
NORTH, I THINK	NORTH I THINK	NORTH, I THINK	
ALL OF IT; I	ALL OF IT, I	ALL OFIT . I	
KNOW THERE	KNOW THERE	KNOW THERE	
WAS NONE	WAS NONE	WAS NONE	
WENT TO	WENT TO	WENT TO	
WASHINGTON,	WASHINGTON, I	WASHINGTON. I	
I KNOW I	KNOW I	KNOW I	
WALKED HOME.	WALKED HOME	WALKED HOME.	
Q. IN WHAT	oIN WHAT	Q. IN WHAT	
COUNTRY ARE	COUNTRY ARE	COUNTY IS ARE	
THE MOUNTAIN	THE MOUNTAIN	THE MOUNTAIN	
MEADOWS	MEADOWS	MEADOWS	
SITUATED ;? A.	SITUATED A	SITUATED , . A.	
IT IS IN	IT IS IN	IT IS IN	
WAHSINGTON,C	WASHINGTON	WASHINGTON ,	
ALLED; I	COUNTY I	COUNTY, BUT I	
COULD NOT SAY	COULD NOT SAY	COULD NOT SAY	
POSITIVE,	POSITIVE,	POSITIVELY	
WHETHER IT	WHETHER IT	WHETHER IT	
WAS IN	WAS IN	WAS IN	
THE		WASHINGTON	
COUNTY	COUNTY	COUNTY THEN	
OR NOT, IT IS	OR NOT; IT IS	OR NOT. IT IS	
CALLED IN	CALLED IN	NOW CALLED IN	
WASHINGTON.	WASHINGTON	WASHINTGTON	
Q. IN	COUNTY oIN	COUNTY? Q. IN	
WHAT	WHAT	WHAT	
TERRITORY ? A.	TERRITORY A	TERRITORY? A.	
TEKKITUKY ! A.	TEKKITUKY A	TEKKITUKY! A.	

RT	RS	BT	PS

UTAH	UTAH	UTAH	
TERRITORY.	TERRITORY. *	TERRITORY. [108]	
Q. HOW FAR IS	OHOW FAR IS	Q. HOW FAR IS	
IT SOUTH OF	IT SOUTH OF	IT SOUTH OF	
CEDAR TO THE	CEDAR TO THE	CEDAR TO THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEDOWS ? A.	MEADOWS A	MEADOWS? A.	
WELL, I COULD	WELL I COULD	WELL, I COULD	
NOT TELL YOU	NOT TELL YOU	NOT TELL YOU	
EXACTLY,IT IS	EXACTLY, IT IS	EXACTLY; IT IS	
SOMETHING	SOMETHING	SOMETHING	
LIKE 35 OR 40	LIKE 35 OR 40	LIKE 35 OR 40	
MILES,DON'T	MILES, DON'T	MILES, DON'T	
KNOW THE	KNOW	KNOW THE	
EXACT	EXACT	EXACT	
DISTANCE. Q.	DISTANCE. Q	DISTANCE. Q.	
HOW MANY	HOW MANY	HOW MANY	
PEOPLE CAME	PEOPLE CAME	PEOPLE CAME	
UP WITH YOU	UP WITH YOU	UP WITH YOU	
FROM	FROM	FROM	
WASHINGTON?	WASHINGTON	WASHINGTON?	
A. I DON'T	AI DON'T	A. I DON'T	
REMEMBER	REMEMBER	REMEMBER	
THE NUMBER,	<the></the> NUMBER;	THE NUMBER;	
THERE WAS A	THERE WAS A	THERE WAS A	
FEW, THEY HAD	FEW, THEY HAD	FEW. THEY HAD	
A LITTLE TWO	LITTLE TWO	A LITTLE TWO	
HORSE WAGON,	HORSE WAGON;	HORSE WAGON;	
AND I DON'T	DON'T	DON'T	
REMEMBER	REMEMBER	REMEMBER	
WHO DROVE IT.	WHO DROVE IT,	WHO DROVE IT.	
I CAME ON	I CAME ON	I CAME ON	
AFTER.	AFTER ≤A	AFTER A	
Q.	WHILE > Q	WHILE. Q.	
WHILE YOU	WHILE YOU	WHILE YOU	
WERE LYING IN	WERE LYING IN	WERE LYING IN	
CAMP THERE	CAMP THERE,	CAMP THERE,	
DID YOU HEAR	DID YOU HEAR	DID YOU HEAR	
ANY FIRING OF	ANY FIRING OF	ANY FIRING OF	
GUNS? A. YES	GUNS AYES	GUNS? A. YES,	
SIR, I HEARD A	SIR, I HEARD	SIR; I HEARD	
VOLLEY OF	VOLLEY OF	FIRING OF	
GUNS; I HEARD	GUNS AI HEARD	GUNS—I HEARD	
CONSIDERABLE	CONSIDERABLE	CONSIDERABLE	

RT	RS	BT	PS

FIRING; I	FIRING; I	FIRING. I	
SUPPOSED	SUPPOSED	USUPPOSEED AT	
AT THE TIME	AT THE TIME	THE TIME	
THE EMIGRANTS	EMIGRANTS	THE EMIGRANTS	
WERE BEING	WAS BEING	WERE BEING	
KILLED. Q. DO	KILLED DO	KILLED. Q. DO	
YOU KNOW AT	YOU KNOW AT	YOU KNOW AT	
WHAT	WHAT	WHAT	
PARTICULAR	PART OF	PART OF THE	
TIME THE	TIME	TIME THE	
EMIGRANTS	EMIGRANTS	EMIGRANTS,	
EMIGICAL TO	EMIGICATO	THE EMIGRANTS	
WERE FIRST	WERE FIRST	WERE FIRST	
ATTACKED? A.	ATTACKED A	ATTACKED? A.	
I DO NOT, I	I DO NOT. I	I DO NOT. Q. I	
THINK THEY	THINK THEY	THINK TH EY	
HAD BEEN	HAD BEEN	HAD BEEN	
ATTACKED	ATTACKED	ATTACKED	
BEFORE I	BEFORE I	BEFORE I	
REACHED	REACHED	REACHED	
THERE, THAT	THERE, THAT	THERE; THAT	
WAS THE TALK,	WAS THE TALK,	WAS THE TALK,	
THEY HAD	THEY HAD	THAT THEY HAD	
BEEN	BEEN	BEEN	
ATTACKED	ATTACKED	ATTACKED	
BEFORE WE	BEFORE WE	BEFORE WE	
REACHED	REACHED	REACHED	
THERE, I [298]	THERE A	THERE;	
HEARD IT SAID.	HEARD IT SAID	HEARD IT SAID.	
Q. DID YOU	Q	Q.	
HEAR IT SAID	HEARD IT SAID	HEARD IT SAID	
BY WHOM THEY	BY WHOM THEY	BY WHOM THEY	
HAD BEEN	HAD BEEN	HAD BEEN	
ATTACKED ? A.	ATTACKED A	ATTACKED? A.	
NO SIR, I	NO SIR I	NO, SIR; I	
SUPPOSED SO.	SUPPOSED SO	SUPPOSED SO.—	
Q. I DON'T	oI DON'T	—Q. I DON'T	
WANT	WANT	WANT	
SUPPOSITIONS,	SUPPOSITION =	SUPPOSITION,	
WE	YES SIR WE	WE	
WANT THE	WANT	WANT	
FACTS, AND	FACTS	FACTS,	
THAT IS WHAT	THAT IS WHAT	THAT IS WHAT	
YOU	YOU <we< b="">≥</we<>	WE	

RT	RS	BT	PS

1 D F F C G C C F	W	**************************************	
ARE TO COME	WANT TO COME	WANT TO COME	
AT. DID YOU	AT = DID YOU	AT. DID YOU	
HEAR FROM	HEAR = HEAR	HEAR—HEAR	
WHAT	WHAT WAS	WHAT WAS	
WAS SAID	SAID, ≤IF SO≥ BY	SAID; IF SO, BY	
BY WHOM	WHOM	WHOM HAD	
THEY HAD BEEN	THEY HAD BEEN	THEY HAD BEEN	
ATTACKED ? A.	ATTACKED? A	ATTACKED? A.	
I DID NOT; I	I DID NOT, I	I DO NOT, I	
WOULD HAVE	WOULD HAVE	WOULD HAVE	
KNOWN IF I	KNOWN IF	KNOWN IF I	
HAND'T BEEN	HADN'T BEEN	HAD BEEN	
SICK,AS I	SICK IF HAD		
WAS	BEEN		
ACQUAINTED	ACQUAINTED	ACQUAINTED	
WITH THE	WITH THE	WITH THE	
PARTIES	PARTIES KIND	PARTIES, KIND	
AROUND THERE.	≼KIND'A≥	OF.	
Q. LET ME ASK	_Q LET ME ASK	Q. LET ME ASK	
YOU HOW	YOU HOW	YOU HOW	
MANY WERE	MANY WERE	MANY WERE	
THERE ON THAT	THERE ON THAT	THERE ON THE	
GROUND AND	GROUND AND	GROUND AND	
PARTICIPATING	PARTICIPATED	PARTICIPATED	
FORM	FROM	FROM	
WASHINGTON?	WASHINGTON	WASHINGTON?	
A. WELL, THERE	AWELL, THERE	A. WELL, THERE	
WAS	WAS = BY	WAS	
	DEFENSE WE		
OBJECTED TO	OBJECT TO	OBJECTED TO.	
BY COUNSEL	THAT QUESTION		
FOR DEFENSE.			
Q. HOW MANY	_Q HOW MANY	Q. HOW MANY	
FROM	FROM	FROM	
WASHINGTON	WASHINGTON	WASHINGTON	
WERE THERE	WERE THERE	WERE THE¥RE	
ON THE	ON THE	ON THE	
GROUND?	GROUND.	GROUND?	
A.	AWHEN YOU	A. WHEN YOU	
	CAN DECIDE I	CAN DECIDE I	
	WILL ANSWER;	WILL ANSWER.	
THERE WAS	THERE WAS	THERE WAS	
SOME 5 OR	SOME 5 OR	SOME FIVE OR	
6 I THINK,	6 I THINK	SIX	

RT	RS	ВТ	PS

MAY BE SEVEN,	MAYBE 7 =	MAY BE	
A SMALL	SMALL	SEVEN—SMALL	
PARTY.	PARTY. BY	PARTY. BY	
TARCET.	PROSECUTION	PROSECUTION:	
	THAT IS ALL. TO	THAT IS ALL.	
	DEFENSE YOU	IIIAI IS ALL.	
	CAN TAKE THE		
	WITNESS THAT		
	IS ALL. BY		
	COURT. DO		
	EITHER PARTY		
	WANT THIS		
	WITNESS		
	PROSECUTION		
	AND DEFENSE		
	BOTH		
	ANSWERED NO		
	BY COURT YOU		
	WILL BE		
	DISCHARGED		
	THEN [space]		
CROSS -	{DEFENSE		
EXAMINATION	WAIVED CROSS		
WAIVED.	EXAMINATION}		
Will VED.	p [space]		
^[299] E. W.	E. W.	^[109] E.W.	
THOMPSON	THOMPSON.	THOMPSON,	
,SWORN	CLERK	SNR. SWORN	
FOR	ADMINISTERED	FOR THE	
PROSECUTION.	OATH.	PROSECUTION.	
		EXAMINED BY	
Q. MR.	oMR.	$\mathbf{M}^{\mathbf{R}}$ Q. MR.	
THOMPSON,	THOMPSON	THOMPSON,	
STATE YOUR	STATE YOUR	STATE YOUR	
RESIDENCE ? A.	RESIDENCE A	RESIDENCE? A.	
I LIVE IN	I LIVE IN	I LIVE IN	
BEAVER. Q.	BEAVER. Q	BEAVER. Q.	
WHERE DID YOU	WHERE DID YOU	WHERE DID YOU	
RESIDE IN THE	RESIDE IN THE	RESIDE IN THE	
MONTH OF	MONTH OF	MONTH OF	
SEPTEMBER 1857	SEPTEMBER 57	SEPTEMBER, '57?	
? A. BEAVER. Q.	_A BEAVER. _Q	A. BEAVE R . Q.	
STATE	STATE	STATE	
WHETHER	WHETHER	WHETHER,	

RT	RS	ВТ	PS

DURING THAT	DURING THAT	DU T RING THAT	
MONTH YOU	MONTH	MONTH, YOU	
SAW AN	SAW	SAW AN	
EMIGRANT	EMIGRANT	EMIGRANT	
TRAIN PASSING	TRAIN PASS	TRAIN APASS	
THROUGH,	IKAINTASS	THROUGH	
TIIKOUGII,	THERE	THERE,	
CALLED THE	CALLED	THERE,	
ARKANSAS,OR	ARKANSAS OR	OR	
NOT ? A. I SAW A	NOT AI SAW	NOT? A.I SAW A	
TRAIN	TRAIN	TRAIN	
PASSING	PASS	PASS	
THROUGH HERE,	THROUGH HERE	THROUGH HERE	
DESIGNATED BY	DESIGNATED BY	DESIGNATED BY	
THAT TITLE; I	THAT TITLE, I	THAT TITLE; I	
THINK I WAS	THINK I WAS	THINK I SAW IT.	
	TOLD SO.	ITIINK I SAW II.	
TOLD SO.		O WHEDE DID	
Q. WHERE DID	_Q WHERE DID	Q. WHERE DID THEY COME	
		FROM, DO	
THEY CAMD DID	THEY CAMD DID	YOUTHEY CAMP	
THEY CAMP, DID	THEY CAMP, DID	THEY CAMP, DO	
YOU KNOW? A. I	YOU KNOW AI	YOU KNOW? A. I	
NEVER WAS AT	NEVER WAS AT	NEVER WAS AT	
THEIR	THEIR CAMP =	THEIR CAMP—	
CAMP, BUT THEY	CANDED ON THE	CAN THE ON THE	
CAMPED ON THE	CAMPED ON THE	CAMPED ON THE	
RIVER, ACROSS	RIVER ACROSS	RIVER ACROSS	
THE CREEK	THE CREEK	THE CREEK	
HERE.	HERE	HERE? AQ	
Q. ABOUT WHAT	QABOUT WHAT	Q. ABOUT WHAT	
TIME IN THE	TIME IN	TIME OIN THE	
MONTH WAS IT?	MONTH WAS IT	MONTH WAS IT?	
A. I CANNOT	AI CANNOT	A. I CANNOT	
STATE THAT. Q.	STATE THAT Q	STATE THAT: . Q.	
AS NEAR AS	AS NEAR AS	AS NEAR AS	
YOU CAN	YOU CAN	YOU CAN	
RECOLLECT? A.	RECOLLECT A	RECOLLECT? A.	
WELL, I SHOULD	WELL I SHOULD	WELL, I SHOULD	
SAY IT WAS IN	SAY IT WAS IN	SAY IT WAS IN	
THE FIRST HALF	FIRST HALF OF	THE FIRST HALF	
OF THE MONTH,	MONTH	OF THE MONTH.	
COULD NOT	COULD NOT	COULD NOT	
STATE	STATE	D STATE THE	

RT	RS	BT	PS

DEFINITELY,	DEFINITELY.	DAY?	
BUT IN	oOF	Q. OF	
SEPTEMBER	SEPTEMBER	SEPTEMBER,	
1857; YES;SIR.	57 AYES	'5&7? A. YES,	
Q. AND		SIR. Q. AND	
TELL US ABOUT	SIR _Q AND TELL US ABOUT	TELL US ABOUT	
HOW LARGE A	HOW LARGE	HOWLARGE A	
TRAIN OF	TRAIN	TRAIN OF	
WAGONS IT WAS	WAGON	SWAGONS?	
? A. I SAW THE	AI SAW THE	A. I SAW THE	
TRAIN, I WAS	TRAIN = WAS AT	TRAIN; WAS	
AT WORK AT	WORK	AT WORK AT	
THE SAW MILL,	SAW MILL,	THE SAW-MILL.	
SAW IT PASS	SAW IT PASS	Q. SAW IT PASS	
DOWN THE	DOWN THE	DOWN THE	
ROAD,LONG	ROAD, LONG	ROAD—LONG	
TRAIN, AND THE	TRAIN;	TRAIN—	
NUMBER OF THE	NUMBER OF	NUMBER OF	
WAGONS,	WAGONS,	WAGONS.	
THERE MAY	THERE MAY	THERE MIGHT	
HAVE BEEN	HAVE BEEN	HAVE BEEN	
THIRTY OR	THIRTY OR	30 OR	
FORTY,	40 ≤OR ≥	40 OR	
PROBABLY NOT	NOT	NOT	
SO MANY AND	SO MANY,	SO MANY,	
MAY BE MORE.	MAYBE MORE	MAY BE MORE.	
Q. HOW FAR	oHOW FAR	Q. HOW FAR	
WERE YOU	FROM	WERE YOU OF	
OFF ? A. ABOUT	OFF[?] AABOUT	OFF? A. ABOUT	
HALF A MILE.	HALF MILE	A HALF A MILE?	
Q. HAVE YOU	oHAVE YOU	A. HAVE YOU	
ANY	ANY	ANY	
		I AIN I	
KNOWLEDGE			
KNOWLEDGE, IF SO STATE	KNOWLEDGE =	KNOWLEDGE,	
IF SO STATE	KNOWLEDGE = IF SO STATE,	KNOWLEDGE, IF SO, STATE	
IF SO STATE HOW MANY	KNOWLEDGE = IF SO STATE, HOW MANY	KNOWLEDGE, IF SO, STATE HOW MANY	
IF SO STATE HOW MANY PEOPLE WERE	KNOWLEDGE = IF SO STATE, HOW MANY PEOPLE WERE	KNOWLEDGE, IF SO, STATE HOW MANY PEOPLE WERE	
IF SO STATE HOW MANY PEOPLE WERE THERE IN THE	KNOWLEDGE = IF SO STATE, HOW MANY PEOPLE WERE THERE IN	KNOWLEDGE, IF SO, STATE HOW MANY PEOPLE WERE THERE IN IT?	
IF SO STATE HOW MANY PEOPLE WERE THERE IN THE TRAIN? [300] A. I	KNOWLEDGE = IF SO STATE, HOW MANY PEOPLE WERE THERE IN AI	KNOWLEDGE, IF SO, STATE HOW MANY PEOPLE WERE THERE IN IT? A. I	
IF SO STATE HOW MANY PEOPLE WERE THERE IN THE TRAIN? [300] A. I HAVE NO	KNOWLEDGE = IF SO STATE, HOW MANY PEOPLE WERE THERE IN AI HAVE NO	KNOWLEDGE, IF SO, STATE HOW MANY PEOPLE WERE THERE IN IT? A. I HAVE NO	
IF SO STATE HOW MANY PEOPLE WERE THERE IN THE TRAIN? [300] A. I HAVE NO KNOWLEDGE, I	KNOWLEDGE = IF SO STATE, HOW MANY PEOPLE WERE THERE IN AI HAVE NO KNOWLEDGE,	KNOWLEDGE, IF SO, STATE HOW MANY PEOPLE WERE THERE IN IT? A. I HAVE NO KNOWLEDGEP	
IF SO STATE HOW MANY PEOPLE WERE THERE IN THE TRAIN? [300] A. I HAVE NO KNOWLEDGE, I NEVER VISITED	KNOWLEDGE = IF SO STATE, HOW MANY PEOPLE WERE THERE IN AI HAVE NO KNOWLEDGE, NEVER VISITED	KNOWLEDGE, IF SO, STATE HOW MANY PEOPLE WERE THERE IN IT? A. I HAVE NO KNOWLEDGEP NEVER VISITED	
IF SO STATE HOW MANY PEOPLE WERE THERE IN THE TRAIN? [300] A. I HAVE NO KNOWLEDGE, I NEVER VISITED THEIR CAMP.	KNOWLEDGE = IF SO STATE, HOW MANY PEOPLE WERE THERE IN AI HAVE NO KNOWLEDGE, NEVER VISITED THEIR CAMP	KNOWLEDGE, IF SO, STATE HOW MANY PEOPLE WERE THERE IN IT? A. I HAVE NO KNOWLEDGEP NEVER VISITED THEIR CAMP.	
IF SO STATE HOW MANY PEOPLE WERE THERE IN THE TRAIN? [300] A. I HAVE NO KNOWLEDGE, I NEVER VISITED	KNOWLEDGE = IF SO STATE, HOW MANY PEOPLE WERE THERE IN AI HAVE NO KNOWLEDGE, NEVER VISITED	KNOWLEDGE, IF SO, STATE HOW MANY PEOPLE WERE THERE IN IT? A. I HAVE NO KNOWLEDGEP NEVER VISITED	

RT	RS	BT	PS

S

ETIEME	TIME	TIME AS TO	
E TI E ME, HOW MANY	HOW MANY	HOW MANY	
LOOSE CATTLE	LOOSE CATTLE	LOOSE CATTLE	
	THERE WERE IN		
THERE WERE		THERE WERE IN	
IN THE HEARD.	THE HERD	THE HEARD?	
Q. I DID NOT.	AI DID NOT	A. I DO DID NOT.	
Q. STATE	QSTATE	Q. STATE	
WHETHER YOU	WHETHER YOU	WHETHER YOU	
WERE PRESENT	ARE PRESENT	WERE PRESENT	
AT ANY	AT ANY	AT ANY	
MEETING THAT	MEETING BEING	MEETING BEING	
WAS HELD HERE	HELD HERE.	HELD HERE? A	
COUNSEL: I	I	I	
WILL CHANGE	WILL CHANGE	WILL CHANGE	
THE QUESTION.	THE QUESTION	THE QUESTION.	
Q. STATE	_Q STATE	STATE [110]	
WHETHER YOU	WHETHER YOU	WHETHER YOU	
HEARD OF	HEARD OF	HEARD OF	
THEIR ARRIVING	THEIR ARRIVING	THEIR ARRIVING	
OF THIS		HERE—OF THE	
COMPANY OR	COMPANY[?] OR	COMPANY HERE	
NOT, BEFORE	NOT BEFORE	BOFORE	
THEY CAME ? A.	THEY CAME A	THEY CAME? A.	
I HEARD THERE	I HEARD THERE	I HEARD THERE	
WAS A	WAS	WAS A	
COMPANY ON	COMPANY = ON	COMPANY ON	
THE WAY TO	WAY TO	THE WAY TO	
TOWN. Q. DID	TOWN _O DID	TOWN. Q. DID	
YOU ATTEND	YOU ATTEND	YOU ATTEND	
ANY MEETING	ANY MEETING	ANY MEETING	
ANYWHERE ? A.	ANYWHERE A	ANYWHERE? A.	
I ATTENDED	I ATTENDED	I ATTENDED	
MEETING IN	MEETING IN	MEETING IN	
SEVERAL	SEVERAL	SEVERAL	
PLACES. Q. DID	PLACES oDID	PLACES. Q. DID	
YOUI ATTEND	YOU ATTEND	YOU ATTEND	
ANY HERE	ANY MEETING	ANY MEETINGIN	
IN THE SQUARE	IN THE SQUARE	A SQUARE?	
? [301] A. I WAS	_A I WAS	A. I WAS	
FREQUENTLY	FREQUENTLY	FREQUENTLY	
AT MEETING IN	AT MEETING	AT MEETING IN	
THOSE DAYS.	THOSE DAYS	THOSE DAYS. Q.	
Q. STATE	oSTATE	STATE	
WHETHER YOU	WHETHER YOU	WHETHER YOU	

RT	RS	BT	PS

S

WOULD NOT	WOULD NOT	WOULD NOT	
NOW BE	NOW BE	KNOW BE	
POSITIVE. Q. DO	POSITIVE _o DO	POSITIVE. Q. DIO	
YOU REMEMBER	YOU REMEMBER	YOU REMEMBER	
OF SEEING	OF SEEING	EVER SEEING	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH HERE AT	SMITH HERE AT	SMITH HERE AT	
THAT TIME? A.	THAT TIME A	THAT TIME? A.	
I DON'T	I DON'T	DON'T	
RECOLLECT OF	RECOLLECT OF	ERECOLLECT OF	
HAVING SEEN	HAVING SEEN	HAVING SEEN	
HIM AT THAT	HIM AT THAT	HIM AT THAT	
TIME. Q. WELL,	TIME WELL	TIME. Q. WELL,	
OR BEFORE	OR BEFORE	OR BEFORE	
THAT TIME ? A. I	THAT TIME AI	THAT TIME? A.	
DON'T	DON'T	DON'T	
RECOLLECT OF	RECOLLECT OF	RECOLLECT OF	
HAVING SEEN	HAVING SEEN	HAVING SEEN	
HIM. Q. WITHIN	HIM OWITHIN	HIM. Q. WITHIN	
A SHORT	ANY SHORT	ANY SHORT	
TIME OF THAT	TIME OF THAT	TOIME OF THAT	
TIME ? A. HE	TIME. AHE	T IME? A. HE	
WAS DOWN	WAS DOWN	WAS DOWN	
THROUGH THIS	THROUGH THIS	THROUGH THIS	
COUNTRY,BUT	COUNTRY AT	COUNTRY AT	
I	THAT TIME	THAT TIME; I	
COULD NOT	COULD NOT	COULD NOT	
STATE	STATE	STATE	
WHETHER HE	WHETHER HE	WHETHER HE	
WAS IN THE	WAS IN	WAS INTHE	
COUNTRY THEN	COUNTY	COUNTY	
OR NOT. Q. DID	OR NOT. oDID	OR NOT. Q. DID	
YOUSEE HIM	YOU SEE HIM	YOU SEE HIM	
AFTER THAT ?	AFTER THAT	AFTER THAT? A.	
	YES HAVE	HAVE SEEN HIM	
A. NOT	SINCE ANOT	SINCE—NOT	
IMMEDIATELY	IMMEDIATELY	IMMEDIATELY	
AFTER; I COULD	AFTER, I COULD	AFTER. I COULD	
NOT SAY, I	NOT SAY AS I	NOT SAY I	
MIGHT HAVE	MIGHT HAVE	MIGHT HAVE	
DONE, AND	DONE =	DONE;	
MIGHT NOT,	MIGHT NOT =	NMIGHT NOT ;	
BUT CANNOT	CANNOT	CAN'T	
CALL THE	CALL THE	CALL THE	

RT	RS	BT	PS

CIRCUMSTANCE	CIRCUMSTANCE	CIRCUMSTANCE	
S TO MY MIND.	S TO MY MIND.	TO MY MIND.	
Q. DO YOU	ODO YOU	Q. DO YOU	
KNOW WHAT	KNOW WHAT	KNOW WHAT	
BECAME OF THE	BECAME OF THE	BECAME OF THE	
LETTER YOU	LETTER YOU	LETTER YOU	
SPEAK OF ? A. I	SPEAK OF AI	SPEAK OF? A. I	
DO NOT. Q.	DO NOT o	DO NOT. Q.	
WHO WAS THE	WHO WAS THE	WHO WAS THE	
BISHOP AT THAT	BISHOP AT THAT	BISHOP AT THAT	
TIME ? $^{[3\theta 2]}$ A.	TIME	TIME? A.	
PHILO T.	PHILO T	FILO T.	
FARNSWORTH.	FARNSWORTH.		
		FARNSWORTH,	
Q. STATE	QSTATE WHAT IE	SNR. Q. STATE	
WHAT IF ANYTHING WAS	WHAT IF	WHAT IF	
	ANYTHING WAS	ANYTHING WAS	
SA ID AFTER	SAID AFTER	SAID AFTER	
THE READING	READING	THE READING	
OF THAT	OF THAT	OF THAT	
LETTER	LETTER	LETTER?	
A. I COULD NOT	ACOULD NOT	A. I COULD NOT	
CALL TO MIND	CALL TO MIND	CALL TO MIND	
JUST NOW	JUST NOW	JUST NOW,	
WHAT WAS	WHAT WAS	WHAT WAS	
SAID, I COULD	SAID, I COULD	SAID. I COULD	
NOT EXACTLY	NOT EXACTLY	NOT EXACTLY	
TELL,BUT ON	STATE AON	STATE; 20 ON	
THE SUBJECT OF	SUBJECT OF	THE SUB U JECT	
THE		OF	
EMIGRANTS,	EMIGRANTS,	EMIGRANTS	
AND TRADING	AND TRADING	AND TRADING	
WITH THEM.	WITH THEM	WITH THEM,	
	MUCH		
Q. NOT	< COUNSEL NOT		
TO SELL	TO SELL THEM		
GRAIN OR	GRAIN>	AND OR	
ANYTHING OF	ANYTHING OF	SOMETHING OF	
THAT KIND ? A.	THAT KIND,	THAT KIND?—	
THE LETTER	THE LETTER	THE LETTER	
WAS READ.	WAS READ BY	WAS READ. BY	
		$M^{\underline{R}}$	
SUTHERLAND:	SUTHERLAND:	SUTHERLAND:	
HE SAYS THE	HE SAYS	HE SAYS THE	
LETTER WAS	LETTER WAS	LETTER WAS	

READ AS	READ AS	READ.
COUNSELING	COUNSELING	KEND.
NOT TO SELL.	NOT TO SELL. =	
TOT TO SEEE.	BY DEFENSE	
	HOLD ON WE	HOLD ON, WE
	OBJECT TO	OBJECT TO
	ANYTHING	ANYTHING
	THAT/THE[?]	THAT THE
WIT.:	PROSECUTION	PROSECUTION
I DON'T	AI DON'T	— ^[III] A. I DON'T
REMEMBER	REMEMBER	REMEMBER
WHAT ELSE	WHAT ELSE	WHAT ELSE
WAS SAID. Q.	WAS SAID o	WAS SAID. Q.
AFTER THE	AFTER	AFTER THE
LETTER WAS	LETTER WAS	LETTER WAS
READ WAS	READ WAS	READ WAS
THERE ANY	THERE ANY	THERE ANY
COMMENTS	COMMENTS	COMMENTS
MADE ABOUT IT	MADE ABOUT IT	ABOUTIT?
A. I DID NOT	AI DID NOT	A. I DOID NOT
CHARGE MY	CHARGE MY	CHARGE MY
MIND WITH	MIND WITH	MIND WITH
WHAT WAS	WHAT WAS	WHAT WAS
SAID.	SAID	SAID. M ^R
BASKIN: IN	BASKIN _O IN	BASKIN: IN
RELATION TO	RELATION TO	RELATION TO
THAT LETTER	THAT LETTER	THAT LETTER
WE WILL	WE WILL	WE WILL
SUSPEND AT	SUSPEND IT AT	SUSPEND IT AT
PRESENT.	PRESENT	PRESENT—AS
WHETHER IT	WHETHER IT	TO WHETHER IT
WOULD BE	WOULD BE	WOULD BE
	· · ·	
PROPER TO	PROPER TO PROVE	PROPER TO
PROVE THE	= :	PROVE THE
CONTENTS OF	CONTENTS OF	CONTENTS OF
THAT LETTER	THAT LETTER	THAT LETTER
OR NOT IT IS	OR NOT = IT IS	OR NOT. IT IS
MY IMPRESSION AS COMING	MY IMPRESSION	MY IMPRESSION AS COMING
	AS COMING	AS COMING
FROM THESE	FROM THOSE	FROM THESE
CONSPIRATORS,	CONSPIRATORS.	CONSPIRATORS:,
WHICH, IF WE	IF WE	IF WE COULD
CONNECT, IT	CONNECT IT	CONNECT, IT
WILL BE	WOULD BE	WOULD BE

RT	RS	BT	PS

PROPER TO	PROPER TO	PROPER TO	
PROVE ITS	PROVE ITS	PROVE ITS	
CONTENTS.	CONTENTS	CONTENTS.	
THERE IS NO	THERE IS NO	THERE IS NO	
PROCESS OF	PROCESS OF	PRO V CESS OF	
LAW WHEREBY	LAW WHEREBY	LAW, WHEREBY	
WE COULD	WE COULD	WE COULD	
MAKE THEM	MAKE THEM	MAKE THEM	
PRODUCE	PRODUCE	PRODUCE	
EVIDENCE	EVIDENCE	EVIDENCE	
AGAINST	AGAINST	AGAINST	
THEMSELVES,A	THEMSELVES,	THEMSELVES.	
ND ON THAT	ON THAT	ON THAT	
POINT WE WILL	POINT WE WILL	POINT WE WILL	
WAIT TILL THE	WAIT UNTIL	WAIT TILL THE	
ADJOURNMENT	ADJOURNMENT	ADJOUNMENT	
OF THE COURT.	OF COURT.	OF THE COURT.	
	BY	M^{R}	
SUTHERLAND:	SUTHERLAND	SUTHERLAND:	
WE RESENT	WE RESENT	WE RESENT	
THE	<the< td=""><td>THE</td><td></td></the<>	THE	
ACCUSATION	ACCUSATION≥	ACCUSATION	
ON OUR	ON YOUR OUR	ON OU T R	
SIDE, THAT	SIDE = THAT	SIDE THAT	
THAT LETTER	THAT LETTER	THAT LETTER	
CAME FROM	CAME FROM	CAME FROM	
ANY OF THE	ANY OF THE	ANY OF THE	
CONSPIRATORS.	CONSPIRATORS.	CONSPIRATORS.	
BASKIN:	BASKIN	BY M ^R BASKIN:	
IF WE COULD	IF WE COULD	IF WE COULD	
CONNECT IT IT	CONNECT IT,	CONNECT IT—	
WOULD BE			
RIGHT, I SPEAK	I SPEAK	I SPOKE SPEAK	
OF IT AT THIS	OF IT AT THIS	OF A IT AT THIS	
TIME FOR THE	TIME FOR	TIME FOR THE	
PURPOSE OF	PURPOSE OF	PURPOSE OF	
RESERVING	RESERVING THE		
THE RIGHT TO	RIGHT TO		
RECALL THE	RECALL	RECALLING THE	
WITNESS	WITNESS	WITNESS AGAIN	
FOR	FOR	FOR	
THAT PURPOSE.	THAT PURPOSE.	THA TPURPOSE.	
BISHOP:	BISHOP,	BY M ^R BISHOP:	
IF THE		WE AR IF THE	

RT RS	BT	PS
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COURT PLEASE,	COURT PLEASE	COURT PLEASE,	
WE ARE	WE ARE	WE ARE	
EXCEEDINGLY	EXCEEDINGLY	EXCEEDINGLY	
SENSITIVE ON	SENSITIVE ON	SENSITVSENSITI	
THAT POINT,	THAT POINT,	VE ABOUT	
IIIAI FOINI,	IIIAI FOINI,	THAT. BY M ^R	
		BASKIN:	
	YES SIR		
	I ES SIK	YES, SIR, I BELIEVE THAT.	
		BY M ^R BISHOP:	
AND CO WE	AND CO WE		
AND SO WE	AND SO WE	AND SO WE	
HAVE A RIGHT	HAVE A RIGHT	HAVE A RIGHT	
TO BE; WHEN	TO BE WHEN	TO BE WHEN	
THEY SEEK TO	THEY SEEK TO	THEY SEEK TO	
TRAVEL US OUT	TRAVEL OUT	TRAVEL OUT	
OF WHAT WE	OF WHAT WE	OF WHAT WE	
CONSIDER TO	CONSIDER IT TO	CONSIDER TO	
BE THE PROPER	BE THE PROPER	BE THE PROPER	
COURSE IN	COURSE IN	COURSE IN	
WHICH THEY	WHICH THEY	WHICH THEY	
SHOULD	SHOULD	SHOULD	
TRAVEL, AND	TRAVEL =	TRAVEL.	
WHEN THEY	WHEN THEY	WHEN THEY	
REFER TO MEN	REFER TO MEN	REFER TO MESN	
AS	AS	AS	
CONCPIRATORS,	CONSPIRATORS	CONSPIRATORS	
AND TAKE IT	TAKING [[9]] IT	TAKING IT	
FOR [303]	AS	AS	
GRANTED THAT	GRANTED	GRANTED,—	
THE FACT	FACT	AND THE FACT	
HAS	HAS	HAS AS HAVING	
BEEN PROVEN,	BEEN PROVEN,	BEEN PROVEN,	
AND THE JURY	JURY	THE JURY	
MUST SO FIND,	MUST SO FIND =	MUST SO FIND.	
WE OBJECT, AND	WE THINK THEN	WE OBJECT AS	
ARE	WE SHOULD	WE ARE	
SENSITIVE	BE SENSITIVE	SENSITIVE	
ON THAT POINT.	ON THAT POINT.	ON THAT POINT.	
COURT:	BY COURT	BY THE COURT:	
HE DIDN'T	HE DIDN'T	HE DIDN 'T	
STATE	STATE	STATE	
THAT.	THAT. BY	THAT. BY M ^R	
BISHOP: HIS	BISHOP HIS	BISHOP: HIS	
FIRST	FIRST	FIRST	

RT	RS	BT	PS

STATEMENT I	STATEMENT	STATEMENT,	
THINK HE	STITLIVILIVI	STITIENE,	
DID,AND I	I	I	
THINK THE	THINK	THINK, THE	
COURT	COURT DID	COURT DID	
MISUNDERSTOO	MISUNDERSTAN	MISUNDERSTAN	
D HIM	D HIM	D	
REFERRING TO	REFERRING TO	HIM(REFERING	
BASKIN:, AND I	BASKIN I	TO M^{R} BASKIN) I	
· ·	THINK I	THINK I	
THINK WE	DIDN'T	DID NOT	
DIDN'T MISUNDERSTAN	MISUNDERSTAN	MISUNDERSTAN	
D THESE	D THIS	D TH IS E	
GENTLEMEN.	GENTLEMEN	GENTLEMAN.	
BASKIN:	BASKIN	BY M ^R BASKIN:	
I HAVE BEEN	I HAVE BEEN	I HAVE BEEN	
MISUNDERSTOO	MISUNDERSTOO	MISUNDERSTOO	
D.	D AND	D AND	
D.	MISSTATED	MISS STATED	
	ON MORE THAN	ON MORE THAN	
	ONE OCCASION	ONE OCCASION,	
	WHICH OCCURS	WHICH OCCURS	
	SO OFTEN, I	SO OFTEN I	
	CAN'T	CANNOT	
	ACCORD TO	ACCORD TO	
	THEM CANDOR.	THEM CANDOR.	
	DIGHOD IE	$^{[112]}$ BY $\mathbf{M}^{\mathbf{R}}$	
	BISHOP. IF	BISHOP: IF THE	
	COURT PLEASE,	COURT PLEASE,	
	CENTEL EMANI	THE CENTLEMAN	
	GENTLEMAN	GENTLEMAN	
	CAN GO	CANNOT GO A NY FARTHER	
	NO FARTHER		
	THAN I CAN AND	THAN I CAN;	
	EVERYTHING	BUT	
	WILL BE DONE		
	IN ORDER AND		
	PROPERLY AND	WHAT WHAT	
	ONLY HIS	HIS	
	LANGUAGE	LANGUAGE	
	LEADS ME TO	LEADS ME TO	
	BELIEVE I	BELIEVE I	
	SHALL	SHALL	
	SHALL	SHALL	

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	CERTAINLY	CERTAINLY
	STATE WHAT I	STATE WHAT I
	THINK.	THINK, BY M ^R
	BASKIN. I	BASKIN: I
	SUBMIT THAT IS	SUBMIT THAT IS
	BEYOND ALL	BEYOND ALL
	POWER BY	POWER. BY THE
	COURT	COURT:
	WHEN A PARTY	WHEN A PARTY
	MAKES A	MAKES A
	STATEMENT	STATEMENT
	PARTY THAT IS	
	THOSE WHO	
	UNDERSTAND IT	THERE IS BUT
	ONE WAY[?]	ONE WAY TO TO
	OBJECT	OBJECT TO THE
	QUESTIONS BY	QUESTION. BY
	BISHOP	M^{R} BISHOP:
	WHEN I GET UP	WHEN I GET UP
	TO APOLOGIZE	TO APPOLOGISE,
	I THINK I OUGHT	I THINK I OUGHT
	TO HAVE	TO HAVE THE
	RIGHT TO DO	RIGHT TO DO
	SO. BY	SO. BY THE
	COURT DO YOU	COURT: DO YOU
	WISH ASK	WISH TO ASK
	THIS	THIS
	GENTLEMAN	GENTLEMAN
	ANY	ANY
	QUESTIONS.	QUESTIONS?
	BISHOP	BY M ^R BISHOP:
	YES SIR IF	YES, SIR, IF
	TES SIK II ≤THE≥ COURT	THE COURT
	PLEASE. <x< b=""></x<>	PLEASE. CROSS-
	EXAMINATION	EXAMINATION
		BY MR. BISHOP.
Q. HOW LONG	oHOW LONG	Q. HOW LONG
HAVE YOU	HAVE YOU	HAVE YOU
RESIDED IN	RESIDED IN	RESIDED IN
BEAVER, MR.	BEAVER MR.	BEAVER, MR.
THOMPSON ? A.	THOMPSON A	THOMPSON? A.
I HAVE RESIDED	I HAVE RESIDED	THOMESON! A.
IN BEAVER	IN BEAVER	SINCE I
SINCE I	SINCE {I} ^p	SINCE I

S

MOVED	MOVED HERE	MOVED HERE	
TO THIS TOWN,	TO THIS TOWN	TO THIS TOWN,	
IN 1857, I	1857 I	1857, I	
BELIEVE. Q. YOU		BELIEVE. Q. YOU	
SAY YOU	BELIEVE. _Q YOU SAY YOU	`	
SATTOU		SAY YOU	
CENEDALLY	GENERALLY	CENEDALLY	
GENERALLY	←GENERALLY→ ATTENDED ATTENDE	GENERALLY	
ATTENDED	ATTENDED	ATTENDED	
MEETINGS ? A.	MEETINGS A	MEETINGS? A.	
NOT ALWAYS,	NOT ALWAYS,	NOT ALWAYS.	
BUT			
FREQUENTLY I	I FREQUENTLY	I FREQUENT L Y	
DID. I HAVE	DID. I HAVE	DID. I HAVEN'T	
NOT BEEN	NOT BEEN	BEEN	
MUCH OF A	MUCH OF	MUCH OF A	
MEETING GOER	MEETING GOER	MEETING GOER,	
AT ANY TIME. Q.	ANY TIME Q	NO TIME. Q.	
I UNDERSTAND	I UNDERSTAND	I UNDERSTAND	
YOU TO SAY	YOU TO SAY	YOU TO SAY	
YOU DON'T	YOU DON'T	YOU DON'T	
RECOLLECT	RECALL OF	RECOLLECT OF	
SEEING GEORGE	SEEING GEORGE	SEEING GEORGE	
A. SMITH HERE	A SMITH HERE	A. SMITH HERE,	
IMMEDIATELY	IMMEDIATELY	IMMEDIATELY	
PREVIOUS TO	PREVIOUS TO	PEREVIOUS TO	
THE ARRIVAL	THE ARRIVAL	THE ARRIVAL	
OFTHE	OF	T OF THE	
EMIGRANTS ? A.	EMIGRANTS A	EMIGRANT S . A.	
I DIDN'T SEE	I DIDN'T SEE	I DIDN'T SEE	
HIM	HIM	HIM	
IMMEDIATELY	IMMEDIATELY	IMMEDIATELY	
AFTER OR	AFTER OR	AFTER OFR	
BEFORE. Q. DID	BEFORE _O DID	BEFORE. Q. DID	
YOU ATTEND	YOU ATTEND	YOU ATTEND A	
MEETING IN	MEETING IN	MEETING IN	
THE SQUARE	THE SQUARE	THE SQUARE	
HERE DURING	HERE DURING	HERE, DURING	
THE MONTH OF	MONTH OF	THE MONTH OF	
AUGUST OR	AUGUST OR	A GU UGUST OR	
SEPTEMBER AT	SEPTEMBER AT	SEPTEMBER, AT	
WHICH	WHICH	WHICH	
MEETING	MEETING	MEETING	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH	SMITH	SMITH	

RT RS BT

	T	T	
PREACHED ? A.	PREACHED? A	PREASC HED? A.	
I COULD NOT	I COULD NOT	I COULD NOT	
STATE AS TO	STATE AS TO	STATE AS TO	
THAT; I HAVE	THAT I HAVE	THAT; I HAVE	
HEARD HIM.	HEARD HIM	HEARD HIM	
PREACH HERE	PREACH HERE	PREACH HERE	
AT DIFFERENT	AT DIFFERENT	AT DIFFERENT	
TIMES; COULD	TIMES I COULD	TIMES.	
NOT SAY AS	NOT SAY ≤AS TO		
TO THAT. Q. DID	THAT. > _Q DID	Q. DID	
YOU HEAR ANY	YOU HEAR ANY	YOU HEAR ANY	
SERMONS THAT	SERMON OF	SERMONS OF	
GEORGE A.	GEORGE	GEORGE A.	
SMITH	SMITH	SMI T H	
PRACHED IN	PREACHED IN	PREACHED IN	
WHICH HE	WHICH HE	WHICH HE	
REFERRED TO	REFERRED TO	REFERRED TO	
THIS	THIS	THIS	
EMIGRANT	≤EMIGRANT≥	EMIGRANT	
TRAIN? A. I	TRAIN AI	TRAIN? A. I	
DON'T THINK I	DON'T THINK I	DON'T THINK I	
EVER HEARD	HAVE HEARD	HAVE HEARD	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH SPEAK	SMITH SPEAK	SMITH SPEAK	
UPON THAT	UPON THAT	UPON THAT	
SUBJECT	SUBJECT.	SUBJECT.	
	←THAT WILL DO		
	BY DEFENSE		
	AND		
	PROSECUTION >		
	THAT WILL DO		
	BY BOTH		
	PROSECUTION		
	AND DEFENSE.	BY JUDGE M ^R	
	BY WHEDON.	WHEDON:	
	BT WILDON.	(ASSISTANT U.S.	
		DIST.	
	ONE MOMENT	ATTORNY)	
	DID YOU	Q. DID YOU	
	HEAR HIM	HEAR HIM	
	SPEAK DURING	SPEAK DURING	
	MONTH OF	THE MONTH OF	
	SEPTEMBER A	SEPTEMBER? A. I	
	COULD NOT	COULD NOT	
	COULDINOI	COULDINOI	

KI KS DI FS	RT		BT	
-------------	----	--	----	--

 		,
SAY THAT I DID.	SAY THAT I DID.	
THAT IS ALL.		
[space]		
C J AUTHUR:		
MARSHALL		
SAYS HE WENT		
DOWN TO		
CORNFIELD		
LAST NIGHT		
AND HIS		
BROTHER WAS		
SICK I WILL		
STATE TO		
COURT ROBERT		
HEYBOURNE		
WAS EXCUSED		
FROM JURY AND		
UPON UPON		
CONVERSING		
WITH HIM I		
FIND HE IS ONLY		
OWNING TO ONE		
POINT ON		
WHICH WE		
HAVE		
SUFFICIENT		
WITNESSES. BY		
BISHOP HE HAS		
BEEN CALLED		
HERE		
BOUND/POINT[?]		
TO OF		
JURY/CHARGE[?]		
THEY NEED[?]		
EXAMINE HIM		
WANT HIM TO		
STAY HERE		
UNTIL THE		
CLOSE OF THIS		
TRIAL SO WE		
CAN HAVE		
RIGHT TO CALL		
HIM FOR		
PURPOSE OF		

	RS	υ.	
	EXAMINATION.		
	BY		
	PROSECUTION		
	YOU CAN HAVE		
	HIM COUNT TO		
	MARSHALL IS		
	CHICHESTER IN		
	TOWN I		
	UNDERSTAND		
	HE HAS LEFT		
	TOWN NAME OF		
	JOHN		
	BLACKBURN		
	WAS CALLED.		
	BLACKBURN NOT IN TOWN		
	NOT IN TOWN	[113]281 (SEE	
	[space]	SAME	
		BETWEEN	
		PAGES 1220123)	
[304]	[[10]]279	JOHN MC M. MC.	
JOHN M.	JNO M	FAR JOHN M.	
M C ACFARLANE,	MACFARLANE	MAC FARLANE	
,	I HAVE BEEN		
SWORN FOR	SWORN	SWORN FOR THE	
PROSECUTION.		PROSECUTION.	
		EXAMINED BY	
Q. WHERE	_Q WHERE	M ^R — WHERE	
DO YOU RESIDE?	DO YOU RESIDE	DO YOU RESIDE?	
A. ST. GEORGE,	AST. GEORGE	A. ST. GEORGE,	
WASHINGTON	WASHINGTON	WASHINGTON	
CO. Q.	COUNTY	COUNTY. Q.	
WHAT IS YOUR	WHAT IS YOUR	WHAT IS YOUR	
OCCUPATION,	OCCUPATION	OCCUPATION,	
MR.	MACEADI ANIE280	MR. MAC	
MACFARLANE?	MACFARLANE ²⁸⁰	FARLAND?	

RS

PS

BT

RT

^{279.} Verso of page 10 is almost all in longhand. It has no apparent connection to the testimony: **THAT ALL OF SAID LAND WAS LOCATED BY SPECIAL CERT. OF** <THAT OF *CITY/STATE*[?] LAND> **VALUATION SCRIP WAS AND IS UPON SEC 15 OF LANDS RESERVED FOR PUBLIC SCHOOLS IN THE <u>TER. OF UTAH.</u>**

^{280.} Apparently added later.

^{281.} This is a duplicate of the testimony on page 122 of the Boreman Transcript. See Trial matrix, pp. 1347–1349. The text is essentially the same, except the last sentence is crossed out.

A. SURVEYOR	A. SURVEYOR	A. SURVEYOR	
AND ATTORNEY	AND ATTORNEY	AND ATTORNEY	
AT LAW,AT	AT LAW AT	AT LAW, AT	
PRESENT. Q. DO	PRESENT oDO	PRESENT. Q. DO	
YOU KNOW	YOU KNOW	YOU KNOW	
WHERE THE	WHERE	WHE E THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOWS ARE	MEADOWS ARE	MEADOWS ARE	
LOCATED, IN	LOCATED IN	LOCATED; IN	
WHAT	WHAT	WHAT	
COUNTY? ²⁸²	COUNTY.	COUNTY	
ARE THEY-? A.	ARE THEY I	THEY ARE?	
ALL OF	THINK AALL OF	A. ALL OF	
THE	THE MOUNTAIN	THE	
MEADOWS ARE	MEADOWS	MEADOWS ARE	
IN IRON OR	≼IN≥ IRON OR	IN IRON AND	
		IRON AND	
WASHINGTON	WASHINGTON	WASHINGTON	
COUNTY; A I	COUNTY I	COUNT IES Y I	
THINK	THINK	THINK ISS. I	
THEY	THEY	THINK THEY	
ARE SO	ARE SO	ARE SO	
RECOGNIZED	RECOGNIZED	RECOGNISED,—	
IN THAT	IN THAT	IN THAT	
COUNTY; I AM	COUNTY ≤I AM	COUNTY. I AM	
THE SURVEYOR	SURVEYOR	THE SURVEYOR	
OF THAT	OF THAT	OF THAT	
COUNTY. Q.	COUNTY≥	COUNTY. Q.	
HOW DO YOU	HOW DO YOU	HOW DO YOU	
KNOW THAT	KNOW THAT	KNOW THAT	
FACT ? A. I	FACT: $\{A\}^pI$	FACT? A. I	
KNOW	$KNOW{A}^p$	KNOW	
FROM	FROM	FROM THE	
DISTANCES AND	DISTANCES AND	DISTANCES AND	
THE DIVISIONS	THE DIVISIONS	DIVISIONS	
OF THE	OF	OF THE	
COUNTY,	COUNTY AND	COUNTY	
ACCORDING TO	ACCORDING TO	ACCORDING TO	
THE	{THE} ^p	THE	
TERRITORIAL	TERRITORIAL	TERRITORIAL	
STATUTES.	STATUTES THAT	STATUTES.	

RT

RS

PS

BT

^{282.} The question mark is penned in, an answer mark is crossed out, and it is indicated that the next two words start the following sentence instead of ending the previous one.

RT	RS	ВТ	PS

	T		,
	IS ALL. BY	Q. BY THE	
	COURT DO YOU	COURT: DO YOU	
	WISH ASK	WISH TO ASK	
	HIM ANY	HIM ANY MORE	
	QUESTIONS BY	QUESTIONS.	
	DEFENSE NO		
	SIR.	BY M^{R}	
CROSS -	SUTHERLAND I	SUTHERLAND: I	
EXAMINED.	WANT TO ASK	WA S NT TO ASK	
	HIM ONE	HIM ONE	
Q.	QUESTION o	QUESTION. Q.	
STATE WHERE	STATE WHERE	STATE WHERE	
THE MOUNTAIN	THE MOUNTAIN	THE MOUNTAIN	
MEADOWS	MEADOWS	MEADOWS	
WERE SITUATED	WERE SITUATED	WERE SITUATED	
IN 1847—IN	IN 1857 IN	IN 8 '57; IN	
WHAT COUNTY	WHAT COUNTY	WHAT COUNTY.	
? A. IN	$\{_{\mathbf{A}}\}^{\mathbf{p}}$ IN	A. IN	
WASHINGTON	WASHINGTON	WASHINGTON	
COUNTY, AS	COUNTY AS	COUNTY AS	
THEY ARE NOW.	THEY ARE NOW	THE ARE NOW	
	THAT IS ALL IT	[space]	
	IS NOT FULLY		
	<i>RNT-/PNT-</i> [?]		
	TERRITORY NO		
	SIR. JOHN		
	MACFARLANE		
	TO WHEADON		
	JOHN P		
	CHICESTER		
	INFORMED ME		
	MR. WHEADON		
	HAD EXCUSED		
	<him→ and<="" td=""><td></td><td></td></him→>		
	TOLD HIM TO		
	WRITE TO HIM IF		
	HE WAS NOT.		
	BY		
	PROSECUTION		
	HE HAS NOT		
	BEEN		
	DISCHARGED		
	ACCORDING TO		
	MY		
	IVI I		

	RECOLLECTION		
	[space] MR.		[[Bk 7 1]]
	ISAAC RIDDLE		ISAAC RIDDLE
	{NOT		TRANSCRIBE
	PRESENT} ^p		\mathbf{D}^{283}
	CLERK CALLED		
	HIS NAME.		
	WHILE THEY		
	ARE WAITING		
	FOR WITNESS		
	WE WOULD ASK		SPICER ASKED
	PRIVILEGE OF		PRIVILEGE TO
	RECALLING ONE		CROSS RECALL
	OF THE WITNESS		FOR
	FOR CROSS		CROSSEXAMINA
	EXAMINATION		TION JAMES
	IF YOU HAVE NO		PEARCE [space]
	OBJECTIONS.		
			OPENING OF
			DEFENSE ²⁸⁴
[305] JAMES	{JAS	^{[a1} 114] JAMES	[space] JAMES
PEARCE,	PEARCE,	PEARCE SWORN	PEARCE [space]
		FOR THE	
		PROSECUTION.	
RECALLED	RECALLED - } ^p	RECALLED FOR	
FOR FURTHER	BY COURT LET	FURTHER	
CROSS-	THE WITNESS	CROSS-	
EXAMINATION.		EXAMINATION.	
	MR. PIERCE	M <u>R</u> ———	
Q. WERE YOU	_Q WERE YOU	Q: WERE YOU	WERE YOU
ACQUAINTED	ACQUAINTED	ACQUAINTED	ACQUAINTED
WITH	WITH	WITH	WITH
KLINGESMITH,	KLINGENSMITH	KLINGENSMITH?	KLINGEN[?]
OR BISHOP	BISHOP		SMITH
SMITH? A. I	SMITH AI	A. I	I
THINK I KNEW	THINK I KNEW	THINK I KNOW	THINK I KNOW
	HIM BY SIGHT	HIM BY SIGHT	HIM BY SIGHT
HIM BY SIGHT			
PRETTY WELL.	PRETTY WELL. I	PRETTY WELL;	PRETTY WELL
		PRETTY WELL;	PRETTY WELL ≤ALL ALONG[?]≥

PS

BT

RT

RS

^{283. &}quot;TRANSCRIBED" in Rogerson's hand.
284. "OPENING OF DEFENSE" in Rogerson's longhand; that heading is obviously misplaced.

RT	N 3	BT	PS

DOWN AND I	DOWN I	Ι	Ι
THINK HE WAS	THINK HE WAS	THINK HE WAS	THINK HE WAS
BISHOP OF	BISHOP OF	THE BISHOP OF	THE BISHOP OF
CEDAR CITY.	CEDAR CITY,	CEDAR CITY AT	CEDAR CITY AT
	,	THAT TIME.	THAT TIME DID
		Q. YOU SAW HIM	YOU SEE HIM
		AS YOU PASSED	AS YOU PASSED
I	I	DOWN? A. I	DOWN I
THINK I SAW	THINK I SAW	THINK I DI D .	THINK I DID
HIM AS I PASSED	HIM AS I PASSED		[space]
DOWN. Q. DID	DOWN oDID	Q.DID	DID
YOU SEE HIM	YOU SEE HIM	YOU SEE HIM AS	YOU SEE HIM AS
IMMEDIATELY	IMMEDIATELY	AN OFFICER;	AN OFFICER
AFTERWARDS –	AFTERWARDS	,	
DID YOU SEE	DID YOU SEE	DID YOU SEE	DID YOU SEE
HIM AT THE	HIM AT	HIM AT THE	HIM AT
MOUNTAIN	MOUNTAIN	MOUNTAIN	MOUNTAIN
MEADOWS ? A. I	MEADOWS AI	MEADOWS? A. I	MEADOWS I
THINK I DID SIR.	THINK I DID SIR	THINK I DID, SIR.	THINK I DID SIR
		Q. WHAT WAS	WHAT WAS
		HE DOING	HE DOING
Q.	Q	THERE? A.	THERE
WHAT POSITION	WHAT POSITION	WHAT POSITION	WHAT POSITION
DID HE	DID HE	DID HE	DID HE
OCCUPY? A. I	OCCUPY AI	OCCUPY? A. I	OCCUPY I
COULD NOT SAY	COULD NOT SAY	COULD NOT SAY	COULD NOT SAY
POSITIVELY. I	POSITIVELY I	POSITIVELY; I	POSITIVE I
THINK HE WAS	THINK HE WAS	THINK HE WAS	THINK HE WAS
ONE OF THE	ONE <of b="" the<="">≥</of>	ONE OF THE—	ONE OF THE
OFFICERS;	OFFICERS	OFFICERS; HE	OFFICERS
SEEMED TO	SEEMED TO	SEEMED TO	SEEMED TO
HAVE A GOOD	HAVE GOOD	HAVE A GOOD	HAVE A GOOD
DEAL TO SAY	DEAL TO SAY	DEAL TO SAY	DEAL TO SAY
ABOUT IT	ABOUT IT	ABOUT IT.	ABOUT IT
FREQUENTLY.)	FREQUENTLY.		
Q HE WAS	_Q HE WAS	Q. HE WAS A	HE WAS A
BISHOP AT THAT	BISHOP AT THAT	BISHOP AT THAT	BISHOP AT THAT
TIME.	TIME,	TIME? A. I THINK	TIME I THINK
KIND OF	KIND OF	HE WAS KIND OF	HE WAS KIND OF
LOOKED UP TO	LOOKED UP TO	LOOKED UP TO	LOOKED TO
AS BEING KIND	AS BEING KIND	AS BEING KIND	AS BEING KIND
OF CAPTAIN	OF CAPTAIN	OF A CAPTAIN.	OF A CAPTAIN
AT THESE	AT THOSE	Q. HE WAS AT	[space] THAT IS
MOUNTAIN	MOUNTAIN	THE MOUNTAIN	AT MOUNTAIN

RI KS BI PS	RT	RS	BT	PS
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MEADOWS,	MEADOWS	MEADOWS AT	MEADOWS
DURING THIS	DURING THIS	THIS	≤ DURING THIS
TIME ? A. I	TIME I	TIME? A. I	TIME ≥ I
THINK HE WAS	THINK HE WAS	THINK HE WAS,	THINK SO
ISIR,	SIR.	(11111)	11111 (11 0 0
ACCORDING TO	ACCORDING TO	ACCORDING TO	ACCORDING TO
THE BEST OF MY	THE BEST OF MY	THE BEST OF MY	THE BEST OF MY
KNOWLEDGE.	KNOWLEDGE.	KNOWLEDGE.	KNOWLEDGE
Q. WELL,YOU	WELL YOU	Q. YOU	YOU
SPOKE OF	SPOKE OF	SPOKE OF	SPOKE OF
RETURNING	RETURNING	RETURNING	RETURNING
HOME AND	HOME AND	HOME AND	HOME AND
MEETING	MEETING	MEETING THE	MEETING
INDIANS – HOW	INDIANS HOW	INDIANS; HOW	INDIANS HOW
WERE THEY	WERE THEY	WERE THEY	WERE THEY
THAT MET YOU	THAT MET YOU	THAT YOU MET	THAT YOU MET
AS TO TEMPER	AS TO TEMPER	AS TO TEMPER,	AS TO TEMPER
AND		,	
DISPOSITION?	DISPOSITION	DISPOSITION 7	DISPOSITION
A. WE MET	_A WITH ME	&C.?	&C [space]
THEM, THERE	THERE		
WAS A	WAS VERY		
SMALL PARTY	SMALL PARTY		
OF US FROM	OF US FROM		
WASHINGTON,	WASHINGTON		
AND THERE	WE SAW	A. THERE	WE SAW
WAS LOTS OF	LOTS OF	WAS LOTS OF	LOTS OF
INDIANS THAT	INDIANS THAT	INDIANS THAT I	INDIANS THAT
		UNDERSTOOD	
HAD BEEN UP	HAD BEEN UP	HAD BEEN TO	
THERE. I GUESS	THERE I GUESS	THE MOUNTAIN	I GUESSED
THEY HAD	THEY HAD	MEADOWS.	HAD
BEEN THERE,	BEEN,		BEEN
THEY WAS	THEY WAS	THEY WAS	THEY WAS
VERY MAD.	VERY MAD.	VERY MAD.	VERY MAD
I KNOW WE WAS	I KNOW WE WAS	I KNOW WE WAS	I KNOW WE WAS
SCARED	SCARED OF	SCAFRED	SCARED
OF THEM.	THEM,	OFTHEM VERY	OF THEM
THEY	THEY	SCARED OF	
TALKED AS	TALKED AS	THEM. WE	
THOUGH THEY	THOUGH THEY	THOUGHT THEY	THOUGHT THEY
WAS ABOUT	WAS ABOUT	WERE ABOUT	WERE ABOUT
TO ATTACK US	TO ATTACK US	TO ATTACK US.	TO ATTACK US
SEVERAL TIMES.	SEVERAL TIMES	Q. WHAT	[space] WHAT

RT	RS	BT	PS

Q. WHAT MADE	WHAT MADE	WAS THE CAUSE	WAS THE CAUSE
THEM MAD?	THEM MAD	OF THEIR	OF THEIR
THEN IM ID:		ANGER?	ANGER
A. I DON'T	AI DON'T	QA. I DON'T	THIOLIC
KNOW,	KNOW	KNOW UNDLESS	UNLESS
EXCEPT,	EXCEPT	IT WAS	IT WAS
BECAUSE SOME	BECAUSE SOME	BECAUSE SOME	BECAUSE SOME
OF THEIR	OF THEIR	OF THEIR	OF THEIR
FRIENDS WERE	FRIENDS WERE	FRIENDS WERE	FRIENDS WERE
KILLED THERE	KILLED THERE	KILLED—	KILLED THERE
KILLED THEKE	KILLED THEKE	OBJECTED TO.	OBJECTED TO
Q. STATE	oSTATE	Q. TELL	[space] TELL
WHAT WAS THE	WHAT WAS	WHAT WAS THE	WHAT WAS THE
CAUSE OF THEIR	CAUSE OF THEIR	CAUSE OF THEIR	CAUSE OF THEIR
ANGER, FROM	ANGER FROM	ANGER?	ANGER [space]
WHAT YOU SAW	WHAT YOU SAW	ANGEK!	ANOER [space]
? A. I HEARD	AI HEARD	A. HEARD	I HEARD
THERE WAS	THERE WAS	THERE WAS	THERE WAS
			AN INDIAN
ANINDIAN	(AII) IIIDIAII		
KILLED	KILLED		
· ·			
		ATTIL	AI
· /			
	_	MOUNTAIN	MOUNTAIN
	,	,	
		·	· ·
		· · · · · · · · · · · · · · · · · · ·	
_		=	
-			
		`	
			~
,, Die Hille,			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
AND GETTING	ACTING		ATHEY ACTED
KILLED THERE; HEARD THE TALK AMONG THE MEN,AND UP THERE ABOUT THE MOUNTAIN MEADOWS. I THINK IT WAS THAT THAT [306] MADE 'EM MAD. Q. DID YOU SEE ANY OF THEM WOUNDED? A. I DON'T REMEMBER. THEY WERE MAD THAT WERE THERE, AND GETTING VERY SAUCY,	KILLED THERE. HEARD THE TALK AMONG MEN UP THERE TO MOUNTAIN MEADOWS, I THINK IT WAS THAT MADE 'EM MAD DID YOU SEE ANY OF THEM WOUNDED ? A DON'T REMEMBER. THEY WERE MAD WE WERE AFRAID ACTING VERY SAUCY	AN INDIAN— THAT THERE WAS AN INDIAN KILLED UP THERE AT THE MOUNTAIN MEADOWS; I THINK THAT WAS IT THAT MADE THE M MAD. Q. DID YOU SEE ANY OF THEM WOUNDED? A. NO, SIR, I DON'T REMEMBER. Q. THEY WERE MAD AND YOU WERE AFRAID? THEY COULD DO A. THEY ACTED VERY SHY	AN INDIAN THAT THERE WAS AN INDIAN KILLED UP THERE AT MOUNTAIN MEADOWS I THINK THAT WHAT HAD MADE THEM MAD DID YOU SEE ANY OF THEM WOUNDED NO SIR I DON'T REMEMBER QTHEY WERE MAD AND YOU WAS AFRAID ATHEY ACTED VERY SAUCY =

AT THAT TIME	AT THAT TIME	AT THAT TIME	AT THAT TIME
THERE WAS	THERE WAS	THERE WAS	
PROBABLY TEN	PROBABLY TEN	PROBABLY TEN	PROBABLY 10
INDIANS TO ONE	INDIANS TO ONE	INDIANS TO ONE	INDIANS TO ONE
WHITE MAN ON	WHITE MAN ON	WHITE MAN ON	WHITE MAN ON
THE SANTA	THE SANTA	THE SANTA	SANTA
CLARA. Q.	CLARA Q	CLARA. Q.	CLARA
WHICH WAY	WHICH WAY	WHICH WA S Y	WHICH WAY
WERE THEY	WERE THEY	WERE THEY	WAS THEY
GOING? A.	GOING A	GOING? A .	GOING
THEY LIVED	THEY LIVED	THEY LIVED	ATHEY LIVED
RIGHT ON THE	RIGHT ON	ON THE	ON THE
SANTA CLARA,	SANTA CLARA,	SANTA CLARA.	SANTA CLARA
I GUESS THERE	I GUESS THERE		[space]
WAS TEN	WAS TEN		
INDIANS TO	INDIANS TO ONE		
ONE WHITE	WHITE MAN		
MAN. Q. WHICH	_Q WHICH	[a2 115] Q. WHICH	WHICH
DIRECTION IS	DIRECTION IS	DIRECTION IS	DIRECTION IS
THE SANTA	SANTA	THE SANTA	SANTA
CLARA FROM	CLARA FROM	CLARA FROM	CLARA FROM
THE MOUNTAIN	MOUNTAIN	THE MOUNTAIN	THE MOUNTAIN
MEADOWS? A.	MEADOWS A	MEADOWS? A.	MEADOWS; A
IT IS	IT IS		
SOUTHWEST;	SOUTH WEST	SOUTH,	SOUTH
THE SANTA	SANTA	THE SAMNTA	THE SANTA
CLARA RUNS	CLARA RUNS	CLARA RUNS	CLARA RUNS
SOUTH, AND	SOUTH [[11]]285	SOUTH TILL IT F	SOUTH UNTIL IT
ENTERS THE	ENTERS	CONNECTS	ENTERS
RIO	RIO	WITH THE RIO	RIO
VIRGIN,AND	VIRGIN	VIRGIN. Q.	VIRGIN
THEN RUNS	THEN RUNS	WHICH	WHICH
WEST.	WEST.	DIRECTION	DIRECTION
		WERE THESE	WERE THOSE
		INDIANS	INDIANS
		COMIN F G FROM	GOING FROM
		THE	MOUNTAIN
		MEADOWS? A.	MEADOWS A
THEY HAD GOT	THEY HAD GOT	THEY HAD TCO	THEY HAD
ALONG DOWN	ALONG DOWN	COME DOWN	COME DOWN
			A LIDAD OF TIC

PS

BT

RT

RS

AHEAD OF US

<GOING SOUTH>

AHEAD OF US,

GOING SOUTH,

AHEAD OF US.

AHEAD OF US =

^{285.} There is illegible shorthand doodling on verso.

AND SOME OF	SOME OF	SOME OF	SOME OF
THEM WAS	THEM WAS	THEM WAS	THEM [[2]] WAS
ALONG AT	ALONG AT	ALONG AT	ALONG AT
THEIR CAMPS,	THEIR CAMPS	THEIR CAMPS	THEIR CAMPS
ALONG THE	ALONG THE	ALONG THE	ALONG THE
CLARA;	CLARA.	CLARA. THE	CLARA, THE
THEY	THEY	MOSET I SAW	MOST I SAW
HAD CORN	HAD CORN	HAD CORN	HAD CORN
FIELDS AT THE	FIELDS AT	FIELDS ALONG	FIELDS ALONG
CLARA AND	CLARA	THE CLARA.	THE CLARA;
THEY WAS	THEY WAS	Q : THE INDIANS	OTHE INDIANS
FARMING THEM.	FARMING THEN	HAD CORN	HAD CORN
THUMING THEM.	THUMING THEN	FIELDS? A. YES,	FIELDS YES
		SIR.	SIR
Q. WHERE	_Q WHERE	Q. WERE	WERE
ANY OF THEM	ANY OF THEM	ANY OF THEM	ANY OF THEM
GOING IN THE	GOING ≼IN THE>	COMING IN THE	COMING IN THE
DIRECTION OF	DIRECTION OF	DIRECTION OF	DIRECTION OF
WASHINGTON?	WASHINGTON	WASHINGTION	WASHINGTON,
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	THAT YOU SAW	THAT YOU SAW
		ON YOUR WAY	ON YOUR WAY
		RETURNING	RETURNING?
		FROM THERE?	
A. NO SIR. THE	ANO SIR. THE	A. NO, SIR .	ANO SIR;
INDIANS, THE	INDIANS THE	,	,
PRINCIPAL PART	PRINCIPAL PART	A NUMBER	A PRINCIPLE
OF THE	OF	OF OUR	PART OF
INDIANS,	INDIANS	INDIANS	INDIANS
ALONG THERE,	ALONG THERE		
LIVED IN REACH	LIVED IN REACH	LIVED IN REACH	LIVED IN REACH
OF	OF	OF	OF
WASHINGTON,	WASHINGTON,	WASHINGTION	WASHINGTON =
LIVED ON THE	LIVED ON	—LIVED ON THE	LIVED ON THE
SANTA CLARA,	SANTA CLARA	SANTA CLARA.	SANTA CLARA
AND MADE	AND MADE		
THEIR INDIAN	INDIAN		
CAMP ON THE	CAMP ON		
SANTA CLARA	SANTA CLARA		
EN AND	AND		
GROWED	GROWED		
MELONS. Q.	MELONS. Q	Q.	Q
HOW FAR IS	HOW FAR IS	HOW FAR IS THE	HOW FAR IS THE
SANTA CLARA	SANTA CLARA	SANTA CLARA	SANTA CLARA
FROM	FROM —[?]	FROM	FROM

	RT	RS	BT	PS
--	----	----	----	----

	T	T	T
WASHINGTON?	WASHINGTON	WASHINGTION?	WASHINGTON
A. SOME 10	ASOME TEN ≤10	A. SOME TEN	ASOME TEN
OR 12	OR≥ 12	OR TWELVE	OR 12
MILES, TO THE	MILES,	MILES; BUT	MILES, BUT
MOUTH OF IT.	MOUTH OF IT	·	
IT HEADS IN	_A IT HEADS IN	IT HEADS IN	IT HEADS IN
TOWARDS THE	TOWARDS	TOWARDS THE	TOWARDS
MOUNTAIN	MOUNTAIN	MOUNTAIN	MOUNTAIN
MEADOWS. Q.	MEADOWS o	MEADO S WS. Q.	MEADOWS o
		HEADS IN	HEADS IN
		TOWARDS THE	TOWARDS
		MOUNTAIN	MOUNTAIN
AND	AND	MEADOWS AND	MEADOWS AND
RUNS SOUTH ?	RUNS SOUTH	RUNS SOUTH?	RUNS SOUTH
A. YES SIR. Q. IS	AYES SIR OIS	A. YES, SIR.	AYES SIR [space]
WASHINGTON	WASHINGTON		MOUNTAIN
ON ANY	ON ANY		MEADOWS
STREAM ? A. IT	STREAM AIT		
IS ON SOME	IS ON SOME		
SPRINGS -	SPRINGS.	Q.	
WASHINGTON	WASHINGTON	WASHINGTION	WASHINGTON
IS WATERED	IS WATERED	IS WATERED	IS WATERED
FROM SPRINGS.	FROM SPRINGS	BY SPRINGS	BY SPRINGS
Q. WHAT	o WHAT		
STREAM	STREAM		
DO THESE	DO THESE		
SPRINGS RUN	SPRINGS RUN	AND RUNS	RUNS
INTO ? [307] A.	INTO A	INTO THE	INTO
INTO THE RIO	INTO RIO	VIRGIN RIO	RIO
VIRGIN, A MILE	VIRGIN MILE	VIRGIN A MILE	VIRGIN MILE
AND A HALF	AND A HALF	AND A HALF	AND HALF
BELOW	BELOW	BELOW? A.	BELOW A
WASHINTON.	WASHINGTON	WASHINGTON	WASHINGTON
			[space]
WASHINTON	oWASHINGTON		≤WASHINGTON
IS A MILE AND A	IS MILE AND	IS A MILE AND A	IS≥ MILE AND
HALF FROM THE	HALF FROM	HALF FROM THE	HALF FROM THE
RIO VIRGIN.	RIO VIRGIN	RIO VIRGIN.	RIO VIRGIN
Q. WHICH	_O WHICH	Q. WHAT	[space] o≤WHAT
DIRECTION IS	DIRECTION IS	DIRECTION IS	DIRECTION >
THE	THE	THE CLARA	CLARA
SETTLEMENT	SETTLEMENT OF	SETTLEMENT OF	SETTLEMENT OF
OF INDIANS	INDIANS	THE INDIANS	INDIANS
YOU SPEAK OF	YOU SPEAK OF	YOU SPEAK OF,	YOU SPEAK OF

RT	RS	ВТ	PS

EDOM	EDOM	FROM	EDOM
FROM	FROM WASHINGTON	WASHINGTION?	FROM
WASHINGTON?			WASHINGTON
A. I AM TRYING	AI AM TRYING	A.	A
TO THINK THE	TO THINK		
DIRECTION OF	DIRECTION OF		
THE INDIAN	INDIAN	TID	LID
CAMPS; IT IS	CAMPS, IT IS	UP	UP
SOME 20	SOME 20	SOME 20	SOME TWENTY
MILES	MILES	MILES FROM	MILES FROM
WHERE THE	WHERE THE	WASHINGTION,	WASHINGTON
PRINCIPAL	PRINCIPAL	WHERE	WHERE
CAMPS WERE,	CAMPS WERE	THE'REIR	THEIR
MAY BE	MAYBE	UPPER	PRINCIPLE
TWENTY FIVE	25	CAMPS WERE;	CAMPS WERE;
MILES; IT WAS	MILES. IT WAS	IT WAS	IT WAS
NORTHWEST, A	NORTHWEST	NORTH-WEST—	NORTHWEST =
LITTLE WEST	LITTLE WEST	A LITTLE WEST	LITTLE WEST
OF NORTH.	OF NORTH	OF NORTH	OF NORTH
		MAY BE FROM	MAYBE FROM
		WASHIN T GT I ON.	WASHINGTON
	PROSECUTION	BY MR. BASKIN:	BASKIN [space]
RE-DIRECT.	{REDIRECT} ^p		
	PROSECUTION		
Q. DO YOU	_Q DO YOU	Q. DO YOU	_Q DO YOU
KNOW, OF YOUR	KNOW OF YOUR	KNOW OF YOUR	KNOW OF YOUR
OWN	OWN	OWN	OWN
KNOWLEDGE,	KNOWLEDGE	KNOWLEDGE	KNOWLEDGE
THAT	THAT	THAT	THAT
KLINGESMITH	KLINGENSMITH	KLINGENSMITH	KLNGENSMITH
WAS	WAS	WAS	WAS
CAPTAIN	CAPTAIN	CAPTAIN? ²⁸⁶	CAPTAIN
DOWN THERE ?	DOWN THERE		
A. I COULD NOT	_A I COULD NOT	A. I COULD NOT	AI COULD NOT
MAKE IT OUT,	MAKE {OUT} ^p	MAKE OUT	MAKE THINK
THOUGH	THOUGH	THAT WHAT,	THAT
HE WAS	HE WAS	ONLY HE WAS	HE WAS
THE BIGGEST	THE BIGGEST	THE BIGGEST	BIGGEST
CHIEF THERE. I	CHIEF THERE I	CHIEF.—	CHIEF =
COULD NOT SAY	COULD NOT SAY		
POSITIVELY,BUT	POSITIVELY BUT		
I	I	I SHOULD	I
JUDGE HE WAS.	JUDGE HE WAS	JUDGE HE WAS;	JUDGE HE WAS =

^{286.} Philip Klingensmith was not a captain; he was a private in Company D, 1st Platoon.

	RT	RS	BT	PS
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		TAYLAGA	TATAC
		I WAS A	I WAS
		STRANGE T R TO	STRANGER TO
Q.	Q	THE PARTY. Q.	THE PARTY
DO YOU KNOW	DO YOU KNOW	DO YOU KNOW	DO YOU KNOW
OF YOUR OWN	OF YOUR OWN	OF YOUR OWN	OF YOUR = OWN
KNOWLEDGE	KNOWLEDGE	KNOWLEDGE—	KNOWLEDGE
		KNOW OF YOUR	
		OWN	
		KNOWLEDGE	
WHETHER HE	WHETHER HE	WHETHER HE	WHETHER HE
WAS OR NOT?	WAS	WAS?	WAS
A. NO, I DO NOT	ANO I DO NOT	A. NO, I DON'T	ANO, I DON'T
KNOW. I DO	KNOW I DO	KNOW	KNOW
NOT KNOW	NOT KNOW		
THAT HE WAS	THAT HE WAS	THAT HE WAS.	THAT HE WAS
A	HE WAS A		[space]
BISHOP	BISHOP THANK		
	YOU THANK		
	YOU MUCH		
	OBLIGED. [space]		
	BY MARSHALL		
	MR. RIDDLE		
	WILL BE HERE		
	IN FEW		
[308]	MOMENTS. MR.	[116]	
FRANK KING,	FRANK KING	FRANK KING	FRANK KING
SWORN FOR	NEXT WITNESS	SWORN FOR THE	SWORN FOR THE
PROSECUTION.	CALLED BY	PROSECUTION.	PROSECUTION
THOSE COTTON.	COURT HAVE	TROOLEG TIOTA.	[space]
	BEEN SWORN		
	NO SIR. OATH		
	ADMINISTERED.		
	TIDIVIII (ISTERED.	EXAMINED BY	
Q. STATE IF	oSTATE DID	$M^{\underline{R}}$ Q. DID	oDID
YOU HAVE SEEN	YOU HAVE SEEN	YOU EVER SEE	YOU EVER SEE
A TRAIN OF	TRAIN OF	A TRAIN OF	A TRAIN OF
EMIGRANTS	EMIGRANTS	EMIGRANTS	EMIGRANTS
FROM	FROM	FROM	FROM
ARKANSA W S	ARKANSAS	ARKANSAS	ARKANSAS
THAT PASSED	THAT PASSED	THAT PASSED	THAT PASSED
THROUGH THIS	THROUGH THIS	THROUGH THIS	THROUGH THIS
COUNTRY IN	COUNTRY IN	COUNTRY IN	COUNTRY IN
1857 OR THE	1857 THE	'57, —THE	1857,
FALL OF 1857 ?	FALL OF 185{7} ⁱ	FALL OF 1857?	FALL OF 1857?
TALL OF 103/!	TALL OF 103{/}	TALL OF 103/!	TALL OF 103 / !

RT	N 3	BT	PS

A VECCID O	()¹VEC CID	A VEC CID O	
A. YES SIR. Q. WHERE DID	{ _A }¹ YES SIR _Q WHERE DID YOU	A. YES, SIR. Q. WHERE DID YOU	Q WHERE DID YOU
YOU SEE THEM?	SEE THEM AI	SEE THEM ? A.	SEE THEM A
A. I SAW THEM	SAW THEM	SEE THEM! A.	SEE THEN A
		EIDOT AT COLITII	FIDOT AT
FIRST AT	FIRST AT	FIRST AT SOUTH	FIRST AT
PACIFIC	PACIFIC	PACIFIC	PACIFIC
SPRINGS,	SPRINGS	SPRINGS,	SPRINGS =
SOUTH PASS,	SOUTH PASS	SOUTH PASS	SOUTH PASS,
	n	WHERE THEY	THEY
CAMPED	$CA\{MPED\}^p$	WAS CAMPED.	WAS CAMPED
AT	AT	IT WAS CALLED	IT WAS CALLED
PACIFIC	PACIFIC	PACIFIC	PACIFIC
SPRINGS.	SPRINGS.	SPRINGS	SPRINGS
Q. WHAT WERE	WHAT WERE	Q. WHAT WERE	_Q WHAT WERE
YOU DOING AT	YOU DOING AT	YOU DOING AT	YOU DOING AT
THE PACIFIC	PACIFIC	TH E PACIFIC	THE PACIFIC
SPRINGS ? A. I	SPRINGS I	SPRINGS? A. I	SPRINGS I
WAS CAMPED	WAS CAMPED	WAS CAMPED	WAS CAMPED
THERE TOO.	THERE TOO.	WITH	THERE WITH
Q. WHICH WAY	{o} ⁱ WHICH WAY	THEM,	THEM;
WERE THEY	WERE THEY	THEY WAS	THEY WAS
COMING?	COMING	COMING	COMING
A. TOWARDS	$\{_{\mathbf{A}}\}^{\mathrm{i}}$ TOWARDS	TOWARDS	TOWARDS
SALT LAKE. Q.	SALT LAKE $\{\mathbf{o}\}^{i}$	SALT LAKE. Q.	SALT LAKE o
WHICH WAY	WHICH WAY	WHO WAS	WHICH WAY
WERE YOU	WERE YOU	WITH YOU?	WERE YOU
COMING? A. I	GOING { _A } ⁱ I	A. I	AI
WAS	WAS	WAS	WAS
TRAVELING	TRAVELING	TRAVELING	TRAVELING
TOWARDS	TOWARDS SALT	TOWARDS SALT	TOWARDS SALT
SALT LAKE.	LAKE	LAKE AT THE	LAKE AT THE
STILL ETTEL.		TIME.	TIME
Q. DID YOU	{ _Q DID} ⁱ YOU	Q. DID YOU	DID YOU
TRAVEL	TRAVEL {ALL} ⁱ	TRAVEL	TRAVEL
TOGETHER OR	TOGETHER OR	TOGETHER OR	TOGETHER OR
NOT ? A. WE	$NOT \{A\}^{i} WE$	NOT? A. I WE	NOT AWE
TRAVELLED AS	TRAVELED AS	TRAVELED AS	TRAVELED AS
FAR AS	FAR AS	FAR AS	FAR AS
EMIGRATION	EMIGRATION	EMIGRANTTION	EMIGRATION
CANON	CANYON	CANYON	CANYON
TOGETHER.	TOGETHER	TOGETHER.	TOGETHER
Q.	Q WHEDE IC	Q.	[space] [[3]] Q
WHERE IS	WHERE IS	WHERE IS	WHERE IS
EMIGRATION	EMIGRATION	EMIGRATION	EMIGRATION

S

CANON? A. IT IS	CANYON? _{OA} IT IS	CANYON? A.	CANYON
ON THE OTHER	ON THE OTHER	ON THE OTHER	ON THE AOTHER
SIDE OF SALT	SIDE OF SALT	SIDE OF SALT	SIDE OF SALT
LAKE.	LAKE CITY	LAKE CITY. Q.	LAKE CITY
Q. HOW LONG	oHOW LONG	HOW LONG	HOW LONG
WERE YOU	WERE YOU	WERE YOU	WERE YOU
WITH THAT	WITH THAT	WITH THAT	WITH THAT
TRAIN? A. I	TRAIN $\{_{\mathbf{A}}\}^{i}$ I	TRAIN? A. I	TRAIN AI
SHOULD JUDGE	SHOULD JUDGE	SHOULD JUDGE	SHOULD JUDGE
TWO WEEKS. Q.	2 WEEKS	TWO WEEKS. Q.	TWO WEEKS
HOW MANY	HOW MANY	HOW AMANY	HOW MANY
PERSONS	PERSONS	PERSONS	PERSONS
COMPOSED	COMPOSED	COMPOSED	COMPOSED
THAT TRAIN? A.	THAT TRAIN $\{_{\mathbf{A}}\}^{i}$	THAT TRAIN? A.	THAT TRAIN A
I COULD NOT	I COULD NOT	I COULD NOT	I COULD NOT
SAY,	SAY	SAY, THERE	SAY, THERE
QUITE A	QUITE A	WAS QUITE A	WAS QUITE A
LOT OF THEM	LOT OF THEM	LOT OF THEM.	LOT OF THEM AI
I COULD NOT	I COULD NOT	I COULD NOT	COULD NOT
TELL HOW	TELL HOW	TELL YOU HOW	TELL YOU HOW
MANY. Q.	MANY.	MANY. Q.	MANY [space]
HAD THEY ANY	HAD THEY ANY	HAD THEY AN Y	HAD THEY ANY
STOCK, IF	STOCK IF	STOCK AND IF	STOCK, AND IF
SO WHAT KIND	SO WHAT KIND	SO, WHAT KIND?	SO WHAT KIND
A. WELL THEY	$\{_{\mathbf{A}}\}^{\mathrm{i}}$ WELL THEY	A. THEY	ATHEY
HAD A GOOD	HAD A GOOD	HAD A GOOD	HAD A GOOD
MANY HORSES	MANY HORSES	MANY HORSES	MANY HORSES
AND SOME	AND SOME	AND SOME	AND SOME
MULES AND	MULES.	MULES AND	MULES AND
SOME LOOSE	SOME LOOSE	SOME LOOSE	SOME LOOSE
STOCK. Q. HAD	STOCK HAD	STOCK. Q. HAD	STOCK HAD
THEY ANY	THEY ANY	THEY ANY	THEY ANY
CATTLE ?	CATTLE	CATTLE?	CATTLE? DID
^[309] A. THEY	$\{\mathbf{A}\}^{i}$	A. THEY	THEY ATHEY
HAD A FEW-OX	HAD FEW OX	HAD A FEW OX	HAD A FEW OX
TEAMS.	TEAMS.	TEAMS WITH	TEAMS WITH
		THE TRAIN.	THE TRAIN
Q. HOW MANY	QHOW MANY	Q. HOW MAN U Y	HOW MANY
WAGONS HAD	WAGONS HAD	WAGONS HAD	WAGONS HAD
THEY? A. I	THEY $\{A\}^{i}I$	THEY? A. I	THEY AI
COULD NOT	COULD NOT	COULD NOT	COULD NOT
SAY,COULD	SAY COULD	SAY AS TO	SAY
NOT TELL. Q.	NOT TELL Q	THAT. Q.	THAT
WELL ABOUT	WELL ABOUT	ABOUT	ABOUT

KI KS DI FS	RT	RS	BT	
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HOW MANY? A.	HOW MANY	HOW MNAY? A.	HOW MANY A
THEY MIGHT	{MIGHT	THEY MAY	THEY MIGHT
HAVE HAD	HAVE HAD} ⁱ	HAVE HAD	HAD
FIFTEEN AND	MIGHT HAVE 25	25,	25,
MIGHT HAVE	MIGHT HAVE	MAY HAVE	MAY HAVE
HAD THIRTY,AS	30 AS	HAD 30 AS	HAD 30 AS
NEAR AS I CAN	NEAR AS I CAN	NEAR AS I	NEAR AS I
RECOLLECT. Q.	RECOLLECT. 0	RECOLLECT. Q.	RECOLLECT
WAS THERE	WAS THERE	WAS THERE	WAS THERE
ANY OTHER	ANY OTHER	ANY OTHER	ANY OTHER
PERSON	PERSON	PERSONS	PERSONS
TRAVELING	TRAVELING	TRAVELED	TRAVEL
WITH THAT	WITH THAT	WITH THAT	WITH THAT
TRAIN BESIDES	TRAIN BESIDES	TRAIN BESIDES	TRAIN BESIDES
YOURSELF,	YOURSELF	YOURSELF	YOURSELF
THAT WAS NOT	THAT WAS NOT	THAT WAS NOT	THAT WAS NOT
COMPOSED OF	COMPOSED OF	COMPOSED OF	COMPOSED OF
THE ARKANSAS	ARKANSAS	THE ARKANSAS	THE ARKANSAS
EMIGRANTS ? A.	EMIGRANTS A	EMIGRANTS? A.	EMIGRANTS A
THERE WAS	THERE WAS	THERE WAS	THERE WAS
ANOTHER	ANOTHER	S ANOTHER	ANOTHER
FAMILY	FAMILY	FELLOW, WHO	FELLOW
WENT ON	WENT ON	THAT WENT ON	THAT WENT ON
TO CALIFORNIA.	TO CALIFORNIA,	TO CALIFORNIA ,	TO CALIFORNIA
		BY THE	BY THE
		NORTHERN	NORTHERN
THERE	THERE	ROUTE. THERE	ROUTE; THERE
WAS ANOTHER	WAS ANOTHER	WAS ANOTHER	WAS ANOTHER
TRAIN	TRAIN	TRAIN	TRAIN THAT
JOINED,	JOINED	JOINED THEM	JOINED THEM
CALLED THE	CALLED {THE} ⁱ	CALLED THE	CALLED THE
ILLINOIS	ILLINOIS	ILLINOIS	ILLINOIS
COMPANY.	COMPANY [[12]]	COMPANY	COMPANY
THEY HAD	THEY HAD	THAT HAD	THAT HAD
THE MOST OF	{THE} MOST OF	THE MOST	THE MOST OF
THE LOOSE	{THE} ⁱ LOOSE	LOOSE	THE LOOSE
STOCK, BUT	STOCK; BUT	STOCK; BUT	STOCK, BUT
WHETHER	WHETHER THEY	WHETHER THEY	WHETHER THEY
THEY WENT ON	WENT ON WITH	WENT ON WITH	WENT ON WITH
WHAT THAT	THAT OUTFIT	THEM, THEY	THEM
<with them=""></with>		DIVIDED —	DIVIDED
AT THE TIME I	I		
COULD NOT	COULD NOT		
SAY. I HEARD	SAY I HEARD	I HEARD	I HEARD

RT	RS	BT	PS

THROUGH THEY	THROUGH THEY	THEY HAD	THEY HAD
DIVIDED UP.	DIVIDED UP.	DIVIDED UP	DIVIDED UP
BIVIBLE CI.	BIVIBED CI.	BETWEEN HERE	BETWEEN HERE
		AND SALT LAKE.	AND SALT LAKE
Q. HOW MANY	_Q HOW MANY	Q. HOW MANY	HOW MANY
CATTLE DID	CATTLE DID	CATTLE WERE	CATTLE WERE
THEY HAVE?	THEY HAVE	THERE IN BOTH	WITH BOTH
THE THINKE:		TRAINS?	TRAINS
		OBJECTED TO .	OBJECTED TO
		RECESS TILL 2'	OBJECTED TO
		O'CLOCK [a41187]	
		Q. DON'T KNOW	DON'T KNOW
		HOW MANY	HOW MANY
		CATTLE WERE	CATTLE WERE
		WITH THE	WITH THE
		ARKANSAS	ARKANSAS
		EMIGRANTS? A.	EMIGRANTS A
		NO, SIR, I DIDN'T	NO SIR, I DIDN'T
A. I COULD	{ _A } ⁱ I COULD	MIX WITH	MIX IN WITH
NOT SAY.	NOT SAY	THEM A GREAT	THEM GREAT
Q. DO	${DO}^{i}$	DEAL. Q. DO	DEAL DO
YOU KNOW	YOU KNOW	YOU KNOW	YOU KNOW
HOW MANY	HOW MANY	HOW MANY	HOW
PERSONS	PERSONS	PERSONS	PERSONS
COMPOSED THE	COMPOSED THE	COMPOSE THE	COMPOSED THE
ARKANSAS	ARKANSAS	ARKANSAS	ARKANSAS
TRAIN? A.	TRAIN $\{A\}^i$	TRAIN? A. I	TRAIN AI
NO SIR, I DO	NO SIR I DO	COULD NOT	COULD NOT
NOT. Q.	$NOT \{_{\mathbf{Q}}\}^{i}$	SAY. Q. ABOUT	[space] ABOUT
		HOW MANY—	HOW MANY
WERE THERE	WERE THERE	WERE THERE	WERE THERE
ANY WOMEN	ANY WOMEN	ANY WOMEN	ANY WOMEN
AMONG	AMONG	AABMONG	AMONG
THEM? A. YES	THEM $\{A\}^1$ YES	THEM? A. YES,	THEM YES
SIR, BOTH	SIR BOTH	SIR. Q. BOTH	SIR BOTH
MEN AND	MEN {AND} ⁱ	MEN,	MEN
WOMEN AND	WOMEN	WOMEN AND	WOMEN AND
GROWN			
CHILDREN,	CHILDREN	CHILDREN? A.	CHILDREN
BOTH OLD AND	BOTH OLD AND	BOTH OLD AND	BOTH OLD AND
YOUNG.	YOUNG.	YOUNG.	YOUNG [space]
CROSS -	(BY DEFENSE	CROSS -	CROSSEXAMINA
EXAMINED.	YOU CAN TAKE	EXAMINATION	TION [space]
	THE WITNESS)		

RT RS	BT	PS
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	DEFENSE		
BISHOP:-	{BISHOP} ⁱ	BY MR. BISHOP.	BISHOP [space]
YOU	BEFORE { ₀ } ⁱ YOU	Q. YOU SAY YOU	YOU SAY YOU
TRAVELLED	TRAVELED	TRAVELED	TRAVELED
WITH THIS	WITH THIS	WITH THIS	WITH THIS
TRAIN EAST OF	TRAIN EAST	TRAIN SOUTH	TRAIN EAST
SALT	FROM SALT	TO SALT	OF SALT
LAKE AND	LAKE	LAKE? A. YES,	LAKE AYES
DID YOU	{ _o DID YOU} ⁱ	SIR. Q.	SIR
	EVER	NEVER	NEVER
TRAVEL	TRAVEL	TRAVELED	TRAVELED
WITH THEM	WITH THEM	WITH THEM	WITH THEM
WEST OF SALT	WEST OF SALT	WEST OF SALT	WEST OF SALT
LAKE? A.	LAKE $\{A\}^i$	LAKE? A. NO,	LAKE ANO
NEVER	LAKE {A} NEVER	SIR. Q. I NEVER	SIR, NEVER
TRAVELLED	TRAVELED	TRAVELED	TRAVELED
WITH THEM A		WITH THEM A	WITH THEM
DAY AFTER WE	WITH THEM { A } ¹ DAY AFTER WE	DAY AFTER I	DAY AFTER I
	LEFT	GO TO IN	
LEFT			GOT IN
EMIGRATION	EMIGRATION	EMIGRATION	EMIGRATION
CANON. Q. DID	CANYON QDID	CANYON. Q. DID	CANYON DID
YOU SEE THEM	YOU SEE THEM	YOU SEE THEM	YOU SEE THEM
IN UTAH? A.	IN UTAH $\{A\}^1$	IN UTAH? A. I	IN UTAH AI
YES SIR, I WENT	YES SIR I WENT	DID, I WENT	DID AI WENT
OUT OF	OUT {OF} ⁱ	OUT TO	OUT TO
EMIGRATION	EMIGRATION	EMIGRATION	EMIGRATION
CANON WITH	CANYON WITH	CANON	CANYON [space]
THERM Q. DID	THEM QDID	THREE TIMES TO	THREE TIMES TO
YOU EVER SEE	YOU EVER SEE	SEE THEM.	SEE THEM
THEM WEST OF	THEM WEST OF		
SALT LAKE?	SALT LAKE		
	ADO YOU		
NO. Q.	$\{KNOW/NO[?]\}^{i}_{Q}$	Q.	DO MONTANIONI
DO YOU KNOW	DO YOU KNOW	DO YOU KNOW	DO YOU KNOW
ANYTHING	ANYTHING	ANYTHING	ANYTHING
ABOUT WHAT	ABOUT WHAT	OF WHAT	ABOUT WHAT
THEY DID	THEY DID	THEY DID	THEY DID
AFTER THEY	{AFTER}¹THEY	WHILE	WHILE
PASSED	PASSED	PASSING	PASSING
THROUGH THE	THROUGH	THROUGH THE	THROUGH THE
TERRITORY? A.	TERRITORY A	TERRITORY? A.	TERRITORY
NO SIR.	NO SIR	NO, SIR. Q. DO	DO
		YOU KNOW	YOU KNOW
		HOW MANY	HOW MANY

		CATTLE THEY	CATTLE THEY
		HAD AFTER	HAD AFTER
		THEY LEFT THE	THEY LEFT THE
		ILLINOIS TRAIN?	ILLINOIS TRAIN
O DO MON	DO MOII	A. I DO NOT.	[space]
Q. DO YOU	_Q DO YOU	Q. DO YOU	DO YOU
KNOW HOW	KNOW HOW	KNOW HOW	KNOW HOW
MANY OF THE	MANY OF	MANY OF THE	MANY OF THE
ARKANSAS	ARKANSAS	ARKANSAS	ARKANSAS
TRAIN WERE	TRAIN WERE	TRAIN WERE	TRAIN AFTER[?]
WITH THE	WITH THE	WITH THE	THAT
OTHER TRAIN?	OTHER TRAIN	OTHER TRAIN?	
A. I DO NOT.	$\{_{\mathbf{A}}\}^{\mathrm{i}}$ I DO NOT.	A. NO SIR.	
		AFTER THAT?	[[4]]
Q. DO YOU	oDO YOU	Q. DO YOU	DO YOU
KNOW	KNOW	KNOW	KNOW
ANYTHING	ANYTHING	ANYTHING OF	ANYTHING
ABOUT THAT	ABOUT THAT	TH R E	ABOUT THEIR
TRAIN AFTER	TRAIN AFTER	TRAIN AFTER	TRAIN AFTER
THEY LEFT	IT LEFT	IT LEFT	IT LEFT
EMIGRATION	EMIGRATION	EMIGRATION	EMIGRATION
CANON?	CANYON	CANYON? A. NO,	CANYON ANO
A. I KNOW	{ _A } ⁱ I KNOW	SIR. Q.	SIR [space]
NOTHING OF	NOTHING OF	OF YOUR OWN	OF YOUR OWN
THEM AFTER	THEM AFTER	KNOWLEDGE,	KNOWLEDGE
THAT. Q. DO	THAT { _Q DO	DO	DO
YOU KNOW	YOU}i KNOW	YOU KNOW TO	YOU KNOW
WHERE IT	WHERE IT	WHERE THEY	WHERE THEY
WENT AFTER IT	WENT AFTER IT	WENT	WENT TO
			WHERE IT
			WENT
LEFT	LEFT	FROM	FROM
EMIGRATION	EMIGRATION	EMIGRATION	EMIGRATION
CANON,	CANYON	CANYON?	CANYON
OF YOUR OWN	OF YOUR OWN		
KNOWLEDGE?	KNOWLEDGE		
A. NO SIR. I	$\{_{\mathbf{A}}\}^{\mathrm{i}}$ NO SIR I	A. I	I
KNOW IT	KNOW —[?]	KNOW THEY	KNOW THEY
DIDN'T	{TRAIN} ⁱ DIDN'T	DIDN'T GO	DIDN'T GO
GO NORTH, IT	GO NORTH IT	NORTH. Q. DID	NORTH.
CAME	CAME	THEY C OME	<i>I</i> [?] CAME
SOUTH. Q. HOW	SOUTH. HOW DO	SOUTH	SOUTH
DO YOU KNOW	YOU KNOW IT		
IT? A. I	$\{_{\mathbf{A}}\}^{\mathrm{i}}\mathrm{I}$		
11; 11, 1	(A) 1		

KNOW IT WENT	KNOW IT WENT		
SOUTH. Q.	SOUTH		
OF YOUR OWN	OF YOUR OWN	OF YOUR OWN	OF YOUR OWN
KNOWLEDGE?	KNOWLEDGE	KNOWLEDGE?	KNOWLEDGE
A. NO SIR.	NO SIR	A. NO, I DIDN'T	NO I DIDN'T
TI. TVO DITE.	110 511	SEE THEM	SEE THEM I
		SEE THEM	DIDN'T SEE
		MYSELF	THEM MYSELF
		PASS THROUGH	PASS THROUGH
		SALT LAKE	SALT LAKE
O OF	OF		
Q. OF	OF NOUR OWN	CITY. Q. OF	CITY OF
YOUR OWN	YOUR OWN	YOUR OWN	YOUR OWN
KNOWLEDGE	KNOWLEDGE	KNOWLEDGE,	KNOWLEDGE
DO YOU KNOW	DO YOU KNOW	DO YOU KNOW	DO YOU KNOW
WHICH WAY	WHICH WAY	WHICH WAY	WHICH WAY
THEY WENT	THEY WENT	THEY WENT	THEY WENT
AFTER THEY	AFTER THEY	AFTER THEY	AFTER THEY
LEFT	LEFT	LEFT	LEFT
EMIGRATION	EMIGRATION	EMIGRATION	EMIGRATION
CANON? A.	CANYON A	CANYON? A.	CANYON
NO SIR, I DO	NO SIR ← I DO	NO, SIR.	NO SIR COURT
NOT.	NOT≥		
		Q. DID YOU	
		LEARN THE	
		NAMES OF ANY	
		OF THESE	
		ARKANSAS	
		EMIGRANTS.	
		O. DID YOU	DID YOU
		LEARN THE	LEARN THE
		NAMES OF ANY	NAMES OF ANY
		OF THESE	OF THESE
		ARKANSAS	ARKANSAS
		EMIGRANTS A.	EMIGRANTS
		NO SIR ²⁸⁷	
	DV DEEENGE	NO SIK	NO SIR [space]
	BY DEFENSE		
	THAT IS ALL.		
	PROSECUTION		
	AND DEFENSE		
	DO NOT WANT		
	ANYTHING		

BT

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RS

^{287.} Later, Frank King reportedly gave Josiah Gibb a list of the members of the train. Josiah Gibb, *Lights and Shadows of Mormonism* (Salt Lake City, 1909), 12–13.

	RS	ъ.	15
RECESS UNTIL HALF PAST TWO O'CLOCK. [Rogerson noted on the cover of Book 2 that the testimony of Isaac Riddle and William Roberts were omitted.]	MORE TO SAY TO HIM. COURT EXCUSED HIM FOR THE TERM. BASKIN THERE ARE SOME WITNESSES WE ARE EXPECTED HERE BY TWELVE O'CLOCK. WE ARE ALMOST THROUGH WITH OUR CASE WE WANT THAT ONE MORE WITNESS WHO TELEGRAPHED US WOULD BE HERE AT NOON. [space] WE'LL TAKE RECESS UNTIL HALF PAST 2 O'CLOCK {RECESS TILL HALF PAST TWO O'CLOCK.} [space] [[13]] WEDNESDAY AFTERNOON 2 30 PM {—} [space]	RECESS TILL TWO P.M. [45118] TWO P.M JURY CALLED ALL PRESENT. COURT ADJOURNED WITHOUT DOING ANYTHING THE AFTERNOON	WE ARE ALMOST THROUGH WITH OUR CASE. BUT EXPECT A WITNESS HERE AT TWELVE O'CLOCK. [space] RECESS TILL HALF PAST TWO O'CLOCK [space]

RS

BT

TILL	
TOMORROW	
MORNING AT 9	
O'CLOCK	
ISAAC RIDDLE	ISAAC RIDDLE
SWORN FOR THE	BEEN SWORN
PROSECUTION.	[space]
EXAMINED BY	[~F ·····]
M [®] Q. HAVE	HAVE
YOU BEEN	YOU BEEN
SOWORN?	SWORN
A. YES, SIR. Q.	YES SIR
WHERE DDO	WHERE DO
YOU RESIDE? A.	YOU RESIDE
IN BEAVER	IN BEAVER
CITY. Q. HOW	CITY HOW
LONG HAVE	LONG
YOU BEEN IN	IN
BEAVER? A II	BEAVER 11
YEARS. Q.	YEARS
WHERE DID YOU	
RESIDE DURING	RESIDE DURING
I857? QA. I WAS	I857 I WAS
LIVING AT	LIVING AT
	PINE VALLEY
PIN T E VALLEY, A LITTLE	LITTLE
VALLEY AT THE	VALLEY ON THE
HEAD OF THE	HEAD OF THE
SANTA CLARA.	SANTA CLARA
O. HOW FAR	
	HOW FAR
FROM WASHINGTION?	FROM
A. AUBOUT 40	WASHINGTON
	ABOUT 40 MILES I
MILES, I BELIEVE FROM	
	BELIEVE FROM
WASHINGTON;	WASHINGTON
RIGHT NORTH	RIGHT NORTH
OF THOSE	OF THOSE
MOUNTAINS	MOUNTAINS
THERE. Q.	THERE [space]
DO YOU KNOW	DO YOU KNOW
WHERE A PLACE	WHERE A PLACE
IS CALLED THE	CALLED THE
MOUNTAIN	MOUNTAIN

RS

BT

 Ro	Δ.	• •
	MEADOW	MEADOW
	VALLEY IS? A.	VALLEY IS
	YES, SIR. Q.	YES SIR
	HOW FAR	HOW FAR FROM
	D ID YOU	THERE DID YOU
	RESIDE FROM	RESIDE FROM
	THAT? A.	THAT
	2I OR 22 MILES.	21 OR 2 MILES
	Q. WHAT	WHAT
	COUNTY ISTHAT	COUNTY IS
	IN? A.	THAT IN
	WASHINGTION	WASHINGTON
	COUNTY, I	COUNTY I
	BELIEVE.	BELIEVE
	Q. STATE	STATE
	WHETHER YOU	WHETHER YOU
	SAW A TRAIN	SAW TRAIN
	CALLED THE	CALLED THE
	ARKANSAS	ARKANSAS
	TRAIN PASS	TRAIN PASS
	THROUGH THE	THROUGH THE
	TERRITORY	TERRITORY
	DU T RING THE	DURING THE
	MONTH OF	MONTH OF
	SEPTEMBER?	SEPTEMBER
	A. NO, SIR, I	NO SIR
	NEVER SAW	NEVER SAW
	THEM. Q. DID	THEM DID
	YOU HEAR OF	YOU HEAR OF
	ONE PASSING	ONE PASSING
	THROUGH? A.	THROUGH
	YES, SIR. Q.	YES SIR
	WHERE WERE	WHERE WERE
	YOU WHEN YOU	YOU WHEN YOU
	HEARD OF IT? A.	HEARD OF IT
	FIRST I	[space] FIRST I
	HEARD OF IT, I	HEARD OF IT I
	WAS AT PINTO	WAS AT PINTO
	CREEK. Q. AT	CREEK [space] AT
	WHAT TIME IN	WHAT TIME IN
	THE MONTH	THE MONTH
	WAS THAT? A. I	WAS THAT I
	CAN'T STATE IT	CAN'T STATE
	STATE IT	IT

RS

BT

	EXACTLY. Q. AS	EXACTLY <as< th=""></as<>
	NEAR AS YOU	NEAR AS YOU
	CAN? A. IN	CAN TELL≥ IN
	THE FORE PART	
		THE FORE PART
	OF THE MONTH.	OF THE MONTH
	Q. WHERE	[space] WHERE
	WAS THIS TRAIN	WAS THIS TRAIN
	AT THAT TIME?	AT THAT TIME
	A. I	I
	UNDERSTOOD	UNDERSTOOD
	FROM	FROM
	SOMEBODY	SOMEBODY
	THAT LIVED AT	THAT LIVED AT
	PINTO THAT	PINTO, THAT
	THEY WAS	THEY WAS
	CAMPED ON THE	CAMPED ON THE
	JMEADOWS,	MEADOWS
	QUITE A	CAME
	WHILE. I WAS	
	GOING TO	ТО
	MILL. Q.	MILL
	DIDN'T YOU	DIDN'T YOU
	COME THROUGH	
	THE MEADOWS?	THE MEADOWS
	A. THE FIRST	[space] FIRST
	PLACE I STRU C K	PLACE I STRUCK
	AND HEARD	THE ROAD
	WAS AT PINTO,	WAS AT PINTO
	FIVE MILES	FIVE MILES
	FROM THE	FROM THE [[5]]
	NORTH END OF	NORTH END OF
	THE MEADOWS	MEADOWS
	I THINK THEY	THINK THEY
	WERE CAMPED	WERE CAMPED
	IN THE	IN THE
	MEADOWS	MEADOWS
	THEN;	THEN —[?] SAID
	THEY HAD	THEY HAD
	PASSED A	PASSED A
	DAY OR TWO	DAY OR TWO
	BEFORE AND	BEFORE[?] AND
	WENT ON.	WENT [space]
		HOW SOON
		AFTER THEY

RS

BT

	Q. WERE	[space] WERE
	YOU EVER AT	YOU EVER AT
	THE MOUNTAIN	MOUNTAIN
	MEADOWS ? A.	MEADOWS
	YES, SIR, NBEEN	YES SIR BEEN
	THERE MANY A	THERE MANY A
	TIME. Q. HAOW	TIME
	HOW SOLON	HOW SOON
	WERE YOU	WERE YOU
	THERE AFTER	THERE AFTER
	WYOU WERE AT	YOU WERE AT
	THE MEADOWS	THE MILLS
	THAT DAY THAT	THAT DAY
	YOU SPEAK OF?	YOU SPOKE
	A. THAT	ABOUT THAT
	WAS IN	WAS IN
	SEPTEMBE R . Q.	SEPTEMBER
	AND IN APRIL	AND IN APRIL
	OF THE NESXT	NEXT
	SPRING WAS	SPRING WAS
	THE FIRST TIME	THE FIRST TIME
	I WAS [46119]	I WAS
	THERE	THERE
	AFTERWARDS.	AFTERWARDS
	Q. WHAT	[space] WHAT
	DID YOU SEE	DID YOU SEE
	THERE ON THE	THERE ON THE
	GROUND WHEN	GROUND WHEN
	YOU WERE	YOU WAS WAS
	THERE? A. I	THERE [space] I
	DIDN'T SEE	DIDN'T SEE
	ANYTHING, BUT	ANYTHING
	I MERELY	I MERELY
	DROVE	DROVE
	THROUGH ON	THROUGH ON
	THE ROAD. I	THE ROAD I
	BELIEVE I DID	BELIEVE I DID
	SEE A FEW	SEE A FEW
	BONES CLOSE	BONES CLOSE
	TO THE SIDE OF	SIDE TO THE
	THE ROAD. Q.	BONES
	WHAT KIND OF	WHAT KIND OF
	BONES,	BONES [space]
	HUMAN? A. I	HUMAN I
		,

RS

BT

	TOOK THEM TO	TOOK THEM TO
	BE, I DIDN'T	BE I DIDN'T GO
	GAET OUT OF	OUT
	THE TEAM.	TIME/TEAM[?]
	•	
	BY THE	[space] BY THE
	MOUNTAIN	MOUNTAIN
	MEADOWS	MEADOWS
	NEAR	VALLEY NEAR
	WHERE THE	WHERE THE
	DIVIDE IS. Q.	DIVIDE IS [space]
	WERE THEY	WERE THEY
	SCATTERED	SCATTERED
	ABOUT ONTHE	ABOUT IN A
	PLAINS OR ON A	PLACE OR IN
	HILL? A. I	A HILL/HOLE[?] I
	ONLY SAW	ONLY SAW ONE
	TWO OR THREE	TWO OR 3
	BODIES	PARTIES [space]
	AND I	WHEN I
	CHECKED UP	CHECKED
	AND LOOKED	AND LOOKED
	DOWN. AND	DOWN AND
	SAW	RODE DOWN
	TWO TO	AND TWO OR
	OR THREE	3 PARTIES [space]
	BODIES	DO MOM
	Q. DO YOU	DO YOU
	RECOLLECT	RECOLLECT
	WHETHER YOU	WHETHER YOU
	SAW MR.	SAW MR.
	YOUNG OR ANY	YOUNG OR ANY
	WHO LIVE AT	WHO LIVE AT
	WASHINGTON	WASHINGTON
	WHEN YOU	←WHEN YOU
	WENT TO THE	WENT TO
	M ILL. A. I	MILL≥ I
	WENT TO	WENT TO
	CEDAR CITY TO	CEDAR CITY TO
	MILL. Q. WHEN	MILL WHEN
	YOU WENT TO	YOU WENT TO
	CEDAR CITY TO	CEDAR CITY TO
	MILL—WHEN	MILL WHEN
	YOU WENT	YOU WENT
	HOME WHAT	HOME WHAT

RS

BT

DIRECTION DID	DIRECTION DID
YOU GO??	YOU GO I WILL
	GIVE YOU
	WHOLE OF MY
	TREK NO
	ANSWER
A.I	QUESTION I
WENT BACK	WENT BACK
UP P BY	AND <i>BY/UP</i> [?]
PINTO CREEK	PINTO CREEK
RIGHT OVER TO	RIGHT OVER TO
WHERE I LIVE D.	WHERE I LIVE
Q. THEN YOU	THEN YOU
KEPT NORTH OF	KEPT NORTH OF
THE	MOUNTAIN
MEADOWS? A.	MEADOWS
NO, SIR. Q. THE	NO SIR
MOUNTAIN	MOUNTAIN
MEADOWS LIES	MEADOWS LIES
FIVE MILES	FIVE MILES
WEST OF PINTO,	WEST OF PINTO
AND THE ROAD	AND THE ROAD
TO MY PALACE	TO MY PLACE
TOOK A DURE	TOOK A DUE
ROAD SOUTH	SOUTH
FROM PINTO. Q.	FROM PINTO
HOW FAR FROM	HOW FAR FROM
PINTO D OU ID	PINTO DID
YOU LIVE? A.	YOU LIVE
FROM PINTO I2	FROM PINTO 12
MILES. Q. HOW	MILES HOW FAR
FAR FROM	FROM
WASHINGTON?	WASHINGTON
A. IN A	IN A
STRAIGHT LINE	STRAIGHT LINE
AS NEAR AWS	NEAREST
THE ROAD WAS,	ROAD WAS
ABOUT 40	ABOUT 40
MILES. Q. WAS	MILES WAS
THERE ANY	THERE ANY
ROAD LEADING	ROAD LEADING
FROM PINT O TO	FROM PINTO TO
THE MOUNTAIN	MOUNTAIN
MEADOWS? A.	MEADOWS
THE THE OTTO: 11.	1,111,111,011,0

RS

BT

	YES, SIR, THE	YES SIR
	MAIN	MAIN
	CALIFORNIA	CALIFORNIA
	ROAD LED	ROAD LED
	THERE. Q.	THERE [space]
	WHICH WAY DID	WHICH WAY DID
	IT RUN? A.	IT RUN PRETTY
	PRETTY NEAR A	NEAR
	WEST COURSE.	WEST COURSE
	Q. HOW	[space] HOW
	LONG WERE	LONG WERE
	YOU AT CEDAR?	YOU AT CEDAR
	A. I ONLY STAID	I ONLY STAYED
	THERE A PIE V CE	THERE A PIECE
	OF ONE DAY. Q.	OF ONE DAY DO
	YOU	YOU
	RECOLLECT	RECOLLECT
	SEEING	SEEING
	KLINGENSMITH	KLINGEN SMITH
	WHILE AT	WHILE AT
	C FA EDAR? A.	CEDAR YES
	NO, SIR. Q.	NO SIR
	HAIGHT? A. YES,	HAIGHT YES
	SIR . Q. HIGBEE?	SIR HIGBEE
	A. YES, SIR, I	YES SIR [[6]] I
	SAW HIM AT	SAW HIM AT
	CEADAR. Q. DID	CEDAR DID
	YOU HAVE ANY	YOU HAVE ANY
	CONVERSATION	CONVERSATION
	WITH HAIGHT? A. YES, SI R .	WITH HAIGHT YES SIR
	VERY LITTLE.	VERY LITTLE
	(a7 120) Q. ANY	ANY
	WITH HIGBEE?	WITH HIGBEE
	A. I DON'T	I DON'T
	RECOLLECT	RECOLLECT OF
	ANY WITH HIM.	ANY WITH HIM
	71111 111111111111111111111111111111111	<having any<="" th=""></having>
		CHL/TL[?]>
	Q. DID YOU	[space] DID YOU
	WSEE MR.	SEE MR.
	WILLIAM	WILLIAM
	YOUNG AOF	YOUNG OF
	WASHIHNGTON?	WASHINGTON

RS

BT

RT	RS	ВТ	PS
		A. NO, SIR. Q.	THERE NO SIR
		DID YOU SEE	DID YOU SEE
		HIM ON THE	HIM ON THE
		ROAD? A. NO,	ROAD NO
		SIR. Q. DID YOU	SIR DID YOU
		SEE ANY ARMED	SEE ANY ARMED
		MEN ABOUT	MEN ABOUT
		THERE?— A.	THERE [space]
		ABOUT CEDAR?	ABOUT CEDAR
		Q. YES, SIR?. A.	YES SIR [space] NO I DON'T
		NO, I DON'T RECOLLECT	RECOLLECT
		THAT I SAW	THAT I SAW
		ANY ARMED	ANY ARMED
		MEN. Q. DID	MEN DID
		YOU SEE ANY	YOU SEE ANY
		ON G THE ROAD	THE ROAD
		BETWEEN	BETWEEN
		CEDAR AND	CEDAR AND
		PINTO. A. I	PINTO I
		BELIEVE I SAW	BELIEVE I SAW
		A FEW. I THINK	A FEW I THINK
		HIGBEE WAS	HIGBEE WAS
		ONE AND	ONE AND
		MR.	MR./WILLIAM[?]
		STEWART, I	STEWART I
		COULD NOT	COULD NOT
		TELL ANY	TELL ANY
		OTHER ANAME.	OTHER NAME
		Q. ABOUT	[space] ABOUT
		HOW MANY DID YOU SEE? A. AS	HOW MANY DID YOU SEE AS
		WELL AS I CAN	WELL AS I
		RECOLLECT	RECOLLECT
		SOME SIX OR	SOME 6 OR
		SEVEN. Q. HOW	7 HOW
		WERE THEY	WERE THEY
		ARMED? A. HAD	ARMED HAD
		THEIR RIFLES,	THEIR RIFLES
		AS WELL AS I	AS WELL AS I
		COULD	CAN
		RECOLLECT. Q.	RECOLLECT
		DID YOU	DID YOU
		NOTI V CE	NOTICE

	PISTOLS OR	PISTOLS OR
	KNIVE S ? A. I	KNIVES I
	DIDN'T NOTI V CE	DIDN'T NOTICE
	ANY THAT I	ANY THAT I
	RECOLLECT OF.	RECOLLECT OF
	Q. LARGE DIRKS	LARGE DIRKS
	OR ANYTHING	←OR ANYTHING
	OF THAT SORT?	OF THAT SORT≥
	A. NO, SIR. Q.	NO SIR
	WHICH WAY	
		WHICH WAY
	WERE THEY	WERE THEY
	TRAVELING?	TRAVELING
	A. THEY WERE	THEY WERE
	TRAVE N LING	TRAVELING
	WE . ST.	WEST [space]
	Q. THAT WAS	THAT WAS
	WHILE YOU	WHILE YOU
	WERE GOING UP	WERE GOING UP
	TO CEDAR? A.	TO CEDAR
	NO, SIR, THEY	NO SIR THEY
	WERE GOING	WERE GOING
	WEST E WARD.	WESTWARD
	Q. YOU WERE	YOU WERE
	GOING	GOING
	W ESTERD	
	WESTWARD?	WESTWARD
	A. YES, SIR, I	YES SIR ← I
	TRAVELLED A	TRAVELED
	PART OF THE	PART WAY
	ROAD WITH	WITH
	THEM. Q. WAS IT	THEM. > I DID I
	ON SUNDAY	SENSED
	THEY WERE	THEY WAS
	GOING TO THE	GOING TO THE
	MEADOWS?	MEADOWS
	A. I DO N -O T	
	REMEMBER	
	T H A T.	
		I UNDERSTOOD
		FROM THEM
		[space]
		CROSSEXAMINA
	COROSS-	TION
	EXAMIJATION.	SPICER THAT IS
	221111111111111111111111111111111111111	

RS

BT

BY M ^R	ALL FOR THE
	PRESENT [space]
Q YOU SAY YOU	YOU SAY YOU
MET THESE FIVE	MET THOSE FIVE
OR SIX MEN	OR 6 MEN
GOING TO THE	GOING TO THE
MEADOWS? A.	MEADOWS
NO, SIR, I	NO SIR I
DIDN'T. Q. THEY	DIDN'T THEY
WERE GOING	WERE GOING
WESTWARD?	WESTWARD
A. YES, SIR.	YES SIR
Q.YOU	YOU
SAID	UNDERSTOOD
THEY WERE	THEY WERE
GOING TO THE	GOING TO THE
MEADOWS?	MEADOWS ← YES
A. I SAW	SIR≥ I SAW
THEM	THEM
TRAVELING.	TRAVELING
Q. TELL	[space] TELL
HOW YOU CAME	HOW YOU CAME
TO	TO
UNDERSTAND	UNDERSTAND
	THAT THAT
THEY WERE	THEY WERE
GOING TO THE	GOING TO THE
MEADOWS?	MEADOWS
OBJECTED TO. Q.	OBJECTED TO
TELL WHAT	TELL WHAT
THEY SAID	THEY SAID
ABOUT THEIR	ABOUT THEIR
BUSINES X S? A.	BUSINESS
I DON'T	I DON'T
RECOLLECT	RECOLLECT
ANY	ANY
PARTICULAR	PARTICULAR
THING;	ONE[?]
BUT THAT WAS	BUT THAT WAS
THE	THE
UNDERSTANDIN	UNDERSTANDIN
G I GOT WHILE	G I GOT WHILE
WITH THE	WITH THE
PARTY.	PARTY [space]

RS

BT

 N.S	Δ.	15
	Q. YOU GOT IT	YOU GOT IT
	FROM THEM? A.	FROM THEM
	YES, SIR. Q. DID	YES SIR DID
	YOU LEARN	YOU LEARN
	FROM THEM	FROM THEM
	WHAT THEY	WHAT THEY
	WERE GOING	WERE GOING
	THERE FOR. A.	THERE FOR
	NO. [a8 122]288 A.	
	NO, SIR, I	NO SIR I
	DID N'T . NOT. Q.	DID NOT
	GOT NO	GOT NO
	PARTICULAR	PARTICULAR
	UNDERSTANDIN	UNDERSTANDIN
	G FROM THEM—	G FROM THEM
	CAN	DID YOU CAN
	YOU TELL US	YOU TELL US
	ANYTHING	ANYTHING
	FROM YOUR	FROM YOUR
	OWN	OWN
	KNOWLEDGE	KNOWLEDGE
	WHAT THE	WHAT THE
	CONDITION OF	CONDITION OF
	THE COUNTRY	THE COUNTRY
	WAS AT THA T	WAS AT THAT
	TIME AS TO	TIME AS TO
	SAFETY?	SAFETY
	OBJECTED TO.	OBJECTED TO
	Q. DID YOU	[space] DID YOU
	SEE ANY	SEE ANY
	INDIANS IN THE	INDIANS IN THE
	COU NTRY? A.	COUNTRY
	YES, SIR.	YES SIR
	OBJECTED TO	OBJECTED TO
	AS NOT	AS NOT
	CROSS -	CROSSEXAMINA
	EXAMINATION.	TION
	BY MR.	
	SUTHERLAND:	≤SUTHERLAND≥
		ASK WITH A
		VIEW OF
		SHOWING THEY

RS

BT

^{288.} The handwritten number assigned to the page is 122, but the page is actually 121.

 RS	Δ.	• •
		WERE
		NECESSARILY
		TRAVELING
		ARMED IT
		IS PROPER TO
		CROSS EXAMINE
		THEM. [[7]]
	I PROPOSE TO	DESIRE TO
	SHOW THAT THE	SHOW THAT THE
	INDIANS WERE	COUNTRY WAS
	SWARMED	SWARMING
		WITH INDIANS
	AT THAT T IME	AT THE TIME
	AND ON TWO	AND ON ALL
	OCCASIONS	OCCASIONS
	WHEN THE	WHEN THE
	SETTLERS WERE	SETTLERS HAVE
	UNITED IN	UNITED[?]
	ARMS—AND	ARMED
	THAT IT WAS	←THAT IT WAS
	THE CUSTOM TO	CUSTOM TO
	GO ARMED.	GO ARMED≥
	ODIECTION	[space]
	OBJECTION SUSTAINED.	OBJECTION SUSTAINED
	Q. DO YOU	[space] DO YOU
	KNOW WHY	KNOW WHY
	THEY WERE	THEY WERE
	ARMED? A. IT IS	ARMED IT WAS
	CUSTOMARY	CUSTOMARY
	ALONG IN THE	THING IN THE
	COUNTRY FOR	COUNTRY FOR
	MEN TO GO	MEN TO GO
	ARMED .; THE	ARMED
	COUNTRY WAS	COUNTRY WAS
	NEWLY	NEWLY
	SETTLED AND	SETTLED AND
	THAT WAS THE	WAS THE
	CUSTOM;	CUSTOM OF THE
	IT	COUNTRY IT
	WAS NOTHING	WAS NOTHING
	UNCOMMON AT	UNCOMMON AT
	ALL; IN FACT IT	ALL IN FACT IT
	WAS A	WAS THE

RS

BT

	GENERAL	GENERAL
	THING. Q. YOU	THING. YOU
	SAY YOU WERE	SAY YOU WERE
	T HEN	THEN
	RETURNING	RETURNING
	FROM CEDAR	FROM CEDAR
	CITY? A. YES,	CITY YES
	SIR. Q.WHAT	SIR WHAT
	WAS YOUR	WAS YOUR
	BUSINESS AT	BUSINESS AT
	CEDAR CITY,	CEDAR CITY
	WHEN YOU	WHEN YOU
	WENT UP? A. I	WENT UP I
	WENT UP TO	WENT UP TO
	MILL TO GET A	MILL TO GET A
	GRIST OF	GRIST OF
	FLOUR.	FLOUR [space]
	Q. DIDYOU STAY	DID YOU STAY
	AND GET YOUR	AND GET YOUR
	GRIST?	GRIST
		OBJECTED TO
		AS IMMATERIAL
	A. NO, SIR. Q.	NO SIR
	WHY DID NYOU	WHY DID YOU
	NOT STAY TO	NOT STAY TO
	GET YOUR	GET YOUR
	GRIST? A. THE	GRIST
	REASON	REASON WAS
	WASTHAT MR.	THAT MR.
	HA U IGHT CAME	HAIGHT CAME
	TO ME AND	TO ME TOLD ME
	SAID THAT THE	THAT THE
	PROBABILITY	PROBABILITY
	WAS THAT	WAS THAT
	THERE WAS A	THERE WAS A
	FUSS IN THE	FUSS IN THE
	COUNTRY I	COUNTRY
	WAS.——	WHERE I WAS
	OBJECTED TO.—	OBJECTED TO
	OVERULED—	[space]
	Q. A.	nn on : ================================
	PROBABILITIES	PROBABILITIES
	WAS THAT	WAS THAT
	THERE WAS A	THERE WAS A

RS

BT

N I	N5	DI	13
		FEUSS WITH THE	FUSS WITH THE
		INDIANS, AND I	INDIANS I
		HAD BETTER GO	BETTER GO
		HOME AND	HOME AND
		ATTEND TO MY	ATTEND TO MY
		AFFAIRS. I	AFFAIRS I
		CONSEQUENTLY	CONSEQUENTLY
		LEFT MY	LEFT MY
		WAGON AND	WAGON AND
		HORSES AND	HORSE AND
		MY WIFE	WIFE AND
		THAT WAS WITH	THAT WAS WITH
		ME, GOT ONTO	ME GOT ON TO
		THE OTHER	THE OTHER
		HORSE IN THE	HORSE AND THE
		AFTERNOON ; ,	EVENING AND
		AND SHUCKED	SHUCKED
		OUT FOR HOME	OUT FOR HOME
		AS QUICK AS I	AS QUICK AS I
		COULD, AND	COULD
		THE NEXT	NEXT
		MORNING AT	MORNING AT
		SUNRISE I	SUNDOWN I
		WAS THERE I	WAS THERE I
		TRAVELLED	TRAVELED
		WWITFHHTHEM	
		WITH THEM A	WITH THEM A
		LITTLE WAYS. 37	LITTLE WAYS 37
		MILES FROM	MILES FROM
		CEDAR TO MY	CEDAR TO MY
		PLACE. [[122]]	PLACE [space]
		280-0	REDIRECT
		²⁸⁹ JOHN M.	
		MCFARLANE ²⁹⁰	
		SWORN FOR THE	
		PROSECUTION.	
		EXAMINED BY	
		$M^{\underline{R}}$ Q.	
		WHERE	
		DO YOU RESIDE?	

RS

PS

BT

^{289.} This is a duplicate of testimony in RT, RS, and BT, Trial matrix, pp. 1314–1316, page 113 of the Boreman Transcript. The text is essentially the same, except the last sentence is crossed out.

^{290.} Macfarlane is the correct spelling of his name.

RT	RS	ВТ	PS
		A. ST. GEORGE,	
		WASHINGTON	
		COUNTY. Q.	
		WHAT IS YOUR	
		OCCUPATION	
		MR.	
		MCFARLANE?	
		A . SURVEYOR	
		AND ATTORNEY	
		AT LAW AT	
		PRESENT Q. DO	
		YOU KNOW	
		WHERE THE	
		MOUNTAN M	
		MEADOW NS	
		ARE LOCATED,	
		IN WHAT	
		COUNTY THEY	
		ARE? A. WHY,	
		ALL OF THE	
		MOUNTAI N	
		MEADOWS ARE	
		IN WASHINGTON	
		COUNTY, I	
		THINK. THEY	
		A RE SO	
		RECOGNI S ZED	
		IN THAT	
		COUNTY. I AM	
		THE	
		SUR G VEYOR OF	
		THAT COUNTY.	
		Q. DO YOU	
		KNOW THAT TO	
		BE A FACT? A . I	
		KNOW THE	
		DISTANCES AND	
		THE DIVISIONS	
		OF THE COUNTY	
		ACCORDING TO	
		THE	
		TERRITORIAL	
		STATUTES.	
		THAT IS ALL. BY	

RT	RS	ВТ	PS
		THE COUR T: DO	
		YOU WISH TO	
		ASK HIM ANY	
		MORE	
		QUESTIONS? BY M T R.	
		SUTHERLAND:	
		Q.I WANT TO	
		ASK HIM ONE	
		QUESTION. Q.	
		STATE WHERE	
		THE MOUNTAIN	
		MEADOWS	
		WERE SITUATED	
		IN 1857, IN WHAT	
		COUNTY? A. IN	
		WASHINGTON	
		COUNTY AS	
		THEY ARE NOW.	
		THAT IS ALL.	
		[space] [a9123]	CHRISTOPHER
			J. ARTHUR NOT
			HERE [space]
		WILLIAM	WM
		ROBERTS	ROBERTS
		SWORN FOR THE	SWORN FOR THE
		PROSECUTION.	PROSECUTION
		EXAMINED BY $M^{\underline{R}}$ ——Q.	[space]
		WHERE DO YOU	WHERE
		RESIDE?	RESIDE
		A . PAROWAN. Q.	PAROWAN
		HOW LONG	HOW LONG
		HAVE YOU	HAVE YOU
		LIVED THERE?	LIVED THERE
		A. 22	ABOUT 22
		YEARS. Q.	YEARS [space]
		WHERE YOU	
		LIVING THEREIN	LIVING THERE
		THE FALL	IN THE FALL
		OF '57? A. YES,	OF '57 YES
		SIR. Q. NOT IN	NOT IN
		PAROWAN	PAROWAN

	EXACTLY —	EXACTLY
	PARAGOONAH,	PARAGONAH
	FOUR MILES	4 MILES
	THIS SIDE. Q.	THIS SIDE [space]
	YOU HAVE	YOU HAVE
	HEARD OF THE	HEARD OF THE
	MOUNTAIN	MOUNTAIN
	MEADOW	MEADOW
	MASSACRE? A. I	MASSACRE I
	HAVE. Q. DID	HAVE DID
	YOU EVER SEE	YOU EVER SEE
	THOSE	THOSE
	EMIGRANTS? A.	EMIGRANTS
	YES, SIR. Q.	YES SIR
	WHERE DID YOU	
	SEE THEM ? A. IN	
	PARAGOONAH	PARAGONAH
	BOTTOM Q. DID	BOTTOM DID
	YOU HEAR OF	YOU HEAR OF
	THEM BEFORE	THEM BEFORE
	YOU EVER SAW	YOU EVER SAW
	THEM?.A.YES,	THEM WHERE
	FREQUENTLY.	FREQUENTLY
	Q. ALONG THE	[[8]] ALONG THE
	ROAD? A. I	ROAD I
	COULD NOT	COULD NOT
	NAME NAKME	NAME
	THE PLACES.	THE PLACES
	Q. CAN YOU	[space] CAN YOU
	TELL ABOUT	TELL ABOUT
	WHAT SEASON	WHAT SEASON
	OF THE YEAR	OF THE YEAR
	YOU SAW	YOU SAW
	THEM? A. IN THE	THEM IN THE
	FALL . ,	FALL ABOUT
	ALONG ABOUT	ALONG ABOUT
	HARVESTING	HARVEST
	TIME. Q.	TIME [space]
	HOW MANY OF	HOW MANY OF
	THEM WERE	THEM WERE
	THERE? A. I	THERE <i< th=""></i<>
	COULD NOT	COULD NOT
	TELL YOU.	TELL YOU≥
	Q. HOW MANY	HOW MANY
	Q. HO W MAINT	110 44 1417 114 1

RS

BT

 KS	D.	
	WAGONS	WAGONS
	WERE THERE?	WERE THERE
	A. I COULD NOT	I COULD NOT
	TELL YOU.	TELL YOU
	Q. WERE YOU	WERE YOU
	NEAR THERM?	NEAR THEM
	A. YES, SIR. Q.	YES SIR
	RIGHT CLOSE	RIGHT CLOSE
	TO THEM?— A.	BY THEM
	TALKED WITH	TALKED WITH
	TWO OF THEM.	TWO OF THEM
	Q. OF WHOM	[space] OF WHOM
	WERE THEY	WERE THEY
	COMPOSED,	COMPOSED
	MEN? A.	MEN [space]
	THEY WERE	THEY WERE
	HAD FAMILIES	FAMILIES
	—EMIGRANTS	EMIGRANTS
	MAKING	— [?]
	THROUGH	FROM/OVER[?]
	THE COUNTRY.	THE COUNTRY
	Q. DID YOU SEE	DID YOU SEE
	THEM AFTER	THEM AFTER
	T HEY LEFT	THEY LEFT
	PARAGOONAH?	PARAGONAH
	A. NO, SIR. Q.	NO SIR
	YOU SAY YOU	YOU SAY YOU
	HEARD OF THEM	HEARD OF THEM
	BEFORE THEY	BEFORE THEY
	ARRIVED AT	ARRIVED AT
	YOUR PLACE?	YOUR[?] PLACE
	A. YES, SIR. Q.	YES SIR
	DO YOU	DO YOU
	RECOLLECT	RECOLLECT
	ANY PERSONS	ANY PERSON S
	YOU HEARD	YOU HEARD
	SPEAK OF THEM	SPEAK OF THEM
	BEFORE YOU	BEFORE YOU
	SAW THEM? A. I DON'T KNOW	SAW THEM I DID NOT
	ANYTHING BUT	
	ROUMOR THAT	<i>ONLY</i> [?] A RUMOR THAT
	SUCH A	SUCH A
	COMPANY WAS	COMPANY WAS
	COMITAINT WAS	COMITAINT WAS

RS

BT

	ON THE DOAD	ON THE WAY
	ON THE ROAD, FREQUENTLY.	ON THE WAY FREQUENTLY
	Q. DID YOU	•
	EVER HEAR ANY	[space] DID YOU EVER HEAR ANY
	PREACHING	PREACHING
	ABOUT IT? A.	ABOUT IT
	YES, SI	YES I -DID
	HEARD SOME	HEARD SOME
	LITTLE SORT OF	LITTLE WHERE
	PREACHING. Q.	PAROWAN
	BY HWHOM? A.	BY WHOM
	MR. DAME. Q.	MR. DAME
	WHAT DID HE	WHAT DID HE
	SAY? A.	[space]
	ADVISED THE	ADVISED
	PEOPLE NOT TO	PEOPLE NOT TO
	TR Z ADE WITH	TRADE WITH
	THEM IN ANY	THEM IN ANY
	WAY AT ALL —	WAY AT ALL
	SELL THEM NO	SELL THEM NO
	PROVISIONS.	PROVISIONS
	Q. WHAT IS MR.	WHAT IS MR.
	DAME'S FIRST	DAME'S FIRST
	NAME? A. MR.	NAME
	WILLIAM H.	WILLIAM H
	DAME. Q. WHAT	DAME WHAT
	POSITION DID	POSITION DID
	HE OCCUPY AT	HE OCCUPY AT
	THAT TIME? A. I	THAT TIME I
	THINK HE WAS	THINK HE WAS
	THE PRESIDENT	THE PRESIDENT
	OF THE STAKE.	OF THE STAKE.
	[a10 124] Q. ARE	ARE
	YOU	YOU
	ACQUAINTED	ACQUAINTED
	I WITH JOHN D.	WITH JOHN D.
	LEE? A. I AM. Q.	LEE I AM
	DID YOU EVER	DID YOU EVER
	HEAR HIM	HEAR HIM
	SPEAK ABOUT	SPEAK ABOUT
	IT? A. VERY	IT VERY
	LITTLE. Q. DO	LITTLE DO
	YOU KNOW	YOU KNOW
	ANYTHING	ANYTHING

RS

BT

	BABOUT THIE	ABOUT THE
	MASSACRE AT	MASSACRE AT
	THE MOUNT AI	MOUNTAIN
	N MEADOWAS?	MEADOWS
	A. NO, SIR. Q. HAVE YOU EVER	NO SIR [space] HAVE YOU EVER
	HEARD ANYTHING	HEARD
		ANYTHING
	A BOUT IT OR	ABOUT IT OR
	TA KE LKED	TALKED
	ABOUT IT WITH	WITH
	ANY ONE THAT	ANY ONE THAT
	WAS THERE? A.	WAS THERE
	NO, BODY BUT	ANOBODY BUT
	MR. LEE IN	MR. LEE IN
	PARTICULAR.	PARTICULAR
	Q. HAVE YOU	HAVE YOU
	TALKED WITH	TALKED WITH
	MR. LEE ABOUT	MR. LEE ABOUT
	IT. A. YES, SIR.	IT AYES SIR
	Q. STATE WHAT	STATE WHAT
	MR. LEE SAID	MR. LEE SAID
	ABOUT IT	ABOUT IT —[?]
	A. HE TOOK	[space] HE TOOK
	ME FOR	ME FOR
	ANOTHER MAN	ANOTHER MAN
	BY THE SAME	BY THE SAME
	NAME; IT IS	NAME [space]
	ABOUT I0 OR I2	ABOUT 10 OR 12
	YEARS AGO	YEARS AGO,
	MORE OR LESS.	MORE OR LESS.
	A MAN HAD	MAN HAD
	BEEN ABUSING	BEEN ABUSING
	HIM SOME. HE	HIM SOME.
	ASKED ME IF I	ASKED ME IF I
	WAS THE MAN; I	WAS THE MAN, I
	TOLD HIM NO.	TOLD HIM NO
	IN TALKING	IN TALKING
	AFTERWARDS	AFTER HE
	HE FOUND OUT	FOUND OUT
	WHO I WAS;	
	AND WAS	AND WAS
	CONVINCED	CONVINCED
	THAT I WAS NOT	THAT I WAS NOT

RS

BT

 110	2.	
	THE NMAN. HE	MAN, HE
	MADE THE	MADE THE
	REMARK AND	REMARK AND
	SAYS HE, "I WAS	SAYS HE, I WAS
	THERE, AND	THERE, AND
	WHAT I DONE I	WHAT I DONE I
	DONE BY	DONE BY
	ORDERS." THAT	ORDERS. THAT
	IS JUST	IS JUST THE [[9]]
	AS NEAR THE	AS NEAR THE
	WORDS AS I CAN	WORDS AS I CAN
	RECOLLECT.	RECOLLECT
	Q. WHERE	[space] WHERE
	WAS THIS	WAS THIS
	CONVERSATION	CONVERSATION
	YOU SPEAK OF?	YOU SPEAK OF
	A.AT HARMONY	AT HARMONY
		WHAT DID HE
		SAY THERE
	Q. WHAT DREW	WHAT DREW
	THAT REMARK	THAT REMARK
	FROM MR. LEE	FROM MR. LEE
	—WHAT	[space] WHAT
	CAUSED MR.	CAUSED MR.
	LEE TO MAKE	LEE TO MAKE
	THAT REMARK?	THAT REMARK
	A. IT WAS	AIT WAS
	BECAUSE THIS	BECAUSE THIS
	OTHER MAN	OTHER MAN
	HAD BEEN	HAD BEEN
	ABUSING HIM?	ABUSING HIM
	A. HOW DO YOU	HOW DO YOU
	KNOW THAT?	KNOW THAT
	A. FROM WHAT	FROM WHAT
	MR/ LEE SAID.	MR LEE [space]
	Q. WHAT DID HE	WHAT DID HE
	SAY THE OTHER	SAY OTHER
	MAN HAD BEEN	MAN HAD BEEN
	ABUSING HI M	ABUSING HIM
	ABOUT? A.	ABOUT [space]
	ABOUT THE	ABOUT THE
	MOUNTAIN	MOUNTAIN
	MEADOW	MEADOW
	MASSACRE	MASSACRE

RS

BT

		THAT HE WAS	THAT HE WAS
		SUPPOSED TO	SUPPOSED TO
		ME HAVE BEEN	BE
		IN Q.	IN [space] THAT
		IT WAS IN THAT	IT WAS IN THAT
			CONNECTION
		CONNNECTION	
		THAT HE	THAT HE
		STATESD TO	STATED TO
		YOU HE WAS	YOU HE WAS
		THERE? A. YES,	THERE YES
		SIR; BECAUSE	SIR BECAUSE
		MY NAME WAS	MY NAME WAS
		THE SAME AS	
		THE OTHER	THE OTHER
		MANS . , HE HAD	MAN'S HE HAD
		HEARD ABOUT	HEARD ABOUT
		THIS MAN	THIS MAN
		TALKING	TALKING
		ABOUT HIM. Q.	ABOUT HIM
		DID MR. LEE	DID MR. LEE
		STATE WHAT HE	
		DID THERE? A.	DID THERE
		NO, SI ŦR , NOT	NO SIR NOT
		THAT I	THAT I
		RECOLLECT OF.	RECOLLECT OF
		Q. DID HE STATE	DID HE STATE
		ANYTHING	ANYTHING
		FURTHER IN	FURTHER IN
		CONNECTION	CONNECTION
		WITH IT? A. I	WITH IT I
		DON'T	DON'T
		RECOLLECT; I	RECOLLECT I
		DON'T THINK HE	DON'T THINK HE
		DI D. THAT	DID THAT WAS
		IS ABOUT THE	IS ABOUT THE
		SU M AND	SUM AND
		SUNBSTANCE OF	SUBSTANCE OF
		IT. Q. DID HE	IT DID HE
		MAKE ANY	MAKE ANY
		W EXCUSE FOR	EXCUSE FOR
		DOING IT? A.	DOING IT
		YES, SHE D SAID	YES HE SAID
		THAT THEY	THAT THEY
		WERE BAD MEN;	WERE BAD MEN
L	I	1 ,	

RS

BT

		THAT THEY HAD	THAT THEY HAD
		MURDERED THE	MURDERED THE
		PROPHET; OR	PROPHETS OR
		SOME O T F THEM	SOME OF THEM
		HAD. NO	HAD [space]
		CROSS-	CROSS-
		EXAMINATION.	EXAMINATION
			[space]. THE
		PROSECUTION	PROSECUTION
		RESTS. [all125] BY	RESTS [space]
		MR. HOGE: THE	HOGE
		PROSECUTION	PROSECUTION
		HAVE CLOSED	CLOSED[?]
		EARLIER THAN	EARLIER THAN
		WE HAVE	WE HAVE
		ANTICIPATED. I	ANTICIPATED. I
		SUPPOSE IT	SUPPOSE IT
		WILL TAKE THE	WILL TAKE
		MOST OF THE	MOST
		AFTERNOON, OR	AFTERNOON,
		TILL	UNTIL
		TO-MORROW	TOMORROW
		MORNING FOR	MORNING
		US TO MAKE	TO MAKE
		PREPARATION .	PREPARATION
		TO GO ON. BY	
		THE COURT:	COURT
		DON'T YOU	DON'T YOU
		WISH TO MAKE	WANT TO MAKE
		AN OPENING	AN OPENING
		SPEECH TO THE	SPEECH TO THE
	[[R] 6 1311 (*** 0 C**	JURY?	JURY [space]
	[[Bk 6 13]] {HOGE		
	BEHALF DEF		
	ASKED ADJT		
[312 311]	TOMORROW		
	MNG} ^p [space]	DWMD HOOF	
HOGE: IN	HOGE {ON} ^p	BY MR. HOGE:	
BEHALF OF THE	BEHALF OF	WE	
DEFENDANT I	DEFENSE	WE NOUR	A CIZ
ASK FOR AN	ASKED	ASK, YOUR	ASK
FOR AN	ADIOLIDAMATAT	HONOR, FOR A	FOR
ADJOURRADJOU DNIMENT OD	ADJOURNMENT		
RNMENT OR			

RS

BT

CONTINUANCE	CONTINUANCE	CONTINUANCE	CONTINUANCE
UNTIL	UNTIL	TILL	TILL
= '			
TO-MORROW	TOMORROW	TO-MORROW	TOMORROW
MORNING.	MORNING.	MORNING.	MORNING.
BASKIN: SOME	BASKIN SOME	BY MR. BASKIN:	BASKIN I
OF OUR	OF OUR		WOULD SAY
WITNESSES	WITNESSES		THIS [space]
HAVE NOT YET	HAVE NOT		
ARRIVED. IF	ARRIVED IF		
THEY	THEY		
SHOULD	{SHOULD} ^P		
COME IN THE	COME IN		
MEANTIME WE	MEANTIME	WE	
DESIRE TO	DESIRE {TO} ^p	DESIRE TO	DESIRE TO
RESERVE THE	RESERVE {THE} ^p	RESERVE THE	RESERVE THE
RIGHT TO	RIGHT TO	RIGHT TO PRU	RIGHT TO
PUT THEM ON.	PUT THEM ON	PUT OTHER	PUT OTHER
WE CLOSE NOW,	WE CLOSE NOW	WITNESSES ON	WITNESSES ON
BECAUSE,WE	BECAUSE WE	BECAUSE SOME	BECAUSE SOME
ARE NOT READY	ARE NOT READY	ARE EXPECTED	ARE EXPECTED
TO GO ON WITH	TO GO ON WITH	HERE TO-NIGHT.	TONIGHT WISH
ANY MORE	ANY MORE		TO RESERVE[?]
WITNESSES TO	WITNESSES.		[.]
WHICH	BY HOGE WE	THE DEFENSE	DEFENSE
COUNSEL FOR	MAKE NO	MAKE NO	MAKE NO
DEFENSE	OBJECTION TO	OBJECTION TO	OBJECTION TO
CONSENTED.	THAT.	THAT.	THAT. [space]
[space]	CAREY WE DO		
	NOT ASK THE		
	CONTINUANCE		
	ON THAT		
	GROUND. BY		
	HOGE WE ARE		
	ASKING FOR		
	CONTINUANCE		
	AS MR. CAREY.	BY MR.	
SUTHERLAND:	SUTHERLAND	SUTHERLAND.	SUTHERLAND
NOTIFIED THE	YOUR HONOR	IF YOUR HONOR	IF YOUR HONOR
COURT THAT HE	PLEASE I HAVE	PLEASE, I HAVE	PLEASE I HAVE
HAD JUST	NOW	JUST RECEIVED	NOW
RECEIVED A	AFFIDAVIT	AN AFFIDAVIT	AN AFFIDAVIT
TELEGRAM	BY TELEGRAM	BY TELEGRAM	BY TELEGRAM
FROM THE	OF	OF A	OF THE
PHYSICIAN AT	PHYSICIAN OF	PHYSICIAN OF	PHYSICIAN OF
THI SICIAN AT	FILL SICIAIN OF	THE SICIAIN OF	THE SICIAN OF

RT	RS	BT	PS

SALT LAKE			
WITH REGARD			
TO THE TWO	THE TWO	THE TWO	THE TWO
WITNESSES	WITNESSES	WITNESSES	WITNESSES
HE	I	THAT I	I
REFERRED THE	REFERRED	REFERRED	REFERRED
COURT TO	ТО	ТО	TO
YESTERDAY,	YESTERDAY	YESTERDAY,	YESTERDAY
BOTH OF WHOM	BOTH OF THEM	THAT BOTH	THAT BOTH
BRIGHAM			
YOUNG AND			
GEORGE A.			
SMITH: WERE	ARE TOO	WERE TOO	WERE TOO
TO FEEBLE TO	FEEBLE TO	FEBLE TO	FEEBLE TO
MAKE THE	MAKE	MAKE THE	MAKE THE
JOURNEY HERE,	JOURNEY HERE I	JOURNEY HERE.	JOURNEY HERE I
AND THAT HE	HAVE GIVEN	I HAVE THIS	HAVE THIS
HAD	THIS MORNING	MORNING	MORNING [[10]]291
пар		GIVEN	GIVEN
NOTIFIED THE	NOTICE TO	NOTICE TO	NOTICE TO
GENTLEMEN	THO TIEL TO	THO TIEL TO	Troffed to
HERE ON THE PART OF			
THE			
PROSECUTION,	THE	THE	THE
AND THE	DISTRICT	DISTRICT	DISTRICT
DISTRICT	ATTORNEY OF	ATTORNEY OF	ATTORNEY OF
ATTORNEY OF	THEIR	THEIR	THEIR
THEIR	EXAMINATION	EXAMINATION	EXAMINATION
EXAMINATION	IN SALT LAKE	IN SALT LAKE	IN SALT LAKE
IN SALT LAKE,			
WHICH WILL			
COMMENCE	TOMORROW	TO-MORROW	TOMORROW
TO-MORROW	COMMENCING		
AT 10	AT TWELVE	AT TWO	1 OR 2
AT 12	O'CLOCK AND	O'CLOCK AND	O'CLOCK AND
O'CLOCK,	OFFER PAY	OFFER TO PAY	OFFERED TO
GIVING	THE EXPENSES	THE EXPENSES	PAY EXPENSES
	THE EXTENSES	THE EXTENSES	TAT DATENOES

^{291.} On the verso of page 10: *I*[?] DO FOR THEM TO TELL YOU THAT HE DID *HEAR TALK/SWEAR BACK*[?]. [*space*] *I*[?] DO FOR THEM TO TELL YOU THAT HE DID HEAR YOU TALK [*space*] **MAMOTHEAVEROADE** [*space*] *I*[?] TELL YOU SHOULD KNOW THAT HE DID *SWEAR BACK*[?]. There is also crossed out doodling and longhand at the top of the following page.

RT	RS	BT	PS

THEM	OF THEIR	OF THE IR	OF THEIR
TTILLIVI	TELEGRAM	TELEGRAM	TELEGRAM
	TELEGICINI	[space] [126] AND	TEEEGIG IIVI
		FOR THE	FOR
		ATTORNEY, THE	ATTORNEY ²⁹²
		CHARGES	AND ALSO
AMPLE	EMPLOY ONE	OF THE	CHARGES OF AN
TIME TO	ATTORNEY TO	ATTORNEY TO	ATTORNEY
ATTEND THE	ATTEND	ATTEND THE	ATTORNET
	EXAMINATION		
EXAMINATION		EXAMINATION.	
THERE, AND	AND	AND THE	
	CHARGES OF	CHARGES OF	
	ATTORNEY	THE ATTORNEY	TO DIDENGUEY
	TO INDEMNIFY	TO INDEMNIFY	TO INDEMNIFY
	UNITED	THE UNITED	UNITED
	STATES	STATES AND	STATES AND
	A C A D YOU	THE TERRITORY	TERRITORY
	AGAINST	AGAINST THE	AGAINST THE
	EXPENSES		EXPENSES.
	AGAINST		
	TERRITORY	TERRITORY,	
	WHO[?] WOULD	WHO WOULD	
	BE	BE	
	CHARGEABLE	CHARGEAB E LE	
HE	WITH IT. I	WITH IT. I	I
DESIRED TO	DESIRE TO	DESIRE TO	DESIRE TO
READ THE	READ THIS	READ THIS	READ THIS
AFFIDAVIT,	AFFIDAVIT	AFFIDAVIT,	AFFIDAVIT
IN ORDER TO	IN ORDER TO		
MAKE IT	MAKE IT		
KNOWN TO	KNOWN TO		
THE COURT.	KNOWN		
		WI I H A VIEW TO	WITH A VIEW
		OBTAINING THE	TO OBTAINING
	<order≥< td=""><td>ORDER OF THE</td><td>ORDER OF</td></order≥<>	ORDER OF THE	ORDER OF
	THE COURT	COURT.	THE COURT.
	OBJECTION BY	BY	[space]
	PROSECUTION		
CAREY; I	CAREY. I	M ^R CAREY: WE	
OBJECT TO	OBJECT {TO} ^p	OBJECT TO	OBJECT TO
THIS	THIS	THIS	
AFFIDAVIT	AFFIDAVIT	AFFIDAVIT	AFFIDAVIT

^{292.} Rogerson's hand symbol.

BEING READ	BEING READ	BEING READ	BEING READ
BEFORE THE	BEFORE {THE} ^p	BEFORE THE	BEFORE THE
JURY;	JURY AT THIS	JURY AT THIS	JURY AT THIS
	TIME ²⁹³	TIME; IT IS ONLY	TIME.
		THE AFFIDAVIT	
		OF A BY M ^R	
	<suth></suth>	SUTHERLAND:	SUTHERLAND
IT IS ONLY AN	IT IS ONLY	IT IS ONLY THE	IT IS ONLY THE
AFFIDAVIT OF	AFFIDAVIT OF	AFFIDAVIT OF	AFFIDAVIT OF
A PHYSICIAN	A PHYSICIAN	A PHYSICIA L N	PHYSICIAN
THAT	THAT	THAT	THAT
BRIGHAM	BRIGHAM	BRIGHAM	BRIGHAM
YOUNG AND	YOUNG	YOUN F G AND A	YOUNG AND
GEORGE A.	GEORGE A	ND GEORGE A.	GEORGE A
SMITH	SMITH TO HIS	SMITH	SMITH
	KNOWLEDGE		
ARE TOO	ARE IN TOO	ARE NOW TOO	ARE NOW/IN[?]
FEEBLE TO	FEEBLE STATE	FEBLE TO KA	TOO FEEBLE TO
MAKE THE	MAKE	MAKE THE	MAKE
JOURNEY	JOURNEY	JOURNEY	JOURNEY
		HERE.	HERE.
		AND HA VE	[space]
		GIVEN NOTICE	
		THIS MORNING	
		TO THE	
		DISTRICT	
		ATTORNEY OF	
		THEIR	
		A EXAMINATION	
		IN SALT LAKE	
		TO-MORROW,	
		COMMENCING	
		AT I2 O'CLOCK,	
		AND OFFER THO	
		PAY THE	
		EXPENSES OF	
		THE ATTORNEY.	
	INVOLVING[?]		
HERE AS	HERE AS		
WITNESSES.	WITNESSES.		
COURT: IF	BY COURT IF	BY THE COURT:	
THAT IS THE	THAT IS {THE} ^p	IF THAT IS THE	

 $^{293.\,\}mathrm{``AT}$ THIS TIME" apparently added later.

RS

BT

SUM AND	SUM AND	SU J M AND	
SUBSTANCE OF	SUBSTANCE OF	SUBSTANCE OF	
IT IT WOULD BE	IT IT WOULD BE	IT, IT WOULD BE	
NECESSARY	NECESSARY/UNN	UNNECESSARY	
	$ECESSARY[?]^{294}$		
TO READ IT.	TO READ IT	TO READ IT . .	
BASKIN: IN	BASKIN	BY M ^R BASKIN:	BASKIN THE
GETTING AN	MAKING	TO MAKE AN	MAKING OF
AFFIDAVIT BE	AFFIDAVIT BY	AFFIDAVIT BY	AFFIDAVIT BY
TELEGRAM IS A	TELEGRAM IS	TELEGRAM IS IS	TELEGRAM
NOVEL	$\{\mathbf{A}\}^p$ NOVEL	A NOVEL	A NOVEL
PROCEEDING,	PROCEEDING	AFFAIR THAT	AFFAIR THAT
AND ONE I HAVE	I HAVE	I HAVE	I HAVE
NEVER	NEVER YET	NEVER	NOT
HEARD OF	HEARD OF	HEARD OF	HEARD OF.
BEFORE.	BEFORE.	BEFORE BY M ^R	
SUTHERLAND:	SUTHERLAND	SUTHERLAND:	SUTHERLAND
AND BECAUSE	IT IS BECAUSE	IT IS BECAU Z SE	[space]
HE NEVER	{HE} ^p NEVER	HE NEVER	
HEARD OF IT	HEARD OF IT	HEARD OF IT	
BEFORE IT MUST	BEFORE IT MUST	BEFORE IT MUST	
THEREFORE BE	THEREFORE BE	THEREFORE BE	
INADMISSIBLE.	INADMISSIBLE	INADMISSIBLE.	
NO	HE STATES NO	NO	
LEGAL	LEGAL	LEGAL	
PRINCIPLE	PRINCIPLE THAT	PRINCILPE	
IS VIOLATED,	IS VIOLATED	IS VIOLATED	
NOR CAN THERE	NO PRINCIPLE IS		
BE ANY ^[312]	VIOLATED BY IT	BY IT	
OBJECTION TO			
ITS BEING READ,			
UNLESS HE	UNLESS HE	UNLESS HE	
DOUBTS THE	DOUBTS THE	DOUBTS THE	
VERITY OF THE	VERITY OF THE	VERITY OF THE	
THE FOR LAC TO		TELL TOP 13.6	1

RS

BT

PS

RT

TELEGRAM. IF

SO, I CAN CALL

OPERATOR AND

CORRECTNESS

SHOW THE

OF THE

THE

TELEGRAM

I CAN CALL

SHOW THE

OPERATOR AND

CORRECTNESS

{THE}^p

OF THE

TELEGRAM..

I CAN CQALL

OPERATOR TO

CORRECTENNES

PROVE THE

S OF IT.

THE

I CAN CALL

PROVE THE TELEGRAM

THE WITNESSES

OPERATOR TO

CORRECTNESS OF IT. [space]

^{294.} Word is written "NSR", there are no vowels.

COMMUNICATIO	COMMUNICATIO		
N.	N.	BY THE COURT: IF YOU PROVE BY A NOTARY PUBLIC THAT IT	IF YOU PROVE BY NOTARY PUBLIC THAT IT
		WAS VARIFIED AND ALL THOSE	WAS FORWARDED[?] AND ALL THOSE
BASKIN: TO SHOW THE CORRECTNESS OF THE COMMUNICATIO N YOU WOULD	BASKIN TO SHOW THE CORRECTNESS OF THE CORRECTION YOU WOULD	THINGS——	THINGS.
HAVE TO PROVE OR SWEAR THE PERSONS WHO WENT TO THE TELEGRAPH	HAVE TO PROVE AND SWEAR THE PERSONS WHO WENT TO THE TELEGRAPH		
OPERATOR DID IT CORRECTLY, AND ALL THESE THINGS CANNOT BE	OPERATOR DID HE/—[?] IT CORRECTLY. AND ALL THESE THINGS IT CAN'T BE		
DONE.	DONE. SOME THINGS MUST BE TAKEN FOR GRANTED	nP	
JUDGE SUTHERLAND. ARGUED AS TO	HERE	BY M ^R SUTHERLAND: HERE	HERE
THE RELEVANCY OF THE READING	IS TELEGRAM	IS A TE N LEGRAM THAT COMES	IS A TELEGRAM THAT COMES
OF THE AFFIDAVITS WHICH BASKIN	WITH LEGAL/REGULAR [?] JURAT TO IT	WITH A REGULAR JURAT TO IT;	WITH A REGULAR JURAT TO IT
STRENUOUSLY OPPOSED.	OFFICER INSCRIBING IT WITH	OFFICERS SUBSCRIBING TO IT WITH	SUBSCRIBE IT[?] WITH A
	TITLE ETC.	WITH A TITLE THAT DOES	TITLE THAT

Г		
	ENTITLE HIM	ENTITLES HIM
	TO	TO
		SCRIBE/DESCRIB
		E[?]
	ADMINISTER	ADMINISTER AN
	THE OATH;	OATH
CAREY COURT		
WILL SEE THIS		
THEN THE COPY		
OF THE		
AFFIDAVIT IS		
ON FILE		
PROBABLY IF		
THERE IS ONE	VIII V G III V II	≼SUTHERLAND➤
IT IS THE	IT IS THE	IT IS THE
ORIGINAL	ORIGINAL	ORIGINAL
AFFIDAVIT	AFFIDAVIT. IT IS	AFFIDAVIT IT IS
	AS SUBSCRIBED.	AS SUBSCRIBED
	IT IS BY THE	IT IS BY THE
SUTHERLAND	WITNESS AND	WITNESS AND
CERTIFIED BY	CERTIFIED BY	CERTIFIED BY
NOTARY	THE NOTARY.	THE NOTARY =
UNDOUBTEDLY		
WILL BE		
PLACED ON FILE		
HERE IS TRAIL		
IN PROGRESS	THE	WWW IEGGEG
WITNESS	WITNESSES ARE	WITNESSES
TWO HUNDRED	TWO HUNDRED	250
MILES	AND FIFTY MILES ABSENT	MILES
ABSENT WHO	DISTANT, AND	ABSENT AND
COULD BE HERE	COULD BE HERE	COULD BE HERE
IF THEY WERE	IF THEY WERE	IF
IN HEALTH	IN HEALTH. [127]	IN HEALTH
THEY	THEY HAVE	THEY HAVE
RESORTED	RESORTED TO	RESORTED TO
ONLY	THE ONLY	THE ONLY
MODE OF	MODE OF	MODE OF
COMMUNICATIO	COMMUNICATIO	COMMUNICATIO
N [[14]]	N THAT THE	N THAT THE
CIRCUMSTANCE	CIRCUMSTANCE	CIRCUMSTANCE
S ADMIT OF	S ADMIT OF;	S. ADMIT TO
RESORTED TO	RESORTED TO	[space]

THAT MODE	THAT MODE	
	THAT	THAT
EVERYBODY	EVERYBODY	EVERYBODY
IN	UNDER THE	IN THE
	MOST	MOST
IMPORTANT	IMPORTANT	IMPORTANT
CONCERNS	CONCERNS—	CONCERNS
RESORT IN	RESORT TO IN	RESORT TO IN
EMERGENCIES	EMERGENCIES.	EMERGENCIES
THERE IS NO	THERE IS NO	THERE IS NO
MORE	MORE	MORE TO ²⁹⁵
SUSPICION TO	SUSPICION TO	SUSPICION
BE ATTACHED	BE ATTACHED	
TO THIS	TO THIS	
AFFIDAVIT	AFFIDAVIT	
THAN THERE	THAN THERE	THAN ANY
WOULD BE ON	WOULDBE ON	ON
ANY OTHER	ANY OTHER	OTHER
SUBJECT. IT IS	SUBJECT. IT IS	SUBJECT IT IS
AN	AN	AN
EMERGENCY	EMERGENCY.	EMERGENCY
CONSIDERING	CONSIDERING	CONSIDERING
≼THE ≥	THE	THE
IMPORTANCE	I N MPORTANCE	IMPORTANCE
OF THE	OF THE	OF THE
TESTIMONY OF	TESTIMONY OF	TESTIMONY OF
	THE	THE TWO
WITNESSES IN A	WITNESSES IN A	WITNESSES IN A
CASE WHERE	CASE WHERE A	CASE WHERE A
MAN'S LIFE IS	MAN'S LIFE IS	MAN'S LIFE IS
AT STAKE;	AT STAKE.	AT STAKE
,	WHEREAS	[space]
RULES THAT	WITHOUT	RULES THAT
HAD THEIR	THEY HAD THE	HAD THEIR
ORIGIN	ORIGINAL	ORIGIN
BEFORE	BEOFORE THE	BEFORE THE
TELEGRAPH	TELEGRAPHS	TELEGRAPHS
HAVE LITTLE	HAD LITTLE	HAVE LITTLE
APPLICATION.	APPLICATION.	APPLICATION
THE COMMON	THE COMMON	AND COMMON
LAW IS HERE	LAW IS SO	LAW IS SO
FLEXIBLE	FLEXABLE THAT	FLEXIBLE THAT

295. Word possibly erased.

RT

RS

BT

KI KS DI IS	RT	RS	BT	
-------------	----	----	----	--

IT READILY	IT READILY	IT READILY
ADAPTS ITSELF	ADAPTS ITSELF	ADAPTS ITSELF
TO NEW	TO NEW	TO
CIRCUMSTANCE	C SITUATIONS,	
S NEW	AND NEW	NEW
SITUATIONS	CIRCUMSTANCE	CIRCUMSTANCE
NEW	S AHD NEW	S NEW
WANTS. <the< td=""><td>WANTS. THE</td><td>WANTS</td></the<>	WANTS. THE	WANTS
COMMON	COMMON LAW	COMMON LAW
HAS ADAPTED	HAS ADAPTED	HAS ADAPTED
ITSELF {TO} ^p >	ITSELF TO	ITSELF [space]
COMMUNICATIO	COMMUNICATIO	COMMUNICATIO
NS BY	NS BY	NS BY
TELEGRAPH	TELEGR A PH,	TELEGRAPH
WHICH ARE	WHICH ARE	ARE
ADMITTED	ADMITTED	ADMITTED
DAILY IN	DAILY IN	DAILY
COURT FOR	COURTS FOR	
WHAT THEY	WHAT THEY	
PURPORT TO BE	PURPORT TO BE	
	AND ARE	
ENTITLED TO	ENTITLED TO	IS ENTITLED TO
SAME	THE SAME	THE SAME
CONSIDERATIO	CONSIDERATIO	CONSIDERATIO
N, AS LETTERS	N AS LETTERS	N AS LETTERS
COMING BY	COMING BY	COMING BY
POST. WE MAKE	POST. WE MAKE	POST
THIS AS THE	THIS AS THE	
BEST SHOW	BEST SHOWING	
UNDER THE	UNDER THE	
CIRCUMSTANCE	CIRCUMSTANCE	
S CAN BE	S THAT CAN BE	
MADE WE	MADE AND WE	WE
HAVE GIVEN	HAVE GIVEN	HAVE GIVEN
THEM THE	THEM	THEM
NOTICE, TO	NOTICE TO	NOTICE [[11]] TO
APPEAR	APPEAR AND	APPEAR AND
EXAMINE	EXAMINE THE	EXAMINE
WITNESSES;	WITNESSES AND	WITNESSES ASK
OFFER TO PAY	OFFER TO PAY	OFFER TO PAY
ALL	THE	
INCIDENTAL	INCIDENTAL	
EXPENSES AND	EXPENCES AND	EXPENSES AND
WE ASK THIS	WE ASK THIS	WE ASK THIS

SANCTION OF	SANCTION OF	SANCTION OF
THE COURT	THE COURT	THE COURT
THAT THEY	THAT THEY	THAT THEY
MAY BE PLACED	MAY BE FORCED	MAY BE FORCED
UNDER	UNDER THE	TO APPEAR
SOME/SAME[?]	SAOME	THERE.
OBLIGATION,	OBLIGATIONS	
AND APPEAR	TO APPEAR	
AND ATTEND	AND ATTEN F D	
TO THE	TO THE	
INTEREST OF	INTEREST OF	
THE	THE	
GOVERNMENT	GOVERNMENT	
IN THAT	IN THAT	
EXAMINATION	EXAMINATION.	
THAT IT MAY		
NOT BE CAUSE		
APPEAR[?].		
WHEN THAT	WHEN THAT	WHEN THAT
DEPOSITION	DEPOSITION	DEPOSITION
ARRIVES HERE	ARRIVES HERE;	ARRIVES HERE
WE INTEND TO	WE INTEND TO	WE INTEND TO
HAVE IT COME	HAVE IT COME	HAVE IT COME
HERE ²⁹⁶ WITH	HERE,	HERE
SUCH	,	
CIRCUMSTANCE		
S ANNEXED/—[?]		
INDICATING[?]		
WHEN IT IS		
BROUGHT AS		
TESTIMONY TO		
THIS JURY THEY	SO THAT THEY	THAT COUNSEL
WILL HAVE NO	WILL HAVE NO	HAVE NO
PROPER	PROPER	PROPER
GROUND OF	GROUNDS OF	GROUNDS OF
OBJECTION TO	OBJECTION TO	OBJECTION TO
IT. BY COURT <a< td=""><td>IT. BY COURT:</td><td>IT. [space] COURT</td></a<>	IT. BY COURT:	IT. [space] COURT
LONG	A LONG	A LONG
ESTABLISHED	E X STABLISHED	ESTABLISHED
RULE THAT>	RULE IS THAT	RULE THAT
NO	NO	NO

BT

PS

RT

RS

^{296.} An insertion line is drawn from this point to after second symbol of next line; contents of insertion are unclear, possible first two symbols of that line, "TO THIS JURY".

RT	RS	BT	PS

DEPOSITION	DEPOSITIONS	DEPOSITION
CAN BE READ =	CAN BE READ	CAN BE READ
WITH REGARD	WITH REGARD	CHIV BE REHE
TO CRIMINAL	TO CRIMINAL	
TRIALS) < LONG	TRIALS—LONG	AND LONG
ESTABLISHED>	ESTABLISHED	ESTABLISHED
NOT ONLY IN	NOT ONLY IN	NOT ONLY IN
THIS COUNTRY	THIS COUNTRY	THIS COUNTRY
BUT	BUT IN	BUT IN
ENGLAND FOR	ENGLAND FOR	ENGLAND FOR
GENERATIONS	GENERATIONS.	GENERATIONS
THAT HAS BEEN	THAT HAS BEEN	[space]
THE RULE BUT	THE RULE TO&	[space]
NO < NEVER >	NEVER	NO
CHANGED ≤A	CHANGES A	CHANGE IN THE
RULE≥	NEW RULE	RULE
EXCEPT BY	EXCEPT BY	EXCEPT BY
STATUTE. THAT	STATUTE;	STATUTE
STATUTE. TILKI	TH ATE STATUTE	THAT
MAKES	ONLY MAKES	ONLY MAKES
CHANGE AND	THE CHANGE;	CHANGE IN THE
OR WHEN	OR WHEN	PRESENCE OF
THE	THE	PARTY <or< td=""></or<>
PARTIES	PARTIES	WHEN PARTIES
GIVE THEIR	MAKE	MAKE
CONSENT IN	CONSENT IN	CONSENT>.
PRESENCE	THE PRESENCE	CONDENT?.
OF PARTIES. IN	OF PARTIES. IN	
THIS CASE IT	THIS CASE IT	
CAN BE MADE	CAN BE MADE	
IN	IN THE	
PRESENCE OF	PRESENCE OF	
PARTIES THE	PARTIES.—THE	
GOVERNMENT	GOVERNMENT	GOVERNMENT
	**	
=		
	,	· · · · · · · · · · · · · · · · · · ·
SUGGESTED>		
THERE IS NO	THERE IS NO	THERE IS NO
GROUND <in< td=""><td>GROUND IN</td><td>GROUND IN</td></in<>	GROUND IN	GROUND IN
OFFICERS ARE HERE <and consent="" course<="" give="" refuse="" td="" their="" they="" to=""><td>OFFICERS WHICH ARE HERE, AND BUT THEY REFUSE TO GIVE THEIR CONSENT, OF COURSE</td><td>OFFICERS ARE HERE AND THEY REFUSE TO GIVE THEIR CONSENT; OF COURSE</td></and>	OFFICERS WHICH ARE HERE, AND BUT THEY REFUSE TO GIVE THEIR CONSENT, OF COURSE	OFFICERS ARE HERE AND THEY REFUSE TO GIVE THEIR CONSENT; OF COURSE

RT	RS	BT	PS

THE WORLD>	THE WORLD	THE WORLD
WHEREBY I	UPON WHICH I	UPON WHICH I
COULD GRANT	COULD GRANT	CAN GRANT IT.
IT.	THE	CIN ORANI II.
SUTHERLAND	APPLICATION.	
<court≥ i<="" td=""><td>I</td><td>I</td></court≥>	I	I
HAVE DECIDED	HAVE DECIDED	HAVE DECIDED
THIS QUESTION	THIS QUESTION	THIS QUESTION
ITSELF AND	[128] ITSELF AND	ITSELF AND
HEARD	HEARD	MAY ASK HEAR
THE	THE	WITT ASK IILAK
ARGUMENTS	ARGUEMENTS	ARGUMENTS
THOOMENTS	BY M ^R	ITSELF. [space]
SI	SUTHERLAND: I	SUTHERLAND I
WISH TO MAKE	WISH TO MAKE	WISH TO MAKE
SOME MORE	SOME	
REMARKS>	REMARKS. BY	REMARKS
TELIVII HUXO	THE COURT:	COURT
YOUR REMARKS		
		·=
	' '	
	_	
. ,		
REMARK	REMARK	
SUTHERLAND		
	I DID	
	NOT	
YOUR HONOR	YOUR HONOR	
WOULD PUT	W O ULD PUT	
THE	THE	
CONSTRUCTION	CONSTRUCTION	
UPON IT	UPON IT THAT	
	YOU HE DID	
OF TAKING		
YESTERDAY. SUTHERLAND SE I COULD NOT APPREHEND YOUR HONOR WOULD PUT THE CONSTRUCTION UPON IT EXPENSES/NFS[?]	YOUR REMARKS SHOULD HAVE BEEN MADE BEFORE I DECIDED IT. BY M ^R SUTHERLAND: I MADE NO ARGUEMENT UPON THIS EXCEPT A PASSING PASSING REMARK YESTERDAY. I DID NOT APPREHEND YOUR HONOR WOULD PUT THE CONSTRUCTION UPON IT THAT	REMARKS SHOULD HAVE BEEN MADE BEFORE RULING [space]

TESTIMONY, IF		
HE HAD		
OFFERED TO SO		
DO WOULD BE		
OPTIONAL WITH		
THEM ≤ BY	BY THE	
COURT➤	COURT:	COURT IT IS
VIRTUALLY IT	CVIRTUALLY IT	VIRTUALLY IT
IS OPTIONAL	IS OPTION S AL	IS OPTIONAL
WITH THEM	WITH THEM	
WHEN THEY	WHEN THEY	WHEN THEY
ARE 230	ARE TWO 230	ARE 230
MILES AWAY	MILES AWAY;	MILES AWAY
	OTHERWISE	OTHERWISE
	YOU FORCE THE	YOU FORCE
	GOVERNMENT	GOVERNMENT
	TO SECURE	TO SECURE
	THEIR	THEIR
	PRESENCE.	PRESENCE
	THERE . BY M ^R	[space]
S. SUTHERLAND	SUTHERLAND:	SUTHERLAND
PEOPLE OF	THE PEOPLE OF	THE PEOPLE OF
TERRITORY	THE TERRITORY	THE TERRITORY
OF UTAH IN THIS	OF UTAH IN THIS	OF UTAH IN THIS
TERRITORY ARE	TERRITORY ARE	TERRITORY ARE
THERE WE	THERE AND WE	THERE AND WE
OFFER TO PAY	OFFER TO PAY	OFFER TO PAY
ALL	ALL	ALL THE
EXPENSES	EXPENCES.	EXPENSES.
CONNECTED		[space]
BY COURT	BY THE COURT:	COURT ²⁹⁷ [space]
	IF YOU OFFER	
TO PAY ALL	TO PAY ALL THE	
EXPENSES OF	EXPENCES OF	
TRIAL IT	THE TRIAL IT	
WOULD NOT	WOU L D NOT	
MATTER	MATTER; THAT	THAT
	PART OF IT	PART OF IT
	WOULD NOT	WOULD NOT
	CHANGE THE	CHANGE
	SITUATION OF IT	SITUATION
BY COURT I	AT ALL. I	AT ALL. [space]

297. Word is circled.

RT

RS

BT

RT	RS	BT	PS

,			
	HAVE NO	HAD NO	
	OBJECTIONS	OBJECTIONS TO	
	IN	YOUR	
	COMMENTING	COMMENTING	
		UPON THE	
		MATTER	
	BEFORE COURT	BEFORE I	
	DECIDED[?]	DECIDED IT. BY	
	<i>TO</i> [?]	$\mathbf{M}^{\mathbf{R}}$	
	SUTHERLAND	SUTHERLAND:	SUTHERLAND
	BY SOME	BY SOME	BY SOME
	INFIRMITY	INFIRMITY THAT	INFIRMITY THAT
	BELONGS TO ME	BELAONGS TO	BELONGS TO ME
	IN COMMON	ME IN COMMON	IN COMMON
	WITH	WITH	WITH
	EVERYBODY	EVERY BODY	EVERY BODY
	ELSE I CAN	ELSE, I CAN	ELSE I CAN
	ONLY SPEAK	ONLY SPEAK	ONLY SPEAK
	SUCH THINGS	SUCH THINGS	SUCH THINGS
	AS [[15]] OCCUR	AS OCCUR	AS OCCUR
	TO ME THIS	TO ME.	TO ME
	STATUTE <the< td=""><td>TO WIL.</td><td>TOWIL</td></the<>	TO WIL.	TOWIL
	NECESSITY	A NECESSITY	THE NECESSITY
	OF	OF	OF
	COMMENTING	COMMENTING	COMMENTING
	UPON THIS	UPON THIS	UPON THIS
	STATUTE AS IT	STATUTE AS IT	STATUTE AS
	NOW OCCURS	NOW OCCURS	NOW OCCURS
	TO ME.> THE	TO ME THE	TO ME.
	STATUTE IS	STATURE IS, "	STATUTE IS
	"WHEN IT IS NOT	WHEN IT IS NOT	"WHEN IT IS NOT
	REASONABLE	REASONABLE	REASONABLE
	THAT A	THAT THE	&C. [space]
	WITNESS CAN	WITNESS CAN	
	BE PRESENT AT	BE PRESENT AT	
	THE TRIAL HIS	THE TRIAL, HIS	
	DEPOSITION	DEPOSITION	
	MAY BE TAKEN	MAY BE TAKEN	
	IN THE	IN THE	
	PRESENCE OF	PRESENCE OF	
	PARTIES OR	THE PARTIES OR	
	WITHOUT THEIR	WITHOUT THEIR	
	PRESENCE HAVE	PERESENCE."	
	TREBETTEE THITTE		

NOW I	NOW I	NOW I
REGARD THAT	REGARD THAT	REGARD THAT
PROVISION AS	PROVISION AS	PROVISION AS
OBLIGATORY,	OBLIGATORY	OBLIGATORY
WHEN THE	WHEN THE	WHEN THE
CIRCUMSTANCE	CIRCUMSTANCE	CIRCUMSTANCE
S EXIST TO	S EXI C ST TO	S EXIST TO
RENDER IT NOT	RENDER IT NOT	RENDER IT NOT
REASONABLE	REASONABLE	REASONABLE
←THAT THE>	THAT THE	THAT THE
WITNESS BE	T WITNESS BE	WITNESS BE
PRESENT AT	PRESENT AT	PRESENT AT
THE TRIAL, AND	THE TRIAL AND	THE TRIAL AND
THAT THE	THAT THE	THAT THE
WORD "MAY"	WOR N D "MAY"	WORD MAY
HERE IS UNDER	HERE IS UNDER	IS UNDER
≼ALL THE>	ALL THE	ALL THE
RULES OF	RULES OF	RULES OF
CONSTRUCTION	CONSTRU N CTIO	CONSTRUCTION
APPLICABLE	HN APPLICABLE	APPLICABLE
TO LIKE WORDS	TO LIKE WORDS	TO LIKE WORDS
IN	IN	[[12]] IN
STATUTES	STATUTES	STATUTES
WHERE THE	WHERE THE	WHERE THE
PUBLIC	PUBLIC	PUBLIC
INTEREST IS	INTEREST S IS	INTERESTS ARE
CONCERNED OR	CONCERNED AS	CONCERNED.
WHERE THE	WHERE THE	[space]
INTEREST OF	INTEREST OF	
INDIVIDUALS	INDIVIDUALS	
ARE	ARE IS	
CONCERNED,	CONCERNED	
POWER	ARGUED BY M ^R	
GRANTED TO	SUTHERLAND.	
OFFICER BY[?]		
COUNSEL[?] IS		
MANDATORY		
WHEREVER		
COURT IS		
SATISFIED		
WITNESS CAN'T		
ATTEND HIS		
TESTIMONY IS		
MATERIAL THEN		

N.I	RS	5.	
	THE COURT		
	MAY MAKE IT		
	OBLIGATORY		
	UPON THE		
	OPPOSITE TO		
	ATTEND IN		
	TAKING OF THE		
	DEPOSITION		
	AND TO BE		
	BOUND BY IT IF		
	THEY ELECT		
	NOT TO		
	ATTEND IF		
	OTHER		
	CIRCUMSTANCE		
	S EXIST TO		
	MAKE IT		
	CONVENIENT TO		
	TAKE		
	TESTIMONY		
	WITHOUT		
	PRESENCE OF		
	EITHER PARTY		
	IT MAY BE SO		
	TAKEN THAT		
	CLAUSE WAS		
	UNDOUBTEDLY		
	READ IN		
	WITHOUT		
	PRESENCE OF		
	PARTY IF IT BE		
	WITHOUT TO OBVIATE THE		
	OBJECTION		
	THAT MAY		
	ARISE UNDER		
	CONSTITUTION		
	OF UNITED		
	STATES.		
	CONSTITUTION		
	OF THE UNITED		
	STATES MAKES		
	IT OBLIGATORY		
	ALL TESTIMONY		
L	TEE TEETHIOTT	1	

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IN A CRIMINAL		
SHALL BE		
GIVEN IN		
PRESENCE OF		
THE ACCUSED		
THEREBY IT		
REQUIRES A		
WAIVER ON HIS		
PART TO TAKE		
TESTIMONY		
OTHERWISE IT		
HAS NO		
REFERENCE TO		
THE		
GOVERNMENT		
OO (EIL III EI I I		
BY COURT I	BY THE COURT:I	COURT ²⁹⁸ I
DO/DID[?] NOT	CON COIVE SIDE	CONCEIVE
SAY =AND	R	
SAITH[?] THAT	THAT	THAT
THE≥ RULE	THE RULE	THE RULE
THERE IS NOT	THERE IS NOT	THERE IS NOT
OBLIGATORY	OBLIGATORY,	OBLIGATORY
BUT THE COURT	AND THE COURT	AND COURT
WOULD NOT	WOULD NOT	WOULD NOT
MAKE IT	MAKE IT	MAKE IT
OBLIGATORY	OBLIGATORY	OBLIGATORY
UPON THE	UPON THE	UPON THE
PARTIES IT	PARTIES . IT	PARTIES IT
ONLY	ONLY ^[129]	ONLY
ATT OWG THE	ATT OWN THE	ATT ONG THE

RS

BT

PS

ALLOWS THIS

UNDER CERTAIN

CIRCUMSTANCE

TO BE DONE

S BUT THE

AUTHORIZE

COURT *HAVE*[?] FORCES THE

STATUTE DOES NOT

298. Word is circled.

ALLOWS THIS

CIRCUMSTANCE

TO BE DONE

IN CERTAIN

S, BUT THE

AUTHORIZE

COURT TO

FORCE

STATUTE

DOESN'T

RT

ALLOWS THIS

UNDER CERTAIN

CIRCUMSTANCE

TO BE DONE

S, BUT THE

STATUTE

DOES NOT

FORCE THE

OAUTHORIZE

THE COURT TO

	RT		BT	PS
--	----	--	----	----

		T
PROSECUTION	PROSECUTION	PROSECUTION
UNDER	UNDER THE	
CIRCUMSTANCE	CIRCUMSTANCE	
S TO HAVE	S TO HAVE	TO HAVE
THESE	THESE	THOSE
DEPOSITIONS	DEPOSITIONS	DEPOSITIONS
TAKEN IN SALT	TAKEN IN SALT	TAKEN AT SALT
LAKE. ≤IN THE	LAKE. IN THE	LAKE
FIRST PLACE≥	FIRST PLACE	FIRST PLACE
THESE	THESE	THESE
AFFIDAVITS	AFFIDAVITS	AFFIDAVITS
COULD HAVE	COULD HAVE	COULD HAVE
BEEN HERE	BEEN HERE	BEEN HERE
SOME DAYS	SOME DAYS	SOME DAYS
AGO. IT COMES	AGO. IT COMES	AGO = COMES
NOW BY	NOW BY	NOW BY
TELEGRAPH	TELEGRAM —	TELEGRAM =
WHETHER	WHETHER	WHETHER IT
TELEGRAM OR	TELEGRAM OR	<i>WOULD</i> [?] =
NOT IT DON'T	NOT IT DON'T	
MAKE ANY	MAKE ANY	
MATTER	DIFFERENCE	
I	BECAUSE I	BECAUSE I
WOULD NOT	WOULD NOT	WOULD NOT
GRANT IT IF	GRANT IT IF	GRANT IT IF
THEIR	THE	THE
AFFIDAVIT WAS	AFFIDAVIT WAS	AFFIDAVIT WAS
HERE BY ITSELF	HERE BY ITSELF	HERE BY ITSELF
WITHOUT THE	OT OR WITH	WITHOUT THE
TELEGRAM.	THE TELEGRAM.	TELEGRAM AND
WHEN MEN	WHEN MEN	WHEN MEN
ANNOUNCE	ANNOUNCE	ANNOUNCE
THEMSELVES	THEMSELVES	THEMSELVES
READY FOR	READY FOR	READY IN A
TRIAL THEY	TRIAL, THEY	TRIAL THEY
KNOW THE	KNEWTHE	KNOW THE
WITNESSES	WITNESSES	WITNESSES
THEY EXPECT	THEY EXPECTED	THEY EXPECT
TO USE AND	TO USE, AND	TO USE. [space]
KNOW	KNEW	
WHETHER OR	WHETHER OR	
NOT THEY	NOT THEY	
ARE IN COURT.	ARE IN COURT.	
IF THE PARTIES	IF THE PARTIES	

RT	RS	BT	PS

AGREE TO IT I	AGREE TO IT, I	
HAVE NO	HAVE NO	
OBJECTION BUT	OBJECTION; BUT	
I NEVER WILL	I NEVER WILL	
FORCE	FORCE THE	
PROSECUTION	PROSECUTION	
TO TAKE	TO TAKE	
TESTIMONY	TESTIMONY	
WHEN THEY	WHEN THEY	
ARE NOT	ARE NOT	
PREPARED TO	PREPARED TO	
TAKE IT IS	TAKE IT AS AS	
TOMORROW	TO MORROW	
MORNING AND	MORNING —	
CONSIDER	OR THR E OUGH	
THIS TRIAL, AND	THIS TRIAL;	
I	AND I	
WOULD NOT	WOULDNOT THE	
EVEN FORCE	N FORCE	
IT THEN EVEN IF	IT, EVEN THEN	
IT WOULD BE	# IT WOULD BE	
POSSIBLE TO DO	POSSIB E LE TO	
IT. PARTIES	D I O IT/. PARTIES	
MUST BE IN [[16]]	MUST BE IN	
COURT, OR	COURT, OR	
PARTIES MUST	PARTIES MUST	
SAY THEY ARE	SAY THEY ARE	
NOT READY FOR	NOT READY FOR	
TRIAL; IF SO	TRIAL, SO , IF SO	
CONTINUANCES	CONTINUAN C E	
WILL BE	WILL BE	
GRANTED.	GR E ANTED.	
THERE IS NO	THERE IS NO	
WORTHY		
≼REASONABLE≥	REASONABLE	
GROUND IN MY	GROUND IN MY	
VIEW FOR	VIEW FOR	
GRANTING	GRANTING	
SUCH	SUCH	
PERMISSION IN	PERMISSION IN	
THIS CASE THE	THIS CASE. THE	
MOTION IS	MOTION IS	
OVERRULED.	OVERRULED.	
[space] BASKIN I	C / Elatober.	
[Space] Brisikii i		

KI	K5	БІ	P5

AFTER WHICH JUDGE SUTHERLAND EMPHATICALLY STATED TO THE COURT THAT HE DESIRED TO FILE THE	REST MAY IT PLEASE YOUR HONOR SUTHERLAND I DESIRE TO FILE THIS TELEGRAM <as argument="" in="" read="" this=""> IN</as>	BY M ^R SUTHERLAND: I DESIRE TO FILE THIS TELEGRAM AS READ IN THIS ARGUEMENT.	SUTHERLAND ²⁹⁹ DESIRE TO FILE THIS TELEGRAM AS READ IN THIS ARGUMENT.
FILE THE TELEGRAM, THEN AND THERE IN THE COURT.	[space] BASKIN IT IS WELL KNOWN RULE OFFICER OF THE GOVERNMENT OF THE UNITED STATES CAN'T RECEIVE MONEY FROM ANY PERSON UNLESS AUTHORIZED BY LAW AND THAT WAY[?] IF THEY RECEIVE IT FULLY[?] ON THEIR OWN PERSONAL ACCOUNT IT	ARGUEMENT.	[space] REPLY AND REMARKS BY BASKIN [space].
	WOULD BE WHOLLY IMPROPER THING FOR ATTORNEYS TO RECEIVE IT FOR		

299. Word is circled.

THE COURT THE COURT SUSTAINED THE OBJECTION OF THE PROSECUTION, TO WHICH RULING JUDGE SUTHERLAND EXCEPTED.	THIS PURPOSE BECAUSE WE HAVE NOT ANY AUTHORITY TO DO IT HE WOULD NOT HAVE ANY AUTHORITY OF/AND[?] PROPRIETY EXCEPT BY SOME PROVISION OF LAW IF PROSECUTION RECEIVED MONEY ANY/IN[?] CONT— /CONDITIONS[?] FACTOR[?] THEY WOULD BE SUBJECT TO CENSURE RMR- N/—[?] OF THEIR DUTY ACTING WITHOUT THE AUTHORITY. INCOMPLY INGOF COURT BY HOGE EXCEPTION TO RULING BY COURT THERE IS	DEFENSE TAKES AN EXCEPTION TO THE RULING OF THE COURT.	DEFENSE TAKES EXCEPTION [space]

RS

BT

	NOTHING MORE		
	TO BE DONE IN		
AFTER WHICH COURT ADJOURNED UNTIL NINE	THIS CASE UNTIL	ADJOURNED TILL	BARTON/BURTON [?] OFFICER SWORN TO TAKE CHARGE OF THE JURY [space] COURT ADJOURNED UNTIL
O'CLOCK TO-MORROW MORNING.	TOMORROW MORNING 9 OCLOCK = [space]	TO-MORROW MONRNING AT 9 O'CLOCK. ——000——	TOMORROW MORNING 9 O'CLOCK [space]
THURSDAY MORNING, NINE O'CLOCK,	THURSDAY, MNG, 9 12, AM.	——THURSDAY MORNING,	THURSDAY
JULY 29TH, 1975.	JULY 29 1875 = [space]	JULY 29 TH , I875. 9 O'CLOCK A.M	JULY 29/75 [space]
	CLERK CALLED NAMES OF THE JURORS BY COURT TO PROSECUTION HAVE YOU ANYTHING FURTHER (WITNESSES) ONE MOMENT NO SIR. BY COURT DEFENSE WILL PROCEED	JURY CALLED. ALL PRESENT.	JURY CALLED ALL PRESENT [space]
SPICER	[space] SPICER	BY M ^R	SPICER TO THE
OFFERED	STICER	SPICER: IF YOUR HONOR PLEASE,	JURY [space]
A MOTION	WE HAVE A MOTION TO PRESENT YOUR	I HAVE A MOTION TO PRESENT WHICH	MOTION TO PRESENT
	HONOR THIS MORNING AS	IS AS	AS

KI	RS	BI	PS

FOLLOWS	FOLLOWS:	FOLLOWS
<second< td=""><td>SECOND</td><td>SECOND</td></second<>	SECOND	SECOND
DISTRICT	DISTRICT	DISTRICT
COURT OF THE	COURT,	COURT
TERRITORY OF	TERRITORY OF	TERRITORY OF
UTAH PEOPLE	UTAH. PEOPLE	UTAH PEOPLE
OF THE UNITED	OF THE UNITED	OF THE UNITED
STATES VS	STATES VS.	STATES
JOHN D. LEE	JOHN D. LEE	JOHN D. LEE
INDICTED	INDICTED	INDICTMENT
WITH	WITH [130] ISAAC	WITH MORE
	C. HAIGHT,	PARTIES[?]
	WILLIAM H.	
	DAME, JOHN M.	
	HI T GBEE,	
	P.K.SMITH ET	
	AL.	
DEFENSE	DEFENDANTS,	DEFENSE
COUNSEL	COUNSEL	COUNSEL
MOVES>	MOVES THE	MOVES
PROCEED TO	1110 (25 1112	1110 (20
READ MOVE		
THIS COURT	COURT	COURT
THAT IT	THAT IT	THAT IT
PROCEED NO	PROCEED NO	PROCEED NO
FURTHER IN	AURTHER IN	FURTHER IN
THE TRIAL	THEHE TRIAL	THE TRIAL
OF THIS CASE	OF THIS CASE	OF THIS CASE
AT THIS TIME,	AT THIS TIME	AT THIS
FOR THE	FOR THE	FOR THE
REASON THAT	REASON THAT	REASON THAT
THERE IS NO	THERE IS NO	THERE IS NO
LEGAL TERM OF	LEGAL TERM OF	LEGAL TERM OF
THE SECOND	THE SECOND	THE SECOND
JUDICIAL	JUDICIAL	JUDICIAL
DISTRICT	DISTRICT	DISTRICT
COURT THE	COURT, AS	DISTRICT
AFORESAID	AFORESAID,	
SECOND	ATOKESAID,	
JUDICIAL		
DISTRICT		
COURT NOW	NOW	NOW
BEING HELD THIS MOTION	BEING HELD. THIS MOTION IS	BEING HELD THIS MOTION IS

	FOUNDED UPON	FOUNDED UPON	FOUNDED UPON
	TOURDED CIOIV	THE	THE
WITH REGARD	PROCLAMATION	PROCLAMATION	PROCLAMATION
TO THE	OF	OF THE	OF THE
GOVERNORS	GOVERNOR	GOVERNOR	GOVERNOR
HAVING FIXED	FIXING THE	FIXING THE	FIXING THE
THE TERMS OF	TERMS OF	TERMS OF	TERM OF
COURTS IN THE	COURTS IN THIS	COURTS IN THE	COURT BOTH
TERRITORY AND	TERRITORY OF	TERRITORY.	FOR
THAT THE		THIS DISTRICT,	THIS DISTRICT
PRESENT TERM			[space]
OF THE			
COURT WAS			
THEN NOT			
BEING HELD			
ACCORDING TO			
THE TERMS AND			
TIME AS			
ORDERED BY			
THE GOVERNOR:			
THE GOVERNOR,	AND THE	AND THE	
	JOURNAL OF	JOURNAL OF	
	SAID COURT; IT	SAID COURT. IT	
	IS SIGNED BY	IS SIGNED BY	
	COUNSEL	THE COUNSEL	
	IN THE CASE	IN THE CASE	551233
	BY COURT	BY THE COURT:	[[13]]
	MOTION	THE MOTION	MOTION
	BE	WILL BE	
	OVERRULED.	OVERRULED.	OVERRULED
	<followed< td=""><td></td><td>[space]</td></followed<>		[space]
	WITH A		r 1
	LECTURE>	BY MR.	
	SUTHERLAND I	SUTHERLAND: I	SUTHERLAND
	DESIRE MORE	DESIRE MORE	DESIRE TO
	PARTICULARLY	PARTICULARLY	HAVE
	TO SHOW	TO SHOW THE	1117 4 17
	GROUNDS OF	GROUNDS OF	
		THIS MOTION I	
	THIS MOTION.		
THE		DESIRE TO	THE
THE	DDOCE ANATION	HAVE THE	THE PROCE AMATION
PROCLAMATION	PROCLAMATION	PROCLAMATION	PROCLAMATION
OF THE	OF THE	THERE	THERE
GOVERNOR WAS	GOVERNOR	REFERRED TO	REFERRED TO

		DUT ON EU E	DUT ON EILE
MADE ON THE	MADE	PUT ON FILE,	PUT ON FILE
MADE ON THE	MADE	MADE ON THE	MADE ON THE
26TH OF JULY	26 DAY JULY	I4TH ODF JULY,	26 ≤14≥ JULY
1875.	1875 FIXING	I87 45 , FIXING	187 5< 4 > FIXING
	TERMS OF THE	THE TERMS OF	TERM OF THE
	COURT FOR	THE COURT IN	COURT IN
	THIS	THIS	THIS
	TERRITORY. I	TERRI R TORY.	TERRITORY
	WISH TO HAVE	THIS IS A	THIS IS A
	CERTIFIED	CERTIFIED	CERTIFIED
	COPY. WE	COPY . WE	COPY WE
	REFER TO	REFER TO THE	REFER TO THE
	JOURNAL OF	JOURNAL OF	JOURNAL OF
	THIS COURT FOR	THIS COURT FOR	THIS COURT FOR
	THE ENTIRE	THE ENTIRE	THE ENTIRE
	YEAR 1875	YEAR, I875, AND	YEAR 1875
	UP TO THIS	UP TO THIS	UP TO THIS
	DATE;	TIME AND	TIME
	DESIRE TO	DESIRE TO	DESIRE TO
	HAVE IT	HAVE IT	HAVE IT
	MENTIONED IN	MENTIONED IN	MENTIONED IN
	MINUTES	THE MINUTES	THE MINUTES
	WHAT WE	THAT WE	THAT WE
	HAVE	HAVE	DO
	REFERRED TO	REFERRED TO.	REFER TO.
MOTION	REFERENCE TO	REFERRED TO.	[space] MOTION
OVERRULED.			OVERRULED
OVERRULED.			EXCEPTION.
	CAREY I	BY M ^R CARY: I	EXCELLION.
	THINK	THINK THE	
	GENTLEMAN	GENTLEMAN	
	MADE	MADE A	
	MISTAKE PERHAPS HE	MISTAKE,	
	·-	PERHAPS HE	
	DID NOT READ	DIDN'T READ	
	IT RIGHT THE	IT RIGHT—THE	
	DATE OF	DATE OF THE	
	PROCLAMATION	PROCLAMATION 16.1974 DISTEAD	
	1874 INSTEAD	IS 1874, INSTEAD	
	OF 1875	OF 1875. BY M ^R	
	SUTHERLAND	SOUTHERLAND:	
	IT IS SO DATED	IT IS SO DATED	
	IN COPY I	IN THE COPY I	
	HAVE	HAVE HEAR	

RT	RS	ВТ	PS
	HERE [[17]]300 CORRECTED BY SUTHERLAND 14 TH DAY OF JULY 1874	HERE. (CORRECTED BY MR. SUTHERLAND TO THE I4TH DAY OF JULY I874.)	[space] FILED WITH THE CLERK [space]

^{300.} Written in longhand at top of the page: {**WELLS SPICER CLOSING FOR DEFENSE.**}^p "CLOSING" written out over "OPENING" or vice versa.