

John D. Lee, First Trial

Jesse N. Smith and  
Silas S. Smith Testimonies

**RT**

**RS**

**BT**

**PS**

<p>[353] FRIDAY MORNING, JULY 30TH 1875. NINE O’CLOCK A.M.</p> <p>JESSE N. SMITH, SWORN FOR DEFENDANT.</p>	<p>[Bk 7 28]344 <b>FRIDAY, MORNING, JULY 30<sup>TH</sup>, 1875. 9AM – 9 15 AM</b></p> <p>NAMES OF JURORS CALLED ALL PRESENT. BISHOP REQUESTED DELAY OF A FEW MINUTES UNTIL JUDGE SUTHERLAND ARRIVED. BY COURT CALL YOUR WITNESS. BY JUDGE SUTHERLAND <b>P F</b> <b>FARNSWORTH</b> [space] <b>P. T.</b> <b>FARNSWORTH,</b> <b>SEN.<sup>R</sup></b> WAS NOT NEAR DID NOT ANSWER. <b>JNO</b> <b>KIRBY</b> WAS SWORN IN AS BAILIFF FOR THE COURT. ≤AND A/THE[?] OFFICER TO TAKE CHARGE OF JURORS.≥ <b>JESSE N. SMITH</b> MR. SMITH I HAVE BEEN SWORN BK/PK[?] G/K[?] THIS</p>	<p>[Bk 5 214 cont.] FRIDAY A.M. JULY 30TH, 1875.</p> <p>JURY CALED , ALL PRESENT.</p> <p>JESSE N. SMITH BEING SWORN AS A WITNESS ON THE PART OF THE DEFENSE</p>	<p>[Patterson Shorthand is not extant for this material]</p>
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344. William Young’s testimony for the defense ends on Bk 7, page 26. Page 27 of Book 7 contains the conclusion of Spicer’s opening argument for the defense out of place, and page 28 returns to the defense witness Jesse Smith.

**RT**

**RS**

**BT**

**PS**

<p>BASKIN:  Q. WHAT IS YOUR FIRST NAME ?  A. JESSE  N. Q. WHERE DID YOU RESIDE IN 1857 ? A.  PAROWAN. Q. WERE YOU EVER ACQUAINTED WITH WILLIAM H. DAME ? A. I WAS. Q. HOW LONG HAD YOU THEN LIVED IN THIS TERRITORY ? A. I CAME INTO THE TERRITORY IN '47. Q. YOU RESIDED HERE FROM THAT TIME 'TILL '57 ?  A. YES SIR. Q. DID YOU KNOW AT THAT TIME OF AN EMIGRANT PARTY PASSING THROUGH THE TERRITORY SOUTHWARD THAT HAS BEEN REFERRED TO AS THE ARKANSAS</p>	<p>MORNING   Q WHAT IS YOUR FIRST NAME BY BASKIN A JESSE  N Q WHERE DID YOU RESIDE IN 1857 ? A  PAROWAN Q WERE YOU THEN ACQUAINTED WITH WILLIAM H DAME A I WAS Q HOW LONG HAD YOU THEN LIVED IN THIS TERRITORY A I CAME &lt;IN&gt; TERRITORY IN 47 Q YOU RESIDED HERE FROM THAT TIME UNTIL 57 A YES SIR Q DID YOU KNOW AT THAT TIME OF AN EMIGRANT PARTY PASSING THROUGH TERRITORY SOUTHWARD, THAT HAS BEEN REFERRED TO AS ARKANSAS</p>	<p>WAS EXAMMINED AS FOLLOWS  BY J. G SUTHERLAND:  Q. WHAT IS YOUR FIRST NAME?  A. JESSE  N. Q. WHERE DID YOU RESIDE IN 1857? A .  PAROWAN. Q. WERE YOU THEN ACQUAINTED WITH WILLIAM H. DAME? A. I WAS. Q. HOW LONG HASD YOU THEN LIVED IN THIS TERRITORY? A. I CAME INTO THE TERRITORY IN 1847. Q. AND YOU HAVE RESIDED HERE FROM THAT TIME TILL '57?  A . YES<del>H</del> SIR Q. DID YOU KNOW AT THAT TIME OF AN EMIGRANT PATRTY PASSING THROUGH THE TERRITORY SOUTHWARD THAT HAS BEEN REFERRED TO AS THE ARKANSAS EMIGRANT</p>	
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**PS**

<p>TRAIN ? A. YES SIR. Q. WHERE WERE YOU WHEN THEY PASSED THROUGH PAROWAN ? A. I WAS AT PAROWAN OR RED CREEK.<sup>345</sup> Q. AND YOU SAW THIS EMIGRANT TRAIN ? A. I DID, I SAW THEM ON THE BOTTOM, CAMPED BELOW RED CREEK, ALSO SAW THEM AT PAROWAN. Q. DID YOU DO ANY TRADING WITH THEM ? ✓ A. I SOLD THEM SOME FLOWER AND SALT. Q. DID YOU OFFER THEM ANY MORE THAN THEY BOUGHT, IF SO STATE THE TRANS-<sup>[354]</sup> ACTION ? ✓ A. WELL I HAD FLOWER TO SPARE AND ASKED THEM IF THEY WANTED ANY MORE, THEY SAID</p>	<p>TRAIN <sup>q</sup>A YES SIR <sup>o</sup>WHERE WERE YOU WHEN THEY PASSED THROUGH PAROWAN ? <sup>A</sup>I WAS AT PAROWAN ←THAT IS→ RED CREEK. <sup>o</sup> YOU SAW THIS EMIGRANT TRAIN <sup>A</sup>I DID, I SAW THEM ON THE BOTTOM, CAMPED, BELOW RED CREEK, ALSO SAW THEM AT PAROWAN <sup>o</sup> DID YOU DO ANY TRADING WITH THEM <sup>A</sup> I SOLD THEM SOME FLOUR AND SALT. <sup>o</sup> DID YOU OFFER THEM ANY MORE THAN {THEY}<sup>i</sup> BOUGHT, IF SO STATE {THE}<sup>i</sup> TRANSACTION  <sup>A</sup>WELL, I HAD FLOWER TO SPARE AND ASKED THEM IF THEY WANTED ANY MORE, THEY SAID</p>	<p>TRAIN? A. YES, SIR. Q. WHERE WERE YOU FWHEN THEY PASSED THROUGH PAROWAN? A. I WAS AT PAROWAN -, THAT IS READ CREEK. Q. YOU SAW THIS EMIGRANT TRAIN? A. I DID; THAT IS I SAW THEM ON THE BOTTOM CAMPED AT REA BELOW RED CREEK, ALSO SAW THEM AT PAROW AN. Q. DID YOU DO ANY TRADING WITH THEM? A . I SOLD THEM SOME FLOWER AND SALT. Q. DID YOU OFFER THEM ANY MORE THAN THEY BOUGHT, IF SO STATE THE <sup>[215]</sup> TRANSACTION?  A. WELL, I HAD FLOWER TO SPARE, AND I ASKED THEM IF THEY WANTED ANY MORE; THEY SAID</p>	
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345. Red Creek is the current town of Paragonah.

**RT**

**RS**

**BT**

**PS**

<p>NOT, THEY WANTED VEGETABLES, BUT I HAD NONE OF THIS TO SPARE. Q. STATE WHAT YOU KNOW OF ANYTHING RESPECTING THERE BEING FURNISHED WITH VEGETABLES ? A. I DO NOT KNOW OF THEIR BEING FURNISHED WITH ANY VEGETABLES. Q. DO YOU KNOW GEORGE A. SMITH ? A. I DO. Q. DID YOU SEE HIM IN SOUTHERN UTAH A SHORT TIME BEFORE THIS TRAIN CAME IN? A. I SAW HIM IN PAROWAN ON THE EIGHTH OF AUGUST; CAME IN FROM THE NORTH. Q. AND WENT WHERE ? A. HE WENT AROUND AMONG THE SETTLEMENTS AND AS FAR SOUTH AS THE SANTA CLARA. Q. STATE</p>	<p>NOT THEY WANTED VEGETABLES BUT I HAD NONE OF THOSE = TO SPARE Q STATE WHAT YOU KNOW OF IN RESPECT TO THEIR BEING FURNISHED WITH VEGETABLES A I DO NOT KNOW OF THEIR BEING FURNISHED ANY VEGETABLES Q DID YOU KNOW GEORGE A SMITH A I DO/DID[?] Q DID YOU SEE HIM IN SOUTHERN UTAH A SHORT TIME BEFORE THIS TRAIN CAME IN A I SAW HIM IN PAROWAN ON THE 8<sup>TH</sup> OF AUGUST, CAME IN FROM THE NORTH Q AND WENT WHERE A HE WENT AROUND AMONG THE SETTLEMENTS AND AS FAR SOUTH AS SANTA CLARA Q STATE</p>	<p>NOT. THEY WANTED VEGRETABLES, BUT I HAD NONE TO SELL—TO SPARE . Q. STATE WHAT YOU KNOW HE E IN RESPECT TO THEIR BEING FURNISHED VEGETABLES? A. I DON'T KNOW OF THEIR BEING FURNISHED ANY VEGRETABLES. Q. DID YOU KNOW GEORGE A. SMITH. A. <b>YESSIR.</b> Q. DID YOU SEE HIM IN SOUTHERN UTAH A SHORT TIME BEFORE THIS TRAIN CAME ALONG? A. I SAW HIM IN PAROWAN ON THE 8TH OF AUGUST; <b>HE</b> CAME IN FROM THE NORTH. Q. AND WENT WHERE? A. HE WENT AROUND AMONG THE SETTLEMENTS <b>N</b> <b>D</b> AND AS FAR SOUTH AS THE SANTA CLARA. Q STATE</p>	
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**PS**

<p>WHETHER YOU ACCOMPANIED HIM ? A. I DID. Q. AND HOW MUCH WERE YOU IN HIS COMPANY DURING HIS JOURNEYINGS SOUTH FROM PAROWAN AND RETURNING ? A. I WAS ONE OF A SMALL PARTY VISITED ALL THE SETTLEMENTS IN HIS COMPANY AND TURNED BACK TO PAROWAN. Q. STATE WHETHER AT THE MEETINGS THAT WERE HELD BY HIM, WHETHER HE TALKED WITH THE PEOPLE HERE AND THERE ? A. I THINK THE MEETINGS WERE HELD AT EVERY SETTLEMENT. Q. STATE WHETHER YOU WERE PRESENT AT THESE MEETINGS ? <sup>[355]</sup> A. I WAS</p>	<p>WHETHER YOU ACCOMPANIED HIM A I DID Q AND HOW MUCH YOU WERE IN HIS COMPANY DURING HIS JOURNEYINGS SOUTH FROM PAROWAN AND RETURNING A I WAS ONE OF A SMALL PARTY, VISITED ALL THE SETTLEMENTS IN HIS COMPANY AND TURNED BACK TO PAROWAN {Q} STATE WHETHER AT THE MEETINGS THAT WERE HELD BY HIM THERE, WHETHER HE TALKED WITH THE PEOPLE HERE AND THERE A I THINK MEETINGS WERE HELD AT EVERY SETTLEMENT {Q} STATE WHETHER YOU WERE PRESENT AT THESE MEETINGS A I WAS</p>	<p>WHETHER OR NOT YOU ACCOMPANIED HIM? A. I DID. Q. AND HOW MUCH YOU WERE IN HIS COMPANY DURNG HIS JOURNEYINGS SOUTH FROM PAROWAN AND RETURNING? A. I WAS ONE OF A SMALL PARTY VISITING ALL OF THE SETTLEMENTS IN HIS COMPANY AND RETURNED BACK TO PAROWAN WITH HIM. Q. STATE WHETHER AT THE MEETINGS THAT WERE HELD BY HIM, WHETHER HE TALKED WITH THE PEOPLE HERE AND THERE? A. I THINK MEETINGS WERE HELD AT EVERY SETTLEMENT. Q. STATE WHETHER OR NOT YOU WERE PRESERNT AT THOSE MEETINGS? A. I WAS</p>	
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**PS**

<p>AT EVERY ONE  Q. STATE  WHETHER AT  ANY, IF SO  WHERE , HE  SAID ANYTHING  ON THE  SUBJECT OF  SELLING THE  PRODUCE OF  THE SETTLERS —  SELLING  THE PRODUCE  TO THE  EMIGRANT  TRAINS — IF  SO WHAT HE  SAID ? {✓}P A. HE  FREQUENTLY  REFERRED TO  THE SUBJECT  OF SELLING  GRAIN FOR  BREAD STUFFS,  BUT  FEEDING IT TO  ANIMALS,  HE DEPRECATED  THAT COURSE; IT  WAS  CUSTOMARY TO  FEED WHEAT TO  HORSES AND  MULES AND  FATTEN HOGS  WITH, BUT HE  SPOKE AGAINST  THAT ALSO  AND SPOKE  AGAINST  SELLING SUCH  GRAIN TO THE  EMIGRANTS  TO  FEED TO THE</p>	<p>AT EVERY ONE  {Q}i STATE  WHETHER AT  ANY, IF SO  WHERE, HE  SAID ANYTHING  ON THE  SUBJECT OF  SELLING THE  PRODUCE OF  THE SETTLERS =  SELLING  THE PRODUCE  TO  EMIGRANT  TRAINS, IF  SO WHAT HE  SAID AHE  FREQUENTLY  REFERRED TO  {THE}i SUBJECT  OF SELLING  GRAIN FOR  BREAD STUFFS  TO HAVE  FEEDING TO  ANIMALS,  DEPRECATED  THAT COURSE.    CUSTOMARY TO  FEED WHEAT TO  HORSES AND  MULES AND  FATTEN HOGS  WITH BUT HE  SPOKE AGAINST  THAT ALSO  AND, SPOKE  AGAINST  SELLING SUCH  GRAIN TO  EMIGRANTS  TO HAVE  FEED TO</p>	<p>AT EVERY ONE.  Q. STATE  WHETHER AT  ANY, AND IF SO,  WHERE; HE  SPOKE  ON THE  SUBJECT OF  SELLING THE  PRODUCE OF  THE SETTLERS  —SELLING  PRODUCE  TO  EMIGRANT  TRAINS , AND IF  SO WHAT HE  SAID? A. HE  FREQUENTLY  REFERRED TO  THE SUBJECT  OF SELLING  GRAIN FOR  BRAED STUFFS;.  AND  FFEDING IT TO  ANIMALS, AND  HE DEPRECATED  THAT COURSE.    CUSTOMARY TO  FEED WHEART  TO HORSES  ANDMULES AND  FATTEN HOGS  WITH, BUT HE  SPOKE AGAINST  THAT ALSO,  AND SPOKE  AGAINST  SELLING SUCH  GRAINS TO  EMIGRANTS  TO HAVE TO  FEED TO</p>	
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**PS**

<p>HORSES ON THE ROAD. HE SAID HE WOULD ✓ CLASS ALL PERSONS. HE DISCOURAGED THE <del>FEEDING</del> OF FEEDING ALL SUCH GRAINS TO HORSES AND EMIGRANTS. Q. WHAT CLASS OF PERSONS WAS IT ? A. HE DIDN'T DISCOURAGE ANY PERSON FEEDING PART GRAIN TO ANIMALS, AND MEANT ALL PERSONS, SETTLERS AS WELL AS EMIGRANTS. ✓ Q. STATE WHETHER UP TO THE TIME OF YOUR RETURNING TO PAROWAN WITH HIM YOU HAD HEARD ANY RUMORS OF THE COMING <del>OF</del> IN OF THIS PARTICULAR TRAIN ? ✓ A. I HAD NOT Q. STATE WHETHER THERE WERE ANY ALLUSIONS IN</p>	<p>HORSES ON THE ROAD Q STATE AS WHAT CLASS OF PERSONS HE DISCOURAGED THE FEEDING OF SUCH GRAINS. <sup>[29]</sup> A TO HORSES AND EMIGRANTS. Q WHAT CLASS OF PERSONS WAS A DIDN'T DISCOURAGE ANY PERSON FEEDING BREAD GRAIN TO ANIMALS &lt;AND HE MEANS&gt; ALL PERSONS SETTLERS AS WELL AS EMIGRANTS CERTAINLY {Q}^1 STATE WHETHER UP TO THE TIME OF YOUR RETURN TO PAROWAN WITH HIM YOU HAD HEARD ANY RUMORS OF THE COMING OF THIS PARTICULAR TRAIN A I HAD NOT {Q}^1 STATE WHETHER THERE WERE ANY ALLUSIONS IN</p>	<p>HORSES ON THE ROAD <sup>[216]</sup> Q. STATE WHAT CLASS OF PERSONS HE DISCOURAGED THE <b>SELLING</b> <del>FEEDING</del> OF SUCH GRAIN TO? A. TO <del>HORSES AND</del> EMIGRANTS. Q. WHAT CLASS OF PERSONS WAS IT? A. HE DIDN'T DISCOURAGE ANY PERSON FEEDING PART GRAIN TO ANIMALS BUT <b>ALL</b> <del>TO</del> PERSONS THAT KEPT <b>STOCK</b> <del>STOS</del> AS WELL AS EMIGRANTS. Q. STATE WHETHER BY THE TIME OF YOUR RETURNING TO PAROWAN WITH <del>THIM</del>, YOU HAD HEARD ANY RUMORS OF THE COMING OF THIS PARTICULAR TRAIN? A. I HAD NOT. Q. STATE WHETHER THERE WERE ANY <del>A</del>LLUSIONS IN</p>	
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PS

<p>SMITHS DISCOURSES TO THIS TRAIN ? A. I NEVER HEARD ANY. Q. DID YOU ACCOMPANY HIM ON ANY PART OF HIS JOURNEY NORTHWARD FROM PAROWAN ON HIS RETURN ? A. I DID NOT. <sup>[356]</sup> ✓ Q. AFTER THIS EMIGRANT TRAIN HAD PASSED SOUTHWARD BEYOND PAROWAN STATE WHETHER YOU WERE SENT BY ANY PERSON TO INQUIRE AFTER THEM, IF SO STATE THE CIRCUMSTANCES CONNECTED WITH THAT AND WHO WENT WITH YOU ? A. AS NEAR AS I CAN REMEMBER IT WAS ON WEDNESDAY THE TENTH DAY OF SEPTEMBER. I WAS HARVESTING</p>	<p>SMITH'S DISCOURSES TO THIS TRAIN <sub>A</sub>I NEVER HEARD ANY {Q}<sup>1</sup>DID YOU ACCOMPANY HIM ON ANY PART OF HIS JOURNEY NORTHWARD FROM PAROWAN ON HIS RETURN <sub>A</sub> I DID NOT. {Q}<sup>1</sup>AFTER THEY THIS EMIGRANT TRAIN HAD PASSED SOUTHWARD BEYOND PAROWAN, STATE WHETHER YOU WERE SENT BY ANY {ONE}<sup>1</sup> PERSON TO INQUIRE AFTER THEM, IF SO &lt;STATE THE&gt; CIRCUMSTANCE S CONNECTED WITH THAT AND WHO SENT YOU <sub>A</sub>AS NEAR AS WHAT I REMEMBER, IT WAS ON WEDNESDAY, 10<sup>TH</sup> DAY OF SEPTEMBER. I WAS HARVESTING</p>	<p>SMITH'S DISCOURCES ABOUT THIS TRAIN? A. I NEVER HEARD OF IT. Q. DIDYOU ACCOMPANY HIM ON ANY PART OF HIS JOURNEY, NORTH FROM PAROWAN ON HIS RETURN? A. I DID NOT. Q. AFTER THIS TRAIN HAD PASSED SOUTHWARD AND BEYOND PAROWAN, STATE WHETHER YOU WERE SENT BY ANY PERSON TO INQUIRE AB OUT THEM; <del>IS</del> IF SO STATE THE CIRCUMSTANCE S CONNECTED WITH THAT AND WHO SENT YOU? A. AS NEAR AS I REMEMBER, IT WAS <del>IN</del> AUGUST—NO, THE I0TH DAY OF SEPTEMBER, WEDNESDAY. I WAS HARVEWSTING</p>	
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**RT**

**RS**

**BT**

**PS**

<p>WHEAT AT RED CREEK FIELD. WHERE WE RAISED WHEAT. THAT NIGHT A YOUNG MAN CAME AND NOTIFIED ME THAT COL. DAME WANTED ME TO GO TO PAROWAN IMMEDIATELY, ON BUSINESS, SO I IMMEDIATELY LEFT THE FIELD AND WENT TO PAROWAN. DAME TOLD ME HE H<del>EAD</del> HEARD THE RUMOR THAT THE EMIGRANT TRAIN THAT</p> <p>RECENTLY PASSED HAD BEEN <del>TTAC</del> ATTACKED BY INDIANS. IT WAS AN INDIAN RUMOR,</p> <p>AND HE ASKED ME TO GO AND ASCERTAIN IF</p>	<p>WHEAT AT RED CREEK FIELD, WHERE WE RAISED WHEAT. THAT NIGHT {A}<sup>i</sup> YOUNG MAN CAME AND NOTIFIED COLONEL A/AND[?] DAME WANTED ME TO GO TO PAROWAN IMMEDIATELY ON BUSINESS, SO I IMMEDIATELY LEFT {THE}<sup>i</sup> FIELD AND WENT TO PAROWAN. DAME, TOLD ME {HE}<sup>i</sup> HAD HEARD {A/THE[?]}<sup>i</sup> RUMOR {THAT THE}<sup>i</sup> EMIGRANT TRAIN <del>←</del>THAT HAD<del>➤</del> RECENTLY PASSED, HAD BEEN ATTACKED BY INDIANS. IT WAS INDIAN RUMOR AT LEAST[?] SURROUNDED/C ONCERNED[?] UPON SUBJECT ASKED ME TO GO ASCERTAIN IF</p>	<p>WHEART AT RED CREEK FIELD WHERE WE RAISED WHEART. THAT NIGHT A YOUNG MAN CAME AND NOTIFIED <b>THAT COL</b> DAME, AND WANTED ME TO GO TO PAROWAN IMMEDIATELY ON BUSINESS, ÐSO I IMMEDIATELY LEFT THE FIELD AND WENT TO <b>PAROWAN.</b> DAME TOLD ME, HE HAD HEARD THE RUMOR THAT THE EMIGRANT TRAIN THAT HAD RECENTLY PASSED HAD BEEN ATTACKED BY THE INDIANS. IT WAS AN INDIAN RUMOR</p> <p>UPON THE SUBJECT, AND HE ASKED ME TO GO AN<b>SD</b> ASCERTAIN IF</p>	
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**RT**

**RS**

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**PS**

<p>SUCH WAS THE CASE AND UPON THAT WE EDWARD DALTON AND I PROCEEDED THE SAME EVENING AS FAR AS CEDAR. WE MADE ENQUIRIES BUT COULD HEAR NOTHING BUT AN INDIAN RUMOR. THE FOLLOWING DAY WE PROCEEDED AS FAR AS PINTO WHERE THE SAME RUMOR WAS CONFIRMED, STATING THAT THE EMIGRANTS WERE UNDOUBTEDLY ATTACKED, BUT THEY ONLY KNEW IT FROM INDIANS, AND THAT THEIR CATTLE WERE BEING TAKEN BY THE INDIANS. THAT THE PARTY HAD CORRALLED THEIR WAGONS AND WERE KEEPING THE INDIANS OFF; THAT WAS THE SUBSTANCE OF</p>	<p>SUCH WAS THE CASE AND COMPANY WITH EDWARD DALTON {AND}<sup>i</sup> I PROCEEDED THE SAME EVENING AS FAR AS CEDAR. WE MADE INQUIRIES, BUT COULD HEAR NOTHING BUT {AN}<sup>i</sup> INDIAN RUMOR. THE FOLLOWING DAY WE PROCEEDED AS FAR AS PINTO, WHERE THE SAME RUMOR WAS CONFIRMED, STATING THAT THE EMIGRANTS WERE UNDOUBTEDLY ATTACKED {BUT THEY}<sup>i</sup> ONLY KNEW IT FROM INDIANS, THAT THEIR CATTLE WERE BEING TAKEN BY INDIANS, THAT THE PARTY HAD CORRALLED THEIR WAGONS AND WERE KEEPING {THE}<sup>i</sup> INDIANS OFF. THAT WAS THE SUBSTANCE OF</p>	<p>SUCH WAS THE CASE; AND IN COMPANY WITH EDWARD DALTON, I PROCEED<del>E</del>D THE SAME EVENING AS FAR AS CEDAR. WE MADE INQUIRIES BUT COULD HEAR NOTHING BUT AN INDIAN RUMOR. THE FOLLOWING DAY WE PROCEEDED AS FAR AS PINTO, WHERE THE SAME RUMOR WAS CONFIRMED, STATEING THA T THE EMIGRANTS WERE UNDOUBTEDLY; <b>ATTACKED</b>, BUT THEY ONLY KNEW IT FROM INDIANS; THAT THEIR CATTLE WERE BEING TAKEN BY THE INDIANS; THAT THE PARTY HAD CORRAL<del>L</del>ED THEIR WAGONS AND WERE KEEPING THE INDIANS OFF. THAT <sup>[217]</sup> WAS THE SUBASTANCE OF</p>	
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RT

RS

BT

PS

<p>THE INFORMATION. Q. DID YOU GO FURTHER ? A. I DID NOT. Q. WHY ? A. I WAS SATISFIED THAT WAS THE STATEMENT OF THE CASE, THAT WAS ALL. BASKIN OBJECTED TO HIS GOING ON.</p> <p>Q. WAS THERE ANY OTHER REASON ASSIGNED TO YOU BY ANY PERSON THERE WHY YOU SHOULD NOT PROCEED FURTHER ? <sup>[357]</sup> A. I WAS TOLD IT WOULD NOT BE SAFE TO PROCEED FURTHER, AS THE COUNTRY WAS FILLED WITH INDIANS. Q. AND YOU RETURNED ? A. I DID. Q. REACHING PAROWAN WHEN ? A THE FOLLOWING MORNING VERY EARLY. ✓ Q. WHAT WOULD THAT BE ? ✓</p>	<p>THE INFORMATION. {Q} DID YOU GO FURTHER A I DID NOT {AND} WHY, AI WAS SATISFIED THAT WAS THE STATEMENT OF THE CASE THAT WAS ALL. BY BASKIN WE OBJECT</p> <p>≡BY COURT≡ GO ON Q WAS THERE ANY REASONS ASSIGNED TO YOU <del>WHY</del> ≡BY≡ ANY PERSON ≡THERE≡ WHY YOU SHOULD NOT PROCEED FURTHER A I WAS TOLD IT WOULD NOT BE SAFE TO PROCEED FARTHER, AS THE COUNTRY WAS FILLED WITH INDIANS Q {AND} YOU RETURNED AI DID. Q REACH{ING} PAROWAN WHEN A THE FOLLOWING MORNING VERY EARLY Q WHAT WOULD {THAT BE} THAT DAY</p>	<p>THE INFORMATION. N. Q. DID YOU GO FURTHER? A. I DID NOT. Q. AND WHY? A. I WAS SATISFIED THAT WAS THE STATE OF THE CASE THAT WAS ALL. M<sup>R</sup> BASKIN : WE OBJECT TO THE LAST ANSWER. BY COURT: GO ON. WQ. WAS THERE ANY REASONS ASSIGNED TO YOU BY ANY PERSON THERE WHY YOU SHOULD NOT PROCEED FARTHER? A. I WAS TOLD IT WOULD NOT BE SAFE TO PROCEED FARTHER, AS THE COUNTRY WAS FILLED WITH THE INDIANS. Q. AND YOU THEN RETURNED? A I DID. Q ARRIVING AT PAROWAN WHEN? A. THE FOLLOWING MORNING, VERY EARLY; THAT WOULD BE</p>	
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**RT**

**RS**

**BT**

**PS**

<p>A. THE MORNING OF FRIDAY, AS NEAR AS MY MEMORY SERVES ME — THAT WOULD BE THE TWELFTH.</p> <p>Q. TO WHOM DID YOU REPORT ?</p> <p>A. I REPORTED THESE FACTS TO COL.DAME.</p> <p>Q. DID COL.DAME MAKE ANY STATEMENT TO YOU ON THE SUBJECT OF THE EMIGRANTS, EITHER WHEN HE SENT YOU OUT OR WHEN YOU RETURNED, EXCEPT WHAT YOU HAVE STATED ? A. I REMEMBER NOTHING FURTHER.</p> <p>CROSS-EXAMINED BY PROSECUTION.</p>	<p>THE <sup>A</sup>MORNING OF FRIDAY. AS NEAR AS MY MEMORY SERVES ME {Q}<sup>i</sup> THAT WOULD BE THE 12<sup>TH</sup> SEPTEMBER {A}<sup>i</sup> I THINK SO {Q}<sup>i</sup> TO WHOM DID YOU REPORT HOW WAS IT {A}<sup>i</sup> I REPORTED THESE FACTS TO COLONEL DAME. [space] Q DID COLONEL DAME MAKE ANY STATEMENT TO YOU {ON}<sup>i</sup> THE SUBJECT {OF}<sup>i</sup> THE EMIGRANTS EITHER WHEN HE <math>\leq</math>SENT<math>\geq</math> YOU OUT OR WHEN YOU RETURNED EXCEPT WHAT YOU HAVE STATED <sup>A</sup>I REMEMBER NOTHING FURTHER.</p> <p><math>\leq</math><b>CROSS EXAMINED</b> {S}<sup>i</sup><u>SUTHERLAND</u> <b>CROSS EXAMINATION BY BASKIN.</b><math>\geq</math> BY SUTHERLAND TO PROSECUTION YOU CAN HAVE</p>	<p>THE MORNING OF FRIDAY AS NEAR AS MY MEMORY SERVES ME. Q. THEN THAT WOULD BE THE 12TH OF SEPTEMBER? A. I THINK SO. Q. TO WHOM DID YOU REPORT AND WHAT? A. I REPORTED THESE FACTS TO COLONEL DAME.</p> <p>Q. DID COL. DAME MAKE ANY STATEMENT TO YOU ON THE SUBJECT OF THE EMIGRANTS , EITHER WHEN HE SENT YOU OUT OR WHEN YOU RETURNED, EXCEPT WHAT YOU HAVE STATED? A . I REMEMBER NOTHING FURTHER.</p> <p>CROSS-EXAMINATION OF JESSE N. SMITH</p> <p>BY M<sup>R</sup> BASKIN:</p>	
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**PS**

<p>Q. DID EITHER YOU OR COL.DAME TAKE ANY STEPS TO RELIEVE THE EMIGRANTS THAT WERE ATTACKED ? A. I DID NOT. Q. DID YOU KNOW OF COL. DAME'S CALLING OUT ANY FORCES OR TAKING ANY STEPS TO DO SO ? A. I DO NOT [space]</p> <p>[358]</p> <p>SILAS S. SMITH, SWORN FOR DEFENDANT. Q. MR. SMITH, WHERE DO YOU</p>	<p>WITNESS Q DID EITHER YOU OR COLONEL DAME TAKE ANY STEPS TO [30] RELIEVE THE EMIGRANTS THAT WERE ATTACKED A I DID NOT Q DID YOU KNOW OF COLONEL DAME'S CALLING OUT ANY FORCES OR TAKING ANY STEPS TO DO SO A I DID NOT. BY PROSECUTION THAT IS ALL MR. SMITH BY COURT CALL YOUR NEXT WITNESS. <b>SILAS S. SMITH</b> [space]</p> <p>BY COURT HAVE YOU BEEN SWORN A NO SIR. <b>SILAS S. SMITH</b> <b>←DEFENSE→</b> Q MR. SMITH WHERE DO YOU</p>	<p>Q. DID EITHER YOU OR COL . DAME TAKE ANY STEPS TO RELIEVE THE EMIGRANTS THAT WERE ATTACKED? A. I DID NOT . Q. DID YOU KNOW OF COL. DAME CALLING OUT ANY HFORSES OFR TAKING ANY STEPS TO SDO SO? A. I DØID NOT.</p> <p>THAT IS ALL, MR. SMITH. [20 218]</p> <p>SILAS S. SMITH BEING <del>SWORN</del> <b>CALLED</b> AS A WITNESS ON THE PART OF THE DEFENDANT WAS EXAMINED AS FOLLOWS BY <b>M<sup>R</sup></b> SUTHERLAND: THE COURT: HAVE YOU BEEN SWORN, MR. SMITH? A. NO, SIR. (WITNESS SWORN)</p> <p>Q. MR. SMITH, WHERE DO YOU</p>	
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**RT**

**RS**

**BT**

**PS**

<p>RESIDE ? A. I LIVE IN PARAGOONAH, IRON COUNTY. Q. HOW FAR IS THAT AND WHICH WAY FROM PAROWAN ? A. ABOUT FIVE MILES THIS SIDE, BETWEEN THERE AND PAROWAN. Q. HOW LONG HAVE YOU LIVED THERE ? A. I HAVE LIVED THERE SINCE THE SPRING OF 11857. Q. HOW LONG BEFORE THAT DID YOU LIVE IN THIS PART OF UTAH TERRITORY ? A. WE CAME TO PAROWAN IN THE FALL OF 1851, OCTOBER 1851. Q. HAVE YOU LIVED IN THIS PART OF THE COUNTRY EVER SINCE ? A. YES SIR, MY RESIDENCE HAS BEEN THERE. Q. DO YOU KNOW GEORGE A. SMITH ? A. YES SIR. Q. DID YOU SEE HIM IN AUGUST 1857 ?</p>	<p>RESIDE ? A I LIVE IN PARAGONAH IRON COUNTY {Q}^i HOW FAR IS THAT WHICH WAY FROM PAROWAN A ABOUT 5 MILES THIS SIDE; BETWEEN THERE AND PAROWAN Q HOW LONG HAVE YOU LIVED THERE A I HAVE LIVED {THERE}^i SINCE SPRING OF '57 Q HOW LONG BEFORE THAT DID YOU LIVE THIS PART OF UTAH TERRITORY A WE CAME {TO}^i PAROWAN {IN THE}^i FALL OF 51, OCTOBER 51 Q HAVE YOU LIVED IN THIS PART OF COUNTRY EVER SINCE A YES SIR. MY RESIDENCE HAS BEEN THERE. Q DO YOU KNOW GEORGE A SMITH A YES SIR {Q}^i DID YOU SEE HIM IN AUGUST 1857</p>	<p>RESIDE? A. I LIVE IN PARAGOONAH, IRON, COUNTY. Q. HOW FAR IS THAT AND WHICH WAY FROM PAROWAN? A. ABOUT FIVE MILES THIS SIDE, BETWEEN THERE AND PAROWAN. Q. HOW LONG HAVE YOU LIVED THERE? A. I HAVE LIVED THERE SINCE THE SPRING OF '57. Q. HOW LONG BEFORE THAT HAD YOU LIVED IN THIS PART OF UTAH TERRITORY? A. WE CAME TO PAROWAAN IN THE FALL OF '51, --- OCTOBER, '51. Q. HAVE YOU LIVED IN THAIS PART OF THE COUNTRY EVER SINCE? A. YES, SIR, AND MY RESIDENCE HAS BEEN THERE. Q. DO YOU KNOW GEORGE A. SMITH? A. YES, SIR. Q Q. DID YOU SEE HIM IN AUGUST, 1857?</p>	
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**RT**

**RS**

**BT**

**PS**

<p>A. YES SIR. Q. WHERE ? A. I SAW HIM AT PAROWAN, TRAVELED WITH HIM FROM PAROWAN TO AND AROUND AND THROUGH SOME OF THE SOUTHERN SETTLEMENTS AND RETURN. Q. HOW FAR DID YOU ACCOMPANY HIM ON HIS RETURN ? A. AS FAR AS CEDAR SPRINGS. Q. IN WHAT COUNTY ? A. IN MILLARD COUNTY. Q. STATE WHETHER YOU ATTENDED SOME OF THE MEETINGS HE HELD IN THE SOUTHERN PART OF THE TERRITORY AND HEARD THE DISCOURSES</p>	<p>A YES SIR. WHERE A I SAW HIM AT PAROWAN, TRAVELED WITH HIM FROM PAROWAN TO AROUND AND THROUGH SOME OF THE SOUTH SETTLEMENTS AND RETURNED. Q HOW FAR DID YOU ACCOMPANY HIM ON HIS RETURN A AS FAR AS CEDAR SPRINGS Q IN WHAT COUNTY A IN MILLARD COUNTY. Q STATE WHETHER YOU ATTENDED SOME THE MEETINGS HE HELD IN THE SOUTH PART OF TERRITORY AND HEARD THE DISCOURSES HE DELIVERED TO THE PEOPLE A I ATTENDED SOME OF THE MEETINGS, PERHAPS {THE} I MOST OF THEM THAT WERE HELD FROM PAROWAN</p>	<p>A. YES, SIR. Q. WHERE? A. I SAW HIM AT PAROWAN, AND TRAVELLED WITH HIM FROM PAROWAN TO AND AROUND ALL THROUGH ALL THE SOUTHERN SETTLEMENTS AND RETURNED. Q HOW FAR DID YOU ACCOMPANY HIM ON HIS RETURN? A . AS FAR AS CEDAR SPRINGS. Q. IN WHAT COUNTY? A. IN MILLARD COUNTY. Q. STATE WHETHER YOU ATTENDED SOME OF THE MEETINGS HE HELD IN THE SOUTH PART OF THE TERRITORY AND HEARD THE DISCOURSES THAT HE DELIVERED TO THE PEOPLE? A. I ATTENDED SOME OF THE MEETINGS, PERHAPS MOST OF THEM THAT WERE HELD, FROM PAROWAN</p>	
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RT

RS

BT

PS

<p>UPON THE SUBJECT OF THE SETTLERS USING THEIR GRAINS AND DISCOURAGING THE SALE OF IT TO ANY PARTICULAR PERSONS OR NOT, OR ANY PARTICULAR USES OF IT— <sup>[359]</sup> STATE WHAT HIS DISCOURSES WERE UPON THAT SUBJECT ?WERE ? <sup>[space]</sup> AND WHAT THE TENOR OF HIS REMARKS WERE ? ✓ A. HE REFERRED TO THE SUBJECT OF GRAIN NOT FEEDING IT TO STOCK, HORSES, AND NOT SELLING THE GRAINS TO BE USED AS FEED, THE WHEAT PARTICULARLY WAS NEEDED FOR BREAD STUFF. Q. HE</p>	<p>THROUGH {THE}<sup>i</sup> SOUTH SETTLEMENTS. Q. I ASK YOU IF YOU HEARD HIM DISCOURSE UPON THE SUBJECT OF THE SETTLERS USE OF THEIR GRAINS, AND DISCOURAGE THE SALE OF IT TO ANY PARTICULAR PERSONS OR NOT, PARTICULAR USES OF IT. STATE WHAT HIS DISCOURSES WERE UPON THAT SUBJECT WERE TENOR OF HIS REMARKS. A. HE REFERRED TO <del>SALE</del> SUBJECT OF GRAIN, NOT FEEDING IT TO STOCK HORSES AND NOT SELLING THE GRAINS TO BE USED AS FEED, THE WHEAT PARTICULARLY <del>WAS NEEDED</del> FOR BREADSTUFF. Q. HE</p>	<p>THROUGH THE SOUTHERN SETTLEMENTS. Q. I ASK YOU KNOW IF YOU HEARD HIM DØISCOURSE UPON THE SUBJECT OF THE SETTLERS USING OF THEIR GRAIN AND DISCOURAGEIN G THE SALE OF <sup>[219]</sup> IT TO ANY PARTICULAR PERSONS OR NOT — PARTICULAR USES OF IT? STATE WHAT HIS DISCOURCES UPON THAT SUBJECT WERE, AND THE TENOR OF HIS REMARKS? A. HE REFERRED TO THE JSUBJEØCT OF GRAIN, NOT TO FEED IT TO STOCK AND HORSES, AND NOT SELL THE GRAIN TO BE USED AS FEED. THE WHEAT PARTICULARLY WAS NEEDED FOR BREADSTUFF. Q. THEN HE</p>	
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**RT**

**RS**

**BT**

**PS**

<p>DISCOURAGED THE SALE OF IT TO BE USED AS FEED — <del>W</del>WAAS THAT IT A. YES, FOR STOCK OR HORSES, BUT TO PRESERVE IT FOR BREAD. Q. HE DISCOURAGED THE USING OF IT BY <del>W</del>GOM WHOM ? A. FEEDING HOGS, HORSES AND STOCK, AND THE SETTLERS, IF I REMEMBER RIGHT, NOT TO BE SOLD FOR THIS PURPOSE, PARTICULARLY WHEAT. Q. IF HE DISCOURAGED THE SALE OF GRAIN TO PERSONS TRAVELING THROUGH THE TERRITORY TO BE USED AS FEED FOR PERSONS, STATE WHAT HE SAID ? A. THE TENOR OF HIS REMARKS—AS FAR AS I REMEMBER WAS TO PRESERVE THE GRAIN,</p>	<p>DISCOURAGED THE SALE OF IT TO BE USED AS FEED WAS THAT <math>\leq</math>WHAT HE<math>\geq</math> SAID <math>\wedge</math>FOR STOCK OR HORSES BUT TO PRESERVE IT FOR BREAD QHE DISCOURAGED THE USING OF IT BY WHOM A FEEDING HOGS HORSES AND STOCK TO THE SETTLERS IF I REMEMBER RIGHT, NOT TO BE SOLD FOR THIS PURPOSE PARTICULARLY THE WHEAT {q}^i IF HE DISCOURAGED THE SALE OF GRAIN TO PERSONS TRAVELING THROUGH THE TERRITORY, TO BE USED AS FEED FOR PERSONS, STATE WHAT HE SAID ? <math>\wedge</math>THE TENOR OF HIS REMARKS AS FAR AS I REMEMBER WAS TO PRESERVE THE GRAIN,</p>	<p>DISCOURAGED THE SELLING OF IT TO BE USED AS FEED? WAS THAT WHAT HE SAID? A. FOR STOCK OR HORSES , BUT TO PRESERVE IT FOR BREAD-STUFF . Q. HE DISCOURAGED THE USING OF IT BY WHOM? A- FEEDING? A. FEEDING HOGS, HORSES AND STOCK BY THE SETTLERS, IF I REMEMBER RIGHT, AND NOT TO BE SOLD FOR THIS PURPOSE, PARTICULARLY WHEAT. Q. IF HE DISCOURAGED THE SALE OF GRAIN TO PERSONS TRAVELEING THROUGH THE TERRITORY TO BE USED AS FEED FOOD FOR PERSONS, STATE WHAT HE SAID? A. THE TENOR OF HIS REMARKS AS <del>FO</del> AFAR AS I REMEMBER, WAS TO PRESERVE THE GRAIN,</p>	
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**RT**

**RS**

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**PS**

<p>PRESERVE ALL THE WHEAT AND NOT TO USE IT FOR FEED. I HEARD NO</p>	<p>PRESERVE ALL THE WHEAT, USE IT FOR FOOD {A} I HEARD NO</p>	<p>PRESERVE ALL THE WHEART, USE IT FOR FOOD. I HEARD NOTHING</p>	
<p>DISCOURAGEMENT TO FURNISHING PASSING TRAVELERS FOOD. Q. AT THE TIME YOU RETURNED TO PAROWAN DID YOU ACCOMPANY HIM TO BEAVER</p>	<p>DISCOURAGE TO FURNISHING PASSING TRAVELERS FOR FOOD Q. AT THE TIME YOU RETURNED TO PAROWAN DID YOU ACCOMPANY HIM TO</p>	<p><b>ABOUT</b> DISCOURAGING <b>ABOUT THE</b> FURNISHING PASSING TRAVELLERS FOOD . Q. AFTER YOU RETURNED <b>TO</b> <b>FROM</b> PAROWAN, DID YOU ACCOMPANY HIM TO</p>	
<p>— DID YOU STOP HERE ? A. I WENT ON WITH HIM. Q. DID YOU MAKE ANY STOP HERE ? A. STAYED OVER NIGHT, YES. Q. DID HE DELIVER ANY DISCOURSES HERE ? A. I THINK THERE WAS ONE MEETING HERE. ✓ Q. STATE WHETHER AT THE TIME YOU REACHED BEAVER ON YOUR RETURN YOU HAD HEARD ANY</p>	<p>BEAVER A YES Q. DID YOU STOP HERE A I WENT ON WITH HIM {Q} DID YOU MAKE ANY STOP HERE A STAYED OVER NIGHT YES DID HE DELIVER ANY DISCOURSES HERE A I THINK THERE WAS ONE MEETING HERE Q. STATE WHETHER AT THE TIME YOU REACHED BEAVER ON YOUR RETURN, YOU HAD HEARD ANY</p>	<p>BEAVER? A. YES, Q. DID YOU STOP HERE? A. I WENT ON WITH HIM? Q. <del>HE</del> <b>DID</b> YOU MAKE ANY STOP HERE? A. I STAYED OVER NIGHT, YES. Q. DID HE <del>HE</del> DELIVER ANY DISCOURSES HERE? A. I THINK THERE WAS ONE MEETING HERE. Q. STATE WHETHER OR NOT AT THE TIME YOU REACHED BEAVER ON YOUR RETURN, <b>YOU</b> HAD HEARD ANY</p>	

**RT**

**RS**

**BT**

**PS**

<p>RUMOR OF THE COMING OF THE PARTY OF EMIGRANTS CALLED THE ARKANSAS EMIGRANT TRAIN — THE SAME TRAIN THAT AFTERWARDS WAS <sup>[360]</sup> SLAUGHTERED AT THE MOUNTAIN MEADOWS ? A. I DID NOT. Q. WHERE WERE YOU AND GEORGE A. SMITH WHEN THE FIRST INFORMATION REACHED YOU OF THE COMING OF THAT TRAIN ? A. THE FIRST KNOWLEDGE I HAD OR INTIMATION I HAD WAS WE MET THEM AT CORN CREEK. Q. WHERE IS CORN CREEK WITH REFERENCE TO THIS PLACE ? A. IT IS IN MILLARD COUNTY SOME 40 MILES NORTH OF HERE. Q. STATE WHETHER YOU</p>	<p>RUMOR OF THE COMING OF THE PARTY OF EMIGRANTS CALLED THE ARKANSAS EMIGRANT TRAIN, SAME TRAIN THAT AFTERWARDS WAS SLAUGHTERED <sup>[31]</sup> AT MOUNTAIN MEADOWS, A I HAD NOT. Q. WHERE WERE YOU AND GEORGE A. SMITH WHEN THE FIRST INFORMATION REACHED YOU OF THAT TRAIN A FIRST KNOWLEDGE I HAD OR INTIMATION I HAD, WE MET THEM AT CORN CREEK. Q. WHERE IS CORN CREEK WITH REFERENCE TO THIS PLACE A IT IS IN MILLARD COUNTY SOME 40 MILES NORTH OF HERE Q. STATE WHETHER YOU</p>	<p>RUMOR OF THE COMING OF A PARTY OF EMIGRANTS CALLED THE ARKANSAS EMIGRANT TRAIN; THE SAME TRAIN THAT WAS AFTERWARDS SLAUGHTERED AT THE MOUNTAIN MEADOWS? A. I HAD NOT. Q. WHERE WERE YOU AND GEORGE A. SMITH WHEN <del>YOU</del> THE FIRST INFORMATION REACHED YOU OF THE COMING OF THAT TRAIN? A. THE FIRST KNOWLEDGE I HAD OR INTIMATION I HAD, WE MET THEM AT CORN CREEK. <sup>[220]</sup> Q. WHERE IS CORN CREEK WITH REFERENCE TO THIS PLACE? A. IT IS IN MILLARD COUNTY, SOME 40 MILES NORTH OF HERE? Q. STATE WHETHER YOU</p>	
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**RT**

**RS**

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**PS**

<p>STOPPED THERE IF ANY</p> <p>TIME ? A. WE CAMPED OVER NIGHT. Q. WHERE WAS THIS EMIGRANT TRAIN AT THAT TIME ? A. THE TRAIN WAS ENCAMPED WHEN WE DROVE IN. Q. AT CORN CREEK ? A. WE DROVE ACROSS THE CREEK AND CAMPED AND LIGHTED A FIRE; IT WAS THEN AFTER DARK. SOME OF THESE GENTLEMEN CAME TO OUR FIRE — THAT IS THE FIRST INTIMATION OF THIS EMIGRANT TRAIN. NEVER HEARD OF IT BEFORE. Q. STATE THE NATURE OF YOUR INTERVIEW WITH THEM— THAT IS, IF YOU MADE SOME INQUIRIES ?</p> <p>A. I DON'T REMEMBER</p>	<p>STOPPED THERE IF ANY</p> <p>TIME <sub>A</sub> WE CAMPED OVER NIGHT THERE <sub>Q</sub> WHERE WAS THIS EMIGRANT TRAIN AT THAT TIME <sub>A</sub> TRAIN WAS IN CAMP WHEN WE DROVE IN <sub>Q</sub> AT CORN CREEK <sub>A</sub> WE DROVE ACROSS THE CREEK AND CAMPED {AND} <sup>i</sup> LIGHTED FIRE. IT WAS THEN DARK = AFTER DARK. SOME OF THOSE GENTLEMEN CAME TO OUR FIRE. THAT IS THE FIRST INTIMATION OF THIS EMIGRANT TRAIN, NEVER HEARD OF IT BEFORE <sub>Q</sub> STATE THE NATURE OF YOUR INTERVIEW WITH THEM <i>WE WERE</i>[?] MADE SOME INQUIRIES <i>CAMPERS</i>[?] WHEN THEY MET <sub>A</sub> I DON'T REMEMBER</p>	<p>STOPPED THERE <del>IF AT</del> ANY <b>LENGTH OF</b> T IME? A. WE CAMPED OVER NIGHT THERE. Q. WHERE WAS THIS EMIGRANT TRAIN AT THAT TIME? A. THE TRAIN WAS IN CAMP WHEN WE DROVE IN? Q. AT CORN CREEK<sub>;</sub>. A. WE DROVE A CROSS THE CREEK AND</p> <p>LIGHTED A FIRE. IT WAS THEN AFTER DARK. SOME OF THESE GENTLEMEN CAME TO OUR FIRE. THAT WAS THE FIRST INTIMATION I HAD OF THIS TRAIN; NEVER HEARD OF IT BEFORE. Q. STATE THE NATURE <del>Y</del> OF YOUR INTERVIEW WITH THEM? A. THEY WERE MAKING SO<del>E</del>ME INQUIRIES OF SOME PARTIES WHEN WE ME T; I DON'T REMEMBER</p>	
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**RT**

**RS**

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**PS**

<p>DISTINCTLY WHAT WAS SAID. Q. DO YOU KNOW OF ANY TRADING</p> <p>WITH THAT COMPANY THERE BY THE INHABITANTS OF THE TERRITORY —</p> <p>STATE THAT ? A. I KNOW OF NONE. ✓ Q. STATE IF YOU KNOW OF ANY INTERCOURSE BETWEEN THAT COMPANY AND THE INDIANS— OR ANY ENQUIRIES BEING MADE RESPECTING THE INDIANS ? A. ONE OR TWO OF THE PARTIES CAME TO OUR CAMP AGAIN IN THE MORNING INQUIRING IF THE INDIANS HAD EATEN THE CARCASS . THERE WAS AN OX THAT <sup>[361]</sup> DIED IN THE TRAIN. BASKIN</p>	<p>DISTINCTLY WHAT WAS SAID Q DO YOU KNOW OF ANY TRADING</p> <p>WITH THAT COMPANY THERE BY {THE}<sup>i</sup> INHABITANTS OF TERRITORY</p> <p>STATE THAT A I KNOW OF NONE. Q STATE IF YOU KNOW OF —[?] ANY INTERCOURSE BETWEEN THAT COMPANY AND THE INDIANS OR ANY INQUIRIES THEY MADE RESPECT {ING}<sup>i</sup> INDIANS A ONE OR TWO OF THE PARTY CAME TO OUR CAMP AGAIN IN THE MORNING, INQUIR {ING}<sup>i</sup> IF THE INDIANS HAD EAT THE CARCASS, THERE WAS {AN}<sup>i</sup> OX THAT DIED IN THE TRAIN. * BY BASKIN WE</p>	<p>DISTINCTLY WHAT WAS SAID. Q. DO YOU KNOW OF ANY TRADING THAT HAD BEEN DONE <b>WITH THAT COMPANY, EITHER BY</b> THE INHABITANTS OF THE TERRITORY, AND IF SO, STATE <del>THAT</del> <b>WHAT?</b> A. I KNOW OF NONE. Q. STATE IF YOU KNOW OF ANY INTERCOURSE BETWEEN THAT COMPANY AND THE INDIANS, OR ANY INQUIRIES THEY MADE RESPECTING THE INDIANS? A. ONE OR TWO OF THE PARTY CAME TO <b>OUR</b> <del>OUT</del> CAMP AGAIN IN THE MORNING ENQUIRING IF THE INDIANS <del>HAD</del> <b>WOULD</b> EAT THE CARCASS., — THERE WAS AN OX THAT DIED IN THE TRAIN. <b>M<sup>R</sup></b> BASKIN: WE</p>	
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**RT**

**RS**

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**PS**

<p>OBJECTED TO WITNESS ANSWERING AS TO THAT MATTER. SUTHERLAND:</p> <p>IN ORDER TO INFORM YOUR HONOR WHAT WE DESIRE TO PROVE ON THAT SUBJECT I WILL STATE BEYOND WHAT THE WITNESS HAS SUGGESTED THAT THEY MADE THIS ENQUIRY, AND WHILE THERE SOME OF THE INDIVIDUALS OF MR. SMITH'S PARTY SAID THAT THEY, THE INDIANS, WOULD PROBABLY EAT THE FLESH OF THE ANIMAL THAT HAD DIED. AFTER THIS INTERVIEW EITHER THIS WITNESS OR SOME OTHER OF HIS PARTY, BUT I THINK THIS WITNESS KNOWS THAT</p>	<p>OBJECT <del>≤</del>THAT AS IMMATERIAL<del>≥</del></p> <p>MAY IT PLEASE YOUR HONOR IN ORDER TO INFORM YOUR HONOR WHAT WE DESIRE TO PROVE ON THAT SUBJECT, I WILL STATE BEYOND WHAT THE WITNESS HAS SUGGESTED, THAT THEY MADE THIS INQUIRY AND WHILE THERE SOME {OF THE}<sup>i</sup> INDIVIDUALS OF MR. SMITH'S PARTY THEY PROBABLY WOULD EAT THE FLESH OF THE ANIMAL THAT HAD DIED. AFTER THIS INTERVIEW. EITHER THIS WITNESS OR SOME OTHER OF HIS PARTY, BUT I THINK THIS WITNESS KNOWS, THAT</p>	<p>OBJECT TO THAT AS IMMATERIAL .</p> <p><b>M<sup>R</sup>SUTHERLAND</b> : MAY IT PLEASE Y UR HONOR IN ORDER TO INFORM YOU WHAT WE DESIRE TO PROVE ON THAT SUBJECT, I WILL STATE BEYOND WHAT THE WITNESS HAS STATED THAT THE EMIGRANTS MADE THIS INQUIRY, AND WHILE THERE, SOME OF THE INDIVIDUALS OF MR. SMITH'S PARTY THOUGHT PROBABLY THE INDIANS WOULD EATH THE FLESH OF THE ANIMAL THAT HAD DIED. AFTER THIS INTERVIEW EITHER THIS WITNESS OR SOME OTHER OF MR. SMITH'S PARTY, BUT I THINK THIS WITNESS KNOWS, THAT</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THE TRAFFIC OR TRADING DID ENSUE BETWEEN THE INDIVIDUALS OF THAT PARTY AND THE INDIANS OF CORN CREEK AND THAT BEFORE THIS TRAFFICING TOOK PLACE THE INDIVIDUALS OF THIS EMIGRANT TRAIN POURED INTO THE OX AND IN DIFFERENT PARTS OF THE ANIMAL SOME SUBSTANCE FROM A VIAL. I PROPOSE TO FOLLOW IT UP BY THIS EVIDENCE, THAT ON THE RETURN OF THIS WITNESS TO BEAVER THE INDIANS WERE INCENSED AGAINST THIS TRAIN, THAT THEY PURSUED IT, SHOT AT DIFFERENT MEMBERS OF THAT TRAIN AND WOUNDED</p>	<p>TRAFFICKING DID ENSUE BETWEEN INDIVIDUALS OF THAT PARTY AND THE INDIANS OF CORN CREEK, AND THAT BEFORE THIS TRAFFICKING TOOK PLACE, THE INDIVIDUALS OF THIS EMIGRANT TRAIN POURED INTO THE OX, {DIFFERENT}<sup>i</sup> PARTS OF THIS ANIMAL, SOME SUBSTANCE FROM A VIAL. I PROPOSE TO FOLLOW IT UP BY THIS EVIDENCE, THAT ON THE RETURN OF THIS WITNESS TO BEAVER, THE INDIANS WERE INCENSED AGAINST THIS TRAIN, ≍SO≍ THAT THEY PURSUED IT, SHOT AT DIFFERENT MEMBERS OF THAT TRAIN AND WOUNDED</p>	<p>TRAFFICKING DID ENSUE, BETWEEN THE INDIVIDUALS OF THAT PARTY AND THE INDIANS OF CORN CREEK; AND THAT BEFORE THIS TRAFFICKING TOOK <sup>[221]</sup> PLACE THE INDIVIDUALS OF THIS EMIGRANT TRAIN PUOWEURED INTO THE OX IN DIFFERENT PARTS OF THIS ANIMAL SOME SUBSTANCE FROM A VILE. I PROPOSE TO FOLLOW IT UP BY THIS EVIDENCE THAT ON THE RETURN OF THIS WITNESS TO BEAVER THE <del>WITNESS WERE</del> INDIANS WERE INSCENCESD AGAINST THIS TRAIN SO THAT THEY PURSUED IT AND SHOT AT DIFFERENT MEMBERS OF THAT TRAIN AND WOUNDED</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THEM. THAT THIS WITNESS GOING WITH OTHER PERSONS AND <del>LEAVING</del> LIVING HERE ENDEAVORED TO PACIFY</p> <p>AND PERSUADE THEM TO ACCEPT COMPENSATION IN ANIMALS IN BEHALF</p> <p>OF THE INJURIES THAT THEY HAD SUFFERED, ENDING IN DEATH</p> <p>FROM POISON AND OTHER VIOLENCE PERPAETRATED BY THE MEMBERS OF THIS EMIGRANT TRAIN; ALSO THAT THEY WERE HARD TO PACIFY, THEY, THE INDIANS ALLEGING THAT THEY HAD LOST LIVES; THEIR BLOOD HAD BEEN SHED .</p>	<p>THEM. THAT THIS WITNESS GOING WITH OTHER PERSONS AND <i>LEAVING/LIVING</i>[?] HERE, ENDEAVORED TO PACIFY <del>THE INDIANS</del> TO PERSUADE THEM TO ACCEPT COMPENSATION IN ANIMALS IN <i>BEEF/BEHALF</i>[?] <i>PRPR/FR PR</i>[?] <i>AND/OM</i>[?] INJURIES {THAT}<sup>1</sup> THEY HAD SUFFERED IN THEIR <i>ENDING</i>[?]</p> <p>DEATH RESULTING FROM POISON AND OTHER VIOLENCE INFLICTED BY <del>MEMBERS</del> OF THIS EMIGRANT TRAIN. ALSO THAT THEY WERE HARD TO PACIFY,</p> <p>ALLEGING THAT THEY HAD LOST LIFE, <del>THAT</del> THEIR BLOOD HAD BEEN SHED</p>	<p>THEM; THAT THIS WITNESS GOING WITH OTHER PERSONS LIGVING HERE, ENDEAVORED TO PASSCIFY THE INDIANS AND PURSUADE THEM TO ACCEPT COMPENSATION IN ANIMALS, IN <del>BEEF</del> BEHALF</p> <p>OF THE INJURIES THEY HAD SUFFERED IN THEIR EATING THE BEEF AND DEATH RESULTING FROM ITS BEING POISONED, AND OTHER VIOLENCE INFLICTED BY THE MEMBERS OF THIS EMIGRANT TRAIN. ALSO THAT THEY WERE HARD TO PACIFY,</p> <p>ALLEGING THAT THEY HAD LOST LIFE, THAT THEIR BLOOD HAD BEEN SHED,</p>	
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**RT**

**RS**

**BT**

**PS**

<p>AND BLOOD ALONE COULD PAY THE DEBT OR WOULD ATONE FOR DEFENSE, BUT FINALLY THROUGH THE INTERCESSION OF THIS WITNESS THEY WERE</p> <p>APPARENTLY PACIFIED. THAT IS THE STATE OF FACTS THAT WE DESIRE BY THIS QUESTION AND THE SUCCEEDING QUESTIONS TO PROVE, AND WE DESIRE THAT THE COURT WILL ELICIT THIS FOR THE CONSIDERATION OF THIS JURY. <sup>[362]</sup> BASKIN: WELL YOU MAY GO ON. COURT: PROCEED TO DETAIL THE CONVERSATION.</p>	<p>AND BLOOD ONLY COULD PAY THE DEBT OR WOULD ATONE FOR THE OFFENSE. BUT FINALLY THROUGH INTERCESSION OF <del>THIS</del> WITNESS THEY WERE THEY <i>PASSED/APPEASE</i> <i>D[?] THE TIME BEING[?]</i> APPARENTLY <sup>[32/346]</sup> PACIFIED. THAT IS THE STATE OF FACTS THAT WE DESIRE BY THIS QUESTION AND SUCCEEDING QUESTIONS. WE DESIRE THE COURT WILL ELICIT FOR CONSIDERATION OF THIS JURY. [<i>space</i>] BASKIN WELL GO ON BY COURT <i>Q</i>PROCEED TO DETAIL THE CONVERSATION. <del>THAT TOOK[?]</del> PLACE THERE<del></del></p>	<p>AND BLOOD ONLY COULD <del>PAY</del> THE DEBT OR WOULD ATTONE FOR THE OFFENSE; BUT FINALLY THROUGH THE INTERFERANCE. THEY WERE QUIETED AND FOR THE TIME BEING</p> <p>APPARENTLY <del>PASS</del>CIFIED. THAT IS <del>THE</del> <b>THE</b> STATE OF FACTS WE DESIRE TO PROVE BY THIS <del>Q</del>WUESTION AND SUCCEEDING QUESTIONS. WE DESIRE <b>THAT</b> THE COURT WILL <b>ADMIT</b> <del>ELICIT</del> THIS FOR THE <del>CONDI</del> CONSIDERATION OF THIS JURY. <b>M<sup>R</sup></b> BASKIN: WELL, GO ON THEN. COURT: PROCEED TO DETAIL THE CONVERSATION THAT TOOK PLACE THERE.</p>	
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346. At the top of the page in longhand: **SEE AS TO ELICIR.**

**RT**

**RS**

**BT**

**PS**

<p>Q-A INQUIRED WITH REGARD TO THE INDIANS—THE ENQUIRIES WAS MADE BY THE MEMBERS OF THAT TRAIN RESPECTING THEIR EATING THE CARCASS AND THE ANIMAL, IF THEY HAD. ONE OF THE PARTY ASKED IF THE INDIANS ATE THAT OX THAT LAY DEAD NEAR THE CAMP. SOME ONE OF OUR PARTY REMARKED THAT THEY THOUGHT THEY WOULD, BUT I SAW NOTHING OF THIS THROWING OR DRAWING SOMETHING FROM A VIAL INTO IT. Q. OF WHOM DID YOUR PARTY CONSIST ? A. THERE WAS GEORGE A. SMITH, JACOB HAMBLIN, PHILO T. FARNSWORTH</p>	<p>{A}<sup>i</sup> I INQUIRED ABOUT REGARD TO THE INDIANS THE INQUIRIES WHAT THE MEMBERS OF THAT TRAIN MADE RESPECTING EATING CARCASS OF THE ANIMAL IF THEY HAD. ONE OF THE PARTY ASKED IF THE INDIANS ATE THAT OX, THAT LAY DEAD NEAR {THE}<sup>i</sup> CAMP. SOMEONE OF OUR PARTY REMARKED THEY THOUGHT THEY WOULD. I SAW NOTHING OF THIS THROW {ING}<sup>i</sup> ≤DRAWING≥ ANYTHING FROM {A}<sup>i</sup> VIAL INTO IT. OF WHOM DID YOUR PARTY CONSIST A THERE WAS GEORGE A SMITH JACOB HAMBLIN PHILO T. FARNSWORTH</p>	<p>A. I INQUIRED MYSELF TOO ABOUT IT, IN REGARD TO THE INDIANS, AND ENQUIRIESD WHAT THE MEMBERS OF THAT TRAIN SAID ABOUT THEIR EATING THE CARCASS OF THE ANIMAL, IF THEY HAD EAT IT. ONE OF THE PARTY ASKED IF THE INDIANS WOULD EAT ATE THAT OX THAT LAID DEAD WHEN THEY CAME. SOMEONE OF OUTFR PARTY REMARKED THAT THEY THOUGHT THEY WOULD. I SAW NOTHING OF THIS THROWING ANYTHING FROM A VIAL INTO IT . Q. OF WHOM DID YOUR PARTY CONSIST? A. THERE WAS GEORGE A. SMITH, JACOB HAMBLIN, FILO T. FARNSWORTH,</p>	
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**RT**

**RS**

**BT**

**PS**

<p>AND ELISHA HOOPS, LIVES HERE, AND PERHAPS ONE OR TWO OTHERS. I DON'T REMEMBER THE NAMES OF ALL. Q. HOW LONG AFTER THAT DID YOU</p> <p>RETURN ? SUTHERLAND: I SHALL HAVE TO SKIP OVER SOME PART OF THE STATEMENTS WHICH I INTENDED TO PROVE BY THE OTHER WITNESS, AND SHALL HAVE TO PROVE THE OTHER FACTS BY ANOTHER WITNESS THAT WE WILL PUT ON THE STAND AS TO WHAT TOOK PLACE SUBSEQUENT TO THIS WITNESSES</p> <p>RETURN. Q. HOW LONG AFTER THAT DID YOU GET BACK TO BEAVER ? A. I THINK IT WAS TWO DAYS. Q. DID YOU PASS</p>	<p>AND ELISHA HOOPS, LIVES HERE AND PERHAPS ONE OR TWO OTHERS I DON'T REMEMBER THEIR NAMES OF ALL. QHOW LONG AFTER THAT YOU DID BE/THEY[?] RETURN ? {COUNSEL}^i AI SHALL HAVE TO SKIP OVER SOME PART OF THE STATEMENT WHICH I INTENDED TO PROVE BY AN OTHER WITNESS WILL PROVE OTHER FACTS WHEN PUT THIS WITNESS ON THE STAND [space] HAVE THIS WITNESS SET SUBSEQUENT DAY WHEN HE RETURN)) QHOW LONG AFTER THAT DID YOU GET BACK. TO BEAVER AI THINK IT WAS 2 DAYS Q DID YOU PASS</p>	<p>AND ELISH HOOPS, THAT LIVESD HERE, AND PERHAPS ONE OR TWO OTHERS, I DON'T REMEMBER THE NAMES OF THEM ALL? [222] Q. HOW LONG AFTER THAT DID YOU</p> <p>RETURN;</p> <p>HOW LONG AFTER THAT DID YOU DGO BACK TO BEAVER? A. I THINK IT WAS TWO DAYS. Q DID YOU PASS</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THIS PARTY ON YOUR  RETURN ? A. I PASSED THEM AT THIS NEXT CREEK— INDIAN CREEK — 6 OR 7 MILES FROM HERE.. Q. DID THAT TRAIN REMAIN INTACT OR DIVIDED ? A. THAT TRAIN WAS INTACT ALTOGETHER. <sup>[363]</sup> Q. STATE WHETHER YOU STOPPED AT THE CAMP AND HAD ANY INTERCOURSE WITH THE TRAIN WHEN YOU RETURNED ? A. I TOOK SOME SUPPER WITH SOME OF THE PARTIES AT THE CAMP— WATERED MY ANIMALS AND CAME ON TO BEAVER. Q. HOW LONG AFTERWARDS BEFORE YOUR ATTENTION WAS CALLED TO THIS TRAIN? AGAIN ? A. IN A</p>	<p>THIS PARTY ON YOUR  RETURN <sub>A</sub>I PASSED THEM AT THIS NEXT CREEK, INDIAN CREEK, 6 OR 7 MILES FROM HERE. {Q}<sup>i</sup>DID THAT TRAIN REMAIN INTACT OR DIVIDED <sub>A</sub> THAT TRAIN WAS, INTACT ALTOGETHER {Q}<sup>i</sup> STATE WHETHER YOU STOPPED AT THE CAMP <math>\leq</math>OR NOT<math>\geq</math> AND HAD ANY INTERCOURSE WITH THE TRAIN WHEN YOU RETURNED <sub>A</sub>I TOOK SUPPER WITH SOME OF THE PARTIES AT THE CAMP; WATERED MY ANIMALS AND CAME ON TO BEAVER {Q}<sup>i</sup>HOW LONG AFTERWARDS BEFORE YOUR ATTENTION WAS CALLED TO THIS TRAIN AGAIN <sub>A</sub>IN</p>	<p>THIS PARTY ON YOUR  RETURN? A. I PASSED THEM AT THIS NEXT CREEK , INDIAN CREEK, SIX OR SEVEN MILES FROM HERE. Q. HAD THAT TRAIN REMAINED INTACT OR DIVIDED? A. THAT TRAIN WAS INTACT, ALL TOGETHER.: Q. STATE WHETHER YOU STOPPED AT THE CAMP OR NOT AND HAD ANY INTERCOURSE WITH THE TRAIN WHEN YOU RETURNED? A. I STAID AND TOOK SUPPER WITH SOME OF THE PARTIES AT THE CAMEP; WATERED MY ANIMALS AND CAME ON <del>THE</del>TO BEAVER. Q. HOW LONG AFTERWARDS BEFORE YOUR ATTENTION WAS CALLED TO THIS TRAIN AGAIN? A. IN A</p>	
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**RT**

**RS**

**BT**

**PS**

<p>FEW DAYS THEY PASSED — THEY HAD FOUND WHERE I LIVED 20 TO 30 MILES —</p> <p>THEY CAMPED NEAR THAT. I WENT TO THEIR CAMP AND HAD SOME CONVERSATION. I HAD A PERSONAL ACQUAINTANCE WITH SOME OF THE TRAIN — THE LEADER OF THE TRAIN. Q. DO YOU REMEMBER HIS NAME ? A. I THINK IT WAS  VANCEY. Q. YOU WERE INTRODUCED TO HIM BY THAT NAME AT THAT TIME ? A. I HEARD SOME OF THEM CALL HIM MR. FANCHARD FANCHER. Q. DID YOU HEAR THE NAMES OF OTHERS ? A. NO OTHERS. Q. STATE WHETHER OR NOT THIS &lt;WAS</p>	<p>FEW DAYS, THEY PASSED; <i>THAT/WE[?]</i> HAD FOUND WHERE I LIVED 20 TO 30 ≪MILES≫ AND</p> <p>THESE CAMPED NEAR THAT. WENT TO CAMP AND HAD SOME CONVERSATION, {HAD}<sup>i</sup> PERSON ACQUAINTANCE WITH SOME OF TRAIN = ≪WITH THE≫ LEADER OF {THE}<sup>i</sup> TRAIN {Q}<sup>i</sup> DO YOU REMEMBER HIS NAME {A}<sup>i</sup> I THINK IT WAS FANCEY ≪VANCEY≫ {Q}<sup>i</sup> YOU WERE INTRODUCED TO HIM BY THAT NAME AT THAT TIME A I HEARD SOME OF THEM CALL HIM MR. FANCHER Q DID {YOU}<sup>i</sup> HEAR {THE}<sup>i</sup> NAMES OF OTHERS A NO OTHERS {Q}<sup>i</sup> STATE WHETHER OR NOT THIS IS</p>	<p>FEW DAYS; THEY PASSELD. <del>WE</del> <b>THEY</b> HAD FOUND WHERE I LIVED , 20 OR 30 MILES SOUTH OF HERE, <del>THISEY</del> <b>CAMPED</b> NEAR THAT. I WENT TO THEIR CAMP AND HAD SOME CONVERSATION; HAD PERSONAL ACQUAINTANCE WITH SOME OF THE TRAIN — WITH THE LEADER OF THE TRAIN. Q. DO YOU REMEMBER HIS NAME? A. I THINK IT WAS VANCE OR VANCY. Q. YOU WERE INTRODUCED TO HIM BY THAT NAME AT THAT TIME? A. I HEARD SOME OF THEM CALL HIM MR. FANCHER. Q. DID YOU HEAR THE NAMES OF OTHERS? A. NO OTHERS . Q. STATE WHETHER OR NOT THIS IS</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THE&gt; SAME TRAIN THAT WAS AFTERWARDS KILLED AT THE  MEADOWS ? A. I UNDERSTAND IT WAS. Q. STATE WHETHER OR NOT THE TRAIN HAD DIVIDED BEFORE YOU SAW THEM AT RED CREEK ? A. I THINK NOT. Q. DID YOU KNOW SUCH A PARTY AS THAT KNOWN BY THE NAME OF THE DUKES PARTY AND WERE THEY NOT ORIGINALLY PART OF THIS SAME TRAIN ? A. I DID NOT. <sup>[364]</sup> Q. HOW LONG AFTERWARDS DID DUKES PARTY COME ALONG ? A. SOMETIME AFTERWARDS — I CANNOT TELL TO A FEW DAYS, BUT SEVERAL DAYS. Q. STATE WHETHER YOUR ATTENTION WAS CALLED TO</p>	<p>THE SAME TRAIN THAT WAS AFTERWARDS KILLED AT THE  MEADOWS {A}<sup>i</sup> I UNDERSTAND IT WAS. Q STATE WHETHER &lt;OR NOT&gt; TRAIN HAD DIVIDED BEFORE YOU SAW THEM AT RED CREEK A—[?] A I THINK NOT {Q}<sup>i</sup> DID YOU KNOW SUCH A PARTY AS THAT KNOWN BY THE NAME OF DUKES PARTY AND WERE THEY NOT ORIGINALLY PART OF THIS SAME TRAIN A I DON'T KNOW {Q}<sup>i</sup> HOW LONG AFTERWARDS DID DUKES PARTY COME ALONG A SOMETIME AFTERWARDS I CANNOT TELL {TO A}<sup>i</sup> FEW DAYS BUT SEVERAL DAYS Q STATE WHETHER YOUR ATTENTION WAS CALLED TO</p>	<p>THE SAME TRAIN THAT WAS AFTERWARDS KILLED AT THE MOUNTAIN MEADOWNS? A. I UNDERSTOOD IT SO. Q . STATE WHETHER OR NOT THE TRAIN HAD DIVIDED BEFORE YOU SAW THEM AT RED CREEK? A. I THINK NOT. Q. DID YOU KNOW OF SUCH A PARTY AS THAT KNOWN BY THE NAME OF DUKE'S PARTY; AND WERE THEY NOT ORIGINALLY A PART OF THIS &lt;SAME&gt; TRAIN ? A. I DO NOT KNOW. Q. HOW LONG AFTERWARDS DID DUKE'S PARTY COME ALONG? A. SOME TIME AFTER THAT; I CANNOT T3ELL TO A FEW DAYS, BUT SEVERAL DAYS. Q . STATE WHETHER YOUR ATTENTION WAS CALLED TO</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THAT PARTY — WHETHER YOU WERE CALLED UPON TO DO ANYTHING FOR THEM ? A. THERE WAS AN EXPRESS—AS I UNDERSTOOD IT—SENT TO DAME ——— BASKIN:</p> <p>DON'T STATE WHAT YOU UNDERSTOOD— BUT WHAT YOU KNOW . SUTHERLAND: Q. STATE THAT PART THAT THE PROSECUTION MAY KNOW AND CONNECT IT ? A. IT WAS SENT OVER TO BEAVER BY COL. DAME OF PAROWAN. HE CAME DOWN TO THE PLACE WHERE I LIVED — MY PLACE OF RESIDENCE. BASKIN: I OBJECT TO ANY</p>	<p>THAT PARTY = WHETHER YOU WERE CALLED UPON TO DO ANYTHING FOR THEM <sup>[33]</sup> A THERE WAS AN EXPRESS AS I UNDERSTOOD IT SENT TO DAME BY BASKIN ≤<b>OBJ</b>≧ NOT</p> <p>WHAT YOU UNDERSTOOD BUT WHAT YOU KNOW. SUTHERLAND Q. STATE THAT PART OF {THE}<sup>1</sup> TRANSACTION ≤<b>THAT</b>≧ YOU WERE CONNECTED WITH <sub>A</sub>IT WAS SENT OVER {BY}<sup>1</sup> BEAVER ≤<b>BY THERE</b>≧ {BY}<sup>1</sup> COLONEL DAME {OF}<sup>1</sup> PAROWAN. HE CAME DOWN TO THE PLACE WHERE I LIVED MY PLACE OF RESIDENCE. BY BASKIN I OBJECT TO ANY</p>	<p>THAT OTHER PARTY, WHETHER YOU WERE CALLED UPON TO DO ANYTHING FOR THEM? A. THERE <del>WAS</del> WAS AN EXPRESS AS I UNDERSTANOO D IT, SENT <b>TO</b> M<sup>R</sup> DAME. <sup>[223]</sup> M<sup>R</sup> BASKIN: WE OBJECT TO THE WITNESS STATING WHAT HE UNDERSTOOD. JUST STATE WHAT YOU KNOW. M<sup>R</sup> SUTHERLAND: Q. STATE <b>WHAT</b> <del>THAT</del> PART OF THE TRANSACTION <del>THAT</del> YOU WERE CONNECTED WI TH? A. I<del>F</del> WAS SENT OVER TO BEAVER BY COLONEL <del>D</del>DAME OF PAROWAN. HE CAME DOWN TO THE PALACE WHERE I LIVED, MY PLACE OF RESIDENCE ——— M<sup>R</sup> BASKIN: I OBJECT TO ANY</p>	
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**RT**

**RS**

**BT**

**PS**

<p>EVIDENCE OF DUKES PARTY. SUTHERLAND: I PROPOSE TO SHOW THE CONNECTION BETWEEN THESE TWO PARTIES</p> <p>BASKIN: THIS IS SOMETIME AFTER THE MASSACRE , AS I UNDERSTAND IT. SUTHERLAND: NOT AFTER THE MASSACRE, BUT BEFORE, AND I UNDERTAKE TO CONNECT THE OTHER TRAIN WITH WHAT I AM ABOUT TO CALL FROM THIS WITNESS. COURT:</p> <p>PROCEED THEN. SUTHERLAND: Q.</p> <p>YOU WERE SENT BY COL.DAME WITH A PARTY SOME TEN MEN ? A. YES, WE LEFT ABOUT SUNDOWN. Q.</p>	<p>EVIDENCE OF DUKES PARTY SUTHERLAND. I PROPOSE TO SHOW THE CONNECTION BETWEEN THESE TWO PARTIES, OF EMIGRANTS BASKIN ≤THIS IS≥ SOMETIME AFTER THE MASSACRE AS I UNDERSTAND.</p> <p>≤SUTHERLAND≥ NOT AFTER THE MASSACRE BUT BEFORE, AND I UNDERTAKE TO CONNECT &lt;THE&gt; OTHER TRAIN THERE WITH WHAT I AM ABOUT TO CALL FROM THIS WITNESS. &lt;COURT&gt;</p> <p>PROCEED THEN BY SUTHERLAND Q</p> <p>YOU WERE SENT BY COLONEL DAME WITH A PARTY SOME TEN MEN ≤OR NOT≥ A WE LEFT ABOUT SUNDOWN</p>	<p>EVIDENCE AS TO DUKE'S PARTY. M<sup>R</sup> SUTHERLAND: I PROPOSE TO SHOW THE CONNECTION BETWEEN THESE TWO PARTIES OF EMIGRANTS. M<sup>R</sup> BASKIN: THIS IS SOME TIME AFTER THE MASSACRE, AS I UNDERSTAND IT? M<sup>R</sup> SUTHERLAND: NO, SIR, NOT AFTER THE MASSACRE, BUT BEFORE; AND I UNDERTAKE TO CONNECT THE OTHER TRAIN WITH WHAT I AM AMBOUT TO CALL FROM THISS WITNESS. COURT: YOU MAY FGO ON, AND PROCEED, THEN? Q. NOW, YOU MAY STATE IF YOU WERE SENT BY COLONEL DAME, WITH A PARTY OF SOME TEN MEN OR NOT? A. WE LEFT ABOUT SUNDOWN. Q:</p>	
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**RT**

**RS**

**BT**

**PS**

<p>WHAT WERE YOU TO DO ? A. TRY TO RELIEVE THEM OF AN ATTACK BY THE INDIANS — WAS TOLD THE INDIANS HAD ATTACHED THE PARTY — I WAS SENT OVER HERE BY COL.DAME. Q. IF YOU CAN STATE THE DATE WHEN YOU WERE SENT ?</p> <p>BASKIN: THAT HAS NOTHING TO DO WITH THIS MASSACRE AND IS WHOLLY IRRELEVANT. I SUPPOSED THEY WOULD GO ON IN THE DIRECTION TO CONNECT, BUT I <sup>[365]</sup> CAN'T SEE ANY STATE OF FACTS THAT WOULD CONNECT THIS AFFAIR WITH THAT DOWN THERE.</p>	<p>WHAT WERE YOU SENT TO DO <sub>A</sub> TRY TO RELIEVE THEM OF AN ATTACK BY THE INDIANS. WAS TOLD {THE}<sup>i</sup> INDIANS HAD ATTACKED {THE}<sup>i</sup> PARTY. I WAS SENT OVER HERE <del>=BEAVER=</del> BY COLONEL DAME Q IF YOU CAN; STATE THE DATE AND TIME WHEN YOU WAS SENT [space] BY BASKIN. THAT HAS NOT ANYTHING TO DO WITH THIS MASSACRE <del>=IS=</del> WHOLLY IRRELEVANT. I SUPPOSE {D}<sup>i</sup> THEY WOULD GO ON IN DIRECTION OF THIS CONNECTION. I CAN'T SEE ANY STATE OF FACTS THAT WOULD CONNECT THIS AFFAIR WITH THAT DOWN THERE, AT THE MEADOWS</p> <p>SUTHERLAND</p>	<p>WHAT WERE YOU SENT TO DO? A. TO TRY TO RELIEVE THEM OF AN ATTACK BY THE INDIANS. I WAS TOLD THE INDIANS HAD ATTACKED THE PARTY; I WAS SENT OVER HERE TO BEAVER BY COL. DAME. Q. IF YOU CAN, STATE THE DATE WHEN YOU WASERE SENT. <b>M<sup>R</sup></b> BASKIN: THAT HAS NOTHING TO DO WITH THIS MASSACRE, AND IT IS WHOLLY IRRELEVANT. I SUPPOSED THAT THEY WOULD GO ON IN THE DIRECTION OF THIS CONNECTION., <b>BUT</b> I CANNOT SEE ANY STATE OF FACTS THAT WOULD CONNECT THIS AFFAIR WITH THAT DOWN THERE, <del>OF</del> AT THE MOUNTA N MEADOWS. <b>M<sup>R</sup></b> SUTHERLAND:</p>	
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**RT**

**RS**

**BT**

**PS**

	<p>YOUR HONOR HAS PERMITTED PROSECUTION = AND UNDOUBTEDLY IT IS WITHIN YOUR HONOR'S DISCRETION TO COMMENCE WHEREVER THEY PLEASED IN THEIR TESTIMONY AND PURSUE IT IN SUCH ORDER AS COUNSEL THOUGHT PROPER TO PURSUE IT, LEAVING IT TO THEIR DISCRETION. WE ASK NOW SAME INDULGENCE</p> <p>MAY BE EXTENDED TO US. I PROPOSE TO CONNECT {WHAT}<sup>i</sup> HE IS {ABOUT}<sup>i</sup> TO WHAT TO TESTIFY WITH THE PRECEDING TRAIN, AND TO BRING OUT IN FULL THE STATEMENT WHICH I MADE BEFORE. {<b>COURT OVERRULED</b></p>	<p>YOUR HONOR, HAS PERMITTED THE PROSECUTION — AND UNDOUBTEDLY IT IS WITHIN YOUR HONOR'S DISCRETION — TO COMMENCE WHEREVER THEY PLEASE IN THEIR TESTIMONY, AND PURSUE IT IN SUCH AN ORDER AS <b>COUNSEL</b> <del>COULSEL</del> THINK PROPER TO PURSUE IT, LEAVING IT TO THEIR <sup>[224]</sup> DISCRETION. WE ASK NOW THAT THE SAME INDULGENCE GRANTED TO THEM BE EXTENDED TO US . I PROPOSE TO CONNECT WHAT HE IS ABOUT TO TESTIFY TO WITH THE PRECEDING TRAIN, TO <del>THE</del> BRING OUT IN FULL THE STATEMENT WHICH I MADE BEFOER. COURT: THE OBJECTION</p>	
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**RT**

**RS**

**BT**

**PS**

<p>OBJECTION OVERRULED.</p> <p>Q. CAN'T YOU STATE THE DAY OF YOUR BEING SENT ? A. I CANNOT. Q. CAN YOU STATE THE MONTH, OR ABOUT HOW LONG IT WAS, AFTER THE OTHER PARTY HAD PASSED RED CREEK ? A. I CANNOT, BUT A FEW DAYS AFTER THE OTHER PARTY HAD PASSED. Q. WELL, YOU CAME TO WHAT PLACE WITH YOUR TEN MEN ? A. I CAME HERE TO BEAVER AND ARRIVED VERY LATE IN THE NIGHT. IN THE MORNING I FOUND THE TRAIN ENCAMPED ON THE SOUTH BRANCH OF THIS CREEK; THEY HAD CORRALLED THEIR WAGONS, MADE RIFLE PITS AND</p>	<p><b>OBJECTION OF PROS.} BY</b> COURT YOU CAN GO AHEAD PROCEED THEN WITNESS. Q CAN YOU STATE THE DAY OF YOUR BEING SENT A I CANNOT. Q CAN YOU STATE THE MONTH OR ABOUT HOW LONG IT WAS AFTER THE OTHER PARTY HAD PASSED RED CREEK A I CANNOT BUT FEW DAYS AFTER THE OTHER PARTY PASSED. Q WELL YOU CAME TO WHAT PLACE WITH YOUR TEN MEN A I CAME HERE TO BEAVER ARRIVED VERY LATE IN THE NIGHT. A IN THE MORNING FOUND THE TRAIN ENCAMPED ON THE SOUTH BRANCH OF THIS CREEK;  CORRALLED THEIR WAGONS MADE RIFLE PITS AND</p>	<p>WILL BE OVERRULED. YOU CAN GO AHEAD. Q. PROCEED THEN, WITNESS. CAN YOU STATE THE DAY OF YOUR BEING SENT? A . I CANNOT. Q. CAN YOU STATE THE MONTH, OR ABOUT HOW LONG IT WAS AFTER THE OTHER PARTY HAD PASSED RED CREEK? A. I CANNOT, BUT A FEW DAYS AFTER THE OTHER PARTY HAD PASSED. Q. WELL, YOU CAME TO WHAT PLACE, WITH YOUR TEN MEN? A. I CAME HERE TO BEAVER, AND ARRIVED VERY LATE IN THE NIGHT. IN THE MORNING I FOUND THE TRAIN ENCAMPED ON THE SOUTH BRANCH OF THIS CREEK. THEY HAD CORRALLED THEIR WAGONS AND MADE RIFLE PITS AND</p>	
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**RT**

**RS**

**BT**

**PS**

<p>WERE IN SELF DEFENSE. THEIR STOCK WERE SCATTERED ON THE PLAINS. Q.</p>	<p>WERE IN SELF DEFENSE. THEIR STOCK WAS SCATTERED ON THE PLAINS Q</p>	<p>WERE IN SELF DEFENSE. THEIR STOCK WERE SCATTERED ON THE PALINS . Q.</p>	
<p>STATE WHAT YOU DID ? A. GOT A RUNNER FROM THE INDIANS. BROUGHT IN THE CHIEF AND COMPROMISED THE MATTER; THAT BY GIVING THEM SOME BEEF AND SOME BREAD AND</p>	<p>STATE WHAT YOU DID A GOT RUNNER FROM &lt;THE&gt; INDIANS BROUGHT IN THE CHIEF COMPROMISED MATTER &lt;THAT&gt; THEY BY GIVING THEM SOME BEEF AND SOME BREAD AND</p>	<p>STATE WHAT YOU DID? A . GOT A RUNNER FROM THE INDIANS AND BROUGHT IN THE CHIEF; COMPROMISED THE MATTER WITH THEM BY GIVING THEM SOME BEEF AND SOME BREAD AND SOME</p>	
<p>BLANKETS. Q. WHAT DID YOU</p>	<p>BLANKETS Q WHAT DID YOU</p>	<p>BLANKETS. Q. WHAT DID YOU <del>DID YOU</del></p>	
<p>COMPROMISE— WHAT WAS THE GRIEVANCE— STATE WHAT IT WAS, BETWEEN THE INDIANS AND THE EMIGRANTS ? A. THE INDIANS CLAIMED SOME OF THEIR MEN HAD BEEN SHOT, ONE PARTICULARLY, ON INDIAN CREEK, BY ONE OF THE PARTY OF EMIGRANTS. THEY WERE TO HAVE</p>	<p>COMPROMISE = WHAT WAS THE GRIEVANCE AS STATED IT BETWEEN THE INDIANS AND EMIGRANTS A THE INDIANS CLAIMED SOME OF THEIR MEN HAD BEEN SHOT, ONE PARTICULAR {LY }<sup>i</sup> ON INDIAN CREEK BY ONE OF THE PARTY OF THE EMIGRANTS. THEY WERE TO HAVE <sup>[34]</sup></p>	<p>COMPROMISE? WHAT WAS THE GRIEVANCE AS STATED BETWEEN THE INDIANS AND THE EMIGRANTS? A. THE INDIANS CLAIMED SOME OF THEIR MEN HAD BEEN SHOT; ONE PARTICULARLY ON INDIAN CREEK;, BY ONE OF THE PARTY OF THE EMIGRANTS. THEY WERE TO HAVE</p>	

**RT**

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**PS**

<p>BLOOD, IN THE FIRST INSTANCE, BUT THEY AGREED TO SETTLE THE MATTER WITH CATTLE. Q. ANY OTHER GRIEVANCE ? A. I DON'T REMEMBER. Q. THE DIFFICULTY, AS YOU UNDERSTOOD IT, WAS SETTLED ? A. YES SIR, AND WHEN THIS PARTY CAME ALONG AND CAMPED NEAR WHERE I <sup>[366]</sup> LIVED CAPTAIN DUKE TOLD ME SOME INDIANS HAD COME IN AND MADE A DEMAND OBJECTED TO BY BASKIN AS TO WHAT CAPTAIN DUKE TOLD HIM.</p> <p>Q. HAD YOU ANY FURTHER ACQUAINTANCE WITH THIS EMIGRANT TRAIN THAN YOU</p>	<p>BLOOD IN &lt;THE&gt; FIRST INSTANCE BUT THEY AGREED TO SETTLE THE MATTER WITH CATTLE. Q. ANY OTHER GRIEVANCE A I DON'T REMEMBER Q THE DIFFICULTY, AS YOU UNDERSTOOD IT WAS &lt;THEN&gt; SETTLED A YES SIR &amp; WHEN THIS PARTY CAME ALONG ENCAMPED NEAR WHERE I LIVED, CAPTAIN DUKE TOLD ME SOME INDIANS HAD COME IN AND MADE A DEMAND. OBJECTION BY BASKIN TO WHAT CAPTAIN DUKE TOLD.</p> <p>Q HAVE YOU ANY FURTHER ACQUAINTANCE WITH THESE EMIGRANT TRAINS OTHER THAN YOU</p>	<p>BLOOD IN THE FIRST INSTANCE ; BUT THEY AGREED TO SETTLE THE MATTER WITH CATTLE. Q. WAS THERE ANY OTHER GRIEVANCES? A. I DON'T REMEMBER. Q. THE DIFFICULTY AS SAAS YOU UNDERSTOOD IT WAS THEN SETTLED? A. YES, SIR; AND WHEN THIS PARTY CAME ALONG AND ENCAMPED NEAR WHERE I LIVED, CAPT DUKE TOLD ME, <b>THAT</b> SOME OF THE INDIANS HAD COME IN AND MADE A DEMAND. <b>M<sup>R</sup></b> BASKIN: WE OBJECT TO WHAT CAPT DUKES TOLD THE WITNEWSS. <sup>[225]</sup> Q. HAVD HAD YOU ANY FURTEHER ACQUAINTQANC E WITH THIS EMIGRANT TRAIN, OTHER THAN YOU</p>	
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**RT**

**RS**

**BT**

**PS**

<p>HAVE STATED, OR ANY FURTHER CONNECTION WITH EITHER OF THEM ? A. NONE WHATEVER, AFTER THEY PASSED. Q. WHAT POSITION DID YOU HOLD IN THE MILITIA AT THAT TIME ? A. I THINK A CAPTAIN.</p> <p>CROSS-EXAMINED.</p> <p>BASKIN: Q. WHAT RELATION ARE YOU TO GEORGE A. SMITH ? A. COUSIN. Q. A COUSIN ? A. YES SIR. SUTHERLAND: LET ME ASK ONE MORE QUESTION. ✓ Q. DO YOU KNOW WHAT CONNECTION GEORGE A. SMITH HAD WITH THE MILITIA AT</p>	<p>HAVE STATED, OR ANY FURTHER CONNECTION WITH EITHER OF THEM A NONE WHATEVER AFTER {THEY}<sup>i</sup> PASSED Q. WHAT POSITION DID YOU HOLD IN THE MILITIA AT THAT TIME, A {I}<sup>i</sup> THINK A CAPTAIN.</p> <p>THAT IS ALL  <b>≤CROSS EXAMINATION≥</b></p> <p><b>≤BASKIN≥</b>  WHAT RELATION ARE YOU TO GEORGE A SMITH A COUSIN. Q A COUSIN BY BASKIN A YES SIR. MR.[?]  SUTHERLAND  LET ME ASK HIM ONE MORE QUESTION.  <b>≤SUTHERLAND≥</b>  DO YOU KNOW WHAT CONNECTION GEORGE A SMITH HAD WITH THE MILITIA AT</p>	<p>HAVE STATED; OR ANY FURTHER CONNECTION WITH EITHER OF THEM? A. NONE, WHATEVER AFTER THEY PASSED. Q. WHAT POSITION DID YOU HOLD IN THE MILITIA AT THAT TIME? A. I THINK CAPTAIN.<sup>347</sup> M<sup>R</sup> SUTHERLAND: THAT'S ALL. CROSS-EXAMINATION OF SILAS N. SMITH BY M<sup>R</sup> BASKIN: Q. WHAT RELATION ARE YOU TO GEORGE A. SMITH? A. COUSIN. Q. A COUSIN OF HIS? A. YES, SIR. M<sup>R</sup> SUTHERLAND: LET ME ASK THE WITNESS ONE MORE QUESTION: Q. DO YOU KNOW WHAT CONNECTION GEORGE A. SMITH HAD WITH THE MILITIA AT</p>	
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347. According to the militia roster he was the captain of Company B in the First Battalion of the Iron Military District

**RT**

**RS**

**BT**

**PS**

<p>THAT TIME OR ANY OTHER MILITARY ORGANIZATION IN THE TERRITORY ? ✓  A. TO THE BEST OF MY RECOLLECTION HE WAS ON GENERAL WELLS' STAFF, STAFF OFFICER. Q. STATE WHETHER DURING THE JOURNEY IN THE SOUTHERN PART OF UTAH HE GAVE ANY DIRECTIONS OR TOOK ANY STEPS WHATEVER TO YOUR KNOWLEDGE, IN REFERENCE TO THE MILITARY ORGANIZATION OF THE TERRITORY ? A. I THINK NOT PERSONALLY.</p> <p>BASKIN: DO YOU KNOW HE DIDN'T TAKE ANY PART IN THE ORGANIZATION OF THE MILITIA AT</p>	<p>THAT TIME OR ANY OTHER MILITARY ORGANIZATION IN THE TERRITORY  A TO THE BEST OF MY RECOLLECTION HE WAS ON GENERAL WELLS' STAFF = STAFF OFFICER {Q} STATE WHETHER DURING HIS JOURNEYING IN THE SOUTHERN PART OF UTAH, HE GAVE ANY DIRECTIONS OR TOOK ANY STEPS WHATEVER TO YOUR KNOWLEDGE, IN REFERENCE TO THE MILITARY ORGANIZATION OF TERRITORY. A I THINK NOT PERSONALLY.  ≤CROSS EXAMINED&gt;  BASKIN. Q DO YOU KNOW HE DIDN'T TAKE ANY PART IN THE ORGANIZATION OF MILITIA AT</p>	<p>THAT TIME OR ANY OTHER MILITARY ORGANIZATION IN THE TERRITORY?  A . TO THE BEST OF MY RECOLLECTION HE WAS ON GENERAL WELLS' STAFF, A STAFF OFFICER. Q. STATE WHETHER OR NOT DURING THE JOURNEY, IN THE SOUTHERN PART OF URTAH, HE GAVE ANY DIRECTIONS OR TOOK ANY STEPS WHATEVER, TO YOUR KNOWLEDGE, IN REFERENCE TO THE MILITARY ORGANIZATION OF THE TERRITORY? A. I THINK NOT PERSONALLY.</p> <p>M<sup>R</sup> Q. (BY BASKIN), DO YOU KNOW THAT HE DID NOT TAKE ANY PART IN THE ORGANIZATION OF THE MILLITIA AT</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THAT TIME ? A. HE WAS NOT DOWN HERE FOR THAT PURPOSE, BUT I DON'T KNOW.</p>	<p>THAT TIME <sub>A</sub> HE WAS NOT DOWN HERE FOR THAT PURPOSE BUT I DON'T KNOW.</p>	<p>THAT TIME? A. HE WASN'T DOWN HERE FOR THAT PURPOSE; BUT I DON'T KNOW.</p>	
<p>Q. DON'T YOU KNOW HE WAS DOWN HERE AS PRINCIPAL OF GENERAL WELLS' STAFF ?SEEING ABOUT MILITARY MATTERS ? <sup>[367]</sup> A. THERE WAS MR. MARTINEAU THAT WE HAVE ALLUDED TO, USUALLY CALLED OUT THE MILITIA, HE WAS</p>	<p><del>←BASKIN→</del> Q DON'T YOU KNOW HE WAS DOWN HERE AS PRINCIPAL OF GENERAL WELLS' STAFF, ABOUT MILITARY MATTERS <sub>A</sub> THERE WAS MR. MARTINEAU; WHEREVER WE HALTED USUALLY CALLED OUT THE MILITIA. HE WAS</p>	<p>Q. DON'T YOU KNOW THAT HE WAS DOWN HERE AS PRINCIPAL OF GENERAL WELLS' STAFF ABOUT MILITARY MATTERS? A. THERE WAS MR. MARTINEAU;<sup>348</sup> WHEREVER WE HALTED USUALLY CALLED OUT THE MILITIA. HE WAS</p>	
<p>ADJUTANT UNDER COL. DAME; HE WAS THE ONLY ONE THAT TOOK ANY PART. Q. WHAT WERE THEY CALLED OUT FOR ? A. THEY WERE CALLED OUT FOR MUSTER — THEIR ARMS WERE INSPECTED BY MARTINEAU.</p>	<p>ADJUTANT TO COLONEL DAME, HE WAS {THE}<sup>i</sup> ONLY <del>←THAT→</del> ONE TOOK ANY PART {Q}<sup>i</sup> WHAT WERE THEY CALLED OUT FOR <sub>A</sub> THEY WERE CALLED OUT FOR MUSTER, AND THEIR ARMS WERE INSPECTED BY MARTINEAU {Q}<sup>i</sup></p>	<p><del>AGJUTANT</del> <b>ADJUTANT</b> TO COL. DAME; HE WAS THE ONLY ONE THAT TOOK ANY PART. Q. WHAT WERE THEY CALLED OUT FOR? A. THEY WERE CALLED OUT FOR MUSTER, AND THEIR ARMS WERE INSPECTED BY MARTINEAU. <sup>[226]</sup></p>	

348. James H. Martineau, adjutant to Col. William H. Dame, Iron Military District.

**RT**

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<p>Q. WAS NOT GEORGE A. SMITH DOWN HERE FOR MILITARY PURPOSES AND TO INSPECT THEIR ARMS ? A. NOT TO MY KNOWLEDGE. Q. WHAT DID THEY CALL OUT THE COMPANIES FOR WHEN THEY PASSED ALONG ? A. IT WAS BECAUSE HE WAS PRESENT THAT THE COMPANIES WERE CALLED OUT. Q. THAT IS AS YOU WERE PASSING ALONG IN THE VILLAGES THE COMPANIES WOULD COME OUT AND MUSTER AND BE INSPECTED, BECAUSE GEORGE A. SMITH WAS THERE AND IT WAS FOR HIS BENEFIT, AND TO ORGANIZE THE MEN AS HE PASSED</p>	<p>WAS NOT GEORGE A SMITH DOWN HERE FOR MILITARY PURPOSE TO INSPECT THEIR ARMS A NOT TO MY KNOWLEDGE QWHAT DID THEY CALL OUT THE COMPANIES FOR WHEN <i>THEY/HE[?]</i> PASSED ALONG AIT WAS BECAUSE HE WAS PRESENT THAT THE COMPANIES WERE CALLED OUT QTHAT IS AS YOU WOULD PASS ALONG IN VILLAGES, THE COMPANIES WOULD COME OUT AND MUSTER AND BE INSPECTED, BECAUSE GEORGE A SMITH WAS THERE IT WAS FOR HIS BENEFIT QWHOM FOR ORGANIZATION MEN <i>≤</i>WAS CALLED OUT<sup>≥</sup> AS HE PASSED</p>	<p>Q. WASN'T GEORGE A. SMITH DOWN HERE FOR A MILITARY PURPOSE TO INSPECT THE ARMS? A. NOT TO MY KNOWLEDGE. Q. WHAT DID THEY CALL OUT THE COMPANIES FOR WHEN THEY PASSED ALONG? A. IT WAS BECAUSE HE WAS PRESENT THAT THE COMPANIES WERE CALLED OUT. Q. THAT IS AS YOU WOULD PASS ALONG THROUGH THE VILLAGES, THE COMPANIES WOULD COME OUT AND MUSTER AND BE INSPECTED, BECAUSE GEORGE A. SMITH WAS THERE? A. IT WAS FOR HIS BENEFIT. Q. IT WAS FOR HIM THAT THIS ORGANIZATION WAS CALLED OUT FOR AS HE PASSED</p>	
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<p>THROUGH —</p> <p>WAS NOT THE REASON THAT THEY WAS CALLED OUT</p> <p>BECAUSE GEORGE A. SMITH WAS IN <del>GO</del> TOWN OR NOT ? A. IT IS POSSIBLE. Q. DO YOU KNOW AS TO WHETHER YOU KNOW WHETHER THE QUESTION I ASKED YOU OR NOT AND YOU CAN ANSWER THAT ONE WAY OR THE OTHER — YOU CERTAINLY HAVE KNOWLEDGE OF</p> <p>THAT SUBJECT — LET THE JURY KNOW WHETHER IT IS SO OR NOT ? A. I PRESUME SO. Q. YOU KNOW IT — YOU DON'T PRESUME IT, CAN'T YOU STATE IT TO THE JURY A. I DO NOT KNOW IT. Q. AND YOU DIDN'T HEAR THE SUBJECT TALKED OF —</p>	<p>THROUGH;</p> <p>THE REASON WHY HE WAS CALLED OUT WAS BECAUSE GEORGE A. SMITH WAS IN TOWN OR NOT {A} IT IS POSSIBLE. YOU KNOW</p> <p>WHETHER THE QUESTION I ASKED YOU IS SO OR NOT, YOU CAN ANSWER ONE WAY THE OTHER, YOU HAVE KNOWLEDGE OF</p> <p>THAT SUBJECT LET <del>THE</del> JURY KNOW WHETHER IT IS SO OR NOT A I PRESUME YOU Q YOU KNOW IT = YOU DON'T PRESUME IT, <sup>[35]</sup> CAN'T YOU STATE IT TO THE JURY A I DO NOT KNOW IT AND YOU DIDN'T HEAR THE SUBJECT TALKED OF =</p>	<p>THROUGH; I ASK YOU IF THAT WAS THE REASON WHY THEY WERE CALLED OUT? WAS IT BECAUSE GEORGE A. SMITH WAS IN TOWN OR NOT A. IT IS POSSIBLE. Q. YOU KNOW</p> <p>WHETHER THE <del>W</del>QUESTION I ASK YOU <del>IS</del> SO OR NOT, YOU CAN ANSWER ONE WAY OR THE OTHER? YOU HAVE SOME KNOWLEDGE, HAVN'T YOU ON THAT SUBJECT;?</p> <p>LET THE JURY KNOW WHETHER IT IS SO OR NOT? A. I PRESUME SO. Q. YOU KNOW IT, YOU DON'T PRESUME IT; CAN'T YOU TELL IT TO THE JURY? A. I DO NOT KNOW IT. Q. DIDN'T YOU HEAR THE SUBJECT TALKED OF ?</p>	
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**RT**

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**PS**

<p>WHAT MAKES YOU PRESUME SO ?  <sup>[368]</sup> A. IT WAS NOT UNUSUAL TO DO SO. Q. HOW MANY PLACES DID THEY MUSTER THE MILITIA WHEN GEORGE A. SMITH WAS PRESENT ? A. I COULD NOT SAY, BUT ON SEVERAL OCCASIONS, TWO OR THREE, PERHAPS MORE. Q. WHAT DID GEORGE A. SMITH DO WHEN THEY WERE MUSTERED ? A. I DIDN'T SEE HIM ON THE GROUND. Q. IT WAS A MERE MATTER OF ACCIDENT WAS IT ? MATTER TO INSPECT THE ARMS THROUGH COL. DAME ? A. YES, AS HIS ADJUTANT. Q. DID YOU KNOW WHETHER COL. DAME MADE ANY REPORTS TO HIM ? A. I DO NOT KNOW. Q. DO</p>	<p>WHAT MAKES YOU PRESUME SO ?  <del>A</del> &lt;BECAUSE&gt; IT WAS NOT UNUSUAL TO DO SO. Q. HOW MANY PLACES DID THEY MUSTER THE MILITIA, WHEN GEORGE A. SMITH WAS PRESENT. A. I COULD NOT SAY, BUT ON SEVERAL OCCASIONS. Q. TWO OR 3 &lt;THESE AND&gt; PERHAPS MORE. Q. WHAT DID GEORGE A. SMITH DO WHEN THEY WERE MUSTERING. A. I DIDN'T SEE HIM ON THE GROUND, IT WAS A MERE MATTER OF ACCIDENT WAS MATTER TO INSPECT THE ARMS THROUGH COLONEL DAME AS HIS ADJUTANT. Q. DID YOU KNOW WHETHER COLONEL DAME MADE ANY REPORTS TO HIM. A. I DO NOT KNOW. Q. DO</p>	<p>WHAT MAKES YOU SAY YOU PRESUME SO?  A. <del>I</del>BECAUSE IT WAS NOT UNUSUAL TO DO SO. Q. AT HOW MANY PALACES DID THEY MUSTER THE MILITIA WHEN GEORGE A. SMITH WAS PRESENT? A. <del>I</del> I COULD NOT SAY, BUT ON SEVERAL OCCASIONS. Q. <del>S</del>AT AT TWO OR THREE PLACES? A. PERHAPS MORE. Q. WHAT DID GEORGE A. SMITH DO WHEN THEY WERE MUSTERING? A. I DID NOT SEE HIM ON THE GROUND. IT WAS A MERE MATTER OF ACCIDENT TO INSPECT THE ARMS THROUGH COL. DAME BY HIS <del>A</del>GITANT ADJUTANT. Q. DO YOU KNOW WHETHER COL DAME MADE ANY REPORTS TO HIM? A. I DON'T KNOW. Q. DO</p>	
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**PS**

<p>YOU KNOW WHETHER GEORGE A. SMITH HAD ANY OBJECT IN HIS VISIT DOWN HERE ?  A. NONE WHATEVER. Q. NOTHING SAID ON THE SUBJECT AND YOU TRAVELLED WITH HIM FROM PAR,OWAN DOWN THROUGH THESE SOUTHERN SETTLEMENTS AND RETURNED — HOW MANY MILES ?  A. I COULD NOT SAY. Q. TO SANTA CLARA ABOUT HOW MANY ? A. PROBABLY IN THE NEIGHBORHOOD OF FIFTY MILES. Q. HOW MANY MEETINGS DID YOU HOLD DURING THAT TIME ? A. I SUPPOSE I COULD TRACK IT UP BUT I</p>	<p>YOU KNOW WHETHER GEORGE A SMITH HAD ANY OBJECT IN HIS VISIT DOWN HERE &lt;IN THAT&gt; RESPECT A NONE WHATEVER. Q NOTHING SAID ON THE SUBJECT = YOU TRAVELED WITH HIM FROM PAROWAN DOWN THROUGH ALL THESE SOUTHERN SETTLEMENTS AND RETURNED HOW MANY MILES &lt;DID YOU TRAVEL&gt; A I COULD NOT SAY. Q TO SANTA CLARA = A ABOUT HOW MANY WERE PROBABLY IN THE NEIGHBORHOOD 50 MILES Q HOW MANY MEETINGS DID YOU HOLD DURING THAT TIME A I SUPPOSE I COULD TRACK IT UP BUT I</p>	<p>YOU KNOW WHETHER GEORGE QA. SMITH HAD ANY OBJECT IN HIS VISIT DOWN <sup>[227]</sup> THERE IN THAT RESPECT? A. NONE, WHATEVER. Q. NOTHING SAID ON THE SUBJECT? YOU TRAVELLED WITH HIM TROUGH PAROWAN ALL THROUGH THESE SOUTHERN SETTLEMENTS AND RETURNED; HOW MANY MILES DID YOU TRAVEL? A. I COULDNOT SAY . Q. WELL, TO SANTA CLARA? A. ABOUT, PROBABLY IN THE NEIGHBORHOOD OF 150 MILES. Q. HOW MANY MEETINGS DIDYOU HOLD DURINGTHAT TIME? A I SUPPOSE I COULD TRACK IT UP, BUT I</p>	
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<p>DON'T REMEMBER. Q. WELL, ABOUT HOW MANY — I AM NOT ASKING YOU TO GIVE THE NUMBER, BUT ABOUT HOW MANY ? <sup>[369]</sup> A. FIVE OR SIX MEETINGS. Q. WHY DID YOU STOP AT THE SANTA CLARA AND NOT GO ANY FURTHER ? A. THAT WAS THE EXTREME SOUTHERN SETTLEMENT. Q. HOW DID YOU HAPPEN TO GO WITH GEORGE A. SMITH ON THAT OCCASION ? A. I THINK HE INVITED ME TO ACCOMPANY HIM, OTHERWISE I COULD NOT SAY. Q. WHAT WAS THE OBJECT OF THAT VISIT TO THE SOUTH ? A. TEACHING THE PEOPLE, INSTRUCTING THEM TO LAY UP THE GRAIN. Q.</p>	<p>DON'T REMEMBER <sub>Q</sub> WELL ABOUT HOW MANY I AM NOT ASKING YOU TO GIVE <i>NUMBER[?]</i> ABOUT HOW MANY <sub>A</sub> 5 OR 6 MEETINGS <sub>Q</sub> WHY DID YOU STOP AT SANTA CLARA <b>AND</b> <del>NOT</del> GO ANY FARTHER <sub>A</sub> THAT WAS THE EXTREME SOUTHERN SETTLEMENT <sub>Q</sub> HOW DID YOU HAPPEN TO GO WITH GEORGE A SMITH ON THAT OCCASION <sub>A</sub> I THINK HE INVITED ME TO ACCOMPANY HIM OTHERWISE I COULD NOT SAY <sub>Q</sub> WHAT WAS THE OBJECT OF THAT VISIT TO THE SOUTH <sub>A</sub> <del>ADVICE</del> TEACHING THE PEOPLE = INSTRUCTING THEM TO LAY UP THE GRAIN</p>	<p>DON'T REMEMBER. Q. WELL, ABOUT HOW MANY; I AM NOT ASKING YOU TO GIVE THE EXACT NUMBER, BUT ABOUT HOW MANY? A. FIVE OR SIX MEETINGS. Q. WHY <del>ED</del> DID YOU STOP AT THE SANTA CLARA AND NOT GO ANY FARTHER? A. BECAUSE THAT WAS THE EXTREME SOUTHERN SETTLEMENT. <del>A</del> Q. HOW DID YOU HAPPEN TO GO <del>TO</del> WITH GEORGE A. SMITH ON THAT OCCA<del>I</del>SION? A. I THINK HE INVITED ME TO ACCOMPANY <b>HIM</b>; OTHERWISE I COULD NOT SAY. Q. WHAT WAS THE OBJECT OF THAT VISIT TO THE <del>S</del>SOUTH<del>M</del>.? A. ADVISING AND TEACHING THE PEOPLE— INSTRUCTING THEM TO LAY UP GRAIN.</p>	
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**PS**

<p>AND ONE OF THESE MEETINGS YOU SAY YOU DIDN'T HEAR THIS EMIGRANT TRAIN REFERRED TO ? A. I DID NOT. Q. YOU ARE SURE OF THAT ? A. I AM CERTAIN OF IT. Q. HOW FAR WAS THAT SOUTHERLY SETTLEMENT YOU STOPPED AT BEYOND THE MOUNTAIN MEADOWS ? A. WE DIDN'T PASS BY THE MOUNTAIN MEADOWS — WENT DOWN THE OTHER ROAD. Q. HOW FAR DID YOU PASS FROM THE MOUNTAIN MEADOWS, OR HOW NEAR TO IT DID YOU PASS ? A. I PRESUME IT WAS THIRTY MILES, I COULD NOT SAY DEFINITELY, THE ROADS DIVERGE FROM CEDAR. Q. DURING THAT JOURNEY DIDN'T</p>	<p>Q AND IN ALL OF THESE MEETINGS YOU SAY YOU DIDN'T HEAR THIS EMIGRANT TRAIN REFERRED TO A I DID NOT Q &lt;YOU ARE SURE OF THAT&gt; A I AM CERTAIN OF THAT Q HOW FAR WAS THAT SOUTHERLY SETTLEMENT YOU STOPPED AT, BEYOND THE MOUNTAIN MEADOW ? A WE DIDN'T PASS BY THE MOUNTAIN MEADOW, WENT DOWN THE OTHER ROAD Q HOW FAR DID YOU PASS FROM MOUNTAIN MEADOW, OR HOW NEAR TO IT DID YOU PASS A I PRESUME IT WAS 30 MILES, I COULD NOT SAY DEFINITELY, THE ROADS DIVERGE FROM CEDAR Q DURING THAT JOURNEY, DID YOU DIDN'T</p>	<p>Q. AND IN ALL OF THESE MEETINGS, YOU SAY YOU DIDN'T HEAR THIS EMIGRANT TRAIN REFERRED TO ? A I DID NOT. Q. YOU ARE SURE OF THAT? A I AM CERTAIN OF THAT? Q. HOW FAR WAS THAT SOUTHERN MOST SETTLEMENT YOU STOPPED AT BEYOND THE MOUNTAIN MEADOW? A : WE DIDN'T PASS BY THE MOUNTAIN MEADOWS; WE WENT DOWN THE OTHER ROAD. Q. HOW FAR DID YOU PASS FROM THE MOUNTAIN MEADOW, OR HOW NEAR TO IT DID YOU PASS? A. I PRESUME IT WAS NEARLY 30 MILES. I COULD NOT SAY DEFINITELY . THE ROADS DIVERGE FROM CEDAR CITY. Q. DURING THAT JOURNEY DIDN'T</p>	
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**PS**

<p>YOU TALK FREQUENTLY ON MILITARY MATTERS? A. WE MAY HAVE DONE, IT HAS BEEN SO LONG I DON'T REMEMBER THE CONVERSATION, BUT NOT TO MY REMEMBRANCE; I WAS NOT MUSTERING COMPANIES, I MEAN THE PEOPLE WERE NOT, AND I WAS NOT IN THE PRESENCE OF SOME OF THEM. Q. DO YOU KNOW WHETHER THESE INSPECTIONS WERE MADE ANY REPORTS OF, OR WERE MADE TO GEORGE A. SMITH BY THESE OFFICERS ? <sup>[370]</sup> A. I DO NOT; I NEVER WAS PRESENT WHEN ANY OF THE REPORTS WERE MADE TO HIM. Q. YOU WERE NOT ? A. NO SIR. Q. AND YOU</p>	<p>YOU TALK FREQUENTLY ON MILITARY MATTERS <sub>A</sub> WE MAY HAVE DONE, IT HAS BEEN SO LONG I DON'T REMEMBER THE CONVERSATION; BUT NOT TO MY REMEMBRANCE. Q I WAS NOT MUSTERING COMPANIES, I MEAN PEOPLE WERE <i>NOT/IN[?]</i> PRESENCE OF SMITH Q DO YOU KNOW WHETHER THESE INSPECTIONS WERE MADE OUT IN THEIR REPORTS AND WERE MADE TO GEORGE A SMITH BY THESE OFFICERS <sub>A</sub> I DO NOT, I NEVER WAS PRESENT WHEN ANY REPORTS WERE MADE TO HIM Q <i>≦SURE[?]</i> NOT <sub>≧</sub> <sub>A</sub> NO SIR Q AND YOU</p>	<p>YOU TALK FREQUENTLY ON MILITARY MATTERS? A. WE MAY HAVE DONE <b>SO</b>; IT HAS BEEN SO LONG THAT I DON'T REMEMBER THE CONVERSATION S, —BUT NOT TO <del>MU</del>Y REMEMBERANCE. I WAN <del>S</del>N'T MUSTERING COMPANIES; I MEAN THE PEOPLE WERE NOT IN THE PRESENCE OF SMITH. <sup>[228]</sup> Q. DO YOU KNOW WHETHER THIS INSPECTION WAS MADE OUT <del>Θ</del>IN THEIR REPORTS — WERE MADE TO GEORGE A . SMITH BY THESE OFFICERS? A. I DO NOT; I NEVER WAS PRESENT WHEN ANY REPORTS WERE MADE TO HIM. Q. YOU SAY YOU WERE NOT? A . NO, SIR. Q. AND YOU</p>	
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**PS**

<p>TRAVEL WITH HIM BACK FROM THE SOUTHERN COUNTRY TO CEDAR SPRINGS ? NO ANSWER. Q. WHO CAME WITH HIM FROM SALT LAKE CITY, WITH GEORGE A. SMITH, IF ANY ONE ? A. MR. HOWD BROUGHT HIM TO PAROWAN. Q. WAS THERE ANY PERSON TRAVELING WITH HIM AS COMPANY OR OTHERWISE ? A. I THINK HE WAS ALONE, AS NEAR AS I REMEMBER. Q. DID HE SAY ANYTHING TO YOU ABOUT WHAT HIS OBJECT WAS IN LEAVING SALT LAKE CITY AT THAT TIME AND TRAVELING DOWN THROUGH THIS COUNTRY — YOU KNOW WHAT THAT OBJECT</p>	<p>TRAVEL WITH HIM BACK FROM THE &lt;EXTREME&gt; SOUTHERN COUNTRY TO CEDAR SPRINGS A YES SIR <sup>[36]</sup> Q WHO CAME WITH HIM FORM SALT LAKE CITY WITH GEORGE A SMITH IF ANY ONE A MR. HOWD &lt;HOWD&gt;, BROUGHT HIM TO PAROWAN Q WAS THERE ANY PERSON TRAVELING WITH HIM AS COMPANION OR OTHERWISE A I THINK HE WAS ALONE AS NEAR AS I REMEMBER Q DID HE SAY ANYTHING TO YOU ABOUT WHAT HIS OBJECT WAS IN LEAVING SALT LAKE CITY AT THAT TIME AND TRAVELING DOWN THROUGH THIS COUNTRY, YOU KNOW WHAT THAT OBJECT</p>	<p>TRAVELLED WITH HIM BACK FROM THE EXTREME SOUTHERN COUNTRY TO CEDAR SPRINGS? A. YES, SIR. Q . WHO CAME FROM SALT LAKE CITY WITH GEORGE A. SMITH, IF ANY ONE? A. MR. HOWD BROUGHT HIM TO PAROWAN. Q. WAS THERE ANY PERSON TRAVELLING WITH HIM AS TRAVELING COMPANION OR OTHERWISE? A. I THINK HE WAS ALONE, AS NEAR AS I CAN REMEMBER. Q. DID HE SAY ANYTHING TO YOU ABOUT WHAT HIS OBJECT WAS IN LEAVING SALT LAKE CITY AT T HAT TIME AND TRAVELING DOWN THROUGH THIS COUNTRY;. IF YOU KNOW STATE WHAT THAT OBJECT</p>	
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**PS**

<p>WAS ? A. NOTHING MORE THAN INSTRUCTING THESE PEOPLE — THESE PUBLIC INSTRUCTIONS. Q. WHY DID HE GIVE THIS</p> <p>INSTRUCTION — WHAT WAS HIS REASONFOR IT ? A. I COULD NOT TELL YOU WITHOUT IT WAS A LONG TRAIN OF CIRCUMSTANCES . Q. I WANT YOU TO TELL JUST ABOUT THE LANGUAGE HE HUSED ? A. HE WAS INSTRUCTING THE PEOPLE TO LAY UP THEIR BREAD. Q. WHY DID HE SAY LAY UP THEIR BREAD ? A. BECAUSE JOHNSON’S ARMY WAS APPROACHING. Q. WAS THERE ANYTHING SAID ABOUT PREVENTING ANY EMIGRANT TRAIN PASSING THROUGH THE</p>	<p>WAS <sub>A</sub> NOTHING ≦OTHER≧ MORE THAN TO INSTRUCT AND GIVE THIS PUBLIC INSTRUCTION Q WHY DID HE GIVE THIS</p> <p>INSTRUCTION, WHAT WAS HIS REASON FOR IT <sub>A</sub>I COULD NOT TELL YOU [<i>space</i>] WITHOUT IT WAS LONG TRAIN OF CIRCUMSTANCE S Q I WANT YOU TO TELL NOW JUST ABOUT THE LANGUAGE HE USED, <sub>A</sub>HE WAS INSTRUCTING PEOPLE TO LAY UP THEIR BREAD Q WHY DID HE SAY LAY UP THEIR BREAD <sub>A</sub> ≦BECAUSE≧ JOHNSTON’S ARMY WAS APPROACHING Q WAS THERE ANYTHING SAID ABOUT PREVENTING ANY EMIGRANT TRAIN PASSING THROUGH THE</p>	<p>WAS? A. NOTHING MORE THAN TO INSTRUCT AND GIVE THESE PUBLIC INSTRUCTIONS? Q. WHY DID HE GIVE THESE PUBLIC INSTRUCTIONS? WHAT WAS HIS REASON FOR IT? A. I COULD NOT TELL YOU, WITHOUT IT WAS A LONG TRAIN OR CIRCUMSTANCE S. Q. I WANT YOU TO TELL NOW, JUST ABOUT THE LANGUAGE HE USED? A. HE WAS INØSTRUCTING THE PEOPLE TO LAY UP THEIR BREAD. Q. WHY DID HE SAY, LAY UP THEIR BREWAD? A. BECAUSE JOHNSON’S ARMY WAS APPROACHING. Q. WAS THERE ANYTHING SAID ABOUT PREVENTING ANY EMIGRANT TRAIN PASSING THROUGH THE</p>	
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**PS**

<p>COUNTRY ?<sup>[371]</sup> A.  NOT A WORD ON  THAT SUBJECT-,  NOT IN MY  HEARING. Q. DID  YOU HEAR ANY  PERSON,  IN  YOUR HEARING,  TALK TO HIM  ON THAT  SUBJECT A. NO  SIR, AS I  HAVE STATED, I  NEVER HEARD  OF THIS  EMIGRANT  TRAIN TILL  WE MET  THEM. IT WAS  THE FIRST  INTIMATION I  HAD OF THEM  UNTIL WE  MET THEM, OR  THAT THEY  WAS  IN THE  COUNTRY. Q.  DID YOU AND  GEORGE A.  SMITH HAVE  ANY  CONVERSATION  ABOUT THIS  EMIGRANT  TRAIN AT THE  TIME YOU  CAMPED WITH  HIM ON  CORN CREEK —  NOW YOU  KNOW, AND  WONT YOU  TELL WHAT, IF</p>	<p>COUNTRY A  NOT A WORD ON  THAT SUBJECT,  NOT IN MY  HEARING Q DID  YOU HEAR ANY  PERSON IN  HIS/NS[?] IN  YOUR HEARING  TALK TO HIM  ON THAT  SUBJECT A NO  SIR, AS I  HAVE STATED, I  NEVER HEARD  OF THIS  EMIGRANT  TRAIN UNTIL  WE MET  THEM. IT WAS  THE FIRST  INTIMATION I  HAD OF THEM  UNTIL WE  MET THEM., OR  THAT THEY  WAS  IN THE  COUNTRY. Q  DID YOU AND  GEORGE A  SMITH HAVE  ANY  CONVERSATION  ABOUT THIS  EMIGRANT  TRAIN AT THE  TIME YOU  CAMPED WITH  EM/HIM[?] ON  CORN CREEK?  NOW YOU  KNOW,  WONT YOU  TELL WHAT IF</p>	<p>COUNTRY? A.  NOT A WORD ON  THAT SUBJECT,  NOT IN MY  HEARING. Q. DID  YOU HEAR ANY  PERSON  IN  YOUR HEARING  TALK TO HIM  ON THAT  SUBJECT? A.  NO, SIR, AS I  HAVE STATED, I  NEVER HEARD  OF THIS  EMIGRANT  TRAIN TILL  WE MET  THEM. IT WAS  THE FIRST  INTIMATION WE  HAD OF THEM  UNTIL <del>THE</del> WHEN WE  MET THEM; OR  THAT THEY  <del>THAT THEY</del>  WERE IN THE  COUNTRY. <sup>[229]</sup> Q.  DID YOU AND  GEORGE A.  SMITH HAVE  ANY  CONVERSATION  ABOUT THIS  EMIGRANT  TRAIN AT THE  TIME YOU  CAMPED WITH  HIM ON  CORN CREEK.  NOW, YOU  KNOW,  WON'T YOU  STATE, WHAT, IF</p>	
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**RT****RS****BT****PS**

<p>ANY, CONVERSATION YOU HAD IN RELATION TO THIS TRAIN ? A. I DON'T REMEMBER ANYTHING ONLY PASSING REMARKS. Q. DIDN'T THEY MAKE ENQUIRIES OF YOU WHERE THEY COULD STOP AND RECRUIT THEIR STOCK SOMEWHERE IN THE SOUTH ? A. NOT IN MY HEARING. Q. DIDN'T YOU HEAR THAT TALKED OF THERE ? A. YES. Q. WHAT WAS THE SUBJECT ? A. AS NEAR AS I REMEMBER THEY ENQUIRED FOR A PLACE OF  GRASS TO RECRUIT THE STOCK, THIS MOUNTAIN MEADOW WAS KNOWN TO BE A</p>	<p>≪CONVERSATIO N≧ YOU HAD &lt;IN&gt; RELATION TO THIS TRAIN ΔI DON'T REMEMBER ANYTHING ONLY PASSING REMARKS Q DIDN'T THEY MAKE INQUIRIES OF YOU WHERE THEY COULD STOP AND RECRUIT THEIR STOCK SOMEWHERE IN THE SOUTH Δ NOT IN MY HEARING Q DIDN'T YOU HEAR THAT TALKED OF <i>THERE/THEIR[?]</i> &lt;CAMP&gt; ≪A≧ YES QWHAT WAS SAID ΔAS NEAR AS I REMEMBER, INQUIRED FOR PLACE OF  GRASS TO RECRUIT THEIR STOCK, THIS MOUNTAIN MEADOW WAS KNOWN TO BE A</p>	<p>ANY CONVERSATION YOU HAD WITH HIM IN RELATION TO THIS EMIGRANT TRAIN? A. I DON'T REMEMBER ANYTHING ONLY PASSING REMARKS. Q. DIDN'T THEY MAKE INQUIRIES OF YOU WHERE THEY COULD STOP AND RECRUIT THEIR STOCK SOMEWHERE IN THE SOUTH? A. NOT IN MY HEARING. Q. DIDN'T YOU HEAR THAT <del>TALK</del> TALKED OF THERE? AT THEIR CAMP? A. YES. Q. WHAT WAS SAID? A. AS NEAR AS I REMEMBER THEY ENQUIRED FOR A PLACE WHERE THERE WAS GRASS TO RECRUIT THEIR STOCK. THESE MOUNTAIN MEADOWS WAS KNOWN AS BEING A</p>	
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**RT**

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**PS**

<p>PLACE OF ABUNDANT GRASS, ON THE <del>ELI</del> CALIFORNIA ROAD, AND TO THE BEST OF MY REMEMBRANCE I UNDERSTOOD FROM THE PARTY AFTERWARDS THAT WOULD BE THE MOST SUITABLE PLACE TO RECRUIT. Q. DIDN'T YOU HEAR GEORGE A. SMITH TELL THEM IN ANSWER TO A QUESTION PUT TO HIM THAT THAT WAS THE PLACE TO STOP, AND THE MOST VALUABLE ? A. NO SIR. <sup>[372]</sup> Q. YOU DID HEAR, IN YOUR OWN PARTY, THAT THAT WAS THE PLACE TO RECRUIT THEIR STOCK ? A. YES, IN CONVERSATION. Q. WHO DID YOU HEAR TALKING ABOUT IT ? A. SOME OF THE PARTY, I CANNOT SAY. Q.</p>	<p>PLACE OF ABUNDANT GRASS ON THE CALIFORNIA ROAD AND TO THE BEST OF MY REMEMBRANCE I UNDERSTOOD FROM THE PARTY AFTERWARDS THAT WOULD BE THE MOST SUITABLE PLACE TO RECRUIT Q DIDN'T YOU HEAR GEORGE A SMITH TELL THEM, IN ANSWER TO QUESTION PUT TO HIM, THAT WAS THE PLACE TO STOP = MOST VALUABLE A NO SIR Q YOU DID HEAR, IN YOUR OWN PARTY THAT WAS THE PLACE TO RECRUIT THEIR STOCK A YES SIR IN CONVERSATION Q WHO DID YOU HEAR TALKING ABOUT IT A SOME <i>OTHER/OF</i> <i>THEIR[?]</i> PARTY, I CANNOT SAY Q</p>	<p><del>P</del>OLACE OF ABUNDANT GRASS ON THE CALIFORNIA ROAD; AND TO THE BEST OF MY REMEMBERANC E I UNDERSTOOD <del>STTOON</del> FROM THE PARTY AFTERWZARDS, THAT WOULD BE THE MOST SUITABLE PLACE TO RECRUIT. Q. DIDN'T YOU HEAR GEORGE A. SMITH TELL THEM IN ANSWER TO THE QUESTION <del>F</del>PUT TO HIM THAT THAT WAS THE PLACE TO STOP, MOST <b>SUITABLE</b> <del>VALUABLE?</del> A. NO, SIR. Q. YOU DID HEAR THE THINRG YOURSELF, THAT THAT WAS THE BEST PLACE TO RECRUIT THEIR STOCK? A. YES, SIR, IN CONVERSATION. Q. WHO DID Y <del>H</del>OU HEAR TALKING ABOUT IT? A SOME OTHER PARTY BUT I CAN'T SAY. Q.</p>	
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**RT**

**RS**

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**PS**

<p>WHAT DID THEY SAY ABOUT IT ?  A. THEY WERE TOLD THAT THAT WAS THE BEST PLACE;  SOME ONE ASKED MY OPINION OF IT, AFTERWARDS, IF I KNEW OF A BETTER PLACE FOR STOCK TO RECRUIT. Q. WAS NOT IT TALKED OF AS THE BEST PLACE TO MASSACRE THIS TRAIN ? A. NO SIR, NOTHING SAID ABOUT IT. SUTHERLAND: BROTHER BASKIN, THAT IS RATHER</p> <p>CHEEKY. Q. YOU NEVER HEARD ANYTHING SAID ON THAT SUBJECT ? —</p> <p>NEVER HEARD THERE WAS ANY FEELING WITH RESPECT TO THIS TRAIN—GEORGE A. SMITH NEVER EXPRESSED ANYTHING OF THE SORT TO</p>	<p>WHAT DID THEY SAY ABOUT IT  <sup>A</sup>THEY WERE TOLD THAT WAS THE BEST PLACE,  SOME ONE ASKED MY OPINION OF IT AFTERWARDS, IF I KNEW OF <del>A</del> BETTER PLACE FOR STOCK TO RECRUIT. <sub>Q</sub> WAS NOT TALKED OF AS THE BEST PLACE TO MASSACRE THIS TRAIN <sup>A</sup> NO SIR NOTHING SAID ABOUT IT. BY SUTHERLAND BROTHER BASKIN, THAT IS RATHER CHEEKING <del>CHEEKY</del> <sub>Q</sub> YOU NEVER HEARD ANYTHING SAID ON THAT SUBJECT NEVER? <sup>A</sup> NEVER HEARD THERE WAS ANY FEELING WITH RESPECT <del>TO</del> ABOUT THIS TRAIN. GEORGE A SMITH NEVER EXPRESSED <sup>[37]</sup> ANYTHING OF THE SORT. <sub>Q</sub></p>	<p>WHAT DID THEY SAY ABOUT IT?  A. THEY WERE TOLD THAT WAS THE BEST PLACE;  SOMEONE ASKED MY OPINION OF IT AFTERWARDS , IF I KNEW OF A BETTER PLACE FOR STOCK TO RECRUIT. Q. IT WASN'T TALKED OF AS THE BEST PLACE TO MASSACRE THIS TRAIN? A. NO, SIR, NOTHING SAID ABOUT IT. <sup>M<sup>R</sup></sup> SUTHERLAND: BROTHER BASKIN, THAT IS RATHER</p> <p>CHEEKY. Q. YOU NEVER HEARD ANYTHING SAID ON THAT SUBJECT, <del>NEVER?</del> A. NEVER HEARD THERE WAS ANY FEELING IN THAT RESPECT ABOUT THIS TRAIN. GEORGE A. SMITH NEVER EXPRESSED ANYTHING OF THE SORT. <sup>[230]</sup> Q.</p>	
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**BT**

**PS**

<p>YOU — DID          GEORGE A.          SMITH SAY          ANYTHING TO          ABOUT          THAT TIME, AS          TO WHAT          CAUSED HIM TO          LEAVE SALT          LAKE CITY AND          TRAVEL DOWN          HERE ? A. NO. Q.          DID YOU ASK          HIM WHAT          THE          OBJECT OF HIS          VISIT DOWN          THERE WAS ? A.          NO SIR. Q. HE          SAID          NOTHING TO          YOU ABOUT IT ?          A. NO SIR. IT WAS          USUAL FOR HIM          TO          VISIT THIS          COUNTRY. Q.          WAS NOT          IT          GENERAL          WHEN THE          LEADERS OF          THE CHURCH</p> <p>CAME TO THIS          COUNTRY,          DIDN'T THEY          COME IN          CROWDS — IN          NUMBERS ? A.          NOT AT THAT          TIME.          Q. DID YOU          KNOW EVER          AFTERWARDS</p>	<p>DID          GEORGE A          SMITH SAY          ANYTHING TO          YOU, ABOUT          THAT TIME, <i>AS</i>  <i>TO[?]</i> WHAT          CAUSED HIM TO          LEAVE SALT          LAKE CITY AND          TRAVEL DOWN          HERE <sub>A</sub>NO <sub>Q</sub>          DID YOU ASK          HIM WHAT  <i>≤WAS THE≥</i>          OBJECT OF HIS          VISIT DOWN          THERE <sub>A</sub>          NO SIR <sub>Q</sub>HE          SAID          NOTHING          ABOUT IT  <sub>A</sub>NO SIR IT WAS          USUAL FOR HIM          TO          VISIT THIS          COUNTRY. <sub>Q</sub>  <i>WAS[?]</i> NOT  <i>≤WAS IT NOT≥</i>          GENERAL  <i>MANNER/WHEN[?</i>          ] THE LEADERS          OF THE CHURCH          WHO</p> <p>CAME TO THIS          COUNTRY          DIDN'T THEY          COME IN          CROWDS, IN          NUMBERS <sub>A</sub>          NOT AT THAT          TIME.  <sub>Q</sub>DID YOU          KNOW EVER          AFTERWARDS,</p>	<p>DID          GEROGE A.          SMITH SAY          ANYTHINGTO          YOU ABOUT          THAT TIME AS          TO WHAT          CAUSED HIM TO          LEAVE SALT          LAKE CITY AND          TRAVEL DDOWN          HERE A. NO. Q.          DID YOU ASK          HIM WHAT  <i>±WAS THE</i>          OBJECT OF HIS          VISIT DOWN          THERE ? A.          NO, SIR. Q. HE          SAID          NOTHINGTO          YOU ABOUT IT?          A. NO, SIR, IT          WAS USUAL FOR  <del>YOU</del><b>HIM</b> TO          VISIT THIS          COUNTRY. Q.          WASN'T          IT THE          GENERAL          MANNER OF THE          LEADERS OF          THE CHURCH,          WHEN THEY          CAME TO THIS          COUNTRY,          DIDN'T THEY          COME IN          CROWDS, IN          NUMBERS          AT THAT          TIME? A. NO,          SIR. Q. DID YOU          KNOW EVER          AFTERWARDS</p>	
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**RT**

**RS**

**BT**

**PS**

<p>ANY OF THE LEADERS COMING FROM SALT <sup>[373]</sup> LAKE CITY AND MAKING THAT DISTANCE AND BACK ALONE, UNATTENDED BY ANY PERSON ? A. GEORGE A. SMITH CAME AFTERWARDS. Q. BUT HE HAD SOME PERSON WITH HIM, HADN'T HE, THAT TRIP OUT THERE ? A. NOT TO MY REMEMBRANCE; HE CAME WITH ME FROM SAN PETE. Q. HOW LONG AFTER THE MASSACRE ? A. I THINK THIS WAS ABOUT IN 1864; THIS TIME I ALLUDE TO, HE CAME THROUGH ON ANOTHER OCCASION WITH JUDGE KANE, ) &lt;Q&gt; HE WAS WITH HIM ON THE OCCASION</p>	<p>ANY OF THE LEADERS COMING FROM SALT LAKE CITY, AND MAKING THAT DISTANCE AND BACK ALONE UNATTENDED BY ANY PERSON A GEORGE A SMITH CAME AFTERWARD &lt;BASKIN&gt; Q BUT HE HAD SOME PERSON WITH HIM HADN'T HE. THAT TRIP OUT THERE A NOT TO MY REMEMBRANCE HE CAME WITH ME FROM SANPETE Q HOW LONG AFTER THE MASSACRE A I THINK &lt;THIS&gt; WAS ABOUT IN 1864 THIS TIME I ALLUDE TO, CAME THROUGH ON ANOTHER OCCASION WITH JUDGE KANE &lt;KINNEY&gt;, HE WAS NOT WITH HIM ON THE OCCASION</p>	<p>ANY OF THE LEADERS COMING FROM SALT LAKE CI Y, AND MAKING THAT DIASTANCE AND BACK ALONE, UNATTENDED BY ANY PERSON? A. GEORGE A. SMIGTH CAME AFTERWARD. Q. BUT HE HAD SOME PERSON WITH HIM, HADN'T HE ON THAT TRIP OUT THERE? A. NOT TO MY REMEMBERANC E. HE CAME WITH ME FROM SAN PETE, Q. HOWLONG AFTER THE MASSACRE WAS THAT? A. I THINK THIS WAS ABOUT IN 1864, THIS TIME THAT I ALLUDE TO. HE CAME THROUGH ON ANOTHER OCCASION WITH JUDGE K KINNEY.<sup>349</sup> Q. HE WASN'T WITH HIM ON THE ACCASION</p>	
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349. John F. Kinney.



**RT**

**RS**

**BT**

**PS**

<p>WHEN HE CAME WITH YOU FROM SAN PETE, AND NO PERSON ELSE FROM SALT LAKE CITY WITH HIM ? A. PRESIDENT YOUNG WAS IN SAN PETE. Q. ON THAT TRIP THAT HE MADE JUST BEFORE THESE EMIGRANTS WERE MASSACRED DID HE TELL YOU WHERE HE STARTED FROM ? A. I DON'T REMEMBER THAT HE DID. Q. BUT HE IS A VERY TALKATIVE MAN ? A. I DON'T REMEMBER.</p> <p>Q. DIDN'T HE TRAVEL RIGHT DOWN THROUGH THE COUNTRY TO THE POINT YOU HAVE SPOKEN OF AND IMMEDIATELY RETURN BACK — HE DIDN'T MAKE ANY LONG STAY</p>	<p>WHEN HE CAME WITH YOU FROM SANPETE. Q. NO PERSON ELSE FROM SALT LAKE CITY WITH HIM A PRESIDENT YOUNG WAS AT SANPETE. Q. ON THAT TRIP HE MADE JUST BEFORE THESE, EMIGRANTS WERE MASSACRED, DID HE TELL YOU WHERE HE STARTED FROM A I DON'T REMEMBER THAT HE DID Q HE IS A VERY TALKATIVE MAN A I DON'T REMEMBER.</p> <p>←SUCH MOST CONVERSATION DO YOU⇒ Q DIDN'T HE TRAVEL RIGHT DOWN THROUGH THE COUNTRY TO THE POINT YOU HAVE SPOKEN OF AND IMMEDIATELY RETURN BACK AND HE DIDN'T MAKE ANY LONG STAY</p>	<p>WHEN HE CAME WITH YOU FROM SAN PETE? A. NO. Q. WAS THERE ANY PERSON ELSE FROM SALT LAKE CITY WITH HIM? A. PRESIDENT YOUNG WAS AT SAN PETE. Q. ON THAT TRIP THAT HE MADE JUST BEFORE THESE EMIGRANTS WERE MASSACRED, DID HE TELL YOU WHERE HE STARTED FROM? A. I DON'T REMEMBER THAT HE DID. Q. ISN'T HE A VERY TALKATIVE MAN?</p> <p>A. HE IS A CONVERSATION AL MAN. Q. DIDN'T HE TRAVEL RIGHT DOWN TO THE COUNTRY YOU HAVE SPOKEN OFF, AND IMMEDIATELY RETURN BACK, AND DIDN'T MAKE ANY LONG STAY?</p>	
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**RT**

**RS**

**BT**

**PS**

<p>DOWN THROUGH, DID HE ? A. HE STOPPED A DAY OR TWO IN PAROWAN; NO LONG STAY IN ANY SETTLEMENT. Q. YOU UNDERTOOK TO STATE TO THIS JURY THAT HE CAME DOWN THERE AND</p> <p>TELLING THE PEOPLE THAT THEY MUST NOT SELL GRAIN TO THESE</p> <p>EMIGRANTS AND MAKING OTHER REMARKS —</p> <p>DID NOT HE HAVE ANY OTHER MATTERS ? A. I DID NOT STATE THAT. Q. WHO HAVE YOU TALKED WITH ABOUT THIS CASE BEFORE YOU CAME ON THE STAND — DIDN'T YOU HAVE A TALK WITH</p>	<p>DOWN THROUGH ≤DID HE ≥ A HE STOPPED A DAY OR TWO IN PAROWAN, NO LONG STAY IN ANY SETTLEMENT. Q YOU UNDERTAKE TO STATE TO THIS JURY, THAT HE CAME DOWN <i>THERE/THROUGH</i> H[?] ≤AND</p> <p>TOLD THE PEOPLE &gt; THEY MUST NOT SELL GRAIN TO THESE</p> <p>EMIGRANTS AND OTHER EMIGRANTS, <i>MORE OR LESS</i>[?]</p> <p>DID NOT HE HAVE ANY OTHER MISSION A I DID NOT STATE <i>THAT</i>[?]</p> <p>WHOM HAVE YOU TALKED WITH ABOUT THIS CASE, BEFORE YOU CAME ON THE STAND, DIDN'T YOU HAVE TALK WITH</p>	<p>A. HE STOPPED A DAY OR TWO IN PAROWAN, NO LONG STAY IN ANY OF THE <sup>[231]</sup> SETTLEMENTS. Q. YOU UNDERTAKE TO STATE TO THIS JURY <b>THAT</b> WHEN HE CAME DOWN THROUGH THESE SETTLEMENTS, TELLING THE PEOPLE THEY MUST NOT SELL GRAIN TO <b>THESE</b> <del>THE</del> <b>THOSE</b> EMIGRANTS AND OTHER EMIGRANTS;— <b>THAT HE</b> DID NOT HE HAVE ANOTHER MISSION? A. I DIDN'T STATE THAT, HOWEVER. Q. WHO HAVE YOU TALKED WITH ABOUT THIS CASE BEFORE YOU CAME ON THE STAND? <b>A. NO ONE; Q. DIDN'T</b> YOU HAVE A TALK WITH</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THESE ATTORNEYS BEFORE YOU CAME <sup>[374]</sup> ON THIS STAND ? A. I MET THEM WHEN I CAME IN LAST NIGHT. Q. AND YOU HAD NO SPECIAL TALK ? A. NOTHING MORE THAN WHAT I KNEW ABOUT IT; NOTHING FURTHER THAN I WOULD TALK WITH ANY MAN. Q. DIDN'T YOU HAVE A CONVERSATION WITH THEM AS TO WHAT YOU WOULD TESTIFY TO ? A. NO. Q. DIDN'T YOU UNDERSTAND ABOUT WHAT YOU KNEW OF THE CASE ? A. I DID. Q. DIDN'T YOU STATE TO THEM WHAT YOU WOULD TESTIFY TO WHEN YOU WERE PUT ON THE STAND ? A. I PRESUME SO. Q. WAS NOT YOUR BROTHER PRESENT ? A. YES. Q. DIDN'T</p>	<p>THOSE ATTORNEYS BEFORE YOU CAME ON THIS STAND, A I MET THEM WHEN I CAME IN LAST NIGHT Q AND YOU HAD NO SPECIAL TALK A NOT MORE THAN WHAT I KNEW ABOUT IT, NOTHING FURTHER THAN I WOULD TALK WITH NO MAN. Q DIDN'T YOU HAVE CONVERSATION WITH THEM AS TO WHAT YOU WOULD TESTIFY TO A NO Q DIDN'T YOU UNDERSTAND ABOUT WHAT YOU KNEW OF THE CASE A I DID Q DIDN'T YOU STATE TO THEM WHAT YOU WOULD TESTIFY WHEN PUT ON THE STAND A I PRESUME SO Q WAS NOT YOUR BROTHER PRESENT A YES Q DIDN'T</p>	<p>THESE ATTORNEYS BEFORE YOU CAME ON THIS STAND? A. I MET WTHEM WHEN I CAME IN LAST NIGHT. Q. AND YOU HAD NO SPECIAL TALK? A. NO, MORE THAN WHAT I KNEW ABOUT IT; BNO FURTHER THAN I WOULD TALK WITH ANY MAN. Q. DIDN'T YOU HAVE A CONVERSATION WITH THEM AS TO WHAT YOU WOULD TESTIFY TO? A.NO; Q. DIDN'T YOU STATE ABOUT WHAT YOU KNØEW OF THE CASE? A. I DID Q. DØIDN'T YOU STATE TO THEM WHAT YOU WOULD TESTIFY TO WHEN PUT ON THE ATAND? A. I PRESUME SO. Q. WASN'T YOUR BROTHER PRESENT?<sup>350</sup> A. YES. Q. DIDN'T</p>	
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350. Jesse N. Smith.

**RT**

**RS**

**BT**

**PS**

<p>YOU COMPARE NOTES TO SEE HOW YOUR STATEMENT WOULD AGREE AFTERWARDS WITH SMITH ?</p> <p>A. NO. Q. DIDN'T YOU AND YOUR BROTHER HAVE SOME CONVERSATION BEFORE YOU CAME UP HERE TO SEE HOW YOU WOULD COMPARE ? A. NONE</p> <p>WHATEVER. Q. WHERE DID YOU MEET YOUR BROTHER LAST, BEFORE COMING HERE</p> <p>THIS MORNING ? A. NO, NOT IMMEDIATELY OR RECENTLY. I <del>RED</del> LIVE AT RED CREEK AND HE LIVES AT PAROWAN. <sup>[375]</sup> Q. YOU BOTH CAME THE SAME ROAD ? A. WE CAME TOGETHER. Q. IN COMING TOGETHER FROM THERE DIDN'T YOU</p>	<p>YOU COMPARE NOTES TO SEE HOW YOUR STATEMENT WOULD AGREE AFTERWARDS <i>ABOUT/BY</i>[?] SMITH</p> <p><sup>A</sup>NO <sup>Q</sup>DIDN'T YOU AND YOUR BROTHER AND YOU HAVE SOME CONVERSATION <sup>[38]</sup> BEFORE YOU CAME UP HERE TO SEE HOW YOU WOULD COMPARE <sup>A</sup> NONE</p> <p>WHATEVER <sup>Q</sup> WHERE DID YOU MEET YOUR BROTHER LAST BEFORE COMING HERE <math>\Leftarrow</math>, DIDN'T YOU MEET <math>\Rightarrow</math> THIS MORNING <sup>A</sup> NO <sup>Q</sup>NOT IMMEDIATELY RECENTLY <sup>A</sup>I LIVE AT RED CREEK HE LIVES AT PAROWAN <sup>Q</sup> YOU BOTH CAME THE SAME ROAD <sup>A</sup> WE CAME TOGETHER <sup>Q</sup>IN COMING TOGETHER FROM THERE DIDN'T YOU</p>	<p>YOU COMPARE NOTES AND SEE HOW YUR STATEMENTS WOULD AGREE AFTERWARDS ABOUT <b>SMITH SMIGTH?</b></p> <p>A. NO. Q. DIDN'T YOU AND YOUR BROTHER HAVE SOME CONVERSATION BEFORE YOU CAME UP HERE TO SEE HOW YOU WOULD COMPARE? A. NONE</p> <p>WHATEVER. Q. WHERE DID YOU MEET YOUR BROTHER LAST BEFORE COMING HERE? <del>DN</del> DIDN'T YOU MEET THIS MORNING? A. NO. Q. <del>IM</del> IMMEDIATELY, RECENTLY-? A. I <del>M</del> LIVE AT RED CREEK, HE LIVES AT PAROWAN. Q. YOU BOTH CAME THE SAME ROAD? A. WE CAME TOGETHER. Q. IN COMING TOGETHER FROM THERE, DIDN'T YOU</p>	
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**RT**

**RS**

**BT**

**PS**

<p>TALK ABOUT THIS SUBJECT — YOU KNOW WHETHER YOU DID OR NOT ? A. I THINK NOT MUCH, BUT WE MIGHT HAVE ALLUDED TO IT. Q. WHY DID YOU SAY JUST NOW YOU DIDN'T TALK ABOUT IT AT ALL ? A. I CAN EXPLAIN HOW I UNDERSTOOD YOUR QUESTION. Q. DIDN'T YOU AND YOUR BROTHER HAVE A CONVERSATION ABOUT THIS MOUNTAIN MEADOWS MASSACRE ? A. I PRESUME WE DID. Q. DON'T YOU KNOW YOU DID. A. TO A CERTAIN EXTENT. Q. DON'T YOU KNOW YOU AND YOUR BROTHER TALKED OVER THIS MATTER AS YOU CAME TO COURT HERE IN DETAIL ? A. NO, NOT IN DETAIL; ALLOW ME TO</p>	<p>TALK ABOUT THIS SUBJECT? YOU KNOW WHETHER YOU DID OR NOT <sup>A</sup>I THINK NOT MUCH, WE MIGHT HAVE ALLUDED TO IT. Q. WHY DID YOU SAY JUST NOW, YOU DIDN'T TALK ABOUT IT AT ALL ? <sup>A</sup>I CAN EXPLAIN HOW I UNDERSTOOD YOUR QUESTION. Q. DIDN'T YOU AND <del>MY</del> YOUR BROTHER HAVE A CONVERSATION ABOUT THIS MOUNTAIN MEADOW MASSACRE <sup>A</sup>I PRESUME WE DID. Q. DON'T YOU KNOW YOU DID <sup>A</sup>TO A CERTAIN EXTENT. Q. DON'T YOU KNOW YOU AND YOUR BROTHER TALKED OVER THIS MATTER AS YOU CAME TO COURT HERE IN DETAIL <sup>A</sup> NO NOT IN DETAIL. <sup>A</sup>ALLOW ME TO</p>	<p>TALK ABOUT THIS SUBJECT-? YOU KNOW WHETHER YOU DID OR NOT? A. I THINK NOT <del>N</del>MUCH; WE MIGHT HAVE ALLUDED TO IT. Q. WHY DID YOU SAY JUST NOW YOU DIDN'T TALK ABOUT IT AT ALL? A. I COULD EXPLAIN HOW I UNDERSTOOD YOUR QUESTION. Q. DIDN'T YOU AND YOUR BROTHER HAVE A CONVERSATION ABOUT THIS. <sup>[232]</sup> <del>A</del>-MOUNTAIN MEADOW MASSACRE? A I PRESUME WE DID. Q. DON'T YOU <del>K</del>NOW YOU DID? A. TO A CERTAIN EXTENT. Q. DON'T YOU KNOW YOU AND YOUR BROTHER <del>T</del>QALKED OVER THIS MATTER AS YOU CAME TO COURT HERE IN DETAIL? A. NO, NOT IN <del>G</del> DETAIL. ALLOW ME TO</p>	
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**RT**

**RS**

**BT**

**PS**

<p>EXPLAIN HOW I UNDERSTOOD YOUR QUESTION) &lt;Q.&gt; I WANT YOU TO ANSWER MY QUESTION, I WANT NO EXPLANATION— WHAT DID YOU AND YOUR BROTHER SAY TO EACH OTHER AS YOU CAME HERE ? A. I COULD NOT SAY, WE HAD VERY LITTLE CONVERSATION ON THIS MATTER. Q. YOU KNEW BEFORE YOU ARRIVED HERE THAT GEORGE A. SMITH WAS BY EVIDENCE IMPLICATED AS BEING ACCESSORY TO THAT MASSACRE ? SUTHERLAND: THE PARTIES HAVE SHOWN BY EVIDENCE</p> <p>THAT THAT IS ENTIRELY UNTRUE. HE HAS NO RIGHT TO</p>	<p>EXPLAIN HOW I UNDERSTOOD YOUR QUESTION. I WANT YOU TO ANSWER MY QUESTIONS I WANT NO EXPLANATIONS. WHAT DID YOU AND YOUR BROTHER SAY TO EACH OTHER AS YOU CAME HERE A I COULD NOT SAY WE HAD VERY LITTLE CONVERSATION ON THIS MATTER. Q YOU KNEW BEFORE YOU ARRIVED HERE, GEORGE A SMITH WAS BY EVIDENCE IMPLICATED AS BEING ACCESSORY TO THAT MASSACRE . BY SUTHERLAND. PARTIES HAVE SHOWN BY QUESTION AND TESTIMONY THAT IS ENTIRELY UNTRUE, HE HAS NO RIGHT TO</p>	<p>EXPLAIN HOW I UNDERSTOOD YOUR QUESTION. Q. I WANT YOU TO ANSWER MY QUESTION; I WANT NO EXPLANATIONS. WHAT DID YOU AND YOUR BROTHER SAY TO EACH OTHER AS YOU CAME HERE? A. I COULD NOT SAY; WE HAD VERY LITTLE CONVERSATION ON THIS MATTER. Q. YOU KNEW BEFORE YOU ARRIVED HERE GEORGE A. SMITH WAS BY <del>BY AS BEING BY</del> EVIDENCE IMPLICATED BY <del>ACCESSORY AS BEING</del> ACCESSORY TO THAT MASSACRE? M<sup>R</sup> SUTHERLAND: THE PARTIES HAVE SHOWN BY QUESTIONS AND TESTIMONY, THAT THAT IS ENTIRELY UNTRUE, AND COUNSEL HAS NO RIGHT TO</p>	
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**RT**

**RS**

**BT**

**PS**

<p>ASSUME IT IN PUTTING THAT QUESTION TO THIS WITNESS.</p> <p>Q. DIDN'T YOU HEAR THERE WAS SOME EVIDENCE TENDING TO IMPLICATE HIM ?</p> <p>SUTHERLAND: AND WE OBJECT TO THAT QUESTION AS BEING UNCALLED FOR AND <sup>[376]</sup> DISRESPECTFUL. BASKIN: THIS PARTY HAS SHOWN HIS RELATIONSHIP TO GEORGE A. SMITH; I WANT TO SHOW THE FACT BY THIS WITNESS THAT I DON'T NOW HAVE TO CALL THE WITNESSES ATTENTION TO. COURT: THAT WOULD BE A PROPER QUESTION.</p> <p>A. I HADN'T THE LEAST IDEA WHAT WAS WANTED. Q. YOU HAD</p>	<p>ASSUME IT IN PUTTING THAT QUESTION TO THIS WITNESS BASKIN Q. DIDN'T YOU HEAR THERE WAS SOME EVIDENCE TENDING TO IMPLICATE HIM</p> <p>SUTHERLAND I OBJECT TO THAT QUESTION AS BEING UNCALLED FOR DISRESPECTFUL BASKIN; THIS PARTY HAS SHOWN HIS RELATIONSHIP TO GEORGE A SMITH, I WANT TO SHOW THE FACT BY THIS WITNESS THAT I DON'T NOW HAVE TO CALL THE WITNESS'S ATTENTION TO. BY COURT I THINK THAT WOULD BE A PROPER QUESTION. EXCEPTION BY DEFENSE A I HADN'T THE LEAST IDEA WHAT WAS WANTED Q YOU HAD</p>	<p>ASSUME IT IN PUTTING THAT QUESTION TO THIS WITNESS.</p> <p>Q. DIDN'T YOU HEAR THERE WAS SOME EVIDENCE TENDING TO IMPLICATE HIM?</p> <p>M<sup>R</sup> SUTHERLAND: I OBJECT TO THAT QUESTION AS BEING UNCALLED FOR AND DISRESPECTFUL. M<sup>R</sup> BASKIN: THIS PARTY HAS SHOWN HIS RELATIONSHIP TO GEORGE A. SMITH I WANT TO SHOW THE A FACT BY THIS WITNESS THAT I DO NOT NOW WISH TO CALL THE WITNESSES ATTENTION TO. THE COURT: I THINK THAT WOULD BE A PROPER QUESTION. EXCEPTION BY DEFENDANT: A. I HADN'T THE LEAST IDEA WHAT WAS WANTED. Q. YOU HAD</p>	
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**RT**

**RS**

**BT**

**PS**

<p>HEARD TO THE EFFECT THAT GEORGE A. SMITH, BY EVIDENCE, WAS IMPLICATED IN THIS MATTER ?</p> <p>SUTHERLAND: I OBJECT TO THE QUESTION ASKING THIS WITNESS AS TO EVIDENCE IN RELATION TO GEORGE A. SMITH OR THE EXPRESSION OF HIS OPINION WITH RESPECT TO THE NOTES OF THE EXAMINATION AS PUBLISHED IN THE NEWSPAPER. WITNESS: NOTHING FURTHER THAN WHAT I SAW PUBLISHED. Q. WERE YOU SUBPOENAED TO ATTEND COURT HERE ? A. NO.<sup>351</sup> Q. HOW WAS IT YOU CAME TO BE HERE ? A. I</p>	<p>HEARD OF THAT FACT, THAT GEORGE A SMITH BY EVIDENCE WAS IMPLICATED IN THIS MATTER</p> <p><del>SUTHERLAND</del> I OBJECT TO THE QUESTION, ASKING THIS WITNESS AS TO EVIDENCE IN RELATION TO <del>GEORGE</del> SMITH <del>EXPRESSED</del> OR THE EXPRESSION OF HIS OPINION WITH RESPECT TO THE NOTES OF THE EXAMINATION AS PUBLISHED IN THE NEWSPAPER. BASKIN A NOTHING FURTHER THAN WHAT I SAW PUBLISHED Q WERE YOU SUBPOENAED TO ATTEND COURT HERE A NO Q HOW WAS IT YOU CAME TO BE HERE A I</p>	<p>HEARD OF THAT FACT, THAT GEORGE A. SMITH, BY EVIDENCE WAS IMPLICATED IN THIS MATTER. <b>READ OF IT? M<sup>R</sup></b> SUTHERLAND: I OBJECT TO THE QUESTION, ASKING THIS WITNESS <del>A—S</del> <b>ABOUT TO</b> EVIDENCE AS TO GEORGE A. SMITH, OR THE EXPRESSION OF HIS OPINION WITH RESPECT TO THE NOTES, OF THE EXAMINATION AS PUBLISHED IN THE NEWS PAPER. A. NOTHING FURTHER THAN WHAT I SAW PUBLISHED. <sup>[234]</sup> Q. YOU WERE SUBPOENAED TO ATTEND COURT HERE? A. NO. Q. HOW WAS IT YOU CAME TO BE HERE? A. I</p>	
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351. The only known extant subpoena issued for Silas Smith was for Lee’s second trial, April 19, 1876.



RT

RS

BT

PS

<p>COULD NOT TELL YOU, I CAME WITH SOME OTHERS. Q. YOU DIDN'T COME HERE BY MERE ACCIDENT ? A. MY NAME WAS MENTIONED IN A TELEGRAM. Q. FROM WHO-M WAS IT ? A. MR. SUTHERLAND AND MACFARLANE. Q. DID YOU GET ANY TELEGRAM FROM THEM</p> <p>TO ATTEND HERE, FROM SALT LAKE CITY ? A. NO SIR. Q. DID ANY PERSON ELSE GET A TELEGRAM FROM SALT LAKE CITY, REQUESTING YOU TO BE PRESENT HERE ? <sup>[377]</sup> A. I AM CERTAIN I DIDN'T. NEVER HEARD OF OTHERS. Q. YOU CAME HERE IN PURSUANCE OF A TELEGRAM FROM JUDGE</p>	<p>COULD NOT TELL YOU, I CAME WITH SOME OTHERS <sup>[39]</sup> Q YOU DIDN'T COME HERE BY MERE ACCIDENT A<sup>f</sup> MY NAME WAS MENTIONED IN A TELEGRAM Q FROM WHOM WAS IT A MR. SUTHERLAND AND MACFARLANE Q DID YOU GET ANY TELEGRAM OF YOUR</p> <p>REQUIRED</p> <p>ATTENDANCE HERE FROM SALT LAKE CITY A NO SIR Q DID ANY PERSON ELSE GET HIS TELEGRAM FROM SALT LAKE CITY REQUEST YOU TO BE PRESENT HERE A I AM CERTAIN I DIDN'T, NEVER A WORD OF OTHERS. Q YOU CAME HERE IN PURSUANCE OF A TELEGRAM FROM JUDGE</p>	<p>COULD NOT TELL; I CAME WITH SOME OTHERS. Q. YOU DIDN'T COME HERE BY MERE ACCIDENT? A. MY NAME WAS MENTIONED IN THE TELEGRAM. Q. FROM WHOM WAS IT? A. MR. SUTHERLAND AND M<sup>R</sup> MACFARLANE. Q. DID YOU GET ANY TELEGRAM FROM OF THEM IN SALT LAKE CITY REQUIRING YOUR ATTENDANCE HERE? IN SALT LAKE CITY? A. NO, SIR. Q . DID ANY PERSON ELSE GET A TELEGRAM FROM SALT LAKE CITY REQUESTING YOUR PRESENCE HERE? A . I AM CERTAIN I DIDN'T; NEVER HEARD OF OTHERS. Q. YOU CAME IN HERE IN PURSUANCE OF A TELEGRAM FROM JUDGE</p>	
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**RT**

**RS**

**BT**

**PS**

<p>SUTHERLAND ?  A. YES SIR. Q.  DIDN'T GEORGE  A. SMITH, WHEN  HE WAS  TRAVELING  DOWN THERE  AT CORN  CREEK, TELL  YOU THIS  PEOPLE WERE  CHARGED WITH  HAVING KILLED  THE PROPHET  JOE SMITH ? A.  NOTHING OF  THE KIND  WHATEVER. Q.  NEVER HEARD  ANYTHING</p>	<p>SUTHERLAND  A YES SIR Q  DIDN'T GEORGE  A SMITH WHEN  HE WAS  TRAVELING  DOWN THERE  AT CORN  CREEK, TELL  YOU THESE  PEOPLE WERE  CHARGED WITH  HAVING KILLED  THE PROPHET  JOE SMITH A  NOTHING OF  THE KIND  WHATEVER Q  NEVER HEARD  ANYTHING</p>	<p>SUTHERLAND?  A. YES, SIR. Q.  DIDN'T GEORGE  A. SMITH WHEN  HE WAS  TRAVELLING  DOWN THERE  AT CORN  CREEK TELL  YOU THESE  PEOPLE WERE  CHARGED WITH  HAVING KILLED  THE PROPHET  JOE SMITH? A.  NOTHING OF  THE KIND  WHATEVER. Q.  NEVER HEARD  ANYTHING OF  THE KIND</p>	
<p>ABOUT IT ? A.  NO SIR. Q.  GEORGE A.  SMITH NEVER  TOLD YOU HIS  BUSINESS DOWN  THERE, EXCEPT  WHAT YOU  GATHERED  FROM WHAT HE  SAID ? A. NO SIR.  Q. IT WASN'T  NO. MILITARY  OBJECT ? A. NOT  TO MY  KNOWLEDGE,  ANY FURTHER  THAN THAN  THIS MILITIA  WAS  MUSTERED  Q. AS THEY  PASSED ALONG  THROUGH THE</p>	<p>ABOUT IT A  NO SIR. Q  GEORGE A  NEVER  TOLD YOU HIS  BUSINESS DOWN  THERE, EXCEPT  WHAT YOU  GATHERED  FROM WHAT HE  SAID A NO SIR  Q IT WASN'T  NO MILITARY  OBJECT A NOT  TO MY  KNOWLEDGE,  ANY FURTHER  THAN THAT  THIS MILITIA  WAS  MUSTERED.  AS HE Q  PASSED ALONG  THROUGH</p>	<p>ABOUT IT? A.  NO, SIR. Q.  GEORGE A.  NEVER  TOLD HIM  BUSINESS DOWN  HERE EXCEPT  WHAT YOU  GATHERED  FROM WHAT HE  SAID? A. NO, SIR.  Q. IT WASN'T  ANY MILITARY  OBJECT? A. NOT  TO MY  KNOWLEDGE,  ANY FURTHER  THAN  THESE MILLITIA  WAS  MUSTERED.  Q. AS HE  PASSED ALONG  THROUGH THE</p>	

**RT**

**RS**

**BT**

**PS**

<p>COUNTRY DIDN'T <del>THE</del> HE HAVE CONSULTATIONS WITH THEM AND DIDN'T HE CONSULT WITH DAME AT PAROWAN ? A. NOT THAT I KNOW OF. Q. DIDN'T YOU SEE THEM TOGETHER IN CONSULTATION ? A. I SAW THEM TOGETHER FREQUENTLY. Q. WHERE DID YOU AND GEORGE A. SMITH STOP WHEN HE WAS DOWN THERE ? A. STOPPED AT HIS OWN HOUSE. Q. HIS HOUSE IN PAROWAN—DID HE HAVE A FAMILY DOWN THERE ? A. YES. Q. DIDN'T YOU SEE DAME AND HIM IN CONVERSATION FREQUENTLY ? A. I SAW THEM TOGETHER. Q. DIDN'T YOU HEAR THEM TALK ABOUT MILITARY MATTERS ? <sup>[378]</sup> A.</p>	<p>COUNTRY, DIDN'T HE HAVE CONSULTATION S WITH THEM, DIDN'T HE CONSULT WITH DAME AT PAROWAN <sub>A</sub> NOT THAT I KNOW OF <sub>Q</sub> DIDN'T YOU SEE THEM TOGETHER IN CONSULTATION ? <sub>A</sub>I SAW THEM TOGETHER FREQUENTLY <sub>Q</sub> WHERE DID YOU AND GEORGE A SMITH STOP WHEN HE WAS DOWN THERE <sub>A</sub> STOPPED AT HIS OWN HOUSE <sub>Q</sub> HIS HOUSE IN PAROWAN, DID HE HAVE FAMILY DOWN THERE <sub>A</sub>YES <sub>Q</sub>DIDN'T YOU SEE DAME AND HIM IN CONVERSATION FREQUENTLY <sub>A</sub>I SAW THEM TOGETHER DIDN'T YOU HEAR THEM TALK ABOUT MILITARY MATTERS <sub>A</sub></p>	<p>COUNTRY DIDN'T HE HAVE CONSULTATION S WITH THEM? DIDN'T HE CONSULT WITH DAME AT PAROWAN? A. NOT THAT I KNOW OF. Q. DIDN'T YOU SEE THEM TOGETHER IN CONSULTATION ? A. I SZAW THEM TOGETHER FREQUENTLY. Q. WHERE DID YOU AND GEORGE A. SMITH STOP WHEN HE WAS DOWN THERE A. STOPPED AT HIS OWN HOUSE. Q. HIS HOUSE IN PAROWAN; DID HE HAVE A FAMILY DOWN THERE? A. YES. <sup>[235]</sup> Q.DIDN'T YOU SEE DAME AND HIM IN CONVERSATION FREQUENTLY? A. I SAW THEM TOGETHER. Q. DIDN'T YOU HEAR THEM TALKING ABOUT MILLITARY MATTERS? A.</p>	
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**RT**

**RS**

**BT**

**PS**

<p>NOT THAT I REMEMBER. I NEVER WAS IN ANY OF THEIR COUNCILS. Q. DIDN'T YOU SEE  THEM ORGANIZING THE MILITIA FORCES ? A. I DON'T REMEMBER ANYTHING OF IT NOW, BUT IT IS POSSIBLE THAT THEY DID, AS IT IS A LONG TIME AGO Q. WHEN YOU WENT TO CEDAR DIDN'T BISHOP HAIGHT LIVE THERE — PRESIDENT HAIGHT ? A. YES SIR. Q. DID YOU HEAR GEORGE A. SMITH AND HAIGHT TALKING TOGETHER ? A. NOT THAT I REMEMBER. IT IS POSSIBLE THEY MIGHT. Q. DIDN'T YOU SEE THEM IN CONSULTATION ?  A. I DID NOT. Q. NEVER</p>	<p>NOT THAT I REMEMBER; I NEVER WAS IN ANY OF THEIR COUNCILS. Q DIDN'T YOU &lt;SEE OR&gt; HEAR THEM ORGANIZING MILITIA FORCES A I DON'T REMEMBER ANYTHING OF IT NOW, IT IS POSSIBLE &lt;THEY DID&gt; AS IT IS LONG TIME AGO. Q WHEN YOU WENT TO CEDAR CITY, DIDN'T BISHOP HAIGHT LIVE THERE = PRESIDENT HAIGHT A YES SIR Q DID YOU HEAR GEORGE A. SMITH AND HAIGHT TALKING TOGETHER A NOT THAT I REMEMBER OF, &lt;BUT&gt; IT IS POSSIBLE THEY MIGHT. Q DIDN'T YOU SEE THEM IN CONSULTATION &lt;TOGETHER&gt; I <del>DIDN'T</del> A I DID NOT Q NEVER</p>	<p>NOT THAT I REMEMBER; I NEVER WAS IH ANY OF THEIR COUNSCCILS. Q. DIDN'T YOU SEE OR HEAR THEM ORGANIZING MILITARY FORCES? A. I DON'T REMEMBER ANYTHING OF IT NOW; IT IS POSSIBLE THEY DID, AS IT IS A LONG TIME AGO. Q. WHEN YOU WENT TO CEDAR CITY, DIDN'T BISHOP HAIGHT LIVE THERE — PRESIDENT HAIGHT? A . YES, SIR. Q. DIDN'T YOU HEAR GEORGE A. SMITH AND HAIGHT TALKING TOGETHER? A. NOT THAT I REMEMBER, BUT IT IS POSSIBLE THEY MIGHT. Q. DIDN'T YOU HEAR THE M IN CONSULTATIO N TOGETHER? A I DID NOT. Q. NEVER</p>	
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**RT**

**RS**

**BT**

**PS**

<p>HEARD THEM  SAY ANYTHING  ABOUT  MILITARY  MATTERS ? A.  NOT THAT I  REMEMBER OF.  Q. IF THERE HAD  BEEN ANY  SUCH  CONVERSATION  WOULD  YOU HAVE  HEARD IT A. I  MIGHT HAVE  HEARD IT. Q.  DID YOU HEAR  GEORGE A.  SMITH TALKING  TO THE  LEADING  OFFICERS OF  THE MILITIA  THERE ON  THE SUBJECT  OF NOT SELLING  GRAIN ? A. IT  WAS THE  TOPIC OF THE  WHOLE PEOPLE.  Q. I  AM NOT  ASKING YOU  ABOUT THE  CONVERSATION ?</p> <p>A. NO. Q. DID  YOU IN ANY OF  YOUR TRIPS  THROUGH THAT  SOUTHERN  COUNTRY SEE  JOHN D. LEE ? A.  I DO NOT  REMEMBER</p>	<p>HEARD THEM  SAY ANYTHING  ABOUT  MILITARY  MATTERS A  NOT THAT I  REMEMBER OF.  Q IF THERE <del>HAD</del>  BEEN <del>ANY</del>  SUCH  CONVERSATION,  <del>WOULD</del>  HAVE  HEARD IT &gt; A I  MIGHT HAVE  HEARD IT Q  DID YOU HEAR  GEORGE A  SMITH TALKING  TO THE  LEADING  OFFICERS OF  MILITIA  THERE ON  <del>THE</del> SUBJECT  OF NOT SELLING  GRAIN A IT  WAS THE  TOPIC OF THE  WHOLE PEOPLE  <del>AND TRIP</del>. Q I  AM <del>NOT</del>  ASKING YOU  ABOUT  CONVERSATION  WITH HAIGHT  A NO Q DID  YOU IN ANY OF  YOUR TRIPS  THROUGH THAT  SOUTHERN  COUNTRY SEE  JOHN D. LEE A  I DO NOT  REMEMBER</p>	<p>HEARD THEM  SAY ANYTHING  ABOUT  MILLIATARY  MATTERS? A.  NOT THAT I  REMEMBER OF.  Q. IF THERE HAD  BEEN ANY  SUCH  <del>CONVERASSAT</del>  ION WOULD  YOU HAVE  HEARD IT? A.  I MIGHT HAVE  HEARD IT. Q.  DID YOU HEAR  GEORGE A.  SMITH TALKING  TO THE  LEADING  OFFICERS OF  THE <del>MILITIA</del>  THERE ON  THE SUBJECT  OF NOT SELLING  GRAIN? A. IT  WAS THE  <del>TOPIC</del> OF THE  WHOLE PEOPLE  AND TRIP. Q. I  AM  ASKING YOU  ABOUT THE  CONVERSATION  WITH HAIGHT?  A NO. Q. DID  YOU IN ANY  OF YOUR TRIPS  THROUGH  <del>THAT</del>  COUNTRY SEE  JOHN D. LEE? A.  I DON'T  REMEMBER</p>	
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**RT**

**RS**

**BT**

**PS**

<p>SEEING HIM AND I THINK NOT. Q. DID YOU SEE HIGBEE ? A. YES, I SAW HIGBEE. <sup>[379]</sup> Q. WHERE DID YOU SEE HIM ? A. AT CEDAR. Q. DID HE AND GEORGE A. SMITH HAVE ANY CONVERSATION ? A. NOT IN MY HEARING. Q. DID THE MILITIA FORCES MUSTER AT PAROWAN ? A. YES, THEY WERE ON PARADE WHEN GEORGE A. SMITH CAME IN; THEY HAD HAD A NOTICE OF HIS COMING BEFORE HE CAME. Q. WASN'T THERE A RUNNER NOTIFIED THEM OF THE ARRIVAL, OR OF HIS APPROACH ?</p> <p>A. I DIDN'T HEAR OF IT. Q. WAS NOT THERE A MILITARY MUSTER AT CEDAR ? A. I DON'T</p>	<p>SEEING &lt;HIM,&gt; I THINK NOT Q DID YOU SEE HIGBEE A YES I SAW HIGBEE Q WHERE DID YOU SEE HIM <sup>[40]</sup> A AT CEDAR Q DID HE AND GEORGE A SMITH, HAVE ANY CONVERSATION A NOT IN &lt;MY HEARING&gt; Q DID THE MILITIA FORCES MUSTER AT PAROWAN A YES THEY WERE ON PARADE, WHEN GEORGE A SMITH CAME IN, THEY HAD HAD NOTICE OF HIS COMING BEFORE HE CAME Q WASN'T THERE A RUNNER, NOTIFIED <del>EM</del> THEM OF THE ARRIVAL = OF HIS APPROACH</p> <p>A I DIDN'T HEAR OF IT Q WAS NOT THERE MILITARY MUSTER AT CEDAR. A I DON'T</p>	<p>SEEING HIM ; I THINK NOT. Q. DID YOU SEE HIGBEE? A. YES, I SAW HIGBEE. Q. WHERE DID YOU SEE HIM? A. AT CEDAR. Q. DID HE AND GEORGE A. SMITH HAVE ANY CONVERSATION ? A. NOT IN MY HEARING. Q. DID THE MILITIA OFFICERS MUSTER IN PAROWAN? A . YES, THEY WERE ON <del>PARAGE</del> <b>PARADE</b> WHEN GEORGE A. SMITH CAME IN. THEY HAD <del>HAED</del> A NOTICE OF HIS COMING BEFORE HE CAME IN. Q. WASN'T THERE A RUNNER NOTIFIED THEM OF <del>THE</del> <b>HIS APPROACH ,</b> <del>OF</del> <b>BEFORE</b> <sup>[236]</sup> HIS ARRIVAL? A. I DIDN'T HEAR OF IT. Q. WASN'T THERE A MILITARY MUSTER AT CEDAR? A. I DON'T</p>	
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**RT**

**RS**

**BT**

**PS**

<p>REMEMBER. Q. WHAT WAS THE NEXT TOWN THROUGH WHICH YOU PASSED ? A. TOWN, PLACE, CALLED KANNARRAH.<sup>352</sup> Q. DID YOU HAVE A MILITARY MUSTER THERE ? A. I DO NOT THINK THEY DID, BUT I DON'T REMEMBER. Q. WHAT WAS THE NEXT TOWN ? A. PROBABLY WASHINGTON. Q. DID YOU HAVE ANY MUSTER THERE ? A. YES SIR. Q. WHEN YOU REACHED HARMONY WHAT WAS DONE THERE —</p> <p>HARMONY IS THE HOME OF JOHN D. LEE, IS NOT IT ? A. YES. Q. THERE IS A FORT ABOUT THAT PLACE, IS NOT THERE ?</p>	<p>REMEMBER. [space] Q WHAT WAS NEXT TOWN THROUGH <math>\leq</math>WHICH YOU<math>\geq</math> PASSED A TOWN PLACE IS</p> <p>KANNARRAH Q DID YOU HAVE A MILITARY MUSTER THERE A I DO NOT THINK THEY DID, I DON'T REMEMBER Q WHAT WAS NEXT TOWN A PROBABLY WASHINGTON Q DID YOU HAVE ANY MUSTER THERE A <del>NO</del> <math>\leq</math>YES<math>\geq</math> SIR Q WHEN YOU REACHED HARMONY WHAT WAS DONE THERE;</p> <p>HARMONY IS THE HOME OF JOHN D. LEE IS NOT IT A YES. Q THERE IS FORT ABOUT THAT PLACE WAS NOT THERE</p>	<p>REMEMBER Q. WHAT WAS THE NEXT TOWN THROUGH WHICH YOU PASSED? A. THE TOWN, THE NEXT PLACE IS <del>CANARA</del>. KANNARRAH. Q. DID YOU HAVE A MILITARY MUSTER THERE? A. I DON'T THINK THEY DID; I DON'T REMEMBER. Q. WHAT WAS THE NEXT TOWN? A PROBABLY WASHINGTON. Q. DID YOU HAVE ANY MUSTER THERE? A. YES, SIR . Q. WHEN YOU REACHED HARMONY WHAT WAS DONE THERE? LET ME SEE HARMONY IS THE HOME OF JOHN D. LEE, ISN'T IT? A. YES. Q. THERE IS A FORT ABOUT THAT PLACE, WASN'T THERE?</p>	
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352. Other than a Paiute camp where chief Kanarra lived, Kanarraville was not settled by whites until 1861.

RT

RS

BT

PS

<p>A. I DON'T THINK THERE WAS ABOUT THAT TIME, THERE WAS ONE AFTERWARDS.  <sup>[380]</sup> Q. YOU STAYED AT JOHN D. LEE'S HOUSE DIDN'T YOU ?  A. I THINK NOT, I DON'T REMEMBER WHETHER WE DINNERED AT HARMONY OR NOT. Q. DON'T YOU REMEMBER WHETHER YOU SAW JOHN D. LEE OR NOT ? A. I DO NOT. Q. AND THAT GEORGE A. SMITH HAD A CONVERSATION WITH HIM ? A. NO SIR, I DO NOT REMEMBER SEEING HIM AT HARMONY, IT HAS ENTIRELY GONE FROM MY MIND, ALL ABOUT HARMONY, I DON'T REMEMBER WHETHER WE STOPPED THERE AND DINED OR NOT. Q. YOU</p>	<p>A I DON'T THINK THERE WAS TO THAT TIME THERE WAS ONE AFTERWARDS.  Q YOU STAYED AT JOHN D. LEE'S HOUSE DID YOU[?] <del>NO</del>  <del>NOT</del> A I THINK NOT, A I DON'T REMEMBER WHETHER WE DINNERED AT HARMONY OR NOT Q DON'T YOU REMEMBER WHETHER YOU SAW JOHN D. LEE OR NOT A I DID NOT Q AND THAT <del>HE</del> GEORGE A SMITH HAD A CONVERSATION WITH HIM A NO, SIR, I DO NOT REMEMBER SEEING HIM AT HARMONY; IT HAS ENTIRELY GONE FROM BY MIND ALL ABOUT HARMONY, I DON'T REMEMBER WHETHER WE STOPPED AND DINED OR NOT Q YOU</p>	<p>A. I DON'T THINK THERE WAS ABOUT THAT TIME; THERE WAS ONE AFTERWARDS  Q. YOU STAYED AT JOHN D. LEE'S HOUSE, DID YOU NOT?  A. I DON'T REMEMBER WHETHER WE DINNERED AT HARMONY OR NOT. Q. DON'T YOU REMEMBER WHETHER YOU SAW JOHN D. LEE THERE OR NOT? A. I DO NOT. Q. AND THAT <del>HE AND</del> GEORGE A. SMITH HAD A CONVERSATION THERE WITH HIM? A. NO, SIR, I DO NOT REMEMBER SEEING HIM AT HARMONY. IT HAS ENTIRELY GONE FROM MY MIND, ALL ABOUT HARMONY. I DON'T REMEMBER WHETHER WE STOPPED THERE AND DINED OR NOT. Q. YOU</p>	
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**RT**

**RS**

**BT**

**PS**

<p>CAN REMEMBER LESS ABOUT WHAT OCCURRED AT HARMONY THAN AT THE OTHER PLACE, CAN'T YOU ? A. I REMEMBER MORE DEFINITELY SOME PLACES. Q. BUT CAN'T REMEMBER A THING THAT OCCURRED AT HARMONY ? A. IT SEEMS NOT. Q. YOU CAN REMEMBER WHETHER YOU SAW ANY PERSON THERE OR NOT, WOMEN OR CHILDREN ? A. I CAN'T REMEMBER ANYTHING OF OUR STOPPING AT HARMONY. A. DON'T YOU KNOW GEORGE A. SMITH AND JOHN D. LEE, OFFICERS OF THE NAUVOO LEGION HAD A CONSULTATION ABOUT THE MASSACRE AT THE MOUNTAIN MEADOWS, AT HARMONY ?</p>	<p>CAN REMEMBER LESS ABOUT WHAT OCCURRED AT HARMONY, ≤THAN≥ AT THE OTHER PLACES HAVEN'T YOU A I REMEMBER MORE DEFINITELY SOME PLACES. Q CAN'T REMEMBER ≤A&gt; THING THAT OCCURRED AT HARMONY, A IT SEEMS NOT Q YOU CAN REMEMBER WHETHER YOU SAW ANY PERSON THERE OR NOT, WOMEN OR CHILDREN ? A I CAN'T REMEMBER ANYTHING OF OUR STOPPING AT HARMONY A DON'T YOU KNOW ≤THAT≥ GEORGE A SMITH AND JOHN D. LEE WERE OFFICERS OF THE NAUVOO LEGION, HAD CONSULTATION ≤ABOUT THE&gt; MASSACRE AT MOUNTAIN MEADOWS AT HARMONY</p>	<p>CAN REMEMBER LESS ABOUT WHAT OCCURRED AT HARMONY THAN AT THE OTHER PLACES, CAN'T YOU? A. I REMEMBER MORE DEFINITELY SOME PLACES. Q. AND CAN'T REMEMBER A THING THAT OCCURRED AT HARMONY? A. IT SEEMS NOT. Q. YOU CAN'T REMEMBER WHETHER YOU SAW ANY PERSON THERE OR NOT, WOMEN OR CHILDREN? A. I CAN'T REMEMBER ANYTHING OF OUR STOPPING AT HARMONY. Q. DON'T YOU KNOW THAT GEORGE A. SMITH AND JOHN D. LEE WERE OFFICERS OF THE NAUVOO LEGION, AND HAD A CONSULTATION ABOUT THE MASSACRE AT THE MOUNTAIN MEADOWS, AND HARMONY?</p>	
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**RT**

**RS**

**BT**

**PS**

<p>A. I KNOW THEY DID NOT; AS FAR AS I KNOW ANYTHING ABOUT IT. Q. DON'T YOU KNOW THE MILITARY AND GEORGE A. SMITH THAT WERE WITH HIM HAD A CONSULTATION AND HELD A MEETING THERE ? A. I DO NOT. Q.</p> <p>NOR WHETHER ANY PREACHING WAS DONE AT HARMONY ? A. I CANNOT SAY, IT SEEMS TO ME WE ONLY CAMPED IN HARMONY. <sup>[381]</sup> Q. HOW LONG DID YOU REMAIN IN CAMP ? A. WELL WE WERE THERE IN THE AFTERNOON ENCAMPED. Q. DURING YOUR VISIT THROUGH THE SOUTH DID YOU HAVE ANY POW WOVES WITH THE INDIANS ? A.</p>	<p>A I KNOW THEY DID NOT AS FAR AS I KNOW ANYTHING ABOUT IT Q DON'T YOU KNOW MILITARY GEORGE A SMITH, THEM ≤THAT≥ WENT WITH HIM, HAD CONSULTATION AND HELD A MEETING THERE A I DO NOT Q <del>WHETHER</del> <del>WAS THERE</del> ≤AND NOR WHETHER≥ ANY PREACHING ≤WAS DONE≥ AT HARMONY A I CANNOT SAY, IT SEEMS TO ME &lt;WE ONLY —[?]&gt; CAMPED IN HARMONY Q HOW LONG DID YOU REMAIN IN CAMP = WERE THERE ANY INDIANS IN CAMP DURING YOUR VISIT THROUGH THE SOUTH? DID YOU HAVE ANY POW WOVES WITH THE INDIANS A</p>	<p><sup>[237]</sup> A. I KNOW THEY DID NOT SO FAR AS I KNOW ANYTHING ABOUT IT. Q. DON'T YOU KNOW THAT THE MILITARY AND GEORGE A. SMITH <del>THAT</del> WENT <del>WITH</del> <b>TO</b> HIM, <b>AND</b> HAD A CONSULTATION AND HELD A MEETING THERE? A. I DO NOT. Q.</p> <p>NOR TWHETHER ANY PREACHING WAS DONE AT HARMONY? A. CQANT SAY; IT SEEMS TO ME WE ONLY CAMPED IN HARMONY. Q. HOW LONG DID YOU REMAIN IN CAMP? WERE THERE ANY INDIANS IN THE CAM P DURING YOUR VISIT THROUGH THE SOUTH? DID YOU HAVE ANY POWWOWS WITH THE INSDIANS? A.</p>	
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RT

RS

BT

PS

<p>NONE  WHATEVER. Q.  NEVER HEARD  OF THIS TRAIN  MENTIONED ? A.  NEVER HEARD  THIS TRAIN  MENTIONED  TILL AFTER  WE MET. Q.  NEVER HEARD  THERE WAS A  TRAIN IN  THE COUNTRY —  GEORGE A.  SMITH DIDN'T  TELL YOU  THERE WAS A  TRAIN PASSING  THROUGH WHEN  YOU WERE WITH  HIM FROM  SALT LAKE CITY  SOMETIME  BEFORE ? A. NO.  Q. OR OF  ANY TRAIN ? A.  NO. Q. DID YOU  HAVE ANY  CONVERSATION  IN THE  SUBJECT OF  ANY TRAIN OF  EMIGRANTS ? A.  NEVER HEARD  OF THEM.  Q. DID YOU  HEAR OF ANY  EMIGRANTS ?  A. NO SIR.  Q. NOR IN  RELATION TO  THE EATING OF  THAT DEAD OX  — TELL ME JUST</p>	<p>NONE  WHATEVER Q  NEVER HEARD  THIS TRAIN  MENTIONED A  NEVER HEARD  THIS TRAIN  MENTIONED  UNTIL AFTER  WE MET Q  NEVER HEARD  THERE WAS A  TRAIN IN  THE COUNTRY?  GEORGE A  SMITH DIDN'T  TELL YOU  THERE WAS  TRAIN PASSING  THROUGH  <i>WITH</i>  <i>HIM[?]</i> FROM  SALT LAKE CITY  SOMETIME  BEFORE A NO  Q OR  ANY TRAIN A  NO Q DID YOU  HAVE ANY  CONVERSATION  ON  SUBJECT OF  ANY TRAIN OR  EMIGRANTS A  NEVER HEARD  OF THEM. <sup>[41]</sup>  Q DID YOU  HEAR OF ANY  EMIGRANTS ≤AT  ALL&gt; A NO SIR Q  &lt;NOTHING IN&gt;  RELATION TO  EATING  THAT DEAD OX,  TELL ME JUST</p>	<p>NONE  WHATEVER. Q.  NEVER HEARD  THIS TRAIN  MENTIONED? A.  NEVER HEARD  THIS TRAIN  MENTIONED  TILL AFTER  WE LEFT. Q.  NEVER HEARD  THERE WAS A  TRAIN IN THE  COUNTRY?  GEORGE A.  SMITH DIDN'T  TELL YOU  THERE WAS A  TRAIN PASSING  THROUGH    FROM  SALT LAKE  CITY SOME TIME  BEFORE? A. NO.  Q. OR  ANY TRAIN? A.  NO. Q. DID YOU  HAVE ANY  CONVERSATIO  N ON THE  SUBJECT OF  ANY TRAIN OF  EMIGRANTS? A.  NEVER HEARD  OF THE M.  Q. DID YOU  HEAR OF ANY  EMIGRANTS AT  ALL? A . NO, SIR  . Q. NOW, IN  RELATION TO  THE EATING OF  THAT DEAD OX,  TELL ME JUST</p>	<p></p>
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**RT**

**RS**

**BT**

**PS**

<p>EXACTLY WHAT? OCCURRED ? A. I KNOW NOTHING OF IT PERSONALLY, MORE THAN I HAVE STATED. THE QUESTION WAS ASKED BY ONE OF THIS PARTY IF THE INDIANS WOULD EAT THE OX. Q. WAS NOT THE CONVERSATION THAT OCCURRED BETWEEN YOU ABOUT THE HABITS OF THE INDIANS — WAS NOT THE SUBJECT YOU WERE TALKING ABOUT — WAS NOT THESE PEOPLE ASKING YOU ABOUT THE  INDIANS—THEIR MANNERS AND [382] CUSTOMS ? A. IT WAS A DIRECT QUESTION, AS TO WHETHER THE INDIANS WOULD EAT THE OX. Q. THERE MUST HAVE BEEN SOMETHING ALLUDING TO</p>	<p>EXACTLY WHAT OCCURRED [space] A I KNOW NOTHING OF IT PERSONALLY, MORE THAN I HAVE AS STATED, QUESTION WAS ASKED BY ONE OF THIS PARTY, IF THE INDIANS WOULD EAT THE OX. Q WAS NOT CONVERSATION THAT OCCURRED BETWEEN ABOUT THE HABITS OF THE INDIANS = WAS NOT THE SUBJECT YOU WERE TALKING ABOUT = WAS NOT THIS PEOPLE ASKING YOU ABOUT THE HABITS OF INDIANS THEIR MANNERS AND CUSTOMS A IT WAS A DIRECT QUESTION, AS TO WHETHER ≤OR NOT THE≥ INDIANS WOULD EAT THE OX Q THERE MUST HAVE BEEN SOMETHING ALLUDED TO</p>	<p>EXACTLY WHAT OCCURRED? A. I KNOW NOTHING OF IT PERSONALLY, MORE THAN I THINK THAN AS I SAID, THE QUESTION WAS ASKED BY ONE OF THIS PARTY IF THE INDIANS WOULD EAT THE OX. Q. WASN'T THE CONVERSATION THAT OCCURRED BETWEEN YOU ABOUT THE HABITS OF THE INDIANS; WASN'T THE SUBJECT YOU WERE TALKING ABOUT— WASN'T THIS PEOPLE ASKING YOU ABOUT THE HABITS OF THE INDIANS, THEIR MANNERS AND CUSTOMS? A. IT WAS A DIRECT QUESTION AS TO WHETHER OR NO THE INDIANS WOULD EAT THE OX. Q. THERE MUST HAVE BEEN SOMETHING ALLUDING TO</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THAT OR WITH REFERENCE TO IT ? A. NOTHING AT ALL. Q. HOW LONG HAD YOU BEEN IN CONVERSATION ? A. THAT WAS THE QUESTION ASKED WHEN THEY CAME TO CAMP IN THE MORNING. MEN POINTED OUT, AND WANTED TO KNOW IF THE INDIANS WOULD LIKE TO EAT THAT OX, THAT WAS THE FIRST QUESTION ASKED WHEN WE CAME UP THERE. Q. WHAT OCCURRED AFTERWARDS DID HE STATE WHY THEY ASKED THE QUESTION A. NO,<del>SOMEONE</del> Q. SOME ONE OF YOUR PARTY TOLD THEM THAT THE INDIANS WOULD EAT IT — WHAT WAS SAID THEN ? A. NOTHING MORE. I THINK</p>	<p>WITH REFERENCE TO IT <sub>A</sub>NOTHING AT ALL <sub>Q</sub>HOW LONG HAD YOU BEEN IN CONVERSATION <sub>A</sub>THAT WAS THE FIRST QUESTION ASKED, WHEN THEY CAME TO OUR CAMP IN THE MORNING. MEN POINTED OUT, WANTED TO KNOW IF INDIANS <del>WERE</del> WOULD LIKELY EAT THAT OX. THAT WAS THE FIRST QUESTION AND ASKED <del>&lt;IT&gt;</del> WHEN WE CAME UP. <sub>Q</sub>WHAT OCCURRED AFTERWARDS, DID HE STATE WHY HE ASKED THE QUESTION <sub>A</sub> NO, <sub>Q</sub>SOME ONE OF YOUR PARTY TOLD THEM THEY THOUGHT THE INDIANS WOULD EAT IT WHAT WAS SAID THEN <sub>A</sub> NOTHING MORE, I THINK</p>	<p>OR WITH REFERENCE TO IT? A. NOTHING AT ALL. Q. HOW LONG HAD YOU BEEN IN CONVERSATION ? A. THAT WAS THE FIRST <sup>[238]</sup> QUESTION ASKED WHEN THEY CAME TO OUR CAMP IN THE MORNING; THE MAN POINTED OUT, AND WANTED TO KNOW IF THE INDIANS WOULD EAT THAT OX, THAT WAS THE QUESTION ASKED WHEN <del>WE</del> <b>HE</b> CAME UP. Q. STATE WHAT OCCURRED AFTERWARDS ; OR DID HE STATE WHY HE <b>ASKED</b> <del>ASKED</del> THE QUESTION? A. NO, <del>SOMEONE</del> Q. SOME ONE OF YOUR PARTY TOLD THEM THAT THE INDIANS WOULD EAT <b>IT</b>; WHAT WAS SAID THE <del>MAN</del> ? A. NOTHING MORE, I THINK</p>	
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**RT**

**RS**

**BT**

**PS**

<p>SOME ONE REMARKED, PERHAPS MYSELF THAT I THINK THEY WERE BETTER FED. Q. DIDN'T YOU HAVE A GOOD LONG TALK ABOUT THE HABITS OF THESE INDIANS —ABOUT THEIR MANNER OF LIVING ? A. I THINK BNOT. WE WERE JUST ABOUT STARTING, THE PARTY WHO CAME UP ASKED THIS QUESTION OF US. Q. HOW, AND WHERE DID YOU CAMP ≤THEY COME≥ FROM THEM ? A. CAMPED TO THE RIGHT FROM THEIR CAMP A. CAME RIGHT FROM THE CAMP. Q. DID THEY CAMP ALONE Q. DID THEY COME ALONE ? A. TWO OR THREE CAME. Q. WHAT DID THE BALANCE SAY ? [383] A. NOTHING I REMEMBER. THEY JUST</p>	<p>SOMEONE REMARKED PERHAPS MYSELF, I THINK THEY WERE BETTER FED Q DIDN'T YOU HAVE ≤A≥ GOOD LONG TALK ABOUT THE HABITS OF THESE INDIANS, ABOUT MANNER OF LIVING A I THINK NOT A WE WERE JUST ABOUT STARTING. THE PARTY WHO CAME UP ASKED THIS QUESTION OF US[?]. Q—[?] WHERE DID  A THEY COME FROM  A CAME RIGHT FROM ≤THEIR&gt; CAMP  Q DID THEY COME ALONE A TWO OR 3 CAME. Q WHAT DID THE BALANCE SAY A NOTHING ≤THAT≥ I REMEMBER Q THEY JUST</p>	<p>SOMEONE REMARKESD — PERHAPS MYSELF, THAT I THOUGHT THEY WERE BETTER FED. Q. DIDN'T YOU HAVE A GOOD LONG TALK ABOUT THE HABITS OF THESE INDIANS AND ABOUT THE MANNER OF THEIR LIVING? A. I THINK NOT. WE WERE JUST ABOUT STARTING. THE PARTY WHO CAME UP ASKED THIS QUESTION OF US:. Q. WHERE IDID  HE COME FROM?  A CAME RIGHT FROM THEIR CAMP.  Q. IDID HE COME ALONE? A. TWO OR THREE CAME. Q. WHAT DID THE BALANCE SAY? A. NOTHING THAT I REMEMBER. Q. THEY JUST</p>	
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**RT**

**RS**

**BT**

**PS**

<p>ASKED THAT SIMPLE QUESTION AND RETURNED.</p> <p>THAT IS ALL I REMEMBER. Q. HOW FAR DID THEY HAVE TO WALK IN PASSING FROM THEIR TRAIN TO YOURS ? A. I COULD NOT SAY DEFINITELY. THEY WERE CAMPED ON THIS SIDE OF THE CREEK. WE ON THE OTHER. Q. AND THE DISTANCE IS OFF IS ABOUT HOW FAR ? A. PERHAPS 12 OR 15 RODS. {✓}P Q. LET ME ASK YOU HOW IT IS YOU REMEMBER THAT SIMPLE DECLARATION, AND CAN'T REMEMBER ANYTHING ELSE THAT OCCURRED THERE ? ✓ A. THE SIMPLE REASON IS BY SOME MEANS IT CREATED SUSPICION</p>	<p>ASKED THAT SIMPLE QUESTION AND RETURNED TO TRAIN DID THEY A THAT IS ALL I REMEMBER. Q. HOW FAR DID THEY HAVE TO WALK IN PASSING FROM THEIR TRAIN TO YOURS A I COULD NOT SAY DEFINITELY, THEY WERE CAMPED ON THIS SIDE OF THE CREEK. WE ON THE OTHER. Q. DISTANCE OF HOW FAR A PERHAPS 12 OR 15 RODS Q LET ME ASK YOU HOW IT IS YOU REMEMBER THAT SIMPLE DECLARATION AND CAN'T REMEMBER ANYTHING ELSE THAT OCCURRED THERE A THE SIMPLE REASON IS BY SOME MEANS IT CREATED SUSPICION</p>	<p>ASKED THAT SIMPLE QUESTION AND RETURNED TO THE TRAIN DID THEY? A THAT IS ALL I REMEMBER. Q. HOW FAR DID THEY HAVE TO WA LK IN PASSING FROM THEIR TRIN TO YOURS? A. I COULD NOT SAY FDEFINITELY; THEY WERE CAMPED ON THIS SIDE OF THE CREEK AND WE WERE ON THE OTHER. Q. A DISTANCE OF HOW FAR? A PERHAPS 12 OR 15 RODS. Q. LET ME ASK YOU HOW IT IS YOU REMEMBER THAT SI MPLE DECLARATION AND CANNORT REMEMBER ANYTHING ELSE THAT OCCURRED THERE? A . THE SIMPLE REASON IS, <b>THAT</b> BY SOME <del>BMEN</del> <b>MEANS</b> IT CREATED SUSPICION,</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THAT THEY WOULD APPLY FOUL GAMES.</p> <p>Q. WHEN DID YOU FIRST SPEAK OF THAT FACT ? A. I THOUGHT OF IT WHEN I ANSWERED THAT THE INDIANS WERE BETTER FED. Q. WHEN DID YOU FIRST SPEAK OF IT AFTERWARDS AND TO WHOM ? A. SOME OF OUR PARTIES, AS WE PASSED ALONG. Q. DID YOU TAKE ANY STEPS TO NOTIFY THE INDIANS</p> <p>NOT TO TOUCH THAT OX A. NO. Q. DID YOU ADVISE ANY OF THE</p> <p>INDIANS ABOUT THE POISONING OF THE OX ? A. I DIDN'T SEE THE INDIANS AT ALL. Q. DID THE OX HAVE ITS SKIN ON ? A. IT</p>	<p>THEY WOULD PLAY FOUL GAMES</p> <p>Q WHEN DID YOU FIRST SPEAK OF THAT FACT? A I THOUGHT OF IT WHEN I ANSWERED</p> <p>THE INDIANS WERE BETTER FED Q WHEN DID YOU FIRST SPEAK OF IT AFTERWARDS AND TO WHOM A SOME OF OUR PARTIES AS WE PASSED ALONG [space]</p> <p>Q DID YOU TAKE ANY STEPS TO NOTIFY INDIANS</p> <p>NOT TO TOUCH THAT OX A NO Q DID YOU ADVISE ANY ANYBODY BODY</p> <p>INDIANS ABOUT POISONING THE OX A WE DIDN'T SEE THE INDIANS AT ALL Q DID THE OX HAVE ITS SKIN ON A IT</p>	<p>THAT THEY WOULD PLAY FOUL GAMES , BY SOME MEANS. Q. WHEN DID YOU FIRST SPEAK OF THAT FACT? A. I THOUGHT OF IT WHEN I ANSWERED, THAT I THOUGHT THE INDIANS WERE BETTER FED. Q. WHEN DID YOU FIRST SPEAK OF IT AFTERWARDS AND TO WHOM? A . TO SOME OF OUR PARTIES AS WE PASSED ALONG. Q. DID YOU TAKE ANY STEPS TO NOTIFY ANY INDIANS AS YOU PASSED ALONG NOT TO TOUCH THAT OXX? A. NO. [239]</p> <p>Q. DID YOU ADVISE THE</p> <p>INDIANS ABOUT IT—ABOUT POISONING THE OX. A. WE DIDN'T SEE THE INDIANS AT ALL. Q. DID THE OX HAVE ITS SKIN ON? A.</p>	
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**RT**

**RS**

**BT**

**PS**

<p>WAS WHOLE. Q. DID YOU SAY ANYTHING TO THE EMIGRANTS AT ALL UPON THE SUBJECT OF POISONING OR ADVISED THEM NOT TO POISON THE OX ? A. NO. <sup>[384]</sup> Q. IT WAS THE MERE PASSING SUSPICION. A. I HAD NO IDEA OF IT MORE THAN I THOUGHT OF IT. Q. YOU WERE VERY SUSPICIOUS OF THAT TRAIN WERE YOU NOT, ALL OF YOU, WERE YOU NOT ? A. I WAS NOT. Q. DIDN'T YOU HEAR SUSPICIONS SUGGESTED IN THAT CAMP BY OTHERS, AS TO THAT TRAIN ? A. NO SIR. Q. DIDN'T YOU HEAR A PERSON EXPRESS A FEELING AGAINST THAT TRAIN, THOSE THAT WERE WITH YOU ? A. NO SIR. Q. NOTHING SAID</p>	<p>WAS WHOLE. <i>[This is the end of extant Book 7; the last page of the book is missing.]</i></p>	<p>IT WAS WHOLE. Q. DID YOU SPEAK TO THE EMIGRANTS AT ALL UPON THE SUBJECT OF POISONING THAT OX, OR ADVISE THEM NOT <del>TO</del> POISON THE OX? A. NO . Q. THEN IT WAS A MERE PASSING SUSPICION? A. I HAD NO IDEA OF IT <del>NA</del> MORE THAN I THOUGHT OF IT. Q. YOU WERE VERY SUSPICIOUS OF THAT TRAIN WERE YOU NOT, ALL OF YOU?</p> <p>A. I WAS NOT. Q. <del>HD</del>IDN'T YOU HEAR SUSPICIONS SUGGESTED BY OTHER <del>PRE</del>OPLE AS TO THAT TRAIN? A:. NO, SIR. Q. DIDN'T YOU HEAR PERSONS EXPRESS A FEELING AGAINST THE TRAIN, THOSE THA T WERE WITH YOU? A. NO, SIR. Q. NOTHING SAID</p>	
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**RT**

**RS**

**BT**

**PS**

<p>AGAINST IT ? A.          NO SIR. Q.          NOTHING SAID          ABOUT IT ? A.          WE WERE          TALKING          ABOUT THE          MATTER IN          REGARD TO          THEM AS          ROUGH          FELLOWS. Q.          WHY DID YOU          REGARD THEM          AS ROUGH          FELLOWS ? A.          THEIR          LANGUAGE —          WAS IN THE          HABIT OF USING          BLASPHEMOUS          LANGUAGE IN          CONVERSATION.          Q. DID YOU          HEAR THEM USE          ANY          BLASPHEMOUS          LANGUAGE ? A.          YES. Q. WHAT ? A.          SWEARING. Q.          WHAT, IN          WHAT          CONNECTION,          ABOUT          WHAT WERE          THEY          SWEARING ? A.          ONLY IN          COMMON          CONVERSATION.  <sup>[385]</sup> Q. TELL          SOME          COMMON          CONVERSATION          IN WHICH IT</p>		<p>AGAINST IT? A.          NO, SIR. Q.          NOTHING SAID          ABOUT IT? A.          WE WERE          TALKING          ABOUT THE          MATTER IN          REGARD TO          THEM AS          ROUGH          FELLOWS. Q.          WHY DID YOU          REGARD THEM          AS ROUGH          FELLOWS? A.  <b>FROM</b> THEIR          LANGUAGE AND          THEIR          HABIT OF USING          BLASPHEMOUS          LANGUAGE IN          CONVERSATION.          Q. DID YOU          HEAR THEM USE          ANY          BLASPHEMOUS          LANGUAGE? A.          YES. Q. WHAT?          A. SWEARING. Q.          WHART, IN          WHAT          CONNECTION,          AND ABOUT          WHAT WERE          THEY          SWEARING? A .          ONLY IN          COMMON          CONVERSATIO          N. Q. TELL ME          SOME OF THE          COMMON          CONVERSATION          IN WHICH IT</p>	
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**RT**

**RS**

**BT**

**PS**

<p>WAS DONE ? A. I DON'T REMEMBER, I CANNOT TELL. Q. I WANT YOU TO NAME ONE INSTANCE — GIVE THE CONNECTION, IN WHICH THE PROFANE WORD WAS USED ? A. I CANNOT. Q. WHY CAN'T YOU ? A. I CAN'T REMEMBER ANY INSTANCE. Q. DON'T YOU KNOW YOU NEVER HEARD ONE OF THESE EMIGRANTS MENTION OR USE A PROFANE WORD AT ALL ? A. I KNOW I DID. Q. WHY CAN'T YOU TELL THE CONNECTION IN WHICH IT WAS DONE, YOU REMEMBER OTHER THINGS, WHY CAN'T YOU REMEMBER THAT ? A. WHY I CAN'T REMEMBER I DON'T KNOW. Q. HOW DO YOU KNOW THE CONVERSATION YOU HAD</p>		<p>WAS DONE. A. I DON'T REMEMBER, I COULD NOT TELL. Q. WON'T YOU NAME ONE INSTANCE , <del>W</del>AND GIVE THE CONNECTION?, INWHICH THEY USED PROFANE WORDS? A. I CANNOT. Q . WHY CAN'T YOU? A. I CAN'T REMEMBER ANY INCIDENT NOW. Q. DON'T YOU KNOW THAT YOU NEVER HEARD ONE OF THESE EMIGRANT MEN USE A PROFANE WORD AT ALL? A. I KNOW THAT I DID. Q. WHY CAN'T YOU TELL THE CONNECTION IN WHICH IT WAS DONE , YOU REMEMBER OTHER THINGS THERE, CAN'T YOU REMEMBER THAT? A. WHY I DO <sup>[230240]</sup> NOT, I DON'T KNOW. Q. HOW MANY CONVERSATION S DIDYOU HAVE</p>	
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**RT**

**RS**

**BT**

**PS**

<p>WITH THESE PARTIES ? A. THEY CAME TO OUR CAMP A LITTLE WHILE AT NIGHT. THIS PARTY CAME BACK IN THE MORNING. Q. HOW MANY OATHS DID THEY SWEAR WHILE THEY WERE AT YOUR CAMP THAT NIGHT ? A. I DON'T KNOW. Q. WHAT WAS THE OATH THEY USED ? Q. BY GOD. Q. WHAT OTHER EXPRESSIONS ? A. I DO NOT KNOW. Q. THEY CAME INTO YOUR CAMP THERE AND SAID BY GOD, IS THAT IT ? <sup>[386]</sup> A. I KNOW I HEARD THAT WORD FREQUENTLY IN CONVERSATION. Q. WHAT CONVERSATION ? A. I DON'T REMEMBER NOW, FURTHER THAN THAT WAS USED IN IT. Q. DON'T YOU KNOW YOU HEARD NO SUCH</p>		<p>WITH THESE PARTIES? A. THEYCAME TO OUT CAMP A LITTLE WHILE AT NIGHT. THIS PARTY CAME BACK IN THE MORNING. Q. HOW MANY OATHS DID THEY USE WHILE THEY WERE AT YOUR CAMP THAT NIGHT? A. I DON'T KNOW. Q. . WHAT WAS THE OATH THEY USED. A. "BY GOD," WITH OTHER EXPRESSIONS OF THAT BNATURE. Q. THEY CAME INTO YOUR CAMP THERE AND SAID "BY GOD!" IS THAT IT? A. I HEARD THAT WORD IN CONVERASTION FREQUENTLY. Q. WHAT CONVERSATION ? A. I DON'T REMEMBERNOW , FURTHER THAN THIS ONE. Q. DON'T YOU KNOW THAT YOU HEARD NO SUCH</p>	
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**RT**

**RS**

**BT**

**PS**

<p>A WORD USED AT ANY TIME ? A. NO. Q. HOW IS IT THAT YOU CAN REMEMBER THAT EXPRESSION, AND CAN'T REMEMBER THE CONNECTION IN WHICH IT WAS USED ? A. I DON'T REMEMBER. Q. YOU BELONGED TO THE MORMON CHURCH DID YOU AT THAT TIME ?———A.</p> <p>IT WAS SIMPLY BECAUSE IT WAS GRATING ON YOUR EARS , THEY</p> <p>ESPRESSED BY GOD — YOU CAN'T REMEMBER ANY OTHER WORD THEY SAID — DID YOU HEAR ANY OATH USED ? A. I DON'T KNOW AS I DID. Q. DON'T YOU KNOW YOU DIDN'T HEAR</p>		<p>WORD USED AT ANY TIME? A. NO. Q. YOU SAY YOU CAN REMEMBER <del>WH</del> THAT EXPRESSION AND CANNOT REMEMBER<del>E</del> THE CONNECTION IN WHICH IT WAS USED? A I DON'T REMEMBER. Q. YOU BELONGED TO THE MORMON CHURCH, DID YOU AT THAT T IME? <del>A YE YA.</del> YES, SIR. Q. AND IT WAS S IMPLY BECAUSE IT WAS GRATING ON YOUR EARS, WHEN THEY <del>MADE THE</del> EXPRESSED , “<del>MBY</del> BY GOD!” BUT YOU CANNOT REMEMBER NO OTHER WORD THEY SAID.? Q. DID YOU HEAR ANY<del>F</del> OTHER WORD? A. I DON'T KNOW AS I DID. Q . DON'T YOU KNOW YOU DIDN'T HEAR</p>	
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**RT**

**RS**

**BT**

**PS**

<p>ANY AT ALL ? A. NO Q. THEN YOU CAN ONLY REMEMBER OF HEARING SIMPLY THE EXPRESSION “BY GOD” AND ONLY ONE OATH ? A. I SAID I REMEMBERED HEARING THEM REPEAT IT AT SEVERAL TIMES. Q. AND THEN YOU USED THE TERM BLASPHEMOUS LANGUAGE, BUT YOU CANNOT TELL IN WHAT CONNECTION IT WAS USED ? A. I COULD NEVER SEE HOW IT APPLIED, TO SPEAK AN OATH. Q. WHAT WERE THEY TALKING ABOUT</p> <p>WHEN THEY USED THAT LANGUAGE ? A. I REMEMBER</p>	<p>[[Bk 8 1]]<sup>353</sup> Q THEN YOU CAN ONLY REMEMBER OF HEARING SIMPLE EXPRESSION BY GOD AND ONLY ONE &lt;SAID&gt; OATH IT A I SAID I REMEMBER HEARING [<i>corner missing</i>]</p> <p>KNOW[?] YOU USED THE TERM BLASPHEMOUS LANGUAGE {Q}<sup>i</sup> YOU CANNOT STATE IN WHAT CONNECTION {A}<sup>i</sup> I COULD NEVER SEE HOW IT APPLIED {TO}<sup>i</sup> [<i>corner missing</i>] WHAT WERE THEY TALKING ABOUT</p> <p>WHEN THEY USED THAT LANGUAGE {A}<sup>i</sup> I REMEMBER</p>	<p>ANY AT ALL-? A. NO. Q. THEN YOU CANT ONLY REMEMBER OF HEARING THE SIMPLE EXPRESSION “BY GOD” AND ONLY ONE SAID IT? A. I SAID I REMEMBERED THEARINFG THEM USE THAT WORD. Q. AND THA T IS WHY YOU NOW UESE THE TERM “BLASPHEMOUS LANGUAGE”? BUT YOU VCAN’T STATE IN WHAT CONNECTION? A. I COULD NEVER SEE HOW IT APPLIED TO</p> <p>WHAT THEY WERE TALKING ABOUT. Q. WHAT WERE THEY TALKING ABOUT THWHEN THEY USED THAT LANGUAGE? A. I REMEMBER</p>	
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353. Page is in very poor condition: dirty, worn, and torn. {SS. SMITH’S TESTIMONY}<sup>p</sup> BOOK 8, {DEFENSE}<sup>p</sup> written in longhand at the top of the page.

**RT**

**RS**

**BT**

**PS**

<p>NOTHING FURTHER THAN</p> <p>THEY WERE A ROUGH LOT OF FELLOWS, AS I HAVE STATED. Q. WELL, WHAT ELSE DID THEY DO OR SAY THAT LEAD YOU TO BELIEVE THEY WERE A ROUGH SET OF FELLOWZS ? [387]</p> <p>A. I COULD NOT SAY BUT THEY WERE A ROUGH SET OF FELLOWS, THAT WAS MY OPINION. Q. WHAT ELSE DID THEY SAY IN USING THAT WORD THEY MIGHTHAVE USED IT IN THE WAY OF ASKING GOD FOR PROTECTION— WAS NOT THAT THE WAY THEY USED IT, OR BY THE GRACE OF GOD WE EXPECT TO GET THROUGH TO CALIFORNIA</p> <p>A. NO SIR.</p> <p>Q. OR BY THE INTERPOSITION</p>	<p>NOTHING FURTHER THAN I HAVE STATED</p> <p>&lt;THEY WERE {A}<sup>i</sup> ROUGH LOT OF PEOPLE&gt; {Q}<sup>i</sup></p> <p>WELL WHAT ELSE DID THEY [corner missing]</p> <p>LEAD YOU BELIEVE THEY WERE ROUGH SET OF FELLOWS</p> <p>A I COULD NOT SAY THEY WERE A ROUGH SET OF FELLOWS THAT WAS MY OPINION {Q}<sup>i</sup> [corner missing] L[?]</p> <p>IN USING THAT WORD THEY &lt;MIGHT&gt; HAVE USED IT {IN THE WAY OF ASKING GOD FOR PROTECTION}<sup>i</sup> WAS NOT THAT THE WAY THEY USED IT; BY THE GRACE OF GOD WE EXPECT TO GET THROUGH TO [corner missing]</p> <p>{A}<sup>i</sup> NO SIR</p> <p>{Q}<sup>i</sup> OR BY THE INTERPOSITION</p>	<p>NOTHING AFURHTHER, THAN I HAVE STATED. [241] BUT THEY WERE A ROUGH LOT OF PEOPLE.</p> <p>Q. WELL, WHAT ELSE DID YOU HEAR THEM SAY OR DO, THAT LED YOU TO BELIEVE THEY WERE A ROUGH SET OF FELLOWS?</p> <p>A. I COULD NOT SAY THAT THEY WERE A ROUGH SET OF FELLOWS , BUT THAT WAS MY OPINION. Q. NOW ISN'T IT POSSIBLE, THAT IN THEIR USING THAT WORD, THEY MIGHT HAVE USED IT IN THE WAY OF ASKING GOD FOR PROTECTION, WASN'T THAT THE WAY THEY USED IT—BY THE GRACE OF GOD, WE EXPECT TO GET THROUGH OUR JOURNEY?</p> <p>A .NO, SIR.</p> <p>Q . OR BY THE INTERPOSITION</p>	
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**RT**

**RS**

**BT**

**PS**

<p>OF GOD WE HOPE TO GET<del>M</del> THROUGH ? A. NOT AS I UNDERSTOOD IT. Q. WHY DIDN'T YOU UNDERSTAND IT THAT WAY ? A. BECAUSE THAT WAS NOT THE WAY IT WAS USED. Q. WHY CAN'T YOU TELL THE LANGUAGE, WHAT CONVERSATION IT WAS USED IN, YOU SPEAK</p>	<p>OF GOD WE HOPE TO GET THROUGH <sub>A</sub> NOT AS I UNDERSTAND IT {Q}<sup>i</sup> WHY DIDN'T YOU UNDERSTAND IT THAT WAY BECAUSE THAT WAS NOT THE WAY IT WAS USED {Q}<sup>i</sup> WHY CAN'T YOU TELL THE LANGUAGE WHAT CONVERSATION {IT}<sup>i</sup> WAS USED IN {A}<sup>i</sup> SPEAK OF</p>	<p>OF GOD WE HOPE TO GET THROUGH? A. NOT AS I UNDERSTOOD IT? Q. WHY DIDN'T YOU UNDERSTAND IT IN THAT WAY;<sup>?</sup> <b>A. BECAUSE</b> THAT ISN'T THE WAY THAT <b>IT</b> WAS USED? <b>Q. WHY CAN'T</b> YOU TELL THE LANGUAGE AN D WHAT THE CONVERSATION <del>IF</del> WAS? A. IN SPEAKING IT WAS</p>	
<p>OF SWEARING OR BLASPHEMY —HOW <del>YΘ</del> CAN YOU TELL WHETHER IT WAS AN EXPRESSION OF SUPPLICATION OR BLASPHEMY ? A. I CAN ONLY TELL AS I REMEMBER IT. Q. WHICH WAS IT ? —IN BLASPHEMY OR SUPPLICATION</p>	<p>SWEARING OR BLASPHEMY HOW CAN YOU TELL WHETHER IT WAS EXPRESSION OF SUPPLICATION OR BLASPHEMY <sub>A</sub> I CAN ONLY TELL AS I REMEMBER {Q}<sup>i</sup> WHICH WAS IT IN BLASPHEMY OR SUPPLICATION</p>	<p>SWEARING OR BLASPHEMY. Q. SO YOU CANNOT TELL WHETHER IT WAS AN EXPRESSION OF SUPPLICATION OR BLASPHEMY? A. I CAN ONLY TELL AS I REMEMBER. Q. SO YOU SAY, IT WAS <del>IN</del> BLASPHEMY AND NOT <del>IN</del> SUPPLICATION <del>AND NOT BALS</del></p>	
<p>THAT THEY USED THE LANGUAGE YOU HAVE QUOTED ? A.</p>	<p>THAT THEY {USED THE}<sup>i</sup> LANGUAGE <i>YOU</i> <i>HAVE</i>[?] QUOTED {A}<sup>i</sup></p>	<p>THAT THEY USED THE LANGUAGE YOU HAVE QUOTED? A. IT WAS</p>	



**RT**

**RS**

**BT**

**PS**

<p>BLASPHEMY AS I UNDERSTOOD IT. Q. WHY DID YOU UNDERSTAND IT TO BE BLASPHEMY ? —</p> <p>ANSWER MY QUESTION ? A. I UNDERSTAND AND I UNDERSTOOD “BY GOD” TO BE BLASPHEMY, ) ≤Q≥ AND THE REMARKS THAT WERE BEING MADE— WHAT WERE THE REMARKS ? A. I CANNOT REMEMBER. Q. WONT YOU STATE THE SUBSTANCE OF THEM ? A. A PARTY CAME TO OUR CAMP, AS I SAID BEFORE, AND BEGAN TALKING ABOUT WHERE ARE YOU FROM AND WHERE ARE YOU GOING, AND ONE THING AND ANOTHER, THEY STATED WHERE THEY WERE FROM AND WHERE THEY WERE GOING, AND</p>	<p>BLASPHEMY AS I UNDERSTOOD IT {Q}^i WHY DID YOU UNDERSTAND IT TO BE BLASPHEMY ≤A BECAUSE I DID≥ {Q}^i ANSWER MY QUESTION A I UNDERSTAND I UNDERSTOOD BY GOD TO BE BLASPHEMY</p> <p>Q REMARKS THAT WERE BEING MADE {Q}^i WHAT WERE THE REMARKS A I CANNOT REMEMBER WONT YOU STATE THE SUBSTANCE OF THEM [page torn] A PARTY CAME TO OUR CAMP AS I SAID BEFORE AND BEGAN TALKING ABOUT WHERE YOU FROM AND WHERE YOU GOING AND ONE THING ANOTHER. THEY STATED WHERE THEY WERE FROM AND THEY WERE GOING AND THE</p>	<p>BLASPHEMY AS I UNDERSTOOD IT. Q. WHY DID YOU UNDERSTAND IT TO BE BLASPHEMY? A. BECAUSE I DID. Q. ANSWER MY QUESTION? A.</p> <p>I UNDERSTOOD “BY GOD” TO BE BLASPHEMY. Q. TELL THE REMARKS THAT WERE BEING MADE; WHAT WERE THE REMARKS? A. I CAN’T REMEMBER. Q. WON’T YOU TELL THE SUBSTANCE OF THEM? A. PARTY CAME TO OUR CAMP AS I SAID BEFORE AND BEGAN TALKING ABOUT WHERE ARE YOU FROM AND WHERE ARE YOU GOING AND ONE THING AND ANOTHER. THEY STATED WHERE THEY WERE FROM AND WHERE THEY WERE GOING AND</p>	
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**RT**

**RS**

**BT**

**PS**

<p>SIMPLY PASSING REMARKS WHEN TRAVELERS MEET, IS ALL I REMEMBER ABOUT IT. THESE <sup>[388]</sup> WORDS WERE USED IN THIS CONNECTION. Q. THEY SAID THEY WERE GOING FROM THE STATES TO CALIFORNIA, BY GOD ? A. SOMETHING LIKE THAT AS I REMEMBER. Q. DO YOU KNOW WHERE THIS EMIGRANT TRAIN WAS GOING TO ? A. I THINK THEY SAID THEY WERE GOING TO  CALIFORNIA BY THE SOUTHERN ROUTE, BY GOD. Q. DID THEY ADD THAT ? A. IT MAY HAVE BEEN THERE.  Q. DON'T YOU KNOW THERE ISN'T A</p>	<p>SIMPLE PASSING REMARKS WHEN TRAVELERS MEET AND {IS}<sup>i</sup> ALL I REMEMBER ABOUT IT THESE WORDS WERE USED IN THIS CONNECTION. BASKIN {Q}<sup>i</sup> THEY SAID THEY WERE GOING FROM THE STATES TO CALIFORNIA "BY GOD" {A}<sup>i</sup> SOMETHING LIKE THAT AS I REMEMBER IT. {Q}<sup>i</sup> DID YOU KNOW WHERE THIS EMIGRANT TRAIN WAS GOING TO A I THINK THEY SAID THEY WERE GOING {TO}<sup>i</sup> CALIFORNIA BY THE SOUTHERN ROUTE. BY GOD Q {DID}<sup>i</sup> THEY ADD THAT IT MAY HAVE BEEN THERE IT MIGHT <i>APPEAR</i>[?] Q [<i>page</i> <i>torn</i>] DON'T YOU KNOW THERE I AIN'T ≪A≫</p>	<p>SOME PASSING REMARKS ANS WHEN TRAVELERS MEET, IS ALL I REMEMBER ABOUT IT. THESE WORDS WERE USED IN THIS CONNECTION. <sup>[242]</sup> Q. THEY SAID THEY "WERE GOING FROM THE STATES TO CALIFORNIS, BY GOD"? A. SOMETHING LIKE THAT AS I REMEMBER IT. Q. DID YOU KNOW WHERE THIS EMIGRANT TRAIN WAS GOING TO? A. I THINK THEY SAID THEY WERE GOING TO <del>SOUTHERN</del> CALIFORNIA BY THE SOUTHERN ROUTE, " BY GOD. Q. DID THEY ADD THAT? A. IT MIGHT HAVE BEEN THAT.  Q. DON'T YOU KNOW THERE IS NOT A</p>	
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**RT**

**RS**

**BT**

**PS**

<p>WORD OF TRUTH IN WHAT YOU ARE STATING AND THAT THEY USED NO SUCH AN EXPRESSION</p> <p>—AINT YOU CONSCIOUS OF THAT FACT ? A. I REMEMBER HEARING OF THE REMARK.</p> <p>RE-CROSS.</p> <p>COURT: ONE QUESTION. YOU STATED THAT YOUR PARTY HAD SURMISES AFTER YOU LEFT CORN CREEK IN REGARD TO</p> <p>THIS OX, OR WHAT MIGHT BE DONE BY THIS, WHO WAS PRESENT THEN, IF I</p>	<p>WORD OF TRUTH {IN YOU ARE STATED}<sup>i</sup> THAT THEY USED NO SUCH EXPRESSION AS BY GOD, AINT YOU CONSCIOUS OF THAT FACT A<sup>I</sup> REMEMBER HEARING <i>THE/HIS</i>[?] REMARK BASKIN YOU CAN TAKE THE WITNESS <b>RE CROSS EXAMINATION</b> {II}<sup>i</sup> BY COURT DO DEFENSE WANT TO ASK HIM ANY MORE QUESTION BY COURT <sub>Q</sub> ONE QUESTION {YOU}<sup>i</sup> STATED YOUR PARTY [<i>page torn</i>] SURMISED AFTER YOU LEFT CORN CREEK IN REGARD TO THIS MIGHT BEEN AND DONE BY THESE &lt;IN REGARD OX&gt;</p> <p>WHO WAS PRESENT THEN IF I</p>	<p>WORD OF TRUTH IN WHAT YOU ARE STATING, THAT THEY USED NO SUCH EXPRESSION, AS ;“BY GOD”? ARN’T YOU CONSCIOUS OF THAT FACT? A. I REMEMBER HEARING THE REMARK. <b>M<sup>R</sup></b> BASKIN: YOU CAN TAKE THE WITNESS. RE - DIRECT EXAMINATION OF SILAS S. S MITH.</p> <p>BY <b>M<sup>R</sup></b> SUTHERLAND: Q . ONE QUESTION MORE. YOU STATED YOUR PARTY WAS SUSPICIOUS AFTER YOU LEFT CORN CREEK IN REGARD TO THIS THING, WHAT MIGHT BE DONE BY THEM IN REGARD TO THE OX.</p> <p>WHO WAS PRESENT THEN? A. IF I</p>	
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**RT**

**RS**

**BT**

**PS**

<p>UNDERSTOOD YOU ARIGHT ? WITNESS: I SAID ———COURT:</p> <p>AFTER YOU LEFT CORN CREEK AFTER YOU STARTED GOING NORTH ? A. I THINK I SPOKE OF THEM AND ONE OF THE PARTY, I CAN'T SAY WHO. SUTHERLAND: WERE THEY ALL PRESENT ? A. I DON'T REMEMBER, I WAS THE FIRST ONE SPEAKING ABOUT IT AND IT PASSED OFF IN THAT KIND OF A WAY, I HADN'T THOUGHT OF IT AFTERWARDS. Q. NO OTHER ONE SPOKE OF IT BESIDES YOU—NO OTHER ONE SPOKE OF IT BESIDES YOU AT ANY TIME</p> <p>AFTERWARDS, AS YOU WENT ALONG ? <sup>[389]</sup> A.</p>	<p>UNDERSTAND UNDERSTOOD YOU RIGHT <sup>[[2]]354</sup> {A} I SAID {—} I Q AFTER YOU LEFT CORN CREEK AFTER YOU STARTED GOING NORTH {A} I THINK I SPOKE OF THEM ONE OF THE PARTY I CAN'T SAY WHO Q WERE THEY ALL PRESENT ? A I DON'T REMEMBER I WAS THE FIRST ONE AND SPEAK OF IT AND IT PASSED OFF IN THAT &lt;KIND OF WAY&gt; I HADN'T THOUGHT OF IT AFTERWARDS Q NO OTHER ONE SPOKE OF IT BESIDES YOU NO OTHER ONE SPOKE OF IT BESIDES YOU AT ANY TIME ,</p> <p>AFTERWARDS AS YOU WENT ALONG A</p>	<p>UNDERSTAND  YOU RIGHT I STATED—  Q. AFTER YOU LEFT CORN CREEK, AFTER YOU STARTED TO GO NORTH? A. I THINK I SPOKE OF THEM, ONE OF THE PARTY; I CAN'T SAY WHO. Q. WERE THEY ALL PRESEENT? A. I DON'T REMEMBER, I WAS THE FIRST ONE WHO SPOKE OF IT, AND PASSED OFF IN THAT KIND OF A WAY, AND I HADN'T THOUGHT OF IT AFTERWARDS. Q. NO OTHER ONE SPOKE OF IT BESIDES YOU?  AT ANY TIME AFTERWARDS AFTERWARDS AS YOU WENT ALONG? A .</p>	
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354. Written out at the top of the page in longhand: {SILAS S. SMITHS, TESTIMONY FOR DEF.}P

**RT**

**RS**

**BT**

**PS**

<p>NOT THAT I REMEMBER, THERE WAS A LITTLE CONVERSATION. Q. WHAT WAS THE CONVERSATION ? A. NOTHING MORE THAN IT WAS AN UNUSUAL QUESTION TO BE ASKED, THAT IS THE SUM AND SUBSTANCE OF THE CONVERSATION. BASKIN. THERE IS ONE THING I OMITTED —</p>	<p>NOT THAT I REMEMBER THERE WAS LITTLE CONVERSATION QWHAT WAS THE CONVERSATION ANOTHING MORE THAN IT WAS AN UNUSUAL QUESTION TO BE ASKED ≪THAT IS THE≫ SUM AND SUBSTANCE OF CONVERSATION {AQ}<sup>i</sup> BASKIN QTHERE IS ONE THING I OMITTED TO ≪ASK.≫</p>	<p>NOT THAT I I REMEMBER, THERE WAS LITTLE CONVERZSATIO N. Q. WHAT WAS THE CONVERSATION ? A. NOTHING MOFRE THAN IT WAS AN UNUSUAL QUESTION TO BE ASKED. THAT IS THE SUM AND SUBSTANCE OF THE CONVERSATION .<sup>[243]</sup> M<sup>R</sup>BASKIN: THERE IS ONE QUESTION I OMITTED TO ASK YOU. Q. ( BY BASKIN) YOU SPOKE OF A TRAIN CALLED BY THE “DUKE” TRAIN? A. YES. Q. WHERE DI D YOU FIRST SEE THAT TR I N? A: I FIRST SAW THEM HERE, CAMPED ON THE CREEK SOUTH OF HERE. Q. WAS IT BEFORE OR AFTER THE MOUNTAIN MEADOW MASSACRE? A. IT WAS AFTER THIS FIRST</p>	
<p>YOU SPOKE OF THE TRAIN THAT YOU CALLED THE DUKE TRAIN ? A. YES. Q. WHERE DID YOU FIRST SEE THAT TRAIN ? A. I FIRST SAW THEM HERE— CAMPED ON THE CREEK SOUTH OF HERE Q. WAS IT BEFORE OR AFTER THE MOUNTAIN MEADOW MASSACRE ? A. IT WAS AFTER THIS</p>	<p>YOU SPOKE OF THE TRAIN YOU CALLED THE DUKE TRAIN A YES QWHERE DID YOU FIRST SEE THAT TRAIN A I FIRST SAW THEM HERE , CAMPED ON THE CREEK, SOUTH HERE Q WAS IT BEFORE OR AFTER MOUNTAIN MEADOW MASSACRE A IT WAS AFTER THIS ≪FIRST≫</p>		

**RT**

**RS**

**BT**

**PS**

<p>PARTY HAD PASSED. Q. WAS IT BEFORE OR AFTER—WHAT DAY OF THE MONTH—WAS IT IN SEPTEMBER THAT YOU SAW THE DUKE TRAIN HERE ? A. I CANNOT REMEMBER THE DAY. Q. WAS IT THE FIRST OR THE LATTER PART OF THE MONTH ? A. IT WAS THE FIRST PART OF THE MONTH. Q. WAS IT BEFORE OR AFTER THE MASSACRE AT THE MOUNTAIN MEADOWS— BEFORE OR AFTER ? A. I DO NOT KNOW — CANNOT TELL, WHETHER IT WAS BEFORE OR AFTER.</p> <p>Q. WONT YOU STATE TO THE COURT WHEN YOU CAME UP RIGHT HERE AT THIS POINT, WHAT TOOK PLACE ? A.</p>	<p>PARTY HAD PASSED Q WAS IT BEFORE OR AFTER , WHAT DAY OF THE MONTH , WAS IT IN SEPTEMBER , YOU SAW THE DUKE TRAIN HERE A I CAN'T REMEMBER THE DAY Q WAS IT THE FIRST OR LATTER PART OF MONTH A IT WAS THE FIRST PART OF THE MONTH {Q}^i WAS IT BEFORE OR AFTER {THE}^i MASSACRE {AT}^i MOUNTAIN MEADOWS BEFORE {OR}^i AFTER A I DID HEAR IT CAN'T TELL WHETHER IT WAS BEFORE OR AFTER</p> <p>{Q}^i WONT YOU STATE TO THE COURT , WHEN YOU CAME UP RIGHT HERE AT THIS TOWN</p> <p>A</p>	<p>PARTY HAD PASSED. Q. WAS IT BEFORE OR AFTER? WHAT DAY OF THE MONTH? WAS IT IN SEPTEMBER THAT YOU SAY THE DUKE TRAIN HERE? A. I CAN'T REMEMBER THE DAY. Q. WAS IT THE FIRST OR LATTER PART OF THE MONTH? A IT WAS THE FIRST PART OF THE M U O F N T H ? Q. WAS IT BEFORE OR AFTER THE MASSACRE AT THE MOUNTAIN MEADOWS— BEFORE OR AFTER? A. . I DID HEAR; BUT I CAN'T TELL WHETHER IT WAS BEFORE OR AFTER. Q. <del>WHEN YOU SPOKE OF</del> WHAT Q . WONT YOU STATE WHAT OCCURRED WHEN YOU CAME PED UP RIGHT HERE AT THIS POINT?</p> <p>A.</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THERE HAD BEEN SOME DIFFICULTY WITH THE INDIANS, I WAS SENT OVER HERE, AN INDIAN HAD BEEN SHOT BY ONE OF THIS PARTY; THE TRAIN WAS COMPOSED OF THREE PARTS; THEY HAD CONSOLIDATED AFTER THIS ATTACK WITH THE INDIANS. [390] Q. DO YOU KNOW OF YOUR OWN KNOWLEDGE THAT AN INDIAN WAS SHOT ? A. I SAW THE WOUNDED INDIAN. Q. WHAT BAND DID THE INDIAN BELONG TO THAT WAS SHOT ? A. I DO NOT KNOW. Q. WAS NOT IT THE CORN CREEK INDIANS ? A. I THINK IT WAS SOME WAY CONNECTED WITH KANOSH. Q. DID HE &lt;THEY&gt; TELL WHAT HE</p>	<p>THERE HAD BEEN SOME DIFFICULTY WITH INDIANS, I WAS SENT OVER HERE AN INDIAN HAD BEEN SHOT BY ONE OF THIS PARTY , TRAIN WAS COMPOSED OF 3 PARTS. THEY HAD CONSOLIDATED AFTER THIS ATTACK ON THEM BY THE INDIANS {Q}^i DO YOU KNOW OF YOUR OWN KNOWLEDGE INDIAN WAS SHOT A I SAW THE WOUNDED INDIAN. {Q}^i WHAT BAND DID THE INDIAN BELONG TO THAT WAS SHOT A I DON'T KNOW Q WAS NOT IT CORN CREEK INDIANS A I THINK IT WAS SOME WAY CONNECTED WITH KANOSH Q DID THEY STATE WHAT THEY</p>	<p>THERE HASD BEEN SOME DIFFICULTY WITH THE INDIANS. I WAS SENT OVER HERE — AN INDIAN HAD BEEN SHOT BY ONE THSIS PARTY. THE TRAIN WAS COMPOSED OF THREE PARTS. THEY HAD CONSOLIDATED AFTER THIS ATTACK ON THEM BY THE INDIANS. Q. DO YOU KNOW OF YOUR OWN KNOWLEDGE THAT THE INDIAN WAS SHOT? A. I SAW THE WOUNDED INDIAN. Q. WHAT BAND DID THE INDIAN BELONG TO THAT WAS SHOT? A. I DON'T KNOW. Q. WASN'T IT THE CORN CREEK INDIANS? A. I THINK IT WAS, SOMEWAY CONNECTED WITH KANOSH. Q. DID THEY STATE WHAT THEY</p>	
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**RT**

**RS**

**BT**

**PS**

<p>&lt;THEY&gt; SHOT HIM FOR A. THEY SAW HIM IN THE NIGHT, HE WAS LURKING AROUND THE TRAIN. Q. HOW MANY OF THE INDIANS WERE AROUND HERE WHEN YOU CAME UP ? A. WELL WE GOT THE UPPER HAND BY GETTING HOLD OF THE INDIANS, SEEKING FOR THEM. Q. WERE NOT THE MORMONS AND INDIANS AT PEACE AND ON FRIENDLY TERMS AT THAT TIME ? A. YES SIR. Q. WAS NOT IT BY VIRTUE OF SOME FRIENDLY RELATIONS EXISTING WITH THE INDIANS, OR BETWEEN THE INDIANS AND THE MORMONS THAT YOU WERE ENABLED TO PACIFY THEM. A. AS I</p>	<p>SHOT HIM FOR A THEY SAW HIM IN THE NIGHT. HE WAS LURKING AROUND THE TRAIN YES. HOW MANY OF THE INDIANS WERE AROUND HERE WHEN YOU CAME UP A WELL WE GOT THE UPPER HAND BY GETT {ING} <sup>i</sup> HOLD OF {THE} <sup>i</sup> INDIAN, SEEKING AFTER HIM. Q WERE NOT THE MORMONS AND INDIANS IN PEACE , ON FRIENDLY TERMS AT THAT TIME A YES SIR Q WAS NOT IT BY VIRTUE OF SOME FRIENDLY RELATIONS ON[?] THE INDIANS EXISTING BETWEEN THE INDIANS AND THE MORMONS YOU WERE ENABLED TO PACIFY THEM {A} <sup>i</sup> AS I</p>	<p>SHOT HIM FOR? A. THEY SAW HIM IN THE NIGHT. HE WAS LURKING AROUND THEIR TRAIN IN THE NIGHT. Q. ABOUT HOW MANY OF THE INDIANS WERE THERE AROUND HERE WHEN YOU CAME UP? <sup>[244]</sup> A. WELL, WE GOT THE UPPER HAND BY GERTRTING HOLD OF THE INDIAN— SEEKING FOR HIM. Q. WERE NOT THE MORMONS AND INDIANS AT PEACE, ION FRIENDLY TERMS AT THAT TIME? A. YES, SIR. Q. WASN 'T IT BY VIRTUE OF SOME FRIENDLY RELATIONS WITH THE INDIANS EXISTING BETWEEN THE INDIANS AND MORMONS THAT YOU WERE ENABLED TO PASSCIFY THEM? A. AS I</p>	
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**RT**

**RS**

**BT**

**PS**

<p>UNDERSTOOD IT THE INDIANS WERE EXCITED FROM WHAT I AFTERWARDS HEARD, TO BE</p> <p>THE POISONING OF THIS OX AND THE SPRING. Q. I DON'T WANT TO KNOW WHAT THEY TOLD YOU— THIS TIME IT WAS IN RELATION TO MORMONS AND TRAVELERS — THE INDIANS WERE STEALING STOCK MORE OR LESS, IF NOT YOU KNOW — DO YOU KNOW OF ANY MORMON BEING KILLED DOWN THERE AT THE MOUNTAIN MEADOWS ? A. NO SIR. Q. AND YOU KNOW IT IS A FACT WHITE MEN STEAL, DON'T YOU ? <sup>[391]</sup> A. I HAVE HEARD SO, YES SIR. Q. DON'T YOU KNOW THAT</p>	<p>UNDERSTOOD IT, INDIANS WERE EXCITED FROM WHAT I AFTERWARDS HEARD TO BE &lt;SO ABOUT&gt; THE POISONING OF THIS OX AND THE SPRING. Q I DON'T WANT TO KNOW WHAT THEY TOLD YOU [space] THIS TIME IT WAS IN RELATION TO MORMONS AND TRAVELERS THE INDIANS WERE STEALING STOCK MORE OR LESS, {AND}<sup>i</sup> FOR YEARS Q YOU KNOW OF ANY<sup>355</sup> MORMON BEING KILLED DOWN THERE = &lt;NO&gt; MORMON A NO SIR {Q}<sup>i</sup> YOU KNOW IT IS A FACT WHITE MEN STEAL, DON'T YOU A HAVE HEARD SO YES SIR. {Q}<sup>i</sup> WAS NOT THAT AMOUNT OF DEPREDAATION</p>	<p>STATED IT, THE INDIANS WERE EXCITED FROM WHAT I AFTERWARDS HEARD THE PARTIES SAY ABOUT THE POISONOUS OX AND THE SPRING. AQ. I DON'T WANT TO KNOW WHAT THEY TOLD YOU:? THIS TIME IT WAS IN RELATION TO MORMONS AND TRAVELERS? A. THE INDIANS WERE STEALING STOCK MORE OR LESS FOR YEARS. Q. BUT YOU KNOW OF NO MORMONS BEING KILLED DOWN THERE, NO, MORMONS ? A. NO, SIR . Q. YOU KNOW IT IS A FACT THAT WHITE MEN STEAL, DON'T YOU? A. I HAVE HEARD SO, YES, SIR. Q. WASN'T THAT AMOUNT OF DEPREDAATION</p>	
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355. Vowel, added later in ink, would render the word “NO”.

**RT**

**RS**

**BT**

**PS**

<p>THE CHIEFS AND THE INDIANS WERE AT PEACE WITH THE MORMONS ?</p> <p>A. I DO NOT KNOW, BUT THEY TRADED, BUT I ALWAYS BELIEVED THEM TO BE COGNIZANT OF THE STEALING OF THIS STOCK.</p> <p>Q. HOW MANY INDIANS DID YOU MEET HERE OR SEE AROUND HERE AT THE TIME THAT TRAIN WAS STATIONED HERE ? A. I COULD NOT SAY. Q. ABOUT HOW MANY ? A. PROBABLY FIFTEEN OR TWENTY. WE ONLY FOUND A FEW CAMPED, AND THE TRAIN MADE THIS NEGOTIATION WITH THEM AND GAVE THEM SOME CATTLE.</p>	<p>THE CHIEF WERE AT PEACE WITH MORMON PEOPLE? DON'T YOU KNOW THEY WERE <sup>[[3]]</sup> {A} I DON'T KNOW THEY TRADED BUT I ALWAYS BELIEVED THEM TO BE CONSENT WITH THE STEALING OF THIS STOCK. {Q} HOW MANY INDIANS DID YOU MEET HERE OR SEE AROUND HERE AT THE TIME THAT TRAIN WAS STATIONED HERE A I COULD NOT SAY {Q} ABOUT HOW MANY A PROBABLY 15 OR 20, WE ONLY FOUND A FEW CAMPED AND THE TRAIN MADE THIS NEGOTIATION WITH THEM , THE TRAIN GAVE THEM SOME CATTLE.</p>	<p>DONE BY THOSE CHIEFLY WHO WERE AT PEACE WITH THE MORMON PEOPLE? DON'T YOU KNOW THEY WERE? A. I DON'T KNOW; THEY TRADED SOME, BUT I ALWAYS BELIEVED THEM TO BE COGNIZANT OF THE STEALING OF THE STOCK. Q: HOW MANY INDIANS DID YOU MEET HERE OR SEE AROUND HERE AT THE TIME THAT TRAIN WAS STATIONED HERE? A. I COULD NOT SAY? Q: ABOUT HOW MANY? A. PROBABLY 15 OR 20. WE ONLY FOUND A FEW, THAT CAME TO THEIR TRAIN AND MADE THIS NEGOTIATION WITH THEM. THE TRAIN GAVE THEM SOME CATTLE.</p>	
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RT

RS

BT

PS

<p>Q. WHAT TRIBE LIVED AROUND THE TOWN YOU RESIDE IN AT THE TIME OF THIS MOUNTAIN MEADOW MASSACRE ?</p> <p>A. PIEEDS I THINK THEY ARE TERMED. Q. AFTER THE OCCURRENCE AT THE MOUNTAIN MEADOWS DID THEY SHOW ANY HOSTILITY TO THE PEOPLE THERE—</p> <p>DID YOU EVER KNOW OF ANY PERSON BEING KILLED BY THEM SOON AFTER ? A. I DON'T REMEMBER. Q. SHORTLY AFTER THAT OCCURRENCE WERE THERE NOT A GREAT MANY INDIANS CAME AROUND ? A. YES, AROUND OUR TOWN, TRADING, AS</p>	<p>{Q} WHAT TRIBE LIVED AROUND TOWN YOU RESIDED IN, AT THE TIME OF THIS MOUNTAIN MEADOW MASSACRE</p> <p>A. PIEEDS I THINK THEY ARE TERMED {Q} AFTER THE OCCURRENCE AT THE MOUNTAIN MEADOWS DID THEY SHOW ANY HOSTILITY TO THE PEOPLE THERE</p> <p>←A NOT PARTICULARLY ≅ DID[?] YOU EVER KNOW OF ANY PERSON BEING KILLED <del>DON'T YOU</del></p> <p>I DON'T REMEMBER Q. SHORTLY AFTER THAT OCCURRENCE WERE THERE NOT {A} GREAT MANY INDIANS CAME AROUND OUR TOWN, TRADING, AS</p>	<p>Q. WHAT TRIBE LIVED AROUND <del>TOWN</del> THE TOWN YOU RESIDED IN AT THE <del>TIME</del> TIME MEADOW OF THIS MOUNTAIN MASSACRE.</p> <p>PIEEDS A. PI-EEDS, I THINK THEY ARE TERMED. Q. AFTER THE OCCURRENCE AT THE MOUNTAIN MEADOWS DID THEY SHOW ANY HOSTILITY TO THE MORMON PEOPLE: A. NOT PARTICULARLY . [245] Q. DID YOU EVER KNOW OF ANY PERSON BEING KILLED?</p> <p>A. I DON'T REMEMBER. Q. SHORTLY AFTER THAT OCCURRENCE, WERE <b>THERE</b> <del>THEYRE</del> NOT A GREAT MANY INDIANS CAMPED AROUND HERE, AROUND TOWNS TRADING AS</p>	
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**RT**

**RS**

**BT**

**PS**

<p>THEY USUALLY HAD DONE; I SAW SOME  INDIANS, I SAW THIS PIEED CHIEF OF THE BAND THERE.</p>	<p>THEY USUALLY HAD DONE AI SAW SOME WOUNDED INDIANS I SAW THIS PIEED CHIEF OF THE BAND THERE. [space] BY BASKIN YOU CAN GO MR. SMITH. BY DEFENSE NO WE HAVE ANOTHER QUESTION TO ASK HIM. BY SUTHERLAND THAT IS ALL MR. SMITH [space]</p>	<p>THEY USUALLY HAD DONE? A . I SAW SOME WOUNDED INDIANS; I SAW THIS PIEED CHIEF OF THE BAND THERE. M<sup>R</sup> BASKIN:           THAT IS ALL MR. SMITH.</p>	
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