John D. Lee, First Trial

Jesse N. Smith and Silas S. Smith Testimonies

RT	RS	BT	PS
[353]	[Bk 7 <u>28</u>]344	[Bk 5 214 cont.]	[Patterson
FRIDAY	FRIDAY,	FRIDAY	Shorthand is not
MORNING,	MORNING,	A.M.	extant for this
JULY 30TH 1875.	<u>JULY 30TH, 1875.</u>	JULY 30TH, 1875.	material]
NINE O'CLOCK	9AM – 9 15 AM		
A.M.			
	NAMES OF		
	JURORS CALLED	JURY CALED ,	
	ALL PRESENT.	ALL PRESENT.	
	BISHOP		
	REQUESTED		
	DELAY OF A		
	FEW MINUTES		
	UNTIL JUDGE		
	SUTHERLAND		
	ARRIVED. BY		
	COURT CALL		
	YOUR WITNESS.		
	BY JUDGE		
	SUTHERLAND		
	P F		
	FARNSWORTH		
	[space] P. T. FARNSWORTH,		
	SEN. ^R WAS NOT		
	NEAR DID NOT		
	ANSWER. JNO		
	KIRBY WAS		
	SWORN IN AS		
	BAILIFF FOR		
	THE COURT.		
	\leq AND $A/THE[?]$		
	OFFICER TO		
	TAKE CHARGE		
	OF JURORS. ≥		
JESSE N. SMITH,	JESSE N. SMITH	JESSE N. SMITH	
SWORN FOR	MR. SMITH I	BEING SWORN	
DEFENDANT.	HAVE BEEN	AS A WITNESS	
	SWORN <i>BK/PK</i> [?]	ON THE PART OF	
	<i>G/K</i> [?] THIS	THE DEFENSE	

^{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	

BT

	MODNIDIC	XV A C	,
	MORNING	WAS	
		EXANMINED AS	
		FOLLOWS	
D 4 GWD I		BY J. G	
BASKIN:		SUTHERLAND:	
Q. WHAT IS	QWHAT IS	Q. WHAT IS	
YOUR FIRST	YOUR FIRST	YOUR FIRST	
NAME ?	NAME BY	NAME?	
A. JESSE	BASKIN _A JESSE	A. JESSE	
N. Q. WHERE DID	N _Q WHERE DID	N. Q. WHERE DI	
YOU RESIDE IN	YOU RESIDE IN	D YOU RESIDE	
1857 ? A.	1857 ? _A	IN 1857? A .	
PAROWAN. Q.	PAROWAN Q	PAROWAN. Q.	
WERE YOU	WERE YOU	WERE YOU	
EVER	THEN	THEN	
ACQUAINTED	ACQUAINTED	ACQUAINTED	
WITH WILLIAM	WITH WILLIAM	WITH WILLIAM	
H. DAME ? A. I	H DAME _A I	H. DAME? A. I	
WAS. Q. HOW	WAS oHOW	WAS. Q. HOW	
LONG HAD	LONG HAD	LONG HASD	
YOU THEN	YOU THEN	YOU THEN	
LIVED IN THIS	LIVED IN THIS	LIVED IN THIS	
TERRITORY ? A. I	TERRITORY A	TERRITORY? A. I	
CAME INTO	CAME ≤IN >	CAME INTO THE	
THE TERRITORY	TERRITORY	TERRITORY IN	
IN '47. Q.	IN 47 o	1847. Q. AND	
YOU	YOU	YOU HAVE	
RESIDED HERE	RESIDED HERE	RESIDED HERE	
FROM THAT	FROM THAT	FROM THAT	
TIME 'TILL '57 ?	TIME UNTIL 57	TIME TILL '57?	
A. YES SIR. Q.	AYES SIR o	A . YES li sir q.	
DID YOU KNOW	DID YOU KNOW	DID YOU KNOW	
AT THAT TIME	AT THAT TIME	AT THAT TIME	
OF AN	OF AN	OF AN	
EMIGRANT	EMIGRANT	EMIGRANT	
PARTY	PARTY	PAŦRTY	
PASSING	PASSING	PASSING	
THROUGH THE	THROUGH	THROUGH THE	
TERRITORY	TERRITORY	TERRITORY	
SOUTHWARD	SOUTHWARD,	SOUTHWARD	
THAT HAS BEEN	THAT HAS BEEN	THAT HAS BEEN	
REFERRED TO	REFERRED TO	REFERRED TO	
AS THE	AS	AS THE	
ARKANSAS	ARKANSAS	ARKANSAS	
		EMIGRANT	

TRAIN ? A. YES	TRAIN _{OA} YES	TRAIN? A. YES,	
SIR. Q. WHERE	SIR OWHERE	SIR. Q. WHERE	
WERE YOU	WERE YOU	WERE YOU	
WHEN THEY	WHEN THEY	T WHEN THEY	
PASSED	PASSED	PASSED	
THROUGH	THROUGH	THROUGH	
PAROWAN ? A. I	PAROWAN ? AI	PAROWAN? A. I	
WAS AT	WAS AT	WAS AT	
PAROWAN OR	PAROWAN	PAROWAN -,	
RED	←THAT IS > RED	THAT IS READ	
CREEK. ³⁴⁵ Q. AND	CREEK. o	CREEK. Q.	
YOU SAW THIS	YOU SAW THIS	YOU SAW THIS	
EMIGRANT	EMIGRANT	EMIGRANT	
TRAIN ? A. I DID,	TRAIN _A I DID,	TRAIN? A. I DID;	
I SAW	I SAW	THAT IS I SAW	
THEM ON THE	THEM ON THE	THEM ON THE	
BOTTOM,	BOTTOM,	BOTTOM	
CAMPED	CAMPED,	CAMPED AT REA	
BELOW RED	BELOW RED	BELOW RED	
CREEK, ALSO	CREEK, ALSO	CREEK, ALSO	
SAW THEM AT	SAW THEM AT	SAW THEM AT	
PAROWAN. Q.	PAROWAN o	PAR O W AN. Q.	
DID YOU DO	DID YOU DÒ	DID YOU DO	
ANY TRADING	ANY TRADING	ANY TRADING	
WITH THEM ? 🗸	WITH THEM A	WITH THEM?	
A. I SOLD THEM	I SOLD THEM	A . I SOLD THEM	
SOME FLOWER	SOME FLOUR	SOME FLOWER	
AND SALT. Q.	AND SALT. O	AND SALT. Q.	
DID YOU OFFER	DID YOU OFFER	DID YOU OFFER	
THEM ANY	THEM ANY	THEM ANY	
MORE THAN	MORE THAN	MORE THAN	
THEY	{THEY} ⁱ	THEY	
BOUGHT, IF SO	BOUGHT, IF SO	BOUGHT, IF SO	
STATE THE	STATE {THE} ⁱ	STATE THE ^[215]	
TRANS- ^[354]	TRANSACTION	TRANSACTION?	
ACTION ? 🗸			
A. WELL I HAD	AWELL, I HAD	A. WELL, I HAD	
FLOWER TO	FLOUR TO	FLOUR TO	
SPARE AND	SPARE AND	SPARE, AND I	
ASKED THEM IF	ASKED THEM IF	ASKED THEM IF	
THEY WANTED	THEY WANTED	THEY WANTED	
ANY MORE,	ANY MORE,	ANY MORE;	
THEY SAID	THEY SAID	THEY SA U ID	

345. Red Creek is the current town of Paragonah.

RT

RS

BT

PS

	1	1	
NOT, THEY	NOT THEY	NOT. THEY	
WANTED	WANTED	WANTED	
VEGETABLES,	VEGETABLES	VEG R ETABLES,	
BUT I HAD NONE	BUT I HAD NONE	BUT I HAD NONE	
OF THIS TO	OF THOSE = TO	TO SELL—TO	
SPARE. Q.	SPARE Q	SPARE . Q.	
STATE WHAT	STATE WHAT	STATE WHAT	
YOU KNOW OF	YOU KNOW OF	YOU KNOW HIE	
ANYTHING	IN	E IN	
RESPECTING	RESPECT TO	RESPECT TO	
THERE BEING	THEIR BEING	THEIR BEING	
FURNISHED	FURNISHED	FURNISHED	
WITH	WITH		
VEGETABLES ?	VEGETABLES	VEGETABLES?	
A. I DO NOT	AI DO NOT	A. I DON'T	
KNOW OF THEIR	KNOW OF THEIR	KNOW OF THEIR	
BEING	BEING	BEING	
FURNISHED WITH	FURNISHED	FURNISHED	
ANY	ANY	ANY	
VEGETABLES.	VEGETABLES	VEG R ETABLES.	
Q. DO YOU	_o DID YOU	Q. DIDYOU	
KNOW GEORGE	KNOW GEORGE	KNOW GEORGE	
A. SMITH ? A. I	A SMITH AI	A. SMITH. A.	
DO. Q. DID	DO/DID[?] _Q DID	YESSIR. Q. DID	
YOU SEE HIM IN	YOU SEE HIM IN	YOU SEE HIM IN	
SOUTHERN	SOUTHERN	SOUTHERN	
UTAH A SHORT	UTAH A SHORT	UTAH A SHORT	
TIME BEFORE	TIME BEFORE	TIME BEFORE	
THIS TRAIN	THIS TRAIN	THIS TRAIN	
CAME IN?	CAME IN	CAME ALONG?	
A. I SAW HIM IN	AI SAW HIM IN	A. ISAW HIM IN	
PAROWAN ON	PAROWAN ON	PAROWAN ON	
THE EIGHTH OF	THE 8 TH OF	THE 8TH OF	
AUGUST;	AUGUST,	AUGUST; HE	
CAME IN FROM	CAME IN FROM	CAME IN FROM	
THE NORTH. Q.	THE NORTH O	THE NORTH. Q.	
AND WENT	AND WENT	AND WENT	
WHERE ? A. HE	WHERE AHE	WHERE? A. HE	
WENT AROUND	WENT AROUND	WENT AROUND	
AMONG THE	AMONG THE	AMONG THE	
SETTLEMENTS	SETTLEMENTS	SETTLEMENTS N	
AND AS FAR	AND AS FAR	$\frac{1}{2}$ AND AS FAR	
SOUTH AS THE	SOUTH AS	SOUTH AS THE	
SANTA CLARA.	SANTA CLARA	SANTA CLARA.	

RT	

rr		
WHETHER	WHETHER	WHETHER OR
YOU	YOU	NOT YOU
ACCOMPANIED	ACCOMPANIED	ACCOMPANIED
HIM ? A. I DID. Q.	HIM _A I DID _Q	HIM? A. I DID. Q.
AND HOW MUCH	AND HOW MUCH	AND HOW MUCH
WERE YOU IN	YOU WERE IN	YOU WEREIN
HIS COMPANY	HIS COMPANY	HIS COMPANY
DURING HIS	DURING HIS	DURNG HIS
JOURNEYINGS	JOURNEYINGS	JOURNEYINGS
SOUTH FROM	SOUTH FROM	SOUTH FROM
PAROWAN AND	PAROWAN AND	PAROWAN AND
RETURNING ?	RETURNING	RETURNI J NG?
A. I WAS ONE OF	AI WAS ONE OF A	A. I WAS ONE OF
A SMALL PARTY	SMALL PARTY,	A SMALL PARTY
VISITED ALL	VISITED ALL	VISITING ALL OF
THE	THE	THE
SETTLEMENTS	SETTLEMENTS	SETTLEMENTS
IN HIS	IN HIS	IN HIS
COMPANY	COMPANY	CO N MPANY
AND TURNED	AND TURNED	AND RETURNED
BACK TO	BACK TO	BACK TO
PAROWAN.	PAROWAN	PAROWAN WITH
Q. STATE	$\{0\}^{i}$ STATE	HIM. Q. STATE
WHETHER AT	WHETHER AT	WHETHER AT
THE MEETINGS	THE MEETINGS	THE MEETINGS
THAT WERE	THAT WERE	THAT WERE
HELD BY HIM,	HELD BY HIM	HELD BY HIM,
,	THERE,	,
WHETHER HE	WHETHER HE	WHETHER HE
TALKED WITH	TALKED WITH	TALKED WITH
THE PEOPLE	THE PEOPLE	THE PEOPLE
HERE AND	HERE AND	HERE AND
THERE ? A. I	THERE AI	THERE? A. I
THINK THE	THINK	THINK
MEETINGS	MEETINGS	MEETINGS
WERE HELD AT	WERE HELD AT	WERE HELD AT
EVERY	EVERY	EVERY
SETTLEMENT.	SETTLEMENT	SETTLEMENT.
Q. STATE		Q. STATE
WHETHER	WHETHER	WHETHER OR
YOU WERE	YOU WERE	NOT YOU WERE
PRESENT AT	PRESENT AT	PRESERNT AT
THESE	THESE	THOSE
	MEETINGS	MEETINGS?
MEETINGS WERE HELD AT EVERY SETTLEMENT. Q. STATE WHETHER YOU WERE PRESENT AT	$\begin{array}{l} \mbox{MEETINGS} \\ \mbox{WERE HELD AT} \\ \mbox{EVERY} \\ \mbox{SETTLEMENT} \\ \mbox{\{}_Q\mbox{\}}^i\mbox{STATE} \\ \mbox{WHETHER} \\ \mbox{YOU WERE} \\ \mbox{PRESENT AT} \\ \mbox{THESE} \end{array}$	MEETINGS WERE HELD AT EVERY SETTLEMENT. Q. STATE WHETHER OR NOT YOU WERE PRESERNT AT THOSE

· · · · · · · · · · · · · · · · · · ·		T	
AT EVERY ONE	AT EVERY ONE	AT EVERY ONE.	
Q. STATE	$\{\mathbf{Q}\}^{i}$ STATE	Q. STATE	
WHETHER AT	WHETHER AT	WHETHER AT	
ANY, IF SO	ANY, IF SO	ANY, AND IF SO,	
WHERE, HE	WHERE, HE	WHERE , HE	
SAID ANYTHING	SAID ANYTHING	SPOKE	
ON THE	ON THE	ON THE	
SUBJECT OF	SUBJECT OF	SUBJECT OF	
SELLING THE	SELLING THE	SELLING THE	
PRODUCE OF	PRODUCE OF	PRODUCE OF	
THE SETTLERS —	THE SETTLERS =	THE SETTLERS	
SELLING	SELLING	—SELLING	
THE PRODUCE	THE PRODUCE	PRODUCE	
TO THE	ТО	ТО	
EMIGRANT	EMIGRANT	EMIGRANT	
TRAINS — IF	TRAINS, IF	TRAINS, AND IF	
SO WHAT HE	SO WHAT HE	SO WHAT HE	
SAID ? $\{\checkmark\}^p$ A. HE	SAID AHE	SAID? A. HE	
FREQUENTLY	FREQUENTLY	FREQUENTLY	
REFERRED TO	REFERRED TO	REFERRED TO	
THE SUBJECT	{THE} ⁱ SUBJECT	THE SUBJECT	
OF SELLING	OF SELLING	OF SELLING	
GRAIN FOR	GRAIN FOR	GRAIN FOR	
BREAD STUFFS,	BREAD STUFFS	BRAED STUFFS,	
BUT	TO HAVE	AND	
FEEDING IT TO	FEEDING TO	FEDING IT TO	
ANIMALS,	ANIMALS,	ANIMALS, AND	
HE DEPRECATED	DEPRECATED	HE DEPRECATED	
THAT COURSE; IT	THAT COURSE.	THAT COURSE.	
WAS		TIMT COURSE.	
CUSTOMARY TO	CUSTOMARY TO	CUSTOMARY TO	
FEED WHEAT TO	FEED WHEAT TO	FEED WHEART	
HORSES AND	HORSES AND	TO HORSES	
MULES AND	MULES AND	ANDMULES AND	
FATTEN HOGS	FATTEN HOGS	FATTEN HOGS	
WITH, BUT HE	WITH BUT HE	WITH, BUT HE	
SPOKE AGAINST	SPOKE AGAINST	SPOKE AGAINST	
THAT ALSO	THAT ALSO	THAT ALSO,	
AND SPOKE	AND, SPOKE	AND SPOKE	
AGAINST	AGAINST	AGAINST	
SELLING SUCH	SELLING SUCH	SELLING SUCH	
GRAIN TO THE	GRAIN TO	GRAINS TO	
EMIGRANTS	EMIGRANTS	EMIGRAN TS TS	
TO	TO HAVE	TO HAVE TO	
FEED TO THE	FEED TO	FEED TO	

D	
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HORSES ON THE	HORSES ON THE	HORSES ON THE	
ROAD. HE SAID	ROAD Q	ROAD ^[216] Q.	
HE WOULD 🖌	STATE AS WHAT	STATE WHAT	
CLASS ALL	CLASS OF	CLASS OF	
PERSONS. HE	PERSONS HE	PERSONS HE	
DISCOURAGED	DISCOURAGED	DISCOURAGED	
THE FEDING OF	THE FEEDING	THE SELLING	
FEEDING ALL	OF	FEEDING OF	
SUCH GRAINS	SUCH GRAINS.	SUCH GRAIN	
ТО	^[29] ATO	TO? A. TO	
HORSES AND	HORSES AND	HORSES AND	
EMIGRANTS. Q.	EMIGRANTS. o	EMIGRANTS. Q.	
WHAT CLASS OF	WHAT CLASS OF	WHAT CLASS OF	
PERSONS WAS	PERSONS WAS	PERSONS WAS	
IT ? A. HE DIDN'T	ADIDN'T	IT? A. HE DIDN'T	
DISCOURAGE	DISCOURAGE	DISCOURAGE	
ANY PERSON	ANY PERSON	ANY PERSON	
FEEDING PART	FEEDING BREAD	FEEDING PART	
GRAIN TO	GRAIN TO	GRAIN TO	
ANIMALS, AND	ANIMALS < AND	ANIMALS BUT	
MEANT ALL	HE MEANS > ALL	ALL TO	
PERSONS,	PERSONS	PERSONS THAT	
SETTLERS	SETTLERS	KEPT STOCK	
AS WELL	AS WELL	STOS AS WELL	
AS EMIGRANTS.	AS EMIGRANTS	AS EMIGRANTS.	
 ✓ 	CERTAINLY		
Q. STATE	$\{\mathbf{Q}\}^{i}$ STATE	Q. STATE	
WHETHER UP TO	WHETHER UP TO	WHETHER BY	
THE TIME OF	THE TIME OF	THE TIME O F	
YOUR	YOUR	YOUR	
RETURNING TO	RETURN TO	RETURNING TO	
PAROWAN WITH	PAROWAN WITH	PAROWAN WITH	
HIM YOU HAD	HIM YOU HAD	T HIM, Y O U HAD	
HEARD ANY	HEARD ANY	HEARD ANY	
RUMORS OF THE	RUMORS OF THE	RUMORS OF THE	
COMING OF IN OF	COMING OF	COMING OF	
THIS	THIS	THIS	
PARTICULAR	PARTICULAR	PARTICULAR	
TRAIN ? 🗸 A. I	TRAIN AI	TRAIN? A. I	
HAD NOT Q.	HAD NOT $\{\mathbf{Q}\}^{i}$	HAD NOT. Q.	
STATE	STATE	STATE	
WHETHER	WHETHER	WHETHER	
THERE WERE	THERE WERE	THERE WERE	
ANY	ANY	ANY	
ALLUSIONS IN	ALLUSIONS IN	A ILLUSIONS IN	

RT	RS	BT	PS
SMITHS	SMITH'S	SMITH'S	
DISCOURSES	DISCOURSES	DISCOURCES	
TO THIS	TO THIS	ABOUT THIS	
TRAIN ? A. I	TRAIN AI	TRAIN? A. I	
NEVER HEARD	NEVER HEARD	NEVER HEARD	
ANY. Q. DID	ANY $\{Q\}^{1}$ DID	OF IT. Q.	
YOU	YOU	DIDYOU	
ACCOMPANY	ACCOMPANY	ACCOMPANY	
HIM ON ANY PART OF HIS	HIM ON ANY PART OF HIS	HIM ON ANY PART OF HIS	
JOURNEY	JOURNEY	JOURNEY,	
NORTHWARD	NORTHWARD	NORTH	
FROM	FROM	FROM	
PAROWAN ON	PAROWAN ON	PAROWAN ON	
HIS RETURN ? A.	HIS RETURN A	HIS RETURN? A.	
I DID NOT. $^{[356]}$	I DID NOT.	I DID NOT.	
Q. AFTER	$\{\mathbf{Q}\}^{i}$ AFTER THEY	Q. AFTER	
THIS EMIGRANT	THIS EMIGRANT	THIS	
TRAIN HAD	TRAIN HAD	TRAIN HAD	
PASSED	PASSED	PASSED	
SOUTHWARD	SOUTHWARD	SOUTHWARD	
BEYOND	BEYOND	AND BEYOND	
PAROWAN	PAROWAN,	PAROWAN,	
STATE	STATE	STATE	
WHETHER YOU	WHETHER YOU	WHETHER YOU	
WERE SENT BY	WERE SENT BY	WERE SENT BY	
ANY	ANY $\{ONE\}^1$	ANY	
PERSON TO	PERSON TO	PERSON TO	
INQUIRE AFTER	INQUIRE AFTER	INQUIRE AB OUT	
THEM, IF SO	THEM, IF SO	THEM; IS IF SO	
STATE THE	←STATE THE→	STATE THE	
CIRCUMSTANCES	CIRCUMSTANCE	CIRCUMSTANCE	
CONNECTED	S CONNECTED	S CONNECTED	
WITH THAT AND	WITH THAT AND	WITH THAT AND	
WHO WENT WITH	WHO SENT	WHO SENT	
YOU? A. AS	YOU AAS	YOU? A. AS	
NEAR AS I CAN	NEAR AS WHAT I	NEAR AS I	
REMEMBER IT WAS ON	REMEMBER, IT WAS ON	REMEMBER, IT WAS O IN	
WAS ON WEDNESDAY THE	WEDNESDAY,	AUGUST—NO,	
TENTH DAY	$10^{\text{TH}} \text{DAY}$	THE IOTH DAY	
OF SEPTEMBER.	OF SEPTEMBER.	OF SEPTEMBER,	
I	I I I I I I I I I I I I I I I I I I I	WEDNESDAY. I	
WAS	WAS	WEDNESDATT	
HARVESTING	HARVESTING	HARVE	

RT	RS	BT	PS
WHEAT AT	WHEAT AT	WHEA RT AT	
RED CREEK	RED CREEK	RED CREEK	
FIELD. WHERE	FIELD, WHERE	FIELD WHERE	
WE RAISED	WE RAISED	WE RAISED	
WHEAT. THAT	WHEAT. THAT	WHEA RT . THAT	
NIGHT A	NIGHT $\{\mathbf{A}\}^1$	NIGHT A	
YOUNG MAN	YOUNG MAN	YOUNG MAN	
CAME AND	CAME AND	CAME AND	
NOTIFIED ME	NOTIFIED	NOTIFIED	
THAT COL.	COLONEL	THAT COL	
DAME	A/AND[?] DAME	DAME, AND	
WANTED ME TO	WANTED ME TO	WANTED ME TO	
GOTO	GOTO	GOTO	
PAROWAN	PAROWAN	PAROWAN	
IMMEDIATELY,	IMMEDIATELY	IMMEDIATELY	
ON BUSINESS,	ON BUSINESS,	ON BUSINESS,	
SOI	SOI	D SO I	
IMMEDIATELY	IMMEDIATELY	IMMEDIATELY	
LEFT THE	LEFT $\{THE\}^1$	LEFT THE	
FIELD AND	FIELD AND	FIELD AND	
WENT TO	WENT TO	WENT TO	
PAROWAN.	PAROWAN.	PAROWAN.	
DAME TOLD ME	DAME, TOLD ME	DAME TOLD ME,	
HE H E AD	${\rm (HE)}^{1}{\rm HAD}$	HE HAD	
HEARD THE	HEARD	HEARD THE	
RUMOR THAT	$\{A/THE[?]\}^{i}$		
THE	RUMOR {THAT THE} ⁱ	RUMOR THAT THE	
EMIGRANT	EMIGRANT	EMIGRANT	
TRAIN THAT	TRAIN < THAT	TRAIN THAT	
	HAD>	HAD	
RECENTLY	RECENTLY	RECENTLY	
PASSED HAD	PASSED, HAD	PASSED HAD	
BEEN TTAC	BEEN	BEEN	
ATTACKED BY	ATTACKED BY	ATTACKED BY	
INDIANS. IT	INDIANS. IT WAS	THE INDIANS. IT	
WAS AN INDIAN	INDIAN RUMOR	WAS AN INDIAN	
RUMOR,	AT <i>LEAST</i> [?]	RUMOR	
,	SURROUNDED/C		
	ONCERNED[?]		
	UPON	UPON THE	
AND	SUBJECT	SUBJECT, AND	
HE ASKED ME	ASKED ME	HE ASKED ME	
TO GO AND	TO GO	TO GO AN S D	
ASCERTAIN IF	ASCERTAIN IF	ASCERTAIN IF	

RT	RS	ВТ	PS
SUCH WAS THE	SUCH WAS THE	SUCH WAS THE	
CASE AND UPON	CASE AND	CASE; AND IN	
THAT WE	COMPANY WITH	COMPANY WITH	
EDWARD	EDWARD	EDWARD	
DALTON AND I PROCEEDED	DALTON {AND} ¹ I PROCEEDED	DALTON, I PROCEED eed	
THE SAME	THE SAME	THE SAME	
EVENING AS	EVENING AS	EVENING AS	
FAR AS CEDAR.	FAR AS CEDAR.	FAR AS CEDAR.	
WE MADE	WE MADE	WE MADE	
ENQUIRIES BUT	INQUIRIES, BUT	INQUIRIES BUT	
COULD HEAR	COULD HEAR	COULD HEAR	
NOTHING BUT	NOTHING BUT	NOTHING BUT	
AN INDIAN	{AN} ⁱ INDIAN	AN INDIAN	
RUMOR. THE	RUMOR. THE	RUMOR. THE	
FOLLOWING	FOLLOWING	FOLLOWING	
DAY WE	DAY WE	DAY WE	
PROCEEDED AS	PROCEEDED AS	PROCEEDED AS	
FAR AS PINTO	FAR AS PINTO,	FAR AS PINTO,	
WHERE THE	WHERE THE	WHERE THE	
SAME RUMOR WAS	SAME RUMOR WAS	SAME RUMOR WAS	
CONFIRMED,	CONFIRMED,	CONFIRMED,	
STATING THAT	STATING THAT	STATEING THA T	
THE EMIGRANTS	THE EMIGRANTS	THE EMIGRANTS	
WERE	WERE	WERE	
UNDOUBTEDLY	UNDOUBTEDLY	UNDOUBTEDLY ,	
ATTACKED,	ATTACKED	ATTACKED,	
BUT THEY	{BUT THEY} ⁱ	BUT THEY	
ONLY KNEW IT	ONLY KNEW IT	ONLY KNEW IT	
FROM INDIANS,	FROM INDIANS,	FROM INDIANS;	
AND THAT THEIR	THAT THEIR	THAT THEIR	
CATTLE WERE	CATTLE WERE	CATTLE WERE	
BEING TAKEN	BEING TAKEN	BEING TAKEN	
BY THE	BY	BY THE	
INDIANS. THAT THE PARTY HAD	INDIANS, THAT THE PARTY HAD	INDIANS; THAT THE PARTY HAD	
CORRALLED	CORRALLED	CORRAL L ED	
THEIR WAGONS	THEIR WAGONS	THEIR WAGONS	
AND WERE	AND WERE	AND WERE	
KEEPING THE	KEEPING {THE} ⁱ	KEEPING THE	
INDIANS OFF;	INDIANS OFF.	INDIANS OFF.	
THAT WAS	THAT WAS	THAT ^[217] WAS	
THE	THE	THE	
SUBSTANCE OF	SUBSTANCE OF	SUBASTANCE OF	

	n	1	
THE	THE	THE	
INFORMATION.	INFORMATION.	IN D FORMATIO J	
Q. DID YOU	{ _Q } ¹ DID YOU	N. Q. DID YOU	
GO FURTHER ? A.	GO FURTHER A	GO FURTHER? A.	
I DID NOT. Q.	I DID NOT	I DID NOT. Q.	
WHY ? A. I	$\{AND\}^i$ WHY, AI	AND WHY? A. I	
WAS SATISFIED	WAS SATISFIED	WAS SATISFIED	
THAT WAS THE	THAT WAS THE	THAT WAS THE	
STATEMENT OF	STATEMENT OF	STATE OF	
THE CASE, THAT	THE CASE THAT	THE CASE THAT	
WAS ALL.	WAS ALL. BY	WAS ALL. M ^{<u>R</u>}	
BASKIN	BASKIN WE	BASKIN : WE	
OBJECTED TO HIS	OBJECT	ONJECT TO THE	
GOING ON.		LAST ANSWER.	
	<i>≤</i> BY COURT≥ GO	BY COURT: GO	
Q. WAS	ON oWAS	ON. W Q. WAS	
THERE ANY	THERE ANY	THERE ANY	
OTHER REASON	REASONS	REASONS	
ASSIGNED TO	ASSIGNED TO	ASSIGNED TO	
YOU BY	YOU ₩HY < BY >	YOU BY	
ANY PERSON	ANY PERSON	ANY PERSON	
THERE WHY	←THERE> WHY	THERE WHY	
YOU SHOULD	YOU SHOULD	YOU SHOULD	
NOT PROCEED	NOT PROCEED	NOT PROCEED	
FURTHER ? ^[357] A.	FURTHER A	FARTHER? A.	
I WAS TOLD IT	I WAS TOLD IT	I WAS TOLD IT	
WOULD NOT BE	WOULD NOT BE	WOULD NOT BE	
SAFE TO	SAFE TO	SAFE TO	
PROCEED	PROCEED	PROCEED	
FURTHER, AS	FARTHER, AS	FARTHER, AS	
THE COUNTRY	THE COUNTRY	THE COUNTRY	
WAS FILLED	WAS FILLED	WAS FILLED	
WITH	WITH	WITH THE	
INDIANS. Q.	INDIANS Q	INDIANS. Q.	
AND YOU	{AND} ⁱ YOU	AND YOU THEN	
RETURNED ? A. I	RETURNED AI	RETURNED? A I	
DID. Q.	DID. Q	DID. Q	
REACHING	REACH{ING} ⁱ	ARRIVING AT	
PAROWAN	PAROWAN	PAROWAN	
WHEN ? A THE	WHEN ATHE	WHEN? A. THE	
FOLLOWING	FOLLOWING	FOLLOWING	
MORNING VERY	MORNING VERY	MORNING, VERY	
EARLY. 🗸 Q.	EARLY QWHAT	EARLY;	
WHAT WOULD	WOULD {THAT	THAT WOULD	
THAT BE ? 🖌	BE} ⁱ THAT DAY	BE	

A. THE MORNING	THE AMORNING	THE MORNING	
OF FRIDAY, AS	OF FRIDAY. AS	OF FRIDAY AS	
NEAR AS MY	NEAR AS MY	NEAR AS MY	
MEMORY	MEMORY	MEMORY	
SERVES ME —	SERVES ME $\{0\}^i$	SERVES ME. Q.	
THAT	THAT	THEN THAT	
WOULD BE THE	WOULD BE THE	WOULDBE THE	
TWELFTH.	12 TH	I2TH OF	
	SEPTEMBER $\{A\}^{i}I$	SEPTEMBER? A. I	
Q. TO	THINK SO $\{\mathbf{Q}\}^{i}$ TO	THINK SO. Q. TO	
WHOM DID YOU	WHOM DID YOU	WHOM DID YOU	
REPORT ?	REPORT HOW	REPORT AND	
A. I	WAS IT $\{A\}^{i}$ I	WHAT? A. I	
REPORTED	REPORTED	REPORTEED	
THESE FACTS TO	THESE FACTS TO	THESE FACTS TO	
COL.DAME.	COLONEL	COLONEL	
	DAME. [space]	DAME.	
Q. DID COL.DAME	oDID COLONEL	Q. DID COL.	
MAKE	DAME MAKE	DAME MAKE	
ANY	ANY	ANY	
STATEMENT TO	STATEMENT TO	STATEMENT TO	
YOU ON THE	YOU {ON} ⁱ THE	YOU ON THE	
SUBJECT OF	SUBJECT {OF} ⁱ	SUBJECT OF	
THE EMIGRANTS,	THE EMIGRANTS	THE EMIGRANTS	
EITHER WHEN	EITHER WHEN	, EITHER WHEN	
HE SENT YOU	HE ≤SENT≥ YOU	HE SENT YOU	
OUT OR	OUT OR	OU R T OR	
WHEN YOU	WHEN YOU	WHENYOU	
RETURNED,	RETURNED	RETURNED,	
EXCEPT WHAT	EXCEPT WHAT	EXCEPT WHAT	
YOU HAVE	YOU HAVE	YOU HA VE	
STATED ? A. I	STATED AI	STATED? A . I	
REMEMBER	REMEMBER	REMEMBER	
NOTHING	NOTHING	NOTHING	
FURTHER.	FURTHER.	FURTHER.	
CROSS-	←CROSS	CROSS-	
EXAMINED BY	EXAMINED	EXAMINATION	
PROSECUTION.	{S} ⁱ UTHERLAND	OF JESSE N.	
	(<u>S)</u> <u>OTHERLAND</u> CROSS	SMITH	
	EXAMINATION		
	BY BASKIN. → BY	BY M^R BASKIN:	
	SUTHERLAND	DI WI DASKIN.	
	TO		
	PROSECUTION		
	YOU CAN HAVE		
	I OU CAN NAVE	l	

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Q. DID	WITNESS oDID	Q. DID	
EITHER YOU OR	EITHER YOU OR	EITHER YOU OR	
COL.DAME	COLONEL DAME	COL . DAME	
TAKE ANY	TAKE ANY	TAKE ANY	
STEPS TO	STEPS TO [30]	STEPS TO	
RELIEVE THE	RELIEVE THE	RELIEVE THE	
EMIGRANTS	EMIGRANTS	EMIGRANTS	
THAT WERE	THAT WERE	THAT WERE	
ATTACKED ? A. I	ATTACKED AI	ATTACKED? A. I	
DID NOT. Q. DID	DID NOT oDID	DID NOT . Q. DID	
YOU KNOW OF	YOU KNOW OF	YOU KNOW OF	
COL.	COLONEL	COL.	
DAME'S	DAME'S	DAME	
CALLING OUT	CALLING OUT	CALLING OUT	
ANY FORCES	ANY FORCES	ANY HFORSES	
OR TAKING	OR TAKING	O T R TAKING	
ANY STEPS TO	ANY STEPS TO	ANY STEPS TO	
DO SO ? A. I	DO SO AI	S DO SO? A. I	
DO NOT [space]	DID NOT. BY	D q ID Not.	
	PROSECUTION		
	THAT IS ALL	THAT IS ALL,	
	MR. SMITH	MR. SMITH.	
	BY COURT	[20 218]	
	CALL YOUR		
	NEXT WITNESS.		
	SILAS S. SMITH	SILAS S. SMITH	
	[space]	BEING SWORN	
		CALLEDAS A	
		WITNESS ON	
		THE PART OF	
		THE	
		DEFENDANT	
		WAS EXAMINED	
		AS FOLLOWS BY	
		M ^{<u>ℝ</u>}	
		SUTHERLAND:	
	BY COURT	THE COURT:	
	HAVE YOU BEEN	HAVE YOU BEEN	
50.503	SWORN	SWORN, MR.	
[358]	ANO	SMITH? A. NO,	
SILAS S.	SIR. SILAS S.	SIR. (WITNESS	
SMITH, SWORN	SMITH	SWORN)	
FOR DEFENDANT.	≤ <u>DEFENSE</u> ≥		
Q. MR. SMITH,	_Q MR. SMITH	Q. MR. SMITH,	
WHERE DO YOU	WHERE DO YOU	WHERE DO YOU	

D '		
~		
	-	

RESIDE ? A. I	RESIDE ? _A I	RESIDE? A. I
LIVE IN	LIVE IN	LIVE IN
PARAGOONAH,	PARAGONAH	PARAGOONAH,
IRON COUNTY. Q.	IRON COUNTY	IRON, COUNTY.
HOW FAR IS	$\{\mathbf{Q}\}^1$ HOW FAR IS	Q. HOW FAR IS
THAT AND	THAT	THAT AND
WHICH WAY	WHICH WAY	WHICH WAY
FROM	FROM	FROM
PAROWAN ? A.	PAROWAN A	PAROWAN? A.
ABOUT FIVE	ABOUT 5	ABOUT FIVE
MILES THIS	MILES THIS	MILES THIS
SIDE, BETWEEN	SIDE; BETWEEN	SIDE, BETWEEN
THERE AND	THERE AND	THERE AND
PAROWAN. Q.	PAROWAN o	PAROWAN. Q.
HOW LONG	HOW LONG	HOW LONG
HAVE YOU	HAVE YOU	HAVE YOU
LIVED THERE ? A.	LIVED THERE	LIVED THERE?
I HAVE LIVED	AI HAVE LIVED	A. I HAVE LIVED
THERE SINCE	{THERE} ⁱ SINCE	THERE SINCE
THE SPRING OF	SPRING OF	THE SPRING OF
11857. Q. HOW	'57 oHOW	'57. Q. HOW
LONG BEFORE	LONG BEFORE	LONG BEFORE
THAT DID YOU	THAT DID YOU	THAT HAD YOU
LIVE IN THIS	LIVE THIS	LIVED IN THIS
PART OF UTAH	PART OF UTAH	PART OF UTAH
TERRITORY ? A.	TERRITORY A	TERRITORY? A.
WE CAME TO	WE CAME $\{TO\}^i$	WE CAME TO
PAROWAN IN	PAROWAN {IN	PAROW N AAN IN
THE FALL OF	THE} ⁱ FALL OF	THE FALL OF
1851,	51,	·51,
OCTOBER 1851.	OCTOBER 51	OCTOBER, '51. Q.
Q. HAVE YOU	_Q HAVE YOU	HAVE YOU
LIVED IN THIS	LIVED IN THIS	LIVED IN THAIS
PART OF THE	PART OF	PART OF THE
COUNTRY EVER	COUNTRY EVER	COUNTRY EVER
SINCE ? A. YES	SINCE A YES	SINCE? A. YES,
SIR, MY	SIR. MY	SIR, AND MY
RESIDENCE HAS	RESIDENCE HAS	RESIDENCE HAS
BEEN THERE. Q.	BEEN THERE. O	BEEN THERE. Q.
DO YOU KNOW	DO YOU KNOW	DO YOU KNOW
GEORGE A.	GEORGE A	GEORGE A.
SMITH ? A. YES	SMITH AYES	SMITH? A. YES,
SIR. Q. DID	SIR $\{Q\}^i$ DID	SIR. Q Q. DID
~	YOU SEE HIM IN	
YOU SEE HIM IN		YOU SEE HIM IN
AUGUST 1857 ?	AUGUST 1857	AUGUST, 1857?

A. YES SIR. Q.	AYES SIR.	A. YES, SIR. Q.	
WHERE ? A. I SAW	WHERE AI	WHERE? A. I	
HIM AT	SAW HIM AT	SAW HIM AT	
PAROWAN,	PAROWAN,	PAROWAN, AND	
TRAVELED	TRAVELED	TRAVELLED	
WITH HIM FROM	WITH HIM FROM	WITH HIM FR O M	
PAROWAN TO	PAROWAN TO	PAROWAN TO	
AND AROUND	AROUND	AND AROUND	
AND THROUGH	AND THROUGH	ALL THROUGH	
SOME OF THE	SOME OF THE	ALL THE	
SOUTHERN	SOUTH	SOUTHERN	
SETTLEMENTS	SETTLEMENTS	SETTLEMENT W S	
AND RETURN.	AND RETURNED.	AND RETURNED.	
Q. HOW FAR DID	0HOW FAR DID	Q HOW FAR DID	
YOU	YOU	YOU	
ACCOMPANY	ACCOMPANY	ACCOMPANY	
HIM ON HIS	HIM ON HIS	HIM ON HIS	
RETURN ? A. AS	RETURN AAS	RETURN? A . AS	
FAR AS CEDAR	FAR AS CEDAR	FAR AS CEDAR	
SPRINGS. Q. IN	SPRINGS oIN	SPRINGS Z . Q. IN	
WHAT COUNTY ?	WHAT COUNTY	WHAT COUNTY?	
A. IN MILLARD	AIN MILLARD	A. IN MILLARD	
COUNTY. Q.	COUNTY. 0	COUNTY.Q.	
STATE	STATE	STATE	
WHETHER YOU	WHETHER YOU	WHETHER YOU	
ATTENDED	ATTENDED	ATTENDED	
SOME OF THE	SOME THE	SOME OF THE	
MEETINGS HE	MEETINGS HE	MEETINGS HE	
HELD IN THE	HELD IN THE	HELD IN THE	
SOUTHERN PART	SOUTH PART	SOUTH PART	
OF THE	OF	OF THE	
TERRITORY AND	TERRITORY AND	TERRI R TORY	
HEARD THE	HEARD THE	AND HEARD THE	
DISCOURSES	DISCOURSES	DISCOURCEWS	
	HE	THAT HE	
	DELIVERED TO	DELIVERED TO	
	THE PEOPLE A	THE PEOPLE? A.	
	I ATTENDED	I ATTENDED	
	SOME OF THE	SOME OF THE	
	MEETINGS,	MEETINGS,	
	PERHAPS {THE} ⁱ	PERHAPS	
	MOST OF THEM	MOST OF THEM	
	THAT WERE	THA T WERE	
	HELD FROM	HELD, FROM	
	PAROWAN	PAROWAN	

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	THROUGH	THROUGH
	{THE} ⁱ SOUTH	THE SOUTHERN
	SETTLEMENTS.	SETTLEMENTS.
	_Q I ASK YOU	Q. I ASK YOU
	IF YOU	K NOW IF YOU
	HEARD HIM	HEARD HIM
	DISCOURSE	D O ISCOURSE
UPON THE	UPON THE	UPON THE
SUBJECT OF THE	SUBJECT OF THE	SUBJECT OF THE
SETTLERS	SETTLERS	SETTLERS
USING THEIR	USE OF THEIR	USING OF THEIR
GRAINS AND	GRAINS, AND	GRAIN AND
DISCOURAGING	DISCOURAGE	DISCOURAG E IN
THE SALE OF IT	THE SALE OF	G THE SALE OF
TO ANY	IT TO ANY	^[219] IT TO ANY
PARTICULAR	PARTICULAR	PARTICULAR
PERSONS OR	PERSONS OR	PERSONS OR
NOT, OR ANY	NOT,	NOT —
PARTICULAR	PARTICULAR	PARTICULAR
USES OF IT— ^[359]	USES OF IT.	USES OF IT?
STATE WHAT	STATE WHAT	STATE WHAT
HIS DISCOURSES	HIS DISCOURSES	HIS DISCOURCES
WERE UPON	WERE UPON	UPON
THAT SUBJECT	THAT SUBJECT	THAT SUBJECT
?WERE ? [space]		WERE,
AND WHAT THE	WERE	AND THE
TENOR OF HIS	TENOR OF HIS	TENOR OF HIS
REMARKS WERE	REMARKS.	REMARKS?
? ✔ A. HE	AHE	A. HE
REFERRED TO	REFERRED TO	REFERRED TO
THE SUBJECT	SALE SUBJECT	THE JSUBJEOCT
OF GRAIN NOT	OF GRAIN, NOT	OF GRAIN, NOT
FEEDING IT TO	FEEDING IT TO	TO FEED IT TO
STOCK,	STOCK	STOCK AND
HORSES,AND	HORSES AND	HORSES, AND
NOT SELLING	NOT SELLING	NOT SELL
THE GRAINS TO	THE GRAINS TO	THE GRAIN TO
BE USED AS	BE USED AS	BE USED AS
FEED, THE	FEED, THE	FEED. THE
WHEAT	WHEAT	WHEAT
PARTICULARLY	PARTICULARLY	PARTICULARLY
WAS NEEDED	≪WAS NEEDED>	WAS NEEDED
FOR	FOR	FOR
BREAD STUFF. Q.	BREADSTUFF. o	BREADSTUFF. Q.
HE	HE	THEN HE
1112		

DISCOURAGED	DISCOURAGED	DISCOURAGED	
THE SALE OF	THE SALE OF	THE SELLING OF	
IT TO BE USED	IT TO BE USED	IT TO BE USED	
AS FEED —	AS FEED WAS	AS FEED? WAS	
W WA AS THAT IT	THAT ≤ WHAT	THAT WHAT	
A. YES, FOR	HE ≥ SAID _A FOR	HE SAID? A. FOR	
STOCK OR	STOCK OR	STOCK OR	
HORSES, BUT	HORSES BUT	HORSES, BUT	
TO PRESERVE IT	TO PRESERVE IT	TO PRESERVE IT	
FOR BREAD.	FOR BREAD	FOR BREAD-	
Q. HE	oHE	STUFF . Q. HE	
DISCOURAGED	DISCOURAGED	DISCOURAGED	
THE USING OF IT	THE USING OF IT	THE USING OF IT	
BY WGOM WHOM	BY WHOM	BY WHOM? A.	
? A.	Α	FEEDIHNG? A.	
FEEDING HOGS,	FEEDING HOGS	FEEDING HOGS,	
HORSES AND	HORSES AND	HORSES AND	
STOCK, AND THE	STOCK TO THE	STOCK BY THE	
SETTLERS, IF I	SETTLERS IF I	SETTLERS, IF I	
REMEMBER	REMEMBER	REMEMBER	
RIGHT, NOT	RIGHT, NOT	RIGHT, AND NOT	
TO BE SOLD FOR	TO BE SOLD FOR	TO BE SOLD FOR	
THIS PURPOSE,	THIS PURPOSE	THIS PURPOSE,	
PARTICULARLY	PARTICULARLY	PARTICULARLY	
WHEAT. Q.	THE WHEAT $\{\mathbf{Q}\}^{i}$	WHEAT. Q.	
IF HE	IF HE	IF HE	
DISCOURAGED	DISCOURAGED	DISCOURAGED	
THE SALE OF	THE SALE OF	THE SALE OF	
GRAIN TO	GRAIN TO	GRAIN TO	
PERSONS	PERSONS	PERSONS	
TRAVELING	TRAVELING	TRAVEL E ING	
THROUGH THE	THROUGH THE	THROUGH THE	
TERRITORY TO	TERRITORY, TO	TERRITORY TO	
BE USED AS	BE USED AS	BE USED AS	
FEED FOR	FEED FOR	FEED FOOD FOR	
PERSONS, STATE	PERSONS, STATE	PERSONS, STATE	ļ
WHAT HE SAID ?	WHAT HE SAID ?	WHAT HE SAID?	
A. THE TENOR	ATHE TENOR	A. THE TENOR	I
OF HIS	OF HIS	OF HIS	
REMARKS—AS	REMARKS AS	REMARKS AS	
FAR AS I	FAR AS I	FOSO AFAR AS I	
REMEMBER	REMEMBER	REMEMBER,	ľ
WAS TO	WAS TO	WAS TO	
PRESERVE THE	PRESERVE THE	PRESERVE THE	
GRAIN,	GRAIN,	GRAIN,	

RT	RS	BT	PS
PRESERVE ALL	PRESERVE ALL	PRESERVE ALL	
THE WHEAT AND	THE WHEAT,	THE WHEART,	
NOT TO USE IT	USE IT	USE IT	
FOR FEED. I	FOR FOOD $\{A\}^{i}$ I	FOR FOOD. I	
HEARD	HEARD	HEARD	
NO	NO	NOTHING	
		ABOUT	
DISCOURAGEME	DISCOURAGE	DISCOURAGING	
NT TO	ТО	ABOUT THE	
FURNISHING	FURNISHING	FURNISHING	
PASSING	PASSING	PASSING	
TRAVELERS	TRAVELERS FOR	TRAVELLERS	
FOOD. Q. AT THE	FOOD QAT THE	FOOD . Q. AFTER	
TIME YOU	TIME YOU	YOU	
RETURNED	RETURNED	RETURNED TO	
TO	TO	FROM DADOWAN DID	
PAROWAN DID YOU	PAROWAN DID YOU	PAROWAN, DID YOU	
ACCOMPANY	ACCOMPANY	ACCOMPANY	
HIM TO BEAVER	HIM TO	HIM TO	
	BEAVER AYES	BEAVER? A. YES,	
DID YOU	oDID YOU	Q. DID YOU	
STOP HERE ? A. I	STOP HERE AI	STOP HERE? A. I	
WENT ON WITH	WENT ON WITH	WENT ON WITH	
HIM. Q. DID	HIM { ₀ } ⁱ DID	HIM? Q. EID DID	
YOU MAKE ANY	YOU MAKE ANY	YOU MAKE ANY	
STOP HERE ? A.	STOP HERE A	STOP HERE? A. I	
STAYED OVER	STAYED OVER	STAID OVER	
NIGHT, YES. Q.	NIGHT YES	NIGHT, YES. Q.	
DID HE	DID HE	DID HE	
DELIVER ANY	DELIVER ANY	L DELIVER ANY	
DISCOURSES	DISCOURSES	DISCOURSES	
HERE ? A. I	HERE AI	HERE? A. I	
THINK THERE WAS ONE	THINK THERE	THINK THERE	
MEETING HERE.	WAS ONE MEETING HERE	WAS ONE MEETING HERE.	
✓ Q. STATE	oSTATE	Q. STATE	
WHETHER AT	WHETHER	WHETHER OR	
THE	AT THE	NOT AT THE	
TIME YOU	TIME YOU	TIME YOU	
REACHED	REACHED	REACHED	
BEAVER ON	BEAVER ON	BEAVER ON	
YOUR RETURN	YOUR RETURN,	YOUR RETURN,	
YOU HAD	YOU HAD	Y O U HAD	
HEARD ANY	HEARD ANY	HEARD ANY	

RT	

RUMOR OF THE	RUMOR OF THE	RUMOR OF THE	
COMING OF THE	COMING OF THE	COMING OF A	
PARTY OF	PARTY OF	PARTY OF	
EMIGRANTS	EMIGRANTS	EMIGRAN T S	
CALLED THE	CALLED THE	CALLED THE	
ARKANSAS	ARKANSAS	ARKANSAS	
EMIGRANT	EMIGRANT	EMIGRANT	
TRAIN — THE	TRAIN,	TRAIN; THE	
SAME TRAIN	SAME TRAIN	SAME TRAIN	
THAT	THAT	THAT WAS	
AFTERWARDS	AFTERWARDS	AFTERWARDS	
WAS ^[360]	WAS	~	
SLAUGHTERED	SLAUGHTERED	SLAUGHTERED	
AT THE	^[31] AT	AT THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOWS ? A. I	MEADOWS, AI	MEADOWS? A. I	
DID NOT. Q.	HAD NOT. 0	HAD NOT. Q.	
WHERE WERE	WHERE WERE	WHERE WERE	
YOU AND	YOU AND	YOU AND	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH WHEN	SMITH WHEN	SMITH WHEN	
THE FIRST	THE FIRST	YOU THE FIRST	
INFORMATION	INFORMATION	INFORMATION	
REACHED YOU	REACHED YOU	REACHED YOU	
OF THE COMING	OF THE COMING	OF THE COMING	
OF THAT TRAIN ?	OF THAT TRAIN	OF THAT TRAIN?	
A. THE FIRST	AFIRST	A. THE FIRST	
KNOWLEDGE I	KNOWLEDGE I	KNOWLEDGE I	
HAD OR	HAD OR	HAD OR	
INTIMATION I	INTIMATION I	INTIMATION I	
HAD WAS WE	HAD, WE	HAD, WE	
MET THEM AT	MET THEM AT	MET THEM AT	
CORN CREEK.	CORN CREEK	CORN CREEK.	
Q. WHERE IS	OWHERE IS	^[220] Q. WHERE IS	
CORN CREEK	CORN CREEK	CORN CREEK	
WITH	WITH	WITH	
REFERENCE TO	REFERENCE TO	REFERENCE TO	
THIS PLACE ? A.	THIS PLACE A	THIS PLACE? A.	
IT IS IN	IT IS IN	IT IS IN	
MILLARD	MILLARD	MILLARD	
COUNTY SOME	COUNTY SOME	COUNTY, SOME	
40 MILES NORTH	40 MILES NORTH	40 MILES NORTH	
OF HERE. Q.	OF HERE Q	OF HERE? Q.	
STATE	STATE	STATE	
WHETHER YOU	WHETHER YOU	WHETHER YOU	

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

DISTINCTLYDISTINCTLYDISTINCTLYWHAT WASWHAT WASWHAT WASSAID Q. DO YOUSAID Q DO YOUKNOW OF ANYKNOW OF ANYTRADINGTRADINGTRADINGTRADING TRADING THATWITH THATWITH THATWITH THATWITH THATCOMPANYCOMPANYCOMPANYCOMPANY,COMPANYCOMPANY,THERE BYTHERE BYTHETHERE BYTHEOFTHEROFTERRITORYTERRITORY,AND IF SO,STATE THAT ?STATE THAT ?ATATE THAT ?ATATE IFQ. STATE IFYOU KNOW OF NONE.KNOW OF NONE.KNOW OF NONE.KNOW OF ONONE.V Q. STATE IFYOU KNOW OFYOU KN	RT	RS	BT	PS
SAID. Q. DO YOUSAID QDO YOUSAID QDO YOUSAID. Q. DO YOUKNOW OF ANYKNOW OF ANYTRADINGTRADING THATTRADINGTRADINGTRADING THATHAD BEEN DONEHAD BEEN DONEWITH THATWITH THATWITH THATCOMPANYCOMPANYCOMPANY,COMPANYCOMPANYCOMPANY,THERE BYHERE BYETHER BYTHE(THE)'THEINHABITANTSINHABITANTSOF THEOFOF THETERRITORYTERRITORYTERRITORY, AND IF SO,STATE THAT ?STATE THATA.1JWHAT? A.1KNOW OF NONE.KNOW OF NONE.✓ Q. STATE IF O'QU KNOW OFOCMPANY ANDYOU KNOW OFYOU KNOW OFYOU KNOW OFYOU KNOW OFYOU KNOW OFYOU KNOW OFYOU KNOW OFORANYORANYORANYORANYORANYORANYORANYORANYORANYORANYORANYORANYORANYORANYONE OR TWOOF THE PARTYTHE INDIANS, ONE OR TWOOF THE PARTIESOF THE PARTYCAME TO OURCAMPAONE OR TWOONE OR TWOOF THE PARTIESOF THE PARTYCAMPAGAIN IN THEAGAIN IN TH	DISTINCTLY		DISTINCTLY	
KNOW OF ANY TRADINGKNOW OF ANY TRADINGKNOW OF ANY TRADINGWITH THATTRADINGTRADING THAT HAD BEEN DONEWITH THATWITH THATWITH THATCOMPANYCOMPANY COMPANYCOMPANY, THERE BY THERE BYTHEE BYTHERE BY THERE BYTHE THE THEINHABITANTSINHABITANTSINHABITANTSOF THE TERRITORY TERRITORYOF THE TERRITORY, AND IF SO,STATE THAT ?STATE THAT STATE THATA.1 A.1 VOU KNOW OF NONE.KNOW OF NONE. VOU KNOW OF NONE.VQ. STATE IF YOU KNOW OF YOU KNOW OF NOT WOU KNOW OF YOU KNOW OF YOU KNOW OF YOU KNOW OF NTERCOURSEBETWEEN THAT BETWEEN THAT DETWEEN THATBETWEEN THAT BETWEEN THAT BETWEEN THAT DETWECOURSENTERCOURSE BETWEEN THAT DETWER NADE COMPANY AND THE INDIANSTHE INDIANS, THE INDIANS, OR ANY OR ANYOR ANY OR ANY OR ANYONE ANY ONE OR ANY ANDE CAME TO OUR CAME TO OUR CA	WHAT WAS	WHAT WAS		
TRADINGTRADINGTRADING TRADING THAT HAD BEEN DONEWITH THATWITH THATHAD BEEN DONECOMPANYCOMPANYCOMPANY,THERE BYTHERE BYETHER BYTHE(THE)'THEINHABITANTSOF THEOF OF THEOF THEOFOF THETERRITORY —TERRITORYTERRITORY,AND IF SO,STATE THAT ?STATE THAT ?STATE THATA.1JWHAT? A.1KNOW OF NONE.KNOW OF NONE.VOU KNOW OFYOU KNOW OFOMPANY ANDCOMPANY A	SAID. Q. DO YOU	C	SAID. Q. DO YOU	
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WOULD	WOULD	WOULD
PROBABLY EAT	EAT	EATH
THE FLESH OF	THE FLESH OF	THE FLESH OF
THE ANIMAL	THE ANIMAL	THE ANIMAL
THAT HAD DIED.	THAT HAD DIED.	THAT HAD DIED.
AFTER THIS	AFTER THIS	AFTER THIS
INTERVIEW	INTERVIEW.	INTERVIEW
EITHER THIS	EITHER THIS	EITHER THIS
WITNESS OR	WITNESS OR	WITNESS OR
SOME OTHER OF	SOME OTHER OF	SOME OTHER OF
HIS	HIS	MR. SMITH'S
PARTY, BUT I	PARTY, BUT I	PARTY, BUT I
THINK THIS	THINK THIS	THINK THIS
WITNESS	WITNESS	WITNESS
KNOWS THAT	KNOWS, THAT	KNOWS, THAT

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·	1		
THE TRAFFIC OR	TRAFFICKING	TRAFFICKING	
TRADING DID	DID	DID	
ENSUE	ENSUE	ENSUE,	
BETWEEN THE	BETWEEN	BETWEEN THE	
INDIVIDUALS OF	INDIVIDUALS OF	INDIVIDUALS OF	
THAT PARTY	THAT PARTY	THAT PARTY	
AND THE	AND THE	AND THE	
INDIANS OF	INDIANS OF	INDIANS OF	
CORN CREEK	CORN CREEK,	CORN CREEK;	
AND THAT	AND THAT	AND THAT	
BEFORE THIS	BEFORE THIS	BEFORE THIS	
TRAFFICING	TRAFFICKING	TRAFFICKING	
TOOK PLACE	TOOK PLACE,	TOOK ^[221] PLACE	
THE	THE	THE	
INDIVIDUALS OF	INDIVIDUALS OF	INDIVIDUALS OF	
THIS EMIGRANT	THIS EMIGRANT	THIS EMIGRANT	
TRAIN	TRAIN	TRAIN	
POURED	POURED	P UOWE URED	
INTO THE OX	INTO THE OX,	INTO THE OX	
AND IN		IN	
DIFFERENT	{DIFFERENT} ⁱ	DIFFERENT	
PARTS OF THE	PARTS OF THIS	PARTS OF THIS	
ANIMAL SOME	ANIMAL, SOME	ANIMAL SOME	
SUBSTANCE	SUBSTANCE	SUBSTANCE	
FROM A VIAL. I	FROM A VIAL. I	FROM A VILE. I	
PROPOSE TO	PROPOSE TO	PROPOSE TO	
FOLLOW IT UP	FOLLOW IT UP	FOLLOW IT UP	
BY THIS	BY THIS	BY THIS	
EVIDENCE,	EVIDENCE,	EVIDENCE	
THAT ON THE	THAT ON THE	THAT ON THE	
RETURN OF THIS	RETURN OF THIS	RETURN OF THIS	
WITNESS TO	WITNESS TO	WITNESS TO	
BEAVER THE	BEAVER, THE	BEAVER THE	
	,	WITNESS WERE	
INDIANS WERE	INDIANS WERE	INDIANS WERE	
INCENSED	INCENSED	IN S CENCE S D	
AGAINST THIS	AGAINST THIS	AGAINST THIS	
TRAIN,	TRAIN, ≤ SO ≥	TRAIN SO	
THAT THEY	THAT THEY	THAT THEY	
PURSUED IT,	PURSUED IT,	PURSUED IT	
SHOT AT	SHOT AT	AND SHOT AT	
DIFFERENT	DIFFERENT	DIFFERENT	
MEMBERS OF	MEMBERS OF	MEMBERS OF	
THAT TRAIN	THAT TRAIN	THAT TRAIN	
AND WOUNDED	AND WOUNDED	AND WOUNDED	

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THEM. THAT	THEM. THAT	THEM; THAT	
THIS WITNESS	THIS WITNESS	THIS WITNESS	
GOING WITH	GOING WITH	GOING WITH	
OTHER PERSONS	OTHER PERSONS	OTHER PERSONS	
AND LEAVING	AND		
LIVING	LEAVING/LIVING	LIGVING	
HERE	?] HERE,	HERE,	
ENDEAVORED	ENDEAVORED	ENDEAVORED	
TO PACIFY	TO PACIFY	TO PA SS CIFY	
	←THE INDIANS≻	THE INDIANS	
AND PERSUADE	TO PERSUADE	AND PURSUADE	
THEM TO	THEM TO	THEM TO	
ACCEPT	ACCEPT	ACCEPT	
COMPENSATION	COMPENSATION	COMPENSATION	
IN ANIMALS IN	IN ANIMALS IN	IN ANIMALS, IN	
BEHALF	BEEF/BEHALF[?]	BEEF BEHALF	
	PRPR/FR PR[?]		
OF THE	AND/ON[?]	OF THE	
INJURIES	INJURIES	INJURIES	
THAT THEY	{THAT} ⁱ THEY	THEY	
HAD SUFFERED,	HAD SUFFERED	HAD SUFFERED	
	IN THEIR	IN THEIR	
ENDING	ENDING[?]	EATING THE	
IN	21,21,0[.]	BEEF AND	
DEATH	DEATH	DEATH	
	RESULTING	RESULTING	
FROM	FROM	FROM ITS BEING	
POISON AND	POISON AND	POISONED, AND	
OTHER	OTHER	OTHER	
VIOLENCE	VIOLENCE	VIOLENCE	
PERPAETRATED	INFLICTED	INFLICTED	
BY THE	BY	BY THE	
MEMBERS OF	≤MEMBERS≥ OF	MEMBERS OF	
THIS EMIGRANT	THIS EMIGRANT	THIS EMIGRANT	
TRAIN; ALSO	TRAIN. ALSO	TRAIN. ALSO	
THAT THEY	THAT THEY	THAT THEY	
WERE HARD TO	WERE HARD TO	WERE HARD TO	
PACIFY, THEY,	PACIFY,	PACIFY,	
THE INDIANS			
ALLEGING	ALLEGING	ALLLEGING	
THAT THEY HAD	THAT THEY HAD	THAT THEY HAD	
LOST LIVES;	LOST LIFE,	LOST LIFE,	
THEIR	∠OUT EN L, ≤THAT ≥ THEIR	THAT THEIR	
BLOOD HAD	BLOOD HAD	BLOOD HAD	
BEEN SHED .	BEEN SHED	BEEN SHED,	

AND BLOOD	AND BLOOD	AND BLOOD	
ALONE COULD	ONLY COULD	ONLY COULD	
PAY THE DEBT	PAY THE DEBT	PARY THE DEBT	
OR WOULD	OR WOULD	OR WOULD	
ATONE FOR	ATONE FOR	ATTONE FOR	
	THE OFFENSE.	THE OFFENSE;	
DEFENSE, BUT FINALLY	BUT FINALLY	BUT FINALLY	
THROUGH THE	THROUGH	THROUGH THE	
INTERCESSION	INTERCESSION	INTERFERANCE.	
OF THIS	OF <this></this>	THEY WERE	
WITNESS THEY	WITNESS THEY	QUIETED AND FOR THE TIME	
WERE	WERE THEY		
	PASSED/APPEASE	BEING	
	D[?] THE TIME		
	BEING[?]		
APPARENTLY	APPARENTLY	APPARENTLY	
PACIFIED.	^{[32]346} PACIFIED.	PA SS CIFIED.	
THAT IS	THAT IS	THAT IS THE	
THE STATE OF	THE STATE OF	THE STATE OF	
FACTS THAT WE	FACTS THAT WE	FACTS WE	
DESIRE	DESIRE	DESIRE TO	
BY THIS	BY THIS	PROVE BY THIS	
QUESTION	QUESTION	Q W UESTION	
AND THE	AND	AND	
SUCCEEDING	SUCCEEDING	SUCCEEDING	
QUESTIONS TO	QUESTIONS.	QUESTIONS.	
PROVE, AND WE	WE	WE	
DESIRE THAT	DESIRE	DESIRE THAT	
THE COURT	THE COURT	THE COURT	
WILL ELICIT	WILL ELICIT	WILL ADMIT	
THIS FOR	FOR	HLLISIT THIS	
THE		FOR THE CONDI	
CONSIDERATION	CONSIDERATIO	CONSIDERATIO	
OF THIS JURY. ^[362]	N OF THIS JURY.	N OF THIS JURY.	
BASKIN:	[space] BASKIN	M ^{<u>R</u>} BASKIN:	
WELL YOU MAY	WELL	WELL,	
GO ON.	GO ON BY	GO ON THEN.	
COURT:	COURT	COURT:	
PROCEED TO	QPROCEED TO	PROCEED TO	
DETAIL THE	DETAIL THE	DETAIL THE	
CONVERSATION.	CONVERSATION.	CONVERSATION	
	≤THAT <i>TOOK</i> [?]	THAT TOOK	
	PLACE THERE≥	PLACE THERE.	

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346. At the top of the page in longhand: SEE AS TO ELICIR.

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Q. A INQUIRED	$\{A\}^1$ I INQUIRED	A. I INQUIRED	
WITH		MYSELF TOO	
	ABOUT	ABOUT IT, IN	
REGARD TO THE	REGARD TO THE	REGARD TO THE	
INDIANS—THE	INDIANS THE	INDIANS, AND	
ENQUIRIES WAS	INQUIRIES	ENQUIRIE S D	
MADE BY THE	WHAT THE	WHAT THE	
MEMBERS OF	MEMBERS OF	MEMBERS OF	
THAT TRAIN	THAT TRAIN	THAT TRAIN	
RESPECTING	MADE	SAID ABOUT	
THEIR	RESPECTING	THEIR	
EATING THE	EATING	EATING THE	
CARCASS AND	CARCASS OF	CARCASS OF	
THE ANIMAL, IF	THE ANIMAL IF	THE ANIMAL, IF	
THEY HAD.	THEY HAD.	THEY HAD EAT	
ONE OF THE	ONE OF THE	IT. ONE OF THE	
PARTY ASKED IF	PARTY ASKED IF	PARTY ASKED IF	
THE INDIANS	THE INDIANS	THE INDIANS	
ATE	ATE	WOULD EAT	
THAT OX	THAT OX,	ATE THAT OX	
THAT LAY	THAT LAY	THAT LAID	
DEAD NEAR	DEAD NEAR	DEAD WHEN	
THE CAMP.	{THE} ⁱ CAMP.	THEY CAME.	
SOME ONE OF	SOMEONE OF	SOMEONE OF	
OUR PARTY	OUR PARTY	OU T R PARTY	
REMARKED	REMARKED	REMARKED	
THAT THEY	THEY	THAT THEY	
THOUGHT THEY	THOUGHT THEY	THOUGHT THEY	
WOULD, BUT I	WOULD. I	WOULD. I	
SAW NOTHING	SAW NOTHING	SAW NOTHING	
OF THIS	OF THIS	OF THIS	
THROWING OR	THROW{ING} ⁱ	THROWING	
DRAWING	←DRAWING		
SOMETHING	ANYTHING	ANYTHING	
FROM A VIAL	FROM $\{A\}^i$ VIAL	FROM A VIAL	
INTO IT. Q. OF	INTO IT. ÓF	INTO IT . Q. OF	
WHOM DID	WHOM DID	WHOM DID	
YOUR PARTY	YOUR PARTY	YOUR PARTY	
CONSIST ? A.	CONSIST A	CONSIST? A.	
THERE WAS	THERE WAS	THERE WAS	
GEORGE A.	GEORGE A	GEORGE A.	
	SMITH JACOB		
· · · · · · · · · · · · · · · · · · ·		-	
Т.	T.	Т.	
CONSIST ? A. THERE WAS GEORGE A. SMITH, JACOB HAMBLIN, PHILO	CONSIST _A THERE WAS GEORGE A SMITH JACOB HAMBLIN PHILO	CONSIST? A. THERE WAS GEORGE A. SMITH, JACOB HAMBLIN, FILO	

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AND ELISHA	AND ELISHA	AND ELISH	
HOOPS,	HOOPS,	HOOPS, THAT	
LIVES HERE,	LIVES HERE	LIVE S D HERE,	
AND PERHAPS	AND PERHAPS	AND PERHAPS	
ONE OR TWO	ONE OR TWO	ONE OR TWO	
OTHERS. I DON'T REMEMBER	OTHERS I DON'T REMEMBER	OTHERS, I DON'T REMEMBER	
THE NAMES	THEIR NAMES	THE NAMES	
OF ALL.	OF ALL.	OF THEM ALL?	
Q. HOW	oHOW	^[222] Q. HOW	
LONG AFTER	LONG AFTER	LONG AFTER	
THAT DID YOU	THAT YOU DID	THAT DID YOU	
11111 212 100	BE/THEY[?]		
RETURN ?	RETURN?	RETURN;	
SUTHERLAND: I	{COUNSEL} ⁱ _A I	,	
SHALL HAVE TO	SHALL HAVE TO		
SKIP OVER	SKIP OVER		
SOME PART OF	SOME PART OF		
THE	THE		
STATEMENTS	STATEMENT		
WHICH I	WHICH I		
INTENDED TO	INTENDED TO		
PROVE BY THE	PROVE BY AN		
OTHER WITNESS,	OTHER WITNESS		
AND SHALL HAVE TO PROVE	WILL PROVE		
THE OTHER	OTHER		
FACTS BY	FACTS WHEN		
ANOTHER	PUT THIS		
WITNESS THAT	WITNESS		
WE WILL PUT ON	ON		
THE STAND AS	THE STAND		
TO WHAT TOOK	[<i>space</i>] HAVE		
PLACE	THIS		
SUBSEQUENT TO	WITNESS SET		
THIS WITNESSES	SUBSEQUENT		
	DAY WHEN HE		
RETURN. Q. HOW	RETURN)) _Q HOW	HOW	
LONG AFTER	LONG AFTER	LONG AFTER	
THAT DID YOU	THAT DID YOU	THAT DID YOU	
GET BACK TO	GET BACK. TO	D GO BACK TO BEAVER? A. I	
BEAVER ? A. I THINK IT WAS	BEAVER _A I THINK IT WAS	THINK IT WAS	
TWO DAYS. Q.	2 DAYS o	TWO DAYS. Q	
DID YOU PASS	DID YOU PASS	DID YOU PASS	

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D ⁻	
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THIS PARTY ON	THIS PARTY ON	THIS PARTY ON	
YOUR	YOUR	YOUR	
ERETURN ? A. I	RETURN _A I	T RETURN? A . I	
PASSED THEM	PASSED THEM	PASSED THEM	
AT THIS NEXT	AT THIS NEXT	AT THIS NEXT	
CREEK— INDIAN	CREEK, INDIAN	CREEK , INDIAN	
CREEK — 6 OR	CREEK, 6 OR	CREEK, SIX OR	
7 MILES FROM	7 MILES FROM	SEVEN MILES	
HERE Q. DID	HERE. { _Q } ⁱ DID	FROM HERE. Q.	
THAT	THAT	HAD THAT	
TRAIN	TRAIN	TRAIN	
REMAIN	REMAIN	REMAINED	
INTACT OR	INTACT OR	INTACT OR	
DIVIDED ? A.	DIVIDED A	DIVIDED? A.	
THAT TRAIN WAS	THAT TRAIN	THAT TRAIN	
INTACT	WAS, INTACT	WAS INTACT,	
ALTOGETHER.	ALTOGETHER	ALL TOGETHER:	
^[363] Q. STATE	$\{0\}^{i}$ STATE	Q. STATE	
WHETHER YOU	WHETHER YOU	WHETHER YOU	
STOPPED AT	STOPPED AT	STOPPED AT	
THE CAMP	THE CAMP \leq OR	THE CAMP OR	
AND HAD	NOT ≥ AND HAD	NOT AND HAD	
ANY	ANY	ANY	
INTERCOURSE	INTERCOURSE	INTERCOURSE	
WITH THE	WITH THE	WITH THE	
TRAIN WHEN	TRAIN WHEN	TRAIN WHEN	
YOU	YOU	YOU	
RETURNED ? A. I	RETURNED AI	RETURNED? A. I	
KETOKINED : A. I	KLIOKIVLD AI	STAID AND	
TOOK SOME	TOOK	TOOK	
SUPPER WITH	SUPPER WITH	SUPPER WITH	
SOME OF THE	SOME OF THE	SOME OF THE	
PARTIES AT THE	PARTIES AT THE	PARTIES AT THE	
CAMP—	CAMP;	CAM E P;	
WATERED MY	WATERED MY	WATERED MY	
ANIMALS AND	ANIMALS AND	ANIMALS AND	
CAME ON	CAME ON	CAME ON	
TO BEAVER.	TO BEAVER	THE ON THE TO BEAVER.	
Q. HOW LONG	$\{0\}^{i}$ HOW LONG	Q. HOW LONG	
AFTERWARDS	AFTERWARDS	AFTERWARDS	
BEFORE YOUR	BEFORE YOUR	BEFORE YOUR	
ATTENTION	ATTENTION	ATTENTION	
WAS CALLED TO	WAS CALLED TO	WAS CALLED TO	
THIS TRAIN?	THIS TRAIN	THIS TRAIN	
AGAIN ? A. IN A	AGAIN _A IN	AGAIN? A. IN A	

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FEW DAYS	FEW DAYS,	FEW DAYS ;	
THEY PASSED —	THEY PASSED;	THEY PASSE L D.	
THEY HAD	<i>THAT/WE</i> [?] HAD	WE THEY HAD	
FOUND WHERE I	FOUND WHERE I	FOUND WHERE I	
LIVED 20 TO 30	LIVED 20 TO 30	LIVED , 20 OR 30	
MILES —	≤MILES≥ AND	MILES SOUTH	
		OF HERE,	
THEY CAMPED	THESE CAMPED	TH IS EY CAMPED	
NEAR THAT. I	NEAR THAT.	NEAR THAT. I	
WENT TO THEIR	WENT TO	WENT TO THEIR	
CAMP AND HAD	CAMP AND HAD	CAMP AND HAD	
SOME	SOME	SOME	
CONVERSATION.	CONVERSATION,	CONVERSATION;	
I HAD A	{HAD} ⁱ	HAD	
PERSONAL	PERSON	PERSONAL	
ACQUAINTANCE	ACQUAINTANCE	ACQUAINTANCE	
WITH SOME OF	WITH SOME OF	WITH SOME OF	
THE TRAIN —	TRAIN =	THE TRAIN —	
THE	≤WITH THE≥	WITH THE	
LEADER OF	LEADER OF	LEADER OF	
THE TRAIN.	{THE} ⁱ TRAIN	THE TRAIN.	
Q. DO YOU	{ ₀ } ⁱ DO YOU	Q. DO YOU	
REMEMBER HIS	REMEMBER HIS	REMEMBER HIS	
NAME ? A. I	NAME $\{A\}^{i}I$	NAME? A. I	
THINK IT WAS	THINK IT WAS	THINK IT WAS	
	FANCEY	VANCE OR	
VANCEY.	≺VANCEY≻	VANC Y .	
Q. YOU	{ ₀ } ⁱ YOU	Q. YOU	
WERE	WERE	WERE	
INTRODUCED TO	INTRODUCED TO	INTRODUCED TO	
HIM BY THAT	HIM BY THAT	HIM BY THAT	
NAMEAT THAT	NAME AT THAT	NAME AT THAT	
TIME ? A. I	TIME AI	TIME? A . I	
HEARD SOME OF	HEARD SOME OF	HEARD SOME OF	
THEM CALL HIM	THEM CALL HIM	THEM CALL HIM	
MR. FANCHARD	MR.	MR.	
FANCHER. Q.	FANCHER Q	FANCHER. Q.	
DID YOU	DID {YOU} ¹	DID YOU	
HEAR THE	HEAR {THE} ⁱ	HEAR THE	
NAMES OF	NAMES OF	NAMES	
OTHERS ? A.	OTHERS A	OF OTHERS? A .	
NO OTHERS. Q.	NO OTHERS $\{\mathbf{Q}\}^i$	NO OTHERS . Q.	
STATE	STATE	STATE	
WHETHER OR	WHETHER OR	WHETHER OR	
NOT THIS <was< td=""><td>NOT THIS IS</td><td>NOT THIS IS</td><td></td></was<>	NOT THIS IS	NOT THIS IS	

THE> SAME	THE SAME	THE SAME	
TRAIN THAT	TRAIN THAT	TRAIN THAT	
WAS	WAS	WAS	
AFTERWARDS	AFTERWARDS	AFTERWARDS	
KILLED AT THE	KILLED AT THE	KILLED AT THE	
		MOUNTAIN	
MEADOWS ? A.	MEADOWS $\{A\}^i$	MEADOW N S? A.	
I UNDERSTAND	I UNDERSTAND	I UNDERSTOOD	
IT WAS. Q. STATE	IT WAS. OSTATE	IT SO. Q . STATE	
WHETHER OR	WHETHER -OR	WHETHER OR	
NOT THE TRAIN	NOT > TRAIN	NOT THE TRAIN	
HAD DIVIDED	HAD DIVIDED	HAD DIVIDED	
BEFORE YOU	BEFORE YOU	BEFORE YOU	
SAW THEM AT	SAW THEM AT	SAW THEM AT	
RED CREEK ?	RED CREEK	RED CREEK?	
A. I THINK	A—[?] AI THINK	A. I THINK	
NOT. Q. DID	NOT $\{\mathbf{Q}\}^i$ DID	NOT. Q. DID	
YOU KNOW	YOU KNOW	YOU KNOW OF	
SUCH A PARTY	SUCH A PARTY	SUCH A PARTY	
AS THAT	AS THAT	AS THAT	
KNOWN BY THE	KNOWN BY THE	KNOWN BY THE	
NAME OF THE	NAME OF	NAME OF	
DUKES PARTY	DUKES PARTY	DUKE'S PARTY;	
AND WERE	AND WERE	AND WERE	
THEY NOT	THEY NOT	THEY NOT	
ORIGINALLY	ORIGINALLY	ORIGINALLY A	
PART OF THIS	PART OF THIS	PART OF THIS	
SAME TRAIN ?	SAME TRAIN	<same> TRAIN ?</same>	
A. I DID NOT. ^[364]	AI DON'T	A. I DO NOT	
Q. HOW	KNOW { _Q } ¹ HOW	KNOW. Q. HOW	
LONG	LONG	LONG	
AFTERWARDS	AFTERWARDS	AFTERWARDS	
DID DUKES	DID DUKES	DID DUKE'S	
PARTY COME	PARTY COME	PARTY COME	
ALONG ? A.	ALONG A	ALONG? A.	
SOMETIME	SOMETIME	SOME TIME	
AFTERWARDS —	AFTERWARDS I	AFTER THAT; I	
I CANNOT TELL	CANNOT TELL	CANNOT T 3 ELL	
TO A FEW	${TO A}^{1} FEW$	T O A FEW	
DAYS, BUT	DAYS BUT	DAYS, BUT	
SEVERAL DAYS.	SEVERAL DAYS	SEVERAL DAYS.	
Q. STATE	QSTATE	Q . STATE	
WHETHER YOUR	WHETHER YOUR	WHETHER YOUR	
ATTENTION	ATTENTION	ATTENTION	
WAS CALLED TO	WAS CALLED TO	WAS CALLED TO	

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THAT	THAT	THAT OTHER
PARTY —	PARTY =	PARTY,
WHETHER YOU	WHETHER YOU	WHETHER YOU
WERE CALLED	WERE CALLED	WERE CALLED
UPON TO DO	UPON TO DO	UPON TO DO
ANYTHING FOR	ANYTHING FOR	ANYTHING FOR
THEM ? A.	THEM $\begin{bmatrix} \underline{33} \end{bmatrix}$ A	THEM? A.
THERE	THERE	THERE WAS
WAS AN	WAS AN	WAS AN
EXPRESS—AS	EXPRESS AS	EXPRESS AS
Ι	Ι	Ι
UNDERSTOOD	UNDERSTOOD	UNDERSTANOO
IT—SENT TO	IT SENT TO	D IT, SENT TO
DAME ———	DAME BY	$\mathbf{M}^{\mathbf{R}}$ DAME. ^[223]
BASKIN:	BASKIN	$M^{\underline{R}}$ BASKIN: WE
	≤OBJ≥ NOT	OBJECT TO THE
DON'T		WITNESS
STATE WHAT	WHAT	STATING WHAT
YOU	YOU	HE
UNDERSTOOD-	UNDERSTOOD	UNDERSTOOD.
BUT	BUT	JUST STATE
WHAT YOU	WHAT YOU	WHAT YOU
KNOW .	KNOW.	KNOW. $M^{\underline{R}}$
SUTHERLAND:	SUTHERLAND	SUTHERLAND:
Q. STATE THAT	OSTATE THAT	Q. STATE WHAT
PART THAT	PART OF	THAT PART OF
THE	{THE} ⁱ	THE
PROSECUTION	TRANSACTION	TRANSACTION
MAY KNOW	≤THAT≥ YOU	THAT YOU
AND	WERE	WERE
CONNECT IT ?	CONNECTED	CONNECTED WI
A. IT	WITH AIT	TH? A. I T
WAS SENT OVER	WAS SENT OVER	WAS SENT OVER
TO BEAVER	{BY} ⁱ BEAVER	TO BEAVER
BY	∠BY THERE>	BY
COL.	{BY} ⁱ COLONEL	COLONEL
DAME OF	DAME $\{OF\}^i$	D DAME OF
PAROWAN. HE	PAROWAN. HE	PAROWAN. HE
CAME DOWN TO	CAME DOWN TO	CAME DOWN TO
THE PLACE	THE PLACE	THE PALACE
WHERE I LIVED	WHERE I LIVED	WHERE I LIVED,
— MY PLACE OF	MY PLACE OF	MY PLACE OF
RESIDENCE.	RESIDENCE. BY	RESIDENCE ——
BASKIN: I	BASKIN I	M ^R BASKIN: I
OBJECT TO ANY	OBJECT TO ANY	OBJECT TO ANY

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

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		1	
WHAT WERE	WHAT WERE	WHAT WERE	
YOU TO	YOU SENT TO	YOU SENT TO	
DO ? A. TRY TO	DO ATRY TO	DO? A. TO TRY	
RELIEVE	RELIEVE	TO RELIEVE	
THEM OF AN	THEM OF AN	THEM OF AN	
ATT C ACK BY	ATTACK BY	ATTAC¥K BY	
THE INDIANS —	THE INDIANS.	THE INDIANS. I	
WAS TOLD	WAS TOLD	WAS TOLD	
THE INDIANS	{THE} ⁱ INDIANS	THE INDIANS	
HAD ATTAC H KED	HAD ATTACKED	HAD ATTACKED	
THE PARTY — I	{THE} ⁱ PARTY. I	THE PARTY; I	
WAS SENT OVER	WAS SENT OVER	WAS SENT OVER	
HERE	HERE ≤BEAVER≥	HERE TO	
BY	BY	BEAVER BY	
COL.DAME.	COLONEL DAME	COL. DAME.	
Q. IF YOU CAN	oIF YOU CAN;	Q. IF YOU CAN,	
STATE THE	STATE THE	STATE THE	
DATE	DATE AND TIME	DATE	
WHEN YOU	WHEN YOU	WHEN YOU	
WERE SENT ?	WAS SENT	W AS ERE SENT.	
	[space] BY	M ^{<u>R</u>}	
BASKIN: THAT	BASKIN. THAT	BASKIN: THAT	
HAS NOTHING	HAS NOT	HAS NOTHING	
ТО	ANYTHING TO	ТО	
DO WITH THIS	DO WITH THIS	DO WITH THIS	
MASSACRE AND	MASSACRE	MASSACRE, AND	
IS WHOLLY	<is> WHOLLY</is>	IT IS WHOLLY	
IRRELEVANT. I	IRRELEVANT. I	IRRELEVANT. I	
SUPPOSED	SUPPOSE{D} ⁱ	SUPPOSED THAT	
THEY WOULD	THEY WOULD	THEY WOULD	
GO ON IN THE	GO ON IN	GO ON IN THE	
DIRECTION	DIRECTION OF	DIRECTION OF	
ТО	THIS	THIS	
CONNECT,	CONNECTION.	CONNECTION . ,	
BUT I ^[365] CAN'T	I CAN'T	BUT HI CANNOT	
SEE ANY STATE	SEE ANY STATE	SEE ANY STATE	
OF FACTS THAT	OF FACTS THAT	OF FACTS THAT	
WOULD	WOULD	WOULD	
CONNECT THIS	CONNECT THIS	CONNECT THIS	
AFFAIR WITH	AFFAIR WITH	AFFAIR WITH	
THAT DOWN	THAT DOWN	THAT DOWN	
THERE.	THERE, AT THE	THERE, OF AT	
	MEADOWS	THE MOUNTA N	
		MEADOWS. M ^{<u>R</u>}	
	SUTHERLAND	SUTHERLAND:	

YOUR HONOR	YOUR HONOR ,	
HAS PERMITTED	HAS PERMITTED	
	THE	
PROSECUTION =	PROSECUTION	
AND	- AND	
UNDOUBTEDLY	UNDOUBTEDLY	
IT IS WITHIN	IT IS WITHIN	
YOUR HONOR'S	YOUR HONOR'S	
DISCRETION	DISCRETION —	
TO COMMENCE	TO COMMENCE	
WHEREVER	WHEREVER	
THEY PLEASED	THEY PLEASE	
IN THEIR	IN THEIR	
TESTIMONY	TESTIMONY,	
AND PURSUE IT	AND PURSUE IT	
IN SUCH	IN SUCH AN	
ORDER AS	ORDER AS	
COUNSEL	COUNSEL	
THOUGHT	COULSEL THINK	
PROPER TO	PROPER TO	
PURSUE IT,	PURSUE IT,	
LEAVING IT TO	LEAVING IT TO	
THEIR	THEIR ^[224]	
DISCRETION. WE	DISCRETION. WE	
ASK NOW	ASK NOW THAT	
SAME	THE SAME	
INDULGENCE	INDULGENCE	
	GRANTED TO	
MAY BE	THEM BE	
EXTENDED TO	EXTENDED TO	
US. I PROPOSE	US . I PROPOSE	
TO CONNECT	TO CONNECT	
{WHAT} ⁱ HE IS	WHAT HE IS	
$\{ABOUT\}^1 TO$	ABOUT	
WHAT TO	TO TESTIFY TO	
TESTIFY WITH	WITH THE	
THE PRECEDING	PRECEDING	
TRAIN, AND TO	TRAIN, TO THE	
BRING OUT IN	BRING OUT IN	
FULL THE	FULL THE	
STATEMENT	STATEMENT	
WHICH I MADE	WHICH I MADE	
BEFORE.	BEFOER.	
{COURT	COURT: THE	
OVERRULED	OBJECTION	

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ODIFOTION			
OBJECTION	OBJECTION OF	WILL BE	
OVERRULED.	PROS. 1 BY	OVERRULED.	
	COURT YOU	YOU	
	CAN GO AHEAD	CAN GO AHEAD.	
	PROCEED	Q. PROCEED	
	THEN WITNESS.	THEN, WITNESS.	
Q. CAN'T YOU	QCAN YOU	CAN YOU	
STATE THE DAY	STATE THE DAY	STATE THE DAY	
OF YOUR BEING	OF YOUR BEING	OF YOUR BEING	
SENT ? A. I	SENT AI	SENT? A . I	
CANNOT. Q. CAN	CANNOT. _Q CAN	CANNOT. Q. CAN	
YOU STATE THE	YOU STATE THE	YOU STATE THE	
MONTH, OR	MONTH OR	MONTH, OR	
ABOUT HOW	ABOUT HOW	ABOUT HOW	
LONG IT WAS,	LONG IT WAS	LONG IT WAS	
AFTER THE	AFTER THE	AFTER THE	
OTHER PARTY	OTHER PARTY	OTHER PARTY	
HAD PASSED	HAD PASSED	HAD PASSED	
RED CREEK ? A. I	RED CREEK AI	RED CREEK? A . I	
CANNOT, BUT A	CANNOT BUT	CANNOT, BUT A	
FEW DAYS	FEW DAYS	FEW DAYS	
AFTER THE	AFTER THE	AFTER THE	
OTHER PARTY	OTHER PARTY	OTHER PARTY	
HAD PASSED. Q.	PASSED. O	HAD PASSED. Q.	
WELL, YOU	WELL YOU	WELL, YOU	
CAME TO WHAT	CAME TO WHAT	CAME TO WHAT	
PLACE WITH	PLACE WITH	PLACE, WITH	
YOUR TEN MEN ?	YOUR TEN MEN	YOUR TEN MEN?	
A. I CAME HERE	AI CAME HERE	A. I CAME HERE	
TO BEAVER	TO BEAVER	TO BEAVER,	
AND ARRIVED	ARRIVED	AND ARRIEVED	
VERY LATE IN	VERY LATE IN	VERY LATE IN	
THE NIGHT. IN	THE NIGHT. AIN	THE NIGHT. IN	
THE MORNING	THE MORNING	THE MORNI N G I	
I FOUND THE	FOUND THE	FOUND THE	
TRAIN	TRAIN	TRAIN	
ENCAMPED ON	ENCAMPED ON	ENCAMPED ON	
THE SOUTH	THE SOUTH	THE SOUTH	
BRANCH OF	BRANCH OF	BRANCH OF	
THIS CREEK;	THIS CREEK;	THIS CREEK.	
THEY HAD	THIS CILLIN,	THEY HAD	
CORRALLED	CORRALLED	CORRAL	
THEIR WAGONS,	THEIR WAGONS	THEIR WAGONS	
MADE	MADE	AND MADE	
RIFLE PITS AND	RIFLE PITS AND	RIFLE PITS AND	
KILL I HS AND	KILL I I SAND		

WERE IN SELF	WERE IN SELF	WERE IN SELF	
DEFENSE. THEIR	DEFENSE. THEIR	DEFENSE. THEIR	
STOCK WERE	STOCK WAS	STOCK WERE	
SCATTERED ON	SCATTERED ON	SCATTERED ON	
THE PLAINS. Q.	THE PLAINS O	THE PALINS . Q.	
THE LEAINS. Q.	THE LEAINS Q	GO ON AND	
STATE WHAT	STATE WHAT	STATE WHAT	
YOU DID ? A.	YOU DID A	YOU DID? A .	
GOT A RUNNER	GOT RUNNER	GOT A RUNNER	
FROM THE	FROM \leq THE \geq	FROM THE	
INDIANS.	INDIANS	INDIANS AND	
BROUGHT IN	BROUGHT IN	BROUGHT IN	
THE CHIEF AND	THE CHIEF		
COMPROMISED	COMPROMISED	THE CHIEF; COMPROMISED	
	MATTER		
THE MATTER; THAT	MATTER ≤THAT≥ THEY	THE MATTER WITH THEM	
BY GIVING	BY GIVING	BY GIVING	
THEM SOME	THEM SOME	THEM SOME	
BEEF AND SOME	BEEF AND SOME	BEEF AND SOME	
BREAD AND	BREAD AND	BREAD AND	
DI ANIZETTO O		SOME	
BLANKETS. Q.	BLANKETS Q	BLANKETS. Q.	
WHAT DID YOU	WHAT DID YOU	WHAT DID YOU	
		DID YOU	
COMPROMISE—	COMPROMISE =	COMPROMISE?	
WHAT WAS THE	WHAT WAS THE	WHAT WAS THE	
GRIEVANCE—	GRIEVANCE AS	GRIEVANCE AS	
STATE WHAT IT	STATED IT	STATED	
WAS, BETWEEN	BETWEEN	BETWEEN	
THE INDIANS	THE INDIANS	THE INDIANS	
AND THE	AND	AND THE	
EMIGRANTS ? A.	EMIGRANTS A	EMIGRANTS? A.	
THE INDIANS	THE INDIANS	THE INDIANS	
CLAIMED SOME	CLAIMED SOME	CLAIMED SOME	
OF THEIR MEN	OF THEIR MEN	OF THEIR MEN	
HAD BEEN	HAD BEEN	HAD BEEN	
SHOT, ONE	SHOT, ONE	SHOT; ONE	
PARTICULARLY,	PARTICULAR {LY	PARTICULARLY	
ON INDIAN	} ¹ ON INDIAN	ON INDIAN	
CREEK, BY ONE	CREEK BY ONE	CREEK:, BY ONE	
OF THE PARTY	OF THE PARTY	OF THE PARTY	
OF	OF THE	OF THE	
EMIGRANTS.	EMIGRANTS.	EMIGRANTS.	
THEY WERE TO	THEY WERE TO	THEY WERE TO	
HAVE	HAVE ^[34]	HAVE	

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BLOOD, IN THE	BLOOD IN ←THE>	BLOOD IN THE	
FIRST INSTANCE,	FIRST INSTANCE	FIRST INSTANCE	
BUT THEY	BUT THEY	; BUT THEY	
AGREED TO	AGREED TO	AGREED TO	
SETTLE THE	SETTLE THE	SETTLE THE	
MATTER WITH	MATTER WITH	MATTER WITH	
CATTLE. Q.	CATTLE. 0	CATTLE. Q. WAS	
ANY	ANY	THERE ANY	
OTHER	OTHER	OTHER	
GRIEVANCE ? A.	GRIEVANCE A	GIRIEVANCES?	
I DON'T	I DON'T	A. I DON'T	
REMEMBER. Q.	REMEMBER o	REMEMBER. Q.	
THE	THE	THE	
DIFFICULTY, AS	DIFFICULTY, AS	DIFFICULTY AS	
YOU	YOU	SAAS YOU	
UNDERSTOOD IT,	UNDERSTOOD IT	UNDERSTOOD IT	
WAS	WAS ← THEN →	WAS THEN	
SETTLED ? A.	SETTLED A	SETTLED? A.	
YES SIR, AND	YES SIR &	YES, SIR; AND	
WHEN THIS	WHEN THIS	WHEN THIS	
PARTY CAME	PARTY CAME	PARTY CAME	
ALONG AND	ALONG	ALONG AND	
CAMPED	ENCAMPED	ENCAMPED	
NEAR WHERE I	NEAR WHERE I	NEAR WHERE I	
^[366] LIVED	LIVED,	LIVED,	
CAPTAIN DUKE	CAPTAIN DUKE	CAPT DUKE	
TOLD ME	TOLD ME	TOLD ME, THAT	
SOME	SOME	SOME OF THE	
INDIANS HAD	INDIANS HAD	INDIANS HAD	
COME IN AND	COME IN AND	COME IN AND	
MADE A	MADE A	MADE A	
DEMAND	DEMAND.	DEMAND. M ^{<u>R</u>}	
OBJECTED TO BY	OBJECTION BY	BASKIN: WE	
BASKIN AS TO	BASKIN TO	OBJECT TO	
WHAT CAPTAIN	WHAT CAPTAIN	WHAT CAPT	
DUKE TOLD HIM.	DUKE TOLD.	DUKES TOLD	
		THE WITNEWSS.	
Q.	Q	^[225] Q. H AVD	
HAD YOU ANY	HAVE YOU ANY	HAD YOU ANY	
FURTHER	FURTHER	FURT E HER	
ACQUAINTANCE	ACQUAINTANCE	ACQUAINTQANC	
WITH THIS	WITH THESE	E WÌTH THIS	
EMIGRANT	EMIGRANT	EMIGRANT	
TRAIN	TRAINS OTHER	TRAIN, OTHER	
THAN YOU	THAN YOU	THAN YOU	

	-		
HAVE STATED,	HAVE STATED,	HAVE STATED;	
OR ANY	OR ANY	OR ANY	
FURTHER	FURTHER	FURTHER	
CONNECTION	CONNECTION	CONNECTION	
WITH EITHER OF	WITH EITHER OF	WITH EITHER OF	
THEM ? A. NONE	THEM ANONE	THEM? A. NONE,	
WHATEVER,	WHATEVER	WHATEVER	
AFTER THEY	AFTER {THEY} ⁱ	AFTER THEY	
PASSED. Q.	PASSEDo	PASSED. Q.	
WHAT POSITION	WHAT POSITION	WHAT POSITION	
DID YOU HOLD	DID YOU HOLD	DID YOU HOLD	
IN THE MILITIA	IN THE MILITIA	IN THE MILITIA	
AT THAT TIME ?	AT THAT TIME,	AT THA T TI J M E ?	
A. I THINK A	A{I} ⁱ THINK A	A. I THINK	
CAPTAIN.	CAPTAIN.	CAPTAIN. ³⁴⁷ $M^{\underline{R}}$	
		SUTHERLAND:	
	THAT IS ALL	THAT'S ALL.	
CROSS-	<cross< td=""><td>CROSS-</td><td></td></cross<>	CROSS-	
EXAMINED.	EXAMINATION≥	EXAMINATION	
		OF SILAS N.	
		SMITH BY M ^R	
BASKIN: Q.	≤BASKIN≥	BASKIN: Q.	
WHAT	WHAT	WHAT	
RELATION ARE	RELATION ARE	RELATION ARE	
YOU TO GEORGE	YOU TO GEORGE	YOU TO GEORGE	
A. SMITH ? A.	A SMITH A	A. SMITH? A.	
COU N SIN. Q. A	COUSIN. ₀ A	COUSIN. Q. A	
COU N SIN ?	COUSIN BY	COUSIN OF HIS?	
A. YES	BASKIN AYES	A. YES,	
SIR.	SIR. MR.[?]	SIR. M ^{<u>Ŕ</u>}	
SUTHERLAND:	SUTHERLAND	SUTHERLAND:	
LET ME ASK			
	LET ME ASK HIM	LET ME ASK THE	
ONE MORE	ONE MORE	WITNESS ONE	
ONE MORE QUESTION.	ONE MORE QUESTION.	WITNESS ONE MORE	
ONE MORE QUESTION. ✔ Q.	ONE MORE QUESTION. ≤<u>SUTHERLAND</u>≥	WITNESS ONE MORE QUESTION: Q.	
ONE MORE QUESTION. ✔ Q. DO YOU KNOW	ONE MORE QUESTION. ≤<u>SUTHERLAND</u>≥ DO YOU KNOW	WITNESS ONE MORE QUESTION: Q. DO YOU KNOW	
ONE MORE QUESTION. ✔ Q. DO YOU KNOW WHAT	ONE MORE QUESTION. ≤ <u>SUTHERLAND</u> > DO YOU KNOW WHAT	WITNESS ONE MORE QUESTION: Q. DO YOU KNOW WHAT	
ONE MORE QUESTION. ✓ Q. DO YOU KNOW WHAT CONNECTION	ONE MORE QUESTION. ≪<u>SUTHERLAND</u>≫ DO YOU KNOW WHAT CONNECTION	WITNESS ONE MORE QUESTION: Q. DO YOU KNOW WHAT CONNECTION	
ONE MORE QUESTION. ✓ Q. DO YOU KNOW WHAT CONNECTION GEORGE A.	ONE MORE QUESTION. ≤ <u>SUTHERLAND</u> > DO YOU KNOW WHAT CONNECTION GEORGE A	WITNESS ONE MORE QUESTION: Q. DO YOU KNOW WHAT CONNECTION GEORGE A.	

^{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
THAT TIME OR	THAT TIME OR	THAT TIME OR	
ANY OTHER	ANY OTHER	ANY OTHER	
MILITARY	MILITARY	MILITARY	
ORGANIZATION	ORGANIZATION	ORGANIZATION	
IN THE TERRITORY ? ✔	IN THE TERRITORY	IN THE TERRITORY?	
A. TO THE	ATO THE	A . TO THE	
BEST OF MY	$\underline{\underline{A}}$ IO IIIE BEST OF MY	BEST OF MY	
RECOLLECTION	RECOLLECTION	RECOLLECTION	
HE WAS ON	HE WAS ON	HE WAS ON	
GENERAL	GENERAL	GENERAL	
WELLS'	WELLS'	WELLS'	
STAFF,	STAFF =	STAF R F F , A	
STAFF OFFICER.	STAFF OFFICER	STAFF OFFICER.	
Q. STATE	{ Q } ⁱ STATE	Q. STATE	
WHETHER	WHETHER	WHETHER OR	
DURING	DURING HIS	NOT DURING	
THE JOURNEY IN	JOURNEYING IN	THE JOURNEY,	
THE	THE	IN THE	
SOUTHERN	SOUTHERN	SOUTHERN	
PART OF UTAH	PART OF UTAH,	PART OF U R TAH,	
HE GAVE ANY DIRECTIONS OR	HE GAVE ANY DIRECTIONS OR	HE GAVE ANY DIRECTIONS OR	
TOOK ANY	TOOK ANY	TOONS OK	
STEPS	STEPS	STEPS	
WHATEVER TO	WHATEVER TO	WHATEVER, TO	
YOUR	YOUR	YOUR	
KNOWLEDGE, IN	KNOWLEDGE, IN	KNOWLEDGE, IN	
REFERENCE TO	REFERENCE TO	REFERENCE TO	
THE MILITARY	THE MILITARY	THE MILITARY	
ORGANIZATION	ORGANIZATION	ORGANIZATION	
OF THE	OF	OF THE	
TERRITORY ? A. I	TERRITORY. AI	TERRITORY? A. I	
THINK NOT	THINK NOT	THINK NOT	
PERSONALLY.	PERSONALLY.	PERSONALLY.	
	←CROSS	MRO (DV	
DASKINI DO	EXAMINED>	M ^R -Q. (BY BASKIN) , DO	
BASKIN: DO YOU KNOW HE	BASKIN. _Q DO YOU KNOW HE	YOU KNOW	
DIDN'T	DIDN'T	THAT HE DID	
TAKE ANY	TAKE ANY	NOT TAKE ANY	
PART IN THE	PART IN THE	PART IN THE	
ORGANIZATION	ORGANIZATION	ORGANIZATION	
OF THE	OF	OF THE	
MILITIA AT	MILITIA AT	MILLITIA AT	

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THAT TIME ? A.	THAT TIME A	THAT TIME? A.
HE WAS NOT	HE WAS NOT	HE WASN'T
DOWN HERE	DOWN HERE	DOWN HERE
FOR THAT	FOR THAT	FOR THAT
PURPOSE, BUT I	PURPOSE BUT I	PURPOSE; BUT I
DON'T KNOW.	DON'T KNOW.	DON'T KNOW.
	←BASKIN→	
Q. DON'T YOU	oDON'T YOU	Q. DON'T YOU
KNOW HE	Ň NOW HE	KNOW THAT HE
WAS DOWN	WAS DOWN	WAS DOWN
HERE	HERE	HERE AS
AS PRINCIPAL	AS PRINCIPAL	PRINCIPAL
OF GENERAL	OF GENERAL	OF GENERAL
WELLS' STAFF	WELLS' STAFF,	WELLS' STAFF
?SEEING ABOUT	ABOUT	ABOUT
MILITARY	MILITARY	MILLITARY
MATTERS ? ^[367] A.	MATTERS A	MATTERS? A.
THERE WAS MR.	THERE WAS MR.	THERE WAS MR.
MARTINEAU	MARTINEAU;	MARTINEAU; ³⁴⁸
THAT WE HAVE	WHEREVER WE	WHEREVER WE
ALLUDED TO,	HALTED	HALTED
USUALLY	USUALLY	USUALLY
CALLED OUT	CALLED OUT	CALLED OUT
THE MILITIA, HE	THE MILITIA. HE	THE MILITIA. HE
WAS	WAS	WAS
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	AGJIUTANT
ADJUTANT	ADJUTANT	ΑΟΙΤΑΝΤΤΟ
UNDER COL.	TO COLONEL	COL.
DAME; HE	DAME, HE	DAME; HE
WAS THE	WAS {THE} ⁱ	WAS THE
ONLY ONE THAT	$ONLY \leftarrow THAT \rightarrow$	ONLY ONE THAT
TOOK ANY	ONE TOOK ANY	TOOK ANY
PART. Q. WHAT	PART $\{\mathbf{Q}\}^{i}$ WHAT	PART. Q. WHAT
WERE THEY	WERE THEY	WERE THEY
CALLED OUT	CALLED OUT	CALLED OUT
FOR ? A. THEY	FOR ATHEY	FOR? A. THEY
WERE CALLED	WERE CALLED	WERE CALLED
OUT FOR	OUT FOR	OUT FOR
MUSTER —	MUSTER, AND	MUSTER, AND
THEIR ARMS	THEIR ARMS	THEIR ARMS
WERE	WERE	WERE
INSPECTED BY	INSPECTED BY	INSPECTED BY
MARTINEAU.	MARTINEAU $\{0\}^{i}$	MARTINEAU. ^[226]
THE THEAU.	1011111111111111111111111111111111111	

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

Q. WAS NOT	WAS NOT	Q. WASN'T	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH DOWN	SMITH DOWN	SMITH DOWN	
HERE FOR	HERE FOR	HERE FOR A	
MILITARY	MILITARY	M U ILITARY	
PURPOSES AND	PURPOSE	PURPOSE	
TO INSPECT	TO INSPECT	TO INSPECT	
THEIR ARMS ? A.	THEIR ARMS A	THE ARMS? A .	
NOT TO MY	NOT TO MY	NOT TO MY	
KNOWLEDGE.	KNOWLEDGE	KNOWLEDGE.	
Q. WHAT DID	oWHAT DID	Q. WHAT DID	
THEY CALL OUT	THEY CALL OUT	THEY CALL OUT	
THE COMPANIES	THE COMPANIES	THE COMPANIES	
FOR WHEN	FOR WHEN	FOR WHEN	
THEY	THEY/HE[?]	THEY	
PASSED	PASSED	PASSED	
ALONG ? A. IT	ALONG AIT	ALONG? A. IT	
WAS BECAUSE	WAS BECAUSE	WAS BE F CAUSE	
HE WAS	HE WAS	HE WAS	
PRESENT THAT	PRESENT THAT	PRESENT THAT	
THE COMPANIES	THE COMPANIES	THE COMPANIES	
WERE CALLED	WERE CALLED	WERE CALLED	
OUT. Q. THAT IS	OUT OTHAT IS	OUT. Q. THAT IS	
AS YOU WERE	AS YOU WOULD	AS YOU WOULD	
PASSING ALONG	PASS ALONG	PASS ALONG	
IN THE	IN	THROUGH THE	
VILLAGES THE	VILLAGES, THE	VILLAGES, THE	
COMPANIES	COMPANIÉS	COMPANIÉS	
WOULD COME	WOULD COME	WOULD COME	
OUT AND	OUT AND	OUT AND	
MUSTER AND BE	MUSTER AND BE	MUSTER AND BE	
INSPECTED,	INSPECTED,	INSPECTED,	
BECAUSE	BECAUSE	BECAUSE	
GEORGE A.	GEORGE A	GEOR G E A.	
SMITH WAS	SMITH WAS	SMITH WAS	
THERE AND	THERE	THERE? A.	
IT WAS FOR HIS	IT WAS FOR HIS	ITWAS FOR HIS	
BENEFIT,	BENEFIT	BENEFIT.	
	_Q WHOM	Q. IT WAS FOR	
AND TO	FOR	HIM THAT THIS	
ORGANIZE THE	ORGANIZATION	O G RGANIZATIO	
MEN	MEN ≤ WAS	N WAS	
	CALLED OUT≥	CALLED OUT	
AS HE	AS HE	FOR AS HE	
PASSED	PASSED	PASSED	

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THROUGH —	THROUGH;	THROUGH; I ASK	
		YOU IFTHAT	
WAS NOT THE	THE	WAS THE	
REASON THAT	REASON WHY	REASON WHY	
THEY WAS	HE WAS	THEY WERE	
CALLED OUT	CALLED OUT	CALLED OUT?	
	WAS	WAS IT	
BECAUSE	BECAUSE	BECAUSE	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH WAS IN	SMITH WAS IN	SMITH WAS IN	
GO TOWN OR	TOWN OR	TOWN OR	
NOT ? A. IT IS	NOT $\{A\}^{i}$ IT IS	NOT A. IT IS	
POSSIBLE. Q. DO	POSSIBLE.	POSSIBLE. Q.	
YOU KNOW AS	YOU KNOW	YOU KNOW	
TO WHETHER			
YOU KNOW			
WHETHER THE	WHETHER	WHETHER THE	
QUESTION I	QUESTION I	WOUESTION I	
ASKED YOU OR	ASKED YOU IS	ASK YOU I D S	
NOT AND YOU	SO OR NOT, YOU	SO OR NOT, YOU	
CAN ANSWER	CAN ANSWER	CAN ANSWER	
THAT ONE WAY	ONE WAY	ONE WAY	
OR THE OTHER —	THE OTHER,	OR THE OTHER?	
YOU CERTAINLY	YOU	YOU	
HAVE	HAVE	HAVE SOME	
KNOWLEDGE OF	KNOWLEDGE OF	KNOWLEDGE,	
KNOW LEDGE OF	KNOWLEDGE OF	HAVN'T YOU ON	
THAT SUBJECT —	THAT SUBJECT		
LET THE JURY	LET <i>≤</i> THE≥ JURY	THAT SUBJECT;? LET THE JURY	
KNOW	KNOW	KNOW	
WHETHER IT IS	WHETHER IT IS	WHETHER IT IS	
SO OR NOT ? A. I	SO OR NOT AI	SO OR NOT? A. I	
PRESUME SO.	PRESUME YOU	PRESUME SO.	
Q. YOU KNOW	QYOU KNOW	Q. YOU KNOW	
IT — YOU DON'T	IT = YOU DON'T	IT, YOU DON'T	
PRESUME IT,	PRESUME IT, $^{[35]}$	PRESUME IT;	
CAN'T YOU	CAN'T YOU	CAN'T YOU	
STATE IT TO THE	STATE IT TO THE	TELL IT TO THE	
JURY A. I DO	JURY AI DO	JURY? A. I DO	
NOT KNOW IT.	NOT KNOW IT	NOT KNOW IT. Q.	
Q. AND YOU	AND YOU	DIDN'T YOU	
DIDN'T HEAR	DIDN'T HEAR	HEAR	
THE	THE	THE	
SUBJECT	SUBJECT	SUBJECT	
TALKED OF —	TALKED OF =	TALKED OF ?	

RT	RS	BT	PS
WHAT MAKES	WHAT MAKES	WHAT MAKES	
YOU	YOU	YOU SAY YOU	
PRESUME SO ?	PRESUME SO ?	PRESUME SO?	
^[368] A. IT	A≤BECAUSE> IT	A. IBECAUSE IT	
WAS NOT	WAS NOT	WAS NOT	
UNUSUAL TO DO	UNUSUAL TO DO	UNUSUAL TO DO	
SO. Q. HOW	SO QHOW	SO. Q. AT HOW	
MANY PLACES S	MANY PLACES	MANY PALACES	
DID THEY	DID THEY	D O ID THEY	
MUSTER THE	MUSTER	MUSTER THE	
MILITIA WHEN GEORGE A.	MILITIA, WHEN GEORGE A	MILITIA WHEN GEORGE A.	
SMITH WAS	SMITH WAS	SMITH WAS	
PRESENT ? A. I	PRESENT AI	PRESENT? A. HI	
COULD NOT	COULD NOT	COULD NOT	
SAY, BUT ON	SAY ABUT ON	SAY, BUT ON	
SEVERAL	SEVERAL	SEVERAL	
OCCASIONS,	OCCASIONS o	OCCASIONS. Q.	
TWO OR	TWO OR	SAT AT TWO OR	
THREE,	3 <these and=""></these>	THREE PLACES?	
PERHAPS	PERHAPS	A. PERHAPS	
MORE. Q. WHAT	MORE $\{\mathbf{Q}\}^i$ WHAT	MORE. Q. WHAT	
DID GEORGE A.	DID GEORGE A	DID GEORGE A.	
SMITH DO WHEN	SMITH DO WHEN	SMITH DO WHEN	
THEY WERE	THEY WERE	THEY WERE	
MUSTERED ? A.	MUSTERING A	MUSTERIN G? A.	
I DIDN'T SEE	I DIDN'T SEE	I DID NOT SEE	
HIM ON THE	HIM ON THE	HIM ON THE	
GROUND. Q. IT	GROUND, IT	GROUND. IT	
WAS A MERE	WAS A MERE	WAS A MERE	
MATTER OF	MATTER OF	MATTER OF	
ACCIDENT WAS	ACCIDENT WAS	ACCIDENT	
IT ? MATTER TO	MATTER TO	TO	
INSPECT THE	INSPECT THE	INSPECT THE	
ARMS THROUGH	ARMS THROUGH	ARMS THROUGH	
COL. DAME ? A.	COLONEL DAME	COL. DAME BY	
YES, AS HIS ADJUTANT. Q.	AS HIS ADJUTANT o	HIS AGITANT ADJUTANT. Q.	
DID YOU KNOW	DID YOU KNOW	DO YOU KNOW	
WHETHER	WHETHER	WHETHER	
COL. DAME	COLONEL DAME	COL DAME	
MADE ANY	MADE ANY	MADE ANY	
REPORTS TO	REPORTS TO	REPORTS TO	
HIM ? A. I DO NOT	HIM AI DO NOT	HIM? A. I DON'T	
KNOW. Q. DO	KNOW _o DO	KNOW. Q. DO	

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YOU KNOW	YOU KNOW	YOU KNOW	
WHETHER	WHETHER	WHETHER	
GEORGE A.	GEORGE A	GEORGE Q A.	
SMITH HAD ANY	SMITH HAD ANY	SMITH HAD ANY	
OBJECT IN HIS	OBJECT IN HIS	OBJECT IN HIS	
VISIT DOWN	VISIT DOWN	^[227] VISIT DOWN	
HERE ?	HERE ←IN THAT→	THERE IN THAT	
A.	RESPECT A	RESPECT? A.	
NONE	NONE	NONE,	
WHATEVER. Q.	WHATEVER. o	WHATEVER. Q.	
NOTHING SAID	NOTHING SAID	NOTHING SAID	
ON THE	ON THE	ON THE	
SUBJECT AND	SUBJECT =	SUBJECT?	
YOU	YOU	YOU	
TRAVELLED	TRAVELED	TRAVELLED	
WITH HIM	WITH HIM	WITH HIM	
FROM	FROM	TROUGH	
PAR,OWAN	PAROWAN	PAROWAN	
DOWN	DOWN	ALL	
THROUGH	THROUGH ALL	THROUGH	
THESE	THESE	THESE	
SOUTHERN	SOUTHERN	SOUTHERN	
SETTLEMENTS	SETTLEMENTS	SETTLEMENTS	
AND RETURNED	AND RETURNED	AND RETURNED;	
— HOW MANY	HOW MANY	HOW MANY	
MILES ?	MILES ← DID YOU	MILES DID YOU	
A. I	TRAVEL≻ AI	TRAVEL? A . I	
COULD NOT	COULD NOT	COULDNOT	
SAY. Q.	SAY. 0	SAY . Q. WELL,	
TO SANTA	TO SANTA	TO SANTA	
CLARA	CLARA =	CLARA?	
ABOUT HOW	ABOUT HOW	A. ABOUT,	
MANY ? A.	MANY WERE		
PROBABLY IN	PROBABLY IN	PROBABLY IN	
THE	THE	THE	
NEIGHBORHOOD	NEIGHBORHOOD	NEIGHBORHOOD	
OF FIFTY MILES.	50 MILES	OF I50 MILES.	
Q. HOW MANY	oHOW MANY	Q. HOW MANY	
MEETINGS DID	MEETINGS DID	MEETINGS	
YOU HOLD	YOU HOLD	DIDYOU HOLD	
DURING THAT	DURING THAT	DURINGTHAT	
TIME ? A. I	TIME AI	TIME? A I	
SUPPOSE I	SUPPOSE I	SUPPOSE I	
COULD TRACK	COULD TRACK	COULD TRACK	
IT UP BUT I	IT UP BUT I	IT UP, BUT I	

DON'T	DON'T	DON'T	
REMEMBER. Q.	REMEMBER o	REMEMBER. Q.	
WELL, ABOUT	WELL ABOUT	WELL, ABOUT	
HOW MANY — I	HOW MANY I	HOW MANY; I	
AM NOT ASKING	AM NOT ASKING	AM NOT ASKING	
YOU TO GIVE	YOU TO GIVE	YOU TO GIVE	
THE		THE EXACT	
NUMBER, BUT	NUMBER[?]	NUM BER, BUT	
ABOUT HOW	ABOUT HOW	ABOUT HOW	
MANY ? ^[369] A.	MANY A	MANY? A.	
FIVE OR SIX	5 OR 6	FIVE OR SIX	
MEETINGS. Q.	MEETINGS o	MEETINGS. Q.	
WHY DID YOU	WHY DID YOU	WHY ED ID YOU	
STOP AT THE	STOP AT	STOP AT THE	
SANTA CLARA	SANTA CLARA	SANTA CLARA	
AND NOT GO	AND ≤NOT≥ GO	AND NOT GO	
ANY FURTHER ?	ANY FARTHER	ANY FARTHER?	
A.	Α	A. BECAUSE	
THAT WAS THE	THAT WAS THE	THAT WAS THE	
EXTREME	EXTREME	EXTREME	
SOUTHERN	SOUTHERN	SOUTHERN	
SETTLEMENT.	SETTLEMENT	SETTLEMENT.	
Q. HOW DID	QHOW DID	AQ. HOW DID	
YOU HAPPEN TO	YOU HAPPEN TO	YOU HAPPEN TO	
GO WITH	GO WITH	G O TO WITH	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH ON THAT	SMITH ON THAT	SMITH ON THAT	
OCCASION ? A. I	OCCASION AI	OCCA I SION? A. I	
THINK HE	THINK HE	THINK HE	
INVITED ME TO	INVITED ME TO	INVITED ME TO	
ACCOMPANY	ACCOMPANY	ACCOMPANY	
HIM,	HIM	HIM;	
OTHERWISE I	OTHERWISE I	OTHERWISE I	
COULD NOT	COULD NOT	COULD NOT	
SAY. Q. WHAT	SAY _Q WHAT	SAY. Q. WHAT	
WAS THE	WAS THE	WAS THE	
OBJECT OF	OBJECT OF	OBJECT OF	
THAT VISIT TO	THAT VISIT TO	THAT VISIT TO	
THE SOUTH ? A.	THE SOUTH A	THE OSOUTHM.?	
	ADVICE>	A. ADVISING	
TEACHING THE	TEACHING THE	AND TEACHING	
PEOPLE,	PEOPLE =	THE PEOPLE—	
INSTRUCTING	INSTRUCTING	INSTRUCTING	
THEM TO LAY	THEM TO LAY	THEM TO LAY	
UP THE GRAIN. Q.	UP THE GRAIN	UP GRAIN.	

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AND ONE	QAND IN ALL	Q. AND IN ALL	
OF THESE	OF THESE	OF THESE	
MEETINGS YOU	MEETINGS YOU	MEETINGS, YOU	
SAY YOU	SAY YOU	SAY YOU	
DIDN'T HEAR	DIDN'T HEAR	DIDN'T HEAR	
THIS EMIGRANT	THIS EMIGRANT	THIS EMIGRANT	
TRAIN	TRAIN	TRAIN	
REFERRED TO ?	REFERRED TO	REFERRED TO ?	
A. I DID NOT. Q.	AI DID NOT Q	A I DID NOT. Q.	
YOU ARE SURE	<you are="" sure<="" td=""><td>YOU ARE SURE</td><td></td></you>	YOU ARE SURE	
OF THAT ? A. I	OF THAT> $_{A}I$	OF THAT? A I	
AM CERTAIN OF	AM CERTAIN OF	AM CERTAIN OF	
IT. Q. HOW	THAT _o HOW	THAT? Q. HOW	
FAR WAS THAT	FAR WAS THAT	FAR WAS THAT	
SOUTHERLY	SOUTHERLY	SOUTHER R NMO	
SETTLEMENT	SETTLEMENT	ST SETTLEMENT	
YOU STOPPED	YOU STOPPED	YUO STOPPED	
AT BEYOND THE	AT, BEYOND	AT BEYOND	
MOUNTAIN	THE MOUNTAIN	THE MOUNTAIN	
MEADOWS ? A.	MEADOW ? A	MEADOW? A :	
WE DIDN'T PASS	WE DIDN'T PASS	WE DIDN'T PASS	
BY THE	BY THE	BY THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOWS —	MEADOW,	MEADOWS; WE	
WENT DOWN	WENT DOWN	WENT DOWN	
THE OTHER	THE OTHER	THE OTHER	
ROAD. Q. HOW	ROAD oHOW	ROAD. Q. H O W	
FAR DID YOU	FAR DID YOU	FAR DID YOU	
PASS FROM THE	PASS FROM	PASS FROM THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOWS, OR	MEADOW, OR	MEADOW, OR	
HOW NEAR TO	HOW NEAR TO	HOW NEAR TO	
IT DID YOU	IT DID YOU	IT DID YOU	
PASS ? A. I	PASS AI	PASS? A. I	
PRESUME IT	PRESUME IT	PRESUME IT	
WAS THIRTY	WAS 30	WAS NEARLY 3 0	
MILES, I COULD	MILES, I COULD	MILES. I COULD	
NOT SAY	NOT SAY	NOT SAY	
DEFINITELY,	DEFINITELY,	DEFINITELY.	
THE ROADS	THE ROADS	THE ROADS	
DIVERGE FROM	DIVERGE FROM	DIVERGE FROM	
CEDAR. Q.	CEDAR 0	CEDAR CITY. Q.	
DURING THAT	DURING THAT	DURING THAT	
JOURNEY	JOURNEY, DID	JOURNE R Y	
DIDN'T	YOU DIDN'T	DIDN'T	

YOU TALK	YOU TALK	YOU TALK	
FREQUENTLY	FREQUENTLY	FREQUENTLY	
ON MILITARY	ON MILITARY	ON MILITARY	
MATTERS? A.	MATTERS A	MATTERS? A.	
WE MAY HAVE	WE MAY HAVE	WE MAY HAVE	
DONE, IT HAS	DONE, IT HAS	DONE SO ; IT HAS	
BEEN SO LONG	BEEN SO LONG	BEEN SO LONG	
I DON'T	I DON'T	THAT I DON'T	
REMEMBER THE	REMEMBER THE	REMEMBER THE	
CONVERSATION,	CONVERSATION;	CONVERSATION	
BUT NOT TO	BUT NOT TO	S, —BUT NOT TO	
MY	MY	MUY	
REMEMBRANCE;	REMEMBRANCE.	REMEMBERANC	
I WAS NOT	oI WAS NOT	E. I WA N SN'T	
MUSTERING	MUSTERING	MUSTERING	
COMPANIES, I	COMPANIES, I	COMPAN U IES; I	
MEAN THE	MEAN	MEAN THE	
PEOPLE WERE	PEOPLE WERE	PEOPLE WERE	
NOT, AND I WAS		NOT	
NOT IN THE	NOT/IN[?]	IN THE	
PRESENCE OF	PRESENCE OF	PRESENCE OF	
SOME OF THEM.	SMITH	SMITH. ^[228]	
Q. DO YOU	oDO YOU	Q. DO YOU	
KNOW	KNOW	Q. DO 100 KNOW	
WHETHER	WHETHER	WHETHER	
THESE	THESE	THIS	
INSPECTIONS	INSPECTIONS	INSPECTION WAS MADE	
WERE MADE	WERE MADE	WAS MADE	
ANY	OUT IN THEIR	OUT O IN THEIR	
REPORTS OF, OR	REPORTS AND	REPORTS —	
WERE MADE TO	WERE MADE TO	WERE MADE TO	
GEORGE A.	GEORGE A	GEORGE A .	
SMITH BY	SMITH BY	SMITH BY	
THESE	THESE	THESE	
OFFICERS ? ^[370] A.	OFFICERS A	OFFICERS? A.	
I DO NOT; I	I DO NOT, I	I DO NOT; I	
NEVER WAS	NEVER WAS	NEVER WAS	
PRESENT WHEN	PRESENT WHEN	PRESENT WHEN	
ANY OF THE	ANY	ANY	
REPORTS WERE	REPORTS WERE	REPORTS WERE	
MADE TO HIM.	MADE TO HIM	MADE TO HIM.	
Q. YOU	$Q \leq SURE[?]$	Q. YOU SAY YOU	
WERE NOT ? A.	NOT≥ _A	WERE NOT? A .	
NO SIR. Q. AND	NO SIR _Q AND	NO, SIR. Q. AND	
YOU	YOU	YOU	

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TRAVEL	TRAVEL	TRAVELLED	
WITH HIM BACK	WITH HIM BACK	WITH HIM BACK	
FROM THE	FROM THE	FROM THE	
	←EXTREME>	EXTREME	
SOUTHERN	SOUTHERN	SOUTHE N RN	
COUNTRY TO	COUNTRY TO	COUNTY TO	
CEDAR	CEDAR	CEDAR	
SPRINGS ? NO	SPRINGS AYES	SPRINGS? A.	
ANSWER. Q. WHO	SIR $\begin{bmatrix} \underline{36} \\ 0 \end{bmatrix}$	YES, SIR. Q .	
CAME	WHO CĂME	WHO CAME	
WITH HIM FROM	WITH HIM FORM	FROM	
SALT LAKE	SALT LAKE CITY	SALT LAKE CITY	
CITY,WITH	WITH	WITH	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH, IF ANY	SMITH IF ANY	SMITH, IF ANY	
ONE ? A. MR.	ONE AMR. HOWD	ONE? A. MR.	
HOWD	<howd>,</howd>	HOWD	
BROUGHT HIM	BROUGHT HIM	BROUGHT HIM	
TO PAROWAN.	TO PAROWAN	TO PAROWAN.	
Q. WAS THERE	o WAS THERE	Q. WAS THERE	
ANY PERSON	ANY PERSON	ANY PERSON	
TRAVELING	TRAVELING	TRAVELLING	
WITH HIM AS	WITH HIM AS	WITH HIM AS	
		TRAVELING	
COMPANY OR	COMPANION OR	COMPANION OR	
OTHERWISE ? A.	OTHERWISE A	O R THERWISE?	
I THINK HE WAS	I THINK HE WAS	A. I THINK HE	
ALONE, AS	ALONE AS	WAS ALONE, AS	
NEAR AS I	NEAR AS I	NEAR AS I CAN	
REMEMBER. Q.	REMEMBER Q	REMEMBER. Q.	
DID HE SAY	DID HE SAY	DID HE SAY	
ANYTHING TO	ANYTHING TO	ANYTHING TO	
YOU ABOUT	YOU ABOUT	YOU ABOUT	
WHAT HIS	WHAT HIS	WHAT HIS	
OBJECT WAS IN	OBJECT WAS IN	OBJECT WAS IN	
LEAVING SALT	LEAVING SALT	LEAVING SALT	
LAKE CITY AT	LAKE CITY AT	LAKE CITY AT	
THAT TIME AND	THAT TIME AND	T HAT TIME AND	
TRAVELING	TRAVELING	TRAVELING	
DOWN	DOWN	DOWN	
THROUGH THIS	THROUGH THIS	THROUGH THIS	
COUNTRY —	COUNTRY,	COUNTRY;. IF	
YOU KNOW	YOU KNOW	YOU KNOW	
WHAT	WHAT	STATE WHAT	
THAT OBJECT	THAT OBJECT	THAT OBJECT	

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	I	I	
WAS ? A.	WAS A	WAS? A.	
NOTHING	NOTHING	NOTHING	
MORE	←OTHER→ MORE	MORE	
THAN	THAN TO	THAN TO	
INSTRUCTING	INSTRUCT AND	INSTRUCT AND	
THESE PEOPLE —	GIVE	GIVE	
THESE PUBLIC	THIS PUBLIC	THESE PUBLIC	
INSTRUCTIONS.	INSTRUCTION	INSTRUCTIONS?	
Q. WHY DID HE	QWHY DID HE	Q. WHY DID HE	
GIVE THIS	GIVE THIS	GIVE THESE	
		PUBLIC	
INSTRUCTION —	INSTRUCTION,	INSTRUCTIONS?	
WHAT WAS HIS	WHAT WAS HIS	WHAT WAS HIS	
REASONFOR IT ?	REASON FOR IT	REASON FOR IT?	
A. I COULD NOT	AI COULD NOT	A. I COULD NOT	
TELL YOU	TELL YOU [space]	TELL YOU,	
WITHOUT IT	WITHOUT IT	WITHOUT IT	
WAS A LONG	WAS LONG	WAS A LONG	
TRAIN OF	TRAIN OF	TRAIN OR	
CIRCUMSTANCES	CIRCUMSTANCE	CIRCUMSTANCE	
. Q. I WANT	S _o I WANT	S. Q. I WANT	
YOU TO TELL	YOU TO TELL	YOU TO TELL	
JUST	NOW JUST	NOW, JUST	
ABOUT THE	ABOUT THE	ABOUT THE	
LANGUAGE HE	LANGUAGE HE	LANGUAGE HE	
HUSED ? A. HE	USED, _A HE	USED? A. HE	
WAS	WAS	WAS	
INSTRUCTING	INSTRUCTING	IN D STRUCTING	
THE PEOPLE TO	PEOPLE TO	THE PEOPLE TO	
LAY UP THEIR	LAY UP THEIR	LAY UP THEIR	
BREAD. Q. WHY	BREAD QWHY	BREAD. Q. WHY	
DID HE SAY LAY	DID HE SAY LAY	DID HE SAY,	
UP THEIR	UP THEIR	LAY UP THEIR	
BREAD ? A.	BREAD A	BRE₩AD? A.	
BECAUSE	≤BECAUSE≥	BECAUSE	
JOHNSON'S	JOHNSTON'S	JOHNSON'S	
ARMY WAS	ARMY WAS	ARMY WAS	
APPROACHING.	APPROACHING	APPROACHING.	
Q. WAS THERE	QWAS THERE	Q. WAS THERE	
ANYTHING SAID	ANYTHING SAID	ANYTHING SAID	
ABOUT	ABOUT	ABOUT	
PREVENTING	PREVENTING	PREVENTING	
ANY EMIGRANT	ANY EMIGRANT	ANY EMIGRANT	
TRAIN PASSING	TRAIN PASSING	TRAIN PASSING	
THROUGH THE	THROUGH THE	THROUGH THE	

RT	RS	ВТ	PS
COUNTRY ? ^[371] A.	COUNTRY A	COUNTRY? A.	
NOT A WORD ON	NOT A WORD ON	NOT A WORD ON	
THAT SUBJECT-,	THAT SUBJECT,	THAT SUBLJECT,	
NOT IN MY	NOT IN MY	NOT IN MY	
HEARING. Q. DID	HEARING ODID	HEARING. Q. DID	
YOU HEAR ANY	YOU HEAR ANY	YOU HEAR ANY	
PERSON,	PERSON IN	PERSON	
IN	HIS/NS[?] IN	IN	
YOUR HEARING,	YOUR HEARING	YOUR HEARING	
TALK TO HIM	TALK TO HIM	TALK TO HIM	
ON THAT	ON THAT	ON THAT	
SUBJECT A. NO	SUBJECT ANO	SUBJECT? A.	
SIR, AS I	SIR, AS I	NO,SIR, AS I	
HAVE STATED, I	HAVE STATED, I	HAVE STATED, I	
NEVER HEARD	NEVER HEARD	NEVER HEARD	
OF THIS	OF THIS	OF THIS	
EMIGRANT	EMIGRANT	EMIGRANT	
TRAIN TILL	TRAIN UNTIL	TRAIN TILL	
WE MET	WE MET	WE MET	
THEM. IT WAS	THEM. IT WAS	TTE HEM. IT WAS	
THE FIRST	THE FIRST	THE FIRST	
INTIMATION I	INTIMATION I	INTIMATION WE	
HAD OF THEM	HAD OF THEM	HAD OF THEM	
UNTIL WE	UNTIL WE	THE OF THEM	
MET THEM, OR	MET THEM., OR	MET THEM; O T R	
THAT THEY	THAT THEY	THAT THAYTEY	
WAS	WAS	THAT EHEY	
IN THE	IN THE	WERE INTHE	
COUNTRY. Q.	COUNTRY. o	COUNTRY. ^[229] Q.	
DID YOU AND	DID YOU AND	DID YOU AND	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH HAVE	SMITH HAVE	SMITH HAVE	
ANY	ANY	ANY	
CONVERSATION	CONVERSATION	CONVERSATION	
ABOUT THIS	ABOUT THIS	ABOUT THIS	
EMIGRANT	EMIGRANT	EMIGRANT	
TRAIN AT THE	TRAIN AT THE	TRAIN AT THE	
TIME YOU	TIME YOU	TIME YOU	
CAMPED WITH	CAMPED WITH	CAMPED WITH	
HIM ON	<i>'EM/HIM</i> [?] ON	HIS OFC ON	
CORN CREEK —	CORN CREEK?	CORN CREEK.	
NOW YOU	NOW YOU	NOW, YOU	
KNOW,AND	KNOW,	KNOW,	
WONT YOU	WONT YOU	WON'T YOU	
TELL WILLAT IE	TELL WILLT IE	WON I IOU	

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TELL WHAT IF

STATE, WHAT, IF

TELL WHAT, IF

RT	RS	BT	PS
ANY,		ANY	
CONVERSATION	←CONVERSATIO	CONVERSATION	
YOU HAD	N≥ YOU HAD	YOU HAD WITH	
IN	<in></in>	HIM IN	
RELATION TO	RELATION TO	RELATION TO	
THIS	THIS	THIS EMIGRANT	
TRAIN ? A. I	TRAIN AI	TRAIN? A. I	
DON'T	DON'T	DON'T	
REMEMBER	REMEMBER	REMEMBER	
ANYTHING	ANYTHING	ANYTHING	
ONLY PASSING	ONLY PASSING	ONLY PASSING	
REMARKS. Q.	REMARKS Q	REMARKS. Q.	
DIDN'T THEY	DIDN'T THEY	DIDN'T THEY	
MAKE	MAKE	MAKE	
ENQUIRIES OF	INQUIRIES OF	INQUIRIES OF	
YOU WHERE	YOU WHERE	YOU WHERE	
THEY COULD	THEY COULD	THEY COULD	
STOP AND	STOP AND	STOP AND	
RECRUIT THEIR	RECRUIT THEIR	RECRUIT THEIR	
STOCK	STOCK	STOCK	
SOMEWHERE IN	SOMEWHERE IN	SOMEWHERE IN	
THE SOUTH ? A.	THE SOUTH A	THE SOUTH? A.	
NOT IN MY	NOT IN MY	NOT IN MY	
HEARING. Q.	HEARING Q	HEARING. Q.	
DIDN'T YOU HEAR THAT	DIDN'T YOU HEAR THAT	DIDN'T YOU HEAR THAT	
TALKED	TALKED	TALK TALKED	
OF	OF	OF	
THERE ?	THERE/THEIR[?]	THERE? AT	
A.		THEIR CAMP? A.	
YES. Q. WHAT	YES QWHAT	YES. Q. WHAT	
WAS THE	WAS	WAS	
SUBJECT ? A. AS	SAID AAS	SAID? A. AS	
NEAR AS I	NEAR AS I	NEAR AS I	
REMEMBER	REMEMBER,	REMEMBER	
THEY ENQUIRED	INQUIRED	THEY ENQUIRED	
FOR A PLACE OF	FOR PLACE OF	FOR A PLACE	
		WHERE THERE	
GRASS TO	GRASS TO	WAS GRASS TO	
RECRUIT THE	RECRUIT THEIR	RECRUIT THEIR	
STOCK, THIS	STOCK, THIS	STOCK. THESE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOW WAS	MEADOW WAS	MEADOWS WAS	
KNOWN TO	KNOWN TO	KNOWN AS	
BE A	BE A	BEING A	

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PLACE OF	PLACE OF	P O LACE OF	
ABUNDANT	ABUNDANT	ABUNDANT	
GRASS, ON THE	GRASS ON THE	GRASS ON THE	
CLI CALIFORNIA	CALIFORNIA	CALIFORNIA	
ROAD, AND TO	ROAD AND TO	ROAD; AND TO	
THE BEST OF MY	THE BEST OF MY	THE BEST OF MY	
REMEMBRANCE	REMEMBRANCE	REMEMBERANC	
Ι	Ι	ΕI	
UNDERSTOOD	UNDERSTOOD	UNDER STOOD	
FROM	FROM	STTOON FROM	
THE PARTY	THE PARTY	THE PARTY	
AFTERWARDS	AFTERWARDS	AFTERWZARDS,	
THAT WOULD	THAT WOULD	THAT WOULD	
BE THE MOST	BE THE MOST	BE THE MOST	
SUITABLE	SUITABLE	SUITABLE	
PLACE TO	PLACE TO	PLACE TO	
RECRUIT. Q.	RECRUIT o	RECRUIT. Q.	
DIDN'T YOÙ	DIDN'T YOU	DIDN'T YOÙ	
HEAR GEORGE	HEAR GEORGE	HEAR GEORGE	
A. SMITH TELL	A SMITH TELL	A. SMITH TELL	
THEM IN	THEM, IN	THEM IN	
ANSWER TO A	ANSWER TO	ANSWER TO THE	
QUESTION PUT	QUESTION PUT	QUESTION T PUT	
TO HIM THAT	TO HIM, THAT	TO HIM THAT	
THAT WAS THE	WAS THE	THAT WAS THE	
PLACE TO STOP,	PLACE TO STOP	PLACE TO STOP,	
AND THE MOST	= MOST	MOST SUITABLE	
VALUABLE ? A.	VALUABLE A	VALUABLE? A.	
NO SIR. ^[372] Q.	NO SIR Q	NO, SIR. Q.	
YOU DID HEAR,	YOU DID HEAR,	YOU DID HEAR	
IN YOUR OWN	IN YOUR OWN	THE THIN R G	
PARTY,	PARTY	YOURSELF,	
THAT THAT WAS	THAT WAS	THAT THAT WAS	
THE PLACE TO	THE PLACE TO	THE BEST PLACE	
RECRUIT	RECRUIT	TO RECRUIT	
THEIR STOCK ?	THEIR STOCK	THEIR STOCK?	
A. YES, IN	AYES SIR IN	A. YES, SIR, IN	
CONVERSATION.	CONVERSATION	CONVERSATION.	
Q. WHO DID	_Q WHO DID	Q. WHO DID	
YOU HEAR	YOU HEAR	Y U OU HEAR	
TALKING	TALKING	TALKING	
ABOUT IT ? A.	ABOUT IT A	ABOUT IT? A	
SOME OF	SOME OTHER/OF	SOME OTHER	
THE PARTY,	THEIR[?] PARTY,	PARTY BUT	
I CANNOT SAY. Q.	I CANNOT SAY Q	I CAN'T SAY. Q.	

RT	RS	ВТ	PS
WHAT DID THEY	WHAT DID THEY	WHAT DID THEY	
SAY ABOUT IT ?	SAY ABOUT IT	SAY ABOUT IT?	
A. THEY WERE	ATHEY WERE	A. THEY WERE	
TOLD THAT THAT	TOLD THAT	TOLDTHAT	
WAS THE BEST	WAS THE BEST	WAS THE BEST	
PLACE;	PLACE,	PLACE;	
SOME ONE	SOME ONE	SOMEONE	
ASKED MY	ASKED MY	ASKED MY	
OPINION OF IT,	OPINION OF IT	OPINION OF IT	
AFTERWARDS,	AFTERWARDS,	AFTERWARDS,	
IF I KNEW OF	IF I KNEW OF	IF I KNEW OF	
A BETTER	<a≥ better<="" td=""><td>A BETTER</td><td></td></a≥>	A BETTER	
PLACE FOR	PLACE FOR	PLACE FOR	
STOCK TO	STOCK TO	STOCK TO	
RECRUIT. Q. WAS NOT IT	RECRUIT. Q WAS NOT	RECRUIT. Q. IT WASN'T	
TALKED OF AS	TALKED OF AS	TALKED OF AS	
THE BEST PLACE	THE BEST PLACE	THE BEST PLACE	
TO MASSACRE	TO MASSACRE	TO MASSACRE	
THIS TRAIN ? A.	THIS TRAIN A	THIS TRAIN? A.	
NO SIR,	NO SIR	NO, SIR,	
NOTHING SAID	NOTHING SAID	NOTHING SAID	
ABOUT IT.	ABOUT IT. BY	ABOUT IT. M ^{<u>R</u>}	
SUTHERLAND:	SUTHERLAND	SUTHERLAND:	
BROTHER	BROTHER	BROTHER	
BASKIN, THAT IS	BASKIN, THAT IS	BASKIN, THAT IS	
RATHER	RATHER CHEEKING	RATHER	
CHEEKY. Q.	<cheeky≥ 0<="" td=""><td>CHEEKY. Q.</td><td></td></cheeky≥>	CHEEKY. Q.	
YOU NEVER	YOU NEVER	YOU NEVER	
HEARD	HEARD	HEARD	
ANYTHING SAID	ANYTHING SAID	ANYTHING SAID	
ON THAT	ON THAT	ON THAT	
SUBJECT ? —	SUBJECT	SUBJECT,	
	NEVER? A	NEVER? A.	
NEVER HEARD	NEVER HEARD	NEVER HEARD	
THERE WAS	THERE WAS	THERE WAS	
ANY FEELING	ANY FEELING	ANY FEELING IN	
WITH RESPECT	WITH RESPECT	THAT RESPECT	
TO THIS	TO ABOUT THIS	ABOUT THIS	
TRAIN—GEORGE	TRAIN. GEORGE	TRAIN. GEORGE	
A. SMITH NEVER	A SMITH NEVER	A. SMITH NEVER	
EXPRESSED	EXPRESSED ^[37]	EXPRESSED	
ANYTHING OF	ANYTHING OF	ANYTHING OF	
THE SORT TO	THE SORT. Q	THE SORT. ^[230] Q.	

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

ANY OF THE	ANY OF THE	ANY OF THE	
LEADERS	LEADERS	LEADERS	
COMING FROM	COMING FROM	COMING FROM	
SALT ^[373] LAKE	SALT LAKE	SALT LAKE	
CITY AND	CITY, AND	CI Y, AND	
MAKING THAT	MAKING THAT	MAKING THAT	
DISTANCE AND	DISTANCE AND	DIASTANCE AND	
BACK ALONE,	BACK ALONE	BACK ALONE,	
UNATTENDED	UNATTENDED	UNATTENDED	
BY ANY	BY ANY	BY ANY	
PERSON ? A.	PERSON A	PERSON? A.	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH CAME	SMITH CAME	SMI G TH CAME	
AFTERWARDS.	AFTERWARD	AFTERWARD.	
Q. BUT	≤BASKIN≥ ₀ BUT	Q. BUT	
HE HAD SOME	HE HAD SOME	HE HAD SOME	
PERSON WITH	PERSON WITH	PERSON WITH	
HIM,HADN'T HE,	HIM HADN'T HE.	HIM, HADN'T HE	
THAT TRIP	THAT TRIP	ON THAT TRIP	
OUT THERE ? A.	OUT THERE A	OUT THERE? A.	
NOT TO MY	NOT TO MY	NOT TO MY	
REMEMBRANCE;	REMEMBRANCE	REMEMBERANC	
HE CAME	HE CAME	E. HE CAME	
WITH ME FROM	WITH ME FROM	WITH ME FROM	
SAN PETE. Q.	SANPETE o	SAN PETE, Q.	
HOW LONG	HOW LONG	HOWLONG	
AFTER THE	AFTER THE	AFTER THE	
MASSACRE ?	MASSACRE	MASSACRE WAS	
A. I	AI	THAT? A. I	
THINK THIS	THINK < THIS>	THINK THIS	
WAS ABOUT IN	WAS ABOUT IN	WAS ABOUT IN	
1864; THIS TIME	1864 THIS TIME	1864, THIS TIME	
IALLUDE	I ALLUDE	THATI ALLUDE	
TO, HE CAME	TO, CAME	TO. HE CAME	
THROUGH ON	THROUGH ON	THROUGH ON	
ANOTHER	ANOTHER	ANOTHER	
OCCASION WITH	OCCASION WITH	OCCASION WITH	
JUDGE	JUDGE	JUDGE	
KANE,)	KANE	K	
<q></q> HE	≺KINNEY> , HE	KINNEY. ³⁴⁹ Q. HE	
WAS WITH	WAS NOT WITH	WASN I T WITH	
HIM ON THE	HIM ON THE	HIM ON THE	
OCCASION	OCCASION	ACCASION	

349. John F. Kinney.

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

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	1	1	1
DOWN	DOWN		
THROUGH, DID	THROUGH ≤ DID		
HE ? A. HE	HE ≥ _A HE	A. HE	
STOPPED A DAY	STOPPED A DAY	STOPPED A DAY	
OR TWO IN	OR TWO IN	OR TWO IN	
PAROWAN; NO	PAROWAN, NO	PAROWAN, NO	
LONG STAY IN	LONG STAY IN	LONG STAY IN	
ANY	ANY	ANY OF THE ^[231]	
SETTLEMENT.	SETTLEMENT.	SETTLEMENTS.	
Q. YOU	oYOU	Q. YOU	
UNDERTOOK TO	UNDERTAKE TO	UNDERTAKE TO	
STATE TO THIS	STATE TO THIS	STATE TO THIS	
JURY THAT	JURY, THAT	JURY THAT	
HE CAME	HE CAME	WHEN HE CAME	
DOWN THERE	DOWN	DOWN	
AND	THERE/THROUG	THROUGH	
	$H[?] \leftarrow AND$	THESE	
		SETTLEMENTS,	
TELLING THE	TOLD THE	TELLING THE	
PEOPLE THAT	PEOPLE→ THEY	PEOPLE	
THEY MUST NOT	MUST NOT SELL	THEY MUST NOT	
SELL GRAIN TO	GRAIN TO	SELL GRAIN TO	
THESE	THESE	THESE	
		THETHOSE	
EMIGRANTS	EMIGRANTS	EMIGRANTS	
AND MAKING	AND OTHER	AND OTHER	
OTHER REMARKS	EMIGRANTS,	EMIGRANTS;—	
_	MORE OR LESS[?]	THAT HE	
DID NOT HE	DID NOT HE	DID NOT HE	
HAVE	HAVE	HAVE	
ANY OTHER	ANY OTHER	ANOTHER	
MATTERS ? A. I	MISSION AI	MISSION? A. I	
DID NOT STATE	DID NOT STATE	DIDN'T STATE	
THAT.	THAT[?]	THAT,	
Q.		HOWEVER. Q.	
WHO HAVE	WHOM HAVE	WHO HAVE	
YOU TALKED	YOU TALKED	YOU TALKED	
WITH ABOUT	WITH ABOUT	WITH ABOUT	
THIS CASE	THIS CASE,	THIS CASE	
BEFORE YOU	BEFORE YOU	BEFORE YOU	
CAME ON THE	CAME ON THE	CAME ON THE	
STAND —	STAND,	STAND? A. NO	
DIDN'T	DIDN'T	ONE; Q. DIDN'T	
YOU HAVE A	YOU HAVE	YOU HAVE A	
TALK WITH	TALK WITH	TALK WITH	

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THESE	THOSE	THESE	
ATTORNEYS	ATTORNEYS	ATTORNEYS	
BEFORE YOU	BEFORE YOU	BEFORE YOU	
CAME ^[374] ON	CAME ON	CAME ON	
THIS STAND ? A. I	THIS STAND, _A I	THIS STAND? A. I	
MET THEM	MET THEM	MET W THEM	
WHEN I CAME IN	WHEN I CAME IN	WHEN I CAME IN	
LAST NIGHT. Q.	LAST NIGHT Q	LAST NIGHT. Q.	
AND YOU HAD	AND YOU HAD	AND YOU HAD	
NO SPECIAL	NO SPECIAL	NO SPECIAL	
TALK ? A.	TALK A	TALK? A.	
NOTHING MORE	NOT MORE	NO, MORE	
THAN WHAT I	THAN WHAT I	THAN WHAT I	
KNEW ABOUT	KNEW ABOUT	KNEW ABOUT	
IT; NOTHING	IT, NOTHING	IT; B NO	
FURTHER THAN	FURTHER THAN	FURTHER THAN	
I WOULD TALK	I WOULD TALK	I WOULD TALK	
WITH ANY MAN.	WITH NO MAN.	WITH ANY MAN.	
Q. DIDN'T YOU	QDIDN'T YOU	Q. DIDN'T YOU	
HAVE A	HAVE	HAVE A	
CONVERSATION	CONVERSATION	CONVERSATION	
WITH THEM AS	WITH THEM AS	WITH THEM AS	
TO WHAT YOU	TO WHAT YOU	TO WHAT YOU	
WOULD TESTIFY	WOULD TESTIFY	WOULD TESTIFY	
TO ? A. NO. Q.	TO ANO Q	TO? A.NO , . Q.	
DIDN'T YOU	DIDN'T YOU	DIDN'T YOU	
UNDERSTAND	UNDERSTAND	STATE	
ABOUT WHAT	ABOUT WHAT	ABOUT WHAT	
YOU KNEW OF	YOU KNEW OF	YOU KN O EW OF	
THE CASE ? A. I	THE CASE AI	THE CASE? A. I	
DID. Q. DIDN'T	DID _Q DIDN'T	DID Q. D D IDN'T	
YOU STATE TO	YOU STATE TO	YOU STATE TO	
THEM WHAT	THEM WHAT	THEM WHAT	
YOU WOULD	YOU WOULD	YOU WOULD	
TESTIFY TO	TESTIFY	TESTIFY TO	
WHEN YOU	WHEN	WHEN	
WERE PUT ON	PUT ON	PUT ON	
THE STAND ? A. I	THE STAND _A I	THE ATAND? A. I	
PRESUME SO. Q.	PRESUME SO Q	PRESUME SO. Q.	
WAS NOT YOUR	WAS NOT YOUR	WASN'T YOUR	
BROTHER	BROTHER	BROTHER	
PRESENT ? A.	PRESENT A	PRESENT? ³⁵⁰ A.	
YES. Q. DIDN'T	YES QDIDN'T	YES. Q. DIDN'T	

350. Jesse N. Smith.

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YOU COMPARE	YOU COMPARE	YOU COMPARE	
NOTES TO SEE	NOTES TO SEE	NOTES AND SEE	
HOW YOUR	HOW YOUR	HOW YUR	
STATEMENT	STATEMENT	STATEMENTS	
WOULD AGREE	WOULD AGREE	WOULD AGREE	
AFTERWARDS	AFTERWARDS	AFTERWARDS	
WITH SMITH ?	ABOUT/BY[?]	ABOUT	
	SMITH	SMITH SMIGTH?	
A. NO. Q. DIDN'T	ANO ODIDN'T	A . NO. Q. DIDN'T	
YOU AND YOUR	YOU AND YOUR	YOU AND YOUR	
BROTHER	BROTHER AND	BROTHER	
HAVE	YOU HAVE	HAVE	
SOME	SOME	SOME	
CONVERSATION	CONVERSATION	CONVERSATION	
BEFORE YOU	[38] BEFORE YOU	BEFORE YOU	
CAME UP HERE	CAME UP HERE	CAME UP HERE	
TO SEE HOW	TO SEE HOW	TO SEE HOW	
YOU WOULD	YOU WOULD	YOU WOULD	
COMPARE ? A.	COMPARE A	COMPARE? A.	
NONE	NONE	NONE	
WHATEVER. Q.	WHATEVER o	WHATEVER. Q.	
WHERE DID YOU	WHERE DID YOU	WHERE DIDYOU	
MEET YOUR	MEET YOUR	MEET YOUR	
BROTHER LAST,	BROTHER LAST	BROTHER LAST	
BEFORE	BEFORE	BEFORE	
COMING HERE	COMING HERE \leq ,	COMING HERE?	
	DIDN'T YOU	DIN DIDN'T YOU	
THIS	MEET ≥ THIS	MEET THIS	
MORNING ? A.	MORNING A	MORNING? A .	
NO, NOT	NO oNOT	NO. Q. I M	
IMMEDIATELY	IMMEDIATELY	IMMEDIATELY,	
OR RECENTLY. I	RECENTLY AI	RECENTLY-? A. I	
RED LIVE AT RED	LIVE AT RED	M LIVE AT RED	
CREEK AND HE	CREEK HE	CREEK, HE	
LIVES AT	LIVES AT	LIVES AT	
PAROWAN. ^[375] Q.	PAROWAN o	PAROWAN. Q.	
YOU BOTH	YOU BOTH	YOU BOTH	
CAME THE	CAME THE	CAME THE	
SAME ROAD ? A.	SAME ROAD A	SAME ROAD? A	
WE CAME	WE CAME	WE CAME	
TOGETHER. Q. IN	TOGETHER OIN	TOGETHER. Q. IN	
COMING	COMING	COMING	
TOGETHER	TOGETHER	TOGETHER	
FROM THERE	FROM THERE	FROM THERE,	
DIDN'T YOU	DIDN'T YOU	DIDN'T YOU	

	•	•	
TALK ABOUT	TALK ABOUT	TALK ABOUT	
THIS SUBJECT —	THIS SUBJECT?	THIS SUBJECT-?	
YOU KNOW	YOU KNOW	YOU KNOW	
WHETHER YOU	WHETHER YOU	WHETHER YOU	
DID OR NOT ? A. I	DID OR NOT AI	DID OR NOT? A. I	
THINK NOT	THINK NOT	THINK NOT	
MUCH, BUT WE	MUCH, WE	N MUCH; WE	
MIGHT HAVE	MIGHT HAVE	MIGHT HAVE	
ALLUDED TO IT.	ALLUDED TO IT	ALLUDED TO IT.	
Q. WHY DID YOU	QWHY DID YOU	Q. WHY DID YOU	
SAY JUST NOW	SAY JUST NOW,	SAY JUST NOW	
YOU DIDN'T	YOU DIDN'T	YOU DIDN'T	
TALK ABOUT IT	TALK ABOUT IT	TALK ABOUT IT	
AT ALL ? A. I	AT ALL ? _A I	AT ALL? A. I	
CAN EXPLAIN	CAN EXPLAIN	COULD EXPLAIN	
HOW I	HOW I	HOW I	
UNDERSTOOD	UNDERSTOOD	UNDERSTOOD	
YOUR	YOUR	YOUR	
QUESTION. Q.	QUESTION o	QUESTION. Q.	
DIDN'T YOU	DIDN'T YOU	DIDN'T YOU	
AND YOUR	AND MY YOUR	AND YOUR	
BROTHER HAVE	BROTHER HAVE	BROTHER HAVE	
А		А	
CONVERSATION	CONVERSATION	CONVERSATION	
ABOUT THIS	ABOUT THIS	ABOUT THIS. ^[232]	
MOUNTAIN	MOUNTAIN	A. MOUNTAIN	
MEADOWS	MEADOW	MEADOW	
MASSACRE ? A. I	MASSACRE AI	MASSACRE? A I	
PRESUME WE	PRESUME WE	PRESUME WE	
DID. Q. DON'T	DID oDON'T	DID. Q. DON'T	
YOU KNOW YOU	YOU KNOW YOU	YOU K L NOW	
DID. A. TO A	DID _A TO A	YOU DID? A. TO	
CERTAIN	CERTAIN	A CERTAIN	
EXTENT. Q.	EXTENT o	EXTENT. Q.	
DON'T YOU	DON'T YOU	DON'T YOU	
KNOW YOU AND	KNOW YOU AND	KNOW YOU AND	
YOUR BROTHER	YOUR BROTHER	YOUR BROTHER	
TALKED OVER	TALKED OVER	T Q ALKED OVER	
THIS MATTER	THIS MATTER	THIS MATTER	
AS YOU CAME	AS YOU CAME	AS YOU CAME	
TO COURT HERE	TO COURT HERE	TO COURT HERE	
IN DETAIL ? A.	IN DETAIL A	IN DETAIL? A.	
NO, NOT IN	NO NOT IN	NO, NOT IN G	
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DETAIL;	DETAIL.	DETAIL.	

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EXPLAIN HOW I	EXPLAIN HOW I	EXPLAIN HOW I	
UNDERSTOOD	UNDERSTOOD	UNDERSTOOD	
YOUR	YOUR	YOUR	
QUESTION) ←Q.→ I	QUESTION. I	QUESTIO J N. Q. I	
WANT YOU TO	WANT YOU TO	WANT YOU TO	
ANSWER MY	ANSWER MY	ANSWER MY	
QUESTION, I WANT T NO	QUESTIONS I WANT NO	QUESTION; I WANT NO	
EXPLANATION—	EXPLANATIONS.	EXPLANATIONS.	
WHAT DID YOU	WHAT DID YOU	WHAT DID YOU	
AND YOUR	AND YOUR	AND YOUR	
BROTHER SAY	BROTHER SAY	BROTHER SAY	
TO EACH OTHER	TO EACH OTHER	TO EACH OTHER	
AS YOU CAME	AS YOU CAME	AS YOU CAME	
HERE ? A. I	HERE AI	HERE? A. I	
COULD NOT	COULD NOT	COULD NOT	
SAY, WE HAD	SAY WE HAD	SAY; WE HAD	
VERY LITTLE	VERY LITTLE	VERY LITTLE	
CONVERSATION	CONVERSATION	V CONVERSATIO	
ON THIS	ON THIS	N ON THIS	
MATTER. Q. YOU	MATTER. _Q YOU	MATTER. Q. YOU	
KNEW BEFORE	KNEW BEFORE	KNEW BEFORE	
YOU ARRIVED	YOU ARRIVED	YOU ARRIVED	
HERE THAT	HERE,	HERE	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH WAS	SMITH WAS	SMITH WAS BY	
BY EVIDENCE	BY EVIDENCE	BY AS BEING BY EVIDENCE	
IMPLICATED	IMPLICATED	IMPLICATED BY	
AS	AS	ACCESSORY AS	
BEING	BEING	BEING	
ACCESSORY TO	ACCESSORY TO	ACCESSORY TO	
THAT	THAT	THAT	
MASSACRE ?	MASSACRE . BY	MASSACRE? M ^R	
SUTHERLAND:	SUTHERLAND.	SUTHERLAND:	
THE PARTIES	PARTIES	THE PARTIES	
HAVE SHOWN	HAVE SHOWN	HAVE SHOWN	
BY EVIDENCE	BY QUESTION	BY QUESTIONS	
	AND	AND	
	TESTIMONY	TESTIMONY,	
THAT THAT IS	THAT IS	THAT THAT IS	
ENTIRELY	ENTIRELY	ENTIRELY	
UNTRUE. HE	UNTRUE, HE	UNTRUE, AND	
HAS	HAS	COUNSEL HAS	
NO RIGHT TO	NO RIGHT TO	NO RIGHT TO	

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ASSUME IT IN	ASSUME IT IN	ASSUME IT IN	
PUTTING THAT	PUTTING THAT	PUTTING THAT	
QUESTION TO	QUESTION TO	QUESTION TO	
THIS WITNESS.	THIS WITNESS	THIS WITNESS.	
	BASKIN		
Q. DIDN'T YOU	o≤DIDN'T≥ YOU	Q. DIDN'T YOU	
HEAR THERE	HEAR THERE	HEAR THERE	
WAS SOME	WAS SOME	WAS SOME	
EVIDENCE	EVIDENCE	EVIDENCE	
TENDING TO	TENDING TO	TENDING TO	
IMPLICATE HIM ?	IMPLICATE HIM	IMPLICATE HIM?	
		M ^R	
SUTHERLAND:	SUTHERLAND	SUTHERLAND:	
AND WE OBJECT	I OBJECT	I OBJECT	
TO THAT	TO THAT	TO THAT	
QUESTION AS	QUESTION AS	QUESTION AS	
BEING	BEING	BEING	
UNCALLED	<i>≤</i> UNCALLED	UNCALLED	
FOR AND ^[376]	FOR≥	FOR AND	
DISRESPECTFUL.	DISRESPECTFUL	DISRESPECTFUL.	
BASKIN:	BASKIN;	M^{R} BASKIN:	
THIS PARTY HAS	THIS PARTY HAS	THIS PARTY HAS	
SHOWN HIS	SHOWN HIS	SHOWN HIS	
RELATIONSHIP	RELATION-SHIP	RELATIONSHIP	
TO GEORGE A.	\Rightarrow TO GEORGE A	TO GEORGE A.	
SMITH; I WANT	SMITH, I WANT	SMITH I WANT	
TO SHOW THE	TO SHOW THE	TO SHOW THE A	
FACT BY THIS	FACT BY THIS	FACT BY THIS	
WITNESS THAT I	WITNESS THAT I	WITNESS THAT I	
DON'T NOW	DON'T NOW	DO NOT NOW	
HAVE TO CALL	HAVE TO CALL	WISH TO CALL	
THE WITNESSES	THE WITNESS'S	THE WITNESSES	
ATTENTION TO.	ATTENTION TO.	ATTENTION TO.	
COURT:	BY COURT I	THE COURT: I	
THAT	THINK THAT	THINK THAT	
WOULD BE A	WOULD BE A	WOULDBE A	
PROPER	PROPER	PROPER	
QUESTION.	QUESTION.	QUESTION.	
A T	EXCEPTION BY	EXCEPTION BY	
A. I Hadny't the	DEFENSE AI	DEFENDANT: A. I	
HADN'T THE	HADN'T THE	HADN'T THE	
LEAST IDEA	LEAST IDEA	LEAST IDEA	
WHAT WAS	WHAT WAS	WHAT WAS	
WANTED. Q.	WANTED Q	MWANTED. Q.	
YOU HAD	YOU HAD	YOU HAD	

HEARD TO THE	HEARD OF THAT	HEARD OF THAT	
EFFECT THAT	FACT, THAT	FACT, THAT	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH, BY	SMITH BY	SMITH, BY	
EVIDENCE, WAS	EVIDENCE WAS	EVIDENCE WAS	
IMPLICATED IN	IMPLICATED IN	IMPLICATED IN	
THIS MATTER ?	THIS MATTER	THIS MATTER.	
		READ OF IT? M^R	
SUTHERLAND:	≤SUTHERLAND≥	SUTHERLAND:	
I OBJECT TO THE	I OBJECT TO THE	I OBJECT TO THE	
QUESTION	QUESTION,	QUESTION,	
ASKING THIS	ASKING THIS	ASKING THIS	
WITNESS	WITNESS	WITNESS A— S	
AS TO	AS TO	ABOUT TO	
EVIDENCE IN	EVIDENCE IN	EVIDENCE AS	
RELATION TO	RELATION TO	ТО	
GEORGE A.	←GEORGE≻	GEORGE A.	
SMITH	SMITH	SMITH . ,	
OR	EXPRESSED OR	OR	
THE	THE	THE	
EXPRESSION OF	EXPRESSION OF	EXPRESSION OF	
HIS OPINION	HIS OPINION	HIS OPINION	
WITH RESPECT	WITH RESPECT	WITH RESPECT	
TO THE NOTES	TO THE NOTES	TO THE NOTES,	
OF THE	OF THE	OF THE	
EXAMINATION	EXAMINATION	EXAMINATION	
AS PUBLISHED	AS PUBLISHED	AS PUBLISHED	
IN THE	IN THE	IN THE	
NEWSPAPER.	NEWSPAPER.	NEWS PAPER.	
WITNESS:	BASKIN		
NOTHING	ANOTHING	A. NOTHING	
FURTHER THAN	FURTHER THAN	FURTHER THAN	
WHAT I SAW	WHAT I SAW	WHAT I SAW	
PUBLISHED.	PUBLISHED	PUBLISHED. ^[234]	
Q. WERE YOU	WERE YOU	Q. YOU WERE	
SUBPOENAED	SUBPOENAED	SUBPOENAED	
TO ATTEND	TO ATTEND	TO ATTEND	
COURT HERE ?	COURT HERE	COURT HERE? A.	
A. NO. ³⁵¹ Q. HOW	ANO QHOW	NO. Q. HOW	
WAS IT YOU	WAS IT YOU	WAS IT YOU	
CAME TO BE	CAME TO BE	CAME TO BE	
HERE ? A. I	HERE AI	HERE? A. I	

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^{351.} The only known extant subpoena issued for Silas Smith was for Lee's second trial, April 19, 1876.

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

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SUTHERLAND ?	SUTHERLAND	SUTHERLAND?	
A. YES SIR. Q.	AYES SIR Q	A. YES, SIR. Q.	
DIDN'T GEORGE	DIDN'T GEORGE	DIDN'T GEORGE	
A. SMITH, WHEN	A SMITH WHEN	A. SMITH WHEN	
HE WAS	HE WAS	HE WAS	
TRAVELING	TRAVELING	TRAVEL L ING	
DOWN THERE	DOWN THERE	DOWN THERE	
AT CORN	AT CORN	AT CORN	
CREEK, TELL	CREEK, TELL	CREEK TELL	
YOU THIS	YOU THESE	YOU THESE	
PEOPLE WERE	PEOPLE WERE	PEOPLE WERE	
CHARGED WITH	CHARGED WITH	CHARGED WITH	
HAVING KILLED	HAVING KILLED	HAVING KILLED	
THE PROPHET	THE PROPHET	THE PROPHET	
JOE SMITH ? A.	JOE SMITH A	JOE SMITH? A.	
NOTHING OF	NOTHING ≤ OF	NOTHING OF	
THE KIND	THE KIND≻	THE KIND	
WHATEVER. Q.	WHATEVER o	WHATEVER. Q .	
NEVER HEARD	NEVER HEARD	NEVER HEARD	
ANYTHING	ANYTHING	ANYTHING OF	
		THE KIND	
ABOUT IT ? A.	ABOUT IT A	ABOUT IT? A.	
NO SIR. Q.	NO SIR. 0	NO, SI \mp R . Q.	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH NEVER	NEVER	NEVER	
TOLD YOU HIZS	TOLD YOU HIS	TOLD HIMS	
BUSINESS DOWN	BUSINESS DOWN	BUSINESS DOWN	
THERE, EXCEPT	THERE, EXCEPT	HERE EXCEPT	
WHAT YOU	WHAT YOU	WHAT YOU	
GATHERED	GATHERED	GATHERED	
FROM WHAT HE	FROM WHAT HE	FROM WHAT HE	
SAID ? A. NO SIR.	SAID ANO SIR	SAID? A. NO, SIR.	
Q. IT WASN'T	oIT WASN'T	Q. IT WASN'T	
NO. MILITARY	NO MILITARY	ANY MILITARY	
OBJECT ? A. NOT	OBJECT ANOT	OBJECT? A. NOT	
ТОМҮ	TO MY	ТО МУ	
KNOWLEDGE,	KNOWLEDGE,	KNOWLEDGE,	
ANY FURTHER	ANY FURTHER	ANY FURTHER	
THAN THAN	THAN THAT	THAN	
THIS MILITIA	THIS MILITIA	THESE MILLITIA	
WAS	WAS	WAS	
MUSTERED	MUSTERED.	MUSTERED.	
Q. AS THEY	AS HE o	Q. AS HE	
PASSED ALONG	PASSED ALONG	PASSED ALONG	
THROUGH THE	THROUGH	THROUGH THE	

RT	

COUNTRY	COUNTRY,	COUNTRY	
DIDN'T THE HE	DIDN'T HE	DIDN'T HE	
HAVE	HAVE	HAVE	
CONSULTATIONS	CONSULTATION	CONSULTATION	
WITH THEM AND	S WITH THEM,	S WITH THEM?	
DIDN'T HE	DIDN'T HE	DIDN'T HE	
CONSULT WITH	CONSULT WITH	CONSULT WITH	
DAME AT	DAME AT	DAME AT	
PAROWAN ? A.	PAROWAN A	PAROWAN? A.	
NOT THAT I	NOT THAT I	NOT THAT I	
KNOW OF. Q.	KNOW OF o	KNOW OF. Q.	
DIDN'T YOU SEE	DIDN'T YOU SEE	DIDN'T YOU SEE	
THEM	THEM	THEM	
TOGETHER IN	TOGETHER IN	TOGETHER IN	
CONSULTATION ?	CONSULTATION	CONSULTATION	
A. I SAW	? _A I SAW	? A. I S Z AW	
THEM	THEM	THEM	
TOGETHER	TOGETHER	TOGETHER	
FREQUENTLY. Q.	FREQUENTLY O	FREQUENTLY. Q.	
WHERE DID YOU	WHERE DID YOU	WHERE DID YOU	
AND GEORGE A.	AND GEORGE A	AND GEORGE A.	
SMITH STOP	SMITH STOP	SMITH STOP	
WHEN HE WAS	WHEN HE WAS	WHEN HE WAS	
DOWN THERE ? A.	DOWN THERE A	DOWN THERE A.	
STOPPED AT HIS	STOPPED AT HIS	STOPPED AT HIS	
OWN HOUSE. Q.	OWN HOUSE o	OWN HOUSE. Q.	
HIS HOUSE IN	HIS HOUSE IN	HIS HOUSE IN	
PAROWAN—DID	PAROWAN, DID	PAROWAN; DID	
HE	HE	HE	
HAVE A FAMILY	HAVE FAMILY	HAVE A FAMILY	
DOWN THERE ? A.	DOWN THERE	DOWN THERE?	
YES.	AYES	A. YES. ^[235]	
Q. DIDN'T YOU	oDIDN'T YOU	Q.DIDN'T YOU	
SEE DAME AND	SEE DAME AND	SEE DAME AND	
HIM IN	HIM IN	HIM IN	
CONVERSATION	CONVERSATION	CONVERSATION	
FREQUENTLY ?	FREQUENTLY	FREQUENTLY?	
A. I SAW THEM	AI SAW THEM	A. I SAW THEM	
TOGETHER. Q.	TOGETHER	TOGETHER. Q.	
DIDN'T YOU	DIDN'T YOU	DIDN'T YOU	
HEAR THEM	HEAR THEM	HEAR THEM	
TALK	TALK	TALKING	
ABOUT	ABOUT	ABOUT	
MILITARY	MILITARY	MILLITARY	
MATTERS ? ^[378] A.	MATTERS A	MATTERS? A.	

RT	RS	BT	PS
NOT THAT I	NOT THAT I	NOT THAT I	
REMEMBER. I	REMEMBER; I	REMEMBER; I	
NEVER WAS IN	NEVER WAS IN	NEVER WAS IH	
ANY OF THEIR	ANY OF THEIR	ANY OF THEIR	
COUNCILS. Q.	COUNCILS. Q	COUN S C E ILS. Q.	
DIDN'T YOU SEE	DIDN'T YOU	DIDN'T YOU SEE	
	<see or=""> HEAR</see>	OR HEAR	
THEM	THEM	THEM	
ORGANIZING	ORGANIZING	ORGANIZING	
THE MILITIA	MILITIA	MILITARY	
FORCES ? A. I DON'T	FORCES _A I DON'T	FORCES? A. I DON'T	
REMEMBER	REMEMBER	REMEMBER	
ANYTHING OF IT	ANYTHING OF IT	ANYTHING OF IT	
NOW, BUT IT IS	NOW, IT IS	NOW; IT IS	
POSSIBLE THAT	POSSIBLE	POSSIBLE	
THEY DID, AS	<pre><they did=""> AS</they></pre>	THEY DID, AS	
IT IS A LONG	IT IS LONG	IT IS A LONG	
TIME AGO Q.	TIME AGO. o	TIME AGO. Q.	
WHEN YOU	WHEN YOU	WHEN YOU	
WENT TO	WENT TO	WENT TO	
CEDAR	CEDAR CITY,	CEDAR CITY,	
DIDN'T BISHOP	DIDN'T BISHOP	DIDN'T BISHOP	
HAIGHT LIVE	HAIGHT LIVE	HAIGHT LIVE	
THERE —	THERE =	THERE —	
PRESIDENT	PRESIDENT	PRESIDENT	
HAIGHT ? A.	HAIGHT A	HAIGHT? A .	
YES SIR. Q.	YES SIR Q	YES, SIR. Q.	
DID YOU	DID YOU	DIDN'T YOU	
HEAR GEORGE	HEAR GEORGE	HEAR GEORGE	
A. SMITH AND	A. SMITH AND	A. SMITH AND	
HAIGHT	HAIGHT	HAIGHT	
TALKING	TALKING	TALKING	
TOGETHER ? A.	TOGETHER A	TOGETHER? A.	
NOT THAT I REMEMBER.	NOT THAT I	NOT THAT I	
IT IS	REMEMBER OF,	REMEMBER,	
POSSIBLE THEY	←BUT> IT IS POSSIBLE THEY	BUT IT IS POSSIBLE THEY	
MIGHT. Q.	MIGHT. 0	MIGHT. Q.	
DIDN'T YOU	DIDN'T YOU	DIDN'T YOU	
SEE THEM IN	SEE THEM IN	HEAR THE M IN	
CONSULTATION ?	CONSULTATION	CON C SULTATIO	
	<pre><together≥ i<="" pre=""></together≥></pre>	N TOGETHER?	
A. I DID	DIDN'T AI DID	A I DID	
NOT. Q. NEVER	NOT ONEVER	NOT. Q. NEVER	

HEARD THEM	HEARD THEM	HEARD THEM	
SAY ANYTHING	SAY ANYTHING	SAY ANYTHING	
ABOUT	ABOUT	ABOUT	
MILITARY	MILITARY	MILLIATARY	
MATTERS ? A.	MATTERS A	MATTERS? A.	
NOT THAT I	NOT THAT I	NOT THAT I	
REMEMBER OF.	REMEMBER OF.	REMEMBER OF.	
Q. IF THERE HAD	$_{0}$ IF THERE \leq HAD	Q. IFTHERE HAD	
BEEN ANY	BEEN≥ ANY	BEEN ANY	
SUCH	SUCH	SUCH	
CONVERSATION	CONVERSATION,	V CONVER A S S AT	
WOULD	<would< td=""><td>ION WOULD</td><td></td></would<>	ION WOULD	
YOU HAVE	HAVE	YOU HAVE	
HEARD IT A. I	HEARD IT> $_{A}I$	HEARD IT? A.	
MIGHT HAVE	MIGHT HAVE	IMIGHT HAVE	
HEARD IT. Q.	HEARD IT o	HEARD IT. Q.	
DID YOU HEAR	DID YOU HEAR	DID YOU HEAR	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH TALKING	SMITH TALKING	SMITH TALKING	
TO THE	TO THE	TO THE	
LEADING	LEADING	LEADING	
OFFICERS OF	OFFICERS OF	OFFICERS OF	
THE MILITIA	MILITIA	THE K MILITIA	
THERE ON	THERE ON	THERE ON	
THE SUBJECT	≤THE≥ SUBJECT	THE SUBJECT	
OF NOT SELLING	OF NOT SELLING	OF NOT SELLING	
GRAIN ? A. IT	GRAIN AIT	GRAIN? A. IT	
WAS THE	WAS THE	WAS THE	
TOPIC OF THE	TOPIC OF THE	OTOPIC OF THE	
WHOLE PEOPLE.	WHOLE PEOPLE	WHOLE PEOPLE	
Q. I	←AND TRIP→. _Q I	AND TRIP. Q. I	
AM NOT	AM ≤NOT≥	AM	
ASKING YOU	ASKING YOU	ASKING YOU	
ABOUT THE	ABOUT	ABOUT THE	
CONVERSATION ?	CONVERSATION	CONVERSATION	
	WITH HAIGHT	WITH HAIGHT?	
A. NO. Q. DID	ANO QDID	A NO. Q. DID	
YOU IN ANY OF	YOU IN ANY OF	YOU IN ANY	
YOUR TRIPS	YOUR TRIPS	OFYOUR TRIPS	
THROUGH THAT	THROUGH THAT	THROUGH	
SOUTHERN	SOUTHERN	ATHAT	
COUNTRY SEE	COUNTRY SEE	COUNTRY SEE	
JOHN D. LEE ? A.	JOHN D. LEE A	JOHN D. LEE? A.	
I DO NOT	I DO NOT	I DON'T	
REMEMBER	REMEMBER	REMEMBER	

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RT	RS	BT	PS
REMEMBER.	REMEMBER.	REMEMBER	
Q. WHAT	[<i>space</i>] _Q WHAT	Q . WHAT	
WAS THE NEXT	WAS NEXT	WAS THE NEXT	
TOWN	TOWN	TOWN	
THROUGH	THROUGH	THROUGH	
WHICH YOU	≤WHICH YOU≥	WHICH YOU	
PASSED ? A.	PASSED A	PASSED? A. THE	
TOWN,	TOWN	TOWN, THE	
PLACE,	PLACE IS	NEXT PLA V CE IS	
CALLED		CANARA.	
KANNARRAH. ³⁵²	KANNARRAH	KANNARRAH.	
Q. DID YOU	oDID YOU	Q. DID YOU	
HAVE A	HAVE A	HAVE A	
MILITARY	MILITARY	MILITARY	
MUSTER THERE ?	MUSTER THERE	MUSTER THERE?	
A. I DO NOT	AI DO NOT	A. I DON'T	
THINK THEY	THINK THEY	THINK THEY	
DID, BUT I DON'T	DID, I DON'T	DID; I DON'T	
REMEMBER. Q.	REMEMBER o	REMEMBER. Q.	
WHAT WAS THE	WHAT WAS	WHAT WAS THE	
NEXT TOWN ? A.	NEXT TOWN A	NEXT TOWN? A	
PROBABLY	PROBABLY	PROBABLY	
WASHINGTON.	WASHINGTON	WASHINGTON.	
Q. DID YOU	oDID YOU	Q. DID YOU	
HAVE ANY	HAVE ANY	HAVE ANY	
MUSTER THERE ?	MUSTER THERE	MUSTER THERE?	
A. YES SIR. Q.	_A NO ←YES→ SIR _O	A. YES, SIR . Q.	
WHEN YOU	WHEN YOU	WHEN YOU	
REACHED	REACHED	REACHED	
HARMONY	HARMONY	HARMONY	
WHAT WAS	WHAT WAS	WHAT WAS	
DONE THERE —	DONE THERE;	DONE THERE?	
		LET ME SEE	
HARMON G Y IS	HARMONY IS	HARMONY IS	
THE HOME OF	THE HOME OF	THE HOME OF	
JOHN D. LEE,	JOHN D. LEE	JOHN D. LEE,	
IS NOT IT ? A.	IS NOT IT A	ISN'T IT? A.	
YES. Q. THERE	YES. QTHERE	YES. Q. THERE	
IS A FORT	IS FORT	IS A FORT	
ABOUT THAT	ABOUT THAT	ABOUT THAT	
PLACE,	PLACE	PLA V CE,	
IS NOT THERE ?	WAS NOT THERE	WASN'T THERE?	

^{352.} Other than a Paiute camp where chief Kanarra lived, Kanarraville was not settled by whites until 1861.

	1		
A. I DON'T	_A I DON'T	A. I DON'T	
THINK THERE	THINK THERE	THINK THERE	
WAS ABOUT	WAS TO	WAS ABOUT	
THAT TIME,	THAT TIME	THAT TIME;	
THERE WAS ONE	THERE WAS ONE	THERE WAS ONE	
AFTERWARDS.	AFTERWARDS.	AFTERWAR S D D S	
^[380] Q. YOU	qYOU	Q . YOU	
STAYED AT	STAYED AT	STAID T AT	
JOHN D. LEE'S	JOHN D. LEE'S	JOHN D. LEE'S	
HOUSE DIDN'T	HOUSE DID	HOUSE, DID	
YOU?	<i>YOU</i> [?] NO	YOU	
A. I THINK	≤NOT≥ _A I THINK	NOT?	
NOT, I DON'T	NOT, _A I DON'T	A. I DON'T	
REMEMBER	REMEMBER	REMEMBER	
WHETHER WE	WHETHER WE	WHETHER WE	
DINNERED AT	DINNERED AT	DINNERED AT	
HARMONY OR	HARMONY OR	HARMONY OR	
NOT. Q. DON'T	NOT oDON'T	NOT. Q. DON'T	
YOU REMEMBER	YOU REMEMBER	YOU REMEMBER	
WHETHER YOU	WHETHER YOU	WHETHER YOU	
SAW JOHN D.	SAW JOHN D.	SAW JOHN D.	
LEE	LEE	LEE THERE	
OR NOT ? A. I DO	OR NOT AI DID	ORNOT? A. I DO	
NOT. Q. AND	NOT OAND	NOT. Q. AND	
THAT	THATັ≤HE≥	THAT HE AND	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH HAD A	SMITH HAD	SMITH HAD A	
CONVERSATION	CONVERSATION	CONVERSATION	
WITH	WITH	THERE WITH	
HIM ? A. NO	HIM ANO,	HIM? A. NO,	
SIR, I DO NOT	SIR, I DO NOT	SI T R , I DO NOT	
REMEMBER	REMEMBER	REMEMBER	
SEEING HIM AT	SEEING HIM AT	SEEING HIM AT	
HARMONY, IT	HARMONY; IT	HARMONY. IT	
HAS ENTIRELY	HAS ENTIRELY	HAS ENTIRELY	
GONE FROM MY	GONE FROM BY	GONE FRO K M	
MIND, ALL	MIND ALL	MY MIND, ALL	
ABOUT	ABOUT	ABOUT	
HARMON G Y, I	HARMONY, I	HARMONY. I	
DON'T	DON'T	DON'T RE	
REMEMBER	REMEMBER	MEMBER	
WHETHER WE	WHETHER WE	WHETHER WE	
STOPPED THERE	STOPPED AND	STOPPED THERE	
AND DINED OR	DINED OR	AND DINED OR	
NOT. Q. YOU	NOT _o YOU	NOT. Q. YOU	
1,01. 2. 100	1010100	1,01, 2, 100	

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CAN REMEMBER	CAN REMEMBER	CAN REMEMBER	
LESS ABOUT	LESS ABOUT	LESS ABOUT	
WHAT	WHAT	WHAT	
OCCURRED AT	OCCURRED AT	OCCURRED AT	
HARMONGY	HARMONY,	HARMONY	
THAN AT THE	≤THAN≥ AT THE	THAN AT THE	
OTHER PLACE,	OTHER PLACES	OTHER PLACES,	
CAN'T YOU ? A. I	HAVEN'T YOU _A I	CAN'T YOU? A. I	
REMEMBER	REMEMBER	REMEMBER	
MORE	MORE	MORE	
DEFINITELY	DEFINITELY	DEFINITELY	
SOME PLACES.	SOME PLACES.	SOME PLACES.	
Q. BUT CAN'T	_Q CAN'T	Q. AND CAN'T	
REMEMBER A	REMEMBER ←A ≻	REMEMBER A	
THING THAT	THING THAT	THING THAT	
OCCURRED AT	OCCURRED AT	O F CCURRED AT	
HARMONY ? A. IT	HARMONY, _A IT	HARMONY? A. IT	
SEEMS NOT. Q.	SEEMS NOT Q	SEEMS NOT. Q.	
YOU CAN	YOU CAN	YOU CAN'T	
REMEMBER	REMEMBER	REMEMBER	
WHETHER YOU	WHETHER YOU	WHETHER YOU	
SAW ANY	SAW ANY	ASAW ANY	
PERSON THERE	PERSON THERE	PERSON THERE	
OR NOT, WOMEN	OR NOT, WOMEN	OR NOT, WOMEN	
OR CHILDREN ?	OR CHILDREN ?	OR CHILDREN?	
A. I CAN'T	_A I CAN'T	A. I CAN' T	
REMEMBER	REMEMBER	REMEMBER	
ANYTHING OF	ANYTHING OF	ANYTHING OF	
OUR STOPPING	OUR STOPPING	OUR STOPPING	
AT HARMONY.	AT HARMONY	AT HARMONY.	
A. DON'T YOU	ADON'T YOU	Q. DON'T YOU	
KNOW	KNOW ≤ THAT ≥	KNOW THAT	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH AND	SMITH AND	SMITH AND	
JOHN D. LEE,	JOHN D. LEE	JOHN D. LEE	
OFFICERS	WERE OFFICERS	WERE OFFICERS	
OF THE NAUVOO	OF THE NAUVOO	OF THE NAUVOO	
LEGION	LEGION,	LEGION,	
HAD A	HAD	ANDHAD A	
CONSULTATION	CONSULTATION	CONSULTATION	
ABOUT THE	←ABOUT THE→	ABOUT THE	
MASSACRE AT	MASSACRE AT	MASSACRE AT	
THE MOUNTAIN	MOUNTAIN	THE MOUNTAIN	
MEADOWS, AT	MEADOWS AT	MEADOW N S,	
HARMONY ?	HARMONY	AND HARMONY?	

A. I KNOW	AI KNOW	^[237] A. I KNOW	
THEY DID NOT;	THEY DID NOT	THEY DID NOT	
AS FAR AS I	AS FAR AS I	SO FAR AS I	
KNOW	KNOW	KNOW	
ANYTHING	ANYTHING	ANYTHING	
ABOUT IT. Q.	ABOUT IT o	ABOUT TI IT. Q.	
DON'T YOU	DON'T YOU	DON'T YOU	
KNOW	KNOW	KNOW THAT	
THE MILITARY	MILITARY	THE MILITARY	
AND GEORGE A.	GEORGE A	AND GEORGE A.	
SMITH	SMITH, THEM	SMITH	
THAT WERE	≤THAT≥ WENT	THAT WENT	
WITH HIM	WITH HIM,	WITH TO HIM,	
HAD A	HAD	AND HAD A	
CONSULTATION	CONSULTATION	CONSULTATION	
AND HELD A	AND HELD A	AND HELD A	
MEETING	MEETING	MEETING	
THERE ? A. I DO	THERE AI DO	THERE? A. I DO	
NOT. Q.	NOT OWNETHER	NOT. Q.	
	WAS THERE		
NOR	<and nor<="" td=""><td>NOR</td><td></td></and>	NOR	
WHETHER ANY	WHETHER ⇒ ANY	TWHETHER ANY	
PREACHING	PREACHING	PREACHING	
WAS DONE AT	←WAS DONE≻ AT	WAS DONE AT	
HARMONY ? A. I	HARMONY AI	HARMONY? A.	
CANNOT SAY, IT	CANNOT SAY, IT	CQANT SAY; IT	
SEEMS TO ME	SEEMS TO ME	SEEMS TO ME	
WE ONLY	<we b="" only<=""></we>	WE ONLY	
CAMPED	—[?]>CAMPED	CAMPED	
IN HARMONY. [381]	IN HARMONY	IN HARMONY.	
Q. HOW LONG	QHOW LONG	Q. HOW LONG	
DID YOU	DID YOU	DID YOU	
REMAIN IN	REMAIN IN	REMAIN IN	
CAMP ? A. WELL	CAMP =	CAMP?	
WE WERE THERE	WERE THERE	WERE THERE	
IN THE	ANY INDIANS IN	ANY INDIANS IN	
AFTERNOON	~ · · · ·	THE	
ENCAMPED.	CAMP	CAM P	
Q. DURING YOUR	DURING YOUR	DURING YOUR	
VISIT THROUGH	VISIT THROUGH	VISIT THROUGH	
THE SOUTH	THE SOUTH? DID	THE SOUTH? DID	
DID YOU HAVE	YOU HAVE ANY	YOU HAVE ANY	
ANY POW WOWS	POW WOWS	POWWOWS	
WITH THE	WITH THE	WITH T THE	
INDIANS ? A.	INDIANS A	IN S DIANS? A.	

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NONE	NONE	NONE	
WHATEVER. Q.	WHATEVER Q	WHATEVER. Q.	
NEVER HEARD	NEVER HEARD	NEVER HEARD	
OF THIS TRAIN	THIS TRAIN	THI ₩S TRAIN	
MENTIONED ? A.	MENTIONED A	MENTIO J NED? A.	
NEVER HEARD	NEVER HEARD	NEVER HEARD	
THIS TRAIN	THIS TRAIN	THIS TRAIN	
MENTIONED	MENTIONED	MENTIONED	
TILL AFTER	UNTIL AFTER	TILL AFTER	
WE MET. Q.	WE MET o	WE LEFT. Q.	
NEVER HEARD	NEVER HEARD	NEVER HEARD	
THERE WAS A	THERE WAS A	THERE WAS A	
TRAIN IN	TRAIN IN	TRAIN IN THE	
THE COUNTRY —	THE COUNTRY?	COUNTRY?	
GEORGE A.	GEORGE A	GEORGE A.	
SMITH DIDN'T	SMITH DIDN'T	SMITH DIDN'T	
TELL YOU	TELL YOU	ETELL YOU	
THERE WAS A	THERE WAS	THERE WAS A	
TRAIN PASSING	TRAIN PASSING	TRAIN PASSING	
THROUGH WHEN	THROUGH	THROUGH	
YOU WERE WITH	WITH		
HIM FROM	<i>HIM</i> [?] FROM	FROM	
SALT LAKE CITY	SALT LAKE CITY	SALT LAKE	
SOMETIME	SOMETIME	CITY SOME TIME	
BEFORE ? A. NO.	BEFORE ANO	BEFORE? A. NO.	
Q. OR OF	oOR	Q. OR	
ANY TRAIN ? A.	ANY TRAIN A	ANY TRAIN? A.	
NO. Q. DID YOU	NO oDID YOU	NO. Q. DID YOU	
HAVE ANY	HAVE ANY	HAVE ANY	
CONVERSATION	CONVERSATION	CONVER A SATIO	
IN THE	ON	N ON THE	
SUBJECT OF	SUBJECT OF	SUBJECT OF	
ANY TRAIN OF	ANY TRAIN OR	ANY TRAIN OF	
EMIGRANTS ? A.	EMIGRANTS A	EMIGRANTS? A.	
NEVER HEARD	NEVER HEARD	NEVER HEARD	
OF THEM.	OF THEM. [41]	OF THE M.	
Q. DID YOU	_Q DID YOU	Q. DID YOU	
HEAR OF ANY	HEAR OF ANY	HEAR OF ANY	
EMIGRANTS ?	EMIGRANTS ≤ AT	EMIGRANTS AT	
A. NO SIR.	$ALL \ge ANO SIR_Q$	ALL? A . NO, SIR	
Q. NOR IN	≺NOTHING IN>	. Q. NOW, IN	
RELATION TO	RELATION TO	RELATION TO	
THE EATING OF	EATING	THE EATING OF	
THAT DEAD OX	THAT DEAD OX,	THAT DEAD OX,	
— TELL ME JUST	TELL ME JUST	TELL ME JUST	

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EXACTLY WHAT?	EXACTLY WHAT	EXACTLY WHAT	
OCCURRED ?	OCCURRED	O F C F CURRED?	
A. I KNOW	[space] _A I KNOW	A. I KNOW	
NOTHING OF IT	NOTHING OF IT	NOTHING OF IT	
PERSONALLY,	PERSONALLY,	PERSONALLY,	
MORE THAN I	MORE THAN I	MORE THAN I	
HAVE	HAVE AS	THINK THAN AS	
STATED. THE	STATED,	I SAID, THE	
QUESTION WAS	QUESTION WAS	QUESTION WAS	
ASKED BY ONE	ASKED BY ONE	ASKED BY ONE	
OF THIS PARTY	OF THIS PARTY,	OF THIS PARTY	
IF THE INDIANS	IF THE INDIANS	IF THE INDIANS	
WOULD EAT	WOULD EAT	WOULD EAT	
THE OX. Q.	THE OX. O	THE OX. Q.	
WAS NOT THE	WAS NOT	WASN'T THE	
CONVERSATION	CONVERSATION	CONVERSATION	
THAT	THAT	THAT	
OCCURRED	OCCURRED	OCCURRED	
BETWEEN YOU	BETWEEN	BETWEEN YOU	
ABOUT THE	ABOUT THE	ABOUT THE	
HABITS OF THE	HABITS OF THE	HABITS OF THE	
INDIANS — WAS	INDIANS = WAS	INDIANS;	
NOT THE	NOT THE	WA N SN'T THE	
SUBJECT YOU	SUBJECT YOU	SUBJECT YOU	
WERE TALKING	WERE TALKING	WERE TALKING	
ABOUT — WAS	ABOUT = WAS	ABOUT—	
NOT THESE	NOT THIS	WASN'T THIS	
PEOPLE ASKING	PEOPLE ASKING	PEOPLE ASKING	
YOU ABOUT THE	YOU ABOUT THE	YOU ABOUT THE	
	HABITS OF	HABITS OF THE	
INDIANS—THEIR	INDIANS THEIR	INDIANS, THEIR	
MANNERS AND	MANNERS AND	MANNERS AND	
^[382] CUSTOMS ? A.	CUSTOMS A	CUSTO N MS? A.	
IT WAS A	IT WAS A	IT WAS A	
DIRECT	DIRECT	D DIRECT	
QUESTION, AS	QUESTION, AS	QUESTION AS	
TO WHETHER	TO WHETHER	TO WHETHER	
THE	≤OR NOT THE≥	OR NO THE	
INDIANS	INDIANS	INDIANS	
WOULD EAT	WOULD EAT	WOULD T EAT	
THE OX. Q.	THE OX Q	THE OX. Q.	
THERE MUST	THERE MUST	THERE MUST	
HAVE BEEN	HAVE BEEN	HAVE BEEN	
SOMETHING	SOMETHING	SOMETHING	
ALLUDING TO	ALLUDED TO	ALLUFDING TO	

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THAT OR WITH	WITH	OR WITH	
REFERENCE TO	REFERENCE TO	REFERENCE TO	
IT ? A. NOTHING	IT ANOTHING	IT? A. NOTHING	
AT ALL. Q. HOW	AT ALL _o HOW	AT ALL. Q. HOW	
LONG HAD YOU	LONG HÀD YOU	LONG HAD YOU	
BEEN IN	BEEN IN	BEEN IN	
CONVERSATION ?	CONVERSATION	CONVERSATION	
A. THAT WAS	ATHAT WAS	? A. THAT WAS	
THE	THE FIRST	THE FIRST ^[238]	
QUESTION	QUESTION	QUESTION	
ASKED WHEN	ASKED, WHEN	ASKED WHEN	
THEY CAME TO	THEY CAME TO	THEY CAME TO	
CAMP IN	OUR CAMP IN	OUR CAMP IN	
THE MORNING.	THE MORNING.	THE MORNING;	
MEN	MEN	THE MAN	
POINTED OUT,	POINTED OUT,	POINTED OUT,	
AND WANTED	WANTED	AND WANTED	
TO KNOW IF THE	TO KNOW IF	TO KNOW IF THE	
INDIANS	INDIANS WERE	INDIANS	
WOULD LIKE TO	WOULD LIKELY	WOULD	
EAT THAT OX,	EAT THAT OX.	EAT THAT OX,	
THAT WAS THE	THAT WAS THE	THAT WAS THE	
FIRST QUESTION	FIRST QUESTION	QUESTION	
ASKED	AND ASKED ←IT→	ASKED	
WHEN WE	WHEN WE	WHEN WE HE	
CAME UP THERE.	CAME UP.	CAME UP.	
Q. WHAT	QWHAT	Q. STATE WHAT	
OCCURRED	OCCURRED	OCCURRED	
AFTERWARDS	AFTERWARDS,	AFTERWARDS ;	
DID HE	DID HE	OR DID HE	
STATE WHY	STATE WHY	STATE WHY	
THEY ASKED	HE ASKED	HE ASKED	
THE	THE	ASJKD THE	
QUESTION A.	QUESTION A	QUESTION? A.	
NO ,SOMEONE Q.	NO, Q	NO, SOMEONE Q.	
SOME ONE OF	SOME ONE OF	SOME ONE OF	
YOUR PARTY	YOUR PARTY	YOUR PARTY	
TOLD THEM	TOLD THEM	TOLD THEM	
THAT	THEY THOUGHT	THAT	
THE INDIANS	THE INDIANS	THE INDIANS	
WOULD EAT IT —	WOULD EAT IT	WOULD EAT IT;	
WHAT WAS SAID	WHAT WAS SAID	WHAT WAS SAID	
THEN ? A.	THEN A	THE M N ? A.	
NOTHING MORE. I	NOTHING MORE,	NOTHING MORE,	
THINK	I THINK	I THINK	

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r		· · · · · · · · · · · · · · · · · · ·	
ASKED THAT	ASKED THAT	ASKED THAT	
SIMPLE	SIMPLE	SIMPLE	
QUESTION AND	QUESTION AND	QUESTION AND	
RETURNED.	RETURNED TO	RETURNED TO	
	TRAIN DID	THE TRAIN DID	
THAT	THEY ATHAT	THEY? A THAT	
IS ALL I	IS ALL I	IS ALL I	
REMEMBER. Q.	REMEMBER. o	REMEMBER. Q .	
HOW FAR DID	HOW FAR DID	HOW FAR DID	
THEY HAVE TO	THEY HAVE TO	THEY HAVE TO	
WALK IN	WALK IN	WA LK IN	
PASSING FROM	PASSING FROM	PASSING FROM	
THEIR TRAIN TO	THEIR TRAIN TO	THEIR TRIN TO	
YOURS ? A. I	YOURS AI	YOURS? A. I	
COULD NOT SAY	COULD NOT SAY	COULD NOT SAY	
DEFINITELY.	DEFINITELY,	F DEFINITELY;	
THEY WERE	THEY WERE	THEY WERE	
CAMPED ON	CAMPED ON	CAMPED ON	
THIS SIDE OF	THIS SIDE OF	THIS SIDE OF	
THE CREEK.	THE CREEK.	THE CREEK AND	
WE ON	WE ON	WE WERE ON	
THE OTHER. Q.	THE OTHER. 0	THE OTHER. Q.	
AND THE		A	
DISTANCE IS OFF	DISTANCE OF	DISTANCE OF	
IS ABOUT HOW	HOW	HOW	
FAR ? A. PERHAPS	FAR APERHAPS	FAR? A PERHAPS	
12 OR 15 RODS.	12 OR 15 RODS	12 OR 15 RODS.	
$\{\mathbf{V}\}^p$ Q. LET ME	_o LET ME	Q. LET ME	
ASK YOU HOW IT	ASK YOU HOW	ASK YOU HOW	
IS YOU	IT IS YOU	IT IS YOU	
REMEMBER	REMEMBER	REMEMBER	
THAT SIMPLE	THAT SIMPLE	THAT SI MPLE	
DECLARATION,	DECLARATION	DECLARATION	
AND CAN'T	AND CAN'T	AND CANNORT	
REMEMBER	REMEMBER	REMEMBER	
ANYTHING ELSE	ANYTHING ELSE	ANYTHING ELSE	
THAT	THAT	THAT	
OCCURRED	OCCURRED	OCCURRED	
THERE ? \checkmark A. THE	THERE ATHE	THERE? A . THE	
SIMPLE REASON	SIMPLE REASON	SIMPLE REASON	
IS BY	IS BY	I TS , THAT BY	
SOME	SOME	SOME BMEN	
MEANS IT	MEANS IT	MEANS IT	
CREATED	CREATED	CREATED	
SUSPICION	SUSPICION	SUSPICION,	
SUSFICIÓN	SUSFICIÓN	SUSFICIÓN,	

RT	RS	BT	PS
THAT THEY	THEY	THAT THEY	
WOULD APPLY	WOULD PLAY	WOULD PLAY	
FOUL GAMES.	FOUL GAMES	FOUL GAMES,	
		BY SOME	
Q. WHEN DID YOU	Q WHEN DID YOU	MEANS. Q. WHEN DID YOU	
FIRST SPEAK OF	FIRST SPEAK OF	FIRST SPEAK OF	
THAT FACT ? A. I	THAT FACT? AI	THAT FACT? A. I	
THOUGHT OF IT	THOUGHT OF IT	THOUGHT OF IT	
WHEN I	WHEN I	WHEN I	
ANSWERED	ANSWERED	ANSWERED,	
THAT		THAT I	
THE	THE	THOUGHT THE	
INDIANS WERE	INDIANS WERE	INDIANS WERE	
BETTER FED. Q.	BETTER FED Q	BETTER FED. Q.	
WHEN DID YOU	WHEN DID YOU	WHEN DID YOU	
FIRST SPEAK OF	FIRST SPEAK OF	FIRST SPEAK OF	
IT AFTERWARDS	IT AFTERWARDS	IT AFTERWARDS	
AND TO WHOM ?	AND TO WHOM	AND TO WHOM? A . TO SOME OF	
A. SOME OF OUR PARTIES, AS	ASOME OF OUR PARTIES AS	OUR PARTIES AS	
WE PASSED	WE PASSED	WE PASSED	
ALONG.	ALONG [space]	ALONG.	
Q. DID YOU	oDID YOU	Q. DI I D YOU	
TAKE ANY	ŤAKE ANY	TAKE ANY	
STEPS TO	STEPS TO	STEPS TO	
NOTIFY THE	NOTIFY	NOTIFY ANY	
INDIANS	INDIANS	INDIANS AS	
NOT TO	NOTTO	YOU PASSED	
NOT TO	NOT TO	ALONG NOT TO	
TOUCH THAT OX A. NO.	TOUCH THAT OX ANO	TOUCH THAT OXX? A. NO. ^[239]	
Q. DID YOU	oDID YOU	Q. DID YOU	
ADVISE ANY OF	ADVISE ANY	ADVISE	
THE	ANYBODY	THE	
	≤BODY≥		
INDIANS ABOUT	INDIANS ABOUT	INDIANS ABOUT	
THE		IT—ABOUT	
POISONING OF	POISONING	POISONING	
THE OX ? A. I	THE OX AWE	THE OX. A. WE	
DIDN'T SEE	DIDN'T SEE	DIDN'T SEE	
THE INDIANS	←THE→ INDIANS	THE INDIANS	
AT ALL. Q. DID	AT ALL QDID	AT ALL. Q. DID	
THE OX HAVE ITS	THE OX HAVE	THE OX HAVE	
SKIN ON ? A. IT	ITS SKIN ON AIT	ITS SKIN ON? A.	

RT	RS	BT	PS
WAS WHOLE. Q.	WAS WHOLE.	IT WAS WHOLE.	
DID YOU SAY	[This is the end of	Q. DID YOU	
ANYTHING TO	extant Book 7; the	SPEAK TO	
THE EMIGRANTS	last page of the	THE EMIGRANTS	
AT ALL UPON	book is missing.]	AT ALL UPON	
THE SUBJECT OF		THE SUBJECT OF	
POISONING		POIS I ONING	
OR		THAT OX, OR	
ADVISED THEM NOT TO		ADVISE THEM NOT TO TP	
POISON THE OX ?		POISON THE OX?	
A. NO. ^[384] Q. IT		A. NO . Q. THEN	
WAS THE MERE		IT WAS A MERE	
PASSING		PASSING	
SUSPICION. A. I		SUSPICION? A. I	
HAD NO IDEA OF		HAD NO IDEA OF	
IT MORE		IT N A O NY MORE	
THAN I		THAN I	
THOUGHT OF IT.		THOUGHT OF IT.	
Q. YOU WERE		Q. YOU WERE	
VERY		VERY	
SUSPICIOUS OF		SUSPICIOUS OF	
THAT TRAIN		THAT TRAIN	
WERE YOU NOT,		WERE YOU NOT,	
ALL OF YOU,		ALL OF YOU?	
WERE YOU NOT ?			
A. I WAS NOT. Q.		A. I WAS NOT. Q.	
DIDN'T YOU		IDIDN'T YOU	
HEAR		HEAR	
SUSPICIONS		SUSPICIONS	
SUGGESTED IN THAT CAMP BY		SUGGESTED BY OTHER P R EOPLE	
OTHERS, AS TO		AS TO	
THAT TRAIN ? A.		THAT TRAIN? A:.	
NO SIR. Q.		NO, SIR. Q.	
DIDN'T YOU		DIDN'T YOU	
HEAR A PERSON		HEAR PERSONS	
EXPRESS A		EXPRESS A	
FEELING		FEELING	
AGAINST THAT		AGAINST THE	
TRAIN, THOSE		TRAIN, THOSE	
THAT WERE		THA T WERE	
WITH YOU ? A.		WITH YOU? A.	
NO SIR. Q.		NO, SIR. Q	
NOTHING SAID		NOTHING SAID	

AGAINST IT? A.AGAINST IT? A.NO SIR. Q.NO, SIR. Q.NOTHING SAIDNOTHING SAIDABOUT IT? A.ABOUT IT? A.WE WEREWE WERETALKINGTALKINGABOUT THEABOUT THEMATTER INMATTER INREGARD TOREGARD TOTHEM ASTHEM ASROUGHROUGHFELLOWS. Q.FELLOWS. Q.WHY DID YOUWHY DID YOUREGARD THEMAS ROUGHFELLOWS? A.FELLOWS? A.THEIRFFOM THEIRLANGUAGE —LANGUAGE ANDWAS IN THETHEIRHABIT OF USINGHABIT OF USINGBLASPHEMOUSBLASPHEMOUSLANGUAGE INCONVERSATION.Q. DID YOUQ. DIDYOUQ. DID YOUQ. NIDYOUHEAR THEM USEHEAR THEM USEANYANYBLASPHEMOUSBLASPHEMOUSLANGUAGE ? A.LANGUAGE? A.YES. Q. WHAT ? A.YES. Q. WHAT?SWEARING. Q.A. SWEARING. Q.WHAT TWHATWHATWHATCONNECTION,CONNECTION,ADOUTWHAT WEREHEYTHEYSWEARING ? A.SWEARING? A.ONLY INONLY INCOMMONCOMMONCONNECTION,CONNECTION,AONLY INONLY INCOMMONCOMONCOMMONCONNECTION,AONLY INONLY INCOMMONCONNECTION,AONLY INONLY INCOMMONCONNECTION, <th>RT</th> <th>RS</th> <th>BT</th> <th>PS</th>	RT	RS	BT	PS
NO SIR. Q.NO, SIR. Q.NOTHING SAIDNOTHING SAIDABOUT IT ? A.ABOUT IT? A.WE WEREWE WERETALKINGTALKINGTALKINGTALKINGABOUT THEABOUT THEMATTER INMATTER INREGARD TOREGARD TOTHEM ASTHEM ASROUGHROUGHFELLOWS. Q.WHY DID YOUWHY DID YOUWHY DID YOUREGARD THEMREGARD THEMAS ROUGHAS ROUGHFELLOWS ? A.FELLOWS? A.THEIRFROM THEIRLANGUAGE —LANGUAGE ANDWAS IN THETHEIRHABIT OF USINGBLASPHEMOUSLANGUAGE INLANGUAGE INCONVERSATION.Q. DIDYOUQ. DID YOUQ. DIDYOUHEAR THEM USEHEAR THEM USEANYANYBLASPHEMOUSBLASPHEMOUSLANGUAGE ? A.LANGUAGE? A.YES. Q. WHAT ? A.YES. Q. WHAT?SWEARING. Q.A. SWEARING. Q.WHAT, INWHART, INWHATWHATWHATWHATWHATWHATWHAT WEREHEAYSWEARING ? A.SWEARING? A.ONLY INONLY INCOMMONCONVERSATION.CONVERSATION.CONVEVERSATIO				
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CONNECTION, ABOUTCONNECTION, AND ABOUTWHAT WERE THEYWHAT WERE THEYSWEARING ? A. ONLY IN COMMON CONVERSATION.SWEARING? A . ONLY IN CONCVERSATIO	-		,	
ABOUTAND ABOUTWHAT WEREWHAT WERETHEYTHEYSWEARING ? A.SWEARING? A .ONLY INONLY INCOMMONCOMMONCONVERSATION.CON€VERSATIO	CONNECTION,		CONNECTION,	
WHAT WERE THEYWHAT WERE THEYSWEARING ? A. ONLY INSWEARING? A . ONLY INCOMMON CONVERSATION.COMMON CONCVERSATIO	-		,	
SWEARING ? A.SWEARING? A .ONLY INONLY INCOMMONCOMMONCONVERSATION.CONCVERSATIO			WHAT WERE	
ONLY IN COMMON CONVERSATION.ONLY IN COMMON CONVERSATIO	THEY		THEY	
COMMON CONVERSATION. COMMON CON C VERSATIO	SWEARING ? A.		SWEARING? A .	
CONVERSATION. CON C VERSATIO	ONLY IN		ONLY IN	
	COMMON		COMMON	
	CONVERSATION.		CON C VERSATIO	
^[385] Q. TELL ME	^[385] Q. TELL			
SOME SOME OF THE				
COMMON COMMON			COMMON	
CONVERSATION CONVERSATION	CONVERSATION			
IN WHICH IT IN WHICH IT	IN WHICH IT		IN WHICH IT	

	NO		15
WAS DONE ? A. I		WAS DONE. A. I	
DON'T		DON'T	
REMEMBER, I		REMEMBER, I	
CANNOT		COULD NOT	
TELL. Q. I WANT YOU TO NAME		TELL. Q. WON'T YOU NAME	
ONE INSTANCE —		ONE INSTANCE,	
GIVE THE		WAND GIVE THE	
CONNECTION,		CONNECTION?,	
IN WHICH THE		INWHICH THEY	
PROFANE		USED PROFANE	
WORD WAS USED		WORDS?	
? A. I CANNOT. Q.		A. I CANNOT. Q.	
WHY CAN'T		WHY CAN'T	
YOU ? A. I CAN'T		YOU? A. I CAN'T	
REMEMBER ANY		REMEMBER ANY	
INSTANCE.		INCIDENT NOW.	
Q. DON'T YOU		Q. DON'T YOU	
KNOW YOU		KNOW THAT	
NEVER		YOU NEVER	
HEARD ONE OF		HEARD ONE OF	
THESE		THESE	
EMIGRANTS		EMIGRANT	
MENTION OR USE		MEN USE	
A PROFANE		A PROFANE	
WORD AT ALL ?		WORD AT ALL?	
A. I KNOW		A. I KNOW THAT	
I DID. Q. WHY		I DID. Q. WHY	
CAN'T YOU		CAN'T YOU	
TELL THE		TELL THE	
CONNECTION IN		CONNECTION IN	
WHICH IT WAS		WHICH IT WAS	
DONE, YOU		DONE, YOU	
REMEMBER		REMEMBER	
OTHER THINGS,		OTHER THINGS	
WHY CAN'T		THERE, CAN'T	
YOU REMEMBER		YOU REMEMBER	
THAT ? A. WHY I		THAT? A. WHY I	
CAN'T		$DO^{[230240]} NOT.$	
REMEMBER I		I I I I I I I I I I I I I I I I I I I	
DON'T KNOW. Q.		DON'T KNOW. Q.	
HOW DO YOU		HOW MANY	
KNOW THE			
		CONVEDSATION	
CONVERSATION		CONVERSATION	
YOU HAD		S DIDYOU HAVE	

RS

BT

PS

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

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

RT	RS	BT	PS
ANY AT ALL ? A.		ANY AT ALL-? A.	
NO Q. THEN	[[Bk 8 1]]353 QTHEN	NO ₅ . Q. THEN	
YOU CAN	YOU CAN	YOU CAN T	
ONLY	ONLY	ONLY	
REMEMBER OF	REMEMBER OF	REMEMBER OF	
HEARING	HEARING	HEARING THE	
SIMPLY THE	SIMPLE	SIM L PLE	
EXPRESSION	EXPRESSION	EXPRESSION	
"BY GOD" AND	BY GOD AND	" B Y GOD" AND	
ONLY ONE	ONLY ONE	ONLY ONE	
OATH ?	<said> OATH IT</said>	SAID IT?	
A. I SAID I	AI SAID I	A. I SAID I	
REMEMBERED	REMEMBER	REMEMBERED	
HEARING	HEARING [corner	THEARINFG	
THEM REPEAT IT	missing]	THEM USE THAT	
AT SEVERAL		WORD.	
TIMES. Q. AND		Q. AND	
THEN	KNOW[?]	THA T IS WHY	
YOU USED	YOU USED	YOU NOW UESE	
THE TERM	THE TERM	THE TERM	
BLASPHEMOUS	BLASPHEMOUS	"BLASPHEMOUS	
LANGUAGE,	LANGUAGE	LANGUAGE"?	
BUT YOU	{ ₀ } ⁱ YOU	BUT YOU	
CANNOT TELL	CANNOT STATE	₩CAN'T STATE	
IN WHAT	IN WHAT	IN WHAT	
CONNECTION IT	CONNECTION	CONNECTION?	
WAS USED ? A. I	$\{\mathbf{A}\}^{i}$ I	A. I	
COULD NEVER	COULD NEVER	COULD NEVER	
SEE HOW IT	SEE HOW IT	SEE HOW IT	
APPLIED, TO	APPLIED {TO} ⁱ	APPL I LIED TO	
SPEAK AN	[corner missing]		
OATH. Q. WHAT	WHAT	WHAT	
WERE THEY	WERE THEY	THEY WERE	
TALKING	TALKING	TALKING	
ABOUT	ABOUT	ABOUT. Q.	
		WHAT WERE	
		THEY TALKING	
WHEN	WHEN	ABOUT TH WHEN	
THEY USED	THEY USED	THEY USED	
THAT	THAT	THAT	
LANGUAGE ? A. I	LANGUAGE $\{A\}^{i}$ I	LANGUAGE? A. I	
REMEMBER	REMEMBER	REMEMBER	

^{353.} Page is in very poor condition: dirty, worn, and torn. {SS. SMITH'S TESTIMONY}^p BOOK 8, {DEFENSE}^p written in longhand at the top of the page.

	-		
NOTHING	NOTHING	NOTHING	
FURTHER THAN	FURTHER THAN	AFUR H THER,	
	I HAVE STATED	THAN I HAVE	
		STATED. ^[241] BUT	
THEY WERE	<they td="" were<=""><td>THEY WERE</td><td></td></they>	THEY WERE	
A ROUGH LOT	$\{\mathbf{A}\}^{i}$ ROUGH LOT	A ROUGH LOT	
OF FELLOWS, AS I	OF PEOPLE>	OF PEOPLE.	
HAVE STATED. Q.	$\{\mathbf{Q}\}^{i}$	Q.	
WELL, WHAT	WELL WHAT	WELL, WHAT	
ELSE DID THEY	ELSE DID THEY	ELSE DID YOU	
DO	[corner missing]	HEAR THEM SAY	
OR SAY THAT	[OR DO, THAT	
LEAD YOU TO	LEAD YOU	LED YOU TO	
BELIEVE THEY	BELIEVE THEY	BELIEVE THEY	
WERE A ROUGH	WERE ROUGH	WERE A ROUGH	
SET OF	SET OF	SET OF	
FELLOW Z S ? ^[387]	FELLOWS	FELLOWS?	
A. I COULD NOT	AI COULD NOT	A. I COULD NOT	
SAY BUT THEY	SAY THEY	SAY THAT THEY	
WERE A ROUGH	WERE A ROUGH	WERE A ROUGH	
SET OF	SET OF	SET OF	
FELLOWS, THAT	FELLOWS THAT	FELLOWS, BUT	
WAS MY	WAS MY	THAT WAS MY	
OPINION. Q.	OPINION $\{0\}^i$	OPINION. Q.	
WHAT ELSE DID	[corner missing]	NOW ISN'T IT	
THEY SAY	L[?]	POSSIBLE, THAT	
IN USING	IN USING	IN THEIR USING	
THAT WORD	THAT WORD	THAT WORD,	
THEY	THEY	THEY	
MIGHTHAVE	<might→ have<="" td=""><td>MIGHT HAVE</td><td></td></might→>	MIGHT HAVE	
USED IT IN THE	USED IT {IN THE	USED IT IN THE	
WAY OF ASKING		WAY OF ASKING	
GOD FOR	GOD FOR	GOD FOR	
PROTECTION—	PROTECTION} ⁱ	PROTECTION,	
WAS NOT THAT	WAS NOT THAT	WASN'T THAT	
THE WAY THEY	THE WAY THEY	THE WAY THEY	
USED IT, OR BY	USED IT; BY	USED IT—BY	
THE GRACE OF	THE GRACE OF	THE GRACE OF	
GOD WE	GOD WE	GOD, WE	
EXPECT TO GET	EXPECT TO GET	EXPECT TO GET	
THROUGH TO	THROUGH TO	THROUGH OUR	
CALIFORNIA	[corner missing]	JOURNEY?	
A. NO SIR.	$\{_{A}\}^{i}$ NO SIR	A .NO, SIR.	
Q. OR BY THE	$\{\mathbf{a}\}$ NO SIK $\{\mathbf{o}\}^{i}$ OR BY THE	Q . OR BY THE	
Q. OK BY THE INTERPOSITION	{Q} OR BY THE INTERPOSITION	INTERPOSITION	
INTERPOSITION	INTERPOSITION	INTERPOSITION	

RT	RS	BT	PS
OF GOD WE	OF GOD WE	OF GOD WE	
HOPE TO GET M	HOPE TO GET	HOPE TO GET	
THROUGH ? A.	THROUGH A	THROUGH? A.	
NOT AS I	NOT AS I	NOT AS I	
UNDERSTOOD	UNDERSTAND	UNDERSTOOD	
IT. Q. WHY	IT $\{\mathbf{Q}\}^i$ WHY	IT? Q. WHY	
DIDN'T YOU	DIDN'T YOU	DIDN'T YOU	
UNDERSTAND IT	UNDERSTAND IT	UNDERSTAND IT	
THAT WAY ? A. BECAUSE	THAT WAY BECAUSE	IN THAT WAY , ? A. B ECAUSE	
THAT WAS NOT	THAT WAS NOT	A. BECAUSE THAT ISN'T	
THE WAY	THE WAY	THE WAY THAT	
IT WAS USED.	IT WAS USED	IT WAS USED?	
Q. WHY CAN'T	$\{0\}^{i}$ WHY CAN'T	Q. WHY CAN'T	
YOU TELL THE	YOU TELL THE	YOU TELL THE	
LANGUAGE,	LANGUAGE	LANGUAGE AN	
WHAT	WHAT	D WHAT THE	
CONVERSATION	CONVERSATION	CONVERSATION	
IT WAS USED	{IT} ⁱ WAS USED	HT WAS?	
IN, YOU SPEAK	IN $\{A\}^i$ SPEAK OF	A. IN SPEAKING	
,	()	IT WAS	
OF SWEARING	SWEARING	SWEARING OR	
OR BLASPHEMY	OR BLASPHEMY	BLASPHEMY. Q.	
—HOW YO	HOW	SO YOU	
CAN YOU TELL	CAN YOU TELL	CANNOT TELL	
WHETHER IT	WHETHER IT	WHETHER IT	
WAS AN	WAS	WAS AN	
EXPRESSION OF	EXPRESSION OF	EXPRESSION OF	
SUPPLICATION	SUPPLICATION	SUPPLICATION	
OR DLACDUED (V. 0. A	OR DLACDUED (V	OR	
BLASPHEMY ? A.	BLASPHEMY A	BLASPHEMY? A.	
I CAN ONLY TELL AS I	I CAN ONLY TELL AS I	I CAN ONLY	
REMEMBER IT. Q.	REMEMBER $\{\mathbf{Q}\}^{i}$	TELL AS I REMEMBER. Q.	
WHICH	WHICH	SO YOU SAY, IT	
WAS IT ? —IN	WAS IT IN	WAS IN	
BLASPHEMY	BLASPHEMY	BLASPHEMY	
OR	OR	AND NOT IN	
SUPPLICATION	SUPPLICATION	SUPPLICATION	
		AND NOT BALS	
THAT THEY	THAT THEY	THAT THEY	
USED THE	{USED THE} ⁱ	USED THE	
LANGUAGE YOU	LANGUAGE YOU	LANGUAGE YOU	
HAVE QUOTED ?	HAVE[?] QUOTED	HAVE QUOTED?	
А.	$\{\mathbf{A}\}^{i}$	A. IT WAS	

BT

BLASPHEMY AS	BLASPHEMY AS	BLASPHEMY AS	
I UNDERSTOOD	I UNDERSTOOD	I UNDERSTOOD	
IT. Q. WHY DID	IT { _Q } ⁱ WHY DID	IT. Q. WHY DID	
YOU	YOU	YOU	
UNDERSTAND IT	UNDERSTAND IT	UNDERSTAND IT	
TO BE	TO BE	TO BE	
BLASPHEMY ? —	BLASPHEMY \leq_A	BLASPHEMY? A .	
	BECAUSE I DID≥	BECAUSE I DID.	
ANSWER MY	$\{0\}^{i}$ ANSWER MY	Q. ANSWER MY	
QUESTION ? A. I	QUESTION AI	QUESTION? A.	
UNDERSTAND	UNDERSTAND		
AND I	Ι	Ι	
UNDERSTOOD	UNDERSTOOD	UNDERST O OD	
"BY GOD" TO BE	BY GOD TO BE	" B Y GOD" TO BE	
BLASPHEMY,)	BLASPHEMY	BLASPHEMY.Q.	
≤Q≥ AND THE		TELL THE	
REMARKS	OREMARKS	REMARKS	
THAT WERE	THAT WERE	THAT WERE	
BEING MADE—	BEING MADE	BEING MADE;	
WHAT WERE	$\{\mathbf{o}\}^{i}$ WHAT WERE	WHAT WERE	
THE REMARKS ?	THE REMARKS	THE REMARKS?	
A. I CANNOT	AI CANNOT	A. I CAN'T	
REMEMBER. Q.	REMEMBER	REMEMBER. Q.	
WONT YOU	WONT YOU	WON'T YOU	
STATE THE	STATE THE	TELL THE	
SUBSTANCE OF	SUBSTANCE OF	SUBSTANCE OF	
THEM ? A.	THEM [page torn]	THEM?	
A PARTY CAME	APARTY CAME	A. PARTY CAME	
TO OUR CAMP,	TO OUR CAMP	TO OUR CAMP	
ASISAID	AS I SAID	AS I SAID	
BEFORE, AND	BEFORE AND	BEFORE AND	
BEGAN	BEGAN	BEGAN	
TALKING	TALKING	TALKING	
ABOUT WHERE	ABOUT WHERE	ABOUT WHERE	
ARE YOU FROM	YOU FROM	ARE YOU FROM	
AND WHERE	AND WHERE	AND WHERE	
ARE YOU GOING,	YOU GOING	ARE YOU GOING	
AND ONE THING	AND ONE THING	AND ONE THING	
AND ANOTHER,	ANOTHER.	AND ANOTHER.	
THEY STATED	THEY STATED	THEY STAT E D	
WHERE THEY	WHERE THEY	WHERE THEY	
WERE FROM	WERE FROM	WERE FROM	
AND WHERE	AND	AND WHERE	
THEY WERE	THEY WERE	THEY WERE	
GOING, AND	GOING AND THE	GOING AND	

SIMPLY PASSING	SIMPLE PASSING	SOME PASSING	
REMARKS	REMARKS	REMARKS A N S	
WHEN	WHEN	WHEN	
TRAVELERS	TRAVELERS	TRAVELERS	
MEET, IS	MEET AND {IS} ⁱ	MEET, IS	
ALL I	ALL I	ALLI	
REMEMBER	REMEMBER	REMEMBER	
ABOUT IT.	ABOUT IT	ABOUT IT.	
THESE ^[388]	THESE	THESE	
WORDS WERE	WORDS WERE	WORDS WERE	
USED IN THIS	USED IN THIS	USED IN THIS	
CONNECTION.	CONNECTION.	CONNECTION.	
Q.	BASKIN $\{0\}^{i}$	^[242] Q.	
THEY SAID	THEY SAID	THEY SAID	
THEY WERE	THEY WERE	THEY "WERE	
GOING FROM	GOING FROM	GOING FROM	
THE STATES TO	THE STATES TO	THE STATES TO	
CALIFORNIA,	CALIFORNIA	CALIFORNIS,	
BY GOD ? A.	"BY GOD" $\{A\}^i$	BY GOD"? A.	
SOMETHING	SOMETHING	SOMETHING	
LIKE THAT AS I	LIKE THAT AS I	LIKE THAT AS I	
REMEMBER.	REMEMBER IT.	REMEMBER IT.	
Q. DO YOU	$\{0\}^{i}$ DID YOU	Q. DIDYOU	
KNOW WHERE	KNOW WHERE	KNOW WHERE	
THIS EMIGRANT	THIS EMIGRANT	THIS EMIGRANT	
TRAIN WAS	TRAIN WAS	TRAIN WAS	
GOING TO ? A. I	GOING TO AI	GOING TO? A. I	
THINK THEY	THINK THEY	THINKTHEY	
SAID THEY	SAID THEY	SAID THEY	
WERE GOING TO	WERE GOING	WERE GOING TO	
	${TO}^{i}$	SOUTHERN	
CALIFORNIA BY	CALIFORNIA BY	CALIFORNIA BY	
THE	THE	THE	
SOUTHERN	SOUTHERN	SOUTHERN	
ROUTE,	ROUTE.	ROUTE, "	
BY GOD. Q. DID	BY GOD $_{\mathbf{Q}}$ {DID} ⁱ	BYGOD . ! Q. DID	
THEY ADD	THEY ADD	THEY ADD	
THAT ? A. IT	THAT IT	THAT? A. IT	
MAY HAVE	MAY HAVE	MIGHT HAVE	
BEEN THERE.	BEEN THERE IT	BEEN THAT.	
	MIGHT		
Q.	$APPEAR[?]_Q [page]$	Q.	
X. DON'T YOU	torn] DON'T YOU	Q. DON'T YOU	
KNOW THERE	KNOW THERE I	KNOW THERE	
ISN'T A	AIN'T ≤A ≥	IS NOT A	

RS

BT

PS

WORD OF	WORD OF	WORD OF	
TRUTH IN WHAT	TRUTH {IN	TRUTH IN WHAT	
YOU ARE	YOU ARE	Y O U ARE	
STATING AND	STATED} ⁱ	STATING,	
THAT THEY	THAT THEY	THAT THEY	
USED NO SUCH	USED NO SUCH	USED NO SUCH	
AN EXPRESSION	EXPRESSION AS	EXPRESSION, AS	
	BY GOD,	,"BY GOD"?	
—AINT YOU	AINT YOU	ARN'T YOU	
CONSCIOUS OF	CONSCIOUS OF	CONSCIOUS OF	
THAT FACT ? A. I	THAT FACT AI	THAT FACT? A. I	
REMEMBER	REMEMBER	REMEMBER	
HEARING	HEARING	HEARING	
OF THE	THE/HIS[?]	THE	
REMARK.	REMARK	REMARK. $M^{\underline{R}}$	
	BASKIN YOU	BASKIN: YOU	
	CAN TAKE THE	CAN TAKE THE	
RE-CROSS.	WITNESS RE	WITNESS. RE -	
itt encost.	CROSS	DIRECTEXAMIN	
	EXAMINATION	ATION OF SILAS	
	{II} ⁱ BY COURT	S. S MITH.	
	DO DEFENSE	5. 5 141111.	
	WANT TO ASK		
	HIM ANY MORE		
	QUESTION BY	BY M ^{<u>R</u>}	
COURT:	COURT o	SUTHERLAND: Q	
ONE QUESTION.	ONE QUESTION	. ONE QUESTION	
YOU	{YOU} ⁱ	MORE. YOU	
STATED THAT	STATED YOUR	STATED YOUR	
YOUR PARTY	PARTY [page torn]	PARTY WAS	
HAD SURMISES	SURMISED	SUSPICIOUS	
AFTER YOU	AFTER YOU	AFTER YOU	
LEFT CORN	LEFT CORN	LEFT CORN	
CREEK IN	CREEK IN	CREEK IN	
REGARD TO	REGARD TO	REGARD TO	
REGARD TO	THIS MIGHT	THIS THING,	
	BEEN AND	WHAT MIGHT BE	
	DONE BY THESE	DONE BY THEM	
	<pre>>IN REGARD</pre>	IN REGARD TO	
THIS OX, OR	OX>	THE OX.	
WHAT MIGHT BE			
DONE BY THIS,			
WHO WAS	WHO WAS	WHO WAS	
PRESENT THEN,	PRESENT THEN	PRESENT THEN?	
IF I	IF I	A. IF I	
11, 1	11, 1	А. ІГ І	

RS

BT

PS

UNDERSTOOD	UNDERSTAND	UNDERSTAND
YOU ARIGHT ?	UNDERSTOOD	
WITNESS: I SAID	YOU RIGHT	YOU RIGHT
COURT:	[[2]]354	I STATED—
	$\{A\}^{i}$ I SAID $\{\}^{i}$	
	Q	Q.
AFTER YOU	AFTER YOU	AFTER YOU
LEFT CORN	LEFT CORN	LEFT CORN
CREEK AFTER	CREEK AFTER	CREEK, AFTER
YOU STARTED	YOU STARTED	YOU STARTED
GOING NORTH ?	GOING NORTH	TO GO NORTH?
A. I THINK I	{ _A } ⁱ I THINK I	A. I THINK I
SPOKE OF THEM	SPOKE OF THEM	SPOKE OF THEM,
AND ONE OF THE	ONE OF THE	ONE OF THE
PARTY, I CAN'T	PARTY I CAN'T	PARTY; I CAN'T
SAY WHO.	SAY WHO	SAY WHO.
SUTHERLAND:	Q	Q.
WERE THEY ALL	WERE THEY ALL	WERE THEY ALL
PRESENT ? A. I	PRESENT ? AI	PRESE E NT? A. I
DON'T	DON'T	DON'T
REMEMBER, I	REMEMBER I	REMEMBER, I
WAS THE FIRST	WAS THE FIRST	WAS THE FIRST
ONE	ONE AND	ONE WHO
SPEAKING	SPEAK	SPOKE
ABOUT IT AND IT	OF IT AND IT	OF IT, AND
PASSED OFF IN	PASSED OFF IN	PASSED OFF IN
THAT KIND OF A	THAT ← KIND OF	THAT KIND OF A
WAY, I	WAY≥I	WAY, AND I
HADN'T	HADN'T	HADN'T
THOUGHT OF IT	THOUGHT OF IT	THOUGHT OF IT
AFTERWARDS.	AFTERWARDS	AFTERWARDS.
Q. NO OTHER	ONO OTHER	Q. NO OTHER
ONE SPOKE OF	ONE SPOKE OF	ONE SPOKE OF
IT BESIDES	IT BESIDES	IT BESIDES
YOU—NO OTHER	YOU NO OTHER	YOU?
ONE SPOKE OF	ONE SPOKE OF	
IT BESIDES YOU	IT BESIDES YOU	
AT ANY TIME	AT ANY TIME,	AT ANY TIME
	,	AFTERWARDS
AFTERWARDS,	AFTERWARDS	AFTERWARDS
AS YOU WENT	AS YOU WENT	AS YOU WENT
ALONG ? ^[389] A.	ALONG A	ALONG? A .

^{354.} Written out at the top of the page in longhand: {SILAS S. SMITHS, TESTIMONY FOR DEF.} p

RT	RS	BT	PS
NOT THAT I	NOT THAT I	NOT THAT I I	
REMEMBER,	REMEMBER	REMEMBER,	
THERE WAS A	THERE WAS	THERE WAS	
LITTLE	LITTLE	LITTLE	
CONVERSATION.	CONVERSATION	CONVERZSATIO	
Q. WHAT WAS	QWHAT WAS	N. Q. WHAT WAS	
THE	THE	THE	
CONVERSATION ?	CONVERSATION	CONVERSATION	
A. NOTHING	ANOTHING	? A. NOTHING	
MORE THAN IT	MORE THAN IT	MO T RE THAN IT	
WAS AN UNUSUAL	WAS AN UNUSUAL	WAS AN UNUSUAL	
QUESTION TO	QUESTION TO	QUESTION TO	
BE ASKED,	BE ASKED	BE ASKED.	
THAT IS THE	≤THAT IS THE	THAT IS THE	
SUM AND	SUM AND	SUM AND	
SUBSTANCE OF	SUBSTANCE OF	SUBSTANCE OF	
THE	SODSTANCE OF	THE	
CONVERSATION.	CONVERSATION	CONVERSATION	
BASKIN.	{ _{AQ} } ⁱ BASKIN	$I^{[243]}$ M^{R}BASKIN :	
THERE IS ONE	OTHERE IS ONE	THERE IS ONE	
THING I	THING I	QUESTION I	
OMITTED —	OMITTED TO	OMITTED TO	
	←ASK.≻	ASK YOU. Q. (
		BY BASKIN)	
YOU SPOKE OF	YOU SPOKE OF	YOU SPOKE OF A	
THE TRAIN THAT	THE TRAIN	TRAIN	
YOU CALLED	YOU CALLED	CALLED BY	
THE DUKE	THE DUKE	THE "DUKE"	
TRAIN ? A. YES.	TRAIN AYES	TRAIN? A. YES.	
Q. WHERE DID	QWHERE DID	Q. WHERE DI D	
YOU FIRST SEE	YOU FIRST SEE	YOU FIRST SEE	
THAT TRAIN ? A.	THAT TRAIN A	THAT TR I N? A: I	
I FIRST SAW	I FIRST SAW	FIRST SAW	
THEM HERE— CAMPED ON THE	THEM HERE , CAMPED ON THE	THEM HERE, CAMPED ON THE	
CREEK SOUTH		CREEK SOUTH	
OF HERE Q.	CREEK, SOUTH HERE o	OF HERE. Q. WAS	
WAS IT BEFORE	WAS IT BEFORE	IT BEFORE OR	
OR AFTER THE	OR AFTER	AFTER THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOW	MEADOW	MEADOW	
MASSACRE ? A.	MASSACRE A	MASSACRE? A.	
IT WAS AFTER	IT WAS AFTER	IT WAS AFTER	
THIS	THIS ≤FIRST≥	THIS FIRST	

PARTY HAD	PARTY HAD	PARTY HAD	
PASSED. Q. WAS	PASSED oWAS	PASSED. Q. WAS	
IT BEFORE OR	IT BEFORE OR	IT BEFORE OR	
AFTER—WHAT	AFTER, WHAT	AFTER? WHAT	
DAY OF THE	DAY OF THE	DAY OF THE	
MONTH—WAS IT	MONTH , WAS IT	MONTH? WAS IT	
IN SEPTEMBER	IN SEPTEMBER,	IN SEPTEMBER	
THAT YOU SAW	YOU SAW	THAT YOU SAY	
THE DUKE	THE DUKE	THE DUKE	
TRAIN HERE ? A.	TRAIN HERE A	TRAIN HERE? A.	
I CANNOT	I CAN'T	I CAN'T	
REMEMBER	REMEMBER	TREMEMBER	
THE DAY. Q.	THE DAY 0	THE DAY. Q.	
WAS IT THE	WAS IT THE	WAS IT THE	
FIRST OR THE	FIRST OR	FIRST OR	
LATTER PART OF	LATTER PART	LATTER PART	
THE MONTH ?	OF MONTH	OF THE MONTH?	
A. IT WAS THE	AIT WAS THE	A IT WAS THE	
FIRST PART OF	FIRST PART OF	FIRST PART OF	
THE MONTH.	THE MONTH	THE MUOTNTH?	
Q. WAS IT	$\{_0\}^i$ WAS IT	Q. WAS IT	
BEFORE OR	BEFORE OR	BEFORE OR	
AFTER THE	AFTER {THE} ⁱ	AFTER THE	
MASSACRE	MASSACRE	MASSACRE	
AT THE	${AT}^{i}$	AT THE	
MOUNTAIN	MOUNTAIN	MOUNTAIN	
MEADOWS—	MEADOWS	MEADOWS—	
BEFORE OR	BEFORE {OR} ⁱ	BEFORE OR	
AFTER ? A. I DO	AFTER AI DID	AFTER? A I DID	
NOT KNOW —	HEAR IT	HEAR; BUT I	
CANNOT TELL,	CAN'T TELL	CAN'T TELL	
WHETHER IT	WHETHER IT	WHETHER IT	
WAS BEFORE OR	WAS BEFORE OR	WAS BEFORE OR	
AFTER.	AFTER	AFTER. Q. WHEN	
APTER.	AFTER	YOU SPOKE OF	
Q.	$\{Q\}^i$	WHAT O Q.	
Q. WONT YOU	WONT YOU	WON'T YOU	
STATE TO THE	STATE TO THE	STATE WHAT	
COURT	COURT,	OCCURRED	
WHEN YOU	WHEN YOU	WHEN YOU	
CAME UP	CAME UP	CAM E PED UP	
RIGHT HERE AT	RIGHT HERE AT	RIGHT HERE AT	
THIS POINT,	THIS TOWN	THIS POINT?	
WHAT TOOK			
PLACE ? A.		•	
I LACE ! A.	Α	A.	l]

RT	RS	BT	PS
THERE HAD	THERE HAD	THERE HASD	
BEEN SOME	BEEN SOME	BEEN SOME	
DIFFICULTY	DIFFICULTY	DIFFICULTY	
WITH THE	WITH	WITH THE	
INDIANS, I WAS SENT OVER	INDIANS, I WAS SENT OVER	INDIANS. I WAS SENT OVER	
HERE, AN	HERE AN	HERE — AN	
INDIAN HAD	INDIAN HAD	INDIAN HAD	
BEEN SHOT BY	BEEN SHOT BY	BEEN SHOT BY	
ONE OF THIS	ONE OF THIS	ONE TH S IS	
PARTY; THE	PARTY,	PARTY. THE	
TRAIN WAS	TRAIN WAS	TRAIN WAS	
COMPOSED OF	COMPOSED OF	COMPOSED OF	
THREE PARTS;	3 PARTS.	THREE PARTS.	
THEY HAD	THEY HAD	THEY HAD	
CONSOLIDATED	CONSOLIDATED	CONSOLIDATED	
AFTER THIS ATTACK WITH	AFTER THIS ATTACK ≼ ON	AFTER THIS ATTACK ON	
THE	THEM BY THE≥	THEM BY THE	
INDIANS. ^[390] Q.	INDIANS $\{Q\}^i$	INDIANS. Q.	
DO YOU KNOW	DO YOU KNOW	DO YOU KNOW	
OF YOUR OWN	OF YOUR OWN	OF YOUR OWN	
KNOWLEDGE	KNOWLEDGE	KNOWLEDGE	
THAT AN		THAT THE	
INDIAN WAS	INDIAN WAS	INDIAN WAS	
SHOT ? A. I SAW	SHOT AI SAW	SHOT? A. I SAW	
THE WOUNDED	THE WOUNDED	THE WOUNDED	
INDIAN. Q.	INDIAN. $\{\mathbf{Q}\}^1$	INDIAN. Q.	
WHAT BAND DID THE INDIAN	WHAT BAND DID THE INDIAN	WHAT BAND DID THE INDIAN	
BELONG TO	BELONG TO	BELONG TO	
THAT WAS	THAT WAS	THAT WAS	
SHOT ? A. I DO	SHOT AI	SHOT? A. I	
NOT KNOW.	DON'T KNOW	DON'T KNOW.	
Q. WAS NOT IT	QWAS NOT IT	Q.WASN'T IT	
THE CORN	ČORN	THE CORN	
CREEK	CREEK	CREEK	
INDIANS ? A. I	INDIANS _A I	INDIANS? A. I	
THINK IT WAS	THINK IT WAS	THINK IT WAS,	
SOME WAY	SOME WAY	SOMEWAY	
CONNECTED WITH KANOSH.	CONNECTED WITH KANOSH	CONNECTED WITH KANOS K H.	
Q. DID H E	oDID	Q. DID	
\triangleleft THEY > TELL	THEY STATE	THEY STATE	
WHAT HE	WHAT THEY	WHAT THEY	

	1		
<they> SHOT</they>	SHOT	SHOT	
HIM FOR A.	HIM FOR A	HIM FOR? A.	
THEY SAW HIM	THEY SAW HIM	THEY SAW HIM	
IN THE NIGHT,	IN THE NIGHT.	IN THE NIGHT.	
HE WAS	HE WAS	HE WAS	
LURKING	LURKING	LURKING	
AROUND THE	AROUND THE	AROUND THEIR	
TRAIN.	TRAIN YES.	TRAIN IN THE	
Q.		NIGHT. Q.	
HOW	HOW	ABOUT HOW	
MANY OF THE	MANY OF THE	MANY OF THE	
INDIANS WERE	INDIANS WERE	INDIANS WERE	
AROUND	AROUND	THERE AROUND	
HERE WHEN	HERE WHEN	HERE WHEN	
YOU CAME UP ?	YOU CAME UP	YOU CAME UP?	
A. WELL WE	AWELL WE	^[244] A. WELL, WE	
GOT THE UPPER	GOT THE UPPER	GOT THE UPPER	
HAND BY	HAND BY	HAND BY	
GETTING	GETT{ING} ⁱ	GERTRTING	
HOLD OF THE	HOLD OF {THE} ⁱ	HOLD OF THE	
INDIANS,	INDIAN,	INDIAN—	
SEEKING FOR	SEEKING AFTER	SEEKING FOR	
THEM. Q. WERE	HIM. O WERE	HIM. Q. WERE	
NOT THE	NOT THE	NOT THE	
MORMONS AND	MORMONS AND	MORMONS AND	
INDIANS AT	INDIANS IN	INDIANS AT	
PEACE AND ON	PEACE, ON	PEACE, I ON	
FRIENDLY	FRIENDLY	FRIENDLY	
TERMS AT THAT	TERMS AT THAT	TERMS AT THAT	
TIME ? A. YES	TIME AYES	TIME? A. YES,	
SIR. Q. WAS NOT	SIR OWAS NOT	SIR. Q. WASN 'T	
IT BY VIRTUE OF	IT BY VIRTUE OF	~	
SOME FRIENDLY	SOME FRIENDLY	SOME FRIENDLY	
RELATIONS	RELATIONS	RELATIONS	
EXISTING			
WITH THE	<i>ON</i> [?] THE	WITH THE	
INDIANS,	INDIANS	INDIANS	
OR OR	EXISTING	EXISTING	
BETWEEN THE	BETWEEN THE	BETWEEN THE	
INDIANS AND	INDIANS AND	INDIANS AND	
INDIANS AND THE MORMONS THAT YOU WERE ENABLED TO PACIFY THEM. A. AS I	INDIANS AND THE MORMONS YOU WERE ENABLED TO PACIFY THEM { _A } ⁱ AS I	INDIANS AND MORMONS THAT YOU WERE ENABLED TO PA SS CIFY THEM? A. AS I	

UNDERSTOOD IT	UNDERSTOOD	STATED IT,	
THE INDIANS	IT, INDIANS	THE INDIANS	
WERE EXCITED	WERE EXCITED	WERE EXCITED	
FROM WHAT I	FROM WHAT I	FROM WHAT I	
AFTERWARDS	AFTERWARDS	AFTERWARDS	
HEARD, TO BE	HEARD TO BE	HEARD THE	
	≺SO ABOUT≻	PARTIES SAY	
THE	THE	ABOUT THE	
POISONING OF	POISONING OF	POISI O NOUS	
THIS OX AND	THIS OX AND	OX AND	
THE SPRING. Q.	THE SPRING. O	THE SPRING. A Q.	
I DON'T WANT	I DON'T WANT	I DON'T WANT	
TO KNOW	TO KNOW	TO KN W OW	
WHAT THEY	WHAT THEY	WHAT THEY	
TOLD YOU—	TOLD YOU	TOLD YOU-?	
THIS	[space] THIS	THIS	
TIME IT WAS IN	TIME IT WAS IN	TIME IT WAS IN	
RELATION TO	RELATION TO	RELATION TO	
MORMONS AND	MORMONS AND	MORMONS AND	
TRAVELERS —	TRAVELERS	TRAVELERS? A.	
THE INDIANS	THE INDIANS	THE INDIANS	
WERE STEALING	WERE STEALING	WERE STEALING	
STOCK MORE OR	STOCK MORE OR	STOCK MORE OR	
LESS, IF NOT YOU	LESS, $\{AND\}^i$	LESS	
KNOW — DO	FOR YEARS Q	FOR YEARS. Q.	
YOU KNOW	YOU KNOW	BUT YOU KNOW	
OF ANY	OF ANY ³⁵⁵	OF NO	
MORMON	MORMON	MORMONS	
BEING KILLED	BEING KILLED	BEING KILLED	
DOWN THERE AT	DOWN THERE =	DOWN THERE,	
THE MOUNTAIN	≺NO≻ MORMON	NO, MORMONS ?	
MEADOWS ? A.	Α	Α.	
NO SIR. Q. AND	NO SIR $\{\mathbf{Q}\}^{i}$	NO, SIR . Q.	
YOU KNOW IT IS	YOU KNOW IT IS	YOU KNOW IT IS	
A FACT	A FACT	A FACT THAT	
WHITE MEN	WHITE MEN	WHITE MEN	
STEAL, DON'T	STEAL, DON'T	STEAL, DON'T	
YOU ? ^[391] A. I	YOU AI	YOU? A. I	
HAVE HEARD	HAVE HEARD	HAVE HEARD	
SO, YES SIR. Q.	SO YES SIR. $\{\mathbf{Q}\}^i$	SO, YES, SIR. Q.	
DON'T YOU	WAS NOT THAT	WASN'T THAT	
KNOW THAT	AMOUNT OF	AMOUNT OF	
	DEPREDATION	DEPREDATION	

355. Vowel, added later in ink, would render the word "NO".

RT	

		DONE DU THORE
		DONE BY THOSE
THE CHIEFS AND	THE CHIEF	CHIEFLY WHO
THE INDIANS		
WERE AT ; PEACE	WERE AT PEACE	WERE AT PEACE
WITH THE	WITH	WITH THE
MORMONS ?	MORMON	MORMON
	PEOPLE? DON'T	PEOPLE? DON'T
	YOU KNOW	YOU KNOW
	THEY WERE [[3]]	THEY WERE?
A. I DO NOT	{ _A } ⁱ I DON'T	A. I DON'T
KNOW, BUT THEY	KNOW THEY	KNOW;
TRADED,	TRADED	THEYTRADED
BUTI	BUT I	SOME, BUT I
ALWAYS	ALWAYS	ALWAYS
BELIEVED THEM	BELIEVED THEM	BELIEVED THEM
TO BE	TO BE	TO BE
COGNIZANT	CONSENT	COGNIZANT
OF THE	WITH THE	OF THE
STEALING OF	STEALING ≤ OF	STEALING OF
THIS STOCK.	THIS→ STOCK.	THE STOCK.
Q. HOW MANY	$\{0\}^{i}$ HOW MANY	Q: HOWMANY
INDIANS DID	INDIANS DID	INDIANS DID
YOU MEET HERE	YOU MEET HERE	YOU MEET HERE
OR SEE AROUND	OR SEE AROUND	OR SEE AROUND
HERE AT THE	HERE AT THE	HERE AT THE
TIME THAT	TIME THAT	TINME OTHAT
TRAIN WAS	TRAIN WAS	TRAIN WAS
STATIONED	STATIONED	STATIONED
HERE ? A. I	HERE AI	HERE? A. I
COULD NOT	COULD NOT	COULD NOT
SAY. Q. ABOUT	SAY $\{Q\}^i$ ABOUT	SAY? Q: ABOUT
HOW MANY ? A.	_	HOW MANY? A.
PROBABLY	HOW MANY A	PROBABLY
	PROBABLY	
FIFTEEN OR	15 OR	IS OR
TWENTY. WE	20, WE	20. WE
ONLY FOUND A	ONLY FOUND A	ONLY FOUND A
FEW	FEW	FEW, THAT
CAMPED, AND	CAMPED AND	CAME TO THEIR
THE TRAIN	THE TRAIN	TRAIN ANED
MADE THIS	MADE THIS	MADE THIS
NEGOTIATION	NEGOTIATION	NEGOTIATION
WITH THEM AND	WITH THEM ,	WITH THEM.
	THE TRAIN	THE TRAIN
GAVE THEM	GAVE THEM	GAVE THEM
SOME CATTLE.	SOME CATTLE.	SOME CATTLE.

Q. WHAT TRIBE	{o} ⁱ WHAT TRIBE	Q. WHAT TRIBE	
LIVED AROUND	LIVED AROUND	LIVED AROUND	
THE		TOWN THE	
TOWN YOU	TOWN YOU	TOWN YOU	
RESIDE IN AT	RESIDED IN, AT	RESIDED IN AT	
THE TIME	THE TIME	THE TIME TIME	
OF THIS	OF THIS	MEADOW OF	
MOUNTAIN	MOUNTAIN	THIS	
MEADOW	MEADOW	MOUNT Q AIN	
MASSACRE ?	MASSACRE	MASSACRE A .	
A.		P IEDES A.	
A. PIEEDS I THINK	A PIEEDS I THINK	PI-EEDS, I THINK	
THEY ARE	THEY ARE	THEY ARE	
	TERMED $\{0\}^i$		
TERMED. Q. AFTER THE	AFTER	TERMED. Q . AFTER THE	
OCCURRENCE	OCCURRENCE	OCCURRENCE	
	AT THE	AT THE	
AT THE MOUNTAIN	MOUNTAIN		
MOUNTAIN MEADOWS DID		MOUNTAIN MEADOWS DID	
THEY SHOW	MEADOWS DID	THEY SHOW	
ANY HOSTILITY	THEY SHOW ANY HOSTILITY		
TO THE	TO THE	ANY HOSTILITY TO THE	
PEOPLE THERE—	PEOPLE THERE	MORMON	
	← _A NOT PARTICULARLY	PEOPLE:? A. NOT	
DID YOU		PARTICULARLY . ^[245] Q. DID YOU	
EVER KNOW OF	$\geq DID[?] \text{ YOU}$		
ANY PERSON	EVER KNOW OF ANY PERSON	EVER KNOW OF ANY PERSON	
BEING KILLED	BEING KILLED	BEING KILLED?	
BY THEM SOON	DON'T YOU	DEINO KILLED?	
AFTER ? A. I	I	A. I	
DON'T	I DON'T	A. I DON'T	
REMEMBER. Q.		REMEMBER. Q.	
SHORTLY AFTER	REMEMBER Q SHORTLY AFTER	SHORTLY AFTER	
THAT	THAT	THAT	
OCCURRENCE	OCCURRENCE		
WERE THERE	WERE THERE	OCCURRENCE, WERE THERE	
NOT A	NOT $\{\mathbf{A}\}^i$	THEYRE NOT A	
GREAT MANY	GREAT MANY	GREAT MANY	
INDIANS	INDIANS	INDIANS	
CAME	CAME	CAMPED	
AROUND ? A.	CAIVIL	AROUND HERE,	
YES, AROUND 7 A.	AROUND	AROUND HERE, AROUND	
· · · · · · · · · · · · · · · · · · ·		TOWN S	
OUR TOWN,	OUR TOWN,		
TRADING, AS	TRADING, AS	TRADING AS	

RS

BT

PS

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