

John D. Lee, First Trial

William W. Bishop Closing Argument

RS

PS

RT**BT**

<p>[The arrangement of source columns is distinct in Bishop's Closing Argument in order to highlight the similarities between the Rogerson and Patterson shorthands, the similarities between the Rogerson and Boreman transcripts, and the significant differences between shorthands and transcripts.]</p> <p>[[Bk 11 21]]484</p> <p>{PAGE 1 BISHOPS ADDRESS}ⁱ</p> <p>11.25 AM W. W. BISHOPS REMKS</p> <p>TO JURY</p> <p>AUG 4/75 11 24.</p>	<p>[[Bk 12 11 cont.]]</p> <p>11.25 AM W. W. BISHOPS REMKS</p> <p>TO JURY</p> <p>AUG 4/75 = 11 24.</p>	<p>[[Bk 5 1]]</p> <p>FIRST LEE TRIAL.</p> <p>ADDRESS OF WILLIAM W. BISHOP, OF COUNSEL FOR DEFENSE, TO JURY, IN SECOND DISTRICT COURT, BEAVER CITY, UTAH TERRITORY, 11:30 A.M., AUGUST 4TH 1875. ∴ REPORTED BY JOSIAH ROGERSON ∴.</p>	<p>[Bk 9 1] {Book 8} (Book 9) FIRST TRIAL OF JOHN D. LEE. ADDRESS OF WILLIAM W. BISHOP, OF COUNSEL OF FOR DEFENSE TO JURY IN THE SECOND DISTRICT COURT IN BEAVER CITY, BEAVER COUNTY, UTAH TERRITORY</p> <p>AUGUST 4TH, A. D. 1875. REPORTED BY J. ROGERSON.</p>
---	---	--	---

484. “**TRANSCRIBED**” written in longhand diagonally across the page with a line above and below.

RS	PS	RT	BT
<p>COURT PLEASE ◀BISHOP▶ GENTLEMEN OF THE JURY IT HAS BEEN A QUESTION IN MY MIND SINCE</p> <p>THIS CASE COMMENCED WHY IT WAS THAT THE CREATOR OF THIS UNIVERSE SAW FIT TO SPEAK INTO EXISTENCE SUCH A MAN AS THE ONE THAT HAS APPEARED BEFORE YOU AS THE MAIN STAY AND BLOOD OF THIS PROSECUTION. WHY IT WAS ◀THAT▶ BEING THAT HAS BEEN SUPPOSED INCAPABLE OF</p> <p>WISHING HUMANITY WRONG</p>	<p>W W BISHOPS <u>ADDRESS</u>⁴⁸⁵ IF THE COURT PLEASE</p> <p>GENTLEMEN OF THE JURY IT HAS BEEN QUESTION IN MY MIND SINCE</p> <p>THIS CASE COMMENCED WHY IT WAS THAT THE CREATOR OF THIS UNIVERSE SAW FIT TO SPEAK INTO EXISTENCE SUCH A MAN AS THE ONE THAT HAS APPEARED BEFORE YOU AS THE MAIN STAY AND PROP OF THIS PROSECUTION. WHY IT WAS THAT A BEING THAT HAS BEEN SUPPOSED INCAPABLE OF</p> <p>WISHING HUMANITY WRONG</p>	<p>MR. BISHOP FOR DEFENSE SAID —IF THE COURT PLEASE,</p> <p>GENTLEMEN OF THE JURY: IT HAS BEEN A QUESTION, IN MY MIND, SINCE THE TRIAL OF THIS CASE COMMENCED, W HY IT WAS THAT THE CREATOR OF THIS VAST UNIVERSE, SAW FIT TO SPEAK INTO EXISTENCE, SUCH A MAN AS THE ONE THAT HAS APPEARED BEFORE, AS YOU THE MAINSTAY AND SUPPORT OF THIS PROSECUTION. WHY IT WAS THAT A BEING THAT WE HAVE EVER SUPPOSED TO BE INCAPABLE OF EVEN WISHING HUMANITY ANY WRONG; WHO WE HAVE BEEN TAUGHT TO</p>	<p>MR. BISHOP FOR DEFENSE SAID: BISHOP: IF THE COURT PLEASE,</p> <p>GENTELEMEN OF THE JURY: IT HAS BEEN A QUEWSTION IN MY MIND SINCE THE TRIAL OF THIS CASE COMMENSED WHY IT WAS THAT THE THE CREATOR OF THIS VAST UNIVERSE, SHOULD TO SPEAK INTO EXISTENCE SUCH A MAN AS THE ONE THAT HAS APPEARED BEFORE YOU AS THE MAIN STAY AND SUPPORT OF THIS PROSECUTION. WHY IT WAS THAT A BEING THAT WE HAVE NEVER SUPPOSED</p> <p>OF EVEN WISHING HU MANITY ANY WRONG, AND WHOM WE HAVE BEEN TAUGHT TO</p>

485. In Rogerson's longhand.

RS	PS	RT	BT
<p>SHOULD FOR ANY PURPOSE IN CREATE ONE LIKE THAT HARDENED WRETCH K SMITH.</p> <p>I CAN ANSWER IT NOT ANY OTHER WAY THAN THIS. IT MAY BE</p> <p>GREAT I AM SAW FIT TO CREATE SUCH AN UNNATURAL VENOMOUS WRETCH AS K SMITH TO SERVE AS TERRIBLE HORRID EXAMPLE;</p> <p>TO CAUSE</p>	<p>SHOULD FOR ANY PURPOSE CREATE ONE LIKE THAT HARDENED WRETCH KLINGEN SMITH</p> <p>I CAN ANSWER IT IN NO OTHER WAY THAN THIS IT MAY BE</p> <p>GREAT I AM SAW FIT TO CREATE SUCH AN UNNATURAL VENOMOUS WRETCH AS KLINGEN SMITH TO SERVE AS A TERRIBLE HORRID EXAMPLE</p> <p>TO CAUSE</p>	<p>CONSIDER THE FRIEND, AS WELL AS CREATOR OF HUMANITY, SHOULD FOR ANY PURPOSE CREATE SUCH A BEING AS THIS HARDENED WRETCH KLINGENSMITH HAS PROVEN HIMSELF TO BE. I CAN ONLY ANSWER THE QUESTION IN ONE WAY. IT MAY BE THAT THE GREAT I <u>AM</u> SAW FIT TO CREATE SUCH AN UNNATURAL, VENOMOUS BEING AS KLINGENSMITH, TO SERVE AS A MOST TERRIBLE AND HORRIBLE EXAMPLE OF HUMAN FRAILTY AND DEPRIVITY, ONE SO FEARFULLY ODIOUS THAT OTHERS, SINFUL AS THEY MIGHT NATURALLY BE SHOULD TAKE</p>	<p>CONSIDER THE FRIEND AS WELL AS THE CREATOR OF HUMANITY, SHOULD FOR ANY ANY PURPOSE, CREATE SUCH A BEING AS THIS HARDENED WRETCH KLINGENSMITH HAS PROVEN HIMSELF TO BE. I CAN ONLY ANSWER THE QUESTION IN ONE WAY. IT MAY BE, THAT THE GREAT I AM SAW FIT TO CREATE SUCH AN UNNATURAL VENOMOUS BEING AS KLINGENSMITH TO SERVE AS A MOST TERRIBLE AND HORRID EXAMPLE OF HUMAN FRAILTY AND DEPRAFVITY, ONE SO FEARFULLY ODEOUS THAT OTHERS, SINFULL AS THEY MIGHT BE SHOULD TAKE</p>

RS	PS	RT	BT
OTHER MEN TO SHUN HIS EVIL WAYS; THAT MAY HAVE BEEN THE REASON.	OTHER MEN TO SHUN HIS EVIL WAYS THAT MAY HAVE BEEN THE REASON	WARNING FROM HIM AND SHUN HIS EVE EVIL WAYS. IN OTHER WORDS, HE WAS PLACED ON THE SHORES OF TIME TO SERVE AS A LIGHT HOUSE ON THE COAST OF CRIME, TO WARN HUMANITY OF THE DANGERS THAT ENCIRCLE THE SEA OF LIFE, THAT HE MIGHT IN THIS WAY SERVE A WISE PURPOSE —THERE IS A POSSIBILITY. IF SUCH WAS NOT THE PURPOSE OF HIS CREATOR, I AM UNABLE TO SOLVE THE PROBLEM. WE BELIEVE FROM OUR TEACHINGS THAT NOTHING WAS CREATED IN VAIN. IF THIS BE SO WE ^[2] MUST ADMIT THAT THE ALLWISE FASHIONER OF THIS UNIVERSE	WARNING FROM HIM AND SHUN HIS EVIL WAYS. IN OTHER WORDS, HE WAS PLACED ION THE SHORES OF TIME TO SERVE AS A LIGHTHOUSE ON THE COAST OF CRIME TO WARN HUMANITY OF THE DANGERS THAT ENCIRCLE THE SEA OF LIFE, THAT HE MIGHT IN THIS AWAY SERVE A WISE PURPOSE IF THERE IS ASUCH A POSSIBILITY. AND IF SUCH WAS NOT THE PURPOSE OF HIS CREATION I AM UNABLE TO SOLVE THE PROBLEM. WE BELIEVE FROM OUR TEACHINGS THAT NOTHING WAS CREATED IN VAIN, ^[2] IF THIS BE SO, WE MUST ADMIT THAT THE ALL WISE FASSIONER OF THIS UNIVERSE
WE ARE TAUGHT THAT NOTHING IS CREATED IN VAIN. THEN WE MUST CONSIDER THE ALMIGHTY FASHIONER OF THIS UNIVERSE AS SOMETHING NOT	WE ARE TAUGHT THAT NOTHING IS CREATED IN VAIN THEN WE MUST CONSIDER THE ALMIGHTY FASHIONER OF THIS UNIVERSE A SOMETHING NOT		

RS	PS	RT	BT
<p>ALTOGETHER GOOD UNLESS WE CREDIT HIM WITH HAVING CREATED THAT MAN FOR SOME SUCH PURPOSE.</p>	<p>ALTOGETHER GOOD UNLESS WE CREDIT HIM WITH HAVING CREATED THAT MAN FOR SOME SUCH PURPOSE <i>[space]</i></p>	<p>HAS ANIMATED THIS VILE COMPOUND OF TREACHERY, CRUELTY, IGNORANCE AND INFAMY FOR THE PURPOSE I HAVE MENTIONED, AND HAS PERMITTED HIM TO THUS LONG CUMBER THE EARTH, THAT MANKIND MAY HAVE REASON TO WONDER BBAT THE WAYS OF PROVIDENCE — AND DREAD THE POWER OF A GOD THAT CAN AND WILL CREATE SUCH A MONSTER AS HE, WHO, IN YOUR PRESENCE</p> <p>SO LABORED TO DISGRACE HIMSELF; WHO LEFT NO CRIME UNCONFESSED, WHICH HE BELIEVED THE ADMISSION OF WOULD AID HIM</p>	<p>HAS ANIMATED THIS VILE COMPOUND OF TREACHERY, CRUELTY, IGNORANCE, AND INFAMY FOR THE PURPOSES THAT I HAVE MENTIONED, AND HAS PERMITTED HIM TO THUS LONG ENCUMBER THE EARTH, THAT MANKIND MAY HAVE REASON TO WONDER AT THE WAYS OF PROVIDENCE, - AND DREAD THE POWER OF A GOD THAT CAN AND WILL CREATE SUCH A MONSTER AS HE, WHO IN YOUR PRESENCE DURING THIS TRIAL HAS SO LABERED TO DISGRACE HIMSELF, WHO LEFT NO CRIME UNCONFESSED, WHE WHICH HE BELIEVED THE COMMISSION OF WOULD AID HIM</p>

RS**PS****RT****BT**

		<p>IN HIS COLD BLOODED DESIGN, TO CONVICT, AT ALL HAZARDS THE MAN HE ONCE CALLED FRIEND, BUT WHO, HE NOW THINKS MUST DIE, IN ORDER THAT HIS OWN WORTHLESS LIFE MAY BE SPARED A FEW SHORT YEARS, BEFORE HE TAKES HIS DEPARTURE FROM EARTH, TO THE REALMS OF THOSE CAST OUT FROM THE PRESENCE OF THE BLEST.</p>	<p>IN THIS CLODBLOODED DESIGN TO CONVICT AT ALL HAZARDS THE MAN THAT HE ONCE CALLED FRIEND; BUT WHO HE NOW THINKS MUST DIE IN ORDER THAT HIS OWN WORTHLESS LIFE MAY BE SPAIED A FEW SHORT YEARS BEFORE HE TAKES HIS DEPARTURE FROM EARTH TO TO THE CIRCLE OF THOSE CASET OUT FROM THE PRESENCE OF THE BLESSED.* *IF I HAD A CHILD 5 YEARS OLD WHO WOULD BELIEVE A SINGLE WORD THAT KLINGENSMITH SAID I WOULD TAKE A SWITCH OR RAWHIDE AND WHIP IT JUST AS LONG AS I COULD DO SO WITHOUT DESTROYING</p>
--	--	---	---

RS	PS	RT	BT
LET'S TAKE HIM NOW AND TREAT HIM AS IT BECOMES YOUR DUTY TO TREAT HIM.	LET'S TAKE HIM NOW AND TREAT HIM AS IT BECOMES YOUR DUTY TO TREAT HIM.	IT IS MY DUTY TO TREAT HIM JUSTLY. IT IS YOUR DUTY, AS JURYMEN, TO GIVE DUE WEIGHT TO ALL THAT HE HAS SAID WHILE ON THE STAND AS A WITNESS, TO GIVE ATTENTION TO ALL THE EVIDENCE WHICH HE AND OTHERS HAVE GIVEN IN THE CASE, AND LET THE EVIDENCE BEAR ITS DUE WEIGHT UPON YOUR MINDS AND JUDGMENTS. IT IS THE DUTY OF THE ADVOCATE, IN A CASE LIKE THIS—YES, IN ALL CASES, TO AID THE JURY TO ARRIVE AT THE TRUTH OF THE QUESTION BEFORE THEM FOR INVESTIGATION MY DUTY, AS A SWORN	ITS LIFE. ⁴⁸⁶ IT IS MY DUTY TO TREAT HIM JUSTLY. IT IS YOUR DUTY AS JURYMEN TO GIVE DUE WEIGHT TO ALL THAT HE HAS SAID ON THE STAND AS A WITNESS, TO GIVE ATTENTION TO ALL THE EVIDENCE WHICH HE AND FO OTHERS HAVE GIVEN IN THE CASE, AND LET THAT EVIDENCE BEAR ITS DUE WEIGHT UPON YOUR MINDS AND JUDGMENT. IT IS THE DUTY OF THE ADVOCATE IN A C ASE LIKE THIS—YEA W IN ALL CASES TO AID THE JURY TO ARRIVE AT THE TRUTH OF THE QUESTION BEFORE THEM FOR INVESTIGATION. MY DUTY AS A SWORN
IT IS THE DUTY OF THE ATTORNEYS IN A CASE LIKE THIS TO ENABLE THE JURY TO ARRIVE AT THE TRUTH.	IT IS THE DUTY OF THE ATTORNEYS IN A CASE LIKE THIS TO ENABLE THE JURY TO ARRIVE AT THE TRUTH [space]		
MY DUTY AS A SWORN	MY DUTY AS A SWORN		

486. This sentence is inserted on the side of the page.

RS	PS	RT	BT
<p>COUNSEL</p> <p>IS NOT TO PERVERT</p> <p>FACTS. IT IS NOT TO SAY TO YOU THAT THE EVIDENCE PROVES A FACT THAT IS NOT SHOWN BY IT. IT IS NOT MY PROVINCE TO DENY THAT WHICH THE EVIDENCE DOES ESTABLISH.</p> <p>BUT AS</p>	<p>COUNSEL</p> <p>IS NOT TO PERVERT</p> <p>FACTS IT IS NOT TO SAY TO YOU THAT THE EVIDENCE PROVES A FACT THAT IS NOT SHOWN BY IT IT IS NOT MY PROVINCE TO DENY THAT WHICH THE EVIDENCE DOES ESTABLISH.</p> <p>BUT AS</p>	<p>ATTORNEY, COUNSEL AND ADVOCATE, IN THIS CASE, IS NOT TO PERVERT THE FACTS, IT IS NOT TO SAY TO YOU THAT THE EVIDENCE ESTABLISHES A FACT WHICH IT DOES NOT PROVE. IT IS NOT MY PROVINCE TO DENY THAT WHICH THE EVIDENCE DOES SHOW. IT IS MY DUTY TO AID YOU IN ^[3]</p> <p>UNRAVELLING THE TWISTED SKEIN TO EXPLAIN THAT WHICH LOOKS OBSCURE, AND WITH SOBER REASONING REFUTE THE SOPHISTRY OF THE PROSECUTION.</p> <p>YOU, AS</p>	<p>ATTORNEY AND COUNSEL AND ADVOCATE IN THIS CASE IS NOT TO PERVERT PREVERT THE FACTS. IT IS NOT OF TO SZSAY TO YOU THAT THE EVIDENCE ESTABLISHES A FACT WHICH IT DOES NOT PROVE. IT IS NOT MY PROVINCE TO DENY THAT WHICH THE EVIDENCE DOES NOT SHOW;; BUT IT IS MY DUTY TO AID YOU IN</p> <p>UNRAVELING THE TWISTED SKEIN AND TO EXPLAIN THAT WHICH LOOKS OBSCURE, AND WITH SOBER RESASONING REFUTE THE SOPHESTRY ^[3] OF THE PROSECUTION. GENTLEMEN, I ADMIT TO YOU THAT KLINGENSMITH HAS TOLD SOME TRUTH AND YOU AS</p>

RS	PS	RT	BT
<p>REASONABLE</p> <p>MEN YOU ARE TO TAKE IN CONNECTION WITH TESTIMONY</p> <p>UNDER RULES</p> <p>INSTRUCTIONS OF COURT</p> <p>YOU ARE TO TAKE THE AID I CAN GIVE YOU IN DIGESTING THAT TESTIMONY THAT HAS BEEN DETAILED TO YOU BY</p> <p>WITNESSES UNDER OATH</p> <p>AND ASK YOURSELVES WHEN YOU GO TO RETIRE</p>	<p>REASONING</p> <p>MEN YOU ARE TO TAKE IN CONNECTION WITH THE TESTIMONY</p> <p>AND UNDER THE RULES AND</p> <p>INSTRUCTIONS OF THE COURT</p> <p>YOU ARE TO TAKE THE AID THAT I CAN GIVE YOU IN DIGESTING THAT TESTIMONY THAT HAS BEEN DETAILED TO YOU BY</p> <p>WITNESSES UNDER OATH</p> <p>AND ASK YOURSELVES WHEN YOU GO TO RETIRE TO</p>	<p>REASONABLE AND RATIONAL</p> <p>MEN ARE REQUIRED TO CONSIDER, ALL OF THE EVIDENCE INTRODUCED IN THE CASE, AND THEN UNDER THE RULES OF LAW AS GIVEN TO YOU BY THE COURT IN ITS INSTRUCTIONS, YOU ARE TO APPLY THE LAW TO THE FACTS IN THE CASE. IT IS ALSO YOUR RIGHT, AS WELL AS YOUR DUTY, TO RECEIVE ALL OF THE ASSISTANCE THAT I CAN GIVE YOU IN DIGESTING THE EVIDENCE</p> <p>THAT HAS BEEN DETAILED BEFORE YOU BY THE WITNESSES, WHO HAVE TESTIFIED FOR THE PROSECUTION AND THE DEFENDANT, AND THEN WHEN YOU RETIRE TO</p>	<p>REASONING AND RATIONAL</p> <p>MEN, ARE REQUIRED TO CONSIDER ALL OF THE EVIDENCE INTRODUCED IN THE CASE, AND THEN UNDER THE RULES OF LAW AS GIVEN TO YOU BY THE COURT IN ITS INSTRUCTIONS, YOU ARE TO APPLY THE LAW TO THE FACTS IN THE CASE. IT IS ALSO YOUR RIGHT, AS WELL AS YOUR DUTY TO RECEIVE ALL OF THE ASSISTANCE THAT I CAN GIVE YOU IN DIGESTING THE EVIDENCE</p> <p>THAT HAS BEEN DETAILED BEFORE YOU BY THE WITNESSES WHO HAVE TESTIFIED FOR THE PROSECUTION AND THE DEFENDANT, AND THEN WHEN YOU RETIRE TO</p>

RS	PS	RT	BT
<p>DELIBERATE UPON YOUR VERDICT TAKING ALL THIS TOGETHER;</p> <p>HAVE I AN ABIDING FAITH WITHIN ME THAT THE TRUTH OF THE CHARGE IS</p> <p>SUSTAINED HAVE</p> <p>I ANY REASON CAUSE TO DOUBT</p> <p>EVIDENCE RELIED UPON BY PROSECUTION</p>	<p>DELIBERATE UPON YOUR VERDICT TAKING ALL THIS TOGETHER</p> <p>HAVE I AN ABIDING FAITH WITHIN ME THAT THE TRUTH OF THE CHARGE IS</p> <p>SUSTAINED HAVE</p> <p>I ANY REASON CAUSE TO DOUBT</p> <p>THE EVIDENCE HANDLED DOWN BY THE PROSECUTION</p>	<p>DELIBERATE UPON YOUR VERDICT, TAKING ALL THE FACTS INTO CONSIDERATIO N,GIVING THE SAME ALL DUE CREDIT, THEN APPLY THE LAW TO THE FACTS PROVEN, AND THEN ASK YOUR SELVES THE QUESTION,HAVE I AN ABIDING FAITH WITHIN ME THAT THE TRUTH OF THE CHARGE HAS BEEN SUSTAINED BY LEGAL EVIDENCE ? HAVE I NO REASONABLE DOUBT REMAINING AS TO THE GUILT OF THE ACCUSED ? HAS THE EVIDENCE RELIED UPON BY THE PROSECUTION</p> <p>SUSTAINED AND PROVEN, BEYOND A REASONABLE DOUBT,ALL</p>	<p>DELIBERATE ONUPON YOUR VERDICT TAKING ALL YOUTHE FACTS INTO CONSIDERATIO N — GIVING THE SAME ALL DUE CR4DIT, THÆN APPLY THE LAW TO THE FACTS PROVEND, THEN ASK YOURSELVES THE QUESTION: HAVE I AN ABIDING FAITH WITHIN ME THAT THE TRUTH OF THE CHARGE HAS BEEN SUSTAINED BY LEGAL EVIDENCE? HAVE I NO REASONABLE DOUBT REMAINING AS TO THE GUILT OF THE ACCUSED? HAS THE EVIDENCE RELIED UPON BY THE PROSECUTION BEEN SUSTAINED AND PROVEN BEYOND A REASONABLE DOUBT A S TO</p>

RS**PS****RT****BT**

<p>CAN WHEN I RETIRE TO MY COUCH</p> <p>AFTER LEAVING THIS JURY BOX AND</p> <p>RETURN HOME</p>	<p>CAN I WHEN I RETIRE TO MY COUCH</p> <p>AFTER LEAVING THIS JURY BOX AND</p> <p>RETURN HOME</p>	<p>THE</p> <p>ALLEGATIONS IN THE INDICTMENT, THEN ANSWER THE QUESTIONS AS YOUR BEST JUDGMENT SHALL DICTATE,AND AS YOUR CONSCIENCE WILL APPROVE, AND THE FACTS PROVEN WILL JUSTIFY. ACT SO THAT WHEN YOU RETIRE TO YOUR COUCH, AFTER THE TOIL OF THE DAY, TO REST YOUR WEARY BODIES DURING THE NIGHTS OF THE COMING FUTURE, AFTER YOUR LABORS AS JURORS IS ENDED AND YOU HAVE RETURNED TO YOUR HOMES AND HOUSEHOLD TREASURES, AS YOU RETURN THANKS TO THE GIVER OF ALL</p>	<p>ALL THE MATERIAL ALLEGATIONS IN THE INDICTMENT? THEN ANSWER THE QUESTIONS AS YOUR OWN BEST JUDGMENT SHALL DICTATE, AS YOUR CONSCIENCE WILL APPROVE AND THE FACTS PROVEN MAY JUSTIFY. ACT SO, THAT WHEN YOU RETIRE TO YOUR COUCH AT AFTER THE TOIL OF THE DAY TO REST YOUR WEARY BODIES DURING COMING THE NIGHTS OF THE COMING FUTURE — ATAFTER YOUR PRESENT LABOR AS JURORS HAS ENDED AND YOU HAVE RETURNED TO YOUR HOMES AND HOUSEHOLD TREASURES, AND AS AYS YOU RETURN THANKS TO THE GIVER OF ALL</p>
--	--	---	--

RS	PS	RT	BT
<p>AS I SAY MY EVENING PRAYER AND ASKING ALMIGHTY TO BLESS MY ^{[[22]]}487</p> <p>EFFORTS CAN I SAY I</p> <p>HAVE DONE MY DUTY</p> <p>UNLESS I ACT IN ACCORDANCE WITH THE OPINION FORMED IN MY MIND AFTER A PROPER ESTIMATE OF THE EVIDENCE</p>	<p>AS I SAY MY EVENING PRAYER AND ASKING ALMIGHTY TO BLESS MY</p> <p>EFFORTS CAN I SAY THAT I</p> <p>HAVE DONE MY DUTY</p> <p>UNLESS I ACT IN ACCORDANCE WITH THE OPINION FORMED IN MY MIND AFTER A PROPER ESTIMATE OF THE EVIDENCE</p>	<p>GOOD FOR PAST BLESSINGS AND YOU PRAY FOR A CONTINUANCE OF DIVINE FAVORS, YOU [space] ^[4] CAN SAY “I FEEL A CONSCIOUSNES S OF HAVING DONE MY WHOLE DUTY TO MY COUNTRY, THE PRISONER AT THE BAR, MYSELF — MY FAMILY, AND THE GOD OF NATURE” TO SO ACT YOU MUST RENDER A VERDICT IN ACCORD WITH THE OPINIONS FORMED IN YOUR MINDS, AFTER CAREFUL ESTIMATE OF THE EVIDENCE IN THIS CASE. THAT YOU MAY BE ABLE TO SO ACT THAT NO REMORSE OF CONSCIENCE SHALL</p>	<p>GOOD FOR PAST BLESSEINGS, AND PRAY FOR A CONTINUENCE OF DIVINE FAVOR YOU CAN SAY, “ I FEEL A CONSCIENTIOUS NESS OF HAVING DONE MY WHOLE DUTY TO MY COUNTRY, THE PRISONER AT THE BAR, MYSELF, MY FAMILY AND THE GOD OF NATURE.” TO SO ACT YOU MUST RENDER A VERDICT IN ACCORDANCE WITH THE OPINIONS FORMED IN YOUR MINDS, AFTER A CAREFUL ESTIMATE OF THE ^[4] OF THE EVIDENCE IN THIS CASE. THAT YOU MAY BE ABLE TO SO ACT THATNO REMORSE OF CONSCIENCE SHALL</p>

487. In longhand at the top of the page: **BISHOPS 2 ADDRESS.**

RS**PS****RT****BT**

		<p>HEREAFTER HAUNT YOU FOR A FAILURE OF DUTY ON THIS OCCASION, I WILL, SO FAR AS I HAVE POWER TO DO, MAKE PLAIN THE FACTS IN DISPUTE, TEAR AWAY THE FRAIL COVERING OF SOPHISTRY, AND REMOVE THE NET WORK OF PREJUDICE, THAT NOW CLOUDS THE WHOLE TRANSACTION, BLOW AWAY THE FOG OF MALICE, THE CLOUDS OF CALUMNY, PREJUDICED PRE-JUDGMENT AND POLITICAL HOSTILITY, WHICH NOW, LIKE A PALL, OBSCURE THE TRUE FACTS IN THE CASE, AND THEREBY LET THE CLEAR SUN-LIGHT OF TRUTH BEAM UPON THE</p>	<p>HEREAFTER HAUNT YOU FOR A FAILURE OF DUTY ON THIS OCACASION, I WILL SO FAR AS I HAVE POWER TO DO , MAKE PLAIN THE FACTS IN DISPUTE AND TRY AND TEAR AWARY THE FRAIL COVERING OF SOPHISTRY, AND REMOVE THE NET WORK OF PREJUDICE THAT NOW BECLOUDS THE WHOLE TRANSACTION; BLOW AWAY THE FOG FOG OF MAILCE, - THE CLOUDS OF CALUMNY, PREJUDICED JUDGEMENT AND POLITICAL HOSTILITY, WHICH NOW LIKE A PAUL PALL OBSCURES THE TRUE FACTS IN THE CASE, AND THEREBY LET THE PURE SUNLIGHT OF TRUTH BEAM UPON THE</p>
--	--	---	---

RS**PS****RT****BT**

		<p>CAUSE — THEREBY SHOWING THE EXACT STATUS OF THE DEFENDANT, AND HIS TRUE CONNECTION WITH THIS MOST LEMANTABLE, UNNATURAL TRANSACTION. AND I CLAIM: THAT UPON A FULL, FAIR AND PERFECT EXAMINATION OF THE FACTS IN THE CASE I CAN CONVINCE YOU, AND ALL WHO MAY HEAR ME, THAT THE DEFENDANT HAS <u>NOT BEEN</u> <u>PROVEN</u></p> <p>AS CHARGED IN THE INDICTMENT. MORE THAN THIS, I CLAIM THAT THERE IS NOT, JUDGING FROM COMPETENT EVIDENCE, EVEN A <u>REASONABLE</u> PROBABILITY OF HIS GUILT AS CHARGED IN</p>	<p>CAUSE AND</p> <p>SHOW THE EXACT STATUS OF THE DEFENDANT, IN HIS TRUE CONNECTION WITH THIS MOST LAMENTABLE TRANSACTION. AND I CLAIM THAT UPON A FULL FAIT AND PR PERFECT EXAMINATION OF THE FACTS OF THE CASE, I CAN CONVINCE YOU AND ALL WHO MAY HEAR ME THAT THE DEFENDANT HAS NOT BEEN PROVEN GUILTY GUILTY AS CHARGED IN THE INDICTMENT. MORE THAN THIS, I CLAIM THAT THERSRE IS NOT— JUDGING FROM COMPETENT EVIDENCE— EVEN A REASONABLE PROBABILITY OF HIS GUILT AS CHARGED IN</p>
--	--	---	--

RS	PS	RT	BT
<p>NOW THEN GENTLEMEN LET'S RETURN TO THE EVIDENCE THAT IS INTRODUCED BEFORE YOU LET'S EXAMINE IT LET'S CONSIDER FOR A MOMENT</p> <p>YOU ARE LIKE A CHEMIST IN HIS LABORATORY WITH A LOT OF CRUDE MATERIAL BROUGHT BEFORE YOU FOR PURPOSE OF ANALYSIS</p> <p>IT BECOMES</p>	<p>NOW GENTLEMEN LET'S RETURN TO THE EVIDENCE INTRODUCED BEFORE YOU LET'S EXAMINE IT LET'S CONSIDER FOR A MOMENT</p> <p>THAT YOU ARE LIKE A CHEMIST IN HIS LABORATORY WITH A LOT OF CRUDE MATERIAL BROUGHT YOU FOR THE PURPOSE OF ANALYSIS AND</p> <p>IT BECOMES</p>	<p>THE INDICTMENT. THEREFORE, GENTLEMEN OF THE JURY, TURN WITH ME TO THE EVIDENCE THAT HAS BEEN GIVEN IN THE CASE. LET US EXAMINE IT, TEST IT, PROVE ITS WORTH, FOR THAT PURPOSE YOU ARE CHEMISTS, LEGAL CHEMISTS, ABLE TO PERFORM THE TASK ASSIGNED YOU, YOU MAY BE COMPARED TO THE PRACTICAL CHEMIST IN HIS LABORATORY, WITH A MASS OF CRUDE MATERIAL THAT IS TO BE ANALYZED. YOU MUST ANALYZE THE EVIDENCE, THE CRUDE MASS OF TESTIMONY BEFORE YOU. ^[5] THE PRACTICAL</p>	<p>THE NDICTMENT. THEREFORE, GENTELEMEN OF THE GURY, TURN WITH ME TO THE EVIDENCE THAT HAS BEEN GIVEN IN THIS CASE. LET US EXAMINE IT , TEST IT, AND PROVE ITS WORTH. FOR THAT PURPOSE YOU ARE CHEMISTS , - LEGAL CHEMISTS - ABLE TO PERFORM THE TASK ASSIGNED YOU. YOU BMAY BE COMPARED TO THE PRACTICAL CHEMISTST IN HIS LABRATORY WITH A MASS OF CRUDE MATERIAL THAT IS TO BE ANALYSED. YOU MUST ANALYSE THE EVIDENCE — THE CRUDE MASS OF TESTIMONY BEFORE YOU. THE PRACTICAL</p>

RS	PS	RT	BT
<p>YOUR DUTY TO APPLY THE TESTS TO</p> <p>THAT CRUDE MATERIAL IN ORDER TO ARRIVE AT PROPER DETERMINATION AS TO AMOUNT OF PRECIOUS MATERIALS THEREIN CONTAINED AS TO {THE}ⁱ COMPONENT PARTS OF THAT MASS. IN ORDER TO DO THIS</p> <p>IT BECOMES YOUR DUTY NOW TO TAKE EACH INGREDIENT</p>	<p>YOUR DUTY TO APPLY THE⁴⁸⁸ TEST TO [space]</p> <p>AS THE COMPONENT PARTS <OF THAT MASS> [[12]] IN ORDER TO DO THIS AND TO GIVE THE TRUE CHEMISTRY IT BECOMES YOUR DUTY NOW TO TAKE EACH INGREDIENT</p>	<p>CHEMISTS APPLIES WELL KNOWN TESTS TO DETERMINE THE NATURE AND COMPOSITION OF THE CRUDE MATERIAL SUBMITTED TO</p> <p>ANALYSIS, AND TO DETERMINE ITS VALUE IN PRECIOUS METALS, OR TO LEARN ITS SECRET CHARACTERISTI CS.</p> <p>YOU, AS LEGAL CHEMISTS, MUST APPLY THE TESTS OF REASON USE EVERY TEST OF HONEST EFFORT, YOUR KNOWLEDGE OF MANKIND, THE PASSIONS</p>	<p>CHEMIST APPLISES WELL KNOWN TESTS TO DETERMINE THE NATURE AND COMPOSITION OF THE CRUDE MATERIAL SUBMITTED TO HIM FOR ANALYSES, AND TO DETERMINE ITS VALUE IN PRECIOUS METALS OR TO LEARN ITS SECRET CHARACTERISTI CS.</p> <p>YOU AS LEGAL CHEMISTS MUST APPLY THE TESTS OF REASON; USE EVERY TEST OF HONEST EFFORT — YOUR KNOWLEDGE OF [5] MANKIND, THE PASSIONS,</p>

488. Word possibly added later.

RS	PS	RT	BT
<p>TO TAKE —[?] MASS AS IT IS PRESENTED TO YOU SEPARATE IT BACK IN</p> <p>ORIGINAL CONDITION APPLY PROPER TESTS; STRIP {IT FROM <i>ITSELF/ITS</i>[?]}ⁱ TRUTH FROM ERROR;</p>	<p>AS PRESENTED TO YOU SEPARATE IT BACK IN ORIGINAL NATURE AND ORIGINAL CONDITION APPLY THE PROPER TESTS SEPARATE</p> <p>TRUTH FROM ERROR</p>	<p>PREJUDICES, MOTIVESAND HOPES OF THE WITNESSES,WHI CH ARE PROPER TESTS TO USE IN ANALYSING THE EVIDENCE. TAKE THE MASS OF EVIDENCE, REDUCE IT BACK TO ITS NATURAL ELEMENTS,</p> <p>APPLY THE PROPER TESTS TO DETERMINE ITS TRUTH AND RELEVANCE TO THE CASE ON TRIAL. CAUSE THE ERROR, FALSEHOOD, AND PREDETERMINE D PER PERJURY, TO PAS OFF IN VAPOR, SETTLE THE INGREDIENT, <u>TRUTH</u>, BY THE TESTS OF REASON. PASS IT ALL THROUGH THE FURNACE OF CRITICISM, HEATED BY THE DISSOLVING FIRES OF A JUST</p>	<p>PREJUDICES, MOTIVES AND HOPES OF THE WITNESSES ARE PROPER TESTS TO USE IN ANALYSING THE EVIDENCE. TAKE THE MASS OF EVIDENCE, REDUCE IT BACK TO ITS NATURAL ELEMENTS,</p> <p>APPLY THE PROPER TESTS TO DETERMINE ITS TRUTH AND RELEVANCE TO THE CASE ON TRIAL.., CAUSE THE ERROR, FALSEHOOD, AND PREDETERMINE D PERJURY TO PASS OFF IN VAPOR; SETTLE THE INGREDIENT TRUTH BY BY THE TEST OF REASON - PASS IT ALL TOHRTOHUEGH THE WOFFURNACE OF CRITICISM, HEAT IT BY DISOLVING FIRES OF A JUST</p>

RS	PS	RT	BT
<p>THROW ASIDE THE PERJURED WITNESS AS OF NO ACCOUNT. HERE IN THIS CASE RULING SIMPLY UPON TESTIMONY</p>	<p>THROW ASIDE THE PERJURED WITNESS AS OF NO ACCOUNT HERE IN THIS CASE RULING SIMPLY UPON THE TESTIMONY</p>	<p>DETERMINATIO N TO DO EQUAL AND EXACT JUSTICE BETWEEN THE PEOPLE AND THE ACCUSED, THEN PUT IT IN THE CRUCIBLE OF JUSTICE AND SUBMIT IT TO THE TEST OF GODS LAWS, AND SEE HOW SMALL THE RESIDUE OF TRUTH REMAINING, AFTER THE DROSS OF FALSEHOOD HAS BEEN CAST ASIDE, AND DISREGARDED IN YOUR ESTIMATE OF TRUTH AND VALUE. DO THIS AND THE LIGHTS OF REASON WILL ILLUMINATE YOUR UNDERSTANDIN G. THROW ASIDE ALL THE PER PERJURED TESTIMONY,</p>	<p>DETERMINATIO N TO DE EQUAL AND EXACT JUSTICE BETWEEN THE PREOPLE AND THE ACCUSED; THEN PUT IT IN THE CRUCIBLE OF JUSTICE AND SUBMITT IT TO THE TEST OF GOD'S LAWS AND SEE HOW SMALL IS THE RESIDUE OF TRUTH REMAINING AFTER THE DROSS OF FALSEHOOD HAS BEEN CASET ASIDE AND DISREGARDED IN YOUR ESTIMATE OF TRUTH AND ITS VALUE. DO THIS, AND THE LIGHTS OF REASON WILL ILLUMINATE YOUR REASON UNDERSTANDIN G. THROW ASIDE ALL YOUR THE PERJURED TESTIMONY</p>

RS	PS	RT	BT
<p>OF THOSE MEN WHO HAVE TOLD THE TRUTH THOSE MEN YOU BELIEVE HAVE TESTIFIED HAVE DETERMINED TO ANSWER TO THEIR GOD FOR THE EVIDENCE THEY HAVE GIVEN. LOOKING AT IT THIS WAY ASK YOURSELVES HOW MUCH OF TRUTH REMAINS</p> <p>IS THERE ENOUGH TO</p>	<p>OF THOSE MEN WHO HAVE TOLD THE TRUTH THOSE MEN THAT YOU BELIEVED THEY HAVE TESTIFIED WITH A DETERMINATION ANSWER TO THEIR GOD FOR THE EVIDENCE THEY HAVE GIVEN LOOK AT IT IN THIS WAY AND ASK YOURSELVES HOW MUCH OF TRUTH REMAINS</p> <p>IS THERE ENOUGH TO</p>	<p>IT IS CHEMICALLY DESTROYED BY TRUTH, GIVE NO CREDENCE TO FALSE STATEMENTS, MADE BY THOSE WHO HAVE BIDDEN DEFIANCE TO TRUTH, WHILE ON THE STAND. GIVE CREDIT WHERE CREDIT IS DUE TO EVERY WITNESS, TO EACH WORD SPOKEN ON THE STAND; DO THIS, AND THEN SAY IF YOU CAN, THAT YOU ARE</p>	<p>WHICH WILL BE CHEMICALLY DESTROYED BY TRUTH; GIVE NO CREDENCE TO FALSE STATEMENTS MADE BY THOSE WHO HAVE BIDDEN DEFIANCE TO TRUTH WHILE ON THE STAND. GIVE CREDIT CREDIT WHERE CREDIT IS DUE TO EVERY WITNESS, TO EVERY WORD SPOKEN ON THE STAND. DO THIS AND THEN SAY, IF YOU CAN, THAT YOU ARE</p>

RS	PS	RT	BT
<p>SATISFY ME BEYOND REASONABLE DOUBT THAT THAT PRISONER AT THE BAR HAS COMMITTED THE CRIME AS CHARGED IN THIS INDICTMENT. THEY SAY IN COMMON PARLANCE THAT A WORKMAN IS KNOWN BY</p> <p>HIS TOOLS</p> <p>WELL IF THAT BE SO</p> <p>MY BROTHER CAREY</p>	<p>SATISFY ME BEYOND REASONABLE DOUBT THAT THIS PRISONER AT THE BAR HAS COMMITTED THE CRIME AS CHARGED IN THIS INDICTMENT THEY SAY IN COMMON PARLANCE THAT A WORKMAN IS KNOWN BY</p> <p>HIS TOOLS</p> <p>IF THAT BE SO</p> <p>MY BROTHER CAREY</p>	<p>SATISFIED BEYOND A REASONABLE DOUBT THAT THE PRISONER AT THE BAR COMMITTED THE CRIME AS CHARGED IN THE INDICTMENT. WE SOMETIMES HEAR IT SAID THAT A ^[6] WORKMAN CAN BE TOLD BY THE CHARACTER OF THE TOOLS USED IN HIS LABORS. IF I SHOULD APPLY THIS RULE TO MY BROTHER CAREY, BASKIN AND OTHERS, WHO APPEAR AS ATTORNEYS FOR THE PROSECUTION, CALLING THEIR WITNESSES THE TOOLS THEY USED IN THEIR EFFORT TO CONSTRUCT A VERDICT OF GUILTY IN THIS CASE YOU WOULD BE JUSTIFIED IN PRONOUNCING THEM POOR</p>	<p>SATISFIED BEYOND A REASONABLE DOUBT THAT THE PRISONER AT THE BAR IS GUILTY AS CHARGED IN THE INDICTMENT. [space] WE SOMETIMES HEAR IT SAID THAT A WORKMEN CAN BE TOLDD BY THE CHARACTER OF THE TOOLS USED IN HIS LABORS, IF I SHOULD APPLY THIS RULE TO MY BROTHERS CARY, BASKIN AND OTHERS WHO APPEAR AS ATTORNESYS FOR THE PROSECUTION, CALLING THEIR WITNESSES THE TOOLES THEY USE IN THEIR EFFORTS TO BRING ABOUT A VERDICT OF GUILTY IN THIS CASE, YOU WOULD BE JUSTIFIED IN PRONOUNCING THEM POOR</p>

RS	PS	RT	BT
<p>IS ONE OF THE WORKMEN ON EARTH [<i>space</i>] HE HAS PRESENTED TO YOU A SET OF TOOLS WITH WHICH HE IS OUT</p> <p>TO FORM VERDICT WITH THAT SEEMS TO BE IN MY JUDGMENT</p> <p>DISTORTED ILL FASHIONED CORRUPT ROTTEN AND DISGUSTING THAT HUMANITY CAN COULD CONCEIVE OF.</p>	<p>IS ONE OF THE WORST WORKMEN ON EARTH FOR HAS PRESENTED TO YOU A SET OF TOOLS WITH WHICH TO —[?] <i>A/THE</i>[?] <i>T</i> [?] AND FORM A VERDICT THAT SEEMS TO BE IN MY JUDGMENT THE MOST DISCREDITED ILL FASHIONED CORRUPT AND ROTTEN AND DISGUSTING THAT HUMANITY COULD CONCEIVE OF [<i>space</i>]</p>	<p>WORKMEN INDEED, HARDLY RESPECTABLE APPRENTICES; FOR THEY HAVE BROUGHT FORWARD AN UNSIGHTLY, UNMANLY, YEA, AN UNGODLY SET OF MIS-SHAPEN MISCREANTS TO TESTIFY IN THIS CASE.</p> <p>FEW OF THE WITNESSES FOR THE PROSECUTION</p>	<p>WORKMEN INDEED, - HARDLY RESPECTABLE APPRENTICES; FOR THEY HAVE BROUGHT FORWARD AN UNSIGHTLY -, UNMANLY, YEA, AN UNGODLY SET OF MISSHAPEN MISCREANTS TO TESTIFY IN THIS CASE! ^[6]</p> <p>FEW OF THE WITNESSES FOR THE PROSECUTION</p>

RS	PS	RT	BT
<p>WHAT DO WE FIND FIRST. LET'S TAKE THEM THROUGH <i>FIRST</i>[?] GO AT IT AND FIND IT WANT TO CALL YOUR ATTENTION TO THESE WITNESSES AS I GO ALONG SO THAT YOU CAN HAVE SOMETHING TO THINK OF. THEY START IN WITH ROBERT KEYES WELL. NOW ROBERT KEYES IS PERHAPS ONE OF THE BEST MEN ON EARTH BUT</p>	<p>WHAT DO YOU FIND FIRST LET'S TAKE THEM THROUGH GO AT IT AND <i>DEFINE</i>[?] IT [<i>space</i>] CALL YOUR ATTENTION TO THESE WITNESSES AS THEY COME ALONG SO THAT YOU CAN HAVE SOMETHING TO THINK ABOUT THEY START IN WITH ROBERT KEYES NOW ROBERT KEYES IS PERHAPS ONE OF THE BEST MEN ON EARTH BUT</p>	<p>ARE ENTITLED TO FULL CREDIT. SOME OF THEM TO NO FAVORABLE CONSIDERATION; WHILE THOSE ENTITLED TO BELIEF AND THE CLAIM OF RESPECTABILITY, KNOW ABSOLUTELY NOTHING OF THE MATERIAL FACTS IN THE CASE. LOOK NOW AT THE EVIDENCE</p> <p>THEY START WITH ROBERT KEYES. WELL ROBERT IS PERHAPS A PURE, GOOD AND UPRIGHT MAN, BUT</p>	<p>ARE ENTITLED TO FULL CREDIT; SOME OF THEM TO NO FAVORABLE CONSIDERATION, WHILE THOSE ENTITLED TO BELIEF AND THE CLAIM OF RESPECTABILITY KNOW ABSOLUTELY NOTHING OF THE FACTS IN THE CASE:— LOOK , NOW AT THE EVIDENCE:—</p> <p>THEY START WITH ROBERT KEYS. WELL, ROBERT IS PERHAPS A PURE, GOOD, AND UPRIGHT MAN, BUT</p>

RS	PS	RT	BT
<p>UNFORTUNATELY FOR PROSECUTION HE DOES NOT KNOW ANYTHING ABOUT THIS CASE. HE RETURNED FROM CALIFORNIA <i>BY/BUT[?]</i> PERHAPS SOME MONTHS AFTER THIS TRANSACTION;</p> <p>SAW SOME BONES AT MOUNTAIN MEADOW. IF HE HAD LIVED WHEN</p> <p>SHAKESPEARE</p> <p>DID THERE WOULD HAVE BEEN ANOTHER TRAGEDY WRITTEN BECAUSE</p>	<p>UNFORTUNATELY FOR PROSECUTION HE DOES NOT KNOW ANYTHING ABOUT THIS CASE HE RETURNED FROM CALIFORNIA BUT PERHAPS SOME MONTHS AFTER THIS TRANSACTION</p> <p>SAW SOME BONES AT MOUNTAIN MEADOWS HE HAD LIVED WHEN</p> <p>SHAKESPEARE</p> <p>DID THERE WOULD HAVE BEEN ANOTHER TRAGEDY WRITTEN BECAUSE</p>	<p>UNFORTUNATELY FOR THE PROSECUTION HE DOES NOT KNOW ANYTHING ABOUT THIS CASE. HE RETURNED FROM CALIFORNIA</p> <p>SOME MONTHS AFTER THE TRANSACTION, PASSED BY THE MEADOWS ON HIS WAY, SAW SOME BONES THERE ON THE MOUNTAIN MEADOWS. IF ROBERT HAD LIVED IN THE DAYS OF SHAKESPEARE AND BEEN ACQUAINTED WITH THAT WONDERFUL WRITER, WHAT AN IMPROVEMENT COULD HAVE BEEN MADE IN HIS TRAJEDIES, WE CAN ONLY CONJECTURE, FROM THE STYLE AND MANNER OF</p>	<p>UNFORTUNATELY FOR THE PROSECUTION HE DOES NOT KNOW ANYTHING ABOUT THE CASE. HE RETURNED FROM CALIFORNIA</p> <p>SOME MONTHS AFTER THE TRANSACTION, PASSED BY THE MEADOWS ON HIS WAY AND SAW SOME WE BONES THERE ON THE MOUNTAIN MEADOWS. IF ROBERT HAD LIVED IN THE DAYS OF SHAKESPEARE AND BEEN ACQUAINTED WITH THAT WONDERFUL WRITER, WHAT AN IMPROVEMENT COULD HAVE BEEN MADE IN HIS TRAGEDISES. WE CAN ONLY CONJECTURE FROM THE STYLE AND MANNER OF</p>

RS	PS	RT	BT
<p>THE STORY THAT KEYES GIVES OF THAT YOUNG LADY LYING BY THE PILE OF BONES AND THAT HE RELATED NATURE HAD BEEN STAYED IN HER INSTANCE AND THE DECAY</p> <p>HAD NOT MARRED HER FAIR FORM.</p>	<p>THE STORY THAT KEYES GIVES OF THAT YOUNG LADY LYING BY THE PILE OF BONES AND THAT THE RULE OF NATURE HAD BEEN STAYED IN HER INSTANCE AND THAT DECAY</p> <p>HAD NOT MARRED HER FAIR FORM</p>	<p>ROBERT, AS HE WITH GUTTERAL SOUNDS DESCRIBES THE PLACE WHERE, ACCORDING TO HIS UNREASONABLE VERSION THE YOUNG LADY LAY,</p> <p>THE ONE THAT HE TELLS US WAS THEN UNDECAYED: THAT THE DESTROYERS, DEATH AND TIME , HAD NOT MARRED HER FAIR FEATURES, OR ROVBBED</p> <p>NATURE OF ITS LOVELINESS. THAT SHE LAY THERE WITH A SMILE ON HER COUNTENANCE, A MAJIC BUT STILL SILENT WITNESS OF ONE OF MAN'S MOST UNNAT-^[7]URAL CRIMES. INCREDIBLE STATEMENT,</p>	<p>THIS ROBERT AS HE WITH GUTTERAL SOUNDS DESCRIBES THE PLACE WHERE ACCORDING TO HIS UNREASONABLE VERSION THE YOUNØG LADY LAY—</p> <p>THE ONE THAT HE TELLS US WAS THEN UNDECAYED— THAT THE DESTROYERS, DEATH AND TIME, HAD NOT MARRED HER FAIR FEATURES OR ROBBED WROUGHT NATURE OF ITS LOVLINESS. THAT SHE SHE LAY THERE WITH A SMLILE WON HER YCOUNTENANC E, A MAGIC BUT STILL SILENT WITNESS, OF ONE OF MAN'S MOST UNNATURAL CRIMES. INCREDABLE STATEMENT!</p>

RS	PS	RT	BT
<p>WHY DID HE SWING THAT IN{?}ⁱ [[23]]⁴⁸⁹ IN SUPPORT OF THE OPENING STATEMENT OF MY FRIEND CAREY. YOU HAVE HEARD THIS STORY. YOU ALL SEE THE POINT. THERE IS NO EVIDENCE GENTLEMEN TO SUPPORT THE THEORY OF THE GENTLEMAN IN HIS OPENING STATEMENT AND THERE CERTAINLY IS NO OTHER MAN THAT BELIEVES THAT THERE WAS ANY SUCH THING THERE.</p>	<p>WHY DID HE SPRING THAT IN IN SUPPORT OF THE OPENING STATEMENT OF MY FRIEND CAREY YOU HAVE HEARD THIS STORY YOU ALL SEE THE POINT THERE IS NO EVIDENCE GENTLEMEN TO SUPPORT THEORY OF THE GENTLEMAN IN HIS OPENING STATEMENT AND THERE CERTAINLY IS NO MAN THAT BELIEVES THAT THERE WAS ANY SUCH THING THERE</p>	<p>BEARING NO SEMBLANCE OF TRUTH, YET TOLD WITH ALL THE EARNESTNESS OF AN ACTOR ON THE MIMIC STAGE. S</p> <p>A STATEMENT THAT NONE CAN BELIEVE, YET IT EXCITES PITY FOR THE MAN WHOSE PREJUDICE HAS CLOUDED HIS SENSE OF RIGHT, RATHER THAN PRODUCING</p>	<p>BEARING NO SEMBLEAMCE OF TRUT;H; ;YET TOLD WITH ALL THE SEMBLENCE OF AN ACTOR ON THE MIMICS STAGE.</p> <p>A STATEMENT THAT NONE CAN BELIEVE, YET EXCITES PITY FOR THE MAN WHOSE PREJUDICE HAS CLOUDED HIS SENCE OF RIGHT, RZATHER THAN PRODUCING</p>

489. In longhand at the top of the page: **3 OF BISHOPS ADDRESS.**

RS	PS	RT	BT
<p>NEXT WE TAKE ASHAEL BENNETT A MAN THAT HAS PASSED HIS PRIME {MEMORY.}ⁱ</p> <p>COMES BEFORE YOU DETERMINED TO TELL ALL</p> <p>HE SAW AND I SUPPOSE HAS DONE SO</p> <p>BUT HE HAS THOUGHT OF THIS MATTER FROM THAT DAY TO THIS; AND HIS MIND HAS WANDERED FROM ONE SUBJECT TO ANOTHER. HE HAS TALKED WITH VARIOUS INDIVIDUALS</p>	<p>NEXT WE TAKE ASHAEL BENNETT A MAN WHO HAS PASSED HIS PRIME</p> <p>COMES BEFORE YOU DETERMINED TO TELL ALL</p> <p>HE SAW AND I SUPPOSE HAS [space] DONE SO</p> <p>BUT HE HAS THOUGHT OF THIS MATTER FROM THAT DAY TO THIS AND HIS MIND HAS WANDERED FROM ONE SUBJECT TO ANOTHER ^{[[13]]} HE HAS TALKED WITH VARIOUS INDIVIDUALS</p>	<p>HORROR FOR THE PERPETRATION</p> <p>OF THE ALLEGED CRIME. NEXT COMES ASHAEL BENNETT, A MAN AGED AND WEAKENED BY LONG COURSE OF TOIL; ONE THAT IS NATURALLY HONEST AND INTENDS TO BE A FAIR. HE COMES BEFORE YOU DETERMINED TO TELL ALL HE <u>KNOWS</u>, ALL HE <u>SAW</u> AND ALL THAT HE THINKS HE EVER SAW OR BEHELD AT OR NEAR MOUNTAIN MEADOWS.</p> <p>HE HAS TALKED</p>	<p>HORROR FOR THE PERPETRATION FOOFRTHHEE OF THE ALLEGED CRIME. NEXT COMES ASHAEL BENNETT, A MAN AGED AND WEAKENED BY A LONG COURSE OF TOIL, ONE THAT IS NATURALLY HONEST AND INTENDS TO BE FAI<u>R</u>. HE COMES BEFORE YOU DETERMINED TO TELL ALL HE KNO<u>E</u>WS - , ALL HE SAW AND ALL THAT HE THINKS HE EVER SAW OR BEHELD AT OR NE<u>Q</u>AR MOUNTAINMEAD DOWS.</p> <p>^[7] HE HAS TALKED OF THE SUBJECT FOR YE<u>Q</u>ARS</p>

RS	PS	RT	BT
<p>ABOUT TRANSACTION UNTIL HE HAS COME TO THE CONCLUSION THAT HE SAW MORE THAN HE DID. IT IS SUFFICIENT FOR ME GENTLEMEN {IN}ⁱ PASSING {OVER IT}ⁱ TO SAY {THE}ⁱ EVIDENCE OF THIS OLD GENTLEMAN HAS NO BEARING UPON THIS CASE. HE IS THROWN IN FOR CLAP TRAP AND BUNKUM TO CARRY OUT {THE}ⁱ THEORY OF THE PROSECUTION AND TO ENABLE THEM TO PRESENT BEFORE THIS JURY AN EXTENSIVE CHAPTER OF HORRORS.</p> <p>IT IS SUFFICIENT ANSWER TO HIS EVIDENCE TO SAY</p>	<p>ABOUT THE TRANSACTION UNTIL HE HAS COME TO THE CONCLUSION THAT HE SAW MORE THAN HE DID IT IS SUFFICIENT FOR ME GENTLEMEN PASSING TO SAY THAT THE EVIDENCE OF THIS OLD GENTLEMAN HAS NO BEARING UPON THIS CASE [space] IS THROWN IN FOR CLAP TRAP AND FOR BUNK INTENT TO CARRY OUT THE THEORY OF THE PROSECUTION AND TO ENABLE THEM TO PRESENT BEFORE THIS JURY AN EXTENSIVE CHAPTER OF HORRORS [space]</p> <p>IT IS SUFFICIENT ANSWER TO HIS EVIDENCE</p>	<p>OF THE SUBJECT FOR YEARS, UNTIL NOW HE BELIEVES THAT HE SAW MORE THAN HE DID. IT IS SUFFICIENT ANSWER TO HIS TESTIMONY TO SAY,</p> <p>IT HAS NO BEARING ON THE CASE. HE WAS CALLED FOR <u>EFFECT</u>,</p> <p>TO CARRY OUT THE THEORY OF THE PROSECUTION, WHICH IS, THAT THE DEFENDANT CAN AND MUST BE CONVICTED BY THE RECITAL OF A CHAPTER OF HORRORS WITH WHICH HE IS UNCONNECTED. IT IS A SUFFICIENT ANSWER TO HIS TESTIMONY TO SIMPLY CALL</p>	<p>UNTIL NOW HE BELIEVES HE SAW MORE THAN HE DID. IT IS SUFFICIENT ANSWER TO HIS TESTIMONY TO SAY THAT</p> <p>IT HAS NO BEARING ON THE CASE. HE WAS CALLED FOR AN EFFECT</p> <p>TO CARRY OUT THE TEHEORY OF THE PROSECUTION, WHICH IS THAT THE DEFENDZANT CAN AND MUST BE CONVICTED BY THE RECITAL OF A CHA PTER OF HORRORS WITH WHICH HE IS UNCONNECTED. IT IS A SUFFICIENT ANSEWR TO HIS TESTIMONY TO SIMPLY CALL</p>

RS**PS****RT****BT**

THIS HE SAYS TO YOU HE THOUGHT HE WAS AT THE SCENE FOR 2 HOURS	THAT HE SAYS TO YOU THAT HE WAS THERE ⁴⁹⁰ AT THE SCENE FOR TWO HOURS	YOUR ATTENTION TO HIM AS HE TESTIFIED; THE REMARKS HE THEN MADE BEAR OUT THE IDEA, THAT HE IS MISTAKEN AS TO FACTS. HE SAYS “THAT HE THOUGHT HE WAS AT THE SCENE FOR <u>TWO</u> HOURS” LOOKING UPON THE MASS OF HUMAN REMAINS WHEN IN FACT HE WAS THERE BUT TWO MINUTES” . SO MUCH FOR THAT. HE WAS THERE — HE WAS GREATLY EXCITED WHILE THERE. THAT HE WAS THEN, HAS BEEN SINCE, AND IS NOW GREATLY PREJUDICED AGAINST THE DEFENDANT, AND THE WHOLE	YOUR ATTENTION TO HIM AS HE TESTIFIED; THE REMARKS HE THEN MADE, BEAR OUT THE IDEA THAT HE IS MISTAKEN AS TO THE FACTS. HE SAYS, “ THAT HE THOUGHT HE WAS AT THE SCENE FOR TWO HOURS LOOKING UPON THE MASS OF HUMAN REMAINS, WHEN IN FACT HE WAS THERE BUT TWO MINUTES. SO MUCH FOR THAT. HE WAS THERE — WAS GREATLY EXCITED WHILE THERE. THAT HE WAS THERE, HAS BEEN SINCE, AND IS NOW GREATLY PREJUDICED AGAINST THE DEFENDANT AND THE WHOLE
WHEN IN FACT HE WAS THERE BUT 2 MINUTES. THAT IS ENOUGH AS FAR AS HE IS CONCERNED TO SAY HE WAS THERE; WAS EXCITED UPON THAT OCCASION	WHEN IN FACT WAS THERE BUT TWO MINUTES THAT IS ENOUGH AS FAR AS HE IS CONCERNED TO SHOW THAT HE WAS ⁴⁹¹ THERE SO EXCITED UPON THE OCCASION		
AND SO PREJUDICED BY SOMEONE SINCE THAT TIME HE CAN'T	AND SO PREJUDICED BY SOMETHING SINCE THAT TIME THOUGHT HE <i>CAN'T</i> [?] ⁴⁹²		

490. Word apparently added later.

491. “THAT HE WAS” apparently added later.

492. Word apparently added later.

RS	PS	RT	BT
TELL WHAT HE SAW ONLY WHAT HE DID.	TELL WHAT HE SAW ONLY THAT HE DID [space]	MORMON PEOPLE, WHO, AT THAT TIME, INHABITED THE WILDS OF UTAH, AND THAT HE IS NOW AN UNFORTUNATE OLD MAN, WHOSE PREJUDICE REMAINS AFTER JUDGMENT AND REASON HAS BEEN DISSIPATED BY AGE AND ^{/8/} DISSIPA	MORMON PEOPLE WHO AT THAT TIME INHABITED THE WILDS OF UTAH, AND THAT HE IS NOW AN UNFORTUNATE OLD MAN AT THE WHOSE
THEIR NEXT WITNESS IS THIS GREAT ASSISTANT TO THE UNITED STATES DISTRICT ATTORNEY	THEIR NEXT WITNESS IS THIS GREAT ASSISTANT TO THE UNITED STATES DISTRICT ATTORNEY	ASSOCIATION. CAN IT BE QUESTIONED BY YOU, SINCE LOOKING AND LISTENING TO HIM ON THE STAND. THE NEXT WITNESS IS THE PECULIAR PET OF THE UNITED STATES ATTORNEY, THE MONSTER, SELF- ACCUSED MURDERER, WHO COMES HERE TO AID THE GOVERNMENT; THE MISCREANT CALLED	JUDGMENT AND REASON HAVE M BEEN DISSIPATED BY AGE AND ASSOCIATION CANNOT BE QUESTIONED BY YOU, SINCE LOOKING AND LISTININGIN AT HIM ON THE STAND. THE NEXT WITNESS IS A P RECULIAR PET OF THE UNITED STATES ATTORNEY; THE MONSTER SELF ACCUSED MURDERER, WHO COMES HERE TO AID THE GOVERNMENT — THE MISCREANT CALLED

RS	PS	RT	BT
<p>K SMITH THAT MAN THAT TELLS YOU FROM THE EARLIEST DAYS OF MORMONISM DOWN TO SOME 3 OR 4 YEARS AGO HE WAS AN EARNEST AND DEVOTED FOLLOWER IN THE FOOTSTEPS OF THE TEACHERS OF THAT RELIGION. THAT HE HAD FOLLOWED</p> <p>THROUGH ITS ENTIRE CAREER STARTING WITH IT</p> <p>WHEN BUT FEW</p> <p>HAD ADOPTED ITS TENETS</p> <p>THAT HE WAS AT NAUVOO</p>	<p>KLINGEN SMITH THAT MAN THAT TELLS YOU FROM THE EARLIEST DAYS OF MORMONISM DOWN TO SOME 3 OR 4 YEARS AGO HE WAS AN EARNEST AND DEVOTED FOLLOWER IN THE FOOTSTEPS OF THE TEACHERS OF THAT RELIGION THAT HE HAD FOLLOWED IT THROUGHOUT ITS ENTIRE CAREER STARTING WITH IT</p> <p>WHEN BUT FEW</p> <p>HAD ADOPTED HIS TENETS</p> <p>THAT HE WAS AT NAUVOO</p>	<p>KLINGENSMITH. THIS MAN TELL S YOU THAT FROM THE EARLIEST DAYS OF MORMONISM, UNTIL WITHIN THE LAST FOUR YEARS, HE WAS AN EARNEST AND DEVOTED FOLLOWER IN THE FOOTSTEPS OF THE TEACHERS OF THAT RELIGION. THAT HE HAD FOLLOWED THAT CHURCH THROUGH ITS WHOLE CAREER, STARTING OUT WITH THE EARLY FOUNDERS, WHEN BUT FEW HAD EMBRACED ITS FAITH, OR ADOPTED ITS TENETS AND MODES OF WORSHIP. THAT HE WAS AT NAUVOO, AIDED TO FOUND THE CITY, TO CONSTRUCT THE TEMPLE, LEARNED</p>	<p>KLINGENSMITH. THIS MAN TELLS YOU THAT FROM THE EARLIEST DAYS OF MORMONISM UNTILL WITHIN THE LAST FOUR YEARS HE WAS AN EARNEST AND DEVOTED FOLLOWER IN THE FOOTSTEPS OF THE TEACHERS OF THAT RELIGION. THAT HE HAD FOLLOWED THAT CHURCH THROUGH ITS WHOLE CAREER, STARTING OUT WITH THE EARLY FOUNDERS WHEN BUT FEW HAD EMBRACED ITS FAITH OR AADOPTED ITS TENNETS ZAND AND MORDES OF WORSHIP. THAT HE WAS AT NAUVOO; AIDED TO FOUND THE TEMPCITY; TO CONSTRUCT THE TEMPLE; LEQARNED</p>

RS	PS	RT	BT
CAME ACROSS THE PLAINS AND	AND CAME ACROSS THE PLAINS AND	WISDOM AT THE FEET OF THE PROPHET, AND THERE ASSISTED IN TEACHING THE FAITH. CAME WITH THE MORMON REFUGEES FROM THE SMILING GRAIN-FIELDS OF THE VALLEY OF THE MISSISSIPPI, OVER THE TRACKLESS PLAINS, THROUGH THE MOUNTAIN REGIONS, AND AIDED IN PLANTING A COLONY IN SALT LAKE CITY IN THE EARLY DAYS OF UTAH. ACTED FOR YEARS AS A PIONEER OF MORMON CIVILIZATION. WAS ONE OF THE FOUNDERS, RULERS, AND DEFENDERS OF CEDAR CITY, AIDING IN PLANTING THAT AND OTHER SETTLEMENTS ON THE OUTSKIRTS OF	WISDOM AT THE FEET OF THE PROPHET AND THERE ASSISTED IN TEZACHING A THE FSAITH. CAME W ITH THE MORMON REFUGEES FROM THE SMILING RAINFIELDS OF THE MIGHTY VZALLEY OF THE MISSISSIPPI, OVER THE TRACKLESS PLAINS, ^[8] THROUGH THE MOUNTAIN REGIONS SAND AIDED AIN PLANTING THE COLONY OF SALT LAKE CITY IN THE EARLY DAYS OF UTAH. ACTED AS A PIONEER OF MORMON CIVILIZATION, WAS ONE OF THE FOUNDERS, RULERS AND DEFENDERS OF CEDAR CITYY, AIDING IN PLANTING THAT ZAND OTHER SETTLEMENTS ON THE OUTSKIRTS OF
SETTLED IN SALT LAKE AT AN EARLY DATE ACTED AS PIONEER OF MORMON CIVILIZATION	SETTLED IN SALT LAKE AT AN EARLY DAY ACTED AS A PIONEER OF MORMON CIVILIZATION		
ENTRUSTED WITH PLANNING THAT SETTLEMENT IN NEW DISTRICTS AND ENTRUSTED	ENTRUSTED WITH PLANNING AND SETTLING NEW DISTRICT TRUSTED		

RS	PS	RT	BT
<p>BY HEADS OF THAT CHURCH WITH IMPORTANT AND GETS PLACED AT CEDAR CITY THEN MOST IMPORTANT POINT IN SOUTH WEST UTAH AS A BISHOP OF THAT CHURCH AS A BISHOP THAT OFFICE MEANT IN CHARGE OF TEMPORAL AFFAIRS OF THAT PEOPLE WITH BUT ONE ABOVE HIM</p> <p>THAT HE</p> <p><i>HE/AND[?]</i> WITHOUT OBJECTION PERMITTED THIS DEED TO BE DONE [<i>space</i>]</p>	<p>BY HEADS OF THAT CHURCH WITH IMPORTANT AND GETS PLACED AT CEDAR CITY THEN THE MOST IMPORTANT POINT IN SOUTHWEST UTAH AS THE BISHOP OF THAT POST AS THE MAN</p> <p>IN CHARGE OF THE TEMPORAL AFFAIRS OF THAT PEOPLE WITH BUT ONE ABOVE HIM</p> <p>THAT HE</p> <p>THAT HE <i>WITHOUT[?]</i> OBJECTION PERMITTED THIS DEED TO BE DONE</p>	<p>CIVILIZATION</p> <p>IN SOUTH- WESTERN UTAH. THAT HE WAS A BISHOP OF THE CHURCH, AND AS THE BISHOP AT CEDAR CITY, HAD FULL CONTROL OF THE TEMPORAL AFFAIRS OF THE PEOPLE, WITH ONLY ONE MAN OVER HIM, AND HE TELLS YOU THAT ONE MAN ORDERED THE MASASACRE, AN D THAT HE, AS RULER OF THE PEOPLE, AS THEIR TEMPORAL HEAD, STOOD BY AND PERMITTED, YES, MORE THAN PERMITTED, AIDED IN THE COMMISSION OF THAT UNNATURAL</p>	<p>CIVILIZATION</p> <p>IN SOUTHWESTERN UTAH; THAT HE WAS A BISHOP OF THE CHURCH, AND AS THE BISHOP AT CEDAR CITY HAD FULL CONTROLL OF THE TEMPORAL ARFAIRS OF THE PØEOPLE WITH ONLY ONE MAN OVER HIM AND HE TELLS YOU THAT ONE MAN ORDERED THE MASSACRE; AND THAT HE HAAS RULER OF THE PEOPLE — AS THEIR TEMPORAL HEAD — STOOD BY AND PERMITTED — YES, MORE THAN COMMITTE PERMITTED, AIDED IN THE COMMISSION OF THE UNNATURAL,</p>

RS	PS	RT	BT
<p>THAT HE DID NOT RAISE HIS VOICE AGAINST IT EXCEPT TO SIMPLY</p> <p>ASK QUESTION WHAT WILL BE THE RESULT IF THE EMIGRANTS WERE KILLED?. WAS NOT THAT A TERRIBLE OPPOSITION FOR A MAN LIKE SMITH BISHOP OF CHURCH</p> <p>COME BEFORE COUNCIL HE SPEAKS TO AND TO SAY HE OPPOSED THE PLAN FOR SLAUGHTERING THIS PEOPLE WHEN ASKED WHETHER</p> <p>HE WAS IN</p>	<p>THAT HE DID NOT RAISE VOICE THEN AGAINST IT EXCEPT TO SIMPLY</p> <p>ASK QUESTION WHAT WILL BE THE RESULT IF THE EMIGRANTS ARE KILLED [space] WAS NOT THAT A TERRIBLE OPPOSITION FOR A MAN LIKE SMITH A BISHOP OF THE CHURCH TO</p> <p>GO BEFORE THE COUNCIL THAT HE SPEAKS TO AND SAY THAT HE OPPOSED THE PLAN FOR SLAUGHTERING THIS PEOPLE WHEN ASKED THE WORDS THAT HE USED</p> <p>FOR</p>	<p>AND INEXCUSABLE CRIME. ^[9] HE DID NOT EVEN RAISE HIS VOICE TO PREVENT THE MASSACRE,BUT</p> <p>CONTENTED HIMSELF WITH ASKING THE QUESTION “WHAT WILL BE THE RESULT IF THE EMIGRANTS ARE ALL KILLED ? ” WAS NOT THAT A TERRIBLE OPPOSITION LIKE KLINGENSMITH, BISHOP OF THE CHURCH AT CEDAR CITY, EVEN IF HE DID GO BEFORE THE COUNCIL</p> <p>AND SAY HE WAS OPPOSED TO</p> <p>KILLING THE EMIGRANTS. WHEN ASKED BY COUNSEL FOR THE DEFENDANT WHAT HE DID TO PREVENT IT, WHAT</p>	<p>UNEXCUASABLE CRIME. HE DID NOT EVEN RAISE HIS VOICE TO PREVENT THE MASSACRZE; BUT CONTENTED HIMSELF WITH ASKING THE QUESTION, “ WHAT WILL BE THE RESULT, IF THE EMIGRSANTS ARE ALL KILLED?” WAS NOT THAT A TERRIBLE OPPOSITION FOR A MAN LIKE KLINGENSMITH, BISHOP OF THE CHURCH OF CEDAR CITY, EVEN IF HE DID GO BEFORE THE COUNSEL</p> <p>AND SAY HE WAS POPPXPOSED TO</p> <p>KILLING THE EMIGRANTS, WHEN ASKED BY COUNSEL FOR THE DEFENDANT WHAT HE DID TO PREVENT IT, —WHAT</p>

RS	PS	RT	BT
<p>OPPOSITION [[24]]⁴⁹³ HE SAYS I ASKED THE QUESTION WHAT WILL BE CONSEQUENCES IF THESE EMIGRANTS ARE KILLED. ? THEN HE SAT BACK</p> <p>CONTENT THAT FATE SHOULD TAKE ITS COURSE CONTENT THAT THE PEOPLE MIGHT DIE [space]</p>	<p>OPPOSITION [space] HE SAYS I ASKED THE QUESTION WHAT WILL BE CONSEQUENCES IF THESE EMIGRANTS ARE KILLED THEN HE SETTLED BACK</p> <p>CONTENT THAT FATE SHOULD TAKE ITS COURSE CONTENT THAT THE PEOPLE MIGHT DIE</p>	<p>OPPOSITION HE MADE ,HE SAYS “ I ASKED THE QUESTION, WHAT WILL BE THE CONSEQUENCES IF THESE EMIGRANTS ARE KILLED.” AFTER THIS QUESTION HE SETTLED BACK IN HIS SEAT WITH A LOOK OF SATISFACTION BEAMING FROM HIS STOLID FEATURES, AND FURTHER SAID “AFTER THAT OPPOSITION THAT I MADE IN COUNCIL I CONCLUDED TO LET IT ALL GO, IT WAS USELESS TO OPPOSE THE WILL OF THOSE IN AUTHORITY. HE WAS SATISFIED THAT FATE SHOULD TAKE ITS COURSE , THAT THE PEOPLE SHOULD DIE,</p>	<p>OPPOSITION HE MADE, HE SAY S, “I ASKED THE QUESTION, WHAT WOULD BE THE CONSEQUENCES IF THESE EMIGRANTS ARE KILLED.” AFTER THIS ANSWER HE SETTLED BACK IN HIS SEAT WITH A LOOK KOOL OF SATISFACTION BEAMING UPON HIS STOLID FEATURES ZAND SAID, “AFTER THAT OPPOSITION THWAT I MADE IN THE COUNSEL I CONCLUDED TO LET IT ALL GO , IT WAS USELESS TO OPPOSE THE WILL OF THOSE THE WILL OF THOSE IN AUTHORITY! HE WAS SATISFIED THAT FATE SHOULD TAKE ITS COURSE; THZAT THE PEOPLE SHOULD DIE,</p>

493. At the top of the page in longhand: **4 BISHOP’S ADDRESS.**

RS	PS	RT	BT
<p>HE WOULD AID AND ASSIST IN THE WORK OF THE DESTRUCTION.</p>	<p>[<i>space</i>] HE WOULD AID AND ASSIST IN THE WORK OF DESTRUCTION</p>	<p>AND HE WOULD AID IN THE FOUL WORK OF THEIR DESTRUCTION. YES, HE AIDED, AND HE ADVISED THE DEED, - HE WENT TO THE SCENE WHERE INNOCENCE WAS TO SUFFER FROM RELIGIOUS FANATICISM; WHERE THE AGED AND THE YOUNG, THE MAN AND THE WOMAN, THE MAIDEN AND THE CHILD, SHOULD <u>ALL</u> DIE, BECAUSE OF THE DECREE OF THOSE HE STYLES “THOSE IN AUTHORITY” HE SAW THE DEFENSELESS MEN, THE WEEPING WOMEN, THE TIMID BLUSHING MAIDEN, THE PRATTLING CHILD, LED FORTH TO DEATH; AND HE, AS THE</p>	<p>AND HE WOULD AID IN THE FOUL WORK OF THEIR DESTRUCTION. YES, HE AIDED —HE ADVISED THE DEED. HE WENT TO THE SCENE WHERE INNOCENCE WAS TO SUFFER FROM RELIGIOUS FANATICISM; WHERE THE AGED AND THE THE YOUNG THE THE MAN ZAND THE WOMAN, THE MAIDEN AND THE CHILED SHOULD ALL DIE BECAUSE OF THE DECREE OF THOSE HE STYLES, “ THOSE IN AUTHORITY.” ^[9] HE SAW THE DEFENSELESS MEN, THE WEEPING WOMEN, THE TIMID MAIDEN, THE PRATTLING CHILD LED FORTH TO DEATH; AND HE AS THE</p>

RS**PS****RT****BT**

		<p>TEMPORAL HEAD OF THIS PEOPLE, STOOD IN THE LINE OF THE ARMED ASSASSINS, AND IN COLD BLOOD SHOT DOWN HIS MAN AFTER THE MAN HAD BEEN DISARMED, HAD SURRENDERED AND BEEN PROMISED A SAFE CONDUCT BACK TO CEDAR CITY. HE AIDED TO STRIP THE DEAD—HE SUPERINTENDE D THE GATHERING OF THE SPOIL, AFTER THE BLACK DEEDS WERE DONE;^[10] HE USED THE PROCEEDS ARISING FROM THIS CRIME TO ADVANCE HIS OWN WORLDLY CONDITION. SUCH, IS THE FIEND IN HUMAN SHAPE, THAT ASKS YOU TO BELIEVE HIS STATEMENTS, WHICH ARE MADE BY HIS</p>	<p>TEMPORAL HEAD OF HIS PEOPLE STOOD IN THE LINE OF THE ARMED ASSASSINS AND IN COLD BLOOD SHOT DOWN HIS MAN AFTER THE MEAN HAD BEEN DISARMED, HAD SURRENDERED AND BEEN PROMISED A SAFE CONDUCT TO CEDAR CITY. HE AIDED TOO, TO STRIP THE DEAD, HE SUPERINTENDE D THE GATHERING OF THE SPOIL AFTER THE BLACK BALCK DEEDS WERE DONE. HWE USED THE PROCEEDS ARISING FROM THIS CRIME TO ADVANCE HIS WORLDLY CONDITION. SUCH IS THE FIEND IN HUMAN SHAPE THAT ASKS YOU TO BELIEVE HIS STATEMENTS WHICH HAVE BEEN MADE BY HIS</p>
--	--	--	---

RS	PS	RT	BT
AFTERWARDS HE DESCRIBES TO YOU	AFTERWARDS HE DESCRIBES TO YOU	TRAITOROUS TONGUE. TO GIVE FORCE TO HIS RECITALS, HE TELL S YOU THE STORY OF HIS REMOVAL FROM OFFICE AS BISHOP IN THE CHURCH, OF HIS DISGRACE AND SOCIAL	TRAITOROUS TONGUE. TO GIVE FORCE TO HIS RECITALS, HE TELLS YOU THE STORY OF HIS REMOVAL FROM OFFICE IN THE
HIS FLIGHT AND	HIS FLIGHT	DEGREATION, OF HIS FLIGHT FROM THE SCENES OF HIS WICKEDNESS, AND POINTS OUT FO THE	CHURCH, OR HIS DISGRACE, AND SOCIAL DEGREATION; OF HIS FLIGHT FROM THE SCENES OF HIS WICKEDNESS AND HE POINTS OUT THE
HIS WANDERINGS.	HIS WANDERINGS	TRAILS OF HIS WANDERINGS, FAR FROM THE ABODES OF CIVILIZATION. YOU MAY WELL BELIEVE THAT HE BECAME A WANDERING OUTCAST, AFRAID OF MANKIND, YET DREADING SOLITUDE.	TRAILS OF HIS WANDERINGS, FAR FROM THE ABODES OF CIVILIZATION. YOU MAY WELL BELIEVE THAT HE BEACAME A WANDERING OUTCAST— AFRAID OF MANKIND YET AFRAID OF SOLITUDE.
AFTER THAT DEED WAS DONE	AND AFTER THAT DEED WAS DONE	AFTER THAT DEED, THE SOIL OF UTAH WAS AS UNSUITED TO HIS GUILTY TREAD, AS WAS THE SURFACE OF THE GREAT DEEP FOR A	AFTER THAT DEED , THE SOIL OF UTAH WAS AS UNSUITED TO HIS GUILTY TREAD AS WAS THE SURFACE OF THE GREAT DEEP FOR A
HE WAS LIKE THE DOVE	HE WAS LIKE THE DOVE	RESTING PLACE FOR THE DOVE ,	RESTING PLACE FOR THE DOVE

RS	PS	RT	BT
<p>WHEN FIRST WAS SENT OUT FROM THE ARK</p> <p>FINDING NO RESTING PLACE FOR ITS FEET,</p> <p>HE LEFT THIS COMMUNITY WITH THE MARK OF CAIN UPON HIS FOREHEAD WHAT LONELY</p> <p>MIND AND</p> <p>CONSCIENCE HE HAD THIS⁴⁹⁴</p>	<p>WHEN FIRST SENT FROM THE ARK</p> <p>FOUND NO ^{[[14]]} RESTING PLACE FOR ITS FEET [<i>space</i>]</p> <p>HE LEFT THIS COMMUNITY WITH THE MARK OF CAIN UPON HIS FOREHEAD THAT LOWLY</p> <p>MIND</p> <p>CONSCIENCE HAD WAS</p>	<p>WHEN FIRST SENT FROM THE ARK, BEFORE THE DRY LAND HAD APPEARED, THE DOVE FOUND NO RESTING PLACE FOR ITS FEET, SO RETURNED TO NOAH AND THE ARK. KLINGENSMITH, WITH MURDER IN HIS HEART, BLOOD ON HIS HANDS, PERJURY ON HIS TONGUE, AND MISERY IN HIS SOUL, RETURNS TO TESTIFY IN THIS CASE, IN ORDER TO DESTROY ONE THAT HE WISHES REMOVED FROM HIS PATHWAY. HE LEFT UTAH WITH THE MARK OF CAIN UPON HIS BROWN . HE WAS A LONELY WANDERER, WITH MIND ILL AT EASE; A CONSCIENCE</p>	<p>WHEN FIRST SENT FROM THE AR K BEFORE THE DRY LAND HAD APPEARED. THE DOVE FOUND NO RESTING PLACE FOR ITS FEET, SO RETURNED TO NOAH AND THE ARK. KLINGENSMITH, WITH MURDER IN HIS HREART, BLOOD ON HIS HANDS, PERGJURY ON HIS TONGUE AND MISERY IN HIS SOUL, RETURNS TO TESTIFY IN THIS CASE IN ORDER TO DESRROY ONE HE WISHES REMOVED FROM HIS PATHWAY. AHE LEFT UTAH WITH THE MARK OF CAIN ON HIS BROW. HE WAS A LONELY WANDERER, WITH MIND ILL AT EASE, A CONSCIENƎCE</p>

494. Ink vowel added later renders the word “THOSE”.

RS	PS	RT	BT
TORMENTING TORTURING <i>HIM/MATTER</i> [?]	TORMENTING TORTURING HIM	TORTURED WITH REMORSE, AND A JUDGMENT OF ETERNAL CONDEMNATIO N RINGING IN HIS EARS, AND ECHOING FROM EVERY BREEZE THAT FANNED HIS FEVERED HIS BROW, OR PLAYED WITH A ZEPHYROUS FREEDOM UPON HIS BLANCHED AND BLOODLESS FEATURES. AT EVERY GUILTY STEP, HE TOOK VISIONS OF THOSE WHO DIED BY REASON OF HIS CRUELTY, SEEMED TO PLEAD FOR JUSTICE UPON THEIR MURDERER,AND TO BAR HIS PATHWAY, WHILE HE FLED FROM PLACE TO PLACE,RUNNING FROM ALL FAMILIAR SCENES, SEEKING REST, YET REST,	TORCHERED WITH REMORSE AND A JUDGMENT OF ETERNAL CONDEMANATI ON RINGING IN THIS EARS AND ECHOING FROM EVERY BREES THAT FANNED HIS GUILTY BROW, OR PØLAYED WITH HIS BLANCHED AND BLOODLESS FEATURES. AT EVERY GUILTY STEP HE TOOK HE HAD VISSIONS OF THOSE WHO DIED BY REASON OF HIS CRUELTY, AND SEMED TO ^[10] PLEAD FOR JUSTICE UPON THEIR MURDERERS, AND TO BARR HIS PATHWAY WHILE HE FLED FROM PLACE TO PLACE; RUNNING FROM ALL FAMILIAR SCENES, SEEKING REST, — SWEET REST.

RS**PS****RT****BT**

<p>SO THAT HE COULD FIND REST UPON NO PLACE UPON GOD'S FOOTSTOOL. WE WILL TAKE HIM UP WE WILL TAKE UP AND DISSECT HIM AFTER DINNER. LET'S TAKE NEXT MAN. {BUT}ⁱ ONE {MORE}ⁱ WORD ABOUT KLINGENSMITH</p> <p>I WANT {TO}ⁱ ASK {YOU}ⁱ GENTLEMEN OF THE JURY</p> <p>{IF}ⁱ EITHER ONE OF YOU HAD LOST A DROVE OF CATTLE {AND}ⁱ</p> <p>SHOULD MEET KLINGENSMITH 20 MILES FROM HOME AND HE SHOULD TELL</p>	<p>SO THAT HE COULD FIND REST UPON NO PLACE UPON GOD'S FOOTSTOOL</p> <p>WE WILL TAKE UP AND DISSECT HIM AFTER DINNER [space] LET'S TAKE NEXT MAN THERE IS ONE WORD THOUGH ABOUT KLINGEN SMITH</p> <p>IF EITHER ONE OF YOU HAD LOST A DROVE OF CATTLE AND</p> <p>SHOULD MEET KLINGEN SMITH [space] AND [space] TELL</p>	<p>PEACE, CONTENT ARE WERE NOT, ARE NOT FOR HIM ON GOD'S FOOTSTOOL. I PROPOSE TO</p> <p>DISSECT HIM AFTER RECESS. [11] YET, I WILL SAWY A FEW MORE WORDS ABOUT HIM NOW, AS AN IDEA SUGGESTS ITSELF TO MY MIND. I WANT TO ASK YOU, GENTLEME N OF THE JURY, A PLAIN QUESTION. IF EITHER OF YOU HAD LOST A BAND OF CATTLE, AND WHILE SEARCHING THROUGH THE MOUNTAINS AND CANONS FOR THE LOST PROPERTY, YOU SHOULD BY CHANCE MEET KLINGENSMITH,</p> <p>AND HE SHOULD TELL</p>	<p>— PEACE AND CONTENT WERE NOT — ARE NOT FOR HIM ON GOD'S FOOTSTOOL. I PROPOSE TO</p> <p>DISSECT HIM AFTER RECESS; YET I WILL SAY A \$FEW WORDS MORE ABOUT HIM BN OW. AN IDEA SUGGE AN IDEA SUGGESTS ITSELF TO TO MY MIND NOW, AND I WANT TO ASK YOU , GE LNTLEMEN OF THE JURY, A PLAIN QUESTION: IF EITHER OF YOU HAD LOST A BAND OF CATTLE AND WHILE SEARCHING THROUGH THE MOUNTAINS AND CANONS ANFOR LTHE LOST PROPERTY, YOU SHOULD BY CHANCE MEET KLINGENSMITH,</p> <p>AND HE SHOULD TELL</p>
---	--	--	--

RS	PS	RT	BT
<p>YOU THAT THE HERD OF CATTLE WAS</p> <p>40 MILES</p> <p>WOULD YOU BELIEVE IT? OR TURN AND GO RIGHT OTHER WAY.</p> <p>WOULD NOT YOU RATHER BELIEVE HE HAD SENT SOMEBODY</p> <p>OVER TO DRIVE 'EM TO PIOCHE AND CAME TO TELL YOU ABOUT 'EM. NO YOU WOULD NOT NEVER LOOK FOR THE CATTLE IN THAT DIRECTION. YOU WOULD NOT BELIEVE HIM. THERE AIN'T ONE OF YOU WOULD TRAVEL FROM HERE RIO VIRGIN ALONE AND</p>	<p>YOU THAT THAT BAND OF CATTLE WAS</p> <p>40 MILES —/OR[?] IN A CANYON</p> <p>WOULD YOU BELIEVE IT OR [space]</p> <p>WOULD YOU RATHER BELIEVE HE HAD SENT SOME ONE TO STEAL THEM SENT THEM OVER TO PIOCHE THAN THAT HE HAD LEFT THEM ALONE [space] YOU WOULD NOT GO IN THE USUAL PLACE BUT TO[?] LEAVE[?] IN THE STATEMENT AND TESTIMONY OF THAT MAN NO ONE OF YOU WOULD TRAVEL FROM HERE TO THE RIVER VIRGIN WITH HIM ALONE</p>	<p>YOU THAT YOUR CATTLE WERE AT A CERTAIN POINT FIVE MILES DISTANT,WOUL D YOU ACT ON HIS INFORMSATION ? WOULD YOU BELIEVE WHAT HE SAID,OR WOULD YOU SEEK INN ≤IN≥ ANOTHER DIRECTION FOR YOUR MISSING STOCK ?</p>	<p>YOU THAT YORUR CATTLE WERE AT A CERTAIN POINT, FIVE MILES DISTANT; WOULD YOU ACT ON HIS INFORMATION? WOULD YOU BELIEVE WHAT HE SAID OR WOULD YOU SEEK IN ANOTHER DIRECTION FOR YOUR MISSING STOCK?</p>

RS	PS	RT	BT
CARRY 40 DOLLARS WITH YOUR.	CARRY 40 DOLLARS WITH YOU [<i>space</i>]	YOU WOULD WISH TO RID YOURSELVES OF HIS UNWELCOME PRESENCE, AND, DISREGARDING HIS STATEMENTS, CONTINUE YOUR SEARCH THE SAME AS IF HE HAD REMAINED SILENT. NO ONE WHO KNOWS HIS AS YOU HAVE LEARNED TO KNOW HIM, HAVING LISTENED TO HIM FOR THE MANY HOURS HE WAS ON THE STAND, WOULD BELIEVE HIM UPON THE MOST COMMON AFFAIRS IN DAILY BUSINESS. THEN CAN YOU BELIEVE HIS EVIDENCE, OR CONVICT UPON HIS TESTIMONY ? KLINGENSMITH STANDS	WOULD YOU NOT WISH TO RID YOURSELF OF HIS UNWELCOME PRESENCE, AND DISREGARDING HIS STATEMENTS, CONTINUE YOUR SEARCH THE SAME AS IF HE HAD REMAINED SILENT. NO ONE WHO KNOWS HIM AS YOU HASVE LEARNED TO KN OW HIM— HAVING LISTENED TO HIM HIM FOLR THE MANFY HOURS THAT HE WAS ON THE STAND, WO UL D BELIEVE HIM UPON THE MOST COMMO N AFFAIRS IN DZAILY BUSINESS?. THEN CAN YOU BELIEVE HIS EVIDENCE OR CONVICT UPON HIS TESTIMONY? KLINGENSMITH STANDS TH

RS	PS	RT	BT
WE WILL TAKE JOEL WHITE {NOW} ¹ . HIS TESTIMONY HAS BEEN FULLY REFERRED TO	TAKE JOEL WHITE NOW [<i>space</i>] HIS TESTIMONY HAS BEEN FULLY REFERRED TO	HERE A CONFESSED LIAR, COWARD AND MURDERER,HEN CE YOU ARE JUSTIFIED IN DISREGARDING ALL THAT HE HAS SAID AS A WITNESS BEFORE YOU. THE TESTIMONY OF JOEL WHITE	HERE A CONFESSED LIAR, COWARD AND MURDERER. HENCE, YOU ARE JUSTIFIED ED IN IN DISREGARDING ALL THAT HE HAS SAID AS A WITNESS BEFORE YOU. THE TESTIMONY OF JOEL WHITE
ALL I WANT TO ASK YOU IS	AND ALL I WANT TO ASK YOU TO CONSIDER ABOUT HIM IS —[?] THIS THAT IT LOOKS STRANGE THAT	HAS BEEN ABLY REVIEWED BY MY ASSOCIATES, WHO HAVE SO COMPLETELY DESTROYED THE WEIGHT OF HIS EVIDENCE,BY SHOWING ITS VERY FALSITY, THAT ANY OTHER MENTION OF IT IS USELESS, SAVE BY WAY OF WAY OF REFERENCE TO ILLUSTRATE MY VIEWS, AS I SHALL PROCEED WITH MY ARGUMENT. IS IT NOT STRANGE TO YOU THAT IF	HAS BEEN ABLY REVIEWED BY MY ASSOCIATES WHO HAVE SO COMPLETELY DESTROYED THE WEIGHT OF HIS EVIDENCE BY SHOWING ITS VERY FALSITY THAT OTHER MENTION OF IT IS USELESS, SAVE BY WAY OF REFERENCE,- TO ILLUSTRATE MY VIEWS AS I SHALL PROCEED WITH MY ARGUEMENT. IS IT NOT STRANGE TO YOU THAT IF
THIS IT IS			
STRANGE			

RS	PS	RT	BT
<p>HE WAS THERE</p> <p>TOOK NO PART IN THIS WHOLE TRANSACTION AND YET PERMITTED IT TO BE DONE.</p> <p>HE CAME IN HERE HAD HIS CONSULTATION WITH</p> <p>PARTIES WHO DID; FAILED TO CONNECT {THE}ⁱ MATTER COMES TO SUPPORT {K}ⁱ SMITH AS HE DID ON SO MANY OCCASIONS I SHALL ≪TAKE≫ OCCASION TO REFER TO HIM</p> <p>{AND}ⁱ DESCRIBE HIM {AND}ⁱ IDEAS OF THE CONSULTATION BETWEEN SMITH AND WHITE AND BILL HICKMAN.</p>	<p>HE WAS THERE AND TOOK NO PART IN THIS TRANSACTION AND YET PERMITTED IT ALL TO BE DONE</p> <p>CAME IN HERE AND HAD HIS CONSULTATION WITH THE VARIOUS PARTIES AS HE DID AND THEN FAILED TO CONNECT THE MATTER AND SUPPORT SMITH AS HE DID FULLY ON SO MANY OCCASIONS I SHALL TAKE OCCASION TO REFER TO HIM MORE PARTICULARLY AND DESCRIBE TO YOU MY IDEAS OF THE CONSULTATION BETWEEN SMITH WHITE AND BILL HICKMAN</p>	<p>THIS MAN WAS THERE ON THE GROUND,AND TOOK NO PART IN THE CRIME,</p> <p>THAT HE HAS SO LONG REMAINED A SILENT GUARDIAN OF THE SECRET ?</p> <p>HE COMES HE</p>	<p>THIS MAN WAS THERE ON THE GROUND AND TOOK NO PART IN THE CRØIME</p> <p>THAT HE HAS SO LONG REMAINED A SILENT ^[11] GUARDIAN OF THE SECRET?</p> <p>HE COMES HERE</p>

RS**PS****RT****BT**

		AS AN AIDER AND ABETTOR OF THE CRIMES OF KLINGENSMITH, AND SWEARS HE KNOWS NOT,CARES NOT WHAT,SO THAT HE BE RELIEVED FROM ARREST. ACCORDING TO [12] THE PROMISE OF THE PROSECUTION WHICH HAS INDUCED HIM TO COME, JUDAS LIKE, TO BETRAY HIS FORMER ASSOCIATES. HIS EVIDENCE YOU HAVE LONG SINCE THROWN ASIDE, BECAUSE OF ITS LACK OF TRUTH AND WANT OF REASONABLENE SS.	AS AN AIDER AND ABETTER OF THE THE CRIMES OF KLINGENSMITH AND SWEARS HE KNOWS NOT A , CARES NOT WHZAT SO THZAT HE BE RELIEVED FROM ARREST ACCORDING TO THE PROMISE OF THE PROSECUTION WHICH HAS INDUCED HIM TO COME HERE JUDAS LIKE TO BETRAY HIS FORMER ASSOCIATES. HIS EVIDENCE YOU HAVE LONG SINCE THROWN ASIDE, BECAUSE OF ITS LACK OF TRUTH AND WANT OF REASONABLENE SS.
NEXT	THE NEXT	NEXT COMES THAT UNRELIABLE WITNESS, THAT RAVING,CRAZE D OLD WOMAN, TONGUE TIED IN THE MIDDLE AND WORKING AT BOTH ENDS; THE	NEXT COMES THAT UNRELIABLE WITNESS — THAT RAVING CRASEZD OLD WOMAN, — TONGUR TIED IN THE MIDDLE AND WORKING AT BOTH ENDS. THE
WITNESS THAT CAME ON STAND IS ONE THAT I ADMIT I WAS AFRAID OF WHEN SHE WAS CALLED {TO THE} ⁱ STAND.	WITNESS THAT CAME ON TO THE STAND IS ONE THAT I ADMIT I WAS AFRAID OF WHEN SHE WAS ON THE STAND [space]		

RS**PS****RT****BT**

<p>IT IS THE FIRST WOMAN</p> <p>I WAS AFRAID TO TALK TO I WAS AFRAID TO CROSS EXAMINE HER FROM THE SIMPLE FACT SHE HAS BECOME SO DEAF FROM LISTENING TO HER OWN TONGUE {TO</p>	<p>THE FIRST WOMAN THAT I EVER SAW THAT I BEEN AFRAID TO TALK TO I WAS AFRAID TO CROSS QUESTION HER FROM THIS SIMPLE FACT THAT SHE HAS GOT SO DEAF FROM LISTENING TO HER OWN TONGUE AND</p>	<p>VIBRATIONS OF THIS FEMALE WEAPON, SO LONG HAS IT BEEN VIBRATING,HAS UNU INJURED HER SENSE OF HEARING; YET TO HER THIS MUST BE A BLESSING, JUDGING FROM THE EFFECT OF HER TALK UPON OTHERS,FOR,BEING DEAF, SHE IS FREED FROM THE TORTURE OF LISTENING TO HER OWN WILD AND MEANINGLESS RAVINGS.</p> <p>I CONFESS I WAS RATHER TIMID WHEN I ATTEMPTED TO CROSS-EXAMINE HER.</p>	<p>VIBRATIONS OF THIS FEMALE WEAPON SO LONG HAS IT BEEN VIBRATING, - HAS INJURED HER SENSE OF HEARING. YET TO HER THIS MUST BE A BLESSING, JUDGING FROM THE EFFECT OF HER TALK YUPON OTHERS FOR BEING DEAF DEPH-DEF. SHE IS FREED FROM THE TORTURE OF LISTENING TO HER OWN WILD AND MEANINGLESES S RAVINGS.</p> <p>I CONFESS I WAS RATHER TINMID WHEN I ATTEMPTED TO CROSS-EXAMINE HER.</p>
--	---	--	---

RS	PS	RT	BT
THE ¹ RETELLING OF HER OWN <i>LIES</i> [?] SHE COULD NOT HEAR MY MILDER —[?] TONES.	RETELLING HER OWN <i>THOUGHTS</i> [?] THAT HE COULD NOT HEAR MY MILDER MILD TONES	SHE COULD NOT HEAR ME, AND MY VOICE IS NOT OF THE WEAKEST KIND, AND SHE SCOULD ONLY GATHER THE MEANING OF MY QUESTIONS BY WATCHING THE MOTION OF MY LIPS AS I	SHE COULD NOT HEAR ÆME, AND MY VOICE IS NOT OF THE WEAKEST KIND. SHE COULD ONLY GATHER THE MEANING OF MY QUESTIONS BY WATCHING THE MOTIONS OF MY LIPS AS I RESTED X
IT WAS ONLY BY THE ^{[[25]]} 495	IT WAS ONLY BY THE	ADDRESSED HER. SHE IS ,ACCORDING TO APPEARANCES,	ADDRESSED HER. SHE IS ACCORDING TO APPEARANCES
WORKING OF MY LIPS THAT SHE COULD TELL WHAT I SAID [<i>space</i>] WHEN WOMAN GETS {I THINK <i>NT-/ND-</i> [?] TO GET} ¹ SO OLD AND DEAF SHE CAN'T UNDERSTAND FLATTERY THERE IS NO USE IN TALKING TO HER [<i>space</i>] SHE IS ONE OF THAT KIND.	WORKING OF MY LIPS THAT SHE COULD TELL WHAT I HAD SAID AND WHEN WOMAN GETS SO OLD AND DEAF SHE CAN'T UNDERSTAND FLATTERY IT IS NO USE TALKING TO HER SHE IS ONE OF THAT KIND	TOO DEAF TO UNDERSTAND FLATTERY. Æ WHEN A WOMAN REACHES THAT STAGE IN LIFE, WHAT DO YOU THINK SHE COULD UNDERSTAND ? HER STATEMENTS ARE SO MONSTROUS, THAT, COMING FROM A	TOO DEAF DEF TO UNDERSTAND FLATTERY; AND WHEN A WOMAN REACHES THAT STAGE IN LIFE, WHAT DO YOU THINK SHE COULD UNDERSTAND? HER STATEMENTS ARE Ð SO MONSTROUS THZAT COMING FROM A
HER STATEMENT I THINK WAS THE MOST REMARKABLE STATEMENT	HER STATEMENT I THINK WAS THE MOST REMARKABLE STATEMENT		

495. At the top of the page in longhand: **BISHOPS 5 ADDRESS.**

RS	PS	RT	BT
HAVE HEARD IN MY LIFE. I WILL PAY LITTLE ATTENTION TO HER AS I GO ALONG. SO FAR WE HAVE HAD 2 WITNESSES THAT PROVED NOTHING [space]	THAT I EVER HEARD IN MY LIFE I WILL PAY A LITTLE ATTENTION TO —/HER[?] HER AS S[?] WE GO ALONG WE HAVE [[15]] TWO WITNESSES THEY PROVED NOTHING	WOMAN, AS THEY DO, WE CANNOT BELIEVE THEM TRUE. THUS FAR THE PROSECUTION HAVE HAD TWO WITNESSES, WHO KNEW NOTHING OF THE MASSACRE; TWO ACCESSORIES, AND AN UNRELIABLE OLD WOMAN, WHO TELLSS YOU THAT SHE, WHILE SITTING IN HER USUAL PLACE OF WORSHIP IN THE CHURCH, RAISED HER HAND AND VOTED IN FAVOR OF THE PROPOSITION TO MURDER ALL THE EMIGRANTS. IF THIS BE SO, SHE IS ALSO AN ACCESSORY BEFORE THE FACT, AND GUILTY OF THE DEED AS MUCH AS IF SHE HAD ENGAGED	WOMAN AS THEY DO WE CAN NOT BELIEVE THEM TRUE. THUS FAR, THE PROSECUTION HAVE HAD TWO WITNESSES WHO KNWE NOTHING OF THE K MASSCACE, TWO ACCESSORIES AND AN UNRELIABLE OLD WOMAN, WHO TELLS YOU THAT SHE WHILE SITTING IN HER USUAL PLACE OF WORSHIP IN THE CHURCH RAISED HER HAND AND VOTED IN FAVOR OF THE PROPOSITION TO MURDER ALL OF THESE EMIGRANTS. IF THIS BE TRUE , SHE IS ALSO AN ACCESSORY BEFORE THE FACT A B ND GUILTY OF THE DEED AS MUCH AS IF ASHE HAD ENGAGED
HAVE HAD THREE WITNESS ON STAND THAT WERE OPPOSED TO TRANSACTION SHE SAYS SHE	3 ON STAND THAT WERE OPPOSED TO TRANSACTION BECAUSE SHE SAID SHE		
VOTED	VOTED		
TO KILL THESE PEOPLE. FOR[?] SHE SAYS [space]	TO KILL ALL THESE PEOPLE THINK DID YOU IF SHE HAD SHOWN ANY SIGNS OPPOSE		

RS	PS	RT	BT
<p>DO YOU BELIEVE THERE WAS</p> <p>WOMAN IN UTAH AT THAT TIME THAT WAS NOT {A/THE[?]}ⁱ DEVIL INCARNATE THAT WOULD RAISE HER HAND TO VOTE FOR SLAY</p> <p>MEN WOMEN CHILDREN AS SHE SAYS SHE DID</p> <p>CHARITY COMPELS YOU AND I TO SAY THAT WOMAN HAS BECOME <i>MISTAKEN</i>[?] SHE HAS HAS BECOME CRAZY UPON THIS SUBJECT THIS SUBJECT OF THE MOUNTAIN MEADOW MASSACRE <AND</p>	<p>DO YOU BELIEVE THAT THERE WAS</p> <p>A WOMAN IN UTAH THAT WAS NOT <i>A/THE</i>[?] DEVIL INCARNATE THAT WOULD RAISE HER HAND AND VOTE FOR THE DESTRUCTION OF</p> <p>MEN WOMEN AND CHILDREN AS SHE DID AND NO GENTLEMEN OF THE JURY CHARITY COMPELS YOU AND I TO SAY THAT THAT WOMAN FOR SOME CAUSE OR ANOTHER HAS BECOME CRAZED ON THIS <i>SUBJECT</i>[?]</p>	<p>IN THE BUTCHERY THAT FOLLOWED . DO YOU BELIEVE THAT THERE WAS IN ^[13] UTAH, AT THAT DATE, A WOMAN, WHO, UNDERSTANDIN G THE FACTS AS THIS WOMAN CLAIMS TO HAVE DONE, WOULD HAVE VOTED FOR THE MURDER OF OVER ONE HUNDRED AND TWENTY MEN, WOMEN AND CHILDREN ?</p> <p>NO, YOU CANNOT SO BELIEVE, HUMAN NATURE GIVES THE LIE TO THE PROPOSITION.</p>	<p>IN THE BUTCHERING THAT FOLLOWED. DO YOU BELIEVE THZAT THERE WAS IN UTAH, A WOMAN WHO, UNDERSTANDIN G THE FACTS AS THIS THE WOMAN CLAIMED TO HAVE DONE, WWWOULD HAVE VOTED FOR THE MURDER OF OVER I20</p> <p>MEN, WOMEN AND ^[12] CHILDREN?</p> <p>NO, YOU CANNOT SO BELIEVE. YOHUMAN NATUER GIVES THE LIE TO THE PROPOSITION.</p>

RS	PS	RT	BT
<p>IT HAS BECOME> IMPOSSIBLE ≤FOR HER TO≥ STATE ONE FACT ≤RESPECTING THIS MATTER> BECAUSE SHE IS NOT CHARITY ≤OF SOUND MIND>. CHARITY SAYS WE SHOULD SOONER</p> <p>SAY</p> <p>SHE WAS LIAR THAN</p> <p>MURDERESS. [space]</p> <p>NOW WE WILL TAKE THOMAS W WILLIS THIS IS GREAT WITNESS GOOD</p>	<p>AND HAS MISSTATED THIS FACT</p> <p>BECAUSE</p> <p>CHARITY SHOULD SOONER</p> <p>SAY THAT WE SHOULD SAY</p> <p>LIAR THAN A MURDERESS THEY HAVE PROVED NOTHING [space]</p> <p>THOMAS W ≤T> WILLIS NOW IS A GREAT WITNESS HE IS A GOOD</p>	<p>CHARITY FOR HUMAN FRAILTY FORCES YOU TO SAY “WE WOULD RATHER BELIEVE HER UNTRUTHFUL THAN TO BELIEVE HER. A MURDERESS’!</p> <p>THAT SHE IS MISTAKEN AND IN ERROR IS EVIDENT. SHE HAS GROWN INSANE, BY DEGREES, AND WAS NEVER RELIABLE. PITY HER, THAT IS RIGHT, BUT TO BELIEVE HER WOULD BE A CRIME. NEXT COMES THOMAS W. WILLIS, ONE UPON WHOM THE</p>	<p>CHARITY FOR HUMAN FRAILTY FORCES YOU TO SAY, “WE WOULD RATHER BELIEVE HER UNTRUTHFUL ATHAN TO BELIEVE HER A MURDERESS.”</p> <p>THAT SHE IS IN ERROR AND MISTAKEN IS EVIDENT; AND THAT SHE HAS GROWN INSANE BY DEGREES AND NEVER RELAIAIBLE. PITY HER THAT IS RIGHT; BUT TO BELIEVE HER THAT WOULD BE A CRIME. NEXT COMES THOMAS W. WILLACE, ONE UPON WHOM THE</p>

RS	PS	RT	BT
<p>WITNESS. IF YOU RECALL HE IS ONE OF MEN THAT TESTIFIED HE HAD HEARD HAIGHT TALK TO HIS FATHER ABOUT ATTACKING THE EMIGRANTS AS THEY SET OUT</p> <p>THEY MUST ATTACK THE EMIGRANTS WHILE THEY WERE TRAVELING ALONG. THAT BOY HAS BEEN POSTED SOMEWHERE ~</p> <p>ANYBODY KNOWS YOU <i>CAN/CAN'T</i>[?] KILL SOME MEN TRAVELING ALONG THAT WAY. <i>[space]</i> AND THIS IS ANOTHER THING THE PROSECUTION</p>	<p>WITNESS IF YOU RECALL HE IS ONE MAN THE MAN THAT</p> <p>HEARD HAIGHT TALK TO HIS FATHER ABOUT ATTACKING EMIGRANTS AND FURTHER —[?]</p> <p>HE MUST ATTACK EMIGRANTS WHILE</p> <p>TRAVELING ALONG <i>[space]</i> THAT <i>BOY HAS GOT POSTED</i>[?] AND <i>CAN/CAN'T</i>[?] <i>ANYTHING/NOTHING</i>[?] <i>UP FOR</i>[?] RIGHT AND ANYBODY KNOWS THAT <i>[space]</i></p> <p>AND THEN HE DOES ANOTHER THING THAT THE PROSECUTION</p>	<p>PROSECUTION CONFIDENTLY RELIEF. HE HAS TESTIFIED THAT HE</p> <p>HEARD HAIGHT TALK TO HIS FATHER ABOUT ATTACKING THE EMIGRANTS AS THEY WOULD MARCH ALONG SOUTH OF CEDAR CITY, AND HE TELL S YOU THAT HAIGHT SAID THEY WOULD NOT ATTACK THE EMIGRANTS AS THEY</p> <p>TRAVELED ALONG.</p>	<p>PROSECUTION CONFIDENTLY RELIED. HE HAS TESTIFIED THAT HE</p> <p>HEARD HAIEGHT T ALK TO HIS FATHER ABOUT ATTACKING THE EMIGRANTS AS THEY WOULD MARCH ALONG SOUTH OF CEDAR CITY , AND HE WOULD TELLS YOU THAT HAIGHT SAID THEY SOULD NOT ATTACK THE EMIGRANTS AS THEY</p> <p>TRAVELED ALONG.</p>

RS	PS	RT	BT
<p>TRIED TO STOP HIM —[?] BUT THEY WERE NOT QUITE QUICK ENOUGH</p>	<p>TRIED TO STOP THAT REMARK BUT</p>	<p>THIS WITNESS SAYS HE WAS THEN A BOY ,AND IN INTELLECT HE IS STILL A CHILD. HE HAS BEEN DRILLED AND PRACTICED REGARDING HIS EVIDENCE, BUT BY WHOM I LEAVE YOU TO DETERMINE. HE TELLS OF THE TALK BETWEEN HIS FATHER AND HAIGHT; AND THAT HIS FATHER ADVISED THE ATTACK WHILE THE EMIGRANTS WOULD BE MARCHING; THAT THEY BE ATTACKED FROM AMBUSH, AND THAT HAIGHT REJECTED THE PLAN, AND DETERMINED TO MAKE THE ATTACK AFTER THE EMIGRANTS</p>	<p>THIS WITNESS SAYS HE WAS THEN A BOY, IN INTELLECT HE H IS STILL A CHILD;. HE HAS BEEN DRILLED AND PRACTICED REGARDING HIS EVIDENCE; BUT BY WHOM I LEAVE YOU ; GENTLEMEN, TO DETERMINE. HE TELLS OF THE TALK BETWEEN HIS FATHER AND HAIGHT; THAT HIS FATHER ADVISED THE ATTACH WHILE THE EMIGRANTS WOULD BE MARCHING. THAT HTHEY THEY BE ATTACKED FROM AMBUSH, AND THAT HAIGHT REJECTED THE PLAN AND DETERMINED TO MAKE THE ATTACK AFTER THE EMIGRANTS</p>

RS	PS	RT	BT
HE SAW THE INDIANS RETURN WITH HATS {RED TOP} ⁱ BOOTS ETC. HE SAW THEM <WASH> AND <HE SAW THEM WASH> CLOTHES IN THE DITCH THERE.	HE SAW THE HORSES RETURN WITH HORSES HATS AND BOOTS SAW THEM WASH BLOODY CLOTHES IN THE CREEK THERE [space] ONLY KNEW THAT HE DID KNOW AND THAT TELLS THE —[?] PROSECUTION AND MADE UP FOR THE BALANCE	HAD CAMPED. HE TELLS YOU OF THE INDIANS RETURNING FROM THE MEADOWS, LOADED WITH THE SPOIL OF THE SLAUGHTERED VICTIMS; THAT THE INDIANS WASHED THEIR BLOOD STAINED TROPHIES IN THE LITTLE STREAM THAT RAN THROUGH THE TOWN. THAT HE SAW THE CHURCH OFFICIALS PLACE MUCH OF THE CLOTHING AND PROPERTY OF THE EMIGRANTS IN THE TITHING HOUSE, AND THAT IT WAS LEFT IN CHARGE OF KLINGENSMITH, WHO SOMETIME AFTER	HAD CAMPED. HE TELLS YOU OF THE INDIANS RETURNING FROM THE MEADOWS LOADED WITH THE SPOILS OF THE VICTIMS; THAT THE INDIANS WASHED THEIR BLOOD STAINED TROPHIES IN THE LITTLE STREAM THAT RAN THROUGH THE TOWN; THAT HE SAW THE CHURCH OFFICIALS PLACE MUCH OF THE CLOTHING AND PROPERTY IN THE TITHING HOUSE, AND THAT IT WAS LEFT IN CHARGE OF KLINGENSMITH, WHO SOMETIME AFTER

RS	PS	RT	BT
<p>WAS SOLD AT AUCTION AND HAIGHT TOLD THE PEOPLE NOT {TO}ⁱ BID TOO HIGH FOR IT.</p> <p>STILL DOES NOT CONNECT JOHN D. LEE WITH THIS MATTER.</p> <p>WILLIS COMES ON TO STAND CONTRADICTS THIS MAN</p> <p>SMITH IN TOTO.</p> <p>THIS MAN</p> <p>WILLIS</p>	<p>HE TOLD THE PEOPLE NOT TO BID TOO HIGH FOR IT [<i>space</i>]</p> <p>JN H WILLIS [<i>space</i>]</p> <p>MAN THAT CONTRADICTS THIS MAN</p> <p>SMITH IN TO TO [<i>space</i>] PRAY[?] CALL YOUR ATTENTION TO HIM JOHN H WILLIS ONE</p>	<p>SOLD THE SAME AT PUBLIC AUCTION.</p> <p>THIS AND MORE OF SIMILAR IMPORT HE TELLS WITH THE GLIBNESS OF A TRAINED DE-^[14] CLAIMER, BUT HE NEVERBY WORD OR DEED CONNECTED JOHN D. LEE WITH THE CRIME OR WITH ITS PERPETRATORS. THEN COMES HIS BROTHER JOHN E. WILLIS.⁴⁹⁶ THIS WITNESS GOES UPON THE STAND AND CONTRADICTS HIS BROTHER AND KLINGENSMITH IN TOTO.</p> <p>THIS WITNESS</p>	<p>SOLD THE SAME AT PUBLIC AUCTION.</p> <p>THIS AND AND MORE OF SIMILAR IMPORT HE TELLS WITH THE GLIBNESS OF A TRAINED DECLAIMER; BUT HE NEVER BY WORD OR DEED CONNECTS JOHN D. LEE WITH THE CRIME OR OR WITH ITS PERPETRATORS. NEXT COMES HIS BROTHER JOHN E. WILLIS. THIS WITNESS GOES UPON THE STAND AND CONTRADICTS HIS BEROTHER, AND KLINGENSMITH IN TOTO.</p> <p>^[13] THIS WITNESS TELLS</p>

496. Actually John Henry Willis.

RS	PS	RT	BT
<p>ACCORDING TO HIS STATEMENT IS ONE WHO WENT</p> <p>TO TAKE CHILDREN</p> <p>FROM HAMBLIN'S RANCH [space]</p> <p>THEY COULD ALL TALK SMITH SAYS NONE OF CHILDREN COULD TALK ALL YOUNGER THAN 2 ½</p> <p>SMITH TELLS YOU HE TOOK CHILDREN TO CEDAR</p> <p>ANOTHER PARTY TELLS YOU HE TOOK THEM</p>	<p>ACCORDING TO HIS STATEMENT</p> <p>TO TAKE THE CHILDREN</p> <p>FROM HAMBLIN'S RANCH THESE CHILDREN 3 OR FOUR YEARS OF AGE 6 OR 7 [space]</p> <p>SMITH SAID NONE OF THE CHILDREN COULD TALK ABOUT 2 ½ YEARS OLDEST [space] AND SMITH TELLS YOU HE TOOK THE CHILDREN TO CEDAR CITY HERE IS ANOTHER PARTY THAT TELLS YOU HE TOOK THEM [space] SMITHS</p>	<p>TELLS YOU THAT HE IS THE PERSON THAT WENT TO THE SCENE OF THE SLAUGHTER AND TOOK CHARGE OF THE CHILDREN AND TOOK THEM IN HIS WAGON TO HAMBLIN'S RANCH. THAT AFTERWARDS HE TOOK THEM FROM HAMBLIN'S RANCH TO CEDAR CITY. HE TELLS YOU THESE CHILDREN COULD ALL TALK. KLINGENSMITH TELLS YOU THAT NONE THAT COULD TALK WERE SPARED.</p> <p>HE ALSO TELLS YOU HE TOOK THEM TO CEDAR CITY IN PERSON, WHILE WILLIS SAYS <u>HE ALONE</u> TOOK THE CHILDREN TO CEDAR CITY.</p>	<p>YOU THAT HE IS THE PERSON URPOSE THAT WENT WENT TO THE SCENE OF THE SLAUGHTER OF AND TOOK CHARGE OF THE CHILDREN AND TOOK THEM IN HIS WAGON TO HAMBLIN'S RANCH; THAT</p> <p>HE TOOK THEM FROM HAMBLIN'S RANCH TO CEDAR CITY. HE TELLS YOU THAT THESE CHILDREN COULD ALL RTALK. KLINGENSMITH TELLS YOU THAT NONE THAT COULD TALK WERE SPARED.</p> <p>HE ALSO TELLS YOU HE TOOK THEM TO CEDAR CITY IN PERSON; WHILE WILLACE TELLS YOU HE ALONE TOOK THE CHILDREN TO CEDAR CITY.</p>

RS	PS	RT	BT
<p>IT MUST HAVE TAKEN A GREAT MANY WAGONS TO HAUL THESE CHILDREN ^{[[26]]497} TO CEDAR CITY. SO HIS SPECIAL WAGON SENT OUT TO BRING IN BALANCE.</p> <p>NEXT WITNESS IS WILLIAM MATTHEWS.</p>	<p>TELLS YOU HE TOOK THEM [space]</p> <p>HE HAS THE EXTRA WAGONS SENT OUT TO BRING IN THE BALANCE</p> <p>NEXT WITNESS IS WILLIAM MATTHEWS</p>	<p>EXPLAIN THIS DISCREPANCY, IF YOU CAN. HOW MANY WAGONS, THINK YOU, WOULD BE NECESSARY ON SUCH AN OCCASION, TO CONVEY SEVENTEEN CHILDREN FROM WHERE THE REMAINS OF THEIR MURDERED PARENTS LAY, TO THE PLACE OF THEIR CAPTIVITY. THE CONFLICT BETWEEN THESE WITNESSES PROVES THE DESPERATION OF THE PROSECUTION, AND SHOWS ITS DETERMINATIO N TO CONVICT ON <u>QUANTITY</u> RATHER THAN <u>QUALITY</u> OF EVIDENCE.</p> <p>WILLIAM MATTHEWS</p>	<p>EXPLAIN THIS DESCREPCENCY IF YOU CAN. HOW MANY WAGONS, THINK YOU</p> <p>NECESSARY ON SUCH AN OCCASION TO CONVEY I7 CHILDREN FROM WHERE THE REMAINS OF THEIR MURDERED PARENTS LAY TO THE PLACE OF THEIR CAPTIVITY? THE CONFLICT BETWEEN THESE WITNESSES PROOVES THE DESPERATION OF THE PROSECUTION AND SHOWS ITS DETERMINATIO N TO CONVICT RATHER ON QUANITY THAN QUALITY OF THE EVIDENCE.</p> <p>WILLIAM MATHEWS</p>

497. At the top of the page in longhand in ink: **BISHOPS 6 ADDRESS.**

RS	PS	RT	BT
HE DOES NOT KNOW ANYTHING EXCEPT	HE DID NOT KNOW ANYTHING EXCEPT THAT	COMES NEXT, TO SUPPORT A LOST CAUSE. HE KNOWS NOTHING AT ALL OF THE FACTS IN THE CASE. TRUE HE HEARD DAME TALK OF GOING TO THE MEADOWS, TO SAVE THE EMIGRANTS,BUT THIS WAS AFTER THE MASSACRE. HE DID LOAN DAME AND OTHERS A SPAN OF MULES WITH WHICH TO GO TO THE MEADOWS, BUT WHAT DAME SAID TO HIM, THE PROSECUTION WOULD NOT CONSENT THAT THE WITNESS SHOULD RELATE. AFTER DAME RETURNED WITH THE MULES, THE WITNESS STARTED ON HIS JOURNEY, AND IN THE NIGHT TIME PASSED OVER THE MEADOWS,	COMES NEXT TO SUPPORT A LO†ST CAUSE. HE KNOWS NOTHING AT ALL IN THE CASE. TRUE, HE HEARD DAME TALK OF GOING TO THE MEADOWS TO SAVE THE EMIGRANTS, BUT THIS WAS AFTER THE MASSACRE. HE DID LOAN DAME AND OTHERS A SPAN OF MULES WITH WHICH TO GO TO THE MEADOWS; WBUT WHAT DAME SAID TO HIM — THE PROSECUTION WOULD NOT CONSENT THAT THE WITNESS SHOULD RELATE. AFTER DAME 'S RETURN WITH THE MULES, THE WITNESS STARTED ON HIS JOURNEY AND IN THE NIGHTTIME PASSED OVER THE MEADOWS
HE HAD TALK WITH DAME	HE HAD A TALK WITH DAME [space]		
LOANED DAME SOME MULES	[[16]] LOANED [space]		
PROSECUTION REFUSED TO LET HIM TELL WHY DAME WANTED MULES REFUSED TO LET HIM SAY ANYTHING EXCEPT PROVE FACT HE WENT TO MEADOWS WITH MULES AND THAT	REFUSED TO LET HIM TELL WHAT DAME SAID REFUSED TO LET HIM PROVE ANYTHING THAT HE SAID [space] WHO[?] HE[?] —[?] DAME GOT THE MULES BACK FROM HIM[?] [space]		

RS	PS	RT	BT
<p>HE PASSED THROUGH MEADOWS AND</p> <p>SAW NOTHING ABOUT IT.</p> <p>NEXT WITNESS IS WILLIAM YOUNG</p>	<p>PASSED MOUNTAIN MEADOWS ABOUT DAYLIGHT SAW NOTHING OF THE KILLING —[?] [<i>space</i>]</p> <p>NEXT OLD WILLIAM YOUNG THAT DOES NOT</p>	<p>PASSED OVER THE FIELD OF CARNAGE,</p> <p>YET SAW NOTHING STRANGE, NOTHING PECULIAR THERE, NO BODIES OF THE DEAD, NOTHING TO INFORM THE WITNESS ^[15] THAT ANY CRIME HAD BEEN COMMITTED. THIS WITNESS DOES NOT SPEAK THE NAME OF JOHN D. LEE. THIS WITNESS TELLS YOU NOTHING TO ENLIGHTEN YOU CONCERNING THE FACTS OF THE CASE, OR TO POINT OUT THE GUILTY PARTIES. STILL, THERE IS NO EVIDENCE OF THE GUILT OF THE DEFENDANT.</p>	<p>—APASSED OVER THE FIELD OF CARNAGE;</p> <p>YET SAW NOTHING STRANGE— NOTHING PECULIAER THERE—NO BODIES OF THE DEAD DEAD; NOTHING TO INFORM THE WITNESS THAT ANY CRIME HAD BEEN COMMITTED. THIS WITNESS DOES NOT SPEAK THE NAME OF JOHN D. LEE. THIS WITNESS TELLSS YOU NOTHING TO ENLIGHTEN YOU CONSERNING THE FACTS IN THE C ASE OFR TO POINT OUT THE GUILTY PARTIES AND STILL THERE IS NO EVIDENCE OF THE GUILT OF HE DEFENDANT.</p>

RS	PS	RT	BT
<p>THOUGHT HE SAW JOHN D. LEE TAKE A CHILD RETIRING FROM FIELD AND SAW HIM NO MORE. THEN COMES</p> <p>SAMUEL POLLOCK HE IS ANOTHER WITNESS THEY RULED UPON — [?] HE IS ONE OF MEN THAT STAY {ED}ⁱ IN</p> <p>BACKGROUND; DIDN'T ASSIST IN DOING ANYTHING.</p> <p>HE HAS NOT BEEN AS STEEPED IN CRIME SUFFICIENT TO SWEAR TO AS MANY GLARING FALSITIES AS SMITH DID TO GIVE HIM</p>	<p>CONNECT JOHN D. LEE ANYTHING HERE THOUGHT HE SAW HIM TAKE CHILD <i>WENT</i> <i>AWAY</i>[?] [<i>space</i>]</p> <p>SAM POLLOCK ANOTHER WITNESS [<i>space</i>]</p>	<p>NEXT IN ORDER OF EXERCISES COMES SAMUEL POLLOCK, ONE OF THE STRONG SUPPORTS OF THE PROSECUTION. HE TELL S YOU THAT HE REMAINED IN THE BACKGROUND, TOOK NO PART IN THE BUTXCHERY, SAW NOTHING,KNOW S NOTHING; IF HE EVER DID HE HAS FORGOTTEN IT. THIS WITNESS HAS NOT BEEN SUFFICIENTLY STEEPED IN CRIME TO QUALIFY HIM AS A WITNESS FOR THE PROSECUTION; AND STILL</p>	<p>NEXT IN ORDER OF EXERCISES COMES SAMUEL POLLOCK; ONE OF THE STRIONG SUPPORTS OF THE PROSECUTION. HE TELLS YOU THAT HE REMAINED IN THE BACK GROUND —TOOK NO PART IN THE BUTCHERY, SAY NOTHING , KNOWS NOTHING-; ^[14] IF HE EVER DID HE HAS FORGOTTEN IT. THIS WITNESS HAS NOT BEEN SUFFICIENTLY STEEPED IN CRIME TO QUALIFY HIM AS A GOOD WITNESS FOR THE PROSECUTION. STILL</p>

RS	PS	RT	BT
<p>NOTORIETY.</p> <p>SHERRETT IS NEXT WITNESS</p>	<p>SHERRETT</p> <p>DEAF MAN [<i>space</i>]</p>	<p>THERE IS NO EVIDENCE TO JUSTIFY THE PEOPLE IN DEMANDING A VERDICT OF “GUILTY” AT YOU HANDS. SHERRATT, THE HONEST BUT MUTE WITNESS, IS THEN CALLED. HE, HAS LOST THE POWER OF SPEEC , BUT HE WROTE OUT THE HORRID DETAILS OF KLINGENSMITH’ S ACTIONS,AND THE FACTS CONNECTED WITH THE SALE,BY</p> <p>KLINGENSMITH, OF THE GOODS, CLOTHING AND EFFECTS OF THE MURDERED EMIGRANTS BUT HE WRITES NOTHING ABOUT WHAT WAS DONE PREVIOUS TO, OR AT THE TIME OF THE MASSACRE, NOTHING OF JOHN D. LEE,</p>	<p>THERE IS NO EVIDENCE TO JUSTIFY THE PEO PLE IN DEMANDING A VERDICT OF GUILTY AT YOUR HANDS. SHERRATT, THE HONEST BUT MUTE WITNESS, WAS THEN CALLED. HE HAS LOST THE WPOWER OF SPEECH, BUT HE WROTE OUT THE HAND DETAILS OF KLINGENSMITH S ACTIONS, AND THE FACTS CONNECTED WITH THE SALE BY BISHPOP KNLINGENSMIT H OF THE GOODS, CLOTHNING AND EFFECTS OF THE MURDERED EMIGRANTS. BUT HE WRITES NOTHING ABOUT WHAT WAS DONE PREVIOUS TO OR AT THE TIME OF THE MZASSACRE, AND NOTHING OF JOHN D. LEE;</p>

RS	PS	RT	BT
<p>NEXT COMES OLD MAN BRADSHAW THAT HAD A DEAD SON {AND}ⁱ THAT WAS NOT DEAD. DOES NOT AMOUNT TO ANYTHING. THAN HE KNEW THAT HAIGHT HAD</p> <p>PREACHED CRUSADE AGAINST EMIGRANTS</p>		<p>NOTHING THAT CONNECTS LEE THE DEFENDANT WITH THE COMMISSION OF THE CRIME FOR WHICH HE IS UPON TRIAL. NEXT COMES A PRODIGY, ONE WHO IS SILLY OR KNAVISH, PERHAPS BOTH.</p> <p>HE TELLS YOU THAT HE HEARD HAIGHT AND OTHERS PREACH A CRUSADE AGAINST THOSE</p> <p>DOOMED TO DESTRUCTION. THIS WITNESS TELLS YOU THAT HIS SON IS DEAD, YET NOT DEAD. THAT HIS BODY IS BURIED, BUT THAT IT IS NOT DEATH THAT HAS TAKEN HIS SON FROM HIM, THAT HE IS SIMPLY TRANSLATED.</p>	<p>NOTHING THAT CONNECTS LEE , THE DEFENDANT, WITH THE COMMISSION OF THE CRIME WFOR WHICH HE IS UPON TRIAL. NEXT COMES THE PRODIGY; ONE WHO IS SILLY OR NAVISH, AND PERHAPS BOTH BOTH.</p> <p>HE TELLS YOU THZAT HE HEARD HAIGHT AND OTHERS PREACH A CRUSADE AGAINST THOSE EMIGRANTS DOOMED TO DESTRUCTION. THIS WITNESS TE SS TELLS YOU THAT HIS SON IS DOEAD — YET NOT DEAD. THAT HIS BODY IS BURIED BUT THAT IT IS NOT DEATH THAT HAS TAKEN HIS SON FROM HISM. THAT HE IS IS SIMPLY TRANSLATED.</p>

RS	PS	RT	BT
<p>AND WANTED TO GIVE YOU LECTURE ON SPIRITUALISM {BUT THE}ⁱ PROSECUTION OBJECTED.</p> <p>NEXT IS C E MATTHEWS</p>	<p>E C MATTHEWS [space]</p>	<p>YOU ALL REMEMBER THE FRANTIC EFFORTS OF THIS WITNESS TO GET TO DELIVER TO YOU A LECTURE ON SPIRITUALISM. THIS WITNESS, WITH ALL OF HIS DE-^[16] TERMINATION TO BLAST THE DEFENDANT AND OBTAIN REVENGE AGAINST THE MORMON PEOPLE, WHO NO LONGER ASSOCIATE WITH HIM, WAS UNABLE TO SAY ONE WORD OF THE ACTS OF THE DEFENDANT, OR TO IN ANY WAY CONNECT HIM WITH THE CRIME CHARGED IN THE INDICTMENT.</p> <p>C.E. MATTHEWS IS THEN CALLED. HE WAS A YOUNG</p>	<p>YOU ALL REMEMBER THE FRANTIC EFFORTS OF THIS WITNESS TO GET TO DELIVER YOU A LECTURE UPON SPIRITUALISM. THIS WITNESS WITH ZALL OF HIS DETERMINATIO N TO BLAST THE DEFENDANT AND OBTAIN REVENG AGAINST THE MORMON PEOPLE WHO NO LONGER ASSOCIATE WITH HIM, WAS UNABLE TO SAY ONE WORD OF THE ACTS OF THE DEFENDANT, OR IN ANY WAY CONNECT HIM WITH THE CRIME CHARGED IN THE INDICTMENT.</p> <p>E. C. MATHEWS WAS THEN CALLED.⁴⁹⁸ HE WAS A YOUNG</p>

498. Ezekiel Cunningham Mathews.

RS	PS	RT	BT
<p>HE KNOWS THAT</p> <p>MULES WERE LOANED TO DAME</p> <p>{CROSSED</p> <p>MEADOWS FEW DAYS AFTERWARDS}ⁱ</p> <p>SAW NOTHING EXCEPT BE LOT OF BODIES SAW TWO OR 3 HE</p>		<p>MAN AT THE TIME OF THE MASSACRE. HE KNOWS OF HIS MATHER LOANING THE MULES TO DAME, BUT HE KNOWS NOTHING OF THE MASSACRE,OR WHO COMMITTED THE CRIME. HE CROSSES THE MOUNTAIN MEADOWS A NIGHT OR TWO AFTER THE</p> <p>MASSACRE, AND SAW SOME WHITE OBJECTS ON THE GROUND, THAT HE THINKS WERE THE DEAD BODIES OF A PORTION OF THE EMIGRANTS. HE MADE NO EXAMINATION</p> <p>OF THE OBJECTS TO DETERMINE WHAT THEY WERE, BUT THINKS THEY WERE HUMAN BODIES, BECAUSE THEY</p>	<p>MAN AT THE TIME OF THE MASSACRE, HE KNOWS OF HIS FATHER LOANING THE MULES TO DAME, BUT HE KNOWS NOTHING OF THE MASSACRE OR WHO COMMITTED THE CRIME. HE CROSSES THE MOUNTAIN MEADOWS A NIGHT OR TWO AFTER THE MOUNTAIN MEADOW MASSACRE, AND SAW SOME WHITE WHIGHT OBJECTS ON THE GROUND THAT HE THINKSSKS ^[15] WERE THE DEAD BODIES OF A PORTION OF THE EMIGRANTS. HE MADE NO EXAMINATION OF THE BODIES OR THE OBJECTS TO DETERMINE WHAT THEY WERE; BUT THINKS THEY WERE HUMAN BODIES BECAUSE THEY</p>

RS	PS	RT	BT
<p>TOOK TO BE BODIES {SEEMED}ⁱ TO BE LY {ING}ⁱ BY ROAD SIDE HE {COULD ONLY TELL THEM BY THEIR}ⁱ WHITENESS.</p> <p>NEXT IS JAMES PEARCE THAT YOUNG MUSTANG; I SUPPOSE THAT WAS {FIRST THE FIRST}ⁱ</p>	<p>JAMES PEARCE [space]</p>	<p>LOOKED WHITE IN THE MOONLIGHT. HE DOES NOT SAY THEY WERE DEAD BODIES, OR THE REMAINS OF THOSE WHO MAY HAVE DIED FROM VIOLENCE. HE KNOWS NOTHING; TELLS NOTHING OF JOHN D. LEE, NOR DOES HE PRETEND THAT HE KNOWS OF ONE THING TO CONNECT JOHN D. LEE WITH THE CRIME CHARGED IN THE INDICTMENT. GROWING WEARY AND DISGUSTED WITH THE FARCE THUS FAR PLAYED, THE PROSECUTION TAKE A NEW DEPARTURE AND BRING JAMES PEARCE ON THE STAND. THIS IS THE BEEF EATER, THAT YOU REMEMBER, BY SAYING THE</p>	<p>LOOKED WHITE IN THE MOONLIGHT. HE DOES NOT SAY THEY WERE WH DEAD BODIES OR THE REMAINS OF THOSE WHO DIED FROM VIOLENCE. HE KNOWS NOTHING, — TELLS NOTHING OF JOHN D. LEE; NOR DOES HE PRETEND THAT HE KNOWS OF ONE THING TO CONNECT JOHN D. LEE WITH THE CRIME AS CHARGED IN THE INDICTMENT. GROWING AND</p> <p>DISGUSTED WITH THE FARCE THUS FAR PLAYED, THE PROSECUTION TAKE A NEW DEPARTURE AND BRING JAMES PEARCE ON THE STAND. THIS IS THE “BEEF TEEEATER” THAT YOU REMEMBER SAYTING THE</p>

RS	PS	RT	BT
<p>FRESH BEEF HE HAD FOUND FOR NUMBER OF YEARS. IF HE IS IMMODERATE AN EATER AS HE WAS SWEARER IT IS WONDER HE HAS NOT DIED SOONER.</p> <p>NEXT IS {W D THOMPSON}ⁱ</p>		<p>FRESH BEEF HE HAD EATEN WHILE CAMPED AT THE MEADOWS HAD GIVEN HIM THE “BOTTS” . AS AN EATER HE PROVED A SUCCESS, AS A SOLDIER AND FIGHTER A FAILURE; AND AS A WITNESS HE STANDS BEFORE YOU AS MISERABLE AND HALF WITTED MENTAL IMBECILE, REMEMBERING NOTHING MATERIAL THAT TRANSPIRED BEFORE,DURING OR AFTER THE MASSACRE,AS COULD BE. PEARCE IS SILENT AS ^[17] TO CRIMINAL ACTS OF THE DEFENDANT, AND SO THE PROSECUTION IS STILL WITHOUT EVIDENCE OF GUILT TO JUSTIFY THE DEMAND FOR A CONVICTION.</p>	<p>FRESH BEEF HE HAD EATEN WHILE CAMPED AT THE MEADOWN HAD GIVEN HIM THE “BOTTS”. AS AN EATER HE PROVED AN A SUCCESS, AS A SOLDIER AND FIGHTER, A FAILURE;E BUT AS A WITNESS BEFORE YOU HE STANDS AS A MISERABLE HALF WITTED MENTAL IMBECILE, REMEMBERING NOTHING MATERIAL THAT TRANSPIRED BEFORE, DURING OR AFTER THE MASSACRE.</p> <p>PEARCE IS SEILENT AS TO CRIMINAL ACTS OF THE DEFENDANT, ANFD SO THE PROSECUTION IS STILL WITHOUT EVIDENCE OF GUILT TO JUSTIFY THE DEMAND FOR A CONVICTION.</p>

RS	PS	RT	BT
<p>WILLIAM DANIEL THOMPSON. PROVED TOO BY JOHN MCFARLANE</p> <p>MOUNTAIN MEADOWS WAS NOT IN IRON COUNTY.</p>	<p>JOHN MCFARLANE [space]</p>	<p>WILLIAM EDWARD THOMPSON, AND JOHN MACFARLANE, HAVE BEEN SWORN TO PROVE THE VENUE, TO PROVE THAT THE MOUNTAIN MEADOWS WERE IN THE COUNTY AND TERRITORY AS CHARGED IN THE INDICTMENT. THAT PROPOSITION WE DO NOT DENY. THESE WITNESSES SWEAR TO THAT AND NOTHING MORE. TO CALL YOUR MINDS TO THE FACT THAT THERE WAS NO EVIDENCE WORTHY OF BELIEF, CONNECTING THE DEFENDANT WITH THE CRIME CHARGED, THERE IS A WITNESS</p>	<p>WILLIAM EDWARD THOMPSON⁴⁹⁹ AND JOHN MC FARLAND⁵⁰⁰ HAVE BEEN SWORN TO PROVE THE VENUE, TO PROVE THAT THE MOUNTAIN MEADOWS WERE IN THE COUNTY AND TERRITORY AS CHARGED IN THE INDICTMENT, AND THAT PROPOSITION WE DO NOT DENY. THESE WITNESSES SWEAR TO THAT AND NOTHING MORE. TO CALL YOUR MINDS TO THE FACT THAT THERE WAS NO EVIDENCE WORTHY OF BELIEF, CONNECTING THE DEFENDANT WITH THE CRIME CHARGED, THERE IS A WITNESS</p>

499. He is referred to in the witness list as E. W. Thompson.

500. John MacFarlane.

RS	PS	RT	BT
		<p>CALLED WHO TALKS OF CAMPS,CANNONS, OF MOUNTAIN PASSES AND INDIAN ATTACKS, AWAY TO THE EASTWARD ON THE PLAINS, AND IN THE ROCKY MOUNTAINS, AND THEN IN THE WASATCH RANGE.</p>	<p>CALLED WHO TALKS OF CAMPS, CANYONS, OF MOUNTAIN PASSES AND INDIAN ATTACKS AWAY TO THE EASTWARD ON THE PLAINS AND IN THE ROCKY MOUNTAINS; AND THEN IN THE WASATCH RANGE.</p>
<p>FRANK KING HE SAW {THE COMPANY}ⁱ</p> <p>OF EMIGRANTS AT EMIGRATION CANYON HE DOES NOT CONNECT THEM WITH THIS MASSACRE;</p>	<p>JAMES PEARCE IS RECALLED FOR THE PROSECUTION SAYS ONE GOOD THING THAT P K SMITH THAT HE WAS LIKE BIGGEST MAN THERE [space]</p> <p>FRANK KING SAW THE COMPANY</p> <p>OF EMIGRANTS [space]</p>	<p>THIS MAN IS FRANKLIN KING. HE WAS IN COMPANY WITH A TRAIN OF EMIGRANTS AT EMIGRANT CANON, BUT DOES NOT KNOW THEM TO BE THE SAME THAT WERE SLAIN AT THE MOUNTAIN MEADOWS. HE</p>	<p>THIS MAN IS FRANKLIN KING. HE WAS IN COMPANY WITH A TRAIN OF EMIGRANTS AT “EMIGRANT CANON;”⁵⁰¹ BUT DOES NOT KNOW THEM TO BE THE SAME THAT WAS SLAIN AT THE MOUNTAIN MEADOWS. HE</p>

501. Emigration Canyon.

RS**PS****RT****BT**

<p>KNOWS NOTHING OF THEM; AFTER THEY LEFT EMIGRATION CANYON PASSING ON WEST THEY WERE DETERMINED TO <i>REIM</i>[?] IN SOME</p> <p>EAST OF SALT LAKE BECAUSE</p> <p>CAREY IN HIS {OPENING}ⁱ STATEMENT HAD STARTED THEM OUT CLEAR FROM {THE}ⁱ MISSOURI RIVER HE HAD HAD THEM WEST WAY OVER</p> <p>JORDAN INDIANS HAD FOUGHT THEM ALL THE WAY ACROSS {THE}ⁱ PLAINS</p>		<p>NEVER SAW THEM THERE; KNOWS NOTHING OF THEM AFTER THEY LEFT THE EMIGRANT CANON AND PASSED ON TO THE WEST. THIS WAS AN EFFORT TO BRING SOME ONE AS A WITNESS WHO HAD SEEN THE UNFORTUNATES EAST OF SALT LAKE CITY, BECAUSE MY BROTHER CAREY IN HIS OPENING STATEMENT HAD STARTED THEM FROM THE MISSOURI RIVER, CROSSED THEM OVER THE PLAINS AND MOUNTAINS TO THE RIVER JORDAN, AND FROM THE JORDAN TO THE SCENE WHERE SUCH FEARFUL DEEDS WERE DONE IN THE NAME OF RELIGION, AND FOR THE UPBUILDING OF THE KINGDOM</p>	<p>NEVER SAW THEM— KNOWS NOTHING OF THEM AFTER THEY LEFT THE EMIGRANT ^[16] CANON AND PASSED ON TO THE WEST. THIS WAS AN EFFORT TO BLRING SOME ONE AS A WITNESS WHO HAD SEEN THE UNFORTUNATES EAST OF SALE LAKE CITY. BECAUSE MY BROTHER CARY IN HIS UOPENING STATEMENT HAD STARTED</p> <p>FROM THE MISSOURI RIVER; CROSSED THEM OVER THE PLAINES AND MOUNTAINS TO THE RIVER JORDEN AND FROM THE JORDEN TO THE SCENE WHERE SUCH FEARFUL DEEDS WERE DONE IN THE NAME MANE OF RELIGION, AND FOR THE UP- BUILDING OF THE KINGDOM</p>
--	--	---	--

RS	PS	RT	BT
<p>[[27]]502</p> <p>SO HE BROUGHT IN THIS MAN KING TO PROVE THEY</p> <p>WERE A PEACEABLE COMPANY OF EMIGRANTS EVEN BEFORE THEY CAME TO SALT LAKE CITY <VALLEY></p> <p>AND FAILS TO DO SO</p> <p>AS HE KING KNOWS NOTHING OF THEM AFTER THEY <LEFT EMIGRATION CANYON></p> <p>THEN THEY BRING IN ISAAC RIDDLE</p>	<p>ISAAC RIDDLE [space]</p>	<p>OF CHRIST ON EARTH. IT WAS AN EFFORT TO PROVE THAT THE EMIGRANTS WERE PEACABLE MEN, MILD IN THEIR DISPOSITIONS AND HARMLESS IN THEIR ACTIONS. IN THIS THE PROSECUTION ADDS AN ADDITIONAL FAILURE TO ITS LONG LIST OF FAILURES. KING'S TESTIMONY ESTABLISHES NO MATERIAL FACT; HE STATES NOTH-^[18] ING THAT REFERS TO THE DEFENDANT.</p> <p>ISAAC RIDDLE IS A WITNESS THAT GLADLY RELATES ALL THAT HE KNOWS, BUT, UNFORTUNATELY FOR THE PROSECUTION HE KNOWS</p>	<p>OF CHRIST ON EARTH. IT WAS AN EFFORE PROVE THAT THE EMIGRANTS WERE PEACABLE MEN, MILD IN THEIR DISPOSITION AND HARMLESS IN THEIR ACTIONS. IN THIS THE PROSECUTION ADDS AN ADDITIONAL FAILURE TO ITS LONG LIST OF FAILURES. KINGS TESTIMONY SESTABLISHES NO MATERIAL FACT . HE STATES NOTHING THAT REFERRS TO THE FDEFENDANT.</p> <p>ISAAC RIDDLE IS A WITNESS THAT GLADLEY RELATES ALL THAT HE KNOWS BUT UNFORTUNATELY FOR THE PROSECUTION HE KNOWS</p>

502. In longhand at the top of the page: **BISHOPS 7 ADDRESS.**

RS**PS****RT****BT**

THIS MAN BUT
WENT TO MILL
OVER BY[?] PINTO
[space]

HAIGHT TOLD
HIM THERE WAS
DANGER WITH
THE INDIANS.

TOLD HIM
GO
HOME HE WENT
HOME.

NOTHING
AGAINST THE
DEFENDANT.
YOU ALL
REMEMBER
THAT RIDDLE
HAD GONE TO
CEDAR CITY TO
MILL. HE
WANTED SOME
GRAIN GROUND
TO TAKE TO HIS
HOME IN THE
WILDERNESS.
WHEN HE
ARRIVED AT
CEDAR CITY, HE
WAS INFORMED
BY HAIGHT
THAT

THE INDIANS
WERE ON THE
WAR PATH, AND
THAT THE
SETTLERS
LIVING OUTSIDE
OF THE
FORTIFIED
TOWNS, WERE
IN DANGER OF
BEING VICTIMS
OF THEIR
SAVAGE
WRATH. HE WAS
ADVISED AND
DIRECTED TO
HASTEN
HOMEWARD, TO
NOTIFY THE
SETTLERS OF
THEIR DANGER,
AND TO AID IN
PROTECTING

NOTHING
AGAINST THE
DEFENDANT.
YOU ~~Z~~ALL
REMEMBER
THAT RIDDLE
HAD GONE TO
CEDAR CITY TO
MILL; HWE
WANTED ~~D~~SOME
GRAIN GROUND
TO TAKE TO HIS
H~~H~~OME IN THE
WILDERNESS..
WHEN HE
ARRI~~E~~VED IN
CEDAR CITY HE
WAS INFORMED
BY HAIGHT
THAT

THE INDIANS
WERE ON THE
WAR PARTH
AND THAT THE
SETTLERS
LIVING OUTSIDE
OF THE
FORTIFIED
TOWNS WERE
IN DANGER OF
BEIGN VICTIMS
OF THEIR
SAVAGE
WRATH. HE WAS
~~AND~~
DIRECTED TO
HASTEN
HOMEWARD, TO
NOTIFY THE
SETTLERS OF
THEIR DANGER
AND TO AID
AND PROTECT

RS**PS****RT****BT**

<p>TRAVELED PART WAY WITH THIS MAN HIGBEE SOME OTHERS UNTIL</p> <p>THIS —[?] AFFAIR WAS ALL OVER.</p>		<p>THEM FROM THE FURY? OF THEIR SAVAGE ASSAILANTS. HE HAD TAKEN HIS WIFE WITH HIM TO CEDAR CITY; HE LEFT HER THERE IN SAFETY; GLAD THAT SHE WOULD BE SECURE, EVEN THOUGH OTHERS FELL BEFORE THE MERCILESS FOE, AND LIKE A DUTIFUL CITIZEN HE HASTENED TO NOTIFY THE UNSUSPECTING PEOPLE OF THE OUTSIDE SETTLEMENTS OF THEIR DANGER. ON HIS WAY, WHILE FULL OF SOLICITUDE FOR HIS FRIENDS, HE MET WITH HIGBEE, AND SOME OTHERS, WHO TOLD HIM THAT THE <u>FEARFUL</u> <u>AFFAIR</u> WAS ENDED, BUT IN NO RESPECT DOES HIS EVIDENCE</p>	<p>THEM FROM THE FURY OF THEIR SAVAGE ASSAILENTS. HE HAD TAKEN HIS WIFE WITH HIM TO CEDAR CITY. HE HAD LEFT HERE THERE IN SAFETY, GLAD THAT SHE WOULD BE SECURE, EVEN THOUGH OTHERS FELL BEFORE THE MERCILLESS FORE AND LIKE A DUTIFUL CITIZEN HE HASTENED TO NOTIFY THE UNSUSPECTED PEOPLE OF THE OUTSIDE SETTLEMENTS OF THEIR DZANGER. ON HIS WAY WHILE FULL OF SOLICITUDE FOR HIS FRIENDS HE MET WITH HIGBEE AND SOME OTHERS, WHO TOLD HIM THAT THE <u>FEARFUL</u> AFFAIR WAS ENDED. BUT IN NO RESPECT DOES HIS EVIDENCE</p>
---	--	--	--

RS	PS	RT	BT
<p>NEXT WILLIAM ROBERTS</p> <p>HE HEARD OF EMIGRANTS <BEFORE THEY GOT TO PAROWAN> AND SAW THEM HEARD DAME PREACH</p> <p>NOT TO SELL ANYTHING TO EMIGRANTS OR TRADE WITH INDIANS. THIS IS THE MAN THAT HAD THAT PECULIAR CONVERSATION WITH JOHN D. LEE,</p>		<p>CONNECT JOHN D. LEE WITH THE TRANSACTION.</p> <p>WILLIAM ROBERTS TESTIFIED THAT HE HEARD OF THE EMIGRANTS BEFORE THEY REACHED PAROWAN. THAT HE HEARD DAME PREACH IN THE CHURCH THERE THE SUNDAY BEFORE THE ARRIVAL OF THE EMIGRANTS; AND THAT IN HIS SERMON DAME ADVISED THE PEOPLE NOT TO TRADE WITH OR SELL THE EMIGRANTS ANY PROVISIONS. THIS WITNESS ALSO TELLS YOU THAT HE MET JOHN D. LEE AT LEE'S HOUSE,SOME YEARS AFTERWARDS, AND THAT LEE TOLD HIM CERT-^[17] AIN</p>	<p>CONNECT JOHN D. LEE WITH THE TRANSACTION.</p> <p>WILLIAM ROBERTS TESTIFIED THAT HE HEARD OF HE EMIGRANTS BEFORE^[17] THEY REACHED PAROWAN. THAT HE HEARD DAME PREACH IN THE CHURCH THERE THE SUNDAY BEFORE THE ARRIVAL OF THE EMIGRANTS AND THAT JIN HIS SERVCES DAME ADVISED THE PEOPLE NOT TO TRADE WITH OR SELL THE EMIGRANTS ANY PROVISIONS. THIS WITNESS ALSO TELLS YOU THAT HE MET JOHN DE. LEE AT HIS , (LEES) HOUSE SOME YEARS AFTERWARD S, AND THAT LEE TOLD HIM CERTAIN</p>

RS	PS	RT	BT
<p>WHEN LEE TOOK HIM TO BE ANOTHER MAN. GENTLEMEN OF THE JURY⁵⁰³ I WANT YOU REMEMBER ALL THE TESTIMONY DON'T DECIDE ON A PART OF IT. HE SAYS LEE TOLD HIM</p> <p>WAS DONE BY ORDERS AND DID NOTHING ONLY BY ORDERS WHAT WAS TOLD HIM.</p> <p>THERE IS THE CASE FOR THE PROSECUTION IN BRIEF.</p>	<p>THERE IS THE CASE FOR THE PROSECUTION IN BRIEF</p>	<p>THINGS; THAT LEE MISTOOK HIM FOR ANOTHER MAN,</p> <p>AND TOLD HIM “THAT ALL HE HAD DONE ON THAT OCCASION WAS DONE BY AUTHORITY”, YET HE DOES NOT SAY THAT LEE ADMITTED ANY CRIME, NOR DOES HE TELL YOU OF ANY CRIME COMMITTED OR CONFESSED BY LEE. THIS IS ALL THE EVIDENCE OF THE PROSECUTION, E XCEPT THAT OF THE OLD MAN WILLIAM YOUNG, AND HE TELLS YOU THAT LEE WAS THERE ACTING AS A</p>	<p>THINGS. THAT LEE MISTOOK HIM FOR ANOTHER MAN</p> <p>AND TOLD HIM, “THAT ALL HE HAD DONE ON THAT OCCASION WAS DONE BY AUTHORITY” BUT THAT HE DOES NOT ASAY THAT LEE ADMITTED ANY CRIME NOR DOES HE TELL YOU OF ANY CRIME COMMITTED OR CONFESSED TO BY LEE. THIS IS ALL THE EVIDENCE OF THE PROSECUTION EXCEPT THAT OF OLD MAN WILLIAM YOUNG AND HE TELLS YOU THAT LEE WAS THERE ACTING ACTING AS A</p>

503. “GENTLEMEN OF THE JURY” was apparently added later.

RS	PS	RT	BT
<p>IT IS</p> <p>TIME NOW FOR</p> <p>ADJOURNMENT</p> <p>I WILL ASK</p> <p>COURT TO</p> <p>ADJOURN; AND</p> <p>AFTER DINNER</p> <p>I WILL DO AS</p> <p>WELL AS I</p> <p>CAN</p> <p>ASSIST YOU IN</p> <p>DISSECTING IT</p> <p>AND ENABLE</p> <p>YOU TO ARRIVE</p> <p>AT A CORRECT</p> <p>AND PROPER</p>	<p>IT IS</p> <p>TIME FOR</p> <p>ADJOURNMENT</p> <p>[space]</p> <p>AFTER DINNER</p> <p>I WILL DO AS</p> <p>WELL AS I</p> <p>CAN TO TAKE</p> <p>THIS EVIDENCE</p> <p>TO PIECES AND</p> <p>ASSIST YOU IN</p> <p>EXAMINING IT</p> <p><i>SPEAK/SP[?]</i> THE</p> <p>NEAREST</p> <p>DESCRIPTION OF</p> <p>IT AND SEE WHO</p>	<p>PEACE MAKER,</p> <p>AND TOOK NO</p> <p>PART IN THE</p> <p>MASSACRE. HE</p> <p>WISHED TO</p> <p>TELL, AND WE</p> <p>DESIRED HIM TO</p> <p>TELL, WHAT</p> <p>WAS SAID AND</p> <p>DONE BY THE</p> <p>WHITES THERE,</p> <p>BEFORE AND</p> <p>AFTER THE</p> <p>COMMISSION OF</p> <p>THE HORRID</p> <p>DEED, BUT</p> <p>THE</p> <p>PROSECUTION</p> <p>OBJECTED AND</p> <p>THE MOUTH OF</p> <p>THE WITNESS</p> <p>WAS SEALED</p> <p>AND</p> <p>SILENCED. IT IS</p> <p>NOW ABOUT</p> <p>TIME FOR THE</p> <p>COURT TO TAKE</p> <p>ITS RECESS.</p> <p>AFTER WE MEET</p> <p>AGAIN , I WILL,</p> <p>SO FAR AS I</p> <p>CAN,</p> <p>ASSIST YOU IN</p> <p>FORMING A</p> <p>JUST</p>	<p>PEACE MAKER,</p> <p>AND TOOK NO</p> <p>PART IN THE</p> <p>MASSACRE. HE</p> <p>WISHED TO</p> <p>TELL AND WE</p> <p>DESIRED HIM TO</p> <p>TELL WHAT</p> <p>WAS SAID AND</p> <p>WHAT WAS</p> <p>DONE BY THE</p> <p>WHITES THERE</p> <p>BEFORE AND</p> <p>AFTER THE</p> <p>HORRID</p> <p>DEED THAT BUT</p> <p>THE</p> <p>PROSECUTION</p> <p>OBJECTED AND</p> <p>THE MOUTH</p> <p>OF THE WITNESS</p> <p>WAS SEALED</p> <p>AND MADE</p> <p>SCILENT. IT IS</p> <p>NOW ABOUT</p> <p>TIME FOR THE</p> <p>COURT TO TAKE</p> <p>A RECESS.</p> <p>AFTER WE MEET</p> <p>AGAIN I WILL,</p> <p>SO FAR AS I</p> <p>CAN,</p> <p>ASSIST YOU IN</p> <p>FORMING A</p> <p>JUST</p>

RS	PS	RT	BT
CONCLUSION AS TO THE WEIGHT AND QUALITY OF OF IT.	HAS LIED AND WHO HAS NOT	CONCLUSION, FROM THE EVIDENCE, AND IN WEIGHING THE EVIDENCE IN THE JUDICIAL SCALE OF FAIRNESS AND CANDOUR.	CONCLUSION FROM THE EVIDENCE AND IN WEIGHING THE EVIDENCE IN THE JUDICIAL SCALE OF FAIRNESS AND CANDOR.
BEFORE I GO THOUGH I WISH TO CALL YOUR ATTENTION TO THIS ONE FACT BECAUSE I SHALL REFER TO THAT REFER HERE AFTER THE STATEMENT MADE BY MY {FRIEND} ⁱ CAREY	I WISH TO CALL YOUR ATTENTION TO THIS ONE FACT THAT IS THE	BEFORE ADJOURNMENT, HOWEVER, I WISH TO NOTICE	BEFORE ADJOURNMENT, HOWEVER, I WISH TO NOTICE
	THE STATEMENT MADE BY MY FRIEND CAREY	ONE REMARK BY THAT WAS MADE BY MY FRIEND CAREY, WHO IS REPRESENTING THE GOVERNMENT IN THIS PROSECUTION.	ONE REMARK THAT WAS MADE BY MY FRIEND CAREY WHO IS REPRESENTING THE GOVERNMENT IN THIS PROSECUTION.
{AND THAT IS THIS THAT THE} ⁱ EYES OF {THE} ⁱ CIVILIZED WORLD NOW	THAT THE EYES OF THE CIVILIZED WORLD NOW	HE SAYS TO YOU “THE EYES OF THE CIVILIZED WORLD ARE NOW DIRECTED TOWARDS—	HE SAYS TO YOU, “ THE EYES OF THE W CIVILIZED W ORLD ARE B NOW
REST ON THIS JURY. HOW DO YOU KNOW IT? WHERE IS	REST ON THIS JURY HOW DO YOU KNOW IT WHERE IS	AND NOW REST UPON YOU” I ASK, DO YOU KNOW THAT ? WHERE IS THE	TOWARDS AND NOW REST UPON YOU.” I ASK HOW DO YOU KNOW THAT? WHERE IS THE

RS	PS	RT	BT
EVIDENCE OF IT	EVIDENCE THAT IT	EVIDENCE OF IT ? WHO HAS SO TESTIFIED ?	EVIDENCE OF IT? WHO HAS SO TESTIFIED?
WHAT ARE YOU TRYING THIS CASE ON	WHAT ARE YOU TRYING THIS CASE ON	WHAT ARE YOU TRYING THIS CASE UPON ? IS IT THE	WHART ARE YOU TRYING THIS UPON ? IS IT THE
POPULAR RUMOR NEWSPAPER REPORTS	POPULAR RUMOR NEWSPAPER REPORTS	POPULAR RUMOR, NEWSPAPER REPORT, LOCAL	POPULAR RUMOR? NEWSPAPER REPORTS? LOCAL
OR UPON THE TESTIMONY.	OR UPON THE TESTIMONY	PREJUDICE, OR THE TESTIMONY AS DETAILED BY THE WITNESSES ? I AM WILLING THAT THE ARGUMENT SHALL TAKE A WIDE RANGE, THAT FULL SCOPE SHALL BE GIVEN THE FANCY OF THE COUNSEL, BUT I AM NOT	PREJUDICE, OR THE TESTIMONY DETAILED BY WITNESSES? I AM WILLING THAT THE ARGUEMENTS SHOULD TAKE A A WIDE RANGE THAT FULL SCOPE SHALL BE GIVEN TO THE FANCY OF COUNSEEL.
I AM	I AM		^[18] I AM
WILLING TO TRAVEL FORTH	WILLING TO TRAVEL FORTH	WILLING FOR THEM TO DEPART FROM THE EVIDENCE OR DEAL LIGHTLY WITH FACTS, NOR REVEL IN THE FERTILE FIELDS	WILLIINNNGFFF RORM WILLING FOR THEM TO TRAVEL FROM THE EVIDENCE, DEAL LIGHTLY WITH
INTO THE REALMS OF <i>THOUGHT</i> [?] AND	INTO THE REALMS OF THOUGHT AND	FACTS, NOR REVEL IN THE FERTILE FIELDS ^[20] OF IMAGINATION, GUESS WORK AND FANCY, INVESTIGATING THE UNKNOWN,	CFACFS, REVEL IN THE FERTILE FIELDS OF IMMAGINATION, GUESS WORK AND FANCY-, INVESTIGATE THE UNKNOWN
GUESS WORK AND INVESTIGATE THE UNKNOWN	GUESS WORK [?] INVESTIGATE THE UNKNOWN		

RS	PS	RT	BT
<p>IF THE DEFENSE[?] PROSECUTION WISH TO</p> <p>BUT I DON'T WISH THE PROSECUTION TO COME HERE AND PREACH A CRUSADE AGAINST A SECT OR PEOPLE AND THEN INTIMIDATE THEM</p>	<p>IF THE DEFENSE[?] PROSECUTION WISH TO</p> <p>BUT I DO NOT WISH THE PROSECUTION TO COME HERE AND PREACH A CRUSADE AGAINST A STATE AND PEOPLE AND THEN INTIMIDATE THEM</p>	<p>AND DEALING IN FICTION, SOPHYSTRY AND LOGIC, AS WELL AS PRACTICE THE ART OF DECLAMATION; IF SUCH BE THEIR DESIRE I CAN USE THOSE IMPLEMENTS OF PERSUASION TO, WHEN THE OCCASION WILL JUSTIFY, BUT THIS IS NOT A CASE FOR FANCIFUL PICTURES OF RHETORIC, OR A SCHOOL FOR DECLAMATION. OUR BUSINESS IS WITH <u>FACTS</u> AND THE FEARFUL RELA REALITIES OF LIFE AND ACTION. BUT FOR ALL THIS I OBJECT TO THE PROSECUTIONC OMING HERE AND PREACHING A CRUSADE AGAINST A SECT OR PEOPLE, IN ORDER TO INTIMIDATE YOU, OR TO</p>	<p>AND DEAL IN FICTION, SOPHESTRY AND LOGIC AS WELL AS PRACTICE THE ART OF DECLAMATION, IF SUCH BE THEIR DESIRE. I CAN USE THOSE INSTRUMENTS OF PURSUASION TOO WHEN OCCASION WILL JUSTIFY, BUT THIS IS NOT A CASE OFFORFANCIFU LFANCIFULPIEPI CTUTES OF RHETORIC, OTR A SCHOOL FOR DECLAMATION. OUTR BUSINESS IS WITH FACTS AND FEARFUL REALITIES OF LIFE AND ACTION. BUT FOR ALL THIS I OBJECT TO THE PROSECUTIONH COMING HERE AND PREACHING A CRUSADE AGAINST A SECT OF PEOPLE IN ORDER TO INTIMIDATE YOU, OR TO</p>

RS	PS	RT	BT
<p>BY SAYING THAT YOU ARE NOW IN THE EYE OF THE PUBLIC {AND}ⁱ</p> <p>{THAT}ⁱ YOU MUST SATISFY</p> <p>THE MORBID DESIRE AND WISH OF THAT PUBLIC</p> <p>AND {OR}ⁱ GO FORTH</p> <p>AS PERJURED WRETCHES. NO I DO NOT <i>WANT</i>[?] PROSECUTION TO PROSECUTE IN THAT WAY.</p> <p>THEY HAVE RELIED UPON</p>	<p>BY SAYING THAT YOU ARE NOW IN THE EYE OF THE PUBLIC AND</p> <p>THAT YOU MUST SATISFY</p> <p>THE MORBID DESIRE AND WISH OF THAT PUBLIC</p> <p>OR GO FORTH</p> <p>AS PERJURED WRETCHES ≪NO≫ I DO NOT WANT THE PROSECUTION TO PROSECUTE IN THAT WAY</p> <p>THEY HAVE RELIED UPON</p>	<p>SEEK A VERDICT BY INTIMIDATING THE JURY, WITH THREATS OF POPULAR INDIGNATION. I AM NOT WILLING THAT THEY SHOULD CLAIM A VERDICT AT YOUR HANDS, SIMPLY TO SATISFY THE CRAVINGS OF THE MASSES, OR THE MORBID DESIRES OF A MISINFORMED PUBLIC. THE CHARGE AS MADE BY MY FRIEND CAREY, THAT YOU MUST CONVICT, OR; GO FORTH BRANDED BY PUBLIC OPINION, AS PERJURED WRETCHES, COMES WITH AN ILL-GRACE FROM THE PROSECUTION, AND IS NOT SUPPORTED BY THE EVIDENCE IN THE CASE , TRUE, THEY RELY UPON</p>	<p>SEEK A VERDICICT BY INTIMIDATING THE JURY OWITH THREATS OF POPULAR INDIGNATION. I AM NOT WILLING THAT THEY SHOULD CLAIM A VERDICT AT YOUR HANDS SIMPLY TO SATISFY THE CRAVINGS OF THE MASSES OR THE MORBID DESIRE OF A MISINFORMED PUBLIC. THE CHARGE AS MADE BY MY FRIEND CARY THAT YOU MUST WCONVICT OR GO FORTH BRANDED BY PUBLIC OPINION AS PURGERED WRETCHES, COMES WITH AN ILL GRACE WITH THE PROSECUTION AND IS NOT SUPPORTED BY THE EVIDENCE IN THE CASE. TRUE , THEY RELY UPON</p>

RS	PS	RT	BT
<p>BUNKUM AND HEARSAY, POPULAR RUMOR AND</p> <p>THE INDIGNATION OF THOSE LIVING AT {A}ⁱ REMOTE {DISTANCE}ⁱ TOO MUCH.</p>	<p>BUNK AND HEARSAY POPULAR RUMOR AND</p> <p>THE INDIGNATION OF THOSE LIVING AT REMOTE PLACES TOO MUCH</p>	<p>RUMOR, BUNKUM, AND RECITAL OF HORRID DEEDS WITH WHICH THE DEFENDANT IS NOT CONNECTED, TO AROUSE THE INDIGNATION OF THOSE IN DISTANT REGIONS, AND THEY HOPE TO INDUCE YOU, BY THIS CLASS OF ARGUMENT TO CONVICT, NOTWITHSTAND ING THE EVIDENCE IS INSUFFICIENT TO WARRANT THE VERDICT. I AM HERE TO HAVE THIS CASE TRIED ACCORDING TO LAW, AND TO BASE OUR CLAIMS FOR ACQUITTAL UPON THE EVIDENCE, WHICH FAILS TO ESTABLISH THE GUILT OF THE DEFENDANT, AND <u>WE</u> HAVE NO FEARS OF THE RESULT. THESE IDLE</p>	<p>RUMOR, BUNCOM AND A RECITAL OF HORRID CDEEDS WITH WHICH THE DEFENDANT IS NOT CONNECTED, TO AROUSE THE INDIGNATION OF THOSE IN DISTANT REGIONS AND THEY HOPE TO INDUCE YOU BY THIS CLASS OF ARGUEMENT TO CONVICT, NOTWITHSTAND ING THE EVIDENCE IS INSUFFICIENT TO WARRANT THE VERDICT . I AM HERE TO HAVE THIS CASE TRIED SACCORDING TO LAW AND TO BASE OUR CLAIMS FOR ACQUITAL FUPON THE EVIDENCE WHICH FAILS TO ESTABLISH THE GUILT OF THE DEFENDANT, AND WE HAVE NO FEARS OF THE RESULT. THESE DIDLE</p>

RS**PS****RT****BT**

<p>WE ARE HERE NOW CONFINE THEM TO THE FACTS</p>	<p>WE ARE HERE NOW TO CONFINE THEM TO THE FACTS</p>	<p>VAPORINGS OF AN EXCITED IMAGINATION; THESE APPEALS TO PASSION AND PREJUDICE, THESE THREATS OF POPULAR FURY HAVE NO TERRORS FOR ^[21] ME, AND</p> <p>NO WEIGHT WITH Ø YOU, SAVE TO AROUSE YOUR CONTEMPT FOR ADVOCATES WHO THUS DEBASE THEIR NOBLE CALLING, AND PROSTITUTE JUSTICE, HOPING FOR TEMPORARY VICTORY IN A BAD CASE. I DEMAND THAT THE EVIDENCE OF THE WITNESSES AND THE LAW OF THE LAND SHALL GUIDE YOU IN YOUR DELIBERATIONS , AND I SHALL HOLD THE PROSECUTION STRICTLY WITHIN THE LIMITS OF THE</p>	<p>VAPORINGS OF AN EXCITED IMMAGINATION, THESE APPEALS TO PASSION AND PREJUDICE, THESE THREATS OF POPULAR FURY HAVE NO TERRORS FOR ME, AND SHOULD HAVE NOT WEIGHT WITH YOU, SAVE TO ARROUSE YOUR CONTEMPT FOR ADVOCATES WHO THUS DEBASE THEIR NOBLE CALLING AND PROSTITUTE JUSTICE HOPING FOR TEMPORARY VICTORY IN A BAD CASE. I DEMAND THSAT THE ^[19]</p> <p>EVIDENCE OF THE WITNESS4ES AND THE LAW OF THE LAND SHALL GUIDE YOU IN YOUR DELIBERATIONS , AND I SHALL HOLD THE PROSECUTION STRICTLY WITHIN THE LIMITS OF THE</p>
--	---	--	--

RS	PS	RT	BT
<p>THAT SHALL BE MY EFFORT FROM THIS TIME ON TO SHOW HOW AND WHAT THE FACTS ARE IN THIS CASE. BY COURT WILL TAKE RECESS UNTIL HALF AFTER TWO O’CLOCK. 36 PAGES REPORTED THIS FORENOON. AUG 4/75 FROM 9 15 TILL 11.45. ^{[[28]]}504 NAMES OF JURORS CALLED BY CLERK ALL PRESENT. <i>[space]</i></p> <p>220 PM. BISHOP STEPPED TO CLERK ASKED FOR COPY OF INDICTMENT COUNSEL. COURT PLEASE GENTLEMEN OF THE JURY LET’S NOW WILL NOW TAKE THIS CASE AT THE START AND CONSIDER IT</p>	<p>THAT SHALL BE MY EFFORT FROM THIS TIME ON TO SHOW HOW AND WHAT THE FACTS ARE IN THIS CASE. <i>[space]</i> RECESS UNTIL HALF PAST 2 O’CLOCK ^{[[17]]}</p> <p>JURY CALLED <i>[space]</i></p> <p>BISHOP CONTINUED <i>[space]</i></p> <p>IF THE COURT PLEASE GENTLEMEN OF THE JURY WE NOW TAKE THIS CASE AT THE START AND CONSIDER IT</p>	<p>EVIDENCE AND THE LAW.</p> <p>∴ THE COURT NOW ADJOURNED FOR TWO HOURS,</p> <p>AFTER RECESS MR. BISHOP RESUMED HIS ARGUMENT AS FOLLOWS: ∴</p> <p>BY PERMISSION OF THE COURT, GENTLEMEN OF THE JURY, WE WILL NOW TAKE THIS CASE UP WHERE IT STARTS, AND GIVE IT THAT CAREFUL ATTENTION AND CONSIDERATIO</p>	<p>EVIDENCE AND THE LAW.</p> <p>COURT NOW ADJOURNED FOR TWO HOURS.</p> <p>AFTER RECESS MR. BISHOP CONTINUED HIS ARGUEMENT AS FOLLOWS:</p> <p>BY PERMISSION OF THE COURT, GENTLEMEN OF THE JURY: WE WILL NOTW TAKE UP THIS CASE WHERE IT ST&ARTS AND GIVE IT THAT CAREFUL ATTENTION AND CONSIDERATIO</p>

504. In longhand at the top of the page: **BISHOPS 8 ADDRESS. WEDNESDAY AUG 4. 1875 230 PM CONTINUATION OF W W BISHOPS REMARKS TO JURY.**

RS**PS****RT****BT**

<p>FIRST I THINK WE SHOULD DO IS INQUIRE WHAT THE CHARGE IS BEFORE THE JURY WHAT THE CHARGE IS PENDING AGAINST THIS DEFENDANT WHY HE IS HERE UPON TRIAL WHY YOU ARE CALLED UPON PASS VERDICT ONE WAY OR OTHER. [space] IN A CASE OF THIS CHARACTER IT BECOMES DUTY OF THE PROSECUTION TO PROVE BEYOND REASONABLE DOUBT THAT IS TO SATISFY JURY BEYOND</p>	<p>AS I THINK WE SHOULD DO FIRST INQUIRE WHAT THE CHARGE IS THAT IS BEFORE THE JURY WHAT THE CHARGE IS PENDING AGAINST THIS PRISONER [space] WHY HE IS HERE ON TRIAL AND WHY YOU ARE CALLED UPON TO PASS VERDICT ONE WAY OR ANOTHER [space] IN A CASE OF THIS CHARACTER IT BECOMES THE DUTY OF THE PROSECUTION TO PROVE BEYOND REASONABLE DOUBT THAT IS TO SATISFY THE JURY BEYOND</p>	<p>N THAT THE MERITS OF THE CASE AND THE IMPORTANCE OF A JUST AND TRUE VERDICT DEMANDS. FIRST: - THAT YOU MAY UNDERSTAND THE CASE IN ALL OF ITS PHASES, LET US INQUIRE WHAT THE CHARGE IS</p> <p>FOR WHICH JOHN D. LEE IS NOW UPON TRIAL, ARE, AND WHY YOU ARE HERE, AS JURORS, TO TRY THE ISSUE JOINED.</p> <p>IN THIS CASE, AS IN ALL CASES OF THIS CHARACTER, IT IS THE DUTY OF THE PROSECUTION TO PROVE, BEYOND A REASONABLE DOUBT,</p>	<p>N THAT THE MERITS OF THE CASE AND THE IMPORT OF A JUST AND TRUE VERDICT DEMANDS. FIRST- THAT YOU MAY UNDERSTAND THE CASE IN ALL ITS PHASES, LET US ENQUIRE WHAT THE CHARGE IS</p> <p>FOR WHICH JOHN D. LEE IS NOW UPON TRIAL AND WHY YOU ARE HERE TO TRY THE ISSUE JOINED.</p> <p>IN THIS CASE AS IN ALL CASES OF THIS CHARACTER IT IS THE DUTY OF THE PROSECUTION TO PROVE BEYOND A REASONABLE DOUBT</p>
---	--	---	---

RS	PS	RT	BT
<p>ANY REASONABLE DOUBT EVERY MATERIAL ALLEGATION OF THE INDICTMENT</p> <p>IS TRUE THAT THEY MUST SUSTAIN THAT BY</p> <p>EVIDENCE THAT YOU</p> <p>BELIEVE I WISH CALL YOUR ATTENTION TO CAREFUL READING OF THE FIRST COUNT IN THIS INDICTMENT SECOND IN THE INDICTMENT HAVING BEEN NOLLIED WHICH WAS DONE IN YOUR PRESENCE</p> <p>THEREFORE PART OF CASE.</p>	<p>ANY REASONABLE DOUBT THAT EVERY MATERIAL ALLEGATION IN THE INDICTMENT</p> <p>IS TRUE THAT THEY MUST SUSTAIN THAT BY</p> <p>EVIDENCE THAT YOU</p> <p>BELIEVE <i>[space]</i> NOW I SHALL CALL YOUR ATTENTION TO A CAREFUL READING OF THE FIRST COUNT IN THIS INDICTMENT THE SECOND</p> <p>HAVING BEEN NOLLIED WHICH WAS DONE IN YOUR PRESENCE AND IS THEREFORE PART OF THE CASE</p>	<p>EVERY MATERIAL ALLEGATION IN THE INDICTMENT; AND ALSO THE MATERIAL ALLEGATIONS IN THE INDICTMENT MUST BE SUSTAINED, AND PROVEN BY LEGAL, COMPETENT EVIDENCE, WHICH YOU, AS JURYMEN BELIEVE TO BE TRUE. I WISH TO CALL YOUR ATTENTION TO A CAREFUL READING OF THE</p> <p>INDICTMENT. THE SECOND COUNT HAVING BEEN NOLLIED,</p> <p>I WILL READ THE FIRST COUNT:</p>	<p>EVERY MATERIAL ALLEGATION IN THE INDICTMENT; AND ALSO THE MATERIAL ALLEGATIONS IN THE INDICTMENT MUST BE SUSTAINED AND PROVEN BY LEGAL, COMPETENT EVIDENCE WHICH YOU AS JURYMEN BELIEVE TO BE TRUE. I WISH TO SCALL YOUR ATTENTION TO CA CAREFUL REAADING OF THE</p> <p>INDICTMENT: THE SECOND COUNT HAVING BEEN NOLLIED,</p> <p>I WILL READ THE FIRST COUNT UPON WHICH THE</p>

RS	PS	RT	BT
<p>ORIGINALLY THIS INDICTMENT WAS AGAINST ALL OF THE PARTIES CHARGED</p> <p>MURDER ALSO CONSPIRACY AT PRESENT TIME YOU ARE ONLY CONSIDER</p> <p>COUNT GIVEN INDICTMENT</p> <p>CHARGE</p> <p>MURDER AGAINST THE DEFENDANT CHARGE OF CONSPIRACY IS</p> <p>NOT CHARGED WITH IT SO FAR AS YOU ARE CONCERNED STILL THE</p>	<p>ORIGINALLY THIS INDICTMENT WAS AGAINST ALL OF THE PARTIES CHARGING</p> <p>MURDER AND ALSO CONSPIRACY AT THE PRESENT TIME YOU ARE ONLY TO CONSIDER THE COUNT IN THE INDICTMENT</p> <p>CHARGING</p> <p>MURDER AGAINST THE DEFENDANT A CHARGE OF CONSPIRACY IS NOT CONTAINED IN THIS INDICTMENT AND DEFENDANT IS NOT CHARGED WITH IT SO FAR AS YOU ARE CONCERNED STILL THE</p>	<p>DEFENDANT HAS BEEN ARRAIGNED AND IS NOW BEING TRIED. ORIGINALLY THIS INDICTMENT WAS AGAINST ALL THOSE NAMED IN IT,CHARGING THEM WITH THE CRIME OF MURDER,^[22] AND ALSO WITH CONSPIRACY.</p> <p>YOU ARE TO CONSIDER ONLY THE FIRST COUNT,. THIS INDICTMENT, AS IT NOW STANDS, CHARGES THIS DEFENDANT WITH MURDER;</p> <p>THE CHARGE OF CONSPIRACY HAS BEEN ABANDONED,</p> <p>SO FAR AS THIS CASE IS CONCERNED. STILL, IT IS</p>	<p>DEFENDANT HAS BEEN ARRAIGNED AND IS NOW BEING TRIED. ORIGINALLY THIS INDICTMENT WAS AGAINST ALL THOSE NAMED IN IT, CHARGING THEM WITH THE CRIME OF MURDER AND ALSO WITH CONSPIRACY.</p> <p>YOU ARE TO CONSIDER ONLY THE FIRST COUNT. THIS INDICTMENT AS IT NO W STANDS CHARGES THIS DEFENDANT WITH MURDER,;</p> <p>THE CHARGE OF CONSPIRACY HADS BEEN ABANDONED</p> <p>SO FAR AS THIS THOSE CASE IS CONCERNED. STILL IT IS</p>

RS	PS	RT	BT
<p>EVIDENCE TO JUSTIFY</p> <p>PROSECUTION IN ARGUING FOR A CONVICTION MUST GO VERY FAR TOWARD SUPPORTING</p> <p>INDICTMENT FOR CONSPIRACY</p> <p>BEFORE THEY CAN CHARGE HIM</p> <p>HAVING ENTERED INTO COLLUSION WITH OTHERS</p> <p>AS {IS}ⁱ CHARGED IN THIS INDICTMENT. FOR FEAR WE SHALL STRAY FROM A PROPER CONSIDERATION OF {THE}ⁱ SUBJECT BEFORE US, I WILL</p> <p>READ INDICTMENT ~</p>	<p>EVIDENCE</p> <p>ASKED FOR BY PROSECUTION</p> <p>SHALL GO VERY FAR TOWARD SUPPORTING</p> <p>INDICTMENT OF CONSPIRACY</p> <p>BEFORE THEY CAN CHARGE HIM</p> <p>WITH HAVING ENTERED INTO COLLUSION WITH OTHERS FOR COMMITTING CRIME LIKE THE ONE CHARGED IN THE INDICTMENT [space]</p> <p>READ THE INDICTMENT</p>	<p>NECESSARY, IN ORDER TO JUSTIFY A CONVICTION HERE, THAT THE PROSECUTION</p> <p>GO VERY FAR TOWARDS SUPPORTING BY EVIDENCE, THE CHARGE OF CONSPIRACY. THIS MUST BE DONE TO SUPPORT THE CHARGE MADE, ACCUSSING THE DEFENDANT OF HAVING ENTERED INTO COLLUSION WITH OTHERS TO COMMIT THE CRIME CHARGED IN THE INDICTMENT. FOR FEAR YOU WILL STRAY FROM THE TRUE QUESTION THAT? IS BEFORE YOU, I MOST EARNESTLY DESIRE YOU TO GIVE DUE ATTENTION TO THE INDICTMENT, WHICH READS</p>	<p>NECESSARY IN ORDER TO JUSTIFY CONVICTION HERE THAT THE PROSECUTION</p> <p>GO VERY FAR TOWARDS SUPPORTING BY EVIDENCE THE CHARGE OF CONSPIRACY. THIS MUST BE DONE TO SUPPORT THE CHARGE MADE, ACCUSING THE DEFENDANT OF HAVING ENTERED INTO COLLUSION WITH OTHERS TO COMMIT THE CRIME CHARGED IN THE INDICTMENT. ^[20] SO FAR YOU WILL STRAY FROM THE TRUE QUESTION</p> <p>BEFORE YOU, I MOST EARNESTLY DESIRE YOU TO GIVE DUE ATTENTION TO THE INDICTMENT, WHICH READS\$</p>

RS	PS	RT	BT
<p>PROCEEDED WITH READING OF INDICTMENT CHARGING LEE WITH CONSPIRACY DID JOHN D. LEE MAKE THE ASSAULT WITH SAID WILLIAM H DAME ISAAC HAIGHT ELLIOT WILDEN SAMUEL JUKES WILLIAM C STEWARD WITH CERTAIN GIVEN WITHIN THE⁵⁰⁵ CHARGE WITH BULLETS FELONIOUSLY WILLFULLY PREMEDITATEDL Y —[?] IN CONCERT OF ACTION <i>AND</i> <i>SAID</i>[?] 50 <i>TRNSNS</i>[?] LAW OF THE UNITED STATES <i>THEN</i> <i>AND THE</i>[?]⁵⁰⁶ [space] YOU WILL NOTICE GENTLEMEN OF THE JURY BY READING THIS INDICTMENT</p>	<p>[space] YOU</p> <p>NOTICE GENTLEMEN OF THE JURY UPON READING OF THIS INDICTMENT THAT</p>	<p>AS FOLLOWS: ∴ HERE MR. BISHOP READ THE INDICTMENT TO THE JURY IN FULL ∴.</p> <p>YOU NOTICE, GENTLEMEN OF THE JURY, THAT THE</p>	<p>AS FOLLOWS: HERE MR. BISHOP READ THE INDICTMENT TO THE JURY </p> <p>YOU NOTICE GENTLEMEN OF THE JUTY, THAT THE</p>

505. “WITHIN THE” is written seven times.

506. “THEN AND THE” is written three times.

RS	PS	RT	BT
JOHN D. LEE IS CHARGED WITH ACTING IN CONCERT OF ACTION WITH ALL OF OTHER PARTIES NAMED IN THIS INDICTMENT YOU WILL FIND HE IS CHARGED WITH ACTING IN CONCERT WITH THEM AT THE TIME.	JOHN D LEE IS CHARGED WITH ACTING IN CONCERT OF ACTION WITH ALL THE ⁵⁰⁷ OTHER PARTIES CHARGED ⁵⁰⁸ IN THIS INDICTMENT	DEFENDANT JOHN D. LEE IS CHARGED WITH ACTING IN CONCERT WITH ALL THE OTHER PARTIES NAMED IN THE INDICTMENT. THAT HE IS CHARGED WITH HAVING ACTED WITH THEM <u>AT THE TIME</u> CHARGED IN <u>THE INDICTMENT</u> .	DEFENDANT, JOHN ,D. LEE, IS CHARGED WITH ACTING IN CONCERT WITH ALL THE OTHER PARTIES NAMED IN THE HE INDICTMENT. THAT HE IS CHARGED WITH HAVING ACTED WITH THEM AT THE TIME CHARGED IN THE INDICTMENT ⁵⁰⁸ ; THAT WHEN THIS TRANSACTION TOOK PLACE JOHN D. LEE BY REASON OF PREVIOUS AGREEMENT WITH WILLIAM H DAME ISAAC C HAIGHT J M HIGBEE, GEORGE DAME {ADAIR} ⁱ JR., ELLIOT WILDEN, SAMUEL JUKES, PHILIP K SMITH, WILLIAM C
THAT WHEN THIS TRANSACTION TOOK PLACE JOHN D. LEE BY	THAT WHEN THIS TRANSACTION TOOK PLACE JOHN D. LEE BY	THAT WHEN THIS TRANSACTION TOOK PLACE, JOHN D. LEE, BY REASON OF PREVIOUS AGREEMENT WITH WILLIAM H. DAME, ISAAC C. HAIGHT, JOHN M. HIGBEE, GEORGE ADAIR JR. ELLIOT WILDEN, SAMUEL JUKES, PHILIP K. SMITH AND WILLIAM C.	THAT WHEN THIS TRANSACTION TOOK PLACE JOHN D. LEE BY REASON OF PREVIOUS AGREEMENT WITH WILLIAM H. DAME, IA ASAAC C. HAIGHT, JOHN M. HIGBEE GEORGE AD A IR, JR. ELLIOT WILLDEN, SAMUEL JUKES, PHILLIP K. SMITH AND WILLIAM C,

507. "ALL THE" was apparently entered later.

508. "CHARGED" was apparently added later.

RS	PS	RT	BT
<p>STEWART, COMMITTED THE DEED. DO YOU FIND GENTLEMEN OF THE JURY FROM ANY OF TESTIMONY THAT HAS BEEN PRESENTED BEFORE YOU THAT THERE WAS A PREVIOUS AGREEMENT ENTERED INTO BY JOHN D. LEE [space] WITH ANYBODY?</p> <p>NO GENTLEMEN OF THE JURY I DEFY YOU TO POINT⁵⁰⁹ ^{[[29]]}⁵¹⁰ TO A WITNESS THAT SHOWS THERE WAS PREVIOUS AGREEMENT</p> <p>ENTERED INTO BY THAT MAN AND ANY ONE OF THE PARTIES</p>	<p>[space]</p> <p>DID YOU FIND GENTLEMEN OF THE JURY FROM ANY TESTIMONY THAT HAS BEEN PRESENTED BEFORE YOU THAT THERE WAS A PREVIOUS AGREEMENT ENTERED INTO WITH JOHN D. LEE WITH ANYBODY</p> <p>NO GENTLEMEN OF THE JURY I DEFY YOU TO POINT TO A WITNESS THAT SHOWS THAT THERE WAS A PREVIOUS AGREEMENT</p> <p>ENTERED INTO BY THAT MAN AND ANY ONE OF THE PARTIES</p>	<p>STEWART, COMMITTED THE DEED. DID YOU FIND</p> <p>FROM THE EVIDENCE, OR FROM ANY OF IT, DURING THE PROGRESS OF THIS TRIAL THAT THERE WAS A PREVIOUS AGREEMENT ENTERED INTO BY JOHN D. LEE WITH ANY BODY OF MEN, OR WITH ANY INDIVIDUAL, TO COMMIT THAT CRIME ? NO! GENTLEMEN OF THE JURY, I DEFY YOU TO POINT TO THE WITNESS WHO HAS SHOWN THAT THERE WAS A PREVIOUS AGREEMENT, OR ANY AGREEMENT ENTERED INTO BY THEM IN CONCERT, OR AT ALL, TO</p>	<p>STEWART COMMIT6TED THE DEED. DID YOU FIND</p> <p>FROM THE EVIDENCE OR ANY OF IT DURING THE PROGRESS OF THIS TRIAL THAT THERE WAS A PREVIOUS AGREEMENT ENTERED INTO BY JOHN D. LEE WITH ANY BODY OF MEN, WITH ANY INDIVIDUAL TO COMMIT THAT CRIME? NO, GENTLEMEN OF THE JURY, I DEFY YOU TO POINT TO THE WITNESS WHO HAS SHOWN</p> <p>A PREVIOUS AGREEMENT OR ANY AGREEMENT ENTERED INTO BY THEM IN CONCERT OR AT ALL TO</p>

509. "TRANSCRIBED SUNDAY AUGUST 29/75" is noted at the bottom of the page in ink.

510. In the center at the top of the page in longhand ink: 9.

RS	PS	RT	BT
<p>HERE WHO IS INDICTED TODAY WITH OR ANY OTHER MURDERER AND I CALL UPON</p> <p>PROSECUTION WHO REPRESENT <THAT> REPRESENT</p> <p><GOVERNMENT> OF THE UNITED STATES IN THIS <TERRITORY> [space] IF THEY HAVE ANY EVIDENCE UPON THAT POINT TO CALL THE JURY'S ATTENTION TO IT</p> <p>BUT I DO NOT WANT YOU GENTLEMEN OF THE JURY TO TAKE THEIR IDEAS THEIR IMAGININGS UPON THIS SUBJECT AND CONSIDER IT AS TESTIMONY I DO NOT WANT YOU TO TAKE</p>	<p>HERE INDICTED <i>OR</i> <i>WITH</i>[?] THERE OR ANY OTHER MURDERER AND I CALL UPON</p> <p>PROSECUTION TOTHAT REPRESENT THE GOVERNMENT OF THE UNITED STATES IN THIS TERRITORY IF THEY HAVE ANY EVIDENCE UPON THAT POINT TO CALL THE JURY'S ATTENTION TO IT</p> <p>BUT I DO NOT WANT YOU GENTLEMEN OF THE JURY TO TAKE THEIR IDEAS AND THEIR IMAGININGS UPON THIS SUBJECT AND CONSIDER IT AS TESTIMONY I DO NOT WANT YOU TO TAKE</p>	<p>COMMIT THAT</p> <p>OR ANY ^[23] OTHER MURDER, AND I CALL UPON THE PROSECUTION, UPON THE REPRESENTATIV ES OF THE GOVERNMENT OF THE UNITED STATES IN THIS TERRITORY, IF THERE IS SUCH EVIDENCE, TO CALL THE ATTENTION OF THE JURY TO IT, AND SHOW YOU WHAT IT IS,AND WHO SO TESTIFIED. BUT I DO NOT WISH YOU</p> <p>TO TAKE THE IDEAS OF COUNSEL, ROR THE WILD RAVINGS OF THE ADVOCATE, FOR TESTIMONY IN THIS CASE. DO NOT TAKE</p>	<p>COMMIT THAT</p> <p>OR ANY MURDER, AND I CALL UPON THE PROSECUTION, UPON THE REPRESENTATIV ES OF THE GOVERNMENT OF THE UNITED STATES IN THIS TERRITORY, IF THERE IS SUCH EVIDENCE TO CALL THE ATTENTION OF THIS HJURY TO IT AND SHOW YOU WHAT IT IS AND WHO SO TESTIFIED. I DO NOT WHSH YOU</p> <p>TO TAKE THE IDEAS OF THE COUNSEL OR THE WILD RAVINGS OF THEHE ADVOCATE FOR TESTIMONY IN THIS CASE. DO NOT TAKE</p>

RS	PS	RT	BT
<p>THE CONCLUSIONS</p> <p>THAT MY BROTHER BASKIN WHICH <i><WILL></i> DRAW FROM THE TESTIMONY AND SAY THAT UPON THAT [<i>space</i>] YOU WILL FIND</p> <p>THAT THERE WAS {A}¹ PREVIOUS AGREEMENT; BECAUSE THERE IS NO TESTIMONY TO WARRANT SUCH A CONCLUSION THEN UNLESS THEY CAN PROVE THERE WAS CONCERT OF ACTION AND PREVIOUS AGREEMENT FORMED BY THOSE PARTIES AND IN ACCORDANCE WITH WHICH THEY ACTED THROUGHOUT</p>	<p>THE CONCLUSIONS</p> <p>THAT MY BROTHER BASKIN WILL DRAW FROM THE TESTIMONY ^{[[18]]} AND SAY THAT UPON THAT —[?] YOU WILL FIND</p> <p>THAT THERE WAS A PREVIOUS AGREEMENT BECAUSE THERE IS NO TESTIMONY TO WARRANT SUCH A CONCLUSION THEN UNLESS THEY CAN[?] PROVE THAT THERE WAS A CONCERT OF ACTION AND PREVIOUS AGREEMENT FORMED BY THESE PARTIES AND IN ACCORDANCE WITH WHICH THEY ACTED THROUGHOUT</p>	<p>THE CONCLUSIONS OF MY BROTHER CAREY, OR THOSE TO BE SKILLFULLY DRAWN BY MY BROTHER BASKIN, AND</p> <p>SAY FROM THOSE CONCLUSIONS THAT YOU BELIEVE, OR FIND AS A FACT, THAT SUCH PREVIOUS ARRANGEMENT EXISTED. THERE IS NO TESTIMONY BEFORE YOU TO JUSTIFY SUCH A CONCLUSION. UNLESS THEY HAVE PROVEN THAT THERE WAS A CONCERT OF ACTION, A PREVIOUS AGREEMENT FORMED BY THE PERSONS AS NAMED, IN ACCORDANCE WITH WHICH THEY ACTED THROUGHOUT</p>	<p>THE CONCLUSIONS OF BM MY BROTHER CAREY, OR THOSE YET TO BE SKILLFULLY DRAWN BY MY BROTHER BASKIN AND</p> <p>SAY FROM THOSE CONCLUSIONS THAT YOU BELIEVE OR FIND AS A FACT THAT SUSH PREVIOUS AGREEMENT EXISTED.. THERE IS NO TESTIMONY BEOFRE YOU TO JUSTIFY SUCH A CONCLUSION. UNLESS THEY HAVE PROVEN THAT THERE WAS A CONCERT OF ACTION—A PREVIOUS AGREEMENT FORMED BY THE PER PERSONS NAMED IN ACCORDANCE WITH WHICH THEY ACTED THROUGHOUT</p>

RS	PS	RT	BT
<p>ENTIRE TRANSACTION THEN THE PROSECUTION FALLS TO THE GROUND</p> <p>THEY DID NOT INDICT JOHN D. LEE FOR GOING UPON THE FIELD TAKING THESE 17 CHILDREN</p> <p>AND SAVING THEM FROM THE FURY OF THE SAVAGES. NOT AT ALL. THEY DO NOT</p> <p>CLAIM THAT THEY HAVE SHOWN TO YOU BY ANY WITNESS THAT JOHN D. LEE EVER RAISED</p>	<p>ENTIRE TRANSACTION THEN THE PROSECUTION FALLS TO THE GROUND</p> <p>THEY DID NOT INDICT JOHN D. LEE FOR GOING UPON THE FIELD AND TAKING THESE 17 CHILDREN</p> <p>AND SAVING THEM FROM THE FURY OF THE SAVAGES NOT AT ALL THEY DO NOT</p> <p>CLAIM THAT THEY HAVE SHOWN TO YOU BY ANY WITNESS THAT JOHN D. LEE EVER RAISED</p>	<p>THE ENTIRE TRANSACTION, ‡ THE THEORY OF THE PROSECUTION FALLS TO THE GROUND. IS IT JUST THAT THIS DEFENDANT SHALL BE CONVICTED UNDER THE TESTIMONY BEFORE YOU. SHOULD HE BE CONVICTED</p> <p>FOR SAVING THE CHILDREN AND</p> <p>REMOVING THEM FROM THE PLACE OF SLAUGHTER TO A PLACE OF SAFETY, THUS SAVING THEM FROM THE FURY OF THE SAVAGES ? NOT AT ALL. IT CANNOT REASONABLY BE CLAIMED IN THIS CASE THAT THERE HAS BEEN ANY TESTIMONY TO PROVE THAT JOHN D. LEE RAISED HIS</p>	<p>THE ENTIRE TRANSACTION, THE THEORY OF THE PROSECUTION FALLS TO THE GØROUND. ^[21] IS IT JUST THAT THIS DEFENDANT SHALL BE CONVICTED UNDER THE TESTIMONY BEFORE YOU. SHOULD HE BE ∇CONVICTED</p> <p>FOR ASAVING THE CHILDREN REMOVING AND REL REMOVING THEM FROM THE PLACE OF SLAUGHTER TO A PLACE OF SAFETY, THUS SAVING THEM FROM THE FURY OF THE SAVAGES? NOT AT ALL. IT CANNOT REASONABLY BE CLAIMED IN THIS CASE THAT THERE HAS BEEN ANY TESTIMONY TO PROVE THAT JOHN D. LEE RAISED HIS</p>

RS	PS	RT	BT
HIS HAND TO INJURE ANY HUMAN BEING.	HIS HAND TO INJURE ANY HUMAN BEING	HAND IN ANGER AGAINST ANY HUMAN BEING ON THAT OCCASION. NO WITNESS HAS TESTIFIED	HAND IN ANGER AGAINST ANY HUMAN BEING ON THAT OCCASION. NO WITNESS HAS TESTIFIED
NO WITNESS HAS COME BEFORE YOU THAT PRETENDS THAT HE EVER SAW PRISONER AT THE BAR ENGAGED IN ANYTHING EXCEPT THE LAWFUL AND LAUDABLE ACT SO FAR AS THESE EMIGRANTS ARE CONCERNED.	NO WITNESS HAS COME BEFORE YOU THAT PRETENDS THAT HE EVER SAW PRISONER AT THE BAR ENGAGE IN ANYTHING EXCEPT A LAWFUL AND LAUDABLE ACT SO FAR AS THESE EMIGRANTS ARE CONCERNED [space]	THAT JOHN D. LEE DID	THAT JOHN D. LEE DID
WHEN I SAY NO WITNESS I MEAN IT	WHEN I SAY NO WITNESS I MEAN IT	ANYTHING, EXCEPT ACT AS A PEACE- MAKER, AND FRIEND TO THE UNFORTUNATE BEINGS FOUND AT MOUNTAIN MEADOWS.	N ANYTHI NG EXCEPT ACT AS A PEACE MAKER AND FRIEND TO THE UNFORTUNATE BEINGS FOUND AT MOUNTAIN MEADOWS.
BECAUSE I SAY TO YOU THAT THE TESTIMONY OF THIS MAN K SMITH IS NOT ENTITLED TO SERIOUS CONSIDERATION BY YOU OR ANYBODY ELSE. ALL THAT	BECAUSE I SAY TO YOU THAT THE TESTIMONY OF THIS MAN KLINGEN SMITH IS NOT ENTITLED TO SERIOUS CONSIDERATIO N BY YOU OR BY ANYBODY ELSE ALL THAT	WHEN I SAY “NO WITNESS” I MEAN IN THE FULLEST SENSE OF THE TERM, FOR I TELL YOU THAT THE STATEMENTS OF KLINGENSMITH [24] ARE NOT ENTITLED TO SERIOUS CONSIDERATIO N BY YOU, OR BY OTHERS. ALL THAT HIS STATEMENTS ARE CAPABLE OF	WHEN I SAY NO WITNESS I MEAN IT IN THE FULLEST SENCE OF THE TERM, FOR I TELL YOU THAT THE STATEMENTS OF KLINGENSMITH ARE NOT ENTITLED TO SERIOUS CONSIDERATIO NS BY YOU, OR BY OTHERS. ALL THAT HIS STATEMENTS ARE CAPABLE OF
IT IS FIT FOR	IT IS FIT FOR	ACCOMPLISHIN	ACCOMPLISHIN

RS	PS	RT	BT
IS TO ATTRACT ATTENTION OF THAT PUBLIC THAT MY FRIEND CAREY SPOKE OF THIS MORNING.	IS TO ATTRACT THE ATTENTION OF THAT PUBLIC THAT MY FRIEND CAREY SPOKE OF THIS MORNING	G, IS TO ATTRACT AND EXCITE THAT "PUBLIC" THAT MY BROTHER CAREY IS SO ANXIOUS TO SATISFY. THROUGH ←TRUE→ HIS STATEMENTS SERVED TO ARRAY IN HOSTILE ATTITUDE THE FEELINGS OF THE PEOPLE OF THE CIVILIZED WORLD AGAINST THE RESIDENTS OF UTAH TERRITORY. IF THE WORDS SPOKEN BY HIM	G IFS TO ATTRACT AND EXFCITE THAT "PUBLIC" THAT MUY BROTHER CAREY IS SO ANXIOUS TO SATISFY. TRUE HIS STATEMENTS SERVE TO ARRAY IN HOSTILE ATTITUDE THE FEELINGS OF THE PEOPLE OF THE CIVILIZED WORLD AGAINST THE RESIDENTS OF UTAH TERRITORY. IF THE WORDS SPOKEN BY HIM CLINGENSMITH ARE PUBLISHED BROADCAST THROUGH THE LAND AND ARE BELIEVED BY THE PEOPLE THEN THEY WOULD CERTAINLY PRODUCE A FEELING OF INDIGNATION AGAINST ALL WHO DWELL IN UTAH. BUT THOSE WHO
SERVING ITS PURPOSE TO ARRAY HOSTILE	SERVING ITS PURPOSE TO ARRAY THE HOSTILE	TO ARRAY IN HOSTILE ATTITUDE THE FEELINGS OF THE PEOPLE OF THE CIVILIZED WORLD AGAINST THE RESIDENTS OF UTAH TERRITORY.	TO ARRAY IN HOSTILE ATTITUDE THE FEELINGS OF THE PEOPLE OF THE CIVILIZED WORLD AGAINST THE RESIDENTS OF UTAH TERRITORY.
FEELINGS OF THE PEOPLE OF THE CIVILIZED WORLD AGAINST THE RESIDENTS OF UTAH TERRITORY AND	FEELINGS OF THE PEOPLE OF THE CIVILIZED WORLD AGAINST THE RESIDENTS OF UTAH TERRITORY	IF THE WORDS SPOKEN BY HIM	IF THE WORDS SPOKEN BY HIM CLINGENSMITH
IF PUBLI{SHED} ⁱ BROADCAST THROUGHOUT THE LAND AND REPRESENTED AS TRUTH IT	IF PUBLICLY BROADCAST THROUGHOUT THE LAND AND REPRESENTED AS TRUTH IT	ARE PUBLISHED BROADCAST THROUGH THE LAND AND ARE BELIEVED BY THE PEOPLE, THEN THEY WOULD CERTAINLY PRODUCE A FEELING OF INDIGNATION AGAINST ALL WHO DWELL IN UTAH. BUT THOSE WHO	ARE PUBLISHED BROADCAST THROUGH THE LAND AND ARE BELIEVED BY THE PEOPLE THEN THEY WOULD CERTAINLY PRODUCE A FEELING OF INDIGNATION AGAINST ALL WHO DWELL IN UTAH. BUT THOSE WHO
WOULD HAVE ITS	WOULD <i>HAVE</i> [?] ITS		
INFLUENCE AGAINST {THE} ⁱ PEOPLE HERE. BUT WHAT MAN	INFLUENCE AGAINST THE PEOPLE HERE BUT WHAT MAN		

RS	PS	RT	BT
<p>THAT EXAMINES THE COUNTENANCE</p> <p>≤THE MAIN WITNESS OF THE PROSECUTION?≥ OF THE PARTY <u>IF</u> <u>HE TESTIFIES</u> WHO STOPS TO CONSIDER</p> <p>THE CONDITION THAT HE PREVIOUSLY OCCUPIED THAT STOPS TO CONSIDER THE MANNER IN WHICH HE IS BROUGHT UPON THE STAND AND</p> <p>THAT A PRICE HAS BEEN THAT HAS BEEN PAID TO HIM FOR HIS TESTIMONY THE FREEDOM</p> <p>WITH WHICH HE</p>	<p>THAT EXAMINED THE COUNTENANCE</p> <p>OF THE PARTY AS HE TESTIFIES WHO STOPS TO CONSIDER</p> <p>THE CONDITION THAT HE PREVIOUSLY OCCUPIED THAT STOPS TO CONSIDER THE MANNER IN WHICH HE IS BROUGHT UPON THE STAND AND</p> <p>THE PRICE THAT HAS BEEN PAID TO HIM FOR HIS TESTIMONY THE FREEDOM</p> <p>WITH WHICH HE</p>	<p>HAVE LOOKED UPON HIS COUNTENANCE WHILE HE WAS ON THE STAND, LISTENED TO HIS TONES AS HE SPOKE, AND THEN STOPPED TO CONSIDER THE MAN AS HE ONCE WAS AND NOW IS — THE POSITION HE ONCE OCCUPIED— HIS PRESENT POSITION BEFORE, KNOWING THAT HE COMES AS A WITNESS TO SEAR FOR <u>HIS</u> <u>OWN</u> LIFE, THAT A PRICE HAS BEEN SET UPON HIS HEAD — THAT PRICE HIS LIFE, AND THAT THE GOVERNMENT GIVES HIM HIS LIFE, IN EXCHANGE FOR HIS STATEMENTS, WHO REMEMBERS THAT THIS BEING HAS</p>	<p>HAVE LOOKED UPON HIS COUNTENANCE WHILE HE WAS UPON THE STQAND LISTENED TO HIS TONES AS HE SPOKE AND THEN ZSTOPPED TO CONSIDER THE MAN AWS HE ONCE WAS AND NOW IS, THE POSITION HE ONECE OCCUPIED AND HIS PRESENT POSITION BEFORE YOU— KNOWING THAT HE COMESS AS A WITNESS TO SWEAR FOR HIS OWN LIFE, THAT A PRICE HAS BEEN SET U PON HIS HEAD AND THAT PRICE IS LIFE AND THAT THE GOVERNMENT GIVES HIM HIS LIFE IN EXCJHANGE FOR HIS STATEMENTS, WHO RELMEMBERS THAT THIS BEING HAS</p>

RS	PS	RT	BT
<p>TESTIFIES CONCERNING EVERY ACT {?} ⁱ⁵¹¹</p> <p>THAT HE CONSIDERS {??} ⁱ MATERIAL TO SHOW {?} ⁱ THAT HE WOULD LIKELY TALK ABOUT IN THE ATTORNEYS OFFICE THE MAIN PART OF THE TRANSACTION</p> <p>TALKS IT ALL LIKE A PARROT CALLING FOR {A} ⁱ CRACKER; NO STOP, {AND} ⁱ NO BREAK IN HIS VOICE SOLID AS HE IS CAREFUL AND CONSIDERATE AS {HE} ⁱ SHOWS</p>	<p>TESTIFIES CONCERNING EVERY THING</p> <p>THAT HE CONSIDERS MATERIAL TO THE ISSUE THAT HE WOULD LIKELY TALK ABOUT FOR THE ATTORNEYS OFFICE ABOUT MAIN PART OF THE TRANSACTION</p> <p>AND DECREES IT TOO LIKE A PARROT CALLING FOR CRACKER NO STOP NO BREAK IN HIS VOICE SOLID AS HE IS CAREFUL AND CONSIDERATE AS HE SHOWS</p>	<p>TESTIFIED TO EVERY ACT, CIRCUMSTANCE AND THING THAT HE CONSIDERED WOULD ADD TO THE CHANCES OF CONVICTING THIS DEFENDANT. THESE THINGS CONSIDERED; NO BEHOLDER AND</p> <p>LISTENER WILL BELIEVE HIM. WHEN SPEAKING OF THE MASSACRE, RECITING THE TALE HE HAD MALICIOUSLY CONCOCTED,</p>	<p>TESTIFIED TO EVERY ACT, CIRCUMSTANCE AND THEING THAT HE CONSIDERED WOULD ADD TO THE CHANCES OF CONVICTING THIS DEFENDANT. THESE THINGS CONSIDERED NO BEHOLDER AND YOUR PREJUDICED LISTENER WILL BELIEVE HIM. ^[22] WHEN SPEAKING FOR THE MASSACREE AND RECITING THE TALE HE HAD MALICIOUSLY CONCOCTED,</p>

511. There are a series of ink question marks on this page that seem to indicate that Rogerson had questions concerning the content of the shorthand.

RS	PS	RT	BT
HIMSELF TO BE HE MAKES NO QUAVER IN HIS VOICE, THERE IS NO STOPPAGE IN HIS SPEECH	HIMSELF TO BE HE MAKES NO QUAVER IN HIS VOICE THERE IS NO STOPPAGE IN HIS SPEECH	THERE WAS NO STOPPAGE IN HIS SPEECH, NO QUAVERS IN HIS VOICE. STOLID AS A STOIC, CAREFUL IN THE SELECTION OF LANGUAGE, NOT A MUSCULAR TREMOR, THE TONGUE GAVE FREE UTTERANCE TO ITS <EACH> THOUGHT OF THE DISHONEST BRAIN, HE WAS CLEAR AND POSITIVE UPON EVERY SUBJECT THAT THE PROSECUTION	THERE WAS NO STOPPAGE IN HIS SPEECH; NO QUAVERS IN HIS VOICE; STOLID AS A STOIC; CAREFUL IN THE SELECTION OF LANGUAGE; NOT A MUSCULAR TREMOR; THE G ATONGUE GAVE UTTERANCE TO EACH THOUGHT OF THE DISHONEST BRAIN; HE WAS CLEAR AND POSITIVE UPON EVERY SUBJECT OF THE PROSECUTION WISHED
NO TREMOR OF HIS MUSCLE{S;} ⁱ THE TONGUE GIVES FREE UTTERANCE TO EVERY POINT	NO TREMOR OF HIS MUSCLE THE TONGUE GIVES FREE UTTERANCE TO EVERY WORD	THOUGHT OF THE DISHONEST BRAIN, HE WAS CLEAR AND POSITIVE UPON EVERY SUBJECT THAT THE PROSECUTION	THOUGHT OF THE DISHONEST BRAIN; HE WAS CLEAR AND POSITIVE UPON EVERY SUBJECT OF THE PROSECUTION WISHED
THAT THEY THIS PROSECUTION [[30]]512	THAT THEY THAT IS THE PROSECUTION	THAT THE PROSECUTION	OF THE PROSECUTION WISHED
WISH HIM TO TESTIFY TO	WISH HIM TO TESTIFY TO	WISHED HIM TO SPEAK OF. DURING HIS EXAMINATION IN CHIEF ^[25] HE SAT COOL, COLLECTED AND DETERMINED TO EARN WELL THE REWARD BESTOWED FOR	WISHED HIM TO SPEAK OF. DURING HIS EXAMINATION ISN CHIEF HE SAT COOL COLLECTED ZAND DETERMINED, TO EARN WELL THE W REWARD BESTOWED FOR

512. In longhand at the top of the page, in ink: **BISHOPS 10 ADDRESS.**

RS	PS	RT	BT
<p>BUT WHEN WE TAKE HIM FROM THE MAIN POINT WHEN WE COMMENCE TO QUESTION HIM UPON THOSE SMALL POINTS GO AND TEST HIS CREDIBILITY</p> <p>THEN HE HAS A REGULAR BEECHER MEMORY CAN'T RECALL A WORD THAT HE DOES NOT WANT TO RECALL NO MORE THAN HENRY WARD BEECHER CAN RECALL THINGS HE DID NOT WANT TO TELL. SOMETHING PUT ME IN MIND OF HIM VERY</p>	<p>BUT WHEN WE TAKE HIM FROM THE MAIN POINT WHEN WE COMMENCE TO QUESTION HIM UPON THOSE SMALL POINTS THAT GO TO TEST HIS CREDIBILITY</p> <p>THEN HE HAS A REGULAR BEECHER MEMORY CAN'T RECALL A WORD THAT HE DOES NOT WANT TO RECALL NO MORE THAN LOCAL HENRY WARD BEECHER COULD RECALL THINGS THAT HE DID NOT WANT TO TELL SOMETHING PUT ME IN MIND OF HIM VERY</p>	<p>HIS VILLAINOUS SERVICES. HOW CHANGED HE BECAME WHEN I CROSS</p> <p>QUESTIONED HIM.</p> <p>HIS SELF CONFIDENCE VANISHED. THE STOLID FEATURES BECAME FLUSHED AND EXCITED WITH GUILTY FEAR. HIS MEMORY SUDDENLY BECAME FAULTY, AND LIKE BEECHER HE REMEMBERED NOTHING TO INJURE HIMSELF, OR BENEFIT THE DEFENDANT.</p>	<p>HIS VILLAINOUS SERVICES. NHOW CHANGED BE HE BECAME WHEN I CROSS-</p> <p>QUESTIONED HIM;</p> <p>HIS SELF FCONFIDENCE VANISHED. THE STOLIDF FACE BECAME FLUSSHED AND EXCITED WITH GUILTY FEAR. HIS MEMORY SUDDENLY BECAME FAULTY AND LIKE BEECHER HE REMEMBERED NOTHING TO INJURE HIMSELF OR BENEFEIT THE DEFENDANT .</p>

RS	PS	RT	BT
MUCH THAT THAT HE WANTED TO STATE HE RECALLED AND KNEW IT WAS SO [space] THAT THAT HE HAD DOUBTS ABOUT AND THOUGHT	MUCH THAT THAT HE WANTED TO TELL HE RECOLLECTED AND KNEW IT WAS SO THAT THAT HE HAD DOUBTS ABOUT AND THOUGHT		
IN HIS CUNNING WAY	IN HIS CUNNING WAY	IT IS EVIDENT THAT HE HAS SWORN BEFORE YOU ACCORDING TO THE WISH AND INSTRUCTION OF THE PROSECUTION,	IT IS EVIDENT THAT HE HAS SWORN BEFORE YOU ACCORDING TO THE WISH AND INSTRUCTION OF THE PROSECUTION,
HE THOUGHT IT MIGHT INJURE {THE} ⁱ PROSECUTION {AND} ⁱ HE REFUSED TO TESTIFY TO.	THAT WHICH MIGHT INJURE THE PROSECUTION HE REFUSED TO TESTIFY TO	WITH A CRUEL CUNNING HE REFUSED TO ANSWER ANY QUESTION TENDING TO DISPROVE OR INJURE THE THEORY OF THE PROSECUTION, ALL THE TIME REFUSING TO ANSWER, YET SHIELDING HIMSELF UNDER THE COWARDLY BULWARK OF “I FORGET”. YOU ALL REMEMBER THAT I ASKED HIM “HOW IT WAS THAT	AND WITH A CRUEL CUNNING HE REFUSED TO ANSWER ANY QUESTION TENDING TO INJURE OR DISPROVE THE THEORY OF THE PROSECUTION, ALL THE TIME THE TIME REFUSING TO ANSWER, YET SHIELDING HIMSELF UNDER THE COWARDLY BULLWARK, “I FORGET.” YOU ALL REMEMBER THAT I ASKED HIM, “HOW IT WAS THAT
{IF YOU WILL} ⁱ RECOLLECT I ASKED HIM {THE} ⁱ QUESTION	YOU RECOLLECT ^{[[19]]} I ASKED HIM QUESTION AS		

RS	PS	RT	BT
<p>HOW IT WAS HE GAVE HIS TESTIMONY SO FREELY COMPLETELY {AND}ⁱ FULLY UPON EVERY SUBJECT</p> <p>{BUT}ⁱ UPON QUESTIONS I DREW {STATED/STD[?]}ⁱ HIS ATTENTION TO HE COULD NOT TELL THE FACTS.</p> <p>NO/KNOW[?] GENTLEMEN THE MAN HAS TOLD SOME TRUTHS K SMITH WAS AT THE MASSACRE</p> <p>HE IS</p>	<p>TO HOW HE COULD GIVE HIS TESTIMONY AND FULLY</p> <p>AND FREELY UPON QUESTION</p> <p>BY THE PROSECUTION AND</p> <p>THAT QUESTIONS I DREW</p> <p>HIS ATTENTION TO HE COULD NOT TELL THE FACTS [<i>space</i>]</p> <p>NO/KNOW[?] GENTLEMEN THE MAN HAS TOLD SOME TRUTH KLINGEN SMITH WAS AT THE MASSACRE</p> <p>HE IS THE</p>	<p>HE COULD GIVE HIS TESTIMONY SO FREELY, COMPLETELY AND FULLY UPON EVERY SUBJECT TO WHICH HIS ATTENTION WAS CALLED BY THE PROSECUTION, AND WHY IT WAS THAT HE COULD NOT ANSWER THE PLAINEST QUESTION IN A STRAIGHTFORW ARD MANNER FOR ME” HE COULD GIVE NO SATISFACTORY ANSWER TO THE QUESTION, BUT STAMMERED, FALTERED AND HUNG DOWN HIS GUILTY HEAD.</p> <p>I ADMIT THAT HE HAS TOLD YOU SOME TRUTH. KLINGENSMITH WAS PRESENT AT THE MASSACRE. HE ACTED IN THE DRAMA TOO. HE IS THE</p>	<p>HE COULD GIVE HIS TESTIMONY SO FREELY, COMPLEETLY AND FULLY UPON EVERY SUBJECT TO WHICH HIS ATTENTION WAS CALLED B Y THE PROSECUTION A ND WHY IT WSAS THAT HE COULD NOT ANSWER THE PLAINEST QUESTION IN A STRAIGHTFORA WARD MANNER FOR ME.” HE COULD GØIVE NO SATISFACTORY ANSWER TO THE QUESTION, BUT STZAMMERED, FALTERED AND HUNG DOWN HIS GUILTY HEAD.</p> <p>I ADMIT THAT HE HAS TOLD SOME TRUTH. KLINGENSMIGT H WAS PRESENT IN THETHE MASSACRE AND HE ACTED I N THE DRAMA TOO. HE IS THE</p>

RS	PS	RT	BT
<p>ONLY WHITE MAN THAT THERE IS NO⁵¹³ EVIDENCE AGAINST TO SHOW THAT THEY COMMITTED MURDER</p> <p>EXCEPT EVIDENCE OF ONE OR TWO THIS MAN STEWARD CUT MAN'S THROAT UPON THE FIELD. STEWARD IS NOT HERE, BUT LEE IS.</p>	<p>ONLY WHITE MAN THAT THERE IS ANY EVIDENCE AGAINST TO SHOW THAT THEY COMMITTED MURDER</p> <p>EXCEPT THE EVIDENCE ON ONE OR TWO THAT THIS MAN STEWARD CUT A MAN'S THROAT UPON THE FIELD [<i>space</i>] STEWARD IS NOT HERE BUT LEE IS</p>	<p>ONLY WHITE MAN THAT THE EMIGRANTS EVIDENCE HAS NAMED WHO HAS COME BEFORE THIS COURT,WHO HAS IMBRUED HIS HANDS IN THE BLOOD OF THOSE CLAIN AT MOUNTAIN MEADOWS.</p> <p>STEWART IS SHOWN TO BE GUILTY,BUT</p> <p>HE IS NOT HERE, AND JOHN D. LEE IS NOT CONNECTED WITH EITHER OF THOSE GUILTY MEN BY THE EVIDENCE INTRODUCED BEFORE YOU. NO! STEWART IS NOT HERE.</p> <p>KLINGENSMITH IS PAR-^[26] DONED, BUT JOHN D. LEE IS</p>	<p>ONLY WHITE MAN THAT THE EVIDENCE HAS NAMED OFR THAT HAS COME BEFORE THE COURT WHO IMBRUED HIS HANDS IN THE BLOOD OF THOSE SLAIN AT THE MOUNTAIN MEADOWS.</p> <p>STEWART IS SHOWN TO BE GUILTY, BUT</p> <p>HE IS NOT HERE; AND JOHN D. LEE IS CONNECTED WITH ENITHER NEITHER OF THESE GUILTY MEN- BY THE EVIDENCE INTRODUCED BEFORE YOU. NO, STEWART IS NOT HERE; AND KLINGENSMITH IS PARDONED; ^[23] BUT JOHN D. LEE IS</p>

513. The word was originally "ANY". Vowels added later in ink, render the word "NO".

RS	PS	RT	BT
<p>NOW THEN THE QUESTION TO BE DECIDED IS THIS DID JOHN D. LEE TOGETHER WITH THE OTHER PARTIES CHARGED IN THIS INDICTMENT AT CEDAR CITY OR ELSEWHERE WITHIN UTAH TERRITORY</p> <p>MEET TOGETHER AND FORM AN AGREEMENT THIS THING SHOULD BE DONE. THE EVIDENCE TELLS YOU NO. THEN NEXT INQUIRE</p>	<p>NOW THEN THE QUESTION TO BE DECIDED IS THIS DID JOHN D. LEE TOGETHER WITH THE OTHER PARTIES CHARGED IN THIS INDICTMENT AT CEDAR CITY OR ELSEWHERE</p> <p>MEET TOGETHER AND FORM AN AGREEMENT THIS THING SHOULD BE DONE THE EVIDENCE TELLS YOU NO THEN I[?] NEXT INQUIRE</p>	<p>ON TRIAL. KLINGENSMITH IS HIS ACCUSER WISHES THAT LEE BE CONVICTED, AND HUNG OR SHOT, SO THAT HE MAY LIVE ON A FEW MORE YEARS IN SIN. NOW THE QUESTION IS THIS. DID JOHN D. LEE TOGETHER WITH THE OTHER PARTIES, AS CHARGED IN THE INDICTMENT, AT CEDAR CITY OR ELSEWHERE WITHIN UTAH TERRITORY , AND WITHIN THE JURISDICTION OF THIS COURT, CONSPIRE, MEET TOGETHER OR FORM AN AGREEMENT THAT THIS MURDER SHOULD BE COMMITTED ? THE EVIDENCE TELLS YOU <u>NO.</u> NEXT INQUIRE.</p>	<p>ON TRIAL. KLINGENSMITH H HSS HIS ACCUSER, WISHES THAT HE BE CONVICTED AND HUNG OR SHOT, SO THAT HE MAY LIVE ON A FEW MORE YEARS IN SIN. NOW THE QUESTION IS THAIS: DID JOHN D. LEE TOGETHER WITH THE OTHER PARTIES AS CHARGED IN THE INDICTMENT, AT CEDAR CITY, OTR ELSEWHERE, WITHIN UTAH TERRITORY, AND WITHIN THE JURISDICTION OF THIS COURT, CONSPIRE, MEET TOGETHER OR FORM AN AGREEMENT THAT THIS MURDER SHOULD BE COMMITTED? THE EVIDENCE TELLS YOU KNOW. NEXT ENQUIRE,</p>

RS	PS	RT	BT
<p>GENTLEMEN DID HAIGHT HIGBEE DAME OR SMITH OR ANY TWO OF THEM FORM A COMBINATION UPON SAME SUBJECT FOR THE SAME PURPOSE AND INFORM JOHN D. LEE OF THE FACT THEY HAD MADE THIS</p> <p>AGREEMENT AND ASK HIM TO CONSENT TO IT.</p> <p>THERE IS NO TESTIMONY OF THAT POINT. [space]</p> <p>NO MAN CLAIMS EVEN</p> <p>SMITH HIMSELF DID NOT HAVE HARDIHOOD TO SAY THAT JOHN D. LEE WAS EVER PRESENT AT ANY MEETING</p>	<p>GENTLEMEN DID HAIGHT HIGBEE DAME OR SMITH OR ANY TWO OF THEM FORM A COMBINATION UPON SAME SUBJECT OR FOR THE SAME PURPOSE AND INFORM JOHN D. LEE OF THE FACT THAT THEY HAD MADE THIS</p> <p>AGREEMENT AND ASK HIM TO CONSENT TO IT</p> <p>THERE IS NO TESTIMONY TO THAT POINT</p> <p>NO MAN CLAIMS EVEN</p> <p>SMITH HIMSELF DID NOT HAVE HARDIHOOD TO SAY THAT JOHN D. LEE WAS EVEN PRESENT AT ANY MEETING</p>	<p>DID HAIGHT, HIGBEE, DAME OR SMITH OR ANY TWO OF THEM FORM A COMBINATION UPON THE SAME SUBJECT FOR THE SAME PURPOSE AND INFORM JOHN D. LEE OF THE FACT THAT THEY MADE SUCH A COMBINATION OR AGREEMENT AND ASK HIM TO CONSENT TO IT OR JOIN THEM IN ITS EXECUTION YOU MUST SAY “NO” TO THIS QUESTION, FOR THERE IS NO TESTIMONY TO SHOW THAT SUCH WAS THE FACT. NO MAN CLAIMS IT, EVEN THE BEING KLINGENSMITH HAS NOT THE HARDIHOOD TO CLAIM THAT JOHN D. LEE WAS EVER PRESENT AT ANY MEETING</p>	<p>DID HAIGHT, HIGBEE, DAME OR SMITH, OR ANY TWO OF THEM FORM A COMBINATION UPON UPON THE SAME SUBJECT FOR THE SAME PURPOSE; AND INFORM JOHN D. LEE OF THE FACT THAT THEY NMADE SHUCH A COMBINATION OR AGREEMENT AND ASKED HIM TO CONSENT TO IT, OR JOIN THEM IN ITS EXECUTION? YOU MUST S AY NO TO THINS WQUESTION FOR THERE IS NO TESTIMONY TO SHOW THAT XSUCH WAS THE FACT. NO MAN CLAIMS THIS, EVEN THE BEING KLINGENSMINT HAS NOT THE HARDIHOOD TO CLAIM THAT JOHN D LEE WAS EVER PRESENT AT ANY MEETING</p>

RS	PS	RT	BT
<p>WHERE THIS MATTER</p> <p>WAS AGREED TO; UNTIL HE GETS TO THE FIELD OF SLAUGHTER. THEN HE BRINGS JOHN D. LEE IN PRESENCE WITH HIMSELF AND WITH HIGBEE AND HOPKINS AND I BELIEVE WITH YOUNG. THEN THERE BEING NO EVIDENCE OF PREVIOUS AGREEMENT</p> <p>NO EVIDENCE THAT ANY CONTRACT OF THIS KIND WAS MADE OR THAT LEE ASSENTED TO IT THE PROSECUTION</p>	<p>WHERE THIS MATTER</p> <p>WAS AGREED TO UNTIL HE GETS TO THE FIELD OF SLAUGHTER THEN HE BRINGS JOHN D. LEE IN PRESENCE WITH HIMSELF AND WITH HIGBEE AND WITH HOPKINS —[?] AND I BELIEVE WITH YOUNG THEN THERE BEING NO EVIDENCE OF A PREVIOUS AGREEMENT</p> <p>NO EVIDENCE THAT ANY CONTRACT OF THIS KIND WAS MADE OR THAT LEE ASSENTED TO IT THEIR PROSECUTION</p>	<p>OR COUNCIL WHERE THE SUBJECT RELATING TO THE MASSACRE WAS DISCUSSED OR AGREED TO, UNTIL HE REACHES THE FIELD OF SLAUGHTER, THEN HE BRINGS JOHN D. LEE IN PRESENCE WITH HIMSELF,HIGBEE, E, HOPKINS, AND I BELIEVE WILLIAM YOUNG, AND THERE AND THEN IT IS THAT HE ENDEAVORS TO MAKE YOU BELIEVE THE CONSPIRACY WAS COMPETED BETWEEN THEM. THEN IT MUST BE THAT NO <u>PREVIOUS</u> <u>CONSPIRACY</u> HAD BEEN FORMED, IF NONE WAS FORMED, THEN THERE IS A COMPLETE</p>	<p>OR COUNSEL WHERE THE SUBJECT RELARING TO THE MASSADCRE WAS DISCUSSED OR AGREED TO, UNTIL HE REACHES THE FIEKLD OF SLAUGHTER. THEN HE BRINGS JOHN D. LEE IN PRESENCE WITH HIMSELF-, HIGBEE A, HOPKINS AND I BELIEVE WILLIAM YOUNG- AND THEN AND THERE IT IS THAT HE ENDEAVORS TO MAKE YOU BELIEVE THE CONSPIRACY WAS COMPLETED WBETWEEN THEM; THEN IT MUST BE THAT NO PREVIOUS CONSPIRACY HAD BEEN FORMED;IF NONE WAS EVER FROMED AND THEN THERE IS A COMPLETE</p>

RS	PS	RT	BT
<p>FAILS IN THAT. THEN AGAIN GENTLEMEN WHERE DOES LEE GET HIS AUTHORITY TO DO ANYTHING AGAINST THESE EMIGRANTS WHO PROVES IT WHO SHOWS HE ACTED BY AUTHORITY NO PERSON EXCEPT K SMITH</p> <p>K SMITH GIVES IT IN THIS WAY THAT HE HAD STARTED OUT UPON THIS MISSION OF</p>	<p>FAILS IN THAT THEN AGAIN GENTLEMEN WHERE DOES LEE GET HIS AUTHORITY TO DO ANYTHING AGAINST THESE EMIGRANTS WHO PROVES IT WHO SHOWS THAT HE ACTED BY AUTHORITY NO PERSON EXCEPT KLINGEN SMITH</p> <p>KLINGEN SMITH GIVES IT IN THIS WAY AFTER HE HAD STARTED OUT UPON THIS MISSION OF</p>	<p>FAILURE UPON THAT PART OF THE CASE. THEN AGAIN, WHERE DOES LEE GET HIS AUTHORITY TO DO ANYTHING ^[27] AGAINST THE EMIGRANTS ? WHO PROVES IT ? WHY, NO ONE BUT KLINGENSMITH, WHO COMES WITH BLACK HEART, CRUEL DECEITFUL NATURE AND BLOODY HANDS, TO ADD ONE MORE, IF POSSIBLE, TO THE LONG LIST OF THOSE HE HAS SENT SWIFT FROM EARTH TO THE REGIONS OF THE UNKNOWN LAND BEYOND THE RIVER OF DEATH. KLINGENSMITH SAYS “I STARTED OUT ON MY MISSION OF</p>	<p>FAILURE OF THAE CASE. AGAIN, WHERE DOES LEE GET HIS AUTHORITY TO DO ANYTHING AGAINST THE EMIGRANTS? W HO PROVES IT? WHY, NO ONE BUT KLINGENSMITH, WHO COMES WITH HIS BLACK HEART, CRUEL DECEIPTFUL NATURE AND BLOODY HANDS TO ADD ONE MORE IF POSSIBLE TO THE LONG LIST OF THOSE HE HAS SENT SWIFTY FROM EARTH TO THE REGIONS OF THE UNKNOWN LAND BEYOND THE RIVER OF DEATH. KLINGENSMITH SAYS, “I STARTED OUT ON MY MISSION OF</p>

RS	PS	RT	BT
<p>MERCY TO PINTO IN COMPANY WITH JOEL WHITE IN GOING BACK ON HIS WAY HE MET IRA ALLEN ^{[[31]]} HE PRETENDS TO SAY AND DOES SAY TO YOU ALLEN TOLD HIM LEE HAD BEEN DIRECTED TO STIR UP INDIANS TO THAT TO THAT OUTFIT</p> <p>WE OBJECTED</p> <p>THE PROSECUTION ASSURED US THEY WOULD CONNECT THAT CIRCUMSTANCE WITH THE CASE.</p>	<p>MERCY TO PINTO IN COMPANY WITH JOEL WHITE <i>[space]</i> IN COMING BACK</p> <p>HE MET IRA ALLEN HE PRETENDS TO SAY AND HE DOES SAY TO YOU THAT ALLEN TOLD HIM THAT LEE HAD BEEN DIRECTED TO STIR UP THE INDIANS TO[?] THAT AT THE TIME</p> <p>WE OBJECTED</p> <p>BUT</p> <p>PROSECUTION ASSURED US THAT THEY WOULD CONNECT THAT CIRCUMSTANCE WITH THE CASE</p>	<p>MERCY, ON MY WAY TO PINTO, IN COMPANY WITH JOEL WHITE. WHEN COMING HOME FROM PINTO I MET IRA ALLEN, AND HE</p> <p>TOLD ME THAT JOHN D. LEE HAD BEEN ORDERED TO STIR UP AND EXCITE THE INDIANS AGAINST THE EMIGRANTS. “TO THAT STATEMENT WE OBJECTED ON THE GROUND THAT IT WAS HEARSAY, BUT; UPON THE PROMISE OF THE PROSECUTION THAT THEY WOULD CONNECT THAT CIRCUMSTANCE WITH THE CASE AND THE DEFENDANT, THE COURT PERMITTED THE EVIDENCE TO BE GIVEN. I NOW ASK YOU IF THE</p>	<p>MERCY, ON MY WAY TO PINTO, IN COMPANY WITH JOEL WHITE. WHEN COMING HOME FROM PINTO I MET ^[24] IRA ALLEN AND HE</p> <p>TOLD ME THAT JOHN D. LEE HAD BEEN ORDERED TO START STIR UP AND EXCITE THE INDIANS.”</p> <p>TO THAT STATEMENT WE OBJECTED ON THE GROUND THAT IT WAS HEARSAY, BUT UPON THE PROMISE OF THE PROSECUTION THAT THEY WOULD CONNECT THAT CIRCUMSTANCE WITH THE CAASE AND THE FDEFENDANT, THE COURT PERMITTED THE EVIDENCE TO BE GIVEN. I NOW ASK YOU IF THE</p>

RS	PS	RT	BT
HAVE THEY DONE SO? HAS ANY WITNESS TESTIFIED THAT IRA ALLEN EVER SPOKE TO HAIGHT OR TO DAME?	HAVE THEY DONE SO HAS ANY WITNESS TESTIFIED THAT IRA ALLEN EVER SPOKE TO HAIGHT OR DAME	PROSECUTION HAS KEPT ITS PROMISE ? HAS ANY WITNESS TESTIFIED THAT IRA ALLEN EVER SPOKE TO ONE OF THE MEN NAMED IN THIS INDICTMENT UPON THAT OR ANY SUBJECT ? HAD	PROSECUTION HAS KEPT ITS PROMISE? HAS ANY WITNESS TESTIFIED THAT IRA ALLEN EVER SPOKE TO ONE OF THE MEN NAMED IN THIS INDICTMENT UPON THAT THAT OR ANY SUBJECT. HAS
HAS ANY WITNESS TESTIFIED TO YOU IRA ALLEN EVER RECEIVED	HAS ANY WITNESS TESTIFIED TO YOU IRA ALLEN EVER RECEIVED	ANY ONE TESTIFIED THAT IRA ALLEN HAD ANY SUCH INFORMATION, OR THAT HE HAD THE	ANYONE TESTIFIED THAT IRA ALLEN HAD ANY SUCH INFORMATION , OR THAT HE HAD THE
THE AUTHORITY TO MAKE SUCH A DECLARATION. MOST CERTAINLY NOT.	THE AUTHORITY TO MAKE SUCH A DECLARATION MOST CERTAINLY NOT [space]	AUTHORITY TO MAKE SUCH A DECLARATION ? MOST CERTAINLY NO SUCH EVIDENCE HAS BEEN	AUTHORITY TO MAKE SUCH A DECLARATION? -MOST CERTAINLY NO SUCH EVIDENCE HAS BEEN
WHO WAS PRESENT AND	^{[[20]]} WHO WAS PRESENT AND	GIVEN. WHO WAS PRESENT AT ANY TIME OR PLACE WITH LEE OR OTHERS OR HEARD SUCH ORDERS GIVEN	GIVEN. WHO WAS PRESENT AT ANY TIME OR PLACE WITH LEE OR OTHERS, AND HEARD SUCH ORDERS GIVEN,
WILL SAY R/CH ? LEE RECEIVE SUCH A DIRECTION.	SAW LEE RECEIVE SUCH A DIRECTION [space]	OR KNOWS OF LEE RECEIVING SUCH ORDERS OR KNOWS OF SUCH A REQUEST BEING MADE OF HIM ? NO ONE,	OR KNOWS OF LEE RECEIVING SUCH ORDERS, OR OF ANY SUCH A REQUEST BEING MADE OF HIM? NO ONE, NO,

RS**PS****RT****BT**

NO MAN NO WOMAN OR CHILD SO FAR AS TESTIMONY HERE IS CONCERNED.	NO MAN [<i>space</i>] NO WOMAN OR CHILD SO FAR AS TESTIMONY HERE IS CONCERNED	NOT A MAN WOMAN OR CHILD, ANIMATE OR INANIMATE THING, SO FAR AS IS SHOWN BY THE EVIDENCE.	NOT A MAN WOMAN OR CHILD, OR ANIMATE OR INANIMATE THING, SO FAR AS IS SHOWN BY THE EVIDENCE.
BUT GENTLEMEN	BUT GENTLEMEN	BUT, GENTLEME N, IN ORDER TO SUPPORT KLINGENSMITH'S THEORY OF THE CASE IT WAS NECESSARY TO	BUT, GENTLEMEN, IN ORDER TO SUPPORT KLINGENSMITH'S THEORY OF THE CA SE IT WAS NECESSARY TO
IT WAS NECESSARY TO CARRY OUT THE PLAN FORMED BY THIS MAN SMITH THAT HE SHOULD CONNECT LEE WITH THIS TRANSACTION WHY [<i>space</i>] SMITH PROPOSES LIKE THE PARTY WE READ OF IN HISTORY THAT WISHED HIS NAME TO GO DOWN TO POSTERITY NOT BEING ABLE TO PERFORM NO ⁵¹⁴ DEED OF VIRTUE NO ⁵¹⁵ JUST ACT THAT	IT WAS NECESSARY TO CARRY OUT THE PLAN FORMED BY THIS MAN SMITH THAT HE SHOULD CONNECT LEE WITH THIS TRANSACTION [<i>space</i>] WHY [<i>space</i>] SMITH PROPOSES LIKE THE PARTY THAT WE READ OF IN HISTORY THAT WISHED HIS NAME TO GO DOWN TO POSTERITY NOT BEING ABLE PERFORM TO A DEED OF VIRTUE ANY JUST ACT THAT	CONNECT JOHN D. LEE WITH THE TRANSACTION IN SOMEWAY. KLINGENSMITH	CONNECT JOHN D. LEE WITH THE TRANSACTION IN SOME WE WAY. KLINGENSMITH

514. Originally the word was "ANY". Long o added later in ink rendered the word "NO".

515. Originally the word was "ANY". Long o added later in ink rendered the word "NO".

RS	PS	RT	BT
WOULD GIVE HIM THAT NOTORIETY	WOULD GIVE HIM THAT NOTORIETY	<p>BELIEVED THAT IF HE ONLY TESTIFIED STRONGLY AND <u>‘POSITIVELY</u> HE COULD SECURE THE CONVICTION OF LEE,HE CARED NOT,HE ^[28] THOUGHT NOT OF TRUTH OR JUSTICE. HE WAS ANXIOUS FOR SUCCESS OR NOTARIETY OR BOTH. REPUTATION HE COULD NEVER HOPE FOR. FAME WAS BEYOND HIS REACH, BUT NOTARIETY COULD BE OBTAINED, AND HE WAS WILLING TO OBTAIN IT EVEN AT THE GREAT COST OF LOSING ALL OF TRUTH, ALL OF HONOR AND ALL OF JUSTICE. HE CAME BEFORE YOU TO GAIN IT,AND TO DESERVE</p>	<p>BELIEVED THAT IF HE ONLY TESTIFIED STRONGLY AND POITIVELY HE COULD SECURE THE CONVICTION OF LEE. HE CARED NOT — TH HE THOUGHT NOT OF THE THE TRUTH OR OF JUSTICE. HE WAS ONLY ANXIOUS FOR SUCCESS OR NOTARIETY OR BOTH. REPUTATION HE COULD NEVER HOPE FOR AND FAME WAS BEYOND HIS REACH; BUT NOTARIETY COULD BE OBTAINED AND HE WAS WILLING TO OBTAIN IT EVEN AT THE GREAT COST OF LOSING AL L OF TRUTH — HIS ALL OF HONOR, AND ALL OF JUSTICE. HE CAME BEFORE YOU TO GAIN AND DESERVE</p>

RS	PS	RT	BT
HE APPLIES THE TORCH TO THE TEMPLE OF DIANA AND	HE APPLIES A TORCH TO THE TEMPLE OF DIANA AND	NOTARIETY, COVER HIS NAME AS HE MIGHT, WITH INFAMY. HE, LIKE ERASTRATUS, WHEN HE APPLIED THE TORCH TO THE TEMPLE OF DIANA, HAD DETERMINED THAT HIS NAME SHOULD BE REMEMBERED BY THOSE TO INHABIT THE EARTH IN THE DISTANT FUTURE. THERE THE TORCH WAS APPLIED TO ONE OF THE WORLD'S WONDERS. THE FINEST WORK OF ART THEN EXISTING, THE STOREHOUSE OF THE WORSHIPPED IDOLS OF GREECE, WITH ALL ITS CONTENTS	NOTARIETY. COVER HIS NAME AS HE MIGHT WITH INFAMY, HE LIKE ERASTRATUS WHEN HE APPLIED THE TORCH TO THE TEMPLE OF DIANZA HAD DETERMINED THAT HIS NAME BE KNOWN BY ALL THOSE TO INSHABIT THE EARTH IN THE DISTANT FUTURE. THERE THE TORCH WAS APPLIED TO ONE OF THE WORLDS WONDERS; THE FINEST WORK OF ART THEN EXISTING, THE STOREHOUSE OF THE WORSHIPPED IDOLS OF GREECE, WIL WITH ALL ITS CONTENTS WAS DESTROYED. IT WAS REDUCED TO ASHES-, SIMPLY THAT LINKED ^[25] WITH THE STORY OF THE WORLDS
CAUSES THE FINEST WORK OF ART THAT HAD EVER EXISTED	CAUSES THE FINEST WORK OF ART THAT HAD EVER EXISTED		
TO SMOLDER INTO ASHES IN ORDER HIS NAME MIGHT GO DOWN TO THE	TO <i>SMOLDER</i> [?] INTO ASHES IN ORDER THAT HIS NAME MIGHT GO DOWN TO THE	WAS REDUCED TO ASHES, SIMPLY THAT LINKED WITH THE STORY OF THE WORLD'S	

RS	PS	RT	BT
LATEST POSTERITY COUPLED WITH THAT INFAMOUS ACT. SO WE FIND THAT MAN K SMITH	LATEST POSTERITY COUPLED WITH THAT INFAMOUS ACT SO WE FIND THAT MAN KLINGEN SMITH	LOSS MIGHT BE JOINED THE NAME OF HE WHO COURTED INFAMY. HERE THE TEMPLE OF JUSTICE HAS BEEN VIOLATED,THE ANGEL TRUTH HAS BEEN INSULTED AND OUTRAGED BY KLINGENSMITH, WHOSE CRUEL TREACHERY AND PREMEDITATED FALSEHOOD HAS WELL EARNED HIM THE CROWN OF INFAMY HE HAS SO EARNESTLY STRIVEN TO OBTAIN. YES, HE STANDS BEFORE YOU BRANDED WITH EVERY CRIME KNOWN TO THE CODE OF MORALS, ONE OF THE MONSTER CRIMINALS OF THIS CIVILIZED WORLD; YET HE HOPED THAT	LOSS , MIGHT BE JOINED THE NAME OF HE WHO COURTED INFAMY. HERE THE TEMPLE OF JUSTICE HAS BEEN VIOLATED. THE ANGEL TRUTH HAS BEEN INSULTED AND OUTRAGED BY KL KLINGENSMI TH WHOSE CRUEL TREACHERY AND PREMEDITATED FALSEHOOD HAS WELL EARNED HIM THE CROWN OF INFAMY HE HAS SO ENERGETICALL Y STRIVEN TO OBTAIN. YES, HE STANDS BEFORE YOU BRANDED WITH EVERY CRIME KNOWN TO THE CODE OF MORALS — ONE OF THE MONSTER CRIMINALS OF THE CIVILIZED WORLD; YET, HE HOPED THAT

RS**PS****RT****BT**

		<p>YOU WOULD UPON HIS EVIDENCE CONVICT JOHN D. LEE, AND THAT THE NOTARIETY ATTACHED TO THE DEFENDANT AND HIS EXECUTION, WOULD BE COUPLED WITH THE NAME OF “KLINGENSMITH ”, THE ASSASSIN, WHOSE INSTRUMENT WAS ONLY THAT OF A FALSE TONGUE. HE HAS SECURED THE CROWN OF DISGRACE, INFAMY AND DISHONOR, BUT HIS PERJURED SENTENCES HAVE FALLEN UPON EARS THAT DETECT THE FALSEHOOD, AND IF JOHN D. LEE IS EVER CONVICTED IT WILL BE UPON OTHER EVIDENCE THAN</p>	<p>YOU WOULD UPON HIS EVIDENCE CONVICT JOHN D. LEE AND THAT THE NAOTARIETY ATTQACHED TO THE DEFENDANT AND HIS EXECUTION WOULD BE COUPLED WITH THE NAME OF KLINGENSMITH, THE ASSASSIN, WHOSE INSTRUMENT WAS ONLEY THAT OF A FALSE TONGUE. HE HAS SECURED THE CROWN OF DISGRACE, INFAMY AND DISHONOR; BUT BHIS RUPERJURED SENTENCES HAVE FALLEN UPON EARS THAT DETECT THE FALSEHOOH, AND IF JOHN D. LEE IS EVER CONVICTED IT WILL BE UPON OTHER EVIDENCE THAN THAN</p>
--	--	--	---

RS	PS	RT	BT
<p>UPON WHOSE COUNTENANCE THE ALMIGHTY</p> <p>HAS STAMPED IN INEFFACEABLE CHARACTERS EVERY MARK THAT WOULD CAUSE A WELL WISHER OF HIS KIND TO AVOID AND PASS {ING}¹ BY WITHOUT SPEAKING TO HIM.</p>	<p>UPON WHOSE COUNTENANCE THE ALMIGHTY</p> <p>HAS STAMPED IN INEFFACEABLE CHARACTERS EVERY MARK THAT WOULD CAUSE A WELL WISHER OF HIS KIND TO VIEW THEM PASS BY WITHOUT SPEAKING TO HIM [<i>space</i>]</p>	<p>THAT OF THE BASE WRETCH THAT YOU ^[29] ARE ASKED TO BELIEVE. YES, KLINGENSMITH IS COVERED WITH A MANTLE OF NOTARIETY AND INFAMY, BUT JOHN D. LEE IS NOT CONVICTED. KLINGENSMITH STANDS BEFORE YOU AND MANKIND IN GENERAL, AN OBJECT OF CONTEMPT AND LOATHING. UPON HIS COUNTENANCE THE GOD OF NATURE</p> <p>HAS STAMPED IN- EFFACEABLE CHARACTERS, EVERY NEEDED MARK,</p> <p>TO INDICATE THE HIDEOUS</p>	<p>THEAT OF THE MBASSE WRETCH THAT YOU ARE ASKED TO BELIEVE;; YES, KLINGENSMITH IS COVERED WITH THE MANTLE OF NOTARIETY AND INFAMY, BUT JOHN D. LEE ISN NOT CONVICTED. KLINGENSMITH STANDS BEFORE YOU AND MANKIND IN GENERAL AN OBJECT OF COMTEMPT AND LOATHING. UPON HIS COUNTENANCE THE THE GOD OF NATURE, — THE UNIVERSAL CREATOR, — HAS STAMPED IN INEFACABLE CHARACTERS EVERY NEEDED MARK</p> <p>TO INDIACATE THE HIDEOUS</p>

RS**PS****RT****BT**

		<p>CHARACTER OF THE DISTORTED MIND, THE BLACK REPULSIVE HEART, CRUEL NATURE OF THE INFAMOUS WRETCH, WHO IS A DISGRACE TO MANKIND. UPON HIS FACE THE GOD OF NATURE HAS WRITTEN “COWARD, TRAITOR, PERJURER, MURDERER AND ASSASSIN,” AND THERE STAND THE CHARACTERS IN BOLD RELIEF.</p> <p>GENTLEMEN, THE GOD OF NATURE NEVER COMMITS PERJURY. HE THAT IS STAMPED BY VILLAIN BY GODS SIGN IS A VILLAIN IN FACT. LOOK AT HIM; THERE YOU BEHOLD THE BEING THAT IS NEITHER HONEST, BRAVE OR</p>	<p>CHARACTER OF THE DISTORTED MIND. THE BLACK REPULSIVE HEART, THE CRUEL NATURE OF THE INFAMOUS WRETCH EWHO IS A DISGRACE TO MANKIND— UPON HIS FACE THE GOD OF NATURE STAMPED COWARD— TRAITOR— PERGURER— MURDERER AND ASSASSIN; AND THERE STANDS THE CHARACTERS IN BOLD RELIEF; AND</p> <p>JGENTLEMEN, GOD NEVER COMMITXS PERJURY. HE THAT IS STAMPED VILLIAN IN GODS SIGN IS VILLAIN IN FACT. LOOK AT HIM! THERE YOU BEHOLD A BEING THAT IS NEITHER HONEST, BRAVE NOR OR</p>
--	--	---	--

RS	PS	RT	BT
<p>WHEN I SEE A MAN LIKE HIM THAT PRETENDS TO BE HONEST, PRETENDS TO BE CAPABLE OF AN VIRTUOUS ACT OR AN ACT OF JUSTICE I SAY IT CAN'T BE; THE LAWS OF NATURE ARE FIXED. WHEN THE GREAT I AM SPAKE THIS WORLD INTO EXISTENCE</p> <p>HE AFFIXED TO ALL MATTER</p> <p>CERTAIN LAWS⁵¹⁶ FROM WHICH IT CAN NOT CHANGE LAWS THAT CAN NOT BE</p>	<p>WHEN I SEE A MAN LIKE HIM THAT PRETENDS TO BE HONEST PRETENDS TO BE CAPABLE OF A VIRTUOUS ACT OR AN ACT OF JUSTICE I SAY IT CAN'T BE THE LAWS OF NATURE ARE FIXED WHEN THE GREAT I AM SPAKE THIS WORLD INTO EXISTENCE</p> <p>HE AFFIXED TO ALL MATTER</p> <p>CERTAIN LAWS FROM WHICH IT CAN NOT CHANGE LAWS THAT CAN NOT BE</p>	<p>TRUTHFUL. AS I HAVE SAID, THE HAND-WRITING OF GODS INDIGNATION IS UPON THAT COUNTENANCE.</p> <p>THE LAWS OF NATURE ARE FIXED AND CERTAIN. WHEN THE GREAT I <u>AM</u> SPAKE THIS WORLD INTO EXISTENCE, AS A <DWELLING PLACE FOR MANKIND, HE FIXED UPON ALL CREATED MATTER> DWELLING PLACE FOR MANKICRATED</p> <p>CERTAIN LAWS FROM WHICH IT COULD NEVER DEVIATE. THIS LAW CONNOT BE CHANGED OR</p>	<p>TRUTHFUL. AS I HAVE SAID, THE HAND WRITING OF GOD'S INDIGNATION H IS UPON HIS COUNTENANCE.</p> <p>THE LAWS OF NATURE ARE FIXED AND CERTAIN. WHEN THE GREAT I AM SPAKE THIS WORLD INTO EXISTANCE AS A DWELLING PLACE FOR MANKIND, HE FIXED UPON AL L CREATED MATTER</p> <p>[26]</p> <p>CERTAIN LAWS FROM WHICH IT COULD NEVER DEVIATE, THIS LAW CANNOT BE CHANGED OTR</p>

516. A long "I" and "N" added later in ink render the word "LINES".

RS	PS	RT	BT
<p>THROWN OFF AT WILL. AND ONE OF THOSE LAWS OF NATURE</p> <p>WILL FIND TO BE THAT THE MURDERER FELON ASSASSIN AND COWARD FIND HIM WHERE YOU WILL SEE <i>IMAKWL</i>[?]</p> <p>ON HIS COUNTENANCE AND IT IS WRITTEN ALL OVER THIS MAN SMITH SO THAT THOSE WHO AROUND HIM READ ~</p>	<p>THROWN OFF AT WILL AND ONE OF THESE LAWS OF NATURE</p> <p>WE FIND TO BE THAT A MURDEROUS FELON AND ASSASSIN AND COWARD FIND HIM WHERE YOU MAY CARRIES HIS MANNER</p> <p>ON HIS COUNTENANCE AND IT IS WRITTEN ALL OVER THIS MAN SMITH SO THAT THOSE WHO <i>AROUND</i>[?] HIM READ</p>	<p>THROWN OFF AT WILL. ONE OF THESE CERTAIN LAWS IS, THAT THE FEATURES AND COUNTENANCES OF MEN INDICATE THEIR TRUE CHARACTER, AND AM I NOT RIGHT, WHEN I SAY THAT AS YOU LOOKED UPON THIS MONSTER KLINGENSMITH YOU SEE MORAL COWARD, VILLAIN- MURDERER, ASSASSIN WRITTEN UPON HIS VISAGE, AND FIRMLY STAMPED IN THE CHARACTERS OF NATURE UPON EVERY LINEAMENT OF THE COUNTENANCE OF THE BASE WRETCH WHO NOW FAMES FEIGNS FEMORSE OF CONSCIENCE FOR FORMER CRIMES. GENTLEMEN, I</p>	<p>THROWN OFF AT WILL; AND ONE OF THESE CERTAIN LAWS IS, THAT THE FEATURES AND COUNTENANCES OF MEN INDICATE THEIR TRUE CHARACTER; AND AM I NOT RIGHT WHEN I SAY, THAT AS YOU LOOK UPON THIS MONSTER, KLINGENSMITH, YOU WSEE MORAL COWARD , VILLIAN, MURDERER AND ASSASSIN WRITTEN UPON HIS VISAGE, FIRMLY STAMPED IN THE CHARACTERS OF NATURE UPON EVERY IN LINEAMENT OF THE COUNTENANCE OF THE WRETCH WHO NOW FEIGNES REMORSE OF CONSCIENCE OF FORMER CRIMES. GENTLEMEN, I</p>

RS**PS****RT****BT**

<p>THEN TELL ME UPON SUCH TESTIMONY AS THAT</p> <p>THE GOVERNMENT OF THE UNITED STATES WOULD BE WILLING THE VILEST OF ITS CRIMINALS SHOULD BE CONVICTED</p>	<p>THEN TELL ME UPON SUCH TESTIMONY AS THAT</p> <p>THAT THE GOVERNMENT OF THE UNITED STATES WOULD BE WILLING THAT THE VILEST OF ITS CRIMINALS SHOULD BE CONVICTED</p>	<p>ASK YOU IF YOU THINK THE HAND-WRITING OF DEITY IS NOT TRUE IN THIS INSTANCE ? YOU NOD ^[30] YOUR HEADS IN TALKING OF THE TRUTH OF MY STATEMENT, AND I ACCEPT THAT AS AN EVIDENCE OF YOUR GOOD AND CANDID JUDGMENT. THIS ALL BEING TRUE, WE STILL HEAR THE PROSECUTION ASKING YOU TO CONVICT A HUMAN BEING, AND TO SEND THIS OLD MAN TO THE EXECUTIONER, UPON THE STATEMENT OF SUCH A WITNESS AS I HAVE JUST REFERRED TO. WAS IT A FACT, AS CLAIMED BY THE PROSECUTION, THAT JOHN D. LEE IS THE VILEST CRIMINAL THAT HAS EXISTED SINCE ADAM</p>	<p>ASK YOU IF YOU THINK THE HAND WRITING OF THE DEITY IS NOT TRUE IN THIS INSTANCE? YOU NOD YOUR HEADS IN TOKEN OF THE TRUTH OF MY STATEMENT. AND I ACCEPT THAT AS NA EVIDENCE OF YOUR GOOD AND CANDID JUDGMENT. THIS ALL BEING TRUE WE STILL HEAR THE PROSECUTION ASKING YOU TO CONVICT A HUMAN BEING, TO SEND THIS OLD MAN TO THE EXECUTIONER UPON THE STATEMENTS OF SUCH A WITNESS.</p> <p>WAS IT A FACT AS CLAIMED BY THE PROSECUTION THAT JOHN D. LEE IS THE VILEST CRIMINAL THAT HAS EXSISTED SINCE ADAM</p>
---	---	---	---

RS	PS	RT	BT
<p>[space] I TELL YOU NO. BUT BEFORE WE COMMENCE I THINK {THE}ⁱ PEOPLE OF UNITED STATES ARE PROSECUTING IT THAT IS WAY IT LOOKS TO ME</p> <p>TERRITORY OF UTAH NAME OF THE TERRITORY OF UTAH IS USED IT IS TRUE</p>	<p>[space] I TELL YOU NO AND BEFORE WE COMMENCE I THINK {THE}ⁱ PEOPLE OF THE UNITED STATES ARE PROSECUTING IT THAT IS THE WAY THAT IT LOOKS TO ME [space]</p> <p>THE TERRITORY OF UTAH THE NAME OF THE STATE OF UTAH IS USED IT IS TRUE</p>	<p>LEFT THE GR GARDEN OF EDEN ?</p> <p>YOU WOULD NOT BE JUSTIFIED IN CONVICTING HIM UPON THE EVIDENCE OF A MILLION SUCH BEINGS, AS KLINGENSMITH. THE DEMAND OF THE PROSECUTION FOR A VERDICT OF GUILTY UPON THE EVIDENCE IN THIS CASE CONVINCES ME THAT THEY ARE NOT TRYING JOHN D. LEE. TRUE THE NAME OF THE TERRITORY OF UTAH IS USED IN THE INDICTMENT,</p> <p>BUT</p>	<p>LEFT THE GERDEN OF EDEN UTAH?</p> <p>WOULD YOU BE JUSTIFIED IN CON VICTING HIM UPON THE EVIDENCE OF A MILLION SUCH BEINGS AS KLINGENSMITH- ? THE DEMAND OF THE PROSECUTION FOR A VERDICT OF GUILTY UPON THE EVIDENCE IN THIS CASE, CONVINCES ME, THAT WE ARE NOT TRYING JOHN D. LEE. TRUE, THE NAME OF THE TERRITORY OF UTAH IS USED IN THE INDICTMENT AS THE PLAINTIFF , AND THAT OF JOHN D. LEE AS THE D EFENDANT; BUT</p>

RS	PS	RT	BT
<p>[[32]] BUT IF IT IS NOT THE PEOPLE OF THE UNITED STATES REPRESENTED BY ITS TERRITORIAL OFFICIALS</p> <p>PROSECUTING THE MORMON CHURCH THEN I DO NOT KNOW WHAT IT IS.</p>	<p>BUT IF IT IS NOT PEOPLE OF THE UNITED STATES REPRESENTED BY ITS TERRITORIAL OFFICIALS</p> <p>PROSECUTING THE MORMON CHURCH THEN I DO NOT KNOW WHAT IT IS</p>	<p>YOU MUST NOW ADMIT THAT THE PROSECUTION OF LEE IS ABANDONED, AND THAT ANOTHER PROSECUTION TAKES ITS PLACE.</p> <p>IT IS THE GOVERNMENT OFFICIALS PROSECUTION. YES, MORE THAN THAT, PERSECUTING THE MORMON CHURCH.</p> <p>THIS IS A COURT OF NATIONAL CONSTRUCTION, ACTING FOR LEGITIMATE PURPOSES, AND I PROTEST, IN THE NAME OF LAW AND JUSTICE, IN THE NAME OF HUMANITY, IN THE NAME OF MY COUNTRY, AGAINST THIS OUTRAGE UPON LAW,</p>	<p>YOU MUST NOW ADMIT, THAT THE PROSECUTION OF LEE IS ABANDONED AND THAT PERSECUTION TAKES ITS PLACE.</p> <p>IT IS THE GOVERNMENT OFFICIALS PROSECUTION. YES, MORE THAN THAT PERSECUTING THE MORMON CHURCH.</p> <p>THIS IS A COURT OF NATIONAL CONSTRUCTION ACTING FOR LEGITIMATE PURPOSES, AND I PROTEST IN THE NAME OF LAW AND JUSTICE — IN THE NAME OF HUMANITY — IN THE NAME OF MY V COUNTRY AGAINST THIS OUTRAGE— UPON LAW ,</p>

RS	PS	RT	BT
<p>MY BROTHER CAREY MUST NOT MAKE THESE LITTLE UNDERTONE EXPRESSION</p> <p>PEOPLE OF THE UNITED STATES ARE NOT PROSECUTING HERE THEY FURNISHED THE SINEWS OF WAR THE PEOPLE OF THE UNITED STATES PAYING THE TAXES TO RAISE THE MONEY TO ENABLE MAXWELL THE MARSHAL TO BRING HIS HERD OF WITNESS</p> <p>HERE AND FEED THEM AT THE PUBLIC EXPENSE AND TO PROSECUTE THIS</p>	<p>MY BROTHER CAREY MUST NOT MAKE THIS LITTLE UNDERTONE EXPRESSION THAT THE PEOPLE OF THE UNITED STATES WILL NOT PROSECUTE HERE THEY FURNISHED THE SINEWS OF WAR <i>BUT</i>[?] THE PEOPLE OF THE UNITED STATES PAID THEIR TAXES TO RAISE THE MONEY TO ENABLE MAXWELL AND [space] TO BRING [space] HIS HERD OF WITNESSES HIS HERD OF WITNESSES HERE TO PROSECUTE THIS AT THE PUBLIC EXPENSE</p>	<p>ORDER AND DECENCY, NOW ATTEMPTED IN THIS CASE. BY REASON OF THE ANIMUS SHOWN BY THOSE WHO CONDUCT THE PROSECUTION,</p>	<p>ORDER AND DECENCY NOW ATTEMPTED IN THIS CASE. ^[27] BY REASON OF THE ANIMUS SHOWN BY THOSE WHO CONDUCT THE PROSECUTION,</p>

RS**PS****RT****BT**

<p>CASE MR. CAREY MY FRIEND IS PAID BY THE UNITED STATES GOVERNMENT TO LIVE AMONG THIS PEOPLE AND PROSECUTE IN THIS CASE. THE JUDGE UPON THE BENCH HIMSELF IS COMMISSIONED FROM GOVERNMENT OF THE UNITED STATES <u>TO</u> <u>WARFARE</u> {??}ⁱ GENTLEMEN I CHARGE</p> <p>THAT IT IS NOT PEOPLE OF UNITED STATES IN THE TERRITORY OF UTAH AGAINST JOHN D. LEE ACCORDING TO TITLE OF THIS CASE</p> <p>BUT IT IS THE</p> <p>PEOPLE THE PREJUDICE OF THE PEOPLE OF THE UNITED STATES FINDING VOICE</p> <p>BY ITS</p>	<p>CAREY IS ^{[[21]]} PAID BY THE UNITED STATES GOVERNMENT TO LIVE AMONG THIS PEOPLE AND PROSECUTE IN THIS CASE THE JUDGE UPON THE BENCH HIMSELF IS COMMISSIONED FROM THE GOVERNMENT OF THE UNITED STATES THEREFORE GENTLEMEN I CHARGE</p> <p>THAT IT IS NOT PEOPLE OF UNITED STATES IN THE TERRITORY OF UTAH AGAINST JOHN D. LEE ACCORDING TO TITLE OF THIS CASE</p> <p>BUT IT IS THE</p> <p>PEOPLE AND PREJUDICE OF THE PEOPLE OF THE UNITED STATES FINDING VOICE</p> <p>BY ITS</p>	<p>I CHARGE THE FACT TO BE THAT IT IS NOT THE PEOPLE OF THE UNITED STATES IN THE TERRITORY, AGAINST JOHN D. LEE,AS STATED IN THE INDICTMENT, AND THAT IS NOW BEING TRIED, BUT IT IS THE UNINFORMED PEOPLE, THE PREJUDICE OF THE PEOPLE OF THE UNITED STATES,FINDING VOICE THROUGH THEIR REPRESENTATIV</p>	<p>I CHARGE THE FACT TO BE; THAT IT IS NOT THE PEOPLE OF THE UNTITES STATES, IN THE TERRITORY OF UTAH AGAINST JOHN D. LEE, AS STATED IN THE INDICTMENT THAT IS NOW BEINTG TRIED, BUT IT IS THE UNINFORMED PEOPLE — THE PREJUDICE OF THE PEOPLE OF THE UNITED STATES, FINDING VOICE THROUGH THEIR REPRESENTATIV</p>
---	---	---	--

RS	PS	RT	BT
<p>REPRESENTING DISTRICT ATTORNEY AGAINST BRIGHAM YOUNG GEORGE A SMITH AND THE MORMON CHURCH.</p> <p>I WILL STAND BY THE ASSERTION IN ALL PLACES ON EARTH.</p> <p>THEN LET HIM TELL ME UNITED STATES IS NOT PROSECUTING THESE. LET US GO BACK AND LOOK AT THIS.</p> <p>WHY GENTLEMEN OF</p>	<p><i>ELECTIVE</i>[?] AND DISTRICT ATTORNEY AGAINST BRIGHAM YOUNG GEORGE A SMITH AND THE MORMON CHURCH</p> <p>AND I WILL STAND BY THE ASSERTION IN ALL PLACES ON EARTH</p> <p>THEN LET HIM TELL ME UNITED STATES IS NOT PROSECUTING [<i>space</i>] NOW LET'S GO BACK AND LOOK AT THIS</p> <p>WHY GENTLEMEN OF</p>	<p>E — THE UNITED STATES ATTORNEY, AGAINST BRIGHAM ^[31] YOUNG, GEORGE A. SMITH AND THE MORMON CHURCH IN THE TERRITORY OF UTAH, AND NO ONE WHO KNOWS THE CONDITION OF AFFAIRS HERE HAS JUST REASON TO DISPUTE THE FACT, AND I WILL MAINTAIN THE TRUTH OF THE CHARGE, HERE AND ELSEWHERE, NOW AND FOR ALL TIME TO COME. MY BROTHER CAREY OBJECTS TO THE STATEMENT THAT IT IS THE UNITED STATES AGAINST THE CHURCH. BUT, GENTLEMEN,</p> <p>LOOK AT THE CASE, IN AS IT HAS BEEN PRESENTED AND THUS FAR TRIED, AND</p>	<p>E, THE UNITED STATES ATTORNEY, AGAINST BRIGHAM YOUNG, GEORGE A. SMITH AND THE MORMON CHURCH IN THE TERRITORY OF UTAH, AND NO ONE WHO KNOWS THE CONDITION OF AFFAIRS HERE HAS JUST REASON TO DISPUTE THE FACT AND I WILL MAINTAIN THE TRUTH OF THE CHARGE HERE AND ELSEWHERE, NOW AND FOR ALL TIME TO COME. MY BROTHER CARY OBJECTS TO THE STATEMENT THAT IT IS THE UNITED STATES AGAINST THE CHURCH; BUT, GENTLEMEN,</p> <p>LOOK AT THE CASE AS IT HAS BEEN PRESENTED AND THUS FAR TRIED AND</p>

RS	PS	RT	BT
<p>THE JURY IF THIS CASE WAS SIMPLY SMALL ONE AGAINST JOHN D. LEE THAT OLD MAN THAT SITS HERE BEFORE YOU</p> <p>IF THERE WAS NO QUESTION OF POLITICS OR RELIGION CONNECTED WITH IT</p> <p>YOU NEVER WOULD SEEN MY FRIEND CAREY OR</p> <p>BASKIN WITHIN TWO HUNDRED 50 MILES FROM HERE THEY WOULD HAVE TRUSTED TO LUCK [<i>space</i>] LIKELY BEEN TRIED BY RETAINED COUNSEL</p>	<p>THE JURY IF THIS CASE WAS SIMPLE ONE AGAINST JOHN D. LEE THAT OLD MAN THAT SITS HERE BEFORE YOU</p> <p>IF THERE WAS NO QUESTION OF POLITICS OR RELIGION CONNECTED WITH IT</p> <p>YOU NEVER WOULD SEEN MY FRIEND CAREY OR</p> <p>BASKIN WITHIN 2050 MILES FROM HERE THEY WOULD HAVE —[?] TRUSTED TO LUCK LET HIM BE TRUSTED TO COUNSEL</p>	<p>THEN SAY IF I AM WRONG. IF THIS WAS SIMPLY A PROSECUTION OF JOHN D. LEE, THAT OLD MAN WHO SITS BEFORE YOU, WITH HIS HAIR</p> <p>SILVERED OVER WITH THE FROSTS OF MANY WINTERS; IF THERE WAS NO QUESTION OF POLITICS OR RELIGION CONNECTED WITH IT, YOU WOULD NOT SEE THIS ARRAY OF LEGAL MEN, SO ANXIOUSLY STRIVING FOR A VERDICT. YOU WOULD NEVER HAVE SEEN MY BROTHER CAREY, OR MY BROTHER</p> <p>BASKIN WITHIN TWO HUNDRED MILES OF THIS QUIET TOWN. NO, IF JOHN D. LEE WAS ALONE ON THE TRIAL, THE GOVERNMENT WOULD HAVE BEEN</p>	<p>THEN XSAY IF I AM WRONG. IF THIS WAS SIMPLY A PROSECUTION OF JOHN D. LEE, THAT OLD MZAN WHO SITS BEFORE YOU WITH HIS HAIR FRISTED WITH SILVERED WITH THE FROSTS OF MANY WINTERS. —IF THERE WAS NO PQUESTION OF POLITICS OR RELIGION CONNECTED WITH IT, YOU WOULD NOT SEE THIS ARRAY OF LEGAL TALENT SO ANXIOUSLY STRIVING FOR A VERDICT. YOU WOULD NEVER HAVE SEEN MY BROTHER CAREY, OR MY BROTHER</p> <p>BASKIN WITHIN TWO HUNDRED MILES OF THIS TOWN. NO! IF JOHN D. LEE WAS ALONE ON THE TRISAL THE GOVERNMENT WOULD HAVE BEEN</p>

RS	PS	RT	BT
<p>IF ACQUITTED THEY WOULD SAY INSIST</p> <p>IT WAS ANOTHER</p> <p>OUTRAGE</p>	<p>AND IF HE WAS ACQUITTED THEY WOULD HAVE SAID</p> <p>IT WAS ANOTHER</p> <p>OUTRAGE</p>	<p>REPRESENTED HERE BY JUDGE WHEDON, THE ABLE ASSISTANT</p> <p>UNITED STATES ATTORNEY ALONE. HE DREW THE INDICTMENT, COMMENCED THE PROSECUTION AGIANST LEE, BUT THE GOVERNMENT HAS DRAGGED IN THE CHURCH. IF IT HAD SIMPLY BEEN JOHN D. LEE ON TRIAL THESE LEGAL LIGHTS WOULD HAVE REMAINED IN THEIR COMFORTABLE OFFICES IN THE CITY OF SALT LAKE, AND WHEN LEE WAS ACQUITTED, WOULD HAVE CONTENTED THEMSELVES WITH SAYING, “AS I EXPECTED”; ANOTHER EVIDENCE OF THE OUTRAGES</p>	<p>REPRESENTED HERE BY JUDGE WHEDON, THE ABLE ASSISTANT UNITED SASSISTANY</p> <p>UNITED STATE S ATTORNEY ALONE. HE DREW THE INDICTMENT, COMMENCED THE PROSECUTION AGIANST LEE: BUT THE GOVERNMENT HAS DRAGGED IN THE CHURCH. IF IT HAD SIMPLY BEEN JOHN D. LEE ON TRIAL, LEES LE THESE LEAGAL LIGHTS WOULD HAVE REMAINED IN THEIR COMFORTABLE OFFICES IN THE CITY OF SALT LAKE, AND WHEN LEE WAS ACQUITTED, WOULD HAVE CONTENTED THEMSELVES WITH SAYKING, “AS I EXPECTED.” ANOTHER EVIDENCE OF THE OUTRAGES</p>

RS	PS	RT	BT
<p>OF A MORMON JURY {≤?≥}ⁱ</p> <p>AND THERE IS A CHANCE HERE ≤THEY CAN≥ TAKE TO BLACKEN VILIFY THE CHARACTER OF BRIGHAM YOUNG GEORGE A SMITH OTHER PARTIES [space]</p> <p>AS HAS BEEN THE AIMS SINCE THIS CASE STARTED.</p> <p>BECAUSE THAT IS POPULAR THEME BECAUSE THERE ARE MORE NOT MORMONS THAN MORMONS IN UNITED STATES IT</p>	<p>OF A MORMON JURY</p> <p>AND HE HAS A CHANCE HERE TO BLACKEN VILIFY THE CHARACTER OF BRIGHAM YOUNG ≤GEORGE A> SMITH DEMONIZE[?]</p> <p>THERE ARE MORE NOT MORMONS THAN MORMONS IN THE UNITED STATES IT</p>	<p>AGAINST LAW AND ORDER COMMITTED BY THE MORMON CHURCH.” THIS IS CONSIDERED BY SOME OF THOSE REPRESENTING THE PROSECUTION AS A SAFE OCCASTION TO BLACKEN AND VILLIFY THE CHARACTER OF BRIGHAM YOUNG AND GEORGE A. SMITH, AND OTHERS WHO STAND HIGH IN THE CHURCH.^[32] SUCH HAS BEEN THEIR COURSE THROUGH THE TRIAL, AND SUCH I PRESUME WILL BE THEIR COURSE UNTIL THE CLOSE OF THE CASE.</p>	<p>AGAINST LAW AND ORDER COMMITTED B Y THE MORNMON CHURCH. “ THIS IS CONSIDERED BY SOME OF THOSE REPRESENTING THE PROSECUTION AS A SAFE OCCASION TO BLACKEN^[28] AND VILLIFY THE CHARACTER OF BRIGHAM YOUNG ZAND GEORGE A. SMITH AND OTHERS WHO STAND HIGH IN THE CHURCH. SUCH HAS BEEN THEIR COURSE THROUGH THE TRIAL; AND SUCH I PRESUME WILL BE THEIR COURSE UNTIL THE CLOSE OF THE CASE.</p>

RS	PS	RT	BT
BECOMES POPULAR MEASURE {??} ⁱ AND THEY LIE WAIT.	BECOMES POPULAR MEASURE AND THEY ARE ⁵¹⁷ HERE [space]		
I TELL YOU IF IT WAS SIMPLY JOHN D. LEE, THE DEFENSE SHOULD HAVE HAD NO TROUBLE	I TELL YOU IF IT WAS SIMPLY JOHN D. LEE THE DEFENSE I WOULD HAVE NO TROUBLE	THERE IS ALSO A CHANCE FOR THE COUNSEL TO GAIN NOTORIETY, BY PANDERING TO THE MASSES, THE MILLIONS OF THE PEOPLE OF THE UNION, WHO, AS IS CLAIMED BY MY BROTHER CAREY, DEMAND THIS DEFENDANTS BLOOD. IF IT WAS JOHN D. LEE AND NOT THE CHURCH ON TRIAL, WHY; THE UNFAIR ACTIONS THAT WE HAVE WITNESSED ? WHY SUBPOENA AS WITNESSES A LARGE NUMBER OF JURORS WHO WERE NOT CALLED OR USED AS WITNESSES, BUT ONLY, AS I	THERE IS ALSO A CHANCE FOR THE COUNSEL TO GAIN NOTORIETY BY PANDERING TO THE MASSES— THE MILLIONS OF THE PEOPLE OF THIS UNION, WHO, AS IS CLAIMED BY MY BROTHER CAREY, DEMAND THIS DEFENDANTS BLOOD. IF IT WAS JOHN D. LEE AND NOT THE CHURCH ON TRIAL WHY THE UNFAIR ACTIONS THAT WE HAVE WITNESSED? WHY SUBPOENA AS WITNESSES A LARGE NUMBER OF JURORS WHO WERE NOT CALLED OR USED AS WITNESSES, BUT ONLY AS I
WOULD NOT HAVE THIS MASS[?] OF WITNESSES THEY WOULD	WOULD NOT HAVE THIS MASS OF WITNESSES THEY WOULD		

517. Word possibly added later.

RS	PS	RT	BT
NOT HAVE SUBPOENAED WITNESSES OF THE JURY WHEN TAKEN UP TO BE ON PANEL SAY THEY WERE GOING TO USE THEM AS WITNESSES AND THEN NOT USE 'EM.	NOT HAVE SUBPOENAED WITNESSES OF THE JURY <i>AND/THEY[?]</i> WOULD NOT HAVE TAKEN PARTICULAR TROUBLE AS THEY HAVE HERE TO SAY THEY WERE GOING TO USE THEM AND NOT USE THEM ⁵¹⁸ [<i>space</i>]	CHARGE ,SUBPOENAED TO KEEP THEM FROM BEING CALLED AS JURORS; TO PREVENT FAIR MEN FROM BEING CALLED AND ACTING IN THE CASE,. BUT THEY FAILED IN THIS OBJECT, FOR IN SPITE OF THEIR TACTICS WE HAVE A FAIR JURY WITHOUT ANY THANKS TO THE PROSECUTION. WAS IT SIMPLY JOHN D. LEE ON TRIAL YOU WOULD NOT HAVE HEARD THE SNEERING REMARKS OF COUNSEL ADDRESSED TO MY ASSOCIATE JUDGE SUTHERLAND WHEN HE OBJECTED TO	CHARGE SUBPOENAED TO KEEK THEM FROM BEING CALLED AS JURORS TO PREVENT FAIR MEN FROM BEING CALLED AND ACTING IN THE CASE. BUT THEY FAILED IN THIS OBJECT, FOR IN SPITE OF THEIR TACTICS, WE HAVE A FAIR JURY, WITHOUT ANY THANKS TO THE PROSECUTION. WQAS IT SIMPLY JOHN D. LEE ON TRIAL, YOU WOULD NOT HAVE HEARD THE SNEERING REΛMARK OF COUNSEL ADDRESSED TO MY ASSOCIATE JUDGE SUTHERLAND WHEN HE OBJECTED TO
YOU WOULD NOT HAVE SEEN COUNSEL INSULTED BECAUSE THEY OBJECTED TO	WOULD NOT HAVE SEEN COUNSEL INSULTED BECAUSE THEY THOUGHT IT WAS		

518. Some prospective jurors were subpoenaed as witnesses by the prosecution in order to prevent them from being chosen as jurors. Trial matrix, pp. 194–197, 225–227, 233–234, 243–250.

RS	PS	RT	BT
<p>[space] PROPER QUESTION [space] PROSECUTING ATTORNEY. YOU {WOULD}ⁱ NOT HAVE HEARD HIM SAY TO MY ASSOCIATE</p> <p>IT IS REAL CRIMINAL GETTING TOUCHED NOW WHEN HE OBJECTS TO {A}ⁱ</p> <p>QUESTION THAT IS ASKED TOUCHING {THE}ⁱ CHARACTER ^{[[33]]} CHARACTER OF BRIGHAM YOUNG.</p> <p>NO GENTLEMEN THEY ARE AFTER HIGHER GAME.</p> <p>MY FRIEND CAREY SAYS HE WAS GOING TO TRY{?}ⁱ <u>EVERYBODY</u> <u>HIGH AND LOW,</u> <u>RICH AND POOR.</u> {?}ⁱ MAYBE HE WILL BUT I</p>	<p>IMPROPER QUESTION</p> <p>WOULD NOT HAVE HEARD THE ASSISTANT <i>PROSECUTOR</i>[?] UTTER THAT</p> <p>IT IS YOUR REAL CRIMINAL THAT IS BEING TOUCHED NOW WHEN HE ASKS</p> <p>QUESTION TOUCHING UPON</p> <p>BRIGHAM YOUNG YOU NOT HAVE SEEN ANYTHING OF THAT KIND NO GENTLEMEN THEY ARE AFTER HIGHER GAME AS</p> <p>MY FRIEND CAREY SAID HE WAS GOING TO TRY EVERYBODY HIGH AND LOW RICH AND POOR MAYBE HE WILL <i>BUT</i>[?] I</p>	<p>AN IMPROPER QUESTION, WHICH SNEERING REMARK, OF MR. BASKIN, WAS</p> <p>“IT IS THE REAL CRIMINAL THAT IS GETTING TOUCHED NOW” AND THIS BECAUSE HE OBJECTED TO OUTSIDE QUESTIONS CONCERNING</p> <p>BRIGHAM YOUNG. IT IS PLAIN THAT</p> <p>THE GOVERNMENT OFFICIALS ARE AFTER HIGHER GAME THAN THIS OLD MAN. YOU ARE TOLD BY BROTHER CAREY THAT HE WILL TRY ALL ACCUSED OF THE CRIME.</p> <p>I DENY THE</p>	<p>AN IMPROPER QUESTION, WHICH SNEERING REMARK OF MR. BASKIN WAS,</p> <p>“IT IS THE REAL CRIMINAL THAT IS GETTING TOUCHED NOW;” AND THIS BECAUSE HE OBJECTED TO OUTSIDE QUESTIONS CONSERNING</p> <p>BRIGHANM YOUNG. IT IS PLAIN THAT</p> <p>THE GOVERNMENT OFFICIALS ARE AFTER HIGHER GAIN THAN THSIS OLD MAN. YOU WERE TOLD BY BROTHER CAREY THAT HE WILL TRUY ALL ACCUSED OF THE CRIME.</p> <p>I DENY THE</p>

RS	PS	RT	BT
<p>THINK HE WILL BE SATISFIED WITH THIS TRIAL. IT WILL ENABLE THE REPORTERS TO WRITE UPON THIS TRIAL FOR NEXT 18 OR 20 MONTHS AND FURNISH COPY FOR {THE}ⁱ PAPERS EACH MORNING; AND AS THERE IS {A}ⁱ GREAT DEAL {OF}ⁱ HARD WORK {IN A}ⁱ CASE OF THIS KIND I THINK MY FRIEND CAREY WILL STAY IN SALT LAKE AND DRAW HIS SALARY {FROM UNCLE SAM}ⁱ WITH REGULARITY AND LET THIS CASE ALONE. I HAVE NO IDEA THERE WILL BE ANOTHER TRIAL. [space]</p>	<p>TELL YOU HE WILL BE SATISFIED WITH THIS TRIAL IT WILL ENABLE THE REPORTERS TO WRITE UPON THIS TRIAL FOR NEXT 18 OR 20 MONTHS AND FURNISH —[?] IN THE PAPERS NEXT MORNING AS GREAT DEAL OF HARD ^{[[22]]} WORK IN CASE OF THIS KIND I THINK MY FRIEND CAREY WILL STAY IN SALT LAKE AND DRAW HIS SALARY WITH REGULARITY AND LET THIS CASE ALONE [space]</p>	<p>STATEMENT.</p> <p><u>NO OTHER MAN</u></p> <p><u>WILL EVER BE</u> <u>TRIED IN UTAH</u> <u>TERRITORY FOR</u> <u>THIS CRIME,</u> <u>UNLESS IT BE</u> <u>MANY YEARS</u> <u>AFTER THIS.</u></p>	<p>STZATEMENT.</p> <p>NO OTHER MAN IN UTAH TERRITORY WILL EVER BE TRIED IN UTAH TERRITORY FOR THIS CRIME, UNLESS IT BE MANY YREARS AFTER THIS.</p>

RS	PS	RT	BT
<p>THAT IS THROWN IN TO MAKE YOU THINK THEY ARE GOING TO TEAR GROUND UP ALL AROUND. [space] I DO NOT THINK THEY WILL DO IT. [space] TO PROVE</p> <p>THIS COMBINATION AGAINST JOHN D. LEE THEY HAVE INTRODUCED</p> <p>FOLLOWING WITNESSES AND</p> <p>GENTLEMEN I PROPOSE TO CALL YOUR ATTENTION TO</p>	<p>THAT IS THROWN IN YOU KNOW TO MAKE YOU THINK <i>THEY</i>[?] ARE GOING TO TEAR THE GROUND UP ALL AROUND I DO NOT THINK THEY WILL DO IT. [space] NOW TO PROVE</p> <p>THIS COMBINATION AGAINST JOHN D. LEE</p> <p>THEY HAVE INTRODUCED THE FOLLOWING WITNESSES AND</p> <p>GENTLEMEN I PROPOSE TO CALL YOUR ATTENTION TO</p>	<p>BROTHER CAREY WILL CERTAINLY NEVER TRY ANOTHER MAN WHO HAS BEEN JOINED IN THIS INDICTMENT. HIS THREATS ARE AS IDLE AS THE WIND.</p> <p>TO PROVE THE CHARGES IN THE INDICTMENT, AND THE COMBINATION EN-^[33] B TERED INTO BY THE PARTIES ACCUSED THERE HAS BEEN A NUMBER OF WITNESSES EXAMINED BEFORE YOU. I SHALL NAME EACH WITNESS IN MY REMARKS. I PROPOSE TO CALL YOUR ATTENTION TO</p>	<p>BROTHER CAREY CERTAINLY WILL NEVER TRY ANOTHER MAN WHO HAS BEEN JOINED IN THIS INDICTMENT; HIS THREATS ARE AS IDLE AS THE WIND.</p> <p>TO PROVE THE WCHARGES IN THE INDICTMENT AND THE COMBINATION ENTERED INTO BY THE PARTIES ACCUSED, THERE HAS BEEN A NUMBER OF WITNESSES EXAMINED BEFORE YOU. I SHALL NA ME EACH WITNESS IN MY REMARKS. I PROPOSE TO CALL YOUR ATTENTION TO</p>

RS	PS	RT	BT
<p>WHAT I CONSIDER THE STRONG POINT</p> <p>IN FAVOR OF</p> <p>PROSECUTION. IF THERE IS ANYTHING HERE THAT TENDS AGAINST PRISONER I WISH TO NAME IT AND EXPLAIN IT IF I CAN TO YOUR SATISFACTION IN ORDER {THAT}ⁱ WE MAY DO THIS PROPERLY I PROPOSE NOW TO TAKE EVIDENCE AS IT COMES THEN</p> <p>FOLLOW EACH ON THROUGH</p> <p>AND SEE IF WE CAN FIND</p> <p>WHERE</p> <p>JOHN D. LEE IS CONNECTED</p>	<p>WHAT I CONSIDER THE STRONG POINTS</p> <p>IN FAVOR OF THE PROSECUTION IF THERE IS ANYTHING HERE THAT TENDS AGAINST THE PRISONER I WISH TO NAME IT AND EXPLAIN IT IF I CAN TO YOUR SATISFACTION IN ORDER THAT WE MAY DO THIS PROPERLY I PROPOSE NOW TO <i>TAKE</i>[?] THE EVIDENCE AS IT COMES THEN</p> <p>FOLLOW IT ON THROUGH</p> <p>AND SEE IF WE CAN FIND</p> <p>WHERE</p> <p>JOHN D. LEE IS CONNECTED</p>	<p>WHAT I CONSIDER THE STRONG POINTS IN THE EVIDENCE,WHIC H APPEARS TO FAVOR THE PROSECUTION. IF THERE IS EVIDENCE</p> <p>AGAINST THE DEFENDANT, I PROPOSE TO EXPLAIN IT, GIVE IT ITS TRUE MEANING, AND ASK YOU TO GIVE IT DUE CONSIDERATIO N. TO DO THIS I WILL REVIEW THE EVIDENCE IN THE ORDER THAT IT WAS GIVEN BEFORE YOU, FOLLOWING EACH WITNESS PATIENTLY AND FULLY, AND FIND, IF SUCH THERE BE, EVIDENCE TO SHOW WHEN, WHERE, HOW, IF AT ALL, JOHN D. LEE WAS CONNECTED</p>	<p>WHA T I CONSIDER THE XSTRONG POINTS ^[29] IN THE EVIDENCE WHICH APPEARS TO FAVOR THE PROSECUTION. IF THERE IS EVIDENCE</p> <p>AGAINST THE THE DEFENDANT I PROPOSE TO EXPLAIN IT, GIVE IT ITS TRUE MEANING AND ASK YOU TO GIVE IT DUE CONSIDERATIO N. TO DO THIS I WILL REVIEW THE EVIDENCE IN THE ORDER IN WHICH IT WAAS BROUGHT BEFORE YOU — FOLLOWING EACH WITNESS PATIENTLY AND FULLY, AND FINDM, IF SUCH THERE BE, EVIDENCE TO SHOW WHEN, WHERE, OR HOW IF AT ALL, JOHN D. LEE WAS CONNECTED</p>

RS	PS	RT	BT
<p>WITH THESE</p> <p>CO- CONSPIRATORS AS CLAIMED BY THE PROSECUTION. FIRST THEY BRING</p> <p>ROBERT KEYES. COMES UPON STAND AND A MAN WOULD THINK</p> <p>◀BY THE> VERY TONE OF VOICE IN WHICH HE GIVE TESTIMONY HE HAD LOST ALL THE NEAR AND DEAR FRIENDS HE EVER HAD ON EARTH AND THAT TOO SEVEN/8THS {7/8'S}¹ OF THEM</p>	<p>WITH THESE</p> <p>CO- CONSPIRATORS AS CLAIMED BY THE PROSECUTION [space] FIRST BRING</p> <p>ROBERT KEYES COMES UPON STAND AND A MAN WOULD THINK</p> <p>TO HEAR THE TONE OF THE VOICE IN WHICH HE GIVES TESTIMONY HE HAD LOST ALL THE NEAR AND DEAR FRIENDS HE EVER HAD ON EARTH AND THAT ABOUT 7/8 OF THEM</p>	<p>WITH THOSE CALLED JOHN D. LEE'S CO- CONSPIRATORS.</p> <p>THE FIRST WITNESS CALLED WAS ROBERT KEYES,. A PERSON WHO DID NOT KNOW HIM WOULD HAVE THOUGHT FROM HIS MANNER ON THE STAND, FROM THE SEPULCHRAL TONES OF VOICE,</p> <p>THAT HE HAD LOST ALL HIS EARLY FRIENDS, THE PLAYMATES OF HIS CHILDHOOD, HIS FRIENDS OF MORE MATURE YEARS; HIS BROTHERS,SIST ERS AND PARENTS, IN SHORT,EVERY ONE THAT HE EVER LOVED OR CONSIDERED A</p>	<p>WITH THOSE CALLED JOHN D. LEE'S CO- CONSPIRATORS.</p> <p>THE FIRST WITNESS WCALLE D WAS ROBERT KEYS. A PERSON WHO DID NOT KNOW HIM WOULD HAVE THOUGHT FROM HIS MANNER ON THE STAND — FROM THE SEPULCHERAL TONES OF HIS VOICE,</p> <p>THAT HE HAD LOST ALL OF HIS EARLY FRIENDS FRIENDS THE PLAYMEATES OF HIS VCHILDHOOD, AND HIS FRIENDS OF MORE MATURE YEARS; HIS BROTHERS, SISTERS, PARENTS — IN SHORT EVERYONE THAT HE EVER LOVED OR CONSIDERED A</p>

RS	PS	RT	BT
HAD BEEN MASSACRED UPON THAT OCCASION.	HAD BEEN MASSACRED UPON THAT OCCASION	FRIEND, THAT THEY EACH AND ALL HAD FALLEN VICTIMS UPON THE BLOODY FIELD OF MOUNTAIN MEADOWS.	FRIEND. THAT THEY EACH AND ALL HAD FALLEDN VICTIME UPON ON THE BLOODY FIELD OF MOUNTAIN MEADOWS.
WHETHER THAT WAS DONE FOR EFFECT OR NOT I CAN'T SAY.	WHETHER THAT WAS DONE FOR EFFECT OR NOT I CAN NOT SAY BUT	WHETHER HIS STAGE-STRUCK, DRAMATIC STYLE WAS	WHETHER HIS STAGE-STRUCH DRAMATIC STYLE WAS ADDDOL
I COULD NOT SEE THE NECESSITY OF THAT SEPULCHRAL TONE HE USED UNLESS IT WAS TO IMPRESS THE JURY WITH {THE} ⁱ HORRORS OF THE SITUATION.	I COULD NOT SEE THE NECESSITY OF THAT SEPULCHRAL TONE HE USED UNLESS IT WAS TO IMPRESS JURY WITH THE HORRORS OF THE SITUATION	ADOPTED FOR EFFECT OR NOT, I LEAVE YOU TO JUDGE. I THOUGHT HE ADOPTED THAT STYLE AND TONE TO FULLY IMPRESS YOU WITH THE HORRORS CONNECTED WITH THE MASSACRE.	ADOPTED FOR EFFECT OR NOT, I LEZAVE YOU TO JUDGE; BUT I THOUGHT HE ADOPTED THAT STYLE AND TONE TO FULLY IMPRESS YOU OF THE HORRORS CONNECTED WITH THE MASSACRE.
HIS TESTIMONY IS;	HIS TESTIMONY IS	ASIDE FROM HIS TRAGIC TONES AND FACIAL CONTORTIONS, THERE IS LITTLE IN HIS TESTIMONY. HE TELLS YOU	ASIDE FROM HIS TRAGIC TONES AND FACIAL CONTORTIONS, THERE IS LITTLE IN HIS TESTIMONY. HE TELLS YOU
WHEN	WHEN	THAT WHEN IN HIS WAY FROM CALIFORNIA, HE CAME TO THE MOUNTAIN	THAT WHEN ON HIS WAY FROM CALIFORNIA, HE CAME TO THE MOUNTAIN
HE CAME INTO	HE CAME INTO THE	MEADOWS, EARLY IN THE MONTH OF	MEQADOWS EARLY IN THE MONTH OF
MEADOWS IN {THE} ⁱ EARLY DAYS OF	MEADOWS IN THE EARLY DAYS OF		

RS	PS	RT	BT
<p>OCTOBER THAT HE</p> <p>SAW BODIES OF A NUMBER OF</p> <p>WOMEN CHILDREN LYING AT THE UPPER PART OF THE MEADOW PAGE 20⁵¹⁹ HE SAYS THEY HAD TO ALL APPEARANCE</p> <p>BEEN BURIED WITH LIGHT COVERING OF EARTH BUT THAT THAT EARTH HAD BEEN REMOVED BY COYOTES OR WOLVES AND THE BODIES WERE THEN LYING UN BURIED GENTLEMEN I ADMIT IT THAT SPECTACLE</p>	<p>OCTOBER THAT HE</p> <p>SAW THE BODIES OF NUMBER OF</p> <p>WOMEN AND CHILDREN LYING AT THE UPPER PART OF THE MEADOW HE SAYS THEY HAD TO ALL APPEARANCE</p> <p>BEEN BURIED WITH A LIGHT COVERING OF EARTH BUT THAT THAT EARTH HAD BEEN REMOVED BY THE COYOTES OR WOLVES AND THE BODIES WERE THEN LYING UNBURIED GENTLEMEN I ADMIT THAT THAT SPECTACLE</p>	<p>OCTOBER. THAT HE THEN AND THERE SAW THE BODIES OF A NUMBER OF</p> <p>WOMEN, LYING AT THE UPPER END OF THE MEADOWS; THAT THEY ^[34] HAD EVERY APPEARANCE OF HAFVING <ONCE> BEEN BURIED WITH A LIGHT COVERING OF EARTH. THAT THE EARTH HAD BEEN REMOVED BY THE CAYOTES, OR WOLVES, AND THE BONES WERE THEN LYING UNBURIED. GENTLEMEN OF THE JURY: I ADMIT THAT THE SPECTACLE OPENED TO HIS VIEW ON THAT FATAL, BLOODY, DISHONORED</p>	<p>OCTOVBER. THAT HE THEN AND THERE SAW THE BODIES OF A NUMBER OF MEN AND WONMEN</p> <p>LYING AT THE UPPER END OF THE MEADOWS; THAT THEY HAD EVERY APPEARANCE OF HAVING ONCE BEEN BURIED WITH A LIGHT COVERING OF EARTH. THAT THE EARTH HAD BEEN REMOVED BY THE CAYORTES OR WOLVES AND THE BONES WØERE THEN LYING UNBERRIED. GENTLEMEN OF THE JURY, I ADMIT THAT THE SPECTAVCLE OPEN TO HIS FVIEW ON THAT FATAL BLOODY AND DISHONORED</p>

519. What "PAGE 20" references is unknown.

RS	PS	RT	BT
<p>MUST HAVE BEEN HORRID.</p> <p>THERE IS NO MAN WHOSE BLOOD</p> <p>CURDLES MORE COMPLETELY THAN MINE AT THE RECITAL OF SUCH A DEED OF HORROR.</p>	<p>MUST HAVE BEEN HORRID</p> <p>THERE IS NO MAN WHOSE BLOOD</p> <p>—[?] CURDLES MORE COMPLETELY THAN MINE AT THE RECITAL OF SUCH A DEED OF HORROR</p>	<p>GROUND, MUST HAVE BEEN HORRID BEYOND THE POWERS OF MORTAL DESCRIPTION. DOUBTLESS THE BLOOD OF ROBERT KEYES CURDLED IN HIS VEINS AS HE LOOKED UPON THE SAD EVIDENCE OF THE CRIME AND CRUELTY OF HUMANITY. WHO, WITH A HEART NOT DEAD TO EVERY TRUE SENTIMENT, CALLOUSED TO EVERY CLAIM OF HUMANITY, COULD HAVE VIEWED THAT SIGHT UNMOVED ? I THINK THE BEHOLDER OF THAT SAD SPECTACLE MUST HAVE DROPPED UPON HIS KNEES AND THEN AND THERE REGISTERED A VOW IN HEAVEN THAT HE WOULD NEVER</p>	<p>GROUND MUST HAVE BEEN HORRID BEYOND THE WPOWERS OF MORTAL DDESCRIPTION. DOUBTLESS THE BLOOD BOLD OF ROBERT KEYS CURDLED IN HIS VEINS AS HE LOOKED UPON THE SAD EVIDENCE OF THE CRIME AND CRUELTY OF HUMANITY. WHO WITH A RHEART NOT DEAD TO ^[30] EVERY TRUE SENTIMENT, CALLOUS TO EVERY CLAIM OF HUMANITY COULD HAVE VIEWED THAT SIGHT UNMOVED? I THINK THE BEHOLDER OF THAT SAD SPECTACLE MUST HAVE DROPPED UPON HIS KNEES AND THEN AND THERE REGISTERED A VOW IN HEAVEN THAT HE WOULD NEVER</p>

RS	PS	RT	BT
<p>NO MAN WOULD BELIEVE THAT HUMANITY ^{[[34]]} CONTAINED ANY NUMBER</p> <p>THAT <i>WERE</i> PROMPTED TO SUCH DEEDS OF</p> <p>SLAUGHTER AND CARNAGE. YET THAT SUCH PEOPLE EXISTED WE</p>	<p>NO MAN WOULD BELIEVE THAT HUMANITY CONTAINED ANY NUMBER</p> <p>THAT WERE PROMPTED TO SUCH DEEDS OF</p> <p>SLAUGHTER AND CARNAGE YET THAT SUCH PEOPLE EXISTED WE</p>	<p>REST FROM HIS LABORS UNTIL THE PERPETRATORS OF THAT UNNATURAL FIENDISH BUTCHERY WERE BROUGHT TO PUNISHMENT. UNDER THE CIRCUMSTANCES I PARDON MUCH OF THAT IN THE ACTS OF ROBERT KEYES, WHICH WOULD UNDER CIRCUMSTANCES CALL FOR CRITICISM AND DISAPPROBATION. IT SEEMS AT THE FIRST BLUSH, THAT IT WOULD BE IMPOSSIBLE TO FIND MEN ON THIS BEAUTIFUL EARTH, WHO COULD BE INDUCED TO COMMIT SO FEARFUL A CRIME AS THAT OF THE MASSACRE AT THE MOUNTAIN MEADOWS. YET, WE DO KNOW THAT SUCH MEN EXIST, AND</p>	<p>REST FROM HIS LABORS UNTIL THE PERPHETRATORS OF THAT</p> <p>FIENDISH BUTCHERY WERE BROUGHT TO PUNISHMENT. UNDER THOSE CIRCUMSTANCES I PARDON MUCH OF THAT IN THE ACTS OF ROBERT KEYS, WHICH WOULD UNDER OTHER CIRCUMSTANCES CALL FOR CRITICISM AND DISAPPROBATION. IT SEEMS AT FIRST BLUSH THAT IT WOULD BE IMØSSIBLE TO TØ FIND MEN ON THIS BEAUTIFUL EARTH WHO COULD BE INDUCED TO COMMIT SO FEARFUL A CRIME AS THAT OF THE MASSACRE AT MOUNTAIN MEADOWS; YET WE DO KNOW THAT SUCH MEN EXIST AND</p>

RS	PS	RT	BT
KNOW WE KNOW THAT CRIME HAS BEEN RUNNING RIOT SINCE THE EARLIEST OF HUMAN HISTORY. WE KNOW THERE ARE TWO PRINCIPLES IN MAN THE ONE STRIVING TO SUSTAIN JUSTICE THE OTHER SUGGESTS TO THE MIND OF MAN THAT PLEASURES OF SIN. AND IT DEPEND UPON WHICH PRINCIPLE IN NATURE IT IS THAT GETS THE BETTER OF A	KNOW AND KNOW THAT CRIME HAS BEEN ⁵²⁰ RUNNING RIOT SINCE THE EARLIEST OF HUMAN HISTORY WE KNOW THAT THERE ARE TWO PRINCIPLES IN MAN THE ONE STRIVING TO SUSTAIN JUSTICE THE OTHER SUGGESTING TO THE MIND OF MAN THE PLEASURES OF SIN AND IT DEPEND UPON WHICH PRINCIPLE IN NATURE IT IS THAT GETS BETTER OF THE	THAT SUCH A CRIME WAS COMMITTED AT THAT PLACE. WE KNOW THERE ARE TWO ACTIVE PRINCIPLES IN THE HUMAN MIND AND NATURE; THE ONE STRIVING TO SUSTAIN RIGHT AND JUSTICE AND MAKE MAN TRUE, NOBLE, GENEROUS AND KIND, WHILE THE OTHER PRINCIPLE IS EQUALLY BUSY IN SUGGESTING TO THE MIND ALL THE PLEASURES OF SIN. THE CHARACTER OF THE MAN DEPENDS UPON WHICH OF THESE SILENT, EVER-PRESENT MONITORS,	THAT SUCH A CRIME WAS COMMITTED AT THAT PLACE. WE KNOW THERE ARE TWO ACTIVE PRINCIPLES IN THE HUMAN MIND AND NATURE; THE ONE SRT STRIVING TO SUSTAIN RIGHT AND JUSTICE AND MAKE MAN TRUE, NOBLE, GENEROUS AND KIND; WHILE THE OTHER PRINCIPLE IS EQUALLY BUSY IN SUGGESTING TO THE MIND, ALL THE PLEASURES OF SIN.. THE CHARACTER OF THE MAN DEPENDS UPON WHICH OF THESE SILENT; YET EVER PRESENT MONITORS;

520. Word apparently added later.

RS	PS	RT	BT
<p>MAN TO WHICH ONE HE YIELDS THE CONTROL, I SAY IT DEPENDS UPON WHICH ONE HE GIVES THE —/<i>WHOLE</i>[?] CONTROL {(SUCH IS THE MIND OF MAN}ⁱ SO IS MIND OF MAN) HE SHALL BE WE <i>FIND</i>[?] THE BASER PRINCIPLE THE IMPURE <i>SIMPLER/SMPLR</i>[?] CIRCUMSTANCES HAVE CONTROLLED MANY ON THIS OCCASION.</p>	<p>MAN TO WHICH ONE HE YIELDS CONTROL ^{[[23]]} IT DEPEND UPON WHICH ONE HE GIVES THE CONTROL TO SEE WHAT KIND OF MAN</p> <p>HE SHALL BE WE FIND THAT THE BASER PRINCIPLE AND</p> <p>—/<i>SINFUL</i>[?] <i>RSL/HEARTLESS</i>[?] HAVE CONTROLLED MANY ON THIS OCCASION</p>	<p>HE ^[35] YIELDS UP HIS NATURE AND HIS CONSCIENCE.</p> <p>WE KNOW, FURTHERMORE, THAT THOSE WHO COMMITTED THAT FEARFUL ACT HAD SURRENDERED THEMSELVES WILLING SLAVES TO THE BASER AND MORE CRUEL OF THE MONITORS WITHIN. HEARTLESS, CRUEL BEINGS, THEY WERE DEATH TO</p>	<p>HE YEIELDS UP HIS NATURE AND HIS CONSCIENCE TO.</p> <p>WE KNOW FURTHERMORE, THAT THOSE WHO COMMITTED THAT FEARFUL ACT SURRENDERED THEMSELVES WILLING SLAVES TO THE BASER AND MORE CRUEL TO THE MONITORS WITHIN. HARTL HEARTLESS CRUEL BEINGS, THEY WERE DEAF DEF TO</p>

RS	PS	RT	BT
<p>I BELIEVE THE MASSACRE WAS AS BLOODY AND AS HORRID AND AS CRUEL <u>AND</u> {?}ⁱ</p> <p><u>VINDICTIVE</u> <u>INHUMANE</u> AS ANY MAN CAN DESCRIBE IT.</p>	<p>I BELIEVE THE MASSACRE WAS AS BLOODY AND AS HORRID AND AS CRUEL AND AS HEARTLESS AND VINDICTIVE AND INHUMANE AS ANY MAN CAN DESCRIBE IT</p>	<p>THE CRIES OF ANGUISH AND THE WAIL OF DESPAIR SENT UP BY THE BEAUTIFUL WOMEN, DEATH TO THE PLEADINGS OF CHILDISH INNOCENCE, BLIND TO THE CLAIMS OF AGE, SEX OR CONDITION, OF THOSE SELECTED AS B VICTIMS OF THEIR BLIND AND VINDICTIVE FURY. I ADMIT THAT THIS MASSACRE, WAS</p> <p>AS HORRID IN SUBSTANCE, AND IN FACT, AS UNNATURAL AND CRUEL IN DETAIL, AS FEARFUL AND DEVELISH IN ITS CONSUMMATIO N, AS IT CAN BE PICTURED BY THE MOST FERTILE IMAGINATION.</p> <p>IT WAS AWFUL IN ALL OF ITS</p>	<p>THE CRIES OF ANGUISH AND THE WAILS OF DESPAIR, SENT UP BY THE BEAUTIFUL WOMEN; DEF DEAF TO THE PLEADINGS OF THE CHILDISH INNOCENCE; BLIND TO THE CLAIMS OF AGE, SEX OR CONDITION OF THOSE SELECTED AS VICTIMS OF THEIR BLIND AND VINDICTIVE FURY. I ADMIT THAT THIS MASSACRE WAS</p> <p>AS HORRID IN SUBSTANCE, AND IN FACT AS UNNATURAL AND CRUEL IN DETAIL, AS FEARFUL AND DEVELISH IN ITS CONSUMATION, AS IT CSAN BE PICTURED BY THE MOST FERTILE IMMAEGINATIO N. IT WAS A DISGRACE. IT WAS AWFUL IN ALL ITS</p>

RS**PS****RT****BT**

		CHARACTERISTICS, AND IS NOT CAPABLE OF BEING JUSTIFIED BY ANY ONE. IT WAS A DISGRACE TO THE NATION, A STAIN UPON THE REPUTATION OF THE PEOPLE OF UTAH, AND SHOULD SEND EACH OF THOSE WHO WERE THERE, AND ENGAGED AS WILLING PARTICIPANTS IN THE WORK OF CARNAGE, TO A FELONS DEATH UPON THE BLOCK OR SCAFFOLD. I AM NOT HERE AS AN APOLOGIST FOR MURDER, NOR TO JUSTIFY THOSE ENGAGED IN THAT INHUMAN AND MOST UNNATURAL CRIME, FOR WHICH WE, AS AMERICANS SHOULD WEEP. YET,	CHARACTERISTICS AND IS NOT VC CAPABLE OF BEING JUSTIFIED BY ANYONE. IT IS A STAIN UPON THE REPUTATION OF THE PEOPLE OF UTAH, AND SHOULD ^[31] SEND EACH OF THOSE WHO WERE THERE AND ENGAGED AS WILLING PARTICIPANTS IN THE WORK OF CARNAGE TO A FELLONS DEATH UPON THE BLOCK OR SCAFFOLD. I AM NOT HERE AS AN APPOLOGIST FOR MURDER NOR TO JUSTIFY THOSE EB ENGAGES IN THAT UNHUMAN AND MOST UNNATURAL CRIME FOR WHICH WE AS AMERICANS SHOULD WEEP. YET,
YET	YET		

RS	PS	RT	BT
<p>GENTLEMEN ON ACCOUNT OF VERY GREATNESS OF</p> <p>THE CRIME ON ACCOUNT OF</p> <p>NUMBERS THAT THERE DIED,</p> <p>ON ACCOUNT OF PREJUDICE THAT NOW IS IN EXISTENCE</p> <p>AGAINST THE PEOPLE OF UTAH TERRITORY</p> <p>ON ACCOUNT OF</p>	<p>GENTLEMEN ON ACCOUNT OF VERY GREATNESS OF</p> <p>THE CRIME ON ACCOUNT OF THE NUMBERS THAT THERE DIED</p> <p>ON ACCOUNT OF PREJUDICE THAT NOW IS IN EXISTENCE</p> <p>AGAINST THE PEOPLE OF UTAH TERRITORY</p> <p>ON ACCOUNT OF</p>	<p>GENTLEMEN OF THE JURY, ON ACCOUNT OF THE VERY GREATNESS, MAGNITUDE AND HORRID SURROUNDINGS OF THIS CRIME, ON ACCOUNT OF THE VAST NUMBER THAT WERE THERE FOULLY MURDERED, YES, WORSE, THAT WERE COWARDLY ASSASSINATED ON ACCOUNT OF THE PREJUDICE NOW EXISTING AGAINST THOSE WHO COMMITTED THE CRIME ON ACCOUNT OF THE GENERAL</p> <p>EXISTING AGAINST THE PEOPLE OF UTAH TERRITORY, OCCASIONED BY THAT FATAL ACTION OF SOME OF THE THEN DWELLERS IN UTAH, ON ACCOUNT OF</p>	<p>GENTLEMEN OF THE JURY, ON ACCOUNT OF THE VERY GREATNESS, MAGNITUDE AND HORRID SURROUNDINGS OF THIS CRIME — ON ACCOUNT OF THE VAST NUMBER THAT WERE THERE SO FOULLY MURDERED, YES, WORSE THAN THAT — COWARDLY ASSAINATED, ON ΘACCOUNT OF THE PREJUDICE NOW EXISTING AGAINST THOSE WHO COMMITTED THE CRIME, ON ACCOUNT OF THE GENERAL EXCITEMENT EXISTING AGAINST THE PEOPLE OF UTAH TERRITORY, OCCASIONED BY THAT FATAL ACTION OF SOME OF THE THEN DWELLERS ON F UTAH — ON ACCOUNT OF</p>

RS	PS	RT	BT
LAPSE OF TIME SINCE THE TRANSACTION	LAPSE OF TIME SINCE THE TRANSACTION	THE LONG YEARS THAT HAVE PASSED SINCE THE COMMISSION OF ^[36] THE MASSACRE. ON ACCOUNT OF THE APPARENT IMPOSSIBILITY OF LEARNING THE TRUE FACTS IN THE CASE FROM HUMAN WITNESSES, IT BECOMES YOUR DUTY, AS JURYMEN, AS WELL AS MY DUTY, AS COUNSEL AND ADVOCATE, TO CALMLY, CAREFULLY DISPASSIONATE LY AND JUSTLY — AND FULLY AND FAIRLY EXAMINE THIS CASE AND THE FACTS CONNECTED WITH IT. TO DO THIS WE MUST ACT WITH CAUTION, THERE MUST BE TO UNDUE SPEED, NO JUMPING AT CONCLUSIONS, NO FORMING OF HASTY	THE LONG YEARS THAT HACVE PASSED SINCE THE COMMISSION OF THE MASSACRE — ON ACCOUNT OF THE APPARENT IMPOSSIBILITY OF LEARNING THE TRUE FACTS IN THE CASE FROM HUMAN WITNESSES, IT BECOMES YOUR DUTY AS JURYMEN AS WELL AS MY DYTUY AS COUNSEL AND ADVOCATE TO CALMLY, CAREFULLY, DISPASSIONATE LY AND JUSTLY, FULLY AND FAIRLY EXAMINE THIS CASE AND THE FACTS CONNECTED WITH IT. TO DO THIS WE MUST ACT WITH CAUTION; THERE MUST BE NO UNDUE SPEED, NO JUMPING AT CONCLUSIONS, NO FORMING HOF HASTY
IT BECOMES YOUR DUTY AND	IT BECOMES YOUR DUTY AND		
MY DUTY	MY DUTY		
TO	TO		
CAREFULLY	CAREFULLY		
EXAMINE THESE ACTS AND	EXAMINE THESE ACTS AND		
LET US NOT ACT WITH UNDUE SPEED. TIMES LIKE THE PRESENT ARE SEIZED UPON BY	LET US NOT ACT WITH UNDUE SPEED TIMES LIKE THE PRESENT ARE SEIZED UPON BY		

RS	PS	RT	BT
THE OFFICERS OF PROSECUTION	THE OFFICERS OF THE PROSECUTION	OPINIONS. IT IS OFTEN THE CASE THAT THE PROSECUTION, UPON OCCASIONS OF THIS KIND, TAKE ADVANTAGE OF THE EXCITED CONDITION OF THE COMMUNITY AND THE NATU NATURAL PREJUDICE OF THE JURY AND ASK THEM TO AID THE GOVERNMENT BY GIVING A FALSE VERDICT TO SATISFY THE POPULAR CLAMOR TO STIFLE PUBLIC INDIGNATION BY THE COMMISSION OF JUDICIAL MURDER. WHEN YOU STOP TO CONSIDER IT, WHICH WOULD BE THE WORST; THE MOST REPULSIVE TO YOUR SENSE OF JUSTICE; THE DEATH SCENE AT THE MOUNTAIN MEADOWS,	OPINIONS . IT IS OFTEN THAT THE PROSECUTION UPON UPON OCCASIONS OF THIS KIND TAKE ADVANTAGE OF THE EXCITED CONDITION OF THE COMUNITY AND THE NATURAL PREJUDICES OF THE JURY, AND ASKS THE JURY TO AID THE GOVERNMENT BY GIVING A FALSE VERDICT TO SATISFY THE POPULAR CLAMOR — TO STIFLE PUBLIC INDIGNATION BY THE COMMISSION OF JUDICIAL MURDER. WHEN YOU STOP TO CONSIDER WHICH WOULD BE THE WORST — THE MOST REPULSIVE TO YOUR SENSE OF JUSTICE — THE DEATH SCENE AT THE MOUNTAIN MEADOWS,
TO ASK JURORS TO ENABLE THEM	TO SHOW JURORS TO ENABLE THEM		
TO COMMIT JUDICIAL MURDER. WHEN YOU STOP AND CONSIDER IT WHICH WOULD BE THE WORST	TO COMMIT JUDICIAL MURDER WHEN YOU STOP AND CONSIDER IT WHICH WOULD BE THE WORST		
THE DEATH SCENE AT MOUNTAIN MEADOWS	THE DEATH SCENE AT MOUNTAIN MEADOW		

RS	PS	RT	BT
<p>ACTUATED AND BROUGHT ABOUT BY THE WICKED DESIGNS OF CRUEL MEN WITH ALL ITS ATTENDANT HORRORS WITH ALL SOUL SICKENING SCENES</p> <p>SURROUNDING IT WHICH WOULD BE THE MOST TERRIBLE THAT OR THE GIBBET YOU SHOULD ERECT</p> <p>UPON INSUFFICIENT TESTIMONY.</p> <p>WHICH GENTLEMEN OF THE JURY WOULD YOU</p> <p>PREFER LAY YOUR LIFE DOWN BY THE SIDE OF THESE LOWLY</p>	<p>ACTUATED AND BROUGHT ABOUT BY THE WICKED DESIGNS OF CRUEL MEN WITH ALL ITS ATTENDANT HORRORS WITH ALL THE SOUL SICKENING SCENES</p> <p>SURROUNDING IT WHICH WOULD BE THE MOST TERRIBLE THAT OR THE GIBBET THAT YOU SHOULD ERECT</p> <p>ON INSUFFICIENT TESTIMONY [space] WHICH GENTLEMEN OF THE JURY WOULD YOU</p> <p>PREFER TO LAY YOUR LIFE DOWN BY THE SIDE OF THOSE LOWLY</p>	<p>ACTUATED AND BROUGHT ABOUT BY THE WICKED DESIGNS OF CRUEL MEN WITH ALL ITS ATTENDANT HORRORS, WITH ALL OF ITS SOUL- SICKENING DETAILS AND SAVAGE SURROUNDINGS,</p> <p>OR THE SIGHT OF THE GIBBET, WHICH YOU ARE ASKED TO ERECT ∴ ON WHICH TO EXECUTE THIS DEFENDANT ∴ UPON INSUFFICIENT EVIDENCE OF HIS GUILT ? WHICH</p> <p>WOULD YOU, AS JURYMEN, AS HONORABLE CITIZENS OF THIS MIGHTY REPUBLIC, PREFER, TO LAY YOUR BONES SIDE BY SIDE WITH THOSE WHO</p>	<p>ACTUATED AND BROUGHT ABOUT BY THE WICKED DESIGNS OF CRUEL MEN WITH Z AL L ITS ATTENDANT HORRORS, WITH ALL ØOF ITS SOUL- SICKENING DETAILS AND SAVAGE SURROUNDINGS</p> <p>OR THE SIGHT OGF THE GIBBET WHICH YOU ARE ASKED TO ERECT [ON WHICH TO EXECUTE THIS DEFENDANT] UPON INSUFFICIENT ^[32] EVIDENCE OF HIS GUILT? WHICH</p> <p>WOULD YOU, AS JURYMEN, AS HONORABLE CITIZENS OF THIS MIGHTY REPUBLIC PREFER, TO LAY YOUR BONES SIDE BY SIDE WITH THOSE WHO</p>

RS	PS	RT	BT
GRAVES AND THERE REST THROUGHOUT TIME OR	GRAVES AND THERE REST THROUGHOUT TIME OR	REST IN THE SILENT GRAVES, IN THE VAST SOLITUDE THAT HANGS LIKE A PALL OF GLOOM AROUND THE MOUNTAIN MEADOWS, THERE TO AWAKE THE SUMMONS TO COME FORTH IN THE MORN OF THE RESURRECTION,	REST IN THEIR SILENT SILENT GRAVES IN THE VAST SOLITUDE THAT HANGS LIKE THE A PALL OF GLUME OVER THE MOUNTAIN MEADOWS — THERE TO AWAIT THE SUMMONS TO SCOME FORTH ON THE MORNING OF THE RESURECTION;
HAVE YOUR NAME GO DOWN TO POSTERITY AS ONE MAN THAT UNDER FIT OF EXCITEMENT	HAVE YOUR NAME GO DOWN TO POSTERITY AS ONE MAN THAT IN A FIT OF EXCITEMENT	OR TO HAVE YOUR NAMES GO DOWN TO POSTERITY, AS MEN WHO, IN A CASE LIKE THIS, LACKED THE MORAL COURAGE TO DO YOUR DUTY, AND FOR FEAR OF POPULAR CRITICISMS, ^[37] FOR FEAR OF THE PREJUDICED PRESS HAD UNDER THE INFLUENCE OF FEAR IN	OFR TO HAVE YOUR NAMES GO DOWN TO POSTERITY AS MEN WHO, IN A CASE LIKE THIS, LACK THE MORAL COURAGE TO DO YOUR DUTY, AND FOR FEAR OF POPULAR CRITICISM — FOR FEAR OF THE LASH OF A PREJUDICED PRESS — HAD, UNDER THE INFLUENCE OF FEAR IN
IN ANSWER TO POPULAR CLAMOR TO	IN ANSWER TO POPULAR CLAMOR TO	ANSWER TO POPULAR CLAMOR, TO STIFLE AND	ANSWER TO POPULAR CLAMOR TO STIFLE AND
SATISFY THE MORBID	SATISFY THE MORBID	SATISFY THE MORBID	SATISFY THE MORBID

RS	PS	RT	BT
<p>THEN GENTLEMEN ROBERT KEYES GIVES NO TESTIMONY TENDING TO SHOW YOU CAUSED THE DEATH OF THESE PARTIES</p> <p>NEITHER CAN YOU FIND</p> <p>EXCEPT BY IMPLICATION</p> <p>BODIES HE SAW THERE ARE THE SAME ONES LEFT THERE {BY THE}ⁱ PARTIES WHO COMMITTED MASSACRE</p> <p>I BELIEVE THEY ARE THE SAME.</p>	<p>THEN GENTLEMEN ROBERT KEYES GIVES NO TESTIMONY TENDING TO SHOW WHO CAUSED THE DEATH OF THESE PARTIES</p> <p>NEITHER CAN YOU FIND</p> <p>EXCEPT BY IMPLICATION</p> <p>BODIES HE SAW THERE ARE THE SAME ONES LEFT THERE BY THE PARTIES THAT COMMITTED THE MASSACRE</p> <p>I BELIEVE THEY ARE</p>	<p>SUPPORT OF POPULAR GOVERNMENT. ROBERT KEYES HAS GIVEN NO EVIDENCE TENDING TO EXPLAIN THE DEATH OF THOSE WHOSE REMAINS HE HAS DESCRIBED; NEITHER CAN YOU FIND FROM HIS STATEMENTS, OR FROM HIS ACTIONS, OR FROM ANY EVIDENCE BEFORE YOU, EXCEPT FROM IMPLICATION, THAT THE BODIES THERE FOUND UNBURIED, WERE THE REMAINS OF THE UNFORTUNATE PEOPLE DESCRIBED IN THE INDICTMENT. I BELIEVE THEY ARE IDENTICAL. I BELIEVE THAT THE BODIES FOUND THERE BY KEYES WERE THE REMAINS OF THE</p>	<p>SUPPORT OF POPULAR GOVERNMENT. ROBERT KEYS HAS GIVEN NO EVIDENCE TENDING TO EXPLAIN THE DEATH OF THOSE WHOSE REMAINS HE HAS DESCRIBED. NEITHER CAN YOU FIND FROM HIS STATEMENTS OR FROM HIS ACTIONS, OR UPON EANY EVIDENCE BEFORE YOU, EXCELPT FROM IMPLICATION, THAT THE BODIES THERE FOUND UNBURRIED WERE THE REMAINS OF THE UNFORTUNATE PEOPLE DESCRIBED IN THE INDICTMENT. I BELIEVE THEY ARE IDENTICAL; I BELIEVE THAT THE BODIES FOUND THERE BY KEYS WERE THE REMAINS OF THE</p>

RS	PS	RT	BT
<p>BUT THERE IS NO TESTIMONY TO SHOW IT NO WITNESS HAS TESTIFIED THEY ARE SAME BODIES [[35]] NO WITNESS HAS TESTIFIED THEY WERE FOUND {WITHIN}ⁱ HALF A MILE OF THE SCENE OF CONFLICT. OLD MAN BENNETT COMES NEXT. [space] IT IS A NATURAL <u>CONSEQUENCE</u> <u>THAT HUMAN</u> <u>BONES</u> WOULD REMAIN UPON THE FIELD AFTER SUCH A SLAUGHTER [space] HE COMES ALONG AFTER</p> <p>K SMITH [space]</p> <p>HE TELLS YOU WHAT HE SAW [space] I ADMIT THAT THE SCENE</p>	<p>BUT THERE IS NO TESTIMONY TO SHOW IT NO WITNESS HAS TESTIFIED THAT THEY ARE SAME BODIES NO WITNESS HAS TESTIFIED THEY WERE FOUND WITHIN HALF A MILE OF THE SCENE OF CONFLICT [space] OLD MAN BENNETT COMES NEXT IT IS A NATURAL CONSEQUENCE THAT HUMAN BONES WOULD REMAIN UPON THE FIELD AFTER SUCH A SLAUGHTER HE COMES <i>ALONG AFTER</i> <i>THE</i>[?] KLINGEN SMITH <i>TK/ATTACK/TALK</i> [?] HE TOLD YOU WHAT HE SAW THERE I ADMIT THAT THE SCENE</p>	<p>EMIGRANTS WHO WERE SO CRUELLY SLAIN NEAR THAT PLACE; YET THERE IS NO EVIDENCE TO ESTABLISH THE FACT. NO WITNESS HAS GTESTIFIED THAT THE BODIES AND REMAINS</p> <p>WERE FOUND WITHIN ONE HALF MILE OF THE SCENE OF THE SLAUGHTER. OLD MAN BENNETT COMES NEXT.</p> <p>HE TELLS YOU OF THE NUMEROUS BONES FOUND ON THE MEADOWS. I BELIEVE HIS STATEMENT.</p> <p>WE ADMIT THAT THE SCENE THEN PRESENTED TO</p>	<p>EMIGRANTSW WHO WERE SO CRUELLY SLAIN NEAR THAT PLACE; YET THERE IS NO EVIDENCE TO ESTABLISH THE FACT. NO WITNESS HAS TESTIFIED THAT THE BODISES ZAND IREMAINS</p> <p>WERE FOUND WITHIN ONE HALF MILE OF THE SCENT OF THE SLAUGHTER. OLD MAN BENNET COMES NEXT.</p> <p>HE TELLS YOU OF THE NUMEROUSS BONES FOUND ON THE MEADOWS . I BELIEVE HIS STATEMENT.</p> <p>[33] WE ADMIT THAT THE SCENE THEN PRESENTED TO</p>

RS	PS	RT	BT
<p>WAS ENOUGH TO SICKEN A</p> <p>STRONGER AND YOUNGER MAN THAN HE</p> <p>I ADMIT THAT THE SCENE PRESENTED THERE WAS ENOUGH TO MAKE HIM BELIEVE THAT HE HAD REMAINED HOURS VIEWING THAT SAD SPECTACLE WHEN ONLY {A}ⁱ FEW MOMENTS HAD PASSED.</p>	<p>WAS ENOUGH TO SICKEN A</p> <p>STRONGER AND YOUNGER MAN THAN HE WAS [space]</p> <p>I ADMIT THAT THE SCENE PRESENTED THERE WAS ENOUGH TO MAKE HIM BELIEVE THAT HE HAD REMAINED HOURS VIEWING THAT SAD SPECTACLE WHEN ONLY A FEW MINUTES HAD ^{[[24]]} PASSED AWAY</p>	<p>THE VISION OF THE AGED WITNESS WAS ONE AWFUL TO CONTEMPLATE. IT WAS SUFFICIENT TO HAVE SICKENED ONE WHO WAS</p> <p>YOUNG AND VIGOROUS, AND ITS EFFECT UPON ONE WHO WAS OLD, WEAK AND NERVOUS MUST HAVE BEEN FEARFUL IN ITS ^[38] EFFECTS UPON THE MIND OF THE OLD MAN.</p> <p>MR. BENNETT HAS DESCRIBED WHAT HE SAW AND DONE IT IN</p>	<p>THE VISSION OF THE AGED WITNESS, WAS ONE AWFUL TO CONTEMPLATE. IT WAS SUFFICIENT TO HAVE SI CKENED EVEN ONE WHO WAS YOUNG AND EVEN YOUNG AND VIGOROUS, AND ITS EFFEVCT UPON ONE WHO WS OLD, WEAK AND VNERVOUS MUST HAVE BEEN FEARFEUL</p> <p>UPON THE MIND OGF THIS OLD MAN.</p> <p>MR, BENNET HAS DESCRIBED WHAT HE SAW AND DONE IT IN</p>

RS	PS	RT	BT
<p>YET ALL THAT HAS NO RELATION TO</p> <p>THIS DEFENDANT NONE WHATEVER MOST OF ANYTHING IN THE CASE.</p>	<p>YET ALL THAT HAS NO RELATION TO</p> <p>THIS DEFENDANT NONE WHATEVER THE MOST OF ANYTHING IN THE CASE</p>	<p>A FAIR WAY, YET HE HAS GIVEN YOU NO STATEMENT BY WHICH YOU CAN IN ANYWAY CONNECT THE DEFENDANT WITH THE CRIME.</p> <p>THE HORRORS THERE PRESENTED TO THE SIGHT OF THE WITNESS FORM NO PART OF THE SUBJECT BEFORE YOU FOR INVESTIGATION. THEY FORM NO PART OF THE CASE, NOR DO THEY IN ANYWISE CRIMINATE THE DEFENDANT; THEY ONLY SERVE TO SHOW THAT SOMEONE DID A DEED FOR WHICH ANGELS MIGHT WEEP.</p> <p>NOW TURN WITH ME TO KLINGENSMITH, THE LAST FOND HOPE OF</p>	<p>A FAIR WAY, YET HE HAS GIVEN YOU NO STATEMENT WBY WHICH YOU CAN K IN ANY WAY CONNECT THE DEFENDANT WITH THE CRIME.</p> <p>THE HORRORS THERE PRESENTED TO THE SIGHT OF THE WITNESS, FORMED NO PART OF THE SUBJECT BEFORE YOU FOR INVESTIGATION AND FROMED NO PART OF THE CASE; NOR DO THEY IN ANY WISE CRIMINATE THE FDEFENDANT. THEY ONLY SERVE TO SHOW THAT SOME ONE DID A DEEND FOR WHICH ANGELS MIGHT WELL WEEP.</p> <p>NOW, TURN WITH ME TO KLINGENSMITH, THE LAST FOND HOPE OF</p>

RS	PS	RT	BT
<p>AN EXPIRING PROSECUTION. HE IS THE PARTY THAT COMES UP AND FOR A PRICE <i>STAKES</i>[?] TO RENDER HIMSELF NOTORIOUS. HE DOES NOT INTEND COME HERE TELL A STORY</p> <p>THAT WILL BE WITHOUT ITS RESULTS HE INTENDS COME HERE SINGLE OUT SOME VICTIM AND</p> <p>TELL ENOUGH TO HANG THAT MAN. WHY DOES HE DO IT. IT IS A QUESTION THAT EVERYBODY SHOULD ASK WHY DOES HE COME.</p>	<p>AN EXPIRING PROSECUTION [<i>space</i>] HE IS THE PARTY THAT COMES UP AND FOR A PRICE SEEKS TO RENDER HIMSELF NOTORIOUS HE DOES NOT INTEND TO COME HERE AND TELL A STORY</p> <p>THAT WILL BE WITHOUT ITS RESULTS HE INTENDS TO COME HERE AND SINGLE OUT SOME VICTIM AND</p> <p>TELL ENOUGH TO HANG THAT MAN WHY DOES HE DO IT IT IS A QUESTION THAT EVERY BODY WILL ASK WHY DOES HE COME</p>	<p>AN EXPIRING PROSECUTION, HE</p> <p>COMES HERE FOR PRICE. HE COMES FOR NO IDLE PURPOSE. HE DOES NOT</p> <p>COME TO TELL A STORY INTENDING THAT IT SHALL BE BARREN OF RESULTS. HE COMES AS ONE WHO HAS SINGLED OUT HIS VICTIM, INTENDING TO TELL SUFFICIENT TO SECURE THE CONVICTION OF HIS SELECTION.</p> <p>WHY IS HE HERE ? WHY TESTIFY TO HIS OWN CRIMES ? WHY THE RECITAL OF HIS OWN INEXCUSABLE BRUTALITY ? YOU MAY WELL ASK THESE</p>	<p>AN EXPIRING PROSECUTION. HE</p> <p>COMES HERE FOR A PRISCE. HE COMES HERE FOR NO IDELE PURPOSE. HE DOES NOT</p> <p>COME TO TELL A ‡STORY INTENDING THAT IT SHALL BE BARREN OF RESULTÐS. HE COMES AS ONE WHO HA S SINGLED OUT HIS VICTIM INTENDING TO TELL SUFFICIENT TO SECURE THE CONVICTION OF HIS SELECTION.</p> <p>WHY IS HE HERE? WHY TESTIFY TO HIS OWN CRIMES? WHY THE RECITAL OF HINS OWN INEXCUSABLE BRUTALITY? YOU MAY WELL ASK THEESE</p>

RS	PS	RT	BT
<p>WHY GENTLEMEN HE COMES TO SAVE HIS OWN WORTHLESS LIFE</p> <p>HE COMES HERE AFTER HAVING SOLD HIS LOST SOUL</p> <p>UPON THE FIELD OF CARNAGE</p>	<p>WHY GENTLEMEN HE COMES TO SAVE HIS OWN WORTHLESS LIFE</p> <p>HE COMES HERE AFTER HAVING SOLD HIS SOUL</p> <p>UPON THE FIELD OF CARNAGE</p>	<p>QUESTIONS. I WILL ANSWER THEM. THE ANSWER IS SIMPLE. HE COMES HERE TO SAVE HIS OWN</p> <p>LIFE. HE COMES, TRAITOR AS HE IS TO DO HE CARES NOT WHAT, SO THAT IT SERVES TO SECURE HIM FROM DESERVED PUNISHMENT. HE COMES HERE AFTER HAVING; SOLD HIS SOUL TO THE EVIL ONE, WITH HANDS DRIPPING WITH THE GORE OF INNOCENT VICTIMS, WITH THE GHOSTS OF THOSE SLAUGHTERED AT THE MOUNTAIN MEADOWS FLITTING BEFORE HIS DISORDERED VISION, CLAIMING JUSTICE AT HIS HANDS.</p>	<p>QUESTIONS. I WILL ANSWER THEM. THE ANSWER IS SIMPLE. HE COMES HERE TO SAVE HIS OWN</p> <p>LIFE. HE COMES, TRAITOR AS HE IS, TO DO — HE CARES NOT WHAT, SO THAT IT SERVES TO SECURE HIM FROM DESERVED PUNISHMENT. HE COMES HERE AFTER HAVING SOLD HIS SOUL TO THE EVIL ONE WITH HIS HANDS DRIPPING WITH THE GORE OF INNOCENT VICTIMS; WITH THE GHOSTS OF THOSE SLAUGHTERED AT MOUNTAIN MEADOWS, FLITTING BEFORE HIS DISORDERED VISION, CLAIMING JUSTICE AT HIS HANDS,</p>

RS	PS	RT	BT
<p>AND SURRENDERING HIMSELF BOUND HAND AND FOOT STRAIGHTWAY TO EVIL ONE HE IS NOW DRIVEN BY THE TORMENTS OF HIS AGONIZED SOUL TO FLEE TO THE <i>FSTNS</i>[?] MINING REGIONS WAY DOWN SAN BERNARDINO CALIFORNIA AND THERE HE IS FOUND BY THE UNITED STATES MARSHAL M BROUGHT OVER HERE TESTIFY</p>	<p>AND SURRENDERING HIMSELF BOUND HAND AND FOOT STRAIGHTWAY TO EVIL ONE IS NOW DRIVEN BY THE TORMENTS OF HIS AGONIZED SOUL TO FLEE TO THE <i>FSTNS</i>[?] TO MINING REGIONS WAY DOWN SAN BERNARDINO CALIFORNIA THERE HE IS FOUND BY UNITED STATES MARSHAL BROUGHT OVER HERE TO TESTIFY</p>	<p>HE COMES, AFTER YEARS OF SILENCE, AFTER HE HAS LONG SUFFERED THE TORTURES</p> <p>THAT CONSCIENCE FEELS FOR EVIL DEEDS, BUT HE COMES NOT AS ONE WHO HAS REPENTED OF THE EVIL DONE,SEEKING TO MAKE ATONEMENT TO AN OUTRAGED</p>	<p>HE COMES AFTER YEARS OF SEILENCE, AFTER HE HAS Ø LONG SUFFERED THE TORTURES TORCHERS THAT CONSCIENCE FEELS FOR EVIL DEEDS; WBUT HE COMES NOT AS ONE WHO HAS REPENTED OF THE EVIL DONE, SEEKING TO MAKE ATONEMENT T O AN OUTRAGED</p>

RS	PS	RT	BT
<p>AND COMES</p> <p>UPON AGREEMENT</p> <p>INDICTMENT AGAINST HIM SHALL BE NOTHING. THEY SAY TO HIM K SMITH AS FAR AS GOVERNMENT OF MAN IS CONCERNED YOUR DEEDS <i>WHETHER</i>[?] TREACHERY AND OF VIOLENCE</p> <p>SHALL BE BROUGHT AGAINST YOU NO MORE</p>	<p>AND COMES HERE TO TESTIFY UPON THE AGREEMENT THAT THE INDICTMENT AGAINST HIM SHALL BE NOLLIED THEY SAY TO HIM KLINGEN SO FAR AS MAN AND GOVERNMENT OF MAN</p> <p>YOUR DEEDS AND TREACHERY AND OF⁵²¹ VIOLENCE</p> <p>SHALL BE BROUGHT AGAINST YOU NO MORE</p>	<p>COUNTRY, AND AN OFFENDED, VIOLATED LAW. NO, HE COMES HERE LIKE A TRAITOR, VILLAIN AND COWARDLY MONSTER, TO OBTAIN PARDON FOR PAST CRIMES^[39] BY ADDING PERJURY TO HIS OTHER SINFUL ACTS. HE COMES ONLY</p> <p>AFTER THOSE IN AUTHORITY HAVE INFORMED HIM THAT AS FAR AS THE GOVERNMENT IS CONCERNED, YOUR DEEDS, YOUR TREACHERY, YOUR ACTS OF VIOLENCE, YOUR CRIMES TOWARDS MANKIND, SHALL NO MORE BE BROUGHT UP AGAINST YOU,</p>	<p>COUNTRY AND AN OFFENDED, VIOLATED LAW, NO! HE COMES HERE LIKE A TRAITOR, VILLAIN AND COWARDLY MONSTER TO OBTAIN PARDEN FOR PAST CRIMES, ^[34] BY ADDING PERJURY TO HIS OTHER SINFUL ACTS. HE COMES ONLY</p> <p>AFTER THOSE IN AUTHORITY HAVING INFORMED HIM THAT, “ AS FAR AS THE GOVERNMENT IS CONCERNED, YOUR DEEDS, YOUR TREACHERY, YOUR ACRTS OF VIOLENCE, YOUR CRIMES TOWARDS MANKIND, SHALL NO MORE BE BROUGHT UP AGAINST YOU!.</p>

521. Word apparently added later.

RS	PS	RT	BT
FOREVER. YOU CAN COME INTO THE COURT AND TESTIFY	FOREVER YOU CAN COME INTO COURT AND TESTIFY	YOU MAY COME INTO COURT AND TESTIFY IN SAFETY;	YOU MAY COME INTO COURT AND TESTIFY IN SAFETY —
OF YOUR OWN VILLAINY AND THE MORE VILE YOU MAKE	OF YOUR OWN VILLAINY AND THE MORE VILE YOU MAKE	SPEAK OF YOUR OWN VILLAINY, AND THE MORE VILE YOU MAKE YOURSELF THE MORE DESPICABLE YOU PROVE YOUR CHARACTER,	SPEAK OF YOUR OWN VILLIANY EVILLIANY , AND THE MORE VILE YOU MAAKE YOURSELF, THE MORE DESPICABLE YOU PROVE YOUR YOUR CHARACTER
YOUR OWN CHARACTER THE GREATER WEIGHT YOUR TESTIMONY WILL HAVE IN AIDING US	YOUR OWN CHARACTER THE GREATER WEIGHT YOUR TESTIMONY WILL HAVE IN AIDING US TO [space]	THE GREATER WEIGHT WILL BE GIVEN TO YOUR STST STATEMENTS; THE MORE CERTAIN YOU WILL BE TO CONVICT THE MAN THAT YOU HAVE SELECTED AS A SACRIFICE.	THE GREATER WEIGHT WILL BE GIVEN TO YOUR STATEKMENTS, THE MORE CERTAIN YOU WILL BE TO CONVICT THE MAN THAT YOU HAVE SELECTED AS A SACTIFICE.
TO CONVICT MAN		THE ONE DESIGNED AS YOUR LAST VICTIM, ON WHOM YOU MAY SAFELY WREAK YOUR VENGEANCE,	THE ONE DESIGNED AS YOUR LAST VICTIM ON WHONM YOU MAY SAFELY WREAK YOUR VENGEANCE.”
WE HAVE TAKEN		THUS TOLD, HE COMES ON THE STAND, WITH ALL THE DELIBERATION AND COOLNESS WITH WHICH	THUS TOLD HE COMES ON THE STAND WITH AL L THE DELIBERATION AND CLOOLNESS WITH WHICH
TO WRECK OUR VENGEANCE UPON. HE COMES ONTO THE STAND WITH AS MUCH ASSURANCE	WRECK OUR VENGEANCE UPON [space] COMES HERE UPON STAND WITH AS MUCH ASSURANCE		
AS A	AS A		

RS**PS****RT****BT**

<p>GLADIATOR IN OLDEN TIME ENTERED THE ARENA. TAKES HIS SEAT UPON THAT STAND AND</p> <p>STARTS OUT BY GIVING A PORTION OF HIS EARLY HISTORY SAYS HE WAS</p> <p>EARLY SETTLER IN AT NAUVOO I BELIEVE I WILL REFER TO THAT PLACE THAT AS EARLY AS 1846 BEFORE THAT TIME</p> <p><i>[[36]]</i> HE WAS AN ELDER OF MORMON CHURCH AT NAUVOO. CAME TO UTAH WITH MORMONS AS A MORMON WHILE I SUPPOSE THE MAN WAS IN GOOD STANDING</p> <p>AT THAT TIME HE WAS</p>	<p>GLADIATOR IN OLDEN TIME INTO THE ARENA TAKES HIS SEAT UPON THAT STAND AND</p> <p>STARTS OUT BY GIVING A PORTION OF HIS EARLY HISTORY SAYS HE WAS</p> <p>EARLY SETTLER AT NAUVOO I BELIEVE I WILL REFER TO THAT PLACE THAT AS EARLY AS 1846 AND BEFORE THAT TIME I THINK AS EARLY AS 1838 THAT HE WAS AN ELDER OF MORMON CHURCH AT NAUVOO CAME TO UTAH WITH THE MORMONS AS A MORMON THEN I SUPPOSE A MAN IN GOOD STANDING <i>[space]</i></p> <p>HE AT THAT TIME WAS</p>	<p>THE GLADIATOR IN OLDEN TIMES ENTERED THE ARENA. TAKING HIS SEAT UPON THE WITNESS STAND HE</p> <p>STARTED OUT BY RECITING A HISTORY OF HIS EARLY LIFE. SAYS HE WAS ONE OF THE</p> <p>EARLY SETTLERS AT NAUVOO.</p> <p>WAS AN ELDER AND TEACHER IN THE CHURCH AT THAT PLACE. CAME TO UTAH A MORMON WITH THE MORMONS. THEN I SUPPOSE HE WAS IN GOOD STANDING WITH THEM + AND IN THE CHURCH, AND GENERALLY</p>	<p>THE GLADIATOR IN OLDEN OLDEN TIMES ENTERED THE ARENA. TAKING HIS SEAT UPON THE WITNESS STAND, HE STATRED STARTED OUT BY RECITING A HISTORY OF HIS EARLY LIFE. SAYS HE WAS ONE ONE OF THE EAAQRLY EARLY SETTLERS AT NAUVOO,</p> <p>WAS AN EL DER AND TEACHER IN THE CHURCH AT THAT PLACE; CAME TO UTAH A MORMON WITH THE MORMONS. THEN I SUPPOSE HE W AS IN GOOD STANDING WITH THEM AND IN THE CHURCH AND GENERALLY</p>
---	---	--	---

RS	PS	RT	BT
<p>CONSIDERED WORTHY OF BELIEF. IT IS NO WONDER THAT THE⁵²² LEADERS OF THAT PEOPLE CONSIDERED HIM WORTHY OF CONFIDENCE AND RESPECT WHEN THERE WERE SO MANY COMING INTO THEIR FOLD IT WOULD BE UNREASONABLE TO SUPPOSE THAT ANY MAN COULD SELECT AS LARGE A NUMBER OF FOLLOWERS AS FOLLOWED THAT PEOPLE FROM THE EASTERN STATES TO THE VALLEY OF THE MISSISSIPPI ACROSS THE MOUNTAINS IN INTO SALT LAKE VALLEY WITHOUT SELECTING MEN AND WOMEN</p>	<p>CONSIDERED A MAN WORTHY OF BELIEF IT IS NO WONDER THAT THE LEADERS OF THAT PEOPLE CONSIDERED HIM WORTHY OF CONFIDENCE AND OF RESPECT WHEN THERE WERE SO MANY THAT WERE COMING INTO THEIR FOLD IT WOULD BE UNREASONABLE TO SUPPOSE THAT ANY MAN COULD SELECT SO LARGE A NUMBER [<i>space</i>] OF FOLLOWERS AS FOLLOWED THAT PEOPLE FROM THE <i>UNITED</i>[?] STATES</p> <p>ACROSS</p> <p>TO THE SALT LAKE CITY VALLEY [<i>25</i>] WITHOUT SELECTING SOME MAN</p>	<p>CONSIDERED WORTHY OF BELIEF. I AM NOT SURPRISED AT THAT DATE, FOR ±</p> <p>AT THAT DATE LARGE NUMBERS WERE JOINING THAT PEOPLE</p>	<p>FONSIDERED WORTHY OF BELIEF. I AM NOT SURPRISED AT THAT FOR</p> <p>AT THZAT DATE, LARGE NUMBERS WERE JOINING THAT PTEOPLE</p>

522. "THAT THE" apparently added later.

RS	PS	RT	BT
<p>THAT WAS VILE ENOUGH FOR ANY AND ALL PURPOSES.</p> <p>IF SAVIOR OF MANKIND HAVING ENTIRE JEWISH RACE TO SELECT TO SELECT FROM COULD NOT SELECT TWELVE HONEST MEN</p> <p>FOR HIS APOSTLES</p>	<p>THAT WAS <i>VILE/EVIL</i>[?] ENOUGH TO ANY AND ALL PURPOSES</p> <p>IF THE SAVIOR OF MANKIND <i>[space]</i></p> <p>COULD NOT SELECT 12 HONEST MEN</p> <p>FOR HIS APOSTLES</p>	<p>AND TO GUARD AGAINST ALL VILE CHARACTERS WOULD HAVE BEEN IMPOSSIBLE. THAT HE DECEIVED THE CHURCH AUTHORITIES THEN, AND FOR YEARS AFTERWARDS, IS A SELF EVIDENT FACT. WE KNOW FROM READING THE NEW TESTAMENT,</p> <p>THAT ONE OF THE TWELVE SELECTED BY THE SON OF GOD AS HIS APOSTLES TURNED TRAITOR, AND FOR THIRTY PIECES OF SOLVER BETRAYED <u>THE</u></p>	<p>AND TO GUARDD AGAINST ALL VILE CHARACTERS WOULD HAVE BEEN IMPOSSIBLE. THAT HE DEVCEIVED THE CHURCH AUTHORITIES THEN AND FOR YEARS AFTERWARS IS A SELF EVIDENT FACT. WE KNOW FROM READING THE NEW TESTIMENT</p> <p>THAT ONE OF THE TWELVE SELECTED BY THE SON OF GOD; AS HIS APOSTLES; TURNED TRAITOR, AND FOR THIRTY PIECES OF SILVER BETRAYED THE</p>

RS	PS	RT	BT
<p>IT WOULD BE VERY HARD FOR US TO ASK THE LEADERS OF THE PEOPLE OF SUCH A LARGE NUMBER CONSTITUTE A CHURCH WITHOUT HAVING {BEING}ⁱ SOME <i>DISPUTABLE</i>[?] CHARACTER IN IT K SMITH {USED}ⁱ TO BELONG</p> <p>TO THIS CHURCH</p> <p>IF WE WERE TO COMPARE HIS ACTS AND CHARACTER</p>	<p>IT WOULD BE VERY HARD FOR US TO ASK FOR THE LEADERS OF THE PEOPLE [<i>space</i>]</p> <p>WITHOUT HAVING SOME <i>DESPICABLE</i>[?] CHARACTERS IN IT [<i>space</i>] KLINGEN SMITH [<i>space</i>]</p>	<p>CHRIST. THEN CAN YOU WONDER THAT THIS MAN, DEBASED AS HE IS BY NATURE, AND RENDERED CALLOUS TO ALL ^[40] GOOD, SHOULD FOR THE SAKE OF PROLONGING HIS LIFE COME HERE AND COMMIT PERJURY.</p> <p>KLINGENSMITH WAS, AT ONE TIME A FIRM SUPPORTER AND LEADER IN THIS CHURCH, BUT HOW HE HAS FALLEN.</p>	<p>CHRIST. THEN CAN YOU WONDER THAT THIS MAN, DEBASED IAS HE IS BY NATURE, AND RENDERED CALLOUS TO ALL GOOD, SHOULD FOR THE SAKE OF PROLONGING HIS LIFE COME HERE AND COMMIT PERJURY.</p> <p>KLINGENSMITH WAS AT ONE ONR TIME A FIRM SUPPORTER AND LEADER IN THE CHURCH. BUT HOW HE HAS FALLEN!</p>

RS**PS****RT****BT**

<p>MORMON CHURCH SPRANG INTO EXISTENCE DOWN TO THE PRESENT TIME KLINGENSMITH HAS BEEN A</p> <p>KEY STONE TO THE LOCKING ARC HE HAS BEEN LEADING SPIRIT GUIDING AND DIRECTING AFFAIRS. HE IS A LEADER IN NAUVOO HE IS CAPTAIN CROSSING THE PLAINS SENT OUT TO FORM ≪OPEN UP≫</p> <p>NEW SETTLEMENTS SOUTHERN PART OF TERRITORY IS PLACED AS BISHOP OF CHURCH AT CEDAR. THERE HE SAYS I HAD THE FULL</p>	<p>MORMON CHURCH SPRANG INTO EXISTENCE DOWN TO THE PRESENT TIME BUT WHAT KLINGEN SMITH HAS BEEN A <i>GUIDING</i>[?] <i>DIRECT</i>[?] —[?] AND LEADING SPIRIT KEY STONE OF THE ARCH [<i>space</i>]</p> <p>WAS A LEADER IN NAUVOO</p> <p>CAPTAIN CROSSING PLAINS SENT OUT TO FORM</p> <p>NEW SETTLEMENTS IN SOUTHERN PART OF THE TERRITORY PLACED AS BISHOP AT CEDAR [<i>space</i>] THERE HE SAYS I HAD FULL</p>	<p>DOWN TO THE PRESENT MOMENT. IF HIS HISTORY BE TRUE, HE WAS TO THE CHURCH IN UTAH</p> <p>THE KEYSTONE OF THE ARCH. HE WAS ITS GUIDING SPIRIT, THE DIRECTING MIND.</p> <p>AT NAUVOO A LEADER, A CAPTAIN ON THE PLAINS AND SENT AS A LEADER FROM SALT LAKE CITY TO SUPERINTEND THE PLANTING OF SETTLEMENTS IN THE WILDERNESS.</p> <p>MADE BISHOP AT CEDAR CITY. THERE HE SAYS “I HAD FULL</p>	<p>DOWN TO ITS PRESENT MOMENT. IF HIS STORY BE TRUE, HE WAS TO THE CHURCH IN UTAH</p> <p>THE KEYSTONE OF THE ARCH. HE WAS ITS GUIDING SPIRIT, THE DIRECTING MIND.</p> <p>AT NAUVOO, A LEADDER— A CAPTAIN ON THE PLAINS; SENT AS A LEADER FROM SALT LAKE CITY TO SUPERINETENTD THE PLANTING OF SETTLEMENTS IN THE WILDERNESS;</p> <p>MADE BISHOP AT CEDAR CITY. THERE HE SAÛYS, “ I HAD FULL</p>
--	--	---	---

RS	PS	RT	BT
<p>CHARGE OF THAT PEOPLE, ALL OF THEIR TEMPORAL AFFAIRS WERE {UNDER}¹ IN MY CONTROL THERE WAS ONLY ONE MAN THAT WAS OVER ME</p> <p>THAT WAS ISAAC C HAIGHT WHO WAS PRESIDENT OF THAT STAKE OF ZION. YET AT THE SAME TIME HE TELLS YOU WHILE HE OCCUPIED THE POSITION AS BISHOP AT CEDAR CITY</p> <p>THAT HE WAS POWERLESS IN THE COUNCILS</p>	<p>CHARGE OF THAT PEOPLE ALL OF THEIR TEMPORAL AFFAIRS WERE UNDER MY CONTROL THERE WAS ONLY ONE MAN THAT WAS OVER ME</p> <p>THAT WAS ISAAC C HAIGHT HE WAS PRESIDENT OF THAT STAKE OF ZION YET AT THE SAME TIME HE TELLS YOU THAT WHILE HE OCCUPIED THE POSITION AS BISHOP AT CEDAR CITY</p> <p>THAT HE WAS POWERLESS IN THE COUNCILS</p>	<p>CHARGE OF THAT PEOPLE, AND ALL THEIR TEMPORAL AFFAIRS WERE UNDER MY CONTROL. THERE WAS ONLY ONE MAN IN AUTHORITY OVER ME;</p> <p>THAT MAN WAS ISAAC C. HAIGHT, THE PRESIDENT OF THAT STAKE OF ZION. YET</p> <p>HE TELLS YOU THAT WHILE HE OCCUPIED THE POST OF BISHOP OF THE CHURCH AT CEDAR CITY</p> <p>HE WAS POWERLESS IN THE COUNCILS</p>	<p>CHARGE OF THAT PEOPLE AND ALL OF THEIR TEMPORAL AFFAIRS WERE UNDER MY CONTROL . THERE WAS ONLY ONE MAN IN AUTHORITY OVER ME, THERE AND 6THAT WAS ISAAC C. HAIGHT, THE LTPRESIDENT OF THAT STAKE OF ZION. YET</p> <p>HE TELLS YOU THAT WHILE HE OCCUPIED THE POSITION OF BISHOP AT CEDAR CITY HE OCCUPIED THE POSITION OF BISHOP OF THE CHURCH AT CEDAR CITY HE WAS POWERLESS IN THE COUNCILS HE WAS POWERLESS IN THE COUNCIL</p> <p>HE WAS POWERLESS IN THE COUNCIL</p>

RS	PS	RT	BT
<p>CALLED THERE.</p> <p>NOW THERE IS NO MAN IN UTAH THAT HAS TRIED TO LEARN ^{[[37]]} ANYTHING OF THE RULES THAT GOVERN THE PEOPLE PROFESSING</p> <p>MORMON FAITH BUT WHAT KNOWS THAT THERE NEVER WAS CONDITION OF AFFAIRS LIKE THAT TESTIFIED TO BY SMITH. THERE NEVER WAS A TIME IN A COUNCIL OF THE LEADERS OF THE CHURCH IN UTAH TERRITORY</p> <p>WHEN A BISHOP OF THE CHURCH HAD</p>	<p>CALLED THERE</p> <p>NOW THERE IS NOT A MAN IN UTAH THAT HAS TRIED TO LEARN ANYTHING OF THE RULES THAT GOVERN THE PEOPLE PROFESSING THE MORMON FAITH BUT WHAT KNOWS THAT THERE NEVER WAS A CONDITION OF AFFAIRS LIKE THAT TESTIFIED TO BY SMITH THERE NEVER WAS A TIME IN A COUNCIL OF THE LEADERS OF THE CHURCH IN UTAH TERRITORY</p> <p>WHEN A BISHOP OF THE CHURCH HAD</p>	<p>CALLED THERE TO CONSIDER WHAT SHOULD BE DONE WITH THE EMIGRANTS. IS THIS REASONABLE. THERE IS NOT A MAN IN UTAH WHO HAS MADE AN EFFORT TO LEARN</p> <p>THE RULES THAT GOVERN</p> <p>THE MORMON CHURCH BUT WHAT KNOWS THAT THERE NEVER WAS A CONDITION OF AFFAIRS EXISTED</p> <p>IN UTAH OR ELSEWHERE AMONG THE MORMONS SO THAT THE BISHOP COULD NOT</p>	<p>THERE CALLED TO CONSIDER WHAGT SHOULD BE DONE WITH THE EMI?GRANTS. IS THIS REASONABḶE? THERE IS NOT A MZN MAN IN UTAH WHO HAS MADE AN EFFORT ∇TO LEARN</p> <p>THE RULES THAT GOVERN</p> <p>THE KMORWMON CHTURTCH BUTW KNOWS ∇THERE ∇CNEVERO WAS A CONDITION OF AFFAIRS EXISTED</p> <p>IN UTAH OR ELSEWHERE AMONG MORMONS SO THAT THE BISHOP COULD NOT</p>

RS	PS	RT	BT
<p>NOT THE POWER TO SAY TO THE⁵²³</p> <p>PEOPLE I FORBID SUCH {AN}ⁱ ACT AND THAT HAD THE EFFECT TO SILENCE THE PRESIDENT OF THE STAKE. [space] IF ANY OF YOU KNOW ANYTHING OF MORMON CHURCH YOU KNOW THAT TO BE SO. I QUESTIONED UNTIL I GOT TIRED UPON THIS SUBJECT. UPON ALL TEMPORAL MATTERS HE HAD THE CHIEF VOICE. DO</p>	<p>NOT THE POWER</p> <p>TO SAY TO THE PEOPLE I FORBID SUCH AN ACT AND THAT HAD THE EFFECT TO SILENCE THE PRESIDENT OF THE STAKE [space] IF ANY OF YOU KNOW ANYTHING OF MORMON CHURCH YOU KNOW THAT TO BE SO I QUESTIONED HIM UNTIL I GOT TIRED ON THIS SUBJECT UPON ALL TEMPORAL MATTERS HE HAD THE CHIEF VOICE</p>	<p>EXERT AN INFLUENCE IN</p> <p>COUNCILS. YES, EVEN CONTROL AND DETERMINE ITS ACTION. THE POWER OF THE MORMON BISHOP, AT THAT DAY, AS YOU WELL KNOW, ^[41] WAS NEARLY ABSOLUTE IN HIS JJURISDICTION. WHEN HE SAID</p> <p>“I FORBID THE ACT” THE ACTORS STOPPED AND OBEYED THE ORDER.</p> <p>HE HAVING CONTROL OF ALL TEMPORAL AFFAIRS,</p>	<p>EXERT AN INFLUENCE IN SUCH COUNSCELDS — YES, EVEN CONTROL AND DETERMINE ITS ACTIONS. THE POWER OF A MORMON BISHOP IN THAT DAY— AS YOU WELL KNOW— WAS NEARLY ABSOLUTE IN HIS JURISDICTION. WHEN HE SAID</p> <p>“I FORBID THE ACT” THE ACTOR WAS STOPPED AND OBEYED THE ORDER.</p> <p>HE HAVING CONTROLL OF ALL TEMPORAL AFFAIRS,</p>

523. “TO THE” apparently added later.

RS	PS	RT	BT
<p>YOU SUPPOSE THAT HAIGHT COULD HAVE SENT A MAN OUT OF CEDAR CITY</p> <p>WITHOUT THE CONSENT OF SMITH; WHY NO. <i>[space]</i> SMITH COULD HAVE GOT RIGHT OUT THERE ON THE LITTLE PUBLIC SQUARE</p> <p>SAID HEAR GENTLEMEN I AS BISHOP OF THIS CHURCH; I AS LEADER OF THIS PEOPLE COMMAND YOU TO DO NO ACT OF VIOLENCE. I SAY TO YOU THAT ISAAC C HAIGHT IS WRONG; I SHALL PRESENT</p>	<p>WHY DID <i>HE/THEY</i>[?] SUPPOSE THAT HAIGHT COULD HAVE SENT A MAN OUT <i>OF</i>[?] CEDAR CITY</p> <p>WITHOUT THE CONSENT OF SMITH <i>[space]</i> WHY NO <i>[space]</i> SMITH COULD HAVE GOT RIGHT OUT THERE ON THE LITTLE PUBLIC <i>[[26]]</i> SQUARE</p> <p>AND</p> <p>SAID HEAR GENTLEMEN I AS BISHOP OF THIS CHURCH I AS A LEADER OF THIS PEOPLE COMMAND YOU TO DO NO ACT OF VIOLENCE I SAY TO YOU THAT ISAAC C HAIGHT IS WRONG AND I SHALL PRESENT</p>	<p>DO YOU BELIEVE THAT HAIGHT COULD HAVE PROCURED THE MASSACRE TO BE CARRIED OUT CONTRARY TO THE ORDERS AND WISHES OF KLINGENSMITH. YOU KNOW THAT HE COULD NOT, HAD HE GONE UPON THE PUBLIC SQUARE OF CEDAR CITY, AND ADDRESSED THE PEOPLE WHO WERE STARTING TO THE FESTIVAL OF CARNAGE, TO THE FEAST OF DEATH AND SAID “I ASK THAT “I AS THE BISHOP OF THIS CHURCH</p> <p>FORBID THE ACT”</p>	<p>DO YOU BELIVE THZAT HAIGHT COULD HAVE PROCURED THE MASSACRE TO BE CARRIED OUT CONTRARY TO THE ORDERS AND WISHES OF KLINGENSMITH. YOU KNOW THAT HE COULD NOT. HAD HAE GONE UPON THE PUBLIC AQUARE OF CEDAR CITY, AND SADDRESSSED THE PEOPLE WHO WERE STARTING TO THE FESTIVAL OF CARNAGE, TO THE FEAS T OF DEATH AND AND SAID, “I AS THE BISHOP OFTHIS CHURCH</p> <p>FORBID THE ACT.”</p>

RS	PS	RT	BT
<p>MATTER AND BRING HIM BEFORETHE THE PROPER COUNCIL FOR TRIAL FOR ADVISING AN IMPROPER ACTION. THERE IS NO MAN THAT BELIEVES FOR A MOMENT THAT THAT BEING DONE THAT A MAN WOULD HAVE STIRRED FROM CEDAR CITY, UPON ANY IMPROPER MISSION.</p>	<p>HIM BEFORE THE PROPER COUNCIL FOR A TRIAL FOR ADVISING AN IMPROPER ACTION WHY THERE IS NO MAN THAT BELIEVES FOR A MOMENT THAT THAT BEING DONE THAT A MAN WOULD HAVE STIRRED FROM CEDAR CITY UPON ANY IMPROPER MISSION</p>	<p>YOU KNOW THE CONSEQUENCES WOULD HAVE BEEN A CESSATION OF ALL HOSTILE DEMONSTRATIO NS. NOT AN EMIGRANT WOULD HAVE BEEN SLAIN THERE. DO YOU BELIEVE THAT HE WAS THERE POWERLESS ? DO YOU AS CITIZENS OF UTAH, MANY OF YOU WELL VERSED IN CHURCH GOVERNMENT,</p>	<p>[36] YOU KNOSW THE CONSEQUENCE WOULD HAVE BEEN A CESSATION OF ALL HOSTILE DEMONSTRZATI ONS. NOTT AN EMIGRZANT WOULD HAVE BEEN SLAIN THERE. DO YOU BELIEVE THAGT HE WAS THERE POWERLESS? YOU AS CITIZENS OF UTAH, NMANY OF WHOM ARE WELL VERSED IN CHURCH GOVERNMENT</p>

RS

PS

RT

BT

<p>HE TELLS YOU THAT HE WAS</p> <p>IN THE COUNCIL WITH HAIGHT AND WITH OTHERS. THERE IS THE FIRST COUNCIL SPOKEN OF. LET'S GO ON BECAUSE I WANT TO TAKE EACH COUNCIL CARRY IT RIGHT ON FORGOING <u>JOHN D. LEE</u> . THERE IS THE FIRST COUNCIL WHERE HE SAYS WITH HAIGHT WITH HIGBEE AND WITH HOPKINS AND WITH MORRILL. WE TALKED OVER THIS QUESTION OF KILLING THE EMIGRANTS. HE OPPOSED IT. WHAT WAS THE</p>	<p>HE TELLS YOU THAT HE WAS</p> <p>IN THE COUNCIL WITH HAIGHT AND WITH OTHERS THERE IS THE FIRST COUNCIL SPOKEN OF NOW THEN LET'S GO ON BECAUSE I WANT TO TAKE EACH COUNCIL CARRY IT RIGHT <i>DIRECT</i> <i>TO/FORGIVING[?]</i> JOHN D. LEE [space] THERE IS THE FIRST COUNCIL WHERE HE SAYS THAT HE HAIGHT [space] HIGBEE [space] HOPKINS</p> <p>MORRILL THEY TALKED OVER THIS QUESTION TO KILL THE EMIGRANTS HE OPPOSED IT [space] MADE</p>	<p>WELL KNOW THE POWER THAT HE THEN</p> <p>POSSESSED AND THAT HE COULD HAVE CONTROLLED THE PEOPLE. YOU REMEMBER HIS STATEMENT OF BEING IN COUNCIL AND OF WHAT HAIGHT SAID THERE, AND</p> <p>HE TELLS YOU THAT HE OPPOSED THE PLAN OF KILLING THE EMIGRANTS.</p>	<p>KNOW WELL THE WO POWER THAT HE THEN WELL POSSESSED AND THAT HE COULD HAVE CONTROLLED THOSE PEOPLE. YOOU REMEMBER HIS STATEMENT OF BEING IN THAT COUNSEL AND OF WHAT HAIGHT SAID THERE, AND</p> <p>HE TELLS YOU THAT HE OPPOSED THE PLAN OF KILLING THE EMIGRZANTS.</p>
---	--	---	---

RS	PS	RT	BT
<p>TIME WHEN THE MADE THAT IMMENSE OPPOSITION; WHEN HE ASKED {THE}ⁱ QUESTION WHAT WILL BE THE RESULT IF WE KILL THE EMIGRANTS {HE}ⁱ SAYS HAIGHT GOT MAD;</p> <p>PERFECTLY PALTERISH FOR A MAN TO TALK THAT WAY THERE AIN'T ONE COULD BELIEVE A WORD OF IT IF HE HAS TOLD ANY TRUTH CONCERNING THAT HE HAS NOT TOLD {THE}ⁱ WHOLE TRUTH</p> <p>KEPT BACK ENOUGH TO</p>	<p>THAT [space]</p> <p>WHAT WILL BE THE RESULT IF THEY KILLED THE EMIGRANTS</p> <p>HAIGHT GOT MAD BROKE UP THE MEETING PERFECT PALTERISH FOR A MAN TO TALK THAT WAY AIN'T ONE MAN BELIEVES A WORD [space] IF HE HAS TOLD ANY TRUTH CONCERNING THAT HE HAS NOT TOLD THE WHOLE TRUTH [space]</p> <p>TO</p>	<p>WHEN I ASKED HIM HOW HE OPPOSED IT, WHAT HE DID HE SAID “I ASKED THE QUESTION WHAT WILL BE THE CONSEQUENCES IF THE EMIGRANTS ARE ALL KILLED ? “ HE TELLS YOU THIS MADE HAIGHT MAD AND HE SAID NO MORE. THIS IS ALL SHEER NONSENSE, DECEPTION AND FALSEHOOD. YOU DO NOT — CANNOT BELIEVE HIM. IF HE HAS TOLD YOU ANY TRUTH</p> <p>HE HAS NOT. TOLD YOU THE WHOLE TRUTH. YOU HAVE A CERTAINTY THAT HE HAS NOT TOLD IT ALL. YOU KNOW HE HAS KEPT BACK SUFFICIENT TO</p>	<p>WHEN I ASKED HIM HOW HE OPPOSED IT AND WHATHE WHAT HE DID, HE SAID, “I ASKED THE QUESTION WHAT WOULD BE THE CONSEQUENNCE S IF THE EMIGRANTS ARE ALL KILLED.” HE TELLS YOU THIS MADE HAIGHT HAIGHT MAD AND HE SAID NO MORE? THIS IS ALL SHEER NONSENSE — DECEPTION AND FALSEHOOD. YOU DO NOT — CANNOT BELIEVE HIM. IF HE HAS TOLD YOU ANY TRUTH</p> <p>HE HAS NOT TOLED YOU THE WHOLE TRUTH . YOU HAVE A CERTAINTY THAT HE HAS NOT T OLD IT ALL. YOU KNOW HE HAS KEPT BACK SUFFICIENT TO</p>

RS	PS	RT	BT
<p>MAKE IT APPEAR THAT HE HAS LIED FROM THE BEGINNING.</p> <p>{HE}ⁱ SAYS HE HEARD HAIGHT PREACH MANY TIMES AGAINST</p> <p>TRADING WITH THE EMIGRANTS AND HE SAYS HE HEARD HAIGHT PREACH MANY TIMES AGAINST</p> <p>TRADING WITH THESE EMIGRANTS</p> <p>SUNDAY BEFORE THEY CAME</p> <p>THEN HE THINKS THAT IS NOT QUITE IT —[?] HE HAS IT SUNDAY AFTER. {THERE}ⁱ HE MIXES HIMSELF UP. YOU RECALL HOW HE DID THAT GREATEST</p>	<p>MAKE APPEAR THAT HE HAS LIED FROM THE BEGINNING [space]</p> <p>SAYS HE HEARD HAIGHT PREACH MANY TIMES AGAINST</p> <p>TRADING WITH THE EMIGRANTS HAS</p> <p><i>HAIGHT/IT</i>[?] ≪SAYS≫ AGAINST</p> <p>THESE EMIGRANTS</p> <p>THEN HE THINKS THAT <i>WHEN</i>—[?] QUITE <i>DAY/IT</i>[?] AND HAS IT THE SUNDAY AFTER THEY CAME AND HE MIXED HIMSELF UP YOU RECALL HOW HE DID THAT BUT THE GREATEST</p>	<p>CAUSE YOU TO DISBELIEVE THE GARBLED STATEMENTS HE HAS GIVEN YOU. HE TELLS YOU THAT HE HEARD HAIGHT PREACH MANY TIMES AGAINST THE PEOPLE TRADING WITH THE EMIGRANTS; THAT HE HEARD HIM^[42] PREACH MANY TIMES AGAINST THE PEOPLE TRADING WITH THE EMIGRANTS; THAT HE HEARD HIM PREACH SUCH A SERMON THE SUNDAY BEFORE THEY ARRIVED AT CEDAR CITY, THEN THINKING IT OVER HE CHANGES THE STATEMENT AND SAYS IT WAS THE SUNDAY AFTER THE EMIGRANTS PASSED THERE.</p>	<p>CAUSE YOU TO DISBELIEVE THE GARBELED STATEMENT HE HAS GIVEN YOU. HE TELLS YOU THAT HE HESARD HAIGHT PREACH MANY TIMES AGAINST THE PEOPLE TRADIN†G WITH THE EMIGRANTS.</p> <p>THAT HE HEARD HIM PREACH SUCH A SERMON THE SUNDAY BEFORE THEY ARRIVED AT CEDAR CITY; THEN THINKING IT OVER HE CHANGES THE STATEMENT AND SAYS IT WAS THE SUNDAY AFTER THE EMIGRANTS PASSED THERE.</p>

RS	PS	RT	BT
<p>THING OF ALL WAS {HE}ⁱ HEARD HAIGHT PREACH ≪HIMSELF NOT {TO}ⁱ TRADE WITH EMIGRANTS≫ HE MADE HIM FEEL BAD. CAN IT BE GENTLEMEN THERE IS ANYTHING SO HEINOUS ^{[[38]]} HEINOUS ANY CRIME SO VILE ANY ACT SO DASTARDLY AS TO MAKE THAT MAN FEEL BAD UNLESS IT INTERFERES WITH HIS PECUNIARY INTERESTS OR PERSONAL COMFORT? NO.</p> <p>SAY THAT THAT MAN <i>LIKE A</i> <i>MAN/LOOK AS</i> <i>CAN</i>[?] LOVES HUMANITY TRUTH OR JUSTICE CERTAINLY A FOUL SLANDER</p>	<p>THING OF ALL WAS WHEN HE HEARD HAIGHT PREACH THAT THEY MUST NOT TRADE WITH THE EMIGRANTS THAT IT MADE HIM FEEL BAD [<i>space</i>] CAN IT BE GENTLEMEN THAT THERE IS ANYTHING TOO HEINOUS ANY CRIME SO VILE ANY ACT SO DASTARDLY AS TO MAKE THAT MAN FEEL BAD UNLESS IT INTERFERES WITH HIS —[?] PECUNIARY INTERESTS OR PERSONAL COMFORT NO [<i>space</i>]</p> <p>TO SAY THAT THAT MAN LIKES MAN THAT HE LOVES HUMANITY OR TRUTH OR JUSTICE IS CERTAINLY A FOUL SLANDER</p>	<p>HE TELLS YOU THAT THE SERMONS OF HAIGHT</p> <p>MADE HIM FEEL BADLY. CAN YOU CREDIT HIM EVEN IN THAT ?</p> <p>I DOUBT HIS EVER FEELING BADLY BECAUSE ANY HUMAN WAS TO BE KILLED. IF HE HAD A CHANCE TO GAIN PROFIT BY THE DEATH, AS HE DID IN THIS MATTER OF THESE EMIGRANTS.</p>	<p>HE TELLS YOU THAT THE SERMONS OF HAIGHT</p> <p>MADE HIM FELL BADLY. CAN Y OU CREDIT HIM E€VEN IN THAT STATEMENT?</p> <p>I DOUBT HIS EVER FEELING BABLY BECAUSE ANY HUMAN WAS TO BE KILLED, IF HE HAD A CHAN€CE TO GAIM PROFIT B¥Y THE DEATH AS HE DID IN THIS MATTER OF THE EMIGRANTS.</p>

RS	PS	RT	BT
<p>UPON THE NAME. I ASKED HIM QUESTION DID HE OBJECT TO KILLING</p> <p>EMIGRANTS HE SAYS NO DID NOT, BECAUSE HIS LIFE WOULD NOT BE WORTH A CENT IF HE DID HE WOULD HAVE {BEEN}ⁱ PUT OUT OF WAY PUT OUT OF WAY IF HE OBJECTED WHY WHERE IS A MAN THAT WILL SAY FOR A MOMENT THAT HE BELIEVED HE WAS TELLING THE TRUTH WHEN HE AS AN ACTING</p> <p>BISHOP OF THAT CHURCH {AND THAT}ⁱ</p> <p>HIS REASONABLE OBJECTION TO WHOLESALE SLAUGHTER OF THAT KIND WOULD HAVE</p>	<p>UPON NAME OF THE MAN I ASKED HIM THE QUESTION DID HE OBJECT TO THE KILLING OF THE EMIGRANTS [space] HE SAID NO I DID NOT BECAUSE HIS LIFE WOULD NOT BE WORTH A CENT IF HE DID [space] HE WOULD BE PUT OUT OF THE WAY [space] PUT OUT OF THE WAY IF HE OBJECTED WHY WHERE IS A MAN THAT WILL SAY FOR A MOMENT THAT HE BELIEVED HE WAS TELLING THE TRUTH WHEN HE SAID THAT HE ACTING THE POSITION OF BISHOP ^{[[27]]} OF THAT CHURCH THAT</p> <p>HIS REASONABLE OBJECTION TO WHOLESALE SLAUGHTER OF THAT KIND WOULD HAVE</p>	<p>I ASKED HIM THE QUESTION “DID YOU OBJECT TO THE KILLING OF THE EMIGRANTS” HE ANSWERED, NO, I DID NOT, MY LIFE WOULD NOT HAVE BEEN WORTH A CENT IF I HAD DONE SO”</p> <p>CAN YOU DO YOU BELIEVE HIM. IS IT POSSIBLE THAT</p> <p>THE BISHOP OF THE CHURCH WOULD HAVE BEEN KILLED BY HIS CONGREGATION SIMPLY FOR OPPOSING THE COMMISSION OF SO DASTARDLY A</p>	<p>I ASKED HIM THE QUESTION, “DID YOU OBJECT TO THE KILLING OF THE EMIGRANTS HE ANSWERED, “ NO, I DID NOT, MY LIFE WOULD NOT HAVE BEEN WORTH A CENT IF I HAD DONE SO.”</p> <p>CAN YOU — DO YOU BELIEVE HIM? IS IT POSSIBLE THAT</p> <p>THE BISHOP OF THE CHURCH WOULD HAVE BEEN KILLED BY THE CONGREAGATIO N SIMPLY FOR THE OPPOSING THE COMMISION FS OF SO DASTARDLY A</p>

RS	PS	RT	BT
<p>BROUGHT DOWN DESTRUCTION UPON HIM.</p> <p>IT IS ENOUGH TO MAKE BLOOD BOIL WITHIN VEINS OF A MAN</p> <p>WHEN HE THINKS THAT SUCH A PERJURED FELON CAN BE BROUGHT UPON STAND AND SAY <i>INSTRUCTED</i>[?] BY GOVERNMENT LIKE OURS TO AID IN WHAT; WHY IN THE PROSECUTION OF A PEOPLE. MY GOD IF I HAD A CHILD 3 YEARS OLD THAT WOULD BELIEVE THE MOST SOLEMN ASSERTION THAT MAN COULD MAKE I WOULD TAKE IT</p>	<p>BROUGHT DOWN DESTRUCTION UPON HIM</p> <p>ENOUGH TO MAKE BLOOD BOIL WITHIN THE VEINS OF A MAN IT IS ENOUGH TO DRIVE HIM <i>FRENZY</i>[?] WHEN HE THINKS THAT SUCH A PERJURED —[?] CAN BE BROUGHT UPON THE STAND</p> <p>BY A GOVERNMENT LIKE OURS TO AID IN WHAT <i>[space]</i> WHY IN THE PROSECUTION OF A PEOPLE <i>[space]</i> MY GOD IF I HAD A CHILD 3 YEARS OLD THAT WOULD BELIEVE THE MOST SOLEMN ASSERTION THAT MAN COULD MAKE I WOULD TAKE IT</p>	<p>CRIME ?</p> <p>YOU KNOW THAT THE STATEMENT IS FALSE.</p> <p>IT MAKES THE BLOOD BOIL IN THE VEINS OF A DECENT MAN</p> <p>TO THINK OF PERMITTING SUCH A DEMON TO TESTIFY.</p>	<p>CRIME?</p> <p><i>[37]</i> YOU KNOW THAT THE STATEMENT IS FALSE.</p> <p>IT MAKES THE BLOOD BOIL IN THE VEINS OF A DE CENT MAN</p> <p>TO THINK OF PERMITTING SUCH A DEMON TO TESTIFY.</p>

RS**PS****RT****BT**

AND HIT
WHIP AS LONG
AS I THOUGHT
THERE WAS A
CHANCE OF ITS
SURVIVING THE
CANE TO
MAKE IT KNOW
BETTER. WHEN
IT LOOKED
UPON A MAN
WHETHER HE
WAS LIAR OR
NOT HE AFRAID
OF HIS
LIFE?

HE BISHOP OF
THAT STAKE; HE
THE MAN THAT
COUNSELED
AND DIRECTED
ACTIONS OF THE
ND/NT[?] ENTIRE
PEOPLE. MAN
THAT HAD HAD
THE
CONFIDENCE OF
THIS PEOPLE
FOR OVER 30
YEARS KEEPING

AND HIT AND
WHIP AS LONG
AS
THERE WAS A
CHANCE OF ITS
SURVIVING THE
CANING TO
MAKE IT KNOW
BETTER WHEN
IT LOOKED
UPON A MAN
WHETHER IT
WAS LIAR OR
NOT HE AFRAID
OF HIS
LIFE

HE BISHOP OF
THAT STAKE HE
THE MAN THAT
COUNSELED
AND DIRECTED
THE ACTIONS OF
THAT ENTIRE
PEOPLE MAN
THAT HAD HAD
THE
CONFIDENCE OF
THIS PEOPLE
FOR OVER 30
YEARS KEEPING

HE, AFRAID
OF HIS
LIFE ?
IMPOSSIBLE,
NO. THAT MAN
NEVER KNEW
FEAR OF
THAT
CHARACTER.
HIS WHOLE
STORY OF THE
COUNCIL AND
OF HIS ACTS
THERE AND
AFTERWARDS
IS A
FABRICATION.

HE ~~AFRAID~~
AFRAID OF HIM
LIFE?
IMPOSSIBLE!
NO! THAT MAN
NEVER KNEW
ANY FEAR OF
THAT
CHARACTER.
HIS WHOLE
STORY OF THE
COUNSEL AND
OF HIS ACTS
THERE
AFTERWARDS
IES A
FABRIACATION.

RS	PS	RT	BT
<p>EXALTED POSITION HE DID, A LEADER AMONG THEM THAT HE WAS IN DANGER YOU DO NOT BELIEVE IT BUT DID IT STRIKE YOU AS PECULIAR THAT THE PROSECUTION WOULD PROVE A THING OF THAT CHARACTER OF THAT KIND AND DESCRIPTION BY THIS MAN AND THEN ASK YOU TO HANG JOHN D. LEE BECAUSE HE GOT SCARED <i>TO/BUT[?]?⁵²⁴</i> HOW RIDICULOUS IT LOOKS DON'T IT. HERE IS BISHOP OF THE CHURCH; GOES OUT THERE</p>	<p>THE EXALTED POSITION THAT HE DID A LEADER AMONG THEM THAT THAT HE WAS IN DANGER YOU DO NOT BELIEVE IT BUT DID IT STRIKE YOU AS PECULIAR THAT THE PROSECUTION WOULD PROVE A THING OF THAT CHARACTER OF THAT KIND AND DESCRIPTION OF THIS MAN AND THEN ASK YOU TO HANG JOHN D. LEE BECAUSE HE GOT <i>SCARED[?]</i> <i>TO[?] [space]</i> HOW RIDICULOUS IT SEEMS DON'T IT HERE IS BISHOP OF THE CHURCH GOES OUT THERE AND</p>	<p>HE TELLS YOU HE WENT WITH HIS CONGREGATION , HIS NEIGHBORS AND DAILY ASSOCIATES, FROM CEDAR CITY TO THE MOUNTAIN</p>	<p>HE TELLS YOU HE WENT WITH HIS CONGREGATION — HIS NEIGHBORS AND ASSOCIATES FROM CEDAR CITY TO THE MOUNTAIN</p>

524. Question mark added later in ink.

RS	PS	RT	BT
AIDS {IN THE} ⁱ	AIDS	MEADOWS, AD AIDED AND ADVISED IN THE COUNCILS ON THE FIELD, ENGAGED IN SHOOTING AND AIDED IN KILLING THE EMIGRANTS. SUPERINTENDE D THE GATHERING OF THE CATTLE AND SPOILS OF THE MASSACRED COMPANY. PILED THE BLOODY CLOTHING TORN FROM THE QUIVERING LIMBS OF HIS VICTIMS IN THE TITHING OFFICE CELLAR AT CEDAR CITY; TOOK FOR HIS OWN USE A SPAN OF MULES FROM THE EMIGRANT TRAIN.	MEADOWS ; AIDED AND ADVISED IN THE COUNSELS ION THE FIELD; ENGAGED IN SHOOTING AND AIDED IN KILLING THE EM IGRANTS; SUPERINTENDE D THE THE GATHERING OF THE CATTLE AND SPOILS OF THE MASSACRED COMPANY; PILED THE BLOODY CLOTHING — TORN FROM THE QUIVERING LIMBS OF HIS VICTIMS — IN THE TITHING OFFICE CELLAR AT CEDAR CITY. TOOK FOR HIS OWN USE A SPAN OF MULES FROM THE EMIGRANT TRAIN.
SHOOT {ING} ⁱ AND KILL {ING,} ⁱ	SHOOT AND KILL		
SUPERINTENDS BRINGING IN ARMS	SUPERINTENDS BRINGING IN WAGONS		
PILES THAT BLOODY CLOTHING	PILES THE BLOODY CLOTHING		
IN TITHING HOUSE {AND} ⁱ CARRY TO HIS OWN STORE USES MULES, ONLY WITH ONE MULES WE HEAR OF TAKES THEM USES THEM HAULS LEAD ORE WITH (THEM THEY WERE GOOD AND CONVENIENT FOR HIM) HE RECEIVED THEN {THE} ⁱ PRICE OF	IN THE TITHING OFFICE USES THE ONLY MULES WE HEAR OF AND HAULS LEAD ORE WITH THEM THEY WERE <i>GOOD AND CONVENIENT</i> [?] FOR HIM HE TOOK THEM HE RECEIVED THEN THE PRICE OF		

RS

PS

RT

BT

<p>BLOOD</p> <p>[[39]] TAKING THEM AND KEEPING THEM AND USING THEM APPROPRIATING THEM AS HE DID THEN HE TAKES PAY FOR HIS BLOODY WORK THE SAME AS HE NOW TAKES PARDON TO PAY HIM FOR HIS ◀THE SAME AS HE NOW TAKES HIS NOLLE▶ DAMNABLE TREACHERY TREASON AND FALSITY.</p> <p>AND IF THERE IS ONE OF YOU THAT CAN</p>	<p>BLOOD HE RECEIVED THAT THEN WITH THESE MULES TAKING THEM AND KEEPING THEM AND USING THEM APPROPRIATING THEM AS HE DID THEN TAKES PAY FOR HIS BLOODY WORK THE SAME AS HE NOW TAKE HIS NOLLE IN HIS HANDS TO PAY HIM FOR HIS</p> <p>DAMNABLE TREACHERY TREASON AND FALSITY</p> <p>IF THERE IS ONE OF YOU THAT CAN</p>	<p>TELLS ^[43] YOU OF THIS AND MORE OF THE SAME CHARACTER; YET HE REMEMBERS NO NAME OF A LIVING MAN THAT TOOK PART IN THE MASSACRE, BUT HIMSELF AND THE DEFENDANT. IF ANY JURYMAN HERE</p>	<p>TELLS YOU ALL OF THIS AND MORE OF OF THE THE SAME CHARACTER; AND YET HE REMEMBERS NO NAME OF A LIVING MAN THAT TOOK PART IN THE MASSACRE BUT HIMSELF AND THIS DEFENDANT. IF ANY JURYMAN HERE</p>
--	--	--	---

RS	PS	RT	BT
<p>BELIEVE A WORD HE SAYS HE CONTRADICTS ANY OTHER WHITE MAN I DO NOT ENVY YOUR POWERS OF REASON OR JUDGMENT OR CHANCES <i>OF/THE[?]</i> HEREAFTER.</p> <p>SAYS IT WAS NOT SAFE TO DISOBEY ORDERS. WHY? BECAUSE HE HAD KNOWN MEN PUT OUT OF THE WAY</p> <p>WHO IS I WONDER GENERALLY GIVES DIRECTIONS</p> <p>TO PUT MEN OUT OF WAY. DO YOU SUPPOSE THEY WOULD GIVE ORDERS IN COMMUNITY OF THAT KIND</p>	<p>BELIEVE A WORD THAT HE SAYS HE CONTRADICTS ANY OTHER WHITE MAN'S THEN I DO NOT ENVY YOUR POWERS OF REASON OR JUDGMENT NOR CHANCES OF THE HEREAFTER [space] ^{[[28]]} HE SAYS IT WAS NOT SAFE TO DISOBEY ORDERS WHY SAYS HE HAS KNOWN MEN PUT OUT OF THE WAY</p> <p>WHO IS IT I WONDER THAT GENERALLY GIVES THE DIRECTIONS</p> <p>FOR PUTTING MEN OUT OF THE WAY DO YOU SUPPOSE THEY WOULD GIVE ORDERS IN A COMMUNITY OF THAT KIND TO PUT MAN OUT OF THE WAY</p>	<p>BELIEVES THAT MAN'S STATEMENT, SO FAR AS THEY RELATE TO THE DEFENDANT, I DO NOT ENVY YOU THE POWERS OF</p> <p>JUDGMENT THAT GOD HAS GIVEN YOU.</p> <p>HE TELLS YOU THAT IT WAS UNSAFE TO DISOBEY ORDERS; THAT HE HAD KNOWN MEN PUT AWAY FOR DISOBEYING ORDERS. IF SO, WHO</p> <p>GAVE THE ORDERS ? WHO COMMANDED THAT THE DISOBEDIENT BE PUT OUT OF THE WAY ? WAS IT M KLINGENSMITH THE BISHOP OF THE CHURCH ?</p>	<p>BELIEVES THAT MANS STATEMENTS SO FAR AS THEY RELATE TO THE DEFENDANT, I DO NOT ENVY YOU THE POWERS OF</p> <p>JUDGMENT THAT GOD HAS GIVEN YOU.</p> <p>HE TELLS YOU THAT IT WAS UNSAFE TO DISOBEY ORDERS; THAT HE HAD KNOWN MEN "PUT AWAY" FOR DISOBEYING ORDERS. IF SO, WHO</p> <p>GAVE THE ORDERS? WHO COMMANDED THAT THE DISOBEDIENT BE "PUT OUT OF THE WAY." WAS IT KLINGENSMITH, THE BISHOP OF THE CHURCH?</p>

RS	PS	RT	BT
WITHOUT BISHOP'S KNOWING IT?	WITHOUT BISHOP KNOWING	IF SUCH ORDERS WERE GIVEN HE MUST HAVE ISSUED THEM IF A PERSON. IF MEN WERE KILLED IN CEDAR CITY BY ORDER OF CHURCH AUTHORITY DO YOU NOT THINK THEY WERE KILLED BY THE ORDER OF KLINGENSMITH. ?	IF SUCH ORDERS WERE GIVEN, HE MUST HAVE ISSUED THEM IN PERSON. IF MEN WERE KILLED IN CEDAR CITY BY THE ORDER OF CHURCH AUTHORITY, DO YOU NOT KNOW THINK THEY WERE KILLED BY THE ORDER OF KLINGENSMITH?
IF ANYBODY WAS EVER PUT OUT OF WAY IN CEDAR CITY	IF ANYBODY EVER WAS KILLED THERE		
IS NOT REASONABLE TO PRESUME	IS NOT IT REASONABLE PRESUME THAT		
KLINGENSMITH WAS MAN GUIDED SUPERINTENDED IN THEIR KILLING?	KLINGEN SMITH WAS THE MAN THAT GUIDE AND DIRECTING THE IN THEIR KILLING [space]		
CERTAINLY ⁱ IT IS.		MOST CERTAINLY YOU SO BELIEVE IF MEN WERE KILLED IN CEDAR CITY, AND I DOUBT NOT BUT THAT MANY WERE, THEN THEIR DEATH IS CLEARLY CHARGEABLE TO THIS WITNESS WHO THEN HAD CHARGE OF ALL THE TEMPORAL AFFAIRS OF THE	MO ST CERTAINLY YOU SO BELIEVE. IF MEN WERE KILLED IN CEDAR CITY, AND I SUPPOSE MANY WERE, THEN THEN THEIR DEATH WAS CLEARLY CHARGEABLE TO THIS WITNESS, WHO THEN HAD CHARGE OF ALL THE TEMPORAL AFFAIRS OF THE

RS	PS	RT	BT
<p>IF ANYBODY MET VIOLENT DEATH THEY CAN TRACE THEIR DOOM {TO THE}¹ WICKED HEART AND FOUL DESIGNS OF THAT FIEND IN HUMAN SHAPE. HE IS A MAN EVER SO MUCH WORSE THAN ISAAC C HAIGHT</p> <p>THAT YOU CAN'T COMPARE 2 MEN TOGETHER. WHEN HE WAS ON THE STAND LOOK AT THAT <i>SQUARE FACE</i>[?] SHOWING HIS DUTCH EXTRACTION TELL ME THAT GERMAN CONTRARINESS</p>	<p>THEY <i>CAN</i>[?] TRACE THEIR DOOM TO THE <i>WICKED</i>[?] HEART FOUL DESIGNS OF THAT FIEND IN HUMAN SHAPE HE IS A MAN WHY HE IS SO MUCH WORSE THAN ISAAC C HAIGHT</p> <p>THAT YOU CAN'T COMPARE THE TWO MEN TOGETHER THEN WHEN HE WAS ON THE STAND LOOK AT THAT SQUARE FACE SHOWING HIS DUTCH EXTRACTION AND TELL ME THAT THAT GERMAN <i>CONTRARINESS</i>[?]</p>	<p>PEOPLE.</p> <p>HE IS A</p> <p>WORSE MAN THAN ISAAC C. HAIGHT., BAD AS HE IS PROVEN TO BE. I DENY THAT HE EVER YIELDED TO HAIGHT WHEN HE DID NOT SO DESIRE.</p> <p>LOOK AT HIM, NOTE HIS FIXED FEATURES, THE UNUSUAL STERNNESS OF</p> <p>EXPRESSION AND HIS STUBBORNNESS OF</p>	<p>PEOPLE.</p> <p>HE IS A</p> <p>WORSE MAN THAN ISAAC C. HAIGHT- BAD AS HE IS PROVEN TO BE; BUT I DENY THAT HE EVER YIELDED TO HAIGHT WHEN HE DID NOT SO DESIRE.</p> <p>^[38] LOOK AT HIM! NOTE HIS FIXED FEATURES! THE UNUSUAL STERNNESS OF HIS FE EXPRESSION, THE STUBBORNNESS OF</p>

RS	PS	RT	BT
<p>COULD BE OVERCOME BY</p> <p>LITTLE TALK LIKE HAIGHT HAD UP THERE?</p> <p>NOT MUCH NOT MUCH. HE IS MADE OF STERNER STUFF THAN THAT. IT IS NOT {THE}ⁱ COWARD IT IS THE ABSOLUTE VILLAIN THAT</p> <p>PROMPTS HIM TO DO ALL THESE UNNATURAL ACTS. SHOWS YOU HE <i>DOES</i>[?] NOT STATE HIS STORY WELL WHEN HE TELLS YOU {THAT}ⁱ HE WAS AFRAID {TO}ⁱ DISOBEY {THE}ⁱ ORDERS OF {THE}ⁱ CHURCH BECAUSE THOUGHT {HE}ⁱ</p>	<p>COULD BE OVERCOME BY A LITTLE TALK LIKE HAIGHT HAD THERE [<i>space</i>]</p> <p>NOT MUCH NOT MUCH HE IS MADE OF STERNER STUFF THAN THAT IT IS NOT THE COWARD IT IS THE ABSOLUTE VILLAIN THAT IS IN HIM THAT PROMPTS HIM TO THESE UNNATURAL ACTS [<i>space</i>]</p> <p>WHEN HE TELLS YOU THAT HE WAS AFRAID TO DISOBEY ORDERS OF THE CHURCH BECAUSE HE</p>	<p>COUNTENANCE, AND SAY IF YOU CAN THAT A LITTLE TALK FROM HAIGHT WOULD CAUSE HIM TO CONSENT TO THE PERFORMANCE OF ANY ACT THAT HE OPPOSED IN HIS HEART. YOU KNOW THAT HE WOULD NOT. HE IS MADE OF STERNER STUFF. IT WAS NOT COWARDICE, IT WAS NATURAL VILLAINY, THAT PROMPTED HIM TO COMMIT THE NUMEROUS CRIMES OF WHICH HE STANDS ACCUSED. THEN HE TELLS YOU THAT IF PEOPLE DISOBEYED ORDERS, SOLD PROVISIONS TO [⁴⁴] THE EMIGRANTS, OR</p>	<p>COUNTENANCE AND SAY SEE SAY IF YOU CAN, THAT A LITTLE TALK FROM HAIGHT WOULD CAUSE HIM TO CONSENT TO THE PERPERFORMANCE OF ANY ACT THAT HE OPPOSED IN HIS HEQART. YOU KNOW THAT HE WOULD NOT. HE IS MADE OF STERNER STUFF. IT WAS NOT COWARDICE; IT WAS NATURAL VILLAINY THAT PROMPTED HIM TO COMMIT THE NUMEROUS CRIMES OF WHICH HE STANDS ACCUSED. THEN HE TELLS YOU THAT IDF PEOPLE OBEYED ORDERS— SOLD PROVISIONS TO THE EMIGRANTS OR</p>

RS	PS	RT	BT
<p>WOULD HAVE BE KILLED IF HE <u>SAID I DO NOT</u> <u>KILL THE</u> PEOPLE THEY WOULD KILL HIM {BUT AT THE}ⁱ SAME TIME</p> <p>{HE}ⁱ TELLS YOU SAM JACKSON SOLD WHOLE LOT OF WHEAT</p> <p>AND HE WAS NOT KILLED. —/JVSK[?] JACKSON WAS A COMMON MAN</p> <p>HE WAS BISHOP OF CHURCH.</p> <p>THAT DON'T AGREE.</p> <p>HE SAYS HE KNOWS OF MEN</p>	<p>WOULD BE KILLED IF HE SAID DO NOT KILL THE PEOPLE THEY WOULD KILL HIM AT THE SAME TIME</p> <p>TELLS YOU THAT SAM JACKSON SOLD THEM LOT OF WHEAT</p> <p>HE WAS NOT KILLED AND JACKSON WAS COMMON MAN AND</p> <p>HE WAS BISHOP OF THE CHURCH</p> <p>THAT DON'T AGREE [<i>space</i>]</p> <p>HE KNOWS OF MEN</p>	<p>IN ANY MANNER GAVE OFFENSE TO HAIGHT AND HIS COUNCIL THEY WOULD BE PUT OUT OF THE WAY; YET IN THE FOLLOWING SENTENCE HE INFORMS YOU THAT SAMUEL JACKSON DID SELL A LOT OF WHEAT TO THE EMIGRANTS, AND YET THIS MAN JACKSON ESCAPED UNHARMED.</p> <p>JACKSON IS A COMMON MAN. A PRIVATE CITIZEN. KLINGENSMITH WAS THE SECOND IN AUTHORITY IN SPIRITUAL AFFAIRS, AND THE FIRST IN TEMPORAL MATTERS IN THAT COMMUNITY. DOES THIS STATEMENT SOUND LIKE TRUTH ? HE TELLS YOU MEN</p>	<p>IN ANY MANNER GAVE OFFENSE TO HAIGHT OR HIS COUNSEL THEY WOULD BE PUT OUT OF THE WAY. YET IN THE FOLLOWING SENTENCE HE INFORMS YOU THAT SAMUEL JACKSON DID SELL A LOT OF WHEAT THO THE EMIGRANTS AND YET THIS MAN JACKSON ESCAPED UNHARMED.</p> <p>JACKSON WAS A COMMON MAN—A PRIVATE CITIZEN. KLINGENSMITH WAS THE SECOND IN AUTHORITY IN SPIRITUAL AFFAIRS , AND THE FIRST IN TEMPORAL IN THAT COMMUNITY. DOES THIS STATEMENT SOUND LIKE TRUTH? HE TELLS YOU MEN</p>

RS	PS	RT	BT
<p>BEING PUT OUT OF WAY.</p> <p>BUT HE WAS NOT THERE. BY[?] THE TIME OF KILLING CAME ON WHEN HE WAS BISHOP THERE HE FOUND IT CONVENIENT TO STAND IN BACK RANKS ≤SEE> WISH IT WELL DONE AND NOT IMBRUE HIS OWN HANDS. HE SAYS HE DID NOT KILL RASMUS ANDERSON SO I WON'T REFER TO THAT.</p> <p>SAYS ALL IN</p>	<p>BEING PUT OUT OF THE WAY</p> <p>BUT HE WAS NOT THERE I SUPPOSE BY THE TIME OF KILLING CAME ABOUT THAT</p> <p>HE FOUND IT CONVENIENT TO STAND IN THE BACK RANKS AND STAND BY AND WISH IT WELL DONE AND NOT IMBRUE HIS OWN HAND [space] SAYS HE DID NOT KILL RASMUS ANDERSON[?] SO I WON'T REFER TO THAT [space]</p> <p>SAYS ALL IN</p>	<p>WERE PUT OUT OF THE WAY FOR SMALL OFFENSES . IF SO HOW DID JACKSON ESCAPE? KLINGENSMITH DOES DENY ONE CRIMINAL ACT LAID TO HIS CHARGE.</p> <p>HE SAYS HE DID NOT KILL RASMUS ANDERSON, SO I WILL NOT REFER TO THAT TRANSACTION. HE TELLS YOU THAT ALL IN A</p>	<p>WERE PUT OUT OF THE WAY FOR SMALL OFFENCES; IF SO HOW DID JACKSON ESCAPE? KLINGENSMITH DOES DENY ONE CRIMINAL ACT LAID TO HIS HAS CHARGE.</p> <p>HE SAYS HE DID NOT KILL KLH RASMUS ANDERSON SO I WILL NOT REFER TO THAT TRANSACTION. HE TELLS YOU THAT ALL IN A</p>

RS	PS	RT	BT
<p>SUBORDINATE CAPACITY ^{[[40]]}525 HAD TO OBEY</p> <p>CHURCH.</p> <p>AS HE INTENDED TO LAY THIS UPON MORMON CHURCH.</p> <p>WAY HE DOES USE THE</p> <p>TERMS WE FIND</p>	<p>SUBORDINATE CAPACITY HAD TO OBEY</p> <p>CHURCH AND MILITARY OFFICERS AND HAS INTENDED LAY IT ALL ON MORMON CHURCH AND THEN CONCLUDED[?] TO RNT/ARRAIGN IT[?] IN ON THE MILITARY [space] WE FIND HIM WITH A DETERMINATIO N TO CONNECT LEE WITH THE MILITARY</p>	<p>SUBORDINATE CAPACITY ARE COMP LLED TO OBEY THE ORDERS OF THE CHURCH.</p> <p>THIS WAS SAID BECAUSE HE THEN INTENDED TO LAY THE CRIME TO THE CHURCH AS A CHURCH; THIS PLAN WAS CHANGED,</p> <p>AND HE LAYS IT ALL TO JOHN D. LEE, AND A FEW OTHERS AS INDIVIDUALS. BUT TO DO THIS HE ARRAYS THE TROOPS; BRINGS OUT THE NAUVOO LEGION. HE TALKS OF DOUBLE AND SINGLE FILE, THE TROOPS, THE HOLLOW SQUARE, AND USES OTHER MILITARY TERMS WITH</p>	<p>SUBORDINATE CAPACITY ARE COMPELLED TO O€BEY THE ORDERS OF THE CHURCH.</p> <p>THIS WAS SAID BECAUSE HE THEN INTENDED TO LAY THE CRIME TO THE CHURCH AS A CHURCH. THIS PLAN WAS CHANGED</p> <p>AND HE LAYS IT SALL NOW TO JOHN D. LEE AND A FEW OTHERS AS INDIVIDUALS; AN D TO DO THIS HE RAISED THE TROOPS — BRINGS OUT THE NAUVOO LEGION. HE TALKS OF DOUBLE AND FILE— THE TROOPS— THE HOLLOW AQUARE AND USES OTHER MILIRARY TERMS WITH</p>

525. Page is torn; long piece of lower right-hand corner is missing, as well as a smaller portion of lower left-hand corner.

RS	PS	RT	BT
IN TACTICS IS SURPRISING. HAVING 'EM FORM ALL MANNER OF COLUMN THROW THEM INTO	HAVE HIM FORM A MANNER OF COLUMN THROWING THEM INTO	THE FREEDOM OF A VETERAN. HE FORMS THE TROOPS IN COLUMN, THROWS THEM WITH LIGHTNING RAPIDITY FROM DOUBLE TO SINGLE FILE, LEADS THEM UP IN PLATOONS, AND FORMS THEM IN A HOLLOW SQUARE. MY ASSOCIATE JUDGE	THE FREEDOM OF A VETTRAN. HE FORMS THE R TROOPS IN COLUMN, THROWS AS THEM WITH LIGHTNING RAPIDITY FROM DOUBLE TO SINGLE FILE; LEADS THEM UP IN PLATOONS, AND FORMS THEM INTO A HOLLOW SQUARE. MY ASSOCIATE, JUG H DGE
DOUBLE AND SINGLE FILE LEADING THEM UP IN PLATOONS {AND} ⁱ FORM THEM INTO HOLLOW SQUARE MAY REMEMBER	DOUBLE AND SINGLE FILE LEADING THEM UP IN PLATOONS FORMING THEM IN HOLLOW SQUARES MAY REMEMBER [[29]]	HOGE DESCRIBED THE HOLLOW SQUARE IN AN ABLE MANNER; BUT I FEEL IT NECESSARY TO REFER TO IT AGAIN. THE EVIDENCE OF ALL THE WITNESSES REFERRED TO AND NAMES	HOUE DESCRIBED THAT HOLLOW SQUARE IN AN ABLE MANNER; BUT I FEEL IT NECESSARY TO REFER TO IT AGAIN. THE EVIDENCE OF ALL ^[39] THE WITNESSES REFER TO AND NAME
HOGE REFERRED TO THIS HOLLOW SQUARE	HOGE CALLED YOUR ATTENTION TO THIS HOLLOW SQUARE	REFER TO IT TOO [space]	REFER TO IT TO IT AGAIN. THE EVIDENCE OF ALL ^[39] THE WITNESSES REFER TO AND NAME
I WISH TO REFER YOUR ATTENTION TO IT ALSO	I WANT TO REFER TO IT TOO [space]	REFER TO IT TO IT AGAIN. THE EVIDENCE OF ALL THE WITNESSES REFERRED TO AND NAMES	REFER TO IT TO IT AGAIN. THE EVIDENCE OF ALL ^[39] THE WITNESSES REFER TO AND NAME
THEY HAVE NAMED 223 MEN AND	23[?] PRESENT	TWENTY THREE MEN, AS THE ENTIRE NUMBER THERE IN THE VICINITY OF THE MEADOWS;	23 MEN AS THE ENTIRE NUMBER THERE IN THE THE VICINITY OF THE MEADOWN.

RS	PS	RT	BT
WITH LEE	WITH LEE	KLINGENSMITH SAYS JOHN D. LEE CALLED THE MEN UP IN A HOLLOW SQUARE THE NIGHT BEFORE THE MASSACRE AND ^[45] MADE TO THEM A SPEECH. ADMIT, IF YOU WILL, THAT TWENTY THREE WHITE MEN WERE THERE IN THE VICINITY. STOP AND EXAMINE WHERE THEY ALL WERE, AND WHO WERE IN THE HOLLOW SQUARE.	KLINGINSMITH SAYS, HJOHN D. LEE CALLED THE MEN MEN UP IN A HOLLOW S QUARE BEFORE THE MASSACRE AND MADE THEM A SPEECH. ADMIT IF YOU WILL THAT 23 WHITE MEN WERE THERE IN THE VICINITY. STOP AND EXAMINE WHERE THEY ALL WERE, AND WHO WERE IN THE HOLLOW SQUARE.
TO DO TALKING	TO DO THE TALKING	KLINGENSMITH WAS NOT IN IT; HE WAS	KLINGENSMITH WAS NOT IN IT. HE WAS
THERE WOULD BE 22 MEN	22 ⁵²⁶ [space]	HE WAS	HE WAS
NOW THEN ACCORDING TO SMITH HE WAS NOT IN THE HOLLOW SQUARE HE WAS OUTSIDE	NOW THEN ACCORDING TO SMITH HE WAS NOT THERE IN THE HOLLOW SQUARE WAS OUTSIDE	OUTSIDE TALKING TO A MAN AT THE TIME THE SQUARE WAS FORMED; THE MAN HE WAS TALKING TO WAS SLAIN. THAT TAKES TWO MEN OUT OF THE WAY AND	OUTSIDE TALKING TO A MAN AT THE TIME THE SQUARE WAS FORMED, AND THE MAN WAS TALKING TO WAS SLADE. THAT TAKES TWO MEN OUT OF THE WAY AND
WHEN THE HOLLOW SQUARE WAS FORMED			
TALKING TO OLD MAN SLADE THAT TAKES TWO OUT OF WAY	TALKING TO OLD MAN SLADE THAT TAKES TWO OUT OF THE WAY [space]		

526. Second “2” is written over illegible digit.

RS	PS	RT	BT
<p>THAT LEAVES 20</p> <p>OLD MAN YOUNG AND THE SICK MAN HE WAS TAKING CARE OF THEY WERE OUT OF THE WAY KNEW NOTHING OF IT THAT LEAVES 18. JOEL WHITE DIDN'T <i>SEE/SAY</i>[?] ANY THING OF HOLLOW SQUARE. NEVER HEARD OF IT. NEVER SAW IT WAS NOT IN IT</p> <p>RECEIVED NO ORDERS.</p> <p>HEARD LEE GIVE NO ORDERS OF THE KIND. THAT LEAVES 17.</p> <p>POLLOCK HE WAS NOT THERE HE DID NOT SEE IT HE WAS <i>[page</i></p>	<p>THAT LEAVES 20</p> <p>YOUNG AND SICK MAN</p> <p>NOT THERE</p> <p>THAT LEAVES 18 JOEL WHITE DID NOT SAY ANYTHING ABOUT HOLLOW SQUARE NEVER HEARD OF IT NEVER SAW IT WAS NOT IN IT</p> <p>RECEIVED NO ORDERS</p> <p>HEARD LEE GIVE NO ORDERS OF THE KIND THAT LEAVES 17</p> <p>POLLOCK HE WAS NOT THERE HE DID NOT SEE IT HE WAS</p>	<p>LEAVES BUT TWENTY MEN REMAINING. OLD MAN YOUNG AND A SICK MAN, HE WAS ATTENDING TO, WERE NOT THERE; THEY KNEW NOTHING OF ITS BEING FORMED. THAT LEAVES BUT EIGHTEEN MEN. JOHN WHITE WAS NOT THERE;</p> <p>HE NEVER HEARD OF A HOLLOW SQUARE BEING FORMED AT THAT PLACE. WHITE RECEIVED NO ORDERS TO JOIN IN THE SQUARE; HE HEARD NO SPEECH MADE BY LEE, NOR DID HE HEAR LEE GIVE ANY ORDERS AT THAT TIME OR PLACE. THAT LEAVES BUT 17 MEN.</p> <p>POLLOCK WAS NOT IN THE SQUARE; NEVER HEARD OF IT.</p>	<p>LEAVES BUT 20 RMEN REMAINING. OKLD MAN YOUNG AND THE SICKK MAN HE WAS ATTENDING TO, WERE NOT THERE; THEY KNEW NOTHING OF ITS BEING FORNMED. THAT LEAVES BUT 18 MEN. JOEL WHITE WAS NOT THERE;</p> <p>HE NEVER HEARD OF A HOLLOSW SQUARE BEING FORMED AT THAT PLACE. WHITE RECEIVED NOT ORDERS TO JOIN IN THE SQUARE; AND HEARD NO SPEECH MADE BY LEE, NOTR DD DID HE HEAR LEE GIVE ANY ORDERS AT THAT TIME OTR PLACE. THAT LEAVES BUT 17 MEN THEN.</p> <p>POLLOCK WAS NOT IN THE SQUARE; NEVER HEQARD OF IT.</p>

RS	PS	RT	BT
<p><i>torn: ON THE[?]</i> GROUND THAT LEAVES 16 THEN TAKE YOUR LITTLE MUSTANG</p> <p>WITH THE BOTS</p> <p>HE WAS NOT THERE THAT</p> <p>LEAVES IT TO 15</p> <p>MEN THAT LEE WAS TO GET TOGETHER IN HOLLOW SQUARE AND TALK TO. WHY DID HE SAY HOLLOW SQUARE? WHY BECAUSE HE</p>	<p>ON THE GROUND THAT LEAVES 16 THEN TAKE YOUR LITTLE MUSTANG</p> <p>WITH THE BOTS AND</p> <p>HE WAS NOT THERE THAT</p> <p>LETS IT DOWN TO 15 [<i>space</i>]</p> <p>15 MEN THAT LEE WAS TO GET TOGETHER IN A HOLLOW SQUARE AND TALK TO WHY DOES HE <i>USE/SAY[?]</i> HOLLOW SQUARE WHY BECAUSE HE</p>	<p>THAT LEAVES BUT SIXTEEN MEN. THEN THERE IS A THE MUSTANG, THE BEEF-EATER, WITH THE BOTTS. HE WAS SO EXERCISED WITH HIS DISEASE, THAT HE KNEW NOTHING OF A HOLLOW SQUARE BEING FORMED, AND KNOWS NOTHING OF ANY ORDERS BEING GIVEN BY LEE. THAT LEAVES BUT FIFTEEN MEN. ADMITTING THAT ALL THE OTHERS REFERRED TO WERE THERE WITH WHICH LEE WOULD FORM THAT HOLLOW SQUARE. WHY DO YOU THINK THE WITNESS USED THE TERM <u>HOLLOW SQUARE</u>,?</p>	<p>THAT LEAVES BUT 16 MEN. THEN THERE IS THE MUSTANG, THE “BEEF EATER” WITH THE “BOTTS”. HE WAS SO EXERCISED WITH HIS DISEASE THAT HE KNEW NOTHING OF A HOLLOW SQUARE BEING FORMED AND KNOWS ØNOTHING OF ANY ORDERS BEING GIVEN BY LEE. THAT LEAVES BUT 15 MEN; ADMITTING THAT ALL THE OTHERS REFERRED TO WERE THERE WITH LEE COULD THAT FORM A THAT HOLLOW SQUARE. WHY DO YOU THINK THE WITNESS USED THE TERM “HOLLOW SQUARE?”</p>

RS	PS	RT	BT
<p>SAT AND THOUGHT [<i>page torn</i>] BLACK PICTURE HE WAS TO DRAW</p> <p>AND FOUND IT WOULD BE BEST FOR HIM START RIGHT.</p> <p>HE CLAIMED</p> <p>LEE WAS</p> <p>MILITARY [<i>page torn</i>] HE MUST ACT AS SUCH. IN COMMAND DRAW UP ALL THESE MEN {IT MUST BE IN A MILITARY STYLE}ⁱ AND HERE BOYS WE HAVE GOT TO GO DOWN HERE DO THING [<i>page torn</i>] THIS KIND.</p>	<p>SAT AND THOUGHT OVER THE BLACK PICTURE HE WAS TO DRAW THE ILLUSTRATION THOUGHT IT WOULD BE BEST FOR HIM START RIGHT</p> <p>HE HAD CLAIMED THAT LEE WAS <i>A/THE</i>[?] MILITARY LEADER AND HE MUST ACT AS SUCH IN <i>KINGDOM/K</i>[?] DRAWING UP ALL THESE MEN</p> <p>AND SAYING HERE BOYS WE HAVE GOT TO GO DOWN AND DO A THING OF THIS KIND</p>	<p>THE TERM WAS USED BY HIM TO GIVE PLAUSIBILITY TO HIS STATEMENT THAT LEE ADDRESSED THE TROOPS. IT HAS A MILITARY SOUND AND HE IS NOW TRYING TO PROVE LEE A MILITARY MAN, AND LEADER,</p> <p>AND NO ORDINARY COMMUNICATIO N WOULD</p>	<p>THE TERM WAS USED BY HIM TO GIVE PLAUSABILITY TO HIS STATEMENT THAT LEE ADDRESSED THE TROOPS. IT HAS A MILITARY SOUND, AND HE IS NOW TRYING TO PROVE LEE A MILITARY MAN AND LEADER,</p> <p>AND NO ORDINARY COMMUNICATIO N WOULD</p>

RS	PS	RT	BT
<p>15 MEN DRAW THEM ALL UP IN HOLLOW SQUARE. HE HAS GOT 15 NOW. WE HAVE 4 ON 3 SIDES AND [page torn] 3 ON OTHER HARDLY ROOM TO TURN AROUND. IT WOULD NOT MAKE AS NEAR AS BIG SQUARE AS THIS TABLE. [page torn] IT; THE BARE STATEMENT OF {THE}ⁱ PROPOSITION SATISFIES YOU</p>	<p>15 MEN DRAW THEM ALL UP IN A HOLLOW SQUARE GOT 15 NOW 4 ON 3 SIDES AND 3 ON THE OTHER ONE [space] HARDLY ROOM TO TURN AROUND</p> <p>JUST THINK OF IT WHY THE BARE/DR[?] STATEMENT OF THE PROPOSITION SATISFIES YOU THAT</p>	<p>ANSWER THE PURPOSE OF THIS WITNESS. THE MEN — THE TROOPS MUST BE BROUGHT UP IN HOLLOW SQUARE. STRANGE THAT NONE BUT THE WITNESS EVER HEARD OF THAT EXTENSIVE ^[46] HOLLOW SQUARE. FIFTEEN MEN IN THE HOLLOW SQUARE.!</p> <p>FOUR ON THREE SIDES OF THE SQUARE AND THREE ON THE OTHER! LEE WOULD NOT HAVE ROOM TO TURN ROUND INSIDE THAT SQUARE.</p> <p>JUST THINK OF IT! THE STATEMENT OF THE FACT PROVES THAT NO SUCH HOLLOO<W> SQUARE WAS EVER FORMED. THAT THE WITNESS HAS</p>	<p>ANSWER THE PURPOSES OF THIS WINTNESS. THE MEN — THE TROOPS MUST BE BROUGHT UP IN A HOLLOW SQUARE.</p> <p>15 MEN IN A HOLLOW SQUARE?X!</p> <p>FOUR ON THREE SIDES OF THE SQUARE AND THREE OEN THE OTHER! LEE WOULD NOT HAVE ROOM TO TURN AROUND INSIDE THAT SQUARE.</p> <p>JUST THINK OF IT! ^[40] THE STATEMENT OF THE FACT PROVES PROVES THAT NO SUCH SQUARE W AS FORMED, THAT THE WITNESS HAS</p>

RS	PS	RT	BT
HE LIED	HE LIED [<i>space</i>]	PREMEDITATED LY TOLD AN UNTRUTH. A COOL,	PREMEDITATED LY TOLD AN UNTRUTH— A COOL
LIED INTENDING TO LIE! LIED FOR [<i>page torn</i>] INJURING THE MAN HE HAD MARKED AS A VICTIM. [<i>space</i>] ⁵²⁷ [[<i>Bk 12 1</i>]] ⁵²⁸	LIED INTENDING TO LIE LIED FOR THE PURPOSE OF INJURING THE MAN HE HAD MARKED AS A VICTIM	DETERMINED LIE, LIED FOR THE PURPOSE OF INJURING THE MAN HE HAS SELECTED AS A VICTIM,	DETERMINED LIE—LIED FOR THE PURPOSE OF INJURING THE MAN HE HAD SELECTED AS A VICTIM;
THOUGHTLESSL Y NEEDLESSLY CRUELLY	THOUGHTLESSL Y NEEDLESSLY CRUELLY	NEEDLESSLY, CRUELLY, FELONIOUSLY	NEEDLESSLY, CRUELLY, FELONIOUSLY
LIED UPON THIS ACCOUNT WHEN HE SAID THERE WAS	LIED UPON THIS QUESTION WHEN HE SAID THERE WAS	LIED ABOUT THE ENTIRE SUBJECT OF THE FORMATION OF THE HOLLOW SQUARE. HE TELLS YOU THAT LEE MADE A SPEECH,	LIED ABOUT THE ENTIRE SUBJECT OF THE FORMARTION OF “THE HOLLOW SQUARE.” HE TELLS YOU THAT LEE MADE A SPEECH
HOLLOW SQUARE FORMED	HOLLOW SQUARE FORMED		
AS QUICK AND GETS THE SQUARE FORMED HE PLAYS COWARD AGAIN AND RETIRES FROM THE SCENE DID NOT HEAR WHAT WAS SAID. (345 { PM. } ⁱ	AND THEN AS QUICK AS AND GETS THE SQUARE <i>FORMED/FORMS</i> [?] ⁵²⁹ PLAYS THE COWARD AGAIN RETIRES FROM THE SCENE AND DID NOT HEAR WHAT WAS SAID [<i>space</i>]	BUT HE DID NOT HEAR WHAT JOHN D. LEE SAID ON THAT	BUT HE DID NOT HERE HEAR WHAT JOHN D.L.X. LEE SAID ON THAT

527. At end of page: {FOR CONTINUATION SEE BOOK NUMBER 12}ⁱ.

528. Written in longhand at the top of the page: **BOOK NO. 12 AUG 4/75 W. W.**
{BISHOPS SPEECH BEHALF DEFT CONCLUDED.}^p BASKINS COMMENCES PAGE 27.

529. The word is written both ways.

RS	PS	RT	BT
<p>THIS</p> <p>HOLLOW SQUARE IS SOMETHING HE HAS THOUGHT —[?] SINCE HE <i>GOT HERE.</i></p> <p>HE TELLS YOU THAT LEE WAS ORDERED TO GO INTO CAMP</p> <p>AND CONDUCT THE EMIGRANTS OUT. UP TO THIS TIME</p> <p>MIND YOU NO ORDERS HAVE BEEN GIVEN TO</p> <p>LEE.</p> <p>LEE HAS NOT BEEN NOTIFIED AS YET.</p>	<p>THIS</p> <p>HOLLOW SQUARE IS SOMETHING HE THOUGHT UP SINCE GOT HERE</p> <p>AND THEN HE TELLS YOU THAT LEE WAS ORDERED TO GO INTO THE CAMP</p> <p>AND CONDUCT THE EMIGRANTS OUT UP TO THIS TIME</p> <p>MIND YOU NO ORDERS HAVE BEEN GIVEN TO</p> <p>LEE</p> <p>LEE HAS NOT BEEN NOTIFIED AS YET</p>	<p>OCCASION. IT IS EVIDENT THIS MATTER OF THE HOLLOW SQUARE IS OF RECENT ORIGIN IN THE BRAIN OF THE WITNESS; HE HAD NOT MATURED THE SUBJECT IN HIS MIND AND HIS STATEMENTS CONCERNING IT PROVE THE UNTRUTHFULNE SS OF THE WITNESS. YOU ARE NEXT TOLD THAT JOHN D. LEE WAS ORDERED TO GO TO THE CAMP OF THE EMIGRANTS AND CONDUCT THEM OUT FOR SLAUGHTER. UP TO THIS TIME YOU WILL REMEMBER THAT NO ORDERS HAVE BEEN GIVEN BY ANY ONE TO JOHN D. LEE. UNTIL NOW JOHN D. LEE HAS BEEN A STRANGER TO ALL THE PROCEEDINGS.</p>	<p>OCCASION. IT IS EVIDENT THAT THIS MATTER OF THE HOLLOW SQUARE IS OF RECENT ORIGIN IN THE BRAIN OF THE WITNESS. HE HAD NOT MATURED THE SUBJECT IN HIS OWN MIND; AND HIS STATEMENTS CONCERNING IT PROVED THE UNTRUTHFULNE SS OF THE WITNESS. YOU ARE NEXT TOLD THAT JOHN D. LEE WAS ORDERED TO GO TO THE CAMLP OF THE EMIGRANTS AND CONDUCT THEM OUT FOR SLAUGHTER. UP TO THIS TIME YOU WILL REMEMBER THAT NO ORDERS HAD BEEN GIVEN TO ANYONE BUT JOHN D. LEE. UNTIL NOW JOHN D. LEE HAS BEEN A STRANGER TO ALL THE PROCEEDINGS.</p>

RS	PS	RT	BT
<p>THAT THERE WAS ANY CONSPIRACY TO KILL EMIGRANTS.</p> <p>DOES CLAIM THOUGH THAT ON THE FIELD AT</p> <p>THIS COUNCIL</p> <p>THE MATTER WAS TALKED OVER AND THE PLAN WAS DEvised. HE DID NOT OBJECT TO IT. I WAS WRONG WHEN I SAID AT THE TIME LEE WAS ORDERED TO GO TO <EMIGRANT> CAMP. SMITH WAS NOT NOTIFIED OF THIS TRANSACTION. UP TO THE TIME OF THEIR</p>	<p>THAT THERE WAS ANY CONSPIRACY TO KILL EMIGRANTS</p> <p>HE DOES CLAIM THEY WERE ON THE FIELD AT</p> <p>THIS COUNCIL</p> <p>THE MATTER WAS TALKED OVER AND THE PLAN WAS DEvised AND THAT HE DID NOT OBJECT TO IT [space] ^[130] I WAS WRONG WHEN I SAID AT THE TIME HE FIRST/WAS[?] ~ [space]</p> <p>AND UP TO THE TIME OF THEIR</p>	<p>HE HAS NOT BEEN CONNECTED WITH ANY AGREEMENT, COMBINATION OR A CONSPIRACY TO KILL THE EMIGRANTS. BUT KLINGENSMITH DOES CLAIM THAT ALL THE TIME, AT THAT MEETING, NEAR THE MEADOWS, THAT COUNCIL HELD BEFORE THE HOLLOW SQUARE WAS FORMED THAT THE MATTER WAS TALKED OVER AND THE PLAN OF THE MASSACRE ADOPTED.</p> <p>UP TO THIS TIME, AS I SAID</p>	<p>HE HAS NOT BEEN COJNNECTED WITH AND AGREEMENT, COMBINATION OR CONSPIRACY TO KILL THE ENMIGRANTS; BUT KLINGENSMITH DOES CLAIM, THT ALL THE TIME — AT THAT MEETING NEAR THE MEADOWS THAT COUNSEL HELD BEFORE THE HOLLOW SQUARE WAS FORMED, THAT THE MATTER WZAS TALKED OVER, AND THE PLAN POAND OF THE MASSACRE ADOPTED.</p> <p>UP TO THIS TØIME AS I SAID</p>

RS	PS	RT	BT
<p>MEETING AT CAMP WHICH IS BEFORE HOLLOW SQUARE WAS FORMED</p> <p>THERE IS NO EVIDENCE LEE HAD EVER BEEN NOTIFIED OF [<i>page torn</i>] TOOK PLACE ANY INTENTIONS TO INJURE EMIGRANTS. THERE HE CONCLUDES TO MAKE LEE A PARTY TO COMBINATION AND WHO HAS HE GOT WITH HIM ? HE HAS</p> <p>HIGBEE THERE ON THE FIELD. HE PUTS</p> <p>LITTLE CARL SHIRTS OUT IN CHARGE OF THE INDIANS <i>THAT</i> <i>IS</i>[?]</p>	<p>MEETING AT THE CAMP WHICH IS BEFORE HOLLOW SQUARE WAS FORMED THAT HE SUPPOSES <i>BUT</i>[?] THERE IS NO EVIDENCE THAT LEE HAD EVER BEEN NOTIFIED OF ANYTHING THAT TOOK PLACE OR ANY INTENTION TO INJURE EMIGRANTS THERE HE CONCLUDES TO MAKE LEE A PARTY TO THE COMBINATION WHO HAS HE GOT WITH HIM HE HAS</p> <p>HIGBEE THERE ON THE FIELD PUTS</p> <p>LITTLE CARL SHIRTS OUT IN CHARGE OF INDIANS</p>	<p>BEFORE,</p> <p>LEE WAS A STRANGER SO FAR AS EVIDENCE IS ADDUCED TO, ANY PLAN OF INJURING THE EMIGRANTS, BUT NOW THIS WITNESS THINKS BEST TO MAKE LEE A PARTY TO THE COMBINATION. BUT WHO DOES HE HAVE WITH ^[47] HIM ? B KLINGENSMITH PLACES HIGBEE IN COMMAND OF THE TROOPS, AND LITTLE CARL SHIRTS IN CHARGE OF THE INDIANS, THUS HE RELIEVES LEE</p> <p>FROM ALL CHARGE OF ACTING AS</p>	<p>BEFORE</p> <p>LEE WAS A STRANGER, SO OFFAR AS EVIDENCE WAS ADUCED TO ANY PLAN OF INJURING THE EMIGRANTS. BUT NOW THIS WITNESW THINKS BEST TO MAKE LEE A PARTY TO THE COMBINATION. WHO DOES HE HAVE WITH HIM? KLINGENSMIT H PLACES HIGBBEE IN COMMAND OF OF THE THE TROOPS, AND LITTLE CARL SHIRTZS IN CHARGE OF THE INDIANS; AND THUS HE RELIEVES LEE FROM ALL CHARGE, FROM ALL CHARGE OF ACTINDG AAS</p>

RS	PS	RT	BT
<p>HE THOUGHT TO FINDS OUT HE MUST PUT <AND PUTS> SOMEBODY ELSE OUT IN CHARGE OF INDIANS IF HE —[?] TO HAVE LEE TAKE CHARGE. SAYS LEE WAS DIRECTED TO GO TO CAMP AND TAKE EMIGRANTS OUT. THAT HAS BEEN GENTLEMEN PART TAKEN THERE UPON THE FIELD WE OFFERED TO SHOW BY {A}ⁱ WITNESS</p>	<p><i>THIS/THAT IS[?] FIELD/FOR THAT[?] FOR THAT PUT[?] FOUND HE HAS NEED TO PUT SOMEONE⁵³⁰ ELSE OUT IN CHARGE OF INDIANS FIELD AND HAS LEE MILITARY COMMANDER SAYS LEE WAS THEN DIRECTED TO GO OUT TO THE CAMP AND TAKE THE EMIGRANTS OUT AT THIS POINT THE PART THAT WAS TAKEN THERE ON THE FIELD WE OFFERED TO SHOW BY WITNESSES</i></p>	<p>COMMANDER OF THE ON THE FIELD, OR DURING THE CONFLICT.</p> <p>LEE, HENTELLS, YOU, WAS DIRECTED TO GO TO THE CAMP AND TAKE THE EMIGRANTS OUT.</p> <p>WE OFFERED TO EXPLAIN BY LIVING WITNESSES ALL THAT LEE DID ON THE FIELD, AND WHY HE DID IT; BUT THIS</p>	<p>COMMANDER ON THE FIELD OR DURING THE CONFLICT.</p> <p>LEE, HE TELLS YOU, WAS DIRECTED TO GO TO THE CAMP AND BTRING THE EMIGRANTS OUT.</p> <p>WE OFFERED TO EXPLAIN BY LIVING WITNESSES, ALL THAT LEE DID ON THE FIELD, ZAND WHY HE DID IT; BUT THE</p>

530. Original shorthand reads “SOMEONE”. “BODY” was added later to render the word “SOMEBODY”.

RS	PS	RT	BT
THAT HAS BEEN RULED OUT	THAT HAS BEEN RULED OUT	EVIDENCE WAS RULED OUT BY THE COURT; SO FROM THIS POINT YOU ARE LEFT TO CONJECTURE WHAT LEE ADVISED; HOW HE SOUGHT TO SAVE LIFE IS LEFT TO CONJECTURE.	EVIDENCE WAS REULED OUT BUY THE COURT; SO UPO N THIS POINT YOU ^[41] ARE LEFT TO CONJECTURE WHAT LEE ADVISED—HOW HE SOUGHT TO SAVE LIFE IS LEFT TO CONJECTURE. N
ALL I HAVE RIGHT TO SAY TO YOU GENTLEMEN	AND ALL I HAVE THE RIGHT TO SAY TO YOU ON THE SUBJECT	ALL I HAVE A RIGHT TO SAY ON THAT SUBJECT CONCERNING THE CONDUCT OF JOHN D. LEE, AT AND NEAR THE MOUNTAIN	ALL I HAVE A RIGHT TO SAY ON THAT SUBJECT, CONSERNING THE CONDUSET OF JOHN C D. LEE AT, AND NEAR THE MOUNTAIN
WE MADE OFFER TO PROVE BY WITNESSES BROUGHT HERE BY PROSECUTION WHAT THE FACT WERE	IS THAT <i>WE</i> [?] MADE THE OFFER TO PROVE WHAT THE FACTS WERE	MEADOWS PRECEDING AND DURING THE TIME OF THE MASSACRE, IS THAT WE HAVE OFFERED TO PROVE HIS LANGUAGE AND CONDUCT ON THAT OCCASION. HAVE OFFERED TO PROVE THAT HE USED ALL HIS EFFORTS TO PREVENT THE COMMISSION OF	MEADO MEADOWS, PRECEDING SAND DURING THE TIME OF THE MASSACRE, IS, THAT WE HAVE OFFERED TO PROVE HIS LANGUAGE AND CONDUCT ON THAT OCCASION; HAVE OFFERED TO PROVE THAT HE USED ALL HIS EFFORTS TO PREVENT THE COMMISSION OF

RS	PS	RT	BT
<p>PROSECUTION OBJECTED. AND WE STOPPED BECAUSE WE WERE NOT PERMITTED TO STATE WHAT LEE</p> <p>HAD DONE UPON FIELD THERE <i>ALL WE</i>[?] COULD BRING OUT WAS SIMPLY TO QUESTION PARTIES UPON POINTS PROSECUTION WERE WILLING TO BE MADE PUBLIC. WHAT {ELSE COULD}ⁱ LEE DO THIS</p>	<p>PROSECUTION OBJECTED AND WE STOPPED BECAUSE WE WERE NOT PERMITTED TO TELL WHAT LEE SAID NOR WHAT HE HAD DONE UPON THE FIELD THERE ALL THAT WE COULD BRING OUT WAS SIMPLY <i>TO/A</i>[?] [<i>space</i>] PARTS THAT THE PROSECUTION WERE WILLING SHOULD BE MADE PUBLIC WHAT ELSE COULD LEE DO EVERY</p>	<p>THAT AWFUL DEED. THAT HIS LIFE WAS PLACED IN DANGER BY THE FURY OF THE INDIANS RAISED AGAINST HIM, BY REASON OF HIS CONTINUED EFFORTS TO PREVENT THE SHEDDING OF BLOOD. BUT, GENTLEMEN, AT THE REQUEST OF THE PROSECUTION THIS EVIDENCE WAS RULED OUT. WE WERE NOT PERMITTED TO INTRODUCE IT.</p> <p>THEREFORE, WE ARE FORCED TO REST CONTENT WITH THE TESTIMONY OF THE PROSECUTION BEARING UPON THESE POINTS.</p>	<p>THZAT AWFUL DEED. THAT HIS LIFE WAS PLACED IN DANDER BY THE FURY OF THE INDIANS, RAISED AGAINST HIM BY REASON OF HIS CONTINUED EFFORTS TO PREVENT THE SHEDDING OF BLOOD. BUT, GENTLEMEN, AT THE REQUEZST OF THE PROSSECUTION THIS EVIDENCE WAS RULED OUT; WE WERE NOT PR PERMITTED TO INTRODUCE IT;</p> <p>THEREFORE WE ARE FORCED TO REST CONTENT WITH THE TESTIMONY OF THE PROSECUTION BEARING UPON THESE POINTS.</p>

RS	PS	RT	BT
<p>EVERY OBJECT IN HUMANITY PROMPTED HIM TO GO AND CONDUCT THESE EMIGRANTS OUT AS HE DID DO, ACCORDING TO —[?] STATEMENT ACCORDING TO SMITH’S.</p> <p>SMITH THEN GETS LEE DOWN NEXT {TO}¹ CORRAL SAYS THERE HE STAYED THERE ABOUT 2 HOURS I COULD NOT HELP THINK WHILE HE SAW LEE AS BEING THERE ABOUT TWO HOURS THAT THOUGHT HE WAS ABOUT AS BAD —[?] AT THE TIME AS OLD MAN BENNETT WAS WHEN HE</p>	<p>NECESSITY EVERY OBJECT IN HUMANITY PROMPTED HIM GO AND CONDUCT THESE EMIGRANTS OUT AS HE DID DO ACCORDING TO LEE’S ≤SMITH’S≥ STATEMENT [space]</p> <p>SMITH THEN GETS LEE DOWN NEXT CORRAL AND — [?]</p> <p>STAYED THERE ABOUT 2 HOURS [space]</p> <p>LEE’S BEING THERE TWO HOURS THOUGHT HE WAS BE AS BADLY PERTAINING TO THE TIME AS OLD MAN BENNETT WAS WHEN HE</p>	<p>WHY LEE WENT TO THE CAMP OF THE EMIGRANTS YOU CAN ONLY GATHER FROM THE UNSATISFACTO RY STATEMENTS OF</p> <p>INTERESTED WITNESSES. KLINGENSMITH SAYS LEE WAS AT THE CAMP OF THE EMIGRANTS</p> <p><TWO HOURS>. I COULD NOT HELP THINKING WHILE HE WAS PLACING THIS TIME AT TWO HOURS</p> <p>OF OLD MAN BENNETT, AS HE TOLD YOU OF</p>	<p>WHY LEE WENT TO THE MCAMP OF THE EMIGRANTS, YOU CAN ONLY GATHER FROM THE UNSATISFACTO RY STATEMENTS OF THE INTERESTED WITNESSES. KLINGENSMITH SZAYS LEE WAS AT THE CA M P OF THE EMIGRANTS</p> <p>TWO HOURS. I COULD NOT HELP THINK THINKING, WHILE HE WAS PLACING THIS TIME AT TWO HOURS,</p> <p>OF OLD MAN BENNET, AS HE TOLD OF</p>

RS	PS	RT	BT
<p>SAW THE ^{[[2]]}⁵³¹ BONES THOUGHT</p> <p>2 MINUTES WAS TWO HOURS.</p> <p>I DO NOT BELIEVE SMITH TOOK ANY NOTE OF</p>	<p>SAW THE BONES AND HE THOUGHT <i>THEM</i>[?]</p> <p>TWO MINUTES WAS TWO HOURS</p> <p>I DO NOT BELIEVE THAT SMITH TOOK ANY NOTE OF</p>	<p>LOOKING TWO HOURS AT THE REMAINS, AND THEN ADMITTING HE WAS THERE ONLY TWO. MINUTES. KLINGENSMITH, CONSCIOUS OF THE CRIME</p> <p>ABOUT TO ^[48] BE COMMITTED, AND THINKING OF FUTURE CONSEQUENCES , WAS AS BADLY FRIGHTENED AS HE STOOD IN THE RANKS AT THE HEAD OF THE COLUMN WITH GUN IN HAND AND MURDER IN HIS HEART, AS BENNETT WAS, AS HE STOOD SOLITARY AND ALONE LOOKING UPON THE SCENE OF SO MUCH WOE.</p>	<p>LOOKING TWO HOURS AT THE REMAINS THERE, AND THEN ADMITTING HE WAS THERE ONLY TWO MINUTES. KNKLINGENSMIT H CONSCIOUS OF THE CRIME THAT WAS ABOUT TO BE COMMITTED AND THINKING OF “FUTURE CONSEQUENCES ” WAS AS BADLY FRIGHTENED AS HE STOOD IN THE RANKS AT THE HEAD OF THE HCOLUMN WITH GUN IN HAND AND MURDER IN HIS HEART AS BENNET WAS WHEN HE STOOD SOLITARY AND ALONE LOOKING UPON THE SCENE OF SO MUCH WOE.</p>

531. Written at the top of the page in longhand: **CONCLUSION OF W W BISHOPS
ARGUMENT BOOK 12 COMMENCEMENT OF R. N BASKINS CLOSING ARGUMENT.**

RS	PS	RT	BT
<p>TIME BUT HE WANTS LEE THERE LONG ENOUGH SO AS TO MAKE HIS STORY LOOK REASONABLE</p> <p><i>CONSISTENT</i>[?]</p> <p>TELLS YOU LEE TOOK WAGON FOLLOWED ON OUT</p> <p>TRAVELED SOME 50 YARDS FROM WHERE HE WAS <i>STAYED/STOOD</i>[?] THERE THE TROOPS.</p>	<p>TIME BUT HE WANTS LEE THERE LONG ENOUGH SO AS TO MAKE HIS STORY LOOK REASONABLE AND CONSISTENT</p> <p>TELLS YOU THAT LEE TOOK THE WAGONS FOLLOWED ON OUT</p> <p>TRAVELED SOME 50 YARDS FROM WHERE HE WAS STATIONED WITH THE TROOPS</p>	<p>KLINGENSMITH KEEPS LEE AT THE CAMP TWO HOURS TO GIVE PLAUSIBILITY TO HIS STORY, AND MAKE HIS DESCRIPTION SOUND REASONABLE AND CONSISTENT. HE TELLS YOU THAT LEE LED THE WAGONS OUT WITH THE CHILDREN IN THEM;; THE WOMEN FOLLOWING THE WAGONS, AND THE MEN OF THE EMIGRANT TRAIN BRINGING UP THE REAR. THAT HE CONDUCTED THEM BY WHERE THE TROOPS WERE STATIONED, WITHIN 50 YARDS OF WHERE SMITH STOOD IN THE RANKS, GOING SO THAT THE SOLDIERS WERE TO THE RIGHT OF THE PEOPLE; SO THAT, AS THE</p>	<p>KLINGENSMITH KEEPS LEE AT THE CA MP TWO HOURS TO GIVE PLAUSIBILITY TO HIS HIS †STORY, AND MAKE HIS DESCRIPTION SOUND REASONABLE AND CONSISTEN†T. HE TELLS YOU THAT LEE LED THE WAGONS OUT WITH THE CHILDREN IN THEM, THE WOMEN FOLLOWING THE WAGONS AND THE MEN OF THE EMIGRANT TRAIN BRINGING UP THE REAR; THAT HE CONDUCTED THEM BY WHERE THE TROOPS WERE STATIONED WITHIN 50 YARDS OF WHERE SMITH STOOD IN THE RANKS, GOING SO THA T THE SOLDIERS WERE TO THE RIGHT OF THE PEOPLE, SO THAT AS THE STREETS ^[42]</p>

RS	PS	RT	BT
<p>HE STAYED NEAR HEAD OF LINE AND THAT AS THE SOLDIERS <i>STOOD[?] SO[?]</i> HE IS CLOSE <i>THEN THE/—[?]</i> EMIGRANTS WENT DIAGONALLY ACROSS STRIKING ROAD BEFORE THEM AND THAT LEE KEPT RIGHT ALONG WITH THE WAGONS AND HE SAW LEE UPON THE FIELD NO MORE.</p> <p>HE SAYS I STAYED IN THE RANKS WITHOUT OBJECTION BECAUSE REFUSING TO DO SO WOULD DO NO GOOD.</p> <p>HOW DOES IT COME OLD MAN YOUNG, THAT POLLOCK, AND THAT WHITE,</p>	<p>AND LEE STAYED NEAR THE HEAD OF THE LINE AND THESE SOLDIERS</p> <p>STAYED NEAREST THEM EMIGRANTS WENT DIAGONALLY ACROSS STRIKING THE ROAD BEFORE THEM AND THAT LEE KEPT RIGHT ALONG WITH THE WAGONS AND THAT HE SAW LEE UPON THE FIELD NO MORE</p> <p><i>[[31]]</i> HE SAYS I STAYED IN THE RANKS WITHOUT OBJECTION BECAUSE REFUSING TO DO SO WOULD DO NO GOOD</p> <p>HOW DOES IT COME OLD MAN YOUNG THAT POLLOCK THAT WHITE</p>	<p>TROOPS CLOSED UP,</p> <p>THE EMIGRANTS WENT DIAGONALLY ACROSS THE FIELD STRIKING THE ROAD ABOVE. THAT LEE KEPT ALONG WITH THE WAGONS. THAT HE SAW HIM UPON THE MEADOWS NO MORE, AND THIS FROM THE MAN WHO TELLS YOU THAT HE STOOD IN THE RANKS WITHOUT OBJECTION AND SHOT HIS MAN BY REASON OF HIS DESIRE TO DO SO. HE TELLS YOU THAT HE WAS FORCED TO ACT. IF THIS BE TRUE WHY WAS YOUNG, POLLOCK,</p>	<p>TROOPS CLOSED UP</p> <p>THE EMIGRANTS WENT DIAGONALLY ACROSS THE FIELD, STRIKING THE ROAD ABOVE-; THAT LEE KEPT ALONG WITH THE WAGONS , THAT HE SAW HIM UPON THE MEADOWN NO MORE, AND THIS IS FROM THE MAN WHO TELL S YOU THAT HE STOOD IN THE RANKS WITHOUT OBJECTION AND SHOT HIS MAN BY REASON OF HIS DESIRE TO DO SO. HE TELLS YOU THAT HE WAS FORCED TO ACT. IF THIS BE TRUE, WHY WAS YOUNG, POLLOCK,</p>

RS	PS	RT	BT
<p>AND THE MUSTANG ONE FIFTH OF ENTIRE CROWD WERE PERMITTED TO STAND UP ON HILL SIDE OUT OF THE WAY. AND K SMITH WAS FORCED INTO THE RANKS WHY YOU DON'T BELIEVE A WORD OF WHAT HE SAYS HE STARTS OUT OPENING STATEMENT OF MY FRIEND CAREY WAS HE SHOULD PROVE AT THE WORD FIRE JOHN D. LEE WAS IN COMMAND OF THE TROOPS UPON FIELD THEY PROVED BY THIS MAN SMITH THAT HIGBEE</p> <p>GAVE THE ORDERS TO FIRE SO THE OPENING STATEMENT OF COUNSEL</p>	<p>AND THE MUSTANG 1/5 OF ENTIRE CROWD WERE PERMITTED TO STAND UP ON THE HILLSIDE OUT OF THE WAY BUT SMITH WAS FORCED INTO THE RANK WHY YOU DON'T BELIEVE A WORD OF WHAT HE SAYS [space] STARTS OUT THE OPENING STATEMENT OF MY FRIEND CAREY WAS THAT HE SHOULD PROVE THAT AT THE WORD FIRE JOHN D. LEE WAS IN COMMAND OF THE TROOPS UPON THE FIELD THEY PROVED THAT THIS BY THIS MAN SMITH THAT HIGBEE</p> <p>GAVE THE ORDERS TO FIRE SO THE OPENING STATEMENT OF COUNSEL</p>	<p>THE MUSTANG, IN FACT A FIFTH OF THOSE HE CALLS TROOPS, PERMITTED TO BE ABSENT, OUT OF LINE, OUT OF SERVICE?</p> <p>YOU DO NOT BELIEVE HE WAS FORCED TO ACT AT ALL..</p> <p>MY FRIEND CAREY TOLD YOU IN HIS OPENING ADDRESS THAT</p> <p>JOHN D. LEE WAS IN COMMAND OF THE TROOPS ON THE FIELD. KLINGENSMITH, THE MAINSTAY OF THE PROSECUTION, SAYS HIGBEE WAS IN COMMAND AND GAVE THE ORDER TO FIRE.</p>	<p>THE MUSTANG—IN FACT A FIFTH OF THOSE HE CALLS TROOPS PERMITTED TO ABSENT OUT OF LINE AND OUT OF SERVICE?</p> <p>YOU DO NOT BELIEVE HE WAS FORCED TO ACT AT ALL.</p> <p>MY FRIEND CAREY TOLD YOU IN HIS OPENING ADDRESS THAT</p> <p>JOHN D. LEE WAS IN COMMAND OF THE TROOPS ON THE FIELD. KLINGENSMITH THE MAIN STAY OF THE PROSECUTION, SAYS HIGBEE WAS IN COMMAND AND GAVE THE ORDER TO FIRE.</p>

RS	PS	RT	BT
<p>SHOWS</p> <p>PREVIOUS CONVERSATION HE HAD HAD WITH HIS WITNESS FAILED TO INFORM HIS MIND UPON THAT <u>SUBJECT</u>. ⌞?⌟.</p> <p>HE WAS</p> <p>HONESTLY MISTAKEN.</p> <p>HE EXPECTED TO BE ABLE TO PROVE BY THIS MAN SMITH</p> <p>LEE ACTUALLY WAS THE COMMANDER THERE HE WAS NOT ONLY COMMANDER THERE⁵³² BUT</p> <p>DRESSED IN FULL REGIMENTALS AND IN ADDITION TO THAT PAINTED LIKE INDIAN</p>	<p>SHOWS THAT THE THE PREVIOUS CONVERSATION THAT HE HAD HAD WITH THIS WITNESS FAILED TO INFORM HIS MIND UPON THAT SUBJECT</p> <p>HE WAS</p> <p>HONESTLY MISTAKEN</p> <p>HE EXPECTED TO BE ABLE TO PROVE BY THIS MAN SMITH</p> <p>THAT LEE ACTUALLY WAS THE COMMANDER THERE NOT ONLY COMMANDER BUT</p> <p>DRESSED IN FULL REGIMENTALS IN ADDITION TO THAT PAINTED LIKE AN INDIAN</p>	<p>THIS PROVES THAT THE</p> <p>WITNESS HAD MISINFORMED THÆ COUNSEL. FOR I BELIEVE THAT MY FRIEND FRIEND CAREY WAS HONEST IN HONESTLY MISTAKEN UPON THIS QUESTION. HE DID EXPECT THAT</p> <p>KLINGENSMITH ^[49] WOULD SWEAR THAT JOHN D. LEE WAS THE COMMANDER OF THE TROOPS AND THAT HE GAVE THE ORDERS OF ATTACK, ALSO, THAT LEE WAS DRESSED IN FULL REGIMENTALS,</p> <p>PAINTED AS AN INDIAN,</p>	<p>T HIS PROØVES THAT THE</p> <p>WITNESS HAD MISINFORMED THE COUNSEL FOR I BELIEVE MY FRIEND CAREY WAS</p> <p>HOMNESTLY MISTAKEN UPON THIS QUESTION. HE DID EXPECT THZAT</p> <p>KLINGENSMITH WOULD SWEAR THAT JOHN D. LEE WAS THE COMMANDER OF THE TROOPS, AND THAT HE GAVE THE ORDERS OF ARTTACK. ALSO THAT LEE WAS DRESSED IN FULL REGIMENTALS,</p> <p>PAINTED AS AN INDIAN,</p>

532. Word apparently added later.

RS	PS	RT	BT
HAD BOW AND ARROW SPEAR AND A GUN SWORD AND A HORSE AND LEGION OF INFANTRY OBEY HIS COMMANDS NOT SO LEE WAS OFF THE FIELD NOT IN SIGHT SO THE VERY WITNESS TESTIFIES VERY WITNESS THAT THEY PLACED UPON THE STAND PUTS LEE OUT OF SIGHT	AND [space] ◀WORE HIS SWORD AND GUN▶ LEGION OF INFANTRY [space] M[?] THERE TO OBEY HIS COMMANDS NOT SO LEE WAS OFF THE FIELD NOT IN SIGHT SO THE VERY WITNESS TESTIFIES PUTS LEE OUT OF SIGHT	WITH BOW FIRMLY STRUNG, QUIVER FULL OF ARROWS, AND A SPEAR REEKING WITH BLOOD. HE RUSHED AT THE HEAD OF THE COLUMN OF WELL ORDERED AND PERFECTLY EQUIPPED INFANTRY TO THE WORK OF DEATH, WHILE WELL CHOSEN CAVALRY STOOD WAITING TO CAPTURE AND DESTROY THOSE WHO ESCAPED FROM THE INFANTRY ATTACK. HOW SADLY HE WAS MISTAKEN IN ALL THIS. LEE WAS NOT IN COMMAND. HE WAS NOT ON THE FIELD, NOT IN SIGHT OF THE TRAJEDY. EVERY WITNESS FOR THE PROSECUTION PROVES THAT JOHN D. LEE WAS ABSENT FROM THE FIELD AND	WITH BROW FIRMLY STRUNG, QUIVER FULL OF ARROWS AND SPEAR WREAKING WITH BLOOD; HE RUSHED AT THE HEAD OF THE COLUMN OF WELL ORDERED AND PERFECTLY EQUIPEDED INFANTRY TO THE WORK OF DEATH, WHILE WELL CHOSEN CAVELRY STOOD WAITING TO CAPTURE WTHOSE WHO ESCAPED FROM THE INFANTRY ATTACKED. HOW SAXDLY HE WAS MISTAKEN IN ALL THIS ! LEE WAS NOT IN COMMAND; HE WAS NOT ONF THE FIELD; NOT INSIDE OF THE TRAGEDY. EVERY WITNESS FOR THE PROSECUTION PROVES THAT JOHN D. LEE WAS ABSENT FROM THE FIELD AND

RS**PS****RT****BT**

<p>AND PERFORMING AN ACT OF MERCY AT THE TIME THE CARNAGE TOOK PLACE.</p> <p>SMITHS SAYS HE THINKS HE FETCHED HIS MAN HE SHOT AND KILLED YES THE PRINCIPLE OF CRUELTY IS SO LARGELY DEVELOPED IN THAT MAN HE WOULD KILL A PERSON RATHER THAN TO LIFT HIS GUN SHOOT OVER THEIR HEAD.</p>	<p>PERFORMING AN ACT OF MERCY AT THE TIME THE CARNAGE TOOK PLACE [<i>space</i>]</p> <p>SMITH SAYS HE THINKS FETCHED HIS MAN HE SHOT TO KILL NOTE THE PRINCIPLE OF CRUELTY IS SO LARGELY DEVELOPED IN THAT MAN THAT HE WOULD KILL A PERSON RATHER THAN TO LIFT HIS GUN AND SHOOT OVER THEIR HEAD [<i>space</i>]</p>	<p>NEVER HAD COMMAND OF ANY TROOPS OR BODY OF MEN, BUT ON THE CONTRARY ALL THE EVIDENCE SHOWS HIM TO HAVE BEEN ENGAGED IN AN ACT OF MERCY AT THE TIME, SAVING THE CHILDREN FROM SAVAGE FURY, AND CARRYING THEM TO A PLACE OF SAFETY. KLINGENSMITH ADMITS THAT HE DID KILL HIS MAN.</p> <p>NO RAISING OF HIS GUN AND NO SHOOTING OVER THE HEADS OF THE UNFORTUNATES ; BUT HIS NATURAL DESIRE TO ACT</p>	<p>NEVER HAD COMMAND OF ANY TROOPS OR OF BODY OF MEN; ON THE CONTRAÿRY ALL THE EVIDENCE SHOWS HIM TO HQAVE BEEN ENGAGED IN AN ACT OF MEERCY AT THE TIME— SAVING THE CHILDREN FROM SAGA SAVAGE FURY AND CONVEYING THEM TO A PLACE OF SAFETY. KLINGENSMITH ADMITS THAT HE DID KILL HIS MAN.</p> <p>NO RAISING OF HIS GUN, NO SHOOTING OVER THE HEADS OF THE UNFORUÛNATE, BUT HIS NATURAL DESIRE TO ACT</p>
---	--	--	---

RS	PS	RT	BT
<p>I BELIEVE ONLY THING I AM AFRAID OF IS AN ASSASSIN</p> <p>I WOULD BE AFRAID TO LIVE IN</p> <p>COMMUNITY WITH SMITH {AND}ⁱ LET HIM CATCH ME OUT I EXPECT HE WOULD KILL ME TO SEE HOW IT WOULD SEEM/SL[?] ^{[[3]]} AGAIN/—[?] TO SEE HOW HE WOULD INITIATE HIMSELF IN HIS OLD PATHS.</p>	<p>I BELIEVE THE ONLY THING ON EARTH THAT I AM AFRAID OF IS AN ASSASSIN <i>BUT/AND[?]</i> I WILL TELL YOU THAT I WOULD BE AFRAID TO LIVE IN THE SAME COMMUNITY WITH SMITH AND BE OUT ALONE [<i>space</i>]</p> <p>INITIATE HIMSELF INTO HIS OLD CRIMINAL PRACTICES [<i>space</i>]</p>	<p>THE ASSASSIN PROMPTED HIM TO FIRE THE A FATAL SHOT.</p> <p>ALL MEN FEAR ASSASSINS,</p> <p>SO, ALL MEN FEAR THIS WITNESS, BOTH AS ONE LIABLE TO ASSASSINATE HIS FELLOW MAN BY STEALTH, OR ;, TO PROCURE HIS CONVICTION BY COOL PREMEDITATED</p>	<p>THE ASSASSIN PROMPTED HIM TO FIRE ^{[[43]]} A FATAL SHOT.</p> <p>ALL MEN FEAR ASSASSINS,</p> <p>SO ALL MEN FEAR THIS WITNESS, BOTH AS ONE LIABLE TO ASSASSINATE HIS FELLOW MAN BY STEALTH OR TO PROCURE HIS VONVICTION BY COOL PREMEDITATED</p>

RS	PS	RT	BT
<p>WHERE IS EVIDENCE</p> <p>SHOWS LEE KILLED ANYBODY? THERE IS NO EVIDENCE OF IT. FAR FROM IT. HE DOES TAKE THE CHILDREN, CARRIES THEM</p> <p>TO HAMBLIN'S RANCH. HE IS NOT SEEN UPON THE FIELD ANY MORE; NOT EVEN NEXT DAY WHEN</p> <p>BURYING DEAD</p> <p>NOT EVEN NEXT DAY WHEN SMITH IS</p>	<p>WHERE IS EVIDENCE THEN GENTLEMEN THAT SHOWS THAT LEE KILLED ANYBODY THERE IS NO EVIDENCE OF IT FAR FROM IT DOES TAKE THE CHILDREN AND CARRIES THEM</p> <p>TO HAMBLIN'S RANCH SEEN NOT UPON THE FIELD ANY MORE NOT THERE NEXT DAY WHEN</p> <p>SMITH IS</p>	<p>PLANNING AND PERJURY. WHERE IS THE EVIDENCE</p> <p>THAT JOHN D. LEE EVER EVER TOOK HUMAN LIFE ? IT IS NOT BEFORE YOU. FAR FROM IT.</p> <p>HE TAKES THE CHILDREN, CARRIES THEM AT THE RISK OF HIS OWN LIFE TO HAMBLINS RANCH, AND IS NO MORE UPON THE FIELD AT MOUNTAIN MEADOWS; NOT EVEN THE NEXT DAY, WHEN THE PEOPLE ARE BURYING THE DEAD DO WE HEAR OF JOHN D. LEE BEIND IN THE VICINITY. NOT THERE WHEN KLINGENSMITH IS SUP-^[50] ERINTENDING THE GATHERING UP AND REMOVAL OF THE SPOIL.</p> <p>[space]</p>	<p>PLANNING ANED LPERJURY. WHERE IS THE EVIDENCE</p> <p>THAT JOHN D. LEE EVER TOOK HUMAN LIFE? IT IS NOT BEFORE YOU— FAR FROM IT.</p> <p>HE TAKES THE CHILDREN, CARRIES THEM AT THE RISK OF HIS OWN LIFE TO HAMBLINS RANCH, AND IS NO MORE UPON THE FIELD OF MOUNTAIN MEADOWS NOT EVEN THE NEXT DAY WHEN THE PEOPLE ARE BURYING THE DEAD, DO WE HEAR OF JOHN D. LEE BEING IN IN THAT VICINITY. NOT THERE WHEN JK-LG KLINGENSMITH IS SUPERINTENDIN G THE GATHERING UP AND REMOVAL OF THE SPOILS.</p>

RS**PS****RT****BT**

<p>←SAID/SET[?]</p> <p>TO⇒ TAKE CHARGE OF WAGONS AND AT WORK LOOKING THROUGH REMAINS INDIANS HAD LEFT SEEING IF THEY COULD NOT FIND SOMETHING THEY HAD LEFT THERE PAY HIM FOR HIS CRIMINAL ACTS AND PRACTICES. LEE WAS NOT THERE. THEY TOLD YOU THEY WERE GOING SHOW YOU SOMETHING ABOUT MONEY THAT TRAIN HAD THEY FOUND OUT</p> <p>IF THERE WAS ANY MONEY ON THAT TRAIN</p> <p>THEY FOUND OUT SMITH STOLE IT. WHATEVER MONEY SMITH STOLE ON THAT OCCASION HE SPENT IT LONG</p>	<p>SEARCHING WAGONS TAKING CHARGE OF THEM WHEN SMITH IS AT WORK LOOKING THROUGH THE REMAINS THAT INDIANS HAD LEFT SEEING IF HE COULD NOT FIND SOMETHING</p> <p>THERE TO PAY HIM FOR CRIMINAL ACTS AND PRACTICES [space]</p> <p>TOLD YOU</p> <p>SHOW SOMETHING ABOUT MONEY THAT TRAIN HAD NOW THEN FOUND OUT</p> <p>IF THERE WAS ANY MONEY ON THAT TRAIN</p> <p>THAT SMITH STOLE IT AND THEY ^{[[32]]} CAN'T TRACE IT THAT IS ONE THING THAT HE WILL NOT [space] TELL</p>	<p>YOU WERE PROMISED EVIDENCE CONERNING THE MONEY BELONGING TO THE TRAIN; THAT EVIDENCE HAS NOT BEEN PRODUCED. IF THERE WAS ANY MONEY BELONGING TO THE TRAIN THE PRESUMPTION IS THAT KLINGENSMITH STOLE IT AND CONVERTED IT TO HIS OWN INDIVIDUAL AND BASE USES. BY THE</p>	<p>YOU WERE PROMISED EVIDENCE CONSERNING THE MONEY BELONGING TO THE TRAIN. THAT EVIDENCE HAS NOT BEEN PRODUCED. IF THERE WAS MONEY BELONGING TO THE TRAIN, THE PRESSUMPTION WAS THAT KLIGENSMITH STOLE IT AND C ONVERTED IT TO HIS OEWN AND BASE USES. BUTHE IN THE</p>
---	--	---	--

RS	PS	RT	BT
<p>AGO CONSEQUENTLY HE SWEARS HE NEVER SAW A DOLLAR</p> <p>BECAUSE HE IS THE ONLY WHITE MAN THEY CAN'T GIVE ANY IDEA OF BEING AROUND TRAIN HAVING CHARGE OF ANY ALL THEIR THINGS.</p> <p>THEN YOU WERE TOLD ANOTHER THING IN OPENING IN THIS CASE. <i>WOULD</i>[?] SUFFICE YOU TO THINK THIS WAS PECULIAR KIND</p> <p>TRANSACTION THE PEOPLE OF THE TOWN CEDAR CITY THROUGH THAT</p>	<p>MY BROTHER CAREY SWEARS HE NEVER SAW A DOLLAR IN KEEPING WITH HIS OTHER CONDUCT</p> <p>IF THERE WAS MONEY ON THAT TRAIN SMITH STOLE IT [<i>space</i>] THEN YOU ARE TOLD ANOTHER THING IN OPENING OF THIS CASE MAY</p> <p>YOU THINK THIS IS PECULIAR KIND OF TRANSACTION IF THE PEOPLE DOWN AROUND CEDAR CITY COMMITTED</p>	<p>EVIDENCE</p> <p>HE IS THE ONLY WHITE MAN</p> <p>SHOWN TO HAVE CONTROL OF THE PROPERTY AND EFFECTS OF THOSE UNFORTUNATE BEINGS SO WE NATURALLY CONCLUDE THAT IF THERE WAS MONEY THERE KLINGENSMITH STOLE IT ALL. YOU WERE ALSO TOLD BY THE PROSECUTION</p> <p>THAT THE PEOPLE OF CEDAR CITY COMMITTED</p>	<p>EVIDENCE</p> <p>HE IS THE ONLY WHITE MAN</p> <p>SHOWN TO HAVE CONTROLL OF THE PROPERTY AND EFFECTS OF THOSE UNFORTUNATE BEINGS; SO WE NATURALLY CONCLUDE IF THERE WAS MONEY THERE KLINGENSMITH STOLE IT ALL. YOU ARE ALSO TOLD BY THE PROSECUTION</p> <p>THAT THE PEOPLE AT CEDAR CITY COMMITTED</p>

RS	PS	RT	BT
GO THERE FOR THE PURPOSE OF OBTAINING PROPERTY THESE EMIGRANTS HAD. <i>MATTER</i> — [?] <i>OF</i> [?] <i>TIME/TM</i> [?] JUSTICE SO	THIS MASSACRE FOR THE PURPOSE OF OBTAINING PROPERTY IF HE/THEY [?] [<i>space</i>] I WANT JURY TO KNOW IF SUCH A THING AS THAT WAS <i>NO</i> <i>ACCIDENT</i> [?] [<i>space</i>]	THE MASSACRE FOR THE PURPOSE OF OBTAINING THE PROPERTY OF THE EMIGRANTS.	THE MASSACRE FOR THE PURPOSE OF OBTAINING THE PROPERTY OF THE EMIGRANTS.
{I} ⁱ TRIED TO PROVE THAT WAS SO BY SMITH I ASKED HIM IN CROSS EXAMINATION		WE MADE AN EFFORT TO PROVE THAT BY KLINGENSMITH, IN CROSS- EXAMINATION, BUT HE STOUTLY DENIED THE FACT, AND SAID HE NEVER HEARD	WE MADE AN EFFORT TO PROVE THAT BY KLINGENSMITH IN CROSS- EXAMINATION, BUT HE STOUTLY DENIED THE FACT, AND SAID HE NEVER HEARD
IF HE ⁵³³ EVER HEARD ANYBODY IN ANY COUNCILS SPEAK OF TAKING {THE} ⁱ PROPERTY	IF HE EVER HEARD ANYTHING SAID IN COUNCILS SPEAK OF THAT PROPERTY	ANY ONE SPEAK IN COUNCIL OR ELSEWHERE OF TAKING THE PROPERTY BELONGING TO THE EMIGRANTS' MY FRIEND CAREY TELLS YOU THAT TO OBTAIN THE PROPERTY THE PEOPLE KILLED THE EMIGRANTS.	ANYONE SPEAK IN COUNSEL OR ELSEWHERE OF TAKING THE PROPERTY BELONGING TO THE EMIGRANTS. MY FRIEND CAREY TELLS YOU THAT TO OBTAIN THIS PROPERTY THE PEOPLE KILLED THE EMIGRANTS.
THESE EMIGRANTS HAD OR SPEAK OF THAT PROPERTY AS {THE} ⁱ REASON WHY THESE	AS REASON WHY		
EMIGRANTS SHOULD BE KILLED.	EMIGRANTS SHOULD BE KILLED		

533. Word apparently added later.

RS	PS	RT	BT
<p>SAYS HE NEVER HEARD WORD ABOUT {THE}ⁱ PROPERTY OF</p> <p>EMIGRANTS NEVER HEARD THAT MENTIONED. IN A COUNCIL NEVER HEARD ANYBODY SPEAK OF IT AND NEVER THOUGHT OF SUCH A THING AS PROPERTY BEING REASON FOR KILLING EMIGRANTS. THERE GOES THAT PORTION OF THEIR BUNKUM STATEMENT.</p> <p>SAYS HE NEVER HEARD MENTION OF PROPERTY OF EMIGRANTS IN COUNCIL</p>	<p>NEVER HEARD WORD OF THE PROPERTY OF</p> <p>EMIGRANTS NEVER HEARD THAT MENTIONED IN A COUNCIL NEVER</p> <p>THOUGHT OF SUCH A THING AS THE PROPERTY BEING THE REASON FOR THEIR KILLING THE EMIGRANTS AND THERE GOES THAT PORTION OF THEIR BUNK STATEMENT</p> <p>SAYS HE NEVER HEARD THE QUESTION ABOUT THE OF PROPERTY OF EMIGRANTS MENTIONED IN A COUNCIL</p>	<p>KLINGENSMITH SAYS IT IZS NOT SO. HE NEVER HEARD A WORD SAID ABOUT THE PROPERTY OF THE EMIGRANTS; NEVER HEARD THE SUBJECT MENTIONED IN COUNCIL. NEVER HEARD A PERSON SPEAK OF IT, AND THAT HE NEVER HAD AN IDEA THAT THE PROPERTY WAS THE CAUSE OF THE PEOPLE BEING MASSACRED. SO MUCH FOR THAT PART OF THE STATEMENT OF THE PROSECUTION. IT WAS MADE FOR EFFECT, AND RECOILS UPON THEIR OWN HEADS.</p>	<p>KLINGENSMITH SAÜYS IT ISNOT SO,- HE NEFVER HEARD A WORD ABOUT THE PROPERTY OF THE EMIGRANTS— NEVER HEARD THE SUBJECT NMENTIONED IN COUNSEL: NEVER HEARD A PERSON SPEAK OF IT AND HE NEVER HAD AN IDEA THAT THE PROPERTY WAS THE CAUSE OF THE PEOPLE BEING MASSACRED. SO MUCH FOR THAT PART OF THE STATEMENT OF THE PROSECUTION. IT WAS MADE FOR EFFECT AND RECOILS UPON THEIR OWN HEADS.</p>

RS**PS****RT****BT**

NEITHER ON THE FIELD NEVER HEARD OF IT. NEXT THING HE PASSES TO	NOR ON THE FIELD NEITHER ONE NEVER HEARD OF IT THEN THE NEXT THING THAT HE SPEAKS ABOUT IS		
HE SAYS NO INDIANS AROUND CEDAR CITY PREVIOUS TO THIS KILLING EXCEPTING A FEW THAT LIVED THERE ON COAL CREEK. AND THAT WHEN HE GOT TO THE FIELD OF BATTLE HE SAW NO INDIANS AROUND	THAT NO INDIANS AROUND CEDAR CITY PREVIOUS TO THIS KILLING EXCEPT A FEW THAT LIVED THERE ON COAL CREEK AND THAT WHEN HE GOT TO THE FIELD OF BATTLE HE SAW NO INDIANS AROUND	NEXT, CAREY TELLS YOU, AND KLINGENSMITH ECHOES THE STATEMENT, THAT NO INDIANS WERE AROUND CEDAR CITY PREVIOUS TO THIS MASSACRE, EXCEPT A FEW WHO LIVED ON CORN CREEK. THAT WHEN THE WHITES GOT TO THE ^[51] FIELD OF BATTLE THERE WERE NO INDIANS AROUND THE MEADOWS. NONE THERE UNTIL THE TIME OF THE ATTACK EXCEPT ONE OR TWO, THEN HE ADMITS THAT HE SAW PERHAPS TWENTY OR THIRTY. THIS IS ALL DISPROVED BY EVIDENCE OF THE	^[44] NESXT CARY TELLS YOU AND KLINGENSMITH ECHOES THE STATEMENT THAT NO INDIANS WERE AROUND CEDAR CITY EXCEPT A FEW WHO LIVED ON COAL CREEK. THAT WHEN THE WHITES GOT TO THE FIRELD OF BATTLE THERE WERE NO INDIANS RAROUND THE MEADOWS,- NONE THERE UNTIL THE TIME OF THE ATTACK EXCEPT ONE OFR TWO. THEN HE ADMITTS TH AT HE SAW PERHAPS 20 OR 30. BUT THIS IS ALL DISPROVED BY EVIDENCE OF THE
THERE UNTIL THE TIME OF CONFLICT EXCEPT ONE OR 2 ⁵³⁴ ^{[[4]]} THEN	THERE UNTIL THE TIME OF THE CONFLICT EXCEPT ONE OR TWO THEN		
HE SAW MAYBE 20 OR 30.	HE SAW MAYBE 20 OR 30		
THE EVIDENCE FOR THE	THE EVIDENCE FOR THE		

534. At the bottom of the page: 422 WORDS ON THIS PAGE)422(.

RS	PS	RT	BT
<p>PROSECUTION SHOWS THEY CAN'T DENY IT NO RIGHT TO DISPUTE IT OR QUESTION IT</p> <p>THAT THE INDIANS WERE FIRING UPON THE EMIGRANTS AT THE TIME THAT SMITH WENT UPON THE FIELD THAT THEY KEPT UP THEIR FIRING AT IRREGULAR INTERVALS FROM THAT TIME UNTIL MORNING BEFORE MASSACRE.</p> <p>YET SMITH NEVER HEARD OR SAW ANY INDIANS DURING ALL THIS TIME THERE IS ANOTHER</p>	<p>PROSECUTION SHOWS THEY CAN'T DENY IT NO RIGHT TO DISPUTE IT OR QUESTION IT</p> <p>THAT THE INDIANS <i>WERE</i>[?] FIRING UPON THE EMIGRANTS AT THE TIME THAT SMITH WENT UPON THE FIELD THAT THEY KEPT UP THEIR FIRING AT IRREGULAR INTERVALS FROM THAT TIME UNTIL MORNING BEFORE MASSACRE</p> <p>YET SMITH NEVER HEARD A SHOT AND SMITH SAW NO INDIANS DURING ALL THIS TIME THERE IS ANOTHER</p>	<p>PROSECUTION, IT CANNOT BE DISPUTED, THAT THE PROSECUTION HAS PROVEN BY THE MASS OF ITS WITNESSES THAT THE INDIANS WERE FIRING UPON THE EMIGRANTS WHEN KLINGENSMITH ARRIVED AT THE MEADOWS. THAT THEY KEPT UP THEIR FIRING AT REGULAR INTERVALS FROM THAT TIME UNTIL EARLY IN THE MORNING OF THE DAY THE MASSACRE WAS COMMITTED. YET THIS WITNESS KLINGENSMITH TELLS YOU HE NEVER HEARD A SHOT FIRED, SAW NO INDIANS DURING THE TIME HE WAS THERE. FALSE AS THIS</p>	<p>PROSECUTION. IT CAN NOT BE DISPUTED THAT THE PROSECUTION HAS PROVEN BY THE MASS MOST OF ITS WITNESSES THAT THE INDIANS WERE FIRING UPON THE EMIGRANTS WHEN KLINGENSMITH ARRIVED AT THE MEADOWS; THAT THEY KEPT UP THEIR FIRING AT REGULAR INTERVALS FROM THEAT TIME UNTIL EARLY OF THE MORNING OF THE DAY THE MASSACRE WAS COMMITTED. YET THIS WITNESS, KLINGENSMITH, TELLS YOU HE NEVER HEARD A SHOT FIRED; SAW NO INDIANS DURING THE TIME HE WAS THERE. FALSE IN THIS</p>

RS	PS	RT	BT
<p>THING HE FAILED TO AGREE WITH OTHER WITNESSES UPON PREVIOUS TO TESTIMONY HE IS DETERMINED TO BE CHIEF IN EVERY THING IN VIRTUOUS ACTION AS WELL AS IN FELONIOUS PROJECTS AND HE SAYS HE WAS DIRECTED TO GO TAKE CHARGE OF</p> <p>CHILDREN. MY GOD</p> <p>WHO WOULD BELIEVE THAT ANY MAN EVER EXISTED THAT WOULD PLACE THAT MAN IN CHARGE OF 17 LITTLE CHILDREN. <?> FR/VR[?] LOWLY[?]</p>	<p>THING THAT HE FAILED TO AGREE WITH OTHER WITNESSES UPON PREVIOUS TO THEIR TESTIMONY HE IS DETERMINED TO BE THE CHIEF AND IN EVERYTHING IN VIRTUOUS ACTS AS WELL AS DIABOLICAL ACTS [space] SAYS THAT HE WOULD BE WAS DIRECT TO GO AND [space]</p> <p>MY GOD</p> <p>WHAT HUMAN BEING EVER EXISTED THAT WOULD PLACE THAT MAN IN CHARGE OF 17 LITTLE CHILDREN</p>	<p>AS HE IS FALSE IN ALL, YET TO IMPRESS YOU WITH HIS IMPORTANCE,</p> <p>TO MAKE YOU BELIEVE HIM A LEADER IN EVERYTHING, HE TELLS YOU</p> <p>HE WAS SELECTED TO TAKE CHARGE OF THOSE INNOCENT, ORPHANED CHILDREN. MY GOD! IS IT POSSIBLE THAT HUMAN DEPRIVITY COULD GO SO FAR AS TO PROMPT ANY ONE IN THE SEMBLANCE OF HUMANITY TO PLACE THAT MONSTER IN CHARGE OF SEVENTEEN HELPLESS BABES. ? GENTLEMEN OF THE JURY, CAN YOU IMAGINE THE TERRORS</p>	<p>AS HE IS FALSE IN ALL; YET TO IMPRESS YOU WITH HIS IMPORTANCE , - YET TO IMPRESS YOU WITH</p> <p>TO MAKE YOU BELIEVE HIM A LEADER IN EVERYTHING, HE TELLS YOU</p> <p>HE WAS SELECTED TO TAKE CHARGE OF THOSE INNOCENT</p> <p>CHILDREN. MY GOD! IS IT POSSIBLE THZAT HUMAN DEPRIVITY COULD GO SO FAR AS TO PROMPT ANYONE IN THE SEMBLANCE OF HUMANITY TO PLACE THAT MONSTER IN CHARGE OF I7 HELPLESS BABES? GENTLEMEN OF THE JURY, CAN YOU INMAGINE THE TERROR</p>

RS	PS	RT	BT
<p>WHY YOU WOULD NOT TRUST YOURSELVES WITH HIM MUCH LESS INNOCENT «ORPHANED» CHILDREN</p> <p>UNLESS YOU EXPECT HIM TO ACT THE PART OF HEROD'S MESSENGER AND KILL ALL THE CHILDREN.</p> <p>NO HE NEVER WAS SELECTED AS</p>	<p>WHY YOU WOULD NOT TRUST YOURSELVES WITH HIM MUCH LESS AN INNOCENT CHILD</p> <p>UNLESS YOU EXPECTED HIM TO ACT THE PART OF HEROD'S MESSENGER AND KILL ALL THE CHILDREN</p> <p>NO HE NEVER WAS SELECTED AS</p>	<p>OF THE SITUATION THAT WOULD CAUSE YOU, OR ONE OF YOU TO TRUST ONE OF YOUR INNOCENT OFFSPRING TO THE TENDER MERCY AND PROTECTING CARE OF SUCH A WRETCH ? MUCH LESS WOULD YOU PLACE HIM IN A CHARGE OF A NUMBER OF NEW MADE ORPHANS,</p> <p>UNLESS YOU WISHED AND EXPECTED HIM TO ACT THE PART OF HEROD'S MESSENGER, AND KILL ALL THE CHILDREN TO MAKE THE WORK OF DEATH COMPLETE. HE NEVER WAS SELECTED</p>	<p>OF THE SITUATION?, THAT WOULD CAUSE UYOU OR NANYONE OF YOU TO TRUST ONE OF YOUR INNOCENT OFFSPRING TO THE TENDER MERCY AND PROTECTING CARE OF SUCH A WRETCH!? MUCH LESS WWOULD YOU PLACE HIM IN CHARGE OF A NUMBER OF NEW MADE ORPHANS ORFANTS, UNLESS YOU WISHED AND EXPECTED HIM TO ACT THE PART OF HERODS MESSENGER AND KILL ALL THE CHILDREN TO MAKE THE WORK OF DEATH COMPLETE. HE NEVER WAS SELECTED TO TAKE INNOCENT CHILDREN TO</p>

RS	PS	RT	BT
<p>A MESSENGER</p> <p>TO TAKE INNOCENT {CHILDREN}ⁱ TO A PLACE OF SAFETY AND KEEP THEM ALIVE;</p> <p>NOT ANY ON EARTH. BUT HOW NICELY HE DOES TELLS STORY AND MANAGE THE THING HE SAYS THERE WAS 5 OR 6 SMALL ONES. HE GOT HOMES FOR THEM ALL.</p> <p>CAN'T</p>	<p>A MESSENGER</p> <p>TO TAKE INNOCENT CHILDREN TO A PLACE OF SAFETY AND KEEP THEM ALIVE</p> <p>[[33]]</p> <p>NEVER ON EARTH BUT HOW NICELY HE DOES</p> <p>MANAGE THE THING</p> <p>SAYS FIVE OR 6 OF THESE SMALL ONES</p> <p>CAN'T TELL WHO HE <i>WENT</i>[?] GAVE <i>THEM/THEY</i>[?] <i>CAME/K</i>[?]</p>	<p>TO ACT THE PART OF SUCH AN ANGEL OF MERCY. HE NEVER WAS SELECTED TO TAKE CARE OF AND</p> <p>KEEP ALIVE ANY CHILDREN <u>NO, NEVER, NEVER UPON EARTH.</u> BUT HOW CLEVERLY HE RECITES HIS ACTS ^[52] AND DOINGS, HOW PLAUSIBLE HIS STORY. ! HE SAYS THERE WERE FIVE OR SIX SMALL ONES, HE GOT HOMES FOR THEM ALL , FOR ALL OF THE SEVENTEEN CHILDREN , BUT CAN RECOLLECT</p>	<p>A PLACE OF SAFETY. HE VEN HE NEVER WAS SENSELECTED TO ACT THE PART OF SUCH AN ANGEL OF MERCY. HE NEVER WAS SEGSELECTED TO ETTAKE CARE OF AND</p> <p>KEEP ALIVE ANY CHILDREN.—NO NEVER — NEVER UPON EARTH! BUT HOW CLEVERLY HE RECITES HIS ACTS AND DOINGS,- HOW PLAUSABLE HIS STORY. HE SAYS THERE WERE FIVE ^[45] OR SIX SMALL ONES. HE GOT HOMES FOR THEM ALL — FOR ALL OF THE 17 CHILDREN, BUT CAN RECOLLECT</p>

RS	PS	RT	BT
<p>RECALL BUT 5 PEOPLE THAT TOOK THE CHILDREN. CAN'T TELL YOU WHERE BUT 5 OF THEM WERE LEFT.</p> <p>HE CAN TELL YOU THE VERY ACCENT OF EVERY WORD</p> <p>JOHN D. LEE</p> <p>LYING WELL AND EVERY THING THAT IS CALCULATED <i>CONVICT/AFFECT</i> [?] THIS DEFENDANT [space] HE CAN'T TELL AT ALL. FIXED IT ALL UP WHEN HE GOES FROM THERE TO SISTER HOPKINS; THAT IS ABOUT {THE}ⁱ BEST THING</p>	<p>CAN'T TELL WHERE BUT FIVE CHILDREN WERE LEFT</p> <p>BUT HE CAN TELL YOU THE VERY ACCENT OF EVERY WORD OF</p> <p>JOHN D. LEE</p> <p>LYING PERFECTLY EVERYTHING THAT IS CALCULATED TO CONVICT HIS DEFENDANT HE <i>CAN/CAN'T</i>[?] TELL IT AT ALL [space] KNOWS IT ALL [space] BUT THEN HE GOES FROM THERE TO SISTER HOPKINS</p>	<p>ONLY FIVE CHILDREN PEOPLE, THAT EACH TOOK A CHILD.</p> <p>UPON THIS SUBJECT HIS MEMORY IS DEFECTIVE, WHILE HE CAN GIVE THE VERY ACCENT AND EVERY WORD HE PRETENDS TO HAVE HEARD JOHN D. LEE UTTER DURING A LOND COURSE OF YEARS.</p> <p>HE ARRIVES AT THE HOUSE OF HOPKINS, SO HE INFORMS YOU, AND SAYD</p>	<p>ONLY FIVE PEOPLE, THAT EACH TOOK A CHILD,</p> <p>UPON THIS SUBJECT HIS MEMORY IS DEFECTIVE. WHILE HE CAN GIVE THE VERY ACCENT OF EVERY WORD, HE PRETENDS TO HAVE HEARD JOHN D. LEE UTTER DURING A LONG COURSE OF YEARS,.</p> <p>HE ARRIVES AT THE HOUSE OF HOPKINS, SO HE INFORMES YOU, AÐND SAYS</p>

RS	PS	RT	BT
<p>HE SWORE TO SAYS SHE KNEW ALL ABOUT {IT AND}ⁱ HE SAYS HOPKINS WAS THERE Q ≈</p> <p>YOU WAS THERE TOO WAS NOT TO/TOO[?] I DID SAY I WAS THERE ≈ DID YOUR WIFE KNOW ABOUT AND HE REPLIED⁵³⁵ I DID NOT TELL MY WIFE BECAUSE I DID NOT WISH TO BOTHER HER MIND.</p> <p>DO YOU SUPPOSE THAT THAT IMP OF CREATION EVER STOPPED TO CONSIDER</p>	<p>AND HE LIED KNEW ALL ABOUT IT</p> <p>AND SHE RUSTLED AROUND AND FIXED UP FOR THE CHILDREN HOW DID HE KNOW SHE KNEW ALL ABOUT [space] WHO WAS SHE[?] [space] ~</p> <p>NO I DID NOT TELL MY WIFE BECAUSE I DID NOT WISH TO BOTHER HER MIND</p> <p>DO YOU SUPPOSE THAT IMP OF CREATION EVER STOPPED TO CONSIDER</p>	<p>SISTER HOPKINS</p> <p>KNEW ALL ABOUT IT BECAUSE HER HUSBAND WAS THERE.</p> <p>WHEN ASKED IF HIS WIFE KNEW ALL ABOUT IT TOO, HE REPLIED NO, I DID NOT TELL MY WIFE, BECAUSE I DID NOT WANT TO BOTHER HER MIND” DO YOU BELIEVE HIM — DO YOU BELIEVE THAT THIS IMP OF CREATION EVER STOPPED TO CONSIDER</p>	<p>SISTER HOPKINS</p> <p>KNEW ALL ABOUT IT BECAUSE HER HUSBAND WAS THERE.</p> <p>WHEN ASKED IF HIS WIFE KNEW ALL ABOUT IT TOO, HE REPLIED,” NO I DID NOT TELL MY WIFE BECAUSE I DID NOT WANT TO BOTHER HER MIND.” DO YOU BELIVE HIM? DO YOU BELIVE THAT THIS IMP OF CREATION EVER STOPPED TO CONSIDER</p>

535. “AND HE REPLIED” apparently added later.

RS	PS	RT	BT
<p>WHETHER HE WOULD BOTHER WOMAN'S MIND OR NOT;</p> <p>GIVE JOY OR PAIN? NO. {HE}ⁱ DID NOT TELL HIS WIFE BECAUSE HE DID NOT WISH TO BOTHER HER MIND THE FACT OF THE BUSINESS IS GENTLEMEN HE WAS <i>THE/A</i>[?]⁵³⁶ LEADING CRIMINAL ON THAT OCCASION AND DARE NOT TELL IT UNTIL</p> <p>GOVERNMENT HAD WRITTEN</p> <p>ITS NOLLE {AND}ⁱ HAD IT IN HIS POCKET</p> <p>HE WOULD BE HERE NOT PLEADING UNTIL THE</p>	<p>WHETHER HE WOULD BOTHER A WOMAN'S MIND OR NOT WHETHER HE WOULD GIVE JOY OR PAIN\leq?\geq NO DID NOT TELL HIS WIFE BECAUSE HE DID NOT [<i>space</i>] ~ FACT</p> <p>GENTLEMEN IS THAT HE WAS <i>THE/A</i>[?]⁵³⁷ LEADING CRIMINAL ON THAT OCCASION DID NOT DARE TO TELL IT UNTIL</p> <p>GOVERNMENT HAD WRITTEN OUT ITS NOLLE</p> <p>HE WOULD HAVE BEEN HERE PLEADING NOT GUILTY UNTIL</p>	<p>WHETHER HE WOULD BOTHER A WOMAN'S MIND OR NOT, WHETHER HE WOULD GIVE HER PLEASURE OR PAIN ? NO, MOST EMPHATICALLY NO.</p> <p>THE FACT \emptysetIS HE DID NOT TELL IT BECAUSE HE WAS THE LEADING CRIMINAL ON THAT OCCASION, AND DARE NOT TELL IT UNTIL THE GOVERNMENT HASD THROWN AROUND HIM ITS NOLLE, AND HE HAD IT IN HIS POCKET; AND HAD HE NOT PROTECTION FROM THE GOVERNMENT HE WOULD NOT BE HERE NOW.</p>	<p>WHETHER HE WOULD BOTHER A WOMANS MIND OR NOT;?- WHETHER HE WOULD GIVE HER PLEASURE OR PAIN? NO, MOST EMPHATICALLY NO!</p> <p>THE FACT IS HE DID NOT TELL IT BECAUSE HE WAS THE LEADING CRIMINAL ON THAT OCCASION AND DARE D NOT TELL IT UNTIL THE GOVERNMENT HAD THROWN AROUND HIM ITS NOLLE AND HE HAD IT IN HIS POCKET; AND HAD HE NOT THE PROTECTION OF THE GOVERNMENT HE WOULD NOT BE HERE NOW.</p>

536. It is impossible here to differentiate between "THE" and "A".

537. It is impossible here to differentiate between "THE" and "A".

RS	PS	RT	BT
<p>PROSECUTION WOULD SAY WE'LL GIVE YOU [[5]] FREE RIDE</p> <p>IN FACT GIVE YOU CHANCE TO BE NOTORIOUS PLACE A GUARD ROUND ABOUT YOU</p> <p>BRING NEWSPAPER REPORTERS TO</p>	<p>PROSECUTION SAID GIVE YOU FREE RIDE PUT <i>ASIDE/SD/SSD[?]</i> <i>SET/ST[?]</i> GUARD YOU MAKE MUCH OF YOU GIVE [space] BECOME NOTORIOUS PLACE GUARD ROUND ABOUT YOU</p> <p>BRING NEWSPAPER REPORTERS</p>	<p>WAS IT NOT FOR THE FACT THAT HE WAS GUARDED THROUGH NEVADA ON HIS WAY HERE, THE GUARD PLACED AROUND HIM AFTER HIS ARRIVAL, HIS FREEDOM FROM FUTURE PROSECUTION ASSURED AND ENTERED AS A MATTER OF RECORD IN THE PROCEEDINGS OF THE COURT AND A CHANCE FOR NOTARIETY OPENED UP TO HIM,</p>	<p>WAS IS NOT FOR THE FACT THAT HE WAS GUARDED THROUGH NEVADA ON HIS WAY HERE,- A GUARD PLACED AROUND HIM AFTER HIS ARRIVAL HERE,- HIS FREEDOM FROM THE FURTURE</p> <p>SECURED AND ENTERED AS A MATTER OF RECORD IN THE PROCEEDINGS OF THIS COURT, AND A CHAGNCE FOR NOTARIETY OPENED UP TO HIM,</p>

RS	PS	RT	BT
INTERVIEW {YOU;} ⁱ SWEAR YOU IN COURT	AROUND YOU		
TALK TO PEOPLE TELL THEM YOU ARE TRUTHFUL MAN AND TRY REINSTATE YOU IN THE GOOD WILL OF YOUR FELLOW MEN AGAIN IN BUSINESS.	TALK TO THE PEOPLE AND TELL THEM YOU ARE A TRUTHFUL AND TRY TO REINSTATE YOU IN THE GOOD WILL OF YOUR FELLOW MEN	HE WOULD NOT HAVE DISGRACED THE WITNESS STAND IN THIS PROCEEDING, BUT HE HAS BEEN HERE, HAS BEEN PETTED, FLATTERED, FEASTED AND INTERVIEWED, UNTIL HE BELIEVES HIS CRIMES ARE FORGOTTEN, AS WELL AS EXCUSED. THAT HE WILL SOON BE RE-ENSTATED IN THE GOOD GRACES OF THE PEOPLE, AND ^[53] THAT RICHES AND PREFERMENT ARE WITHIN HIS REACH.	HE WOULD NOT HAVE DISGRACED THE WITNESS STAND IN THIS PROCEEDING. BUT HE HAS BEEN HERE;, HAD BEEN PETTED, FLATTERED, FEASTED AND INTERVIEWED UNTIL HE BELIEVES HIS CRIMES ARE FORGOTTEN AS WELL AS EXCUSED; THAT HE WILL SOON BE REINSTATED IN THE GOOD GRACES OF THE PEOPLE AND THAT RICHES AND PREFERMENT ARE WITHIN HIS REACH.
WHERE DOES THAT APPEAR IN THE TESTIMONY IN <u>BUT</u> [?] IT <u>APPEARS IN</u> <u>THIS</u> HE TESTIFIED HE WAS FOUND IN SAN	<BASKIN> WHERE DOES THAT APPEAR IN THE TESTIMONY LET ME ASK [space] IT APPEARS IN THIS THAT HE TESTIFIES HE WAS FOUND IN SAN	HE HAS TESTIFIED THAT HE WAS FOUND IN SAN	HE HAS TESTIFIED THAT HE HAS FOUND IN SAN

RS	PS	RT	BT
<p>BERNARDINO CALIFORNIA CAME THROUGH {THE}ⁱ STATE {OF}ⁱ NEVADA TO THIS PLACE. CAME HERE AND THAT HE WAS A PRISONER OF THE OFFICERS OF THIS COUNTRY UNTIL BROUGHT INTO THIS COURT AS A WITNESS AND THEN A NOLLE ENTERED IN HIS BEHALF</p> <p>AS IT WERE THE SHACKLES —[?] KNOCKED FROM HIS TREMBLING OLD LIMBS IN THE PRESENCE OF THIS JURY. THAT IS WHERE IT COMES IN. OF COURSE</p>	<p>BERNARDINO COUNTY CALIFORNIA THAT HE CAME THROUGH THE STATE OF NEVADA TO THIS PLACE CAME HERE AND THAT HE WAS A PRISONER OF THE OFFICERS OF THIS COURT UNTIL BROUGHT INTO THIS COURT AS A WITNESS AND THEN A NOLLE ENTERED IN HIS BEHALF</p> <p>AS IT WERE THE SHACKLES KNOCKED FROM HIS TREMBLING LIMBS IN THE PRESENCE OF THIS JURY THAT IS WHERE IT COMES IN [<i>space</i>] OF COURSE</p>	<p>BERNARDINO COUNTY, CALIFORNIA.</p> <p>WAS BROUGHT HERE AS A PRISONER, CHARGED WITH MURDER;</p> <p>THAT HE DID NOT KNOW HE WAS TO BE RELEASED. DO YOU BELIEVE THIS STATEMENT ? NO! WHY NOT ? BECAUSE YOU HAVE SEEN THE COURT KNOCK THE SHACKLES FROM HIS OLD AND TREMBLING LIMBS, HERE IN OPEN COURT.</p>	<p>BARNADINO COUNTY, CA LIFORNIA;</p> <p>WAS BROUGHT HERE AS A PRISONER CHARGED WITH MURDER;</p> <p>THAT HE DID NOT KNOW THAT HE WAS TO BE RELEASED. ODO YOU BELIEVE THIS STATEMENT? NO! AND WHY NOT? BECAUSE YOU HAVE SEEN THE COURT ^[46] NKNOCKED THE SHACKLES FROM HIS OLD AND TREMBLING LIMBS HERE IN OPEN COURT.</p>

RS	PS	RT	BT
<p>THAT THING ABOUT HIS BEING INTERVIEWED AND THEIR TRYING MAKE HIM RESPECTABLE THAT I DREW FROM MY IMAGINATION AND</p> <p>BEG MY BROTHER BASKIN'S PARDON FOR {IT}ⁱ.</p> <p>HE SAYS 40 OR 50 HEAD OF THESE CATTLE BEFORE I LEAVE IN REGARD TO THIS CHILDREN HOW DOES IT COME IF HE TOOK {THE}ⁱ CHILDREN OVER TO CEDAR CITY</p> <p>THAT THIS OTHER PARTY WENT AND TOOK CHILDREN {THE}ⁱ NEXT DAY YOU CAN'T RECONCILE THAT MATTER WITH</p>	<p>THAT THING ABOUT HIS BEING INTERVIEWED THEIR TRYING TO MAKE HIM RESPECTABLE THAT I DREW UP IN MY IMAGINATION <i>IF/FOR</i>[?] BECAUSE HE <i>WOULD</i>[?] TRY TO MAKE HIM RESPECTABLE WENT PARDON FOR IT> THEY <i>DID ALL THEY</i>[?] CAN DO [<i>space</i>] .</p> <p>HOW DOES IT COME IF HE TOOK THE CHILDREN OVER TO MOTHER HOPKINS ^{[[34]]}</p> <p>THAT THIS OTHER PARTY WENT AND TOOK THE CHILDREN THE NEXT DAY YOU CAN'T RECONCILE THAT MATTER WITH THE</p>	<p>HE TELLS YOU THAT HE CARRIED THE CHILDREN TO CEDAR CITY.</p> <p>WILLIS DISPUTES THIS AND SAYS THAT HE CARRIED THEM. THERE.</p> <p>RECONCILE THIS, IF YOU CAN.</p>	<p>HE TELLS YOU THAT HE CARRIED THE CHILDREN TO CEDAR CITY.</p> <p>JOHN WILLIS DISPUTES THIS, AND SAYS THAT HE CARRIED THEM THERE.</p> <p>RECONCILE THIS IF YOU CAN.</p>

RS	PS	RT	BT
<p>EVIDENCE OF</p> <p>WHITE AND POLLOCK. THEY SAY SMITH TOOK THE WAGONS AND PROPERTY HE HAD <u>AN EYE TO BIGGER</u> GAME. THAN A FEW LITTLE CHILDREN</p> <p>HE WAS NOT AT THAT TIME PERFORMING PART OF A WET NURSE</p>	<p>EVIDENCE OF</p> <p>WHITE AND POLLOCK. THEY SAY SMITH TOOK THE WAGONS AND PROPERTY HE HAD AN EYE TO BIGGER GAME THAN A FEW LITTLE CHILDREN</p> <p>HE WAS NOT AT THAT TIME PERFORMING PART OF A WET NURSE</p>	<p>HE SAYS HE LEFT THE FIELD THE NIGHT OF THE MASSACRE. WHITE AND POLLOCK BOTH SAY THAT HE DID NOT DO SO; THAT HE STAYED ON THE MEADOWS ALL NIGHT WITH THEM AND HELPED THEM GATHER AND REMOVE THE PROPERTY NEXT DAY. THIS ALSO NEEDS RECONCILING. HE CLAIMS TO HAVE TAKEN CHARGE OF THE CHILDREN. I DENY THAT HE WAS THEN ACTING THE PART OF NURSE FOR TENDER INNOCENCE. NO, GENTLEMEN, HE WAS OTHERWISE ENGAGED. WHILE THE CHILDREN WERE BEING REMOVED TO A PLACE OF SAFETY, BY KINDER HANDS,</p>	<p>KLINGENSMITH S AYS HE LEFT THE FIE LD THE NIGHT OF THE MASSSCRE; WHITE AND POLLOCK BOTH SAY THAT HE DID NOT DO SO; BUT THAT HE STAID ON THE MEADOWS ALL NIƒHT WITH THEM AND HELPED THEM GATHER AND REMOVE THE PROPERTY WITH THEM THE NEXT DAY. THIS ALSO NEEDS RECONCILING. HE VCLAIMS TO HAVE TAKEN CHARGE OF THE CHILDREN; I DENY THAT HE WAS THEN ACTING THE NURSE FOR TENDER INNOCENCE. NO, GENTLEMEN, HE WAS OTHERWISE ENGAGED. WHILE THE CHILDREN WERE BEING REMOVED TO A PLACE OF SAFETY BY KINDER HANDS,</p>

RS	PS	RT	BT
<p>HE WAS ACTING {THE}ⁱ PART OF A WHOLESALE THIEF OF CHILDREN AND</p> <p>CARED NOTHING FOR THEM; THEIR WANTS HE DID NOT ATTEND TO. HE STAYED UPON THE FIELD SLEEPING ≤DURING THE≥ CLOS{ING}ⁱ SCENE OF CONFLICT THERE HE LAID UPON THE GROUND AND WAITED FOR MORNING LIGHT TO ENABLE HIM TO GATHER UP ENOUGH OF {THE}ⁱ STOCK TO TAKE THE WAGONS OVER TO CEDAR CITY.</p>	<p>BUT IN THE PART OF A WHOLESALE THIEF OF THE CHILDREN</p> <p>HE CARED NOTHING FOR THEIR WANTS HE DID NOT ATTEND TO HE STAYED THERE UPON THE FIELD SLEPT</p> <p>CLOSE TO THE SCENE OF CONFLICT THERE HE LAID UPON THE GROUND AND WAITED FOR MORNING'S LIGHT TO ENABLE HIM TO GATHER UP ENOUGH STOCK TO TAKE THE WAGONS OVER TO CEDAR CITY</p>	<p>HE WAS ACTING THE PART OF WHOLESALE THIEF AND ROBBER AS HE HAD ACTED THE PART OF <u>COWARDLY</u> <u>ASSASSIN</u> AND WHOLESALE MURDERER THE DAY BEFORE. HE CARES NOTHING FOR THE CHILDREN. HE ATTENDED TO NONE OF THEIR WANTS. HE SLEPT UPON THE BLOODY GROUND,</p> <p>NEAR THE SCENE OF HIS TREACHERY AND CRIME,</p> <p>WAITING FOR THE MORNING LIGHT TO ENABLE HIM TO GATHER UP</p> <p>THE STOCK AND REMOVE THE SPOILS TO HIS DEN WHERE HE REIGNED AS SUPREME</p>	<p>HE WAS ACTING THE PART OF A WHOLESALE THIEF AND ROBBER, AS HE HAD BEFORE ACTED THE PART OF THE COWARDLY ASSASSIN AND WHOLESALE MURDERER THE DAY PREVIOUS⁵. HE CARED NOTHING FOR THE CHILDREN,- HE ATTENDED TO NONE OF THEIR WANTS. HE SAT SLEPT UPON THE BLOODY GROUND</p> <p>NEAR THE SCENE OF HIS TREACHERY AND CRIME,</p> <p>WAITHING FOR THE MORNING LIFGHT TO ENABLE HIM TO GQATHER UP THIS TOO STOCK AND REMOVE THEM WITH THE SPOILS TO HIS DEN, WHERE HE REIGNED AS SUPREME</p>

RS	PS	RT	BT
<p>BUT YOU SEE HE MUST GO FURTHER. THAN THAT. HE MUST HIT; ANOTHER LOOK AT SOME MAN ABOVE HIM</p> <p>HE SAYS 40 AND FIVE HEAD OF CATTLE WERE TAKEN FROM THE BAND AND DRIVEN BY HAIGHT TO SALT LAKE CITY AND SOLD TO HOOPER.</p> <p>ADMITS HE BRANDED {THE}ⁱ CATTLE FIRST NEVER SHOWS HOW ANYBODY ELSE BRANDED CATTLE. HE BRANDS {THE}ⁱ CATTLE WITH CHURCH BRAND</p> <p>BEING</p>	<p>BUT YOU SEE THAT HE MUST GO FURTHER THAN THAT HE MUST <i>HIT</i>[?] ANOTHER LOOK AT SOME MAN THAT IS ABOVE HIM IT WOULD NOT DO TO STOP HERE HE SAID THAT FORTY OR 50 HEAD OF CATTLE WERE TAKEN FROM THE BAND DRIVEN BY HAIGHT TO SALT LAKE CITY AND SOLD TO WILLIAM H HOOPER</p> <p>ADMITS THAT HE BRANDED THE CATTLE FIRST NEVER SHOWS HOW ANYBODY ELSE BRANDS THE CATTLE AND THAT HE BRANDS CATTLE WITH THE CHURCH BRAND</p> <p>BEING IN</p>	<p>COMMANDED.</p> <p>HE TELLS YOU THAT 40 OR 50 HEAD WERE</p> <p>DRIVEN BY HAIGHT TO SALT LAKE CITY AND SOLD TO WILLIAM H. HOOPER FOR GOODS. HE DID; NOT SEE THEM SOLD, BUT SO STATES. HE ADMITS THAT HE BRANDED ALL THE CATTLE</p> <p>WITH THE CHURCH BRAND, BECAUSE IT WAS ^[54] HIS DUTY AS THE PERSON HAVING</p>	<p>SCOMMANDER.</p> <p>HE TELLS YOU THAT 40 OR 50 HEAD OF THE CATTLE WERE</p> <p>DRIVEN BY HAIGHT TO SALRT LAKE CITY AND SOLD TO WILLIAM H. HOOPER &FOR GOODS. HE DID NOT SEE THEM SOLD BHT SO STATES. HE ADMITS THAT HE BRANDED ALL THE CATTLE</p> <p>WITH THE CHURCH BERAND, BECAUSE IT WAS HIS DUTY AS THE PERSON HAVING</p>

RS	PS	RT	BT
<p>IN CHARGE OF {THE}ⁱ TEMPORAL AFFAIRS HE DID THAT{.}ⁱ</p> <p>HE CHARGES HOOPER WITH BUYING 50 HEAD OF THE CATTLE.</p> <p>IF PROSECUTION HAD INTENDED SHOW FACTS IN THIS CASE</p> <p>WHY NOT PLACE HOOPER UPON THE STAND THERE WOULD BE VERY NICE STARTING ^{[[6]]} POINT MEN. THAT BROUGHT THEM TO HOOPER SOLD THEM TO HIM. SHOW HOW HOOPER CAME TO GET THEM.</p>	<p>CHARGE OF THE TEMPORAL AFFAIRS</p> <p>AND HE CHARGES HOOPER WITH BUYING 40 HEAD OF CATTLE</p> <p>IF THE PROSECUTION INTENDED TO SHOW THE FACTS IN THIS CASE</p> <p>WHY NOT PLACE HOOPER ON STAND AND</p> <p>MEN THAT BROUGHT 40 OR 50 HEAD OF CATTLE TO RELATE HOW THE PARTY CAME TO GET THEM</p>	<p>CHARGE OF THE TEMPORAL AFFAIRS OF THE CHURCH AND PEOPLE. HE CHARGES HOOPER WITH PURCHASING 40 OR 50 HEAD OF THE CATTLE. WHY DOES THE PROSECUTION REST ON THIS EVIDENCE ? WHY NOT HAVE HOOPER HERE AS A WITNESS ? THE FACT IS THEY DID NOT WISH TO GIVE ALL THE FACTS IN THIS CASE. IF THE FACTS WERE TO BE GIVEN WHY NOT PLACE HOOPER ON THE STAND AND</p> <p>PROVE BY HIM WHAT HE DID IN THIS MATTER;</p>	<p>CHARGE OF THE TEMPORAL AFFAIRS OF THE CHURCH AND THE PEOPLE THERE. HE CHARGES HOOPER WITH PURCHASING 40 OR 50 HEAD . OF THE CATTLE. WHY DO THE PROSECUTION REST ON THIS EVIDENCE? WHY NOT BRING HOOPER HERE AS A WITNEWS? THE FACT IS, THEY DID NOT SWISH TO GIVE ALL THE FACTS IN THE CASE. IF THE FACTS WERE TO BE GIVEN WHY NOT PLACE HOOPER ON THE STAND AND</p> <p>PROVE BY HIM WHAT HE DID IN THIS MATTER;</p>

RS	PS	RT	BT
<p>START BACK FROM THAT {AND}ⁱ TRACE THE THING FROM ITS RESULT BACK TO {THE}ⁱ FIRST CAUSE. I WILL TELL YOU THERE WAS <GENTLEMEN> CLUE TO ENTIRE MATTER. FACT OF BUSINESS IS PROSECUTION THEMSELVES DO NOT BELIEVE</p> <p>HOOPER EVER GOT</p> <p>HOOF OF THAT STOCK.</p>	<p>START BACK FROM THAT TRACE THE THING BACK FROM THIS RESULT BACK TO THE FIRST CAUSE WHY I TELL YOU THERE WAS A CLUE TO THE ENTIRE MATTER BUT THE FACT OF THE MATTER THE PROSECUTION THEMSELVES DO NOT BELIEVE THAT HOOPER EVER GOT A</p> <p>HOOF OF THIS STOCK</p>	<p>WHO HE PURCHASED CATTLE FROM, IF ANY ONE, AT THAT TIME. THEN IF HE HAD PURCHASED SUCH CATTLE HAVE FOLLOWED UP THE FACTS UNTIL THE GUILTY PARTIES WERE FOUND AND ARRESTED.</p> <p>THUS THEY COULD TRACE THE WHOLE MATTER, FROM ITS RESULT TO ITS FIRST CAUSE.</p> <p>THE PROSEZUTION DID NOT AND DO NOT NOW BELIEVE THAT WILLIAM H. HOOPER EVER OWNED- PURCHASED OR HANDLED A HOOF OF THAT STOCK, HENCE HE IS</p>	<p>WHO HE PURVCHASED CATTLE FROM7, IF ANYONE AT THAT TIME? AND IF HE HAD PURCHASED SUCH CATTLE HAVE FOLLOWED U_P THE FACTS UNTIL ^[547] UNTIL THE GUILTY PARTIES WERE FOUND AND ARRESTED.</p> <p>THUS THEY COULD TRACE THE WHOLE MATTER FROM ITS RESULT TO ITS FIRST CAUSE.</p> <p>THE PROSECUTION DID NOT — DO NOT NOW BWELIEVE THAT WILLIAM H. HOOPER EVER PURCHASED OWNED OR HANDLED ONE HOOF OF THAT STOCK AND HENCE HE IS</p>

RS	PS	RT	BT
<p>IF THEY HAD BELIEVED IT THEY WOULD HAVE SENT TELEGRAM FOR HIM PLACED HIM UPON THE STAND, {AND}ⁱ SUPPORTED THIS MAN SMITH. HE TELLS YOU HE IS WITNESS BECAUSE HE WANTED TO BE. HE CAME HERE WILLING TO TAKE HIS CHANCES GO AS IT MIGHT. BUT YOU DON'T BELIEVE A WORD OF THAT AND NO MAN BELIEVES HE CAME HERE THINKING FOR A MOMENT HE WOULD BE⁵³⁸ TRIED FOR HIS ACT. 405 PM⁵³⁹</p>	<p>IF THEY BELIEVED IT THEY WOULD HAVE BELIEVED HIM AT ALL TELEGRAMMED PLACED HIM UPON STAND AND THEN SUPPORT THIS MAN SMITH [<i>space</i>] BUT HE TELLS YOU THAT HE IS A WITNESS BECAUSE HE WANTED TO BE THAT HE CAME HERE WILLING TO TAKE HIS CHANCES GO AS IT MIGHT [<i>space</i>] BUT YOU DON'T BELIEVE A WORD OF THAT NO MAN BELIEVES THAT HE CAME HERE THOUGHT FOR A MOMENT THAT HE WOULD BE TRIED FOR THIS ACT. [<i>space</i>]</p>	<p>NOT CALLED AS A WITNESS. IF HE WAS HE WOULD IN ANSWER TO A TELEGRAM COME AND SUPPORT KLINGENSMITH'S STATEMENT OR DISPUTE IT AND THE PROSECUTION FEARED THE TRUTH UPON THIS SUBJECT. HAVING FAILED TO CONNECT JOHN D. LEE WITH ANY CRIMINAL ACT UP TO THIS TIME</p>	<p>NOT CALLED HERE AS A WITNESS. IF HE WAS , HE WOULD N IN ANSWER TO A TELEGRAM COME AND SUPPORT KLINGENSMITH'S STATEMENT OFR DISPUTE IT; AND THE PROSECUTION FEAR THE TRUTH UPON THIS SUBJECT. HAVING FAILED TO CONNECT JOHN D. LEE WITH ANY CRIMINAL AVCT UP TO THIS TIME</p>

538. "HE WOULD BE" apparently added later.

539. "**PM**" apparently added later.

RS	PS	RT	BT
<p>HE COMES TO SALT LAKE CITY GOT TO DO SOMETHING NOW CONNECT JOHN D. LEE WITH THIS IN SOME WAY HE HAS FAILED TO CONNECT JOHN D. LEE IN ANY OTHER WAY. GOING TO TAKE HIM TO SALT LAKE CITY AND CONNECT HIM AND BRIGHAM YOUNG IN THE TRANSACTION</p> <p>HE TELLS YOU AS YOU RECALL HOW HE TALKED TO JOHN D. LEE BY THE TEMPLE WALL AND</p> <p>WENT TO SEE BRIGHAM YOUNG ABOUT IT.</p> <p>BRIGHAM YOUNG SAID FOR JOHN D. LEE TO TAKE</p>	<p>THEN HE GOES TO SALT LAKE HE HAS GOT TO DO SOMETHING TO CONNECT JOHN D. LEE WITH THIS IN SOME WAY FAILED TO CONNECT JOHN D. LEE IN ANY OTHER WAY</p> <p>CONNECT HIM AND BRIGHAM YOUNG WITH THE TRANSACTION [space] ^{[[35]]}</p> <p>TELLS YOU AS YOU RECALL HOW HE TALKED TO JOHN D. LEE OUT BY THE TEMPLE WALL HOW HE [space]</p> <p>WENT TO BRIGHAM YOUNG ABOUT IT AND</p> <p>YOUNG SAID JOHN D. LEE TAKE</p>	<p>UNTIL LONG AFTER THE MASSACRE WAS COMMITTED HE GETS HIM TO SALT LAKE CITY, AND</p> <p>CONNECTS LEE</p> <p>AND BRIGHAM YOUNG WITH THE TRANSACTION. HE RELATES A CONVERSATION WHICH HE SAYS HE HAD WITH</p> <p>JOHN D. LEE NEAR THE TEMPLE WALL; SAYS HE AFTERWARDS TALKED TO BRIGHAM YOUNG ABOUT THE STOCK, AND THAT BRIGHAM YOUNG ORDERED JOHN D. LEE TO TAKE</p>	<p>AND UNTIL NONG AFTER THE MASSACRE WAS COMMITTED HE GETS HIM TO SALT LAKE CITY AND</p> <p>CONNECTS LEE</p> <p>AND BRIGHAM YOUNG WITH THE TRANSACTION. HE RELATES A CONVERSATION WHICH HE SAYS HE HAD WITH</p> <p>JOHN D. LEE NEAR THE TEMPLE WALL SAYS HE AFTERWARDS TALKED TO BRIGHAM YOUNG ABOUT THE STOCHK AND THAT BRIGHAM YOUNG ORDERED JOHN D. LEE TO TAKE</p>

RS	PS	RT	BT
<p>CARE OF THE PROPERTY TAKE CHARGE OF THAT; RECALL HE SAYS THAT. THEN HE SAYS BRIGHAM YOUNG SAYS SAID ALSO FOR THEM NOT TO SAY WORD ABOUT IT.</p> <p>KEEP STILL UPON THAT SUBJECT. YOU DON'T BELIEVE THAT. HE HAD TO BRING THAT IN IN ORDER TO MAKE BRIGHAM YOUNG AN ACCESSORY AFTER THE FACT. IF YOU WOULD BELIEVE THAT. THEN BRIGHAM YOUNG AS HEAD OF MORMON CHURCH WOULD BE RESPONSIBLE FOR KEEPING</p> <p>QUIET FOR KEEPING SECRET</p> <p>THIS ≤GREAT≥ CRIME AND THAT</p>	<p>CARE OF THE PROPERTY</p> <p>YOU RECALL HE SAYS THAT THEN HE SAYS THAT BRIGHAM YOUNG SAID ALSO FOR THEM NOT TO SAY A WORD ABOUT IT BUT</p> <p>KEEP STILL ON THAT SUBJECT YOU DON'T BELIEVE BUT HE HAD TO BRING THAT IN IN ORDER TO MAKE BRIGHAM YOUNG AN ACCESSORY AFTER THE FACT AND IF YOU WOULD BELIEVE THAT THEN BRIGHAM YOUNG AS HEAD OF THE MORMON CHURCH WOULD BE RESPONSIBLE FOR KEEPING</p> <p>QUIET KEEPING SECRET</p> <p>THIS CRIME AND THAT</p>	<p>CARE OF THE PROPERTY.</p> <p>ALSO THAT THEY WERE ORDERED BY BRIGHAM YOUNG</p> <p>“NOT TO SAY A WORD ABOUT THE MASSACRE” TO KEEP STILL UPON THAT SUBJECT.</p> <p>THIS IS STATED TO MAKE BRIGHAM YOUNG AN ACCESSORY AFTER THE ^[55] FACT. IF THAT WAS BELIEVED THEN BRIGHAM YOUNG, AS THE HEAD OF THE MORMON CHURCH WOULD BE RESPONSIBLE FOR KEEPING THE MATTER QUIET, WITH HAVING KEPT SECRET THE FACTS CONNECTED WITH A GREAT CRIME;</p>	<p>CARE OF THE PROPERTY;</p> <p>ALSO, THAT THEY WERE ORDERED BY BRIGHAM YOUNG</p> <p>“ NOT TO SAY A WORD ABOUT THE MASSACRE” — TO KEEP STILL ON THAT SUBJECT .</p> <p>THIS IS STATED TO MAKE BRIGHAM YOUNG AN ACCESSORY AFTER THE FACT. IF THAT WWAS BELIEVED THEN BRIGHAM YOUNG AS THE HEAD OF THE MORMON CHURCH WOULD BE RESPONSIBLE FOR KEEPING THE MATTER QUIET,- WITH HAVING KEPT SECRET THE FACTS CONNECTED WITH THIS GREAT CRIME,- AND</p>

RS	PS	RT	BT
<p>THEREBY THE MAIN OBJECT OF THIS MAN SMITH WOULD BE ACCOMPLISHED HE WOULD HAVE DISGRACED MORMON CHURCH</p> <p>◀IF HE COULD HAVE▶ GOT ANYBODY TO BELIEVE HIM BELIEVE HE TALKED TO BRIGHAM YOUNG HE HEARD BRIGHAM YOUNG RECEIVE ANY NEWS OF THIS TRANSACTION THEN HE WOULD HAVE POSITIVE EVIDENCE THAT BRIGHAM YOUNG WAS A CRIMINAL FROM THE START AND THE WORLD WOULD SO</p>	<p>THERE BY THE MAIN OBJECT OF THIS MAN SMITH WOULD BE ACCOMPLISHED THAT HE WOULD HAVE DISGRACED THE MORMON CHURCH</p> <p>IF HE GOT ANYBODY TO BELIEVE THAT HE TALKED TO BRIGHAM YOUNG THAT HE HEARD BRIGHAM YOUNG RECEIVE ANY NEWS OF THIS TRANSACTION THAT THEN HE WOULD HAVE POSITIVE EVIDENCE THAT BRIGHAM YOUNG WAS A CRIMINAL FROM THE START AND THE WORLD WOULD SO</p>	<p>THE OBJECT OF THIS WITNESS WOULD THEN BE ACCOMPLISHED. HE WOULD SUCCEED IN DISGRACING THE MORMON CHURCH. BUT HE IS NOT BELIEVED BY YOU UPON THIS POINT, MORE THAN ANY OTHER.</p>	<p>THE OBJECT OF THIS WITNESS WOULD THEN BE ACCOMPLISHED. HE WOULD THEN SUCCEED IN DISGRACING THE MORMON CHURCH; BUT HE IS NOT BELIEVED BY YOU ON THIS POINT ANY MORE THAN ANY ANY OTHER.</p>

RS

PS

RT

BT

CONSIDER MATTER. NO PERSON BELIEVE HIM. I CAN'T BELIEVE THAT THE ZEAL OF COUNSEL THAT THEIR NECESSITY FOR CONVICTION THEIR THIRST FOR NOTORIETY AND GLORY CAN PROMPT THEM RUSH THEM CROWD THEM SO FAR AS TO MAKE THEM BELIEVE STATEMENT OF THIS MAN. WHO HAS KEPT THIS THING SECRET ACCORDING TO HIS OWN STATEMENT FOR 13 YEARS THEN HE SAYS GOT GOOD PAPER WHAT THAT WAS JURY CAN'T TELL IT WAS NOT SHOWN TO JURY ⁵⁴⁰ <i>[[7]]</i> HE HAS BEEN OUT OF UTAH EVER SINCE UNTIL HE MADE {BROUGHT} ⁱ THIS STATEMENT	CONSIDER IT NO PERSON BELIEVES IT I CAN'T BELIEVE THAT THE ZEAL OF COUNSEL THAT THEIR NECESSITY FOR A CONVICTION THAT THEIR THIRST FOR NOTORIETY AND GLORY CAN PROMPT THEM RUSH THEM CROWD THEM SO FAR AS TO MAKE THEM BELIEVE THE STATEMENT OF THIS MAN WHO HAS KEPT THIS THING SECRET ACCORDING TO HIS OWN STATEMENT FOR 13 YEARS THEN HE SAYS GOT A PAPER WHAT THAT WAS THE JURY CAN'T TELL IT WAS NOT SHOWN TO JURY HE HAS BEEN OUT OF UTAH EVER SINCE <i>[space]</i>		
--	---	--	--

540. At the bottom of the page: **(453 WDS.**

RS**PS****RT****BT**

<p>EVER SINCE [space] TELLS YOU UPON STAND HE MADE AFFIDAVIT ABOUT 3 YEARS AGO CONCERNING THIS MATTER HE CAME OVER HERE STAND HIS TRIAL IF HE WOULD BE TRIED ANY WAY TO SEE MATTER OUT. NOW THEN GENTLEMEN HAS HE SHOWN IN ONE PARTICULAR IN HIS EVIDENCE WHERE JOHN D. LEE IS CONNECTED WITH EITHER ONE OF MEN NAMED INDICTMENT</p> <p>EXCEPT AT THAT INTERVIEW UPON THE FIELD.</p> <p>TAKE HIS OWN TESTIMONY NOW GIVE IT ALL</p>	<p>TELLS YOU ON THE STAND THAT HE MADE AFFIDAVIT ABOUT 3 YEARS AGO CONCERNING THIS MATTER THE HE CAME OVER HERE <TO> STAND HIS TRIAL IF HE WAS TO BE TRIED ANY WAY TO SEE MATTER OUT [space] NOW GENTLEMEN HAS HE SHOWN IN ONE PART OF THE EVIDENCE WHERE THERE [space]</p> <p>EXCEPT AT THAT INTERVIEW UPON THE FIELD</p> <p>TAKE HIS OWN TESTIMONY NOW GIVE IT ALL OF THE</p>	<p>NOW, GENTLEMEN, HAS HE SHOWN BY ANY PART OF HIS TESTIMONY, THAT JOHN D. LEE WAS EVER CONNECTED WITH EITHER OF THE MEN NAMED IN THE INDICTMENT AS HIS ACCOMPLICES, EXCEPT AT THE COUNCIL WHICH HE SAYS WAS HELD ON THE FIELD THE NIGHT BEFORE THE MASSACRE ? TAKE HIS ENTIRE EVIDENCE, GIVE IT ALL THE</p>	<p>NOW G, GENTLEMEN, HAS HE SHOWN BY ANY PART OF HIS TESTIMONY THAT JOHN D. LEE WAS EVER CONNECTED WITH ANY OF THE MEN NAMED IN THE INDICTMENT AS HIS ACCONMPLICES, EXCEPT AT THE COUNSEL, WHICH HE SAYS WAS HELD ON THE FIELD THE NIGHT BEFORE THE MASSACEE. TAKE HIS ENTIRE EVIDENCE; GIVE IT ALL THE</p>
--	---	--	---

RS	PS	RT	BT
<p>POWER FORCE IT IS POSSIBLE TO GIVE ENGLISH LANGUAGE HOLD DEFENDANT BOUND BY WHATEVER ASSERTION MADE BY THIS WITNESS AND THEN SAY IF YOU CAN THAT IT CONNECTS HIM WITH THIS MATTER IN ANY WAY UNTIL HE GETS HIM THERE UPON THE FIELD.</p> <p>NO EXPLANATION HOW IT CAME NO EXPLANATION WHAT HE DID YET CLAIM LEE TALKED TO THE MEN UPON THAT FIELD PREVIOUS TO TRANSACTION</p>	<p>POWER AND FORCE THAT IT IS POSSIBLE TO GIVE TO THE ENGLISH LANGUAGE HOLD THE DEFENDANT BOUND BY EVERY ASSERTION THAT IS MADE BY THIS WITNESS THEN SAY IF YOU CAN THAT HE CONNECTS HIM WITH THIS MATTER IN ANY WAY UNTIL HE GETS HIM THERE UPON FIELD</p> <p>NO EXPLAINING HOW HE CAME NO EXPLAINING WHAT HE DID NO CLAIMING LEE TALKED TO THE MEN THAT WAS UPON THAT FIELD PREVIOUS TO THAT TRANSACTION</p>	<p>POWER AND FORCE THAT IT IS POSSIBLE TO GIVE SUCH WORDS, HOLD THE DEFENDANT BOUND BY EVERY ASSERTION MADE BY THE WITNESS, AND THEN SAY IF YOU CAN THAT IT CONNECTS JOHN D. LEE WITH THIS MATTER IN ANYWAY, UNTIL THE COUNCIL ON THE FIELD, THE TIME OF THE FORMING OF THE HOLLOW SQUARE.</p> <p>NO TALK, NO</p>	<p>POWER AND FORCE THAT IT IS POSSIBLE TO GIVE SUCH WORDS; HOLD THE FDEFENDANT BOUND BY EVERY ASSERTION MADE BY THE WITNESS, AND THEN SAY IF YOU CAN, THAT IT CONNECTS HJOHN D. LEE IWITH THIS THIS MATTER IN ANY WAY, UNTIL THE C OUNSEL ON THE FIELD, THE TIME OF THE ^[48] FORMING OF THE MHOLLOW SQUARE.</p> <p>NO TALK — NO</p>

RS	PS	RT	BT
<p>YET HE CLAIMS HE WAS CONSPIRATOR FROM THE START.</p> <p>NOW THEN GENTLEMEN LET'S TAKE JOEL WHITE</p> <p>AND ALL I WISH TO STATE IN REGARD <u>HIS TESTIMONY IS THIS</u></p> <p>HE IS ALSO AN</p>	<p>YET HE CLAIMED THAT HE WAS CONSPIRATOR FROM THE START</p> <p>NOW THEN GENTLEMEN LET'S TAKE JOEL WHITE</p> <p>BUT I WISH TO SAY REGARD HIS EVIDENCE THAT</p> <p>HE IS ALSO AN</p>	<p>ACT OF LEES IS GIVEN THAT SHOWS GUILTY INTENTION OR CRIMINAL ACTION;</p> <p>STILL HE CLAIMS THAT LEE WAS AN ORIGINAL CONSPIRATOR, A LEADING SPIRIT IN THE ENTIRE TRANSACTION. UPON THE EVIDENCE OF KLINGENSMITH YOU CANNOT CONVICT JOHN D. LEE OF THE CRIME CHARGED IN THE INDICTMENT.</p> <p>JOEL WHITE NOW CLAIMS OUR ATTENTION.</p> <p>HE IS NOT GUILTLESS, BUT COMES BEFORE YOU A SELF-ACCUSED</p>	<p>ACTIVE OF LEE'S IS GIVEN THAT SHOWS GUILTY INTENTION OR CRIMINAL ACTION;</p> <p>STILL HE CLAIMS THAT LEE WAS AN ORIGINAL CONSPIRATOR, A LEADING SPIRIT IN THE ENTIRE TRANSACTION. UPON THE EVIDENCE OF PHILIP KLINGENSMITH, YOU CAN NOT CONVICT JOHN D. LEE FOR THE CRIME CHARGED IN THE INDICTMENT.</p> <p>JOWEL WHITE NOW CLAIMS OUR ATTENTION.</p> <p>HE IS NOT GUILTLESS, BUT COMES BEFORE YOU A SELF-ACCUSED</p>

RS	PS	RT	BT
<p>ACCESSORY HE IS PARTY WHO STAND CHARGED WITH THIS CRIME</p> <p>THE SAME AS JOHN D. LEE CHARGED WITH THIS CRIME THE SAME AS KSMITH</p> <p>ALTHOUGH HE IS NOT INDICTED THE FACT GRAND JURY OVERLOOKED HIM FAILED FIND AN INDICTMENT RENDERS HIS CRIMINAL ACTS NO LESS GREAT NO LESS HEINOUS</p> <p>HE IS AN ACCESSORY. <i>[space]</i> IS ACCUSED AND</p> <p>HIS EVIDENCE SHOULD BE RECEIVED WITH GREAT DEAL OF ALLOWANCE. <i>AND[?]</i> HE TELLS</p>	<p>ACCESSORY HE IS A PARTY WHO STANDS CHARGED WITH THIS CRIME</p> <p>THE SAME AS JOHN D. LEE CHARGED WITH THIS CRIME THE SAME AS KLINGENSMITH</p> <p><i>[[36]]</i> SMITH</p> <p>ALTHOUGH HE IS NOT INDICTED THE FACT THAT THE GRAND JURY OVERLOOKED HIM</p> <p>RENDERS HIS CRIMINAL ACTS NO LESS GREAT NO LESS HEINOUS</p> <p>HE IS AN ACCESSORY AS SUCH AND</p> <p>HIS EVIDENCE SHOULD BE RECEIVED WITH GREAT DEAL OF ALLOWANCE <i>AND[?]</i> HE TELLS</p>	<p>ACCESSORY TO ALL OF KLINGENSMITH'S CRIMINAL ACTS, DONE AT MOUNTAIN MEADOWS. HE SHOULD BE INDICTED AND HUNG FOR HIS CRIME, IF WHAT HE HAS SWORN IS TRUE.</p> <p>THE FACT THAT THE GRAND JURY OVERLOOKED HIM AND FAILED TO INDICT HIM RENDERS HIS CRIMES NONE THE LESS <i>[56]</i> BLACK. HIS TESTIMONY NONE THE LESS SUBJECT TO CRITICISM.</p> <p>IT IS YOUR DUTY TO RECEIVE HIS EVIDENCE</p> <p>WITH A GREAT DEAL OF ALLOWANCE. HE TELLS</p>	<p>ACCESSORY TO ALL OF LKINGENSMITH'S ACTS DONE AT THE MOUNTAIN MEADOWS. HE HSOULD BE INDICTED AND HUNG HUNGN FOR HIS CRIME, IF WHAT HE HAS SWORN TO IS TRUE.</p> <p>THE FACT THAT THE GRAND JURY OVERLOOKED HIM AND FAILED TO INDICT HIM RENDERS HIS CRIMES NONE THE LESS BLACK, AND HIS TESTIMONY NONE THE LESS SUBJECT TO CRITICISM.</p> <p>IT IS YOUR DUTY TO RECEIVE HIS EVIDENCE</p> <p>WITH A GREAT DEAL OF ALLOWANCE. HE TELLS</p>

RS	PS	RT	BT
YOU HE CARRIED THIS LETTER TO BISHOP ROBINSON. SMITH WENT WITH HIM. HOW STRANGE IT IS BISHOP ROBINSON WHO WAS NOT A PARTY TO MASSACRE SHOULD HAVE RIGHT TO KEEP ANYTHING SECRET NEVER RECEIVED SUCH A LETTER —[?] SMITH AND WHITEMAN ≤BOTH≥ ⁵⁴¹ SWORE THEY TOOK THE LETTER TO HIM WHY DID THEY	YOU HE CARRIED THIS LETTER TO BISHOP ROBINSON AND SMITH WENT WITH HIM HOW STRANGE IT IS THAT BISHOP ROBINSON WHO WAS NOT A PARTY TO THE MASSACRE WHO HAD NO OBJECT TO KEEP ANYTHING SECRET NEVER RECEIVED SUCH A LETTER WHEN SMITH AND WHITE <i>BOTH</i> [?] SWORE THAT THEY TOOK THE LETTER TO HIM WHY DID THEY	YOU THAT HE CARRIED A LETTER FROM HAIGHT TO BISHOP ROBINSON AT PINTO CREEK, AND THAT KLINGENSMITH WENT WITH HIM AND YOU KNOW ROBINSON WAS A STRANGER TO THE ENTIRE TRANSACTION. HE TOOK?NO PART IN THE MASSACRE, AND ROBINSON, WHO HAD NO REASON FOR KEEPING ANYTHING RELATING TO THE MATTER A SECRET TELLS YOU HE NEVER RECEIVED SUCH A LETTER AS ≤THE≥ ONE SPOKEN OF BY WHITE. WHY DO YOU	YOU THAT HE CARRIED A LETTER FROM HAIGHT TO BISHOP ROBINSON AT PINTO CREEK, ABND THAT KLINGENSMITH WENT WITH HIM AND YOU KNOW ROBINSON WAS A SRTRANGER TO THE ENTIRE TRANSACTION. HE TOOK NO PART IN THE MASSACRE AND ROBINSON WHO HAD NO REASON FOR KEEPING ANFYTHING RELARING TO THE MATTER A SECRET, — TELLS YOU THAT HE NEEVER RECEIVED ANY SUCH LETTER AS THE ONE SPOKEN OF BY WHITE. WHY DO YOU

541. Rogerson occasionally refers to Joel White as “WHITEMAN”.

RS	PS	RT	BT
<p>SWEAR THAT? THEY SWORE THAT FOR PURPOSE FIXING UP THIS STORY ABOUT CARRYING THAT LETTER TO BISHOP <i>LN/RM[?]</i> SO THAT</p> <p>THEY COULD MEET LEE OUT ON THE ROAD LAY THEIR PLAN FOR RINGING HIM IN IN THIS CONSPIRACY SO THAT THEY COULD MAKE IT APPEAR LEE WAS ON HIS WAY CEDAR CITY AND THAT LEE HAD AN OPPORTUNITY TO KNOW WHAT WAS</p> <p>DONE THEY NEVER CARRIED LETTER. WHY BECAUSE ROBINSON DID NOT</p>	<p>SWEAR THAT THEY SWORE THAT FOR THE PURPOSE OF HAVING FIXED UP THAT STORY ABOUT CARRYING THAT LETTER TO BISHOP ROBINSON SO THAT</p> <p>THEY COULD MEET LEE OUT ON THE ROAD</p> <p>SO THAT THEY COULD MAKE IT APPEAR THAT LEE WAS ON HIS WAY TO CEDAR CITY AND THAT LEE HAD AN OPPORTUNITY OF KNOWING WHAT WAS</p> <p>DONE THEY NEVER CARRIED A LETTER AND WHY BECAUSE ROBINSON DID NOT</p>	<p>THINK THE TWO WITNESSES SAY THEY</p> <p>CARRIED SUCH A LETTER TO ROBINSON ? THEY DO SO IN ORDER THAT THEY MAY HAVE AN EXCUSE FOR STATING THAT THEY MET LEE ON THE WAY,</p> <p>AND MAKE IT APPEAR THAT LEE WAS ON HIS WAY TO CEDAR CITY, AND THAT LEE HAD A</p> <p>KNOWLEDGE OF WHAT WAS GOING ON AND WHAT WAS TO BE DONE. THEY NEVER CARRIED THE LETTER.</p> <p>ROBINSON NEVER</p>	<p>THINK THE TWO WITNESSES SAY THEY</p> <p>CARRIED SUCH A LETTER TO ROBINSON? THEY DO SO IN ORDER THAT THEY MAY HAVE AN EXCUSE FOR STATINTG THAT THEY MET LEE ON THE WAY,</p> <p>AND TO MAKE IT APPEAR THAT LEE WAS ON THIS WAY TO CEDAR CITY — THAT HE HAD</p> <p>KNOWLEDGE OF WHAT WAS GOING ON ON AND WHAT WAS GOING TO BE DONE. THEY NEVER CARRIED THE LETTER AND ROBINSON NEVER</p>

RS	PS	RT	BT
<p>GET IT. THERE WAS THEY WAS NOT AT HIS HOUSE ^{[[8]]} NEITHER OF THEM[?] HE RECALLS EMIGRANTS AND TRANSACTION.</p> <p>NOW YOU KNOW GENTLEMEN IF HE HAD RECEIVED THAT LETTER AND HAD READ CONTENTS</p> <p>YOU KNOW HE WOULD HAVE REMEMBERED THAT AS LONG AS LIFE WOULD LAST.</p>	<p>GET IT SAYS HE SAW NO MEN THEY WERE NOT AT HIS HOUSE THEY BROUGHT NO LETTER THEY —[?] <i>IF</i> THEY CAN—[?] ^[space]</p> <p>YOU KNOW GENTLEMEN IF HE HAD RECEIVED LETTER AT THAT TIME ASKING HIM TO PACIFY THE INDIANS AND HEARD THAT THAT <i>ENTIRE</i>[?] —[?] WAS KILLED ^[space] GENTLEMEN YOU KNOW THAT HE WOULD HAVE REMEMBERED THIS AS LONG AS LIFE WOULD LAST ^[space]</p>	<p>RECEIVED IT. THEY WERE NOT AT HIS HOUSE. ROBINSON SAW AND KNOWS ALL ABOUT THE EMIGRANTS, BUT HE DOES NOT EVER REMEMBER SEEING WHITE OR KLINGENSMITH AT HIS RESIDENCE.</p> <p>IF HE HAD RECEIVED THAT LETTER AND READ IT AND HAD EVER SEEN ITS CONTENTS</p> <p>YOU KNOW HE WOULD HAVRE REMEMBERED IT</p> <p>AND WOULD HAVE TOLD OF IT TOO. HE WOULD UNTIL</p>	<p>RECEIVED IT. THEY WERE NOT AT HIS HOUSE. ROBINSON SAW AND KNOWS ALL ABOUT THE EMIGRANTS BUT HE DOES NOT EVER REMEMBER SEEING WHITE OR KLINGENSMITH AT HIS RESIDENCE.</p> <p>IF HE HAD RECEIVED THAT LETTER AND READ IT — HAD EVER SEEN ITS CONTENTS</p> <p>YOU KNOW HE WOULD HAVE REMEMBERED IT</p> <p>AND WOULD HAVE TOLD OF IT TOO. HE WOULD UNTIL</p>

RS**PS****RT****BT**

<p>NO THEY DID NOT TAKE THE LETTER IN MY JUDGMENT. WHY ANOTHER REASON IS THIS JOEL WHITE WHEN HE CAME TO COMPARE NOTES WITH KLINGENSMITH DID NOT MENTION IRA ALLEN OR IRA ALLEN'S NAME. ON WAY BACK</p> <p>HE DID NOT SEE THIS MAN IRA ALLEN HE DID NOT HEAR THE WORDS ◀RELATIVE▶ THEIR DOOM IS SEALED THEIR DIE IS CAST. WHY NO. WHITE NEVER HEARD OF THAT KNEW NOTHING OF IT SHOWS THERE WAS NOTHING OF KIND</p>	<p>THEY DID NOT TAKE THE LETTER IN MY JUDGMENT ANOTHER REASON IS THAT JOEL WHITE WHEN HE CAME TO COMPARED NOTES WITH KLINGEN SMITH DID NOT MENTION IRA ALLEN NOR HEAR IRA ALLEN'S NAME USED ON THEIR WAY BACK</p> <p>HE DID NOT SEE THIS MAN IRA ALLEN HE DID NOT HEAR THE WORDS</p> <p>THEIR DOOM IS SEALED THEIR DIE IS CAST WHY NO WHITE NEVER HEARD A WORD OF THAT KNEW NOTHING ABOUT IT SHOWS THERE WAS NOTHING OF THE KIND</p>	<p>HIS LAST DAY ON EARTH BE ABLE TO REPEAT IT VERBATIM.</p> <p>JOEL WHITE</p> <p>DID NOT MENTION MEETING IRA ALLEN</p> <p>ON HIS WAY BACK FROM PINTO. HE DOES NOT SEE THIS MAN IRA ALLEN. HE DID NOT HEAR THE WORDS</p> <p>“THEIR DOOM IS SEALED, THE DIE IS CAST” NO, WHITE NEVER HEARD A WORD OF THAT KIND, HE KNEW NOTHING OF IT. THIS SHOWS THAT KLINGENSMITH WAS NOT</p>	<p>HIS LAST DAY ON EATHE BE ABLE TO REPEAT IT VERBATIM.</p> <p>[49] JOEL WHITE</p> <p>DID NOT MENTION MEETING IRA ALLEN</p> <p>ON HIS WAY BACK FROM PINTO. HE DOES NOT SEE THIS MAN IRA ALLEN. HE DID NOT HEAR THE WORDS”</p> <p>THEIR DOOM IS SEALED, THE DIE IS CAST.” NO , WHITE NEVER HEARD A WORD OF THAT KIND; HE KNEW NOTHING OF IT. THIS SHOWS THAT KLINGENSMITH WAS NOT</p>
--	--	---	--

RS	PS	RT	BT
THERE.	THERE	TELLING THE TRUTH WHEN HE SPOKE OF MEETING IRA ALLEN. WHITE ALSO SAYS THE INDIANS WERE HOSTILE AROUND CEDAR AND PINTO. KLINGENSMITH TELLS YOU THEY WERE NOT HOSTILE. IF THE INDIANS WERE NOT HOSTILE WHY THE ^[57] THE NECESSITY OF SENDING A LETTER TO PINTO SMITH TELLS YOU	TELLING THE TRUTH WHEN HE SPOKE OF MEETING IRA ALLEN. WHITE ALSO SAYS THE INDIANS WERE HOSTILE AROUND CEDAR AND PINTO. KLINGENSMITH TELLS YOU THEY WERE NOT HOSTILE. IF THE INDIANS WERE NOT HOSTILE WHY THE NECESSITY OF SENDING THE MESSAGE TO ROBINSON THAT WHITE SPEAKS OF? IF THEY THERE WERE NO
WHITE SAYS INDIANS WERE HOSTILE AROUND THERE	WHITE SAYS INDIANS WERE HOSTILE AROUND THERE	HOSTILE INDIANS AROUND THERE, WHY SEND THE MESSENGER, AS THEY CLAIM WAS DONE, TO PACIFY THE INDIANS, AND STAY THEIR WORK OF DEATH THAT THEY WERE ABOUT TO PERFORM ? THE WHOLE STORY OF THIS	HOSTILE INDIANS AROUND THERE WHY SEND A MESSENGER AS THEY CLAIM WAS DONE TO PACIFY THE INDIANS AND STAY THEIR WORK OF DEATH THEY WERE ABOUT TO PERFORM? THE WHOLE STORY OF THIS
SMITH TELLS YOU INDIANS WERE NOT HOSTILE. IF THEY WERE NOT WHERE THE NECESSITY OF CARRYING A LETTER TO PINTO SMITH TELLS YOU	SMITH TELLS YOU INDIANS WERE NOT HOSTILE IF THEY WERE NOT WHERE THE NECESSITY OF CARRYING A LETTER TO PINTO SMITH TELLS YOU		
THERE WAS NO EVIDENCE OF <INDIAN> HOSTILITY AROUND CEDAR {CITY.} ⁱ WHY THEN SEND RUNNER IN	THERE WAS NO EVIDENCE OF INDIAN HOSTILITY AROUND CEDAR WHY THEN SEND A RUNNER IN ADVANCE		
SO AS TO STOP THE HAND AND STAY THE BLOW	TO STOP THEIR HAND AND STAY THE BLOW		
ABOUT TO BE STRUCK BY THE INDIANS?	ABOUT TO BE STRUCK BY THE INDIANS		

RS**PS****RT****BT**

<p>NO TRUTH IN HIS ASSERTION. WHITE SAYS THEY MET NO ONE ON THEIR WAY BACK. THEN IN A DAY OR SO AFTERWARD HIGBEE ORDERED HIM {TO}ⁱ GO {TO THE}ⁱ MOUNTAIN MEADOWS. HE WENT {THERE AND}ⁱ SAW MANY INDIANS THERE, LYING AROUND IN {THE}ⁱ SHADE; MANY OF THEM. THEN HE SPEAKS OF A FLAG OF TRUCE BEING SENT BY MAN HE THINKS</p> <p>BY NAME OF BATEMAN</p> <p>CERTAINLY HE DOESN'T SEND LEE WITH IT. AFTER FLAG OF TRUCE WAS SENT IN LEE THEN -GTV/-</p>	<p>THERE IS NO TRUTH IN HIS ASSERTION WHITE SAYS THAT THEY MET NO ONE ON THEIR ROAD BACK THEN IN A DAY OR SO AFTERWARDS HE SAYS HIGBEE ORDERED HIM TO THE MOUNTAIN MEADOWS WENT THAT HE SAW MANY INDIANS [[37]] AROUND IN THE SHADE</p> <p>THEN HE SPEAKS OF A FLAG OF TRUCE BEING SENT THINKS A MAN</p> <p>BY THE NAME OF BATEMAN [space] CERTAINLY DOESN'T SEND LEE WITH IT AFTER THE FLAG OF TRUCE WAS SENT IN [space]</p>	<p>LETTER IS A FABRICATION. NO TRUTH IN IT AT ALL. WHITE SAYS AGAIN “WE MET NO ONE ON OUR WAY BACK FROM PINTO.” A DAY OR TWO AFTERWARDS HIGBEE ORDERED HIM TO GO TO THE MOUNTAIN MEADOWS. HE WENT THERE AND SAW MANY INDIANS LYING AROUND IN THE SHADE. VERY MANY OF THEM. THEN HE SPEAKS OF A FLAG OF TRUCE BEING SENT TO THE CAMP OF THE EMIGRANTS. THAT IT WAS CARRIED BY A MAN BY THE NAME OF BATEMAN.</p> <p>AFTER THE FLAG OF TRUCE RETURNED HE HAS LEE GO IN</p>	<p>LETTER WAS A FABRICATION — NO TRUTH IN IT AT ALL. WHITE SAYS AGAIN, “WE MET NO ONE ON OUR WAY BACK TO PINTO.” A DAY OR TWO AFTERWARDS HIGBEE ORDERED HIM TO GO TO THE MOUNTAIN MEADOWS. HE WENT THERE AND SAW MANY INDIANS LYING AROUND IN THE SHADE — VERY MANY OF THEM. THEN HE SPEAKS OF A FLAG OF TRUCE BEING SENT TO THE CAMP OF THE EMIGRANTS, AND THAT IT WAS CARRIED BY A MAN BY THE NAME OF BATEMAN MATEMLAN.</p> <p>AFTER THE FLAG OF TRUCE RETURNED HE HAS LEE GO IN</p>
--	---	---	--

RS	PS	RT	BT
<p>GTTION[?] THEM</p> <p>HE NEVER EVEN SEES LEE UPON THE FIELD.</p> <p>TELLS ABOUT INDIANS</p> <p>SECRET {ING}ⁱ THEMSELVES IT HAS BEEN SPOKE TO ENOUGH HE SAYS HE SAW NO CHILDREN KILLED. GIVES NUMBER OF SOLDIERS AT FROM 30 TO 50. RIGHT HERE WHERE WE SPEAK ABOUT SOLDIERS LET'S GO BACK AND SPEAK ONE WORD ABOUT THIS MAN KSMITH.</p>	<p>HE NEVER EVEN SEES LEE UPON THE FIELD</p> <p>TELLS ABOUT THE INDIANS HAVING SECRETED THEMSELVES THAT HAS BEEN SPOKEN OF ENOUGH HE SAYS HE SAW NO CHILDREN KILLED HE GIVES THE NUMBER OF SOLDIERS AT FROM 30 TO 50 RIGHT HERE WHILE WE SPEAK ABOUT SOLDIERS LET'S GO BACK TO</p> <p>KLINGEN SMITH</p>	<p>AND DECOY THE EMIGRANTS FROM THEIR STRONGHOLD, YET, HE ADMITS THAT HE DID NOT SEE LEE ON THE FIELD. MY ASSOCIATES HAVE SO MINUTELY PULVERIZED THIS WITNESS THAT I SHALL NOT FOLLOW HIM AS CLOSELY AS I OTHERWISE WOULD DO. HE SAW THE INDIANS</p> <p>SECRETE THEMSELVES,</p> <p>BUT SAW NO CHILDREN KILLED. HE GIVES THE NUMBER OF SOLDIERS PRESENT AT FROM THIRTY TO FORTY.</p> <p>SPEAKING OF SOLDIERS</p> <p>YOU WILL REMEMBER THAT KLINGENSMITH</p>	<p>AND DECOY THE EMIGRANTS FROM THEIR STRONGHOLD. YET HE ADMIT S THAT HE DID NOT SEE LEE ON THE FIELD. MY ASSOCIATES HAVE SO MINUTELY PULVERIZAED THIS WITNESS THAT I SHALL NOT FOLLOW HIM AS CLOSELY AS I OTHERWISE WOULD DO. HE SAW THE INDIANS</p> <p>SECRETE THEMSELVES</p> <p>BUT SAW NO CHILDREN KILLED. HE GIVES THE NUMBER OF SOLDIERS PRESENT AT FROM 30 TO 40.</p> <p>SPEAKING OF SOLDIERS</p> <p>YOU WILL REMEMBER THAT KLINGENSMITH</p>

RS	PS	RT	BT
<p>HE TELLS YOU SOLDERS THERE WERE PORTION {OF THE}ⁱ NAUVOO LEGION WHY DOES RING IN THAT NAME SIMPLY BECAUSE IT WAS THE NAME OF THE TROOP MADE FAMOUS IN WESTERN HISTORY, AND HE BELIEVED CUNNING AS HE IS IF HE WOULD RING IN NAME NAUVOO LEGION THAT THAT VERY WORD WOULD CONNECT WITH THIS DEED OF HORROR EVERY[?] PERSON PROFESSING MORMON FAITH HE BELIEVED</p> <p>THEREBY HE WOULD STAB IN A VITAL PART THAT CHURCH HE HAD DISGRACED AND FROM WHICH HE SAYS HE HAS WITHDRAWN</p>	<p>[space] THAT THE SOLDERS THERE WERE A PORTION OF THE NAUVOO LEGION WHY DOES RING IN THAT NAME SIMPLY BECAUSE IT WAS THE NAME OF THE TROOP MADE FAMOUS IN WESTERN HISTORY AND HE BELIEVED CUNNING AS HE IS THAT IF HE WOULD RING IN NAME OF THE NAUVOO LEGION THAT THAT VERY WORD WOULD CONNECT WITH THAT DEED OF HORROR EVERY PERSON PROFESSING MORMON FAITH BELIEVED</p> <p>THEREBY HE WOULD STAB IN A VITAL PART THAT CHURCH HE HAD DISGRACED AND FROM WHICH HE SAYS HE HAS WITHDRAWN</p>	<p>REFERRED TO THE TROOPS AS PART OF THE NAUVOO LEGION. WHY USE THAT NAME ?</p> <p>BECAUSE IT WAS A NAME</p> <p>MADE FAMOUS IN WESTERN HISTORY, AND HE BELIEVED</p> <p>THAT BY USING THAT NAME HE WOULD CONNECT</p> <p>THE WHOLE PEOPLE PROFESSING THE MORMON FAITH WITH A HORRID BUTCHERY. THAT HE WOULD THUS STAB IN A VITAL PART THE CHURCH WHICH HE HAD DISGRACED AND FROM WHICH HE SAYS HE HAD WITHDRAWN,</p>	<p>REFERRED TO THE TROOPS AS PART OF THE NAUVOO LEGION. WHY USE THAT NAME?</p> <p>BECAUSE IT WAS A NAME</p> <p>MADE FAMOUS IN WESTERN HISTORY, AND HE BELIEVED</p> <p>BY USING THAT NAME NAME HE WOULD CONNECT</p> <p>THE WHOLE PEOPLE PROFESSING THE MORMON FAITH WITH THE HORRID BUTCHERY. THAT HE WOULD BTHUS STAB IN A VITAL PART THE CHURCH, HE HAD DISGRACED, AND FROM WHICH HE SAYS HE HAD WITHDRAWN,</p>

RS	PS	RT	BT
OR BEEN CUT OFF.	OR BEEN CUT OFF [<i>space</i>]	BUT FROM WHICH HE WAS LONG SINCE EXPULLED ON ACCOUNT OF HIS VILLAINOUS CRIMES.	BUT FROM ^[50] WHICH HE WAS LONG SINCE EXPULLED ON ACCOUNT OF HIS CRIMES.
HE KNEW THE DEEDS THAT HAD BEEN PERFORMED {AND THE} ⁱ LONG MARCHES THAT HAD BEEN MADE BY THAT NAUVOO LEGION ^{[[9]]} HE KNEW PEOPLE OF THE UNITED STATES WERE AS PERFECTLY CONVERSANT WITH HISTORY OF NAUVOO LEGION	HE KNEW THE DEEDS THAT HAD BEEN PERFORMED AND LONG MARCHES MADE BY THAT NAUVOO LEGION HE KNEW THAT THE PEOPLE OF THE UNITED STATES WERE AS PERFECTLY CONVERSANT WITH THE HISTORY OF THE NAUVOO LEGION	KLINGENSMITH KNEW THE BRAVE DEEDS THAT HAD BEEN PERFORMED, THE LONG MARCHES THAT HAD ^{[[58]]} ⁵⁴² BEEN MADE BY THE NAUVOO LEGION. HE KNEW THAT THE PEOPLE OF THE UNITED STATES WAS AS PERFECTLY FAMILIAR WITH THE HISTORY OF THE LONG MARCH AND GREAT SERVICES OF THAT LEGION, AS THEY WERE WITH THE FACTS CONNECTED WITH WASHINGTON AND THE BAREFOOTED SOLDIERS AT VALLEY FORGE. HE KNEW	KLINGENSMITH KNEW THE BRAVE DEEDS THAT HAD BEEN PERFORMED; THE LONG MARCHES THAT HAD BEEN MADE BY THE NAUVOO LEGION. HE KNEW THAT THE PEOPLE OF THE UNITES STATES WERE AS PERFECTLY FAMILIAR WITH THE HISTORY OF THE LONG MARCH AND GREAT SERVICES OF THAT R LEGION AS THEY WERE WITH THE FACTS CONNECTED WITH WASHINGTON AND HIS BAREFOOTED XSOLDIERS AT VALLEY GORGE. HE KNOWS

542. Handwritten over this number is 57½.

RS	PS	RT	BT
<p>WHEN HE CALLED THE NAME NAUVOO LEGION THAT EVERY PERSON THROUGHOUT LENGTH BREADTH OF THE UNITED STATES WOULD SEE THAT WAS MORMONS. THEY WERE MORMONS COMMITTED DEED. PARTIES CLAIMING TO REPRESENT THAT OLD COMPANY THAT STARTS IN UPON —[?] MISSISSIPPI RIVER MARCHES ACROSS THE CONTINENT</p> <p>HELPS SAVE</p> <p>THIS COUNTRY TO THE AMERICAN GOVERNMENT</p>	<p>THAT WHEN HE CALLED THE NAME NAUVOO LEGION THAT EVERY PERSON THROUGHOUT LENGTH AND BREADTH OF THE UNITED STATES WOULD SEE THAT WAS MORMONS THEY WERE MORMONS COMMITTED THE DEEDS PARTIES CLAIMING TO REPRESENT THAT OLD COMPANY THAT STARTS IN UPON THE MISSISSIPPI RIVER MARCHES ACROSS THE CONTINENT</p> <p>HELPS SAVE</p> <p>THIS COUNTRY TO THE AMERICAN GOVERNMENT</p>	<p>THAT</p> <p>LEGION</p> <p>WAS COMPOSED OF MORMONS.</p> <p>THAT IT STARTED FROM THE MISSOURI RIVER AND MARCHED ACROSS THE CONTINENT, RISKING THEIR LIVES AT THE CALL OF THEIR COUNTRY. THAT THEY DID MUCH MORE THAN ANY OTHER BODY OF MEN TO SAVE THIS PORTION OF THE AMERICAN CONTINENT TO OUR GOVERNMENT.</p>	<p>THAT</p> <p>LEGION</p> <p>WAS COMPOSED OF MORMONS;</p> <p>THAT IT STARTED FROM THE MISSISSIPPI RIVER; MARCHED ACROSS THE CONTINENT; RISKING THEIR LIVES AT THE CALL OF THEIR COUNTRY. THAT THEY DID MUCH MORE THAN THAN ANY OTHER BODY OF MEN TO SAVE TSAVE THIS PORTION OF THE CONTINENT TO THE AMERICAN GOVERNMENT.</p>

RS	PS	RT	BT
<p>{BY}ⁱ MAKING LONGEST MARCH THROUGH THE DESERT COUNTRY EVER MADE UPON EARTH BY ANY ARMY. HE KNEW. THAT THAT MARCH WAS MADE BY THE NAUVOO LEGION HE KNEW THAT THEY WERE MORMONS WENT WHO HAS WENT INTO THAT LEGION MORMONS</p> <p>FLEEING FROM THE WRATH OF THE PEOPLE OF NORTHWESTERN</p> <p>STATES AT THE CALL OF THEIR COUNTRY THEY STOPPED</p> <p>LEFT THEIR WIVES AND THEIR LITTLE ONES UPON ◀THE▶ PRAIRIE LEFT THEM</p>	<p>MAKING LONGEST MARCH THROUGH THE DESERT COUNTRY EVER MADE ON EARTH HE KNEW THAT MARCH WAS MADE BY THE NAUVOO LEGION HE KNEW THAT THEY WERE MORMONS THAT WENT INTO THAT LEGION MORMONS THAT WERE FLEEING FROM THE WRATH OF PEOPLE IN THE WESTERN</p> <p>STATES YET AT THE CALL OF THEIR COUNTRY [space]</p> <p>PEOPLE LEFT [space] WIFE</p>	<p>THAT THEIR MARCH WAS ONE OF THE LONGEST IF NOT THE VERY LONGEST EVER MADE BY AN ARMY. HE KNOWS THAT THAT MARCH WAS MADE BY THE NAUVOO LEGION, HE KNEW THEY WERE ALL OF THE PROFESSED MORMON FAITH.</p> <p>THAT WHILE FLEEING FORM THE WARATH OF THE PEOPLE OF THE NORTHWESTER N STATES THAT THEY WERE AT THE CALL OF THE COUNTRY STOPPED IN THEIR COURSE, LEFT THEIR WIVES AND THEIR LITTLE ONES UPON THE PARAIRIE, WITH SCARCELY SUFFICIENT</p>	<p>THAT THEIR MARCH WAS ONE OF THE LONGEST IF NOT THE VERY LONGEST EVER MADE BY AN ARMY. HE MKNOWS THAT THAT MARCH WAS MADE BY THE NAUVOO LEGION. KNEWWE KNOWS THEY WERE ALL OF PROFESSED MORMON FAITH MORMON FAITH. KNOWS THAT WHILE FLEEING FROM THE WRATH OF THE PEO PLE OF THE NORTH WESTERN STATES, THEY AT THE CALL OF THE COUNTRY STOPPED IN THEIR COURSE, LEFT THEIR WIVES AND THEIR LITTLE ONES ON THE PRAIRIE WITH SCARCELY SUFFICIENT</p>

RS	PS	RT	BT
<p>TO COME ACROSS TO SALT LAKE VALLEY</p> <p>FOR A HOME</p> <p>WHERE THEY WENT AROUND TO[?] SANTA FE ACROSS BY CALIFORNIA TO DO DUTY AND BENEFITS THE GOVERNMENT.</p> <p>THE MAN WAS SO CUNNING AND WAS SO CRUEL WHEN HE SAID IT WAS A PART OF NAUVOO LEGION BECAUSE <HE HAD AN OBJECT IN THIS></p>	<p>TO COME ACROSS TO SALT LAKE VALLEY</p> <p>FOR A HOME AND [space]</p> <p>ACROSS INTO CALIFORNIA TO DO DUTY AND BUSINESS OF THE GOVERNMENT</p> <p>[[38]] OH[?] THE MAN WAS SO CUNNING HE WAS SO CRUEL WHEN HE SAID IT WAS A PART OF THE NAUVOO LEGION HE HAD AN OBJECT IN DOING THIS BECAUSE</p>	<p>FOOD OR CLOTHING TO PROTECT THEM FROM ABSOLUTE WANT, AS THEY SHOULD JOURNEY ONWARD TOWARDS THE SETTING SUN TO SALT LAKE CITY, WHERE THEY WERE SEEKING A HOME. AS THIS LEGION STARTED OVER A TRACKLESS DESERT COUNTRY TO SANTA FE AND ACROSS FROM THEIR TO CALIFORNIA, DOING THEIR DUTY ON ALL OCCASIONS, AS AMERICAN SOLDIERS HAVE EVER DONE. THE WITNESS WAS AS CUNNING AS HE WAS CRUEL WHEN HE REFERRED IN THIS WAY TO THE NAUVOO LEGION, COMPOSED OF MEN WHO HAD LEFT THEIR [space]</p>	<p>FOOD OR CLOTHING TO PROTECT THEM FROM ABSOLUTE WANT AS THEY SHOULD JOURNEY ONWARD TOWARD THE SETTING SUN —THE SALT LAKE VALLEY, WHERE THEY WERE SEEKING A HOME. AS THIS LEGION STARTED OVER A TRACKLESS DESERT TO SANTAFEE, AND ACROSS FROM THERE TO CALIFORNIA, DOING THEIR DUTY ON ALL OCCASIONS AS AMERICAN SOLDIERS HAVE EVER DONE. THE WITNESS WAS AS CUNNING AS HE WAS CRUEL; WHEN HE REFERRED IN THIS WAY TO THE NAUVOO LEGION, COMPOSED OF MEN WHO HAD LEFT THEIR</p>

RS	PS	RT	BT
<p>EVERY MAN THAT WAS IN THE NAUVOO LEGION WAS A MORMON. THEY HAD BEEN DRIVEN FROM NAUVOO [space] NO MAN KNEW IT BETTER THAN SMITH. THEY TELL YOU THERE WAS NO INDIANS THERE FROM BEAVER THIS MAN WHITE SAYS THERE WERE THERE WERE INDIANS THERE</p> <p>FROM BEAVER AND OTHER PLACES UPON THIS FIELD. ANOTHER THING HE SAY THEY STARTED ABOUT DARK</p> <p>TO GO PINTO CREEK NOW IF THEY DID THAT THEY WOULD HARDLY SEE JOHN D. LEE AS THEY SAID THEY DID SMITH</p> <p>STARTS ABOUT NOON WHITEMAN</p>	<p>EVERY MAN THAT WAS IN THE NAUVOO LEGION WAS A MORMON THEY HAD BEEN DRIVEN FROM NAUVOO AND NO MAN KNEW IT BETTER THAN SMITH. THEY TELL YOU THAT THERE WAS NO INDIANS THERE FROM BEAVER THIS MAN WHITE SAYS THERE WERE INDIANS</p> <p>FROM BEAVER AND THERE FROM OTHER PLACES UPON THIS FIELD ANOTHER THING THEY SAID THAT THEY STARTED ABOUT DARK FROM CEDAR CITY TO PINTO CREEK NOW IF THEY DID THAT THEY WOULD HARDLY SEE JOHN D. LEE AS THEY SAID THEY DID SMITH</p> <p>STARTS ABOUT NOON WHITE</p>	<p>[[59]] HOMES SMOULDERING IN RUINS AT NAUVOO,</p> <p>KLINGENSMITH SAYS THAT THERE WERE NO INDIANS THERE FROM BEAVER.</p> <p>WHITE SAYS THAT HE SAW</p> <p>INDIANS ON THE FIELD FROM BEAVER AND OTHER PLACES. WHITE STARTS FRIM CEDAR TO PINTO, AT DARK.</p> <p>KLINGENSMITH SAYS <u>HE</u> STARTED AT NOON. IF THEY STARTED</p>	<p>HAOMES, SMOULDERING IN RUINS AT NAUVOO.</p> <p>KLNIGENSMITH SAYS THERE WAS NO INDIANS THERE FROM BEAVER.</p> <p>WHITE SAYS HE SAW</p> <p>INDIANS ON THE FIELD FROM BEAVER AND OTHER PLACES PAACES. WHITE STARTS FROM CEDAR TO PINTO PINTO FROM AT DARK;</p> <p>KNLINGENSMIT YH SAYS THEY STARTED AT NOON. IF THEY STARTED</p>

RS	PS	RT	BT
<p>ABOUT DARK</p> <p>THERE THEY DEVIATE AGAIN</p> <p>CIRCUMSTANCES SHOW <i>WHICH</i>[?] <i>WAS IT</i>[?] <i>WENT</i>[?] <i>BL-/PL-[?]</i></p> <p>ALL THESE LITTLE THINGS SHOW THEY HAVE NOT MADE UP THEIR SCHEME AS THEY SHOULD HAVE DONE SAYS HE NEVER SAW ANY HOLLOW SQUARE DID NOT SEE LEE</p> <p>AFTER FIRING</p> <p>SAYS LEE TOOK NO PART.</p>	<p>ABOUT DARK</p> <p>THERE THEY DEVIATE AGAIN</p> <p>ALL THESE LITTLE THINGS SHOW THAT THESE MEN HAVE NOT MADE UP THEIR SCHEME AS THEY SHOULD HAVE DONE SAYS HE NEVER SAW ANY HOLLOW SQUARE DID NOT HEAR LEE ADDRESS TROOPS [<i>space</i>]</p> <p>SAYS LEE TOOK NO PART NOW GENTLEMEN</p>	<p>AT DARK THEY DID NOT SEE JOHN D. LEE, AS THEY SAID THEY DID. THE WITNESSESS DIFFER ON THIS SUBJECT, BUT IT IS A CIRCUMSTANCE THAT SHOWS THE ANIMUS OF THE PROSECUTION, AND PROVES HOW POORLY THE CASE OF THE PEOPLE HAS BEEN PLANNED.</p> <p>WHITE A SAYS HE SAW NO <u>HOLLOW</u> <u>SQUARE</u>. DID NOT SEE LEE</p> <p>AFTER THE FIRING COMMENCEDA, AND HE TELLS YOU LEE TOOK NO PART IN THE PROCEEDINGS</p>	<p>AT DARK THEY DID NOT SEE JOHN D. LEE AS THEY SAID THEY DID. THE WITNESSES DIFFER ON THIS SUBHJECT BUT IT IS ^[51] A CIRCUMSTANCE THAT SHOWS THE ANIMUS OF THE LPROSECUTION, AND PROVES HOW POORLY THE CASE OF THE PEOPLE HAS BEEN PLANNED.</p> <p>WHITE SAYS HE SAW NO HHOLLOW SQUARE; DID NOT SEE LEE</p> <p>AFTER THE FIRING COMMENCED, AND HE TELLS YOU LEE TOOK NO PART IN THE PROCEEDINGS</p>

RS	PS	RT	BT
<p>THERE IS ANOTHER WITNESS HERE I HAVE TO COME BACK TO SO FAR YOU WILL ADMIT WITH ME THERE IS NO EVIDENCE TO CONVICT JOHN D. LEE WITH THE CRIME FACTS PROVED OUT SO FAR. AS YET THE</p> <p>TWO WITNESSES</p> <p>FAILED TO CONNECT HIM. LET'S TAKE THAT OLD GADABOUT ANNIE HOGE DIFFICULT WOMAN HER TONGUE {HANGS}ⁱ ON A PIVOT AND RUNNING AT BOTH ENDS SHE CAN'T HEAR HER OWN VOICE [[10]] SHE COMES HERE AND PRETENDS</p> <p>THAT SHE HAD VOTED IN FAVOR OF KILLING THESE</p>	<p>THERE IS ANOTHER WITNESS THAT I HAVE GOT TO COME BACK TO SO FAR YOU ADMIT WITH ME THAT THERE IS NO EVIDENCE TO THAT HE KILLED PEOPLE HAVE TO ADMIT IT FACTS PROVED OUT SO FAR AS <i>INDEED</i>[?] —[?] TWO WITNESSES SMITH AND WHITE FAILED TO CONNECT HIM [<i>space</i>] NOW LET'S TAKE THAT OLD GAD ABOUT [<i>space</i>] <i>M</i>[?] E HOGE DIFFICULT WOMAN HER TONGUE HANG ON PIVOT RUNNING AT BOTH ENDS SHE CAN'T HEAR HER OWN VOICE SHE GETS HERE AND PRETENDS THOUGHT[?] <i>THAT</i>[?] SHE HAD VOTED IN FAVOR OF KILLING THESE</p>	<p>ON THE FIELD.</p> <p>THERE IS NO WITNESS YET TO PROVE THE GUILT OF JOHN D. LEE.</p> <p>NOW WE HAVE AN UNPLEASANT SUBJECT TO DEAL WITH,</p> <p>IT IS THAT OF THE TONGUE- TIED WOMAN;</p> <p>THIS FEMALE PRETENDS</p> <p>SHE VOTED IN FAVOR OF THE WHOLESALE</p>	<p>OƆN THE FIELD,</p> <p>THERE IS NOƆ WITNESS YET TO PROOVE THE GUILT OF JOHN D. LEE.</p> <p>NOW WE HAVE AN UNPLEASANT SUBJECT TO DEAL WITH.</p> <p>IT IS THAT OF THE TONGUE TIED WOMAN—</p> <p>THE FEMALE WHO PRETENDS</p> <p>SHE VOTED IN FAVOR OF WHOLESALE</p>

RS**PS****RT****BT**

<p>PEOPLE THERE</p> <p>SHE WAS THERE AT THIS MEETING AT HARMONY DO YOU SUPPOSE IF SUCH A MEETING AS THAT HAD BEEN HELD</p> <p>PROSECUTION WOULD NOT HAVE EVERY</p> <p>RESIDENT OF HARMONY HERE AS A WITNESS WHY IMPORTED HER FROM SALT LAKE CITY DID YOU BELIEVE HER STORY WHEN YOU HEARD IT SHE WAS THERE. DID YOU NOTICE HOW QUICK IT WAS THAT SHE GOT MESSAGE BACK FROM BRIGHAM YOUNG RECALL IT WAS THE DAY BEFORE MASSACRE THEY HAD THE MEETING</p>	<p>PEOPLE THERE</p> <p>THAT SHE WAS AT A MEETING [space] HARMONY DO YOU SUPPOSE THAT IF SUCH A MEETING HAD <i>EVEN</i>[?] BEEN HELD DON'T YOU YOU SUPPOSE THE PROSECUTION WOULD HAVE EVERY PERSON WHO THEN RESIDED IN HARMONY [space] WHY IMPORTED HER FROM SALT LAKE CITY</p> <p>DID YOU NOTICE HOW QUICK IT WAS THAT SHE GOT THE MESSAGE BACK FROM BRIGHAM YOUNG YOU WILL RECALL IT WAS DAY BEFORE MASSACRE THAT THEY HAD THE MEETING</p>	<p>MURDER. THE ONE WHO CLAIMED TO HAVE BEEN PRESENT AT A PUBLIC MEETING AT HARMONY</p>	<p>MURDER. THE ONE WHO CLAIMS TO HAVE BEEN PRESENT AT A PUBLIC MEETING AT HARMONY,</p>
---	---	--	--

RS	PS	RT	BT
<p>THERE WHEN</p> <p>JOHN D. LEE SAID</p> <p>EMIGRANTS HAD WHIPPED THEM ALL HE LEFT THERE AFTER PEOPLE HAD LIFTED UP THEIR HANDS ONCE⁵⁴³</p> <p>JOHN D. LEE WHEN PEOPLE WERE IN CHURCH NEXT DAY WAITING FOR NEWS FROM THE FIELD WHEN ALL AT ONCE THEY CAME</p> <p>THEY WERE ALL PRESENT IN THE MEETING WAS WAITING TO HAVE THIS THING MADE KNOWN WHEN LEE GOT BACK HOW GOD HAD</p>	<p>THERE</p> <p>THAT THEY LEFT THERE AFTER THE PEOPLE HAD HELD UP HANDS [space]</p> <p>THAT JOHN D. LEE WHEN PEOPLE WERE IN THE CHURCH NEXT DAY WAITING FOR NEWS FROM THE FIELD WHEN ALL AT ONCE THEY CAME SHE WAS WITH THE OTHER WOMEN THEY WERE ALL PRESENT IN THE MEETING ^{[[39]]} WAS WAITING TO HAVE THIS THING DONE [space]</p>	<p>AND VOTED THAT SHE HEARD JOHN D. LEE TELL THE PEOPLE THAT THE EMIGRANTS HAD WHIPPED THE MORMONS</p> <p>AND THAT IT WAS NECESSARY TO KILL ALL THE EMIGRANTS.</p>	<p>AND TO HAEVE HEARD JOHN D. LEE TELL THE PEOPLE THAT THE EMIGRANTS HAD WHIPPED THE INDIANS</p> <p>AND THAT IT WZAS NECESSARY TO KILL THE EMIGRANTS.</p>

543. "PEOPLE" written over "ONCE", or vice versa.

RS**PS****RT****BT**

<p>BLESSED HIM JUST THEN DISPATCH CAME IN FROM BRIGHAM YOUNG DID YOU EVER EVER[?] THINK HOW QUICK SHE GOT THAT DISPATCH TO GO TO SALT LAKE CITY</p> <p>SHE HAS DISPATCH THERE YOU KNOW BRINGS IT RIGHT IN. NOW SIMPLE FACT ONLY TAKING IN CONSIDERATION HOW FAST SHE TOOK GETTING THAT MESSENGER THAT SHE TELLS THIS THING SO</p>	<p>THEN DISPATCH CAME IN FROM BRIGHAM YOUNG [space] HOW QUICK SHE GOT THAT DISPATCH TO SALT LAKE AND BACK AGAIN</p> <p>SHE HAS THE DISPATCH THERE THAT DAY BRINGS IT RIGHT IN SIMPLE FACT <i>BUT</i>[?] HOW FAST SHE TOOK IN GETTING THAT MESSENGER AND TELLS THIS THING SO</p>	<p>YOU RECOLLECT HOW RAPIDLY SHE OBTAINED A MESSAGE FROM SALT LAKE CITY. IT ONLY TOOK HER MESSENGER THREE DAYS TO TRAVEL FROM CEDAR TO SALT LAKE AND BACK. THAT THE CARRIER OF THE DISPATCH TRAVELLED AS FAST AS SHE TALKED AND THAT EQUALS CHAIN LIGHTNING.</p>	<p>YOU RECOLLECT HOW RAPIDLY SHE OBTAINED THE MESSAGE FROM SALT LAKE CITY. IT ONLY TOOK HER MESSENGER THREE DAYS TO TRAVEL FROM CEDAR CITY TO SALT LAKE CITY AND BACK. THAT CARRIER OF THE DISPATCHES TRAVELED AS FAST ALMOST AS SHE TALKS AND THAT EQUALS CHAIN LIGHTNING.</p>
--	---	--	---

RS	PS	RT	BT
<p>ODDLY <i>WHAT/TO</i>[?] <i>SHE/WHAT</i>[?] ALL ALONE SWEARS BUT IT WAS PHYSICALLY IMPOSSIBLE TO HAVE SENT MESSAGE TO BRIGHAM YOUNG TO HAVE IT RETURN IN TIME SHE HAS SAID [<i>space</i>] SHE HAS BEEN <i>TENDING</i>[?] IT PASSED AROUND</p> <p>FOR LAST 18 YEARS I GUESS SHE HAS A WHOLE SUIT OF CLOTHES NOW SHE HAS LEFT WHOLE SOUTHERN PART OF UTAH [<i>space</i>] HER AND OLD MAN SHIRTS HAND DIVIDED THEY DO NOT LIVE TOGETHER NOW SHE IS NO RELATION OF MY FRIEND HOGE ANYWAY SHE HAS CHANGED HER NAME</p>	<p>DIFFERENTLY THAT ALL I CAN SAY IS IT IS IMPOSSIBLE TO BELIEVE HER IT WAS PHYSICALLY IMPOSSIBLE TO SEND A MESSENGER TO BRIGHAM YOUNG HAVE IT BACK IN THAT TIME [<i>space</i>] FACT IS SHE IS CARELESS OLD WOMAN [<i>space</i>] SHE SAYS SHE WAS MRS. SHIRTS THEN I SUPPOSE SHE HAS A WHOLE SUIT OF CLOTHES NOW SHE HAS LEFT</p> <p>SOUTHERN UTAH HER AND OLD MAN HAVE SHIRTS HAVE DIVIDED</p> <p>BECAUSE HER NAME IS HOGE NOW ANYWAY SHE HAS CHANGED HER NAME</p>	<p>SHE HAS BEEN</p>	<p>SHE HAS BEEN</p>

RS**PS****RT****BT**

<p>SHE HAS BEEN GOING AROUND TO TEA PARTIES QUILTING PARTIES —[?] SUCH THINGS AS THAT GONE ON TALKING THIS MATTER OVER</p> <p>UNTIL SHE</p> <p>HAS COME TO CONCLUSION</p> <p>SHE KNOWS WHOLE FACTS FINDING IT HARD TO TAKE AS HISTORY HER EVIDENCE IT HAS DRAWN UPON HER</p>	<p>AND SHE HAS BEEN GOING AROUND TO TEA PARTIES <i>[space] HG[?]</i> PARTIES <i>[space]</i> TALK <i>[space]</i> &C <i>[space]</i></p> <p>UNTIL SHE</p> <p>HAS COME TO THE CONCLUSION IF <i>THAT[?]</i> SHE SAW IT ALL UNTIL SHE KNOWS IT ALL FINDING IT HARD TAKE AS HISTORY BIASED SHE HAS DRAWN UPON HER</p>	<p>RECITING HER STORY SO CONSTANTLY FOR THE LAST EIGHTEEN YEARS, THAT SHE NOW BELIEVES IT HERSELF. HAVING TOLD IT TO WONDERING CROWDS OF LISTENING WOMEN AT QUILTING AND TEA PARTIES,</p> <p>HAS GONE OVER IT FOR THE INFORMATION OF HUNGRY REPORTERS UNTIL SHE TELLS IT WELL AND FLUENTLY.</p>	<p>RECITING HER STORY SO CONSTANTLY FOR THE LAST 18 YEARS YERAA THAT SHE COMMENCES TO BELIEVE IT HERSELF. SHE HAS TOLD IT TO WONDERING CREWS OF GARRULOUS WOMEN AT QUILTINGS AND TEA PARTIES;</p> <p>HAS GONE OVER IT FOR THE INFORMATION OF WANDERING REPORTERS, UNTIL SHE TELLS IT WELL AND FLUENTLY.</p>
--	---	---	--

RS	PS	RT	BT
<p>TO WHO WAS IN THE ARMY IN CRIMEA EVERY ONE OF THEM WAS IN</p> <p>CELEBRATED CHARGE OF THE 500</p> <p>YOU NEVER SEE ANY FRENCHMAN</p>	<p>THAT WAS IN THE ARMY IN THE CRIMEA EVERY ONE OF THEM WERE IN CHARGE OF THE CELEBRATED CHARGE OF FIVE HUNDRED</p> <p>NEVER WAS A <i>YOUNG</i>[?] FRENCHMAN BUT WHAT WAS [<i>space</i>] NEVER FIND</p>	<p>THE COUNTRY, ESPECIALLY THOSE WHO CLAIM ANY KNOWLEDGE OF MILITARY MOVEMENTS, TERRIBLE DEEDS OF VIOLENCE OR HORRID ACCIDENTS. EACH IS THE HERO OF HIS OWN STORY; AS AN EXAMPLE, YOU SELDOM FIND A SOLDIER OF THE CRIMEA, WHO WAS NOT ONE OF THOSE WHO MADE THAT CELEBRATED CHARGE WITH THE SIX HUNDRED AT BALACLAVA. SELDOM DO YOU FIND A DESCENDENT OF THOSE WHO LIVED IN SUNNY FRANCE IN THE DAYS OF NAPOLEON</p>	<p>THE COUNTRY, ESPECIALLY THOSE WHO CLAIM ANY KNOWLEDGE OF MILITARY MOVEMENTS- TERRIBLE DEEDS OF VIOLENCE OFR HORRID ACCIDENTS. EACH IS THE HEROE OF HIS OWN STORY. AS AN EXAMPLE, YOU SELDOM FIND A SOLDIER WHO WAS IN THE CRIMEA WHO WAS NOT ONE OF THOSE WHO MADE THAT CELEBRATED CHARGE ^[52] OF THE SIX HUMDERED TO BALACLAVA. SELDOM DO YOU FIND A DESCENDANT OF THOSE WHO LIVED IN SUNNY FRONCE IN THE DAYS OF NAPOLEON</p>

RS	PS	RT	BT
<p>WITHOUT HIS FATHER WAS WITH FRENCH TROOPS WHEN THEY MADE CELEBRATED CHARGE AT LODI</p> <p>NEVER. CAN'T FIND PRIVATE OF THE LAST WAR TO SAVE YOUR LIFE ^{[[1]]} NEVER ONE GOT THIS FAR WEST. EVERY ONE THAT COMES OUT HERE WAS AT LEAST A CAPTAIN</p>	<p>ANY BUT WHAT HAD SOME RELATIVE THAT WAS WITH NELSON</p> <p>YOU CAN'T FIND A PRIVATE OF THE LAST WAR TO SAVE YOUR LIFE NEVER ONE CAME THIS FAR WEST EVERYBODY THAT COMES THIS FAR OUT HERE WAS AT LEAST A CAPTAIN</p>	<p>WHOSE FATHER WAS NOT ONE OF THE LEADERS</p> <p>AT LODI; NOR CAN YOU FIND A MAN FROM NEW ENGLAND WHO DOES NOT TRACE HIS LINEAGE BACK TO H THOSE WHO LANDED ON PLYMOUTH ROCK. SELDOM HAVE YOU SEEN A PRIVATE OF THE LATE WAR0,</p> <p>ALL</p> <p>WERE COMMISSIONED OFFICERS; ALL TOOK AN ACTIVE AND IMPORTANT PART IN THE CAMPAIGNS AND BATTLES THAT THEY</p>	<p>WHOSE FATHER WAS NOT ONE OF THE LEADERS</p> <p>AT LODI; NOR CAN YOU FIND A MAN FROM F NEW ENGLAND WHO DOES NOT TRACE HIS LINEAGE BACK TO THOSE WHO LANDED O N PLYMOTH ROCK. SELDOM DO YOU FINED A PRIVATE OF THE LATE WAR;</p> <p>ALL</p> <p>WERE COMMISSIONED OFFICERS; ALL TOOK AN ACTIVE AND IMPORTANT PART IN THE CZAMPAIGNS AND BATTLES THEY</p>

RS	PS	RT	BT
<p>AND MAKES NO DIFFERENCE WHICH ONE HE WAS IN THE PEOPLE WISH TO BECOME GREAT THEY WANT TO HAVE TAKEN SOME CONSIDERABLE PART IN THAT WAR OR IN ANY <i>ESTABLISHMENT</i>/ —[?] ANYTHING IF THEY WERE IN ARMY THEY WISH TO HAVE OCCUPIED RESPONSIBLE POSITION. SO IT WAS WITH THIS OLD LADY SHE HAD BEEN</p>	<p>THE REASON IS THIS WHEN A THING BECOMES INTEREST PEOPLE WISH TO BECOME GREAT WANT TO HAVE TAKEN SOME CONSIDERABLE PART IN THAT WAR</p> <p>IF THEY WERE IN THE ARMY THEY WISHED TO HAVE OCCUPIED A RESPONSIBLE POSITION SO IT WAS WITH THIS OLD LADY SHE HAD BEEN</p>	<p>TELL OF; BUT HISTORY — EVER UNJUST TO THE LIVING, HAS FAILED TO AWARD THEM CREDIT FOR DEEDS OF NOBLE DARING, DANGERSNOUS FACED AND VICTORIES WON. MANKIND IS NATURALLY AMBITIOUS OF THE APPROBATION OF HIS RACE; SO WITH WOMEN.</p> <p>THIS WITNESS IS</p>	<p>TELL OF; BUT HISTORY, EVER UNJUST TO THE LIVING HAS FAILED TO AWARD THEM CREDIT FOR DEEDS OF NOBLE DARING, DANGERS FACED AND VICTORIES WON. MANKIND IS NSATURALLY AMBITIOUS FOR OF THE APPROBATION OF HIS RACE, SO WITH WOMAN.</p> <p>THIS WITNESS IS</p>

RS	PS	RT	BT
<p>IN SOUTH UTAH LIVED PERHAPS IN THAT VICINITY AT THE TIME</p> <p>PEOPLE HAVE ASKED HER ABOUT THIS <i>QUESTION</i>[?] SHE CONCLUDED SHE WOULD BE THROWING ALL ON HERSELF UNLESS SHE ADMITTED SHE KNEW ALL ABOUT IT. SHE HAS MADE THIS STORY AS MEN CLAIM THEY HAVE DONE DEEDS THEY NEVER THOUGHT OF</p> <p>SAME HERE WITH THIS OLD LADY. ANOTHER THING SHE TELLS YOU WAS THIS SHE SAW CHILD BROUGHT BACK</p>	<p>IN SOUTHERN UTAH LIVED PERHAPS IN THAT VICINITY AT THE TIME [space]</p> <p>PEOPLE HAVE ASKED HER ABOUT THESE THINGS CONCLUDED THAT SHE WOULD BE THROWING ALL ON HERSELF UNLESS SHE [space] KNEW SOMETHING ABOUT IT [space] JUST IN THE WAY THAT MEN CLAIM TO HAVE <i>DONE</i>[?] ^{[[40]]} DEEDS THAT THEY NEVER SAW [space] —[?] HERE 19 YEARS —[?] <i>IT/D</i>[?] BELIEVING AND [space] ANOTHER THING SHE TELLS YOU IS THAT SHE SAW CHILD BROUGHT BACK</p>	<p>NO EXCEPTION TO THE RULE, HAVING LIVED AT THE TIME IN UTAH, IN SOUTHWESTERN UTAH; SHE IMAGINES SHE KNOWS IT ALL; AT LEAST THAT SHE WILL BE JUSTIFIED IN TELLING IT ALL.</p> <p>ACCORDING TO HER STORY THERE WAS A CHILD SAVED AND BROUGHT</p>	<p>NO EXCEPTION TO THE RULE. HAVING LIVED AT THE TIME IN UTAH — IN SOUTH WESTERN UTAH, SHE IMAGINS SHE KNOWS IT ALL—AT LEAST THAT SHE WILL BE JUSTIFIED IN TELLING IT ALL.</p> <p>ACCORDING TO HER, THERE WAS A CHILD SAVED AND BROUGHT</p>

RS	PS	RT	BT
<p>7 YEARS OLD. YOU DON'T BELIEVE THAT.</p> <p>IF YOU DO YOU CAN'T BELIEVE OTHER WITNESS. DO YOU SUPPOSE SMITH TOOK CHILD FROM THAT FIELD 7 YEARS OLD NO FACT IS HE NEVER TOOK ONE [space] SHE</p>	<p>THERE THAT WAS 7 OR 8 YEARS OLD</p> <p>IF YOU DO YOU CAN'T BELIEVE ONE OF THE OTHER WITNESS DO YOU SUPPOSE KLINGEN SMITH TOOK CHILD FROM THAT FIELD OF CARNAGE 7 OR 8 YEARS OLD NO SHE HAS WITNESSED[?] HIM TO DO SHE</p>	<p>TO HARMONY: THAT WAS SEVEN YEARS OLD.</p> <p>THAT AFTERWARDS BILL STEWART PUT THAT CHILD OUT OF THE WAY. WILD AS THIS STATEMENT IS, CONTRADICTIN G KLINGENSMITH, WILLIS, WHITE AND OTHERS AS IT DOES, IT IS ON A PAR WITH HER WHOLE STATEMENT AND RUINES HER STORY, SO FAR AS FINDING BELIEVERS IN ITS TRUTH IS ^[61] CONCERNED.</p>	<p>TO HARMONY THAT WAS SEVEN YEARS OLD.</p> <p>THAT AFTERWARDS BILL STEWART PUT THAT CHILD OUT OF THE WAY. WILD AS THIS STATEMENT IS, CONTRADICTED ING KLINGENSMITH, WILLACE, WHITE AND OTHERES AS IT DOES, IT IS ON A PAR WITH HER WHOLE STATEMENT AND RUINS HER STORY SO FAR AS FINDING BELIEF IN ITS TRUTH IS CONCERNED.</p>

RS	PS	RT	BT
<p>IS GOING TO TELL THIS THING CLEAR THROUGH IS GOING ACT HER PART SHE HAS BILL HICKMAN MAKE AWAY WITH THIS CHILD AND</p> <p>BRING POOR OLD MAN PARRISH TO SUPPORT THAT THEORY FULLY SAYS HE SAW CHILD THERE ONCE NEVER SAW IT AGAIN SATISFIED SOMETHING DONE WITH CHILD BECAUSE HE NEVER SAW IT AGAIN. SO FAR GENTLEMEN YOU MUST THROW HER EVIDENCE OUT OF SCHOOL</p> <p>SHE IS UNSUPPORTED BY ANY TESTIMONY SHE IS AS GUILTY OF MURDER AS IF SHE HAD</p>	<p>IS GOING TO</p> <p>ACT HER PART SHE HAS BILL HICKMAN MAKE AWAY WITH THIS CHILD AND THEN THEY BRING POOR OLD MAN PARRISH IN TO SUPPORT THIS THEORY FULLY SAYS HE SAW IT THERE ONCE NEVER SAW IT AGAIN SATISFIED THAT SOMETHING EVIL WAS DONE WITH CHILD BECAUSE NEVER [space]</p> <p>MUST THROW HER EVIDENCE OUT OF SCHOOL</p> <p>BECAUSE SHE IS UNSUPPORTED BY ANY TESTIMONY SHE IS AS GUILTY OF MURDER AS IF SHE HAD</p>	<p>IT IS YOUR DUTY TO THROW HER STATEMENTS OUT OF THE CASE AND PAY NO MORE ATTENTION TO IT THAN IF YOU HAD NEVER HEARD IT.</p>	<p>IT IS YOUR DUTY TO THROW HER STATEMENTS OUT OF THE CASE AND PAY NO MORE ATTENTION TO IT THAN IF YOU HAD NEVER HEARD IT.</p>

RS	PS	RT	BT
<p> ACTED UPON THE FIELD; BECAUSE THERE WAS NO POWER TO COMPEL HER TO VOTE IN FAVOR OF MASSACRE YET SHE DID SO SHE VOTED TO GO ON WITH KILLING IF HER STORY IS TRUE AS I SAID BEFORE RECESS CHARITY COMPEL US TO RATHER SAY SHE LIED THAN TO SAY SHE IS ACCESSORY TO MURDER [space] WE'LL DISMISS HER SAYING/SO FAR[?]. </p>	<p> ACTED UPON THE FIELD BECAUSE THERE WAS NO POWER TO COMPEL HER TO VOTE IN FAVOR OF THE MASSACRE N YET SHE DID SO SHE VOTED TO GO ON WITH THE KILLING IF HER STORY IS TRUE AS I SAID BEFORE RECESS CHARITY COMPEL US TO RATHER SAY THAT SHE LIED THAN TO SAY SHE IS AN ACCESSORY TO MURDER WE'LL DISMISS HER [space] SO FAR [space] </p>	<p> AS I SAID ONCE BEFORE, PITY THE OLD WOMAN, FORGIVE HER FOR HER FOLLY, THIS IS CHARITY, BUT TO BELIEVE HER WOULD BE A SIN. IT WOULD BE MADNESS ON MY PART TO CALL YOUR ATTENTION TO ANY MORE OF HER INSANE, INCOHERENT </p>	<p> AXS I SIAD ONCE BEFORE PITY THE OLD WOMAN; FORGIVE HER FOR HER FOLLY; THIS IS CHARITY BUT TO BELIEVE HER WOULD BE A SIN. IT WOULD BE MADNESS ON MY PART TO CALL YOUR ATTENTION TO ANY MORE OF HER INSANE , INCOHERENT </p>

RS**PS****RT****BT**

<p>ONE THING I HAVE NEARLY FORGOTTEN. SHE SAYS LEE CLAIMED IN MEETING HE GAVE GUNS TO INDIANS ONE BY ONE HE WAS PAINTED AS AN INDIAN AND A WHITE MAN WHO KNEW HIM HAD SEEN HIM IN NAUVOO HOW DOES IT COME THAT IF LEE WAS PAINTED AS AN INDIAN THAT SMITH DOESN'T SAY SO? HOW DOES IT COME OLD BILL⁵⁴⁴ YOUNG DOESN'T SAY SO HOW DOES IT COME THAT POLLOCK DOESN'T SAY SO</p>	<p>ONE THING I HAD NEARLY FORGOTTEN SHE SAID THAT LEE CLAIMED THERE IN THE MEETING THAT HE GAVE THE GUNS TO THE INDIANS ONE BY ONE AND THAT HE WAS PAINTED AS AN INDIAN AND A WHITE MAN TOLD HIM HE KNEW HIM HAD SEEN HIM IN NAUVOO HOW DOES IT COME THAT IF LEE WAS PAINTED AS AN INDIAN THAT SMITH DOESN'T SAY SO HOW DOES IT COME THAT OLD BILL YOUNG DOESN'T SAY SO HOW DOES IT COME THAT POLLOCK DOESN'T SAY SO</p>	<p>RAVINGS. SO I SAY, LET HER FAULTS BE FORGIVEN AS HER FALSEHOODS ARE FORGOTTEN.</p>	<p>RAVINGS; SO I SAY, LET HER FALTS BE FORGIVEN AS HER FALSEHOOD INS FORGOTTEN.</p>
---	--	---	--

544. Vowels were later added in ink, rendering the word "BILLY".

RS**PS****RT****BT**

NO ONE SAW
HIM PAINTED AS
AN INDIAN NO
ONE PRETEND
THAT HE WAS
PAINTED AS AN
INDIAN ^{[[12]]} BUT
THE OLD LADY
HAS DRAWN
UPON HER
IMAGINATION
UNTIL SHE HAS
MADE HERSELF
BELIEVE THAT
WOULD HAVE
GREATER
EFFECT BEFORE
THE PEOPLE AND
YOU
GENTLEMEN OF
THE JURY
WOULD
SHUDDER WITH
HORROR WHEN
YOU THOUGHT
OF HIS BEING
PAINTED AS AN
INDIAN AND

ACT
LIKE SHE HAD
SEEN POOR
OLD NERVOUS
WOMEN ACT
WHEN SHE HAS
TOLD THAT LIE
TO THEM
AT SOME
PRIVATE
PARTY.

NO ONE SAW
HIM PAINTED AS
AN INDIAN NO
ONE PRETENDS
THAT HE WAS
PAINTED AS AN
INDIAN BUT
THE OLD LADY
HAS DRAWN
UPON HER
IMAGINATION
UNTIL SHE HAS
MADE HERSELF
BELIEVE THAT
IT WOULD HAVE
GREATER
EFFECT BEFORE
PEOPLE AND
THAT YOU
GENTLEMEN OF
THE JURY
WOULD
SHUDDER WITH
HORROR WHEN
YOU THOUGHT
OF HIS BEING
PAINTED AS
INDIAN AND
THAT YOU
WOULD ACT
LIKE SHE DID
ACT LIKE POOR
OLD NERVOUS
WOMEN ACT
WHEN SHE
TOLD THAT LIE
TO THEM *[space]*
AT SOME —/
PRIVATE[?]
PARTY AND SHE
HAS TOLD IT
UNTIL SHE
BECAME USED
TO IT *[space]*

RS	PS	RT	BT
<p>I SAY UP TO {THE}ⁱ PRESENT TIME EVERY FACT OF THE CASE</p> <p>EVERY CIRCUMSTANCE IN THE CASE</p> <p>STAMPS THEORY OF PROSECUTION AS UNTRUE. THAT WHAT</p> <p>LEE DID WAS DONE FOR A WITH A LAWFUL BENEVOLENT INTENTION.</p> <p>WELL WHAT HAS THOMAS</p>	<p>[[41]] EVERY CIRCUMSTANCE IN THE CASE</p> <p>STAMPS THE THEORY OF PROSECUTION AS UNTRUE THAT WHAT</p> <p>LEE DID WAS DONE WITH A LAWFUL BENEVOLENT INTENTION [space]</p> <p>THOMAS</p>	<p>SO FAR, GENTLEMEN OF THE JURY EVERY FACT IN THE CASE, ALL THE TESTIMONY ENTITLED TO CREDIT, EVERY CIRCUMSTANCE THAT IS SUPPORTED BY EVIDENCE, STAMPS THE THRO THEORY OF THE PROSECUTION AS UNTRUE; THAT EVERY ACT DONE BY THE DEFENDANT JOHN D. LEE WAS DONE WITH A BENEVOLENT INTENTION AND FOR A LAWFUL PURPOSE IS FULLY ESTABLISHED BY THE EVIDENCE FOR THE PROSECUTION. THAT NO UNFAIRNESS BE DONE, NO PART OF THE EVIDENCE NEGLECTED, I CALL YOUR ATTENTION AGAIN TO THOMAS</p>	<p>SO FAR, GENTLEMEN OF THE JURY, EVERY FACT IN THE CASE— ALL THE TESTIMONY ENTITLED TO CREDIT, EVERY CIRCUMSTANCE THAT IS SUPPORTED BY EVIDENCE, STAMPS THE THEORY OF THE PROSECUTION AS UNTRUE. THAT EVERY ACT DONE BY THE DEFENDANT JOHN D. LEE, WAS DONE WITH A BENEVOLENT INTENTION AND FOR A LAWFUL PURPOSE, IS FULLY ESTABLISHED BY THE [53] PROSECUTION. THAT NO UNFAIRNESS BE DONE, NO PART OF THE EVIDENCE NEGLECTED, I CALL YOUR ATTENTION TO THOMAS</p>

RS	PS	RT	BT
<p>WILLIS</p> <p>HEARD</p> <p>HAIGHT ASK HIS FATHER HOW HE SHOULD ATTACK THE PEOPLE</p> <p><i>BUT</i>[?] SAYING HE HAS FORGOTTEN WHERE HIS BROTHER LIVED AT THE TIME <i>WHAT</i>[?] SAYS HIS BROTHER WAS MARRIED LIVED AWAY FROM HOME HIS BROTHER LEMUEL LIVED WITH HIM.</p> <p>JOHN H WILLIS TELLS YOU WHEN HE COMES BEFORE YOU DISPATCH</p>	<p>WILLIS</p> <p>HEARD</p> <p>HAIGHT ASK FATHER HOW BEST MURDER</p> <p>BUT SAYING THAT HE FORGOT WERE HIS BROTHER LIVED AT THE TIME</p> <p>BROTHER LEMUEL LIVED WITH HIM BROTHER LEMUEL LIVED WITH HIM</p> <p>JOHN H WILLIS TELLS YOU THAT THE DISPATCH</p>	<p>WILLIS; A CONVERSATION THAT HE CLAIMED TO HAVE HEARD BETWEEN HAIGHT AND HIS FATHER</p> <p>IS FRESH IN YOUR MINDS. YOU REMEMBER IT ALL AS PERFECTLY AS YOU DISBELIEVED IT IN ALL.</p> <p>HE TELLS YOU THAT HIS BROTHER SAMUEL LIVED WITH HIM. THIS IS DENIED AND DISPUTED BY HIS OTHER BROTHER, JOHN H. WILLIS. HE TELLS YOU THAT WHEN THE DISPATCH</p>	<p>WILLACE, THE CONVERSATION THAT HE CLAIMS TO HAVE HEARD BETWEEN HAIGHT AND HIS FATHER</p> <p>IS FRESH IN YOUR MINDS. YOU REMEMBER IT ALL, AS PERFECTLY AS YOU DISBELIEVE IT IN THE WHOLE.</p> <p>HE TELLS YOU THAT HIS BROTHER LEMUEL LIVED WITH HIM. THIS IS DENIED AND DISPUTED BY HIS OTHER BROTHER , JOHN H. WILLAYCE, WHO TELLS YOU THAT WHEN THE DISPATCH WAS</p>

RS	PS	RT	BT
SENT BY SMITH OR SOMEBODY ELSE FOR HIM TO GO TO HAMBLIN'S RANCH GET THE CHILDREN WAS LEFT AT HOME WITH HIS MOTHER	SENT BY SMITH OR SOMEBODY ELSE	SENT TO HIM ABOUT THE CHILDREN WAS DELIVERED FOR HIM IT	SENT TO HIM ABOUT THE CHILDREN AND WAS DELIVERED FOR HIM IT
DID NOT SEE MESSENGER WHEN HE GOT HOME HIS MOTHER TOLD HIM OF IT. <i>ACCEPT</i> [?]	WAS LEFT AT HOME WITH HIS MOTHER AND <i>DO YOU</i> [?] RECALL THAT DID NOT SEE THE MESSENGER WHEN HE GOT HOME HIS MOTHER TOLD HIM OF IT HE WENT THEN OUT TO HAMBLIN'S BROUGHT IN CHILDREN	WAS LEFT WITH HIS MOTHER. ALL THE BOYS THEN LIVED AT HOME.	WAS LEFT WITH HIS MOTHER. ALL THE BOYS THEN LIVED AT HOME ₅ .
THIS JOHN H WILLIS WHEN HE COMES UPON THE STAND	[<i>space</i>] WILLIS	I ASK THE PROSECUTION TO EXPLAIN THIS. JOHN H. WILLIS	I ASK THE PROSECUTION TO EXPLAIN THIS. JOHN H. WILLACE
		ALSO FLATLY DISPUTED KLINGENSMITH UPON EVERY QUESTION THAT HE, WILLIS, SPEAKS OF, ESPECIALLY IS	ALSO FLATLY DISPUTED KLINGENSMITH UPON EVERY QUESTION, THAT HE (WILLACE) SPEAKS OF; ESPECIALLY IS

RS	PS	RT	BT
<p>AND SAYS HE DID NOT SEE SMITH WENT TO HAMBLIN'S GOT HIS LOAD OF CHILDREN BROUGHT THEM BACK TO CEDAR {CITY}ⁱ NEXT DAY SMITH TELLS YOU CHILDREN WERE ALL TAKEN FROM HAMBLIN'S TO CEDAR THE MORNING AFTER MASSACRE JOHN H WILLIS TELLS YOU THAT THE EVENING AFTER THE MASSACRE NEXT DAY AFTER IT THIS WORD CAME</p>	<p>SAID THAT HE DID NOT SEE SMITH THAT DAY HE WENT TO HAMBLIN'S GOT HIS LOAD OF CHILDREN BROUGHT THEM BACK TO CEDAR NEXT DAY SMITH TELLS YOU CHILDREN WERE ALL TAKEN FROM HAMBLIN'S TO CEDAR THE MORNING AFTER THE MASSACRE JOHN WILLIS TELLS YOU THAT THE EVENING AFTER THE MASSACRE THIS WORD CAME</p>	<p>THIS SO WITH REGARD TO THE CHILDREN, AND ALL THAT RELATES TO THEM. THEIR AGE, ABILITY TO TALK, AND THE MEMORY ◀MANNER▶ OF THEIR CONVEYANCE FROM THE HAMBLIN RANCH TO CEDAR CITY.</p>	<p>THIS SO WITH REGARD TO TO THE CHILDREN AND ALL THAT THAT RELATES TO THEM; THEIR AGE ABILITY TO TALK FLAK AND THE MANNER OF THEIR CONVEYANCE FROM HAMBLINS RANCH TO CEDAR CITY.</p>

RS	PS	RT	BT
<p>THAT HE DID NOT GO THAT DAY BUT WAITED UNTIL NEXT MORNING WENT TO HAMBLIN'S AND BROUGHT IN 5 OR 6 SOLDIERS. SMITH TELLS YOU OUT OF ENTIRE NUMBER NONE WERE OVER 2 1/2 YEARS OLD WILLIS TELLS YOU THEY WERE FROM 3 TO 4 SMITH TELLS YOU NONE OF THEM COULD TALK WILLIS TELLS YOU THAT ALL OF THEM COULD TALK AND HEARD THEM TALK CONSEQUENTLY HE DISPUTES HIM ON[?] THAT. SO FAR THEN THERE IS NOTHING</p> <p>CONNECT LEE WITH THIS⁵⁴⁵ MASSACRE NOTHING TO</p>	<p>THAT HE DID NOT GO THAT DAY BUT WAITED UNTIL NEXT MORNING THEN WENT TO HAMBLIN'S AND BROUGHT IN FIVE OR 6 CHILDREN SMITH TELLS YOU THAT OUT OF THE ENTIRE NUMBER HE BROUGHT NONE WERE TWO AND A HALF WILLIS TELLS YOU 3 OR FOUR SMITH TOLD NONE</p> <p>TALK YET JOHN WILLIS TELLS</p> <p>ALL TALKED CONSEQUENTLY THERE HE DISPUTES HIM [space] SO AS FAR AS THEN THERE IS NOTHING HAS NOT YET TO CONNECT LEE WITH THIS MASSACRE NOTHING TO</p>	<p>[62] STILL, GENTLEMEN, THERE IS NO EVIDENCE TO JUSTIFY A VERDICT AGAINST JOHN D. LEE, NOTHING TO</p>	<p>STILL, GENTLEMEN, THERE IS NO EVIDENCE TO JUSTIFY A VERDICT AGAINST JOHN D. LEE; NOTHING TO</p>

545. "WITH THIS" apparently added later.

RS	PS	RT	BT
<p>CONNECT HIM WITH CONSPIRACY. WE'LL TAKE WILLIAM MATTHEWS [space] HIS EVIDENCE IS AS I SAID BEFORE RECESS TO GO TO WHAT HE SAID THAT COLONEL DAME AND THE LOAN OF THE MULES TO DAME.</p> <p>DAME'S GOING OUT THERE EVENING AFTER SLAUGHTER HAD BEEN COMMITTED. HE PASSES ON GOING OVER THE FIELD IN THE NIGHT SEEING NOTHING. [space] [[13]]⁵⁴⁶ NEXT WITNESS IS WILLIAM YOUNG {THAT}ⁱ THEY PUT UPON</p>	<p>CONNECT HIM WITH A CONSPIRACY TAKE WILLIAM MATTHEWS HIS EVIDENCE IS AS I SAID BEFORE RECESS TAKE UP WHAT HE SAID THAT COLONEL DAME AND THE LOANING OF THE MULES TO DAME</p> <p>AND DAME'S GOING OUT THERE EVENING AFTER THE SLAUGHTER HAD BEEN COMMITTED AND HE PASSES ON GOING OVER THE FIELD IN THE NIGHT AND SEEING NOTHING [space] NEXT WITNESS IS WILLIAM YOUNG THAT THEY PUT UPON</p>	<p>CONNECT HIM WITH THE CONSPIRACY OR THE MASSACRE. WILLIAM MATTHEWS THE MAN</p> <p>THAT LOANED DAME THE MULES IS AN HONEST AND TRUTHFUL MAN, BUT HIS EVIDENCE HAS NO BEARING ON THE CASE THAT IS BEFORE YOU.</p> <p>THE NEXT WITNESS IS</p>	<p>CONNECT HIM WITH THE A CONSPIRACY OR THE MASSACRE. WILLIAM MATHEWS THE MAN</p> <p>THAT LOANED DAME THE MUKLES IS AN HONEST AND TRUTHFUL MAN, BUT HIS EVIDENCE HAS NO BEARING ON THE CASE THAT IS BEFORE YOU.</p> <p>THE NEXT WITNESS IS</p>

546. At the top of the page in ink: WENT THERE WENT THERE [space] WENT THERE
WEDNESDAY JOHN D. LEE [space] HE SAW JOHN D. LEE THERE.

RS**PS****RT****BT**

THE STAND.	THE STAND	<p>A MAN THAT KNOWS MUCH OF THE HORRID DETAILS OF THE BLOODY TRANSACTION. HE COULD TELL ALL THE FACTS AS FAR AS THEY RELATE TO JOHN D. LEE, BUT HE WAS NOT PERMITTED TO DO SO. THE PROSECUTION ARE APPARENTLY AS FEARFUL OF FACTS IN THIS CASE AS WE ARE TAUGHT BY SOME CREEDS TO BELIEVE THE DEVIL IS OF HOLY WATER. FACTS ARE DEATH TO THE PROSECUTION. SO THIS OLD MAN WAS HELD IN XCHECK, AND ONLY PERMITTED TO TELL A LITTLE, AND THAT .LITTLE JUST ALL THE PROSECUTION DARE LET HIM TELL. WILLIAM YOUNG</p>	<p>A MAN THAT KNOWS MUCH OF THE HORRID DETAILS OF THE BLOODY TRANSACTION. HE COULD TELL ALL THE FACTS SO FAR AS THE Y RELATE TO JOHN D. LEE, BUT HE WAS NOT PERMITTED TO DO SO. THE PROSECUTION ARE APPARENTLY AS FEARFUL OF FACTS IN THIS CASE AS WE ARE TAUTHG BY SOME CREEDS TO BELIEVE THE DEVIL OF IS A HOL IS OF HOLY WATER. FACTS ARE DEATH TO THE PROSECUTION, SO THIS OLD MAN WAS HELD IN CHECK AND ONLY PERMITTED TO TELL A LITTLE.; AND THAT LITTLE JUST ALL THE PROSECUTION DARE LET HIM TELL. WILLIAM YOUNG</p>
------------	-----------	---	---

RS	PS	RT	BT
<p>HE TELLS YOU HE WAS AT THE MEADOWS</p> <p>SAW <i>MANY</i>[?] MEN THERE.</p> <p>HE SAW JOHN D. LEE THERE SAYS HE WAS IN SIGHT AT THE MASSACRE. GOES ON DESCRIBE WHAT HE SAW.</p> <p>TELLS YOU HE SAW CHILDREN IN WAGONS AND THAT JOHN D. LEE SAT UPON AND WAS DRIVING THE FORWARD</p>	<p>HE TELLS YOU AT THE MEADOWS</p> <p>SAW <i>MANY</i>/—[?] THERE</p> <p>HE SAW JOHN D. LEE THERE SAYS HE WAS IN SIGHT OF THE MASSACRE <i>HE</i>[?] GOES ON TO DESCRIBE WHAT HE SAW</p> <p>TELLS YOU THAT HE SAW THE CHILDREN IN THE WAGON AND THAT JOHN D. LEE SAT UPON AND WAS DRIVING THE FORWARD</p>	<p>ADMITS THAT HE WAS THERE AT MOUNTAIN MEADOWS, BEFORE, AT THE TIME AND AFTER THE MASSACRE. HE SAW MANY WHITES AND NUMEROUS INDIANS THERE. HE SAW AND TALKED TO LEE, BUT WHAT LEE SAID, HOW HE ACTED ON THE FIELD IS NOT KNOWN.</p> <p>HE WAS NOT PERMITTED TO TELL THAT, BUT HE DOES TELL YOU THAT HE SAW THE CHILDREN IN THE WAGONS, AND THAT JOHN D. LEE SAT UPON THE FORWARD WAGON, AND WAS DRIVING</p>	<p>ADMITTS THAT HE WAS THERE AT THE MOUNTIN MEADOWS BEFORE, —AT THE TIME—AND AFTER THE MASSACRE. HE SAW MANY WHITES AND NUMEROUS INDIANS THERE. HE SAW AND TALKED TO LEE, BUT ^[54]WHAT HE SAID—HOW HE ACTED ON THIS FIELD IS NOT KNOWN,</p> <p>HE WAS NOT PERMITTED TO TELL THAT; BUT HE DOES TELL YOU THAT HE SAW THE CHILDREN. IN THE WAGONS AND THAT JOHN D LEE SAT UPON THE FORWARD WAGON AND WAS DRIVING</p>

RS	PS	RT	BT
<p>TEAM THAT AT THE TIME THAT THE FIRING COMMENCED JOHN D. LEE WAS</p> <p>OUT OF SIGHT OF THE ENTIRE COMPANY. THAT THE WAGONS</p> <p>KEPT RIGHT ON THAT</p> <p>HE SAW THEM NO MORE THAT THE CHILDREN ESCAPED; AND AS YOUNG TELLS YOU SO WILLIS TELLS YOU</p> <p>INDIANS DID NOT ATTACK THE WAGONS THAT THE CHILDREN ESCAPED UNHARMED. THEY UNDER THE CHARGE OF JOHN D. LEE WERE TAKEN IN SAFETY TO HAMBLIN'S RANCH</p>	<p>TEAM THAT AT THE TIME THAT THE FIRING COMMENCED [[42]] JOHN D. LEE WAS</p> <p>OUT OF SIGHT OF THE ENTIRE COMPANY THAT THE WAGONS</p> <p>KEPT RIGHT ON THAT</p> <p>HE SAW THEM NO MORE THAT THE CHILDREN ESCAPED AND AS YOUNG TELLS YOU SO WILLIS TELLS YOU THAT THE INDIANS DID NOT ATTACK THE WAGONS THAT THE CHILDREN ESCAPED UNHARMED THEY UNDER THE CHARGE OF JOHN D. LEE WERE TAKEN IN SAFETY TO HAMBLIN'S RANCH [space]</p>	<p>THE TEAM. THAT WHEN THE FIRING COMMENCED JOHN D. LEE WAS HALF A MILE OR MORE DISTANT, OUT OF SIGHT OF THE ENTIRE COMPANY, ON HIS WAY TO CEDAR CITY, AND THAT HE KEPT RIGHT ON WITH THE CHILDREN AND HE SAW HIM THERE NO MORE.</p> <p>HE WITH ALL OTHERS TELLS YOU THAT</p> <p>JOHN D. LEE SAVED THE</p>	<p>THE TEAM. THAT WHEN THE FIRING COMMENCED JOHN D. LEE, WAS HALF A MILE OR MORE DISTANT OUT OF SIGHT OF THE ENTIRE COMPANY ON HIS WAY TO CEDAR CITY, AND THAT HE KEPT RIGHT ON WITH THE CHILDREN, AND HE SAW HIM THERE NO MORE.</p> <p>HE WITH ALL THE OTHERS TELL YOU THAT</p> <p>JOHN D. LEE SAVED THE</p>

RS	PS	RT	BT
<p>AND WAS</p> <p>AFTERWARDS</p> <p>TURNED OVER ENTIRE NUMBER</p> <p>TO DOCTOR FORNEY.</p> <p>OLD MAN YOUNG TELLS YOU</p> <p>HE DOESN'T KNOW WHO FIRED</p>	<p>DOESN'T KNOW WHO FIRED</p>	<p>CHILDREN FROM THE VIOLENT DEATH METED OUT TO ALL BESIDES THEM. THAT HAD BELONGED TO THE TRAIN, AND THAT AFTERWARDS ALL THE CHILDREN, NOT A PART OF THEM, BUT THE ENTIRE NUMBER WERE SAFELY DELIVERED TO DOCTOR ^[63] FORNEY, THE AGENT OF THE UNITED STATES, WHO CAME FOR THEM AND TOOK THEM BACK TO THE STATES. OLD MAN YOUNG TELLS YOU HE WAS NOT IN THE RANKS. HE WAS NOT WITH SMITH AND THE SOLDIERS; HE DOES NOT KNOW WHO FIRED FIRST ON THE EMIGRANTS, THE WHITES OR THE INDIANS.</p>	<p>CHILDREN FROM THE VIOLENT DEATH MEET METED OUT TO ALL BESIDES THEM THAT HAD BELONGED TO THE TRAIN; AND THA T AFTERWARDS ALL THE CHILDREN— NOT A PART OF THEM , BUT THE ENTIRE NUMBER WERE SAFELY DELIVERED TO DR. FORNEY, THE INDIAN AGENT OF THE UNITED STATES WHO CAME FROR THEM AND TOOK THEM BACK TO THE STATES. OLD MAN TELLS YOU HE WAS NOT IN THE RANKS; HE WAAS NOT WITH SMITH AND THE SOLDIERS. HE DOES NOT KNOW WHO FIRED \$FIRST ON THE EMIGRANTS, THE WHITES OR THE INDIANS, AS</p>

RS	PS	RT	BT
<p>HE WAS ATTENDING A SICK MAN.</p> <p>IT APPEARS EVERYBODY WAS SICK THERE EXCEPT SMITH</p> <p>IF HE HAD THOUGHT ABOUT IT IN TIME HE WOULD HAVE BEEN SICK.</p> <p>YET BECAUSE THEY TOLD MR. SMITH HERE</p> <p>IF WE ARE GOING TO TAKE THE NOOSE OFF YOUR NECK</p>	<p>HE WAS ATTENDING A SICK MAN</p> <p>IT APPEARS THAT EVERYBODY WAS SICK THERE EXCEPT SMITH</p> <p>IF HE HAD THOUGHT ABOUT IT IN TIME HE WOULD HAVE BEEN SICK DID NOT KNOW THE THING WAS GOING TO WORK THAT WAY</p>	<p>HE WAS ATTENDING TO A SICK MAN. FROM THE EVIDENCE IT APPEARS THAT ALL THE WHITES WERE SICK, DISABLED OR OUT OF THE WAY, EXCEPT KLINGENSMITH, STEWART AND HIGBEE, AND IF KLINGENSMITH HAD THOUGHT OF IT IN TIME HE WOULD HAVE BEEN SICK TOO.</p> <p>I THINK THE REASON THAT HE DOES NOT SWEAR TO BEING SICK WAS BECAUSE HE WAS TOLD ABOUT THIS BY THE GOVERNMENT. I THINK THEY MUST HAVE SAID "SIR, IF WE ARE GOING TO TAKE THE HALTER OFF YOUR NECK YOU MUST NOT</p>	<p>HE WAS TENDING TO A SICK MAN. FROM THE EVIDENCE IT APPEARS THAT ALL THE WHITES WERE SICK, DISABLED OR OUT OF THE WAY EXCEPT KLINGENSMITH, STEWART OF HIGBEE, AND IF KLINGENSMITH AHAD THOUGHT OF IT IN TIME, HE WOULD HAVE BEEN SICKK TOO.</p> <p>I THINK THE REASON THAT HE DOES NOT WSWEAR TO BEING SICK WAS BECAUSE HE WAS TOLD ABOUT THIS BY THE GOVERNMENT ; I THINK THEY MUST HAVE SAID , "SIR, IF WE ARE GOING TO TAKE THE HALTER OFF YOUR NECK YOU MUST NOT</p>

RS	PS	RT	BT
YOU MUST HANG SOMEBODY FOR THIS.	I SUPPOSE THEY TOLD YOU MUST HANG SOMEBODY <i>MIGHT/YOU[?]</i> HAVE TO HANG TO PAY FOR THIS WE CAN'T OFFER TO TURN YOU LOOSE UNLESS WE HAVE A HANGING AND	SHIELD YOURSELF, YOU MUST SWEAR SO THAT WE CAN HANG SOMEONE.	SHIELD YOURSELF. YOU MUST SWEAR SO WE CAN HANG SOME ONE.
WE HAVE BEEN PUT {TO} ⁱ GREAT	WE HAVE BEEN AT GREAT	WE ARE BEING PUT TO GREAT	WE HAVE BEEN PUT TO A GREAT
TROUBLE	TROUBLE	TROUBLE, AND SUBJECTED TO GREAT	DEAFL OF TROUBLE AND SUBJECTED TO A HEAVY
{TO GET} ⁱ PEOPLE ARE	PEOPLE ARE	EXPENSE TO GET THE PEOPLE OF THE NATION	EXPENSE TO B GET THE PEOPLE OF THE NATION
EXCITED	EXCITED	EXCITED, AND NOW HAVING THEM DULY EXCITED AND ATHIRST FOR BLOOD, THEY DEMAND A VICTIM, AND YOU MUST FURNISH IT, SO AS TO KEEP UP OUR	EXCITED, AND NOW HAVING THEM DULY EXCITED AND A THIRST FOR BLOOD, THEY DEMAND A VICTIM AND YOU MUST FURNISH IT, SO AS TO KEEP UP OUR
THEY WANT A VICTIM; WE MUST DO SOMETHING TO KEEP UP OUR REPUTATION AND YOU MUST SWEAR ENOUGH TO HANG SOMEBODY.	KEEP THE REPUTATION YOU MUST SWEAR ENOUGH TO HANG SOMEBODY SO	REPUTATION, AND YOU MUST SWEAR TO ENOUGH TO HANG LEE, WITHOUT FAIL”	REPURTATION , AND YOU MUST SWEAR TO ENOUGH TO HANG LEE WITHOUT FAIL.”

RS	PS	RT	BT
SMITH CONCLUDES HE WON'T BE SICK;	SMITH CONCLUDES THAT HE WON'T BE SICK	KLINGENSMITH THEREFORE CONCLUDED HE WAS NOT SAFE, BUT THAT HE WOULD SWEAR AS HE HAS DONE,	KLINGENSMITH THEREFORE CONCLUDED HE WAS NOT SICK, BUT THAT HE HE WOULD SWEAR AS HE HAS DONE;
BUT THAT HE WILL KILL HIS MAN AND NOW HE WANTS TO KILL ANOTHER HE KILLED ONE	BUT WILL KILL HIS MAN NOW HE WANTS TO KILL ANOTHER KILLED ONE	THAT HE KILLED HIS MAN, AND NOW HE WISHES TO HANG LEE. HE KILLED AND MAIMED EMIGRANTS WITH HIS RIFLE,	THAT HE KILLED HIS MAN, AND NOW HE WISHES TO HANG LEE. [55] HE KILLED AND MAIMED EMIGRANTS WITH HIS RIFLE
AND NOW HE WANTS TO KILL ONE	AND NOW HE WANTS TO KILL ANOTHER	AND NOW HE WISHES TO HANG THIS OLD MAN BY AND	AND NOW HE WISHES TO HANG THIS OLD MAN BY AND
WITH PERJURY. WHITE TELLS YOU HE SWORE SAW THE	WITH PERJURY. WHITE TELLS YOU HE SAW THE	WITH PERJURY. WHITE TELLS YOU THAT HE SAID THAT THE	WITH PERJURY. WHITE WT LLS YOU THAT HE SAW THE
INDIANS PERFORMING THEIR DEEDS OF VIOLENCE. POLLOCK TELLS YOU {THE} ⁱ SAME.	MURDERERS AND INDIANS PERFORMING DEEDS OF VIOLENCE POLLOCK TELLS THE SAME	INDIANS WERE ENGAGED IN THEIR ACTS OF VIOLENCE. POLLOCK TELLS YOU THE SAME. ALL ADMIT NOW THAT THE ONLY WHITE MAN SEEN TAKING PART IN THE MASSACRE, ASIDE FROM	INDIAN S ENGAGED IN THEIR ACTS OF VIOLENCE. POLLOCK TELLS YOU THE SAME. ALL ADMIT NOW THAT THE ONLY WHITE MAN SEEN TAKING PART IN THE MASSACRE, ASIDE FROM
WHITE IS THE ONLY MAN KNOWN TO HAVE TAKEN PART IN THIS KILLING EXCEPT	WHITE IS THE ONLY MAN THAT IS [<i>space</i>]		

RS	PS	RT	BT
THIS MAN STEWARD. NO PROPERTY LEFT NEXT MORNING EXCEPT WAGONS ALL OF THE PROVISIONS EVERY THING OF THAT KIND HAD BEEN CARRIED AWAY. OLD MAN WHITE GOES FURTHER THAN THAT.	BY DAYLIGHT NEXT MORNING AFTER HE CAME <i>EXPRESSLY TO</i> <i>BRING[?]</i> NO PROPERTY LEFT EXCEPT THE WAGONS ALL OF THE PROVISIONS AND EVERYTHING OF THAT KIND HAD BEEN CARRIED AWAY OLD MAN WHITE ≤YOUNG≥ GOES FURTHER THAN THAT	KLINGENSMITH, WAS STEWART,. OLD MAN YOUNG TELLS YOU, AND HE IS SUPPORTED BY WHITE IN HIS STATEMENTS, THAT DURING THE NIGHT AFTER THE MASSACRE, THE INDIANS CAR- ^[64] RIED TO THE MOUNTAINS ALL THE MOVEABLE PROPERTY THAT WAS IN THE EMIGRANTS CAMP AT THE TIME OF THE ATTACK AND MURDER. HE ALSO TELLS	M KLINGENSMIT H WAS STEWART. OLD MAN YOUNG TELLS YOU AND HE IS SUPPORTED BY WHITE IN HIS STATEMENT THAT DURING THE NIGHT AFTER THE MASSACRE, THE INDIANS CARRIED TO THE MOUNTAINS ALL THE MOVABLE PROPERTY THAT WAS IN THE EMIGRANT CAMP AT THE TIME OF ATTACK AND MURDER. HE ALSO TELLS
HE TELLS	TELLS		

RS	PS	RT	BT
<p>YOU ABOUT MEETING INDIANS THAT WERE ENRAGED PREVIOUS TO HIS GETTING UPON THE FIELD</p> <p>OLD YOUNG MAN YOUNG TELLS YOU WHILE GOING UP FROM WASHINGTON BEFORE HE HAD SEEN JOHN D. LEE JOHN D. LEE DID NOT TALK WITH THEM NO CONSPIRACY</p> <p>HEARD IN THIS MATTER AND IT CAME UP WHILE THEY WERE GOING UP</p>	<p>YOU ABOUT MEET INDIANS THAT WERE ENRAGED <i>PREVIOUSLY</i>[?] [<i>space</i>]</p> <p>OLD MAN WHITE YOUNG TELLS YOU THAT WHILE COMING UP FROM WASHINGTON BEFORE HE HAD SEEN JOHN D. LEE JOHN D. LEE DID NOT TALK WITH THEM NO CONSPIRACY THERE IF HAD HEARD OF THIS MATTER AND CAME UP AND IT WAS NOT FROM</p>	<p>YOU ABOUT MEETING INDIANS WHO WERE ENGAGED AGAINST THE EMIGRANTS, INDIANS WOUNDED AND ON THE WAR PATH WHILE ON HIS WAY FROM THE SOUTH UP TO THE MOUNTAIN MEADOWS, SOME DAYS BEFORE THE SLAUGHTER.</p> <p>THAT HE SAW AND TALKED TO THESE ENRAGED INDIANS,</p>	<p>YOU ABOUT MEETING INDIANS WHO WERE ENGRAGED AGAINST THE EMIGRANTS—— INDIANS WOUNDED AND ON THE WAR PATH WHILE HE WAS ON HIS WAY FROM THE SOUTH UP TO THE MOUNTAIN MEADOWS , SOME DAYS BEFORE THE SLAUGHTER.</p> <p>THAT HE SAW AND TALKED TO THESE ENRAGED INDIANS</p>

RS	PS	RT	BT
<p>AND THEY MET INDIANS ON THE WAY WITH</p> <p>CATTLE</p> <p>INDIANS WERE MAD THEY FINALLY PASSED THEM MET SECOND BAND OF INDIANS MET OTHER</p> <p>[[14]] BAND OF INDIANS AND WITH THAT MY FRIEND OF PROSECUTION OBJECTED THEY REFUSED TO LET US TELL WHAT WAS DONE THERE HOW INDIANS ACTED AND</p>	<p>JOHN D. LEE MET INDIANS ON THE WAY WITH</p> <p>CATTLE</p> <p>THE INDIANS WERE MAD WITH THEM AND FINALLY PASSED THEM MET THEN SECOND BAND OF INDIANS AND ONE BEARING WOUNDED 3 BANDS AND WITH THAT MY FRIEND OF THE PROSECUTION OBJECTED AND REFUSED TO LET US TELL WHAT WAS DONE THERE HOW THE INDIANS ACTED</p>	<p>BEFORE HE SAW JOHN D. LEE. THESE INDIANS WERE DRIVING OFF SOME OF THE EMIGRANTS CATTLE. HE MET SEVERAL BANDS OF ENRAGED INDIANS AND TALKED TO THEM ABOUT THE EMIGRANTS,</p> <p>BUT WHAT WAS SAID THE PROSECUTION PREVENTED</p> <p>HIS TELLING YOU. FINDING OUR MOUTHS THUS FORCIBLY SHUT ON THE</p>	<p>BEFORE HE SAW JOHN DL JOH N D. LEE. THESE INDIANS WERE DIRVING OFF SOME OF THE EMIGRANTS CATTLE. HE MET SEVERAL €BANDS OF ENRAGED INDIANS AND TALKED TO THEM AMOUT THE EMIGRANTS;</p> <p>BUT WHAT WAS ĐSAID, THE PROSECUTION PREVENTED</p> <p>HIS TELLING; YOU WHAT HE H. FINDING OUR MOUTH S THUS FORCIBLY SHUT ON THE</p>

RS**PS****RT****BT**

<p>TAKE THE STORY OF POLLOCK SAYS HE WENT MEADOWS COMMAND OF CAPTAIN CURTIS FOUND INDIANS THERE IN LARGE NUMBERS [<i>space</i>]</p> <p>LARGE NUMBERS OF THEM THEY WERE FIRING AT THE EMIGRANTS ALL OF THE FIRST DAY AFTER HE ARRIVED UPON THE FIELD TELLS YOU HE WAS NOT</p> <p>IN RANKS AT THE TIME OF THE FIRING UPON THE EMIGRANTS</p>	<p>TAKE THE STORY OF POLLOCK [<i>space</i>]</p> <p>CAP. CURTIS SAYS HE FOUND THE INDIANS THERE IN LARGE NUMBERS BUT THAT COULD NOT GIVE THE NUMBER THAT THEY WERE FIRING AT THE EMIGRANTS ALL OF THE FIRST DAY AFTER HE ARRIVED UPON THE FIELD TELLS YOU THAT HE WAS NOT</p> <p>IN THE RANKS AT THE TIME OF FIRING UPON EMIGRANTS</p>	<p>RECORD OF THE CASE IN CORRECT STYLE. SAVE POINTS FOR THE DEFENDANT THAT WE DEEMED MATERIAL. NOW, TAKE THE STORY OF POLLOCK. HE PRETENDS THAT HE WENT TO THE MEADOWS BY COMMAND OF CAPTAIN CURTIS; FOUND THE INDIANS THERE IN LARGE NUMBERS,</p> <p>AND THAT THEY WERE FIRING UPON THE EMIGRANTS THERE AND ALL THE FIRST DAY AFTER HIS ARRIVAL THERE.</p> <p>THAT HE WAS NOT IN THE HOLLOW SQUARE, WAS IN THE RANKS,</p>	<p>RECORD OF THE CASEE IN CORRECT STYLE, SAVE POINTS FOR THE DEFENDANT THAT WE DEEMED MATERIAL. NOW, TAKE THE STORY OF POLLOCK . HE PRETENDS THAT HE WENT TO THE MEADOWS BY COMMAND OF CAPTAIN CURTIS; FOUND THE INDIANS THERE IN IS LARGE NUMBERS,</p> <p>AND THAT THEY WERE FIRING UPON THE EMIGRANTS THEN AND ALL THE FIRST DAY AFTER HIS ARRIVAL THERE.;</p> <p>THAT HE WAS NOT IN THE HOLL W SQUARE—WAS IN THE RANKS</p>
---	---	--	--

RS**PS****RT****BT**

<p>THAT HE KNOWS NOTHING OF ANY HOLLOW SQUARE BEING FORMED HE KNOWS OF LEE'S TAKING NO PART IN THAT DAY'S TRANSACTION EXCEPTING THAT HE SAW LEE GOING⁵⁴⁷ FROM THE CORRAL LEADING EMIGRANTS «CHILDREN» TO PLACE OF SAFETY. I WONDER WHERE HE WAS WHEN SMITH HAD THIS HOLLOW SQUARE FORMED WHERE ALL THESE PARTIES WERE FACT OF BUSINESS IS GENTLEMEN NO SUCH THING EVER TOOK PLACE THAT IS THE MATTER DEPENDENT SOLELY UPON THE INVENTIVE GENIUS OF THIS MAN SMITH. SUPPOSE SMITH</p>	<p>KNOWS NOTHING OF ANY HOLLOW SQUARE BEING FORMED KNOWS OF LEE'S TAKING NO PART IN THAT DAY'S TRANSACTION EXCEPT THAT HE SAW LEE GOING FROM THE CORRAL LEADING INDIANS EMIGRANTS TO PLACE OF SAFETY [<i>space</i>] I WONDER WHERE HE WAS WHEN SMITH HAD HIS HOLLOW SQUARE FORMED WHERE THEY ALL WERE NO SUCH THING EVER TOOK PLACE THAT IS THE MATTER DEPENDENT SOLELY UPON THE INVENTIVE GENIUS OF THIS MAN SMITH AS I SAID AND</p>	<p>BUT TOOK NO PART IN THE MASSACRE. THAT HE KNOWS NOTHING OF THE ACTS OF LEE EXCEPT THAT LEE TOOK THE CHILDREN TO A PLACE OF SAFETY.</p>	<p>BUT TOOK NO PART IN THE MASSACRE.; THAT HE KNOWS NOTHING OF THE ACTS OF LEE EXCEPT THAT LEE TOOK THE ^[56] CHILDREN TO A PLACE OF SAFETY.</p>
--	---	--	---

547. Word apparently added later.

RS**PS****RT****BT**

<p>MADE UP THIS HOLLOW SQUARE COLUMN SINGLE AND DOUBLE FILE ≤ARRANGEMENT ≥ AFTER HE CAME BACK TO THIS PLACE. JUDGE SUTHERLAND'S REMARKS IN REGARD WITHDRAWAL OF INDIANS FROM SIGHT AND THEIR CRUEL ACTIONS AFTERWARDS WERE SUFFICIENT UPON THAT POINT.</p> <p>I WILL SIMPLY CALL YOUR ATTENTION TO FACT AND PASS ALONG. POLLOCK SAYS</p> <p>WHITES WENT DOWN TOWARDS CORRAL</p>	<p>SMITH MADE UP THIS HOLLOW SQUARE COLUMN SINGLE AND DOUBLE FILE ARRANGEMENT AFTER THEY CAME BACK TO THIS PLACE JUDGE SUTHERLAND'S REMARKS IN REGARD TO THE WITHDRAWAL OF THE INDIANS FROM SIGHT AND THEIR CRUEL ACTIONS AFTERWARDS WERE SUFFICIENT UPON THAT POINT</p> <p>BUT I WILL SIMPLY CALL YOUR ATTENTION TO THE FACT AND PASS ALONG POLLOCK SAYS THAT THE WHITES WENT DOWN TOWARDS THE CORRAL THAT</p>	<p>JUDGE SUTHERLAND</p> <p>HAS SO HANDSOMELY DEMOLISHED POLLOCK, THAT I WILL LEAVE HIM TO YOUR JUST INDIGNATION.</p> <p>POLLOCK SAYS</p>	<p>JUDGE SOUTHERLAND</p> <p>HAS SO HANDSOMLY DEMOLISHED POLLOCK THAT I WILL LEAVE HIM TO YOUR JUST INDIGNATION.</p> <p>POLLOCK SAYS</p>
---	---	--	---

RS	PS	RT	BT
<p>IT WAS THE UNDERSTANDING</p> <p>THAT I HAD THAT THEY WERE GOING TO TRY TO SAVE THE EMIGRANTS.</p> <p>HOW DO YOU EXPLAIN THE UNDERSTANDING OF POLLOCK AND THE UNDERSTANDING OF SMITH IF BOTH TOLD THE SAME STORY WHEN THE EVIDENCE OF POLLOCK HERE DISPUTES SMITH SMITH</p>	<p>IT WAS THE UNDERSTANDING THIS IS EVIDENCE FOR THE PROSECUTION IT WAS THE UNDERSTANDING THAT I HAD THAT THEY WERE GOING TO TRY TO SAVE THE EMIGRANTS</p> <p>HOW DO YOU EXPLAIN THE UNDERSTANDING OF POLLOCK AND THE UNDERSTANDING OF SMITH IF BOTH TOLD THE SAME STORY WHEN THE EVIDENCE OF POLLOCK HERE DISPUTES SMITH SMITH <i>[space]</i></p>	<p>THAT HE UNDERSTANDNOOD THAT THE EMIGRANTS WERE TO BE SAVED AT THE TIME THE FLAG OF TRUCE WAS SENT INTO THE CORRALL,</p> <p>BUT THIS DIS-^[65]PUTES KLINGENSMITH, AND DISPUTES THE STATEMENTS ABOUT THE HOLLOW SQUARE AND THE PRETENDED SPEECH OF LEE. SO MUCH FOR POLLOCK AND THE WITNESSES THUS FAR. THE EVIDENCE THUS FAR DOES NOT</p>	<p>THAT HE UNDERSTOOD THAT THE EMIGRANTS WERE TO BE SAVED AT THE TIME THE FLAG OF TRUCE WAS SENT INTO THE CORRAL;</p> <p>BUT THIS DISPUTES KLINGENSMITH, AND DISPUTES THE STATEMENTS ABOUT THE HOLLOW SQUARE AND THE PRETENDED SPEECH OF LEE. SO MUCH FOR POLLOCK AND THE WITNESSES THUS FAR. THE EVIDENCE THUS FAR DOES NOT</p>

RS**PS****RT****BT**

<p>SAYS UNDERSTANDIN G WAS BEFORE LEAVING CAMP THE WORD HALT WAS TO BE GIVEN AT THAT WORD BEING GIVEN THE EMIGRANTS WERE TO BE KILLED THE SOLDIERS WERE TO FIRE POLLOCK IN THE RANKS HEARD NO SUCH WORD. HE SAYS WE STARTED {FROM THE}ⁱ CAMP SAME AS MEN HE STARTED TO ANY MEETING TRAVELING ALONG GOING AT WILL THAT NO SUCH COMMAND HAD BEEN GIVEN. THAT DISPUTES SMITH. [space] [[15]] BASKIN POLLOCK WAS NOT IN THE RANKS HE TESTIFIED HE WAS NOT IN THE RANKS AT THE TIME OF</p>	<p>HE SAYS UNDERSTANDIN G WAS BEFORE LEAVING CAMP THAT THE WORD HALT WAS TO BE GIVEN AT THAT WORD BEING GIVEN THE EMIGRANTS WOULD BE KILLED AND SOLDIERS WERE TO FIRE POLLOCK IN THE RANKS HEARD NO SUCH WORDS HE —[?] WE STARTED FROM THE CAMP THE SAME AS MEN WOULD START FROM ANY MEETING</p> <p>GOING AT WILL AND THAT NO SUCH COMMAND HAD BEEN GIVEN THAT DISPUTES SMITH [space] BASKIN POLLOCK WAS NOT IN THE RANKS TESTIFIED THAT HE STAYED OUT OF THE RANKS I BELIEVE YOU</p>	<p>JUSTIFY THE CONVICTION OF JOHN D. LEE.</p>	<p>JUSTIFY THE CONVICTION OF JOH D. LEE.</p>
--	---	---	--

RS**PS****RT****BT**

<p>FIRING BISHOP I WILL ACCEPT THAT.</p> <p>BUT IF I AM NOT MISTAKEN HE STARTS FROM THE CORRAL WITH THEM. HOW DOES IT COME GENTLEMEN IF SMITH'S THEORY BE RIGHT SMITH HAS WITNESSED UNDER PERIL OF HIS LIFE ENTER INTO THE RANKS COMMIT MURDER POLLOCK YOUNG HAS SOME <i>FIGURES</i>[?] <i>IS/HAS</i>[?] PERMITTED TO <i>THROW IN</i>[?] WILD AND LOOSE UPON HILLSIDE AND UNDER DIRECTION CRIMSONED HIS HANDS WITH THE BLOOD OF THOSE SLAIN.</p> <p>THE FACT IS SMITH HAS LIED I AM</p>	<p>ARE <i>RIGHT</i>[?] <i>[[44]]</i> I WILL ACCEPT THAT <i>[space]</i> HE SAID HE WAS NOT IN THE RANKS AT THE TIME OF THE FIRING <i>[space]</i> IF I AM NOT MISTAKEN <i>HE/LEE</i>[?] AND</p> <p>HOW DOES IT COME GENTLEMEN THAT SMITH HAS WITNESSED UNDER PERIL OF HIS LIFE ENTER INTO RANKS</p> <p>POLLOCK ADAIR <i>HENRY/NR</i>[?] MR. <i>BAKER'S</i>[?] MAN IS PERMITTED TO RUN WILD AND LOOSE UPON THE HILLSIDE</p> <p>AND CRIMSONED HIS HAND IN THE BLOOD OF THESE PARTIES TO BE SLAIN — <i>STATE/HOW</i> <i>STT</i>[?] WHY THE FACT IS SMITH HAS LIED I AM</p>		
---	---	--	--

RS

PS

RT

BT

GLAD YOU GET HIM OUT OF RANKS. SAID WAGONS PASSED ON SEEN PASSING ON TO HAMBLIN'S RANCH WHEN FIRING COMMENCED THERE IS WHERE JOHN D. LEE WAS JOHN D. LEE WAS AWAY FROM THE SCENE SAW NOTHING OF IT HAD NO CHANCE TO KNOW ANY MORE OF IT THAN THIS MAN POLLOCK FOR POLLOCK WAS THERE WHAT IS THE RESPONSIBILITY THAT JOHN D. LEE HELD AT THE TIME [space] HE WENT THERE TOOK CHILDREN AND STARTED TO CEDAR CITY	GLAD TO THAT YOU GATHER HIM OUT OF THE RANKS HE SAYS THAT THE WAGONS PASSED ON WHEN THE FIRING COMMENCED THAT THE WAGONS PASSED ON TO HAMBLIN'S RANCH AND HE SAW NO MORE OF THEM JOHN D. LEE WAS AWAY FROM THE SCENE HAD NO CHANCE TO KNOW MORE ABOUT IT THAN THIS MAN POLLOCK SAW THE WHOLE MATTER SUPPOSED THEY WERE TO GO AND SAVE THE EMIGRANTS [space] THAT HE TOOK THE CHILDREN TO CEDAR SALT LAKE CITY CEDAR [space]		
--	---	--	--

RS**PS****RT****BT**

<p>AND THAT AS A MATTER OF COURSE THEY WERE TO BE SAVED. POLLOCK SAYS FURTHER THAN THAT THEY DID NOT GO THERE FOR PURPOSE OF INJURING EMIGRANTS THEY DID NOT FIRE {A}ⁱ SHOT FIRST DAY. {I}ⁱ ASK {ED}ⁱ HIM IF HE WAS CERTAIN OF THAT HE SAYS WE NEVER DREAMED OF</p> <p>FIRING SHOT UPON EMIGRANTS HE WAS THERE DAY BEFORE AND SAW LEE SAW LEE MORNING OF THE SECOND DAY AND 2 INDIAN CHIEFS WERE THERE WITH HIM LEE WAS TALKING WITH THESE INDIANS. UNDERSTOOD</p>	<p>HE THOUGHT AS A MATTER OF COURSE THAT THEY WERE TO BE SAVED⁵⁴⁸ POLLOCK SAYS FURTHER THAN THAT THAT THEY DID NOT GO THERE FOR THE PURPOSE INJURING EMIGRANTS THAT THEY NOT[?] DID NOT FIRE A SHOT FIRST <i>DAY</i>[?]</p> <p>WE NEVER DREAMED OF THAT [<i>space</i>] NEVER DREAMED TO FIRE SHOT UPON EMIGRANTS HE WAS THERE THE DAY BEFORE AND SAW LEE SAW LEE THE MORNING OF THE SECOND DAY AND TWO INDIAN CHIEFS THAT WERE WITH HIM THAT LEE WAS TALKING WITH THESE INDIANS THAT HE CAN</p>		
---	--	--	--

548. The word is partially written over.

RS	PS	RT	BT
<p>WHAT THEY TALKED ABOUT.</p> <p>BUT THAT IS A LAND <i>WHOLE/WHILE</i>[?] TALK TO YOU</p> <p>PROSECUTION COMES TO YOU WITH ONLY HALF {OF THE}ⁱ TESTIMONY. THEY STRIKE FROM YOUR KNOWLEDGE ALL THAT WAS SAID UPON THAT FIELD BETWEEN LEE AND {THE}ⁱ INDIANS. THEY ARE CONTENT TO ASK WHEN THEY WANT TO TO ILLUSTRATE ACTS</p> <p>THEN ASK THIS JURY TO CONVICT JOHN D. LEE BECAUSE HE IS OLD. THAT IS THE ARGUMENT OF MY BROTHER CAREY HE SAYS LEE IS OLD</p>	<p>TALK AND UNDERSTAND ANYTHING HIMSELF [<i>page torn</i>] BUT THAT IS AND <i>STILL/WHILE</i>[?] <i>TALK TO YOU</i>[?] THE PROSECUTION COMES TO YOU WITH ONLY HALF THE TESTIMONY THEY STRIKE FROM YOU KNOWLEDGE ALL THAT WAS SAID UPON THAT FIELD BETWEEN LEE</p> <p>INDIANS THEY ARE CONTENT TO ASK <i>WHEN THEY</i>[?] WANT TO TO ILLUSTRATED</p> <p>AND THEN ASK THIS JURY TO CONVICT AS JURY BECAUSE HE IS OLD THIS IS THE ARGUMENT OF MY BROTHER CAREY</p>	<p>BUT WITH ALL THE WANT OF EVIDENCE THE PROSECUTION ASK YOU TO CONVICT LEE BECAUSE HE IS OLD.</p> <p>MY BROTHER CARY TOLD YOU THAT LEE WAS AN OLD</p>	<p>BUT WITH ALL THE WANT OF EVIDENCE THE PROSECUTION ASK YOU TO CONVICT LEE BACAUSE HE IS OLD.</p> <p>MY BROTHER CAREY TOLD YOU THAT LEE IS AN OLD</p>

RS	PS	RT	BT
<p>IT WOULD NOT MIND TOO MUCH FEW YEARS OF LIFE HE HAS GOT LEFT. BUT NO BUT THEY WILL PAY SUCH AS PRICE AS THEY HAVE PAID TO KLINGENSMITH THEY WILL OFFER HIM HIS LIFE BECAUSE HE IS OLD THEY WANT TO HANG JOHN D. LEE JUST SIMPLY BECAUSE HE IS OLD AND THAT IS THE WAY THE CHINESE DO I BELIEVE PERSON GETS USELESS {THEY}ⁱ TAKE THEM OUT AND KILL THEM SAVE THEM FROM TROUBLE IN THEIR OLD AGE [space] I AM GLAD</p> <p>CAREY MADE USE OF THAT</p>	<p>IT WOULD NOT MEAN TOO MUCH A FEW YEARS OF LIFE HE HAS <i>GOT</i> LEFT NO [space] BUT GOVERNMENT WILL PAY SUCH A PRICE AS</p> <p>PAID TO KLINGEN SMITH [space]</p> <p>NOW THEY WANT TO HANG LEE JUST SIMPLY BECAUSE OLD IT IS THE WAY THE CHINESE DO I BELIEVE PERSON GETS USELESS TAKE THEM OUT KILL THEM SAVE THEM FROM TROUBLE IN THEIR OLD AGE</p> <p>I AM GLAD</p> <p>CAREY MADE USE OF THAT</p>	<p>MAN, NEAR THE END OF LIFE.</p> <p>IS THIS A JUST CAUSE TO KILL OR CONVICT JOHN D. LEE; IS THE INDIAN MODE TO BE ADOPTED HERE; SHALL MEN BE KILLED AS SOON AS THEY BECOME OLD,</p> <p>SO AS TO PREVENT THEM FROM BECOMING A PUBLIC CHARGE ? I AM GLAD I HAVE LEARNED THE REASON THAT BROTHER CAREY HAD FOR</p>	<p>MAN, NEAR THE END OF LIFE.</p> <p>IS THIS A JUST CAUSE TO KILL OR CONVICT JOHN D. LEE? IS THE INDIAN MODE TO BE ADOPTED HERE? SHALL MEN BE KILLED AS SOON AS THEY BECOME OLD,</p> <p>SO AS TO PREVENT THEM BECOMING A PUBLIC CHARGE. I AM GLAG I HAVE LEARNED THE RESASON THAT BROTHER CAREY HAD FOR FØE</p>

RS	PS	RT	BT
REMARK	REMARK	ASKING YOU TO CONVICT JOHN D. LEE.	ASKING YOU TO CONVICT JOHN D. LEE.
BECAUSE I COULD NOT UNDERSTAND	BECAUSE I COULD NOT UNDERSTAND UNTIL I HEARD		
HOW IT WAS THAT HE HAD NERVED HIMSELF UP TO THE DESIGN OF ASKING THIS JURY ^[16] FOR A VERDICT WHEN I HEARD HIM SAY LEE WAS AN OLD MAN AND OUGHT TO BE HUNG I THOUGHT I HAD THE KEY TO IT.	THAT HOW IT WAS THAT HE HAD NERVED HIMSELF UP TO THE TASK OF ASKING THIS JURY FOR A VERDICT WHEN I ⁵⁴⁹	WHEN HE SAID LEE WAS OLD AND SHOULD BE HANGED I CAUGHT THE KEY NOTE THAT HE WAS PLAYING. IF THIS THEORY BE CORRECT IT WILL NOT BE LONG BEFORE MY BROTHER CAREY WILL HAVE TO BE HUNG FOR HE IS NO CHILD IN YEARS. LEE IS ACCUSED OF BEING OLD. TRUE, HE IS AN OLD MAN, BUT THIS IS THE FIRST TIME I EVER HEARD	WHEN HE HE SAID HE WAS OLD AND COULD BE HANGED, I CAUGHT THE KEY NOTE THAT HE WAS PLAYING; IF THIS THEORY BE CORRECT IT WILL NOT BE LONG B EFORE MY B FROTHER CAREY WIL L HAVE TO BE HUNG FOR HE IS NO CHILD IN YEARS. LEE IS ACCUSED OF BEING AN OLD MAN; TRUE HE IS AN OLD MAN; BUT THIS IS THE FIRST TIME I EVER HEAR D
IT WON'T BE LONG BEFORE THEY WILL HAVE TO HANG HIM HE IS GETTING OLD THAT IS THE ONLY THING CHARGED AGAINST HIM.			

549. This is the end of the extant Patterson shorthand for Bishop's closing argument. On the verso of page 44 in longhand: **SUTHERLAND HOGE BISHOP SPEECHES.**

RS	PS	RT	BT
<p>I HAVE HEARD CRIME OF BEING YOUNG MAN BROUGHT AGAINST HIM</p> <p>HANG MAN SIMPLY BECAUSE HE WAS OLD. YOU CAN'T TELL WHAT A MAN WILL DO WHEN HE TRAVAIL</p>		<p>AGE CLASSED AMONG THE FELONIOUS CRIMES. I HAVE FREQUENTLY HEARD THE PHRASE "THE CRIME OF BEING A YOUNG MAN"</p> <p>BUT NEVER UNTIL THE PRESENT OCCASION HAVE I HEARD AN ATTORNEY ASK A JURY TO CONVICT A MAN SIMPLY BECAUSE HE WAS OLD.</p> <p>THIS REQUEST PROVES THE DESPERATE CONDITION OF BROTHER CAREY THE UNITED STATES ATTORNEY. HE IS IN TROUBLE, HE HAS CAUSED ALL TO BELIEVE LEE GUILTY THAT HE POSSIBLE COULD, AND REACH BY</p>	<p>AGED CLASSED A MOOUNG THE FELONIOUS CRIMES. I HAVE FREQUENTLY HEARD THE PHRASE, "THE CRIME OF BEING A YOUNG MAN,"</p> <p>BUT NEVER UNTIL THE PRESENT OCCASION HAVE I HEARD AN ATTORNEY ASK A JURY TO CONVICT A MAN SIMPLY BECAUSE HE WAS OLD.</p> <p>THIS RE QUEST PROVES A DE THE DESPERATE CONDITION OF BROTHER CAREY, THE UNITED STATES ATTORNEY. HE IS IN TROUBLE, HE HAS CAUSED ALL TO BELIEVE LEE GUILTY THA T HE COULD POSSIBLY REACH BY</p>

RS	PS	RT	BT
<p>CAREY’S ENTIRE REPUTATION HINGED IS WITH HIS SUCCESS UPON THIS CASE HE FEELS DESPERATE NEVER COME BACK TO ⚡BEAVER⚡ PRACTICE LAW AGAIN UNLESS HE HANGS JOHN D. LEE.</p> <p>POLLOCK TELLS YOU THERE WERE 4 —[?] HUNDRED INDIANS RUN OVER BATTLE FIELD</p>		<p>VOICE OR PUBLIC PRESS; AND HIS REPUTATION GREATLY DEPENDS ON THE VERDICT IN THIS CASE,</p> <p>HENCE THE SENTIMENT “HANG LEE BECAUSE HE IS OLD”. I PITY BROTHER CZAREY IN HIS MISFORTUNE, BUT I CANNOT AGREE WITH ^[66] HIS LAW OR HIS PHILOSOPHY. I AM FORCED TO AGAIN REFER TO POLLOCK, CONTRARY TO MY FORMER INTENTION. POLLOCK TELLS YOU THERE WAS FOUR OR FIVE HUNDRED INDIANS RUNNING ALL OVER THE FIELD AT THE</p>	<p>VOICE OR PUBLIC PRESS; AND HIS REPUTATION GREATLY DEPENDS UPON A VERDICT IN THIS CASE;</p> <p>HENCE THE SENTIMENT, “HANG LEE BECAUSE HE IS OLD.” I PITY BROTHER CAREY IN HIS MISFORTUNE, BUT I CANNOT AGREE WITH HIS LAW OR HIS PHILOSOPHY. ^[57] I AM FORCED TO AGAIN REFERR TO POLLOCK, CONTRARY TO MY FORMER INTENTION. POLLOCK TELLS YOU THAT THERE WERE FOUR OR FIVE HUNDRED INDIANS RUNNING ALL OVER THE FIELD AT THE</p>

RS	PS	RT	BT
<p>NEXT/COMMENCE D[?] STRUCK {FOR THE}ⁱ WAGONS IMMEDIATELY AFTER FIRING BUT THIS IS MORE THAN SMITH THINKS LEE <i>DID SEND</i>[?] ACCORDING TO CAREY HE SAW ONLY ABOUT 30 INDIANS TOGETHER.</p> <p>POLLOCK SAYS NEXT DAY UPON THE FIELD SMITH AND HIGBEE WAS THERE</p> <p>SMITH GAVE ORDERS FOR REMOVAL OF WAGONS ALL OF PROPERTY</p> <p>WAS REMOVED BY THEM UNDER</p> <p>DIRECTION OF SMITH AND THAT</p>		<p>TIME OF THE MASSACRE, AND THAT THEY WENT TO THE WAGONS AT ONCE AFTER THE FIRING COMMENCED.</p> <p>KLINGENSMITH</p> <p>SAW THIRTY INDIANS, AND SAYS HE WENT OFF WITH THE CHILDREN. POLLOCK SAYS KLINGENSMITH WAS THERE ON THE FIELD THE NEXT DAY, AND THERE ALL NIGHT TOO. THAT HE ALSO GAVE ORDERS FOR THE REMOVAL OF THE PROPERTY FROM THE MEADOWS TO CEDAR CITY, AND THAT IT WAS ALL MOVED UNDER THE IMMEDIATE ORDERS OF KLINGENSMITH.</p>	<p>TIME OF THE MASSACRE, AND THAT THEY WENT TO THE WAGONS AT ONCE AFTER THE FIRING COMMENCED.</p> <p>KLINGENSMITH</p> <p>SAW BUT THIRTY INDIANS AND SAYS HE WENT OFF WITH THE CHILDREN. POLLOCK SAYS KLINGENSMITH WAS THERE ON THE FIELD FIELD THE NEXT DAY AND THERE ALL NIGHT, TOO. THAT HE ALSO GAVE ORDERS FOR THE REMOVAL OF THE PROPERTY FROM THE MEZADOWNS TO CEDAR CITY, AND THAT IT WAS ALL MOVED UNDER THE IMMEDIATE ORDERS OF KLINGENSMITH.</p>

RS**PS****RT****BT**

<p>HE</p> <p>WENT TO CEDAR CITY WITH SMITH</p> <p>SMITH SAYS HE WENT ALONE WITH THE CHILDREN. AFTER SMITH HAD GOT A FELLOW KILLED ON THE FIELD SAID HE HAD AGREED WITH JOHN D. LEE TO DO IT AFTER HE KILLED HIS MAN HE COULD NOT RECALL ANYTHING FURTHER THIS SHOULD AND DOES IN MY JUDGMENT DESTROY HIS CREDIBILITY. POLLOCK SAYS WAGONS WITH CONTENTS PASSED ON IN SAFETY. HE TELLS YOU INDIANS WERE ARMED WITH GUNS BOWS</p>		<p>THAT HE POLLOCK WENT WITH KLINGENSMITH WITH THE PROPERTY FROM THE MEADOWS TO CEDAR CITY. KLINGENSMITH SAYS HE WENT TO CEDAR CITY ALONE, EXCEPT THE CHILDREN.</p> <p>POLLOCK</p> <p>TELLS YOU HOW PERFECTLY THE INDIANS WERE ARMED,</p>	<p>THAT HE (POLLOCK) WENT WITH KLINGENSMITH WITH THE PROPERTY FROM THE MEADOWS TO CEDAR CITY. KLINGENSMITH SAYS HE WENT ALONE TO CEDAR CITY EXCEPT THE CHILDREN.</p> <p>POLLOCK</p> <p>TELLS YOU HOW PERFECTLY THE INDIANS WERE ARMED,</p>
---	--	---	---

RS	PS	RT	BT
<p>ARROWS ABOUT HALF OF INDIANS HAD GUNS AND ALL OF THEM HAD BOWS AND ARROWS THAT THESE BOWS AND ARROWS WERE DEADLY WEAPONS WHERE EVER BODY WAS FOUND THERE THE GROUND WAS COVERED WITH ARROWS AND THERE WAS EVIDENCE OF INDIAN ATTACK</p> <p>ALL THIS WE GET FROM THE EVIDENCE OF THE PROSECUTION. GENTLEMEN DON'T THINK I AM TRYING TO BE TEDIOUS</p> <p>TAKING THIS EVIDENCE PART BY PART</p> <p>TRYING TO FIND SOMETHING</p> <p>IF I CAN THAT WILL</p>		<p>AND ¶ ALSO THAT BY EVERY DEAD BODY</p> <p>THE GROUND WAS COVERED WITH ARROWS AND OTHER EVIDENCES OF INDIAN ATTACK AND MASSACRE. THIS IS ALL FROM THE EVIDENCE OF THE PROSECUTION. GENTLEMEN, DO NOT THINK THAT I AM TRYING TO WEARY YOU, OR TO MISLEAD YOUR MINDS BY TAKING UP THIS EVIDENCE PART BY PART, THAT IS NOT MY OBJECT, I AM TRYING TO FIND SOMETHING IN THE EVIDENCE, IF I CAN, THAT WILL</p>	<p>vAND ALSO THAT BY EVERY DEAD BODY</p> <p>THE GROUND WAS COVERED WITH ARROWS AND OTHER EVIDENCES OF INDIAN ATTACK AND MASSACRE. THIS IS ALL FROM THE EVIDENCE OF THE PROSESCUTION. GENTLEMEN, DO NOT THINTHINK THAT I AM TRYING TO WEARY YOU OR TO MISLEAD YOUR MINDS BY TAKING TUP THIS EVIDENCE PART BY PART; THAT IS NOT MY OBJECT. I AM TRYING TO FIND SOMETHING IN THE EVIDENCE , — IF I CAN—, THAT WILL</p>

RS	PS	RT	BT
<p>WARRANT ME IN BELIEVING THAT THE DEFENDANT HAS BEEN CONNECTED WITH THESE ACTS [<i>space</i>]</p> <p>SO FAR THEN THERE IS NO TESTIMONY.</p> <p>WE NEXT TAKE JOHN SHERRETT</p> <p>HE SAW PROPERTY SOLD AT THE TITHING OFFICE. HE THINKS LEE ACTED AS AUCTIONEER SUPPOSE THAT HE DID WHAT OF THAT DOES THAT MAKE HIM A PARTY TO A COMBINATION THAT WAS FORMED PREVIOUS TO ATTACK. MOST</p>		<p>WARRANT YOU IN BELIEVING THAT THE DEFENDANT HAS BEEN CONNECTED WITH THE MASSACRE AT MOUNTAIN MEADOWS AS A GUILTY AND BLOOD STAINED ACTOR AND PARTICIPANT. SO FAR, I HAVE BEEN UNABLE TO FIND THE EVIDENCE TO JUSTIFY SUCH A CONCLUSION.</p> <p>JOHN SERRATT, THE TRUTHFUL MUTE, SAW THE PROPERTY SOLD AT AUCTION, AND <u>THINKS</u> THAT JOHN D. LEE ACTED AS AUCTIONEER. SUP-^[67] POSE THAT HE DID SO ACT, THAT DOES NOT MAKE HIM A PARTY TO THE COMBINATION, THAT WAS FORMED PREVIOUS TO THE MASSACRE, MOST</p>	<p>WARRANT YOU IN BELIEVING THAT THE DEFENDANT HAS BEEN CONNECTED WITH THE MASSACRE AT MOUNTAIN MEADOWS AS A GUILTY AND BLOOD-STAINED ACTOR AND PARTICIPANT & SO FAR I HAVE BEEN UNABLE TO FIND THE EVIDENCE TO JUSTIFY SUCH A CONCLUSION.</p> <p>JOHN SEHERRATT, THE TRUTHFUL MUTE, SAW THE PROPERTY SOLD AT AUCTION, AND THINKS THAT JOHN D. LEE ACTED AS AUCTIONEER. SUPPOSE HE DID SO ZACT, THAT DOES NOT MADE HIM A PARTY TO THE COMBINATION THAT WAS FORMED PREVIOUS TO THE MASSACRE — MOST</p>

RS**PS****RT****BT**

CERTAINLY
NOT OF THIS YOU
WILL
RECOLLECT NO
WORD OF
HAIGHT'S HAS
BEEN BROUGHT
{TO THE}ⁱ
KNOWLEDGE
OF JOHN D. LEE.
NO WORD OF
DAME'S NO
WORD OF ANY
◀HUMAN BEING▶
[[17]] HAS BEEN
BROUGHT

KNOWLEDGE
OF JOHN D.
LEE.

HE COMES IN IT
{NOT}ⁱ EVEN
ACCORDING TO
SMITH EXCEPT
THAT THAT
TOOK PLACE
UPON THE FIELD
AT THE COUNCIL
SO FAR THEN
THERE IS
NOTHING.

CERTAINLY
NOT.

NO
WORD OF
HAIGHT HAS
BEEN BROUGHT
TO THE
KNOWLEDGE
OF JOHN D. LEE.
NO WORD OF
DAMES, NO
WORD OF ANY
HUMAN BEING
HAS BEEN
BROUGHT TO
THE
KNOWLEDGE
OF JOHN D.
LEE. NO
EVIDENCE IS
GIVEN TO
EXPLAIN HOW
HE BECAME A
PARTY TO THIS
CONSPIRACY.

NOT EVEN
KLINGENSMITH
PRETENDS TO
GIVE
ANY OTHER
EXPLANATION
OF THIS,

CERTAINLY
NOT.

NO
WORD OF
HAIGHT HAS
BEEN BROUGHT
TO THE M
KNOWLEDGE
OF JOHN D. LEE.
NO WORD OF
DAMES — NO
WORD OF ANY
HUMAN BEING
HAS BEEN
BROUGHT TO
THE
KNOWLEDGE
OGF JOHN D.
LEE. NO
EVIDENCE IS
GIVEN TO
EXPLAIN HOW
HE BECAME A
PARTY TO THIS
[58] CONSPIRACY.

NOT EVEN
KLINGENSMITH
PRETENDS TO
GIVE
ANYOTHER
EXPLENATION
ONF THIS

RS**PS****RT****BT**

<p>NOW WE GO TO MY FRIEND BRADSHAW HE HEARD HAIGHT SAY THE SUNDAY BEFORE MASSACRE THAT ALL</p> <p>WOULD HAVE BEEN DEAD IF AN OLD FOOL HAD NOT INTERFERED WITH THE INDIANS BUT IT MADE NO DIFFERENCE THEIR DOOM WAS FIXED THEY COULD ONLY LAST LITTLE WHILE LONGER OTHER ORDERS WOULD HAVE TO BE GIVEN</p>		<p>EXCEPT TO DESCRIBE THE VISIONARY HOLLOW SQUARE AND MYTHICAL SPEECH OF LEE TO THE TROOPS COMPOSING THE HOLLOW SQUARE.</p> <p>BRADSHAW CLAIMS TO HAVE HEARD HAIGHT SAY THE SUNDAY BEFORE THE MASSACRE, THAT ALL THE EMIGRANTS WOULD HAVE BEEN DEAD THEN IF THE OLD FOOL HAD NOT INTERFERED WITH THE INDIANS; BUT IT MADE NO DIFFERENCE, THEIR DOOM WAS SEALED, FIXED, THEY COULD ONLY LAST A LITTLE LONGER. FRESH ORDERS WOULD HAVE TO BE GIVEN. IT IS AN ABSURDITY TO CLAIM THAT HE</p>	<p>EXCEPT TO DESCRIBE THE VISSIONARY HOLLOW SQUARE AND MYTHICAL SPEECH OF LEE TO THE TROOPS COMNPROSING THE HOLLOW SAQUARE.</p> <p>BRADSHAW CLAIMS TO HAVE HEARD HAIGHT SAY THE SUNDAY BEFORE THE MASSACRE THAT ALL THE EMGRANTS WOULD HAVE BEEN DEAD THEN IF THE OLD FOOL HAD NOT INTERFERED WITH THE INDIANS , BUT IT MADE NO DIFFERENCE, THEIR DOOM WAS FIXED, THEY COULD ONLY LAST A LITTLE LONGER. FRESH ORE ORDERS WOULD HAVE TO BE GIVEN. IT IS AN ABSURDITY TO BE CLAIMED</p>
---	--	---	---

RS	PS	RT	BT
<p>HEARD HAIGHT PREACH THIS SERMON.</p> <p>IT IS TOO ABSURD FOR BELIEF. BASKIN IF YOUR HONOR I HATE</p> <p>INTERRUPT</p> <p>GENTLEMAN IN SPEAKING</p> <p>BRADSHAW SAID HAIGHT SAID IF AN OLD FOOL HAD NOT INTERFERED WITH THE INDIANS THE EMIGRANTS WOULD HAVE BEEN DEAD. BISHOP I BELIEVE I HAVE NOT MISSTATED THE TESTIMONY I DO NOT THINK THAT I HAVE I AM NOT IN HABIT OF DOING</p>		<p>HEARD HAIGHT PREACH SUCH A SERMON ON THAT SUNDAY.</p> <p>MR. BASKIN: IF YOUR HONOR PLEASE I HAVE NO INTENTION OF INTERRUPTING THE GENTLEMAN SPEAKING, BUT I WISH TO CORRECT ONE THING THAT HE SAID JUST NOW. BRADSHAW SAID THAT HAIGHT SAID “IF THE OLD FOOLS HAD NOT INTERFERED WITH THE INDIANS THE EMIGRANTS WOULD THEN HAVE BEEN DEAD” BISHOP: I BELIEVE I HAVE NOT MIS- STATED THE TESTIMONY, I DO NOT THINK I HAVE, I AM NOT IN THE HABIT OF DOING</p>	<p>THAT HE HEARD HEAIGHT PREACH SUCH A SERMON ON THAT SUNDAY.</p> <p>MR. BASKIN: IF YOUR HONOR PLEASE, I HAVE NO INTENTION OF INTERUPTING THE GENTLEMEAN NOW SPEAKING BUT I WISH TO CORRECT ONE THING THAT HE SAID & JUST NOW. BRADSHAW SAID THAT HAIGHT SAID, “IF THE OLD FOOLS FOOLSSHAD NOT INTERFERE D WITH THE INDIAND THEIR THEY WOULD THEN HAVE BEEN DEAD.” MR. BISHPOP: I BELIEVE I HAVE NOT MISSTATED THE TESTIMONY — IDO NOT THINK I HAVE. I AM NOT IN THE HABIT OF DOING</p>

RS

PS

RT

BT

<p>THAT</p> <p>VERY SELDOM ACCUSED OF DOING THAT IF JURY CATCHES ME LYING TO THEM IT IS WORSE FOR ME THAN ANY ONE ELSE. I HAVE IT THIS WAY [space]</p> <p>OLD FOOLS HAD TAMPERED WITH THE INDIANS BY BISHOP I HAVE RIGHT TO MAKE THAT APPLICATION IF THEY WANT & IT MAY BE INTERRUPTION OF THIS KIND WILL INTERFERE WITH MY REMARKS I SAID OLD FOOL FOR THE EVIDENCE I SHALL ASK</p>		<p>THAT. I NEVER DO SO INTENTIONALLY .</p> <p>I AM TOLD BY MR. PATTERSON THE REPORTER, THAT THE WORDS ARE IN HIS NOTES "THE OLD FOOLS", NOT NO "OLD FOOL" AS I SAID. I STAND CORRECTED. IT IS TWO FOOLS IN THE PLACE OF ONE.</p>	<p>THAT . I NEVER DO INTENTIONALLY .</p> <p>I AM TOLD BY MR. PATTERSON , THE OFFICIAL REPORTER, THAT THE WORDS ARE IN HIS NOTES, "THE OLD FOOLS" FOOL'S," NOT, "ONLD FOOL" AS I SAID. I STAND CORRECTED. IT IS TWO FOOLS IN THE PLACE OF ONE .</p>
--	--	---	--

RS**PS****RT****BT**

REPORTER TO
 READ I SAY IN
 SUBSTANCE I AM
 RIGHT *ABOUT*
THE
CONCLUSION[?]
 WHAT *THE*
MATTER[?]
 IT
 CLAIMS THAT
 HAIGHT
 PREACHED TO
 THE PEOPLE AND
 THAT THE
 EMIGRANTS
 WOULD BEEN
 DEAD IF BEEN
 FOR SOME OLD
 FOOLS WHO
 TAMPERED
 WITH INDIANS
 BUT THAT THEY
 HAD GONE
 FURTHER INTO
 THE TRAP. PLACE
 YOUR OLD MAN
 UPON THE
 STAND READ
 HIS TESTIMONY
 AND SEE IF HE
 DOESN'T
 CLAIM THAT HE
 HEARD HAIGHT
 PREACH
 SERMON AND I
 SAY THIS I HAVE
 RIGHT TO ASK
 YOU BELIEVE IF
 HAIGHT MADE
 USE OF
 STATEMENT HE
 MEANT JOHN D.
 LEE THAT IS
FS/THS[?] AS I

I WAS
 RIGHT IN ^[68]
 SUBSTANCE.

I WAS
 RIGHT IN
 SUBSTANCE.

PLACE
 YOUR OLD MAN
 ON THE
 STAND, WEIGH
 HIS TESTIMONY,
 AND SEE IF HE
 DOES NOT
 CLAIM THAT HE
 HEARD HAIGHT
 PREACH IN HIS
 SERMON THE
 WORDS I HAVE
 REFERRED TO,
 AND IF HE DID
 NOT AS I CLAIM
 HE DID MEAN,
 AND REFERRED
 TO JOHN D.
 LEE AS HIS OLD
 FOOL. TRUE,

PLACE
 YOUR OLD MAN
 ON THE
 STAND, WEIGH
 HIS TESTIMONY
 AND SEE IF HE
 DOES NOT
 CLAIM THAT HE
 HEARD HAIGHT
 PREACH IN HIS
 SERMON THE
 WORDS I HAVE
 REFERRED TO;
 AND IF HE DID
 NOT, AS I CLAIM
 HE DID, MEAN
 AND REFER
 TO JOHN D.
 LEE AS HIS OLD
 FOOL. TRUE,

RS**PS****RT****BT**

<p>HAVE GIVEN. GENTLEMEN IF I</p> <p>MISQUOTE TESTIMONY YOU ARE PARTIES TO JUDGE ME FOR IT IS CERTAINLY NOT MY OBJECT I HAVE CERTAINLY NOT TRIED IT. ON THAT WITNESS I PLACE NO RELIANCE IN HIM</p> <p>{AND}ⁱ I THINK YOU DO NOT AND FROM HEARING THE CONVERSATION FROM SOME PARTIES THERE IN CEDAR SWEARS CERTAIN WAGON CAME FROM MEADOWS AND ADMITS HE KNOWS NOTHING ABOUT IT HE SAYS HIS SON IS DEAD HAD A SON HE GOES ON TESTIFIED ABOUT HIS SON HAV{ING}ⁱ LONG TALK THEN SAYS HE WAS NOT HIS SON SAYS HE IS DEAD IT IS NOT THAT</p>		<p>YOU HAVE HEARD THE EVIDENCE. I HAVE MIS-QUOTED THE WORD “FOOL” IN PLACE OF “FOOLS”.</p> <p>BE THAT AS IT MAY, I PLACE NO RELIANCE UPON THE WORDS OF THE WITNESS, AND I THINK YOU DO NOT.</p>	<p>YOU HAVE HEARD THE EVIDENCE . I HAVE MISQUOTED THE EVIDENCE – “FOOL” IN PLACE OF “FOOLS”.</p> <p>BE THAT AS IT MAY I PLACE NO RELIANCE UPON THE WORDS OF THE WITNESS AND I THINK YOU DO NOT.</p>
--	--	---	---

RS

PS

RT

BT

<p>PHILOSOPHIZING/ —[?] DOES/IT IS[?] DEEMED[?] TO BE IS IN THAT PECULIAR CONDITION PEOPLE CHOOSE CALL DEAD YOU CAN DRAW YOUR OWN CONCLUSION UPON HIS TESTIMONY. I SUPPOSE HE WANTED DELIVER LECTURE UPON SPIRITUALISM I DON'T HAVE TIME TO LISTEN TO HIM ^{[[18]]} TELLS YOU THIS HE SAW GOOD SIZED CHILD THERE A WHILE. IT WAS CERTAINLY UNKNOWNGLY ON MY PART I MADE THAT SINGULAR WHICH SHOULD BE PLURAL ◀I STAND CORRECTED⇒ HE SAID THERE HAD BEEN SOME OLD FOOLS THAT HAD BEEN TAMPERING WITH THE INDIANS NOW</p>		<p>YOU MUST DRAW YOUR OWN CONCLUSION UPON HIS TESTIMONY.</p> <p>GENTLEMEN, I AM AGAIN REMINDED THAT I MADE THAT SINGULAR, WHICH WAS PLURAL, AS I SAID BEFORE, I STAND CORRECTED. HAIGHT SAID THERE HAD BEEN SOME OLD FOOLS THAT HAD BEEN TAMPERING WITH THE INDIANS. NOW,</p>	<p>YOU MUST DRAW YOUR OWN CONCLUSIONS UPON HIS TESTIMONY.</p> <p>GENTLEMEN, I AM AGAIN REMINDED THAT I USED SINGULAR WHICH WAS PLURAL. AS I SAID BEFOER I STAND CORRECTED. HAIGHT SAID THERE HAD BEEN ØSOME OLD FOOLS THAT HAD BEEN ATAMPERING WITH THE INDIANS. NOW,</p>
---	--	---	---

RS	PS	RT	BT
<p>GENTLEMEN THAT IS A FEARFUL MISTAKE AIN'T IT A FEARFUL MISSTATEMENT OF TESTIMONY I GAVE MY BROTHER BASKIN CREDIT FOR MORE GENIUS THAT TO INTERRUPT ME TO TRY TO</p> <p>CREATE ANY UNPLEASANTNES S ABOUT THING OF THAT KIND</p> <p>WHOLLY IMMATERIAL AND AMOUNTS TO NOTHING BASKIN I ONLY WANTED THE CORRECT <BISHOP> WORD I STAND CORRECTED I WONDER IF PROSECUTION <i>WON'T/WANT</i>[?] CLAIM IT WAS MADE BECAUSE HE SENT WHITE AND SMITH TO BISHOP ROBINSON WITH THAT LETTER TO PACIFY</p>		<p>GENTLEMEN, THAT WAS A FEARFUL MISTAKE, WAS IT NOT, A FEARFUL MIS-STATEMENT OF TESTIMONY. I GAVE MY BROTHER BASKIN CREDIT FOR MORE GENIUS THAN TO INTERRUPT ME SO THAT HE COULD CREATE AN UNPLEASANTNE SS ABOUT A THING OF THAT KIND, A THING THAT IS WHOLLY IMMATERIAL, AND AMOUNTS TO NOTHING. BASKIN: I ONLY WANTED TO CORRECT THE WORD. MR. BISHOP: I STAND CORRECTED. I WONDER IF THE PROSECUTION WANT TO CLAIM THAT IT WAS KLINGENSMITH AND WHITE WHO WENT TO</p> <p>ROBINSON WITH THAT LETTER TO PACIFY THE</p>	<p>GENTLEMEN, THAT ^[59] THAT WAS A FEARFUL MISTAKE , WAS IT NOT — FEARFUL MISSTATEMANT OF TESTIMONY. I GAVE MY BROTHER BASKIN CREDIT FOR MORE GENIOUS THAN TO INTERRUPT ME TO</p> <p>CREATE AN UNPLEASANTNE SS ABOUT A THING OF THAT KIND, A THING THAT IS WHOLLY IMMATERIAL AND AMOUENTS TO NOTHING. MR. BASKIN: I ONLY WANTED TO CORRECT THE WORD. MR. BISHOP; I STAND CORRECTED. I WONDER IF THE PROSECUTION WANTS TO CLAIM THAT IT WAS LKINGENSMITH AND WHITE WHO WENT TO</p> <p>ROBINSON WITH THAT LETTER TO PASSIFY THE</p>

RS	PS	RT	BT
<p>INDIANS AIN'T THAT YOUR OLD FOOLS</p> <p>BY BASKIN</p> <p>GENTLEMAN GUESSES PRETTY WELL I GUESS THAT MUST BE IT</p> <p>{BISHOP}ⁱ I SEE HIS DESIRE TO GET IT IN THE PLURAL AH</p> <p>WHEN PROSECUTION IS</p>		<p>INDIANS. THAT WERE THE “OLD FOOLS” DOES NOT KLINGENSMITH SAY HE UNDERSTOOD BEFORE HE STARTED ON HIS ERRAND OF MERCY THAT LEE HAD</p> <p>BEEN ORDERED TO GO AROUND BELOW AND STIR UP THE INDIANS. NOW, WHO IS THE OLD FOOL OR FOOLS. I SAY LEE WAS MEANT. I THINK THE PROSECUTION MEAN KLINGENSMITH [69] AND WHITE. BASKIN: THE GENTLEMAN GUESSES WELL, I GUESS HE IS RIGHT AS TO WHO WE MEAN. BISHOP: I SEE THE GENTLEMAN IS DESPERATE TO GET IN PLURAL WORD “FOOLS”. [space] GENTLEMEN, WHEN THE PROSECUTION IS</p>	<p>INDIANS THAT WERE THE OLD FOOLS. DOES NOT KLINGENSMITH SAY HE UNDERSTOOD BEFORE HE STARTED ON HIS ERRAND OF MERCY THAT LEE HAD DEMANDED BEEN ORDERED TO GO AROUND BELOW AND STIR UP THE INDIANS?</p> <p>I SAY LEE WA S MENT. I THINK THE PROSECUTION MEAN KLINGENSMITH AND WHITE. MR. BASKIN: THE GENTLEMAN GUESSES WELL; I GUESS HE IS RIGHT AS TO WHO WE MEAN. BISHOP: I SEE THE GELNTLEMAN IS DESPERATE TO GET IN THE PLURAL WORD “FOOLS.” GENTLEMEN, WHEN THE PROSECUTION IS</p>

RS**PS****RT****BT**

<p>DRIVEN TO STRAITS LIKE THAT</p> <p>DRAW UPON THE IMAGINATION AS THEY ARE COMPELLED TO DRAW IN THIS INSTANCE AND WARP THE FACTS TO JUSTIFY THEIR STATEMENT AND POSITIONS I TELL YOU WE ARE IN A PECULIAR CONDITION WHEN THEY WILL HAVE THE HARDIHOOD TO CLAIM THIS MAN YOUNG THIS MAN WHITE THIS MAN SMITH ASSERT OLD FOOLS THAT HAVE TAMPERED WITH INDIANS</p>		<p>GIVEN TO STRAIGHTS LIKE THAT, FORCED TO DRAW UPON THEIR OWN IMAGINATION, AS THEY ARE COMPELLED TO DO IN THIS INSTANCE, AND WARP THE FACTS TO JUSTIFY THEIR STATEMENT AND POSITION, I TELL YOU THEY ARE IN; A PECULIAR POSITION, WHEN THEY HAVE THE HARDIHOOD TO CLAIM</p> <p>THIS MAN WHITE AND THIS MAN KLINGENSMITH AS THE OLD FOOLS THAT HAVE TAMPERED WITH THE INDIANS, —WHEN THEY TOOK THE LETTER TO PINTO CREEK, WHEN THEY SAY THEY ONLY HAD TIME TO MAKE THE TRIP FROM CEDAR</p>	<p>DRIVEN TO STRAIGHTS LIKE THAT FORCED TO DRAW UPON THEIR IMAGINATION, AS THEY ARE COMPELLED TO DO IN THIS INSTANCE AND WAL WARP THE FACTS TO JUSTIFY THEIR STATEMENTS AND POSITION, I TELL YOU THERY ARE IN A PECULIAR POSTION, WHEN THEY HAVE THE HARDIHOOD TO VCLAIM</p> <p>THIS MAN WHITE AND THIS MAN, EKLINGENSMIT H, AS THE OLD FOOLS THAT HAD TAMPERED WITH THE INDIANS WHEN THEY TOOK THE LETTER TO PINTO CREEK. WHEN THEY SAY THEY ONLY HAD TIME TO MAKE THE TRI P FROM CEDAR</p>
---	--	--	--

RS	PS	RT	BT
<p>NEAR THE TIME THAT THEY LEFT AT DARK AND RETURNED BEFORE DAYLIGHT ON THEIR RETURN</p> <p>THEY FOUND FIAT HAD GONE FORTH HAD GONE FORTH</p> <p>THEY SAW NO INDIAN ON THEIR JOURNEY.</p> <p>MAKE THE BEST MOST OF IT</p> <p>BROTHER BASKIN IF YOU CAN HARM A HAIR OF THAT OLD MAN'S HEAD BY SUCH STATEMENT AND DRAWING YOUR CONCLUSION FROM SUCH PREMISES</p>		<p>CITY THERE, LEAVING AT DARK AND RETURNING BEFORE DAY LIGHT, THAT ON THE RETURN OF THIS PAIR OF BEINGS THEY ME IFRA ALLEN, AND LEARNED THAT THE FIAT HAD GONE FORTH THAT THE EMIGRANTS WERE DOOMED, THAT ALL WERE TO BE KILLED, THAT THEY SAW NO INDIANS ON THEIR JOURNEY, HEARD OF NO INDIANS, NO, NOT ONE. CALL KLINGENSMITH AND WHITE THE OLD FOOLS, MAKE THE MOST OF IT POSSIBLE, BROTHER BASKIN, IF YOU CAN HARM A HAIR OF THIS OLD MAN'S HEAD BY THIS STATEMENT BY DRAWING YOUR CONCLUSIONS FROM SUCH PREMISES, AND</p>	<p>CITY THERE, LEAVING AT DARK AND RETURNING BEFORE DAYLIGHT. THAT ON THE RETURN OF THIS PAIR OF BEINGS THEY MET IRA ALLESN, AND THAT THE FIAT AND GONE FORTH THAT THE EMIGRANTS WERE DOOMED, THAT ALL WERE TO BE KILLED; THAT THEY SAW NO INDIANS ON THEIR JOURNEY —HEARD OF NO INDIANS—NO, NOT ONE. CALL KLINGENSMITH AND WHITE , THE OLD FOOLS, MAKE THE MOST OF IT POSSIBLE , BROTHER BASKIN;. IF YOU CAN HARM ^[60] A HAIR ON THIS OLD MANS HEZAD BY THEIR STATEMENT— BY DRAWING YOUR CONCLUSIONS FROM SUCH PREMISES</p>

RS	PS	RT	BT
<p>THEN IN GOD'S NAME <i>SO</i> <i>SEEK/ASK</i>[?].</p> <p>IF YOU CAN MAKE THIS JURY BELIEVE SUCH {A}ⁱ STATEMENT AS THAT THEN SIR IT IS TIME THAT LAW CEASED TO BE CONSIDERED AS A RULE OF ACTION. IT IS TIME THAT OATHS BE WIPED AWAY</p> <p>AND THAT THE PROSECUTION HAVE A RIGHT TO FILE A CHARGE OF COMPLAINT AGAINST A MAN AND ARREST,</p> <p>SENTENCE HIM AND CONVICT HIM AT WILL WITHOUT EVIDENCE AND WITHOUT A TRIAL.</p>		<p>THEN SAY AND DO YOUR WORST. IF YOU CAN SO SECURE A CONVICTION, IF YOU CAN MAKE THIS JURY BELIEVE SUCH A STATEMENT AS THAT, THAT IT IS TRUE THAT IT IS TIME THAT LAW CEASES TO BE CONSIDERED AS A RULE OF ACTION, IT IS TIME THAT OATHS BE WIPED AWAY, ABOLISHED ENTIRELY, AND THAT THE PROSECUTION HAVE THE RIGHT TO FILE A CHARGE IN THAT SHAPE, OF A COMPLAINT, AGAINST A MAN. ARREST HIM WITHOUT A WARRANT, SENTENCE HIM</p> <p>WITHOUT TRIAL, AND EXECUTE ^[70] HIM WITHOUT HIS</p>	<p>THEN SAY AND DO YOUR SWORST. IF YOU CAN SO SECURE A CONVICTION —IF YOU CAN MAKE THIS JURY BELIEVE SUCH A STATEMENT AS THAT , IT</p> <p>IS TIME THAT LAW CEASES TO BE CONSIDERED AS A RULE OF ACTION. IT IS TIME THAT OATHS BE WI PED AWAY, ABOLISHED ENTIRELY; AND THAT THE PROSECUTION HAEVE THE RIGHT TO FILE A CHARGE IN SHAPE OF A COMPLAINT AGAINST ZA MAN ARRESTED WITHOUT A RWARRANT SENTENCE HIM</p> <p>WITHOUT TRIAL AND EXECUTE HIM WITHOUT</p>

RS	PS	RT	BT
<p>I AM NOT AFRAID</p> <p>I KNOW MY FRIEND BASKIN IS A GOOD TALKER</p> <p>I KNOW HE PAINTS WELL WITH HIS TONGUE KNOW HE IS AN ABLE LAWYER HE IS NOT</p> <p>ABLE TO MAKE YOU BELIEVE WHAT THE TESTIMONY DOESN'T POINT TO.</p> <p>NEXT GENTLEMEN WE WILL TAKE UP</p>		<p>HAVING A CHANCE TO APPEAL TO A FAIR TRIBUNAL. BUT, GENTLEMEN OF THE JURY, I AM NOT ALARMED FOR MY CLIENTS SAFETY. I KNOW THAT MY FRIEND BASKIN IS AN ABLE LAWYER, A FLUENT TALKER, A LOGICAL REASONER, THAT HE IS SUPERIOR AS A WORD PAINTER,</p> <p>AND CONVINCING AS AN ADVOCATE, BUT HE IS NOT, FOR ALL THIS, ABLE TO MAKE YOU BELIEVE THAT KLINGENSMITH AND WHITE ARE THE PERSONS REFERRED TO BY HAIGHT IN HIS SERMON WHEN REFERRING TO THE OLD FOOLS. NEXT IN ORDER COMES</p>	<p>HIS MHAVING A CHANCE TO APPEAL TO A FAIR TRIBUNAL. BUT, GENTLEMEN OF THE JURY, I AM NOT ALARMED FOR MY CLIENTS SAFETY. I KNOW THAT MY FRIEND BASKIN IS AN ABLE LAWYER, A FLUENT TALKER, A LOGICAL REASONER, THAT HE IS SUPERIOR AS A WORD PAINTER</p> <p>AND CONVINCING AS AN ADVOCATE, BUT HE IS NOT FOR ALL THIS ABLE TO MAKE YOU BELIEVE THA T LKKLINGENSMI TH AND WHITE ARE THE PERSONS TREFERRED TO BY HAIGHT KIN HIS SERMON WHEN REFERRING TO, THE THE OLD FOOLS. NEXT IN ORDER COMES</p>

RS**PS****RT****BT**

<p>ROBERT KERSHAW [space] [[19]] MAN THAT HEARD THE SERMON. I BELIEVE HE WAS BEFORE THIS ROBERT KERSHAW HAS LIVED HERE IN BEAVER NUMBER OF YEARS APPEARS TO BE</p> <p>INTELLIGENT NICE MAN CAME UPON THE STAND IN WAY</p> <p>CALCULATED TO IMPRESS JURY VERY FAVORABLY AND MAKE THEM BELIEVE THAT HIS INTENTION WAS TESTIFY TRUTH AND THE WHOLE TRUTH I HAVE COME TO CONCLUSION</p> <p>SOMETHING IS MATTER WITH HIM DON'T KNOW WHAT IT IS</p> <p>HAS FACULTY OF</p>		<p>ROBERT KERSHAW,</p> <p>HE HAS LIVED IN BEAVER A NUMBER OF YEARS, HE APPEARS TO BE AN INTEELIGENT, FAIR MAN. HE COMES UPON THE STAND WITH A MANNER CALCULATED INSPIRE THE JURY VERY FAVORABLY, AND MAKE THEM BELIEVE IT WAS HIS INTENTION TO TESTIFY TO THE TRUTH AND THE WHOLE TRUTH, BUT I HAVE COME TO THE CONCLUSION THAT THERE IS SOMETHING THE MATTER WITH HIM. I CANNOT SAY WHAT IT IS. IT MAY BE THAT HE HAS THE FACULTY OF</p>	<p>ROBERT KERSHAWW.</p> <p>HE LHAS LIVED IN BEAVER A NUMBER OF YEARS. HE APPEARS TO BE AN INTELLIGENT , FAIR MAN. HE COMES UPON THE STAND IN ZA MANNER CALCULATED TO INSPIRE THE JURY VERY FAVORABLE AND MAKE THEM BELIEVE IT WAS HIS INTENTION TO TESTIFY TO THE TRUTH AND THE WHOLE TRUTH. BUT I HAVE COME TO THE CONCLUSION THAT THERE IS SOMETHING THE MATTER WITH HIM, I CANNOT SAY WHAT IT IS. IT MAY BE THE FACULTY THAT HE HAS TH OF</p>
---	--	---	---

RS**PS****RT****BT**

<p>HEARING MORE THAN ANY⁵⁵⁰ BODY ELSE CAN HEAR KNOWING THINGS MORE THAN ANY OTHER MAN IN BEAVER CAN FIND OUT.</p> <p>TELLS YOU SAW TRAIN PASS THROUGH BEAVER. SAID BEFORE TRAIN ARRIVED HERE HE HEARD GEORGE A SMITH PREACH HERE IN BEAVER AGAINST THE PEOPLES TRADING WITH THAT TRAIN OF EMIGRANTS. OTHER PARTIES</p> <p>TOLD YOU GENTLEMEN THAT NO SUCH SERMON WAS DELIVERED AND IF A SERMON</p>		<p>HEARING MORE THAN OTHERS IN A SIMILAR POSITION COULD HEAR, AND KNOWING MORE OF MYSTERIOUS AFFAIRS THAN OTHERS WITH EQUAL FACILITY FOR ACQUIRING KNOWLEDGE COULD LEARN. HE TELLS YOU HE SAW THE EMIGRANTS PASS THROUGH BEAVER.</p> <p>HE HEARD GEORGE A. SMITH PREACH HERE IN BEAVER AGAINST THE PEOPLE TRADING THAT THAT TRAIN OF EMIGRANTS. OTHER MEN OF EQUAL RESPECTABILIT Y, TELL YOU THAT GEORGE A. SMITH DID NOT DELIVER SUCH A SERMON,</p>	<p>HEARING MORE THAN OTHERS IN A SIMILAR POSITION — COULD HEAR; AND KNOWING OF MYSTERIOUS AFFAIRS THAN OTHERS WITH EQUAL FACILITISES FOR ACQUIRING KNOWLEDGE COULD NOT LEARN. HE TELLS YOU HE SAW THE EMIGRANTS PASS THROUGH BEAVER;</p> <p>HE HAEARD GEORGE A. SMITH PREACH HERE IN BEAVER AGAINST THE PEOPLE TRADING WITH THAT TRAIN OF EMIGRANTS. OTHER MEN OF EWQUAL RESPECTABILIT Y TELL YOU THAT GEORGE A. SMITH DID NOT DELIVER SUCH A SERMON;</p>
--	--	--	---

550. Long “O” added later would render word “NO”.

RS	PS	RT	BT
<p>WAS DELIVERED HERE IN BEAVER NO SUCH SENTIMENTS WERE UTTERED</p> <p>GEORGE A SMITH SHOULD NOT BE UPON TRIAL</p> <p>YET IT APPEARS THEY ARE DETERMINED TO HAVE POPULAR VERDICT AGAINST HIM. THEY ARE DETERMINED TO RING HIM IN. BROUGHT HIM INTO THIS CASE SIMPLY BECAUSE HE WAS AT THAT TIME APOSTLE OF HIS CHURCH. BUT BY THIS TIME MY IMPRESSION IS THIS THAT</p>		<p>NOR DID HE UTTER SUCH SENTIMENTS AS THOSE THAT ARE ATTRIBUTED TO HIM BY THE WITNESS. I SAY TO YOU THAT I PROTEST AGAINST THIS ATTEMPT TO PLACE GEORGE A. SMITH UPON TRIAL HERE AND NOW, AS IS ATTEMPTED TO BE DONE BY INUENDOES OF THE WITNESSES FOR THE PROSECUTION.</p> <p>I BELIEVE THAT</p>	<p>NOTR DID HE UTTER SUCH SENTIMENTS AS THOSE THAT ARE ATTRIBUTED ^[61] TO HIM BY THE WITNESS. I SAY TO YOU THAT I PROTEST AGAINST THIS ATTEMPT TO PLACE GEORGE A. SMITH UPON TRIAL HERE, AND NOW, AS IT IS ATTEMPTED TO BE DONE BY INNUENDOS OF THE WITNESSES FOR THE PROSECUTION .</p> <p>I BELIEVE THAT</p>

RS	PS	RT	BT
<p>GEORGE A SMITH DID MAKE A TALK HERE IN BEAVER ON THE JOURNEY HE DID I BELIEVE DURING THAT TALK WHILE HE WAS SPEAKING TO HIS PEOPLE HERE HE SAID NATURALLY GAVE HIS OWN PECULIAR ADVICE [<i>space</i>] HE USED MUCH OF THE LANGUAGE KERSHAW HAS SO SAID TO THEM</p> <p>JOHNSTON'S ARMY IS UPON THE ROAD WE ARE IN STATE OF WAR OUR CROPS HAVE BEEN SHORT FOR SOME YEARS IT IS NECESSARY YOU HUSBAND YOUR RESOURCES YOU TAKE CARE OF YOUR BREADSTUFF YOU SELL NONE OF IT TO</p>		<p>GEORGE A. SMITH DID PREACH AT BEAVER,</p> <p>BUT ^[71] I DO NOT THINK THAT HE GAVE THE</p> <p>ADVICE THAT HE IS CHARGED WITH HAVING GIVEN AT THAT TIME. I THINK HE SPOKE ABOUT AS FOLLOWS "JOHNSON'S ARMY IS UPON THE ROAD TO UTAH; WE ARE ENGAGED IN WAR, OUR CROPS HAVE BEEN SHORT FOR SOME YEARS, IT IS NECESSARY FOR YOU TO HUSBAND YOUR RESOURCES, I WISH YOU TO TAKE CARE OF YOUR BREADSTUFFS, YOU MUST SELL NONE OF IT TO</p>	<p>GEORGE A. SMITH DID PREACH IN BEA€VER,</p> <p>BUT I DO NOT BELIEVE THAT HE GAVE THE</p> <p>ADVICE THAT HE IS WCHARGED WITH HAVING GIVEN AT THAT TIME. I THINK HE SPOKE ABOUT AS FOLLOWS: " JOHNSONS ARMY IS UPON THE ROAD TO UTAH; WE ARE ENGAGED IN WAR; OUR CROPS HAVE BEEN SHORT FOR SOME YEARS; IT IS NECESSARY FOR YOU TO HUSBAND YOUR RESOURCES. I WISH YOU WOULD TAKE CARE OF YOUR BREAD STUFF. YOU MUST SELL NONE OF IT TO</p>

RS	PS	RT	BT
<p>PEOPLE TO FEED TO HORSES OR TO HOGS OR USE NONE OF THAT</p> <p>FOR THAT PURPOSE YOURSELVES YOU MUST WASTE NONE OF THIS GRAIN KEEP UP FOR BREADSTUFFS BECAUSE WE EXPECT WAR.</p>		<p>PEOPLE TO FEED TO HORSES OR TO HOGS, USE NONE OF IT YOURSELVES FOR THAT PURPOSE,</p> <p>YOU MUST WASTE NONE OF YOUR GRAIN, BUT KEEP IT FOR BREAD STUFF, BECAUSE WE EXPECT WAR, WAR WITH ALL ITS ATTENDANT HORRORS, AND THAT BEFORE OTHER CROPS CAN BE MATURED. FURNISH THE NEEDY WITH BREAD, LET NONE SUFFER FOR WANT OF FOOD, STILL, USE GREAT CAUTION UPON THIS SUBJECT” THIS WAS, I BELIEVE, THE SUBSTANCE OF THE ADVICE GIVEN BY GEORGE A. SMITH, BUT I DO NOT BELIEVE THAT HE SPOKE OF ANY PARTICULAR</p>	<p>THE PEOPLE TO FEED TO HORSES OR TO HOGGS. USE NONE OF IT YOURSELVES FOR THAT PURPOSE.</p> <p>YOU MUST WASTE NONE OF YOUR GRAIN;; KEEP IT FOR BREADSTUFF; BECAUSE WE EXPECT WAR — WAR WITH ALL ITS ATTENDANT HORRORS AND THAT BEFORE OTHER CROPS CAN BE MATURED. FURNISH THE NEEDY WITH BREAD; LET NONE SUFFER FOR WANT OF FOOD; STILL USE GREAT CAUTION UPON THIS SUBJECT.” THIS WAS I BELIEVE THE SUBSTANCE OF THE ADVICE GIVEN BY GEORGE A. SMITH; BUT I DO NOT BELIEVE THAT HE SPOKE OF ANY PARTICULAR</p>

RS

PS

RT

BT

KERSHAW
TELLS US
THAT AT THAT
TIME HE SAYS
QUOTING HIS
OWN LANGUAGE
WE EXPECT TO
HAVE TO GO TO
MOUNTAINS HE
SAYS
JOHNSTON'S
ARMY WAS
COMING WE
EXPECT TO GO
TO MOUNTAINS
WE EXPECT TO
HAVE TO FIGHT
JOHNSTON'S
ARMY I SUPPOSE
TALK THAT HE
HEARD
SOMETHING LIKE
THAT AND THAT
THEY MUST BE
CAREFUL OF THE
BREAD STUFFS
AND THAT AS
YEARS HAD
PASSED AWAY
SINCE HE HAD
APOSTATIZED
[space] HE SAYS
HE DOESN'T
BELONG TO THE
CHURCH NOW IN
HIS EVIDENCE I
BELIEVE THAT
CALLED

EMIGRANTS, OR
THAT HE HAD
THEN HEARD OF
ANY SUCH
TRAIN OF
EMIGRANTS.
KERSHAW
TELLS YOU
THAT

HE THEN
EXPECTED THAT
THE PEOPLE
WOULD BE
COMPELLED

TO FLEE TO THE
MOUNTAINS
FOR SAFETY
FROM THE
ADVANCING
FOE.

EMIGRANTS OR
THAT HE HAD
THEN HEARD OF
ANY SUCH
TRAIN OF
EMIGRANTS.
KERSHAW
TELLS YOU
THAT

HE THEN
EXPECTED THAT
THE PEOPLE
WOULD BE
COMPELLED

TO FLEE TO THE
NMOUNTAINS
FOR SAFETY
FROM THE
ADVANCING
FORE.

RS

PS

RT

BT

APOSTATIZING
[[20]] SINCE THAT
TIME HAS
STUDIED
MATTER OVER
CONSIDERED
CONCLUSION
GEORGE A SMITH
SAID YOU MUST
NOT SELL A
THING TO
EMIGRANTS
[space] AND HE
HAS ADDED
LITTLE BY
LITTLE UNTIL
THAT ABIDING
RULE OF FACT
HE NOW
BELIEVES THAT
WHENEVER WAR
TOOK PLACE WE
CAN ACCOUNT
FOR HIMSELF
BEING MISTAKEN
IN THAT WAY
ALTHOUGH
WHAT THEY
SAID IS NOT SO
AT THE SAME
TIME THEY HAVE
HONESTLY
TESTIFIED
BELIEVING
WHAT THEY SAY
IS A FACT
THEREFORE YOU
CAN VERY
READILY TAKING
WHAT FEW ACTS
VERY READILY
HARMONIZE HIS
TESTIMONY
WITH THEM

RS

PS

RT**BT**

<p>WITH THAT OF THE 2 SMITH BOYS AND BISHOP FARNSWORTH.</p> <p>ONE THING DOES RATHER STUMP {ME}ⁱ FOR HE SAYS THIS MAN MORGAN WAS CUT OFF BECAUSE HE SOLD CHEESE [space] BISHOP CAME IN HE SAYS ONE GENTLEMAN MORGAN LIVED HERE GAVE HIM RECOMMEND SOMETHING WRONG THERE SOME PLACE GENTLEMEN. E C MATTHEWS COMES NEXT</p>	<p>WHERE HE IS OPPOSED BY SUCH MEN AS THE SMITHS AND BISHOP FARNSWORTH, AND CONTRADICTED BY THEM, I LEAVE THE QUESTION AS TO HIS CREDIBILITY TO BE SETTLED BY YOU AS A JURY.</p> <p>E.C.MATTHEWS IS THE NEXT WITNESS.</p>	<p>WHEN HE IS OPPOSED BY SUCH MEN AS THE SMITHS AND BISHOP FARNSWORTH AND CONTRADICTED BY THEM I LEAVE THE QUESTION AS TO CREDIBILITY TO BE SETTLED BY YOU AS A JUTRY..</p> <p>E. C. MATHEWS IS THE NEXT WITNESS. HE</p>
--	---	--

RS**PS****RT****BT**

SAYS HE
SAW DAME AND
{HAD A}¹ TALK
WITH HIM

HE
WAS NOT
PERMITTED TO
GIVE WHAT

CONVERSATION

WAS BETWEEN
HIS FATHER
HIMSELF AND
DAME. WHAT
SAW/DID[?] HE DO
DAME
BORROWED
MULES WENT
OUT TO THE
GROUND HE WAS
YOUNG MAN
NOW MIDDLE
AGE TELLS YOU
WHEN PASSED
MOUNTAIN
MEADOWS
NEXT MORNING
AFTER
MASSACRE
ABOUT
DAYLIGHT HE
SAW TWO OR 3
BODIES LYING
BY THE ROAD
SIDE

THAT

HE SAYS HE
SAW DAME AND
HAD A TALK
WITH HIM AT
THE TIME HIS
FATHER
FURNISHED
DAME WITH
THE MULES TO
GO TO THE
MEADOWS. HE
WAS NOT
PERMITTED TO
STATE WHAT
THE
CONVERSATION
WAS THAT
WAS THEN HAD
BY DAME, HIS
FATHER AND
HIMSELF.

[72] HIS TRIP
OVER TO THE
MEADOWS THE
NEXT NIGHT,

AND SEEING
THE BODIES ON
THE FIELD YOU
ALL REMEMBER.
HIS TESTIMONY
DOES NOT

SAYS HE
SAW DAME AND
HAD A TALK
WITH HIM AT
THE TIME HIS
FATHER
FURNISHED
DAME WITH
THE MULES TO
GO TO THE
MEADOWS. HE
WAS NOT
PERMITTED TO
STATE WHAT
THE
CONVERSATION
WAS THAT WAS
THEN HAD BY
DAME, HIS
FATHER AND
HIMSELF. .

HIS TRI P
OVER THE
MEADOWS THE
NEXT NIGHT

AND SEEING
BODIES ON
THE FIELD YOU
ALL REMEMBER.
HIS TESTIMONY
DOES NOT

RS	PS	RT	BT
<p>PROVES NOTHING AGAINST JOHN D. LEE NO MORE THAN EVIDENCE OF BRADSHAW OR OF KERSHAW PROVED</p> <p>BRADSHAW DOESN'T SHOW ANY OF THIS THING ESTABLISH ALL HAIGHT SAID WAS EVER BROUGHT TO KNOWLEDGE OF LEE DOESN'T SHOW LEE EVER LEARNED OF IT DOESN'T KNOW HAIGHT EVER PREACHED SERMON OR</p>		<p>PROVE ANYTHING AGAINST JOHN D. LEE. IT PROVES NO MORE THN THAN THE EVIDENCE OF BRADSHAW OR OF KERSHAW DID, SO FAR AS LEE IS CONCERNED. NONE OF THE WITNESSES HAVE SHOWN THAT ANY WORD EVER UTTERED BY A MAN NAMED IN THE INDICTMENT WAS MADE KNOWN TO JOHN D. LEE AT ANY TIME PREVIOUS TO THE MASSACRE.</p>	<p>PROVE ANYTING AGAINST ^[62] JOHN D. LEE. IT PROVES NO MORE THAN THE EVIDENCE OF BRADSHAW OR OF HKERSHAW DID SO FAR AS LEE IS CONSERNED. NONE OF THE WITNESSES HA VE SHOWN THAT ANY WORD EVER UTTERED BY A MAN NAMED IN THE INDICTMENT WAS MADE KNOWN TO J HN D. LEE AT ANY TIME PREVIOUS TO THE MASSACRE.</p>

RS**PS****RT****BT**

THAT GEORGE A
SMITH WAS IN
THIS COUNTRY
PREVIOUS TO
THAT TIME NEXT
TAKE JAMES
PEARCE HE
COMES FROM
THE SOUTHERN
COUNTRY HE
TELLS YOU
EXPLAINS YOU
AND WHY HE
HAD TRAVELED
IN THAT WAY

SEEING PEOPLE
WERE
GATHERING
GOING UP FROM
THAT COUNTRY

HE
FELL IN WITH
THEM
SUPPOSING
THEY WERE
GOING TO
ARREST
SOMEBODY
[space] HE SAYS
UNDERSTOOD

NEXT
TAKE JAMES
PEARCE. HE
COMES FROM
THE SOUTHERN
COUNTRY; HE
HAS
EXPLAINED HIS
REASONS FOR
BEING IN THE
SOUTH,
SHORTLY
BEFORE THE
MASSACRE. HE
TELLS YOU
THAT HE
LEARNED THAT
THE PEOPLE
WERE
GATHERING IN
THE SOUTH, TO
MARCH TO THE
MOUNTAIN
MEADOWS. HE
FELL IN WITH
THEM
SUPPOSING
THEY WERE
GOING TO
ARREST
SOMEBODY.
HE SAID THAT
HE HEARD
THAT A
LARGE BODY
OF EMIGRANTS
WERE
MARCHING
THROUGH
UTAH; THAT

NEXT
TAKE JAMES
PEARCE. HE
COMES FROM
THE COUTHERN
COUNTRY. HE
HAS
EXPLAINED HIS
REASONS FOR
BEING IN THE
SOUTH
SHORTLY
BEFORE THE
MASSACRE. HE
TELLS YOU
THAT HE
LEARNED ~~THE~~
THE PEO PLE
WERE
G A THERING IN
THE SOUTH TO
MARCH TO THE
MOUNTAIN
MEADOWS. HE
FELL IN WITH
THEM
SUPPOSING
THEY WERE
GOING TO
ARREST
SOMEBODY..
HE SAJD THAT
HE HAD HEARD
THAT A P
LAGRGE BODY
OF EMIGRANTS
WERE
MARCHING
THROUGH
UTAH. THAT

RS	PS	RT	BT
<p>PEOPLE WERE MOBOCRATS</p> <p>POISONING CATTLE HE SPRINGS [<i>space</i>] AND FURTHER HEARD SOME OF THEM HAD HELPED KILL JOSEPH⁵⁵¹ SMITH THE PROPHET. I PLACE BUT {A}ⁱ VERY LITTLE RELIANCE IN THE TESTIMONY THAT IS GIVEN BY A MAN THAT WAS AS BADLY SICK AT THE TIME THIS MAN SHOWS HE WAS. MIGHT HAVE HEARD OF THESE THINGS AT THAT TIME MIGHT HAVE HEARD OF THIS SINCE WAS EVIDENTLY ^{[[21]]} TOO SICK TO FIGHT HE WAS IN NO DANGER.</p>		<p>THEY WERE MOBOCRATS AND HAD POISONED</p> <p>SPRINGS. THAT SOME OF THEM HAD HELPED TO KILL JOSEPH SMITH THE PROPHET. I PLACE BUT LITTLE RELIANCE UPON THE STSTA STATEMENTS OF THIS WITNESS.</p> <p>HIS FEAR AND SICKNESS AFTER HIS ARRIVAL ON THE FIELD AT MOUNTAIN MEADOWS RENDERS HIS MEMORY FAULTY IN MY</p>	<p>THEY WERE MOBOCRATES,— HAD POISONED SOME SPRINGS AND THAT SOME OF THEM HAD HELPED TO KILL JOSEPH SMITH THE PROPHET. I PLACE BUT LITTLE RELIANCE UPON THE STATEMENTS OF THIS WITNESS.</p> <p>HIS FEAR AND SICKNESS AFTER HIS ARRIVAL ON THE FIELD ON THE MOUNTAIN MEADOW S RENDERS HIS MEMORY FALTY IN MY</p>

551. Word apparently added later.

RS	PS	RT	BT
<p>HE DOES SAY ONE THING HE CAN'T RECALL SEEING LEE ON THE FIELD DOES RECALL SEEING INDIANS ALL OVER. HE DOES NOT MENTION LEE'S NAME COMES FROM <i>DGS/DKS</i>[?] COUNTY HE SAYS. IF HE DID NOT SEE LEE OUT THERE IT IS EVIDENT HE DID NOT COMMAND THERE GAVE NO INSTRUCTIONS DID NOT TALK TO PEOPLE FROM <i>DKS/DGS</i>[?] COUNTY. [<i>space</i>] THOMPSON'S EVIDENCE AS I SAID ONCE BEFORE AMOUNTS TO NOTHING.</p>		<p>JUDGMENT. THIS WITNESS HEARD NO ORDERS GIVEN BY LEE. HE SAW NO CRIMINAL ACT COMMITTED BY LEE ON THE FIELD OR ELSEWHERE .</p> <p>THOMPSON'S EVIDENCE</p> <p>IS IMMATERIAL, EXCEPT THAT HE DISPUTES OTHER</p>	<p>JUDGMENT. THIS WITNESS HEARD NO ORDERS GIVEN BY LEE; BHE SAW NO CRIMINAL ACT COMMITTED BY LEE ON THE FIELD OR ELSEWHERE.</p> <p>THOMPSONS EVIDENCE</p> <p>IS IMMATERIAL EXCEPT THAT HE DISPUTES OTHER</p>

RS	PS	RT	BT
<p>DOESN'T CONNECT LEE WITH {THE}ⁱ TRANSACTION. DOESN'T SAY HE KNEW LEE WAS GOING SAYS HE</p> <p>NEVER HEARD GEORGE A SMITH PREACH AGAINST SELLING PRODUCE TO EMIGRANTS. JAMES PEARCE BEING RECALLED GIVES SOME PECULIAR TESTIMONY</p> <p>HE SAYS ON FIELD SMITH WAS {THE}ⁱ LEADER AND THAT HE WAS BIGGEST MAN THERE</p> <p>I GUESS HE WAS LEADING</p>		<p>WITNESSES FOR THE PROSECUTION.</p> <p>HE SAYS HE LIVED IN BEAVER, BUT DID NOT HEAR GEORGE A. SMITH ADVISE AGAINST TRADING WITH THE EMIGRANTS. JAMES PEARCE WAS RECALLED BY THE PROSECUTION TO PROVE THAT KLINGENSMITH WAS AT THE SCENE OF THE MASSA-^[73] CRE.</p> <p>HE SAYS "ON THE FIELD KLINGENSMITH WAS A LEADER, AND WAS THE BIGGEST MAN THERE. "YOU BELIEVE THAT THIS WAS SO, THAT HE WAS THE LEADING</p>	<p>WITNESSES FOR THE PROSECUTION.</p> <p>HE SAYS HE LIVED IN BEAVER BUT DID NOT HEAR GEORGE A. SMITH ADVISE AGAINST TRADING WITH THE EMIGRANTS. JAMES PEARCSE WAS RECALLED FOR THE PROSECUTION TO PROVE THZAT KLINGENSMITH WAS AT THE SCENTE OF THE MASSACRE. HE SAYS, " ON THE FIELD, K;LINGENSMITH WAS A LEADER AND WAS THE BIGGEST MAN THEIR-THERE". DO YOU BELIEVE THAT THIS WAS SO, THAT HE WAS THE LEADING</p>

RS	PS	RT	BT
<p>SPIRIT</p> <p>FRANK KING</p> <p>SEEN</p> <p>EMIGRANTS</p> <p>IN CANYON WHAT DOESN'T MEAN ANYTHING AT ALL. BECAUSE IF HE DID COME WITH EMIGRANTS FROM THE TIME THEY LEFT MISSOURI RIVER UNTIL THEY STRUCK EMIGRATION CANYON EAST OF SALT LAKE {CITY}ⁱ DOESN'T MATTER HAS NOTHING TO DO WITH THE MATTER IT WAS</p>		<p>AND CONTROLLING SPIRIT THROUGHOUT THAT WHOLE LAMENTABLE AND BLOODY TRANSACTION. FRANK KING WAS THE NEXT MAN. HE WAS WITH AND SAW THE EMIGRANTS.</p> <p>HE TELLS OF NOTHING THAT RELATES TO THEM AFTER THEY PASSED WEST FROM EMIGRANT CANON.</p> <p>THAT WAS</p>	<p>AND CONTROLLING SPIRIT THROUGHOUT THAT WHOLE LAMENTABLE AND BLOODY TRANSACTION. FRANK KING WAS THE MAN THAT SAW THE EMIGRANTS EAST OF SALT LAKE . HE TELLS OF NOTHING THAT RELATES TO THEM THEM AFTER THEY PASSED WEST FROM EMIGRATION CANYON;</p> <p>AND THAT WAS</p>

RS**PS****RT****BT**

<p>MONTHS BEFORE IT IS CLAIMED EMIGRANTS HAVE COME INTO THIS SECTION OF COUNTRY. EVIDENCE OF RIDDLE HAS NOTHING TO DO WITH THIS CASE IT DOES SHOW SOME MEN FROM CEDAR CITY WENT OUT TO THAT LOCALITY [space] IT SHOWS THIS/THESE[?] —[?] THERE HAIGHT M[?] NOTIFIED HIM TO GO HOME BECAUSE THERE WAS DANGER TROUBLE WITH THE INDIANS HE WENT HOME AND STAYED THERE</p> <p>IT DOES SHOW</p> <p>PEOPLE OF CEDAR</p> <p>EXPECTED TROUBLE WITH</p>		<p>MONTHS BEFORE THE MASSACRE TOOK PLACE.</p> <p>THE EVIDENCE OF RIDDLE IS ALSO IMMATERIAL IN THIS CASE. IT DOES NOT SHOW THAT MEN WENT FROM CEDAR CITY TO THE MEADOWS.</p> <p>IT SHOWS</p> <p>THAT HAIGHT NOTIFIED HIM THAT THERE WAS DANGER IN HIS NEIGHBORHOOD , WHERE HE LIVED, FROM HOSTILE INDIANS, AND THIS CAUSED HIM TO GO HOME. IT DOES NOT SHOW THAT THE PEOPLE OF CEDAR CITY AT THAT TIME EXPECTED TROUBLE FROM</p>	<p>MONTHS BEFORE THE MASSACRE TOOK PLACE.</p> <p>[63]</p> <p>THE EVIDENCE OF RIDDLE RIDDLE IS ALSO IMMATERIAL IN THIS CZASE IT DOES WHOWS THAT MEN WENT FROM CEDAR CITY TO THE MEADOWS.</p> <p>IT SHOWS THAT</p> <p>HAIGHT NOTIFIED THEM THEA T THERE WAS DANGER TO HIS NEIGHBORHOOD</p> <p>FROM HOSTILE INDIANS AND CAUSED HIM TO GO HOME. IT DOES SHOW THAT THE PEOPLE OF CEDAR CITY AT THAT TIME EXPECTED TROUBLE FROM</p>
--	--	---	--

RS

PS

RT

BT

THE INDIANS
AT THAT TIME

THEY FINALLY
THINK THEY
HAVE
CONNECTED LEE
WITH
TRANSACTION
BY
INTRODUCING
WILLIAM
ROBERTS HE
SAYS HE HAD
TALKED WITH
LEE SOMETIME
AFTERWARDS
AND THAT LEE
SAID WHAT HE
DID WAS DONE
BY ORDERS. HE
TOOK THESE
CHILDREN LED
THEM TO PLACE
OF SAFETY AND
THAT WAS ALL
HE DID THERE IS
THE EVIDENCE
FOR THE
PROSECUTION
THERE IS
ALL
THERE IS OF IT.

THE INDIANS,
AND IT
DISPROVES, IN
SUBSTANCE,
AND IN FACT
MUCH OF THE
EVIDENCE OF
KLINGENSMITH.
AND YET JOHN
D. LEE IS NOT
PROVEN GUILTY
AS CHARGED IN
THE
INDICTMENT.

THERE IS
THE EVIDENCE
FOR THE
PROSECUTION,
AND THAT IS
ALL THAT
THERE IS OF IT,

THE INDIANS
AND IT DOES
DISPROVE IN
SUBSTANCE
AND IN FACT
MUCH OF THE
EVIDENCE OF
KLINGENSMITH.
AND YET JOHN
D. LEE IS NOT
PROVEN GUILTY
AS CHARGED IN
THE
INDICTMENT.

THERE IS
THE EVIDENCE
FOR THE
PROSECUTION
THAT IS
ALL
THERE IS OF IT.

RS**PS****RT****BT**

I HAVE GONE
OVER IT
CAREFULLY

CALLED
YOUR
ATTENTION I
BELIEVE TO
EVERY FACT
THAT HAS BEEN
TESTIFIED BY
ONE ~~OF THE~~
WITNESS. I
CAN'T
CALL TO
MIND NOW A
CIRCUMSTANCE
OF ANY

MAGNITUDE
THAT HAS NOT
BEEN
MENTIONED
AND IN MY WAY
EXPLAINED
AWAY. BUT
GENTLEMEN ONE
THING I SHALL
CALL YOUR
ATTENTION TO
BEFORE I CLOSE
THIS CASE [*space*]
MY FRIEND
PROSECUTION
STARTED OUT
IN THIS CASE IN
BAD HUMOR

HE

I HAVE GONE
OVER IT
CAREFULLY,
AND I BELIEVE I
HAVE CALLED
YOUR
ATTENTION
TO
EVERY FACT
THAT HAS BEEN
DETAILED BY
THE
WITNESSES. I
CANNOT NOW
CALL TO
MIND A
CIRCUMSTANCE
OF ANY
IMPORTANCE
OR MAGNITUDE
THAT HAS NOT
BEEN
MENTIONED,
AND IN MY WAY
EXPLAINED TO
YOU.

MY FRIEND
CAREY
STARTED OUT
IN THIS CASE IN
A BAD HUMOR.
HE SHOULD
TEMPER IT BY
GOING OVER
THE JEWISH
HISTORY FOR A
COMPANION TO
THIS AFFAIR. HE

I HAVE GONE
OVER IT
~~VCAREFULLY~~
AND I BELIEVE I
HAVE CALLED
YOUR
ATTENTION
TO
EVERY FZACT
THAT HAS BEEN
DETAILED BY
THE
WITNESSES. I
CANNOT NOW
~~VCALL TO~~
MIND A
CIRCUMSTANCE
OF ANY
IMPORTANCE
OR MAGNITUDE,
THAT HAS NOT
BEEN
MENTIONED
AND IN MY WAY
EXPLAINED TO
YOU.

MR FRIEND
CAREY
STA~~RT~~ED OUT
IN THIS CASE IN
A ~~N~~BAD HUMOR.
HE SHOWED
TEMPER BY
GOING OVER
JEWISH
HISTORY FOR A
COMPANION TO
THIS AFFAIR. HE

RS	PS	RT	BT
<p>ARRAIGNED THE JEWS FOR ACTING ACCORDING TO COMMAND OF THE ALMIGHTY</p> <p>SLAYING PEOPLE OF AI ^{[[22]]} AI THIS WE THINK WAS TERRIBLE ARRAIGNMENT [space] I SUPPOSE IF ALMIGHTY TOOK IN [space]</p> <p>WOULD NOT HAVE DONE IT BUT IT WAS DONE [space] I DO NOT KNOW BUT WHAT HE WOULD GO STILL ≤GO> FURTHER BACK AND RAKE UP ANOTHER OLD TRANSACTION SIT PRETTY ROUGH ON CERTAIN PEOPLE I DO NOT KNOW BUT HE WAS GOING FIND</p>		<p>ARRAIGNED THE JEWS FOR ACTING ACCORDING TO THE COM- ^[74] MAND OF THE ALMIGHTY AND SLAIN ≤SLAYING> THE PEOPLE OF “A.I.”. THIS WAS, I THINK, A PECULIAR ARGUMENT. I SUPPOSE IF THE ALMIGHTY HAD ONLY STOPED TO THINK OF FRIEND CAREY’S DISPLEASURE WITH HIM, FOR THATS ACTION, HE WOULD HAVE STAYED HIS HAND AND LET THE SINFUL PEOPLE GO UNPUNISHED.</p> <p>I LOOKED FOR FRIEND CAREY TO ALSO</p>	<p>ARRAIGNED THE JEWS FOR ACTING ACCORDING TO THE CONMAND OF THE ALMIGHTY IN AND SLAYING THE PEOPLE OF I AI. THIS WAS I THINK A PECULIAR ARGUEMENT. I SUPPOSE IF THE ALMIGHT HAD ONLY THOUG STOPPED TO THINK OF FRIEND CAREYS DISPLEASURE WITH HIM FOR THAT ACTION HE WOULD HAVE STAYED HIS HAND AAND LET THE SINFUL PEOPLE GO UNPUNISHED.</p> <p>I LOOKED FOR FRIEND CARY TO ALSO</p>

RS	PS	RT	BT
<p>FAULT WITH THE <i>SINK/SNGK/SNK</i>[?]</p> <p>OF SODOM AND GOMORRAH</p> <p>THAT IS ANOTHER TRANSACTION OF THE ALMIGHTY WHERE HE KILLED LOTS OF FOLKS DID THAT HIMSELF DID NOT CALL UPON JEWS TO DO THAT. ONE WAS JUST AS BLAMELESS AS THE OTHER.</p>		<p>ARRAIGN THE GREAT JEHOVA FOR THE DESTRUCTION OF SODOM AND GOMORRAH. THERE MANY WERE PUT TO DEATH, BUT, IN THE LAST INSTANCE</p> <p>THERE WAS NO AGENT SELECTED TO</p> <p>DO THE LORD'S WORK THAT HE DID HIMSELF. I THINK THE REMARKS ABOUT "A.I." WERE IN BAD TASTE,BUT IT</p>	<p>ARRAIGN THE GREAT JEHOVAH OF FOR THE DESTRUCTION OF SODOM AND GP GOMMORAH. THERE, MANY WERE PUT TO DEATH, BUT IN THE LAST INSTANCE</p> <p>THERE WAS NO AGENT SELECTED TO DO DEATH, BUT IN THE LAST INSTANCE THERE WAS NO AGENT SELECTED TO DO THE LORDS WORK. THAT HE DID HIMSELF. I THINK THE REMARKS ABOUT AI WERE IN BAD TASTE BUT IT</p>

RS**PS****RT****BT**

<p>HE CALLS YOUR ATTENTION TO ST. BARTHOLOMEW. THERE IT IS TRUE FRENCH PEOPLE COMMITTED A DEED THAT HAS BEEN STAIN UPON THEIR CHARACTER</p> <p>FROM TIME UNTIL THIS. AND AS LONG AS TIME SHALL ROLL HIS \leftarrow[?]\rightarrow M[?] ALONG</p> <p>THAT DEED WILL STAND AS A BLACK STAIN UPON THE FRENCH CHARACTER. BUT GENTLEMEN HE MIGHT HAVE REFERRED TO</p>		<p>WAS ALL FOR A PURPOSE. I PRESUME IT WAS TO PAVE HIS WAY TO HIS CHAPTER OF HORRORS. YOUR ATTENTION IS CALLED TO ST. BARTHOLOMEW . THERE, IT IS TRUE, THE FRENCH PEOPLE COMMITTED A CRIME THAT HAS BEEN A STAIN UPON THEIR NATIONAL REPUTATION FROM THAT DAY TO THIS, AND SO LONG AS TIME SHALL ROLL HIS AMPLE ROUND, SO LONG AS DEEDS OF WRONG AND VIOLENCE ARE REPUGNANT TO THE JUST AND BRAVE THAT DEED WILL STAND AS A BLACK STAIN UPON THE FRENCH CHARACTER; BUT GENTLEMEN, HE MIGHT HAVE REFERRED TO</p>	<p>WAS ALL FOR A PURPOSE. I PRESUME IT WAS TO PAVE HIS WAY TO HIS CHAPTER OF HORRORS. YOUR ATTENTION IS CALLED TO ST. BARTHOLOMEW . THERE IT IS TRUE THE FRENCH PEOPLE COMMITTED A CRIME THAT HAS BEEN A STAIN STAYN UPON THEIR NATIONAL REPUTATION FROM THAT DAY TO THIS; AND SO LONG AS TIME SHALL ROLL HIS AMPLE AMPOE ROUND; SO LONG AS ^[64] TIME DEEDS OF WRONG AND VIOLENCE ARE REPUGNANT TO THE JUST AND BRAVE , THAT DEED WILL STAND AS A BLACK STAIN UPON THE FRENCH CHARACTER. BUT GENTLEMEN, HE MIGHT HAVE REFERRED TO</p>
---	--	---	---

RS	PS	RT	BT
<p>OTHER</p> <p>HORRORS MIGHT HAVE COME NEARER HOME MIGHT HAD HE WISHED TO GONE TO THE OLD PRISON <i>SHIP</i>[?] IN THE DAYS OF THE REVOLUTION</p> <p>HE MIGHT HAVE GONE TO ANDERSONVILLE WHERE THE DEAD LINE WAS SET AROUND</p> <p>PRISONERS OF WAR</p> <p>MIGHT HAVE DESCRIBED HORRORS OF PEOPLE IN THEIR SITUATION WHAT WAS DONE AT ST. BARTHOLOMEW</p>		<p>OTHER ACTS EQUALLY HORRIBLE AND TO THOSE COMMITTED NEAR HOME. HE COULD HAVE GONE TO THE OLD PRISON SHIP IN THE DAYS OF THE REVOLUTION, AND HAVE DESCRIBED A SCENE AS APPALLING AS THAT OF ANY HE HAS PICTURED. HE MIGHT HAVE GONE TO ANDERSONVILL E, WHERE THE “DEAD LINE” IS DRAWN AROUND THAT CHARNEL HOUSE, WHERE PRISONERS OF WAR WERE TORTURED AND DONE TO DEATHBY THE MOST BARBAROUS PRACTICES. BUT HE WANTS A SUBJECT THAT IS NOTORIOUS. HE TAKES ST. BARTHOLOMEW ; THAT IS NO</p>	<p>OTHER ACTS EQUALLY HORRIBLE AND TO THOSE COMMITTED NEARED HOKME. HE COULD HAVE GONE TO THE OLD PPRISONSHIP IN THE DAYS OF THE REVOLUTION AND DESCRIBED A SCENE AS APPALLING AS THAT OF ANY HE WHAS PICTURED. HE MIGHT HAVE GONE TO ANDERSONVILL E WHERE THE DEAD LINE WAS DRAWN AROUND THAT CHARNAL HOUSE, WHERE PRISONERS OF WAR WERE TORTURED AND DONE TO DEATH BY THE MOST BARBEROUS PRACTICES. BUT HE WASNTS A SUBJECT THAT IS NOTORIOUS. HE TAKES BARTHOLOMEWW EW; THAT ISNO</p>

RS	PS	RT	BT
<p>IS NO MORE</p> <p>PART OF HISTORY THAN WHAT WAS DONE</p> <p>AT NAUVOO. WHY NOT ENTER INTO THAT. YOU HAVE TALKED ABOUT NAUVOO LEGION</p> <p>WHY NOT TELL HOW THAT TOWN WAS DESTROYED</p> <p>GIVE THE HISTORY OF THE TRANSACTIONS</p> <p>IN JACKSON COUNTY MISSOURI WHY NOT ENTER ANYTHING OF THIS KIND IF YOU WANT CATALOG OF HORRORS THAT</p>		<p>MORE NOTORIOUS OR BETTER ESTABLISHED BY HISTORY, THAN IS THE CRUEL ACTS OF AN AMERICAN MOB ON THE MORMONS AT NAUVOO. WHY NOT REFER TO NAUVOO ? HE HAS SPOKEN OF THE NAUVOO LEGION, WHY NOT TELL THE HISTORY OF THE [75] LEGION— WHY NOT TELL HOW AND WHY NAUVOO WAS DESERTED, AND BY WHOM IT WAS REDUCED TO RUINS ? WHY NOT GIVE A HISTORY OF THE CRIMES COMMITTED BY THE ENEMIES OF THE CHURCH UPON THE MORMONS IN JACKSON COUNTY, MISSOURI ?</p> <p>IF HE WISHED TO RECITE A TALE OF HORRORS SUFFICIENT</p>	<p>MORE NOTORIOUS NOR BETTER ESTABLISHED BY HISTORY THAN F I S THE CRUEL ASCTS OF AN AMERICAN MOB</p> <p>AT NAUVOO. WHY NOT REFER TO NAUVOO? HE HAS SPOKEN OF THE NAUVOO LEGION; WHY NOT TELL THE HISTORY OF THE LEGION? WHY NOT TELL WHY AND HOW NAUVOO WAS DISERTED AND BY HWHOM IT WAS REDUCED TO RUINS? WHY NOT GIVE A HISTORY OF THE CRIMES COMMITTED BY THE ENEMIES OF THE CHURCH UPON THE MORMONS IN JACKSON COUNTY, MISSOURI?</p> <p>IF HE WISHED TO TO RECITE A TALE OF HORRORS SUOFFICIENT</p>

RS**PS****RT****BT**

WILL SICKEN
HEART OF
EVERY LISTENER

HE WANTED TO
GO FAR AWAY
CHARGE A
PEOPLE THAT
COULD NOT
PLEAD TO HIS
INDICTMENT
ARRAIGN
ALMIGHTY AND
THE KING OF
FRANCE. HE HAS
NOT WORKED
WITH MUCH
BETTER SENSE
THEN/THAN[?]
AGAINST THESE
OTHER PARTIES
HE SAYS WAS
GLAD OF THIS.
ANOTHER THING
I SHALL CALL
YOUR
ATTENTION
TO THAT IS THIS
IN A CASE
OF THIS KIND
WHERE AN
ENTIRE PEOPLE
ARE
AROUSSED
WHERE THE ACT
HAS BEEN ONE

TO SICKEN THE
HEART OF
EVERY HEARER,
THOSE ARE
SUBJECTS THAT
FURNISH A TEXT
FOR SUCH A
RECITAL. WHY
ARRAIGN THOSE
WHO HAVE NO
ADVOCATE
HERE ? WHY
ATTACK THOSE
SO FAR AWAY ?

TO SICKEN THE
HEART OF
EVERY HEARER,
THOSE ARE
SUBJECTS THAT
FURNISH A TEXT
FOR SUCH A
RECITAL. WHY
ARRAIGN THOSE
WHO HAVE NO
ADVOCATE
HERE? WHY
ATTACK THOSE
SO FAR AWAY?

RS	PS	RT	BT
<p>OF SUCH SERIOUS. WHERE THE VERY THOUGHT THAT A DEED OF THE KIND SHOULD BE COMMITTED MAKES THE BLOOD CURDLE IN THE FACE</p>		<p>HIS OBJECT WAS TO AROUSE YOUR SYMPATHIES, AND BY EXCITING YOUR JUST ANIMOSITY AGAINST CRIME, WRONG AND OPPRESSION, OBTAIN A VERDICT UPON “PREJUDICE WITHOUT EVIDENCE”. STOP AND CONSIDER THE FACTS IN THE CASE, THE EVIDENCE OF THE WITNESSES, THAT NATURE OF THE CHARGE AND WHAT SUPPORTS IT. IN A CASE OF THIS NATURE, WHERE THE CHARGE IS THAT OF MURDER “MURDER MOST</p>	<p>HIS OBJECT WAS TO AROUSE YOUR SYMPATHIES; AND BY EXCITING YOUR UN-JUST ANIMOSITY AGAINST CRIME WRONG AND OPPRESSION \emptyset, OBTAIN A VERDICT UPON PREJUDICE WITHOUT EVIDENCE. STOP AND CONSIDER THE THE FACTS IN THE CASE— THE EVIDENCES OF THE WITNESSES— THE NATURE OF THE CHARGE AND WHAT SUPPORTS IT. IN A CASE OF THIS NATURE , WHERE THE CHARGE IS THAT OF MURDER, “ MURDER MOST</p>

RS**PS****RT****BT**

		FOUL AND UNNATURAL UNNATURAL” WHERE THE PUNISHMENT FOLLOWING A CONVICTION IS DEATH, AT A TIME OF UNNATURAL EXCITEMENT IN A COMMUNITY, WHEN THE PASSIONS OF THE PEOPLE ARE AROUSED, WHEN THE JUDGMENT AND REASON OF THE MASSES, IS BLINDED BY PASSION AND PREJUDICE, AND THE WHOLE MACHINERY OF GOVERNMENT IS IN MOTION TO SECURE A CONVICTION, RIGHT OR WRONG, A CONVICTION WITH OR WITHOUT EVIDENCE OF GUILT, — IT BECOMES THE DUTY OF THE JURY TO PAUSE AND CONSIDER THE TRUE FACTS OF THE	FOUL AND UNNATURAL,” WHERE THE PUNISHMENT IFOLLOWING A CONVICTION IS DEATH, AT A TIME OF UNNATURAL EXCITEMENT IN THE COMMUNITY, WHEN THE PASSIONS OF THE PEOPLE ARE AROUSED,— WHEN THE JUDGMENT AND REASON OF THE MASSES IS BLINDED BY PASSION AND PREJUDICE, AND THE WHOLE MACHINERY OF GOVERNMENT IS IN ^[65] MOTION TO SECURE A CONVICTION RIGHT OR WRONG; A CONVICTION WITH OR WITHOUT EVIDENCE OF GUILT, IT BECOMES THE DUTY OF THE JURY TO PAUS AND CONSIDER THE TRUE FACTS IN THE
--	--	--	--

RS	PS	RT	BT
<p>WHEN WE FIND AN ACT OF THAT KIND COMMITTED BY ANY ONE WE SHOULD EXAMINE WITH CARE BEFORE WE ACT.</p>		<p>CASE, AND LET JUDGMENT, COOL AND REASONABLE, CONTROL, IN PLACE OF PASSION AND PREJUDICE; THE OUTGROWTH OF UNNATURAL EXCITEMENT, ENVY AND HATRED.</p> <p>GREAT CRIMES, WHEN COMMITTED,</p> <p>SHOULD BE EXAMINED INTO WITH CARE;</p> <p>PERSONS COMMITTING THOSE CRIMES, SHOULD, WHEN PROVEN GUILTY BY COMPETENT EVIDENCE, BE PUT TO DEATH, AS A PUNISHMENT FOR THEIR UNLAWFUL ^[76] ACTS. JUSTICE SHOULD EVER BE THE OBJECT SOUGHT IN A JUDICIAL INVESTIGATION, THEREFORE, I AGAIN SAY, STOP AND</p>	<p>CASE, AND LET JUDGMENT COOL AND REASONABLE CONTROLL IN PLACE OF PASSION AND PREJUDICE— THE OUTGROTH OF UNNATURAL EXCITEMENT, ENVY AND HATRED.</p> <p>GREAT CRIMES WHEN COMMITTED</p> <p>SHOULD BE EXAMINED INTO WITH CARE.</p> <p>PERSONS COMMITTING THOSE CRIMES, SHOULD WHEN PROVEN GUILTY BY COMPETENT EVIDENCE BE PUT TO DEATH, AS A PUNISHMENT FOR THEIR UNLAWFUL ACTS. JUSTICE SHOULD EVER BE THE OBJECT SOUGHT IN A JUDICIAL INVESTIGATION; THEREFORE I AGAIN SAY, STOP AND</p>

RS**PS****RT****BT**

		<p>THINK WHAT IS RIGHT— WHAT IS YOUR DUTY AT THIS TIME WITH RESPECT TO YOURSELVES, YOUR COUNTRY AND THE PRISONER UPON TRIAL. HASTY ACTS ARE OFTEN CALCULATED TO DISGRACE THE COUNTRY AND CRIPPLE THE CAUSE OF JUSTICE. THERE IS ONE RASH, HASTY ACT THAT WAS COMMITTED BY “<A COURT> SO HIGH AND POWERFUL, THAT ITS VERDICT WAS PRONOUNCED AS THE VERDICT OF THE PEOPLE; STILL IT HAS NOW FEW DEFENDERS IN THE NATION. YOU ALL REMEMBER THE ACT I REFER TO. A FEARFUL CRIME HAD BEEN COMMITTED. THE PEOPLE WERE IN A</p>	<p>THINK WHAT IS WRRIGHT,— WHAT IS YOUR DUTY AT THIS TIME WITH RESPECT TO YOURSELVES, YOUR COUNTRY, AND THE PRISONER UPON TRIAL. HASTY ACTS ARE OFTEN CALCULATED TO DISGRACE THE COUNTRY AND CRIPPLE THE CAUSE OF JUSTICE. THERE IS ONE RASH HASTY ACT THAT WAS COMMITTED BY A COURT SO HIGH AND POWERFUL, AND THAT ITS VERDICT WAS PRONOUNCED AS THE VERDICT OF THE PEOPLE; STILL IT HAS NOW FEW DEFENDEWRS IN THE NATION. YOU ALL REMEMBER THE ACT I REFER TO. A FEARFUL CRIME HAD BEEN COMMITTED; THE PEOPLE WERE IN A</p>
--	--	---	--

RS	PS	RT	BT
<p>YOU ALL RECALL THE APRIL MORNING WHEN THE</p> <p>NEWS WAS FLASHED OVER THE WIRES</p> <p>THROUGH LENGTH BREADTH OF THE UNITED STATES ABRAHAM LINCOLN</p> <p>HAD FALLEN A VICTIM TO</p>		<p>FRENZY OF EXCITEMENT. VENGEANCE WAS DEMANDED; AND THE BLOOD OF EVERY ONE GUILTY OF THE DEED COULD NOT SATISFY THE MOURNING PEOPLE, BUT, GENTLEMEN, THE RASH ACT WAS ADDITIONAL CAUSE GENERAL <u>LAMENTATION.</u> <u>JUSTICE WAS</u> <u>DETHRONED.</u> YOU ALL REMEMBER THE APRIL MORNING WHEN THE SOUL SICKENING NEWS WAS FLASHED OVER THE WIRES OF THE ENTIRE NATION, THROUGHOUT THE LENGTH AND BREADTH OF OUR UNION, THAT ABRAHAM LINCOLN, THE GOOD AND GREAT MAN, THE ABLE AND JUST RULER, HAD QA FALLEN A VICTIM TO</p>	<p>FRENZY OF EXCITEMENT; VENGEANCE WAS DEMANDED, AND THE BLOOD OF EVERY ONE GUILTY OF THE DEED COULD NOT SATISFY THE MOURNING PEOPLE. BUT , GENTLEMEN, THE RASH ACT WAS ADDITIONAL CAUSE FOR GENERAL LAMENTATION. JU STICE WAS DETHROANED. YOU ALL REMEMBER THE APRIL MORNING WHEN THE SOUL SICKENING NEWS WZAS FLASHED OVER</p> <p>THE ENTIRE NATION, THROUGHOUT THE LENGHT AND BREADTH OF THE NATION, THAT ABRAHAM LINCOLN, THE GOOD AND GREAT MAN; THE ABLE AND JUST RULER HAD FALLEN A VICTIM TO</p>

RS	PS	RT	BT
<p>THE MALICE AND CRUEL REVENGE OF J WILKES BOOTH ^{[[23]]} YOU ALL RECALL THE FEELING OF SADNESS AND GLOOM THAT OVERSPREAD THE PEOPLE OF THE UNITED STATES EVERY MIND STIFLED IN MOURNING</p> <p>PEOPLE OF THE SOUTH AS WELL AS OF THE NORTH</p>		<p>THE MALICE AND HATRED OF J. WILKES BOOTH,THE ASSASSIN. THE PEOPLE OF A NATION IN TEARS, GLOOM AND ANGUISH, SPREAD LIKE A PALL OVER THE ENTIRE COUNTRY.</p> <p>LIBERTY SEEMED TO HAVE TAKEN FLIGHT FROM OUR LAND, AND HOPE ALMOST DESERTED THE FIRMEST HEART. LINCOLN WAS DEAD, BUT HIS ASSASSIN STILL LIVED. A NATION DEMANDED THE EXECUTION OF ALL WHO AIDED AND ABETTED IN THOS MOST CRUEL, UNCALLED FOR, MURDER AND ASSASSINATION. STOUT HEARTS NORTH AND SOUTH, BRAVE MEN BENEATH</p>	<p>THE MALICE AND HATRED OF J. WILKES BOOTH, THE ASSASSIN. THE PEOPLE OF A NATION IN TEARS GLOOM AND ANGUISH, SPREAD LIKE A PALL OVER THE ENTIRE COUNTRY.</p> <p>LIBERTY SEEMED TO HAVE TAKEN HER FLIGHT FROM OUR LAND AND HOPE ALMOST DISERTED THE FIRMEST HESART.. LINCOLN WAS DEAD BUT HIS ASSASSIN STILL LIVED. A NATION ^[66] DEMANDED THE EXECUTION OF ALL WHO AIDED OR ABETTED IN THIS MOST CRUEL , UNCALLED FOR MURDER AND ASSASSINATION. STOUT HEARTS NORTH AND SOUTH, BRAVE MEN BEŁNEATH</p>

RS	PS	RT	BT
<p>SHED TEARS OF BITTER SORROW TO THINK THAT THE GREAT AND GOOD MAN HAD FALLEN AND FALLEN IN SUCH A WAY.</p> <p>AFTER HIS REMAINS HAD BEEN SENT</p> <p>TO HIS OLD⁵⁵² HOME IN</p> <p>ILLINOIS</p>		<p>THE STARRY BANNER, AND EQUALLY BRAVE ^[77] MEN WHO WERE UPHOLDING THE CTARS AND BARS, LAMENTED ALIKE THAT SUCH A DEED HAD BEEN DONE.</p> <p>ALL WISHED THE GUILTY CONVICTED. LINCOLN'S REMAINS HAD BEEN TAKEN BY HIS WEEPING FRIENDS FROM WASHINGTON CITY TO HIS FORMER HOME AT SPRINGFIELD, ILLS., AND THERE, IN THE PARIRIE STATE THAT HE HAD SO FAITHFULLY SERVED, SO DEVOTEDLY LOVED, THEY HAD DEPOSITED ALL THAT REMAINED TO EARTH OF A</p>	<p>THE STARRY BANNER AND EQUALLY BRAVE MEN WHO WERE UPHOLDING THE STARS AND ABD BARS LAMENTED ALIKE THAT SUCH A DEED HAD BEEN DONE.</p> <p>ALL FWISHED THE GUILTY CONVICTED. LINCOLN'S REMAINDS HAD BEEN T AKEN BY HIS WEEPING FRIENDS FROM WAHSHINGTON CITY TO HIS FORMER HOME AT SPRINGFIELD AND THERE IN IS THE PRAIRIE STATE THAT HE HAD SO FAITHFULLY SERVED , SO DEVOTEDLY LOVED THEY HAD DEPOSITED ALL THAT REMAINED TO EARTH OF THE</p>

552. Word apparently added later.

RS**PS****RT****BT**

A COURT
WAS
ESTABLISHED
FORMED IN
WASHINGTON
CITY TO TRY
THE
CONSPIRATORS
CLAIMED TO BE
GUILTY OF THE
ACT.

AT THAT TIME
SEVERAL
DEFENDANTS
WERE PLACED
UPON TRIAL
BEFORE A COURT
THAT WAS
SUPPOSED TO
BE ABOVE THE
POWER OF
PREJUDICE. OR
OPINION

NOBLE MAN.
THE GRAVE
WAS STILL
FRESH OVER
THE REMAINS
OF AN
ASSASSINATED
PRESIDENT.
WHEN A COURT
WAS
ESTABLISHED
AT
WASHINGTON
CITY TO TRY
THOSE
CHARGED
WITH
CONSPIRING
THE DEATH OF
THE PRESIDENT,
THIS COURT
WAS
COMPOSED OF
MEN NOTED FOR
A LIFE OF
JUDICIAL
PURITY,
NATURAL
HONESTY, AND
MORE THAN
USUAL ABILITY.

IT WAS
SUPPOSED TO
BE FAR
REMOVED FROM
PREJUDICE. IT
WAS THOUGHT
IT WOULD BE

NOBLE MAN,
THE GRAVE
WAS STILL
FRESH OVER
THE REMAINS
OF AN
ASSASSINATED
PRESIDENT,
WHEN A COURT
WAS
ESTABLISHED
AT
WASHINGTON
CITY TO TRY
THOSE
✕CHARGED
WITH
CONSPIRING
THE DEATH OF
THE PRESIDENT.
THIS COURT
WA S
COMPOSED OF
MEN NOTED FOR
A LIFE OF
JUDICIAL
PURITY,
NATURAL
HONESTY, AND
MORE THAN
USUAL ABILITY.

IT WAS
SUPPOSED TO
BE FAR
REMOVED FROM
PREJUDICE. IT
WAS THOUGHT
IT WOULD BE

RS**PS****RT****BT**

BEFORE[?]
A COURT IT
WAS PRESUMED
COULD NOT AND
WOULD NOT ERR

A WOMAN ~~WAS~~
WAS THERE
FORCED TO
PLEAD FOR HER
LIFE AS ONE OF
THE
CONSPIRATORS.

UNMOVED BY
PASSION. IT WAS
BELIEVED IT
COULD NOT BE
SWAYED BY
INTEREST OR
MISLED BY THE
CLAMOR OF THE
PRESS OF THE
NATION OR
FORCED TO A
HASTY ACT BY
AN ANGRY
PUBLIC.

A PRISONER
APPEARED
BEFORE THAT
HIGH ,
HONORED AND
ABLE
TRIBUNAL, WAS
BROUGHT
THERE AND
CHARGED WITH
BEING AN
ACCESSORY TO
THE MURDER OF
THE LAMENTED
LINCOLN. THIS
PRISONER WAS
DEFENDED BY
ABLE COUNSEL.
THE EVIDENCE
WAS
CIRCUMSTANTI
AL AND
UNSATISFACTO

UNMOVED BY
PASSION; IT
WAS BELIEVED
IT COULD NOT
BE SWAYED BY
INTEREST, OR
MISLED BY THE
CLAMOR OF THE
PRESS OF THE
NATION, OR
FORCED TO A
HASTY ACT BY
AN ANGRY
PUBLIC.

A PRISONER
APPEARED
BEFORE THAT
HIGH ,
HONORED AND
ABLE
TRIBUNAL,
BROUGHT
THERE
CHARGED WITH
BEING AN
ACCESSORY TO
THE MURDER OF
THE LAMENTED
LINCOLN. THIS
PRISONER WAS
DEFENDED BY
ABLE COUNSEL;
THE EVIDEN CE
WAS
CIRCUMSTANTI
AL AND
UNSATISFACTO

RS

PS

RT

BT

<p>THIS SAME POPULAR FUROR</p> <p>YOUR ATTENTION HAS BEEN CALLED TO ENLISTED ITSELF ON THE SIDE OF THE PROSECUTION. THIS SAME POPULAR SENTIMENT FORCED A CRY TO GO UP FROM NEARLY EVERY NORTHERN HEART CONVICT ANY CONVICT ALL THAT ARE CHARGED WITH THE CRIME DO NOT STOP TO INVESTIGATE BUT CONVICT AT ONCE.</p> <p>THAT WAS THE POPULAR OUTCRY EDITORS THAT SPOKE FOR MERCY</p>		<p>RY. BUT, GENTLEMEN, THAT SAME POPULAR FURY THAT YOU ARE THREATENED WITH WAS THEN EXCITED,</p> <p>THE CRY WENT UP ALL OVER THE LAND</p> <p>“CONVICT AND EXECUTE THOSE CHARGED WITH THE CRIME” DO NOT STOP TO INVESTIGATE NOW, BUT CONVICT AND EXECUTE, IN HASTE”. SUCH WAS THE POPULAR OUTCRY. EDITORS WHO SPOKE FOR MERCY THAT SUGGESTED MODERATION, THAT DEMANDED</p>	<p>RY. BUT, GENTLEMEN, THAT SAME POPULAR FURY THAT YOU ARE THREATENED WITH WAS THEN EXCITED.</p> <p>THE CRY WENT UP ALL OVER THE LAND,</p> <p>“CONVICT AND EXECUTE THOSE CHARGED WITH THE CRIME; DO NOT STOP TO INVESTIGATE NOW BUT CONVICT AND EXECUTE IN HASTE.’ SUCH WAS THE POPULAR OUTCRY. EDITORS WHO SPOKE FOR MERCY, THAT SUGGESTED MODERATION; THAT DEMANDED</p>
--	--	---	---

RS	PS	RT	BT
<p>WERE DENOUNCED AS TRAITORS TO THEIR COUNTRY MEN</p> <p>THAT SAID SPARE THE WOMAN WERE DENOUNCED AS ENEMIES OF THEIR COUNTRY.</p> <p>ALL THAT THE PEOPLE REMEMBERED WAS THAT LINCOLN WAS THEIR IDOL THAT THEY LOVED THE MAN</p> <p>WHO HAD BEEN FOULLY MURDERED. [space]</p>		<p>FULL PROOF OF GUILTY BEFORE CONVICTION, WERE DENOMINATED AS TRAITORS TO THEIR COUNTRY ,AND ENEMIES TO JUSTICE AND HUMANITY.</p> <p>ADVOCATES WHO PLEAD FOR THE PRISONER WERE CALLED TRAITORS, AND INSULTED AS ENEMIES ^[78] DANGEROUS TO THE PUBLIC WELFARE. ALL THAT THE PEOPLE REMEMBERED WAS THAT LINCOLN WAS THEIR IDOL. THAT THEY LOVED HIM LIVING, AND REVERED HIM DEAD, AND THAT HE HAD BEEN MURDERED, AND THAT THOSE ACCUSED OF</p>	<p>FULL PROOF OF GUILT BEFORE CONVICTION WERE DENOMINATED AS TRAITORS TO THEIR YCOUNTRY AND ENEMIES, TO JUSTICE AND HUMANITY.</p> <p>ADVOCATES WHO PLED FOR THE PRISONER WERE CALLED TRAITOR S AND INSULTED AS ENEMIES DANGEROUS TO THE PUBLIC ^[67] WELFARE. AL L THAT THE POOPLE REMEMBERED WAS THAT LINCOLN WAS THEIR IDOL; THAT THEY LOVED HIM LIVING AND REVERED HIM DEAD; AND THAT HE HAD BEEN MURDERED AND THOSE ACCUSED OF</p>

RS**PS****RT****BT**

COURT'S DUTY
WAS UNDER
SUCH
CIRCUMSTANCES
TO BE MORE
CAREFUL

THAN
IF THE PUBLIC
CLAMOR HAD
NOT BEEN
RAISED.

THE ~~MURDER~~
◀CRIME> WERE
UPON TRIAL.
THE FIRST
GREAT DUTY OF
THE COURT,
UNDER
THE
CIRCUMSTANCE
S, WAS TO USE
GREAT CARE,
GREAT
CAUTION,
MORE IF
POSSIBLE THAN
IF THE PUBLIC
WERE CALM,
THE PEOPLE
QUIET, THE
PRESS SILENT
UPON THE
SUBJECT.
UNFORTUNATEL
Y THE COURT
WAS COMPOSED
OF MEN, AND
LIKE OTHERS
LIABLE TO
ERR. THEY
HEARD THE
PUBLIC
OUTCRY, THEY
LISTENED TO
THE VOICE
OF THE PEOPLE
AS SENT FORTH
FROM IN THE
PRESS OF THE
COUNTRY. THEY
BECAME FOR
THE TIME MEN
AND WERE NO
LONGER
UNIMPASSIONE

THE
CRIME WERE
UPON TRIAL.
THE FIRST
GREAT DUTY OF
THE COURT
UNDER
THE
CIRCUMSTANCE
S, WAS TO USE
GREAT CARE,
GREAT
CAUTION, -
MORE , IF
POSSIBLE THAN
IF THE PUBLIC
WERE CALM,
THE PEOPŁE
QUIET AND THE
PRESS SĖILENT
UPON THE
SUBJECT.
UNFORTUNATEL
Y THE COURT
WAS COMPOSED
OF MEN, AND
LIKE OTHERS
LAİABLE TO
ERR. THEY
HEARD THE
PUBLIC
OUTCRY, THEY
LISTENED TO
THE VOİƆCE
OF THE PEOPLE
AS SET FORTH
IN THE
PRESS OF THE
COUNTRY. THEY
BECAME FOR
THE TIME MEN
AND WERE NO
LONGER
UNIMPASSIONE

RS	PS	RT	BT
<p>COURT FOUND ITS VERDICT [space]. THAT VERDICT WAS SENTENCING THIS WOMAN TO DEATH.</p> <p>AFTER THE SENTENCE HAD BEEN PASSED THAT IT WAS THAT THE AMERICAN HEART TO BEAT AGAIN AS IT</p>		<p>D, COŁOL AND DISCRIMINATING JUDGES. THEY GAVE A VERDICT OF GUILTY,</p> <p>AND IS NOW BELIEVED BY NINE TENTHS OF THE READING PEOPLE OF THE UNITED STATES, WHO HAVE READ ALL OF THE EVIDENCE INTRODUCED UPON THAT TRIAL, THAT THEY SENTENCED TO DEATH ON THE GIBBET, AND WITHOUT FULL PROOF OF GUILT, UPON INSUFFICIENT EVIDENCE, A WOMAN. AFTER THE VERDICT</p> <p>THE AMERICAN HEART BEGAN TO BEAT AGAIN AS IT DID</p>	<p>D, COOL AND DISCRIMINATING JUDGES. THEY GAVE A VERDICT OF GUILTY,</p> <p>AND IT IS NOW BELIEVED BY NINE TENTHS OF THE READING PUBLIC OF THE UNITED STATES WHO HAVE READ ØALL OF THE EVIDENCE INTRODUCED UPON THAT TRIAL, — THEY SENTENCED TO DEATH ON THE GU GIBBETT, AND WITHOUT FULL PROOF OF GUILT, UPON INSUFFICIENT, EVIDENCE A WOMAN! AFTER THE VERDICT</p> <p>THE AMERICAN HEART BEGAN TO BEAT AGAIN AS IT DID</p>

RS	PS	RT	BT
<p>STRAIGHTWAY</p> <p>MEN OF STRONG MIND</p> <p>AND PATRIOTIC FEELING RUSHED TO THE EXECUTIVE</p> <p>ASKING FOR HIS</p> <p>CLEMENCY</p> <p>BUT THE ROBES OF OFFICE WERE THEN NEW UPON THE SHOULDERS OF ANDREW JOHNSON. HE HAD NOT THE NECESSARY MORAL COURAGE TO REVIEW THE EVIDENCE IN THE CASE. HE HAD NOT THE MORAL COURAGE TO</p>		<p>BEFORE THE ASSASSINATION. THEN MEN OF STRONG MINDS, CULTURED REFINED AND PATRIOTIC FEELINGS, RUSHED TO THE EXECUTIVE MANSION, ASKING THE AID OF EXECUTIVE CLEMENCY, ASKING THAT THE WOMAN SHOULD LIVE;</p> <p>PLEADING THAT SHE SHOULD NOT BE MURDERED IN THE NAME OF THE LAW WITHOUT FULL PROOF OF GUILT. BUT THE ROBES OF OFFICE WERE THEN UPON THE SHOULDERS OF ANDREW JOHNSON. HE FAILED FROM SOME</p> <p>CAUSE TO REVIEW THE EVIDENCE IN THE CASE. HE LACKED THE MORAL COURAGE TO</p>	<p>BEFORE THE ASSASSINATION. THEN MEN OF STRONG MINDS, CULTURED REFINED AND PATRIOTIC FEELINGS RUSHED TO THE EXECUTIVE MANSION ASKING TØHE AID OF EXECUTIVE CLEMENCY; ASKING THAT THE WOMAN SHOULD LIVE- PLEAD PLEADING ING THAT SHE SHOULD NOT BE MURDERED IN THE NAME OF THE LAW WITHOUT FULL PROOF OF GUILT. BUT THE ROBES OF OFFICE WERE NEW UPON THE SHOULDERS OF ANDREW JOHNSON. H HE FAILED FROM SOME</p> <p>CAUSE TO REVIEW THE EVIDENCE IN THE CASE. HE LACKED THE MORAL COURAGE TO</p>

RS**PS****RT****BT**

WITHHOLD HIS
SIGNATURE
FROM THE
SENTENCE AND
HE DID SIGN THE
DEATH
WARRANT AND
MRS. SURRATT
WAS
EXECUTED.
WHEN AT THIS
DATE THERE IS
NOT ONE MAN IN
50
THOUSAND THAT
HAS
TAKEN THE
PAINS TO
READ THE
TESTIMONY AND

APPLY
LAW TO IT

WHAT WILL SAY
THE SENTENCE
WAS RIGHT.
[space] THAT
TIME THERE WAS
POPULAR
CLAMOR. THE
EYES OF THE
PEOPLE OF THE
UNITED STATES
WERE CENTERED
UPON THAT
COURT THE
POPULAR
DEMAND WAS
APPLIED TO
THESE
ARRESTED THAT

WITHHOLD HIS
SIGNATURE
FROM THE
SENTENCE.
HE SIGNED THE
DEATH
WARRANT, AND
MRS. SURRATT
[79] WAS
EXECUTED.
AT THIS
DAY THERE IS
NOT A MAN IN
FIFTY
THOUSAND
WHO HAS

CAREFULLY
READ THE
EVIDENCE IN

THE CASE
AND APPLIED
THE LAW TO
THE CASE AS
PROVEN, WHO
WILL SAY THAT
THE SENTENCE
WAS JUST.

WITHHOLD HIS
SIGNATURE
FROM THE
SENTENCE.
HE SIGNED THE
DEATH
WARRANT AND
MRS. SURRATT
WAS
EXECUTED.
AT THIS
DAY THERE IS
NOT A MAN IN
FIFTY
THOUSAND
WHO HAS

CAREFULLY
READ THE
EVIDENCE IN

THE CASE
AND APPLIED
THE LAW TO
THE CASE AS
PROVESN, WHO
WILL SAY THAT
THE SENTENCE
WAS JUST.

RS	PS	RT	BT
<p>POPULAR CLAMOR GUIDED I FEAR THAT COURT.</p> <p>IF IN SUCH CIRCUMSTANCES AS THEN SURROUND THAT COURT MEN THAT HAD BEEN SAID TO SIT IN COURTS ^{[[24]]} ALL THEIR LIVES TAKE LET THE CONDUCT A MAN SUPPOSED TO BE SO HIGH IN HIS PROFESSION SO PURE AS A MAN SO LEARNED AND JUST IT WAS IMPOSSIBLE FOR FOR HIM TO ERR</p>		<p>THEN THE VERDICT, THE SENTENCE, THE EXECUTION WERE APPLAUDED BY THE EXCITED, UNINFORMED POPULACE <u>NOW HOW</u> <u>CHANGED IS</u> <u>THE POPULAR</u> <u>SENTIMENT.</u> REGRETS WILL NOT RIGHT THE WRONG THEN DONE. WE CAN ONLY PROFIT BY THE PAST EXPERIENCE.</p>	<p>THEN, THE VERDICT, THE SENTENCE, THE EXECUTION, WERE APPLAUDED BY THE EXCITED UNINFORMED POPULACE. NOW, HOW CHANGED IN THE POPULAR SENTIMENT. REGRETS WILL NOT RIGHT THE ^[68] WRONG THEN DONE. WE CAN ONLY PROFIT BY THE PAST EXPERIENCE.</p>

RS

PS

RT

BT

YET HE FELL
BENEATH THE
POWER WELDED
BY THIS
POPULAR
CLAMOR GAVE
HIS VOICE FOR
THE EXECUTION.

ARE WE TO
REENACT
ANOTHER SUCH
SCENE NO
NEVER.

ARE YOU
STRONGER MEN
THAN THOSE
WHO COMPOSED
THAT COURT ?
ARE YOU LESS
LIABLE TO ERR
THAN THEY
WERE ? LIKE
CAUSE
PRODUCES LIKE
EFFECT,
THEREFORE,
GENTLEMEN
PROCEED WITH
CAUTION; ACT
WITH CARE;
RENDER YOUR
VERDICT UPON
EVIDENCE, AND
NOT UPON THE
EXCITED
MISSTATEMENT
S OF A
SENSATIONAL
PRESS, OR THE
PREJUDICE AND
CLAMOR OF A
MISGUIDED
PUBLIC.

ARE YOU HERE
TO ERECT A

ARE YOU
STRONGER MEN
THAN THOSE
WHO COMPOSE
THAT COURT?
ARE YOU LESS
LIABLE TO ERR
THAN THEY
WERE? LIKE
CAUSE
PRODUCES LIKE
EFFECT.
THEREFORE,
GENTLEMEN,
PROCEED WITH
CAUTION, CAT
WITH CARE,
RENDER YOUR
VERDICT UPON
EVIDENCE,
NOT UPON THE
EXCITED
MISSTATEMENT
S OF A
SENSATIONAL
PRESS, OFR THE
PREJUDICED
CLAMOR OF A
MISGUIDED
PUBLIC.

ARE YOU HERE
TO CREATE A

RS**PS****RT****BT**

MOST OF THOSE
HAVE PASSED
AWAY THAT
RENDERED
JUDGMENT
AGAINST MRS.
SURRETT.

ANDREW
JOHNSON
AFTER HAVING
OCCUPIED ALL
OF THE
POSITIONS

WITHIN {THE}ⁱ
GIFT OF {THE}ⁱ
PEOPLE

NOW LIES IN HIS
WIND{ING}ⁱ
SHEET AT
HOME
TENNESSEE.
DEATH HAS
CALLED HIM
FROM THE

GIBBET UPON
WHICH TO
ENACT
ANOTHER
JUDICIAL
MURDER ? NO!
YOU WILL NOT,
I WILL NOT
BELIEVE IT.
MOST OF THOSE
HAVE PASSED
AWAY WHO
RENDERED THE
VERDICT
AGAINST MRS.
SURRETT, BUT
NOT ALL. THAT
LAST WHO
DEPARTED
FROM THIS
EARTH WAS
ANDREW
JOHNSON.
AFTER HAVING
OCCUPIED ALL
THE
POSITIONS OF
PRIFOT AND
HONOR
WITHIN THE
GIFT OF THE
PEOPLE, HE HAS
BID FAIRWELL
TO ALL
EARTHLY
GREATNESS; HE
NOW LIES IN HIS
WINDING
SHEET AT HIS
HOME
IN TENNESSEE.
DEATH HAS
CALLED HIM
FROM THE

GIBBET UPON
WHICH TO
ENACT
ANOTHER
JUDICIAL
MURDER? NO,
YOU WILL NOT
— I WILL NOT
BELIEVE IT!
MOST OF THOSE
HAVE PASSED
AWAY WHO
RENDERED THE
VERDICT
AGAINST MRS.
SURRETT,- BUT
NOT ALL. THE
LAST ONE WHO
DEPARTED
FROM
EARTH WAS
ANDREW
JOHNSON.
AFTER HAVING
OCCUPIED ALL
THE
POSITIONS OF
PROFIT AND
HONOR
WITHIN THE
GIFT OF THE
PEOPLE HE HAS
BID FAREWELL
TO ALL
EARTHLY
GREATNESS. HE
LIES IN HIS
WINDING
SHEET AT HIS
HOME
IN TENNESSEE.
DEATH HAS
CALLED HIM
FROM THE

RS**PS****RT****BT**

<p>SCENE OF HIS LABOR AND HE NOW WITHIN LAST 48 HOURS HIS SPIRIT HAS GONE TO THE UNKNOWN SHORE THERE TO MEET AND ANSWER TO THAT OF MRS. SURRETT AND SAY TO HER IF IT CAN I JUSTLY SENTENCED YOU.</p>		<p>SCENE OF HIS EARTHLY LABORS, AND WITHIN THE LAST FORTY EIGHT HOURS HIS SPIRIT HAS PASSED TO THE UNKNOWN SHORE, THERE TO MEET AND ANSWER THAT OF MRS. SURRETT, AND SAY TO HER, IF HIS SPIRIT CAN, I JUSTLY SENTENCED YOU TO DEATH. THE SPIRIT OF THE WOMAN WILL PARDON THE ACT OF THE PRESIDENT FOR MALICE IS NOT REMEMBERED BY THOSE ON THE OTHER SHORE OF TIME. BUT HU-^[80] MANITY WILL REMEMBER THE WHOLE TRANSACTION, AND THE MEMORY THEREOF WILL FORCE THE LIVING TO INSIST, THROUGHOUT CIVILIZATION,</p>	<p>SCENE OF HIS EARTHLY LABORS, AND WITHIN THE LAST 48 HOURS HIS SPIRIT HAS PASSED TO THE UNKNOWN SHORE; THERE TO MEET AND ANSWER THAT OF TO MRS. SURRETT AND SAY TO HER — IF HIS SPIRIT CAN; “ I JUSTLY SENTENCED YOU TO DEATH.” THE SPIRIT OF THE WOMAN WILL PARDON THE SPIRIT OF THE PRESIDENT FOR MALICE IS NOT REMEMBERED BY THOSE ON THE OTHER SHORE OF TIME? BUT HUMANITY WILL REMEMBER THE WHOLE TRANSACTION, AND THE MEMORY THEREOF WILL FORCE THE LIVING TO INSIST THROUGHOUT CIVILIZATION</p>
--	--	---	--

RS	PS	RT	BT
<p>{THE}ⁱ TIME WILL COME</p> <p>WHEN YOU WILL ALSO PASS AWAY.</p> <p>TIME WILL COME WHEN YOU WILL GIVE MORE TO KNOW YOU HAVE ACTED ARIGHT ON THIS OCCASION THEN YOU CONSIDER YOUR OATH WELL.</p>		<p>THAT COURTS AND JURIES SHALL NOT ACT HASTILY, AND SHALL NO MORE COMMIT JUDICIAL MURDER AT THE COMMAND OF AN EXCITED PEOPLE WHO WERE THIRSTY FOR BLOOD. GENTLEMEN, THE TIME IS SWIFTLY APPROACHING, WHEN YOU AND I MUST ALSO PASS BEYOND THE DARK RIVER,</p> <p>WHEN WE MUST YIELD UP OUR EARTHLY POSSESSIONS. ENTER THE UNKNOWN LAND OF SPIRITS AND STAND BEFORE THE THRONE OF</p>	<p>THAT C OURTS AND JURISES SHALL NOT ACȲT HASTILY— SHALL NO MORE COMMIT JUDICIAL MURDER AT THE COMMAND OF AN EXCITED PEOPLE WHO ARE THUIRSTING FOR BLOOD. GENTLEMEN, THE TIME IS SWIFTLY APPROACHING WHEN YOU AND I MUST ALSO PASS BEYOND THE DARK RIVER;</p> <p>WHEN WE MUST YIELD UP OUR EARTHLY POSSESSIONS,- ENTER THE UNKNOWN LAND OF SPIRITS AND STAND BEFORE THE THROAN OF</p>

RS	PS	RT	BT
<p>WHEN YOU COME {TO}ⁱ LAY DOWN UPON YOUR BED OF DEATH AND THROW ASIDE ALL HOPES OF THIS EARTH KNOWING YOU ARE TRIED <i>RELATES/RELATIV</i> <i>E[?] TO THAT</i> UNKNOWN UNEXPLORED HEREAFTER THEN THE FACT THAT YOU HAVE ◀PERFORMED▶ YOUR DUTY RENDER AND GOT A JUST ◀VERDICT▶ ON</p>		<p>THE EVER- LIVING GOD, TO GIVE AN ACCOUNT OF OUR EARTHLY ACTS, TO RENDER AN ACCOUNT FOR OUR CONDUCT ON THIS OCCASION. GENTLEMEN: YOU HAVE THE LIFE OF A HUMAN BEING IN YOUR HANDS, IT IS A DREAD RESPONSIBILITY . ACT BWELL YOUR PART, AND ACT SO THAT WHEN YOU LIE UPON THE BED OF DEATH, WHEN EARTHLY HOPE HAS FLED,</p>	<p>THE EVER LIVING GOD, TO GIVE AN ACCOUNT OF OUR EARTHLY ACTS; TO RENDER AN ACCOUNT FOR OUR CONDUCT ON THIS OCCASION. GENTLEMEN, YOU HAVE THE LIFE OF A HUMAN BEING IN YOUR HANDS. IT IS A DREADFUL ^[69] RESPONSIBILITY . ACT WELL YOUR PART. ACT SO, THAT WHEN YOU LIE UPON THE BED OF DEATH, WHEN EARTHLY HOPE HAS FLED,</p>

RS

PS

RT

BT

THIS OCCASION WILL BE BROUGHT BY YOU WITH GREATER PRIDE THAN WOULD THE FACT OF YOUR HAVING CONQUERED MILLIONS UPON THE FIELD OF BATTLE.		WHEN ALL DEPENDS UPON YOUR RECEPTION IN THE HEAVEN ABOVE, YOU CAN THEN MEET DEATH WITH A THOUGHT OF HAVING COMMITTED WRONG ON THIS OCCASION. WILL YOU SO ACT ; CLAMOR SAYS LEE MUST DIE. EVIDENCE, JUSTICE, LAW, SAYS NO. YOU OCCUPY NO COMMON POSITION. YOU	WHEN ALL DEPENDS UPON YOUR RECEPTION IN THE HEAVEN ABOVE YOU CAN THEN MEET DEATH WITHOUT A THOUGHT OF HAVING COMMITTED WRONG ON THIS OCCASION. WILL YOU SO ACT? CLAMOR SAYS, LEE MUST DIE! EVIDENCE, JUSTICE, LAW SAYS NO! YOU OCCUPY NO COMMON POSITION. YOU
YOU OCCUPY NO COMMON POSITION. YOU ARE TWELVE MEN SITTING HERE TO TRY A MAN FOR HIS		SIT HERE TO TRY JOHN D. LEE FOR HIS	SIT HERE TO TRY JOHN D. LEE FOR HIS

RS**PS****RT****BT**

<p>LIFE THAT THE POPULAR CLAMOR SAYS SHALL BE CONVICTED AND CONVICTED WHY SIMPLY BECAUSE HE WAS ONCE A MORMON. LIVED IN THE VICINITY OF CEDAR CITY IN 1857 AND WAS UPON THE FIELD AT THE TIME OF THE MOUNTAIN MEADOW MASSACRE. YOU ARE ASKED TO BELIEVE A MAN THAT HAS PROVEN HIMSELF TO BE ONE OF THE VILEST CRIMINALS OF THE AGE. [space] YOU AS ASKED TO DO ALL THIS AND WHY SIMPLY BECAUSE THE PEOPLE ALL THE PEOPLE ARE WATCHING YOU BECAUSE THE DEFENDANT IS OLD THEY ARE THE ONLY REASONS PROSECUTION HAS GIVEN</p>		<p>LIFE.</p> <p>YOU ARE ASKED TO CONVICT HIM BECAUSE HE WAS</p> <p>NEAR THE PLACE AT THE TIME OF THE</p> <p>MASSACRE. YOU ARE ASKED TO BELIEVE A MAN WHO HAS PROVED HIMSELF TO BE ONE OF THE VILEST CRIMINALS OF THE AGE. YOU ARE ASKED TO CONVICT JOHN D. LEE, SIMPLY BECAUSE <u>ALL THE</u> <u>PEOPLE</u> <u>ARE WATCHING</u> <u>YOU</u>, BECAUSE THE DEFENDANT IS OLD. THEY ARE THE ONLY REASONS THE PROSECUTION HAVE GIVEN</p>	<p>LIFE.</p> <p>YOU ARE ASKED TO CONVICT HIM BECAUSE HE WAS</p> <p>NEAR THE PLACE AT THE TIME OF THE</p> <p>MASSACRE. YOU ARE ASKED TO BELIEVE A MAN WHO HAS LPROVEN HIMSELF TO BE ONE OF THE VILEST CRIMINALS OF THE AGE. YOU ARDE ASKED TO COMNVICT JOHN D. .LEE SIMPLY BECAUSE ALL THE PEOPLE ARE WATCHING YOU; BECAUSE THE DEFENDANT IS OLD. THEY ARE THE ONLE REASONS THE PROSECUTION HAVE GIVEN</p>
---	--	--	--

RS

PS

RT

BT

<p>GENTLEMEN OF THE JURY. I WISH THAT I POSSESSED THE POWER TO APPEAL TO YOU AS I KNOW I OUGHT TO DO. I WISH THAT I KNEW HOW TO USE LANGUAGE THAT WOULD</p> <p>IMPRESS UPON YOU THE RESPONSIBILITY OF THE SITUATION YOU NOW OCCUPY [space] ^{[[25]]} I KNOW THAT YOU HAVE YOU HAD RATHER DO RIGHT THAN ANYTHING ELSE I KNOW YOU WISH TO SO ACT WHEN YOU RETIRE FROM THIS PLACE YOU CAN SAY NOTWITHSTANDI NG WHAT OTHERS THINK</p>		<p>YOU FOR ASKING YOU FOR A VERDICT.</p> <p>I WISH THAT I POSSESSED THE POWER TO APPEAL TO YOU, AS I FEEL IT MY DUTY TO DO, ION THIS OCCASION. I WISH THAT I COULD USE THE LANGUAGE THAT WOULD FULLY ^[81]</p> <p>IMPRESS YOU WITH THE RESPONSIBILITY OF THE POSITION YOU NOW OCCUPY. I KNOW THAT YOU WOULD RATHER DO RIGHT THAN ANYTHING ELSE. I KNOW YOU WISH TO SO ACT THAT WHEN YOU RETIRE FROM THIS PLACE</p> <p>AND GO TO YOUR ROOM FOR</p>	<p>YOU FOR ASKING YOU FOR A VERDICT.</p> <p>I WISH THAT I POSSEDD THE POWER TO APPEAL TO YOU AS I FEEL IT MY DUTY TO DO ON THIS OCCASION. I WISH THAT I COULD USE THE N LANGUAGE THAT WOULD FULLY</p> <p>IMPRESS YOU WITH THE RESPONSIBILIT Y OF THE POSITION YOU KNOW OCCUPY. I KNOW THAT YOU WOULD RATHER DO RIGHT ATHAN ANYTHING ELSE. I KNOW YOU WISH TO SO ACT THAT WHEN YOU RETIRE GFROM THIS PLACE</p> <p>AND GO TO YOUR ROOM FOR</p>
---	--	--	--

RS	PS	RT	BT
<p>MY HEART MY CONSCIENCE JUSTIFIES THE ACT KNOWING YOU FEEL THIS WAY I WISH THAT I COULD MORE FULLY PERFECTLY</p> <p>PICTURE TO YOU THE PERFIDY OF THOSE WHO HAVE TURNED STATE'S EVIDENCE AND COULD MORE PERFECTLY PICTURE TO YOU NECESSITY OF YOUR CAREFUL</p> <p>CONSIDERING SITUATION</p> <p>I CAN DO NO MORE THAN I HAVE DONE I CAN ONLY ASK AT THIS TIME REMEMBER THE</p>		<p>CONSULTATION, THAT JUSTICE WILL BE DONE, SO THAT WHEN YOUR DUTY HERE IS ENDED, YOU CAN SAY “MY CONSCIENCE JUSTIFIES THE ACT. KNOWING THAT YOU FEEL THIS WAY, I WISH I COULD MORE</p> <p>PERFECTLY AND COMPLETELY PICTURE TO YOU THE PERFIDY OF THOSE WHO HAVE TURNED STATES EVIDENCE, AND COULD MORE CLEARLY PICTURE TO YOU THE NECESSITY OF YOUR FULLY, CAREFULLY AND CALMLY CONSIDERING THE EVIDENCE IN THIS CASE, BUT I CAN DO NO MORE THAN I HAVE DONE, EXCEPT TO ASK YOU TO REMEMBER THE</p>	<p>CONSULTATION THAT JUSTICE WILL BE DONE; SO THAT WHEN YOUR DUTY HERE IS ENDED, YOU CAN SAY, “MY CONSCIENCE JUSTIFIES THE ACT.” KNOWING YOU FEEL THIS WAY I WISH THAT I COULD MORE</p> <p>PERFECTLY, AND COMPLETELY PICTURE TO YOU THE PERFIDY OF THOSE WHO HAVE TURNED STATES EVIDENCE, AND COULD MORE PERFECTLY PICTURE TO YOU THE NECESSITY OF YOUR CAREFULLY AND CALMLY CONSIDERING THE EVIDENCE IN THIS VCASE. BUT I CAN CAN DO NO MORE THAN I HAVE DONE, EXCEPT TO ASK YOU TO REMEMBER THE</p>

RS	PS	RT	BT
<p>LAW AS IT HAS BEEN GIVEN TO YOU BY THE COURT. RECALL YOU MUST BE CONVINCED BEYOND A REASONABLE DOUBT. YOU MUST BE SATISFIED TO A MORAL CERTAINTY OF THE GUILT OF THIS DEFENDANT OR ELSE YOU MUST ACQUIT HIM. AND MERE GUESS WORK WILL NOT DO. IT IS NOT SUFFICIENT YOU SHOULD BELIEVE IT SEEMED MORE LIKELY HE DID IT {AND}ⁱ THAN HE DIDN'T; THAT WILL NOT {DO}ⁱ. YOU</p> <p>MUST BELIEVE BEYOND ALL QUESTION WITHOUT ANY DOUBT JOHN D. LEE ENTERED INTO CONSPIRACY WITH OTHERS</p>		<p>LAW AS IT HAS BEEN GIVEN TO YOU BY THE COURT. RECOLLECT THAT YOU MUST BE CONVINCED BEYOND A REASONABLE DOUBT, YOU MUST BE SATISFIED TO A MORAL CERTAINTY OF THE GUILT OF THE DEFENDANT, OR YOU MUST ACQUIT HIM. NO MERE GUESS WORK WILL DO.</p> <p>YOU MUST BE SATISFIED, AND MUST BELIEVE, BEYOND A DOUBT,</p> <p>THAT JOHN D. LEE ENTERED INTO THE CONSPIRACY WITH OTHERS NAMED IN THE INDICTMENT,</p>	<p>LAW AS IT HAS BEEN GIVEN TO YOU BY THE COURT. RECOLLECT THAT YOU MUST BE CONVINCED BEYOND A REASONABLE DOUBT. YOU MUST BE SATISFIED TO A MORAL CERTAINTY OF THE GUILT OF THE DEFENDANT OR YOU MUST ACQUIT HIM. NO MORE NO MERE GUESS— WORK WILL DO.</p> <p>YOU MUST BE SATISFIED, MUST BELIEVE BEYOND A DOUBT</p> <p>THAT JOHN D. LEE ENTERED INTO THE ^[70] CONSPIRACY WITH OTHERS NAMED IN THE INDICTMENT</p>

RS**PS****RT****BT**

<p>AND CARRIED {OUT}ⁱ COMMON DESIGN AND AIDED IN {FOR THE}ⁱ MURDER {OF}ⁱ THESE PEOPLE</p> <p>OR ELSE YOU MUST FIND VERDICT OF NOT GUILTY GENTLEMEN OF THE JURY OF THE JURY I CAN'T SEE HOW ANY SET OF MEN CAN BELIEVE THE CLASS OF TESTIMONY THAT THEY HAVE PRODUCED. I CONSIDER IT WHOLLY UNCORROBORAT ED. THE RULE OF LAW IS TOO WELL SETTLED FOR NO⁵⁵³ ONE TO DENY THAT JURORS WILL NOT CONVICT UPON EVIDENCE {OF}ⁱ AN ACCOMPLICE UNLESS THAT IS ALL</p>		<p>AND CARRIED OUT THE COMMON DESIGN; THAT HE AIDED IN THE MURDER OF THOSE PERSONS MASSACRED AT MOUNTAIN MEADOWS, OR YOU MUST FIND A VERDICT OF NOT GUILTY.</p> <p>IF IS A WELL SETTLED PRINCIPLE OF LAW THAT NO JURY CAN JUSTLY CONVICT A PERSON UPON THE EVIDENCE OF AN ACCOMPLICE, UNLESS THAT EVIDENCE IS</p>	<p>AND CARRIED OUT THE COMMON DESIGN; THAT HE AIDED IN THE MURDER OF THOSE PERSONS MASSACRED AT MOUNTAIN MEADOWS OR YOU MUST FIND A VERDICT OF NOT GUILTY.</p> <p>IT IS A WELL SETTLED PTINCIPLE OF LAW THAT NO JURY CAN JUSTLY WCONVICT A PERSON UPON THE EVIDENCE OF AN ACCOMPLICE , UNLESS THAT EVIDENCE IS</p>
--	--	---	---

553. Long "O", added later in ink, would render word "NO".

RS	PS	RT	BT
<p>CORROBORATED BY OTHER EVIDENCE. <i>THEN/EVEN[?] IF</i> THERE ARE SIX ACCOMPLICES</p> <p>UNCORROBORAT ED</p> <p>IT STANDS THE SAME AS ONE.</p> <p>WHEN YOU RETIRE TO YOUR JURY ROOM</p> <p>GENTLEMEN OF THE JURY TALKING THROW OUT OF YOUR TESTIMONY</p> <p>THE STATEMENT OF SMITH WHITE AND THE STATEMENT OF POLLOCK AND</p>		<p>CORROBORATE D BY OTHER EVIDENCE. WHERE SIX ACCOMPLICES STAND UNCORROBORA TED BY OUTSIDE EVIDENCE IT STANDS THE SAME AS IF ONLY AN ACCOMPLICE HAD TESTIFIED. GENTLEMEN OF THE JURY: YOU ARE ABOUT TO RETIRE TO DELIBERATE UPON YOUR VERDICT. WHEN YOU DO RETIRE FOR THAT PURPOSE, THROW OUT ALL THE EVIDENCE OF THE ACCOMPLICES, THAT IS NOT CORROBORATE D BY HONESTTESTI MONY. IN ^{/82/} DOING THAT YOU WILL DISREGARD THE STATEMENTS OF KLINGENSMITH AND WHITE, OF POLLOCK AND</p>	<p>CORROBERATED BY OTHER EVIDENCE. WHERE SIX ACCOMPLICES STAND UNCORROBERA TED BY OUTSIDE EVIDENCE, IT STANDS THE SAME AS IGF ONLY ONE ACCOMPLICE HAD TESTIFIED. GENTLEMEN OF THE JURY, YOU ARE ABOUT TO RETIRE TO DELIBERATE UPON YOUR VERDICT. WHEN YOU DO RETIRE FOR THAT PURPOSE THROW OUT ALL THE EVIDENCE OF THE ACCONMPLICES THAT IS NOT CORROBERATED BY HONEST TESTIMONY IN DOING THAT, YOU WILL DISREGARD THE STATEMENTS OF KLINGENSMITH AND WHITE, OF POLLOCK AND</p>

RS

PS

RT

BT

<p>THE STATEMENT OF YOUNG AND THE STATEMENT OF THE MUSTANG AND OF THE OLD DEAF WOMAN AND WHAT ON EARTH HAVE YOU GOT LEFT?.</p> <p>THEY ARE ALL PERHAPS AGREEING ALL THEIR STATEMENTS THEY ALL TOOK PART IN THE MASSACRE OR SAT BY AND AIDED AND ABETTED OR GAVE AID AND COMFORT AFTER THE THING WAS DONE. STRIPPING CASE GENTLEMEN OF ALL TESTIMONY THAT HAS BEEN INTRODUCED BY <i>ANY</i> <i>SUCH/INTERESTE</i> <i>D[?] WITNESSES</i> YOU CAN NEVER FIND A VERDICT OF GUILTY. ANOTHER THING I WISH TO SAY TO YOU NOW IS THIS WHEN YOU</p>		<p>YOUNG,</p> <p>AND MISTRESS HOGE; THEN WHAT HAVE YOU LEFT TO JUSTIFY CONVICTION ? ABSOLUTELY NOTHING.</p>	<p>YOUNG</p> <p>AND MRS . HOAG. WHEN THEN WHAT HAVE YOU LEFT TO JUSTIFY CONVICTION? ABSOLUTELY NOTHING.</p>
--	--	---	--

RS**PS****RT****BT**

RETIRE
CAREFULLY
CONSIDER THE

INSTRUCTIONS

FROM THE
COURT
CAREFULLY
READ THEM
OVER. FORM NO
PREJUDICE; NO
BIAS TO
INFLUENCE
YOUR VERDICT
BUT GIVE US
BENEFIT OF THE
LAW.

WE
COME IN THE
NAME OF THE
LAW ASKING
YOU FOR A
VERDICT
ACCORDING TO
THE
EVIDENCE.

GIVE
US
BENEFIT OF
THAT
REASONABLE
DOUBT

GIVE US
BENEFIT THAT
WE HAVE A
RIGHT TO CLAIM

CAREFULLY EX
AMINE THE
COURTS
INSTRUCTIONS,
THEY CONTAIN
THE LAW THAT
IS TO GUIDE
YOU IN YOUR
DELIBERATIONS

I ASK THIS
BECAUSE WE
COME IN THE
NAME OF THE
LAW, ASKING
FOR A
VERDICT IN
ACCORDANCE
WITH THE
EVIDENCE AND
THE RULES OF
THE LAW. GIVE
THE PRISONER
THE BENEFIT
OF THE
REASONABLE
DOUBT THAT IS
IN YOUR MINDS.
GIVE HIM
THE BENEFIT
OF THE DOUBT

CAREFULLY
EXAMINE THE
COURTS
INSTRUCTIONS;
THEY CONTAIN
THE LAW THAT
IS TO GUIDE
YOU IN YOUR
DELIBERATIONS

I ASK THIS
BECAUSE
WE COME
IN THE NAME OF
THE LAW
ASKING FOR
A VERDICT IN
ACCORDANCE
WITH THE
EVIDENCE AND
THE RULES OF
LAW. GIVE
THE PRISONER
THE BENEFIT
OF THE
REASONABLE
DOUBT THAT IS
IN YOUR MIN
DS. GIVE HIM
THE BENEFIT
OF THE FACT

RS	PS	RT	BT
<p>FROM THE CHARACTER OF THE MAN ^{[[26]]} SMITH GIVE US BENEFIT ARISING FROM THE FACT THESE OTHERS ARE ALL ACCOMPLICES {AND}¹ OUTSIDE OF THAT THERE IS NO TESTIMONY GIVE US BENEFIT OF ALL THIS AND RECALL THIS MAN'S LIFE IS AS DEAR TO HIM AS YOURS TO YOU AS AMERICAN CITIZEN HE HAS THE RIGHT TO EXPECT OF YOU THAT</p> <p>THE LAW SHALL BE CARRIED OUT AND</p> <p>THAT HE</p> <p>SHALL RECEIVE</p> <p>EVERY BLESSING THAT THE LAW CONFERS UPON ITS CITIZENS EVERY RIGHT OF PROTECTION IN</p>		<p>THAT THE WITNESSES ARE ACCOMPLICES IN THE TRANSACTION.</p> <p>REMEMBER THAT THIS MAN'S LIFE IS DEAR TO HIM AS YOURS IS TO YOU. THAT, AS AN AMERICAN CITIZEN, HE HAS THE RIGHT TO EXPECT OF YOU THAT YOU WILL BE GUIDED BY THE LAW AND CONTROLLED BY LEGAL EVIDENCE; THAT HE HAS A RIGHT TO EXPECT AND RECEIVE AT YOUR HANDS EVERY BLESSING THAT THE LAW CONFERS UPON ITS CITIZENS. EVERY RIGHT THAT IT</p>	<p>THAT THE WITNESSES ARE ACCOMPLICES IN THE TRANSACTION.</p> <p>REMEMBER THAT THIS MANS LIFE IS AS DEAR TO HIM, AS YOURS IS TO YOU. THAT AS AMN AMERICAN CITIZEN HE HAS THE RIGHT TO EXPECT OF YOU THAT YOU WILL BE GUIDED BY THE LAW AND BE CONTROLLED BY LEGAL EVIDENCE. THAT HE HAS A RIGHT TO EXPECT AND RECEIVE AT YOUR HANDS EVERY BLESSING THAT THE LAW CONFERS UPON ITS CITIZENS, EVERY RIGHT THAT IT</p>

RS	PS	RT	BT
<p>EVERY WAY.</p> <p>THE LAW IN ITS MORAL <i>PROFESSION</i>[?] IS MADE FOR THE PROTECTION OF THOSE CHARGED WITH <i>CRIME/MASSACRE</i> [?] [<i>space</i>] GENTLEMEN OF THE JURY I</p> <p>LEAVE THE CASE WITH YOU I HAVE AS FAR AS I CAN AS FAR AS I WAS ABLE TO DURING PROGRESS OF THIS TRIAL LABORED FAITHFULLY EARNESTLY</p> <p>FOR THAT. THAT I BELIEVE TO BE LAW. I HAVE TODAY</p> <p>PRESENTED THIS CASE TO YOU AS I BELIEVE IT SHOULD BE PRESENTED AS FAR AS I AM</p>		<p>GUARANTEES TO THOSE UPON TRIAL FOR ALLEGED CRIMES.</p> <p>GENTLEMEN OF THE JURY, I MUST NOW LEAVE THE CASE IN YOUR HANDS. I HAVE, SO FAR AS I WAS ABLE, DURING THE COURSE OF THIS TRIAL, LABORED FAITHFULLY, EARNESTLY AND CONSTANTLY FOR THAT WHICH I BELIEVE TO BE THE LAW OF THE LAND; I HAVE TO THE BEST OF MY ABILITY PRESENTED THE CASE TO YOU</p>	<p>GUARANTEES TO THOSE UPON TRIAL FOR ALLEGED CRIMES.</p> <p>GENTLEMEN OF THE JURY, I MUST NOW LEAVE THE CASE IN YOUR HANDS; I HAVE SO FAR AS I WAS ABLE, DURING THE COURSE OF THIS TRIAL LABORED FAITHFULLY, REARNESTLY, CONSTANTLY FOR THAT WHICH I BELIEVE TO BE THE ^[71] LAW OF THE LAND. I HAVE TO THE BEST OF MY ABILITY PRESENTED THE CASE TO YOU</p>

RS	PS	RT	BT
<p>ABLE TO DO SO.</p> <p>MY DUTY ENDS HERE. YOURS CONTINUES AND IT BECOMES NOW YOUR DUTY TO FURTHER CONSIDER THIS CASE NOW BECOMES YOUR DUTY EITHER</p>		<p>IN MY ARGUMENT, AS I THINK THE FACTS AND THE TESTIMONY IN THE CASE AND THE SURROUNDINGS JUSTIFIED ME IN DOING. IF I HAVE ERRED IT HAS BEEN AN ERROR,</p> <p>NOT OF THE HEART; IF I HAVE FAILED TO CONVINCE YOU OF THE TRUTH OF MY POSITION, IT IS MY MISFORTUNE, AS WELL AS ^[83] THAT OF THE DEFENDANT. WE NOW PART, SO FAR AS THE CASE, AND THE FATE OF THIS OLD MAN IS CONCERNED. MY DUTY ENDS HERE. YOURS CONTINUES.</p> <p>YOU MUST FURTHER CONSIDER AND ACT AS JURYMEN.</p>	<p>IN MY ARGUEMENT AS I THINK THE FACTS AND THE TESTIMONY IN THE CASE AND THE SURROUNDINGS JUSTIFIED ME IN DOING. IF I HAVE ERRED IT HAS BEEN AN ERROR BUT OF THE MIND BUT NOT OF THE HEART. IF I HAVE FAILED TO CONVINCE YOU OF THE TRUTH OF MY POSITION IT IS MY MISFORTUNE AS WELL AS THAT OF THE DEFENDANT. WE NOW PART SO FAR AS THE CASE AND THE FATE OF THIS OLD MAN IS CONCERNED. MY DUTY ENDS HERE — YOURS CONTINUES.</p> <p>YOU MUST FURTHER CONSIDER AND ACT ΘAS JURYMEN.</p>

RS	PS	RT	BT
<p>FREE YOUR MINDS ALL OF THE GLOSS THAT HAS BEEN PLACED UPON IT BY {THE}ⁱ <i>ARGUMENT</i>[?] OF {THE}ⁱ OPPOSITE COUNSEL. IT BECOMES YOUR DUTY SET YOURSELVES FREE FROM ALL {OF}[†] THE <i>RUMORS</i>[?] OF THIS PUBLIC CLAMOR AND ACT AS MEN SHOULD ACT</p>		<p>FREE YOUR MINDS OF ALL PREJUDICE.</p> <p>FROM ALL THS UNDUE INFLUENCE OF OUTSIDE PRESSURE, OF POPULAR CLAMOR, AND HEED NOT THE BESEECHING ELOQUENCE OF THOSE WHO ARGUE FOR VENGEANCE INSTEAD OF MERCY. THOSE WHO ARGUE FOR POPULAR EFFECT, AND THE PLAUDITS OF AN EXCITED PUBLIC, INSTEAD OF JUSTICE AND LAW. DISREGARD</p>	<p>FREE YOUR MINDS OF ALL PREJUDICE,</p> <p>FROM ALL THE NUNDUE INFLUENCE AND OUTSIDE PRESSURE ZAND POPULAR CLAMOR, AND HEED NOT THE BESEECHING ELOQUENCE OF THOSE WHO ARGUE FOR VENGEANCE INSTEAD OF MERCY; THOSE WHO ARGUE FOR POPULAR EFFECT, AN THE PLAUDITS OF AN EXCITED PUBLIC INSTEAD OF JUSTICE AND LAW. DISREGARD</p>

RS**PS****RT****BT**

<p>I AM SATISFIED YOU WILL ACT YOU DOING YOUR DUTY AS YOU FEEL YOU</p>		<p>EVERYTHING BUT THE LAW AS GIVEN YOU BY THE COURT, AND THE TESTIMONY IN THE CASE; AND THEN WITH A FIXED DETERMINATIO N TO DO JUSTICE BY THE GOVERNMENT AND THE PRISONER AT THE BAR, CAST YOUR BALLOT; YOU WILL THUS PERFORM A NOBLE DUTY, YOU WILL THEN DO A LAWFUL DEED, AND I WILL TRUST YOU TO DO AS I KNOW YOU MUST DO, THAT IS, ACT CONSCIENCIOUS LY UPON THE QUESTION THAT YOU ARE HERE TO DECIDE. BELIEVING YOU WILL SO ACT I HAVE NO FEARS FOR THE RESULT.</p>	<p>EVERYTING BYUT THE LAW AS GIVEN YOU BY THE COURYT AND THE TESTIMONY IN THE CASE, AND THEN WITH A FIXED DETERMINATIO N TO DO JUSTICE BY THE GOVERNMENT AND PRØISONER AT THE BAR CAST YOUR BALLOT. YOU WILL THÜS PERFORM A NOBLE DUTY; YOU WILL DO A LAWFULL DEED, AND I WILL TRUST YOU TO DO AS I KNOW YOU MUST DO, THAT IS, ACT CONSCIENTIOUS LY UPON THE QUESTION THAT YOU ARE TO DECIDE. BELIEVING THAT YOU WILL SO ACT I HAVE NO FEARS FOR THE RESULYT.</p>
--	--	--	---

RS

PS

RT

BT

MUST DO, UNDER
YOUR OATHS
WILL SATISFY
ME BECAUSE
ACTING IN THAT
WAY AS
CONSCIOUS MEN
I CAN'T HAVE
ANY CAUSE TO
FEAR BECAUSE
EVIDENCE OF
THE LAW THE
FACTS IN THIS
CASE WARRANT
ME NOW ASK
YOU GENTLEMEN
TO RENDER
VERDICT

OF NOT
GUILTY IN
BEHALF OF

JOHN D. LEE. 537

PM [space]

YOUR VERDICT
MUST BE
ONE OF NOT
GUILTY IN
BEHALF OF MY
OLD CLIENT,
THIS AGED
DEFENDANT,
JOHN D. LEE.

YOUR VERDICT
~~MEU~~ MUST BE
ONE OF NOT
GUILTY IN
BEHALF OF MY
OLD CLIENT,
THIS AGED
DEFENDANT
JOHN D. LEE. —

—— [page torn]