

John D. Lee, First Trial

Joel White Testimony

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<p>[145] JOEL WHITE SWORN FOR THE PROSECUTION. EXAMINED BY R. N. BASKIN, ESQ.</p> <p>Q. WHAT IS YOUR CORRECT NAME ? A. JOEL W. WHITE. Q. WHAT IS YOUR AGE ? A. I WAS 44 YEARS LAST MARCH. Q. WHERE DO YOU RESIDE ? A. IN CEDAR VALLEY — CEDAR FORT. Q. HOW LONG HAVE YOU RESIDED THERE ? A. WELL I2 OR 13 YEARS.</p> <p>Q. IN WHAT COUNTY IS CEDAR FORT ? A. UTAH COUNTY, THAT IS NORTH. Q. WHERE DID YOU RESIDE IN 1857 ? A. IN CEDAR</p>	<p>[[Bk 3 26 cont.]] BY COURT CALL MR. WHITE [space] <b>JOEL</b> <b>WHITE SWORN</b> BY CLERK. —[?] <b>NAME</b></p> <p>BASKIN Q WHAT IS YOUR NAME WHAT IS YOUR CORRECT NAME A JOEL W WHITE. Q WHAT IS YOUR AGE A I WAS 44 LAST MARCH Q WHERE DO YOU RESIDE A IN CEDAR VALLEY CEDAR FORT Q HOW LONG HAVE YOU RESIDED THERE A WELL TWELVE OR 13 YEARS.</p> <p>IN WHAT COUNTY IS CEDAR FORT A UTAH COUNTY ≤THAT IS&gt; NORTH {OF HERE}¹. Q WHERE DID YOU RESIDE IN 1857 A IN CEDAR</p>	<p>[Bk 3 119]</p> <p>JOEL WHITE SWORN FOR THE PROSECUTION.</p> <p>BY M<sup>R</sup> BASKIN: Q. WHAT <del>DO</del> IS YOUR NAME— WHAT IS YOUR CORRECT NAME? A. JOEL W. WHITE/ Q. WHAT IS YOUR AGE ?; MR. WHITE? A. I WAS 44 LAST MARCH. Q. WHERE DO YOU RESIDE, CEDAR VALLEY, CEDAR FORT? Q. HOW LONG HAVE YOU RESIDED THERE? A. WELL, I2 OR 13 YEARS.</p> <p>Q. IN WHAT COUNTY IS CEDAR FORT? A . IN UTAH COUNTY; THAT IS NORTH OF HERE. Q. WHERE D<del>O</del>ID YOU RESIDE IN '57? A. IN CEDAR CITY,</p>	<p>[[Bk 4 18 cont.]]</p> <p><b>JOEL</b> <b>WHITE SWORN</b> FOR THE PROSECUTION [space]</p> <p>WHAT IS YOUR FIRST NAME JOEL W WHITE WHAT IS YOUR AGE MR. WHITE I WAS 44 LAST MARCH WHERE DO YOU RESIDE CEDAR VALLEY CEDAR FORT HOW LONG ≤HAVE YOU≥ RESIDED THERE I2 YEARS ≤OR 13&gt; NOW I CAN'T SAY EXACTLY WITHOUT RECKONING UP IN WHAT COUNTY IS CEDAR FORT IN UTAH COUNTY THAT IS NORTH YES SIR WHERE DID YOU RESIDE IN 1857 IN CEDAR</p>
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<p>CITY IRON COUNTY. Q. WHERE DID YOU RESIDE IN SEPTEMBER OF THAT YEAR ? A. SAME PLACE. Q. HOW LONG DID YOU RESIDE IN SEPTEMBER OF THAT YEAR ? A. SAME PLACE. Q. HOW LONG DID YOU RESIDE THERE PREVIOUS TO THAT TIME ? A. I MOVED THERE IN THE FALL OF 1854. I WAS THERE UP TO THAT TIME, TILL THE NEXT SPRING, I THINK, AFTERWARDS Q. DO YOU KNOW WHERE THE MOUNTAIN MEADOWS ARE SITUATED, OR WHERE THEY WERE ? A. FROM CEDAR CITY AS NEAR AS I CAN REMEMBER, SOUTHWEST, I BELIEVE. I HAVE BEEN THROUGH THERE SEVERAL TIMES. <sup>[146]</sup> Q.</p>	<p>CITY IRON COUNTY Q WHERE DID YOU RESIDE IN SEPTEMBER OF THAT YEAR; A SAME PLACE</p> <p>QHOW LONG DID YOU RESIDE THERE PREVIOUS TO THAT TIME A I MOVED THERE IN FALL OF 54 WAS THERE UP TO THAT TIME UNTIL NEXT SPRING I THINK AFTERWARDS. QDO YOU KNOW WHERE MOUNTAIN MEADOWS ARE SITUATED &lt;A YES SIR&gt; WHERE THERE WAS? WELL AFROM CEDAR CITY AS NEAR AS I {REMEMBER} I SOUTHWEST I BELIEVE I HAVE BEEN THROUGH THERE SEVERAL TIMES. Q</p>	<p>IRON COUNTY. Q. WHERE DID YOU RESIDE IN SEPTEMBER OF THAT YEAR? A. IN THE SAME PLACE.</p> <p>Q. HOW LONG DID YOU RESIDE THERE PREVIOUS TO THAT TIME? A. I MOVED THERD IN THE FALL OF '54, AND WAS THERE UP TO THAT TIME; TILL THE NEXT SPRING; I THINK AFTERWARDS. Q. DO YOU KNOW WHERE THE MOUNTAIN MEADOWS ARE SITUATED? A. YES, SIR. Q. WHERE? A. WELL, FROM CEDAR CITY AS NEAR AS I CAN REMEMBER, SOUTHWEST I BELIEVE. I HAVE BEEN THROUGH THERE SEVERAL TIMES. Q.</p>	<p>CITY IRON COUNTY WHERE DID YOU RESIDE IN SEPTEMBER OF THAT YEAR A IN THE SAME PLACE</p> <p>HOW LONG RESIDED THERE PREVIOUS TO THAT TIME I MOVED THERE IN THE FALL OF 54 AND WAS THERE UP TO THAT TIME UNTIL THE NEXT SPRING I THINK AFTERWARDS DO YOU KNOW WHERE THE MOUNTAIN MEADOWS ARE SITUATED YES SIR WHERE WELL FROM CEDAR CITY AS NEAR AS I CAN RECALL[?] SOUTHWEST I BELIEVE</p> <p>ABOUT</p>
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<p>HOW MANY MILES SOUTH OF IT ? A. I THINK IT IS THIRTY FIVE MILES, SUCH A MATTER AS NEAR AS I CAN RECOLLECT.</p> <p>Q. WHAT COUNTY IS IT IN ? A. I DON'T KNOW AS I KNOW THAT; IT WAS NOT LAID OFF IN COUNTIES WHEN I WAS THERE. Q. WERE YOU EVER UPON THE GROUND OF THE MOUNTAIN MEADOWS ? A. YES SIR. Q. I WISH YOU WOULD STATE TO THE JURY IN YOUR OWN WAY WITHOUT MY ASKING QUESTIONS HOW YOU CAME TO BE THERE AND THE CIRCUMSTANCES CONNECTED WITH IT ?</p> <p>HOGE:</p> <p>THE</p>	<p>HOW MANY MILES SOUTH OF IT? I THINK IT IS 35 MILES, OR SUCH A MATTER AS NEAR AS I CAN RECOLLECT</p> <p>Q WHAT COUNTY IS IT IN A I DON'T KNOW AS I KNOW THAT IT WAS NOT LAID OFF IN COUNTIES WHEN I WAS THERE. Q WERE YOU EVER UPON THE GROUND OF MOUNTAIN MEADOWS A YES SIR. Q WOULD YOU STATE JURY IN YOUR OWN WAY WITHOUT MY ASKING QUESTIONS HOW YOU CAME TO BE THERE &lt;AND THE&gt; CIRCUMSTANCES CONNECTED WITH IT [space]</p> <p>BY HOGE YOUR HONOR PLEASE. WISH</p>	<p>HOW MANY MILES SOUTH OF IT? A. I THINK IT IS 35 MILES, OR SUCH A MATTER AS NEAR AS I CAN RECOLLECT FROM CEDAR CITY. Q. WHAT COUNTY IS IT IN? A. I DON'T KNOW AS I KNOW THAT; IT WAS NOT LAID OFF IN COUNTIES WHEN I WAS THERE? [120] Q. WERE YOU EVER UPON THE GROUND OF THE MOUNTAIN MEADOWS? A. YES, SIR. Q. WON'T YOU STATE TO THE JURY IN YOUR OWN WAY WITHOUT MY KEEPING ASKING YOU QUESTIONS, HOW YOU CAME TO BE THERE AND THE CIRCUMSTANCES CONNECTED WITH IT-?</p> <p>M<sup>R</sup> HOGE: IF YOUR HONOR PLEASE, WE WISH THE</p>	<p>HOW MANY MILES SOUTH OF IT I THINK IT IS ABOUT 35 MILES OR SUCH A MATTER</p> <p>FROM CEDAR [space] WHAT COUNTY IS IT IN I DON'T KNOW AS I KNOW THAT IT WAS NOT LAID OFF IN COUNTIES WHEN I WAS THEN [space] WERE YOU EVER UPON THE GROUND OF THE MOUNTAIN MEADOWS YES SIR</p> <p>STATE TO THE JURY IN YOUR OWN WAY WITHOUT OUR ASKING QUESTIONS HOW YOU CAME TO BE THERE AND THE CIRCUMSTANCES CONNECTED WITH IT OBJECTED TO &lt;HOGE&gt;</p>
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<p>QUESTION          OUGHT TO BE          PUT          AS TO          WHETHER HE          WAS EVER          THERE OR NOT.          [space] THE          PROSECUTION          TAKE IT FOR          GRANTED THAT          HE WAS THERE          AT THE TIME          OF THE          ALLEGED</p> <p>MASSACRE; AT          THIS POINT WE          ASK THE          COURT TO          NOTIFY HIM</p> <p>THAT HE NEED          NOT ANSWER          ANY          QUESTIONS</p> <p>THAT WILL          HAVE A          TENDENCY TO          FIX CRIME UPON          HIMSELF.          BASKIN          OBJECTED THAT          DEFENDANTS          HAD NO RIGHT</p>	<p>QUESTION TO          BE          PUT          AS TO          WHETHER HE          WAS EVER          THERE OR NOT.          THEY</p> <p>TAKE IT FOR          GRANTED WAS          HE THERE          {AT THE TIME}<sup>i</sup>          OF <sup>[[2?]]</sup></p> <p>ALLEGED</p> <p>MASSACRE AT          THIS PLACE          ASK THE          COURT          NOTIFY HIM</p> <p>NEED          NOT ANSWER          NO<sup>188</sup>          QUESTIONS</p> <p>THAT WILL          HAVE          TENDENCY TO          FIX CRIME UPON          HIMSELF.          BY BASKIN IT IS          MY <i>OPINION</i>[?]          DEFENSE          HAS NO RIGHT</p>	<p>QUESTION TO          BE          PUT TO THE          WITNESS AS TO          WHETHER HE          WAS EVER          THERE OR NOT.</p> <p>COUNSEL          TAKES IT FOR          GRANTED THAT          HE WAS THERE          AT THE TIME</p> <p>ALLEGED; AND          AT THE          MASSACRE AT          THIS PLACE. WE          ASK THE          COURT TO          NOTIFY HIM</p> <p>THAT HE NEED          NOT ANSWER          ANY          QUESTIONS ,          AND THAT SUCH          IS HIS          PRIVILEGE, <del>AND</del>  <b>THAT HE NEED          NOT STATE          ANYTHING</b>          THAT WILL          HAVE A          TENDENCY TO          FIX CRIME UPON          HIMSELF. M<sup>R</sup>          BASKIN: GO ON          AND          ANSWER MY          QUESTION.</p>	<p>≤T[?]≥          ASK THAT THE          COURT          NOTIFY HIM          WHAT HIS          PRIVILEGE IS          THAT HE NEED          NOT ANSWER          ANY          QUESTION          TENDING TO          CRIMINATE          HIMSELF AND</p> <p>TEND TO          FIX CRIME ON          HIMSELF.          [space]</p>
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188. Vowel indicates the word is “NO”.

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<p>TO CLAIM ANY SUCH INSTRUCTIONS.</p> <p>THE COURT INSTRUCTED THE WITNESS THAT HE NEED NOT TESTIFY AS TO MATTERS THAT WOULD CRIMINATE HIM. <del>WIT.: IN REFERENCE TO WHAT HAPPENED AS TO THE COMPANY PASSING THROUGH CEDAR CITY I WASN'T AT HOME AT THE TIME THEY PASSED THROUGH; I HEARD ABOUT A TROUBLE AND DIFFICULTY THAT THEY HAD HAD IN THE PLACE; I THINK THE NEXT DAY I</del></p>	<p>TO CLAIM [<i>space</i>] BY HOGE WE HAVE {A}<sup>i</sup> RIGHT {TO SAY TO WITNESS}<sup>i</sup> THAT HE MAY NOT CRIMINATE HIMSELF OR ANSWER ANY QUESTION THAT WILL TEND TO CRIMINATE HIMSELF NEED NOT FURNISH SINGLE LINK. BY COURT WITNESS NEED NOT CRIMINATE HIMSELF IF HE SEES PROPER</p>	<p><b>M<sup>R</sup> HOGGE:</b> WE HAVE A RIGHT TO SAY TO THE WITNESS THAT HE NEED NOT CRIMINATE HIMSELF OR ANSWER ANY QUESTION THAT WILL TEND TO CRIMINATE HIMSELF AND NEED NOT FURNISH A SINGLE LINK. <b>THE COURT:</b> WITNESS NEED NOT CRIMINATE HIMSELF <b>UNLESS IF HE SEES PROPER.</b></p>	
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<p><del>CAME HOME, AS NEAR AS I CAN RECOLLECT; THE NEXT DAY</del> <sup>[147]</sup> Q. GO ON MR. WHITE AND ANSWER MY QUESTION, THAT IS I WANT TO CALL YOUR ATTENTION TO THE MOUNTAIN MEADOWS MASSACRE AND WISH YOU TO TELL WHAT YOU KNOW ABOUT IT AND TELL WHAT CONNECTION IF ANY YOU HAD WITH IT, AND COMMENCE IN THE ORDER IN WHICH</p> <p>THE EVENTS OCCURRED, TELL IT IN YOUR OWN WAY ? WIT.: IN REFERENCE TO WHAT HAPPENED AS TO THE COMPANY PASSING THROUGH CEDAR CITY, I WAS NOT AT HOME AT THE TIME</p>	<p>Q GO ON MR. WHITE ANSWER MY QUESTION; THAT IS I WANT TO CALL YOUR ATTENTION TO MOUNTAIN MEADOWS MASSACRE</p> <p>TELL WHAT YOU KNOW ABOUT IT AND TELL WHAT CONNECTION IF ANY YOU HAD WITH IT, AND COMMENCE IN THE ORDER IN WHICH {THE}<sup>i</sup> &lt;THING THERE OCCURRED&gt;</p> <p>THE EVENTS OCCURRED TELL IT IN YOUR OWN WAY. [space]</p> <p>QA WHEN THIS COMPANY PASSED THROUGH CEDAR CITY I WAS NOT AT HOME TIME</p>	<p>MR BASKIN: I WANT TO CALL YOUR ATTENTION TO THE MOUNTAIN MEADOW MASSACRE, AND HAVE YOU TELL WHAT YOU KNOW ABOUT IT , AND WHAT CONNECTION IF ANY YOU HAD WITH IT. COMMENCE IN THE ORDER IN WHICH THE THING</p> <p>OCCURRED; AND TELL IN YOUR OWN WAY</p> <p>WHEN THIS COMPANY PASSED THROUGH TO CEDAR CITY? A. I WAS NOT AT HOME AT THE TIME ; I WAS NOT AT HOME</p>	<p>GO ON AND ANSWER MY QUESTION Q I WANT TO CALL YOUR ATTENTION TO THE MOUNTAIN MEADOW MASSACRE AND</p> <p>TELL WHAT YOU KNOW ABOUT IT AND WHAT CONNECTION IF ANY YOU HAD WITH IT AND COMMENCE IN THE ORDER IN WHICH THE THING</p> <p>OCCURRED AND TELL IT IN YOUR OWN WAY</p> <p>WHEN THIS COMPANY PASSED THROUGH CEDAR CITY AI WAS NOT AT HOME AT THE TIME</p>
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<p>THEY PASSED THROUGH THERE; I HEARD ABOUT A TROUBLE AND DIFFICULTY THEY HAD IN THE PLACE; I THINK THE NEXT DAY I CAME HOME, AS NEAR AS I CAN RECOLLECT, THE NEXT DAY AFTER THIS COMPANY HAD PASSED THROUGH.</p>	<p>THEY PASSED THROUGH THERE I HEARD CONSIDERABLE TROUBLE DIFFICULTY THEY HAD IN PLACE. I THINK THE NEXT DAY I CAME HOME, AS NEAR AS I CAN RECOLLECT THE NEXT DAY AFTER THIS COMPANY HAD PASSED THROUGH;</p>	<p>AT THE TIME THEY PASSED THROUGH THERE. I HEARD CONSIDERABLE TROUBLE — DIFFICULTY THEY HAD IN THE PLACE. I THINK THE NEXT DAY— I THINK I CAME HOME</p>	<p>THEY PASSED THROUGH <sup>[[19]]</sup> THERE I HEARD CONSIDERABLE TROUBLE AND DIFFICULTY THEY HAD HAD IN THE PLACE UNTIL THE NEXT DAY I THINK I CAME HOME [space]</p>
<p>MR. HAIGHT ,MR. SMITH AND TWO OR THREE OTHER MEN WAS THERE TOGETHER; I DON'T RECOLLECT WHO ONE WAS, WE WERE IN THE CITY CLOSE TO THE OLD SCHOOL HOUSE AND WHEN I SAW THEM MR. HAIGHT WANTED TO KNOW IF I WOULD TAKE A</p>	<p>MR. HAIGHT, MR. SMITH TWO OR THREE OTHER MEN WAS THERE TOGETHER; &lt;Q&gt;WHERE? I DON'T RECOLLECT BUT ONLY SAY WERE IN THE CITY CLOSE TO {THE}<sup>1</sup> OLD SCHOOL HOUSE THERE. WHEN I SAW THEM MR. HAIGHT WANTED TO KNOW IF I WOULD TAKE</p>	<p>THE NEXT DAY THIS COMPANY PASSED THROUGH THERE AS NEAR AS I CAN RECOLLECT. MR. HAIGHT, MR. SMITH AND TWO OR THREE OTHER MEN WAS THERE TOGETHER- Q. WHERE?</p> <p>A. IN THE CITY, CLOSE TO THE OLD SCHOOL HOUSE THERE; AND WHEN I SAW THEM, MR. HAIGHT WANTED TO KNOW IF I WOULD TAKE A</p>	<p>NEXT DAY AFTER THIS COMPANY PASSED THROUGH</p> <p>MR. HAIGHT MR. SMITH AND TWO OR THREE OTHER MEN WAS THERE TOGETHER [space] WHERE [space]</p> <p><del>WAS IN</del> IN THE CITY CLOSE TO THE OLD SCHOOL HOUSE THERE WHEN I SAW THEM MR. HAIGHT WANTED TO KNOW IF I WOULD TAKE A</p>



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<p>LETTER, HE WANTED TO SEND AN EXPRESS TO PAINTER CREEK AND WANTED TO KNOW IF I WOULD GO WITH HIM — BISHOP SMITH. I TOLD HIM I WOULD. Q. WAS THERE ANYTHING SAID AS TO THE OBJECT OF SENDING THE LETTER ? A. THE OBJECT OF SENDING THE LETTER WAS TO A MAN THERE, KINDER HEAD OF THE CHURCH, THE SUPERINTENDEN T OF THE INDIANS, TO PACIFY THE INDIANS AND LET THE COMPANY PASS BY UNMOLESTED. Q. I WISH YOU WOULD REMEMBER THE PARTIES WHO WERE</p>	<p>LETTER; {HE}<sup>i</sup> WANTED {TO}<sup>i</sup> SEND {AN}<sup>i</sup> EXPRESS TO PINTO CREEK {AND}<sup>i</sup> WANTED {TO}<sup>i</sup> KNOW IF I WOULD GO WITH HIM, {MR. SMITH}<sup>i</sup> I TOLD HIM I WOULD. WAS THERE <sub>Q</sub> ANYTHING SAID {AS TO THE}<sup>i</sup> OBJECT OF SENDING {THE}<sup>i</sup> LETTER? A {THE}<sup>i</sup> OBJECT OF SENDING LETTER WAS TO MAN THERE KINDER HAD CHARGE THE SUPERINTENDE NCY OF INDIANS; TO PACIFY INDIANS {AND}<sup>i</sup> LET THE COMPANY PASS BY UNMOLESTED <sub>Q</sub> I WISH YOU WOULD REMEMBER {THE}<sup>i</sup> PARTIES {WHO}<sup>i</sup> WERE</p>	<p>LETTER. HE SAID <sup>[121]</sup> HE WANTED TO SEND AN EXPRESS OVER TO PINTO CREEK;  I TOLD HIM—— — Q. WAS THERE ANYTHING SAID WHAT THE OBJECT OF THE LETTER W AS? A. WELL, HE TOLD ME THE OBJECT OF SENDING THE LETTER, WAS TO THE MAN THERE THAT KIND OF HAD CHARGE, AND SUPERINTENC D ENCY OF THE INDIANS, TO PACIFY THE INDIANS AND LET THE COMPANY PASS BY UNMOLESTED. Q. I WISH Y OU WOULD TRY AND REMEMBER THE PARTIES, ALL THAT WERE</p>	<p>LETTER SAID HE WANTED TO SEND AN EXPRESS OVER TO PINTO CREEK AND  I TOLD HIM [<i>space</i>]  <sub>Q</sub> WAS THERE ANYTHING SAID WHAT THE OBJECT OF THE LETTER WAS <sub>A</sub> WELL HE TOLD ME THE OBJECT OF SENDING THE LETTER WAS TO THE MAN THERE THAT KIND OF HAD <i>CHARGE</i>[?]  LET THE COMPANY PASS BY UNMOLESTED  <sub>Q</sub> REMEMBER WHO THE PARTIES THE PERSON</p>
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<p>PRESENT TALKING WHEN THAT PARTICULAR MATTER WAS BROUGHT UP AT THAT TIME WITH MR. HAIGHT ? A. I AM NOT POSITIVE THAT I COULD CALL THEIR NAMES FOR CERTAIN, ONLY MR. SMITH AND MR. HAIGHT. I THINK THERE WAS ABOUT TWO OR THREE MORE;</p> <p>I DIDN'T HEAR THE CONVERSATION, BUT JUST AS I CAME ALONG HE ASKED ME <sup>[148]</sup> THAT QUESTION.</p> <p>I KNOW NOTHING AT ALL MORE THAN THAT. Q. WELL STATE WHAT WAS DONE ? A. MR.</p>	<p>PRESENT TALKING WHEN {THE}<sup>i</sup> PARTICULAR MATTER {WAS BROUGHT UP}<sup>i</sup> AT THAT TIME WITH MR. HAIGHT <sub>A</sub>I AM NOT POSITIVE THAT I COULD CALL THEIR NAMES {FOR}<sup>i</sup> CERTAIN, ONLY MR. SMITH {AND}<sup>i</sup> MR. HAIGHT. I THINK THERE WAS {TWO}<sup>i</sup> TWO OR 3 MORE,</p> <p>{I}<sup>i</sup> DIDN'T HEAR {THE}<sup>i</sup> CONVERSATION, BUT JUST AS {I}<sup>i</sup> CAME ALONG HE ASKED ME THAT QUESTION,</p> <p>I KNOW NOTHING AT ALL MORE THAN THAT. Q</p> <p>WHAT WAS DONE? MR.</p>	<p>PRESENT TALKING WHEN THE MATTER WAS BROUGHT UP AT THAT TIME WITH MR. HAIGHT? A. I AM NOT POSITIVE THAT I COULD CALL THEIR NAMES FOR CERTAIN, Q. <del>MR</del> ONLY MR. SMITH AND MR. HAIGHT. Q. ANY MOERE? A. I THINK THERE WAS TWO O<del>F</del>R THREE MO<del>F</del>RE THERE. Q. DID YOU HEAR THEIR CONVERSATION ? A. NO, SIR?, I DIDN'T HEAR THEIR CONVERSATION, BUT JUST AS I CAME ALONG HE ASKED ME THAT QUESTION. Q. DO YOU KNOW WHAT THEY WERE TALKING ABOUT? A. NO, SIR. Q.</p> <p>WHAT WAS DONE? A. MR.</p>	<p>TALKING WHEN YOU CAME  UP AT THAT TIME WITH MR. HAIGHT <sub>A</sub>I AM NOT POSITIVE OF ANY MORE <i>[space]</i>  ONLY MR. SMITH AND MR. HAIGHT <i>BUT</i>[?] I THINK THERE WAS TWO OR 3 MORE THERE DID YOU HEAR THEIR CONVERSATION NO SIR  JUST AS I CAME ALONG HE ASKED ME THAT QUESTION DO YOU KNOW WHAT THEY WERE TALKING ABOUT NO SIR  WHAT WAS DONE <sub>A</sub>MR.</p>
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**RT****RS****BT****PS**

<p>SMITH VOLUNTEERED TO GO WITH ME; SAYS HE I WILL GO OVER WITH YOU. WE WENT, SADDLED UP OUR HORSES AND WENT OVER THERE AS WE GOT DOWN TO THE SIDE OF THE FIELD</p> <p>WE MET MR. LEE, DRIVING UP IN A WAGON. HE WANTED TO KNOW WHERE WE WAS GOING. WE TOLD HIM. HE ASKED THE QUESTION SOMETHING ABOUT THIS COMPANY</p> <p>PASSING, WHAT WAS THE FEELINGS OF THE PEOPLE ABOUT IT. WE TOLD HIM IT WAS TO LET THEM PASS.</p> <p>WE</p>	<p>SMITH VOLUNTEERED TO GO WITH ME; SAYS HE I WILL GO OVER WITH YOU; WE WENT SADDLED UP OUR HORSES {AND}<sup>i</sup> WENT OVER THERE. AS WE GOT DOWN TO {THE}<sup>i</sup> SIDE OF {THE}<sup>i</sup> FIELD;</p> <p>WE MET MR. LEE DRIVING UP IN {A}<sup>i</sup> WAGON; HE WANTED TO KNOW WHERE WE WAS GOING, WE TOLD HIM. {HE}<sup>i</sup> ASKED A QUESTION SOMETHING ABOUT THIS COMPANY</p> <p>PASSING, WHAT WAS THE FEELINGS {OF THE}<sup>i</sup> PEOPLE ABOUT IT, WE TOLD HIM IT WAS TO LET THEM PASS,</p> <p>WE</p>	<p>SMITH VOLUNTEERED TO GO WITH ME; SAID HE, "IWILL GO OVER WITH YOU." WE WENT AND SADDLED UP OUR<del>R</del> HORSES AND WENT OVER THERE. AS WE GOT DOWN BY THE SIDE OF THE FIELD, BEFORE WE TURNED OFF FROM THE FIELD , WE MET MR. LEE DRIVING UP IN A WAGON. HE WASNTED TO KNOW WHERE WE WERE GOING, AND WE TOLD HIM. HE ASKED THE QUESTION SOMETHING AB OUT THIS <b>COMPANY</b> <b>QUESTION</b></p> <p>PASSING<del>M</del>, AND WHAT WAS THE FEELINGS OF THE PEOPLE ABOUT IT. WE TOLD HIM IT WAS TO LET THEM PASS, AND FOR THE INDIANS TO BE PACSSIFIED, AND THAT WE</p>	<p>SMITH VOLUNTEERED TO GO WITH ME SAID HE I WILL GO OVER WITH YOU WE WENT AND SADDLED UP OUR HORSES AND WENT OVER AS WE GOT DOWN BY THE SIDE OF THE FIELD BEFORE WE TURNED OFF ON[?] THE FIELD WE MR. LEE DRIVING UP IN A WAGON. WANTED TO KNOW WHERE WE WERE GOING, AND WE TOLD HIM. ASKED QUESTION SOMETHING ABOUT THIS COMPANY</p> <p>PASSING AND WHAT FEELINGS OF THE PEOPLE WAS. WE TOLD HIM LET IT PASS HAVE THE INDIAN PACIFIED AND</p>
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<p>WERE GOING ON THAT BUSINESS, AND TO HAVE THE INDIANS PACIFIED AND ME AND SMITH WAS TO HAVE THEM PASS. SAYS HE, "I DON'T BELIEVE IT,</p> <p>I HAVE SOMETHING TO DO WITH IT" I CAN'T REMEMBER JUST EXACTLY WHICH ONE OF THEM WORDS HE USED.</p> <p>IT WAS SOMETHING OR OTHER LIKE THAT. HE TURNED AND RODE ON. WE WENT TO <del>PINTO</del> <del>&lt;PAINTER&gt;</del> CREEK. I GAVE THE</p> <p>LETTER I HAD, A SEALED LETTER, TO A MAN</p>	<p>WERE GOING ON THAT BUSINESS THEN TO HAVE {THE}<sup>1</sup> INDIANS PACIFIED AND <i>MY/ME[?]</i> <sup>[128]</sup> WAS TO LET THEM PASS; <del>&lt;WELL&gt;</del> SAYS HE; I DON'T BELIEVE IT OR</p> <p>I HAVE SOMETHING TO DO WITH IT. <del>&lt;I</del> CAN'T REMEMBER<del>&gt;</del> JUST EXACTLY WHICH ONE OF THEM WORDS HE USED,</p> <p>IT WAS SOMETHING OR OTHER AFTER THAT HE TURNED RODE ON, HE RODE ON. WE WENT TO PINTO CREEK, I GAVE</p> <p>LETTER I HAD, <del>&lt;A&gt;</del> SEALED LETTER, TO MAN</p>	<p>WERE GOING ON THAT BUSINESS; THAT IS, TO HAVE THE <del>INDIANXS PASSI</del> PACIFIED; AND MY ORDERS WERE TO LET THEM PASS. WELL, SAYS HE, " I DON'T BELIEVE IN THAT", OR , "IHAVE SOMETHING TO DO WITH IT;"<sup>2</sup> I CAN'T REMEMBER <sup>[122]</sup> JUST EXACTLY WHICH ONE OF <del>THESE THEM</del> WORDS HE USED. "I BELIEVE IT THAT WAY" OR , "HAVE SOMETHING TO DO WITH IT." IT WAS SOMETHING OR OTHER AND HE DROVE ON — TURNED AND RODE ON. WE WENT TO PINTO CREEK, AND I GAVE <del>THE A SEALED A SEALED</del> LETTER I HAD,</p> <p>TO THE MAN</p>	<p>LET THEM PASS. WELL SAYS HE I DON'T BELIEVE IN THAT OR I HAVE SOMETHING TO DO WITH IT [<i>space</i>]</p> <p>JUST WHICH OF THOSE WORDS [<i>space</i>] I DON'T BELIEVE IT THAT WAY OR I HAVE SOMETHING TO DO WITH IT [<i>space</i>]</p> <p>AND HE DROVE ON WE HEADED ON [<i>space</i>]</p> <p>WENT TO PINTO CREEK AND GAVE THE SEALED LETTER</p> <p>TO THE MAN</p>
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**RT****RS****BT****PS**

<p>THERE, I THINK IT WAS RICHARD ROBERTS ON THAT HAD THE OVERSIGHT OF THE INDIANS. THERE HAD BEEN TWO OR THREE DIFFERENT</p>	<p>THERE I THINK IT WAS RICHARD ROBINSON THAT HAD OVERSIGHT OF INDIANS. THERE HAD BEEN TWO OR 3 DIFFERENT</p>	<p>THERE. I THINK IT WAS RICHARD ROBINSON. I THINK HE WAS A KIND OÐF INDIAN MISSIONARY; HAD THE OVERSIGHT OF THE INDIANS; HE WAS THE ONE THAT HAD CHARGE AT THEAT TIME. THE LETTER WAS DIRECTED <b>TO HIM.</b></p>	<p>THERE I THINK  RICHARD <i>ROBINSON/RBSNS</i> [?] <sup>[[20]]</sup> I THINK THAT HAD A KIND OF INDIAN MISSIONARY</p>
<p>ONES THAT HAD CHARGE\$ THERE AT DIFFERENT TIMES FROM TIME TO TIME. Q. WHO WAS THE PERSON THAT HAD CHARGE OF THAT TIME, AND WHAT POSITION DID HE HOLD IN THE MILITIA OR THE CHURCH ?</p>	<p>ONES THAT HAD —[?] CHARGE  FROM TIME TO TIME. Q WHO WAS PERSON HAD CHARGE AT THAT TIME WHAT POSITION DID HE HOLD IN MILITIA OR CHURCH</p>	<p>Q. WHAT POSITION DID HE HOLD IN THE MILLITIA OR IN THE CHURCH AT THAT TIME? A. I</p>	<p>HE WAS THE ONE THAT HAD CHARGE AT THAT TIME [space] LETTER WAS DIRECTED  WHAT POSITION DID HE HOLD IN THE MILITIA OR IN THE CHURCH</p>
<p>A. I DIDN'T KNOW HE HAD ANY IN THE MILITIA, OR</p>	<p>A I DIDN'T KNOW HE HAD ANY IN MILITIA</p>	<p>DON'T KNOW THAT HE HELD ANY IN THE MILLITIA OR</p>	<p>I DON'T KNOW THAT HE HELD ANY IN THE MILLITIA NOR I DO NOT KNOW THAT HE HELD ANY</p>
<p>HELD ANY ONE PØ PARTICULARLY IN THE CHURCH. THERE WAS SOME INDIAN MISSIONARIES THAT WAS LOOKING</p>	<p>HELD ANY PARTICULAR IN CHURCH. THERE WAS SOME INDIAN MISSIONARIES THERE THAT WAS LOOKING</p>	<p>HELD ANY PARTICULARLY <b>POSITION</b> IN THE CHURCH. THERE WAS <b>SOME INDIAN</b> MISSIONARIES THERE THAT WAS LOOKING</p>	<p>PARTICULARLY IN THE CHURCH THERE WAS SOME INDIAN MISSIONARIES THERE THAT WAS LOOKING</p>

**RT**

**RS**

**BT**

**PS**

<p>AFTER THE INDIANS LIKE, THAT IS THEY WERE MISSIONARIES. Q. BY <del>W</del>GOP WHOM WERE THEY SENT ? A. FROM THE CHURCH, THEY WERE SENT DOWN THERE AS INDIAN MISSIONARIES AND HAD BEEN AMONG THE INDIANS. THIS LETTER WAS SENT TO HIM AS HE HAD A KINDER OVERSIGHT OF THE INDIANS. THE INDIANS WERE KINDER HOSTILE</p> <p>AND <sup>[149]</sup> THIS LETTER WAS SENT TO HIM TO PACIFY THEM.</p> <p>Q. WHO WAS IT TOLD YOU — BY WHOM ?</p> <p>A. BY MR. HAIGHT. MR.</p>	<p>AFTER {THE}<sup>1</sup> INDIANS LIKE. THAT IS THEY WERE MISSIONARIES Q<sub>BY</sub> WHOM?</p> <p>FROM THE CHURCH THEY WAS SENT DOWN THERE AS INDIAN MISSIONARIES AND HAD BEEN AMONG INDIANS. THIS LETTER WAS SENT TO HIM AS HE HAD KINDER OVERSIGHT OF INDIANS INDIANS WERE KINDER HOSTILE</p> <p>THIS WAS TO HIM TO PACIFY THEM. [space]</p> <p>Q YOU WAS TOLD THAT BY WHOM</p> <p>A<sub>BY</sub> MR. HAIGHT.</p>	<p>AFTER THE INDIANS THERE LIKE. Q. MISSIONARIES FROM WHOM? A. FROM THE CHURCH, THAT WAS SENT DOWN THERE AS INDIAN MISSIONARIES, AND HAD BEEN AMONG THE INDIAND. THIS LETTER WAS SENT TO HIM AS HE HAD KIND OF OVERSIGHT OF THE INDIANS. THE INDIANS WAS VERY HOSTILE; A GREAT DEAL OF TALK AMONG THEM, AND THIS LETTER WAS <del>FROM</del> FOR HIM TO PACIFY THE INDIANS, AND LET THEM PASS DOWN THROUGH THERE. Q. YOU SAY <del>YOU TOLD HIM BY WHOM?</del> THAT WAS DELIVERED TO YOU BY WHOM? A. BY MR. HAIGHT,</p>	<p>AFTER THE INDIANS MISSIONARIES OF WHOM [space]</p> <p>FROM THE CHURCH THEY WAS SENT DOWN THERE AS INDIAN MISSIONARY</p> <p>THIS LETTER WAS TO HIM AS HE KIND OF HAD OVERSIGHT OF THEM INDIANS INDIANS WAS VERY HOSTILE A GREAT DEAL OF TALK AMONG THEM AND THIS LETTER WAS FOR HIM TO PACIFY THE INDIANS AND LET THEM PASS WAS WHAT I WAS TOLD [space] TOLD THAT BY WHOM</p> <p>BY MR. HAIGHT</p>
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**RT**

**RS**

**BT**

**PS**

<p>SMITH AND I TOOK THE LETTER. HE SAYS I WILL GO WITH YOU. WE HAD TO GO OVER IN THE NIGHT. Q. DID YOU AND MR. SMITH HAVE ANY CONVERSATION ABOUT THE CONTENTS OF THE LETTER ? A. NOTHING MORE THAN WHAT WAS SAID THAT IT WAS THE CONTENTS OF A LETTER FOR THAT PURPOSE AND</p> <p>THE LETTER WAS SEALED.</p> <p>Q. AFTER YOU DELIVERED THE LETTER WHAT DID YOU DO THEN ? — WITH WHOM DID YOU SAY ?</p>	<p>MR. SMITH {AND}<sup>i</sup> I TOOK LETTER; HE SAYS I WILL GO WITH YOU, WE HAD TO GO OVER IN THE NIGHT. Q DID YOU AND MR. SMITH HAVE ANY CONVERSATION ABOUT CONTENTS OF THE LETTER A NOTHING MORE THAN WHAT WAS SAID THAT IT WAS CONTENTS OF LETTER FOR THAT PURPOSE</p> <p>LETTER WAS SEALED.</p> <p>AFTER YOU DELIVERED LETTER WHAT DID YOU DO THEN?<sup>189</sup> WITH WHOM [space]</p>	<p>AND MR. SMITH.  MR . SMITH SAID, “I WILL GO ALONG WITH YOU.” WE HAD TO GO OVER IN THE NIGHT. Q. DID YOU AND MR. SMITH HAVE ANY CONVERSATION ABOUT THE CONTENTS OF THAT LETTER? A. NO, NOTHING MORE THAN <b>WHAT WAS SAID AS TO</b></p> <p><b>WHAT THE PURPOSES THAT IT WAS THE CONTENTS OF THE LETTER AND IT WAS SEALED; BUT THE LETTER WAS. I DIDN’T KNOW NOTHING WHAT WAS IN IT. Q. AFTER YOU DELIVERED THE LETTER WHAT DID YOU DO THEN? A. WE TURNED ROUND AND CAME</b></p>	<p>AND MR. SMITH [space] MR . SMITH SAID I WILL GO WITH YOU WE HAD TO GO OVER IN THE NIGHT DID YOU AND MR. SMITH HAVE ANY CONVERSATION ABOUT THE CONTENTS OF THAT LETTER NO NOTHING MORE THAN WHAT WAS SAID THAT IT WAS WAS TO</p> <p>THAT PURPOSE</p> <p>LETTER WAS SEALED I DIDN’T KNOW THING THAT WAS IN IT AFTER YOU DELIVERED THE LETTER WHAT DID YOU DO THEN [space] WE TURNED ROUND AND CAME</p>
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189. There is a period placed beneath the question mark. Also above previous phrase is written: **AUG 3-10AM RESTED HERE** TRANSCRIBING.

**RT**

**RS**

**BT**

**PS**

<p>A. MR. SMITH AND ME.  Q. BY MR. SMITH WHOM DO YOU MEAN — IS IT IS FULL NAME ?  A. IT IS KLINGENSMITH.  Q. WHAT DID YOU DO ? A. WE CAME BACK HOME THE NEXT DAY I WENT TO MY WORK AND HEARD NOTHING MORE OF IT. Q. IN RETURNING HOME DID YOU MEET ANY PERSON, IF SO WHOM ? A. I CAN'T RECOLLECT OF MEETING ANYBODY, OR SEEING ANYBODY, NOT TILL I GOT HOME.</p> <p>Q. WELL NOW, THEN, GO ON ? A. AFTER I HAD BEEN HOME TWO OR THREE DAYS — DON'T RECOLLECT EXACTLY HOW LONG, I WAS</p>	<p>MR. SMITH AND ME BY MR. SMITH WHOM DO YOU MEAN STATE HIS FULL NAME  IT IS KLINGEN SMITH  WHAT DID YOU DO A WE CAME BACK HOME AGAIN NEXT DAY I WENT TO MY WORK HEARD NOTHING MORE OF IT. Q IN RETURNING HOME DID YOU MEET ANY PERSON IF SO WHOM A I CAN'T RECOLLECT OF MEETING ANYBODY SEEING ANYBODY, NOT UNTIL I GOT HOME &lt;INTO THE SETTLEMENT&gt;  Q WELL NOW THEN GO ON A AFTER I HAD BEEN HOME TWO TO THREE DAYS[?], DON'T RECOLLECT EXACTLY HOW LONG I WAS</p>	<p>BACK;, MR. SMITH AND ME. Q. BY MR. SMITH, WHOM DO YOU MEAN? STATE HIS FULL NAME? A. <del>BY</del> <b>MR</b> KLINGENSMITH.  Q. WHAT DID YOU DO? <sup>[123]</sup> A. WE CAME BACK HOME AGAIN THE NEXT DAY; AND I WENT HOME TO WORK-, AND HEARD NOTHING MORE OF IT. Q. IN RETURNING HOME DID YOU MEET ANY PRERSON, AND IF SO WHOM? A. I CAN'T RECOLLECT MEETING ANYBODY OR SEEING ANYBODY, NOT TILL AFTER I GOT INTO THE SETTLEMENT.  <b>Q.</b>  <b>GO ON? A=</b>  AFTER I HAD BEEN AT HOME TWO OR THREE DAYS — I DON'T RECOLLECT HOW LONG-, — I WAS</p>	<p>BACK WHO MR. SMITH AND ME  STATE HIS FULL NAME <del>PHL/FL</del>[?]  P  KLINGEN SMITH  WHAT DID YOU DO WE CAME BACK HOME AGAIN THE NEXT DAY AND I WENT TO MY WORK [space]  Q IN RETURNING HOME DID YOU MEET ANY PERSON AND IF SO WHOM A I CAN'T RECOLLECT OF MEETING ANYBODY OR SEEING ANYBODY UNTIL AFTER I GOT INTO THE SETTLEMENT  AFTER I HAD BEEN AT HOME 2 OR 3 DAYS I DON'T RECOLLECT EXACTLY HOW LONG I WAS</p>
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**RT****RS****BT****PS**

<p>IN THE FIELD, HAULING WHEAT — MR. HAIGHT CAME TO ME</p>	<p>IN FIELD HAULING WHEAT; MR. HAIGHT CAME TO ME</p>	<p>IN THE FIELD HAULING WHEAT; MR. HAIGHT CAME TO ME —</p>	<p>IN THE FIELD HAULING WHEAT MR. HIGBEE CAME TO ME</p>
<p>BEFORE THAT I DON'T REMEMBER WELL ENOUGH TO SAY—WE WAS ORGANIZED IN MILLITARY COMPANIES OF CAPTIANS, OF TENS— ORGANIZED IN THENS. <del>W</del> EACH COMPANY HAD A BAGGAGE WAGON BELONGING TO THAT TEN , SO THAT WHEN ANYTHING CAME UP THEY KNEW RIGHT WHERE TO GO; I WENT TO REPORT AND <del>T</del>GET THE BAGGAGE WAGONS TO START OUT.</p>	<p>REMEMBER WELL ENOUGH TO SAY = WE WAS ORGANIZED IN MILITARY COMPANIES OF CAPTAINS OF TENS ORGANIZED IN TENS AND EACH TEN HAD A BAGGAGE WAGON BELONGING TO THAT TEN SO THAT WHEN ANYTHING CAME UP THEY KNEW RIGHT WHERE TO GO</p>	<p>WE WAS ORGANIZED IN MILITARY COMPANIES CAPTAINS OF TENS ORGANIZED IN TENS EACH TEN HAD BAGGAGE WAGON BELONGED TO THAT TEN, SO WHEN ANY THING CAME UP</p>	<p>WE WAS ORGANIZED IN MILITARY COMPANIES OF CAPTAINS OF TENS ORGANIZED IN TENS AND EACH TEN HAD A BAGGAGE WAGON BELONGING TO THAT TEN SO THAT WHEN ANYTHING CAME UP THEY KNEW RIGHT WHERE TO GO [space]</p>
<p>I ONLY HAD TO REPORT TO GET A BAGGAGE WAGON STARTED OUT.</p>	<p>I ONLY HAD REPORT TO GET BAGGAGE WAGON START OUT,</p>	<p>WE WAS DEPENDING UPON THEM FOR RESOURCES, AS WE WERE OFETEN CALLED OUT FROM TIME TO TIME ON INDIAN FUSSES</p>	<p>WE WAS DEPENDING UPON THEM IN RSRSTION[?]</p>
<p>[150] WE WAS OFTEN CALLED OUT FROM TIME TO TIME OF INDIAN FUSSES,</p>	<p>WE WAS OFTEN[?] CALLED OUT FROM TIME TO TIME, ON INDIAN FUSSES,</p>	<p>WE WAS DEPENDING UPON THEM FOR RESOURCES, AS WE WERE OFETEN CALLED OUT FROM TIME TO TIME ON INDIAN FUSSES</p>	<p>HAVING BEEN CALLED OUT FROM TIME TO TIME ON INDIAN UPRISES</p>

**RT**

**RS**

**BT**

**PS**

<p>THE WAY EVERYTHING WAS FIXED UP WE KNEW RIGHT WHERE TO GET A WAGON, AND</p> <p>HAIGHT</p> <p>HE SAID “ I WANT YOU TO BE ON THE GROUND AS</p> <p>SOON AS POSSIBLE WITH A BAGGAGE WAGON TO GO TO THE MOUNTAIN MEADOWS, THE INDIANS AND THE EMIGRANTS</p> <p>ARE IN TROUBLE”</p> <p>I NEVER ASKED ANY MORE QUESTIONS AND SA ID NOTHING ABOUT THE</p>	<p>WAY EVERYTHING WAS FIXED UP WE KNEW RIGHT WHERE TO GET WAGON,</p> <p>AND SAID HE[?] <sup>[[29]]</sup> I WANT YOU TO BE ON GROUND AS</p> <p>SOON AS POSSIBLE WITH BAGGAGE WAGON GO</p> <p>MOUNTAIN MEADOWS, THE INDIANS AND THE EMIGRANTS</p> <p>ARE IN TROUBLE.</p> <p>I NEVER ASKED ANY MORE QUESTIONS SAID NOTHING ABOUT</p>	<p>THAT WAS THE WAY EVERYTHING WAS FIXED. WE KNEW RIGHT WHERE TO GO AND GET THE WAGONS AND START.</p> <p>HIGBEE CAME TO ME, AND SAID HE, “I WANT YOU TO BE ON THE GROUND , AND GET THERE AS SOON AS POSSIBLE-WITH THE BAGGAGE WAGON AND GO TO THE MOUNTAIN MEADOWS , THAT THE INDIANS AND EMIGRANTS ARE FIGHTING AND ARE IN TROUBLE.” HE RODE ON AND DIDN’T SAY ANYTHING MORE. Q. DID HE SAY ANYTHING ABOUT THE OBJECT? A. NOT A THING. I NEVER ASKED ANY MORE QUESTIONS; SAID NOTHING ABOUT THE</p>	<p>RIGHT WHERE TO GO</p> <p><sup>[[21]]</sup> [space] HIGBEE CAME TO ME AND SAID HE WANTED ME TO BE ON THE GROUND IN THE CITY AS SOON AS POSSIBLE WITH MY BAGGAGE WAGON</p> <p>THAT THE INDIANS AND EMIGRANTS WERE FIGHTING [space]</p> <p>AND RODE ON DIDN’T ASK ANYTHING MORE [space] Q DID HE SAY ANYTHING ABOUT THE OBJECT ΔNOT A THING</p>
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**RT****RS****BT****PS**

<p>OBJECT. I WENT HOME AS SOON AS I GOT FIXED UP AND GOT MY WAGON FIXED UP I WENT TO THE SQUARE AND</p>	<p>OBJECT. I WENT HOME AS SOON AS I COULD FIXED UP GOT MY WAGON FIXED UP WENT UP TO SQUARE, AND</p>	<p>OBJECT. I WENT HOME AS SOON AS I COULD I FIXED UP — GOT MY WAGON FIXED UP AND WENT UP TO THE SQUARE IN THE CITY.</p>	<p><sup>A</sup>I WENT HOME AS SOON AS I COULD AND FIXED UP, GOT MY WAGON FIXED UP AND WENT UP TO THE SQUARE.</p>
<p>THERE WAS SEVERAL WAGONS AND SEVERAL MEN IN THEM. Q. WONT YOU NAME SOME OF THE MEN WHO WERE IN THESE WAGONS AS NEAR AS YOU CAN REMEMBER ? A. I CANNOT RECOLLECT BECAUSE IT HAS BEEN A GOOD WHILE AGO. IT WAS THEN GETTING ABOUT DUSK. I NEVER SEEN THEM AT ALL THAT NIGHT, TO RECOLLECT NAMES AND THINGS.</p>	<p>THERE WAS SEVERAL WAGONS AND SEVERAL MEN IN THEM. Q WONT YOU NAME SOME OF MEN WHO WERE IN THOSE WAGONS AS NEAR AS YOU REMEMBER <sup>A</sup>I CANNOT RECOLLECT BECAUSE IT HAS BEEN GOOD WHILE AGO IT WAS THEN GETTING ABOUT DUSK I NEVER SEEN THEM THAT NIGHT AT ALL, TO RECOLLECT NAMES AND THINGS</p>	<p>THERE WAS SEVERAL WAGONS AND SEVERAL MEN IN THEM. Q. NOW, WON'T YOU NAME SOME OF THE MEN IN THESE WAGONS , AS NEAR AS YOU REMEMBER? A. I CAN'T RECOLLECT BECAUSE IT HAS BEEN A GOOD WHILE AGO. IT WAS THEN GETTING ABOUT DUSK; I NEVER SEEN THEM THAT NIGHT AT ALL; AND TO RECOLLECT NAMES AND THINGS THAT TRANSPIRED IT IS ONLY THE PROMINENT MEN AND PROMINENT CIRCUMSTANCE S THAT I CAN RECOLLECT. <sup>[124]</sup></p>	<p>THERE WAS SEVERAL WAGONS THERE AND SEVERAL MEN IN THEM. NAME THE MEN WHO WERE IN THESE WAGONS</p> <p><sup>A</sup>I CAN'T RECOLLECT BECAUSE IT HAS BEEN A GOOD WHILE AGO. IT WAS THEN GETTING ABOUT DUSK I NEVER SEEN THEM THAT NIGHT AT ALL AND TO RECOLLECT NAMES AND THINGS THAT TRANSPIRED IT IS ONLY PROMINENT MEN AND <i>PROMINENT</i>[?] CIRCUMSTANCE S I CAN RECOLLECT</p>
<p>IT WAS JUST THE PROMINENT CIRCUMSTANCES</p>	<p>IT IS JUST PROMINENT &lt;MEN AND PROMINENT&gt; CIRCUMSTANCE S THAT I REMEMBER</p>		

**RT**

**RS**

**BT**

**PS**

<p>Q. GO ON AND STATE WHAT YOU DID FROM THAT POINT ? A. I DROVE UP THERE, DROVE AROUND IN THE REAR OF THE WAGONS THAT WAS AHEAD. THERE WAS SOME BAGGAGE THERE WHICH I LOADED IN. THERE WAS ONE MAN,</p> <p>HIS NAME I RECOLLECT, HE RODE WITH ME, THAT WAS JIMMY WILLIAMSON, AN OLD MAN, A SCOTCHMAN. Q. WHERE IS HE NOW ? A. I DO NOT KNOW, I BELIEVE THOUGH HE IS IN CACHE VALLEY. HE IS THE ONE THAT LOADED THE WAGON WITH ME. Q. GO ON AND STATE WHAT</p>	<p>Q GO ON STATE WHAT YOU DID FROM THAT POINT A DROVE UP THERE DROVE AROUND IN REAR OF WAGON THAT WAS AHEAD THERE WAS SOME BAGGAGE THERE I LOADED IN. THERE WAS ONE MAN</p> <p>HIS NAME I RECOLLECT HE RODE WITH ME[?] THAT WAS JIMMY WILLIAMSON OLD SCOTCHMAN &lt;Q WHERE IS HE NOW&gt; A I DO NOT KNOW I BELIEVE THOUGH HE WAS IN CACHE VALLEY. HE IS ONE ONE LOADED WAGON WITH ME. Q GO ON STATE WHAT</p>	<p>Q. GO ON AND STATE WHAT YOU DID FURTHER FROM THAT POINT? A. I DROVE UP THERE AND DROVE AROUND TO THE REAR OF THE WAGONS, THAT WAS AHEAD; THERE WAS SOME BAGGAGE THERE THAT I LOADED IN. THERE WAS ONE MAN THAT ROAD OVER WITH ME; HIS NAME I RECOLLECT— HE RODE WITH ME.— THAT WAS JIMMY WILLIAMSON, AND OLD SCOTCHMAN. Q. WHERE IS HE NOW? A. I BELIEVE HE IS IN CHCHE VALLEY;<sup>190</sup> HE IS THE ONLY ONE THAT RODE IN THE WAGON WITH ME. Q. GO ON AND STATE WHAT</p>	<p>Q GO ON STATE WHAT YOU DID FROM THAT POINT A I DROVE UP THERE AND DROVE AROUND TO THE REAR OF THE WAGONS, THAT WAS AHEAD; THERE WAS SOME BAGGAGE THERE THAT I LOADED IN; THERE WAS ONE MAN THAT RODE OVER WITH ME; HIS NAME I RECOLLECT BECAUSE HE ROAD WITH ME CALLED JIMMY WILLIAMSON —[?] OLD SCOTCHMAN Q WHERE IS HE NOW I BELIEVE HE WAS IN CACHE VALLEY HE IS THE ONLY ONE THAT RODE IN THE WAGON WITH ME.</p> <p>STATE WHAT</p>
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190. Williamson ended up in Wellsville, Utah.

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

<p>WAS FURTHER DONE ? A. WE GOT ON TO THE GROUND THEN. Q. ON TO WHAT GROUND ? A.</p> <p>WITHIN PROBABLY A MILE OR A HALF A MILE, SUCH A MATTER, WHERE THE EMIGRANTS WAS CAMPED; A</p> <p>GOOD MANY INDIANS AROUND THERE, NOTHING WAS <sup>[151]</sup> GOING ON, THE CAMP WAS FORTIFIED WITH WAGONS. INDIANS LAYING AROUND ✓ THERE, [space]</p>	<p>WAS FURTHER DONE. A WE GOT ON TO THE GROUND THEN AND Q ON TO WHAT GROUND</p> <p>WITHIN PROBABLY A MILE OR HALF MILE, SUCH MATTER WHERE EMIGRANTS CAMP WAS CAMPED; &lt;AND MADE OUR CAMP THERE&gt; GOOD MANY INDIANS AROUND THERE NOTHING WAS GOING ON; THE CAMP WAS FORTIFIED WITH WAGONS, INDIANS LAYING AROUND THERE SHADE {*}P LOAFING AROUND[?] WE MADE OUR CAMP HAD BEEN TRAVELING ALL NIGHT</p> <p>AROUND</p>	<p>WAS FURTHER DONE ? A. WE GOT ON TO THE GROUND THEN . Q. WHAT GROUND? A . THE MOUNTAIN MEADOWNS. WE WENT PROBABLY A MILE OR A <del>HALF, FROM A</del> MILE &amp; A HALF TO WHERE THE EMIGRANT CAMP WAS CAMPED AND MADE OUR CAMP THERE. GOOD MANY INDIANS AROUND THERE BUT NOTHING WZAS GOING ON. THE CAMP WAS FORTIFIED WITH THE WAGONS; INDIANS LYING AROUND IN THE SHADE-, AND WE</p> <p>MADE OUR CAMP. I HAD BEEN TRAVELING ALL NIGHT.</p>	<p>WAS FURTHER DONE A WE GOT ON TO THE GROUND Q WHAT GROUND</p> <p>MOUNTAIN MEADOWS WITHIN PROBABLY A MILE AND HALF A MILE TO WHERE THE EMIGRANT CAMP WAS CAMPED. MADE OUR CAMP THERE. GOOD MANY INDIANS AROUND THERE NOTHING WAS GOING. THE[?] CAMP WAS FORTIFIED WITH THE WAGONS, INDIANS LYING AROUND THERE IN THE SHADE AND</p> <p>WE MADE OUR CAMP I HAD BEEN TRAVELING ALL NIGHT [space] LOAFING AROUND WHERE AROUND THE</p>
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**RT**

**RS**

**BT**

**PS**

<p>THEY CAME AROUND WHERE OUR WAGONS WERE. SOME WERE LYING IN THE BRUSH.</p> <p>Q. DID THEY MAKE ANY DEMONSTRATION OF ANY KIND AGAINST YOU, IF SO WHAT A. NOT ANYTHING THAT I HEARD OF. Q. WERE THEY FRIENDLY OR HOSTILE ? A. THEY WERE <del>FREI</del> FRIENDLY.</p> <p>WE CAMPED THERE THAT DAY, NOTHING GOING ON AND I SLEPT CONSIDERABLE THAT DAY, BEING UP ALL THE NIGHT BEFORE. I DON'T KNOW ANYTHING PARTICULAR TRANSPIRING FOR TWO DAYS.</p>	<p>PLACES {*}<sup>P</sup> THEY CAME AROUND WHERE OUR WAGONS WERE SOME WERE LYING IN BRUSH OR SHADE {*}<sup>P</sup> DIFFERENT PLACES Q DID THEY MAKE ANY DEMONSTRATION OF ANY KIND AGAINST YOU IF SO WHAT A NOT ANYTHING THAT I HEARD OF Q WERE THEY FRIENDLY OR HOSTILE {TO YOU}<sup>I</sup> A THEY WERE FRIENDLY.</p> <p>WE CAMPED THERE THAT DAY NOTHING GOING ON I SLEPT CONSIDERABLE THAT DAY BEING UP ALL NIGHT I DON'T KNOW ANYTHING PARTICULAR TRANSPIRING FOR TWO DAYS</p>	<p>THEY CAME AROUND WHERE OUR WAGONS WERE. SOME WAS LYING IN THE BRUSH OR SHADE IN DIFFERENT PLACES. Q. DID THEY MAKE ANY DEMONSTRATION OF ANY KIND AGAINST YOU, IF SO, WHAT? A. NOTHING THAT I HEARD OF. Q. WERE THEY FRIENDLY OR HOSTILE TO YOU? —A. THEY WERE FRIENDLY. Q. AT THE POINT WHERE YOU PITCHED YOUR CAMP? A. WE CAMPED THERE THAT DAY; NOTHING GOING ON; I SLEPT THAT DAY BEING UP THE NIGHT BEFORE. I DON'T KNOW OF ANYTHING TRANSPIRING FOR TWO DAYS.</p>	<p>PLACE THEY CAME AROUND WHERE OUR WAGONS WAS. SOME WAS LYING IN THE BRUSH AND SHADE IN DIFFERENT PLACES Q DID THEY MAKE ANY DEMONSTRATIONS OF ANY KIND AGAINST YOU AND IF SO WHAT NOTHING THAT I HEARD OF WERE THEY FRIENDLY OR HOSTILE TO YOU THEY WERE FRIENDLY [space] <sup>[[22]]</sup> AT THE POINT TO WHERE YOU REACHED YOUR CAMP A CAMPED THERE THAT DAY NOTHING GOING ON, I SLEPT CONSIDERABLE THAT DAY BEING UP ALL NIGHT I DON'T KNOW OF ANYTHING PARTICULAR TRANSPIRING FOR TWO DAYS</p>
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**RT**

**RS**

**BT**

**PS**

<p>I CANNOT SAY WHETHER IT WAS TWO OR THREE DAYS, OR HOW MANY DAYS IT WAS. I KNOW I WAS THERE ONE, MAY BE MORE,BUT I COULD NOT SAY,THEN WE WAS ORDERED TO GO AND MARCH DOWN TO THEIR CAMP. Q. TO WHOSE CAMP ? A. THIS EMIGRANT CAMP, IN SINGLE FILE, MR. LEE</p>	<p>I CANNOT SAY WHETHER IT WAS 2 3 OR HOW MANY DAYS IT WAS I KNOW I WAS THERE ONE MAYBE MORE BUT I COULD NOT SAY. THEN WE WAS ORDERED TO GO MARCH DOWN TO THEIR CAMP Q TO WHOSE CAMP A THIS EMIGRANT CAMP IN SINGLE FILE. MR. LEE</p>	<p>I CAN'T SAY WHETHER IT WAS TWO OR THREE OR HOW MANY DAYS IT WAS. I KNOW I WAS THERE ONE DAY AND MAY BE MORE, I COULD NOT SAY; THEN WE WAS ORDERED TO GO AND MARCH DOWN TO THIS EMIGRANT CAMP IN SINGLE FILE. MR. LEE WAS THERE, AND HE FOLLOWED AND</p>	<p>ONLY I CAN'T SAY WHETHER IT WAS TWO 3 OR MORE DAYS, I KNOW I WAS THERE ONE AND MAYBE MORE, THEN WE WAS ORDERED TO MARCH DOWN TO THEIR CAMP [space] TO THIS EMIGRANT CAMP, IN SINGLE FILE. MR. LEE WAS THERE</p>
<p>FOLLOWED BEHIND AND CARRIED A FLAG OF TRUCE.</p>	<p>FOLLOWED BEHIND CARRIED FLAG OF TRUCE</p>	<p>CARRIED A <sup>[125]</sup> FLAG OF TRUCE. IT WAS MET BY ONE OF THE EMIGRANTS BY A WITH A</p>	<p>IT WAS HIM THAT CARRIED THE FLAG OF TRUCE ON IN [space]</p>
<p>Q. HOW FAR WAS IT FROM WHERE YOUR FIRST ENCAMPMENT WAS ? A. PROBABLY A QUARTER OF A MILE, SOMETHING</p>	<p>I WISH YOU WOULD STATE FROM WHERE YOUR FIRST CAMP WAS A PROBABLY QUARTER OF MILE, SOMETHING</p>	<p>WHITE FLAG. Q. STATE HOW FAR YOU MARCHED FROM WHERE THAT FIRST ENCAMPMENT CAMP WAS, AN TO WHERE YOU STOPPED? A. PROBABLY A QUATER OF A MILE.</p>	<p>STATE HOW FAR YOU MARCHED FROM WHERE YOUR FIRST ENCAMPMENT WAS TO WHERE YOU STOPPED A PROBABLY A QUARTER OF A MILE</p>

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

<p>LIKE THAT. Q. WHAT WAS DONE AT THE END OF THE QUARTER OF A MILE ? A. WE HALTED, FLAG OF TRUCE WAS SENT IN. Q. HOW FAR WAS IT FROM WHERE YOU HALTED TO WHERE THE EMIGRANTS CAMP WAS ? A. PROBABLY TWO OR THREE HUNDRED YARDS. Q. AFTER YOU HALTED WHAT WAS DONE ? A.</p>	<p>LIKE THAT <sup>[[30]]</sup> Q WHAT WAS DONE AT END OF QUARTER OF A MILE A WE HALTED FLAG OF TRUCE WAS SENT IN Q HOW FAR WAS IT FROM WHERE YOU HALTED TO WHERE THE EMIGRANT CAMP WAS {A}<sup>P</sup> PROBABLY TWO OR 3 HUNDRED YARDS Q AFTER YOU HALTED Q WHAT WAS DONE A</p>	<p>Q. WAHAT WAS DONE AT THE END OF THAT QUARTER OF A MILE? A. WE WAS HALTED, AND A FLAG OF TRUCE WAS SENT IN. Q. HOW FAR WAS IT FROM WHERE YOU HALTED TO WHERE THE EMIGRANTS CORRAL WAS? A. TWO OR THREE HUNDRED YARDS. Q. AFTER YOU HALTED THERE WHAT WAS DONE? A. THE FLAG OF TRUCE WAS SENT IN; MR. LEE WAS SENT IN AND A MAN CAMD OUT. HE WENT AND MET HIM; THEY HAD A LITTLE TALK AND HE WENT INTO THE CAMP OUT OF SIGHT. HE WAS IN THERE GONE QUITE A WHILE. Q. ABOUT HOW LONG? A. I</p>	<p>WHAT WAS DONE AT THE END OF THE QUARTER MILE A WE WAS HALTED THERE AND FLAG OF TRUCE SENT [space]. [space] HOW FAR FROM WHERE YOU HALTED WAS IT TO WHERE THE EMIGRANT CORRAL WAS A 2 OR 3 HUNDRED YARDS. AFTER YOU HALTED THERE WHAT WAS DONE A FLAG OF TRUCE SENT IN MR. LEE WENT AND MAN CAME OUT. HE WENT AND MET HIM [space] THEY HAD A LITTLE TALK AND TALKED WENT INTO CAMP OUT OF SIGHT AND WAS</p>
<p>MR. LEE WAS SENT IN. A MAN CAME OUT IN ORDER TO MEET HIM.</p>	<p>MR. LEE WAS SENT IN MAN CAME OUT HE WENT AND MET HIM.</p>	<p>MR. LEE WAS SENT IN AND A MAN CAMD OUT. HE WENT AND MET HIM; THEY HAD A LITTLE TALK AND HE WENT INTO THE CAMP OUT OF SIGHT. HE WAS IN THERE GONE QUITE A WHILE. Q. ABOUT HOW LONG? A. I</p>	<p>MR. LEE WENT AND MAN CAME OUT. HE WENT AND MET HIM [space] THEY HAD A LITTLE TALK AND TALKED WENT INTO CAMP OUT OF SIGHT AND WAS</p>
<p>HE WAS <sup>[152]</sup> IN THERE AND GONE SOMSETIME. Q. ABOUT HOW LONG ? A. I</p>	<p>HE WAS IN THERE GONE SOMETIME Q ABOUT HOW LONG? A I</p>	<p>HE WAS IN THERE GONE QUITE A WHILE. Q. ABOUT HOW LONG? A. I</p>	<p>GONE A GOOD WHILE</p>



**RT**

**RS**

**BT**

**PS**

<p>COULD NOT GIVE MUCH OF AN IDEA; I HAVEN'T NOW MUCH OF AN IDEA ABOUT THE LENGTH OF TIME IT WAS,</p> <p>BUT HE SEEMED TO BE GONE SOME LITTLE TIME. Q. DO YOU KNOW WHAT THAT FLAG OF TRUCE WAS SENT IN THERE FOR ? A. I SUPPOSE IT WAS A TREATY OF SOME KIND. SUTHERLAND</p> <p>OBJECTED TO THE WITNESSES SUPPOSING. Q. I MEAN WHAT DO YOU KNOW IT WAS — OR</p>	<p>COULD AIN'T GIVE MUCH OF AN IDEA NOT MUCH IDEA ABOUT LENGTH OF TIME IT WAS,</p> <p>BUT HE SEEMED TO BE GONE SOME LITTLE TIME. Q. DID YOU KNOW WHAT THAT FLAG OF TRUCE WAS SENT THERE FOR A I SUPPOSE IT WAS TREATY OF SOME KIND SUTHERLAND</p> <p>WE OBJECT TO WITNESS CONJECTURING Q I MEAN WHAT KNOW IT WAS OR</p>	<p>COULD NOT STATE — GIVE MUCH <del>AND</del> AN IDEA— <del>THERE AIN'T MUCH</del> <b>MUCH</b> IDEA ABOUT THE LENGTH OF TIME. PROBABLY AN HOUR; MAY BE MORE THAN THAT; DON'T KNOW HOW LONG IT WAS.</p> <p>IT SEEMED THEY WAS GONE SOME TIME. Q. DO YOU KNOW WHAT THAT FLAG OF TRUCE WAS SENT IN THERE FOR? A. I SUPPOSED IT WAS FOR A TREATY OF SOME KIND. <b>M<sup>R</sup></b> SUTHERLAND: WE OBJECT TO THE FORM OF THE EXPRESSION AS IT IMPLIES A SUPPOSITION, AND OBJECT TO THE WITNESSE'S CONJECTURE. Q. DO YOU KNOW <del>FOR</del> WHAT IT WAS FOR;? OR WHAT YOU</p>	<p>PROBABLY AN HOUR MAYBE <i>NO</i>[?] MORE THAN THAT I HAVE NOT MUCH IDEA OF WHAT LENGTH OF TIME THEY WAS IT SEEMED THEY WAS GONE SOME TIME DID YOU KNOW WHAT THAT FLAG OF TRUCE WAS SENT THERE FOR A I SUPPOSED IT WAS FOR A TREATY OF SOME KIND THAT IS FOR TO BRING THEM OUT</p> <p>OBJECT TO THE WITNESS'S CONJECTURE [space] DID YOU KNOW WHAT IT WAS FOR OR</p>
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**RT**

**RS**

**BT**

**PS**

<p>WHAT YOU SAW IT WAS, OR IF TOLD OR WHAT WAS TALKED OF WAS OF THE OBJECT OF IT ? A. WHAT WE UNDERSTOOD WAS IT WAS TO GET THEM OUT OF THEIR CAMP.</p>	<p>WHAT YOU SAW TOLD WHAT WAS TALKED OF  A WELL WHAT WE UNDERSTOOD IT WAS TO GET THEM OUT OF THEIR CAMP.</p>	<p>UNDERSTOOD BY THIS OF YOUR OWN KNOWLEDGE?  A. WELL, WHAT WE UNDERSTOOD, IT WAS TO GET THEM OUT OF THEIR CAMP.</p>	<p>WHAT YOU UNDERSTOOD BY THOSE ENGAGED IN IT THERE FROM  WHAT WE UNDERSTOOD IT WAS TO GET THEM OUT OF THEIR CAMP</p>
<p>SUTHERLAND: IF ANYBODY TOLD HIM ANYTHING HE MUST STATE WHO TOLD IT.</p>	<p>SUTHERLAND IF ANYBODY TOLD HIM ANYTHING HE MUST STATE WHO TOLD IT. SUTHERLAND MERE FORM OF EXPRESSION IMPLIES IT WAS SUPPOSITION</p>	<p>M<sup>R</sup> SUTHERLAND : IF ANYBODY TOLD HIM ANYTHING HE MUST STATE WHO TOLD IT, AS THIS  EXPRESSION IMPLIES THAT IT WAS SUPPOSITION.</p>	<p>≪SUTHERLAND≫   UNLESS TELL WHO TOLD HIM [space]</p>
<p>Q. WAS THERE ANYTHING SAID AMONG THOSE WHO WERE AROUND ENGAGED AROUND THERE ABOUT THE OBJECT OF THAT FLAG OF TRUCE, BEFORE IT WAS SENT DOWN ? A. I DON'T KNOW OF ANYTHING BEING SAID ABOUT IT BEFORE WE</p>	<p>Q {WERE THERE} i ANYTHING SAID AMONG THOSE WHO WERE  ENGAGED AROUND THERE ABOUT OBJECT OF THAT FLAG OF TRUCE BEFORE IT WENT DOWN. A I DON'T KNOW OF ANYTHING BEING SAID ABOUT BEFORE WE</p>	<p>Q. WAS THERE ANYTHING SAID AMONG THOSE WHO WERE  ENGAGED AROUND THERE ABOUT THE OBJECT OF THAT FLAG OF TRUCE? BEFORE IT WENT DOWN?</p>	<p>WAS<sup>191</sup> THERE ANYTHING SAID AMONG THOSE WHO WERE  ENGAGED AROUND THERE ABOUT THE OBJECT OF THAT FLAG OF TRUCE BEFORE IT WENT DOWN I DO NOT KNOW OF ANYTHING BEING SAID ABOUT IT BEFORE WE</p>

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191. X in left margin.

**RT**

**RS**

**BT**

**PS**

<p>WENT DOWN, WHILE WE WAS STANDING THERE IN LINE, I THINK IT WAS THEN THAT WE WAS TOLD THAT IF THE COMPANY CAME OUT TO</p>	<p>WENT DOWN. WHILE <del>WE</del> WAS STANDING THERE IN LINE I THINK IT WAS THEN THAT WE WAS TOLD THAT IF THE COMPANY CAME OUT</p>	<p><sup>[126]</sup> A. I THINK IT WAS THEN THAT WE WAS TOLD THAT IF THE COMPANY CAME OUT</p>	<p>WENT DOWN OR WHILE WE WAS STANDING THERE IN A LINE THERE I THINK IT WAS THEN THAT WE WAS TOLD THAT IF THE COMPANY CAME OUT THE COMPANY CAME OUT</p>
<p>MARCH WITH US <del>THEY</del> <del>≤THERE≥</del> WOULDN'T BE A SIGNAL GIVEN, HALT, TO LEE, WHEN THAT WORD "HALT" WAS GIVEN IT WAS FOR TO FIRE, THAT WAS ALL I HEARD</p>	<p>MARCHED WITH US THEY  WOULD BE SIGNAL GIVEN HALT WHEN THAT WORD HALT WAS GIVEN IT WAS FOR TO FIRE THAT WAS ALL I HEARD <i>[space]</i></p>	<p>THEY WERE TO MARCH WITH US. <del>THEY WERE</del> <del>TO</del> THERE WOULD BE A SIGNAL GIVEN— "HALT"— AND WHEN THE WORD "HALT" WAS GIVEN IT WAS FOR US TO FIRE. THAT WAS ALL I HEARD OR ANYTHING ABOUT THAT. Q.</p>	<p>AND OUT THEY MARCHED WITH US THERE WOULD BE A SIGNAL <sup>[123]</sup> GIVEN HALT AND WHEN THAT WORD HALT WAS GIVEN IT WAS FOR US TO FIRE &lt;&gt; THAT WAS ALL I HEARD ANYTHING ABOUT THAT</p>
<p>Q. PROCEED FROM THE POINT WHERE JOHN D. LEE WENT FROM THE CAMP — STATE WHAT HAPPENED THEN AFTER ? A. AFTER HE HAD BEEN THERE SOMETIME. I DON'T KNOW HOW LONG, THERE WAS A WAGON CAME</p>	<p>Q PROCEED FROM THE POINT WHERE —[?] JOHN D. LEE WENT FROM CAMP, TELL WHAT HAPPENED THEN A AFTER HE HAD BEEN THERE SOMETIME, I DON'T KNOW HOW LONG THERE WAS WAGON CAME</p>	<p>PROCEED FROM THE POINT WHERE JOHN D. LEE WENT FROM THE CAMP, AND TELL WHAT HAPPENED THEN? A. AFTER HE HAD BEEN THERE SOME TIME—I DON'T KNOW HOW LONG— THERE WAS A WAGON CAME</p>	<p>PROCEED FROM THE POINT WHERE JOHN D. LEE INTO THE CAMP AND TELL WHAT HAPPENED THEN AFTER HE HAD BEEN THERE SOME TIME I DON'T KNOW HOW LONG THERE WAS WAGON DROVE</p>

**RT**

**RS**

**BT**

**PS**

<p>DOWN — A LOADED WAGON, SEEMED TO BE SOMETHING OF THAT KIND — THREE OR FOUR HUNDRED YARDS OFF — IT CAME DOWN FROM ABOVE THE</p> <p>[153] CAMP, DOWN PAST THERE. I DIDN'T NOTICE IT TILL IT CAME NEAR WHERE I WAS IT</p> <p>WAS LOADED I SUPPOSE; I SAW SOME</p> <p>MEN IN THE WAGON; THEY DROVE ON BY AND THESE PEOPLE CAME OUT OF THE CAMP, THEN FOLLOWED ON AFTER THIS WAGON, RIGHT ALONG PAST THAT. Q. WHAT WAS DONE THEN ? A. THEN WE</p>	<p>DOWN, A LOADED WAGON SEEMED TO BE SOMETHING OF THAT KIND, THREE OR 4 HUNDREDS OFF,  IT CAME DOWN FROM ABOVE</p> <p>CAMP, DOWN PAST THERE, I DIDN'T NOTICE UNTIL <i>HAD GOODS AND MEN/IT GOES—[?] FROM/OVER[?]</i> WAS LOADED IN THIS, I SUPPOSE, I SAW SOME</p> <p>MEN IN WAGON, THEY DROVE ON BY AND THESE PEOPLE CAME OUT OF THE CAMP, THEN FOLLOWED ON AFTER THIS WAGON, RIGHT ALONG EVEN WITH Q WHAT WAS DONE THEN A THEN WE</p>	<p>DOWN AND <del>HALTED</del>LOADE D WITH ARMS OR SOMETHING OF THAT KIND LIKE. Q. DROVE DOWN WHERE? A. IT CAME DOWN FROM ABOVE THE CAMP, OUR <del>COMPANY</del> CAMP, BUT NOT LOADED; I DIDN'T NOTICE TILL THE MEN AND GOODS WERE</p> <p>LOADED IN THIS. I SUPPOSE SOME</p> <p>MEN WERE IN THE WAGON. A WHITE MAN DROVE ON BY AND THESE PEOPLE CAME ON OUT OF THE CAMP, AND THEN FOLLOWED ON AFTER THESE WAGONS RIGHT UP ALONG PAST US. Q. WELL, WHAT WAS DONE THEN? A . THEN WE</p>	<p>DOWN AND LOADED IN ARMS OR SOMETHING OF THAT KIND LIKE [space] DROVE DOWN FROM WHERE [space] CAME DOWN FROM ABOVE OUR COMPANY FROM OUR CAMP <i>BUT NOT[?]</i> [space] ‡</p> <p>LOADED IN THIS; I SUPPOSED SOME RULING &lt;WOUNDED&gt; MEN</p> <p>THEY DROVE ON BY AND THOSE PEOPLE CAME OUT OF THE CAMP AND</p> <p>FOLLOWED ON AFTER THESE WAGONS RIGHT UP ALONG PAST US [space] WELL ? WHAT WAS DONE THEN WE</p>
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**RT**

**RS**

**BT**

**PS**

<p>TURNED AND MARCHED ALONG WITH THEM, PERHAPS FOR THE DISTANCE OF HALF A MILE OR THREE QUARTERS. I WOULD NOT SAY CERTAIN, BUT SOMEWHERE ABOUT THAT. Q. WONT YOU STATE TO THE JURY IN WHAT WAY YOU MARCHED, LETTING THE JURY SEE IN WHAT ORDER IT WAS ?</p> <p>A. WE WERE MARCHING IN SINGLE FILE,</p> <p>I DON'T KNOW THE NUMBER, BUT FOUR OR FIVE FEET</p>	<p>TURNED AND MARCHED ALONG WITH THEM, PERHAPS DISTANCE OF HALF A MILE OR THREE QUARTERS. I WOULD NOT SAY CERTAIN BUT SOMEWHERE</p> <p>Q WONT YOU DESCRIBE TO JURY IN WHAT ORDER YOU MARCHED LETTING &lt;JURY SEE&gt; ORDER THE JURYMEN REPRESENT YOUR RANKS</p> <p>A WE WERE MARCHING IN SINGLE FILE</p> <p>I DON'T KNOW PROBABLY <sup>[[31]]</sup> 4 OR 5 FEET</p>	<p>TURNED AND MARCHED ALONG WITH THEM, PERHAPS A DISTANCE OF HALF A MILE OR THREE QUARTERS. I WASN'T SO CERTAIN ABOUT SOME OF THAT. THE WAYS. Q. WON'T YOU DESCRIBE TO THE JURY IN WHAT ORDER YOU MARCHED, LETTING THE JUDGE AND JURYMEN SEE? FIRST. THAT REPRESENTS YOUR RANKS.<sup>192</sup> (ILLUSTRATING ) A. WE WAS MARCHED IN SINGLE FILE AND THE COMPANY WAS MARCHED IN SINGLE FILE BY THE SIDE OF US. (ILLUSTRATING ) Q. HOW CLOSE TO YOU WERE THEY? A. FOUR OR FIVE FEET; JUST</p>	<p>TURNED AND MARCHED ALONG WITH THEM PERHAPS A DISTANCE OF HALF A MILE TO 3 QUARTERS I WOULD NOT SAY CERTAIN BUT SOME WAYS</p> <p>DESCRIBE TO THE JURY IN WHAT ORDER YOU MARCHED LETTING THE JUDGE AND JURYMEN</p> <p>A WE WAS MARCHED IN SINGLE FILE AND COMPANY WAS MARCHED IN SINGLE FILE BY THE SIDE OF US</p> <p>HOW CLOSE TO YOU <del>OR HOW CLOSE</del> FOUR OR FIVE FEET JUST</p>
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192. There is a line drawn from the period after “RANKS” to just before “WE”. The line is crossed out, but it appears that they are trying to move the placement of “(ILLUSTRATING)”.

**RT**

**RS**

**BT**

**PS**

<p>APART, PROMISCUOUSLY WALKING ALONG. Q. IN WHAT POSITION WERE THE SOLDIERS YOU WERE WITH — DID THEY HAVE ANY ARMS ? A. THEY HAD</p>	<p>PROMISCUOUSL Y WALKING ALONG Q IN WHAT POSITION WERE SOLDIERS YOU WERE <math>\Leftarrow</math>DID THEY<math>\Rightarrow</math> WITH HAVE ANY ARMS A HAD</p>	<p>PROMISCUOUSL Y WALKING ALONG. Q. IN WHAT POSITION WERE THE SOLDIERS? DID THE SOLDIERS HAVE ANY ARMS? A. THEY HAD</p>	<p>PROMISCUOUSL Y WALKING ALONG <del>WHAT</del> <del>POSITION</del>  DID THE SOLDIERS HAVE ANY ARMS A</p>
<p>RIFLES AND GUNS. Q. IN WHAT POSITION DID THEY CARRY THEIR GUNS ? A. AS NEAR AS I CAN RECOLLECT THEY CARRIED THEM TO SUIT THEIR</p>	<p>RIFLES AND GUNS Q IN WHAT POSITION <math>\Leftarrow</math>DID THEY<math>\Rightarrow</math> CARRY THEIR GUNS ? A AS NEAR AS I CAN RECOLLECT <del>IF</del> RIGHT THEY CARRIED THEM TO SUIT THEIR OWN</p>	<p>GENERALLY THEIR RIFLES AND GUNS. <sup>[127]</sup> Q. IN WHAT POSITION DID THEY CARRY THEIR GUNS? A. AS NEAR AS I CAN RECOLLECT THEY CARRIED THEM TO SUIT THEIR OWN</p>	<p>GENERALLY RIFLES AND GUNS IN WHAT POSITION DID THEY CARRY THEIR GUNS A AS NEAR AS I CAN RECOLLECT THEY CARRIED THEM TO SUIT THEIR OWN</p>
<p>CONVENIENCES. Q. WHAT WAS DONE ?</p>	<p>CONVENIENCES. Q WHAT WAS DONE?</p>	<p>CONVENIENCES <del>AND</del> BEST. Q. WHAT WAS DONE THEN WHEN YOU MARCHED ALONG A QUARTER OF A MILE WHEN THE WORD WAS GIVEN "HALT"? A. THE WORD OF COMMAND WAS GIVEN "HALT"; THE COMPANY TURNED AND THERE WAS A ROUND FIRED</p>	<p>CONVENIENCE THE BEST. WHAT WAS DONE THEN WHEN YOU MARCHED ALONG QUARTER MILE WORD WAS GIVEN HALT</p>
<p>A. THE WORD OF COMMAND WAS GIVEN TO HALT, THE COMPANY TURNED AND THE MEN FIRED</p>	<p>A WORD OF COMMAND WAS GIVEN HALT COMPANY TURNED AND MEN FIRED</p>	<p>A. THE WORD OF COMMAND WAS GIVEN "HALT"; THE COMPANY TURNED AND THERE WAS A ROUND FIRED</p>	<p>COMPANY TURNED AND THERE WAS A ROUND FIRED</p>

**RT**

**RS**

**BT**

**PS**

<p>AT THAT <del>OMM</del> MOMENT.</p> <p>I DON'T KNOW WHERE LEE WAS; JUST AS THIS ROUND WAS FIRED THE INDIANS BROKE OUT FROM A SMALL HILL; THEY CAME DOWN HOPOPING AND YELLING AND CHARGING RIGHT HERE AND FINISHED UP WHAT WAS DONE.</p> <p>Q. BEFORE, THAT IS A WHILE AGO, YOU STATED</p> <p>THE INDIANS WERE LYING AROUND IN BUSHES</p> <p>PREVIOUS TO YOUR BEING MARCHED UP AND HALTED IN FILE — WHAT <sup>[154]</sup> HAD</p>	<p>AT THAT MOMENT</p> <p>I DON'T KNOW WHERE THEY WAS HAD NOT SEEN JUST AS THIS ROUND WAS FIRED INDIANS BROKE OUT FROM SMALL HILL. THEY CAME DOWN WHOOPING YELLING CHARGING RIGHT HERE FINISHED UP WHAT WAS <del>NOT</del> DONE. [space]</p> <p>Q. BEFORE A WHILE AGO YOU STATED</p> <p>INDIANS WERE LYING AROUND IN BUSHES</p> <p>A. <del>YES SIR</del></p> <p>PREVIOUS TO YOUR BEING MARCHED UP AND HALTED IN FILE WHAT HAD</p>	<p>AT THAT MOMENT.. I HADN'T SEEN ANY INDIANS; DON'T KNOW EWHERE THEY WAS. JUST AS THIS ROUND WAS FIRED THE INDIANS BROKE OUT <del>FROM IN</del> THE SMALL HILLS, AND THEY CAME DOWN WHOOPING, YELLING AND CHARGING RIGHT HERE AND FINISHED UP WHAT WAS NOT DONE BY THE FIRST ROUND. Q. BEFORE THEY MARCHED UP, YOU STATED A WHILE AGO THAT THE INDIANS WERE LAYING AROUND IN THE BUSHES AND AROUND YOUR FIRST CAMP? A. YES, SIR. Q. PREVIOUS TO YOUR BEING MARCHED UP AND BEING HALTED AND <del>THE FIRED, ING,</del> WHAT HAD</p>	<p>JUST AT THAT MOMENT I HADN'T SEEN ANY INDIANS DON'T KNOW WHERE THEY WAS JUST AS THIS ROUND WAS FIRED THE INDIANS BROKE OUT FROM <del>SMALL</del>[?] HILL THERE WAS CAME DOWN WHOOPING YELLING AND CHARGING</p> <p>AND FINISHED WHAT WAS NOT DONE WITH THE FIRST ROUND BEFORE YOUR MARCHED UP YOU STATED A WHILE AGO THAT THE INDIANS WERE LYING AROUND IN THE BUSHES AND AROUND THAT FIRST CAMP A. YES SIR PREVIOUS TO YOUR BEING MARCHED UP AND HALTED IN FILE, WHAT HAD</p>
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**RT**

**RS**

**BT**

**PS**

<p>BECOME OF THE INDIANS ? A. I DIDN'T NOTICE THEM THAT AFTERNOON AT ALL. THEY HAD GONE.</p>	<p>BECOME OF INDIANS A I DIDN'T NOTICE THEM THAT AFTERNOON AT ALL. THEY HAD GONE.</p>	<p>BECOME OF THE INDIANS? A. I DIDN'T NOTICE THEM THAT AFTERNOON AT ALL. THEY HAD GONE; AT LEAST THEY WAS NOT AROUND CAMP .</p>	<p>BECOME OF THE INDIANS A I DIDN'T NOTICE THEM THAT AFTERNOON AT ALL THEY HAD GONE AT LEAST NOT AROUND OUR CAMP <sup>[[24]]</sup></p>
<p>Q. WHEN DID YOU FIRST NOTICE THEIR DISAPPEARANCE ?</p>	<p>Q WHEN DID YOU FIRST NOTICE THEIR DISAPPEARANCE {I CAN NOT RECALL MUCH} i</p>	<p>Q. WHEN DID YOU FIRST NOTICE THEIR DIASAPPEARANCE? A. I CAN'T RECOLLECT BUT</p>	<p>WHEN DID YOU FIRST NOTICE THEIR DISAPPEARANCE I CAN'T RECOLLECT</p>
<p>A. SOMETIME DURING THE DAY. Q. DID YOU SEE ANY OF THEM IN SIGHT AT ALL ? A. I DON'T RECOLLECT OF SEEING ANY, AND WAS WONDERING WHERE THEY WAS. Q. PREVIOUS TO THAT TIME</p>	<p>A SOMETIME DURING DAY Q DID YOU SEE ANY OF THEM IN SIGHT AT ALL A DON'T RECOLLECT OF SEEING ANY INDIAN AND WAS WONDERING WHERE THEY WAS Q PREVIOUS TO TIME</p>	<p>SOME TIME DURING THAT DAY. Q. DID YOU SEE ANY OF THEM IN SIGHT AT ALL? A. I DON'T RECOLLECT SEEING ANY AT ALL, AND WAS WONDERING WHERE THEY WAS. Q. PREVIOUS TO THE TIME BEFORE THEIR DISAPPEARANCE</p>	<p>SOME TIME DURING THAT DAY DID YOU SEE ANY OF THEM IN SIGHT AT ALL NO SIR I DON'T RECOLLECT SEEING ANY AT ALL AND WAS WONDERING WHERE THEY WAS PREVIOUS TO THE TIME OF</p>
<p>HAD YOU SEEN ANY INDIANS AROUND THERE,</p>	<p>HAD YOU SEEN ANY INDIANS AROUND THERE</p>	<p>HAD YOU SEEN ANY INDIANS AROUND THERE</p>	<p>HAD YOU SEEN ANY INDIANS AROUND THERE</p>
<p>IF SO HOW MANY ?</p>	<p>IF SO HOW MANY.</p>	<p>, AND IS FOR ANSD IF SO HOW MANY UP TO THE DAY TIME</p>	<p>AND IF SO HOW MANY UP TO THE TIME</p>
<p>A. I COULD HAVE</p>	<p>A I COULD HAVE</p>	<p>OF THAT MORNING? A. I COULD HAVE</p>	<p>OF THAT MORNING I COULD HAVE</p>



**RT**

**RS**

**BT**

**PS**

<p>BUT VERY LITTLE IDEA, THEY WAS PASSING AROUND AMONG THE INDIANS, AND WHEN THEY ARE PASSING AROUND</p>	<p>BUT VERY LITTLE IDEA, THEY WAS PASSING AROUND AMONG INDIANS WHERE THEY ARE PASSING HE</p>	<p>VERY LITTLE IDEA; BECAUSE</p>	<p>VERY LITTLE IDEA BECAUSE [<i>space</i>]</p>
<p>I CANNOT TELL ONE INDIAN FROM ANOTHER,SO</p>	<p>CANNOT TELL ONE INDIAN FROM ANOTHER {HOW MANY INDIANS WERE THERE} I</p>	<p>A PERSON MEETING AN INDIAN ONCE HE MUST BE WELL ACQUAINTED OR HE CAN'T TELL ONE INDIAN FROM ANOTHER. [<i>128</i>] Q.</p>	<p>A PERSON AMONG INDIANS UNLESS A MAN IS WELL ACQUAINTED HE CAN'T TELL ONE INDIAN FROM ANOTHER [<i>space</i>]</p>
<p>I CANNOT TELL. I DO NOT KNOW, THERE MIGHT BE FORTY OR FIFTY, SOMEWHERE ALONG THERE, A GOOD MANY INDIANS THERE; THERE MIGHT HAVE BEEN A GOOD MANY MORE BUT I COULD NOT TELL AS TO THAT.</p>	<p>CANNOT TELL I DO NOT KNOW THERE MIGHT BE 40 OR 50, SOMEWHERE ALONG THERE, GOOD MANY INDIANS THERE, THERE MIGHT HAVE BEEN GOOD MANY MORE I COULD NOT TELL AS TO THAT.</p>	<p>HOW MANY INDIANS WERE THERE? A. I CAN'T TELL I DON'T KNOW; THERE MIGHT HAVE BEEN 40 OR 50, SOME WHERE ALONG THERE —GOOD MANY INDIANS THERE ; AND THERE MIGHT HAVE BEEN A GOOD MANY MORE; I COULD NOT TELL AS TO THAT, BECAUSE <del>OF NOT NOT</del> SEEING THEM AROUND THE CAMP—THEY WAS NOT ALL AROUND THE CAMP AT ONCE BUT PASSING A ROUND.</p>	<p>THERE MIGHT HAVE BEEN 40 OR 50</p>
			<p>GOOD MANY INDIANS THERE THERE MIGHT HAVE BEEN A GOOD MANY MORE I COULD NOT TELL AS TO THAT BECAUSE IN SEEING THEM AROUND CAMP THEY WAS NOT ALL AROUND AT ONCE BUT PASSING AROUND AND</p>

**RT**

**RS**

**BT**

**PS**

<p>Q. WERE THERE ANY WOMEN IN THE EMIGRANT TRAIN ? A. YES SIR. Q. WERE THERE ANY CHILDREN ? A. YES SIR. Q. IN WHAT ORDER DID THE WOMEN MARCH OUT,</p> <p>WITH REFERENCE TO THE MEN A. I DON'T RECOLLECT AS TO THAT MATTER, WHETHER THEY WERE PROMISCUOUSLY OR NOT; I WAS NEAR THE HIND PART OF THE TRAIN, AND I DON'T RECOLLECT ANY WOMEN AROUND WHERE I WAS, WHETHER THEY WERE IN THE REAR AND IN FILE OR PROMISCUOUSLY MIXED UP I DO NOT KNOW. Q. DID YOU SEE ANY WOMEN</p>	<p>Q WERE THERE ANY WOMEN IN THE EMIGRANT TRAIN A YES SIR Q WERE THERE ANY CHILDREN A YES SIR Q WERE ANY Q IN WHAT ORDER DID THE WOMEN MARCH OUT</p> <p>WITH REFERENCE TO THE MEN A I DON'T RECOLLECT AS TO THAT MATTER WHETHER THERE WAS PROMISCUOUSLY OR NOT, I WAS NEAR THE HIND PART OF THE TRAIN, I DON'T RECOLLECT SEEING ANY WOMEN AROUND WHERE I WAS WHETHER IN REAR OR PROMISCUOUSLY MIXED UP I DO NOT KNOW Q DID YOU SEE ANY WOMEN</p>	<p>Q. WERE THERE ANY WOMEN IN THAT EMIGRANT TRAIN? A. YES, SIR. Q. WERE THERE ANY CHILDREN? A. YES, SIR. Q. IN WHAT ORDER DID THE WOMEN MARCH OUT FROM THAT EMIGRANT TRAIN WITH REFERENCE TO THE MEN? A. I DON'T RECOLLECT AS TO THAT MATTER WHETHER THEY WAS APPROXIMATELY OR NOT. I WAS NEAR THE HIND END OF THE TRAIN. Q. DON'T RECOLLECT SEEING ANY WOMEN WHERE I WAS. WHETHER THEY WAS IN FRONT OR IN THE REAR OR APPROXIMATELY MIXED UP I DONT KNOW. Q. DID YOU SEE ANY WOMEN</p>	<p>[space] WERE THERE ANY WOMEN IN THAT EMIGRANT TRAIN A YES SIR WERE THERE CHILDREN YES SIR Q IN WHAT ORDER DID THE WOMEN MARCH OUT FROM THAT TRAIN WITH REFERENCE TO THE MEN A I DON'T RECOLLECT FOR THAT MATTER WHETHER THEY WAS PROMISCUOUSLY OR NOT I WAS NEAR THE HIND PART OF THE TRAIN I DON'T RECOLLECT OF SEEING ANY WOMEN ALONG WHERE I WAS WHETHER THEY WAS IN FRONT OR IN THE REAR OR PROMISCUOUSLY MIXED UP I DON'T KNOW DID YOU SEE ANY WOMEN</p>
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**RT**

**RS**

**BT**

**PS**

<p>KILLED ON THAT OCCASION ? A. YES SIR, I DID. AFTER THE INDIANS CAME IN THOUGH THERE WAS SUCH A WHOPOPING AND HOLLERING</p> <p>FOR A FEW MINUTES A PERSON COULD HARDLY SEE AN <sup>[155]</sup> INDIAN OR ANYTHING;</p>	<p>KILLED ON THAT OCCASION A YES SIR I DID AFTER INDIANS CAME IN THOUGH THERE WAS SUCH A WHOOPING AND HOLLERING</p> <p>FOR ABOUT A MINUTE PERSON COULD HARDLY SEE INDIAN.</p>	<p>KILLED ON THAT OCCASION? A. I DID, AFTER THE INDIANS CAME IN; THOUGH THERE WAS SUCH S WHPPPOOPING AND SUCH HOLLOWING AND SUCH RUSTELING FOR ABOUT A MINUTE, A PERSON COULD NOT HARDLY SEE</p>	<p>KILLED ON THAT OCCASION YES SIR I DID AFTER THE INDIANS CAME IN ALTHOUGH THERE WAS SUCH WHOPPING SUCH HOLLOWING AND SUCH RUSTLING FOR ABOUT A MINUTE A PERSON COULD NOT</p>
<p>WHEN THE INDIANS FIRST CAME OUT IT KIND OF STARTLED MY MIND. THEY CAPME SO WHOOPING AND HOLLERING. Q. DID THE INDIANS ATTACK ANY EXCEPT EMIGRANTS ? A. NO SIR. NO PERSONS EXCEPT THE EMIGRANTS WERE KILLED THERE, NOT</p>	<p>WHEN INDIANS FIRST CAME OUT IT KINDER STARTLED MY MIND CAME IN WHOOPING AND HOLLERING. Q DID THE INDIANS <sup>[[32]]</sup> ATTACK ANY EXCEPT EMIGRANTS A NO SIR NO PERSONS EXCEPT EMIGRANTS WERE KILLED THERE NOT</p>	<p>ANYTHING FOR ABOUT A MINUTE OR CONTROLL HIMSELF; WHEN THE INDIANS FIRST CAME OUT IT KIND OF STARTLED ME: <b>FOR I IMAGINED THERE WAS NONE AROUND</b> Q. DID THE INDIANS ATTACK ANY EXCEPT THE EMIGRANTS? A. NO, SIR. Q. NO PERSONS EXCEPT THE EMIGRANTS WERE KILLED THERE? A. NOT</p>	<p>IT KIND OF STARTLED ME &lt;MYSELF&gt; FOR I DID NOT KNOW THERE WAS ANY AROUND DID THE INDIANS ATTACK ANY EXCEPT THE EMIGRANTS NO SIR [space] NO PERSON EXCEPT THE EMIGRANTS WERE KILLED THERE NOT</p>

**RT**

**RS**

**BT**

**PS**

<p>TO MY KNOWLEDGE. Q. DID YOU SEE ANY CHILDREN KILLED THERE ? A. I COULD NOT SAY WHETHER I DID OR NOT. I DON'T RECOLLECT OF ANY CHILDREN BEING ALONG IN THE REAR WHERE I WAS. Q. DID YOU SEE THE BODIES OF ANY CHILDREN UPON THE GROUND AFTER THE HUBBUB PASSED AWAY ? A. I THINK I DID SOME, THOUGH I DIDN'T GO AROUND.</p> <p>I KEPT MY POST IN THE REAR TILL THE THING WAS OVER, NEVER MOVED OUT OF IT. Q. DID YOU KNOW HOW MANY MEN WERE IN THAT TRAIN ? A. NO SIR, I</p>	<p>TO MY KNOWLEDGE. Q. DID YOU SEE ANY CHILDREN KILLED THERE A I COULD NOT SAY WHETHER I DID OR NOT I DON'T RECOLLECT OF ANY CHILDREN BEING ALONG IN REAR WHERE I WAS Q. DID YOU SEE BODIES OF ANY CHILDREN SLAIN UPON GROUND AFTER HUBBUB PASSED AWAY A I THINK I DID SOME THOUGH I DIDN'T GO AROUND,</p> <p>I KEPT MY POST IN THE REAR TILL THE THING WAS OVER NEVER MOVED OUT OF. Q. DO YOU KNOW HOW MANY MEN WERE IN THAT TRAIN A NO SIR I</p>	<p>TO MY KNOWLEDGE. Q. DID YOU SEE ANY CHILDREN KILLED THERE? A. WELL, I COULD NOT SAY WHETHER I DID OR NOT; I DON'T RECLØLECT ANY CHILDREN BEING ALONG IN THE REAR WHERE I WAS. <sup>[129]</sup> Q: DID YOU SEE THE BODIES OF ANY CHILDREN SLAYN UPON THE GROUND AFTER THE HUBBUB PASSED AWAY? A. I THINK I DID SOME, THOUGH I DIDN'T GO AROUND AMONGST THEM. I KEPT MY POST IN THE REAR TILL THE THING WAS OVER; NEVER MOVED OUT FROM THERE. Q. DO YOU KNOW HOEW MANY MEN WERE IN THAT EMIGRANT TRAIN ? A. I DON'T. I</p>	<p>TO MY KNOWLEDGE DID YOU SEE ANY CHILDREN KILLED THERE WELL I COULD NOT SAY WHETHER I DID OR NOT I DON'T RECOLLECT OF ANY CHILDREN BEING ALONG IN THE REAR WHERE I WAS DID YOU SEE THE BODIES OF ANY CHILDREN SLAIN UPON THE GROUND AFTER THE HUBBUB PASSED AWAY A I THINK I DID SOME ALTHOUGH I DIDN'T GO AROUND AMONGST THEM [space]</p> <p>DO YOU KNOW HOW MANY MEN WERE IN THAT EMIGRANT TRAIN NO SIR I DON'T</p>
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**RT**

**RS**

**BT**

**PS**

<p>COULD GIVE BUT VERY LITTLE IDEA, FOR THIS REASON. Q. WHEN MR. SMITH CAME BACK ---</p>	<p>COULD GIVE BUT VERY LITTLE IDEA FOR THIS REASON WHEN MR. SMITH CAME BACK FROM [space]</p>	<p>COULD ONLY GIVE YOU A VERY LITTLE IDEA, FOR THIS REASON; WHEN MR. SMITH CAME BACK FROM—— —— Q. ABOUT <del>M</del>HOW MANY DO YOU THINK THERE WAS? A. I COULD GIVE BUT A VERY LITTLE IDEA. WHEN MR. SMITH AND ME CAME BACK FROM THE MOUNTAIN MEADOWS—— —— Q. FROM WHAT YOU <del>SAW, SAY</del>W</p>	<p>[space]</p>
<p>ABOUT HOW LONG, AS NEAR AS YOU CAN JUDGE, WERE THEY MARCHING OUT, AND HOW MANY WERE THERE ? A. I THINK PROBABLY THERE MIGHT HAVE BEEN TWENTY FIVE OR THIRTY, I COULD NOT GIVE MUCH OF AN IDEA. Q. ABOUT HOW MANY</p>	<p>ABOUT HOW MANY AS YOU CAN JUDGE THEY MARCHED OUT WAS THERE <math>\leq</math>HOW MANY WERE THERE<math>\geq</math> A I THINK PROBABLY THEY MIGHT HAVE BEEN 25 OR 30 I COULD NOT GIVE MUCH OF AN IDEA Q. ABOUT HOW MANY</p>	<p>ABOUT HOW MANY WOULD YOU JUDGE WAS THERE AS THEY MARCHED OUT?  A. I SHOULD THINK PROBABLY THERE MIGHT HAVE BEEN 25 OR 30, I COULD NOT GIVE MUCH OF AN IDEA. Q. ABOUT HOW MANY</p>	<p>ABOUT HOW MANY DO YOU THINK THERE WAS I COULD GIVE BUT VERY LITTLE IDEA WHEN MR. SMITH AND ME CAME <sup>[[25]]</sup> BACK FROM THE MOUNTAIN MEADOWS [space] FROM WHAT YOU SAW ABOUT HOW MANY DID YOU JUDGE AS THEY MARCHED OUT  WERE THERE [space] I SHOULD THINK PROBABLY THERE MIGHT HAVE BEEN 25 OR 30 I COULD NOT GIVE MUCH OF AN IDEA [space] ABOUT HOW MANY</p>

**RT**

**RS**

**BT**

**PS**

<p>WOMEN AND CHILDREN WERE THERE ?</p> <p>A. THERE WAS SEVERAL, I COULD NOT GUESS AT IT. Q. HOW MANY SOLDIERS WERE THERE IN YOUR COMPANY ? A. THAT IS MORE THAN I KNOW. Q. AS NEAR AS YOU CAN GIVE IT ? A. THERE MIGHT HAVE BEEN THIRTY, FORTY OR FIFTY, SOMEWHERE ALONG THERE Q. AT THE FIRST FIRE THAT YOU SPEAK OF DID ANY EMIGRANTS FALL BEFORE <sup>1156</sup> THE INDIANS ARRIVED THERE ? A. YES SIR, THERE WAS SOME FELL. Q. WHAT DID THE BALANCE DO ? A. THEY MADE SOME OF THEM A RUSH TO RUN. SOME OF THEM BROKE FROM</p>	<p>WOMEN AND CHILDREN WERE THERE,</p> <p><sup>A</sup>THERE WAS SEVERAL I COULD NOT GUESS AT IT Q HOW MANY SOLDIERS WERE THERE IN YOUR COMPANY <sup>A</sup> THAT IS MORE AS I KNOW QAS NEAR AS YOU CAN GIVE IT <sup>A</sup>WELL THERE MIGHT HAVE BEEN 30 40 50 SOMEWHERE ALONG THERE QAT THE FIRST FIRE THAT YOU SPOKE OF, DID ANY EMIGRANTS FALL BEFORE THE INDIANS ARRIVED THERE <sup>A</sup>YES SIR THERE WAS SOME FELL. Q WHAT DID BALANCE DO <sup>A</sup>THEY MADE SOME OF THEM = MADE RUSH TO RUN SOME BROKE</p>	<p>WOMEN AND CHILDREN WERE THERE? A. I DON'T KNOW; APPROXIMATELY; THERE WAS SEVERAL, BUT I COULD NOT GUESS AT IT. Q. HOW MANY SOLDIERS WERE THERE IN YOUR COMPANY? A. THAT IS MORE THAN I KNOW. <del>OF?</del> Q. WELL, AS NEAR AS YOU COULD GIVE IT? A. WELL THERE MIGHT HAVE BEN 3 0 , 4 0 OR 50; SOMEWHERE ALONG THERE. Q. AT THE FIRST FIRE THAT YOU SPOKE OF, DID ANY OF THE EMIGRANTS FALL BEFORE THE INDIANS ARRIVED THERE? A. YES, SIR, THERE WAS SOME FELL. Q. WHAT DID THE BALANCE DO? QA. THEY MADE , SOME OF THEM—MADE A RUSH TO RUN—, SOME BROKE TO</p>	<p>WOMEN AND CHILDREN WERE THERE I DON'T KNOW APPROXIMATE THERE WAS SEVERAL</p> <p>HOW MANY SOLDIERS WERE THERE IN YOUR COMPANY <sup>A</sup> THAT IS MORE THAN I KNOW QAS NEAR AS YOU CAN GIVE IT <sup>A</sup>THERE MIGHT HAVE BEEN 30 40 50 SOMEWHERE ALONG THERE AT THE FIRST FIRE THAT YOU SPOKE OF DID ANY EMIGRANTS FALL BEFORE THE INDIANS ARRIVED THERE YES SIR THERE WAS SOME FELL Q WHAT DID THE BALANCE DO <sup>A</sup>THEY MADE SOME OF THEM MADE A RUSH AND RAN SOME BROKE</p>
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**RT**

**RS**

**BT**

**PS**

<p>THE RANKS &lt;AND RUN&gt; AND THE INDIANS CAME IN.</p> <p>I RECOLLECT ONE THAT GOT AWAY, AS NEAR AS I CAN JUDGE FOR HALF A MILE, OFF TOWARDS THE MOUNTAINS, SOME OF THE INDIANS WERE AFTER HIM WITH BOWS AND ARROWS AND THEY</p> <p>CATCHED HIM BEFORE HE GOT TO THE MOUNTAINS. THE FURTHEST WAS ONLY</p> <p>TWENTY STEPS OR FROM THAT TO ONE HUNDRED YARDS WHEN THEY CAUGHT HIM. Q. WHAT WAS DONE ? A. I WAS WATCHING HIM WHEN THE INDIANS WERE</p>	<p>AND RAN, AND THE INDIANS CAME IN.</p> <p>I RECOLLECT ONE THAT GOT AS NEAR AS I CAN —[?] THINK HALF MILE OFF FAR AS MOUNTAINS. SOME INDIANS AFTER HIM WITH BOWS ARROWS THEY FINALLY CATCHED HIM BEFORE GOT TO MOUNTAINS. THE FURTHEST WAS ONLY</p> <p>20 STEPS FROM THAT TO HUNDRED YARDS WHEN THEY CAUGHT HIM Q WHAT WAS DONE A I WAS WATCHING HIM WHEN INDIANS WAS RUNNING</p>	<p>RUN AND THE INDIANS CAME IN, RUNNING THEM DOWN; AND I RECOLLECT ONE THAT GORT AS NEAR AS I CAN THINK — NEAR A HALF A MILE OFF— <sup>[120/130]</sup> NEAR THE MONTAINS; AND SOME INDIANS WENT AFTER HIM WITH BOWNS AND ARROWS AND THEY FINALLY CATCHED HIM BEFORE HE GOT TO THE MOUNTAINS. THAT WAS THE FURTHEXST I SAW OFF. SOME WAS WITHING 20 STEPS</p> <p>AND SOME A HUNDRED YARDS WHEN THEY CAUGHT HM. THEM. Q. THEN WHAT WAS DONE. A. I WAS WATCHING HIM WHEN THE INDIANS WAS RUNNING AFTER</p>	<p>AND RAN INDIANS CAME IN RUNNING THEM DOWN AND I RECOLLECT ONE THAT GOT</p> <p>I SHOULD THINK THAT GOT NEAR HALF A MILE OFF NEAR THE MOUNTAINS BUT INDIANS WAS AFTER HIM WITH BOWS AND ARROWS &lt;THEY</p> <p>GOT HIM BEFORE HE GOT TO THE MOUNTAINS=&gt; THAT WAS THE FIRST FURTHEST I SAW OF/OFF[?] [space] SOME WAS WITHIN 20 STEPS</p> <p>AND SOME HUNDRED YARDS</p> <p>WHAT WAS DONE I SEEN HIM FALL THEY WAS RUNNING</p>
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**RT**

**RS**

**BT**

**PS**

<p>SHOOTING AFTER HIM, AND I SAW THE MAN FALL.</p> <p>Q. WHAT WAS DONE THEN ? A. WE WENT BACK DOWN TO OUR CAMP AND CAMPED THERE THAT NIGHT, THE NEXT MORNING AFTER BREAKFAST I HAD THE TEAM AND THE BAGGAGE WAGON, GOT THE TEAM UP AND FIXED FOR MOVING THE MEN PRETTY MUCH ALL OF THEM; ONE OF THE TEAMSTERS WENT BACK TO BURY THE DEAD. HITCHED UP OUR TEAMS AND GOT THE THINGS READY THERE FOR MOVING HOME. Q. DID THE</p>	<p>&lt;SHOOTING AND W—[?]&gt; AFTER HIM I SAW THE MAN FALL.</p> <p>Q. WHAT WAS DONE THEN A WENT WENT BACK DOWN TO OUR CAMP CAMPED THERE THAT NIGHT. THE NEXT MORNING AFTER BREAKFAST I HAD TEAM AND THE BAGGAGE WAGON GOT UP TEAM FIXED FOR MOVING MEN PRETTY MUCH ALL. ALL ONLY TEAMSTERS WENT UP BURY DEAD. HITCHED UP OUR TEAMS AND GOT THE THINGS READY THERE FOR MOVING HOME. Q. DID THE</p>	<p>HIM AND SHOOTING HIM;</p> <p>I COULD SEE THE MAN FALL; THAT IS ALL I COULD SEE. <del>AND AFTER, IN</del> <b>A WHILE</b> THE INDIANS CAME BACK. Q. WHAT WAS DONE THEN? A. WE WENT BACK DOWN TO OUR CAMP — CAMPED THERE THAT NIGHT. THE NEXT MORNING AFTER BREAKFAST—I HAD A TEAM AND A BAGGAGE WAGON — AND BEGAN TO FIX UP FOR THE MOVE; ANFD THE MEN PRETTY MUCH ALL, ONLY THE TEAMSTERS, WENT UP TO BURY THE DEAD. WE HITCHED UP OUR TEAMS AND GOT THINGS READY THERE FOR MOVING HOME. Q. DID THE</p>	<p>AND SHOOTING</p> <p>I COULD SEE THE MAN FALL THAT IS ALL I COULD SEE AFTER A WHILE THE INDIANS CAME BACK WHAT WAS DONE THEN WE WENT BACK DOWN TO OUR CAMP CAMPED THERE THAT NIGHT NEXT MORNING AFTER BREAKFAST I TOOK TEAM</p> <p>BAGGAGE WAGON AND BEGAN TO FIX UP FOR THE MOVE THE MEN PRETTY MUCH ALL ONLY THE TEAMSTERS WENT UP TO BURY THE DEAD. WE HITCHED UP OUR TEAMS AND GOT THINGS READY THERE FOR THE MOVE HOME [space] DID THE</p>
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**RT**

**RS**

**BT**

**PS**

<p>INDIANS SCALP ANY PERSONS WHO WERE KILLED ?  A. I NEVER SEEN OR HEARD OF ANY; THEY WERE NOT DONE AT THE TIME I WAS ON THE GROUND. Q. DID YOU SEE THE THROATS OF ANY OF THEM CUT? A. NO SIR.</p> <p>Q. DO YOU KNOW WHAT PROPERTY THE EMIGRANTS HAD, IF SO DESCRIBE WHAT IT WAS ?  <sup>[157]</sup> A. WAGONS, OXEN, SOME FEW HORSES, AS FOR</p> <p>ANYTHING THEY HAD IN THEIR CAMP I KNOW NOTHING ABOUT IT. Q. DO YOU KNOW HOW MANY WAGONS THEY HAD ? A. NOTHING MORE THAN I</p>	<p>INDIANS SCALP ANY PERSONS WHO WERE KILLED  <sup>Δ</sup>I NEVER SEEN OR HEARD OF ANY, NOT DONE AT THE TIME I WAS ON GROUND <sup>Q</sup>DID YOU SEE THE THROATS OF ANY OF THEM CUT <sup>[/33]</sup> <sup>Δ</sup>NO SIR</p> <p><sup>Q</sup>DO YOU KNOW WHAT PROPERTY EMIGRANTS HAD IF SO DESCRIBE WHAT <sup>Δ</sup>WAGONS, OXEN SOME FEW HORSES, AS FAR AS</p> <p>ANYTHING THEY HAD IN THEIR CAMP I KNOW NOTHING ABOUT IT <sup>Q</sup>DO YOU KNOW HOW MANY WAGONS THEY HAD <sup>Δ</sup> NOTHING MORE THAN KIND OF</p>	<p>INDIANS SCALP ANY PERSONS THAT WERE KILLED THERE?  A. I DIDN'T HEAR OF ANY OF THEM BEING SCALPED; IT WAS NOT DONE AT THE TIME I WAS ON THE GROUND. Q. DID YOU SEE THE THROATS OF ANY OF THEM CUT? A. NO, SIR. I SAW NOTHING; THERE WAS ONLY GUNS AND BOWS AND ARROWS Q. DO YOU KNOW WHAT PROPERTY THE EMIGRANTS HAD , ANSD IF SO, DESCRIBE THAT?  A. WAGONS, OXEN, SOME FEW HORSES— .  <del>AAS FAR AS THEY HAD</del></p> <p>ANYTHING THEY HAD IN THEIR CAMP I KNOW NOTHING AB OUT IT . Q. DO YOU KNOW <del>M</del>HOW MANY WAGONS THEY HAD? A. NOTHING MORE THAN A KIND OF</p>	<p>INDIANS SCALP ANY PERSONS KILLED THERE  <sup>Δ</sup>I DIDN'T HEAR OF ANY OF THEM BEING SCALPED</p> <p><sup>Q</sup>DID YOU SEE THE THROATS OF ANY OF THEM CUT <sup>Δ</sup>NO SIR I SAW NOTHING SAW ONLY GUNS BOWS AND ARROWS DO YOU KNOW WHAT PROPERTY THE EMIGRANTS HAD AND IF SO DESCRIBE THAT  <sup>Δ</sup>WAGONS OXEN SOME FEW HORSES AS FAR AS</p> <p>ANYTHING THEY HAD IN THEIR CAMP I KNOW NOTHING ABOUT DO YOU KNOW HOW MANY WAGONS THEY HAD ONLY</p>
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**RT****RS****BT****PS**

<p>GUESS SO.</p> <p>THERE MAY HAVE BEEN SOMEWHERE ABOUT TWENTY WAGONS. Q. HAVE HAD YOU EVER SEEN THE EMIGRANT TRAIN BEFORE THAT DAY ? A. JUST AS I MET THEM COMING OUT OF THEIR CAMPS AND AS I WENT ON THE ROAD FROM PINTO CREEK. MR. SMITH WAS WITH ME WHEN WE MET THEM.</p>	<p>GUESS SO;</p> <p>THERE MIGHT HAVE BEEN SOMEWHERE ABOUT 20 WAGONS Q HAD YOU EVER SEEN EMIGRANT TRAIN BEFORE THAT DAY A JUST AS I MET 'EM COMING OUT OF THEIR CAMPS AS I WENT ON ROAD FROM PINTO CREEK, MR. SMITH WAS WITH ME WHEN WE MET THEM</p>	<p>GUESS SO; I SUPPOSE MAY BE THERE MIGHT HAVE BEEN SOMEWHERE ABOUT 20 WAGONS. Q. HAD YOU EVER SEEN THE EMIGRANT TRAIN BEFORE THAT DAY? A. ONLY AS I MET THEM COMING OUT OF THEIR CAMPS WHEN I WAS COMING BACK FROM PINTO CREEK; MR. SMITH WAS WITH ME WHEN I MET THEM.</p>	<p>GUESS I SHOULD SUPPOSE <sup>[[26]]</sup> MAYBE THERE MIGHT HAVE BEEN SOMEWHERE ABOUT 20 WAGONS HAD YOU EVER SEEN THE EMIGRANT TRAIN THAT DAY JUST AS I MET THEM</p> <p>WHEN I WAS COMING BACK FROM PINTO CREEK WAS ANYBODY WITH YOU THEN MR. SMITH</p>
<p>Q. ABOUT HOW MANY STOCK HAD THEY ? A. I DON'T RECOLLECT WHETHER THEY HAD THE LOOSE HERD, DRIVING THEM OR NOT; I THINK THOUGH THEY HAD.</p>	<p>Q ABOUT HOW MANY STOCK HAD THEY A I DON'T RECOLLECT WHETHER THEY HAD THE LOOSE HERD DRIVING THEM OR NOT I THINK THOUGH THEY HAD. ≤AND THINK≥</p>	<p>Q. ABOUT HAOW MANY CATTLE HAD THEY? <sup>[[31]]</sup> A. I DON'T RECOLLECT WHETHER THEY HAD A LOOSE HERD DRIVING THEM OR NOT; I THINK THOUGH THEY HAD A FEW;</p>	<p>ABOUT HOW MANY CATTLE HAD THEY I DON'T RECOLLECT WHETHER THEY HAD A LOOSE HERD DRIVING I THINK THEY HAD A FEW</p>
<p>Q. YOU THINK, YOU COULD NOT SAY ABOUT THAT ? A. THEY HAD</p> <p>THREE</p>	<p>Q IF YOU COULD NOT SAY ABOUT THAT A THEY HAD</p> <p>THREE</p>	<p>I COULD NOT SAY THOUGH ABOUT THAT. THEY HAD GOOD LOOKING TEAMS , THREE</p>	<p>I COULD NOT SAY ABOUT THAT THEY HAD GOOD LOOKING TEAMS 3</p>

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

<p>OR FOUR YOKE OF CATTLE TO A WAGON. THEY WAS DRAWING OUT THEIR CAMP AS I PASSED THEM.</p> <p>THEY HAD GOT STRONG TEAMS. Q. DO YOU KNOW WHAT WAS DONE WITH THAT PROPERTY ? A. I NEVER SEEN THEM ANY MORE, AFTER I LEFT THEM THAT DAY, TILL I SAW THEM ON THE RANCH NEAR HARMONY, BELOW KANNARRA.</p> <p>I SAW STOCK</p> <p>THERE; I COULD TELL THEM AND THAT THEY WERE FRESH STOCK; THEY WERE</p>	<p>FOUR YOKE OF CATTLE TO WAGON. THEY WAS DRAWING OUT THEIR CAMP AS WE PASSED THEM. <math>\Leftarrow</math>WALKING UP A HILL WHEN MR. SMITH AND ME PASSED THEM<math>\Rightarrow</math> THEY HAD GOOD STRONG TEAMS. Q. DO YOU KNOW WHAT WAS DONE WITH THAT PROPERTY A. I NEVER SEEN THEM ANY MORE AFTER I LEFT THEM THAT DAY UNTIL I SAW THEM ON RANGE NEAR HARMONY BELOW KANARRA</p> <p>I SAW STOCK</p> <p>THERE I COULD TELL THEM FROM OUR</p> <p>STOCK THEY WERE</p>	<p>OR FOUR YOKE OF CATTLE TO THE WAGON.</p> <p>THEY WAS COMING UP A HILL WHEN MR. SMITH AND ME PASSED THEM.</p> <p>Q. DO YOU KNOW WHAT WAS DONE WITH THAT PROPERTY? A. I NEVER SEEN THEM ANY MORE AFTER I LEFT</p> <p>TILL I SAW THEM ON THE RANGE DOWN NEAR HARMONY BELOW KANNARRA; DOWN IN THAT COUNTRY; I SEEN STOCK, A GOOD MANY OF THEM THERE THAT I COULD TELL FROM OUR</p> <p>STOCK BECAUSE THEY WAS MOSTLY WORK</p>	<p>AND 4 YOKE OF CATTLE TO THE WAGON</p> <p>THEY WAS COMING UP A HILL WHEN MR. SMITH AND ME PASSED THEM [space]</p> <p>DO YOU KNOW WHAT WAS DONE WITH THAT PROPERTY I NEVER SEEN THEM ANY MORE</p> <p>UNTIL I SAW <math>\Leftarrow</math>THEM<math>\Rightarrow</math> ON THE RANGE DOWN NEAR HARMONY</p> <p>DOWN IN THAT COUNTRY I SEEN STOCK GOOD MANY OF THEM THERE THAT I COULD TELL FROM OUR</p> <p>STOCK BECAUSE THEY WAS MOSTLY WORK</p>
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RT	RS	BT	PS
<p>THIN. Q. IN WHOSE POSSESSION OR CONTROL WERE THEY ?</p> <p>SUTHERLAND</p> <p>OBJECTED TO THE WITNESS STATING WHAT HE UNDERSTOOD. [space]</p> <p>✓ A. I NEVER HEARD ANYBODY SAY THAT I KNOW OF. THEY <del>BROUGHT</del> <del>WERE</del> APPARENTLY <del>IN</del> <del>HIS</del> LEE'S CHARGE</p> <p>AND HE WAS LETTING THE INDIANS HAVE THEM OCCASIONALLY ALONG. I KNOW THAT. <sup>/158/</sup> Q. STATE THE CIRCUMSTANCES THAT YOU</p>	<p>THIN <sub>Q</sub> IN WHOSE POSSESSION OR CONTROL WERE THEY</p> <p><del>&lt;SUTH OBJ&gt;</del> DEFENSE OBJECTED TO HIS STATING WHAT HE UNDERSTOOD IT HAS GOT PAST POINT OF RUMOR AND WE <i>SHALL/WISH/SAY</i>[ ?]<i>NO/KNOW</i>[?] HIM TO STATE {*}<sup>P</sup> A I NEVER HEARD ANYBODY SAY THAT I KNOW OF. THEY WERE APPARENTLY IN HIS CHARGE,</p> <p>HE WAS LETTING THE INDIANS HAVE 'EM OCCASIONALLY, ALONG I KNOW THAT. <sub>Q</sub> STATE CIRCUMSTANCE S THAT YOU</p>	<p>CATTLE AND QUITE THIN. Q. IN WHOSE POSSESSION OR CONTROLL WERE THEY? A. I <b>SAID</b> <b>THEY WERE IN</b> <b>MR LEE'S</b> <b>POSSESSION M<sup>R</sup></b> SUTHERLAND: I OBJECT TO HIS STATING <del>THAT</del> WHAT HE UNDERSTOOD, WHICH IS SIMPLY RUMOR.</p> <p>A.. I NEVER HEARD ANYBODY SAY <del>THA T</del> I KNOW OF. THEY WAS IN HIS CHARGE AND HE HAD CHARGE OF THEM. HE USED TO LET THE INDIANS HAVE SOME OCCASIONALLY ALONG, I KNOW THAT. Q. STATE <b>ALL</b> THE CIRCUMSTANCE S THAT YOU</p>	<p>CATTLE AND <i>G[?]</i> [space] IN WHOSE POSSESSION OR CONTROL WERE THEY I UNDERSTOOD THEY WERE IN MR LEE'S POSSESSION [space]</p> <p>OBJECTION TO</p> <p>UNDERSTOOD [space]</p> <p>I NEVER HEARD ANYBODY SAY THAT I KNOW OF THAT THEY WAS IN HIS CHARGE OR HE HAD CHARGE OF THEM AND HE LET THE INDIANS HAVE THEM OCCASIONALLY ALONG <del>&lt;I HAVE</del> <del>S FR[?]</del> THAT <del>&gt;</del> STATE THE CIRCUMSTANCE S CONNECTED</p>

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

<p>KNOW ABOUT IT ?</p> <p>A. I KNOW THE STOCK WAS THERE; I KNOW THE INDIANS WERE KEPT AROUND THERE AND LIVED THERE.</p> <p>Q. STATE HOW YOU KNOW THAT FACT ? A. I HAD BEEN PASSING THROUGH THE COUNTRY AND AROUND THERE, HAD SEEN THEM, AND I KNOW OF IT</p> <p>SOMETIME AFTER. I HEARD MR. LEE SAY HE HAD ISSUED OUT MEAT TO THE INDIANS, BUT THE INDIANS WERE</p>	<p>KNOW ABOUT IT</p> <p><sup>A</sup>I KNOW STOCK WAS THERE, I KNOW THE INDIANS WERE KEPT AROUND THERE LIVED THERE, HAD BEEF OCCASIONALLY</p> <p><sup>Q</sup>STATE HOW YOU KNOW THAT FACT <sup>A</sup>I HAD BEEN PASSING THROUGH COUNTRY AROUND THERE, HAD SEEN THEM AND A YEAR OR TWO</p> <p>SOMETIME AFTER THAT JOURNEY I HEARD MR. LEE SAY HE HAD KEPT <del>BOOKS</del> AND ISSUED OUT MEATS TO THE INDIANS AND I READ BOOKS</p>	<p>KNOW ABOUT IT. A. ALL THE CIRCUMSTANCES THAT I KNOW. I KNOW THAT THE STOCK WAS AROUND THERE , AND I KNOW THAT THE INDIANS WERE KEPT AROUND THERE— LIVED AROUND THERE ANED HAD BEEF OCCASIONALLY.</p> <p>Q. STATE HOW YOU KNOW THAT FACT. A. I <del>D</del>HAD BEEN PASSING THROUGH THE COUNTRY AROUND THERE <del>A</del>AND I HAD SEEN THEM, AND IN A YEAR OR TWO AFTER THAT —</p> <p>SOME TIME AFTER I HEARD MR. LEE SAY THAT HE HAD KEPT BOOKS AND ISSUED OUT MEATS AND MEANS TO THE INDIANS, THAT</p>	<p>WITH IT [<i>space</i>] ALL THE CIRCUMSTANCES I KNOW I KNOW THAT THE STOCK AROUND THERE AND I KNOW THAT THE INDIANS KEPT AROUND THERE WHO LIVED AROUND THERE AND HAD BEEF OCCASIONALLY [<i>space</i>] STATE HOW YOU KNOW THAT FACT I HAVE BEEN PASSING THROUGH THE COUNTRY AROUND THERE AND HAVE SEEN THEM {AND}<sup>i</sup> A YEAR YEAR OR TWO</p> <p>SOMETIME AFTER THAT I HEARD MR. LEE SAY THAT HE HAD KEPT BOOKS AND HAD ISSUED OUT MEANS TO THE INDIANS AND BY HIS BOOKS THAT</p>
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**RT****RS****BT****PS**

<p>GUARDING ALL THE PROPERTY THAT BELONGED TO THAT COMPANY, OR HAD ANYTHING TO DO WITH IT, OR SOMETHING OF THE KIND. THE BOOKS WOULD SHOW. HE HAD DELIVERED OVER TO THE INDIANS FROM TIME TO TIME SUCH THINGS AS THEY NEEDED AND</p> <p>THE AMOUNT OF CATTLE.</p> <p>Q. WAS THERE ANYTHING SAID FURTHER AS TO THAT ?</p> <p>A. NOT THAT I KNOW OF.</p> <p>Q. DO YOU KNOW HOW LEE CAME TO</p> <p>ISSUE THESE GOODS ?</p> <p>A. NO</p> <p>SIR, I DID NOT. Q. DID YOU EVER</p>	<p>THEY HAD NOW GOT ALL THE PROPERTY THAT BELONGED TO THAT OUTFIT OR HAD ANYTHING TO DO WITH OR SOMETHING OF THE KIND HIS BOOKS WOULD SHOW HE HAD —[?] TURNED OVER TO INDIANS FROM TIME TO TIME SUCH THINGS AS THEY NEEDED AND</p> <p>AMOUNT OF CATTLE.</p> <p>Q WAS THERE ANYTHING ELSE SAID</p> <p>A NOT THAT I KNOW OF</p> <p>Q DO YOU KNOW HOW LEE CAME TO ANYTHING</p> <p>ISSUE THOSE GOODS</p> <p>A NO</p> <p>SIR I DO NOT DID YOU EVER</p>	<p>THEY HAD NOW GOT ALL THE PROPERTY THAT BELONGED TO THEM AT THE TIME; THAT HE HAD NOTHING TO DO WITH IT NOW ; THAT HIS BOOKS WOULD SHOW THAT HE HAD TURNED OVER TO THE INDIANS FROM TIME TO TIME SUCH THINGS AS THEY NEEDED, AND THAT AMOUNTED TO THE AMOUNT OF THAT PROPERTY. <sup>[132]</sup></p> <p>Q. WAS THERE ANYTHING ELSE SAID?</p> <p>A. NOT THAT I KNOW OF AT THAT TIME?</p> <p>Q. DO YOU KNOW HOW LEE CAME TO</p> <p>ISSUE THOSE GOODS TO THE INDIANS? A. NO, SIR, I DO NOT. Q. DID YOU EVER</p>	<p>THEY HAD NOW GOT ALL THE PROPERTY THAT BELONGED TO THAT OUTFIT THAT HE HAD ANYTHING TO DO WITH</p> <p>THAT HIS BOOKS WOULD SHOW THAT HE HAD TURNED OVER TO THE INDIANS FROM TIME TO TIME SUCH THINGS AS THEY NEEDED THAT AMOUNTED TO THE AMOUNT OF THAT PROPERTY<sup>193</sup></p> <p>WAS THERE ANYTHING ELSE SAID</p> <p>NOT THAT I KNOW OF AT THAT TIME</p> <p>[space] DO YOU KNOW #[?]</p> <p>≤HOW HE≥ CAME TO</p> <p>ISSUE THOSE GOODS AND NO</p> <p>SIR I DO NOT DID YOU EVER</p>
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193. Rogerson's hand symbol.

**RT**

**RS**

**BT**

**PS**

<p>HAVE A CONVERSATION WITH HIM IN RELATION TO THAT ? A. NONE AT ALL. Q. DO YOU KNOW</p>	<p>HAVE CONVERSATION WITH HIM IN RELATION TO THAT <sup>Δ</sup>NOT AT ALL <sub>Q</sub>DO YOU KNOW</p>	<p>HAVE ANY CONVERSATION WITH HIM IN RELATION TO THAT. A. NOT AT ALL. Q. DO YOU KNOW</p>	<p>HAVE ANY CONVERSATION WITH HIM IN RELATION TO THAT NOT AT ALL DO YOU KNOW</p>
<p>IN WHAT CAPACITY ? A. HE DID</p>	<p>IN WHAT CAPACITY <del>A</del> HE DID IT</p>	<p>ABOUT IN WHAT CAPACITY HE DID IT.</p>	<p>ABOUT IN WHAT CAPACITY HE DID IT</p>
<p>NOTHING MORE, AS I SUPPOSE,</p>	<p><sup>A</sup> NOTHING MORE <del>&lt;THAN&gt;</del> AS <del>&lt;I</del> STATED<sup>⇒</sup> I SUPPOSED</p>	<p>A. NOTHING MORE; NO SIR-, — AS I SUPPOSED ONLY</p>	<p>NO SIR <sup>[[27]]</sup> NOTHING MORE THAN AS</p>
<p>ONLY TAKE CHARGE OF THE STOCK, RIGHT THERE AT THE TIME <sup>[space]</sup> <sup>[[159]]</sup> I DID NOT SEE IT DONE. THE NEXT TIME I SAW THE STOCK THEY WERE</p>	<p>HE TOOK CHARGE OF THE STOCK RIGHT THERE AT THE TIME <sup>[[34]]</sup> <sup>194</sup> I DID NOT SEE IT DONE THE NEXT TIME I SAW STOCK <del>FROM</del></p>	<p>HE TOOK CHARGE OF THE STOCK RIGHT THERE AT THE TIME OR <del>TH</del> NEXT DAY; AND THE NEXT TIME I SAW THE STOCK, I SAW THEM THERE AROUND THAT COUNTRY</p>	<p>HE TOOK CHARGE OF THE STOCK RIGHT THERE AT THE TIME OR THE NEXT DAY. I SAW THE STOCK I SAW THEM THERE AROUND THAT COUNTRY</p>
<p>WITHIN TEN MILES, AND FROM THAT THEY WERE AROUND MORE CLOSELY.</p>	<p>WITHIN TEN MILES AND FROM THAT AROUND CLOSELY</p>	<p>WITHIN TEN MILES AND FROM THAT AROUND <b>CLOSER</b> <del>CLOSELY</del> TO WHERE I</p>	<p>WITHIN TEN MILES AND FROM THAT CLOSER TO WHERE <del>HE/I</del> <sup>[[?]]</sup></p>
<p>Q. DID</p>	<p>{<sub>Q</sub>}<sup>P</sup>DID</p>	<p>LIVED. Q . DO</p>	<p>LIVED DID</p>

194. At the top of the page: {MNG NOV 29/83}<sup>P</sup>. There is illegible doodling on the verso.

**RT**

**RS**

**BT**

**PS**

<p>YOU KNOW IF MR. LEE HELD ANY OFFICE OR POSITION WITH REFERENCE TO THE INDIANS ?</p>	<p>YOU KNOW IF MR. LEE HELD ANY OFFICIAL POSITION WITH REFERENCE TO THE INDIANS</p>	<p>YOU KNOW WHETHER MR. LEE HELD ANY OFFICIAL POSITION IN REFERENCE TO THE INDIANS? <b>M<sup>R</sup></b></p>	<p>YOU KNOW WHETHER MR. LEE HELD ANY OFFICIAL OFFICE IN REFERENCE TO THE INDIANS</p>
<p>DEFENDANTS COUNSEL OBJECTED TO THE QUESTION, AS THE OBJECT IS</p>	<p>SUTHERLAND  OBJECTED TO QUESTION</p>	<p>SUTHERLAND: WE OBJECT TO THE QUESTION AS IMPLYING</p>	<p>≪SUTHERLAND≫  OBJECTED TO AS IT ≪MATERIAL IS IRRELEVANT≫ IS</p>
<p>TO IMPLICATE SOMEBODY NOT MENTIONED IN THIS INDICTMENT.</p>	<p>TO IMPLICATE SOMEBODY NOT IMPLICATED IN THIS INDICTMENT</p>	<p>SOMEBODY NOT IMPLICATED IN THIS INDICTMENT,</p>	<p>DESIGNED TO IMPLICATE SOMEBODY WHO IS NOT  INDICTED.</p>
<p>IT DON'T TEND AT ALL TO ANY CONNECTION OF THE DEFENDANT HERE WITH THE TRANSACTION, AND ITS ONLY OBJECT CAN BE</p>	<p>OUGHT NOT TO BE AFFECTED BY ANY OF EVIDENCE IT DON'T TEND AT ALL TO ILLUSTRATE CONNECTION TO THE DEFENDANT THE WITH TRANSACTION OF QUESTION STILL OBJECT TO IT</p>	<p>WOULD NOT BE EFFECTED BY ANY OF THE INDIANS; IT DONEY'T TEND AT ALL TO ILLUSTRATE OR CONNECT <del>WITH</del> THE DEFENDANT HERE WITH THE TRANSACTION; AND WE OBJECT TO THE <del>W</del>QUESTION BECAUSE THE OBJECT IS TO</p>	
<p>TO IMPLICATE SOMEBODY WHO IS NOT BEFORE THE</p>	<p>IS TO IMPLICATE SOMEBODY WHO IS NOT BEFORE THE</p>	<p>IMPLICATE SOMEBODY WHO IS NOT BEFORE THE</p>	



**RT**

**RS**

**BT**

**PS**

COURT.	COURT  BASKIN GENTLEMAN ASSERTS ROLE IN PROTECTING OTHERS HE IS PRESERVING WHETHER I AM DESIROUS IN PROTECTING SOMEBODY ELSE OR NOT IT IS MY BUSINESS TO PROTECT THIS DEFENDANT FROM IRRELEVANT EVIDENCE. EVIDENCE SHALL BE CONFINED TO ISSUE TO BE TRIED AND IN RAISING THAT OBJECTION I DID I AM LIABLE TO NO CRITICISM OUTSIDE OF MY PROFESSIONAL —[?] BUSINESS OUT OF TENDERNESS TO ANYBODY GENTLEMAN'S PROCESS OF REASON IS SOMEWHAT SIMPLE. ASSUMES THIS PROCESS OF REASONING IS [space]. THIS	COURT. ARGUED BY BASKIN.	
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**RT**

**RS**

**BT**

**PS**

	<p>WITNESS TESTIMONY IS JOHN D. LEE ISSUED OUT ABOVE GOODS ETC. MY QUESTION IS TO SHOW WHY AND HOW IT WAS DONE IS NOT IRRELEVANT IN AS MUCH AS GENTLEMAN FAILED TO STATE HOW IT WAS IRRELEVANT HOW IT WOULD BRING ANYBODY ELSE IN I AM AT A LOSS TO KNOW. I NEVER HEARD SUTHERLAND OBJECT TO TO QUESTION AS FAR AS IT IS ALLEGED IS TO SHOW OUGHT TO HAVE HAD HERE ON TRIAL THAT PROPERTY THAT WAS OBTAINED FROM THOSE EMIGRANTS IT WAS LEGITIMATE FOR THEM TO ASK FOR ANY CONTROL HE ASSUMED OVER THAT ANY ACTS HE DID IN THE</p>		
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**RT**

**RS**

**BT**

**PS**

<p>THE COURT RULED THAT THE PROSECUTION MAY PROVE HOW</p> <p>HE HELD THIS POSSESSION,</p> <p>IF HE HELD IT AT ALL. TO WHICH RULING OF THE COURT DEFENDANTS COUNSEL THEN AND THERE DULY EXCEPTED.</p>	<p>DISPOSING OF IT ANY ATTEMPT TO SHOW ANY CONNECTION TO THAT DISPOSING OF IT ANY OFFICE HE HELD OR ANY ROLES HE HELD OR OTHER OFFICE IS WHOLLY IMMATERIAL I RAISED THIS OBJECTION <i>SSGBL</i>—[?] WITH THE <i>ANIMUS</i>[?] OF PROSECUTION BEFORE THAT PUT IN BEFORE JURY. <b>←COURT RULED⇒</b> BY COURT IT MAY BE TO HIS ADVANTAGE</p> <p>HOW HE HELD THIS POSITION WHY HE HELD IT</p> <p>AND IF HE HELD IT AT ALL. SUTHERLAND GIVE US</p> <p>BENEFIT OF AN EXCEPTION</p>	<p>COURT: IT MAY BE TO HIS ADVANTAGE &amp; <b>NOT HIS DISADVANTAGE TO SHOW</b> <del>HOW HE HELD THIS</del> <b>WHAT</b> POSITION, <b>HE HELD</b> WHY AND HOW HE HELD IT, AND IF HE HELD IT AT ALL. <b>OBJ OVERRULED.</b></p> <p>DEFENSE EXCEPTED TO THE RULING OF</p>	<p>OBJECTION OVERRULED</p> <p>EXCEPTION <del>WITNESS I</del></p>
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**RT**

**RS**

**BT**

**PS**

<p>WIT.: I DO NOT KNOW</p> <p>HOW HE HELD IT OR ANYTHING OF THE KIND.</p>	<p>{A}P I DO NOT KNOW</p> <p>ABOUT HE HELD OR ANYTHING OF THE KIND,</p>	<p>THE COURT. A. I DON'T KNOW ANYTHING ABOUT HOW HE HELD IT OR ANYTHING OF THE KIND IN REGARD TO THAT BUT I SUPPOSE—— — M<sup>R</sup></p> <p>SUTHERLAND: WE OBJECT TO WITNESSES TELLING WHAT HE SUPPOSED. A.</p>	<p><del>NEVER</del> I DO NOT KNOW ANYTHING ABOUT HOW HE HELD IT OR ANYTHING OF THE KIND NO MORE THAN I SUPPOSED [space]</p> <p>OBJECTED TO</p>
<p>I KNOW NOTHING ABOUT IT AT ALL, OR HOW HE CAME IN POSSESSION OF IT. Q. DO YOU KNOW WHETHER HE HELD ANY OFFICE AT THAT TIME IN CONNECTION WITH THE INDIANS ? A. I DO NOT. Q. OR WHETHER HE DISCHARGED ANY DUTIES OF OFFICE IN CONNECTION WITH THE INDIANS ? A. I DO NOT.</p>	<p>I KNOW NOTHING ABOUT IT AT ALL HOW HE CAME IN POSSESSION OF IT. {Q}P DO YOU KNOW WHETHER HE HELD ANY OFFICE AT THAT TIME IN CONNECTION WITH INDIANS &lt;OR</p> <p>DISCHARGED ANY DUTIES</p> <p>CONNECTED WITH THE OFFICE, WHETHER&gt; AI DO NOT {Q}P HE DISCHARGED ANY DUTIES OF</p>	<p>I KNOW NOTHING ABOUT IT AT ALL OR HOW HE CAME IN POSSESSION OF IT. Q. DO YOU KNOW WHETHER HE HELD ANY OFFICE AT THAT TIME IN CONNECTION WITH THE INDIANS; [133] WITH THE INDIANS; OR</p> <p>DISCHARGED ANY DUTIES</p> <p>CONNECTED WITH THE OFFICE? A. I DON'T KNOW WHETHER HE DID OR NOT:</p>	<p>I KNOW NOTHING ABOUT IT AT ALL HOW HE CAME IN POSSESSION OF IT. [space] DO YOU KNOW WHETHER HE HELD ANY OFFICE AT THAT TIME IN CONNECTION TO THE INDIANS OR</p> <p>DISCHARGED ANY DUTIES</p> <p>CONNECTED WITH THE OFFICE AI DON'T KNOW WHETHER HE DID OR NOT</p>

**RT**

**RS**

**BT**

**PS**

<p>I NEVER HEARD OF ANYTHING OF THAT KIND.</p> <p>NEVER KNEW OF HIS HAVING AN AGENCY.</p> <p>HE WAS ALWAYS VERY FRIENDLY TO THE INDIANS,</p> <p>ALWAYS A GREAT MANY OF THEM AROUND HIM.</p> <p>Q. STATE THE SUBSTANCE OF WHAT OCCURRED IN RELATION TO JOHN D. LEE AND THIS MAN ?</p> <p><sup>[160]</sup> A. HE WAS TALKING TO ANOTHER MAN — I</p>	<p>OFFICE IN CONNECTION WITH INDIANS</p> <p>{A}P I DO NOT [[35]]195 I NEVER HEARD OF ANYTHING OF THAT KIND, OWN AGENCY NEVER KNEW OF HIS HAVING ANY AGENCY</p> <p>NEVER KNEW OF HIS HAVING AGENCY, HE WAS ALWAYS VERY FRIENDLY TO INDIANS</p> <p>ALWAYS A GREAT MANY OF THEM AROUND HIM.</p> <p>{Q}P STATE THE SUBSTANCE OF WHAT OCCURRED IN RELATION TO JOHN D. LEE AND THIS MAN</p> <p>{A}P HE WAS TALKING TO ANOTHER MAN</p>	<p>I NEVER HEARD OF ANY AGENCY NEVER KNEW OF HIS HAVING ANY AGENCY. HE WAS ALWAYS FRIENDLY — VERY FRIENDLY TO THE INDIANS; AND INDIANS WERE ALWAYS, A GREAT MANY, FRIENDLY TO HIM.</p> <p>Q. STATE THE SUBSTANCE OF WHAT OCCURRED IN RELATION TO JOHN D. LEE IN THE CONVERSATION ABOUT THIS QUESTION?</p> <p>A. HE WAS TALKING TO ANOTHER ANYTHIN MAN, I</p>	<p>[space]</p> <p>I NEVER HEARD OF ANY AGENCY NEVER KNEW OF ANY AGENCY OR ANYTHING OF THAT KIND NEVER KNEW OF HIS HAVING ANY AGENCY HE WAS ALWAYS GREAT FRIEND TO THE INDIANS AND ALWAYS [space]</p> <p>Q REPEAT SUBSTANCE IN THE CONVERSATION ABOUT THOSE ACCOUNTS AGAIN A HE WAS TALKING TO ANOTHER MAN I</p>
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195. A lot of shorthand and longhand doodling on the verso side of the page.

**RT**

**RS**

**BT**

**PS**

<p>DON'T KNOW WHAT MAN IT WAS, GOING OVER THERE.</p>	<p>DON'T KNOW WHAT MAN IT WAS GOING OVER THERE, I</p>	<p>DON'T KNOW WHAT MAN IT WAS GOING THROUGH THERE. I</p>	<p>DON'T KNOW WHAT MAN IT WAS;  I</p>
<p>THE CONVERSATION WAS GOING ON SOMETHING ABOUT THIS PROPERTY AND THE INDIANS</p>	<p>STEPED OVER CONVERSATION WAS GOING ON SOMETHING ABOUT THIS PROPERTY AND THE INDIANS</p>	<p>STOPPED THERE AND THE CONVERSATION WAS GOING ON — SOMETHING ABOUT THIS PROPERTY AND THE INDIANS</p>	<p>STOPPED THERE AND THE CONVERSATION WAS GOING ON SOMETHING ABOUT THIS PROPERTY AND THE INDIANS</p>
<p>HAD MADE A CALL FOR SO MANY MORE, AND HE SAYS, NOW,</p>	<p>HAD MADE CALL FOR SOMETHING MORE MY</p>	<p>HAVING IT ; AND IT CALLED FOR SOME REMARK. “MY</p>	<p>HAVING IT THE INDIANS HAD MADE A CALL FOR SOMETHING MORE AND <del>HE</del></p>
<p>I HAVE GIVEN TO THEM ALL OR NEARLY,</p>	<p>BOOKS THEY SHOW NOW THAT I HAVE GIVEN TO THEM ALL OR NEARLY ALL</p>	<p>“MY BOOKS, THEY SHOW <del>ALL</del> NOW THAT I HAVE GIVEN TO THEM ALL OR NEARLY ALL OF THAT PROPERTY.”</p>	<p>[<i>space</i>] MY BOOKS BEFORE THAT SHOW HOW THAT I <del>HAVE</del>[?] ISSUED TO THEM ALL OR NEARLY ALL THAT PROPERTY.</p>
<p>SOMETHING TO THAT AMOUNT, DIDN'T SAY IT TO ME PARTICULARLY. Q. YOU SAID SOMETHING ABOUT HAVING SOME CATTLE SLAUGHTERED AND DISTRIBUTED TO THE INDIANS BY MR. LEE, NOW EXPLAIN ?</p>	<p>SOMETHING TO THAT AMOUNT <del>HE</del> DIDN'T SAY IT TO ME PARTICULARLY. Q YOU SAID SOMETHING ABOUT HAVING SOME CATTLE SLAUGHTERED AND DISTRIBUTED TO INDIANS BY MR. LEE NOW EXPLAIN</p>	<p>SOMETHING OF THAT KIND. HE DIDN'T SAY IT TO ME PARTICULARLY. Q. YOU SAID SOMETHING ABOUT THEIR BEING SOME CATTLE SLAUGHTERED AND DISTRIBUTED TO THE INDIANS BY MR. LEE. NOW, PLEASE EXPLAIN ABOUT</p>	<p>HE DIDN'T SAY IT TO ME PARTICULARLY. YOU SAID SOMETHING ABOUT THERE BEING SOME CATTLE SLAUGHTERED AND DISTRIBUTED TO THE INDIANS</p>

**RT**

**RS**

**BT**

**PS**

<p>A. I KNOW</p> <p>OCCASIONALLY THEY GOT A BEEF,</p> <p>SOMETIMES THEY KILLED IT THEMSELVES BUT SOMETIMES IT WAS KILLED FOR THEM. Q. HOW DO YOU KNOW ? A. THE CATTLE — I HAVE SEEN THEM KILLED BEFORE, AND DIVIDED IT UP.</p> <p>I HAVE SEEN LEE AT ONE TIME KILL ONE AND GIVE IT TO THEM OUT ON THE RANGE. Q. DID YOU EVER HAVE ANY CONVERSATION WITH MR. LEE AS TO WHAT</p>	<p><sup>A</sup>I KNOW OF THAT THEY OCCASIONALLY GOT A BEEF,</p> <p>SOMETIMES THEY KILLED IT THEMSELVES BUT SOMETIMES <del>THEY</del> {LEE}<sup>i</sup> KILLED IT FOR THEM {Q}<sup>p</sup>HOW DO YOU KNOW THAT FACT; I HAVE SEEN THEM KILL BEEF THERE AND DIVIDED TIME TO TIME.</p> <p>I HAVE SEEN LEE AT ONE TIME KILL ONE AND GIVE IT TO THEM OUT ON THE RANGE. Q. DID YOU EVER HAVE ANY CONVERSATION WITH MR. LEE AS TO</p>	<p>THAT. A. THERE IS NO EXPLEM<del>N</del>NATION THAT I KNOW OF, ONLY THAT THEY OCCASIONAL<del>L</del>Y GOT A BEEF ONCE IN A WHILE; WHEN THERE, THEY GOT A BEEF.</p> <p>SOMETIMES THEY KILLED IT THEMSELVES AND SOMETIMES LEE KILLED IT FOR THEM. Q. HOW DO YOU KNOW THAT FACT? A. I HAVE SEEN THEM KILL A BEEF THERE; AND SEEN IT DIVIDED OUT AND THEY GOT IT. Q. DID YOU EVER SEE LEE KILL ANY? A. YES, SIR; I HAVE SEEN LEE AT ONE TIME KILL ONE AND GIVE IT OUT <b>TO</b> THEM ON THE RANGE. Q. DID YOU HAVE ANY CONVERSATION WITH MR. LEE AS TO</p>	<p><sup>A</sup>THERE IS NO EXPLANATION <del>N</del>O MORE THAN THEY OCCASIONALLY GOT A BEEF ONCE IN A WHILE WENT THERE AND GOT A BEEF</p> <p>[space]</p> <p>SOMETIMES THEY KILLED IT THEMSELVES AND SOMETIMES HE KILLED IT FOR THEM HOW DO YOU KNOW THAT FACT <sup>A</sup>I HAVE SEEN THEM KILL BEEF THERE AND SEEN THEM GIVE IT OUT TO THE INDIANS DID YOU EVER SEE LEE KILL ANY YES <del>SIR; I HAVE</del> —[?] [space] I SAW <del>≠THEM≠</del> AT ONE TIME KILL WHEN WENT OUT ON THE RANGE DID YOU HAVE ANY CONVERSATION <sup>[[28]]</sup> WITH MR. LEE AS TO</p>
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## RT

## RS

## BT

## PS

<p>HE _____.  AFTER  HE KILLED ONE  OUT THERE —  WHAT DID HE  DO WITH IT ?  A. I SAW THE  INDIANS  KILLING ONE. I  RODE UP TO  THEM AND  ASKED THEM  WHAT THEY  WAS DOING.  THEY SAID IT  WAS BEEF  THEY HAD  GOT FROM  JOHN D. LEE,  THEY WAS  KILLING IT; I  RODE ON, BUT I  SAID TO THEM I  WILL SEE, THAT  IS ALL I SAID TO  THEM. Q. DID  YOU EVER HAVE  ANY  CONVERSATION  WITH JOHN D.  LEE ?  DEFENSE  MOVES TO  STRIKE OUT THE  LAST  ANSWER OF THE  WITNESS  WHERE IN HE  SAID THAT THE  INDIANS TOLD  HIM THEY HAD  GOT THE  BEEF FROM  JOHN D. LEE AND</p>	<p>WHAT HE WAS  DOING AFTER  HE KILLED ONE  OUT THERE  WHAT DID HE  DO WITH IT ?  {A}P I SAW  INDIANS  KILLING ONE; I  RODE UP TO  THEM  ASKED THEM  WHAT THEY  WAS DOING,  THEY SAID IT  WAS BEEF  THEY HAD  GOT FROM  JOHN D. LEE,  THEY WAS  KILLING IT, I  RODE ON</p> <p>THAT  IS ALL I SAID TO  THEM Q DID  YOU EVER HAVE  ANY  CONVERSATION  WITH JOHN D.  LEE  &lt;DEF&gt;  I MOVE TO  STRIKE OUT  LAST  ANSWER OF THE  WITNESS  WHEREIN HE  SAID  INDIANS TOLD  HIM THEY HAD  GOT THE  BEEF FROM  JOHN D. LEE</p>	<p>WHAT HE WAS  DOING, AFTER  HE KILLED ONE  ?,  WHAT DID HE  DO WITH IT?  A. I SAW THE  INDIANS  KILL ONE; I  RODE UP TO  THEM AND  ASKED THEM  WHAT THEY  WAS DOING;  THEY SAID IT  WAS BEEF  THAT THEY HAD  GOT FROM <sup>[134]</sup>  JOHN D. LEE  AND THEY WAS  KILLING IT. I  RODE ON AND</p> <p>THAT  IS ALL I SAID TO  THEM. Q. DID  YOU HAVE  ANY  CONVERSATION  WITH JOHN D:  LEE? M<sup>R</sup>  SUTHERLAND:  WE MOVE TO  STRIKE OUT ALL  OF THE LAST  ANSWER OF THE  WITNESS  WHEREIN HE  SAID THE  INDIANS TOLD  HIM HE HAD  GOT THE <del>TO</del>  BEEF FROM  JOHN .D LEE;</p>	<p>WHAT HE WAS  DOING [space]</p> <p>WHAT DID HE  DO WITH IT  [space]</p> <p>I  RODE UP TO  THEM AND  ASKED THEM  &lt;WHAT&gt; THEY  WAS DOING.  THEY SAID IT  WAS A BEEF  THAT THEY HAD  GOT OF  JOHN D. LEE  AND WAS —[?]  KILLING IT. I  RODE ON</p> <p>THAT  IS ALL I SAID TO  THEM [space] DID  YOU EVER HAVE  [space]</p> <p>MOVED TO  STRIKE OUT  THE LAST  ANSWER OF THE  WITNESS [space]</p>
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**RT**

**RS**

**BT**

**PS**

<p>THAT WAS WHEN HE SAYS</p> <p>I SAW THE INDIANS KILLING ONE AND I HAD SEEN HIM KILL ONE, THAT IS</p>	<p>THAT WAS</p> <p>ONLY</p> <p><sup>A</sup>I SAW THE INDIANS KILL ONE AND I HAD SEEN HIM KILL THEM THAT IS</p>	<p>THAT WAS WHEN HE SAW <del>THE INDIANS</del> <del>ONLY, ONLY</del> <b>THE INDIANS</b> <b>HE SAID;</b> “ I SAW THE INDIANS KILL ONE AND I HAD SEEN LEE KILL THEM.” <b>THE</b> <b>COURT: LET IT</b> <b>BE STRICKEN</b> <b>OUT.</b></p>	<p>STRICKEN OUT [<i>space</i>] THAT WAS ONLY TO SUBSTANTIATE HOW I KNEW THAT HE GAVE THEM I SAID I HAD <del>KNEW</del> SEEN THE INDIANS YOU HAD SEEN JOHN D. LEE KILL THAT AND ISSUE TO ‘EM ≤YES SIR≥ TO THE INDIANS [<i>space</i>]</p>
<p>HE HAD SEEN JOHN D. LEE KILL ONE AND ISSUE IT TO <sup>[161]</sup> THE INDIANS.</p>	<p>YOU HAD SEEN JOHN D. LEE KILL THEM AND ISSUE OUT TO THE INDIANS.</p>	<p>Q. YOU HAD SEEN JOHN D. LEE KILL THAT AND ISSUE IT OUT TO THE <b>INDIANS</b> <del>INSINS</del> A. YES, SIR, TO THE INDIANS. Q. DID YOU EVER HAVE ANY CONVERSATION WITH HIM ABOUT HIS ISSUING BEEF TO THE INDIANS? A. NO, SIR, NOT THAT I RECOLLECT OF.</p>	<p>Q. DID YOU EVER HAVE ANY CONVERSATION WITH HIM ABOUT HIS ISSUING BEEF TO THE INDIANS NO SIR NOT THAT I RECOLLECT OF [<i>space</i>] YOU SPOKE OF</p>
<p>Q. DID YOU EVER HAVE ANY CONVERSATION</p>	<p>{<sup>Q</sup>} DID YOU EVER HAVE ANY CONVERSATION</p>	<p>Q. DID YOU EVER HAVE ANY CONVERSATION WITH HIM</p>	<p>DID YOU EVER HAVE ANY CONVERSATION WITH HIM</p>
<p>ABOUT HIS ISSUING BEEF TO THE INDIANS ? A. NO SIR, NOT THAT I RECOLLECT OF. Q. YOU SPOKE OF</p>	<p>ABOUT HIS ISSUING BEEF TO THE INDIANS {<sup>A</sup>}<sup>P</sup>NO SIR NOT THAT I RECOLLECT OF. {<sup>Q</sup>}<sup>P</sup>YOU SPOKE OF</p>	<p>ABOUT HIS ISSUING BEEF TO THE INDIANS? A. NO, SIR, NOT THAT I RECOLLECT OF. Q. YOU SPEAK OF</p>	<p>ABOUT HIS ISSUING BEEF TO THE INDIANS NO SIR NOT THAT I RECOLLECT OF [<i>space</i>] YOU SPEAK OF</p>

**RT**

**RS**

**BT**

**PS**

<p>PARTIES GOING OVER TO BURY THE DEAD ? A. YES SIR. Q. DID YOU GO WITH THEM ? A. NO SIR. Q. DID YOU SEE THEM BURIED ?</p> <p>A. NO SIR. Q. DID YOU KNOW WHETHER THEY BURIED THE DEAD OR NOT ? A. THAT IS ALL I KNOW. THEY TOLD ME SO. Q. YOU DON'T KNOW THAT OF YOUR OWN PERSONAL KNOWLEDGE ? A. THEY CAME UP AND TOLD ME.</p> <p>CROSS-EXAMINED BY</p>	<p>PARTIES GOING OVER TO BURY DEAD {A}P YES SIR {Q}P DID YOU GO WITH THEM {A}P NO SIR {Q}P DID YOU SEE THEM BURY OF THE DEAD &lt;NO SIR=&gt; DID YOU KNOW WHETHER THEY DID BURY THEM OR NOT {A}P THAT IS ALL I KNOW THEY TOLD ME SO YOU DON'T KNOW THAT OF YOUR OWN PERSONAL KNOWLEDGE A THEY CAME &lt;AND SAID THEY BURIED THE DEAD WAS READY TO GO HOME=&gt; BY BASKIN YOU CAN TAKE THE WITNESS [space] CROSS EXAMINED BY DEFENSE [space] [[36]]</p>	<p>PARTIES FGOING OVER TO BURY THE DEAD? A. YES, SIR. Q. DID YOU GO WWITH THEM? A. NO, SIR. Q. DID YOU SEE THEM BURY ANY OFTHE DEAD THERE? A. NO, SIR. Q. DO YOU KNOW WHETHER THEY DID BUTRY THEM OR NOT? A. THAT IS ALL I KNOW; THEY TOLD ME SO. Q. &amp;THEN YOU DON'T KNOW THAT OF YOUR OWN PERSONAL KNOWLEDGE? Q. NO, SIR; THEY CAME BACK AND STATED THAT THEY HAD BURIED THE DEAD. <del>CROSS)EXAMINATION BY M<sup>th</sup> SUTHERLAND.</del> [Bk 4 3]196 (BOOK 4 3) 1ST LEE TRIAL CROSS- )EXAMINATION</p>	<p>PARTIES GOING OVER TO BURY THE DEAD A YES SIR DID YOU GO WITH THEM NO SIR DID YOU SEE THEM BURY ANY DEAD NO SIR DO YOU KNOW WHETHER THEY DID BURY THEM THAT TIME THEY DID YOU DON'T KNOW THAT OF YOUR OWN PERSONAL KNOWLEDGE [space] NO SIR THEY CAME BACK AND SAID THAT THEY HAD BURIED THE DEAD AND WAS READY TO GO HOME. [space]</p> <p>CROSS-EXAMINATION</p>
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196. There is no page 1 or 2 for Book 4. This page is torn around the edges. Beginning with the bottom fourth of the page, there are missing letters and possibly words. There are also several lines of crossed out material at the beginning of this notebook. It repeats the same material at the end of Notebook 3.

**RT**

**RS**

**BT**

**PS**

<p>JUDGE SUTHERLAND Q. MR. WHITE, WHERE DID YOU SAY YOU LIVED IN 1857 ? A. CEDAR CITY, IRON COUNTY. Q. YOU WERE THEN PRETTY WELL THEN ACQUAINTED WITH MR. SMITH ? A. YES SIRM. QM AND BOTHNBELONGE D TO THE SAME CHURCH —</p>	<p><u>SUTHERLAND</u> {XEXAM}<sup>P</sup>INATI ON <sub>AQ</sub>MR. SUTHERLAND MR. WHITE WHERE DID YOU SAY YOU LIVED 1857 <sub>A</sub> CEDAR CITY IRON COUNTY. {Q}<sup>P</sup> YOU WERE PRETTY WELL THEN ACQUAINTED WITH MR. SMITH <sub>A</sub> YES SIR <sub>Q</sub> AND <sub>≡</sub>BOTH BELONGED<sub>➤</sub> LONG TO THE SAME CHURCH</p>	<p>BY MR/ SUTHERLAND. Q. MR. WHITE, WHERE DO YOU SA Y YOU LIVED IN I857? A. CEDAR CITY, IRON COUNTY. Q. YOU ARE THEN PRETTY WELL  ACQUAINTED WITH MR. SMITH? A. YES, SIR. <del>AQQ</del>. DID THEY BELONG TO THE SAME CHURCH THAT YOU BELONGED TO?</p>	<p>≡BY SUTHERLAND<sub>➤</sub> [space] WHERE DID LIVE IN 1857 CEDAR CITY IRON COUNTY [space] YOU WERE THEN PRETTY WELL  ACQUAINTED WITH MR. SMITH YES SIR BOTH BELONGED TO THE SAME CHURCH DID YOU</p>
<p>YOU STILL BELONG TO IT ? A. YES SIR. Q. YOU REMEMBER THE DAY OF YOUR MEETING SMITH AND HAIGHT NEAR THE SCHOOL HOUSE ? A. NO SIR, I CAN'T RECOLLECT ANY DATE, IT WAS ABOUT — —— [162] JUST AFTER THIS EMIGRANT</p>	<p>≡YES SIR≡ YOU STILL BELONG TO IT <sub>A</sub>YES SIR {Q}<sup>P</sup> YOU REMEMBER THE DATE OF YOUR MEETING SMITH AND HAIGHT NEAR THE SCHOOL HOUSE {<sub>A</sub>}<sup>P</sup> NO SIR I CAN'T RECOLLECT ANY DATE IT WAS ABOUT NO MORE JUST AFTER THIS EMIGRANT</p>	<p>A. YES, SIR. Q. YOU STILL BELONG TO IT. Q.A. YES, SIR. Q. <del>DHO</del> YOU REMEMBER THE DATE OF YOUR MEETING HAIGHT AND SMITH WHEN THAT SCHEME WAS— A. NO, SIR, I CAN'T RECOLLECT<sub>;</sub>, ANY DATES ABOUT IT<sub>;</sub>, ANY MORE THAN IT WAS JUST AFTER THIS EMIGRANT</p>	<p>YES SIR YOU STILL BELONG TO IT YES SIR DO YOU REMEMBER THE DATE OF YOUR MEETING SMITH AND HAIGHT NEAR THAT SCHOOL HOUSE NO SIR I CAN'T RECOLLECT ANY DATES ABOUT IT NO MORE THAN IT WAS JUST AFTER THIS EMIGRANT</p>

**RT**

**RS**

**BT**

**PS**

<p>COMPANY HAD PASSED THROUGH AND CAMPED SOMEWHERE BETWEEN THERE AND PAINTER CREEK. Q. IT WAS THE DAY BEFORE YOU SAW THEM PASS ? A. I SAW THEM PASS; I CAME HOME THAT DAY,</p>	<p>COMPANY HAD PASSED THROUGH &lt;AND&gt; CAMPED SOMEWHERE BETWEEN THERE AND PINTO CREEK. Q IT WAS THE DAY BEFORE YOU SAW THEM PASS A &lt;I DID NOT&gt; SEE THEM PASS I CAME HOME THAT DAY</p>	<p>COMPANY HAD PASSED THROUGH AND CAMPED SOMEWHERE BETWEEN THERE AND PINTO CREEK. Q. IT WAS THE DAY BEFORE YOU SAW THEM PASS. QA. I DIDN'T SEE THEM PASS — I CAME HOME THAT DAY;</p>	<p>COMPANY HAD PASSED THROUGH AND CAMPED SOMEWHERE BETWEEN THERE AND PINTO CREEK. [space] IT WAS THE DAY BEFORE THAT YOU SAW THEM PASS I DIDN'T SEE THEM PASS KK HOME THAT DAY [space] AND HEARD IT BUT I DIDN'T SEE THEM PASS THERE [space]</p>
<p>I WAS NOT THERE AT THE TIME. Q. YOU WENT THAT SAME EVENING TO CARRY THAT LETTER —</p>	<p>I WAS NOT THERE AT THE TIME. Q YOU WENT SAME EVENING TO CARRY THAT LETTER &lt;TO MR. ROBINSON&gt; YES SIR FROM</p>	<p>I WASN'T THERE AT THE TIME. Q. YOU WENT THE SAME EVENING AND CARRIED THAT LETTER TO MR. ROBINSON? A. YES, SIR. Q. WHAT HOUR OR</p>	<p>YOU WENT THE SAME EVENING TO CARRY THAT LETTER TO MR. ROBINSON A YES SIR [space] WHAT HOUR</p>
<p>WHAT TIME ON THAT DAY DID YOU START ? A. SOMEWHERE ABOUT SUNDOWN. Q. WHERE DID YOU PASS THE EMIGRANT CAMP ? A. THEY</p>	<p>&lt;WHAT&gt; TIME ON THAT DAY DID YOU START {A}P SOMEWHERE ABOUT SUNDOWN Q WHERE DID YOU PASS THE EMIGRANT CAMP A THEY</p>	<p>WHAT TIME OF THAT DAY DID YOU START? A. SOMEWHERE ABOUT SUNDOWN. Q: Q. WHERE ABOUTS DID YOU PASS THE ENIGRANT CAMP? A. THEY</p>	<p>DID YOU START A SOMEWHERE ABOUT SUNDOWN WHERE DID YOU PASS THE EMIGRANT CAMP A THEY</p>

**RT**

**RS**

**BT**

**PS**

<p>WERE CAMPED OFF FROM THE ROAD AT THE SPRING, PROBABLY; I DON'T RECOLLECT THE DISTANCE, IT WAS OFF THE ROAD. Q. ABOUT HOW FAR FROM CEDAR CITY ? A. ABOUT EIGHTEEN MILES AS NEAR AS I CAN RECOLLECT, FROM THERE TO THAT SPRING — FIFTEEN OR EIGHTEEN. Q. ABOUT HOW FAR FROM PINTO ? A. THAT WAS ABOUT EIGHT MILES I SHOULD GUESS, FROM THERE,</p> <p>IT HAS BEEN SO LONG SINCE I HAVE BEEN OVER THERE I DON'T RECOLLECT. Q. YOU PASSED THEM IN THE NIGHT ? A. I DIDN'T SEE THEIR CAMMP AT</p>	<p>WAS CAMPED OFF FROM THE ROAD AT A SPRING, PROBABLY, ≤I DON'T≥ RECOLLECT DISTANCE, &lt;THE CAMP&gt; IT WAS OFF THE ROAD Q. ABOUT HOW FAR FROM CEDAR CITY ABOUT EIGHTEEN MILES AS NEAR AS I CAN RECOLLECT OVER TO THAT SPRING 15 ON 18 Q. ABOUT HOW FAR FROM PINTO {A}P THAT WAS ABOUT 8 MILES I GUESS FROM THERE</p> <p>BEEN SO LONG SINCE I BEEN OVER THERE I DON'T RECOLLECT Q. YOU PASSED &lt;THEM&gt; IN THE NIGHT A DIDN'T SEE THEIR CAMP</p>	<p>WAS CAMPED OFF THE ROAD AT A SPRING. PROBABLY — I DON'T RECOLLECT THE DISTANÐCE, THE CAMP WAS OFF THE RAOD. Q. ABOUT HOW FAR FROM CEDAR CITY? A. ABOUT 18 MILES AS NEAR AS I CAN RECOLLECT TO THAT [S]PRING — 15 OR 18. Q. ABOUT HOW FAR FROM PINTO? A. THAT WAS [A]BOUT EIGHT MILEW OVER TO PINTO; I DON'T RECOLLECT THE DISTANCE[S] [page torn] FOR CERTAIN. IT HAS BEEN SO LONG SINCE I WAS THERE THAT I [page torn] DON'T RECOLLECT. Q. YOU PASSED THEM IN THE NIGHT — [34] DIDN'T SEE THEIR CAMP</p>	<p>WAS CAMPED [[29]] OFF THE ROAD AT A SPRING PROBABLY I DON'T RECOLLECT THE DISTANCE CAMP WAS OFF THE ROAD HOW FAR FROM CEDAR CITY ABOUT 18 MILES AS NEAR AS I CAN RECOLLECT</p> <p>15 OR 18 ABOUT HOW FAR FROM PINTO</p> <p>ABOUT 8 MILES OVER TO PINTO I DON'T RECOLLECT THE DISTANCE</p> <p>CERTAIN</p> <p>YOU PASSED THEM IN THE NIGHT DIDN'T SEE THEIR CAMP</p>
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**RT**

**RS**

**BT**

**PS**

<p>ALL.</p> <p>I NEVER HAD SEEN THE CAMP. I MET THEM ON THE ROAD NEXT DAY. Q. YOU RETURNED THE NEXT DAY ? A. YES SIR. Q. AND MET THEM ABOUT HOW FAR THIS SIDE OF PINTO ? A. I THINK THEY WAS ABOUT SIX OR SEVEN MILES — JUST PULLING UP A LITTLE HILL. I CANNOT SAY FOR CERTAIN, SOMEWHERE ALONG IN THERE. Q. THEY WERE THEN TRAVELING ? A.</p> <p><b>YES, SIR.</b></p> <p><i>[163]</i> Q. DID MR. SMITH RETURN WITH YOU ? A. YES SIR</p>	<p>AT ALL &lt;Q&gt;WHEN DID YOU&gt;</p> <p>I NEVER HAD SEEN THEIR CAMP MET THEM ON THE ROAD NEXT DAY Q&gt;YOU RETURNED NEXT DAY A</p> <p>YES Q</p> <p>AND MET THEM ABOUT HOW FAR THIS SIDE OF PINTO A I THINK IT WAS ABOUT 6 <b>OR</b> 7 MILES JUST PULLING UP LITTLE HILL CANNOT SAY CERTAIN, SOMEWHERE ALONG IN THERE Q&gt;THEY WERE THEN TRAVELLING A</p> <p>YES SIR ON THE ROAD TRAVELLING Q</p> <p>≡DID≡ MR. SMITH RETURN WITH YOU A YES SIR DO YOU KNOW IRA ALLEN {WILLIS}P IRA ALLEN {A}P USED TO KNOW</p>	<p>AT ALL, DID YOU? A. GOING THERE, I NEVER HAD SEEN THEIR CAMP AT ALL, BUT I MET THEM ON THE ROAD THE NEXT DAY. Q. YOU RETURNED THE NEXT DAY? A. YES, SIR. Q. AND MET THEM ABOUT HOW FAR THIS SIDE OF PINTO? A. I THINK IT WAS ABOUT SIX OR SEVEN MILES; THEY WAS JUST PULLING UP A LITTLE HILL. I CAN'T SAY FOR CERTAIN ABOUT THE DISTANCE .</p> <p>Q. THEY WERE THEN TRAVELING ? A. ON THE ROAD, YES, SIR.</p> <p>Q. DID MR. SMITH RETURN WITH YOU? A. YES, SIR. Q. DO YOU KNOW IRA ALLEN?</p> <p>A. I USED TO KNOW</p>	<p>DID YOU GOING OVER I NEVER HAD SEEN THEIR CAMP AT ALL THEY WERE WELL ON THE ROAD NEXT DAY YOU RETURNED NEXT DAY A</p> <p>YES SIR Q</p> <p>MET THEM ABOUT HOW FAR THIS SIDE OF PINTO I THINK ABOUT 6 OR 7 MILES THEY WAS JUST PULLING UP A LITTLE HILL AND I CAN'T SAY CERTAIN ABOUT THE DISTANCE</p> <p>THEY WERE THEN TRAVELLING ON THE ROAD YES SIR</p> <p>DID MR. SMITH RETURN WITH YOU YES SIR [space] DID YOU KNOW IRA ALLEN</p> <p>I USED TO KNOW</p>
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**RT**

**RS**

**BT**

**PS**

<p>Q. DID YOU AND MR. SMITH MEET THEM</p> <p>THAT DAY ? A. I CANNOT RECOLLECT, IF WE DID IT HAS GONE FROM MY MIND. I DON'T RECOLLECT MEETING OR SEEING THE PARTY, NOR THAT COMPANY ON THE ROAD.</p> <p>Q. BUT YOU KNEW FROM WHAT HAYIGHT TOLD YOU WHEN HE GAVE YOU THAT LETTER WHAT THE OBJECT OF SENDING YOU OUT WAS ? A.</p>	<p>{HIM}<sup>P</sup></p> <p>BUT HAVEN'T SEEN HIM FOR GOOD MANY YEARS</p> <p>AND DID YOU AND MR. SMITH MEET IRA ALLEN {WILLIS}<sup>P</sup> IRA ALLEN THAT DAY ΔI CANNOT RECOLLECT THAT WE DID IF WE DID, IT HAS GONE FROM MY MIND DON'T RECOLLECT MEETING OR SEEING PARTY NOR THAT COMPANY ON THE ROAD.</p> <p>Q YOU KNEW FROM WHAT HAIGHT TOLD YOU WHEN HE GAVE YOU THAT LETTER WHAT THE OBJECT SENDING YOU OUT WAS Δ</p>	<p>HIM; I DID KNOW HIM AT THAT TI ME, BUT I HAVN'T SEEN HIM FOR A GOOD MANY YEARS. Q. DID MR. SMITH RETURN WITH YOU THAT DAY? A. YES, SIR.. Q. <del>DO YOU KNOW IRA ALLEN</del> Q. DID YOU AND MR. SMITH RETURN WITH IRA AALLEN</p> <p>THAT DAY? A. I CAN'T RECOLLECT OF IT; IF WE DID IT HAS GONE FROM MY MIND: I DON'T RECOLLECT OF MEETING HIM <del>HIM</del> OR SEEING A PERWSON WHEN WE CAME ON THAT ROAD.</p> <p>Q. YOU KNWEOW ΔFROM WHAT HAIGHT TOLD YOU WHEN HE GAVE YOU THAT LETTER, WH AT THE OBJECT OF SENDING YOU OUT WAS? A.</p>	<p>HIM I DID KNOW HIM AT THAT TIME</p> <p>DID YOU AND MR. SMITH MEET IRA ALLEN</p> <p>THAT DAY ΔI CAN'T RECOLLECT OF IT IF WE DID IT HAS GONE FROM MY MIND I DON'T RECOLLECT OF MEETING OR SEEING A PERSON WHEN WE CAME ON THE ROAD YOU KNEW FROM WHAT HAIGHT TOLD YOU WHEN HE GAVE YOU THAT LETTER WHAT THE OBJECT OF SENDING YOU OUT WAS Δ</p>
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**RT**

**RS**

**BT**

**PS**

<p>YES SIR, THAT IS WHAT HE TOLD ME, THAT IS THE REASON I VOLUNTEERED TO GO.</p>	<p>YES SIR THAT IS WHAT HE TOLD ME THAT IS THE REASON I VOLUNTEERED TO GO</p>	<p>YES, SIR- ; THAT IS WHAT HE TOLD ME AND THAT IS THE REASON I VOLUNTEERED TO GO—I WAS KIND OF</p>	<p>YES SIR THAT IS WHAT HE TOLD ME AND THAT WAS THE REASON I VOLUNTEERED TO GO = I WAS KIND OF</p>
<p>Q. DID YOU DELIVER THAT LETTER TO MR. ROBINSON ? A. YES SIR. Q. WERE YOU PRESENT WHEN HE OPENED IT ? A.</p>	<p>Q DID YOU DELIVER THAT LETTER TO MR. ROBINSON <math>\leq_A</math> I DID <math>\Rightarrow</math> YES SIR Q WERE YOU PRESENT WHEN HE OPENED IT A</p>	<p>ANXIOUS. Q. <del>THAT</del> DID YOU DELIVER THAT LETTER TO MR. ROBINSON? A. I DID, YES, SIR. Q. WERE YOU PRESENT WHEN HE <del>POENED</del> <b>OPENED</b> IT? QA.</p>	<p>ANXIOUS DID YOU DELIVER THAT LETTER TO MR. ROBINSON <math>\Delta</math> I DID Q WERE YOU PRESENT WHEN HE OPENED IT A</p>
<p>I DON'T THINK I WAS. Q. DID YOU HAVE A CONVERSATION WITH HIM AFTER HE HAD RECEIVED IT, OR OF HEARING HIM READ IT ?</p>	<p>&lt;I DO NOT RECALL&gt; I DON'T THINK I WAS Q DID YOU HAVE CONVERSATION WITH HIM AFTER HE HAD OPPORTUNITY OF READING IT</p>	<p>I DON'T RECOLLECT; I DON'T THINK I WAS. Q. DID YOU HAVE A CONVERSATION WITH HIM <b>AFTER HE READ IT? AN</b> <del>OPPORTUNITY OF READING IT</del></p>	<p>I DON'T RECOLLECT I DON'T THINK I WAS DID YOU HAVE CONVERSATION WITH HIM AFTER HE HAD HAD OPPORTUNITY TO READ IT</p>
<p>A. I DON'T BELIEVE I DID. Q. YOUR OBJECT</p>	<p><math>\Delta</math> I DON'T BELIEVE I DID [space] Q YOUR <math>\leq</math>THE<math>\geq</math> OBJECT OF</p>	<p>A. NO , SIR, I DON'T BELIEVE I DID/ Q. THE OBJECT OF</p>	<p><math>\Delta</math>NO SIR I DON'T BELIEVE I DID THE OBJECT OF</p>
<p>WAS TO CARRY THE LETTER TO FACILITATE THE PEACEFUL PASSAGE OF THE</p>	<p>WAS TO CARRY LETTER &lt;WITH HAIGHT'S DIRECTIONS&gt; TO FACILITATE PEACEFUL PASSAGE OF</p>	<p>WAS TO CARRY HAIGHT'S INSTRUCTIONS AND FACILITATE THE POSSIBILITY OF THE PASSAGE OF THE</p>	<p>WAS TO CARRY HAIGHT'S DIRECTIONS TO FACILITATE PEACEABLE PASSAGE OF THE</p>



**RT**

**RS**

**BT**

**PS**

<p>EMIGRANTS ?</p> <p>A. I WENT WITH MR. SMITH; AT THE SAME TIME</p> <p>HE VOLUNTEERED TO GO WITH ME. Q. YOU WERE CONSIDERABLY EXERCISED ON THE SUBJECT AND THOUGHT THEY WERE IN GREAT DANGER OR THAT THEY HAD BEEN ? A. I HEARD A GREAT DEAL OF THE INDIANS; HAD BEEN THERE A WEEK</p> <p>BEFORE . THEY HAD</p>	<p>EMIGRANTS YES SIR</p> <p><sup>A</sup>I WENT WITH MR. SMITH AT SAME TIME</p> <p>HE VOLUNTEERED TO GO WITH ME. <sup>Q</sup>YOU WERE CONSIDERABLY EXERCISED ON THE SUBJECT AND THOUGHT THEY WERE IN SOME GREAT DANGER <sup>≤</sup>YES SIR<sup>≥</sup> <sup>A</sup>THEY HAD BEEN GREAT DEAL OF INDIANS HAD BEEN WEEK</p> <p>BEFORE THAT</p>	<p>EMIGRANTS? A. YES, SIR. Q. THAT IS BEFORE HE GAVE YOU THE INSTRUCTIONS TO CARRY THE MESSAGE? A. YES, SIR. Q. AND THAT IS HOW MR. SMITH CAME TO</p> <p>VOLUNTEER TO GO WITH YOU? A. I WENT WITH MR. SMITH IT SEEMS HE WAS INTERESTED AS WELL AS MYSELF; HE VOLUNTEERED TO GO WITH ME. <sup>[5]</sup> Q. YOU WERE CONSIDERABLY EXERCISED ON THE SUBJECT THAT THEY WERE IN GREAT DANGER? A. YES, SIR.</p> <p>THE INDIANS HAD BEEN FOR A Q-WEEK NEARLY BEFORE THAT GOING THERE</p>	<p>EMIGRANTS YES SIR <sup>Q</sup> THAT IS WHAT GAVE YOU THE INTEREST TO CARRY THE MESSAGE <sup>A</sup> YES SIR AND</p> <p>MR. SMITH AS THAT —[?] TO GO IN THE NIGHT VOLUNTEERED TO GO WITH [space]</p> <p>IT SEEMS HE WAS INTERESTED AS WELL AS MYSELF [space]</p> <p>YOU WERE CONSIDERABLY EXERCISED ON THE SUBJECT THAT THEY WERE IN GREAT DANGER <sup>A</sup> YES SIR [space]</p> <p>THE INDIANS HAD BEEN FOR A WEEK NEARLY BEFORE THEY CAME THERE</p>
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**RT**

**RS**

**BT**

**PS**

<p>RUN AHEAD AND THE EXCITEMENT HAD GOT OUT THERE LARGE.</p>	<p>RUNNING AHEAD EXCITEMENT HAD GOT TO BE LARGE,</p>	<p>WITH RUNNERS AHEAD; THE EXCEITMENT HAD GOT TO BE PRETTY LARGE BEEFORE THEY GOT</p>	<p>WITH RUNNERS AHEAD AND EXCITEMENT GOT <sup>[[30]]</sup> TO BE PRETTY LARGE BEFORE THEY GOT</p>
<p>WE HAD HEARD FROM THE COMPANY ALL THE WAY FROM THE CORN CREEK UP.</p>	<p><sup>[[37]]</sup> WE HAD HEARD FROM COMPANY ALL WAY FROM CORN CREEK UP,</p>	<p>THERE. THEY HAD HEARD FROM THE COMPANY ALL THE WAY FROM CROORN CREEPK UP. AT CORN CREEK</p>	<p>THERE AND WE HAD HEARD FROM THE COMPANY ALL THE WAY FROM CORN CREEK UP, AT CORN CREEK</p>
<p>THE INDIANS <sup>[164]</sup> HAD COME IN AHEAD; THEY SAID THEY HAD TO SEND AROUND THERE, AS THEY WERE KILLING THE INDIANS.</p>	<p>INDIANS HAD COME IN AHEAD; THEY SAID THEY HAD POISONED WATER THERE AND KILLED INDIANS</p>	<p>THE INDIANÐS HAD COME IN AHEAD AND SIAD THAT THEY HAD PÐOISONED ALL THE WATER AND KILLED SOME INDIANS, AND GENERAL</p>	<p>THE INDIANS CAME IN AHEAD AND SAID THAT THEY HAD POISONED THE WATER THERE AND HAD KILLED SOME INDIANS AND DIFFERENT</p>
<p>Q. DID THEY SAY THAT THEY WERE THERE IN THE DEFENSE OF THE EMIGRANTS A. DON'T KNOW. THEY SEEMED TO BE RUNNING ALONG, AND STARTING UP THE INDIANS.</p>	<p>Q DID THEY SAY WHAT THEY WERE IN ADVANCE OF THE EMIGRANTS &lt;FOR&gt; A DON'T KNOW THEY SEEMED TO BE RUNNING ALONG STIRRING UP INDIANS</p>	<p>RUMORS. Q. DÐID THEY SAY THAT THEY WERE IN ADVANCE OF THE EMIGRANTS? A. THEY SEEMED TO BE RUNNING AHEAD STARTING UP THE INDIANS ALONG.</p>	<p>RUMORS [space] DID THEY SAY THAT THEY WERE IN ADVANCE OF THE EMIGRANTS  THEY SEEMED TO BE RUNNERS AHEAD STIRRING UP THE INDIANS ALONG [space]</p>
<p>Q. FOR WHAT PURPOSE ?</p>	<p>Q FOR WHAT PURPOSE BECAUSE THEY</p>	<p>Q. FOR WHAT PURPOSE? A. BECAUSE THEY</p>	<p>FOR WHAT PURPOSE BECAUSE THEY</p>

**RT**

**RS**

**BT**

**PS**

<p>A. I UNDERSTOOD TO MEET THIS EMIGRANT COMPANY, BEHIND, OR AFTER THEY CAME UP.  Q. ABOUT HOW MANY INDIANS WERE THERE OF THAT CHARACTER ?  A. I DON'T KNOW.  Q. DID YOU SAY BEFORE YOU UNDERTOOK TO CARRY THIS MESSAGE YOU SAW THEM  A. I DON'T KNOW. I MIGHT HAVE SEEN TWO OR THREE    DIFFERENT INDIANS. THEY DIDN'T LIVE THERE. SOME LIVED OVER THERE AND AT DIFFERENT PLACES ON THE ROAD.    THE FIRST I <del>SAW</del> <del>&lt;HEARD&gt;</del> OF THIS COMPANY, <del>OR HEARD OF THEM</del> WAS FROM</p>	<p>WERE MAD <del>&lt;AT&gt;</del> THIS    EMIGRANT COMPANY BOUND TO USE THEM UP  Q. ABOUT HOW MANY INDIANS WERE THAT CHARACTER <del>&lt;I DO NOT KNOW&gt;</del>  Q. DID YOU SEE BEFORE YOU UNDERTOOK TO CARRY THIS MESSAGE    A. I DON'T KNOW  MIGHT SEEN 2 OR THREE OF    DIFFERENT INDIANS THAT DID NOT LIVE THERE, SOME LIVE OVER HERE AT BEAVER DIFFERENT PLACES ON ROAD THERE THROUGH COUNTRY AROUND.    FIRST I HEARD OF THIS COMPANY    WAS FROM</p>	<p>WERE MAD AT <del>THESE THIS THATS</del>  EMIGRANT COMPANY, AND WAS BOUND TO USE THEM UP.  Q. ABOUT HOW MANY INDIANS OF THAT CHARACTER    DID YOU SEE BEFORE YOU UNDERTOOK TO CARRY THIS MAESSAGE THROUGH?  A. I HAD SEEN TWO OR THREE <del>INDIANS INDIANS</del>  DIFFERENT INDIANS THAT DIDN'T LIVE THERE. SOME OF THEM LIVED OVER HERE AT BEAVER; AND AT <del>DIFFERENT</del> PLACES ON THE ROAD <del>THERE</del> FROM THE COUNTRY AROUND THERE. THE FIRST I HEARD OF THIS COMPANY    WAS FROM</p>	<p>WERE MAD AT THIS    EMIGRANT COMPANY AND WAS BOUND TO USE THEM UP [space]  ABOUT HOW MANY INDIANS OF THAT CHARACTER    DID YOU SEE BEFORE YOU UNDERTOOK TO CARRY THIS MESSAGE THROUGH  I HAD SEEN 2 OR 3 AND    DIFFERENT INDIANS THAT DIDN'T LIVE THERE SOME THAT LIVED OVER HERE AT BEAVER AND    ON THE WAY THERE THROUGH THE M/L[?]  AROUND.  THE FIRST I HEARD OF THE COMPANY    WAS FROM</p>
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**RT**

**RS**

**BT**

**PS**

<p>THE INDIANS. Q. WHAT DID YOU LEARN FROM THESE RUNNERS — WHAT</p>	<p>THE INDIANS WHAT DID YOU LEARN FROM THESE RUNNERS WHAT</p>	<p>THE INDIANS. Q. WHAT DID YOU LEARN FROM THESE RUNNERS,</p>	<p>THE COMPANY [space] WHAT DID YOU LEARN FROM THESE RUNNERS <del>THEY</del> <del>THAT</del> WHAT</p>
<p>THEY INTENDED TO DO IN ORDER TO PUNISH THE EMIGRANTS ? PROSECUTION OBJECTED TO THE QUESTION AS BEING WHOLLY IRRELEVANT AND THEREFORE DECLARATIONS IN FAVOR OF THE PARTICIPANTS IS NEVER ALLOWED. WE DIDN'T CALL OUT ANYTHING IN REFERENCE TO THESE INDIANS OR WHAT OCCURRED.</p>	<p>THEY INTENDED TO DO IN ORDER TO PUNISH EMIGRANTS BASKIN I OBJECT TO THAT AS BEING WHOLLY IRRELEVANT.  THEREFORE DECLARATIONS IN FAVOR OF THE PARTICIPANT IS NEVER ALLOWED WE DID NOT CALL OUT ANYTHING REFERENCE TO THESE INDIANS ON WHAT OCCURRED. IT IS IRRELEVANT. COUNSEL TAKE WIDE LATITUDE PROVING HEARSAY OF EVERY DESCRIPTION IT MAY BE INFERRED FROM SCOPE THEIR EXAMINATION</p>	<p>THAT THEY INTENDED TO DO? A. THEY WANTED TO PUNISH THE EMIGRANTS. BY MR. BASKIN: I OBJECT TO THAT AS BEING WHOLLY IRRELEVANT AND NOT CROSS EXAMINATION. ARGUED BY COUNSEL.</p>	<p><del>THEY</del> THAT THEY INTENDED TO DO IN ORDER TO PUNISH THE EMIGRANTS  OBJECTED TO  AS  IRRELEVANT AND NOT CROSS- EXAMINATION</p>

**RT**

**RS**

**BT**

**PS**

	<p>OF MR. SMITH THEY REGARD EVERYTHING AS OPPORTUNITY OF RES GESTAE FROM TIME EMIGRANT WAS HEARD OF UNTIL EVERYTHING WAS DESTROYED EVERYTHING WAS SAID THAT ANYONE EVER PARTICIPATED IN THEIR FINAL DESTRUCTION I AM NOT PREPARED TO SAY THAT IT IS WHOLLY WRONG INDIANS HAD PARTICIPATION IN THEIR FINAL DESTRUCTION WHETHER INDIANS WERE <i>MASTERS</i>[?] OF SITUATION OR WHETHER WHITES WHO ASSUME SOME PARTICIPATION ROLE IS NOT EASILY DETERMINED JURY MUST FINALLY DETERMINE IF INDIANS WERE IN GREAT NUMBERS AND</p>		
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**RT**

**RS**

**BT**

**PS**

	<p>OVER —[?] THOSE WHO WENT THERE AS MERCIFUL MIND AS THIS WITNESS SEEM TO HAVE GONE TO SAVE THESE EMIGRANTS WHILE THE <i>WRR/RLR</i>[?] THAT ACTUAL WITNESSES UNDER <i>IMPULSE</i>[?] OF LARGE COMPANY OF INDIANS TO DO WHAT THEY DID IT IS VERY IMPORTANT TO ASCERTAIN FACT IT IS COMPETENT EVIDENCE OF COURSE ONLY THE ACT IS COMPETENT TESTIMONY TO PUT IN EVIDENCE NO DECLARATION OF INTENTION MADE BY THE PERSONS DOING THAT ACT BECAUSE IT <i>REMAINS</i>[?] PART OF PARTY AND TENDS TO CHARACTERIZE AND ASSISTS THE JURY AND COURT IN</p>		
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**RT**

**RS**

**BT**

**PS**

	<p>JUDGING ABOUT IT IF THERE INDIANS GOING SOUTH IN ADVANCE OF THIS EMIGRANT COMPANY IRRITATED EXCITED MAD DENOUNCING THE EMIGRANTS THREATENING THEIR DESTRUCTION [[38]] HAD MANY OTHER THINGS SAY THEY WERE INTENDING TO AMASS ALL THEM NEIGHBORING TRIBES FOR PURPOSE OF MAKING ATTACK ON THESE EMIGRANTS IS PART OF A RES GESTAE WE ARE ENTITLED TO PROVE IT THAT IS THE OBJECT IN THIS QUESTION. BY COURT I DESIRE PARTIES ON BOTH SIDES TO GET IN ALL THE EVIDENCE ALL <i>TESTIMONY</i>[?] THEY POSSIBLY CAN I WOULD LIKE HOWEVER <i>OFFER</i>[?] IN THIS</p>		
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**RT**

**RS**

**BT**

**PS**

<p>OBJECTION OVERRULED.</p>	<p>COURT OBJECT OF THIS QUESTION IS NOT PROBABLY LEGITIMATE CROSSEXAMINATION AS PROSECUTION BROUGHT OUT NOTHING OF KIND REGARD TO RUMORS PROCEED <i>THOSE MEN</i>[?] FROM THIS WITNESS AND NOTHING REGARD TO PERSONS ROUTE AND THEY DID NOT BRING OUT ANYTHING OF THAT KIND IT SEEMS TO ME IT WOULD NOT BE PROPER QUESTION OF THAT KIND. BY SUTHERLAND THAT WAS OF <i>ANY/NO</i>[?] CONSEQUENCE TO US ≤YOUR HONOR≥          ≤Q YOU&gt; HE SAID THERE WAS GOOD DEAL OF EXCITEMENT ≤YES SIR≥ ABOUT THAT TIME Q AND BETWEEN YOUR RETURN FROM PINTO AFTER</p>	<p>OBJECTION SUSTAINED.</p> <p>Q . YOU SAID THERE WAS A GOOD DEAL OF EXCITEMENT? A. YES, SIR.</p> <p>Q. AND WHEN YOU RETURNED FROM PINTO AFTER</p>	<p>OBJECTION SUSTAINED  <i>[space]</i></p> <p>YOU SAID THERE WAS A GOOD DEAL OF EXCITEMENT YES SIR</p> <p>AND WHEN YOU RETURNED FROM PINTO AFTER</p>
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**RT**

**RS**

**BT**

**PS**

<p>Q. DO YOU THINK IF YOU HAD MET ONE OF YOUR ACQUAINTANCES WHO MADE AN ANNOUNCEMENT ENTIRELY CONTRARY TO THE PURPORT OF YOUR MESSAGE, AND TO THE EFFECT THAT THE EMIGRANTS WERE TO BE DESTROYED THAT YOU WOULD FAIL <sup>[165]</sup> TO REMEMBER IT ? A. IT DOESN'T SEEM TO ME THAT I WOULD. AFTER I GOT HOME I HEARD THIS REPORT. Q. I DIDN'T ASK YOU TO STATE ANY HEARSAY ? A. I CAN'T RECOLLECT OF MEETING ANYBODY ON THE ROAD. Q. DON'T YOU THINK IF YOU HAD HEARD SUCH AN ANNOUNCEMENT</p>	<p>DELIVERING THIS LETTER, <sub>Q</sub> DO YOU THINK IF YOU HAD MET ONE OF YOUR ACQUAINTANCE S WHO MADE  ANNOUNCEMEN T ENTIRELY CONTRARY TO THE PURPORT OF YOUR MESSAGE AND TO THE EFFECT  EMIGRANTS WERE TO BE DESTROYED THAT YOU WOULD FAIL TO REMEMBER IT {<sub>A</sub>}<sup>PIT</sup> DON'T SEEM TO ME THAT I MIGHT AFTER I GOT HOME I HEARD THIS REPORT <sub>Q</sub>I DIDN'T ASK YOU TO STATE HEARSAY <sub>A</sub>I CAN'T RECOLLECT OF MEETING ANYBODY ON THE ROAD <sub>Q</sub> DON'T YOU THINK IF YOU HAD HEARD SUCH ANNOUNCEMEN</p>	<p>DELIVERING THIS LETTER, DO YOU THINK IF YOU HAD MET ONE OF YOUR ACQUAINTANCE S <b>WHO MADE</b> <b>AN</b> <b>ANNOUNCEME</b> <b>NT</b> ENTIRELY CONTRARY TO THE PURPORT OF YOUR MESSAGE, AND TO THE FACT THAT THE EMIGRANTS WERE TO BE DESTROYED, THAT YOU WOULD FAIL TO REMEMBER IT? A. IT DON'T SEEM TO ME THAT I COULD. AFTER I GOT HOME I HEARD THIS REPORT. <sup>[6]</sup> Q. I DIDN'T ASK YOU TO STATE ANY HEARSAY? A. I CAN 'T RECOLLECT OF MEETING ANY BODY ON THE ROAD. Q. DO YOU <b>NOT</b> <del>THINK</del> <b>NOT</b> IF YOU HAD HEARD SUCH ANNOUNCEMEN</p>	<p>DELIVERING THIS LETTER DO YOU THINK IF YOU HAD MET ONE OF YOUR ACQUAINTANCE S WHO MADE AN ANNOUNCEMEN T ENTIRELY CONTRARY TO THE PURPORT OF YOUR MESSAGE AND TO THE EFFECT THAT THE EMIGRANTS WERE TO BE DESTROYED THAT YOU WOULD FAIL TO REMEMBER IT [<i>space</i>] IT DON'T SEEM TO ME THAT I COULD AFTER I GOT HOME I HEARD THIS REPORT THAT ~ [<i>space</i>]  AND I CAN'T RECALL OF MEETING ANYBODY ON THE ROAD [<i>space</i>] DO YOU THINK IF YOU HAD HEARD ANY SUCH ANNOUNCEMEN</p>
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**RT**

**RS**

**BT**

**PS**

<p>ON THE ROAD IT WOULD CERTAINLY HAVE IMPRESSED IT ON YOUR MIND ?</p> <p>A. I THINK I DID HEAR IT, AND IF I DID HEAR IT I THINK I WOULD HAVE REMEMBERED IT. Q. DID YOU REPORT ANYTHING OF IT ON THE DELIVERY OF THAT LETTER ?</p> <p>A. ANOTHER WAS SENT BACK BY HIM.</p> <p>Q. WHEN YOU WERE CALLED OUT AGAIN, WHO WERE YOU CALLED UPON BY — WHEN YOU WERE CALLED TO RETURN ?</p> <p>A. BY HIGBEE.</p>	<p>T ON THE ROAD IT WOULD CERTAINLY HAVE IMPRESSED ON YOUR MIND</p> <p><sup>A</sup>I THINK I DID HEAR IT IF I DID HEAR IT I THINK I WOULD HAVE REMEMBERED IT. <sup>Q</sup>DID YOU REPORT ANYTHING OF IT ON THE DELIVERY OF THAT LETTER</p> <p><sup>A</sup>NOTHING WAS SENT BACK BY HIM <sup>Q</sup> YOU WENT RIGHT HOME. WHEN YOU WERE CALLED OUT AGAIN YOU WERE CALLED UPON BY <del>≠</del>HIGBEE≠ WHEN YOU WERE CALLED TO RETURN YOU WERE CALLED ON BY HIGBEE</p>	<p>T ON THE ROAD IT WOULD CERTAINLY HAVE IMPRESSED IT ON YOUR MIND, AND YOU WOULD HAVE REMEMBERED IT? A. I THINK I WOULD BECAUSE WHEN I <del>DID HAD</del> HEARD IT IT <del>HAD</del> MADE A GREAT IMPRESSION ON ME. Q. DID YOU REPORT TO ANY BODY WHEN YOU RETURNED AND DELIVERED THAT LETTER? A. NO, SIR, I HAD <del>NO NOT</del> <del>RETURNED</del> BACK — NOTHING <del>SA</del> WAS SENT BACK BY ME, I WENT RIGHT HOME. Q. AND WHEN YOU WERE CALLED OUT AGAIN, YOU WERE CALLED UPON BY HIGBEE? A. YES, SIR.</p>	<p>T</p> <p>YOU WOULD HAVE REMEMBERED IT I THINK I WOULD BECAUSE WHEN I DID HEAR IT IT HAD A GREAT IMPRESSION ON ME DID YOU REPORT TO ANY BODY WHEN YOU RETURNED THE DELIVERY OF THAT LETTER NO SIR I HAD NO RETURN BACK NOTHING SENT BACK BY ME I WENT RIGHT HOME AND WHEN YOU WERE CALLED OUT AGAIN YOU WERE CALLED OUT BY HIGBEE YES SIR</p>
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**RT**

**RS**

**BT**

**PS**

<p>Q. YOU WERE CALLED ON BY HIGBEE TO REPORT AGAIN — WHAT DID HE SAY TO YOU ? A. I WAS IN THE FIELD AT WORK. HE CAME RIDING THROUGH ON HORSEBACK AND SAYS TO ME THE INDIANS AND EMIGRANTS HAVE HAD A FIGHT AT THE MOUNTAIN MEADOWS, I WANT YOU WITH THE BAGGAGE WAGON TO BE ON THE GROUND AS SOON AS POSSIBLE, AND TO GO FORTHWITH. I SAID “I HAVE TO CUT MY GRAIN, AND I HAVE GOT NO?GUN.” HE SAYS; “IT MAKES NO DIFFERENCE, I WANT YOU WITH THE BAGGAGE WAGON.” SO CONSEQUENTLY I WENT. Q. DID</p>	<p>REPEAT AGAIN WHAT HE SAID TO YOU <sub>A</sub> I WAS IN FIELD AT WORK; HE CAME RIDING THROUGH ON HORSEBACK SAYS THE INDIANS AND EMIGRANTS ARE HAVING FIGHT MOUNTAIN MEADOWS. I WANT YOU WITH BAGGAGE WAGON TO BE ON GROUND AS SOON AS POSSIBLE TO GO FORTHWITH. I SAID I HAVE GOT NO GUN ≤HE SAYS≥ IT MAKES NO DIFFERENCE I WANT YOU WITH BAGGAGE WAGON SO CONSEQUENTLY I WENT <sub>Q</sub>DID</p>	<p>Q. REPEAT AGAIN WHAT HE SAID TO YOU? A. I WAS IN THE FIELD AT WORK HE CAME RIDING THROUGH ON HORSEBACK, AND SAID, HE, “THE INDIANÐS AND EMIGRANTS ARE FIGHTING AT THE MOUNTAIN MEADOWS; I WANT YOU WITH YOUR BAGGAGE WAGONS TO BE ON THE GROUNDS AS SOON AS POSSIBLE, TO GO THERE FORTHWITH.” A- I SAID I HAVE GOT NO GUN; SAID HE, IT MAKES NO DIFFERENCE, I WANT YOU WITH <del>WITH</del> YOUR BAGGAGE WAGON SO CONSEQUENTLY I WENT. Q. DID</p>	<p>REPEAT AGAIN WHAT HE SAID TO YOU [space] I WAS IN THE FIELD AT WORK HE CAME RIDING THROUGH HORSEBACK AND SAID HE INDIANS AND EMIGRANTS ARE FIGHTING AT THE MOUNTAIN MEADOWS I WANT YOU WITH YOUR BAGGAGE <sup>[[31]]</sup> WAS TO GO TO BE ON THE GROUND AS SOON AS POSSIBLE FORTHWITH [space] I SAID I HAVE GOT NO GUN SAID HE IT MAKES NO DIFFERENCE I WANT YOU WITH YOUR BAGGAGE WAGON SO CONSEQUENTLY I WENT DID</p>
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**RT**

**RS**

**BT**

**PS**

<p>YOU DRIVE ?</p> <p>A. YES SIR. Q. DID YOU CARRY OUT A LOAD OF MEN ? <sup>[166]</sup> A. ONLY ONE MAN WAS RIDING OUT WITH ME. Q. THE REST OF MY LOADING WAS BAGGAGE. Q. WHAT DID IT CONSIST OF ? A. BEDDING, PROVISIONS ETC. Q. DID YOU CARRY ANY SPADES OR ANYTHING OF THAT SORT ? A. NO , NOTHING OF THAT KIND IN MY WAGON THAT I RECOLLECT OF. Q. WHO WAS THE MAN THAT RODE WITH YOU ?</p> <p>A. IT WAS WILLIAMSON,</p> <p>SCOTCHMAN. Q. DO YOU KNOW WHERE HE IS ? A. I DO NOT KNOW. THE LAST I HEARD OF HIM HE MOVED TO CACHE VALLEY. Q. AND YOU</p>	<p>YOU DRIVE</p> <p><sup>A</sup>YES SIR DID YOU CARRY OUT LOAD OF MEN <sup>A</sup> ONLY ONE MAN THAT RODE OUT WITH ME REST OF MY LOADING WAS BAGGAGE <sup>Q</sup> WHAT DID IT CONSIST OF BEDDING PROVISIONS SO FORTH <sup>Q</sup> DID YOU CARRY ANY SPADES ANYTHING OF THAT SORT <sup>A</sup>NOTHING IN MY WAGON</p> <p>RECOLLECT OF <sup>[139]</sup> WHO WAS THE MAN THAT RODE WITH YOU</p> <p><sup>A</sup>WAS WILLIAMSON</p> <p>SCOTCHMAN <sup>Q</sup> DO YOU KNOW WHERE HE IS <sup>A</sup>I DO NOT KNOW LAST I HEARD OF HIM HE MOVED TO CACHE VALLEY <sup>Q</sup></p>	<p>YOU DRIVE <b>OUT</b> <del>OUT</del> THERE? A. YES, SIR. Q. DID YOU CARRY OUT A LOAD OF MEN? A. ONLY ONE MAN THAT ROAD OUT WITH ME; THE REST OF <del>OF</del> MY LOAD WAS BAGGAGE. Q. WHAT DID IT SCONSIST OF? A. BEDDING,PROVISIONS &amp;C. Q. DID YOU CARRY ANY SUPPLIES OR ANYTHING OF THAT SORT? A. NONE IN MY WAGON THAT I REMEMBER OF. Q. WHO WAS THE MAN THAT ROAD WITH YOU IN YOUR WAGON? <del>A</del> IT WAS WILLIAMSON, YES A SCOTCHMAN. Q. DO YOU KNOW WHERE HE IS? A. I DO NOT. THE LAST I HEARD OF HIM HE MOVED TO CACHE VALLEY. Q. YOU</p>	<p>YOU DRIVE</p> <p>YES SIR DID YOU CARRY OUT A LOAD OF MEN <sup>A</sup> ONLY ONE MAN THAT RODE OUT WITH ME; REST OF MY LOAD WAS BAGGAGE WHAT DID IT CONSIST OF BEDDING AND PROVISION &amp;C DID YOU CARRY ANY SUPPLIES OR ANYTHING OF THAT SORT NONE IN MY WAGON I REMEMBER OF <sup>[space]</sup> THE MAN THAT RODE WITH YOU IN YOUR WAGON WAS WILLIAMSON <sup>[space]</sup> YES A SCOTCHMAN DO YOU KNOW WHERE HE IS I DO NOT THE LAST I HEARD OF HIM HE MOVED TO CACHE VALLEY YOU</p>
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**RT****RS****BT****PS**

<p>NEVER HAVE HEARD OF HIS DECEASE ? A. NO SIR, NOT THAT I RECOLLECT OF. HE WAS AN OLDISH MAN THEN. Q. DID ANY OTHER WAGONS GO OUT IMMEDIATELY WITH YOU ? A. YES SIR, THERE WAS A GOOD MANY — COMPANY AHEAD OF ME —</p> <p>MAY BE FOUR OR FIVE OR HALF A DOZEN —</p> <p>THERE WAS SEVERAL. Q. HOW WERE THEY LOADED ? A. THEY HAD MEN IN MOST OF THEM. Q. HOW MANY MEN ALTOGETHER ? A. I COULD NOT TELL YOU THAT. Q. WELL GIVE YOUR BEST RECOLLECTION OF THE NUMBER ? A. PROBABLY,</p>	<p>NEVER HAVE HEARD OF HIS DECEASE <sub>A</sub> NOT THAT I RECOLLECT OF HE WAS AN OLDISH MAN THEN <sub>Q</sub>DID ANY OTHER WAGONS GO OUT IMMEDIATELY WITH YOU <sub>A</sub> YES SIR THERE WAS GOOD MANY COMPANY AHEAD OF ME <sub>Q</sub>«HOW MANY» MAYBE 4 OR 5 A HALF DOZEN</p> <p>THERE WAS SEVERAL <sub>Q</sub> HOW WERE THEY LOADED <sub>A</sub> THEY HAD MEN IN MOST OF THEM <sub>Q</sub> HOW MANY MEN ALTOGETHER <sub>A</sub> I COULD NOT TELL YOU THAT <sub>Q</sub> GIVE YOUR BEST RECOLLECTION OF THE NUMBER <sub>A</sub> PROBABLY</p>	<p>NEVER HAVE HEARD OF HIS DECEASE? A. NOT THAT I RECOLLECT OF; HE WAS AN OLD MAN THEN. Q. DID ANY <del>OF</del> OTHER WAGONS GO OUT IMMEDIATELY WITH YOU? A. YES , SIR. THERE WAS A GOOD MANY</p> <p>AHEAD OF ME? A<sub>Q</sub>. HOW MANY? A. MAY BE FOUR OR FIVE — HALF A DOZEN. Q. YOU HAD A GOOD MANY? A. YES, SEVERAL. Q. HOW WERE THEY LOADED? THEY HAD MEN IN MOST OF THEM <sup>[7]</sup> Q. ABOUT HOW MANY MEN TOGETHER? A. I COULD NOT TELL FOR CERTAIN. Q. GIVE YOUR BEST RECOLLECTION OF THE NUMBER? A. PROBABLY</p>	<p>NEVER HAVE HEARD OF HIS DECEASE NOT THAT I RECOLLECT OF HE WAS AN OLDISH MAN THEN DID ANY OTHER WAGONS GO OUT IMMEDIATELY WITH YOU YES SIR</p> <p>GOOD MANY</p> <p>«AHEAD OF ME» HOW MANY MAYBE FOUR OR FIVE HALF A DOZEN <i>I HAD IDEA[?]</i> HOW GOOD MANY I MEAN SEVERAL HOW WERE THEY LOADED [<i>space</i>]</p> <p>MEN IN MOST OF THEM ABOUT HOW MANY MEN ALL TOGETHER I CAN'T TELL CERTAIN GIVE YOUR BEST RECOLLECTION OF THE NUMBER PROBABLY</p>
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**RT**

**RS**

**BT**

**PS**

<p>FROM THE LOOKS, BUT IT WAS DARK ABOUT THE TIME I CAME UP THERE — I DROVE BEHIND. THOSE AHEAD OF ME</p> <p>ALL SEEMED TO HAVE MEN IN THE WAGONS.</p> <p>I NOTICED ONE GOING UP THE HILLS. THE MEN JUMPED OUT AND WALKED ON AHEAD. <sup>[167]</sup></p> <p>Q. DIDN'T THE MEN IN THE DIFFERENT WAGONS COMMUNICATE WITH EACH</p> <p>OTHER ON THE ROAD ? A. I DON'T KNOW THAT THEY DID PARTICULARLY.</p> <p>NEVER MADE ANY HAULT OR LAY OVER, ANYTHING OF THAT KIND. Q.</p>	<p>FROM THE LOOKS = IT WAS DARK ABOUT THE TIME I GOT UP THERE I DROVE BEHIND THOSE AHEAD OF ME LOOKED TO BE FOUR OR THAT HAD MEN IN WAGONS</p> <p>I NOTICED WHEN GOING UP THE HILLS THEY JUMPED OUT WALKED ON AHEAD</p> <p>Q DIDN'T {THE}<sup>P</sup> MEN {IN THE}<sup>P</sup> DIFFERENT WAGONS COMMUNICATE WITH EACH</p> <p>OTHER ON THE ROAD A I DON'T KNOW THAT THEY DID PARTICULARLY</p> <p>Q NEVER MADE ANY HALT LAY OVER ANYTHING OF KIND Q</p>	<p>FROM <b>THEIR</b> THE LOOKS — IT WAS DARK ABOUT THE TIME I <del>Ø</del>GOT UP THERE — I DROVE BEHIND THOSE AHEAD OF ME — THERE LOOKED TO BE FOUR <del>Ø</del>R FIVE MEN IN A WAGON; DIDN'T SEEM TO BE CROWDED. I NOTICED GOING UP THE HILLS THAT THEY JUMPED OUT AND WAS WALKING ALONG AHEAD.</p> <p>Q. DIDN'T THE MEN IN THE DIFFERENT WAGONS COMMUNICATE WITH EACH <del>Ø</del>HER <del>Ø</del>COMMUNICATE WITH <del>Ø</del>HER</p> <p><b>OTHER</b> ON THE ROAD? A. I DON'T KNOW AS THEY DID, WE DROVE RIGHT ALONG; WE DIDN'T MAKE ANY HALTS.</p> <p>Q.</p>	<p>FROM THEIR LOOKS IT WAS DARK ABOUT THE TIME I GOT</p> <p>THERE LOOKED TO BE 4 OR 5 MEN IN A WAGON DIDN'T SEEM TO BE CROWDED I NOTICED GOING UP THE HILLS THEY JUMPED OUT AND WAS WALKING ALONG AHEAD DIDN'T THE MEN IN THE DIFFERENT WAGONS COMMUNICATE WITH EACH</p> <p>OTHER ON THE ROAD I DON'T KNOW AS THEY DID WE DROVE RIGHT ALONG <del>THEY</del> DIDN'T MAKE ANY HALTS [<i>space</i>]</p>
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**RT**

**RS**

**BT**

**PS**

<p>DO YOU REMEMBER WHO DROVE THE OTHER WAGONS ? A. NO SIR, I DO NOT.</p> <p>Q. YOU MUST HAVE KNOWN AT THAT TIME, MOST OF THEM ? A. PROBABLY ALL</p> <p>OF THEM THAT HAD BAGGAGE WAGONS. Q. ARE YOU NOT GENERALLY ACQUAINTED WITH THE MEN THAT LIVED AT CEDAR CITY ? A. YES SIR, PRETTY MUCH ALØL, BUT IT HAS BEEN A GOOD WHILE SINCE, AND I HAVE BEEN ALL OVER THE COUNTRY IN DIFFERENT OCCUPATIONS,</p> <p>DIFFERENT SCENES, PLACES AND PEOPLE. Q. BUT YOU DID PROBABLY AT</p>	<p>DO YOU REMEMBER WHO DROVE OTHER WAGONS A NO SIR I DO NOT</p> <p>Q YOU MUST HAVE KNOWN AT THAT TIME THE MOST OF THEM PROBABLY ALL</p> <p>OF THEM THAT HAD BAGGAGE WAGONS. Q ARE YOU NOT GENERALLY ACQUAINTED WITH THE MEN THAT LIVED AT CEDAR CITY A YES SIR PRETTY MUCH ALL IT HAS BEEN GOOD WHILE I HAVE BEEN ALL OVER THE COUNTRY IN DIFFERENT OCCUPATIONS MET {DIFFERENT}P SCENES PLACES AND PEOPLE Q YOU DID KNOW PROBABLY AT</p>	<p>DO YOU REMEMBER WHO DROVE THE OTHER WAGONS? A. NO, SIR, I DO NOT Q. <del>YOU MUST HAVE KNOWN AT THAT TIME.</del> Q. YOU MUST HAVE KNOWN AT THAT TIME? A. I MIGHT HAVE AT THAT TIME ; THE MOST WHO HAD BAGGAGE WAGONS. Q. WERE YOU NOT GENERALLY ACQUAINTED WITH THE MEN WHO LIVED AT CEDAR CI TY? A. YES, SIR, PRETTY MUCH ALL; BUT IT HAS BEEN QUITE A WHILE; BUT I HAVVE BEEN ALL OVER THE COUNTRY IN DIFFERENT OCCUPATIONS, BUT I HAVE FORGORRTTEN MOST OF THE FACES OF PEOPLE. Q. YOU DID KNOW AT</p>	<p>DO YOU REMEMBER WHO DROVE THE OTHER WAGONS NO SIR</p> <p>I YOU MUST HAVE KNOWN AT THAT TIME I MIGHT HAVE AT THAT TIME [space] YOU MUST HAVE THE MOST WHO HAD THE BAGGAGE WAGONS [space] WERE YOU NOT GENERALLY ACQUAINTED WITH THE MEN THAT LIVED AT CEDAR CITY YES SIR PRETTY MUCH ALL, BUT IT HAS BEEN A GOOD WHILE AND I HAVE BEEN ALL OVER THE COUNTRY IN DIFFERENT OCCUPATIONS UNTIL I HAVE FORGOT NUMEROUS[?] FACES AND PEOPLE YOU DID KNOW AT</p>
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**RT**

**RS**

**BT**

**PS**

<p>THAT TIME — ALL</p> <p>THAT WENT OUT ? A. I MIGHT HAVE KNOWN ALL AT THAT</p> <p>PLACE. THERE WAS SOME STRANGERS THAT I THINK</p> <p>CAME FROM BELOW. Q. WHAT DO YOU MEAN BY BELOW ? A. DOWN IN THE COTTON COUNTRY. THERE WAS MEN THERE I DID KNOW. Q. NAME THE PLACE YOU SPEAK OF IN IRON COUNTY ? A. THERE WAS TWO TEAMS, CLEAR FROM WASHINGTON. Q. WAS ALL THE SETTLEMENTS FILLED</p>	<p>THAT TIME ALL THE ≪MEN≫ THAT WENT OUT {A}PI MIGHT HAVE KNOW ≪ALL THAT WENT NOT≫ FROM THAT PLACE THERE WAS SOME STRANGERS THAT I THINK</p> <p>CAME FROM BELOW Q WHAT DO YOU MEAN BY BELOW A DOWN IN COTTON COUNTRY THERE WAS MEN THERE I DID KNOW Q NAME PLACE YOU SPEAK OF IN IRON COUNTY A THERE WAS TWO SETTLEMENTS CLARA FORT AND WASHINGTON I THINK Q WAS ALL THE SETTLEMENTS FILLED</p>	<p>THAT TIME ALL THE MEN THAT WENT OUT? A. I MIGHT HAVE KNOWN, ALL THAT WENT FROM THAT PLACE; THERE WAS SOME STRANGERS, ON THE GROUND THAT PROBABLY CAME FROM BELOW. Q. WHAT DO YOU MEAN BY “BELOW”? A. DOWN IN THE COTTON COUNTRY.</p> <p>Q. NAME THE COUN PLACES YOU SPEAK OF, IN WHAT COUNTRY? A. THERE WAS TWO SETTLEMENTS, THE CLARA FORT AND WASHINGTON, WAS ALL THE SETTLEMENTS FILLED</p>	<p>THAT TIME PROBABLY ALL THE MEN THAT WENT OUT I MIGHT HAVE KNOWN ALL THAT WENT FROM THAT PLACE <sup>[[42]]197</sup> THERE WAS SOME STRANGERS ON THE GROUND THAT PROBABLY CAME FROM BELOW WHAT DO YOU MEAN BY BELOW ADOWN IN THE COTTON COUNTRY [space]</p> <p>NAME THE TOWNS [space]</p> <p>THERE WAS TWO SETTLEMENTS CLARA FORT AND WASHINGTON WAS ALL THE SETTLEMENTS THAT WAS</p>
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197. On verso of page 42: **TRANSCRIBED.**



**RT**

**RS**

**BT**

**PS**

<p>UP THERE THEN ?  A. NO., Q. YOU  <del>WAS</del> &lt;SAW&gt; ON  THE GROUND  MEN FROM  THERE —  WHAT DO YOU  MEAN UPON THE  GROUND — THE  MEADOWS ? A.  YES SIR. <sup>[168]</sup> Q.  DID YOU  NOTICE ANY  WAGONS  ON THE WAY TO  THAT CAMP  FROM  THAT PART OF  THE  TERRITORY ? A.  NO SIR. Q.  WHAT DID YOU  UNDERSTAND  TO BE THE  OBJECT OF  YOUR COMING  OUT THIS  SECOND TIME ?  A. I HEARD  NOTHING</p>	<p>UP THERE THEN  Q YOU  SAW ON  THE GROUND  MEN FROM  THERE  Q WHAT DO YOU  MEAN BY THE  GROUND  MEADOWS A  YES SIR Q  DID YOU  NOTICE ANY  WAGONS  ON THAT WAY  THAT CAME  FROM  THAT PART {OF  THE}P  TERRITORY, A  NO SIR. &lt;Q  WHAT DID YOU  UNDERSTAND  TO BE THE  OBJECT OF  YOUR GOING  OUT THIS  SECOND TIME  A I HEARD  NOTHING</p>	<p>UP THERE THEN.  Q. YOU  SAW ON  THE GROUND  MEN FROM  THERE.?  WHAT DO YOU  MEAN BY THE  “GROUND”,  MEADOWS? A.  YES, SIR. Q.  DID YOU  NOTI∨CE ANY  OF THESE  WAGONS ON  THE ROAD THAT  CAME FROM  THAT PART OF  THE  TERROTORY? A.  NO, SIR. Q.  WHAT DID YOU  UNDERSTAND  TO BE THE  OBJECT OF  YOUR GOING  OUT THIS  SECOND TIME?  A. I HEARD  NOTHING <b>AND</b>  <b>NOTHING AS</b>  <del>WE WENT</del>  <del>ALONG WHAT</del>  WAS SAID  <b>ABOUT WHAT</b>  WE WAS  GOING <del>FOR</del> <b>FOR</b>  <b>ONLY</b> — THAT  THE INDIANS</p>	<p>BUILT  UP [<i>space</i>]  YOU  SAW ON  THE GROUND  MEN FROM  THERE [<i>space</i>]  WHAT DO YOU  MEAN BY THE  GROUND  MEADOWS  YES SIR  DID YOU  NOTICE ANY  OF THESE  WAGONS ON  THE ROAD THAT  CAME FROM  THAT PART OF  THE  TERRITORY  NO SIR  WHAT DID YOU  UNDERSTAND  TO BE THE  OBJECT OF  YOUR GOING  OUT THIS  SECOND TIME  I HEARD  NOTHING WENT  NOTHING</p>
<p>SAID  WHAT  WE WERE  GOING FOR,  ONLY  THE INDIANS  AND SOME  EMIGRANTS  WERE FIGHTING.  I DIDN'T</p>	<p>WAS SAID  WHAT  WE WERE  GOING FOR    INDIANS    EMIGRANTS  WERE FIGHTING  I DIDN'T</p>	<p>WAS SAID  WHAT  WE WAS  GOING <del>FOR</del> <b>FOR</b>  <b>ONLY</b> — THAT  THE INDIANS    WAS FIGHTING. I  DIDN'T</p>	<p>WAS SAID  WHAT  WE WAS  GOING FOR  THAT  THE INDIANS  AND  EMIGRANTS  WAS FIGHTING  AND DIDN'T</p>

**RT**

**RS**

**BT**

**PS**

<p>KNOW          WHETHER WE          WAS GOING TO          TAKE THE          EMIGRANTS.          PART          OR THE          INDIANS PART. I          DIDN'T KNOW          WHAT THE          INTENTION OF          THE ORDER          CALLING US          OUT THERE,          ONLY THE          EMIGRANTS AND          INDIANS ARE          FIGHTING —          THEY ARE          FIGHTING THE          EMIGRANTS. Q.          YOU SAY YOU          WENT WITH THE          BABBGGAGE          WAGONS AND          NEVER STOPPED          TO TELL ANY          MORE ? A. I          NEVER          KNEW          WHAT THE          INTENTIONS          WAS. Q. AND YOU          GOT NO          FURTHER LIGHT          ON THE          SUBJECT          TILL YOUR          ARRIVAL AT THE          MOUNTAIN          MEADOWS.</p>	<p>KNOW          WHETHER WE          WAS GOING TO          TAKE          EMIGRANTS'          PART          OR, THE          INDIANS PART, I          DIDN'T KNOW          WHAT          INTENTION OF          OUR          CALL US WAS          OUT THERE            EMIGRANTS          INDIANS, ARE          FIGHTING            I          WANT YOU          WITH          BAGGAGE          WAGONS          NEVER STOPPED          TO TELL ANY          MORE A I          NEVER          INQUIRED          WHAT          INTENTIONS          WAS Q          YOU GOT NO          FURTHER LIGHT          ON          SUBJECT          UNTIL YOUR          ARRIVAL AT          MOUNTAIN          MEADOWS. A          &lt;NO SIR&gt;</p>	<p>KNOW <sup>187</sup>          WHETHER WE          WAS GOING TO          TAKE THE          EMIGRANTS          PART          OR THE          INDIANS PART; I          DIDN'T KNOW          WHAT THE          INTENTION OF          OUR          CALL WAS OUT          THERE. Q. HE          SAYS THE          INDIANS OUT          THERE ARE          FIGHTING            THE          EMIGRANTS; I          WANT YOU          WITH A          BAGGAGE          WAGON:          NEVER STOPPED          TO TELL ANY          MORE; AND I          NEVER          ENQUIRED          WHAT THE          INTENTION          WAS. Q.          YOU GOT NO          FURTHER LIGHT          ON THE          SUBJECT          UNILL YOUR          ARRIVAL AT          TEHE          MEADOWS? A.          NO, SIR. <sup>198</sup> Q.</p>	<p>KNOW          WHETHER WE          WAS GOING TO          TAKE THE          EMIGRANTS          PART          NOR THE          INDIANS PART          DIDN'T KNOW          WHAT THE          INTENTION OF          OUR          CALL WAS          HE          SAYS [space]          INDIANS AND          EMIGRANTS          FIGHTING [space]          &amp; C [space]            NEVER STOPPED          TO TELL ANY          MORE AND          NEVER          INQUIRED          ANY          MORE THAN          [space]          GOT NO          FURTHER LIGHT          ON THE          SUBJECT          BEFORE YOUR          ARRIVAL AT          THE          MEADOWS          NO SIR</p>
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198. X in left margin.

**RT**

**RS**

**BT**

**PS**

<p>WHEN YOU ARRIVED THERE DID ALL THE PERSONS THAT ACCOMPANIED YOUR TRAIN CAMP TOGETHER ? A. WE CAMPED CLOSE ALONG, NOT VERY FAR APART. Q. YOU ARRIVED IN THE MORNING ? A. YES SIR. Q. DID ALL THESE PERSONS REMAIN IN CAMP AND SLEEP TILL THE NEXT DAY ? A. I GUESS THAT IS SO. I DIDN'T SEE ANY GO OUT.</p> <p>Q. DID YOU FIND ANY OTHER WHITE PERSONS</p> <p>ON TOUR ARRIVAL,</p> <p>EXCEPT THE</p>	<p>WHEN YOU ARRIVED THERE DID ALL THE PERSONS THAT ACCOMPANIED YOUR TRAIN CAMP ALL TOGETHER A WE CAMPED CLOSE ALONG NOT VERY FAR APART Q YOU [page torn] IN MORNING A YES SIR Q DID ALL THESE PERSONS REMAIN IN CAMP AND SLEEP UNTIL THE NEXT DAY AI GUESS [page torn] I DID NOT SEE ANY GO —[?] OFF &lt;OR ANY MOTIONS AT ALL&gt; Q DID YOU FIND ANY OTHER WHITE PERSONS</p> <p>ON YOUR ARRIVAL</p> <p>EXCEPT THE</p>	<p>WHEN YOU ARRIVED THERE DID ALL THE PERSONS THAT ACCOMPANIED YOUR TRAIN CAMP TOGETHER? A. WE CAMPED CLOSE ALONG; NOT VERY FAR APART. Q. YOU ARRIVED IN THE MORNING? A. YES, SIR; Q. DID ALL THESE PERSONS REMAIN IN CAMP, AND SLEEP DURING THAT NEXT DAY. A. I GUESS THEY WAS; I DIDN'T SEE ANY GO OFF OR ANY MOVEMENTS AT ALL OUT THERE. Q. DID YOU FIND ANY OTHER WHITE PERSONS ON THE GROUND ON YOUR ARRIVAL</p> <p>EXCEPT THE</p>	<p>WHEN YOU ARRIVED THERE DID ALL THE PERSONS THAT ACCOMPANIED YOUR TRAIN CAMP TOGETHER A WE CAMPED CLOSE ALONG NOT VERY FAR APART ALONG YOU ARRIVED IN THE MORNING YES SIR DID ALL THOSE PERSONS REMAIN IN CAMP AND SLEEP DURING THAT NEXT DAY I GUESS THEY WAS I DIDN'T SEE ANY GO OFF OR ANY MOVEMENTS AT ALL DID YOU FIND ANY OTHER WHITE PERSONS ON THE GROUND ON YOUR ARRIVAL ON THE GROUND EXCEPT</p>
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199. Page 40 was torn loose, and badly torn; part of the right edge is missing. There are a number of sums on the verso equaling 22.53, 26.22, and 30.25. Those were likewise totaled to equal 79.00.

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

<p>EMIGRANTS THERE — ON YOUR ARRIVAL ? A. NO SIR, I DON'T KNOW THAT I DID. SOON AFTER WE GOT THERE, AND WE HAD BEEN AND GOT UNHITCHED, MR. LEE CAME TO US, AND THAT IS ALL, ONLY AS I <sup>[169]</sup> RECOLLECT.</p> <p>WHICH WAY HE CAME I COULD NOT TELL YOU. Q. DID YOU LEARN</p> <p>WHERE HE CAME FROM ? A. I HAD NO TALK WITH HIM;</p> <p>SAW HIM TALKING TO SOME OF THE MEN. Q. WHEN DID YOU FIRST NOTICE AT THE MEADOWS, &lt;ANY STRANGERS&gt;</p>	<p>EMIGRANTS ON YOUR ARRIVAL <sup>A</sup>NO SIR I DO NOT KNOW THAT I DID, SOON AFTER WE GOT THERE AFTER HAD BEEN GOT UNHITCHED A WHILE, MR. LEE CAME TO US THAT IS ALL [<i>page torn</i>] AS NEAR AS I RECALL</p> <p>≪WHICH WAY≫ HE CAME I COULD NOT TELL YOU Q DID YOU LEARN FROM HIM WHERE HE CAME FROM <sup>A</sup> I HAD NO TALK WITH HIM ≪THEN≫ <i>TIME</i>[?] I SAW HIM TALK TO SOME OF THE MEN Q WHEN DID YOU FIRST NOTICE AT MEADOWS ANY STRANGERS</p>	<p>EMIGRANTS?  NA. NO, SIR, I DON'T KNOW AS WE DID. SOON AFTER WE GOT THERE AND GOT UNHITCHED A WHILE, MR. LEE CAME TO US; THAT IS ALL <b>THE ONE</b> † SEEN — I RECOLLECT OF SEEING/. Q. WHICH WAY DID, HE COME FROM? A. THAT I COULD NOT TELL YOU. Q. DID YOU LEARN FROM HIM WHERE HE CAME FROM THEN? A. NO, SIR, I HAD NO TALK WITH HIM THEN; I SAW HIM THERE TALKING WITH SOME OF THE MEN. Q. WHEN DID YOU FIRST NOTICE AT THE MOUNTAIN MEADOWS ANY STRANGERS,</p>	<p>EMIGRANTS  <sup>A</sup>NO I DON'T KNOW AS WE DID SOON AFTER WE GOT THERE AND GOT UNHITCHED A WHILE MR. LEE CAME TO US THAT IS ALL THE <i>ONE</i>[?] I RECOLLECT OF SEEING WHICH WAY DID HE COME FROM THAT I COULD NOT</p> <p>DID YOU LEARN FROM HIM WHERE HE CAME FROM THEN NO SIR I HAD NO TALK WITH HIM THEN I SAW HIM THERE TALKING WITH SOME OF THE MEN [<i>space</i>] <sup>[Bk 5</sup> <sup>1]]200</sup> WHEN DID YOU FIRST NOTICE AT THE MEADOWS ANY STRANGERS</p>
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200. "JOHN D. LEE" is written in shorthand on the cover of the notebook, along with "JOHN SHURRATT" in longhand and a series of numbers.

**RT**

**RS**

**BT**

**PS**

<p>FROM THE WAY YOU CALLED THE COTTON COUNTRY ? A. I DON'T KNOW WHETHER IT WAS THE SAME NIGHT OR THE NEXT DAY. IT MIGHT HAVE BEEN AFTER I WENT TO SLEEP. I KNOW WE HAD BEEN TRAVELING ALL NIGHT. NOTHING WAS GOING ON AND THE TEAMS HAD BEEN TAKEN CARE OF. WE HAD HAD BREAKFAST, WENT TO BED AND FELL ASLEEP.</p> <p>Q. WAS THAT THE CASE WITH ALL THAT WENT OUT WITH THE SAME TRAIN, TO LIE BY AND REST DURING THAT DAY ? A. YES SIR, THEY ALL LAID OVER. I</p>	<p>FROM THE [<i>page torn</i>] YOU CALL COTTON COUNTRY A I DO NOT KNOW WHETHER IT WAS SAME NIGHT OR NEXT DAY, IT MIGHT HAVE BEEN AFTER I WENT TO SLEEP. I KNOW AFTER BEEN TRAVELLING ALL NIGHT NOTHING WAS GOING ON AND THE TEAMS BEEN <del>TAKEN</del> HAD BEEN CARE OF, HAD BREAKFAST WENT TO BED FELL ASLEEP</p> <p>Q WAS THAT THE CASE WITH ALL THAT WENT [<i>page torn</i>] THAT SAME TRAIN THAT WITH ME TO LIE BY REST DURING THAT DAY A YES SIR THEY ALL LAID OVER; I</p>	<p>FROM WHAT YOU CALL THE "COTTON COUNTRY"? A. I DON'T KNOW WHETHER IT WAS THE SAME NIGHT OR THE NEXT DAY. IT MIGHT HAVE BEEN AFTER I WENT TO SLEEP MAY BE, BEFORE THE TALK OCCURRED,</p> <p>OR AT HAD BREAKFAST . I LAID DOWN AND WENT <del>WENT GO</del> TO SLEEP AND SLEPT A LONG THE ENTIRE PORTION OF THE DAY. Q. NOW, THEN WAS THAT THE CASE WITH ALL THAT WENT OUT IN THE SAME TRAIN, WITH YOU — THAT YOU LAID BY AND RESTED THAT DAY? A. YES, SIR, I DON'T</p>	<p>FROM WHAT CALL THE COTTON COUNTRY A I DON'T KNOW WHETHER IT WAS THE SAME NIGHT OR THE NEXT DAY IT MIGHT HAVE BEEN AFTER I WENT TO SLEEP</p> <p>-M[?] HAD THE TEAM</p> <p>CARED OF HAD BREAKFAST LAID DOWN AND WENT TO SLEEP AND SLEPT GOOD PORTION OF THE DAY WAS THAT THE CASE WITH ALL THAT WENT OUT IN THE SAME TRAIN WITH YOU LAID BY AND RESTED DURING THAT DAY YES SIR I DON'T</p>
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**RT**

**RS**

**BT**

**PS**

<p>KNOW OF NO ONE GOING OUT OF THE CAMP.</p> <p>Q. DO YOU REMEMBER HEARING ANY FIRING DURING THAT DAY ? A. I REMEMBER HEARING IN THE MORNING, AN OCCASIONAL SHOT FIRED. Q. WAS IT IN VIEW, OR COULD YOU SEE FROM WHENCE IT CAME ? A. NO SIR, COULD NOT SEE WHETHER IT WAS IN THE EMIGRANT CAMP OR NOT. I SAW AFTER I GOT UP ALONG TOWARDS NIGHT, I SAW SOME INDIANS GO DOWN THE HILL INTO THE HOLLOW, SOMEWHERE DOWN FROM WHERE WE WAS AND I HEARD TWO OR THREE GUNS FIRED.</p>	<p>KNOW OF NO ONE GOING OUT OF CAMP</p> <p>Q DO YOU REMEMBER HEARING ANY FIRING DURING THAT DAY A I REMEMBER HEARING IN <del>FORENOON</del> AFTERNOON OCCASIONAL SHOT AND FIRING Q WAS IT IN VIEW</p> <p>FROM WHENCE IT CAME {A}PNO SIR COULD NOT HEAR SEE &lt;WHETHER&gt; IT WAS IN EMIGRANT CAMP OR NOT. {A}PI SAW AFTER I GOT UP [page torn] ALONG TOWARDS NIGHT I SAW SOME INDIANS GO DOWN LITTLE HILL INTO HOLLOW, SOME WAYS DOWN FROM WHERE WE WAS AND I HEARD 2 OR 3 GUNS FIRED</p>	<p>KNOW OF ANYBODY GOING OUT OF THE CAMP THAT DAY</p> <p>Q. DIO YOU REMEMBER OF HEARING ANY FIRING DURING THAT DAY? <sup>[9]</sup> A. I HEARD IN THE FORENOON ONCE IN A WHILE A SHOT FIRED? Q. WAS IT IN VIEW SO YOU COULD SEE FROM WHENCE IT CAME? A. NO, SIR IQ. COULD YOU NOT SEE <b>WHETHER IT WAS IN THE EMIGRANT CAMP OR NOT.</b> A. — WELL, I SAW AFTER I GOT UP ALONG TOWARDS NIGHT — I SAW OME INDIANÐS FGO DOWN A LITTLE HILL INTO A HOLLOW, SOME WAYS DOWN FROM WHERE WE WAS AND I HEARD TWO OR THREE GUNS FIRED UP</p>	<p>KNOW OF ANYBODY GOING OUT OF CAMP DURING THAT DAY</p> <p>[space] DO YOU REMEMBER HEARING ANY FIRING DURING THAT DAY</p> <p>I HEARD IN THE AFTERNOON ONCE IN A WHILE A SHOT FIRED WAS IT IN VIEW SO YOU COULD SEE WHENCE IT CAME NO SIR COULD YOU SEE WHETHER IT WAS IN THE EMIGRANT CAMP OR NOT [space] WELL I SAW AFTER I GOT UP ALONG TOWARDS NIGHT I SAW SOME INDIANS GO DOWN A LITTLE HILL INTO A HOLLOW SOME WAYS DOWN FROM WHERE WE WAS I HEARD TWO OR 3 GUNS FIRED</p>
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**RT**

**RS**

**BT**

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<p>[space] SOME FROM THE EMIGRANTS AND SOME FROM THAT HOLLOW. Q. THAT WAS THE FIRING BETWEEN THE EMIGRANTS AND THE INDIANS ?</p> <p>A. IT WAS ALONG IN THAT AFTERNOON. Q. WHAT WAS DONE BY YOUR FORCES DURING THAT NIGHT ?</p> <p>A. NOTHING MORE, ONLY JUST STAYED THERE ON THE GROUND. Q. DID YOU HAVE ANY DISCUSSION IN REGARD TO THE SITUATION ? <sup>[170]</sup></p> <p>A. NONE AT ALL. I DON'T KNOW WHETHER THE LEADING MEN HAD OR NOT. I DIDN'T HEAR ANYTHING OF THAT KIND Q.</p>	<p>BOTH WAYS SOME FROM EMIGRANTS AND SOME FROM THAT HOLLOW Q THAT WAS THE FIRING BETWEEN EMIGRANTS AND INDIANS ≤YES SIR≥ ≤Q≥ A IT WAS ALONG IN AFTERNOON WHAT WAS DONE BY YOUR FOLKS DURING THAT NIGHT</p> <p>{A}P NOTHING MORE ONLY JUST STAYED THERE ON THE GROUND. Q DID YOU HAVE ANY DISCUSSION IN REGARD SITUATION {A}P NONE AT ALL I DO NOT KNOW WHETHER LEADING MEN DID OR NOT. I DID NOT HEAR ANYTHING OF THAT KIND Q</p>	<p>THAT WAY, SOME FROM THE EMIGRANTS AND SOME FROM THAT HOLLOW. Q. THAT WAS THEN THE FIRING BETWEEN THE EMIGRANTS AND THE INDIANS? A- YES SIR Q. YES, SIR.</p> <p>Q WHAT WAS DONE DURING THAT NIGHT FOLLOWING YOUR ARRIVAL BY YOUR FOLKS? A. NOTHING ONLY STAYED RIGHT THERE ON THE GROUND THAT I KNOW OF. Q. DID YOU HAVE ANY DISCUSSION IN REGARD TO THE SITUATION? A. NONE AT ALL; I DON'T KNOW WHETHER THE HEAD MEN HAD OR NOT. I DIDN'T HEAR ANYTHING OF THAT KIND. Q.</p>	<p>BOTH WAYS SOME FROM THE CAMP AND SOME FROM THE [space] THAT WAS THEN THE FIRING BOTH FROM EMIGRANTS AND INDIANS YES SIR</p> <p>WHAT WAS DONE DURING THAT NIGHT FOLLOWING YOUR ARRIVAL BY YOUR FOLKS NOTHING ONLY STAYED RIGHT THERE ON THE GROUND THAT I KNOW OF [space] ANY DISCUSSION IN REGARD TO THE SITUATION NONE AT ALL I DONT KNOW WHETHER THE HEAD MEN DID OR NOT ≤OFFICERS AND &amp; THE≥ [space]</p>
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RT	RS	BT	PS
<p>GIVE THE NAMES OF YOUR PARTY, AND WHO WAS IN CHARGE OF THEM — OF THAT COMPANY OF MEN — AND IF MR. HIGBEE AND MR. SMITH WERE ? A. I DON'T KNOW WHO WAS THE PROMINENT MEN THERE. Q. JUST STATE ANY OF THE NAMES OF PERSONS, IF YOU REMEMBER THEM ?</p> <p>A. MR. HIGBEE AND MR. SMITH AND MR. LEE, IS ALL THE NAMES THAT I CAN RECOLLECT OF THE PROMINENT MEN AT THAT TIME. Q. GO ON AND</p>	<p>WHO SEEMED {TO HAVE}<sup>P</sup> DIRECTION OF YOUR PARTY TO BE IN CHARGE OF IT COMPANY OF MEN</p> <p>MR. HIGBEE MR. SMITH</p> <p><sup>A</sup>I DID NOT SEE PROMINENT MEN THERE. JUST QSTATE ANY NAMES OF PERSONS WHOM NOW REMEMBER</p> <p><sup>A</sup>THEM TWO AND MR. LEE IS ALL NAMES I RECOLLECT PROMINENT MEN <sup>[[Bk 4 1]]</sup>201 AT THAT TIME Q CAN YOU</p>	<p>WHO SEEMED TO HAVE THE DIRECTION OF YOUR PARTY, CHARGE OF IT OR COMMAND?</p> <p>A. MR. HIGBEE AND MR. SMITH,</p> <p>WAS THE PROMINENT MEN THERE. Q. JUST STATE THE NAMES OF ANY PERSONS THAT YOU NOW REMEMBER AMONGST THEM? A. THESE TWO AND MR. LEE IS ALL THE NAMES I RECOLLECT OF THE PROMINENT MEN THAT WAS THERE AT THAT TIME. Q. CAN'T YOU</p>	<p>WHO SEEMED TO HAVE THE DIRECTION OF YOUR PARTY CHARGE OF IT THE COMMAND</p> <p><sup>A</sup>MR. HIGBEE AND MR. SMITH</p> <p>WAS PROMINENT MEN STATE THE NAMES OF ANY PERSONS THAT YOU NOW REMEMBER AMONGST THEM <sup>A</sup>THOSE TWO AND MR. LEE IS ALL THE NAME THAT I RECOLLECT OF PROMINENT MEN THAT WAS THERE AT THAT TIME [space] CAN'T YOU</p>

201. Written in longhand at beginning of page: {BOOK NO. 4}<sup>i</sup> **SECOND JUDICIAL DISTRICT COURT BEAVER BEAVER TERRITORY OF UTAH MRS. HOGES TESTIMONY IS IN THIS BOOK. COMPARED.** To the right of “MRS. HOGES TESTIMONY IS IN THIS BOOK.” and continued in between lines in purple pencil: “CONTINUATION JOEL WHITES TESTIMONY W<sup>M</sup> MATTHEWS. W<sup>M</sup> YOUNGS. THOS E. WILLIS MRS HOGES SAML POLLOCKS TESTIMONY.” On the verso of the page “DO YOU KNOW ANYTHING OF THE AFFAIR” was written repeatedly with minor variation. There is illegible crossed-out shorthand doodling on verso. There are purple transcription marks on each page through the end of White’s testimony.



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

<p>GIVE NAMES OF ANY OTHER</p> <p>IN THAT REGARD AND THEIR PROMINENCE ?</p> <p>A. I DON'T KNOW AS I CAN CORRECTLY. Q. THE SECOND MORNING AFTER YOUR ARRIVAL WHAT WAS DONE BY YOUR PARTY A. ABOUT THE SAME AS THE FIRST DAY, NOTHING, NO MOVEMENT, NOTHING GOING ON, AS NEAR AS I CAN RECOLLECT. Q. YOU LAID IN CAMP AND RESTED ? A. YES SIR.</p> <p>Q. DID SMITH GO BACK WITH YOU WHEN YOU SENT BACK THAT WAGON ? A. I DON'T KNOW WHETHER HE DID OR NOT; IF HE DID I DIDN'T SEE HIM THAT NIGHT. Q. DID YOU SEE</p>	<p>GIVE NAMES OF ANY OTHER PARTY WITHOUT REGARD TO THEIR PROMINENCE</p> <p>A I DO NOT KNOW AS I CAN CORRECTLY. Q SECOND MORNING AFTER YOUR ARRIVAL WHAT WAS DONE BY YOUR PARTY A ABOUT SAME AS THE FIRST DAY NOTHING, NO MOVEMENT NOTHING GOING ON, AS NEAR AS I CAN RECOLLECT Q YOU LAID IN CAMP AND RESTED YOU A YES SIR</p> <p>DID SMITH GO BACK WITH YOU WHEN YOU WENT BACK WITH WAGONS? A I DO NOT KNOW WHETHER HE DID OR NOT IF HE DID I DID NOT SEE HIM THAT NIGHT Q DID YOU SEE</p>	<p>GIVE THE NAMES OF ANY OTHERS OF THE PARTY WITHOUT REGARD TO THEIR PROMINENCE?</p> <p>A. I DON'T KNOW AS I CAN CORRECTLY. Q. THE SECOND MORNING AFTER YOUR ARRIVAL, WHAT WAS DONE THEN BY YOUR PARTY? A. ABOUT THE SAME AS THE FIRST DAY— NO MOVEMENT— NOTHING GOING ON AS NEAR AS I CAN RECOLLECT. Q. YOU LAID IN CAMP? A. YES, SIR.</p> <p>Q. DID SMITH GO BACK WITH YOU WHEN YOU WENT BACK WITH THE WAGONS? A. I DON'T KNOW WHETHER HE DID OR NOT; IF HE DID I DIDN'T SEE HIM THAT NIGHT. Q. DID YOU SEE</p>	<p>GIVE THE NAMES OF ANY OTHERS OF THE PARTY WITHOUT REGARD TO THEIR PROMINENCE I DON'T KNOW AS I CAN CORRECTLY THE SECOND MORNING AFTER YOUR ARRIVAL WHAT WAS DONE THEN BY YOUR PARTY ABOUT THE SAME AS THE FIRST DAY NO MOVEMENT NOTHING GOING ON AS NEAR AS I RECOLLECT YOU LAID IN CAMP</p> <p>YES SIR [space] <sup>[[2]]</sup> Q DID SMITH GO BACK WITH YOU WHEN YOU WENT BACK WITH THE WAGONS A I DON'T KNOW WHETHER HE DID OR NOT IF HE DID I DIDN'T SEE HIM THAT NIGHT DID YOU SEE</p>
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**RT****RS****BT****PS**

HIM THERE IMMEDIATELY ON YOUR ARRIVAL ?  A. I DON'T RECOLLECT OF SEEING HIM THERE IMMEDIATELY ON MY ARRIVAL, BUT SOMETIME DURING THAT DAY, I THINK IT MIGHT HAVE BEEN THE NEXT DAY BUT I AM NOT POSITIVE. Q. YOU SPOKE OF YOUR PARTY REMAINING IN CAMP DURING THAT DAY, NEXT NIGHT AND NEXT DAY — WERE THEY ALL THERE OR DID SOME OF THE MEN GO <sup>[17]</sup> AWAY ? A. IT MAY BE SO OR ALTOGETHER, BUT I THINK THERE WAS SOME FEW WENT DOWN TO HAMBLIN'S RANCH THE NEXT DAY TO GET SOME MILK,	HIM THERE IMMEDIATELY ON YOUR ARRIVAL <NEXT DAY> {A} I DO NOT RECALL OF SEEING HIM THERE IMMEDIATELY ON MY ARRIVAL BUT SOMETIME DURING THAT DAY I THINK, IT MIGHT HAVE BEEN NEXT DAY I AM NOT POSITIVE Q YOU SPEAK OF YOUR PARTY REMAINING IN CAMP DURING THAT DAY NEXT NIGHT AND NEXT DAY WERE ALL THERE OR DID SOME OF MEN GO AWAY A MAYBE IT MAY BE OR ALL TOGETHER <NOT THAT I KNOW OF> I THINK THERE WAS SOME FEW WENT DOWN TO HAMBLIN'S RANCH NEXT DAY GOT SOME MILK	HIM THERE IMMEDIATELY ON YOUR ARRIVAL THE NEXT DAY? A. I DON'T RECOLLECT OF SEEING HIM  IMMEDIATELY UPON OUR ARRIVAL BUT SOME TIME DURING THAT DAY, I THINK IT MIGHT HAVE BEEN THE NEXT MORNING, BUT I AM NOT POSITIVE. Q. YOU SPEAK OF YOUR PARTY REMAINING IN CAMP DURING THAT DAY, AND NEXT NIGHT AND NEXT DAY; WERE THEY ALL <sup>[10]</sup> THERE OR DID SOME OF THE MEN GO AWAY TEMPORARILY OR ALL TOGETHERL A. NOT THAT I KNOW OF.. I THINK THERE WAS SOME FEW WENT DOWN TO HAMBLIN'S RANCH THE NEXT DAY AND GOT SOME	HIM THERE IMMEDIATELY ON YOUR ARRIVAL NEXT DAY I DON'T RECOLLECT  IMMEDIATELY ON OUR ARRIVAL BUT SOMETIME DURING THAT DAY [space] NEXT MORNING [space]  YOU SPEAK [space]  WERE THEY ALL THERE OR DID SOME OF THE MEN GO AWAY TEMPORARILY OR ALL TOGETHER NOT THAT I KNOW OF I THINK THERE WAS SOME FEW WENT DOWN TO HAMBLIN'S RANCH AND GOT SOME
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**RT****RS****BT****PS**

<p>BUTTERMILK. Q. DID HIGBEE REMAIN IN YOUR CAMP ALL THE FIRST AND SECOND DAY ? A. I COULD NOT SAY POSITIVELY WHETHER HE WAS OR NOT, BUT I SAW HIM AROUND OCCASIONALLY. I COULD NOT SAY WHETHER HE WAS ALL DAY, OR NOT.</p>	<p>BUTTER MILK. DID HIGBEE REMAIN YOUR CAMP DURING <math>\leq</math>ALL OF <math>\geq</math> THE FIRST AND SECOND DAY? {A} I CAN'T SAY POSITIVE WHETHER HE WAS OR NOT. BUT I SAW HIM AROUND OCCASIONALLY. I COULD NOT. SAY WHETHER HE WAS ALL DAY OR NOT</p>	<p>BUTTERMILK. Q. DID HIGBEE REMAIN <del>IN A</del> IN YOUR CAMP DURING THE FIRST AND SECOND DAY? A. I COULD NOT TELL YOU;</p> <p>I SAW HIM AROUND BUT</p> <p>I COULD NOT TELL WHETHER HE WAS THERE OR NOT ALL DAY. Q. <del>YOUR CAMP WASN'T IN A VERY.</del> Q.</p>	<p>BUTTERMILK &amp;C DID HIGBEE REMAIN IN YOUR CAMP DURING ALL THE FIRST AND SECOND DAY I COULD NOT TELL</p> <p>I SAW HIM AROUND BUT</p> <p>I COULD NOT TELL WHETHER ALL DAY OR NOT</p>
<p>Q. YOUR CAMP; WAS IN A VERY <del>JADED</del> AGITATED AND UNSETTLED CONDITION</p>	<p>{*}P YOUR CAMP WAS NOT IN A VERY AGITATED OR BUSTLING CONDITION</p>	<p>YOUR CAMP WAS NOT IN A VERY AGITATED OR BUSTLEING CONDITION? A. NO, SIR. Q.</p>	<p>YOUR CAMP WAS NOT IN A VERY AGITATED OR BUSTLING CONDITION</p>
<p>DURING THESE TWO NIGHTS ?</p>	<p>WERE RATHER QUIET DURING THESE TWO <math>\leq</math>DAYS &amp; ONE NIGHT <math>\geq</math> NIGHTS</p>	<p>QUIET DURING THESE TWO DAYS AND ONE NIGHT?</p>	<p>NO SIR QUIET DURING THESE TWO DAYS AND ONE NIGHT</p>
<p>A. YES SIR.</p>	<p>A NIGHT YES SIR</p>	<p>A. YES, SIR. Q.</p>	<p>YES SIR [space]</p>
<p>Q. CAN YOU GIVE ANY IDEA OF THE NUMBER OF INDIANS YOU SAW THERE DURING THAT TIME IN THE</p>	<p>{Q}P CAN YOU GIVE ANY IDEA OF THE NUMBER OF INDIANS YOU SAW THERE DURING THAT TIME IN</p>	<p>WHAT KIND Q. COULD YOU GIVE ANY IDEA OF THE NUMBER OF INDIANS YOU SAW DURING THAT TIME?</p>	<p>IDEA OF NUMBER OF INDIANS YOU SAW THERE DURING THAT TIME</p>

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

<p>CAMP ? A. NO, I COULD NOT GIVE ANY IDEA ACCURATELY. IF IT HAD BEEN</p>	<p>CAMP <sup>A</sup>NO I COULD GIVE NO CORRECT IDEA OF IT IF IT HAD BEEN</p>	<p>A. NO, SIR,  NO CORRECT IDEA OF IT. IF IT HAD BEEN BUT</p>	<p>NO SIR  NO CORRECT IDEA OF IT IF IT HAD BEEN BUT</p>
<p>YESTERDAY OR A WEEK AGO IT WOULD HAVE BEEN POSSIBLE FOR ME TO GIVE AN ACCURATE ACCOUNT, BUT IT HAS BEEN NEARLY SEVENTEEN YEARS. Q. GIVE US THE SIDE OF THE ROAD ON WHICH YOU MADE YOUR CAMP ? A. THE EAST SIDE AS YOU ARE GOING DOWN — ON THE EAST SIDE OF THE ROAD. Q. THE LEFT HAND SIDE AS YOU WAS GOING FROM CEDAR CITY ? A. YES SIR. Q. WHERE WAS THE EMIGRANTS CAMP WITH REFERENCE TO THE ROAD ? A. THEY WAS CAMPED I THINK A LITTLE TO THE RIGHT</p>	<p>YESTERDAY OR WEEK AGO IT WOULD HAVE BEEN IMPOSSIBLE FOR ME TO GIVE CORRECT COUNT BUT IT HAS BEEN NEARLY 17 YEARS. AGO Q WHICH SIDE OF THE ROAD DID YOU MAKE YOUR CAMP MADE <sup>A</sup>THE EAST SIDE AS YOU ARE GOING DOWN ON THE EAST SIDE OF THE ROAD, LEFT HAND SIDE AS YOU ARE GOING FROM CEDAR CITY <sup>A</sup>YES SIR. WHERE WAS THE EMIGRANT CAMP WITH REFERENCE TO THE ROAD? THERE WAS CAMP I THINK LITTLE RIGHT</p>	<p>YESTERDAY OR A WEEK AGO IT WOULD HAVE BEEN POSSIBLE FOR A MAN TO GIVE A CORRECT ACCOUNT OF IF , BUT IT HAS BEEN I6 OR I7 YEARS AGO. Q. WHICH SIDE OF THE ROAD DID YOU MAKE YOUR CAMP? A. ON THE EAST SIDE OF THE ROAD; ON THE  LEFT HAND SIDE AS <del>WE</del> <del>YOU</del> WAS GOING FROM CEDAR CITY. Q. WHERE WAS THE EMIGRANT CAMP WITH REFERENCE TO THE ROAD?  A. A LITTLE TO THE RIGHT</p>	<p>YESTERDAY OR A WEEK AGO IT WOULD HAVE BEEN IMPOSSIBLE FOR A MAN TO GIVE A CORRECT COUNT OF IT BUT IT HAS BEEN I6 OR I7 YEARS AGO [space] WHICH SIDE OF THE ROAD DID YOU MAKE YOUR CAMP ON THE SIDE OF THE ROAD ON THE  LEFT HAND SIDE AS YOU WAS GOING FROM CEDAR CITY [space] WHERE WAS THE EMIGRANT CAMP WITH REFERENCE TO THE ROAD  <sup>A</sup>LITTLE TO THE RIGHT</p>

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

<p>OF THE ROAD. THEY HAD TURNED OUT</p> <p>CLOSE BY THE HEAD OF THE SPRING. Q. AND YOUR CAMP WAS ABOUT HOW FAR ?</p> <p>A. I SHOULD THINK ABOUT HALF A MILE AS NEAR AS I CAN RECOLLECT, AND WAS UPON A LEVEL. IT WAS CLOSE TO THEM. <sup>[172]</sup> Q. WAS THERE A LARGE EXTENT OF COUNTRY THERE THAT WAS LEVEL FROM WHICH YOU COULD SEE PLAINLY ? A. I SHOULD THINK FROM AROUND WHERE THE CAMP WAS THERE WAS</p> <p>FOUR OR FIVE HUNDRED</p>	<p>OF ROAD THEY HAD —[?] TURNED OUT</p> <p>CLOSE BY {THE}<sup>1</sup> HEAD OF THE SPRING. Q AND YOUR CAMP WAS ABOUT HOW FAR? &lt;FROM THE EMIGRANT CAMP&gt; A I SHOULD THINK ABOUT HALF MILE AS NEAR AS I CAN RECALL WAS UPON A LEVEL IT WAS BETWEEN US <del>TO</del> <del>THEM</del> AND THEM. Q WAS THERE LARGE EXTENT OF COUNTRY THERE THAT WAS LEVEL FROM WHICH YOU COULD SEE PLAINLY A I SHOULD THINK FROM AROUND WHERE CAMP WAS</p> <p>THREE OR 4 HUNDRED YARDS SUCH A MATTER OR 5 HUNDRED</p>	<p>OF THE ROAD. I THINK THEY HAD DRAWN UP FROM THE ROAD CLOSE UP THERE TO THE HEAD OF THE SPRING. Q. AND YOUR CAMP WAS ABOUT HOW FAR FROM THE EMIGRANT CAMP? A. I SHOULD THINK ABOUT A HALF A MILE AS NEAR AS I CAN RECOLLECT. Q. SO THAT YOU WERE IN PLAIN VIEW? A. YES, SIR. Q. WAS THERE A LARGE EXTENT OF COUNTRY THERE ? A. <del>THERE</del> THAT WAS LEVEL OVER WHICH YOU COULD SEE PLAINLY? I SHOULD THINK FROM AROUND WHERE THE CAMP WAS THAT IT WAS THREE OR FOUR HUNDRED YARDS, FØROM THAT TO FIVE HUNDRED</p>	<p>OF THE ROAD I THINK THEY HAD TURNED OUT FROM THE ROAD CLOSE BY THE HEAD OF THE SPRING AND YOUR CAMP WAS ABOUT HOW FAR FROM THE EMIGRANT CAMP</p> <p>ABOUT A HALF A MILE [<i>space</i>]</p> <p>OPEN SO THAT YOU WERE IN PLAIN VIEW YES SIR</p> <p>LARGE EXTENT OF COUNTRY THERE THAT WAS LEVEL OVER WHICH YOU COULD SEE PLAINLY [<i>space</i>] I SHOULD THINK FROM AROUND WHERE THE CAMP WAS THAT IT WAS 3 OR FOUR HUNDRED YARDS FROM THAT TO FIVE HUNDRED</p>
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RT	RS	BT	PS
YARDS OR SUCH A MATTER, OF GROUND, PRETTY LEVEL, PRETTY CLEAR, OF BRUSH BY A LITTLE SPRING LYING AT THE LOWER END OF THE MEADOWS.	YARDS AROUND <i>PRETTY</i> [?] <sup>202</sup> LEVEL PRETTY CLEAR OF VERY BRUSH BY LITTLE SPRING LYING LOWER END OF THE MEADOWS. [space] SPRING LOWER IN MEADOWS [space] <sup>203</sup> <sup>[[2]]</sup> {Q}P HOW FAR WAS YOUR CAMP FROM	YARDS ALL AROUND THAT WAS PRETTY LEVEL— PRETTY CLEAR OF BRUSH.  Q. HOW FAR WAS YOUR CAMP FROM THE EMIGRANTS	YARDS ALL AROUND THAT WAS PRETTY LEVEL PRETTY CLEAR OF BRUSH [space]  HOW FAR WAS YOUR CAMP FROM  HAMBLIN'S RANCH I COULD RECOLLECT  BUT I SHOULD THINK 3 OR FOUR MILES PROBABLY WAS HIS RANCH IN VIEW NO SIR RIDGE BETWEEN THEM [space] <sup>[[3]]</sup> WHAT WAS DONE IN YOUR CAMP DURING THE SECOND NIGHT
HAMBLIN'S RANCH ? A. I CAN'T RECOLLECT THE DISTANCE FOR CERTAIN, BUT I SHOULD THINK THREE OR FOUR MILES.	HAMBLIN'S RANCH {A}P CAN'T RECOLLECT DISTANCE CERTAIN, BUT I SHOULD THINK 3 OR 4 MILES	HAMBLIN'S RANCH? A. I CAN'T RECOLLECT THE DISTANCE FOR CERTAIN, BUT I SHOULD THINK THREE OR FOUR MILES	HAMBLIN'S RANCH I COULD RECOLLECT  BUT I SHOULD THINK 3 OR FOUR MILES PROBABLY WAS HIS RANCH IN VIEW NO SIR RIDGE BETWEEN THEM [space] <sup>[[3]]</sup> WHAT WAS DONE IN YOUR CAMP DURING THE SECOND NIGHT
Q. WAS HIS RANCH IN VIEW ? A. NO SIR.	Q WAS HIS RANCH IN VIEW A NO SIR	PROBABLE. Q. WAS HIS RANCH IN VIEW? A. NO, SIR.	PROBABLY WAS HIS RANCH IN VIEW NO SIR RIDGE BETWEEN THEM [space] <sup>[[3]]</sup> WHAT WAS DONE IN YOUR CAMP DURING THE SECOND NIGHT
Q. WHAT WAS DONE IN YOUR CAMP DURING THE SECOND NIGHT ?	Q WHAT WAS DONE IN YOUR CAMP DURING SECOND NIGHT	Q. WHAT WAS DONE IN YOUR CAMP THERE DURING THE SECOND NIGHT? A.	Q. WHAT WAS DONE IN YOUR CAMP DURING THE SECOND NIGHT? A.

202. Written "PRTL"; "L" added later.

203. At the bottom of the page is written: 35+17 =135 and ~~325~~225+355=485[?]; both vertically.

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

<p>A. NOTHING, ONLY AS I TOLD YOU, THE INDIANS WHOOPIING, YELLING AND  HOLLERING AROUND. NOTHING MORE THAN THAT. Q. WAS THERE ANY FIRING ?</p>	<p>A NOTHING ONCE IN WHILE HEARD INDIANS<sup>204</sup> WHOOPIING YELLING  HOLLERING AROUND, NOTHING MORE THAN THAT WAS THERE ANY FIRING {NO}<sup>P</sup> NO FIRING AT NIGHT A THAT I RECOLLECT OF. Q WHERE WERE INDIANS PRINCIPALLY DURING TIME YOU WERE LYING AT REST IN YOUR CAMP {A}<sup>P</sup> I DON'T KNOW THEY HAD KIND CAMPS PLACES IN BRUSH AROUND &lt;DIFFERENT&gt; PLACES AROUND THE SIDES OF THE HILLS FROM  AROUND WATER</p>	<p>NOTHING. ALL QUIET; ONCE IN A WHILE I HEARD <sup>[H]</sup> THE INDIANS WHOOPIING AND YELLING— MAY BE HOLLOWING AROUND— NOTHING MORE THAN THAT. Q.  ANY FIRING?</p>	<p>NOTHING ALL QUIET ONCE IN A<sup>205</sup> WHILE HEARD THE INDIANS WHOOPIING AND YELLING MAYBE HOLLERING AROUND NOTHING MORE THAN THAT  ANY FIRING?</p>
<p>A. NOT THAT I RECOLLECT OF. Q. WHERE WERE THE INDIANS PRINCIPALLY DURING THE TIME YOU WERE LYING AT REST IN YOUR CAMP ? A. I DON'T KNOW. THEY HAD A KIND OF KAMPING PLACE IN THE BRUSH AROUND AT DIFFERENT PLACES, AROUND THE SIDES OF THE HILLS. THEY WERE OVER AND AROUND THE WATER</p>	<p>A. NOT THAT I RECOLLECT OF. Q. WHERE WERE THE INDIANS PRINCIPALLY, DURING THE TIME THAT YOU WERE LAYING AT REST IN YOUR CAMP? A. I DON'T KNOW, THEY HAD KIND OF CAMPS OR PLACES IN THE BRUSH AROUND DIFFERENT PLACES, AROUND THE SIDES OF HILLWS AND AROUND THE WATER</p>	<p>A. NOT THAT I RECOLLECT OF. Q. WHERE WERE THE INDIANS PRINCIPALLY, DURING THE TIME THAT YOU WERE LAYING AT REST IN YOUR CAMP? A. I DON'T KNOW, THEY HAD KIND OF CAMPS OR PLACES IN THE BRUSH AROUND DIFFERENT PLACES, AROUND THE SIDES OF HILLWS AND AROUND THE WATER</p>	<p>NOT THAT I RECOLLECT OF WHERE WERE THE INDIANS PRINCIPALLY DURING THE TIME THAT YOU WERE LAYING AT REST IN YOUR CAMP I DON'T KNOW THEY HAD KIND OF CAMPS OR PLACES IN THE BRUSH AROUND DIFFERENT PLACES AROUND SIDES OF HILLS AND AROUND THE WATER</p>

204. Rogerson's hand symbol. It is in the same location in the Patterson Shorthand.

205. Rogerson's hand symbol. It is also in the same location in the Rogerson Shorthand.

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

<p>COURSES WHERE WE WAS, DIFFERENT PLACES. Q. ON THE SAME SIDE OF THE ROAD ?</p> <p>A. A GOOD MANY ON THE SAME SIZDE. I DON'T KNOW BUT MOST OF THEM MUST HAVE BEEN. Q. MOST OF THEM WERE ON THE SAME SIDE OF THE ROAD AS YOU WERE ?</p> <p>[173] Q. DID YOU NOTICE ANY CAMPS ON THE OTHER SIDE ?</p> <p>A. NOT THAT I RECOLLECT OF NOW. Q. YOU SAW INDIANS ON THE OTHER SIDE ? ✓A. WELL I SAW THEM PASSING AROUND</p> <p>Q. WAS NOT IT</p>	<p>COURSES AROUND WHERE WE WAS DIFFERENT PLACES QON SAME SIDE OF ROAD</p> <p>{A}P GOOD MANY ON SAME SIDE I DON'T KNOW BUT MOST OF THEM MUST HAVE BEEN Q MOST OF THEM WERE ON SAME SIDE OF THE ROAD AS YOU {A}P AS NEAR AS I CAN RECOLLECT Q DID YOU NOTICE ANY CAMPS ON OTHER SIDE</p> <p>ANOT THAT I RECOLLECT OF NOW QYOU SAW INDIANS ON OTHER SIDE AWELL I SAW THEM PASSING AROUND {BACKWARDS AND FORWARDS}P. WAS NOT IT</p>	<p>COURSES.  Q. ON THE SAME SIDES OF THE RAOADS OR OPPOSITE SIDES? A. GOOD MANY ON THE SAME SAIDE.; I DON'T KNOW BUT THE MOST OF THEM MUST HAVE BEEN. Q. MOST ON THE SAME SIDE OF THE ROAD AS YOU? A. YES, SIR., Q. AS NEAR AS I CAN RECOLLECT.. Q. DID YOU NOTICE ANY CAMPS ON THE OPPOSITE SIDE? A. NOT THAT I RECOLLECT OF. A. NOT THAT I RECOLLECT OF NOW. Q. YOU SAW INDIANS ON THE OTHER SIDE? A. WELL, I SAW THEM PASSING AROUND BACKWARDS AND FORWARDS. Q. WASN'T</p>	<p>COURSES [space]  ON THE SAME SIDE OF THE ROAD OR OPPOSITE ROAD SIDE [space] GOOD MANY ON THE SAME SIDE I DON'T BUT THE MOST OF THEM MUST HAVE BEEN [space] MOST ON THE SAME SIDE OF THE ROAD AS YOU YES SIR NEAR AS I CAN RECOLLECT DID YOU NOTICE ANY CAMPS ON THE OPPOSITE SIDE NOT THAT I RECOLLECT OF [space]  DID YOU SEE INDIANS [space]  WASN'T</p>
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<p>THIS PARTY THAT</p> <p>FIRED ON THE EMIGRANTS FROM THE OTHER SIDE. Q. THEY WENT DOWN FROM THE SOUTH AS NEAR AS I CAN RECOLLECT FROM A QUARTER TO A HALF A MILE FROM WHERE WE WAS. THAT BROUGHT THEM PRETTY WELL AROUND TO WHERE WE WAS.</p> <p>Q. ABOUT WHAT WAS THAT DIRECTION</p> <p>FROM THE EMIGRANT CAMP ? A. ABOUT NORTHEAST.</p> <p>Q. AND THE INDIANS WHEN THEY FIRED ON THE</p> <p>SOUTH OF THE</p>	<p>THIS PARTY THAT</p> <p>FIRED ON EMIGRANTS FROM OTHER SIDE {A}P THEY WENT DOWN FROM SOUTH AS NEAR AS I CAN RECOLLECT A QUARTER TO HALF MILE FROM WHERE WE WAS THAT BROUGHT THEM PRETTY WELL AROUND TO WHERE WE WAS</p> <p>ABOUT WHAT DIRECTION WHAT WAS YOUR DIRECTION FROM EMIGRANT CAMP? A TO NEAR/NORTH[?] EAST Q AND INDIANS WHEN THEY FIRED ON</p> <p>SOUTH</p>	<p>THIS <b>LOWER</b> PARTY OF INDIANS FIRING ON THE EMIGRANTS ON THE OTHER SIDE? A. THEY WENT DOWN ON THE <del>OTHER SIDE</del> SOUTH PROBABLY AS NEAR AS I CAN RECOLLECT A QUARTER OR A HALF A MILE FROM WHERE WE WAS; <del>WE</del> <b>THAT</b> BROUGHT THEM AROUND PRETTY WELL TOWARDS THE LOWER SIDE OF THE CAMP. Q. WHAT DIRECTION DID <b>THEY</b> CAMP</p> <p>FROM THE EMIGRANT CAMP? A. ABOUT TO THE NORTH EAST. Q. THE INDIANS WHEN THEY WERE FIRING ON THE <b>CAMPS</b> EMIGRANTS WERE SOUTH</p>	<p>THIS LITTLE PARTY OF INDIANS THAT FIRED ON THE EMIGRANTS ON THE OTHER SIDE [space] THEY WENT DOWN TO THE SOUTH PROBABLY NEAR AS I CAN RECOLLECT</p> <p>QUARTER HALF A MILE FROM WHERE WE WAS THAT BROUGHT THEM AROUND PRETTY WELL TOWARDS THE LOWER SIDE OF THE COUNTRY WHAT DIRECTION WAS YOUR</p> <p>FROM THE EMIGRANT CAMP ABOUT NORTHEAST I SHOULD THINK [space] THE INDIANS <math>\Leftarrow</math>WHEN THEY WERE FIRED ON THE EMIGRANTS <math>\Rightarrow</math> WERE SOUTH</p>
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**BT**

**PS**

<p>EMIGRANTS WERE FROM BOTH CAMPS ? A. YES SIR.</p> <p>Q. DURING THE TIME YOU WERE RESTING</p> <p>THE SECOND DAY AND THE SECOND NIGHT, DURING THAT PERIOD DID YOUR PARTY FIRE ON THE EMIGRANTS ? A. NOT TO MY KNOWLEDGE. Q. WOULDN'T YOU HAVE KNOWN IT IF THEY DID ? A. I WOULD NOT, FOR I HAD BEEN ASLEEP. Q. YOU DIDN'T HEAR OF ANYTHING ELSE</p> <p>BEING DONE BY YOUR PARTY ? A. NO SIR, I DID NOT. Q. WHEN, WITH REFERENCE TO THE MORNING OF THE SECOND DAY AFTER</p>	<p>OF CAMPS WERE FROM BOTH CAMPS &lt;A YES SIR&gt;</p> <p>Q DURING THE TIME YOU WERE THERE FROM FIRST NIGHT SECOND DAY AND SECOND NIGHT DURING THAT PERIOD DID YOUR PARTY FIRE ON EMIGRANTS A NOT TO MY KNOWLEDGE Q WOULDN'T YOU HAVE KNOWN IT IF THEY DID {A}P I WOULD HAVE NOT, IF I HAD BEEN ASLEEP Q YOU DIDN'T HEAR OF ANY &lt;SHOOTING&gt; SUCH THING BEING DONE BY YOUR PARTY A NO SIR I DID NOT. Q ONLY WITH REFERENCE TO THE MORNING OF THE SECOND DAY AFTER</p>	<p>OF BOTH CAMPS? A. NO, SIR, GENERALLY IN A SOUTHERLY DIRECTION. DURING THE TIME WE WERE THERE THE FIRST DAY. Q. THE SECOND DAY OR SECOND NIGHT</p> <p>DID YOUR PARTY FIRE ON THE EMIGRANTS?? A. NOT TO MY KNOWLEDGE. Q. WOULDN'T YOU HAVE KNOWN IT IF THEY DID?? A. YES, I WOULD UNLESS IT WAS WHILE I WAS ASLEEP.. Q. YOU DIDN'T HEAR AOF ANY</p> <p>SUCH THING BEING DONWE BY YOUR PARTY? A. NO, SIR, I DIDN'T.. Q. ONLY WITH REFERENCE TO THE MORNING OF THE SECOND DAY AFTER</p>	<p>OF BOTH CAMPS [space] NO SIR GENERALLY IN A SOUTHEAST DIRECTION [space] DURING THE TIME YOU WERE THERE FIRST DAY AND [space] SECOND NIGHT</p> <p>DID YOUR PARTY FIRE ON THE EMIGRANTS NOT TO MY KNOWLEDGE WOULD YOU NOT HAVE KNOWN IT &lt;I WOULD&gt; UNLESS IT WAS WHILE I WAS ASLEEP YOU DIDN'T HEAR OF ANY</p> <p>SUCH THING BEING DONE BY YOUR PARTY NO SIR I DIDN'T [space] ONLY WITH REFERENCE TO THE MORNING OF THE SECOND DAY AFTER</p>
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**RT**

**RS**

**BT**

**PS**

<p>YOUR ARRIVAL — AFTER YOU ARRIVED IN THE MORNING, STAYED IN CAMP ALL THAT DAY AND STAYED IN CAMP THE NEXT <del>DAY</del> NIGHT AND THE SECOND DAY, AND THE SECOND NIGHT OR THE THIRD MORNING, WHAT DID YOU DO ? <sup>[174]</sup> A. WELL, I AM NOT POSITIVE, TO THE DAY, WHETHER THAT WAS THE DAY THE EXECUTION WAS DONE OR NOT.</p> <p>THERE WAS NOTHING GOING ON IN PARTICULAR THAT I KNOW OF IN THE FORENOON; IT WAS IN THE AFTERNOON.</p> <p>Q. ONLY YOUR IMPRESSIONS AS TO THE FIRST</p>	<p>YOUR ARRIVAL YOU ARRIVED IN MORNING, STAYED IN CAMP ALL THAT DAY AND STAYED IN CAMP NEXT NIGHT AND SECOND DAY, AND SECOND NIGHT ON THIRD MORNING, WHAT DID YOU DO {A} <sup>P</sup>WELL, I AM NOT POSITIVE ABOUT DAY, WHETHER THAT WAS DAY</p> <p>EXECUTION WAS DONE OR NOT,</p> <p>THERE WAS NOTHING GOING ON IN PARTICULAR THAT I KNOW OF IN THE FORENOON IT WAS IN THE AFTERNOON.</p> <p>Q WHEN YOUR <i>PROCEEDINGS</i>[?] FIRST</p>	<p>YOUR ARRIVAL. YOU ARRIVED IN THE MORNING STAI D IN THE CAMP</p> <p>THE NEXT <del>DAY</del> NIGHT, THE SECOND DAY, AND THEN THE SECOND NIGHT; ON THE THIRD MORNING, WHAT DID YOU DO? A. WELL, I AM NOT POSITIVE TO THE DAY, WHETHER THAT WAS THE DAY THE EXECUTION WAS <del>NDONE OR</del> <del>NOT</del> <b>OR</b> <b>NOT</b> , IF IT WAS I DON'T <sup>[12]</sup> KNOW.</p> <p>THERE WAS NOTHING GOING ON PARTICULARLY</p> <p>IN THE FORENO ON; IT WAS IN THE AFTERNOON WHEN WE MARCHED DOWN, Q- <b>WHEN</b> <b>THEM YOUR</b> PROCEEDI NGS FIRST</p>	<p>YOUR ARRIVAL YOU ARRIVED IN THE MORNING STAYED IN CAMP</p> <p>NEXT NIGHT SECOND DAY AND THEN SECOND NIGHT ON THE 3 MORNING WHAT DID YOU DO I AM NOT POSITIVE TO THE DAY WHETHER THAT WAS THE DAY THAT THE EXECUTION WAS DONE IF IT WAS OR WAS NOT</p> <p>THERE WAS NOTHING GOING ON PARTICULARLY</p> <p>IN THE FORENOON IT WAS IN THE AFTERNOON WHEN WE MARCHED DOWN WHEN YOUR PROCEEDINGS FIRST</p>
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**RT**

**RS**

**BT**

**PS**

<p>COMMENCEMENT TOWARDS EXECUTION AS YOU KNEW IT — WHAT WAS THE WORD ANNOUNCED AND BY WHOM, IN YOUR CAMP ? A. I THINK BY MR. HIGBEE,</p> <p>WHO CALLED THE COMPANY OUT.</p> <p>Q. HOW DID HE DO IT—DID HE CALL ALL TOGETHER TO SOME ONE PLACE ADDRESS ALL TOGETHER — WHO CALLED THEM TOGETHER, OR FORMED THEM INTO LINE — WHAT WAS HIS STATEMENT THEN ? A. I DO NOT KNOW AS I RECOLLECT ANY PARTICULAR STATEMENTS ONLY WE WAS MARCHED DOWN FROM OUR CAMP. Q. HAD YOU SEEN</p>	<p>COMMENCED TOWARDS EXECUTION AS YOU NAMED IT WHAT WAS FIRST ANNOUNCED AND BY WHOM IN YOUR CAMP A I THINK BY MR. HIGBEE MARCHED CALLED THEM CALLED THE COMPANY OUT</p> <p>Q HOW DID HE DO IT? DID HE CALL ‘EM ALL TOGETHER TO SOME ONE PLACE, ADDRESS ALL TOGETHER <sup>[[3]]</sup> WHO CALLED THEM ALL TOGETHER OR FORMED THEM INTO LINE, WHAT WAS HIS STATEMENT THEN {A} P I DO NOT KNOW AS I RECOLLECT ANY PARTICULAR STATEMENT, ONLY WE WAS MARCHED DOWN FROM OUR CAMP. Q HAVE YOU SEEN</p>	<p>COMMENCED TOWARDS THE EXECUTION? A. YES, SIR. Q. WHEN WAS IT FIRST ANNOUNCED AND BY WHOM IN YOUR CAMP ?? A. I THINK MBY MR. HIGBEE.</p> <p>HE CALLED THE COMPANY OUT INTO LINE? Q- HOW DID HE DO IT, DID HE CALL THEM TOGETHER IN THE SAME PLACE?</p> <p>A. CALLED THEM TOGETHER AND AND FORMED THEM IN A LINE. Q. WHAT WAS HIS STATEMENT THEN? A. I DON’T KNOW AS I RECOLLECT ANY PARTICULAR A STATEMENT , ONLY THAT WE WAS TO MARCH DOWN TO THE CAMP. Q. HAD YOU SEEN</p>	<p>COMMENCED TOWARDS THE EXECUTION YES SIR WHEN WAS IT FIRST ANNOUNCED AND BY WHOM <sup>[[4]]</sup> I THINK BY MR. HIGBEE [space]</p> <p>WHO CALLED THE COMPANY OUT INTO LINE HOW DID HE DO IT DID HE CALL THEN ALL TOGETHER ON[?] SOME ONE PLACE [space]</p> <p>CALLED THEM TOGETHER AND FORMED THEM INTO LINE WHAT WAS HIS STATEMENT THEN I DON’T KNOW AS I RECOLLECT ANY PARTICULAR STATEMENT ONLY THAT WE WAS TO MARCH DOWN TO THE CAMP [space] HAD YOU SEEN</p>
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**RT**

**RS**

**BT**

**PS**

<p>SMITH THAT MORNING OR THAT DAY ? A. YES SIR, I THINK I HAD. Q. HAD YOU HAD ANY CONVERSATION WITH HIM ? A. VERY LITTLE. Q. STATE IF YOU LEARNED IN THE CAMP, BY CONVERSATION AMONG YOUR PARTY, WHAT THE PLAN WAS ? A. NO SIR, I HADN'T HEARD NONE OF THE CONVERSATION</p>	<p>SMITH THAT MORNING OR THAT DAY <sub>A</sub> YES SIR I THINK I HAD <sub>Q</sub> HAD ANY CONVERSATION WITH HIM <sub>A</sub> VERY LITTLE. <sub>Q</sub> STATE IF YOU LEARNED IN THE CAMP BY CONVERSATION AMONG YOUR PARTY WHAT THE PLAN WAS <sub>{A}</sub><sup>P</sup> NO SIR I HADN'T HEARD NONE OF THE CONVERSATION</p>	<p>SMITH THAT MORNING, BEFORE THAT DAY? A. YES, SIR, I THINK I HAD. Q. HAVE ANY CONVERSATION WITH HIM? A. VERY LITTLE. Q. HAD YOU LEARNED IN THE CAMP BY CONVERSATION AMONG YOUR PARTY, WHAT THE PLAN WAS? A. NO, SIR., I DIDN'T, I HAD HEARD NONE OF THE <del>PA</del> CONVERSATION THAT WAS</p>	<p>SMITH THAT MORNING BEFORE THAT DAY YES SIR I THINK I HAD HAD ANY CONVERSATION WITH HIM VERY LITTLE [<i>space</i>] HAD YOU LEARNED IN THE CAMP BY CONVERSATION AMONG YOUR PARTY WHAT THE PLAN WAS NO SIR I HAD NOT I HAD HEARD NONE OF THE CONVERSATION THAT WAS</p>
<p>GOING ON AT ALL. Q. HAD ANY PERSONS FROM THE EMIGRANT CAMP BEEN TO YOUR CAMP WHILE YOU WERE OVER THERE ? A. NOT THAT I KNOW OF — NOT THAT I EVER HEARD OF. Q. DO YOU KNOW OF ANY OF YOUR PARTY BEING TO THE EMIGRANT CAMP ? A. NO SIR. <sup>[175]</sup> Q. THERE</p>	<p>GOING ON AT ALL <sub>Q</sub> HAD ANY PERSONS FROM THE EMIGRANT CAMP BEEN TO YOUR CAMP WHILE YOU WERE OVER THERE <sub>{A}</sub><sup>P</sup> NOT THAT I KNOW OF, NOT THAT I EVER HEARD OF. <sub>Q</sub> DO YOU KNOW OF ANY OF YOUR PARTY BEING EMIGRANT CAMP <sub>{A}</sub><sup>P</sup> NO SIR <sub>Q</sub> THERE WAS</p>	<p>GOING ON OUT THERE. Q. HAD ANY <del>PA</del> PERSONS FROM THE EMIGRANT CAMP BEEN TO YOUR CAMP WHEN YOU WERE THERE? A. NOT THAT I KNOW OF, OR HEARD OF. Q. ANY OF YOUR PARTY BEEN <del>THE</del> <b>TO</b> THE EMIGRANT CAMP? A. NO, SIR. Q.</p>	<p>GOING ON AT ALL HAD ANY PERSONS FROM THE EMIGRANT CAMP BEEN TO YOUR CAMP WHILE YOU WERE THERE NOT THAT I KNOW OF OR HEARD OF ANY OF YOUR PARTY HAVING BEEN TO THE EMIGRANT CAMP NO SIR</p>

**RT**

**RS**

**BT**

**PS**

<p>WAS NO COMMUNICATION BETWEEN THE EMIGRANTS AND YOURSELVES  A. NOT THAT I KNOW OF. Q. DO YOU KNOW OF ANY COMMUNICATION BETWEEN YOUR PARTY AND THE INDIANS WITH REFERENCE TO THE INDIANS ? A. I DON'T KNOW; THEY WAS AROUND, I DON'T KNOW, THEY WAS AROUND MIXED UP TOGETHER OCCASIONALLY. Q. HAD YOU NO LEADING INDIANS THAT HAD THE MOST INFLUENCE AMONG THEM A. I DON'T KNOW AS I COULD TELL YOU WHAT INFLUENCE THERE WAS. THERE WAS NO VERY HIGH CHIEF OR NOTED CHIEF</p>	<p>NO COMMUNICATION BETWEEN EMIGRANTS AND YOURSELVES  {A}<sup>P</sup> NOT THAT I KNOW OF Q DO YOU KNOW OF ANY COMMUNICATION BETWEEN YOUR PARTY AND INDIANS WITH REFERENCE TO THE INDIANS  A<sup>I</sup> DON'T {KNOW}<sup>P</sup>    THERE WAS AROUND MIXED UP ALL TOGETHER OCCASIONALLY Q DID YOU KNOW LEADING INDIANS THAT HAD MOST INFLUENCE AMONG THEM  {A}<sup>P</sup> I DON'T KNOW AS I COULD TELL YOU NOW WHAT ONES THEY WAS. THERE WAS NO VERY HIGH CHIEF OR NOTED CHIEF</p>	<p>ANY COMMUNICATION BETWEEN THE EMIGRANT CAMP AND YOUR CAMP?  A. NO, SIR. Q. DID YOU KNOW OF ANY COMMUNICATION BETWEEN YOUR PARTY AND THE EMIGRANTS? WITH REFERENCE TO THE INDIANS ?  A. NO, SIR, I DIDN'T ; THEY WAS AROUND THE EMIGRANTS' PARTY    TOGETHER OCCASIONALLY. Q. DO YOU KNOW THE LEADING INDIANS THAT HAD THE MOST INFLUENCE AMONG THEM??  A. I DON'T KNOW AS I COULD TELL NOW WHAT ONES THERE WAS, BECAUSE THERE WAS NO VEYRY HIGH CHIEFS OR ANY CHIEFS</p>	<p>NO COMMUNICATION BETWEEN EMIGRANT CAMP AND YOUR CAMP  NO SIR DID DID YOU KNOW OF ANY COMMUNICATION BETWEEN YOUR PARTY AND EMIGRANTS    NO SIR I DIDN'T THEY WAS AROUND MIXED UP    TOGETHER OCCASIONALLY [space] DID YOU KNOW THE LEADING INDIANS THAT HAD THE MOST INFLUENCE AMONGST THEM I DON'T KNOW AS I COULD TELL NOW WHAT ONES THEY WAS BECAUSE THERE WAS NO VERY HIGH CHIEFS OR NOTED CHIEFS</p>
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**RT**

**RS**

**BT**

**PS**

<p>AMONG THE INDIANS THERE. Q. DID YOU KNOW THESE INDIANS ? A. I KNEW A GREAT MANY OF THEM, AND THERE WAS INDIANS THERE I DID NOT KNOW, OF OTHER TRIBES. I THINK THEY WERE MOSTLY ALL PIUTES. I DON'T KNOW OF ANY</p> <p>OTHER TRIBES OF INDIANS FROM BELOW,</p> <p>FROM THE SOUTH, BUT THEY MIGHT BE THERE. THERE WAS INDIANS I UNDERSTOOD FROM UP THERE, BUT I WAS NOT ACQUAINTED WITH THEM, ONLY WITH A FEW OF THE INDIANS</p> <p>AROUND OUR</p>	<p>AMONG INDIANS THERE. Q. DID YOU KNOW THESE INDIANS {A}PI KNEW GREAT MANY OF THEM, THERE WAS INDIANS THERE I DID NOT KNOW {OF OTHER}P TRIBES. I THINK THEY WERE MOSTLY ALL PIUTES. I DON'T KNOW OF ANY</p> <p>OTHER TRIBES INDIANS FROM BELOW,</p> <p>FROM THE SOUTH FROM BEAVER</p> <p>INDIANS I UNDERSTOOD FROM BEAVER THERE BUT I WAS NOT ACQUAINTED WITH ONLY WITH FEW INDIANS</p> <p>AROUND OUR</p>	<p>AMONG THE INDIANS THERE.. Q. DID YOU KNOW ANY OF THESE INDIANS? A. I KNEW A GOOD MANY OF THEM . AQ. OF WHAT TRIBES WERE THEY? A. I THINK THEY WERE MOSTLY OF THE PAHUTES. I <del>DON'T KNOW</del> I DON'T KNOW THAT THERE WAS ANY — MIGHT BE OTHER TRIBES FROM BELOW — OTHER TRIBES OF INDIANS FROM THE SOUTH OF BEAVER</p> <p>THAT I WAS NOT ACQUAINTED WITH—<b>THERE</b> WAS A FEW INDIANS THAT I WAS ACQUAINTED WITH RIGHT AROUND OUR</p>	<p>[space]</p> <p>DID YOU KNOW THOSE INDIANS I KNEW GOOD MANY OF THEM OF WHAT TRIBES WERE THEY</p> <p>I THINK THEY WAS MOSTLY ALL PIUTES I DON'T KNOW THAT THERE WAS ANY FROM OTHER TRIBES</p> <p>INDIANS FROM THE SOUTH AND BEAVER</p> <p>THAT I WAS NOT ACQUAINTED WITH FEW INDIANS THAT WAS RIGHT AROUND OUR</p>
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**RT**

**RS**

**BT**

**PS**

<p>PLACE.</p> <p>THEY TOLD ME THERE WAS</p> <p>INDIANS FROM UP THERE, THE <del>CLAREY</del> &lt;CLARA&gt; AND OTHER PLACES.</p> <p>Q. WAS IT THE PIUTE INDIANS THAT YOU SAW THAT WERE THERE ?</p> <p>A. YES SIR. THEY ARRANGED FROM SOMEWHERE UP THERE FROM THE</p> <p>CLARA. AND ON THE CLARA.</p> <p>I DON'T KNOW HOW MUCH FURTHER SOUTH, CLEAR DOWN FROM THE MUDDY, I DON'T KNOW WHERE THE DIVISION IS.</p> <p>Q. THEN THE PIUTE OR</p> <p>PIEED INDIANS WERE THE MOST NUMEROUS ? A.</p>	<p>PLACE.</p> <p>THEY TOLD ME THERE WAS OTHER INDIANS FROM <i>BEAVER</i>[?]</p> <p>CLARA AND OTHER PLACES</p> <p>Q. WAS IT PIUTE INDIANS YOU SAY WERE THERE</p> <p>A. YES SIR Q. THEY RANGED THEN FROM SOMEWHERE ABOUT BEAVER</p> <p>HERE</p> <p>CLEAR DOWN ON CLARA</p> <p>I DON'T KNOW HOW MUCH FURTHER SOUTH CLEAR DOWN FROM MUDDY; I DON'T KNOW WHERE DIVISION IS.</p> <p>Q. THEN PIUTE INDIANS &lt;OR PIEDE&gt;</p> <p>WERE THE MOST NUMEROUS</p>	<p>PLACE, THAT I WAS ACQUAINTED WITH . THEY TOLD ME <sup>[13]</sup> THERE WAS OTHER INDIAND FROM BEAVER AND CLARA AND DIFFERENT PARTS OF THE COUNTRY. Q. WHERE DID THE PAHUTE INDIANS BELONG?</p> <p>A. THEY RANGED THEN FROM <del>THE</del> SOMEWHERE ABOUT BEAVER, AND BETWEEN HERE AND CORNCREEK CLEAR DOWN TO THE CLARA &amp; THE RIO VIRGIN. I DON'T KNOW HOW MUCH FARTHER — CLEAR DOWN TO THE MUDDY PROBABLY.</p> <p>Q. THEN THE PAHUTE INDIANS</p> <p>WERE THE MOST NUMEROUS? A.</p>	<p>PLACE THAT I WAS ACQUAINTED WITH THEY TOLD ME THERE WAS OTHER INDIANS FROM BEAVER TO CLARA AND DIFFERENT PARTS OF THE COUNTRY Q. WHERE DID <i>YOUR</i>[?] PIUTE INDIANS BELONG</p> <p>THEY RANGED THEN FROM SOMEWHERE ABOUT BEAVER AND BETWEEN HERE AND CORN CREEK CLEAR DOWN TO THE CLARA THE RIO VIRGIN DON'T KNOW HOW MUCH FARTHER CLEAR DOWN TO THE MUDDY PROBABLY</p> <p>[space]</p> <p>THEN THE PIUTES INDIANS</p> <p>WERE THE MOST NUMEROUS</p>
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**RT**

**RS**

**BT**

**PS**

<p>THEY KEPT COMING FROM ALL THROUGH THE SOUTH AND INCLUDING THE MEADOWS, <del>AND</del> <del>THE OTHER</del> Q. AND THE OTHER INDIANS WERE FROM WHAT OTHER PLACES ? [176] A. THEY WAS PIUTE</p> <p>INDIANS. AL L THE INDIANS THAT WAS THERE FROM DIFFERENT PARTS OF THE COUNTRY. Q. IS THAT THE GENERAL NAME, INCLUDING BANDS THAT ARE KNOWN BY OTHER NAMES ? A. NOT THAT I KNOW OF. Q. YOU SPOKE OF THERE BEING INDIANS FROM THE CORN CREEK COUNTRY THAT WERE THERE</p>	<p>THEY OCCUPIED COUNTRY FROM BEAVER SOUTH AND INCLUDING THE MEADOWS</p> <p>Q AND THE OTHER INDIANS WERE FROM WHAT OTHER PLACES THEY WAS PIUTE/ PIEDE[?]<sup>206</sup></p> <p>INDIANS ALL THE INDIANS THAT WAS THERE FROM ≠DIFFERENT≠ PARTS OF THE COUNTRY Q IS THAT GENERAL NAME INCLUDING BANDS THAT ARE KNOWN BY OTHER NAMES A NOT THAT I KNOW OF. Q YOU SPOKE OF THERE BEING INDIANS FROM CORN CREEK COUNTRY AND THAT WERE</p>	<p>NO, SIR. Q. THEY OCCUPIED? THE COUNTRY FROM <del>THE</del> BEAVER SOUTH? A. YES, SIR. A Q. TO AND INCLUDING THE MUDDY? A. YES, SIR.. Q. ALL THE OTHER INDIANS, WHERE WERE THEY <b>FROM</b>?</p> <p>A. ALL PAHUTE</p> <p>INDIANS, I SAID, BUT</p> <p>FROM DIFFERENT PARTS OF THE COUNTRY. .Q. IS THAT THE GENERAL NAME THEY ARE KNOWN BY; ARN'T THEY KNOWN BY OTHER NAMES? A. NOT THAT I KNOW OF.. Q. YOU SPOKE OF THEIR BEING INDIANS FROM THE CORN CREEK COUNTRY. WERN'T</p>	<p>YES SIR [<i>space</i>] THEY OCCUPIED THE COUNTRY FROM BEAVER SOUTH YES SIR TO AND INCLUDING MEADOWS YES SIR [<sup>15</sup>] ALL THE OTHER INDIANS WHERE WERE THEY [<i>space</i>]</p> <p>ALL PIUTE</p> <p>INDIANS I UNDERSTOOD BUT FROM DIFFERENT PARTS OF THE COUNTRY [<i>space</i>] IS THAT THE GENERAL NAME INCLUDING BANDS THAT ARE KNOWN BY OTHER NAMES NOT THAT I KNOW OF [<i>space</i>] YOU SPOKE OF THEIR BEING INDIANS FROM CORN CREEK COUNTRY [<i>space</i>]</p>
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206. A long “E”, added later in blue pencil, renders word “PIEDE”; original shorthand could be read “PIUTE” or “PIEDE”.

**RT**

**RS**

**BT**

**PS**

<p>WITH YOU ?</p> <p>A. I DON'T KNOW WHETHER THERE WAS ANY OF THAT KIND ON THE GROUND OR NOT; I CANNOT SAY, AT THAT TIME.</p>	<p>THERE CALLED PAHVANTS QI DON'T KNOW WHETHER THERE WAS ANY OF THAT KIND ON THE GROUND OR NOT, I CANNOT SAY AT THAT TIME</p>	<p>THEY CALLED PAHVANTS? A. I DON'T KNOW WHETHER THERE WAS ANY OF THEM <b>THERE</b> OR NOT. THERE WAS SOME RUNNERS</p> <p>BUT I EDON'T KNOW WHETHER THERE WAS ANY OTHERS OR NOT.</p>	<p>PAHVANTS [space] I DON'T KNOW WHETHER THERE WAS ANY OF THEM THERE OR NOT THERE WAS SOME RUNNERS FROM THAT —/PART[?] AND OTHER PARTS DON'T KNOW WHETHER THERE WAS ANY OTHER OR NOT [space] WERE YOU FAMILIAR WITH THOSE INDIANS NO SIR</p>
<p>Q. WERE YOU FAMILIAR WITH THESE INDIANS ? A. NOT PARTICULARLY, I WOULD NOT KNOW THEM FROM THE OTHERS. Q. DID YOU LEARN OF THE MEN FROM YOUR PARTY THAT THEY WERE INDIANS FROM CORN CREEK ? A. I DON'T RECOLLECT TO BE CERTAIN,</p>	<p>WERE YOU FAMILIAR WITH THESE INDIANS [[4]] A NOT PARTICULARLY, I WOULD NOT KNOW 'EM FROM THE OTHERS DID YOU LEARN OF THE MEN FROM YOUR PARTY THAT THEY/THERE[?] WERE INDIANS FROM CORN CREEK {A}P I DON'T RECOLLECT TO BE CERTAIN,</p>	<p>Q. ARE YOU FAMILIAR WITH THOSE INDIANS? A. NO, SIR, I AM NOT..</p> <p>Q. HAD YOU LEARNED ON THE GROUND</p> <p>WHETHER THERE WERE INDIANS FROM CORN CREEK? A. I HAD NOT. Q. I DON'T RECOLLECT FOR CERTAIN</p>	<p>WERE YOU FAMILIAR WITH THOSE INDIANS NO SIR</p> <p>WOULD KNOW IF/ANY[?] [space] DID YOU LEARN ON THE GROUND FROM YOUR PARTY WHETHER IT WAS INDIANS FROM CORN CREEK I DO NOT KNOW [space]<sup>207</sup></p>

207. Rogerson's hand symbol. It is in the same position in the Rogerson Shorthand.

**RT**

**RS**

**BT**

**PS**

<p>THAT FAR BACK, WHETHER THERE WERE OR NOT.</p>	<p>THAT FAR BACK WHETHER THERE OR NOT<sup>208</sup></p>	<p>WHETHER THERE WAS OR NOT. QQ. THERE WASERE</p>	<p>THERE WAS</p>
<p>Q. DID YOU UNDERSTAND THEY WERE FROM THERE — THESE PIUTE INDIANS ? A. NO, I DON'T KNOW THAT I DID. I WOULDN'T RECOLLECT AS TO THAT. Q. DID YOU <del>HEAR</del> SEE SOME OF THE CHIEFS THERE WHO SEEMED TO HAVE INFLUENCE WITH THE INDIANS ? A. NO, I DON'T RECOLLECT OF ANY CHIEFS WHO SEEMED TO BE IN CHARGE, OR SEEMED TO HAVE MUCH CONTROL, SO MANY PIUTES LYING DOWN THERE, NO</p>	<p>Q DID YOU UNDERSTAND THEY WERE OTHER THAN PIUTE INDIANS A NO I DON'T KNOW THAT I DON'T DON'T RECOLLECT AS TO THAT. Q DID YOU SEE SOME OF THE CHIEFS THERE SEEMED TO HAVE INFLUENCE WITH INDIANS {A}PNO I DON'T RECOLLECT OF ANY CHIEFS SEEMED TO BE IN/ANY[?] ORDERS AND SEEMED TO HAVE MUCH CONTROL SO MANY PIUTES ALONG DOWN THERE, NO</p>	<p>INDIANS THERE YOU DIDN'T KNOW? A. YES, SIR. Q. DID YOU UNDERSTAND THAT THERE WERE OTHER THAN PAHUTE INDIANS ? A. NO, SIR,  I DON'T RECOLLECT AS TO THAT. Q. DID YOU SEE SOME CHIEFS THERE WITH SOME OF THEM?  A. I DON'T RECOLLECT OF ANY CHIEFS; THEY SEEMED TO BE IN HERDS; NO ONE SEEMED TO HAVE MUCH CONTROLL AMONG THE PAHUTES, ALONG DOWN THERE THERE WAS NO</p>	<p>INDIANS THERE YOU DIDN'T KNOW YES SIR DID YOU UNDERSTAND THERE WAS OTHER THAN PIUTE INDIANS NO SIR  I DON'T RECOLLECT AS TO THAT DID YOU SEE SOME CHIEFS THERE THAT SEEMED TO HAVE INFLUENCE WITH THE INDIANS I DON'T RECOLLECT OF ANY CHIEFS THAT SEEMED <del>TO BE IN/ANY</del> <del>ORDER[?]</del>[space] SEEMED TO HAVE MUCH CONTROL [space] AMONG THE PIUTES ALONG DOWN THERE THERE WAS NO</p>

208. Rogerson's hand symbol; the same symbol is in the same place in the Patterson shorthand.

**RT**

**RS**

**BT**

**PS**

<p>DISTINCT CHIEFS AMONG THEM WHICH YOU COULD HARDLY TELL. Q. DID YOU SEE ANY OF YOUR PARTY HAVE ANY COMMUNICATION WITH ANY OF THE INDIANS THAT SEEMED TO ASSUME THE OFFICE OR TO SPEAK OF THEM AS CHIEF ? <sup>[177]</sup> A.</p> <p>NO SIR, THERE WAS ONE INDIAN THAT WAS CONSIDERED A KIND OF CHIEF AMONG THEM WHO WAS THERE; WHETHER HE WAS THE HEAD CHIEF OR NOT I DON'T RECOLLECT. I</p>	<p>DISTINGUISHED CHIEFS AMONGST THEM HARDLY AT ALL. Q. DID YOU SEE ANY OF YOUR PARTY HAVE ANY COMMUNICATION WITH ANY OF INDIANS THAT SEEMED TO ASSUME OFFICE YOU SPEAK OF AS CHIEF</p> <p>{A}<sup>P</sup> NO SIR Q. THERE WAS ONE INDIAN THAT WAS CONSIDERED A KIND OF CHIEF AMONG THEM. WHETHER HE WAS HEAD CHIEF OR NOT</p> <p>I</p>	<p>DISTINGUISHED CHIEFS AMONG THEM THEY ROAMED OUT THERE. Q. DID YOU SEE ANY OF YOUR PARTY HAVING ANY COMMUNICATION WITH ANY OF THE INDIANS THAT SEEMED TO THAT ASSUMED TO HAVE CONTROLL OF THE OTHER INDIANS? A. NO, SIR, THAT WAS CONSIDERED A KIND OF CHIEF AMONG THEM; WHETHER HE WAS A CHIEF OR NOT I DON'T KNOW. I RECOLLECT HIM WANTED <sup>[14]</sup> A. NO, SIR. THERE WAS ONE INDIAN THAT SEEMED TO HAVE KIND BE A KIND OF CHIEF AMONG THEM; AND</p> <p>I</p>	<p>DISTINGUISHED CHIEFS AMONG THEM HARDLY AT ALL DID YOU SEE ANY OF YOUR PARTY HAVING ANY COMMUNICATION WITH [space] INDIANS THAT SEEMED TO LEAD TO HAVE CONTROL OF OTHER INDIANS</p> <p>NO SIR THERE WAS ONE INDIAN THAT WAS KIND OF CHIEF AMONG THAT</p> <p>I</p>
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**RT**

**RS**

**BT**

**PS**

<p>RECOLLECT HE HAD BEEN WOUNDED, HE HAD HIS LEG BROKE AND WAS LYING IN THE BRUSH NEAR WHERE WE CAMPED. HE WAS A KIND OF A CHIEF, AS NEAR AS I CAN RECOLLECT. Q. DID YOU SEE ANY COMMUNICATIO N BETWEEN THE WHITES AND HIM ? A. NOTHING MORE THAN THE MEN  GOING AND  SEEING HIS LEG AND EXAMINING IT AND SEEING IT. Q. WAS THERE ANY CONFERENCE IN YOUR CAMP, AMONG YOUR PARTY, BEFORE YOU MARCHED TO THE EMIGRANT CAMP ?  A. NOTHING</p>	<p>RECOLLECT HIM HE HAD BEEN WOUNDED, HAD HIS LEG BROKE LYING IN BRUSH NEAR WHERE WE CAMPED. {HE WAS A}<sup>P</sup> KIND OF A CHIEF AS NEAR AS RECOLLECT Q DID YOU SEE ANY COMMUNICATIO N BETWEEN WHITES AND HIM {A}<sup>P</sup> NOTHING MORE THAN MEN  GOING AND  SEEING HIS LEG EXAMINING IT SEEING Q WAS THERE ANY CONFERENCE IN YOUR CAMP AMONG YOUR PARTY BEFORE YOU MARCHED TO {EMIGRANT}<sup>P</sup> CAMP  A NOTHING</p>	<p>RECOLLECT HE HAD BEEN WOUNDED — HAD HIS LEG BROKEN. HE WAS LAYING IN THE BRUSH CLOSE TO WHERE WE CAMPEAD. HE WAS A KIND OF CHIEF AS NEAR AS I CAN RECOLLECT. Q. DID YOU SEE ANY COMMUNIACTIO N BETWEEN THEM AND HIM? A. NOTHING MORE THAN EXAMINING — GOING AND EXAMINING LOOKING AT HIS LEG AND EXAMINING IT..  Q. WAS THERE ANY CONFERENCE IN YOUR CAMP OR AMONG YOUR PARTY BEFORE YOU MARCHED DOWN TO THE EMIGRANT'S CAMP? A. IF THERE WAS IT WAS PRIVATEELY; THERE WAS NOTHING</p>	<p>RECOLLECT HE HAD BEEN WOUNDED HAD HIS LEG BROKE WAS LAYING IN THE BRUSH CLOSE TO WHERE WE CAMPED HE WAS KIND OF CHIEF NEAR AS I CAN RECOLLECT DID YOU SEE ANY COMMUNICATIO N BETWEEN THE WHITES AND HIM NOTHING MORE THAN MORE THAN GO AND  LOOK AT HIS LEG AND EXAMINE IT [space] WAS THERE ANY CONFERENCE IN YOUR CAMP OR AMONG YOUR PARTY BEFORE YOU MARCHED DOWN TO CAMP IF IT <del>IS</del> &lt;WAS&gt; IT WAS PRIVATELY THERE WAS NOTHING</p>
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**RT**

**RS**

**BT**

**PS**

<p>PUBLIC, IF THERE WAS THEY WENT OFF AND <del>HAD</del> IT PRIVATELY, NOT TO MY KNOWLEDGE. Q. DID YOU GO TO HAMBLIN'S RANCH AT ANY TIME DURING THAT PERIOD OF RESTING ? A. I BELIEVE I WENT OVER THE SECOND DAY. Q. DID YOU SEE ANY CONFERENCE THERE ? A. THERE WAS <del>ONLY A MAN</del> AND <del>A</del> NO MAN THERE ONLY A <del>WOMAN</del> AND A CHILD THERE. I WENT TO GET SOME SALT, WANTED TO GET A LITTLE SALT AND CAME BACK AGAIN, DIDN'T SEE ANY MAN ABOUT THE PLACE. Q. WHEN DID YOU SAY YOU</p>	<p>PUBLIC IF THERE WAS THEY WENT OFF AND HAD IT PRIVATELY, NOT TO MY KNOWLEDGE. Q. DID YOU GO TO HAMBLIN'S RANCH AT ANY TIME DURING THAT PERIOD OF RESTING. {A}PI BELIEVE I WENT OVER THE SECOND DAY Q. DID YOU SEE ANY CONFERENCE THERE A THERE WAS NO MEN FOLKS IN THERE ONLY THE WOMEN CHILDREN I WENT TO GET SOME SALT, WHEN I GOT LITTLE SALT CAME BACK AGAIN. DIDN'T SEE ERE A MAN ABOUT THE PLACE Q. <del>WHEN DID YOU</del> SAY YOU</p>	<p>PUBLIC; THERE WAS NONE TO MY KNOWLEDGE. Q. DID YOU GO TO HAMBLIN'S RANCH AT ANY TIME DURING THAT PERIOD OF REST? A. I BELIEVE I WENT OVER THERE THE SECOND DAY.. Q. DID YOU SEE ANY CONFERENCE THERE? A. NO, SIR, THERE WAS NOT MEN FOLKS ENOUGH THERE, ONLY SOME WOMEN AND CHILDREN. I WENT TO GET SOME SALT AND WHEN I GOT A LITTLE SALT I CAME BACK AGAIN.. I DIDN'T SEE ANAY MAN ABOUT THE PLACE.. Q. WHEN DID YOU SAY YOU</p>	<p>PUBLIC [space] NOT TO MY KNOWLEDGE [space] DID YOU GO TO HAMBLIN'S RANCH AT ANY TIME DURING THAT PERIOD OF REST I BELIEVE I WENT OVER THERE THE SECOND DAY [space] [6] DID YOU SEE ANY CONFERENCE THERE NO SIR THERE WAS NOT MEN FOLKS ENOUGH THERE ONLY SOME WOMEN AND CHILDREN I WENT TO GET SOME SALT WENT TO GET A LITTLE SALT AND CAME BACK AGAIN I DIDN'T SEE A MAN ABOUT THE PLACE [space] WHEN DID YOU SAY YOU</p>
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**RT****RS****BT****PS**

<p>FIRST SAW MR. LEE THERE ? A. DURING THE DAY AFTER WE HAD FIRST ARRIVED THERE, I THINK SOON AFTER WE GOT THERE.</p>	<p>FIRST <del>LEE</del> SAW MR. LEE THERE {A}<sup>P</sup> DURING THE DAY AFTER WE HAD FIRST ARRIVED THERE I THINK <del>SOME</del> SOON AFTER WE GOT THERE</p>	<p>FIRST SAW MR. LEE THERE? A. DURING THE DAY AFTER WE HAD FIRST ARRIVED THERE, I THINK SOON AFTER WE GOT THERE,</p>	<p>FIRST SAW MR. LEE THERE DURING THE DAY WHEN WE HAD FIRST ARRIVED THERE I THINK SOON AFTER WE HAD GOT THERE I DO NOT RECALL HOW SOON BUT SOMETIME</p>
<p>DURING THAT DAY. Q. DID YOU REMAIN <del>≤THEY</del> <b>CONTINUE</b>&gt; AT YOUR CAMP THEN ? A. I DON'T KNOW. I SAW HIM THERE OCCASIONALLY, <b>OF AND ON-</b> <sup>[178]</sup> Q. WHO WAS HE STOPPING WITH ? A. I DON'T KNOW WHERE SEEMED TO BE HIS CAMP — I DON'T RECOLLECT NOW. Q. DID YOU SEE HIM AS OFTEN AS YOU SAW HIGBEE AND SMITH ? A. YES SIR, I THINK I DID. Q. DID HE SEEM TO HAVE CORDIAL RELATIONS WITH THE PARTY THAT WAS THERE A.</p>	<p>DURING THAT DAY Q DID HE CONTINUE AT YOUR CAMP THEN A I DON'T KNOW I SAW HIM THERE OCCASIONALLY OFF AND ON Q WHOM HE STOPPED WITH WHERE HE MADE HIS CAMP A I DON'T RECOLLECT. Q DID YOU SEE HIM AS OFTEN AS YOU SAW HIGBEE AND SMITH A YES SIR I THINK I DID Q DID HE SEEM TO BE CORDIAL RELATIONS WITH THE PARTY THAT WAS THERE A</p>	<p>DURING THAT DAY.. Q. DID HE CONTINUE AT YOUR CAMP THEN? A. I DON'T KNOW , I SAW HIM THERE OCCASIONALLY. Q. MOST OF THE TIME WOULD HE STOP SROUND  THE CAMP? A. I COULD NOT SAY.. Q. DID YOU SEE HIM AS OFTEN AS YOU SAW HIGBEE AND SMITH? A. YES, SIR, I THINK I DID. Q. DID HE SEEM TO BE IN CORDIAL RELATIONS WITH THE PARTY AROUND THERE? A.</p>	<p>DURING THAT DAY [space] DID HE CONTINUE AT YOUR CAMP THEN I DON'T KNOW I SAW HIM THERE OCCASIONALLY MOST OF THE TIME WHOM HE SPOKE WITH  OR WHERE HE MADE HIS CAMP ≤I —[?]&gt; COULD NOT SAY [space] DID YOU SEE HIM AS OFTEN AS YOU SAW HIGBEE AND SMITH YES SIR  DID HE SEEM TO BE IN CORDIAL RELATIONS WITH PARTY THERE</p>

**RT**

**RS**

**BT**

**PS**

<p>YES SIR. Q. WITH HIGBEE AND SMITH ? A. YES SIR. Q. WHEN THE PARTY CAMPED, AS YOU HAVE SPOKEN OF, AND AS COMING FROM WASHINGTON, WHERE DID THEY CAMP IN REFERENCE TO YOURS, DID THEY ADJOIN YOUR PARTY ? A. I DON'T RECOLLECT WHETHER THEY CAMPED RIGHT BY US OR NOT. Q. WHEN YOU WERE CALLED OUT TO MARCH DOWN TO THE</p>	<p>YES SIR Q WITH HIGBEE AND SMITH A YES SIR Q WHEN PARTY CAME AS YOU HAVE SPOKEN OF {AS}P COMING FROM WASHINGTON WHERE DID THEY CAMP IN REFERENCE TO YOURS DID THEY JOIN YOUR PARTY A I DON'T RECOLLECT WHETHER THEY CAMPED RIGHT BY US OR NOT. Q WHEN YOU WERE CALLED OUT TO MARCH DOWN TO</p>	<p>YES, SIR. Q. WITH HIGBEE AND SSMITH? A. YES, SIR. Q. WHEN THE A PARTY CAME AS YOU HAVE SPOKEN OF AS BELONGING TO WASHINGTON, WHERE DID THEY CAMP</p> <p><b>DID THEY JOIN YOUR PARTY??</b></p> <p>A. I DON'T RECOLLECT WHETHER THEY CAMPED RIGHT BEY US OR NOT.. Q. WHEN YOU WERE CALLED OUT FINALLY TO MARCH DOWN TO THE</p>	<p>YES SIR [space] AND WITH HIGBEE AND SMITH YES SIR WHEN THE PARTY CAME THAT YOU SPOKE OF AS BELONGING TO WASHINGTON WHERE DID THEY CAMP</p> <p>I DON'T RECOLLECT WHETHER THEY CAMPED RIGHT BY US OR NOT [space] WHEN YOU WERE CALLED OUT FINALLY TO MARCH DOWN TO THE</p>
<p>CAMP WERE YOU CALLED WITH THEM ? A. YES SIR, THEY ALL MARCHED DOWN</p>	<p>CAMP WERE THEY CALLED WITH YOU A YES SIR THEY ALL MARCHED DOWN</p>	<p>CAMP, WERE THEY CALLED WITH YOU? A. YES, SIR, THEY ALL MARCHED DOWN IN HIGBEES COMMAND</p>	<p>CAMP WERE THEY CALLED WITH YOU YES SIR</p>
<p>TOGETHER. Q. THEY WERE ALL THEN UNDER HIGBEE'S COMMAND ? A. YES SIR. Q.</p>	<p>TOGETHER Q THEY WERE ALL THEN UNDER HIGBEE'S COMMAND A YES SIR. Q</p>	<p>.TOGETHER. Q. THEY WERE NOT THEN UNDER HIGBEE 'S COMMAND? A. YES, SIR. Q.</p>	<p>THEY WERE ALL THEN UNDER HIGBEE'S COMMAND YES SIR [space]</p>



**RT**

**RS**

**BT**

**PS**

<p>AFTER THE FIRING COMMENCED DID YOU SEE THE INDIANS IN GREATER NUMBERS THAN YOU HAD SEEN THEM BEFORE ? A. YES SIR, THERE SEEMED TO BE MORE OF THEM THAN I HAD KNOWN TO BE AROUND THERE</p>	<p>AFTER THE FIRING COMMENCED DID YOU SEE INDIANS IN GREATER NUMBERS THAN <sup>[[5]]</sup>209 YOU HAD SEEN THEM BEFORE A YES SIR SEEMED TO BE MORE OF THEM THAN I HAD KNOWN TO BE AROUND THERE.</p>	<p>AFTER THE FIRING COMMENCED DID YOU SEE INDIANS IN GREATER NUMBERS THAN YOU HAD SEEN THEM BEFORE? <sup>[[6]]</sup> A. YES, SIR, A GREAT DEAL MORE OF THEM THAN I HAD ANY IDEA WAS AROUND THERE, CAME OUT, AND MADE THEIR APPEARANCE THEN. Q. I WISH YOU WOULD STATE ACCORDING TO YOUR BEST RECOLLECTION, ABOUT HOW MANY INDIANS THERE W<del>AS</del>ERE THERE THEN?? A. I DON'T KNOW, IT WOULD BE HARD TO SAY. A. I DON'T EXPECT YOU TO STATE THE EXACT NUMBER. GIVE THE BEST IDEA OF</p>	<p>AFTER THE FIRING COMMENCED DID YOU SEE THE INDIANS IN GREATER NUMBERS THAN YOU HAD SEEN THEM BEFORE YES SIR SEEMED TO BE MORE OF THEM THAN I HAD KNOWN WAS AROUND THERE CAME OUT AND/WHO[?] SPST/SURPRISED[?] THEN [space]</p>
<p>Q. I WISH YOU WOULD STATE ACCORDING TO THE BEST OF YOUR RECOLLECTION ABOUT HOW MANY THERE WERE THERE THEN ? A. I DON'T KNOW,</p>	<p>Q I WISH YOU WOULD STATE ≦ACCORDING TO BEST OF YOUR RECOLLECTION ≧ ABOUT HOW MANY THERE WERE THERE THEN A I DON'T KNOW,</p>	<p>STATE ACCORDING TO YOUR BEST RECOLLECTION, ABOUT HOW MANY INDIANS THERE W<del>AS</del>ERE THERE THEN?? A. I DON'T KNOW, IT WOULD BE HARD TO SAY. A. I DON'T EXPECT YOU TO STATE THE EXACT NUMBER. GIVE THE BEST IDEA OF</p>	<p>STATE ACCORDING TO YOUR BEST RECOLLECTION ABOUT HOW MANY INDIANS THERE WERE THERE THEN I DON'T KNOW IT WOULD BE HARD TO SAY [space]</p>
<p>HARD TO SAY. <sup>[[79]]</sup> Q. I DON'T EXPECT YOU TO STATE EXACTLY AS TO THE NUMBER, BUT GIVE US THE BEST IDEA</p>	<p>HARD TO SAY Q I DON'T EXPECT YOU TO STATE EXACT NUMBER GIVE BEST IDEA</p>	<p>HARD TO SAY. A. I DON'T EXPECT YOU TO STATE THE EXACT NUMBER. GIVE THE BEST IDEA OF</p>	<p>HARD TO SAY [space] GIVE THE BEST IDEA OF</p>

209. Date of transcription noted at the top of the page in longhand: {**TRANSCRIBING 945 AM DEC 6/83**—}P

**RT**

**RS**

**BT**

**PS**

<p>YOU CAN ? A. AS A GENERAL THING THE INDIANS IN THAT WAY SEEMED TO REPRESENT MORE THAN THE OTHERS, BY A GREATER NUMBER. Q. YOU SAW ALL OF THEM</p> <p>IN FULL VIEW ? A. NO. Q. NOW GIVE THE BEST IDEA YOU CAN ? A. I SHOULD THINK THERE WOULD BE SOMEWHERE BETWEEN 40 AND 50, THERE MAY HAVE BEEN A GOOD MANY MORE.</p> <p>Q. ISN'T IT LIKELY THERE WERE A GREAT MANY MORE ? A. VERY PROBABLY THERE WERE A GREAT</p>	<p>YOU CAN<sub>A</sub> GENERAL THING OF INDIANS IN THAT WAY THEY ARE REPRESENTED MORE THAN THERE IS GREATER NUMBER<sub>Q</sub> YOU SAW ALL OF THEM</p> <p>IN FULL VIEW<sub>A</sub> {NO}<sup>P</sup> NOW GIVE BEST IDEA YOU CAN<sub>A</sub> I SHOULD THINK THERE WOULD BE SOMEWHERE FORTY OR FIFTY, THERE MAY HAVE BEEN GOOD MANY MORE THERE MIGHT HAVE BEEN</p> <p>Q IS NOT IT LIKELY THERE WERE GREAT MANY MORE<sub>A</sub> VERY PROBABLY THERE WERE GREAT</p>	<p>THEIR NUMBER YOU CAN. A. GENERALLY A HUNDRED INDIANS THAT WAY ARE REPRESENTED AS MORE OF THEM THEN THERE ARE. Q. YOU SAW ALL OF THEM, PRETTY NEAR? A. YES, SIR. Q. IN FULL VIEW? A. YES, SIR. Q. NOW GIVE THE BEST IDEA YOU CAN? A. I SHOULD THINK THERE WOULD BE SOMEWHERE ABOUT 40 OR 50, THERE MIGHT HAVE BEEN A GOOD MANY MORE, AND THERE MIGHT HAVE BEEN LESS. I DON'T THINK THERE WERE LESS THAN 40. Q. IS IT NOT LIKELY THEY WERE A GOOD MANY MORE A. YES, SIR, VERY PROBABLE THAT THERE WERE A GREAT</p>	<p>THEIR NUMBER YOU CAN GENERAL THING INDIANS THAT WAY ARE REPRESENTED AS MORE OF THEM THAN THAT THEY ARE [space] YOU SAW ALL THE THEM PRETTY NEAR YES SIR IN ONE VIEW YES SIR GIVE THE BEST IDEA YOU CAN I SHOULD THINK</p> <p>SOMEWHERE ABOUT 40 OR 50 MIGHT HAVE BEEN [space]</p> <p>I DON'T THINK THERE WAS LESS THAN 40 IS IT NOT LIKELY THEY WERE GOOD MANY MORE YES SIR VERY PROBABLE GOOD</p>
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**RT**

**RS**

**BT**

**PS**

<p>MANY MORE.</p> <p>THEY MADE A RUSH OUT, AND CAME DOWN TO THEM. I DIDN'T HAVE MUCH CHANCE TO SEE; THEY RUSHED RIGHT ON AND TO GIVE ANY IDEA I COULD NOT WELL, AS IT HAS BEEN SO LONG AGO. THERE MIGHT HAVE BEEN A GOOD MANY MORE FOR ALL I KNOW. Q. AFTER THE EMIGRANTS WERE SLAUGHTERED WHERE DID YOU GO THEN ?</p> <p>A. WE WENT BACK. Q. TO YOUR CAMP, OR DID YOU GO TO HAMBLIN'S RANCH ? A. NO SIR. Q. DID YOU GO UP THERE THE NEXT MORNING ? A. WE WENT CLOSE BY THERE.</p>	<p>MANY MORE,</p> <p>THEY MADE RUSH OUT CAME DOWN ONTO THEM. I DIDN'T HAVE MUCH CHANCE, THEY RUSHED RIGHT ON,</p> <p>TO GIVE ANY IDEA AS IT HAS BEEN SO LONG AGO, THERE MIGHT HAVE BEEN GOOD MANY MORE FOR AUGHT I KNOW Q.AFTER EMIGRANTS WERE SLAUGHTERED WHERE DID YOU GO THEN IMMEDIATELY A WE WENT BACK. TO YOUR Q.CAMP DID YOU GO UP THERE TO HAMBLIN'S RANCH A NO SIR Q.DID YOU GO NEXT MORNING A WE WENT CLOSE BY THERE</p>	<p>MANY MORE. <del>THEY RUSHED</del> THEY MADE A RUSH AND CAME DOWN ONTO THEM. THEY DIDN'T HAVE MUCH CHANCE, THEY RUSHED RIGHT ON. IT IS HARD TO GIVE ANY IDEA , IT HASD BEEN SO LONG AGO. THERE MIGHT HAVE BEEN A GOOD MANY FOR AUGHT I KNOW. Q. AFTER THE EMIGRANTS WERE SLAUGHTERED, WHERE DID YOU GO IMMEDIATELY? A. WE WENT RIGHT BACK TO OUT CAMP.. Q. DID YOU GO BACK TO HAMBLIN'S RANCH? A. NO, SIR.. Q. DID YOU GO UP THERE THE NEXT MORNING? A. WE WENT CLOSE TO IT AS WE WENT HOME; BUT I DIDN'T DGO</p>	<p>MANY MORE</p> <p>THEY MADE A RUSH AND CAME DOWN ONTO THEM I DIDN'T HAVE MUCH CHANCE TO <sup>[[7]]</sup> SEE HOW MANY THERE WAS</p> <p>AND IT HAS BEEN SO LONG AGO MIGHT HAVE BEEN GOOD MANY MORE FOR ALL I KNOW AFTER THE EMIGRANTS WERE SLAUGHTERED WHERE DID YOU GO IMMEDIATELY [space] WENT BACK TO OUR CAMP [space] DID YOU GO BACK TO HAMBLIN'S RANCH NO SIR DID YOU GO UP THERE THE NEXT MORNING WENT CLOSE BY AS WE WENT HOME BUT I DIDN'T GO</p>
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**RT**

**RS**

**BT**

**PS**

<p>Q. DID YOU DROVE DOWN THEROUGH THE RANCH. A. I DON'T KNOW WHETHER ANHY OF THE OTHERS DID OR NOT. Q. IS THE HOUSE SOME DISTANCE FROM THE ROAD ? A. NOT VERY FAR, AS NEAR AS I CAN RECOLLECT IT MAY BE ONE HUNDRED</p> <p>YARDS, SOMETHING LIKE THAT FROM THE ROAD. <sup>1180</sup> Q. DID YOU SEE ANY HOLLOW UP THERE ? A. I DON'T RECOLLECT OF SEEING ANY. Q. WHO RETURNED WITH YOU ? A. I DO NOT KNOW THAT. I DON'T RECOLLECT AS ANYBODY GOING BACK IN THE WAGONS WITH ME. WE WENT BACK PROMISCUOUSLY , JUST AS IT HAPPENED. I</p>	<p>Q DIDN'T DRIVE DOWN THROUGH THE RANCH? A I DON'T KNOW WHETHER ANY OTHERS DID OR NOT Q IS THE HOUSE SOME DISTANCE FROM THE ROAD {A}P NOT VERY FAR AS NEAR AS RECOLLECT MAYBE HUNDRED</p> <p>YARDS, SOMETHING FROM THE ROAD Q DID YOU SEE ANY OF YOUR PARTY THERE A I DON'T RECOLLECT OF SEEING ANY Q WHO RETURNED WITH YOU {A}P I DON'T KNOW THAT I DON'T RECOLLECT AS ANYBODY GOING BACK IN THE WAGONS WITH ME, WE WENT BACK PROMISCUOUSL Y JUST AS HAPPENED I</p>	<p>CLOSE.. Q. DIDN'T DRIVE DOWN THROUGH THE RANCYH? A. I DON'T KNOW WHETHER ANY OF US DID OR NOT?. Q. IS THE HOUSE SOME SDISTANCE FROM THE ROAD? A. NOT VERY FAR , AS NEAR AS I CAN RECOLLECT IT WAS MAY BE A HUNDRED OR TWO HUNDRED YARDS</p> <p>FROM THE ROAD:. Q . DID YOU SEE ANY OF YOUR PARTY THERE ?. A. I DON'T RECOLLECT OF SEEING ANY. Q. WHO RETURNED WITH YOU? A. I DON'T KNOW THAT. I DON'T RECOLLECT AS ANYBODY CAME BACK IN THE WAGON WITH ME. WE WENT BACK PROMISCUOUSL Y JUST ABOUT AS IT HAPPENED. I</p>	<p>CLOSE [<i>space</i>]</p> <p>IS THE HOUSE SOME DISTANCE FROM THE ROAD NOT VERY FAR</p> <p>IT WAS MAYBE HUNDRED OR 2 HUNDRED YARDS</p> <p>FROM THE ROAD DID YOU SEE ANY OF YOUR PARTY THERE I DON'T RECOLLECT OF SEEING ANY WHO RETURNED WITH YOU I DON'T KNOW THAT I DON'T RECOLLECT OF ANYBODY GOING BACK IN THE WAGON WITH ME WE WENT BACK PROMISCUOUSL Y JUST AS IT HAPPENED I</p>
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## RT

## RS

## BT

## PS

<p>LOADED UP THE BAGGAGE-TRUCK, ONE THING AND ANOTHER, INTO MY WAGON AND STARTED OUT.</p> <p>Q. WHEN YOU WENT FROM THERE WERE YOU SINGLE OR ALL TOGETHER ?</p> <p>A. I DON'T RECOLLECT WHETHER OTHERS WERE WITH ME OR BEHIND ME. WE WENT ALONG PROMISCUOUSLY . Q. DID SMITH GO BACK ALONG WITH YOU ? A. NO SIR. Q. DID YOU SEE HIM THAT MORNING, AT THE TIME OF THE FIRING ? A. I SEEN HIM JUST BEFORE; I DON'T KNOW AS I SAW HIM JUST AT THAT TIME. Q. DID YOU SEE HIM THAT NIGHT, AFTER THE SLAUGHTER ? A. COULD NOT SAY</p>	<p>LOADED UP THE BAGGAGE TRUCK, ONE THING AND ANOTHER INTO MY WAGON STARTED OUT</p> <p>Q&lt;WHEN WE&gt; WENT OVER WE WENT</p> <p>ALL TOGETHER</p> <p>A I DON'T RECOLLECT WHETHER OTHERS WERE WITH ME OR BEHIND ME; WENT BACK PROMISCUOUSLY. Q DID SMITH GO BACK N[?] YOU A NO SIR Q DID YOU SEE HIM THAT MORNING AT THE TIME OF THE FIRING A I SAW HIM JUST BEFORE DON'T KNOW AS I SAW HIM JUST AT THAT TIME Q DID YOU &lt;SEE&gt; HIM THAT NIGHT AFTER THE SLAUGHTER? A COULD NOT SAY</p>	<p>LOADED UP THE BAGGAGE AND TRUCK — ONE THING AND <sup>[16]</sup> ANOTHER THERE INTO MY WAGON AND STARTED OUT.</p> <p>WHEN WE WENT OVER THERE WE WENT</p> <p>ALL TOGETHER BUT COMING BACK, I DON'T RECOLLECT HOW THE TEAMS CAME ON BEHIND ME — WE WENT BACK PROMISCUOUSLY. Q. DID SMITH GO BACK WITH YOU?? A. NO, SIR. Q. DID YOU SEE HIM ON THE GROUND AT THE TIME OF THE FIRING?. A. I SAW HIM JUST BEFORE; I DON'T KNOW AS I SAW HIM JUST AT THAT TIME. . Q. DID YOU SEE HIM THAT NIGHT AFTER THE SLAUGHTER? A. I COULD NOT SAY <b>FOR</b></p>	<p>LOADED UP THE BAGGAGE AND TRUCK ONE THING AND ANOTHER THERE INTO MY WAGON WE STARTED OUT AND <del>WHEN</del> [space] WHEN WE <del>WENT BACK</del> OVER WERE</p> <p>ALL TOGETHER BUT COMING BACK DON'T RECOLLECT OF TEAM BEING BEFORE OR BEHIND ME BUT</p> <p>PROMISCUOUSLY DID SMITH GO BACK WITH YOU NO SIR DID YOU SEE HIM ON THE GROUND AT THE TIME OF THE FIRING I SAW HIM JUST BEFORE I DON'T KNOW AS I SAW HIM JUST <del>ABOUT</del>[?] THAT TIME [space] DID YOU SEE HIM THAT NIGHT AFTER THE SLAUGHTER? I COULD NOT SAY</p>
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**RT****RS****BT****PS**

<p>WHETHER I DID OR NOT. Q. DID YOU SEE HIM AT ALL AFTER THE SLAUGHTER ? A. I THINK I DID, YES, I DID, JUST AFTER THE SLAUGHTER;</p>	<p>CERTAIN WHETHER I DID OR NOT Q DID YOU SEE HIM AT ALL AFTER SLAUGHTER A I THINK I DID YES I DID JUST AFTER SLAUGHTER.</p>	<p><b>CERTAIN</b> WHETHER I DID OR NOT.. Q. DID YOU SEE HIM AT ALL AFTER THE SLAUGHTER.. A. I THINK I DID — YES, I DID, JUST AFTER THE SLAUGHTERZ. Q. WHAT WAS HE DOING?? A. HE WAS</p>	<p>CERTAIN WHETHER I DID OR NOT DID YOU SEE HIM AT ALL AFTER THE SLAUGHTER I THINK I DID YES I DID SAW HIM THEN AFTER THE SLAUGHTER WHAT WAS HE DOING HE WAS GATHERING UP SOME CHILDREN TAKING CARE OF THEM</p>
<p>HE WAS GATHERUNG UP SOME CHILDREN AND TAKING CARE OF THEM. I RECOLLECT OF SEEING HIM THEN. Q. WHAT WAS HE DOING WITH THE CHILDREN ? A. I DIDN'T KNOW, ONLY SEEMED TO BE TAKING 'EM TO THE WAGONS.</p>	<p>HE WAS GATHERING UP SOME CHILDREN TAKING CARE OF THEM I RECOLLECT OF SEEING HIM ≤THEN≥ Q WHAT WAS HE DOING WITH CHILDREN A I DIDN'T KNOW TOOK 'EM TO WAGON</p>	<p>WAS GATHERING UP SOME CHILDREN, TAKING CARE OF THEM. Q. WHAT WAS HE DOING WITH THEE CHILDREN? A. I DON'T KNOW, HE TOOK THEM TO THE WAGON — CARRIED THEM TO SOME WAGONX.. Q. DID YOU SEE HIM PUT THEM INTO THE WAGON AFTER THE SLAUGHTER? A. I DON'T KNOW WHETHER HE PUT THEM INTO THE WAGON;</p>	<p>HE WAS GATHERING UP SOME CHILDREN TAKING CARE OF THEM WHAT WAS HE DOING WITH THE CHILDREN [space] I DON'T KNOW HE TOOK THEM TO THE WAGON CARRYING THEM TO SOME WAGON DID YOU SEE THAT HE PUT THEM INTO THE WAGON AFTER THE SLAUGHTER I DON'T KNOW WHETHER HE PUT THEM INTO THE WAGON HE WAS THERE</p>
<p>Q. DID YOU SEE HIM PUT THEM IN THE WAGONS AFTER THE SLAUGHTER ? A. I DIDN'T KNOW WHETHER HE PUT THEM INTO THE WAGON BUT HE WAS THERE</p>	<p>Q DID YOU SEE HE PUT THEM IN WAGON AFTER SLAUGHTER A I DON'T KNOW WHETHER HE PUT 'EM INTO WAGON HE WAS THERE</p>	<p>HE WAS GATHERING UP SOME CHILDREN, TAKING CARE OF THEM. Q. WHAT WAS HE DOING WITH THEE CHILDREN? A. I DON'T KNOW, HE TOOK THEM TO THE WAGON — CARRIED THEM TO SOME WAGONX.. Q. DID YOU SEE HIM PUT THEM INTO THE WAGON AFTER THE SLAUGHTER? A. I DON'T KNOW WHETHER HE PUT THEM INTO THE WAGON;</p>	<p>HE WAS GATHERING UP SOME CHILDREN TAKING CARE OF THEM WHAT WAS HE DOING WITH THE CHILDREN [space] I DON'T KNOW HE TOOK THEM TO THE WAGON CARRYING THEM TO SOME WAGON DID YOU SEE THAT HE PUT THEM INTO THE WAGON AFTER THE SLAUGHTER I DON'T KNOW WHETHER HE PUT THEM INTO THE WAGON HE WAS THERE</p>

**RT**

**RS**

**BT**

**PS**

<p><sup>[[8]]</sup> BY THE WAGON WITH SOME CHILDREN. Q. WHERE WERRE THE WAGONS AT THE TIME OF THE SLGUGHTER — WERE THEY IN VIEW ? A. I DIDN'T KNOW. FROM WHERE I WAS THEY WASN'T IN VIEW. AT LEAST I DIDN'T SEE THEM ANYHOW. Q. WERE NOT ALL THESE EMIGRANTS TOGETHER. THAT IS IN COMPACT, WHEN THE ATTACK WAS MADE UPON THEM ? A. YES SIR, THEY WERE IN SINGLE FILE, WOMEN AND CHILDREN ALL MIXED UP TOGETHER. Q. WERE THEY ALL IN VIEW AT THAT TIME ? . A.</p>	<p>BY WAGON WITH SOME CHILDREN Q WHERE WERE THE WAGONS AT TIME OF SLAUGHTER WERE IN VIEW A I DON'T KNOW FROM WHERE I WAS THEY WASN'T IN VIEW AT LEAST I DIDN'T SEE 'EM ANYHOW. <sup>[[6]]</sup> {Q} <sup>p210</sup> WERE NOT ALL THESE EMIGRANTS ALL TOGETHER IN COMPACT WHEN THE ATTACK WAS MADE UPON THEM {A} <sup>p</sup> YES SIR THEY WERE IN SINGLE FILE WOMEN AND CHILDREN ALL MIXED UP ALL TOGETHER {Q} <sup>p</sup> WERE THEY ALL IN VIEW AT THAT TIME {A} <sup>p</sup></p>	<p>BY THE WAGON WITH SOME CHILDREN. Q. WHERE WERE THE WAGONS AT THE TIME OF THE SLAUGHTER — IN VIEW? A. FROM <del>K</del>WHERE I WAS THEY WAS NOT IN VIEW, AT LEAST I DIDN'T SEE ANY OF THEM. Q. WERE NOT ALL THESE EMIGRANTS CLOSE TOGETHER, COMPACT, WHEN THE ATTACK WAS MADE. UPON THEM? A. YES, SIR, THEY WERE IN SINGLE FILE.. Q. MEN WOMEN AND CHILDREN MIXED UP TOGETHER? A. NOT WHERE I WAS.. Q. WERE THEY ALL IN FVIEW AT THAT TIME? A.</p>	<p>BY THE WAGON AND WITH SOME CHILDREN WHERE WERE THE WAGONS AT THE TIME OF THE SLAUGHTER IN VIEW [space] FROM WHERE I WAS AT THE BACK NOT THEY WAS NOT IN VIEW WERE NOT ALL THESE EMIGRANTS CLOSE TOGETHER COMPACT WHEN THE ATTACK WAS MADE ON THEM <del>YES WERE THEY IN</del> YES SIR IN SINGLE FILE [space] <sup>[[8]]</sup> MEN WOMEN AND CHILDREN MIXED UP TOGETHER NOT WHERE I WAS [space] WERE THEY ALL IN VIEW</p>
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210. Dark pencil over purple pencil.

**RT**

**RS**

**BT**

**PS**

<p>A PERSON</p> <p>MIGHT HAVE SEEN THEM,</p> <p>I DON'T RECOLLECT.</p> <p>Q. WERE THEY SO THAT YOU COULD HAVE SEEN THEM ? A. THEY WERE PROMISCUOUSLY TRAVELING. THERE HAPPENED TO BE MORE MEN IN THE REAR, BUT I COULD NOT SAY POSITIVELY, AS I COULD NOT SEE. <del>JOHN</del> Q. YOU DID SEE WOMEN AT THAT TIME ? A. YES SIR, AND I THINK I SAW SOME CHILDREN. Q. DID YOU RECOLLECT WHETHER THE WOMEN AND MEN DID</p>	<p>PERSON</p> <p>MIGHT HAVE SEEN THEM</p> <p>I DON'T RECOLLECT</p> <p>Q WHETHER I SAW HOW THEY WAS</p> <p>A THEY WERE PROMISCUOUSL Y TRAVELING, {THERE}<sup>P</sup> HAPPENED TO BE MORE MEN ON THE REAR BUT THAT ≤POSITIVELY≥ I COULD NOT SEE Q YOU DID SEE WOMEN AT THAT TIME THERE {A}<sup>P</sup> YES SIR {AND}<sup>P</sup> I THINK I SAW SOME CHILDREN Q DID YOU RECOLLECT WHETHER THAT THE MEN AND WOMEN DID</p>	<p>NOT WITHOUT A PERSON STEPPED OUT OF THE RANKS — HE MIGHT HAVE SEEN THEM IF HE HAD THEN PROBABLEY. Q. CHILDREN AΛND ALL? A. I DON'T <del>KNOW THAT.</del> RECOLLECT THAT.. WHETHER</p> <p>THEY WAS PROMISCAUOUS LY SCATTERED ALONG; BUT THERE WERE MORE MEN ON THE REAR I KNOW.</p> <p>Q. BUT YOU DID SEE WOMEN AT THETIME? A. YES, SIR/ Q. Q. THINK YOU SAW CHILDREN? A. I SAW SOME CHILDREN. Q. DO YOU RECOLLECT WHETHER THE MEN AND WOMEN DID</p>	<p>NOT THAT A PERSON STEPPING OUT OF THE RANKS MIGHT HAVE SEEN THEM</p> <p>PROBABLY CHILDREN AND ALL [space] I DON'T</p> <p>RECOLLECT THAT [space] WHETHER</p> <p>THEY WAS PROMISCUOUSL Y</p> <p>HAPPENED TO BE MORE MEN ON THE REAR OR IN [space]</p> <p>BUT YOU DID SEE WOMEN AT THE TIME [space] AND MIGHT THINK YOU SAW CHILDREN I SAW SOME CHILDREN DO YOU RECOLLECT THAT THE MEN AND WOMEN DID</p>
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**RT****RS****BT****PS**

<p>WALK TOGETHER OR NOT ? A. I RECOLLECT THEY WAS WALKING ALONG, I DON'T RECOLLECT WHETHER THEY WAS MIXED UP OR ALONG BY <del>THESE</del> THEMSELVES. I SAW THEM ALONG THERE, BUT</p> <p>WHETHER THE WOMEN WAS AHEAD, OR HOW IT WAS, OR JUST PROMISCUOUSLY , I COULD NOT SAY. JOHN D. LEE LOOKED MORE EASY AND COMPOSED THIS MORNING —</p> <p>BETTER DRESSED. Q. YOU SAY THERE WERE SOME WAGONS DRIVEN DOWN TO THE EMIGRANT CAMP ?</p>	<p>WALK TOGETHER {A}<sup>P</sup> I RECOLLECT THEY WAS WALKING ALONG, I DON'T RECOLLECT WHETHER THERE WAS MIXED UP OR ALONG BY THEMSELVES I SAW THEM ALONG BUT</p> <p>WHETHER WOMEN WAS AHEAD OR HOW IT WAS, OR JUST PROMISCUOUSL Y I COULD NOT SAY. JOHN D. LEE LOOKED MORE EASY AND COMPOSED THIS MORNING</p> <p>BETTER DRESSED {Q}<sup>P</sup> YOU SAY THERE WERE SOME WAGONS DRIVEN DOWN TO THE EMIGRANT CAMP ABOUT TIME YOU</p>	<p><del>WALK WLA</del> TOGETHER? A. I RECOLLECT THAT THEY WERE <del>WLA</del>WALKING ALONG; BUT I DON'T RECOLLECT WHETHER THEY WAS MIXED UP, OR EACH ONE BY THEMSELVES. I SAW THEM BOTH, BUT I DON'T KNOW WHETHER THE WOMEN WERE AHEAD OR BEHIND OR <sup>[17]</sup> JUST PROMISCUOUSL Y MIXED UP., I COULD NOT SAY. Q. JOHN D/ LEE LOOKED MORE COMPOSED AND MARCHED WITH THE BETTER DRESSED. Q. YOU SAY THERE WERE <del>Ø</del>SOME WAGONS DRIVEN DOWN TO THE EMIGRANT CAMP BY THE T IME YOU</p>	<p>WALK TOGETHER I RECOLLECT THAT THEY WERE WALKING ALONG THERE BUT I DON'T RECOLLECT WHETHER THEY WAS MIXED UP OR EACH ONE BY THEMSELVES [space] AND I SAW THEM DID THEY —[?]</p> <p>WHETHER WOMEN AHEAD OR BEHIND OR JUST PROMISCUOUSL Y I COULD NOT SAY [space]</p> <p>YOU SAY THERE WERE SOME WAGONS DRIVEN DOWN TO THE EMIGRANT CAMP BY THE TIME YOU</p>
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**RT**

**RS**

**BT**

**PS**

<p>[182] A. THERE WAS ONE, I THINK.</p> <p>Q. WHERE WAS YOUR COMPANY STANDING FIRST WHEN THE WAGONS PASSED THROUGH ? A. PROBABLY A COUPLE OF HUNDRED YARDS FROM THE CAMP WHEN THEY PASSED. Q. WERE YOU STANDING</p> <p>WHEN THE EMIGRANTS PASSED YOU ? A. YES SIR. JUDGE SUTHERLAND HERE PRESENTED WITNESS WITH A DIAGRAM,</p> <p>TO WHICH THE PROSECUTION OBJECTED.</p>	<p>MARCHED DOWN A THERE WAS ONE I THINK</p> <p>Q WHERE WERE YOUR COMPANY STANDING WHEN WAGONS PASSED THROUGH {A}P PROBABLY {A}P COUPLE HUNDRED YARDS FROM CAMP WHEN THEY PASSED. Q WERE YOU STANDING</p> <p>WHEN EMIGRANTS PASSED YOU A {YES SIR}P SUTHERLAND WALKED UP TO</p> <p>WITNESS WITH DIAGRAM</p> <p>{TO WHICH}P THE PROSECUTION OBJECTED.</p>	<p>MARCHED DOWN? A. THERE WAS ONE OF THEM MIGHT HAVE BEEN OVER I DON'T RECOLLECT.. Q. WHERE WAS YOUR PARTY STANDING WHEN THE WAGONS PASSED YOU?? A. PROBABLY A COUPLE OF HUNDRED YARDS FROM THE CAMP.</p> <p>Q. WERE YOU STANDING WHERE YOU STOOD WHEN THE EMIGRANTS PASSED YOU? A. YES, SIR. (Q-MR. SUTHERLAND HERE PRODUCED A MAP OF THE GROUNDS WHERE THE MASSICUR MASSACREE TOOK, PLACE, AND PROCEEDED TO SHOW IT TO THE WITNESS.) <del>BY</del> MR. BASKIN: I OBJECT TO THE MAP BEING EXHIBITED TO</p>	<p>MARCHED DOWN THERE WAS ONE MIGHT HAVE BEEN MORE I DON'T RECOLLECT WHERE WAS YOUR PARTY</p> <p>WHEN THE WAGONS PASSED YOU</p> <p>PROBABLY COUPLE OF HUNDRED YARDS FROM THE CAMP</p> <p>WERE YOU STANDING WHERE YOU STOOD WHEN THE EMIGRANTS PASSED YOU YES SIR [<i>space</i>]</p> <p>OBJECTED TO MAP BEING EXHIBITED TO</p>
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**RT**

**RS**

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**PS**

<p>JUDGE SUTHERLAND INSISTED ON SHOWING THE DIAGRAM TO THE WITNESS TO ASCERTAIN IF IT WAS CORRECT</p> <p>OR NOT.</p> <p>THE COURT SUSTAINED THE OBJECTION OF THE PROSECUTION TO WHICH THE DEFENSE EXCEPTED.</p> <p>Q. I WISH YOU WOULD MAKE A DIAGRAM OF THE DIFFERENT POINTS THAT YOU HAVE MENTIONED ON THE MEADOWS WHERE THE EMIGRANT CAMP WAS, WHERE YOU</p>	<p>SUTHERLAND INSISTED TO SHOW THIS TO HIM TO SEE IF THIS IS CORRECT</p> <p>OR NOT.</p> <p><u>COURT OVERRULED.</u></p> <p><u>SUTHERLAND. OBJECTED HE WISHED OBJECTION NOTED.</u></p> <p>{Q}P I WISH YOU WOULD MAKE A DIAGRAM OF THE DIFFERENT POINTS YOU HAVE MENTIONED {ED}P ON MEADOWS, WHERE THE EMIGRANT CAMP WAS, WHERE YOU</p>	<p>THE WITNESS UNLESS IT WAS MADE BY THE WITNESS. BY MR. SUTHERLAND: I INSIST, YOUR HONOR, UPON SHOWING THIS MAP TO THE WITNESS AND ASKING HIM WHETHER IT IS A CORRECT REPRESENTATION OF THE GROUNDS OR NOT.. (MAP SHOWING DIAGRAM MADE BY COUNSEL FOR DEFENSE REFUSED EXCLUDED BY THE COURT.) BY MR. SUTHERLAND: I TAKE AN EXCEPTION TO THE RULING. Q. I WISH YOU WOULD MAKE A DIAGRAM OF THE DIFFERENT POINTS YOU HAVE MENTIONED — WHERE THE EMIGRANT CAMP WAS, WHERE THE</p>	<p>WITNESS UNLESS MADE BY THE WITNESS [space] SUTHERLAND I INSIST UPON SHOWING THIS TO HIM AND ASKING HIM WHETHER IT IS CORRECT</p> <p>OR NOT [space] OFFERED TO SHOW DIAGRAM OBJECTED MADE BY COUNSEL FOR DEFENSE REFUSED BY COURT [space] EXCEPTION. [space] WITNESS I WISH YOU WOULD MAKE A DIAGRAM OF THE DIFFERENT POINTS YOU HAVE MENTIONED WHERE THE EMIGRANT CAMP WAS WHERE THE</p>
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**RT**

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**PS**

<p>WERE CAMPED AND WHERE THE INDIANS WERE PRINCIPALLY COLLECTED BEFORE THE FIRING COMMENCED AND THE ROUTE TAKEN BY THE EMIGRANTS WHEN THE EMIGRANTS MARCHED OUT OF THEIR CAMP, AND PLEASE HAVE IT HERE AFTER RECESS ? A. I AM A VERY POOR HAND TO DO THAT.</p> <p>I MIGHT IF I WAS THERE ON THE GROUND.</p>	<p>WERE CAMPED. AND WHERE INDIANS PRINCIPALLY WERE COLLECTED BEFORE FIRING WHAT ROUTES TAKEN BY THE EMIGRANTS WHEN THEY MARCHED OUT OF CAMP AND BRING IT IN</p> <p>AFTER RECESS {A}<sup>P</sup> I AM VERY POOR HAND TO DO THAT.</p> <p>I MIGHT IF I WAS THERE ON THE GROUND AT THAT SAME <i>M/R/HOUR</i>[?]</p> <p>I MIGHT</p>	<p>ROAD RUNS, WHERE THE INDIANS PRINCIPALLY WERE COLLECTED BEFORE THE FIRING AND THE ROUTES TAKEN BY THE EMIGRANTS WHEN THEY MARCHED OUT OF CAMP, AJD BRING IT IN</p> <p>AFTER RECESS? A. I WOULD BE A VERY POOR HAND AT DRAWING A MAP OF ANYTHING. I MIGHT IF I WAS THERE ON THE GROUND. I DON'T KNOW THAT I COULD TELL FROM MY RECOLLECTION HOW THE LAND LAID. I MIGHT GO ALL OVER THAT GROUND AND THE DIRECTION THAT I USED TO THINK WAS</p> <p>NORTH AND SOUTH I MIGHT</p>	<p>ROAD RUNS WHERE THE INDIANS PRINCIPALLY WERE COLLECTED BEFORE THE FIRING AND THE ROUTES FROM THE EMIGRANTS <del>CAMP</del> WHEN THEY MARCHED OUT [space] AND BRING IT IN</p> <p>AFTER THE RECESS [space] I WOULD BE A VERY POOR HAND TO DRAW A MAP OF ANYTHING I MIGHT TELL</p> <p>ACCORDING TO THE BEST OF MY <sup>[19]</sup> RECOLLECTION HOW THE THING LAID I MIGHT GO OVER ON TO THAT GROUND AND THE DIRECTION THAT I WOULD THINK NOW WOULD BE NORTH AND SOUTH I MIGHT</p>
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**RT**

**RS**

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**PS**

<p>SUTHERLAND: JUST DO THE BEST YOU CAN.</p> <p>Q. DID THE EMIGRANTS FOLLOW IN THE SAME TRACK OF THE WAGONS ? A. YES SIR, FOLLOWED RIGHT ALONG BEHIND THEM. Q. DID THEY FOLLOW THE ROAD OR DID THEY GO TOWARDS THE CALIFORNIA ROAD</p> <p>A. WHEN THEY WENT OUT OF THE CAMP THEY FOLLOWED RIGHT BACK.</p> <p><i>[183]</i> Q. YOU REMEMBER AT A CERTAIN DISTANCE FROM THE CAMP THERE WAS A RISE IN THE</p>	<p>JUST DO {THE}<sup>P</sup> BEST YOU CAN</p> <p>Q DID THE EMIGRANTS FOLLOW IN SAME TRACK OF THE WAGONS A YES SIR FOLLOWED RIGHT ALONG BEHIND THEM Q DID THEY FOLLOW THE ROAD DID THEY GO TOWARDS CALIFORNIA ROAD</p> <p>WHEN THEY WENT OUT OF THE CAMP FOLLOWED ROAD RIGHT BACK. <del>DO YOU</del> REMEMBER Q YOU REMEMBER AT {A}<sup>P</sup> CERTAIN DISTANCE FROM CAMP THERE WAS RISE IN THE</p>	<p>BE MISTAKEN IN NOW. Q. JUST DO THE BEST YOU CAN?</p> <p>Q. DID THE EMIGRANTS FOLLOW IN THE SAME TRACK AS THE WAGONS? A. YES, SIR. <i>[18]</i> Q. FOLLOWED RIGHT ALONG BEHIND THEM? A. YES, SIR. Q. DID THEY FOLLOW THE ROAD THAT LED TOWARDS CALIFORNIA — THE ROAD THAT THEY TOOK WHEN THEY WENT OUT OF CAMP? A. THEY FOLLOWED <del>THE</del> <b>THE</b> ROAD RIGHT BACK — THE ROAD THEY WENT DOWN. Q. DO YOU REMEMBER THAT AT A CERTAIN DISTANCE FROM THE CAMP THERE WAS A RAISE IN THE</p>	<p>BE MISTAKEN. <i>[space]</i> DO THE BEST YOU CAN <i>[space]</i> YOUR <i>BEST</i>[?] IDEA OF NORTH SOUTH EAST AND WEST AND IMPORTANT MATTERS <i>[space]</i> DID THE EMIGRANTS FOLLOW IN THE SAME TRACK AS THE WAGONS YES SIR FOLLOWED RIGHT ALONG BEHIND THEM YES SIR <i>[space]</i> DID THEY FOLLOW THE ROAD DID THEY GO TOWARDS THE CALIFORNIA ROAD</p> <p>WHEN THEY WENT OUT OF CAMP THEY FOLLOWED THE ROAD RIGHT BACK THE ROAD THEY WENT DOWN <i>[space]</i> DO YOU REMEMBER THAT AT A CERTAIN DISTANCE FROM THE CAMP THERE WAS A RISE IN THE</p>
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## RT

## RS

## BT

## PS

<p>GROUND AHEAD OF THE EMIGRANTS AS THEY MARCHED OUT AHEAD OF THE WAGONS ? A. I DON'T RECOLLECT AS THERE WAS, OR WHETHER IT WAS UP A <del>HOLL</del> HILL FROM THE CAMP, OR WHETHER THERE WAS ANY RISE OR NOT. Q. WELL, BEFORE YOU F GO OVER TO HAMBLIN'S, IS THERE A RIDGE OR NOT ?</p> <p>A. I DO NOT REMEMBER POSITIVELY.</p> <p>Q. WAS THERE NOT A RIDGE TO GO OVER ?</p> <p>A. YES, THERE WAS A KIND OF A RIDGE TO GO OVER. Q. HOW FAR OFF WAS THAT ? A. I DO NOT KNOW, MAY BE ABOUT A MILE FROM THE CAMP, MIGHT HAVE</p>	<p>GROUND AHEAD OF EMIGRANTS AS THEY MARCHED OUT AHEAD OF WAGONS {A}PI DON'T RECOLLECT AS THERE WAS, WHETHER IT WAS UP HILL FROM THE CAMP WHETHER THERE WAS ANY RISE Q&lt;WELL&gt; BEFORE YOU GO FROM MAIN <sup>[[7]]</sup> RIDGE</p> <p>I DO NOT KNOW</p> <p>Q WAS NOT RIDGE TO GO OVER</p> <p>A YES THERE WAS RIDGE TO GO OVER Q HOW FAR OFF WAS THAT {A}P I DO NOT KNOW, ABOUT MILE FROM CAMP MIGHT HAVE</p>	<p>GROUND AHEAD OF THE EMIGRANTS AS THEY MARCHED OUT?, AHEAD OF THE WAGONS?? A. I DON'T <b>RECOLLECT</b> AS THERE WAS, WHETHER IT WAS UP HILL FROM THE CAMP, WHETHER THERE WAS ANY RIDGE TO GO OVER. Q. BEFORE YOU GET TO THE MAIN RIDGE,?? A.</p> <p>I DON(8T KNOW</p> <p>Q. ISN'T THERE A HILL TO GO OVER <del>OVER</del> BEFORE YOU GET TO HAMBLIN'S RANCH? A. YES, THERE WAS A RIDGE TO GO OVER. Q. HOW FAR IS THAT? A. I DON'T KNOW, ABOUT A MILE, <del>AND A HALF</del> MAY BE IT MIGHT</p>	<p>GROUND AHEAD OF THE EMIGRANTS AS THEY MARCHED OUT AHEAD OF THE WAGONS I DON'T RECALL <del>AS</del> <del>THEY</del> IT WAS UP HILL FROM THE CAMP WHETHER THERE WAS ANY RIDGE TO GO OVER BEFORE THE MAIN RIDGE</p> <p>I DON'T KNOW</p> <p>WAS NOT THERE A <del>RIDGE</del> HILL TO GO OVER BEFORE YOU GOT TO HAMBLIN'S RANCH YES THERE WAS A RIDGE TO GO OVER &lt;YES SIR&gt;</p> <p>IT MIGHT HAVE</p>
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**RT**

**RS**

**BT**

**PS**

<p>BEEN A MILE AND A HALF.</p> <p>Q. DIDN'T THE WAGONS GET OVER THAT RIDGE BEFORE THE FIRING COMMENCED</p> <p>A. I COULD NOT SAY WHETHER THEY DID OR NOT.</p> <p>I DIDN'T KEEP TRACK OF THE WAGONS; THEY HAD DROVE ON. SEEMED TO BE GOING A GOOD DEAL FASTER THAN ME. THEY HAD PASSED WHEN I GOT THERE. Q. DO YOU KNOW WHO DROVE THESE <del>WG</del> WAGONS ? A. NO.</p> <p>Q. DID YOU SEE LEE AFTER THEY HAD</p> <p>STARTED FROM THE EMIGRANT CAMP</p>	<p>BEEN MILE HALF</p> <p>Q DIDN'T WAGONS GET OVER THAT RIDGE BEFORE FIRING COMMENCED</p> <p>{A} I COULD NOT SAY WHETHER THEY DID OR NOT</p> <p>I DIDN'T KEEP TRACK OF WAGONS THEY HAD DROVE ON; SEEMED TO BE GOING GOOD DEAL FASTER THAN ME. THEY HAD PASSED WHEN I GOT {THERE. Q} P</p> <p>DO YOU KNOW WHO DROVE THOSE WAGONS {NO} P.</p> <p>Q DID YOU SEE LEE AFTER THEY HAD</p> <p>STARTED FROM THE EMIGRANT CAMP</p>	<p>BE A MILE AND A HALF.</p> <p>Q. DID THE WAGONS GET OVER THAT RIDGE BEFORE THE FIRING COMMENCED?</p> <p>A. I COULD NOT SAY WHETHER THEY DID OR NOT. Q;</p> <p>I DIDN'T KEEP TRACK OF THE WAGON<del>WS</del>; THE WAGONS DROVE ON—</p> <p>SOMEBODY GOING A GOOD DEAL FASTER THAN WE.. THEY HAD P<del>SSED</del> WHEN I GOT THERE. Q. DO YOU KNOW WHO DROVE THIS WAGON? A. NO, SIR. I DIDN'T. I DIDN'T KNOW WHETHER THAT WAS ONE WAGON OR NOT.. Q;. DID YOU SEE LEE AFTER THE</p> <p>WAGONS STARTED FROM THE EMIGRANT CAMP</p>	<p>BEEN A MILE <i>FROM/OVER</i>[?] THE RIDGE [space] DID NOT WAGONS GET OVER THAT RIDGE BEFORE THE FIRING COMMENCED</p> <p>I COULD NOT SAY WHETHER THEY DID OR NOT BECAUSE I DIDN'T KEEP TRACK OF THE WAGONS [space] WAGONS DROVE ON</p> <p>SEEMED TO BE GOING GOOD DEAL FASTER THAN WE [space]</p> <p>DO YOU KNOW WHO DROVE THOSE WAGONS NO SIR I DON'T [space] I DON'T KNOW WHETHER THAT WAS ONE WAGON OR NOT [space] DID YOU SEE LEE AFTER THE <del>EMIGRANT</del> WAGONS STARTED FROM THE EMIGRANT CAMP</p>
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**RT**

**RS**

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**PS**

<p>WHEN HE CAME OUT OF THEIR CAMP ?</p>	<p>{A}<sup>P</sup>WHEN HE CAME OUT OF THEIR CAMP {A}<sup>P</sup></p>	<p>WHEN HE CAME OUT OF THEIR CAMP??</p>	<p>WHEN HE CAME UP THAT</p>
<p>A. HE FOLLOWED</p>	<p>HE FOLLOWED</p>	<p>A. THEY ROAD BEHIND, AND HE FOLLOWED ON</p>	<p>ROAD BEHIND AND HE FOLLOWED ON</p>
<p>CLOSE BEHIND THEM</p>	<p>CLOSE BEHIND THEM.</p>	<p>AFTER <b>THESE</b> <del>THIS</del> WAGONS— CLOSE BEHIND THEM,</p>	<p>AFTER THOSE WAGONS [<i>space</i>] CLOSE BEHIND ALONG [<i>space</i>]</p>
<p>THEY PASSED WHERE WE WAS, WENT ON</p>	<p>QTHEY PASSED WHERE WE WAS; WENT ON.</p>	<p>THEY PASSED <del>WHERE</del> <del>WE WAS, WENT</del> <del>ON</del>; <b>RIGHT ON</b></p>	<p>WERE/<del>WHEN</del>[?] WE/<del>THEY</del>[?] BEHIND THEN THEN</p>
<p>DIDN'T SEE HIM OR THE WAGONS ANY MORE, NOR PAY ANY MORE</p>	<p>I DIDN'T SEE HIM OR {THE}<sup>P</sup></p>	<p><b>DOWN, I DIDN'T</b> SEE ANY MORE OF THE</p>	<p>PASSED ON I DIDN'T SEE</p>
<p>ATTENTION TO 'EM. Q. YOU SAY HE WAS NEXT BEHIND ?</p>	<p>QYOU SAY HE WAS NEXT BEHIND</p>	<p><b>DOWN, I DIDN'T</b> SEE ANY MORE OF THE</p>	<p>ANY MORE [<i>space</i>]</p>
<p>A. I THINK HE WAS. HE WAS AHEAD OF THE COMPANY.</p>	<p>A I THINK HE WAS HE WAS AHEAD OF COMPANY</p>	<p>WAGONS OR HIM, NOR PAY ANY MORE ATTENTION TO HIM. Q.</p>	<p>HE WAS NEXT BEHIND [<i>space</i>]</p>
<p>THE WAGON? A. I THINK HE WAS, AT LEAST HE WAS AHEAD OF THE COMPANY THAT WAS</p>	<p>QDO YOU REMEMBER WHAT WAS IN WAGONS</p>	<p>WAS HE <del>ETHE</del> NEXT BEHIND THE WAGON? A. I THINK HE WAS, AT LEAST HE WAS AHEAD OF THE COMPANY THAT WAS</p>	<p>HE WAS NEXT BEHIND [<i>space</i>] I THINK HE WAS AT LEAST HE WAS AHEAD OF THE COMPANY THAT WAS</p>
<p>GOING OUT Q. DO YOU REMEMBER WHAT WAS IN THE WAGONS?</p>	<p>QDO YOU REMEMBER WHAT WAS IN WAGONS</p>	<p>GOING OUT Q. DO YOU REMEMBER WHAT WAS IN THE WAGONS?</p>	<p>[[10]] GOING OUT [<i>space</i>] DO YOU REMEMBER WHAT WAS IN THE WAGONS</p>
<p>A. I SEE 'EM PUTTING IN SOME GUNS</p>	<p>{A}<sup>P</sup> I SEE 'EM PUT IN SOME GUNS</p>	<p>A. NO, I SEEN THEM PUTTING SOME GUNS <del>IHN</del> THE WAGONS <del>WHEN AND</del></p>	<p>NO I SEEN THEM PUTTING SOME GUNS IN THE WAGONS AND</p>
<p>[184] Q. DO YOU REMEMBER WHAT WAS IN THE WAGONS ?</p>	<p>QDO YOU REMEMBER WHAT WAS IN WAGONS</p>	<p>A. NO, I SEEN THEM PUTTING SOME GUNS <del>IHN</del> THE WAGONS <del>WHEN AND</del></p>	<p>NO I SEEN THEM PUTTING SOME GUNS IN THE WAGONS AND</p>
<p>A. I SEE 'EM PUTTING IN SOME GUNS</p>	<p>{A}<sup>P</sup> I SEE 'EM PUT IN SOME GUNS</p>	<p>A. NO, I SEEN THEM PUTTING SOME GUNS <del>IHN</del> THE WAGONS <del>WHEN AND</del></p>	<p>NO I SEEN THEM PUTTING SOME GUNS IN THE WAGONS AND</p>
<p>A. I SEE 'EM PUTTING IN SOME GUNS</p>	<p>{A}<sup>P</sup> I SEE 'EM PUT IN SOME GUNS</p>	<p>A. NO, I SEEN THEM PUTTING SOME GUNS <del>IHN</del> THE WAGONS <del>WHEN AND</del></p>	<p>NO I SEEN THEM PUTTING SOME GUNS IN THE WAGONS AND</p>
<p>A. I SEE 'EM PUTTING IN SOME GUNS</p>	<p>{A}<sup>P</sup> I SEE 'EM PUT IN SOME GUNS</p>	<p>A. NO, I SEEN THEM PUTTING SOME GUNS <del>IHN</del> THE WAGONS <del>WHEN AND</del></p>	<p>NO I SEEN THEM PUTTING SOME GUNS IN THE WAGONS AND</p>



**RT**

**RS**

**BT**

**PS**

<p>WHEN THEY PASSED BY, AND I SEEN SOMETHING SITTING UP WHICH I SUPPOSED TO BE WOUNDED MEN. I UNDERSTOOD THAT THE WAGONS WAS FOR TO TAKE IN THE ARMS. Q. WASN'T LEE AHEAD OF THE WAGONS ? A. NOT WHEN HE CAME OUT OF THE FORT HE WAS NOT.</p> <p>Q. DO YOU REMEMBER SEEING ANY CHILDREN IN THESE WAGONS ? A. NOT TO MY RECOLLECTION. I RECOLLECT THERE WAS ONLY TWO MEN'S HEADS STICKING UP OUT OF THE WAGON. Q. HOW FAR WERE YOU</p>	<p>WHEN THEY PASSED BY, AND I SEEN SOMETHING SITTING UP, SUPPOSED TO BE WOUNDED MEN. <sup>ea</sup>I UNDERSTOOD WAGONS WAS FOR TO TAKE IN THE ARMS <sub>Q</sub> WASN'T LEE AHEAD OF WAGONS {<sub>A</sub>}<sup>P</sup> NOT WHEN HE CAME OUT OF THE FORT HE WAS NOT.</p> <p><sub>Q</sub>DO YOU REMEMBER SEEING ANY CHILDREN IN THOSE WAGONS {<sub>A</sub>}<sup>P</sup>NOT TO MY RECOLLECTION, I RECOLLECTION SEEING ONLY THE 2 MEN HEADS; STICKING UP OUT OF WAGON. {<sub>Q</sub>}<sup>P</sup>HOW FAR WERE YOU</p>	<p>WHEN THEY PASSED BY I SAW SOME MEN SITTING UP, I SUPPOSED THEY WERE WOUNDED MEN.</p> <p>Q. WASN'T LEE AHEAD OF THE WAGONS? A. NOT WHEN HE CAME OUT OF THE FORTRESS HE WASN'T.. Q. HE CAME OUT IMMEDIATELY BEHIND? A. YES, SIR. <sup>[19]</sup> Q. DO YOU REMEMBER SEEING ANY CHILDREN IN THAT WAGON? A. I DON 'T REMEMBER.</p> <p>Q. HOW FAR WERE YOU</p>	<p>WHEN THEY PASSED BY I SAW SOME MEN IN THERE I SUPPOSED WAS WOUNDED MEN [space]</p> <p>WASN'T LEE AHEAD OF THE WAGONS NOT WHEN HE CAME OUT OF THE QUARTERS HE WAS NOT [space] HE CAME OUT IMMEDIATELY BEHIND [space] YES SIR [space] DO YOU REMEMBER SEEING ANY CHILDREN IN THAT WAGON I DON ' T REMEMBER [space]</p> <p>HOW FAR WERE YOU</p>
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**RT**

**RS**

**BT**

**PS**

<p>WHEN THE WAGONS</p> <p>STARTED FROM THE CAMP ? A. WE WAS A COUPLE OF HUNDRED YARDS PROBABLY. WHEN THEY PASSED, MAY BE WITHIN FIFTY YARDS OF US, OR SUCH A MATTER; I COULD NOT SAY CERTAIN ABOUT HOW THAT WAS. THEY WASN'T VERY FAR OFF WHEN WE STARTED.</p> <p>Q. WHERE WERE YOU, IN THE RANRKS, AT THE TIME OF THE FIRING ? A. PRETTY WELL TO THE BACK END,</p> <p>TOWARDS THE NORTHWEST END. WE MARCHED DOWN THERE PRETTY WELL TO THE FRONT END AS THEY</p>	<p>WHEN WAGONS</p> <p>STARTED FROM CAMP {A}PWE WAS COUPLE HUNDRED YARDS, PROBABLY WHEN THEY PASSED, MAYBE WITHIN 50 YARDS OF US SUCH A MATTER. I COULD NOT SAY CERTAIN ABOUT HOW THAT WAS THEY WASN'T VERY FAR OFF WHEN WE STARTED</p> <p>QWHERE WERE YOU IN THE RANKS AT THE TIME OF THE FIRING {A}P PRETTY WELL {TO THE}P BACK END</p> <p>TOWARDS THE NORTHWEST END WE MARCHED DOWN THERE PRETTY WELL TO FRONT END AS THEY</p>	<p>FROM THE WAGONS AT THE I TIME THEY STARTED FROM CAMP? A. WE WAS A COUPLE OF HUNDRED YARDS PROBABLY; WHEN THEY PASSED MAY BE WITHIN 50 YARDS OF US.</p> <p>I COULD NOT SAY FOR CERTAIN ABOUT HOW THAT WAS. THEY WAS NOT <del>EV</del> VERY FAR OFF WHEN <del>WHEN</del> WE STARTED..</p> <p>Q. WHERE WERE YOU IN THE RANKS AT THE T IME OF THE FIRING? A. PRETTY WELL TO THE BACK END-, AS WE MARCHED DOWN; THAT WAS THE NORTH-WEST END; AS WE MARCHED DOWN THERE I WAS PRETTY WELL TOWARDS THE FRONT END AS WE</p>	<p>FROM THE WAGONS AT THE TIME THEY STARTED FROM CAMP WE WAS COUPLE OF HUNDRED YARDS AND</p> <p>THEY PASSED MAYBE WITHIN 50 YARDS PASSED [space]</p> <p>I COULD NOT SAY CERTAIN ABOUT HOW THEY WAS THEY WAS NOT VERY FAR OFF NONE OF THE TIME [space]</p> <p>WHERE WERE YOU IN THE RANKS AT THE TIME OF THE FIRING PRETTY WELL TO THE BACK END</p> <p>THAT WAS THE NORTH WEST END NO WE MARCHED DOWN THERE I WAS PRETTY WELL TOWARDS THE FRONT END AS WE</p>
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**RT**

**RS**

**BT**

**PS**

<p>WENT DOWN, AS THEY WENT BACK WE GOT IN</p> <p>TOWARDS THE REAR. Q. THAT WAS HEAREST TO THE CAMP ? A. YES SIR. Q. WAS NOT SMITH IN THE RANKS CLOSE TO YOU ? A. I DON'T RECOLLECT WHETHER HE WAS CLOSE TO ME OR NOT. I RECOLLECT OF SEEING HIM THERE ON OR ABOUT THE TIME WE WAS WAITING FOR THEM TO COME OUT.</p> <p>Q. WAS HE ARMED ? A. I COULD NOT SAY AS TO THAT. [185] Q. WERE YOU ALONG AND ARMED SIR ? A. I HAD NO GUN. I TOLD MR. HIGBEE I HAD NO GUN; HE SAYS NO DIFFERENCE, I WANT YOU TO GO ALONG WITH THE BAGGAGE</p>	<p>WENT DOWN. AS THEY WENT BACK GOT IN</p> <p>TOWARDS THE REAR, {Q}P THAT WAS {THE}P NEAREST TO THE CAMP {A}P YES SIR Q WAS NOT SMITH IN THE RANKS CLOSE TO YOU {A}P I DON'T RECOLLECT WHETHER HE WAS CLOSE TO ME OR NOT. I RECOLLECT OF SEEING HIM THERE ON ABOUT {THE}P TIME WE WAS WAITING FOR THEM COME OUT</p> <p>Q WAS HE ARMED {A}P I COULD NOT SAY AS TO THAT Q WERE YOU</p> <p>NO SIR {A}P I HAD NO GUN. I TOLD MR. HIGBEE I HAD NO GUN. HE SAYS NO DIFFERENCE A I WANT YOU GO ALONG WITH BAGGAGE</p>	<p>MARCHED DOWN, ANS WE CAME BACK IT BROUGHT ME PRETTY WELL TOWARDS THE REAR. Q. THAT WAS NEARER TO THE CAMP? A. YES, SIR. Q. WAS NOT SMITH IN THE RANKS CLOSE TO YOU? A. I DON'T RECOLLECT WHETHER HE WAS CLOSE TO ME OR NOT; I RECOLLECT OF SEEING HIM THERE ABOUT THE TIME THAT WE WAS WAITING FOR THEM TO COME OUT.</p> <p>Q. WAS HE ARMED? A. I COULD NOT SAY AS TO THAT. Q. Q. WERE YOU ALONG, SIR? A. <b>A. NO SIR;</b> I HAD NO GUN. I TOLD MR. HIGBEE I HAD NO GUN; HE SAID IT WAS NO DIFFERENCE HE WANTED ME TO GO ALONG WITH THE BAGGAGE</p>	<p>MARCHED DOWN AS WE CAME BACK BROUGHT ME PRETTY WELL TOWARDS THE REAR</p> <p>NEAREST TO THE CAMP YES SIR WAS NOT SMITH IN THE RANKS CLOSE TO YOU I DON'T RECOLLECT</p> <p>I RECOLLECT OF SEEING HIM THERE ABOUT THE TIME WE WAS WAITING FOR THEM TO COME OUT [space] I DON'T WAS HE [space] ARMED I COULD NOT SAY AS TO [space] WERE YOU</p> <p>NO SIR I HAD NO GUN I TOLD MR. HIGBEE I HAD NO GUN HE SAID IT WAS NO DIFFERENCE HE WANTED ME TO GO ALONG WITH THE BAGGAGE</p>
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**RT**

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**PS**

<p>TRAIN. IT WAS AT THAT TIME I TOLD HIM. HE SAYS GO IN THE RANKS ANYWAY. Q. WHEN YOU MARCHED DOWN TO THE CAMP WERE YOU STATIONED IN A STRAIGHT COLUMN ? A. YES SIR. Q. AFTER YOU HAD BEEN MARCHED OUT IN THE HOLLOW SQUARE BY ANYBODY</p>	<p>TRAIN. {IT WAS}<sup>P</sup> AT THAT TIME I TOLD HIM HE SAYS, GO IN THE RANKS ANYWAY {Q}<sup>P</sup> WHEN YOU MARCHED DOWN TO THE CAMP WERE YOU STATIONED IN STRAIGHT COLUMN<sub>A</sub> YES SIR <sup>[/8]/</sup> {*}<sup>P</sup> WERE YOU AT ANY TIME MARCHED OUT IN HOLLOW SQUARE BY ANYBODY,</p>	<p>WAGON; AT THAT TIME I TOLD HIM I HAD NONE; HE <del>DA</del> SAID MARCH DOWN, IT DON'T MAKE ANY DIFFERENCE. Q. WHEN YOU MARCHED DOWN TO THE CAMP WERE YOU STATIONED IN A STRAIGHT COLUMN? A. YES, SIR. Q. WERE YOU AT ONE TIME MARCHED OUT INTO A HOLLOW SQUARE?? A. NOT THAT I RECOLLECT OF.</p>	<p>WAGON AT THAT TIME I TOLD HIM I HAD NONE HE SAID MARCH DOWN IT DON'T MAKE ANY DIFFERENCE WHEN YOU MARCHED DOWN TO THE CAMP WERE YOU STATIONED IN A STRAIGHT COLUMN YES SIR WERE YOU AT ANY TIME MARCHED OUT INTO A HOLLOW SQUARE NOT THAT I RECOLLECT OF</p>
<p>DID LEE COMMUNICATE WITH THE RANKS AT ALL IN ANY MANNER ? A. NOT WHEN I WAS WITH THEM. Q. YOU WERE WITH THE RANKS ALL THE TIME; DID LEE ADDRESS THE COMPANY A. NO SIR. Q. HE GAVE NO COMMANDS TO IT ? A. NOT TO MY</p>	<p>DID LEE COMMUNICATE WITH RANKS AT ALL IN PUBLIC MANNER {A}<sup>P</sup> NOT WHEN I WAS WITH THEM. Q YOU WERE WITH RANKS ALL THE TIME, DID LEE ADDRESS THE COMPANY {A}<sup>P</sup> NO SIR <del>NO</del> Q GAVE ANY COMMANDS TO IT {A NOT}<sup>P</sup> TO MY</p>	<p>.Q . DID LEE COMMUNICATE WITH THE RANKS AT ALL IN ANY PUBLIC MANNER? A. NOT WHILE I WAS WITH THEM. Q. YOU WERE WITH THE RANKS ALL THE TIME? A. YES, SIR. Q. DID LEE ADDRESS THE COMPANY? A. NO, SIR. Q. GIVE ANY COMMANDS TO YOUR</p>	<p>DID LEE COMMUNICATE WITH THE RANKS <i>AT ALL</i>[?] IN A PUBLIC MANNER NOT WHILE I WAS WITH THEM YOU WERE WITH THEM ALL THE TIME YES SIR DID LEE ADDRESS THE COMPANY NO SIR GIVE ANY COMMANDS TO YOUR</p>

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<p>KNOWLEDGE, NONE TO MY RECOLLECTION. Q. YOU DIDN'T SEE HIM AFTER THE EMIGRANTS MARCHED OUT OF THE CAMP A. THEY CAME OUT WITH HIM, AND <del>THEY</del> ≤HE≥ PASSED BY WHERE I WAS WITH THEM. WE WAITED THERE TILL THE REAR OF THEM CAME OUT THEN WE MARCHED ALONG. SUTHERLAND ASKED THE COURT FOR RECESS TO GIVE WITNESS TIME TO PREPARE THE DIAGRAM WHICH HE HAD PREVIOUSLY REQUESTED. RECESS UNTIL TWO O'CLOCK P.M.  TWO O'CLOCK P.M. JULY 26TH 1875. COURT MET PURSUANT TO ADJOURNMENT.</p>	<p>KNOWLEDGE NONE TO MY RECOLLECTION Q YOU DIDN'T SEE HIM AFTER EMIGRANT MARCHED OUT OF CAMP {A}P THEY CAME OUT WITH HIM[?] OUT THERE HAD PASSED BY WHERE I WAS WITH THEM, WE WAITED THERE UNTIL {THE}P REAR OF THEM CAME OUT, THEN WE MARCHED ALONG. IF YOUR HONOR PLEASE I WOULD LIKE NOW TO GET WITNESS TO PREPARE THAT DIAGRAM IT IS NOW TIME TO TAKE RECESS [space] TAKE RECESS THEN UNTIL TWO O'CLOCK. [space] <b>MONDAY</b> <b>JULY 26/75</b> <b>230 PM.</b></p>	<p>KNOWLEDGE? A. NONE TO MY RECOLLECTION. Q. AND YOU DIDN'T SEE HIM AFTER THE EMIGRANTS <del>OF</del> <del>CAMP</del> MARCHED OUT OF CAMP? A. WHEN THEY CAME OUT, WE MET OUT THERE AND ALL PASSED BY WHERE I WAS;  WE WAITED THERE TILL THE REAR OF THEM CAME UP AND THEN WE MARCHED WITH THEM..  RECESS TILL TWO O'CLOCK.  [20] MONDAY JULY 26TH, 1875 ,2:30 P.M.</p>	<p>KNOWLEDGE NONE TO MY RECOLLECTION [[11]] AND YOU DIDN'T SEE HIM AFTER THE EMIGRANT MARCHED OUT OF CAMP FOR THEY CAME THEY WITH HIM AT THEIR HEADS AND LAST THAT I RECALL SEEING THEM WE WAITED THERE UNTIL THE REAR OF THEM CAME UP AND THEN WE MARCHED ALONG. [space]  RECESS UNTIL HALF PAST 2 [space]</p>
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<p>CROSS-EXAMINATION OF JOEL WHITE RESUMED.</p> <p>Q. DID YOU PREPARE THE DIAGRAM ? A. ONLY THE OUTLINES OF ONE.</p> <p>[186] WITNESS</p>	<p>CLERK READ NAMES OF JURORS ALL PRESENT. [space]</p> <p><b>JOEL WHITE</b> RESUMED HIS TESTIMONY. BY SUTHERLAND {Q} DID YOU PREPARE A DIAGRAM A ONLY THE OUTLINES OF ONE LET ME SEE IT.</p> <p>SUTHERLAND WENT UP TO WITNESS AND EXAMINED IT</p>	<p>CROSS EXAMINATION OF JOEL WHITE CONTINUED BY MR. SUTHERLAND.. Q. DID YOU PEREPARE A DIAGRAM? A. KIND OF AN OUTLINE OF ONE. Q. LET ME SEE IT?</p> <p>(WITNESS PRESENTS DIAGRAM TO MER/ SUTHERLAND.) Q. EXPLAIN THIS MAP?</p> <p>A. THERE IS NO EXPLENATION MUCH. (MR. SUTHERLAND AND MR. BASKIN HERE WEXAMINED THE MAP PREPARED BY THE WITNESS</p>	<p>⌞CROSS EXAMINATION⌟</p> <p>CONTINUED BY SUTHERLAND DID YOU PREPARE A DIAGRAM KIND OF AN OUTLINE OF ONE A LITTLE [space] LET'S SEE IT [space] WITNESS PRESENTS DIAGRAM SUTHERLAND EXPLAINS MAP ⌞(WITNESS)⌟ THERE IS NOT KS/KST[?] MUCH DIFFERENCE BETWEEN THEM[?] PARALLEL TO THE OTHERS [space]</p>
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<p>PRESENTED TO COUNSEL DIAGRAM SHOWING THE LOCALITY OF HAMBLINS RANCH, THE SUMMIT BETWEEN THE MEADOWS, LOCATION OF THE EMIGRANTS CAMP AND THE SPRING, AND WHERE THE WAGONS WERE PLACED. DIAGRAM EXAMINED BY PROSECUTION.</p> <p>Q. DID YOU PREPARE THIS DIAGRAM ? A.</p> <p>YES SIR. Q. DID YOU HAVE ANY ASSISTANCE IN PREPARING IT ? A. NO SIR, NOTHING MORE THAN I GOT A GENTLEMAN TO WRITE DOWN A</p>	<p>DESCRIBING WHERE HAMBLIN’S RANCH WAS SUMMIT IN THE VALLEYS</p> <p>LOCALITY OF THE EMIGRANTS CAMP SPRING WHERE THE WAGONS WERE ETC. IT WAS ALSO EXAMINED BY BASKIN SUTHERLAND REMARKED THIS IS NOT <i>EXACTLY</i> <i>WROTE</i>[?] SUTHERLAND I WILL KEEP THIS DIAGRAM. WHEDON ALLOW ME TO SEE IT. QBY SUTHERLAND DID YOU PREPARE THIS DIAGRAM {A}P THAT ONE YES SIR. QDID YOU HAVE ANY ASSISTANCE IN IT ANO SIR NOTHING MORE THAN I GOT GENTLEMAN WRITE DOWN</p>	<p>AND HAD THE WITNESS POINT OUT THE DIFFERENT PLACES—</p> <p>WHERE THE EMIGRANTS CAMP AWAS,</p> <p>WHERE THE WAGONS WERE, AND THE INDIANS AND WHERE THE ROAD WAS.)</p> <p>Q. DID YOU PREPARE THIS DIAGRAM? A. THAT ONE, YES, SIR/ Q. DID YOU HAVE ANY ASSISTANCE IN IT? A. NO, SIR, NOTHING MORE THAN I GOT A GENTLEMAN TO WRITE DOWN</p>	<p>DID YOU PREPARE THIS DIAGRAM</p> <p>YES SIR DID YOU HAVE ANY ASSISTANCE IN IT NO SIR NOTHING MORE THAN I GOT A GENTLEMAN TO WRITE DOWN</p>
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**RT**

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**PS**

<p>FEW WORDS. Q. WAS THERE ANY PERSON TO MAKE A SUGGESTION TO YOU ? A. NO SIR, SMITH WAS</p>	<p>FEW WORDS Q WAS THERE ANY PERSON TO MAKE SUGGESTION TO YOU {A}PNO SIR SMITH WAS</p>	<p>THREE OR FOUR WORDS FOR ME . Q. WAS THERE ANY PERSON PRESENT TO MAKE SUGGESTIONS FOR YOU? A. NO, SIR. Q- MR. SMIGTH WAS PRESEN;T ;,</p>	<p>3 OR FOUR WORDS FOR ME [space] WAS THERE ANY PERSON PRESENT TO MAKE SUGGESTIONS FOR YOU NO SIR MR. SMITH WAS PRESENT</p>
<p>MAKING ONE AND I LOOKED OVER HIS. I GOT ONE MORE COMPLETE THAN THAT. Q. DID YOU STATE IN YOUR EXAMINATION</p>	<p>MAKING ONE AND I LOOKED OVER HIS AND MADE ONE MORE COMPLETE THAN THAT Q DID YOU STATE IN YOUR EXAMINATION</p>	<p><del>MAKING ONE</del> AND I LOOKED OVER <del>MY</del> AND WANTED ONE MORE COMPLETE THAN THAT.. Q. DIDN'T YOU STATE IN YOUR EXAMINATION</p>	<p>AND MADE ONE MORE COMPLETE [space] DIDN'T YOU STATE IN YOUR EXAMINATION</p>
<p>THE EMIGRANTS FOLLOWED IMMEDIATELY BEHIND THE WAGONS, BEHIND, VERY NEAR ON THE SAME TRACK, BUT THE WAGONS</p>	<p>EMIGRANTS FOLLOWED IMMEDIATELY BEHIND WAGONS BEHIND VERY NEAR ON SAME TRACK  WAGONS</p>	<p>IN THE FORENOON THAT THE EMIGRANTS FOLLOWED IMMEDIATELY BEHIND IN THE SAME TRACK? A. VERY NEAR IN THE SAME TRACK; THE <b>WAGONS</b></p>	<p>THIS FORENOON THAT THE EMIGRANTS FOLLOWED IMMEDIATELY BEHIND ON THE SAME TRACK VERY NEAR THE SAME TRACK [space] THE</p>
<p>DIDN'T COME IN THE ROAD SOMETIMES BUT THE EMIGRANTS DID ? A. I SAID I FOLLOWED BEHIND THE WAGONS. Q.</p>	<p>DIDN'T COME IN THE ROAD SAME TIME EMIGRANTS DID {A}P I SAID I FOLLOWED BEHIND {THE}P WAGONS Q</p>	<p><del>EMIGRANTS</del> DIDN'T GO INTO THE ROAD SOMETIMES, THE EMIGRANTS DID.? A. I SAID I FOLLOWED BEHIND THE WAGONS. Q.</p>	<p>EMIGRANTS DIDN'T COME IN  BECAUSE AS SOON AS [space]</p>



**RT**

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<p>I ASK YOU IF THEY FOLLOWED THE SAME TRACK AND YOU SAID YES ?</p> <p>A. I DON'T RECOLLECT WHETHER I SAID YES OR NOT. IT IS PRETTY HARD TO SEE MEN STANDING OFF</p> <p>AT A DISTANCE.</p> <p>WHETHER THEY FOLLOWED IN THE SAME TRACK OR NOT, BUT THE WAGONS DIDN'T COME IN THE ROAD THE SAME TIME AS THE EMIGRANTS DID.</p> <p>Q. HOW MUCH SPACE WAS THERE BETWEEN THE GROUND AND THE TRACK OF THE WAGONS WHEN THE EMIGRANTS PASSED ? WIT.: I WANT IT UNDERSTOOD</p>	<p>I ASKED YOU IF THEY FOLLOWED THE SAME TRACK AND YOU SAID YES</p> <p>A<sub>A</sub>≠I DON'T≠ RECOLLECT WHETHER I SAID YES OR NOT. {IT IS}<sub>P</sub> PRETTY HARD TO SEE MEN STANDING OFF</p> <p>AT {A}<sub>P</sub> DISTANCE {SEE}<sub>P</sub> WHETHER THEY FOLLOWED IN THE SAME TRACK OR NOT</p> <p>WAGONS DIDN'T COME IN THE ROAD THE SAME TIME AS THEY DID</p> <p>Q<sub>Q</sub>HOW MUCH SPACE WAS THERE BETWEEN THE CROWD AND THE TRACK OF THE WAGONS WHEN EMIGRANTS PASSED A<sub>A</sub>I WANT IT UNDERSTOOD</p>	<p>I ASKED YOU IF YOU FOLLOWED IN THE SAME TRACK AND YOU SAID , YES", DID YOU NOT?</p> <p>A. I DON'T RECOLLECT <b>WHETHER I SAID SO OR NOT.</b> IT WOULD BE PRETTY HARD FOR A MAN TO <del>SAY TO</del> STAND OFF</p> <p>AT A SDISTANCE AND SEE WHETHER THEY FOLLOWED IN THE SAME TRACK OR NOT. THE WAGONS DIDN'T COME INTO THE TRACK AS SOON AS <del>THE</del> THEY DID——</p> <p>—Q. HOW MUCH SPACE WAS <del>WAS</del> THERE BETWEEN THE CROWD AND THE TRACK OF THE WAGONS WHEN THE EMIGRANTS <del>PS</del>ASSED? A. I WANT IT UNDERSTOOD THAT I SAID I <del>DIDN'T</del></p>	<p>I ASKED YOU IF THEY FOLLOWED IN THE SAME TRACK AND YOU SAID YES DID YOU NOT I DON'T RECOLLECT</p> <p>IT WOULD BE PRETTY HARD FOR A MAN TO SEE A TEAM GOING ON AND FOLLOWING AT SOME DISTANCE THEY [space] TO SEE</p> <p>THE WAGONS DIDN'T COME INTO THE ROAD KS[?] AS SOON AS THEY DID [space]</p> <p>HOW MUCH SPACE WAS THERE BETWEEN THEM [space]</p> <p>I WANT IT UNDERSTOOD THAT I SAID</p>
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**RT**

**RS**

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**PS**

<p>AT THE TIME, I DIDN'T SUPPOSE I COULD MARK OUT A DIAGRAM VERY CORRECT</p> <p>AS IT IS A LONG TIME AGO.</p> <p><i>[187]</i> Q. HOW MUCH OF A SPACE WAS THERE ON THE GROUND BETWEEN THE TRACK OF THE WAGONS WHERE THEY WENT OUT AND WHERE THE EMIGRANTS MARCHED OUT ? A. IT WAS NOT A GREAT DEAL, THOUGH I COULD NOT TELL EXACTLY. THE WAGONS STARTED OUT AND DROVE</p> <p>RIGHT ALONG. WE WAS ON THE OTHER SIDE OF THE ROAD. THEY</p>	<p>AT THE TIME I DIDN'T SUPPOSE I COULD MARK OUT A DIAGRAM</p> <p>FROM REMEMBRANCE AS IT IS LONG TIME AGO. [<i>space</i>]</p> <p>{HOW MUCH OF A}<sup>p</sup> HOW MUCH SPACE WAS THERE ON THE GROUND BETWEEN TRACK OF THE WAGONS ▲WHERE THEY WENT OUT AND WHERE THE EMIGRANTS MARCHED OUT ▲IT WAS NOT GREAT DEAL THOUGH I COULD NOT TELL ≪EXACTLY≫. <i>[19]</i> WAGONS STARTED OUT DROVE {DRIVING}<sup>p</sup></p> <p>RIGHT ALONG. WE WAS ON THE OTHER SIDE OF THE ROAD.</p>	<p><del>S</del>UPPOSE AT THE TIME, THAT I DIDN'T SUPPOSE THAT I COULD MAKE OUT A DIAGRAM PERFECTLY CORRECT; IT WAS ONLY FROM <sup>[21]</sup> REMEMBERENC E AS IT IS A LONG TIME AGO. I D IDN'T MAKE IT OUT — I SUPPOSED I COULD ————— Q. HOW MUCH SPACE WAS THERE ON THE GROUND BETWEEN THE TRACK OF THE WAGON WHERE THEY WENT OUT AND WHERE THE EMIGRANTS MARCHED OUT? A. IT WAS NOT A GREAT DEAL; I COULD NOT TELL EXACTLY; THE WAFGONS STARTED OUT AND DROVE</p> <p>RIGHT ALONG; WE WAS ON THE OTHER SIDE OF THE ROAD;</p>	<p>AT THE TIME THAT I DIDN'T SUPPOSE THAT I COULD MAKE OUT A DIAGRAM PERFECTLY CORRECT IT WAS ONLY FROM REMEMBRANCE SOME TIME AGO I WOULD MAKE IT OUT THE BEST I COULD [<i>space</i>] HOW MUCH SPACE WAS THERE ON THE GROUND BETWEEN THE TRACK OF THE WAGON WHERE THEY WENT OUT AND WHERE THE EMIGRANTS MARCHED <i>[112]</i> OUT IT WAS NOT A GREAT DEAL I COULD NOT TELL EXACTLY THE WAGONS STARTED AND OUT WITH THOSE BEHIND</p> <p>WE WAS ON OTHER SIDE OF THE ROAD AND</p>
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RT	RS	BT	PS
<p>TURNUED IN IN THE OTHER SIDE OF THE ROAD. THERE WAS SOME SPACE, BUT HOW MUCH SPACE, THIS MORNING,</p> <p>I CAN'T TELL. Q. YOU CAN TELL WHETHER IT IS ONE ROD OR TEN ? A. AS NEAR AS I CAN RECOLLECT IT MIGHT HAVE BEEN A LITTLE FURTHER; IT HAS BEEN A LONG TIME SINCE AND</p> <p>IT HAS SLIPPED MY MEMORY. Q. DID ANYBODY SUGGEST TO YOU HOW TO MAKE THIS DIAGRAM ? A. NO</p>	<p>THEY TURNED {AND}<sup>P</sup> IN TURNED OTHER {SIDE OF THE}<sup>P</sup> ROAD. THERE WAS SOME SPACE {BUT}<sup>P</sup> HOW MUCH SPACE</p> <p>THAT IS MORE THAN I CAN TELL Q YOU CAN'T TELL WHETHER IT IS A {ONE}<sup>P</sup> ROD OR TEN {A}<sup>P</sup> AS NEAR AS I CAN RECOLLECT MIGHT HAVE BEEN LITTLE FURTHER IT HAS BEEN LONG TIME SINCE</p> <p>{AND IT HAS}<sup>P</sup> SLIPPED MY MEMORY Q DID ANYBODY SUGGEST TO YOU {HOW TO MAKE}<sup>P</sup> THIS DIAGRAM A {NO</p>	<p>THEY TURNED IN TOWARD THE OTHER SIDE OF THE ROAD:. THERE WAS SOME SPACE</p> <p>BETWEEHN THE ROAD AND THE WAGONS AND THE EMIGRANTS BUT HOW MUCH THAT WAS IS MORE THAN I CAN TELL. Q. YOU CANNOT TELL WHETHER THERE WAS ONE ROD OR TEN? A. NO, SIR,</p> <p>IT MIGHT HAVE BEEN A LITTLE FARTHER <del>EXISTACN</del> <b>EITHER</b> <del>DISTANCE WAY</del>; IT WAS PRETTY CLOSE —</p> <p>IT HAS SLIPPED MY MEMORY.. Q. HAD ANY BODY SUGGESTED TO YOU WHEN YOU DREW THIS DIAGRAM,</p>	<p>FELL IN THE WAGONS <i>TOOK</i>[?] A LITTLE WHILE <i>STAYED/START</i>[?] IN [<i>space</i>]</p> <p>HOW MUCH SPACE BETWEEN THE ROUTE OF THE WAGONS AND THE EMIGRANTS</p> <p>THAT IS MORE THAN I CAN TELL YOU CANNOT TELL WHETHER IT WAS ONE ROD OR 10 NO SIR</p> <p>IT WAS SIMPLY A LITTLE DISTANCE</p> <p>IT WAS PRETTY CLOSE MIGHT HAVE BEEN LITTLE FARTHER THINGS HAVE SLIPPED MY MEMORY [<i>space</i>] DID ANYBODY SUGGEST TO YOU WHEN YOU DREW THIS DIAGRAM</p>

**RT**

**RS**

**BT**

**PS**

<p>SIR. Q. THAT DAY YOU FOLLOWED EACH OTHER IMMEDIATELY — WHERE WERE THE WAGONS ?  A. NO  SIR, I NEVER THOUGHT OF THE WAGONS TILL I CAME IN HERE, JUST NOW, BUT AS NEAR AS I CAN RECOLLECT THE WAGONS WENT A LITTLE FURTHER UP.  Q. YOU SAY YOU DIDN'T HAVE ANY GUN AT ALL ? A. NO  SIR. Q. NOT ON THAT TRIP ? A. NO  SIR. Q. YOU DODN'T CARRY ANY GUN ?  A. NO  SIR, I DIDN'T USE ANY GUN WHILE I WAS THERE.  Q. AND YOU DON'T KNOW HOW MANY OF THE PARTY HAD THERE GUNS OR NOT ?  A. NO SIR, THE GUNS AND PISTOLS THEM</p>	<p>SIR}<sup>P</sup> THAT DAY {YOU}<sup>P</sup> DID NOT FOLLOW EACH OTHER IMMEDIATELY {WERE THE WAGONS THERE? }<sup>P</sup>NO  SIR I NEVER THOUGHT OF THE WAGONS UNTIL I CAME IN HERE, JUST NOW BUT AS NEAR AS I CAN RECOLLECT WAGON WENT LITTLE FURTHER UP  <sub>Q</sub>YOU SAY YOU DIDN'T HAVE ANY GUN AT ALL <sub>A</sub>NO  SIR <sub>Q</sub> ON THAT TRIP <sub>A</sub>  NO SIR DIDN'T CARRY ANY GUN  <sub>A</sub>NO  SIR; DIDN'T USE ANY GUN WHILE I WAS THERE  <sub>Q</sub>  HOW MANY OF THE PARTY HAD ANY {OF}<sup>P</sup> THEIR GUNS OR NOT  {<sub>A</sub> GUNS AND}<sup>P</sup>  PISTOLS THEM</p>	<p>THAT THEY DIDN'T FOLLOW EACH OTHER IMMEDIATELY?    A. NO,  SIR; I NEVER THOUGHT OF THE WAGONS AT ALL UNTIL I CAME IN HERE..    AS NEAR AS I CAN RECOLLECT THE WAGONS WENT A LITTLE FARTHER UP.  Q. YOU SAY YOU DIDN'T HAVE ANY GUN AT ALL OUT THERE ON THAT TRIP? A.  NO, SIR/ Q.  DIDN'T CA<sub>F</sub>RRY ANY GUN FROM HOME? A. NO,  SIR.. Q. DIDN'T USE ANY GUN W HILE THERE EITHER?  A. NO, SIR. Q.    HOW MANY OF THE PARTY WERE THERE THAT HAD GUNS?</p>	<p>THAT THEY DIDN'T FOLLOW EACH OTHER IMMEDIATELY    NO  SIR I NEVER THOUGHT OF THE DIAGRAM IT JUST STRUCK MY MIND THAT    THE WAGONS WENT A LITTLE FARTHER ON UP  [space] YOU SAY YOU DIDN'T HAVE ANY GUN AT ALL ON THAT TRIP  NO SIR  DIDN'T CARRY ANY GUN FROM HOME NO  SIR DIDN'T USE ANY GUN WHILE THERE YOU WAS NO SIR    HOW MANY OF THE PARTY WERE <del>FURNISHED</del>[?] WITHOUT GUNS</p>
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**RT**

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**PS**

<p>DAYS WAS VERY SCARCE, I DON'T KNOW WHETHER THEY HAD GUNS OR NOT.</p>	<p>DAYS WAS VERY SCARCE I DON'T KNOW WHETHER THEY HAD GUNS OR NOT</p>	<p>A. I DON'T KNOW WHETHER THERE WAS ANY OR NOT.</p>	<p>I DON'T KNOW WHETHER THERE WAS ANY OTHERS OR NOT [space]</p>
<p>PISTOLS IN THEM DAYS WAS VERY SCARCE, AND GUNS WAS TOLERABLE</p>	<p>PISTOLS IN THEM DAYS WAS VERY SCARCE, AND GUNS WAS TOLERABLE</p>	<p>PISTOLS IN THEM DAYS WAS VERY SCARCE, AND GUNS WAS TOLERABLE</p>	<p>PISTOLS IN THAT DAYS WAS VERY SCARCE AND GUNS WAS TOLERABLY</p>
<p>SCARCE; MINE HAD GOT BROKE.</p>	<p>SCARCE; MINE HAD GOT BROKE.</p>	<p>SCARCE; MINE HAD GOT BROKE.</p>	<p>SCARCE MINE HAD GOT BROKE [space]</p>
<p>Q. DIDN'T YOU DURING THIS RECESS</p>	<p>Q. DIDN'T YOU DURING THIS RECESS</p>	<p>Q. DIDN'T YOU DURING THIS RECESS</p>	<p>DIDN'T YOU DURING THIS RECESS</p>
<p>DECLINE TO HAVE ANY INTERVIEW</p>	<p>DECLINE TO HAVE ANY INTERVIEW</p>	<p>DECLINE TO HAVE ANY INTERVIEW</p>	<p>DECLINE TO HAVE ANY INTERVIEW</p>
<p>WITH THE DEFENDANT'S ATTORNEYS</p>	<p>WITH THE DEFENDANT'S ATTORNEYS</p>	<p>WITH THE DEFENDANT'S ATTORNEYS</p>	<p>WITH THE DEFENDANT ATTORNEYS</p>
<p>WITHOUT BILL HICKMAN'S CONSENT ? A. I TOLD THEM</p>	<p>WITHOUT BILL HICKMAN'S CONSENT {A}P I TOLD THEM</p>	<p>WITHOUT BILL HICKMAN'S CONSENT. A. I TOLD THEM</p>	<p>WITHOUT BILL HICKMAN'S CONSENT I SAID</p>
<p>MR. HICKMAN BROUGHT ME HERE; I AM IN HIS HANDS,</p>	<p>MR. HICKMAN BROUGHT ME HERE. I AM}P IN HIS HANDS,</p>	<p>I WAM IN THE HANDS OF MR. HICKAMAN; HE BROUGHT ME</p>	<p>I AM IN THE HANDS OF MR. HICKMAN HE BROUGHT ME</p>
<p>HERE, BUT I SAID I WILL HAVE HIM SEE YOU, AND IF HE SAID IT WAS ALL RIGHT I WILL GO.</p>	<p>HERE, BUT I SAID I WILL HAVE HIM SEE YOU, AND IF HE SAID IT WAS ALL RIGHT I WILL GO.</p>	<p>HERE, BUT I SAID I WILL HAVE HIM SEE YOU, AND IF HE SAID IT WAS ALL RIGHT I WILL GO.</p>	<p>HERE AND I SAID I WILL HAVE HIM SEE YOU IF HE SAID IT WAS ALL RIGHT I WILL GO AND</p>
<p>WANTED[?] MEET YOU HE ADVISED ME</p>	<p>WANTED[?] MEET YOU HE ADVISED ME</p>	<p>WANTED[?] MEET YOU HE ADVISED ME</p>	<p>WANTED[?] MEET YOU HE ADVISED ME</p>
<p>I WILL HAVE HIM SEE YOU, AND ARRANGE TO MEET YOU; HE ADVISED ME</p>	<p>I WILL HAVE HIM SEE YOU AND WANTED[?] MEET YOU HE ADVISED ME</p>	<p>I WILL HAVE HIM SEE YOU, AND IF HE SAID IT WAS ALL RIGHT I WILL GO.</p>	<p>I WILL HAVE HIM SEE YOU IF HE SAID IT WAS ALL RIGHT I WILL GO AND</p>

**RT**

**RS**

**BT**

**PS**

<p>NOT TO GO. HE SAID I HAD BETTER NOT GO.</p>	<p>NOT TO GO HE SAID I HAD BETTER NOT GO</p>	<p>HE SAID I HAD BETTER NOT GO; HE SAID HE WAS THE MARSHAL AND A AND I HAD BETTER NOT GO .</p>	<p>[space] HE SAID I HAD BETTER NOT GO HE SAID HE WAS THE MARSHAL AND I HAD BETTER NOT GO</p>
<p>SUTHERLAND:  WE DESIRE TO MAKE HIM OUR OWN WITNESS. PROSECUTION ASSENTED AFTER WE GET THROUGH WITH HIM.</p>	<p><u>SUTHERLAND</u> IF THE COURT PLEASE WE DESIRE TO MAKE HIM OUR OWN WITNESS. BY BASKIN AFTER WE GET THROUGH WITH HIM. [space]</p>	<p>BY MR. SUTHERLAND: IFF THE COURT PLEASE, WE DESIRE TO MAHE HIM OUR OWN WITNESS. AND</p>	<p>[space] SUTHERLAND</p>
<p></p>	<p>{WE}<sup>P</sup> WANT TO HAVE THE BENEFIT OF HIS TESTIMONY WE DESIRE  GOVERNMENT OFFICERS SHOULD THROW NO IMPEDIMENTS AS FAR AS WHAT HE KNOWS THAT SHALL BE FOR OUR BENEFIT</p>	<p>WE DESIRE THAT THE GOVERMENT OFFICERS THROW M NO IMPEDIMENT IN THE WAY.</p>	<p>WE WANT TO HAVE THE BENEFIT OF HIS TESTIMONY WE DESIRE THAT THE GOVERNMENT OFFICERS LET NO IMPEDIMENTS IN THE WAY OF OUR [space]</p>
<p>COURT:</p>	<p><u>BY COURT</u></p>	<p>[22] BY COURT : I DON'T SUPPOSE THE OFFICERS WILL DO ANYTHING OF THAT KIND. MY IMPRESSION I S THAT THE IS</p>	<p>&lt;COURT&gt; I DON'T SUPPOSE THE OFFICERS WILL DO ANYTHING OF THAT KIND MY IMPRESSION IS THAT HE IS</p>
<p>MY IMPRESSION IS HE IS</p>	<p>MY IMPRESSION IS HE IS</p>	<p></p>	<p></p>

**RT**

**RS**

**BT**

**PS**

<p>UNDER ATTACHMENT. SUTHERLAND: WERE YOU UNDER ATTACHMENT OR ARREST WHEN YOU CAME HERE ? A. I DON'T KNOW, I BELIEVE IT IS AN ATTACHMENT HE READ TO ME.</p> <p>Q. HAD YOU BEEN SUBPOENAED BEFORE YOU WERE ASKED TO COME BY HICKMAN ? A. NO SIR, THAT WAS THE FIRST. Q. SO <del>THAT</del> IF YOU WERE ATTACHED THAT IS THE FIRST SUMMONS TO APPEAR HERE ?AS A WITNESS ? A. YES SIR, IT IS SOMETHING I DON'T UNDERSTAND</p>	<p>UNDER ATTACHMENT {Q}P WERE YOU UNDER ATTACHMENT OR ARREST WHEN YOU CAME HERE {A}P I DON'T KNOW I BELIEVE IT IS AN ATTACHMENT HE READ TO ME</p> <p>{Q}P HAD YOU BEEN SUBPOENAED BEFORE YOU WERE ASKED TO COME BY HICKMAN A NO SIR THAT WAS THE FIRST QSO IF YOU WERE ATTACHED THAT IS THE FIRST SUMMONS TO APPEAR HERE WITNESS {A}IT IS}P SOMETHING I DON'T UNDERSTAND</p>	<p>UNDER <del>BONDS</del> ATTACHMENT. Q. WERE YOU UNDER ATTACHMENT AND ARRESTED WHEN YOU CAME HERE? A. I DON'T KNOW, I BELIEVE IT WAS AN ATTACHMENT THAT HE READ TO ME.. I DON'T KNOW OF ANY RESTRICTIONS. Q. HAD YOU BEEN SUBPOENAED BEFORE YOU WERE ASKED TO COME HERE BY MR. HICKMAN A. NO, SIR, THAT WAS THE FIRST.. Q. SO THAT IF YOU WERE ATTACHED THAT WAS THE FIRST SUMMONS TO BRING YOU HERE AS A WITNESS? A. YES, SIR. BY THE COURT:</p> <p>I DESIRE TO STATE TO THE OFFICERS THAT THEY MUST NOT</p>	<p>UNDER ATTACHMENT [space] WERE YOU UNDER ATTACHMENT OR ARREST WHEN YOU CAME <sup>[[13]]</sup> I REMEMBER[?] I BELIEVE IT WAS AN ATTACHMENT THAT HE READ TO ME I WAS NOT PUT UNDER ANY RESTRICTIONS HAD YOU BEEN SUBPOENAED BEFORE YOU WERE ASKED TO COME BY HICKMAN [space]</p> <p>SO THAT IF YOU WERE ATTACHED THAT WAS THE FIRST SUMMONS TO APPEAR HERE AS WITNESS YES SIR [space] COURT THE OBJECTION</p> <p>OFFICERS LET IS</p>
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**RT**

**RS**

**BT**

**PS**

<p>Q. MR. WHITE I WILL ASK YOU NO FURTHER QUESTIONS NOW BUT YOU WILL CONTINUE IN ATTENDANCE AFTER THE COURT ADJOURNS, WHEN WE SHALL WISH TO INTERVIEW YOU TO KNOW HOW MUCH FURTHER YOU CAN TESTIFY. SUTHERLAND: Q. UNDERSTOOD YOU</p>	<p>{Q} MR. WHITE WILL ASK YOU NO FURTHER QUESTIONS NOW YOU WILL CONTINUE IN ATTENDANCE AFTER {THE}P COURT ADJOURNS. WE SHALL BE GLAD TO HAVE INTERVIEW WITH YOU TO KNOW HOW MUCH FURTHER YOU CAN TESTIFY. BY COURT ARE YOU THROUGH WITH WITNESS SUTHERLAND YES SIR BY BASKIN. SUTHERLAND IF THERE IS ANY ATTACHMENT FOR THIS WITNESS IT MAY NOT BE ISSUED ON SOME APPREHENSION I WOULD SUGGEST BE</p>	<p>THROW ANY OBSTACLES ON EITHER SIDE.. BY MR. SUTHERLAND: MR. WHITE, WE WILL ASK YOU NO FURTHER QUESTIONS NOW, YOU WILL CONTINUE IN ATTENDANCE AFTER THE COURT ADJOURNS. WE SHALL WANT YOU AGAIN TO KNOW HOW MUCH FURTHER YOU CAN TESTIFY.. BY COURT: ARE YOU THROUGH WITH THIS WITNESS? BYM<sup>R</sup> SUTHERLAND, YES SIR. BYM<sup>R</sup> SUTHERLAND: IF THERE IS ANY ATTACHMENT FOR THIS WITNESS IT MUST BE ISSUED ON UNDER SOME MIS- APPREHENSION. I SHOULD SUGGEST THAT</p>	<p>THROW NO —[?] ON EITHER SIDE SUTHERLAND WE WILL ASK YOU NO FURTHER QUESTIONS AND AFTER COURT ADJOURNS WE SHALL BE GLAD OF A LONG INTERVIEW WITH YOU [space] BASKIN RE-DIRECT [space] SUTHERLAND IF THERE IS ANY ATTACHMENT FOR THIS WITNESS IT MUST HAVE BEEN UNDER SOME MISAPPREHENSION I ASK THAT IT BE DISCHARGED</p>
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**RT**

**RS**

**BT**

**PS**

<p>RE-DIRECT. Q. I UNDERSTOOD YOU TO SAY IN YOUR CROSS-EXAMINATION, AFTER YOU RETURNED HOME FROM PINTO CREEK, THAT IS WHEN YOU WENT DOWN TO PINTO CREEK TO CARRY THAT MESSAGE YOU HEARD SOMETHING ABOUT THE <del>DISCOVERY</del> <del>DISCUSSION</del></p> <p>OF THE EMIGRANT TRAIN—WHOM DID YOU HEAR TALK ABOUT IT</p>	<p>ENTIRELY AT LIBERTY TO GO WHERE HE {WILL}<sup>P</sup> BY COURT</p> <p>APPLICATION ON PROSECUTION BY WHEDON NO OPPOSITIONS FOUND BEING DISCHARGED. <del>REDIRECT</del></p> <p>{Q}<sup>P</sup> I UNDERSTOOD YOU TO SAY IN YOUR CROSS-EXAMINATION AFTER YOU RETURNED HOME FROM PINTO CREEK WHEN YOU WENT DOWN THERE TO PINTO CREEK TO CARRY THAT MESSAGE YOU HEARD SOMETHING ABOUT DESTRUCTION</p> <p>OF EMIGRANT TRAIN. WHOM DID YOU HEAR TALK</p>	<p>THE WITNESS BE ALLOWED TO GO ENTIRELY AT LIBERTY, TO GO WHERE HE PLEASE. BY COURT: IT WAS ON APPLICATION OF THE PROSECUTION, I SUPPOSE.</p> <p>RE-DIRECT BY MR. BASKIN. Q. I UNDERSTAND YOU TO SAY <b>ON YOUR CROSS-EXAMINATION</b> THAT AFTER YOU RETURNED FROM PINTO CREEK <del>TO THAT YOU HEARD SOMETHING TO</del></p> <p>CARRY THAT MESSAGE YOU HEARD SOMETHING ABOUT A <b>DESTRUCTION DISCUSSION</b> <del>OR</del> <b>INTENDED DESTRUCTION DISCUSSION</b> OF THE EMIGRANT TRAIN. WHO DID YOU HEAR TALK ABOUT THAT <del>THAT</del></p>	<p>COURT IT WAS ON APPLICATION OF THE PROSECUTION AND I SUPPOSE<del>≧</del> [space]</p> <p>I UNDERSTOOD TO SAY</p> <p>THAT AFTER YOU RETURNED HOME FROM PINTO CREEK</p> <p>THAT YOU HEARD SOMETHING ABOUT THE DESTRUCTION OR INTENDED DESTRUCTION OF THE EMIGRANT TRAIN WHO DID YOU HEAR TALK ABOUT THEIR</p>
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**RT**

**RS**

**BT**

**PS**

<p>[189] OBJECTED TO BY COUNSEL FOR DEFENDANT. IT WAS SAID IN SPITE OF MY OBJECTION HERETOFORE RAISED IN HIS CROSS-EXAMINATION, NOTWITHSTANDING THE CAUTION I GAVE HIM THAT I DIDN'T WISH ANY EVIDENCE OF HEARSAY. WIT.: I COULD NOT TELL, IT WAS ONLY RUMOR.</p> <p>Q. DID YOU SEE MR. DANIEL MACFARLANE AFTER YOU RETURNED ? A. NO SIR.</p> <p>Q. THEN AFTER YOU MARCHED TO THE</p>	<p>{OBJ. SUTHERLAND}P BY SUTHERLAND I OBJECT TO THAT <sup>[[10]]211</sup> IT WAS SAID IN SPITE OF MY OBJECTION SAID IT IN CROSS-EXAMINATION, NOTWITHSTANDING THE CAUTION I GAVE HIM THAT I DIDN'T WISH ANY EVIDENCE OF. AI COULD NOT {TELL}P IT WAS ONLY RUMOR</p> <p>{Q}P DID YOU SEE MR. DANIEL MACFARLANE AFTER YOUR RETURN {A}P NO SIR [space] AFTER YOU {THEN YOU}P Q.AFTER YOU REACHED {THE}P</p>	<p><del>DESTRUCTION DISCUSSION</del> AFTER YOU RETURNED? BY MR. SUTHERLAND: I OBJECT TO THAT AS RUMOR. IT WAS STATED IN SPITE OF MY OBJECTION — STATED IT IN CROSS-EXAMINATION NOTWITHSTANDING THE CAUTION I GAVE HIM THAT I DIDN'T WISH THAT EVIDENCE. A. IF I COULD NOT TELL, IT WAS ONLY A RUMOR I HEARD WHEN I GOT IN <sup>[23]</sup> TOWN. Q. DID YOU SEE MR. DANIEL MCFARLANE AFTER YOUR RETURN? A. NO, SIR, NOT THAT I RECOLLECT OF. Q. AFTER YOU REACHED THE</p>	<p>DESTRUCTION AFTER YOU RETURNED OBJECTED TO AS RUMOR AND WAS OBJECTED TO [space] I COULD NOT IT WAS ONLY A RUMOR ONE I HEARD WHEN I GOT IN TOWN [space] DID YOU SEE MR. DANIEL MCFARLANE AFTER YOUR RETURN NO SIR NOT THAT I RECOLLECT OF [space] AFTER YOU REACHED THE</p>
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211. Illegible shorthand characters in red and normal pencil on verso.

**RT**

**RS**

**BT**

**PS**

<p>MOUNTAIN MEADOWS ON THE MORNING OF THE NIGHT AFTER YOU STARTED THERE, AND WHILE YOU WERE REMAINING FOR TWO OR THREE DAYS TIME, THAT YOU SPOKE OF, IN THE CAMP THERE, DID ANY OTHER SOLDIERS COME IN THERE IN THE MEAN TIME ?</p> <p>OBJECTED TO BY JUDGE HOGE, AS <del>THE</del> THIS IS ALL IN</p> <p>THE EXAMINATION IN CHIEF.</p>	<p>MOUNTAIN MEADOWS ON THE MORNING OF THE NIGHT AFTER YOU STARTED THERE; AND WHILE YOU WERE REMAINING FOR THE TWO OR 3 DAYS TIME YOU SPOKE OF IN CAMP THERE, DID ANY OTHER SOLDIERS COME IN IN THE MEAN TIME BY HOGE</p> <p>THIS IS IN</p> <p>THE EXAMINATION IN CHIEF BY OH NO BASKIN OH NO</p>	<p>MOUNTAIN MEADOWS ON THE MORNING <del>FOR</del> <b>OR</b> THE NIGHT AFTER YOU STARTED THERE, AND WHILE YOU WERE REMAINING<del>GF</del> THERE <b>FOR</b> TWO OR THREE DAYS TIME, YOU HAVE SPOKEN OF ENCAMPING THERE. DID ANY OTHER SOLDIERS COME IN IN THE MEAN TIME. BY M<sup>R</sup> HOGUE: I OBJECT TO THAT. THAT WAS NOT IN <del>THE</del> EXAMINATION <del>IN</del> THE EXAMINATION IN CHIEF. BY MR. BASKIN: HE SAID — THE QUESTION WAS ASKED HIM WHETHER HE SAW MR. SMITH ON THAT DAY THERE; HE SAID HE DIDN'T SEE HIM UNTIL THE NEXT DAY — THE NEXT DAY AFTER THAT. <del>BY MR. BASKIN:</del> NOW I</p>	<p>MOUNTAIN MEADOWS ON THE MORNING OF THE NIGHT AFTER YOU STARTED THERE AND WHILE YOU WERE REMAINING UP THERE TWO OR 3 DAYS TIME YOU HAVE SPOKE OF IN CAMP THERE DID ANY OTHER SOLDIERS COME IN IN THE MEAN TIME</p> <p>OBJECTED TO</p> <p>AS IN EXAMINATION IN CHIEF [space] BASKIN [space] HE STATED THE QUESTION WAS ASKED TO HIM WHETHER HE SAW MR. SMITH ON THAT DAY THERE HE SAID HE DIDN'T SEE HIM UNTIL THE NEXT DAY OR NEXT DAY AFTER THAT [space]</p>
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**RT**

**RS**

**BT**

**PS**

<p>WHICH THE PROSECUTION DENIED. DEFENSE BY HOGE ASK IF ANYTHING OF THAT KIND WAS DRAWN OUT IN THE EXAMINATION ? TO WHICH BASKIN REPLIED, WITNESS SAID IT WAS HIS</p> <p>IMPRESSION, HE SAW THEM THE NEXT DAY, BUT WAS NOT CERTAIN, WHILE HE WAS DOWN THERE IN THE CAMP-, ON THE MOUNTAIN MEADOWS, WHETHER OR NOT ANY OTHER SOLDIERS CAME THERE IN THE MEAN TIME.</p> <p>HOGE FOR DEFENSE INSTISTED THAT THE SAME QUESTION WAS ASKED IN THE EXAMINATION AND THE SAME ANSWER GIVEN, AND IT WAS AN</p>	<p>BY HOGE WAS ANYTHING OF THAT KIND WAS DRAWN OUT IN EXAMINATION BY BASKIN HE SAID IT WAS HIS <i>COMPREHENSIO</i> N[?] {IMPRESSION}<sup>P</sup> HE SAW THEM<sup>212</sup></p> <p>NEXT DAY BUT WAS NOT CERTAIN WHILE HE WAS DOWN THERE IN CAMP ON MOUNTAIN MEADOWS WHETHER OR NOT ANY OTHER SOLDIERS CAME THERE IN THE MEAN TIME.</p> <p>BY HOGE</p> <p>SAME QUESTION WAS ASKED IN THE EXAMINATION AND HE ANSWERED. IT WAS</p>	<p>ASK HIM <del>WHETHER</del></p> <p>WHILE HE WAS DOWN THERE IN CAMP ON THE MEOUNTAIN MEADOWS, WHETHER OR NOT ANY OTHER SOLDIERS CAME IN <del>THEIRE</del> THERE? OBJECTED TO BY MR. HOGUE. <b>&amp; OBJECTION SUSTAINED.</b></p>	<p>THAT WHILE HE WAS DOWN THERE IN CAMP ON THE MOUNTAIN MEADOWS WHETHER OR NOT ANY OTHER SOLDIERS CAME IN <del>IN</del> <sup>[[14]]</sup> MEANTIME OBJECTED TO [space]</p>
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212. Original shorthand character reads “EM”; “TH” is added in purple pencil.

**RT**

**RS**

**BT**

**PS**

<p>ANSWER TO MR. BASKINS QUESTION. BASKIN:Q. THESE MEN WHO CAME IN FROM THAT DIRECTION, WHAT WERE THEY, WHERE DID THEY COME FROM ? <sup>[190]</sup> A. I SAID I DIDN'T KNOW</p> <p>WHEN THEY CAME IN; I SAID I SUPPOSED THEY CAME IN WHILE I WAS SLEEPING;</p> <p>I DON'T RECOLLECT WHEN THEY DID.</p> <p>Q.</p> <p>WHAT PARTICIPATION DID THEY TAKE IN THIS AFFAIR —JUST THE SAME AS THE REST—THEY WERE ARMED ? A. YES SIR. Q. WERE THERE ANY OTHER PARTIES</p>	<p>ANSWERED TO MR. BASKINS QUESTION. BY BASKIN {Q}P THOSE MEN WHO CAME IN FROM THAT DIRECTION, WHAT WERE THEY, WHERE DID THEY COME FROM {A}P I SAID I DIDN'T KNOW</p> <p>WHEN THEY CAME IN. I SAID I SUPPOSED THEY CAME IN WHILE I WAS ASLEEP</p> <p>I DON'T RECOLLECT NOR DID NOT THEN.</p> <p>Q</p> <p>WHAT PARTICIPATION DID THEY TAKE IN THIS AFFAIR JUST THE SAME AS THE REST THEY WERE ARMED A YES SIR Q WERE THERE ANY OTHER PARTIES</p>	<p>Q. THESE MEN WHO CAME IN FROM THE COTTON COUNTRY, FROM WHERE DID THEY COME? A. I THINK I SAID I DIDN'T SEE THEM</p> <p>COME IN; I SUPPOSED THEY CAME IN WHEN I WAS ASLEEP; I DIDN'T SEE THEM THERE <del>THE</del> TILL MORNING. I DON'T RECOLLECT SEEING THEM COME. Q. WHEN THEY CAME IN WHAT STEPS DID THEY TAKE IN THIS AFFAIR? A. JUST THE SAME AS THE REST. Q. WERE THEY ARMED? A. YES, ZSIR. Q. WERE THERE ANY OTHER PARTIES</p>	<p>THOSE MEN WHO CAME IN FROM THE COTTON COUNTRY FROM WHERE DID THEY COME I THINK I SAID THAT I DIDN'T SEE THEM WHEN THEY CAME IN I SUPPOSED THEY CAME IN WHEN I WAS ASLEEP I SAW THEM THERE ON THE GROUND</p> <p>I DON'T RECOLLECT SEEING THEM COMING [space] <del>WERE THEY</del> AFTER THEY CAME IN WHAT PARTICIPATION DID THEY TAKE IN THIS AFFAIR JUST THE SAME AS THE REST THEY WERE ARMED YES SIR [space] IF THERE WERE <del>COME</del> PARTIES</p>
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**RT****RS****BT****PS**

<p>COMING IN THE MEANTIME ? A. NONE THAT I RECOLLECT. Q. HOW DO YOU KNOW THESE PARTIES CAME FROM THE SOUTH ? A. ONLY AS IT WAS STATED TO ME BY SOMEONE THERE,</p> <p>THAT THEY WAS FROM THE SOUTH.</p> <p>Q. LET ME ASK YOU AGAIN,</p> <p>WHEN DID YOU FIRST SEE KLINGENSMITH ? A. I THINK AS I TOLD YOU HERE TO-DAY, I WAS NOT POSITIVE WHEN I FIRST SAW HIM, BUT I SAW HIM DURING THE TIME,</p> <p>I DON'T KNOW AS I</p>	<p>COMING IN THE MEANTIME {A}P NONE THAT I RECOLLECT QHOW DID YOU KNOW THESE PARTIES CAME FROM THE SOUTH A WELL THERE WAS STATED TO ME BY SOME THERE</p> <p>THEY WAS FROM THE SOUTH</p> <p>Q LET ME ASK YOU AGAIN</p> <p>WHEN DID YOU FIRST SEE KLINGENSMITH {A}PI THINK AS I TOLD YOU HERE TODAY I WAS NOT POSITIVE WHEN I FIRST SAW HIM I SAW HIM DURING THE TIME</p> <p>I DON'T KNOW AS I</p>	<p>COMING IN <del>IN</del> THE MEAN TIME?? A. NONE THAT I RECOLLECT OF.. Q. HOW DID YOU KNOW THAT THESE PARTIES CAME FROM THE SOUTH? A. FROM WHAT WAS TOLD TO ME—I GATHERED</p> <p>THAT THEY WERE FROM THE SOUTH; WHEN I SAW THEM THERE I THOUGHT THEY WERE FROM THE SOUTH?. Q. LET ME ASK YOU THEIS QUESTION,— WHERE DID YOU FIRST SEE KLINGENSMITH THERE? A. I DON'T KNOW POSITIVELY WHEN I FIRST SAW HIM, BUT I SAW HIM DURING THE DAY THAT WE WAS LAYING THERE. I DON'T KNOW WHETHER I [24]</p>	<p>COMING IN IN THE MEAN TIME NONE THAT I RECOLLECT OF [space] HOW DID YOU KNOW THAT THESE PARTIES CAME FROM THE SOUTH THAT WAS TOLD TO ME BY SOME THERE WHEN I SAW THEM THERE THAT THEY WAS FROM THE SOUTH [space]</p> <p>WHERE DID YOU FIRST SEE KLINGEN SMITH THERE I DON'T KNOW POSITIVE WHEN I FIRST SAW HIM BUT I SAW HIM DURING THE TIME THAT WE WAS LAYING OVER I KNOW I DON'T KNOW WHETHER I</p>
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**RT**

**RS**

**BT**

**PS**

<p>MENTIONED THE TIME AND I COULD NOT NOW. Q. WAS THAT THE FIRZST TIME YOU HAD SEEN KLINGENSMITH ?</p> <p>A. YES SIR, THAT WAS THE FIRST TIME AFTER I HAD LEFT CEDAR CITY. Q. DID HE GO DOWN WITH YOU ON THAT OCCASION FROM CEDAR CITY TO THE MOUNTAIN MEADOWS ?</p> <p>A. I THINK NOT, NEVER SEED HIM THERE. Q. DO YOU KNOW WHETHER</p> <p>KLINGENSMITH WAS IN OR WHERE HE WAS WHEN YOU</p> <p>LEFT ? A. I DO NOT, IT WAS AFTER DARK WHEN I GOT UP THERE AND I WAS</p>	<p>MENTION{ED}<sup>P</sup> THE TIME {AND}<sup>P</sup> I COULD NOT NOW. Q WAS THAT FIRST TIME YOU HAD SEEN KLINGENSMITH</p> <p><sub>A</sub>YES SIR THAT WAS THE FIRST TIME AFTER I HAD LEFT CEDAR Q DID HE GO DOWN WITH YOU ON THAT OCCASION FROM CEDAR CITY TO MOUNTAIN MEADOWS {A}<sup>P</sup> I HAVEN'T NEVER SEED HIM THERE. Q<sub>≠</sub>DO YOU KNOW<sub>≠</sub> WHETHER</p> <p>KLINGENSMITH WAS IN OR WHERE HE WAS WHEN YOU</p> <p>LEFT {A}<sup>P</sup> I DO NOT; IT WAS AFTER DARK WHEN I GOT UP THERE AND I WAS</p>	<p>MENTIONED THE TIME; I COULD NOT NOW.. Q. WAS THAT THE FIRST TIME YOU HAD SEEN KLINGENSMITH AFTER LEAVING CEDAR? A. YES, SIR, THAT WAS THE FIRST TIME AFTER WE HAD LEFT CEDAR. Q. DID HE GO DOWN WITH YOU ON THAT OCCASION?</p> <p>TO THE MOUNTAIN MEADOW MASSACRE? A. I DON'T THINK SO; I DIDN'T SEE HIM ON THE ROAD . Q. DID YOU KNOW</p> <p>WHERE KLINGENSMITH WAS</p> <p>WHEN YOU</p> <p>LEFT THERE? A. I DID NOT. IT WAS AFTER DARK WHEN I GOT UP THERE AND I WAS</p>	<p>MENTIONED THE TIME [space]</p> <p>WAS THAT THE FIRST TIME YOU HAD SEEN KLINGEN SMITH AFTER LEAVING CEDAR YES SIR THAT WAS THE FIRST TIME AFTER WE HAD LEFT CEDAR DID HE GO DOWN WITH YOU ON THAT OCCASION FROM CEDAR CITY TO THE MOUNTAIN MEADOW MASSACRE I DON'T THINK SO I DIDN'T SEE HIM ON THE ROAD DID YOU KNOW <del>WHETHER</del> <del>KLINGEN</del> WHERE KLINGEN SMITH WAS</p> <p>WHEN YOU <del>LEFT</del> <del>AND ARRIVED</del> AND LEFT THERE NO SIR BECAUSE IT WAS AFTER DARK THAT NIGHT</p>
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**RT****RS****BT****PS**

<p>READY TO START. DON'T RECOLLECT SEEING HIM THERE THAT NIGHT. I MIGHT HAVE DONE, BUT I DON'T RECOLLECT IT NOW. Q. HOW MANY DAYS WAS IT AFTER YOU RETURNED HOME BEFORE YOU SAW KLINGEN- <sup>191</sup> SMITH ? A. I HAVEN'T GOT IT CLEARLY IN MY MEMORY HOW MANY DAYS. Q. YOU SAID IT WAS AFTER YOU ARRIVED ON THE MOUNTAIN MEADOWS THAT THE MASSACRE OCCURRED, WILL YOU PLEASE STATE IT AGAIN ? A. I COULD NOT TELL POSITIVELY. I THINK, AS I SAID TO-DAY, IT WAS TWO DAYS; THIS WAS ON THE THIRD, I AM NOT POSITIVE OF THAT, IT</p>	<p>READY TO START DON'T RECOLLECT SEEING HIM THERE THAT NIGHT. I MIGHT HAVE DONE I DON'T RECOLLECT IT NOW. &lt;HOW MANY DAYS WAS IT AFTER YOU RETURNED HOME BEFORE YOU SAW KLINGEN K SMITH &gt; A I HAVEN'T GOT CLEARLY IN MEMORY HOW MANY DAYS. Q YOU SAID IT WAS AFTER YOU ARRIVED ON THE MOUNTAIN MEADOWS THAT THE MASSACRE OCCURRED WILL YOU PLEASE STATE IT AGAIN {A} P I COULD NOT STATE POSITIVE I THINK AS I SAID TODAY, IT WAS TWO DAYS THIS WAS ON THE THIRD, I AM NOT POSITIVE OF THAT AND IT</p>	<p>READY TO START; I DON'T RECOLLECT SEEING HIM THERE THAT NIGH T; I MIGHT HADVE DONE <b>SO</b>, I DON'T RECOLELECT IT NOW.</p> <p>Q. I HAVE NOT GOT IT CLEAR IN MUY MIND HOW MANY DAYS YOU STATED IT WAS AFTER YOU ARRIVED ON THE MOUNTAIN MEADOWNS THAT THE MASSACUREE OCCURRED. WHILL YOU PLEASE STATE AGAIN? A. I COULD NOT TELL POSITIVELY. I THINK AS I SAID WE LAID THERE TWO DAYS AND THIS WAS ON THE THIRD DAY; IT</p>	<p>I DON'T REMEMBER OF SEEING HIM THERE [space]</p> <p>I HAVE NOT GOT CLEAR IN MY MIND HOW MANY DAYS YOU STATED IT WAS AFTER YOU ARRIVED ON THE MOUNTAIN MEADOWS THAT THE MASSACRE OCCURRED WILL YOU PLEASE STATE IT AGAIN I COULD NOT TELL POSITIVELY MOST I THINK THAT WE HAD LAID THERE TWO DAYS AND THIS WAS ON THE 3RD IT</p>
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RT	RS	BT	PS
<p>MIGHT HAVE BEEN ON THE THIRD OR</p> <p>FOURTH DAY.</p> <p>Q. AT WHAT TIME IN THE DAY DID IT OCCUR ? A.</p> <p>SOMETIME IN THE AFTERNOON, BEFORE NIGHT OR BEFORE SUN-DOWN .</p> <p>SUTHERLAND: Q. HOW LONG HAD YOU BEEN THERE AT HOME AFTER YOU RETURNED FROM THE JOURNEY CARRYING THAT LETTER BEFORE YOU RECEIVED</p> <p>ORDERS TO GO WITH THE BAGGAGE WAGON ? A. I CANNOT</p>	<p>MIGHT HAVE BEEN ON THE 3RD OR</p> <p>4TH DAY BY SUTHERLAND. WHAT TIME IN THE DAY DID IT OCCUR</p> <p>{A}<sup>P</sup> SOMETIME IN THE AFTERNOON, BEFORE NIGHT OR BEFORE SUNDOWN <sup>[[11]]</sup>213</p> <p>BY BASKIN YOU CAN GO MR. WHITE ONE MOMENT FOR DEFENSE. BY SUTHERLAND HOW LONG HAD YOU BEEN AT HOME AFTER RETURNED FROM THE JOURNEY CARRY THAT LETTER BEFORE YOU RECEIVED SUMMONS</p> <p>{ORDERS}<sup>P</sup> TO GO WITH BAGGAGE WAGON {A}<sup>P</sup> I CANNOT</p>	<p>MIGHT HAVE BEEN ON THE SECOND DAY <del>AND</del> , OR IT MIGHT HAVE BEEN ON THE FOURTH DAY. BY MR. SUTHERLAND: WHAT TIME IN THE DAY DID IT COMMENCE? A. SOMETIME IN THE AFTERNOON— <del>BEFORE NIGHT OR BEFORE SUNDOWN</del> Q. WHAT TIME DID IT FINISH? A. SOME TIME BEFORE SUNDOWN. Q. HOW LONG HAD YOU BEEN AT HOME AFTER RETURNING FROM THE JOURNEY TO CARRY THAT LETTER, BEFORE YOU RECEIVED THE SUMMONS TO GO WITH A BAGGAGE WAGON? A. I COULD NOT</p>	<p>MIGHT HAVE BEEN ON THE 2ND DAY OR MIGHT HAVE BEEN ON THE FOURTH <sup>[[15]]</sup></p> <p>SUTHERLAND WHAT TIME IN THE DAY DID IT COMMENCE [space] AFTER WE HAD THE DINNER IN THE AFTERNOON</p> <p>WHAT TIME DID IT FINISH SOME TIME BEFORE SUNDOWN <del>AT NIGHT</del>. [space] HOW LONG HAD YOU BEEN AT HOME AFTER RETURNING FROM THE JOURNEY TO CARRY THAT LETTER BEFORE YOU RECEIVED THE SUMMONS TO GO WITH THE BAGGAGE WAGON I COULD NOT</p>

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213. At the top of the page in longhand, double underlined in purple pencil: ANNIE E HOGE.

**RT**

**RS**

**BT**

**PS**

<p>TELL THAT EITHER, MIGHT HAVE BEEN TWO OR THREE DAYS PROBABLY, BUT I COULD NOT SAY AS TO THE TIME, I KNOW I WORKED AROUND IN THE FIELD, GETTING UP WHEAT, I DON'T RECOLLECT HOW LONG, AND I COULD NOT SAY. [space]</p>	<p>TELL THAT NEITHER {A}<sup>i</sup> IT MIGHT HAVE BEEN TWO OR 3 DAYS PROBABLY I COULD NOT SAY AS TO {THE}<sup>p</sup> TIME. I KNOW I WORKED AROUND IN THE FIELD GETTING UP WHEAT I DON'T RECOLLECT HOW LONG I COULD NOT SAY. BY COURT AM I LIKELY TO BE CALLED THIS AFTERNOON IF YOU WANT TO GO SOME DISTANCE OFF LET THE MARSHALL KNOW. BY COURT CALL THE NEXT WITNESS OATH ADMINISTERED BY CLERK &lt;READ THE&gt; NAME OF PHILIP T K SMITH UNAVAILABLE. SS PR[?] [space]</p>	<p>TELL THAT KNOW; IT MIGHT HAVE BEEN TWO OR THREE DAYS PROBABLY; I COULD NOT SAY AS TO THE TIME. I KNOW I WAS TO WORK DOWN IN THE FIELD QUITE A BIT BGETTING UP MY WHEAT, BUT HOW MANY DAYS  I COULD NOT SAY. <sup>[25]</sup></p>	<p>TELL THAT NEITHER IT MIGHT HAVE BEEN 2 OR 3 DAYS PROBABLY I COULD NOT SAY AS TO THE TIME I KNOW I WAS TO WORK DOWN IN THE FIELD GETTING UP MY WHEAT BUT HOW MANY DAYS  I COULD NOT SAY. [space]</p>
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