

John D. Lee, Second Trial

Wells Spicer Closing Argument

PS [*Patterson Shorthand is only extant source for Spicer's closing*]

[[Bk 4 46 cont.]]⁷⁴⁶ **JUDGE SPICER.**⁷⁴⁷ [space] THERE IS BUT ONE POINT — [space] IN RELATION TO THOSE MOST SINGULAR CIRCUMSTANCES THAT SO MANY WITNESSES SHOULD COME FORWARD IN A SOLEMN VOICE TALK TO YOU IN A WAY. [space] TO SET THE WHOLE BURDEN AND BLAME OF THIS GREAT CRIME UPON JOHN D. LEE AS IF THEY WANT TO NAME SOMEONE [space] THEREBY SCREENING THEMSELVES [space] SHIELDING THEMSELVES NOT ONLY FROM THE CRIME AND PUNISHMENT OF THE CRIME BEFORE THE LAW BUT OF THE OBLIQUITY AND ODIUM AND DISGRACE TO V-[?] UPON PARTICIPANTS IN IT ^{[[47]]} AND YOU MUST HAVE NOTICED IN WHAT A PECULIAR WAY THEY COME FORWARD NOT CEASE TELLING WONDERFUL THINGS ALL THE GREAT THINGS OF JOHN D. LEE HOW THEY COME ASSUME CLEAR COURSE AND ONLY REMEMBER THING IF HE HAS A *ROLE*[?] OVER THE HEADS OF EVERYBODY COULD NOT SEE THE ~~N~~ 120 *CROWD*[?] AT ALL COULD NOT SEE THE 50 OR 60 PEOPLE COULD ~~THAT~~ JOHN D. LEE WAS THERE AND HE WAS KILLING THEM RIGHT AND LEFT ~~<ETC.>~~ I SAY GENTLEMEN OF THE JURY WHEN WITNESSES COME FORWARD IN THIS WAY TO EXPLAIN TO YOU SUCH A CONCEIVED PLAN SUCH A DESIGN SUCH A PROPOSITION TO FASTEN A CRIME UPON ONE MAN AND IT COMES TO YOUR KNOWLEDGE AS IT CERTAINLY HAS TO FROM THESE WITNESSES THAT THERE WAS A DESIGN FROM THESE WITNESSES TO SCREEN THEMSELVES AND PROTECT THEMSELVES THAT THEY ARE PARTICIPANTS CRIMINATE TO THE OCCURRENCE *FACT IS*[?] THEY ARE PARTIES TO IT THEY ARE EQUALLY GUILTY [space] TO *JUDGE*[?] SUCH CRIMES YOU MUST CONSIDER THAT AND NOT TAKE TOO MUCH STOCK IN THEIR TESTIMONY = NOT BELIEVE ~~OF IT~~ TOO MUCH OF IT. IT IS A MATTER FOR YOU TO JUDGE AND JUDGE FROM THE TESTIMONY WHETHER OR NOT THE DEFENDANT IS GUILTY OR NOT AND WHETHER *IT* WAS ACT THAT THEY COMMITTED THE WHOLE OFFENSE [space] NOW FINDING THEY ARE SAVING THEIR OWN REPUTATIONS ~~<NECKS>~~ SWEARING IT OFF AND ON JOHN D. LEE [space] OTHERS ACT BECAUSE THEY MAY HAVE *OPINION/PN*[?] BECAUSE JOHN D. LEE WAS AT THAT TIME AN INDIAN FARMER TO FEW INDIANS A DOZEN OR SO PERHAPS [space] LIVING ^{[[48]]} WAY AT THAT LITTLE TOWN OF HARMONY [space] *SL*-[?] GREAT BODY OF INDIANS WERE SCATTERED AROUND THE COUNTRY [space] HERE CORN CREEK [space] CLARA MUDDY WASHINGTON AND THE VIRGIN WHILE FEW ONLY A VERY FEW WERE LIVING THERE AT HARMONY TO WHICH HE WAS RECEIVING PAY BY TEACHING THEM IN FARMING AND BECAUSE OF THAT

746. Written in longhand at the top of the first page of the Boreman transcript: **(FOLLOWING THIS SPEECH COME JUDGE SPICERS ADDRESS TO THE JURY, PART OF ~~WHI~~ THE FIRST OF WHICH IS NOT REPORTED & THE REMAINDER IS SO ILLEGIBLE THAT IT IS IMPOSSIBLE TO MAKE AN INTELLIGENT TRANSCRIPT OF IT. W L COOK TRANSCRIBER.)** The shorthand for Spicer's address is not significantly more difficult than the rest of Patterson's shorthand. Rogerson's longhand appears above many shorthand symbols.

747. This is Rogerson's longhand over Patterson's longhand.

CIRCUMSTANCE THEY SEEK TO SHIFT IT ALL UPON JOHN D. LEE [space] WHY, LOOK AT THE TESTIMONY OF THAT MAN NEPHI JOHNSON AND YOU MAY SAY THAT THIS WITNESS TO APPEAR BEFORE YOU IS CREDITABLE USING THE LANGUAGE OF OUR FRIEND *JETER*[?] *SKN/SKTION*[?]⁷⁴⁸ THE WITNESSES ARE GOOD THEY ARE HONEST CLEAN PARTIES AND WORTHY OF BELIEF NEPHI JOHNSON DISCLOSES THE FACT THAT HE WAS THE MAN THAT WAS GOVERNING THESE INDIANS AND NOT JOHN D. LEE HE WAS AN INTERPRETER AND OTHER PARTIES INNOCENT OF TALKING THEM [space] EMPLOYED TO LOOK AFTER THESE INDIANS AS AN INTERPRETER & C BUT WHEN THE SECOND TRAIN CAME THROUGH WAS NOT JOHN D. LEE SENT FOR BUT NEPHI SENT FOR [space] DID NOT HE AIDED LEE A LITTLE [space] TOOK THEM AWAY FROM THE PLACE WHERE ALL THEIR STOCK WERE STOLEN [space] WHAT DOES IT MEAN ? AND *THE*[?] CONVERSATION WITH JOHN D. LEE [space] BY GOING AFTER THIS TRAIN NEPHI JOHNSON *AS THE*[?] CIRCUMSTANCES OF THE [space] *CASE*[?] OCCASION [space] WANTS INDIANS TO GO AWAY WITH THE STOCK OF THAT TRAIN BUT IF JOHN D. LEE EVER ASKED HIM [space] ANYTHING ABOUT IT WAS ASKING FOR A THING WHICH JOHN D. LEE REFUSED TO ^{[[49]]} GIVE BUT I DON'T BELIEVE ANY SUCH CONVERSATION EVER TOOK PLACE [space] THEN AGAIN LOOK HOW COWARDLY WE MAY SAY MCMURDY THE GENTLEMAN SAYS BEFORE IS MCMURDY'S YOU BETTER ASK WHO WAS MCMURDY AND HOW SINGULAR IT IS BEFORE SPEAKING FURTHER OF HIM HOW SINGULAR IT IS THAT THIS THING HAS CHANGED SO MUCH IT IS MATTER OF [space] WITNESSES BEING BROUGHT IN AND TELLING OF THIS WAR FARE —[?] [space] EVEN THAT THEY WERE COUNSELED —[?] THAT THE POSITION *HE*[?] [space] BUT NOW IT SEEMS HAVE TO DO BETTER STATES HIS HORSES HERE WERE 40, 50, 60, ALL HUNTING AND RUNNING AFTER THEIR HORSES, WHILE JOHN D. LEE IN 3 MINUTES KILLED 420119 MEN WITH HIS OWN HANDS [space] WITNESSES DISCLOSE SUCH STATE OF AFFAIRS TESTIFYING IN THAT MIND AND *FERVOR*[?] AND IMPARTS UPON YOU THAT ACCOUNT OF WAR THEY NOT WORTHY OF BELIEF [space] THEY ARE THE KILLING PARTIES THROWING IT ALL UPON LEE [space] HERE WAS [space] HONEST A MAN IN THAT COUNTRY WE DON'T CLAIM ANY AUTHORITIES DONE IT FURTHER THAN THIS THAN THAT [space] HERE WAS A HORRIBLE STATE OF AFFAIRS FEW SETTLERS [space] SCATTERED, A FEW OF THE MORMON PEOPLE SEEKING TO SUPPORT THEMSELVES AND FAMILIES BY BUILDING UP LITTLE RANCHES SURROUNDED ON ALL SIDES BY INDIANS WHOM THEY WERE ATTEMPTING TO CIVILIZED TO BEST OF THEIR *ADVANTAGE*[?] ^{[[50]]}⁷⁴⁹ AND ⁷⁵⁰ MAKING TREATIES WITH THEM ~ INDIANS BREAKING THEM [space] THOSE INDIANS TO BE PACIFIED BY PRESENTS AND BY HAVE TO GET ALONG WITH THE *PEACE/PARTIES*[?] WITH ALL INGENUITY *THAT*[?] THE PEOPLE COULD INVENT *WHILE*[?] AFTER ALL THOSE SERIOUS DESPAIRING DISASTROUS CIRCUMSTANCES AROUND THIS PEOPLE [space] HERE COME A RUMOR OF

748. Above name in Rogerson's longhand: **JETER SUCTON**[?].

749. Written twice, in the top left-hand corner of the page: IN HIS MIND.

750. In the left margin.

WAR [space] INDIANS HOSTILE HAVING HEARD WHAT WAS WAR IN THE LAND [space] THEIR CRUDE IDEAS BEING ABLE TO DISTINGUISH BETWEEN THE WHITE MEN LIVING HERE AND WHITE MEN COMING FROM THE EAST ALL THOSE THINGS PRESSING UPON PEOPLE HERE [space] MILITIA [space] COMMUNITY MEN [space] AND EVEN SILVER GREYS —[?] ONE HALF UP TO A MILLION POPULATION MAY BE ORGANIZED SO AS TO BE CALLED OUT TO PROTECT THEIR HOMES AND THEIR FAMILIES AND FROM THIS TIME THESE EMIGRANT TRAINS THAT CAME TO TRADE SUPPLIES ARE TO THE TESTIMONY AND BY THE TESTIMONY[?] OF BRIGHAM YOUNG TO DENVER AND LETTER TO DAME BEFORE THAT THESE EMIGRANT TRAINS PASSING THROUGH AND ESPECIALLY THOSE COMING AND GOING TO CALIFORNIA[?] WERE IN THE HABIT OF SHOOTING DOWN INDIANS ON SIGHT CAUSED THE INDIANS TO BE ALWAYS RAISING UP TO ATTACK A FARMER[?] AND REQUIRED THE SETTLERS TO MAKE TREATIES — IN ORDER TO KEEP PEOPLE EQUIPPED THIS ORGANIZATION THEN WAS EQUIPPED IN THAT WAY FOR[?] THE PURPOSE TO SEND OUT PEOPLE [space] ~~CALL~~ SEND OUT ^{[[51]]}751 FOR THE PURPOSE OF KEEPING[?] THIS TRAIN THE BOASTS ONE TO [space] JOE SMITH AND GOING TO RECRUIT THEIR STOCK AND THE PEOPLE OF THE COUNTRY WITH THIS MILITARY ORGANIZATION FOR THE PURPOSE OF ALLAYING THE INDIANS THERE WHOM THE TESTIMONY ITSELF DECLARES FOLLOWED THEM ALL THE WAY DOWN FROM CORN CREEK TO MOUNTAIN MEADOWS; AND THE TESTIMONY SHOWS THAT THEY HAD ~~FROM~~ THAT BATTLE AT CORN CREEK AND FOLLOWED THEM THERE [space] IN CONSEQUENCE OF THAT ALL OTHER INDIANS IN THE COUNTRY ROSE UP TO ASSIST THE OTHER INDIANS WHO WERE PURSUING THIS TRAIN [space] MILITARY ORGANIZATION WENT OUT SENT FROM COUNTRY TO KEEP THINGS QUIET BUT OH [space] IT SEEMS AS IF THERE WAS A GANG OF THIEVES BE TERM THEN THAT BE APPLIED TO THEM FAR WORSE THAN THE 40 THIEVES [space] A COMPANY OF MEN WHO ~~WERE~~ SEEM TO HAVE BEEN BENT ON PLUNDER MURDER THEIR TESTIMONY DISCLOSES THE FACT AND IT IS THE TESTIMONY OF THESE MEN THAT THEY ARE BRINGING FORWARD TO CONVICT LEE, AND THAT IS WHERE I MAKE MY POINT AND/A[?] FEW GOOD MEN IN THE COMPANY I CAN TURN TO MEN IN THE AUDIENCE NOW LISTENING TO ME [space] WERE NOT AT MOUNTAIN MEADOWS TO TAKE ANY PART IN THIS MURDER EITHER BEFORE OR AFTER DIRECTLY OR INDIRECTLY ACCESSORY AND ~~PRS~~ PARTICIPANTS CRIMINOUS BECAUSE ALL OF THEM ARE GUILTY EVERY ONE WHO HAVE SPOKE OUT HERE BUT THAT CLASS OF MEN WHO LIKE MR. MORRILL [space] ^{[[52]]} [space] HONEST CLEAN B[?] MET AND COUNSELED OVER THE PLAN OF MURDERING MASSACRING THESE EMIGRANTS AND HE IS THE MOST MORAL[?] OF THE WITNESSES WHO PURSUED THE MASSACRE AND WHOSE EVIDENCE YOU ARE ASKED TO TAKE HERE DID HE NOT GIVE IT [space] PROCLAIM IT SUFFER IT [space] OPPOSE IT [space] BUT NO THEY

751. The back cover of the book includes a lot of numbers in Rogerson's hand. It also has "PEOPLE VS JOHN D. LEE" in faint longhand, likely Patterson's hand. At this point Patterson turned the notebook over and wrote back to front.

WOULD LAY A PLAN OF MURDERING UNTIL SOME ONE MAN WOULD *SMITE*
IT[?] [space] *AWAY*[?] BUT THEY CAME ALL TO *SLN/SMN*[?] *MIND*[?] AS TO
 WHETHER WE SHOULD MASSACRE THESE EMIGRANTS OR NOT, BUT THERE
 SEEMS TO HAVE BEEN SOMEONE AT THE BOTTOM OF ALL THIS THEN THIS
 MAN JOEL WHITE AND THE REST OF THE WITNESSES WHO HAVE BEEN
 AND TESTIFIED BEFORE YOU ALL WERE[?] PARTICIPANTS ACTUAL
 ASSASSINS ACCORDING TO THEIR OWN TESTIMONY PARTICIPANTS IN
 THIS CRIME, AND WE CLAIM THAT THEY ~~WAS~~ WHO WAS THERE THEY
 WHO DONE IT AND NOW *OFFERING ALL ON LEE*[?] BY THEM HAVING THE
 SPIRIT OF WAR WHEN THEY TESTIFY AND THINK YOU SHOULD NOT
 CONVICT ANY MAN UPON ANY SUCH COMBINATION OF WITNESSES AND
 THEIR TESTIMONY I DO NOT STAND HERE BEFORE YOU TO SAY THAT THIS
 IS NOT A HORROR⁷⁵² A MORE THAN HORROR CRIME AND WHO DENY IT
 [space] THESE MEN THAT APPEAR TO HAVE DONE A PART OF IT TELL YOU
 LEE DONE IT ALL [space] CAREFUL IN CONVICTING ANY MAN UPON SUCH
 TESTIMONY. ONE FURTHER POINT THEY BRING TO YOU CONFESSION OF
 LEE [space] GENTLEMEN OF THE JURY I ASK YOU EACH OF YOU ANY
 CHANCE IF HE HAS A SKIN BUT THINK TO YOURSELVES IF YOU HAD EVER
 COMMITTED SUCH DIABOLICAL CRIME AS HAD A MEN BEING UPON THE
 FACE OF THE ^[53] EARTH THAT YOU WOULD TELL IT ALL. DOES NOT
 COMMON SENSE UPON THE FACE OF IT CONTRADICT THE WHOLE OF
 THESE STORIES IF YOU CAN BELIEVE THAT JOHN D. LEE WAS WEAK
 ENOUGH FOOL ENOUGH IMBECILE ENOUGH IF AFTER HAVING
 COMMITTED THESE HORRIBLE DIABOLICAL CRIMES THAT HE WOULD
 TELL THEM TO JAKE HAMBLIN OR ANY ONE ELSE YOU SHOULD FIND HIM
 NOT GUILTY ON A PLEA OF INSANITY IT IS CONTRARY TO ALL REASON
 AND SENSE THAT A MAN SHOULD MAKE SUCH A CONFESSION [space] THEN
 YOU CONSIDER THAT JAKE HAMBLIN WOULD COME FORWARD AND TELL
 [space] BROTHER JAKE AND MYSELF SPENT *MS/MOST/ALMOST*[?] [space] WE
 TRAVELED OVER SANDY DESERTS AND I KNOW JAKE PRETTY WELL 18
 YEARS HAVE PASSED I THINK WITHIN THAT TIME JAKE HAS FORGOTTEN A
 GREAT DEAL AND I THINK HIS IMAGINATION HAS BUILT UP FURTHER
 [space] I DO NOT THINK THAT JAKE HAMBLIN WOULD GO ON THE WITNESS
 AND TELL A SINGLE THING BUT WHAT HE BELIEVES IS TRUE BUT THINK
THE[?] MUTATIONS TO IT *WHAT TOLL*[?] HAVE HAD IN THE HUMAN MIND IN
 19 YEARS JAKE HAMBLIN THINKS LEE TOLD HIM SO BUT IT IS CONTRARY
 TO REASON TO COMMON SENSE TO BELIEVE THAT LEE DID TELL HIM SO
 HE IS SIMPLY MISTAKEN AND THEN AGAIN BROTHER JAKE CONSENT TO
 GIVE THAT *TESTIMONY*[?] IN THIS MATTER [space] HE WAS STILL
 ACCORDING TO HIS OWN SHOWING AN ACCESSORY AFTER THE FACT HE
 SHOULD HAVE DISCLOSED — [space] ^[54] AND THEN COMES IN THE
CATEGORY[?] AS THE REST OF THEM AS BEING A LITTLE DEVIL FOR THAT
 REASON [space] HE SHOULD BE CONSIDERED CONFUSED AND LOOKED AT
 AND THOUGHT OF AS TO WHETHER HE SHOULD BE BELIEVED [space]
 WHETHER HE SHOULD NOT REQUIRE A CORROBORATION EVEN FOR HIM

752. Rogerson's handwriting does not appear in Spicer's closing from this point on.

WHEN HE TELLS OF THESE CONFESSIONS BEING MADE TO HIM NOW
 GENTLEMEN OF THE JURY IT IS A SINGULAR FACT THAT THESE
 WITNESSES ALL BRING IN THEIR TESTIMONY TENDING TO CONVICT JOHN
 D. LEE TO CONVINCING YOU THAT JOHN D. LEE IS GUILTY OF THIS AND THEY
 PROMOTE IT IN SUCH A PECULIAR MANNER NOW 19 YEARS HAVING
 LAPSED SINCE THIS CONVERSATION IS SAID TO HAVE TAKEN PLACE
 BETWEEN HAMBLIN AND LEE NO ONE PRESENT BUT ONLY HAMBLIN AND
 LEE THINK TO YOURSELVES WHAT DEFENSE WHAT SAFETY A MAN MAY
 HAVE ON HIS DEFENSE WHEN SUCH A STORY IS TOLD HOW CAN HE
 DISPROVE IT HOW CAN HE MEET IT WHAT SAFETY HAS ANY MAN WHEN
 ANOTHER WILL TESTIFY TO SUCH THINGS AGAINST HIM WE CAN ONLY
 SAY TO YOU THAT YOUR COMMON SENSE YOUR REASON SHOULD TELL
 YOU THAT FOR SOME REASON OR ANOTHER JAKE HAS GIVEN THAT
 ANOTHER OF PARTY SHOULD HAVE [space] THEN AGAIN THIS MCMURDY
 [space] BUT HE WAS [space] *ONE OF THEIR*[?] *3 WITNESSES*[?] DID IT ALL
 DENY [space] ASK HIM WHAT PART HE DONE ~~COULD NOT~~ WOULD NOT
 TELL [space] NOT A PART THAT HE DISCLOSES BUT LEE HAS A PART
 WITHOUT ANYONE ELSE WAS THE MAN WHO HE SAW AND ATTRIBUTE
 THESE THINGS [space] ~~IF HE~~ IF EXCUSES THE FACT THAT SUCH A LAPSE
 AND IT IS NOT OFTEN THAT SUCH A LAPSE AND — [space] TO SCREEN
 HIMSELF AND DEFEND HIMSELF BE TRUE TO ^{[[55]]} JUSTICE YET ALL THE
 WITNESSES TESTIFY IN SUCH A WAY THAT IT IS IMPOSSIBLE TO ME THAT
 BE NO CUNNING TESTIMONY NO EXPLAINING TESTIMONY NOTHING THAT
 WILL DO AWAY THE FACT OR LOOK TO OR URGE THE PARTICULAR
 PARTIES TO TESTIMONY THAT EACH AND ALL HAVE BEEN GIVING. [space]
~~IF/FOR~~[?] ~~GENTLEMEN OF THE JURY~~ ~ ONE THING FURTHER IN RELATION
 TO THESE CONFESSIONS IF ANY MAN WOULD MAKE THEM TO A CONFIDER
 TO A MAN AS DEEPLY GUILTY AS HIMSELF *STILL*[?] ACTING ON THAT THE
~~THAT~~ FACT THAT [space] THEY MUST HAVE BEEN AS DEEP IN THIS AS
 HIMSELF IF NOT DEEPER AND IF ONLY ALLOW TWO WITNESSES TO BE ON
 THE WITNESS STAND AND SWEAR MIGHT BE REFERENCE TO THE BOOT
 UPON THE OTHER FOOT AND AS IT IS REMEMBER HOW PECULIAR THESE
 WITNESSES TESTIFY YET THEY WERE THERE AND SAW IT THEY WERE
 AFTER THEIR HORSES THEMSELVES OR DID NOT HAVE THE BEST VIEWS
 OR HORSES WERE WILD AND FRACTIOUS AND THEY COULD NOT HOLD
 THEM THEY BROKE AWAY AND THEY WENT CHASING AFTER THEM YET
 THEY SAW IT [space] *WHO WAS THERE*[?] JOHN D. LEE DONE IT ALL [space]
FOLLOWING/FLNG[?] THE TRAGEDY FOR THEM [space] MANY SINCE DEAD
 [space] HERE LABOR BY MAKING A SET RULE DENY ALL OTHER PARTIES
 THEY CAME WITH [space] HIGBEE WAS THERE AND [space] I THINK
 TESTIMONY STATES AS THE DEPOSITION SAYS THE DEPONENT SAITH NO
 TO THE THE SAME THING *I SAW NO PERSON*[?] JOHN D. LEE KLINGEN [space]
 KLINGEN JOHN D. LEE [space] SOME MAY — [?] TO THAT HUMBLE
 CONCLUSION THAT JOHN D. LEE THEN WAS NOT THERE IT WAS KLINGEN
 SMITH *SOME FRIENDS*[?] AND GENERAL WELLS TELLS YOU WHAT IS DONE
 IN THE MILITARY OF THIS TERRITORY FROM ITS FIRST SETTLEMENT THAT

AT THAT TIME JOHN D. LEE HELD NO OFFICE HAD BEEN A MAJOR ^[156] AT THAT TIME [space] BUT WAS THEN OUT OF THIS [space] ~~AND CALLING~~ [space] ORDERS GIVEN CALLING MEN OUT [space] NONE OF YOU CAN DO THAT [space] MILITARY AUTHORITY FOR SOME MILITARY PURPOSE AND THAT MILITARY PURPOSE WAS OUTSIDE DESIGN OF THOSE COMPANIES AND ASSASSINS AND WAS PASSING UPON THE MASSACRE OF THESE MEN ~ KEEPING DOWN EXCITEMENT FROM *RUMOR*[?] AN OUTBREAK OF THE INDIANS AND MEN WERE CALLED OUT AT THE TIME THESE MEN WERE PLANNING THEIR DESTRUCTION IN THIS CONVENTION [space] THAT LEE WAS NOT THERE [space] MILITARY OFFICERS THERE OF WHOM LEE WAS NOT ONE [space] WHEN THESE MEN TALKED TO YOU ABOUT FEAR ABOUT RESTRAINT ABOUT THE CHARISMA THAT WAS EXISTING OVER THEM WHO ARE THEY AFRAID OF LEE WAS NOT AN OFFICER AND THEN AGAIN THAT MR. NEPHI JOHNSON TELLING OF THE FEAR THAT [space] HE WAS *HORRORS/WARRIORS*[?] IN THE INDIANS THEN LEE WAS THERE LEE WAS NOT MILITARY OFFICER WHO WERE THEY AFRAID OF IT SEEMS THE POWER THAT THEY MUST HAVE BEEN AFRAID OF THEN WAS SOMETHING OR SOMEBODY NOT LEE NOT THE INDIANS THEY BRING TO THAT ACCOUNT THAT THEY WERE AFRAID *THEM*[?] AND IT SEEMS TO ME GENTLEMEN OF THE JURY *EXCEPT*[?] NOT THE INDIANS DID NOT EVERY MEN THAT TOOK PART IN THAT DENY WAS FOR PLUNDER AND THESE PLUNDERERS ARE EXCUSING THEMSELVES TODAY [space] WHAT BECAME OF THE PROPERTY *IF/ANY/FOR*[?] *AS COMES*[?] AND WITNESSES HERE ONE OF THEM THINKS *HE*[?] RECOGNIZES THE [space] CATTLE ON THE HARMONY RANGE [space] YOU ALL KNOW HARMONY RANGE LIES NEXT CEDAR CITY KANARRA PAROWAN JOHNSON'S FORT ASH CREEK GOOD PLACES ^[157] WHERE THE CATTLE CAN RANGE AND [space] THE CATTLE MAY HAVE BEEN SEEN [space] — [space] AFTER THE EMIGRANTS WERE MASSACRED AND FACTS ARE *DISCLOSED*[?] NO DESCRIPTION OF THE WITNESSES HERE HAVE LEE BEING IN CHARGE OF THE PROVISION TO THE INDIANS IT MAY HAVE BEEN PASSED OVER TO HIM TO GIVE TO THE INDIANS BUT [space] GENTLEMEN OF THE JURY THESE WITNESSES WHO COME BEFORE YOU EVERY ONE OF THEM WENT TO THE SAME FACTORY WITH THESE OTHER TWO *AND HAVE*[?] OR IN THE VERY MIDST OF IT AND ALL COME FORWARD TO THE ONE WITH SINGLE OF PINNING IT ALL ON JOHN D. LEE AND KLINGENSMITH THEY SEEM TO SUSTAIN A FEELING TO STAMP TO KEEP OUT AND KEEP IN EVERYTHING THAT *OPPOSED/OPPRESSED*[?] TO HIM AND KEEP OUT EVERYTHING FOR HIM. THEY SEEM TO HAVE PUT HIM IN AS CHIEF OF THE STOCK AND FARMING [space] *SRK/SRM*[?] [space] GENTLEMEN OF THE JURY THE CRIME WAS HORRIBLE AND IT IS DETAILED BY THOSE WHO PERPETRATED IT AND THAT BEING THE CASE IF YOU ARE SATISFIED IT IS SO YOU SHOULD KNOW TO CONVICT NO MAN UPON THE TESTIMONY OF THOSE MEN. [space] COURT ADJOURNED UNTIL 10 O'CLOCK [space]⁷⁵³

753. The remainder of the notebook is blank.