

John D. Lee, Second Trial

William W. Bishop and  
Sumner Howard Closing Arguments

**BT**

**PS**

<p>[[Bk 4 1]]<sup>754</sup> <b>2ND LEE TRIAL (BOOK 4)</b> <del>W</del> W. W. BISHOPS ADDRESS TO THE JURY.<sup>755</sup> <b>(FOLLOWING JUDGE SPICER)</b> IF THE COURT PLEASE, GENTLEMEN OF THE JURY: IN COMING BEFORE YOU ON THIS OCCASION TO ARGUE THE CASE FOR THE DEFENSE, I FEEL THAT MORE THAN AN ORDINARY RESPONCIBLEITY RESTS UPON ME.. I AM PROMPTED TO APPEAR BEFORE YOU SIMPLY TO DEFEND JOHN D. LEE FOR THE <del>V</del>CRIME CHARGED IN THE INDICTMENT; BUT WHATEVER SEEMS TO BE THE ACCEPTATION OF THE PEOPLE, THAT WHILE I <del>DON'T WANT</del> DEFEND ONE I WILL PROSECUTE OTHERS:, . SUCH IS NOT MY PURPOSE. I AM HERE, GENTLEMEN, OF THE JURY, TO EXPLAIN TO YOU <del>WHY JOHN D. LEE SHOULD</del></p> <p>AS BEST I CAN WHY THE EVIDENCE THAT HAS BEEN DETAILED TO YOU BY WITNESSES IS NOT WORTHY OF YOUR BELIEF. I PROFESS TO BE ABLE FROM THE EVIDENCE OF THE PROSECUTION ALONE TO SATIS<del>W</del>SFY YOU AS WELL AS ALL FAIR MEN THAT THE POLIFCY TO CONVICT JOHN D. LEE HAS BEEN LAID DEEP AND FIRMLY AND THAT IT EXISTS IN THE MINDS AND HEZARTS OF THE WITNESSES THAT HAVE <del>BEEN</del> APPEARED HERE; AND THAT IT IS</p>	<p>[[Bk 5 1]] <b>TRANSCRIBED.</b><sup>756</sup> SEPTEMBER TUESDAY 19th W. W. BISHOP [space]</p> <p>IF THE COURT PLEASE GENTLEMEN OF THE JURY IN COMING BEFORE YOU ON THIS OCCASION TO ARGUE THE CASE FOR THE DEFENSE, [ink blot] I FEEL THAT MORE THAN A COMMON RESPONSIBILITY RESTS UPON ME. I AM NOT <i>PROMPTED</i>[?] TO APPEAR BEFORE YOU SIMPLY TO DEFEND JOHN D. LEE FOR THE CRIME CHARGED IN THE INDICTMENT BUT IT SEEMS TO BE THE EXPECTATION OF THE PEOPLE THAT WHILE I DEFEND ONE I WILL PROSECUTE OTHERS SUCH IS NOT MY PURPOSE I AM HERE GENTLEMEN OF THE JURY TO EXPLAIN TO YOU WHY JOHN D. LEE SHOULD NOT BE CONVICTED I AM HERE TO EXPLAIN TO YOU AS BEST I CAN WHY THE EVIDENCE THAT HAS BEEN DETAILED TO YOU BY WITNESSES IS NOT WORTHY OF YOUR BELIEF [space] I PROFESS TO BE ABLE TO FROM THE EVIDENCE OF THE PROSECUTION ALONE TO SATISFY YOU AS WELL AS ALL FAIR MEN THAT A CONSPIRACY TO CONVICT JOHN D. LEE HAS BEEN <del>LAID</del> DEEP AND FIRMLY AND THAT IT EXISTS IN THE MINDS AND HEARTS OF THE WITNESSES WHO HAVE APPEARED HERE AND THAT IT HAS</p>
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754. See Trial matrix, p. 3780, for RT and MU summary of proceedings.

755. Written in the margin on the left side in longhand: **THIS SPEECH WAS VERY IMPERFECTLY REPORTED AND IN TRANSCRIBING I HAVE THOUGHT BEST TO ADHERE TO THE NOTES LITTERALLY AND LET THE AUTHOR FILL IN THE GAPS RATHER THAN ATTEMPT TO DO IT MYSELF. WL COOK.**

756. In Rogerson's longhand. A considerable amount of Rogerson's longhand appears above Patterson's shorthand symbols.

**BT**

**PS**

<p>NOT THEIR POSITION IN EFFECT.. I CLAIM, GENTLEMEN OF THE JURY, THAT THE WITNESSES WHO HAVE COME BEFORE YOU, AND RAISED THEIR HANDS AND TAKEN THE OATH TO TELL THE <b>WHOLE</b> TRUTH AND NOTHING BUT THE TRUTH, HAVE COME HERE FOR A SELFISH PURPOSE. THEY HAVE BROUGHT BEFORE YOU NOT THE BEHESTS OF THE <del>PEOPLE</del> COMMON WEALTH, NOT ANY BEHEST OF LAW, NOT AS PARTIES WHO WISH TO EXPOSE CRIME AND PUNISH THE GUILTY; BUT AS MEN WHO COME WITH THEIR LIVES IN THEIR HANDS AND TESTIFYING JUST ENOUGH TO SAVE THEIR LIVES AND JUST ENOUGH TO CONVICT THIS DEFENDANT. I AM NOT HERE TO APPOLOGIZE FOR THE CRIME COMMITTED ON MOUNTAIN MEADOWS. NO MAN BORN UPON AMERICAN SOIL;NO MAN OF FOREIGN BIRTH WHO HAS TAKEN THE OATH OF ALLGIANCE TO THE GOVERNMENT OF THE UNITED STATES, <b>KNOWING</b> WHAT IT WAS, AND THE DUTIES THSAT DEVOLVES UPON HIM AS AN AMERICAN CITIZEN; NO MAN IN HARMONY WITH THE SPIRIT OF THE LAWS OF THE UNITED STATES; NO FRIEND OF HUMANITY; NO SERVANT OF THE MOST HIGH CAN EXCUSE THAT MOST UNNATURAL CRIME. <sup>[2]</sup> THEN IT MIGHT BE THOUGHT THAT UNLESS I AM AN APPOLOGIST FOR CRIME THAT I HAVE</p>	<p>NO OTHER FOUNDATION IN FACT. I CLAIM GENTLEMEN OF THE JURY THAT THE WITNESSES WHO HAVE COME BEFORE YOU AND RAISED THEIR HANDS AND TAKEN THE OATH TO TELL THE TRUTH THE WHOLE TRUTH AND NOTHING BUT THE TRUTH HAVE COME HERE FOR A SELFISH PURPOSE THEY HAVE APPEARED BEFORE YOU NOT ON BEHALF OF THE COMMON WEALTH NOT ON BEHALF OF OUTRAGED LAW NOT AS PARTIES WHO WISH TO EXPOSE CRIME AND PUNISH THE GUILTY BUT AS MEN WHO COME WITH THEIR LIFE IN THEIR HAND AND STATE WHAT TESTIFYING TO JUST ENOUGH TO SAVE THEIR LIVES AND JUST ENOUGH IN THEIR JUDGMENT TO CONVICT THIS DEFENDANT [<i>space</i>] I AM NOT HERE TO APOLOGIZE FOR THE CRIME COMMITTED ON MOUNTAIN MEADOWS NO MAN BORN UPON AMERICAN SOIL NO MAN OF FOREIGN BIRTH [<i>corner folded over</i>] WHO HAS TAKEN THE OATH OF ALLEGIANCE TO THE GOVERNMENT OF THE UNITED STATES UNDERSTANDING WHAT IT WAS AND THE DUTIES THAT DEVOLVED UPON HIM AS AN AMERICAN <sup>[[2]]757</sup> CITIZEN NO MAN IN HARMONY WITH THE SPIRIT OF THE LAWS OF THE UNITED STATES [<i>space</i>] NO FRIEND OF HUMANITY NO SERVANT OF THE MOST HIGH CAN UPHOLD OR EXCUSE THAT MOST UNNATURAL CRIME [<i>space</i>] THEN IT MAY BE THOUGHT THAT UNLESS I AM AN APOLOGIST/MAKE APOLOGIES[?] FOR CRIME I HAVE</p>
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757. "10:30" is written on the verso of page 2.

**BT**

**PS**

<p>N OTHING TO SAY; BUT, GENTLEMEN, THE VERY REASON WHY I APPEAR HERE IS THIS: THAT I BELIEVE THZAT TWO WRONGS NEVER MAKE A RIGHT; THAT BECAUSE CRIME WAS COMMITTED UPON THAT SEPTEMBER DAY ON MOUNTAIN MEADOWS; BECAUSE THAT EMIGRANT TRAIN WAS SWEEP FROM EEXISTANCE; BECAUSE 120 INNOCENT BEINGS WERE THERE FOULLY MURDERED IS NO REASON WHY A LOT OF HARDENED, CRUEL ASSASSINS SHOULD COME HERE AND AT THE PRICE OF THEIR OWN LIVES SACRIFICE ANOTHER MAN. IF IT WAS WRONG, AS I C-LAIM IT WSAS, # TO SACRIFICE THE PEOPLE UPON THE MOUNTAIN MEADOWS, IT IS EQUALLY WRONG AND CRIMINAL FOR PEOPLE AT THAIS TIME TO BIND THEMSELVES TOGETHER FOR THE PURPOSE OF CONVICTING ONE MAN TO SAVE 501 OTHER PEOPLE. I CAN'T DRZAW THE LINE OF DAEMARCATION SO AS TO TELL WHO WERE THE PARTIES THAT ATED THAT ACTED UPON THAT FIELD WERE INNOCENT. I CAN'T UNDERSTAND THE SYSTEM OF THEOLOGY IF SUCH EXISTED. NOR CAN I UNDERSTAND THE SYSTEM OF PHYSICS, IF SSUCH EVER DID EXIST, THAT WOULD JUSTIFY MEN IN DOING WHA#T THEY DID UPON THAT OCCASION.</p> <p>THE</p>	<p>NOTHING TO SAY [<i>space</i>] BUT GENTLEMEN THE VERY REASON WHY I APPEAR HERE IS THIS THAT I BELIEVE THAT TWO WRONGS NEVER MADE A RIGHT THAT BECAUSE CRIME WAS COMMITTED UPON THAT SEPTEMBER DAY ON MOUNTAIN MEADOWS BECAUSE THAT EMIGRANT TRAIN WAS SWEEP FROM EXISTENCE BECAUSE 120 INNOCENT BEINGS WERE THERE FOULLY AND USELESSLY MURDERED IS NO REASON WHY A LOT OF RED HANDED COWARDLY ASSASSINS SHOULD COME HERE AND AT THE<sup>758</sup> PRICE OF THEIR OWN LIVES SACRIFICE ANOTHER MAN. IF IT WAS WRONG AS I CLAIM THAT IT WAS TO SACRIFICE THE PEOPLE UPON MOUNTAIN MEADOWS IT IS EQUALLY WRONG AND CRIMINAL FOR PEOPLE AT THIS TIME TO BIND THEMSELVES TOGETHER FOR THE PURPOSE OF CONVICTING ONE MAN TO SAVE 50 ODD OTHER PEOPLE. I CAN'T DRAW THE LINE OF DEMARCATION SO AS TO TELL WHO THAT ACTED UPON THAT FIELD WERE INNOCENT I CAN'T UNDERSTAND THE SYSTEM OF THEOLOGY IF SUCH EXISTED NOR CAN I UNDERSTAND THE SYSTEM OF ETHICS IF SUCH EVER DID EXIST THAT WOULD JUSTIFY MEN IN DOING WHAT WAS DONE UPON THAT OCCASION. I MIGHT SAY LIKE THE QUEEN OF BEERSHEBA<sup>759</sup> WHEN SHE VISITED SOLOMON THAT THE HALF HAS NOT BEEN TOLD<sup>760</sup> THE</p>
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758. Rogerson's hand symbol is above the shorthand symbol.

759. I.e., the queen of Sheba.

760. See 1 Kings 10:1-10.

**BT**

**PS**

PROSECUTION HAVE RESTED FOR SHORT OF THEIR DUTY. IT WAS EXPECTED—AND YOU EXPECTED WHEN YOU COME UPON THIS STAND AND TOOK THE OATH— YOU EXPECTED THAT THAT ENTIRE OATH SCENE WOULD BE REPEATED. YOU EXPECTED THAT THAT ENTIRE HISTORY WOULD BE GIVEN TO YOU WITH ALL OF ITS SICKENING DETAILS. YOU BELIEVED THAT THE SIN OF EVERY PARTY WOULD BE MADE MANIFEST; AND THAT THE ACTS COMMITTED BY THE 50 PEOPLE ON THAT GROUND SHOWN BY THE EVIDENCE HERE WOULD BE DESCRIBED BY THE TO YOU. SUCH IS NOT THE FACT. WHY I CAN'T STATE AND I AM NOT PERMITTED TO GUESS! YOU HAVE BEEN INFORMED BY THE PROSECUTION— BEEN INFORMED BY THE DOCUMENTARY EVIDENCE, THAT AT THE TIME THE MASSACRE TOOK PLACE AT MOUNTAIN MEADOWS, THERE WAS A TERRIBLE CONDITION OF AFFAIRS EXISTING IN UTAH TERRITORY. HAVING LIVED IN UTAH TERRITORY YOU MIGHT BE ACQUAINTED WITH ITS FORMER HISTORY. YOU MAY BE ACQUAINTED WITH THE CAUSES THAT LED TO THE THEN EXISTING WAR. <sup>[3]</sup> OF THAT I HAVE A RIGHT TO SPEAK. UTAH AT THAT TIME WAS SETTLED BY WHAT IS KNOWN THROUGHOUT THE UNITED STATES AS A PECULIAR PEOPLE CALLED THE “LATTER DAY SAINTS.” I CAN'T GIVE THE WHOLE DETAIL, BUT YOU UNDERSTAND WHAT I MEAN; IN

PROSECUTION HAS RESTED FAR SHORT OF ITS DUTY IT [space] WAS EXPECTED AND YOU EXPECTED WHEN YOU COME UPON THIS STAND AND TOOK THE OATH [space] ~ YOU EXPECTED THAT THAT ENTIRE SCENE WOULD BE REPEATED YOU EXPECTED THAT THAT ENTIRE HISTORY WOULD BE GIVEN TO YOU WITH ALL OF ITS SICKENING DETAILS YOU BELIEVED THAT THE SIN OF EVERY PARTY WOULD BE MADE MANIFEST [corner folded over] <sup>[[3]]</sup> AND THAT THE ACTS COMMITTED BY THE 50 PEOPLE ON THAT GROUND SHOWN BY THE EVIDENCE HERE WOULD BE DESCRIBED TO YOU SUCH IS NOT THE FACT WHY I CAN'T STATE AND I AM NOT PERMITTED TO GUESS YOU HAVE BEEN TOLD BY THE PROSECUTION AND BEEN INFORMED BY THE DOCUMENTARY EVIDENCE THAT AT THE TIME THE MASSACRE AT MOUNTAIN MEADOWS TOOK PLACE THERE WAS A TERRIBLE CONDITION OF AFFAIRS EXISTING IN UTAH TERRITORY. HAVING LIVED IN UTAH TERRITORY YOU MIGHT BE ACQUAINTED WITH ITS FORMER HISTORY YOU MAY BE ACQUAINTED WITH THE CAUSES THAT LED TO THE THEN EXISTING WAR OF THAT I HAVE A RIGHT TO SPEAK. UTAH AT THAT TIME WAS SETTLED BY WHAT WAS KNOWN THROUGHOUT THE UNITED STATES AS A PECULIAR PEOPLE CALLED THE LATTER DAY SAINTS AND I CAN'T GIVE THE WHOLE DETAIL BUT YOU UNDERSTAND WHAT I MEAN IN

**BT**

**PS**

<p>OTHER WORDS <b>THE</b> “MORMONS;” THE PEOPLE WHO HAD BEEN FOR A NUMBER OF YEARS MAKING AN EFFORT TO ESTABLISH A CHURCH AND A HOME IN VARIOUS PARTS OF <del>THE</del> UNITED STATES; AS IN OHIO, WHERE THEY LEFT FOR CAUSES THAT MORMONS UNDERSTAND. NEXT THEY SETTLED IN MISSOURI, BELIEVING THAT UNDER THE CONSTITUTION OF THE UNITED STATES <del>S</del> THEY HAD A RIGHT TO <del>S</del>WORSHIP GOD ACCORDING TO THE DICTATES OF THEIR OWN CONSCIENCES. THEY UNDERTOOK TO MAKE A HOME IN JACKSON COUNTY, MISSOURI. THEY LEFT THERE FOR REASONS THAT ARE KNOWN TO THE MORMON PEOPLE. NEXT THEY SETTLED AT NAUVOO, ILLINOIS,. THERE THEY BUILT UP A CITY UNDER THE LEADERSHIP OF JOSEPH SMITH. THEY INCREASED IN NUMBERS; AND COMMENCED AND, HAD WELL NIGH BUILDED A TEMPLE IN WHICH TO WORSHIP <del>GO</del> ACCORDING TO THE DICTATES OF THEIR OWN CONSCIENCES. AS THE TESTIMONY FOR THE PROSECUTION <b>HAS</b> SHOWN YOU JOSEPH SMITH WAS KILLED BY PARTIES THAT IT IS UNNECESSARY <del>TO</del> NAME. HE FELL A VICTIM TO THE WRATH OF THOSE WHO OPPOSED THE MORMON RELIGION. THEN IT WAS THAT THE MORMONS,— THOSE THAT WERE LEFT TRAVELED <del>C</del>ACROSS THE MISSISSIPPI RIVER. THEN IT WAS THAT THEY STRUCK OUT UPON THE AMERICAN <del>D</del>ESERT, CROSSING THE PLAINS INTO THE FASTNESS OF THE WILDERNESS</p>	<p>OTHER WORDS THE MORMONS A PEOPLE WHO HAD BEEN FOR A NUMBER OF YEARS MAKING AN EFFORT TO ESTABLISH A CHURCH AND A HOME IN VARIOUS PARTS OF THE UNITED STATES FIRST IN OHIO WHERE THEY LEFT FOR CAUSES THAT MORMONS UNDERSTAND. NEXT THEY SETTLED IN MISSOURI BELIEVING THAT UNDER THE CONSTITUTION OF THE UNITED STATES THEY HAD A RIGHT TO WORSHIP GOD ACCORDING TO THE DICTATES OF THEIR OWN CONSCIENCES THEY UNDERTOOK TO MAKE A HOME IN JACKSON COUNTY MISSOURI. THEY LEFT THERE FOR REASONS THAT ARE KNOWN TO THE AMERICAN PEOPLE. NEXT THEY SETTLED AT NAUVOO ILLINOIS AND THERE THEY BUILT UP A CITY THERE UNDER THE LEADERSHIP OF JOSEPH SMITH THEY INCREASED IN NUMBERS AND COMMENCED AND HAD WELL NIGH COMPLETED A TEMPLE IN WHICH TO WORSHIP GOD ACCORDING TO THE DICTATES OF THEIR OWN CONSCIENCES AS THE TESTIMONY FOR THE PROSECUTION HAS SHOWN YOU JOSEPH SMITH WAS KILLED THERE BY PARTIES THAT IT IS UNNECESSARY TO NAME HE FELL A VICTIM TO THE WRATH OF THOSE WHO OPPOSED THE MORMON RELIGION. THEN IT WAS THAT THE MORMONS THOSE THAT WERE LEFT THEY TRAVELED ACROSS THE MISSISSIPPI RIVER THEN IT WAS THAT THEY STRUCK OUT UPON THE <sup>[[4]]</sup> AMERICAN DESERT AND <i>ESTABLISH A HOME</i>[?] IN THE VASTNESS OF THE WILDERNESS</p>
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**BT**

**PS**

FOR THE PURPOSE OF BUILDING UP A HOME WHERE THEY WOULD HAVE A RIGHT TO WORSHIP GOD, AS THEY CLAIMED ACCORDING TO THE DICTATES OF THEIR OWN CONSCIENCES, AND UNINTERFERED **WITH** BY THE OUTSIDE WORLD. THEY SETTLED IN UTAH. THE HISTORY THAT GOES BEFORE THAT AS UNDERSTOOD **BY** ALL IS A HISTORY THAT THE AMERICAN PEOPLE ARE ASHAMED OF; AND TO REFER TO IT IS ALL THAT IS NECESSARY. ~~WELL~~ **WHILE** I CAN'T APOLOGIZE FOR THE DEED COMMITTED AT MOUNTAIN MEADOWS, NEITHER CAN THE PEOPLE OF THE UNITED STATES,—FOR THE ACTS COMMITTED AGAINST THE PEOPLE OF THE TERRITORY OF UTAH, — APOLOGIZE FOR THE ACTS OF THE PEOPLE THAT OPPOSED MORMONISM <sup>[A]</sup> IN JACKSON COUNTY MISSOURI, AND NAUVOO, ILLINOIS; AT THE TIME ~~THEN~~ **THEN** OR IMMEDIATELY PRECEDING THIS MASSACRE AN ARMY WAS MARCHING ACROSS THE PLAINS UNDER THE LEADERSHIP OF JOHNSON — COMING FOR WHAT? I CAN ONLY ARGUE FROM THE EVIDENCE OF THE PROSECUTION. WE ARE TOLD BY MR. ~~MORRIS~~ HAMBLIN WHO APPEARS AS A MAN REPRESENTING **THE SPIRIT OF** THIS PROSECUTION, THAT IT WAS THE GENERAL UNDERSTANDING OF THE PEOPLE THAT THIS ARMY WAS COMING TO WIPE OUT THE MORMONS—TO DESTROY THEM AS A CHURCH, A PEOPLE, AND THAT FOR THE PURPOSE OF RESISTING THEM FROM THE

FOR THE PURPOSE OF BUILDING UP A HOME WHERE THEY WOULD HAVE THE RIGHT TO WORSHIP GOD AS THEY CLAIMED ACCORDING TO THE DICTATES OF THEIR OWN CONSCIENCES AND UNINTERFERED WITH BY THE OUTSIDE WORLD THEY SETTLED IN UTAH [space] THE HISTORY THAT GOES BEFORE THAT AS UNDERSTOOD BY ALL IS A HISTORY THAT THE AMERICAN PEOPLE ARE ASHAMED OF AND A REFERENCE TO IT IS ALL THAT IS NECESSARY WHILE I CAN'T APOLOGIZE FOR THE ~~WHAT WAS~~ DEED COMMITTED AT MOUNTAIN MEADOWS NEITHER CAN THE GOVERNMENT OF THE UNITED STATES THAT ACTS FOR THE PEOPLE IN THE TERRITORY OF UTAH APOLOGIZE FOR THE ACTS OF THE PEOPLE THAT OPPOSED MORMONISM IN JACKSON COUNTY MISSOURI AND NAUVOO ILLINOIS [space] AT THE TIME THEN IMMEDIATELY PRECEDING THIS MASSACRE AN ARMY WAS MARCHING ACROSS THE PLAINS UNDER THE LEADERSHIP OF JOHNSTON COMING FOR WHAT? I CAN ONLY ARGUE FROM THE EVIDENCE OF THE PROSECUTION. WE ARE TOLD BY MR. HAMBLIN WHO APPEARS AS A MAN CONSTITUTED [space] A PART[?] OF THIS PROSECUTION THAT IT WAS THE GENERAL UNDERSTANDING THAT THIS ARMY WAS COMING TO WIPE OUT THE MORMONS TO DESTROY IT AS A CHURCH AND/A[?] PEOPLE AND THAT FOR THE PURPOSE OF RESISTING THEM *FROM/OVER*[?] THE

**BT**

**PS**

PEOPLE IN ~~UTAH~~ **THE** TERRITORY OF UTAH, THEY TRIED~~N~~ WITH MUSTERS UNDER THE VARIOUS LEADERS AND COMMANDERS BY DRILLING BY THOSE SKILLED IN MILITARY TACTICS IN ORDER TO RESIST THE INVADING ARMY. IT IS UNNECESSARY FOR US TO ENQUIRE WHICH PARTY WAS RIGHT AT THIS TIME. BUT AS THERE CAN BE NO CRIME WITHOUT A GUILTY INTENTION IT IS NECESSARY FOR US TO CONSIDER THE CIRCUMSTANCES SURROUNDING THE PEOPLE AT CEDAR CITY AND THE COMMON FEELING OF THE PECULIAR PEOPLE THAT THEN LIVED IN UTAH, IN ORDER TO ARRIVE AT THE FEELINGS OF ~~OF~~ THOSE WHO WERE CHARGED WITH THE COMMISS~~ION~~ OF THES CRIME. WE ARE TOLD THEN THAT JOHNSON WAS MARCHING FROM THE EAST ~~TO THE SOUTH & NORTH~~ **TO THE SOUTH**; THAT IT WAS FEZARED THAT AN ARMY WOULD COME FROM THE SOUTH—FROM CALIFORNIA —AND THAT THE PEOPLE IN UTAH WOULD BE ANNIHILATED; THEY WOULD **BE** COMPELLED TO AGAIN LEAVE THEIR HOMES; THAT THEY WOULD AGAIN BECOME LIKE THE [space] FROM THE ARMY — ~~WITH NO PLACE~~ A FUGITIVE UPON THE FACE OF THE EARTH WITH NO POLACE UPON WHICH TO REST THEIR FEET. THEY FEEL THAT THEIR PERSECUTION HAD BECOME GREATER THAN **THEY** COULD BEAR. THEY WERE DRIVEN TO FRENZY.. IT MIGHT BE SAID ~~THAT~~ THAT THEY WERE ALL WRONG; SO BE IT, YET THE FEELING

PEOPLE IN UTAH TERRITORY WERE MUSTERING *IN/UNDER*[?] THE VARIOUS COMMANDERS AND BEING DRILLED BY THOSE SKILLED IN MILITARY TACTICS IN ORDER TO RESIST THE INVADING ARMY. IT IS UNNECESSARY FOR US TO ENQUIRE WHICH PARTY WAS RIGHT AT THIS TIME. BUT AS THERE CAN BE NO CRIME WITHOUT A GUILTY INTENTION IT IS NECESSARY FOR US TO CONSIDER THE CIRCUMSTANCES SURROUNDING PEOPLE AT CEDAR CITY AND THE COMMON FEELING OF THE PECULIAR PEOPLE THAT THEN LIVED IN UTAH IN ORDER TO ARRIVE AT THE FEELINGS OF THOSE CHARGED WITH THE COMMISSION OF THIS CRIME. WE ARE TOLD THEN THAT JOHNSTON WAS MARCHING FROM THE EAST AND NORTH AND THAT IT WAS FEARED THAT AN ARMY WOULD COME FROM THE SOUTH FROM CALIFORNIA [space] <sup>[15]</sup> AND THAT THE PEOPLE IN UTAH WOULD BE ANNIHILATED THAT THEY WOULD BE COMPELLED TO AGAIN LEAVE THEIR HOMES THAT THEY WOULD AGAIN BECOME LIKE THE DOVE SENT FROM THE ARK FUGITIVE UPON THE FACE OF THE EARTH WITH NO PLACE UPON WHICH TO REST THEIR FEET THEY FELT THAT THEIR PERSECUTION HAD BECOME GREATER THAN THEY COULD BEAR THEY WERE DRIVEN TO FRENZY IT MAY BE SAID THAT THEY WERE ALL WRONG SO BE IT YET THE FEELING



**BT**

**PS**

WAS STRONG AND BITTER  
 THAT THEY MUST  
 EITHER DIE BATTLING FOR THEIR  
 RIGHTS OR ELSE GIVE UP THEIR  
 SYSTEM OF WORSHIP OR  
 FLEE TO LANDS THEY ~~KNOW~~ KNEW  
 NOT OF. THEY FELT THAT  
 DEATH IN ANY SHAPE WAS  
 PREFERABLE TO THIS. ; OR  
 RATHER, THEY FELT THAT ~~THAT~~  
 ANYTHING THAT WOULD WASTE  
 AWAY THEIR ENEMIES <sup>/s/</sup> AND  
 OTHER PEOPLE OF THE UNITED  
 STATES WAS ~~PREFERABLE~~  
 JUSTIFIABLE. THEY WERE TAUGHT  
 TO BELIEVE THAT AND THAT CAN'T  
 BE DENIED. GENTLEMEN, WE  
 DEPEND IN THIS CASE UPON THE  
 EVIDENCE OF THE PROSECUTION;  
 BUT HERE MY BROTHER DENNY  
 WITH ALL THE INJENUITY OF A  
 MASTER, HAS COME BEFORE YOU  
 AND SAID WHY DID THEY NOT  
 IMPEACH THE WITNESSES? SIMPLY  
 BECAUSE THEIR OWN STORY  
 IMPEACHES THEM. WHY DID JOHN  
 D. LEE NOT GIVE EVIDENCE OF THE  
 ORDERS THAT THEY RECEIVED AND  
 PERFORMED, AND HOW HE  
 RECEIVED THEM? SIMPLY BECAUSE  
 THE LAW HAS TIED HIS MOUTH—  
 CLOSED HIS MOUTH AND  
 SILENCED HIS UTTERANCE—  
 COMPELLED HIM TO SET THERE  
 SILENT DURING THIS  
 INVESTIGATION, AND PREVENTED  
 HIS UTTERING ONE WORD IN  
 EXPLANATION OR DEFENSE. THEN  
 TELL ME IT IS FAIR TO SAY  
 WHY IS IT NOT EXPLAINED?. HE  
 CAN'T EXPLAIN. THE LAW  
 HAS DENIED HIM THE RIGHT. TO  
 SHOW NOW THE PECULIAR  
 CONDITION OF AFFAIRS, I READ

WAS STRONG IN THE  
 HORROR/WAR[?] THAT THEY MUST  
 EITHER DIE BATTLING FOR THEIR  
 RIGHTS OR ELSE GIVE UP THEIR  
 CHOSEN SYSTEM OF WORSHIP OR  
 FLEE TO LANDS THEY KNEW  
 NOT OF THEY FELT THEN THAT  
 DEATH IN ANY SHAPE WAS  
 PREFERABLE TO THIS OR  
 RATHER THEY FELT THAT  
 ANYTHING THAT WOULD WASTE  
 AWAY THE ENEMY AND  
 THE OTHER PEOPLE OF THE UNITED  
 STATES WAS  
 JUSTIFIABLE THEY WERE TAUGHT  
 TO BELIEVE THAT AND THAT CAN'T  
 BE DENIED. GENTLEMEN WE  
 DEPEND IN THIS CASE UPON THE  
 EVIDENCE OF THE PROSECUTION  
 BUT HERE MY BROTHER DENNY  
 WITH ALL OF THE INGENUITY OF A  
 MASTER HAS COME BEFORE YOU  
 AND SAID WHY DID THEY NOT  
 IMPEACH THE WITNESSES? SIMPLY  
 BECAUSE THEIR OWN STORY  
 IMPEACHED THEM WHY DID JOHN  
 D. LEE NOT GIVE EVIDENCE OF THE  
 ORDERS THAT HE RECEIVED AND  
 PERFORMED *AND/HE[?]*  
 RECEIVED THEM SIMPLY BECAUSE  
 THE LAW HAS TIED HIS MOUTH  
 CLOSED HIS MOUTH AND  
 SILENCED HIS UTTERANCE [*space*]  
 COMPELLED HIM TO SIT THERE  
 SILENT DURING THIS  
 INVESTIGATION AND PREVENTED  
 HIS UTTERING ONE WORD OF  
 EXPLANATION OR DEFENSE. THEN  
 TELL ME THAT IT IS FAIR TO SAY  
 WHY IS IT NOT EXPLAINED HE  
 CAN'T EXPLAIN [*space*] THE LAW  
 HAS DENIED HIM THAT RIGHT. TO  
 SHOW YOU NOW THE PECULIAR  
 CONDITION OF AFFAIRS I READ

**BT**

**PS**

YOU WHAT THE PROSECUTION HAS NOT YET REZAD.  
 I DO IT SIMPLY IN A SPIRIT OF FAIRNESS MORE THAN FOR THE PURPOSE OF SUCCESS IN THIS CASE. BUT I ADMIT TO YOU THAT SU CCESS IS DEARER TO ME THAN ANYTHING ELSE ON EAƦRTH, AND AS YOU ARE TO DECIDE THIS CASE ACCORDING TO THE LAW AND THE EVIDENCE, YOU ARE ENTITLED TO KNOW WHAT THE EVIDENCE IS.

THE DATE CHARGED IN THE INDICTMENT AS THE TIME WHEN THE CRIME WAS COMMITTED IS THE 16TH OF SEPTEMBER. HOWARD: I CLAIM THIS OFFENCE WAS COMMITTED ON THE FRIDAY XSUCCEEDING THE MONDAY, THE 7TH DƐAY OF SEPTEMBER,—THAT WOULD ƦBE THE 11TH OF SEPTEMBER. BISHOP: I AM GOING TO ARGUE THAT THIS IS NOT PROƦDERLY FOUNDED. THEN, GENTLEMEN OF THE JURY, IT IS ALLEGED IN THE INDICTMƦMENT THAT THIS CRIME WAS COMMITTED ON THE SIXTH 16TH OF SEPTEMBER; IT IS NOW CLAIMED ON THE 11TH OF SEPTEMBER. ALL RIGHT LET IT GO SOƐ. NOW, GENTLEMEN, I CLAIM THAT THEY ARE MISTAKEN IN THEIR TIME, BECAUSE IF THE EVIDENCE OF THE PROSECUTION BE TRUE, AND THAT CRIME WAS COMMITTED ON THE 11TH. HASLAM

YOU WHAT THE PROSECUTION HAS NOT YET READ [space] AND I DO IT MORE IN THE SPIRIT OF FAIRNESS MORE THAN FOR THE PURPOSE OF SUCCESS IN THIS CASE BUT I ADMIT TO YOU THAT SUCCESS IS DEARER TO ME THAN ANYTHING ELSE ON EARTH AND AS YOU ARE [page folded] <sup>[[6]]</sup> SWORN TO DECIDE THIS CASE ACCORDING TO THE LAW AND THE EVIDENCE YOU ARE ENTITLED TO KNOW WHAT THE EVIDENCE IS FOR WHEN YOU LEAVE THE JURY BOX YOU CAN TAKE THIS WRITTEN<sup>761</sup> EVIDENCE WITH YOU IT THAT[?] A PORTION OF THAT OF THEM. [space] THE DATE CHARGED IN THE INDICTMENT AS THE TIME[?] WHEN THE CRIME WAS COMMITTED IS THE 16 OF SEPTEMBER [space] HOWARD WE CLAIM THIS OFFENSE WAS COMMITTED ON THE FRIDAY SUCCEEDING MONDAY THE 7 DAY OF SEPTEMBER THAT WOULD BE THE 11<sup>TH</sup> OF SEPTEMBER [space] BISHOP I AM GOING TO ARGUE THAT THAT/WITH THEM[?] THIS IS NOT PROPERLY FOUNDED. [space] THEN GENTLEMEN OF THE JURY IT IS ALLEGED IN THE INDICTMENT THAT THIS CRIME WAS COMMITTED ON THE 16 OF SEPTEMBER IT IS NOW CLAIMED ON THE 11<sup>TH</sup> OF SEPTEMBER [space] ALL RIGHT LET IT GO SO [space] NOW GENTLEMEN I CLAIM THAT THEY ARE MISTAKEN IN THEIR TIME BECAUSE IF THE EVIDENCE FOR THE PROSECUTION BE TRUE AND THAT CRIME WAS COMMITTED ON THE 11<sup>TH</sup> HASLAM

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761. Word may have been added later.

**BT**

**PS**

<p>HAD ARRIVED IN SALT LAKE CITY WITH HIS INFORMATION <del>BEFORE THE</del> <b>ABOUT THE AFFAIRS AT TRAIN REACHED CEDAR CITY .</b> PREVIOUS TO THE ISSUANCE OF THE PROCLAMATION THAT IS SIGNED BY <sup>[6]</sup> DANIEL H. WELLS AND BY BRIGHAM YOUNG; BUT I CLAIM THAT NO NOTICE OF THE KIND THAT HASLAM DELIVERED TO BRIGHAM YOUNG, <b>THAT</b> THE PRESIDENT OF THE MORMON CHURCH, AND THEN GOVERNOR AND SUPERINTENDANT OF INDIAN AFFAIRS IN THIS TERRITORY WOULD NOT AND COULD NOT HAVE ISSUED A PROCLAMATION THAT WAS ISSUED IMMEDIATELY AFTER THAT IN REGARD TO THE TREATMENT OF EMIGRANTS AND PEOPLE GOING THROUGH. THERE IS SOMETHING WRONG HERE. EITHER IT WAS A CONSPIRACY OF THE ENTIRE <b>ENTIRE</b> PEOPLE OF THE TERRITORY OF UTAH TO COMMIT CRIME THEMSELVES, OR ELSE THE EVIDENCE FOR THE PROSECUTION IS UNTRUE, ONE OF <del>THEE</del> TWO. YOU CAN'T DODG IT. WHERE THE GUILTY IS GOD KNOWS, I DON'T, AT LEAST HE HNOWS THAT I DON'T; WHETHER HE KNOWS WHO IT IS OR NOT. THE FIRST THING THEN, GENTLEMEN, I COME TO <b>IN W</b> THIS DOCUMENTRY EVIDENCE WOULD BE THE LETTER OF COLONEL WILLIAM H. DAME. IT IS A PECULIAR HISTORY, AND IT MAY BE THAT SOME PEOPLE STILL LIVE IN UTAH THAT WISH IT WAS BLOTTEED OUT BUT YOUR PARTICULAR FRIEND AND BROTHER</p>	<p>HAD ARRIVED IN SALT LAKE CITY WITH HIS INFORMATION ABOUT THE AFFAIRS AT CEDAR CITY PREVIOUS TO THE ISSUANCE OF THE PROCLAMATION THAT IS SIGNED BY DANIEL H. WELLS AND BY BRIGHAM YOUNG BUT I CLAIM THAT IF START NOTICE OF THE <i>DEED THAT</i>[?] KIND THAT HASLAM DELIVERED TO BRIGHAM YOUNG THAT THE PRESIDENT OF THE MORMON CHURCH AND THEN GOVERNOR AND SUPERINTENDENT OF INDIAN AFFAIRS IN THIS TERRITORY AND THE LIEUTENANT GENERAL OF ITS FORCES WOULD NOT AND COULD NOT HAVE ISSUED THE PROCLAMATION THAT WAS ISSUED IMMEDIATELY AFTER THAT IN REGARD TO THE TREATMENT OF EMIGRANTS AND PEOPLE GOING THROUGH. THERE IS SOMETHING WRONG HERE EITHER IT WAS A CONSPIRACY OF THE ENTIRE PEOPLE OF UTAH TO COMMIT THIS CRIME OR ELSE THE EVIDENCE FOR THE PROSECUTION IS UNTRUE ONE OF THE TWO [<i>space</i>] <sup>[7]</sup> YOU CAN'T DODGE IT. WHERE THE GUILT IS GOD KNOWS I DON'T AT LEAST HE KNOWS THAT I DON'T WHETHER HE KNOWS WHERE IT IS OR NOT. [<i>space</i>] THE FIRST THING, GENTLEMEN THEN TO COME IN THIS DOCUMENTARY EVIDENCE WOULD BE THE LETTER TO COLONEL DAME. BUT IT HAS A PECULIAR HISTORY AND IT MAY BE THAT SOME PEOPLE STILL LIVE IN UTAH THAT WISH IT WAS BLOTTED OUT BUT YOUR PARTICULAR FRIEND BY OTHER</p>
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**BT**

**PS**

<p>MORMON, THE UNITED STATES ATTORNEY HERE HAS TAKEN PARTICULAR PAINS TO RAISE ALL OF THE ODEUM FROM THE MORMON CHURCH, AND BY HIS POPENING SPEECH AND THE COURSE OF HIS CONDUCT IN THE TRIAL OF THIS CASE <del>HA</del> HAS MADE THE EFFORT <del>AS I HAVE MADE IT</del> <b>HERE</b> BEFORE TO RAISE THE ODEUM FROM THE MORMON CHURCH; AS SUCH IT IS TOO LATE NOW FOR THE GOVERNMENT TO GO BACK AND CLAIM THAT THE MORMON <del>V</del>CHURCH PLANNED THIS MASSACRE— IT CAN'T BE DONE. STILL THEY HAVE INTRODUCED TESTIMONY HERE OF A PARTICULAR CHARACTER ; AND AS MY BROTHER <del>N</del>DENNY REMARKED, IT MAY BE EVIDENCE <del>TH</del>ZAT IS CO<del>M</del>PETENT AND I WILL READ IT TO YOU. IT MIGHT SOUND WELL IN SOME OF THE PAPERS. THAT ARE PARTICULARLY <del>F</del>FRIENDLY TO THE MORMON CHURCH. ESPECIALLY TO THE SALT LAKE TRIBUNE, SAN FRANCISCO CHRONICLE, THE VIRGINIA ENTERPRISE, THE PIOCHE RECORD AND THE SAINT LOUIS REPUBLICAN. I DARE SAY THEY WILL DECREE BY UNANIMOUS VOTE OF EACH EDITOR, THAT THERE WAS NO PERSON IN THE WORLD THAT HAD ANYTHING TO DO WITH <del>TH</del>KIS EXCEPT ONE OR TWO MEN AT CEDAR CIRTY. BUT THE TIME WILL COME WHEN YOU WILL SEE <del>LEE</del> <sup>[7]</sup> THE PROSECUTION GOING BACK</p>	<p>MORMONS <i>AND/THE</i>[?] UNITED STATES ATTORNEY HERE HAS TAKEN PARTICULAR PAINS TO ERASE ALL OF THE<sup>762</sup> ODIUM FROM THE MORMON CHURCH AND BY HIS OPENING SPEECH AND THE COURSE OF HIS CONDUCT IN THE TRIAL OF THIS CASE HAS MADE THE EFFORT AS I HAVE MADE IT HERE <i>BEFORE</i>[?] TO ERASE THE ODIUM FROM THE MORMON CHURCH AS SUCH AND IT IS TOO LATE NOW FOR THE GOVERNMENT TO GO BACK AND CLAIM THAT THE MORMON CHURCH PLANNED THIS MASSACRE IT CAN'T BE DONE. <i>[space]</i> STILL THEY HAVE INTRODUCED TESTIMONY HERE OF A PARTICULAR CHARACTER AND AS MY BROTHER DENNY REMARKED, IT MAY BE EVIDENCE THAT IS COMPETENT AND I WILL READ IT TO YOU. IT MAY SOUND WELL IN SOME OF THE PAPERS THAT ARE PARTICULARLY FRIENDLY TO THE MORMON CHURCH. ESPECIALLY TO THE SALT LAKE TRIBUNE AND SAN FRANCISCO CHRONICLE THE VIRGINIA ENTERPRISE THE PIOCHE RECORD AND THE SAINT LOUIS REPUBLICAN. <i>[space]</i> I DARE SAY THEY WILL DECREE BY UNANIMOUS VOTE OF EACH EDITOR THAT THERE WAS NO PERSON OF THE WORLD THAT HAD ANYTHING TO DO WITH THIS EXCEPT ONE OR TWO MEN AT CEDAR CITY BUT THE TIME WILL COME WHEN YOU WILL SEE THE PROSECUTION GOING BACK</p>
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762. Rogerson's hand symbol; a second hand symbol is in the margin to the left of this line.

BT

PS

UPON ITS TRACKS AS BOLDLY AS THEY HAVE HAVE COME UPON THE TRACK THAT WAS FORMED BY SOME OF THEM IN THE FORMER TRIAL PROSECUTION.. THIS IS

THE SIGNATURE OF JAMES JACK, NOTARY PUBLIC OF SALE LAKE CITY, SHOWING THAT IT IS A GENUINE DOCKET; BUT I SUPPOSE FROM THE POSITION THAT HE OCCUPIES HE KNOWS. | COUNSEL HERE HREAD THE DOCUMENT THROUGH| THIS IS ABOUT TWO DAYS BEFORE THE MASSACRE AS CHARGED IN THE TO HAVE BEEN COMMITTED IN THE INDICTMENT. THREE DAYS AFTER IT IS CHARGED NOW TO HAVE BEEN COMMITTED.

THEN HASLAM STATES THE DAY AFTER HE S TARTED ON THE 7TH, HE GOT TO SALT LSKE CITY.. THIS WAS

WRITTEN AFTER IT WAS KNOWN THAT THE PEOPLE AT CEDAT CITY HAD REACHED THIS ENTIRE HOSTILITY AGAINST THE EMIGRANTS.

THIS THEN WAS WRITTEN FOUR DAYS AFTERWARDS— FOUR DAYS AFTER HE HAD BEEN THERE. I WILL READ THIS AGAIN| READS|

GENTLEMEN, ISN'T THAT A PECULIAR CHARACTER OF TESTIMONY EVIDENCE TO BE INTRODUCED BY THE PROSECUTION THAT IS TRYING TO MAKE YOU BELIEVE THAT ALL FOF THE DIFFICULTIES ORIGINATED IN UTAH SOUTHERN UTAH, ROSE FROM THE SPIRIT THAT ACTUATED ONE

UPON ITS TRACK AS BOLDLY AS THEY HAVE IN THIS UPON THE TRACK THAT WAS FORMED BY SOME OF THEM IN THE FORMER PROSECUTION THIS IS GOOD WHOLESOME[?] AND PECULIAR IT IS THE SIGNATURE OF JAMES JACK NOTARY PUBLIC OF SALT LAKE CITY SHOWING THAT IT IS A GENUINE DOCKET BUT I SUPPOSE FROM THE POSITION THAT HE OCCUPIES HE KNOWS [space] <sup>[[8]]</sup> “ — [space]

THAT IS TWO DAYS BEFORE THE MASSACRE IS CHARGED TO HAVE BEEN COMMITTED IN THE INDICTMENT 3 DAYS AFTER IT IS CHARGED NOW TO HAVE BEEN PROSECUTED COMMITTED [space]

FOR HASLAM TELLS THE DAY AFTER HE STARTED ON THE 7<sup>TH</sup> GO TO SALT LAKE BUT IN THE DAY THAT WAS [space] THIS WAS

WRITTEN THEN AFTER IT WAS KNOWN THAT THE PEOPLE AT CEDAR CITY HAD RDV/RCH/—[?] [ink blot] THEMSELVES IN THEIR HOSTILITY AGAINST THE EMIGRANTS. <HOWARD> CEDAR CITY MONDAY [space] THIS THEN

WAS WRITTEN FOUR DAYS AFTERWARDS. FOUR DAYS AFTER HE HAD BEEN THERE. [space] READ THIS AGAIN “DOCUMENT” [space]

GENTLEMEN ISN'T THAT A PECULIAR CHARACTER OF EVIDENCE TO BE INTRODUCED BY A PROSECUTION THAT IS TRYING TO MAKE YOU BELIEVE THAT ALL OF THE DIFFICULTIES ORIGINATED IN SOUTHERN UTAH AND ROSE FROM THE SPIRIT THAT ACTUATED ONE

**BT**

**PS**

OR TWO MEN. ISN'T IT PECUKLIAR EVIDENCE TO BE INTRODUCED TO SHOW THAT JOHN DL. LEE AND ISAAC C. HAIGHT AND OLD MAN HOPKINS AND ONE OR TWO OTHERS SAT CEDAR CITY WENT IN DEFIANCE TO DO EXACTLY WHAT THE CHURCH AUTHORITIES DIRECETD THEM TO FDO A FEW DAYS AFTERWARDS. THAT DOFCUMENT IS PECULIAR IN ITS CHARACTER. IT WAS ISSUED UNDER A PECULIAR STATE OF EXCITEMENT. WHEN THE MAN WHO DRAFTED IT KNEW THAT THEY WERE MAKING WAR OR WAGING A WZAR AS IT WERE FOR EXISTANCE..

IT IS A DOCUMENT THAT UNEXPLAINED WOULD STAMP **THE** TWO MEN WHO WROTE IT AS ~~THE~~ BEING TRAITORS—..THE VILEST TRAITORS TO THE UNITED STARES THAT EVER EXISTED. . BUT UNDERSTAND THAT THE **EVIDENCE THAT THE** PROSECUTION HAS PUT IN HEDRE— YOU UNDERSTAND **IT** AND KNOW WHY IT WAS WRITTEN. YET IT COMES FØROM THE FRIENDS OF THE CHURCH, FROM THE PROSECUTION IN THIS CASE. THZAT IS WHAT THEY RECEIVED—THE <sup>[8]</sup>

PROCLAMATION WHICH I SHALL NOW READ. [COUNSEL READS PROCLAMATION] GENTLEMEN, YOU UNDERSTAND WHY THAT IS GOOD EVIDENCE.. IT IS ÐADMITTED THAT THIS IS AN EXACT COPY OF THE PROCLAMATION OF THE GOVERNOR OF THE TERRITORY OF UTAH,

OR TWO MEN ISN'T IT PECULIAR EVIDENCE TO BE INTRODUCED TO SHOW THAT JOHN D. LEE AND ISAAC C HAIGHT AND OLD MAN HOPKINS AND ONE OR TWO OTHERS AT CEDAR CITY CONCLUDED IN ADVANCE TO DO EXACTLY WHAT THE CHURCH AUTHORITIES DIRECTED THEM TO DO A FEW DAYS AFTERWARDS. THAT DOCUMENT IS PECULIAR IN ITS CHARACTER. IT WAS ISSUED UNDER A PECULIAR STATE OF EXCITEMENT WHEN THE MEN WHO DRAFTED IT KNEW THAT THEY WERE MAKING WAR OR WAGING A WAR AS IT WERE FOR EXISTENCE FIGHTING FROM NECESSITY AND *NOT[?]* FROM CHOICE A DOCUMENT THAT OF ITSELF UNEXPLAINED WOULD STAMP THE TWO MEN WHO WROTE IT AS BEING TRAITORS THE VILEST TRAITORS TO THE UNITED STARES THAT EVER EXISTED BUT EXPLAINED WITH THE EVIDENCE THAT THE PROSECUTION HAS PUT IN HERE YOU UNDERSTAND IT AND KNOW WHY IT WAS WRITTEN YET IT COMES FROM THE FRIENDS OF THE CHURCH FROM THE PROSECUTION IN THIS CASE. THAT SAYS THAT THEY WILL RECEIVE *THAT THEY/WITH THEM[?]* A PROCLAMATION WHICH I WILL NOW READ. [*space*] <sup>[19]</sup>

“PROCLAMATION” [*space*] GENTLEMEN OF THE JURY YOU UNDERSTAND WHY THAT IS GOOD EVIDENCE —/R[?] —[?] IT IS ADMITTED THAT THIS IS AN EXACT COPY OF THE PROCLAMATION OF THE GOVERNOR OFUTAH TERRITORY

**BT**

**PS**

ISSUED ON THE 15TH DAY OF SEPTEMBER 1857. IT IS THE EVIDENCE INTRODUCED BY THE PROSECUTION. THEY HAVE NO RIGHT TO DISPUT IT. THEY COULD NOT DISPUTE IT AFTER THEY HZAVE INTRODUCED IT. SECONDLY ALL EVIDENCE HERE IS TAKEN AS TRUE. CALL YOUR ATTENTION TO SOME OF THOSE THINGS— WHY IT WAS THAT MARTIAL LAW WAS DECLARED. THIS PROCLAMATION SHOWS YOU ~~WHERE~~ WHY THE PROCLAMATION LETTER TO WILLIAM H. DAME WAS WRITTEN. AS I SAID BEFORE THE LETTER UNEXPLAINED WOULD SHOW BRIGHAM YOUNG AND DANIEL H. WELLSTO BE TRAITORS TO THE COUNTRY AND THAT THIS EXPLENATION WHICH SHOWS BY WHOM THEY WERE WRITTEN AND THAT MAN STATED IS BRIGHAM YOUNG; AND THISM THINKG MAY BE SAID: NOTHINGN ELSE COULD BE DONE. TAKE THIS EVIDENCE AND SEE WHAT WHAT WAS DONE.. “FOR THE LAST 25 YEARS WE HAVE TRUSTED OFFICIALS OF THE GOVERNMENT ØFROM CONSTABLES AND JUSTICES AND JUDGES, GOVERNORS AND PRESIDENTS, ONLY TO BE SCORNEH HELD IN DERISION, INSULTED AND BETRAYED. OUR HOUSES HAVE BEEN PLUNDERED AND THEN BURNED.” DO YOU BELIEVE THE WORDS OF BRIGHAM YOUNG. DO YOU BELIEVE THAT HE TALKS UNDERSTANDINGLY WHEN HE SAYS THAT YOUR HOUSEES HAVE BEEN PLUNDERED AND THEN

ISSUED ON THE 15<sup>TH</sup> DAY OF SEPTEMBER 1857 IT IS THE EVIDENCE INTRODUCED BY THE PROSECUTION THEY HAVE NO RIGHT TO DISPUTE IT THEY COULD NOT DISPUTE IT AFTER THEY HAVING INTRODUCED IT. CERTAINLY ALL *THIS*[?] HERE IS TAKEN AS TRUE. CALL YOUR ATTENTION TO SOME OF THOSE THINGS WHY IT WAS THAT MARTIAL LAW WAS DECLARED 46 THIS PROCLAMATION SHOWS YOU WHY THE LETTER TO WILLIAM H DAME WAS WRITTEN AS I SAID BEFORE THE LETTER UNEXPLAINED WOULD SHOW BRIGHAM YOUNG AND DANIEL H. WELLS TO BE TRAITORS TO THE COUNTRY WITH THIS EXPLANATION WHICH SHOWS *BY WHOM*[?] THAT WAS WRITTEN AND THAT *MAM*[?] STATED IS BRIGHAM YOUNG<sup>763</sup> AND THIS THING MAY *WE/THAT*[?] STATED NOTHING ELSE COULD BE DONE TAKE THIS EVIDENCE SEE WHAT WAS DONE [*space*] FOR THE LAST 25 YEARS WE HAVE TRUSTED OFFICIALS OF THE GOVERNMENT FROM CONSTABLES AND JUSTICES AND JUDGES [*space*] GOVERNORS AND PRESIDENTS ONLY TO BE SCORNEH HELD IN DERISION INSULTED AND BETRAYED OUR HOUSES HAVE BEEN PLUNDERED AND THEN BURNED DO YOU BELIEVE THE WORDS OF BRIGHAM YOUNG DO YOU BELIEVE THAT HE TALKS UNDERSTANDINGLY WHEN HE SAYS THAT YOUR HOUSES HAVE BEEN PLUNDERED AND THEN

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763. Rogerson’s hand symbol.

**BT**

**PS**

<p>BURNED? DO YOU BELIEVE HIM WHEN HE SAYS OUR FIELDS LAID WASTE, OUR PRINCIPLE MEN BUTCHERED WHILE UNDER THE PLEDGED FAITH OF THE GOVERNMENT FOR THEIR SAFETY? DO YOU BELIEVE THAT HE KNEW WHAT HE SAYS WAS WRITING ABOUT? DO YOU BELIEVE THAT HE UNDERSTOOD THE SITUATION? DO YOU BELIEVE THAT BRIGHAM YOUNG MISREPRESENTED THE FACTS TO THE PEOPLE OF UTAH WHEN HE WAS ASKING THEM TO RAISE AS ONE MAN AND DEFEND THEIR RELIGION AND THEIR HOMES? YOU MUST BELIEVE — INTRODUCED BY THE PROSECUTION IT IS THEIR EVIDENCE. AND FURTHER HE SAYS, “OUR FAMILISE HAVE BEEN DRIVEN FROME THEIR HOMES TO FIND SHELTER IN THE <sup>[9]</sup> BARREN WILDERNESS, AND THAT PROTECTION AMONG HOSTIØLE SAVAGES WHICH WAS DENIED THEM IN THE BOASTED ABODES OF CHRISTIANITY AND CIVILIZATION.” WAS NOT , IF THAT <del>BBB</del> PROCLAMATION BE TRUE, THE PEOPLE THAT INHABITED UTAH IN 1857, A PERXSECUTED PEOPLE? IT CAN’T BE DENIED—IT CAN’T BE <del>DENIED</del> QUESTIONED BUT WHAT THE GOVERNMENT OF THE UNITESD STATES, JUDGING FROM THE TESTIMONY BEFORE THE PEOPLE AND BEFORE THIS JURY, BUT WHAT THE GOVERNMENT OF THE UNITES TXSTATES WAS URGING — THEN CARRYING ON AND INTRODUCING WAR AGAINVST THE PEO PLE OF UTAH. — AND I SHALL NOT GO OUTSIDE OF THE RECORD. I SAY THAT FROM THE TESTIMONY</p>	<p>BURNED DO YOU BELIEVE HIM WHEN HE SAYS OUR FIELDS LAID WASTE OUR PRINCIPLE MEN BUTCHERED WHILE UNDER THE PLEDGED FAITH OF THE GOVERNOR FOR THEIR SAFETY DO YOU BELIEVE THAT HE KNEW WHAT HE WAS WRITING ABOUT DO YOU BELIEVE THAT HE UNDERSTOOD THE SITUATION DO YOU BELIEVE THAT BRIGHAM YOUNG MISREPRESENTED THE FACTS TO THE PEOPLE OF UTAH WHEN HE WAS ASKING THEM TO RAISE AS ONE MAN TO DEFEND THEIR RELIGION AND THEIR HOMES YOU MUST BELIEVE IT = INTRODUCED BY THE PROSECUTION IT IS THEIR EVIDENCE [space] AND FURTHER HE SAYS OUR FAMILISE HAVE BEEN DRIVEN FROM THEIR HOME <sup>[[10]]</sup> TO FIND THAT ≪SHELTER IN THE BARREN WILDERNESS≫ AND THAT PROTECTION AMONG HOSTILE SAVAGES WHICH WE DENIED THEM IN THE BOASTED ABODES OF CHRISTIANITY AND CIVILIZATION” DON’T THINK THAT PROCLAMATION BE TRUE THE PEOPLE THAT INHABITED UTAH IN 1857 WERE A PERSECUTED PEOPLE IT CAN’T BE DENIED IT CAN’T BE QUESTIONED BUT WHAT THE GOVERNMENT OF THE UNITED STATES JUDGING FROM THE TESTIMONY BEFORE THE PEOPLE AND BEFORE THIS JURY BUT WHAT THE GOVERNMENT OF THE UNITED STATES WAS URGING THEN CARRYING ON AND INTRODUCING WAR AGAINST THE PEOPLE OF UTAH AND I SHALL NOT GO OUTSIDE OF THERECORD. I SAY THAT FROM THE TESTIMONY</p>
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**BT**

**PS**

BEFORE YOU , IT CAN'T BE DENIED THAT AT THAT TIME WAR EXISTED IN UTAH. A WAR BROUGHT ABOUT BY BY CORRUPT MEN AND FOR EVIL AND UNJUST PURPOSES. FOR THE PURPOSE OF ANNIHILATING THE PEOPLE THAT THEN LIVE D IN UTAH.. FOR THE PURØPOSE OF DESTROYING THE MORMON RELIGION AND CAUSING THE PEOPLE THAT THEN INHABITED THEIS TERRITORY TO SUFFER INDIGNATION AND CRUELTY.

THE PROCLAMATION AND LETTER OF GOVERNOR YOUNG TO JAMES W. DENVER, MISSIONARY TO INDIAN AFFAIRS, WERE READ YESTERDAY. I WANT TO READ TO YOU NOW THE DEPOSITION OF BRIGHAM YOUNG INTRODUCED BY THE PROSECUTION **FOR WHAT PURPOSE** ON THE ALMIGHTY FASHIONER OF THE UNIVERSE KNOWS, BUT I DON'YT HOWARD: ISN'T IT TO GØIVE YOU SOMETHING TO READ? BISHOP: YOU HAVE EXCITED MY CURIOSITY.

WHEN I LOOK AT THIS PAPER I CAN SEE A STATE GOVERNMENT LOOMING UP IN THE DISTANCE. I HAVE GOT A RIGHT TO LOOK AT IT AND ~~AND~~ SHOW WHAT I SEE.

BEFORE YOU IT CAN'T BE DENIED THAT AT THAT TIME WAR EXISTED IN UTAH A WAR BROUGHT ABOUT BY CORRUPT MEN AND FOR EVIL AND UNJUST PURPOSES. FOR THE PURPOSE OF ANNIHILATING THE PEOPLE THAT THEN LIVED IN UTAH FOR THE PURPOSE OF DESTROYING THE MORMON RELIGION AND CAUSING THE PEOPLE THAT THEN INHABITED THIS TERRITORY TO SUFFER INDIGNATION AND CRUEL AND MORE BURDENSOME THAN THOSE THAT HAD BEEN HEAPED UPON THEM IN THE PAST THE PCH[?] FOR THAT PART OF THE EVIDENCE A LETTER TO READ THE PROCLAMATION OF GOVERNOR YOUNG ~~TO PRESIDENT ISAAC~~ TO JAMES W DENVER COMMISSIONER OF INDIAN AFFAIRS WERE READ IN YESTERDAY I WANT TO READ TO YOU NOW THE DEPOSITION OF BRIGHAM YOUNG INTRODUCED BY THE PROSECUTION FOR WHAT PURPOSE THE ALMIGHTY FASHIONER OF THE UNIVERSE KNOWS BUT I DON'T [space] HOWARD [space] IS NOT IT[?] TO GIVE YOU SOMETHING TO READ. [space] BISHOP COULD HAVE EXCITED MY CURIOSITY. [space] WE ARE HERE TO GET ANY/ACT IN[?] MRKRING[?] INQUIRY IN THE THINGS[?] AND IF I CAN NOT GO BY THAT TO THESE INSTITUTIONS HERE I AM TERRIBLY MISTAKEN. WHEN I LOOK AT THIS PAPER I CAN SEE A STATE GOVERNMENT <sup>[[1]]</sup> LOOMING UP IN THE DISTANCE AND I HAVE GOT A RIGHT TO LOOK AT IT AND SHOW WHAT IT SAYS I CAN SEE [space] AND NO/ANY[?] AMOUNT

**BT**

**PS**

<p>I CAN SEE AN INTENDED CONVICTION OF JOHN D. LEE AND A SHIFTING OF THE RESPONCIBILITY OF THE MOUNTAIN MEADOW MASSACRE FROME <del>THE ST</del> SHOULDERS OF THE PEOPLE <del>OF THE</del> OF SOUTHERN <b>UTAH</b> AND FASTENING IT UPON JOHN D. LEE.</p> <p>I CAN SEE ALL THAT BUT I CAN'T <b>UNDERSTAND</b> SEE WHAT IT HAS GOT TO DO WITH T IS CASE. THAT IS WHAT I DRAW FROM THE READING OF THIS <b>IMMATERIAL EVIDENCE</b> TESTIMONY. . . SOME PEPLLE MAY SATFY THAT IS BOLD IN ME , BUT I AM GIFTED WITH THE GIFT OF SECOND SIGHT. THAT ALMOSYT ALL THE PEOPLE THAT HAVE COME OUT TO UTAH THEY COME FOR THE GOVERNMENT TO GO OUT TO DO.....<sup>[10]</sup> THEY COULD NOT SATISFY THE MORMONS AND THE TW4ELVE APOSTLES</p> <p>..... SATISFY THE UNITED STZATES. SO THEY <b>HAVE</b> GONE OUT TO UTAH WITHOUT MUCH REPUTATION. THE MAJORITY OF THEM UNDER THE POSSIBILITIES</p> <p>.....AND</p>	<p>OF <i>SET/STATE</i>[?] FORCES [<i>space</i>] I CAN SEE <i>FURTHER</i>[?] PURPOSE <i>FOR</i>[?] INFLUENCE POLITICAL AND FINANCIAL HAS PRESSED UPON THIS DOCUMENT. I CAN SEEN AN INTENDED CONVICTION OF JOHN D. LEE AND A SHIFTING OF THE RESPONSIBILITY OF THE MOUNTAIN MEADOW MASSACRE FROM THE SHOULDERS OF THE PEOPLE OF SOUTHERN UTAH AND FASTENING IT UPON JOHN D. LEE AND THE PEOPLE WHO AID IN THE SHIFTING OF THE RESPONSIBILITY RIDING INTO THE UNITED STATES SENATE I CAN SEE ALL THAT BUT I CAN'T UNDERSTAND WHAT IT HAS GOT TO DO WITH THIS CASE THAT IS WHAT I DRAW FROM THE READING OF THIS IMMATERIAL<sup>764</sup> TESTIMONY SOME SCOTCH BLOOD IN ME AND I AM GIFTED WITH THE GIFT OF SECOND SIGHT [<i>space</i>] <i>IT HAS HAPPENED THAT</i>[?] THE MOST OF THE PEOPLE THAT HAVE COME TO UTAH THAT ACT FOR THE GOVERNMENT TO <i>GO</i>[?] OUT OF IT UNHAPPILY THEY COULD NOT SATISFY THE MORMONS AND THE TWELVE APOSTLES THAT ASSIST CHRIST ON EARTH TO INTRODUCE THIS GOSPEL COULD NOT SATISFY THE UNITED STATES SO THEY HAVE GONE OUT OF UTAH WITHOUT MUCH REPUTATION THE MAJORITY OF THEM IN THAT <i>PSP/PSPSS</i>[?] HAS COME OF</p>
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764. Word could be “MATERIAL” or “IMMATERIAL”; there are no vowels to differentiate between the two.

BT

PS

THE POLITICAL PART OF THE UNITED STATES ~~ASPIRANTS~~ ASPIRANTS.

BUT I AM GOING TO GIVE YOU THE  
.....

ONCE I TRIED TO INTRODUCE THAT MYSELF AND WAS AFRAID I WOULD BE SENT TO JAIL FOR CONTEMPT OF COURT, BUT I WAS NOT. IT IS A GOOD DOCUMENT AND I CONSIDERED THAT IT IS TRUE. I CONSIDER IT IS TRUE NOW. | COUNSEL HERE READ THE DEPOSITION OF BRIGHAM YOUNG TO THE JURY | THEN THIS IS AN AFFIDAVIT OF GEORGE A. SMITH WHICH WAS INTRODUCED. | READS AFFIDAVIT | GENTLEMEN OF THE JURY, I HAVE READ THIS EVIDENCE FOR THE PURPOSE OF GOIVING YOU A ~~CONTRAST~~ THE WITNESSENS TO CONTRAST WITH EVIDENCE T AT YOU MUST ~~IN MY JUDGMENT BELIEVE,~~ WITH THOSE BELIEVE, WITH THOSE THAT IN MY JUDGMENT YOU CAN'T BELIEVE. I HAVE READ PFOR THE PURPOSE OF SHOWING YOU EXACTLY THE EONDITION OF THE CASE. THEN HAVING DISPOSED OF THE DOCUMENTARY EVIDENCE —BECAUSE MY TIME WILL NOT PERMIT THAT I GO INTO THIS CASE IN AS FULL A MANNER AS I WOULD SWISH —IT WOULD TAKE LONGER THAN YOU WOULD PARDEN ME FOR OCCUPYING. GENTLEMEN OF

THE POLITICAL PART OF THE UNITED STATES ASPIRANTS I SUPPOSE THIS INTRODUCED FOR THE PURPOSE OF PLEASING BRIGHAM YOUNG I CAN UNDERSTAND NO OTHER OBJECT BUT I AM GOING TO GIVE YOU THE BENEFIT OF IT ~~TRIED TO INTRODUCE BEFORE K[?]~~ BECAUSE ONCE I TRIED TO INTRODUCE THAT MY SELF AND WAS AFRAID I WOULD BE SENT TO JAIL FOR CONTEMPT OF COURT BUT I WAS NOT. > [space] IT IS A GOOD DOCUMENT AND I CONSIDER THAT IT IS TRUE I CONSIDER IT IS TRUE NOW “TRIED[?] TO/OR[?] UTAH[?] & C THEN IT IS THE AFFIDAVIT OF GEORGE A SMITH THAT WAS INTRODUCED. “READS [space] <sup>[[12]]765</sup> GENTLEMEN OF THE JURY I HAVE READ THIS EVIDENCE FOR THE PURPOSE OF GIVING YOU A CHANCE TO CONTRAST THE EVIDENCE OF THOSE THAT YOU MUST BELIEVE WITH THOSE THAT IN MY JUDGMENT YOU CAN'T BELIEVE [space] I HAVE READ IT FOR THE PURPOSE OF SHOWING YOU THE EXACT CONDITION OF THE CASE THUS HAVING DISPOSED OF THE DOCUMENTARY EVIDENCE BECAUSE MY TIME WILL NOT PERMIT THAT I GO INTO THIS CASE IN AS FULL A MANNER AS I WOULD WISH IT WOULD TAKE LONGER THAN YOU WOULD PARDON ME FOR OCCUPYING. GENTLEMEN OF

765. “GENTLEMEN OF THE JURY” is written and crossed out six times in a row across the top of the page.

**BT**

**PS**

THE JURY, HAVE YOU EVER STOPPED TO CONSIDER HOW IT WAS THAT PEOPLE AT MOUNTAIN MEADOWS WERE MASSACRED, OR DID YOU EVER STOP TO CONSIDER WHY THEY WERE MASSACRED? HAVING LISTENED TO THIS TESTIMONY THAT I READ TO YOU, YOU HAVE FOUND OUT THAT THE PEOPLE IN THE TERRITORY OF UTAH WERE IN ~~THE~~ A STATE OF UNUSUAL EXCITEMENT. YOU KNOW THAT THE ENTIRE PEOPLE OF THE TERRITORY ~~OF UTAH~~ ..... SOME OF THE SAME SPIRIT AND DISPOSITION THAT ~~THAT~~ HALF THE PEOPLE AND THE AUTHORITIES HAD AT SALT LAKE ~~HAD~~ COME TO THE CONCLUSION THAT ~~AN~~ THE ARMY THEN MARCHING FROM THE NORTH ~~TO THE~~ OR EAST WAS COMING FOR <sup>[11]</sup> THE PURPOSE OF ANNIHILATING THE PEOPLE HERE IT WAS NECESSARY FOR THEM ~~TO~~ TO START IN AND ORGANIZE AN ARMY FOR THE PURPOSE OF RESISTANCE. YOU KNOW VERY WELL THAT THE PEOPLE OF SOUTHERN UTAH CONDUCTED UTAH— HOW THEY ~~CONDUCTED~~ UTAH. YOU KNOW THAT THE MASSES OF THE PEOPLE HAD BEEN TRAINED AND ~~DRILLED~~ IN MILITARY SQUADS.. AND THAT FOR MILITARY PURPOSES THEY LOOKED TO THE MILITARY LEADERS FOR COUNSEL AND COMMAND. YOU KNOW THAT IN ~~THE~~ A TIME OF SUCH EXCITEMENT AS THAT WHAT IS TO BE EXPECTED FROM A MILITARY FORCE. THAT THE PEOPLE OF A COUNTRY LIKE THE PEOPLE OF CEDAR CITY ~~DIDN'T~~ DID NOT AND

THE JURY HAVE YOU EVER STOPPED TO CONSIDER HOW IT WAS THAT PEOPLE AT MOUNTAIN MEADOWS WERE MASSACRED, OR DID YOU EVER STOP TO CONSIDER WHY THEY WERE MASSACRED HAVING LISTENED TO THIS TESTIMONY THAT I READ TO YOU YOU HAVE FOUND OUT THAT THE PEOPLE IN THE TERRITORY OF UTAH WERE IN A STATE OF UNUSUAL EXCITEMENT YOU KNOW THAT THE ENTIRE PEOPLE OF THE TERRITORY *HAD*[?] *PR* [space] SOME OF THE SAME SPIRIT AND DISPOSITION THAT IF THE PEOPLE AND THE AUTHORITIES AT SALT LAKE HAD COME TO THE CONCLUSION THAT THE ARMY THEN MARCHING FROM THE NORTH AND EAST WAS COMING FOR PURPOSE OF ANNIHILATING THE PEOPLE HERE IT WAS NECESSARY FOR THEM TO START IN AND ORGANIZE AN ARMY FOR THE PURPOSE OF RESISTANCE YOU KNOW VERY WELL THAT THE PEOPLE OF SOUTHERN UTAH HAD A SIMILAR UTAH AT THAT TIME YOU KNOW THAT THE MASSES OF THE PEOPLE HAD BEEN TRAINED AND DRILLED IN MILITARY SQUADS AND THAT FOR MILITARY PURPOSES THEY LOOKED TO THEIR MILITARY LEADERS FOR COUNSEL AND COMMAND YOU KNOW THAT IN A TIME OF SUCH EXCITEMENT AS THAT IN A TIME WHEN ORDER IS EXPECTED FROM A MILITARY FORCE THAT THE PEOPLE OF A COUNTRY LIKE THE PEOPLE OF CEDAR CITY DID NOT AND

BT

PS

WOULD NOT TAKE ADVICE FROM THE SOVEREIGN. YOU KNOW THE TESTIMONY HERE OF DANIEL H. WELLS THAT JOHN D. LEE HAD, AT PREVIOUS TIMES, IN THE HISTORY OF THE MORMON PEOPLE, ~~HAD KEPT THE~~ OCCUPIED THE POSITION OF MAJOR, BUT THAT OFFICE WAS THEN VACANT. SO FAR AS WE WAS CONCERNED HE HAD BEEN SUPERSEDED— ANOTHER MAN TOOK HIS PLACE. LEE THEN OCCUPIED ONLY A POSITION OF FARMER TO A SMALL BAND OF INDIANS AROUND HARMONY. THIS PART ~~OF A~~ OF ALL OF THE PROSECUTION, A READY ADVOCATE AND QUICK WITTED INDIVIDUAL, WHO WAS AN INDIAN FARMER TOO—HE IS A GOOD MAN BECAUSE HE TRAVELED ONCE WITH A MAN BY THE NAME OF BISHOP. HOWARD: HE SLEPT WITH SPICER. BISHOP: I HARDLY BELIEVE THAT OF JAKE. SPICER ~~AYS~~ SAYS HE DID, BUT I HARDLY BELIEVE IT BECAUSE I WON'T SLANDER HAMBLIN IF I DID TALK ABOUT HIM. THEN THIS MAN HAMBLIN WAS ALSO AN INDIAN FARMER ~~W~~; WAS WITH GREATER INFLUENCE WITH THE INDIANS THAN LEE. THEN HERE IS THE IRREPRESSIBLE NEPHI JOHNSON, THAT WARRIOR THAT MET LEE AT HARMONY WHERE THE DUKES COMPANY CAME THROUGH. HE WAS GOING TO CARRY ~~THEM THROUGH~~ THAT COMPANY THROUGH WHATEVER RISK OF HIS OWN LIFE. PUTS ME IN MIND OF A GOOD ~~SSSTORY~~ TALE OF A BOY

WOULD NOT TAKE ADVICE FROM A CIVILIAN YOU KNOW THE TESTIMONY HERE OF DANIEL WELLS THAT JOHN D. LEE AT A PREVIOUS TIME IN THE HISTORY OF THE MORMON PEOPLE HAD OCCUPIED THE POSITION OF MAJOR BUT THAT OFFICE *HAD*[?] THEN VACANT SO FAR AS HE WAS CONCERNED HE HAD BEEN SUPERSEDED ANOTHER MAN TOOK HIS PLACE *IN MAJOR*[?] INSTEAD OF JOHN D. LEE LEE THEN OCCUPIED <sup>[[13]]</sup> ONLY THE *SB*—[?] POSITION OF FARMER TO A SMALL BAND OF INDIANS AROUND HARMONY THIS PART TOO OF THE PROSECUTION JAKE HAMBLIN A READY ADVOCATE AND QUICK WITTED INDIVIDUAL WHO WAS AN INDIAN FARMER TOO HE IS A GOOD MAN BECAUSE HE TRAVELED ONCE WITH A MAN BY THE NAME OF BISHOP [*space*] HOWARD HE SLEPT WITH SPICER [*space*] BISHOP I HARDLY BELIEVE THAT OF JAKE [*space*] SPICER SAYS HE DID BUT I HARDLY BELIEVE IT BECAUSE I WON'T SLANDER HAMBLIN IF I DID TALK ABOUT *BM/BLR*[?]. THEN THIS MAN HAMBLIN WAS ALSO AN INDIAN FARMER WAS A GREATER INFLUENCE WITH THE INDIANS THAN *LEE*[?] THEN HERE IS THE IRREPRESSIBLE NEPHI JOHNSON THAT WARRIOR THAT STAYED LEE OFF AT HARMONY WHERE THE DUKES COMPANY CAME THROUGH THEY WAS GOING TO CARRY THAT COMPANY THROUGH WHATEVER RISK TO HIS LIFE [*space*] PUT ME IN MIND A GOOD TALE OF A BOY

**BT**

**PS**

~~THA~~ BACK EAST THAT WANTED TO.....IN '61, SAID HE WAS A GOOD DEAL LIKE HIS FATEHR IN THE WAR OF 1812. HIS FATERHER SAID HE WAS FOR THE COUNTRY AND WAS <sup>[12]</sup> WILLING TO SUSTAIN IT BUT WAS GOING IN FOR THE PLUNDER.

THAT WAS THE WAY WITH TH S FELLOW JOHNSON;

BUT TALK ABOUT THAT FELLOW FIGHTING, THERE IS NOT A WOMAN IN UTAH THAT HE WOULD FIGHT 40 MILES FROM ANY MAN,—A FAIR FIGHT; BUT GOD PROTECT ME FROM MEETING HIM IN THE DARK ANYWHERE WHEN I HAVE GOT VALUABLES ON ME. THERE ARE A FEW THINGS ON EARTH THAT I AM AFRAID OF. I AM AFRAID OF JOHNSON. I PLEAD GUILTY TO IT RIGHT HERE. WHY WAS IT THEN THAT THESE PEOPLE WERE KILLED AT MOUNTAIN MEADOWS? IT WAS BECAUSE ISAAC C. HAIGHT AND THE PEPOLE THERE THAT HELD THE COUNCIL WHEN OLD MAN MORRIL WAS THERE HAD MADE UP THERIR MINDS THAT THE PEOPLE THERE WERE ENEMIES; THAT THEY HAD COME AS WARIORS; THAT THEY WERE A HOSTILE FORCE; THAT THEY HAD COME WITH ARMES, SWELL EQUIPPED, MARCHING THROUGH THE TERRITORY. THEY HAD DETERMINED TO GATHER AN OUTFIT FROM THE OUTLYING SETTLEMENTS. THEY SAID THAT

BACK EAST THAT WANTED TO SIGN ON IN 61 SAID HE WAS A GOOD DEAL LIKE HIS FATHER WAS IN THE WAR OF 1812 HIS FATHER SAID HE WAS FOR THE COUNTRY AND WAS WILLING TO SUSTAIN IT AND WAS GOING IN FOR THE PLUNDER HURT OR CRIPPLE BUT HE DID NOT WANT TO GIVE OUT DEATH OR VNTR/—[?] THAT WAS THE WAY WITH THIS FELLOW JOHNSON *WAS WILLING TO BE CRIPPLED BE/BY DOING[?] HARMONY [space] OH/THE[?] CONSIDERATION CONDUCT[?] BY THAT FELLOW FIGHTING A FAIR FIGHT THERE IS NOT A WOMAN IN UTAH THAT HE WOULD FIGHT 40 MILES FROM ANY MAN A FAIR FIGHT BUT GOD PROTECT ME FROM MEETING HIM IN THE DARK ANYWHERE WHEN I HAVE GOT VALUABLES ON ME. [space] <sup>[14]</sup> THERE ARE A FEW THINGS IN LIFE THAT I AM AFRAID OF BUT I AM AFRAID OF NEPHI JOHNSON I PLEAD GUILTY TO IT RIGHT HERE. WHY WAS IT THEN THAT THESE PEOPLE WERE KILLED AT MOUNTAIN MEADOWS? IT WAS BECAUSE ISAAC C HAIGHT AND THE PEOPLE THERE THAT HELD THE COUNCIL WHEN OLD MAN MORRIL WAS THERE HAD MADE UP THEIR MINDS THAT THE PEOPLE WERE ENEMIES; THAT THEY HAD COME AS WARRIORS THAT THEY WERE A HOSTILE FORCE THAT THEY HAD COME WITH ARMIES, WELL EQUIPPED *MARCHING THROUGH[?] THE TERRITORY. THEY HAD DETERMINED TO GATHER AN OUTFIT FROM THE OUTLYING SETTLEMENTS. THEY SAID**

**BT**

**PS**

THEY HELPED KILL OLD JOE SMITH.  
. THAT THEY MADE THE MORMONS  
MAD IN SOME CASES \_\_\_\_\_

[space]

[13] BY TELLING THEM THAT THEY  
HAD BURNED NAUVOO AND ~~OF~~  
**SAYING THAT THEY HELPED IN**  
THE KILLING OF JOSEPH SMITH.

YOU MUST  
SACRIFICE EVERYTHING NOW IN  
ORDER TO GET THIS TERRITORY IN  
AS A STATE AND GET A FEW GOOD  
GENTILES TO REPRESENT **YOU** IN  
THE UNITED STATES SENATE. . THE  
PEOPLE THEN HERE CONSIDERED  
THEM A HOSTILE FORCE. THEY  
CONSIDERED THEY HAD COME  
HERE FOR THE PURPOSE IN  
INJURING THE PEOPLE O F UTAH;  
AND ~~THE~~ **LIKE** OTHERS LEE MAY  
HAVE ACTED WRONGLY, I  
ADMIT; ~~BUT & I FEEL AND THEY~~  
~~FELT THEN THAT THEY WERE~~  
~~GRIGHT. A GOOD DEAL AS THEY~~  
**THEN BELIEVED WAS RIGHT. I**  
CAN ‘T HELP BUT BELIEVE  
THAT IF THEY WERE PEACEFUL

THAT EVERY ONE  
DESERVES TO BE HUNG; YET  
THE QUESTION ~~IDS~~ WHAT DID THEY  
BELIEVE AND WHY DID THEY DO IT.  
THEY BELIEVE THAT

THEY HELPED KILL JOE SMITH.  
THEY WOULD MAKE THE MORMONS  
MAD IN SOME CASES CAME HERE  
BECAUSE YOU BELONG TO THE  
LAST DISPENSATION THOSE  
*GOING/GIVING[?] UTAH[?] —[?]*  
STATE AND EVERYTHING IS ALL  
RIGHT NOW AND

BURNING OF NAUVOO AND

THE KILLING OF JOE SMITH AND  
EVERYTHING OF THAT KIND AND  
MANNER SUPPOSE YOU MUST  
*NOT[?]* PAY ANY ATTENTION TO  
[space] THAT THEY ALL OF YOUR  
PARTY THAT HAS BEEN  
SLAUGHTERED COMMITTED TO  
BEAST OF PREY [space] YOU MUST  
SACRIFICE EVERYTHING NOW IN  
ORDER TO GET THIS TERRITORY IN  
AS A STATE AND GET A FEW GOOD  
GENTILES TO REPRESENT YOU IN  
THE UNITED STATES SENATE. THE  
PEOPLE THEN THERE CONSIDERED  
THEM A HOSTILE FORCE. THEY  
CONSIDERED THEY HAD COME  
THERE FOR THE PURPOSE OF  
INJURING THE PEOPLE OF UTAH  
AND HAIGHT AND THE OTHERS  
*WHILE[?] —[?]* ACTING WRONGLY I  
ADMIT AND I *FELT[?]*

GOOD DEAL AS THEY  
THEN BELIEVED WAS RIGHT. I  
CAN‘T ~~BELIEVE~~ HELP BUT BELIEVE  
~~THAT THEY~~ THAT IF THEY WERE  
*PSSN/PSSF[?]* IN THEIR OWN <sup>[[15]]</sup>  
[space] ALTHOUGH EVERY ONE  
DESERVE TO BE HUNG. AND YET  
THE QUESTION IS WHAT DID THEY  
BELIEVE AND WHY DID THEY DO IT.  
THEY BELIEVED THAT HERE IS A  
FORCE THAT HAS ABLE CAPACITY

**BT**

**PS**

<p>HERE IS A FORCE THAT COMES DETERMINED TO OPPRESS AND OPPOSE THE MORMON PEOPLE. HERE IS AN EMIGRANT TRAIN THAT SAY THAT THEY ASSISTED IN THE MASSACRE AND DEATH OF JOSEPH SMITH. PEOPLE THAT WILL STAND UPON OUR SOUTHERN BORDERS WHILE THE ARMY FROM THE NORTH .....</p> <p>THROUGHOUT THE LENGHT AN BREADTH OF SOUTHERN UTAH. THEY COUNSEL THEM TO BE DOWN HERE <del>UPON THE</del> &amp; WHY DO THEY COUNSEL IT? SIMPLY BECAUSE 50 ODD MEN WERE THERE ON THE GROUND; AND NOT ONE OF THEM THERE BY LEES ADVICE. IF YOU RECOLLECT THE TESTIMONY IN THIS CASE, JOHN D. LEE ASKED NO ONE TO GO THERE,</p> <p>EXCEPT THAT IRREPRESSIBLE TRAITOR THAT WAS GOING <del>THAT WAS GOING</del> TO STAND AT THE HEAD OF HIS HORSES AND FACE SUCH DEATH.</p> <p>HE WOULD HOLD HIS HORSES IF EVERYBODY ELSE WAS KILLED. THEN FOLLOWED SAMUEL WHITE.<sup>766</sup> HE WAS THE ONLY ONE ACCORDING TO ALL THE</p>	<p>TO DESTROY SETTLEMENTS IN UTAH HERE IS A FORCE THAT COMES DETERMINED TO OPPRESS AND OPPOSE THE MORMON PEOPLE HERE IS AN EMIGRANT TRAIN SAYING THAT THEY ASSISTED IN THE MASSACRE AND THE DEATH OF JOSEPH SMITH. PEOPLE THAT WILL SIT UPON OUR SOUTHERN BORDERS WHILE AN ARMY FROM THE NORTH [space] — BRINGS DEATH AND DESTRUCTION ALONG THIS LAND THAT WE —[?] SAFE WILL RAISE A CRY OF WAR AND SPREAD THE FLAME TO THE — /NSNPRS[?] STRETCH THROUGHOUT THE LENGTH AN BREADTH OF SOUTHERN UTAH [space] THEY COUNSEL THEY SHOULD BE DONE AWAY WHY[?] DID THEY COUNSEL IT SIMPLY BECAUSE [space] 50 ODD MEN WERE THERE ON THE GROUND AND <del>ONE</del> [space] NOT ONE OF THEM THERE BY LEES ADVICE IF YOU RECOLLECT THE TESTIMONY IN THIS CASE JOHN D. LEE ASKED NO ONE TO GO THERE JOHN D. LEE SENT NOBODY THERE EXCEPT THAT IRREPRESSIBLE TRAITOR THAT WAS GOING TO STAND AT THE HEAD OF HIS HORSES AND FACE SUCH DEATH AND DESTRUCTION BUT NEPHI JOHNSON WAS PREPARED TO FACE D/T[?] HARMONY HE WOULD HOLD HIS HORSES IF EVERYBODY ELSE WAS KILLED THIS FELLOW SAMUEL WHITE HE WAS THE ONLY ONE ACCORDING TO THE</p>
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766. There is a Samuel White in southern Utah who was on the high council in Cedar City. However, he died in 1868. The man referred to here is either Samuel White's brother, Joel White, Samuel Knight, or Samuel McMurdy, all of whom were witnesses at this trial.



**BT**

**PS**

TE STILMONY THAT LEE ASKED TO GO. ONE THING ECERTAIN THAPEN PEOPLE WERE KILLED AND OMEBODY KILLED THEM; AND YOU KNOW AS WELL AS I KNOW FROM THE EVËIDENCE HERE IT WAS A PLAN CONCOCTED AT CEDAR CITY.. IT WAS THE WHOLE PEOPLE AN D THE WHOLE COMMUNITY RAISING AND DOING THAT WHICH WAS DONE. IT IS A WELL SETTLED THING THAT YOU CAN'T <sup>[14]</sup> CONVICT A NATION FOR A THING OF THAT KIND NOR AN ENTIRE PEOPLE BUT THEY SAY WE HAVE TO SHOW THE RESPONSIBILITY TO THE GOVERNMENT OF THE UNITESD STATES. THEY ARE WILLING TO GRANT ABSOLUTION FOR EVERY BODY ELSE IN UTAH IF ~~THEY~~ WILL JUST YOU WILL ONLY PERMIT THEM THE PLEASURE OF HANGING JOHN D. LEE. THEY ARE WILLING THAT EVERYBODY ELSE WHO HAD ANYTHING TO DO WITH IT—BE WILLING THAT ALL THE MURDERERS AND ASSASSINS THAT HAVE EVER BEEN COMMI TED IN UTAH SHALL BE FORGOTTEN; SO THAT YOU HELP THE GOVERNMENT TO CONVICT ONE MAN THAT THEY FCLAIM COMMITTED ALL. ~~KNOW~~ NOW IF YOU KNEW ANYTHING ABOUT THE HISTORY OF THE MORMON PEOPLE YOU WOULD KNOW THIS; THAT A MAN LIVING OUTSIDE— LIVING IN ANY OTHER SETTLEMENT, —COULD NOT GET TO A PLACE LIKE CEDAR CITY TO LEAD OUT AN ENTIRE PEOPLE. YOU

TESTIMONY THAT LEE ASKED TO GO ONE THING CERTAIN THAT PEOPLE WERE KILLED AND SOMEBODY KILLED THEM [space] AND YOU KNOW AS WELL AS I KNOW FROM THE EVIDENCE HERE <sup>[[16]]</sup> THAT IT WAS A PLAN CONCOCTED AT CEDAR CITY. IT WAS THE WHOLE PEOPLE AND WHOLE COMMUNITY RAISING AND DOING THAT WHICH WAS DONE IT IS A WELL SETTLED QUESTION THAT YOU CAN'T CONVICT A NATION FOR A THING OF THAT KIND NOR AN ENTIRE PEOPLE BUT THEY SAY WE HAVE *SHOWED/SHADOW*[?] RESPONSIBILITY TO THE GOVERNMENT OF THE UNITED STATES WHO HAVE SENT *FOR*[?] AUTHORITIES *IF THEY ARE*[?] TO GRANT ABSOLUTION FOR EVERYBODY ELSE IN UTAH YOU WILL ONLY PERMIT THEM THE PLEASURE OF HANGING JOHN D. LEE. THEY ARE WILLING THAT EVERYBODY ELSE THAT HAS EVER *MPRT*—[?] THEIR HAND IN *FELLOW MAN'S BLOOD*[?] SHOULD GO FREE AND ALL OF THE MURDERS AND ASSASSINS THAT HAVE EVER BEEN COMMITTED IN UTAH SHALL BE FORGOTTEN SO THAT YOU HELP THE GOVERNMENT TO CONVICT ONE MAN THAT THEY CLAIMED COMMITTED ALL. NOW IF YOU KNEW ANYTHING ABOUT THE HISTORY OF THE MORMON PEOPLE YOU WOULD KNOW THIS THAT A MAN LIVING OUTSIDE LIVING IN ANY OTHER SETTLEMENT COULD NOT GO TO A PLACE LIKE CEDAR CITY AND LEAD OUT AN ENTIRE PEOPLE. YOU

**BT**

**PS**

SWOULD KNOW THAT SOME OTHER AUTHORITY MUST BE CONNECTED WITH IT. IT IS NO USE TO DISCUSS THE FACT. ~~TO~~ ~~PEOPLE THAT WERE IN AUTHORITY~~ THE PEOPLE THAT WEERE IN AUTHORITY DIRECTED THESE PEOPLE TO GO TO MOUNTAIN MEADOWS FOR SOME PURPOSE.. WHAT DOES THIS MAN SAMUEL KNIGHT MEAN WHEN HE SAYS THST THEY DROVE DOWN FROM WHERE THEIR CAMP WAS TOWARD THE EMIGRANT CAMP AND THAT THEIR WHOLE PARTY MOVED DOWN THERE AND SOTOOD IN LINE.. I SPEAK OF THE PEOPLE THAT WERE THERE AND THAT WERE UNDERE THE CHARGE OF ~~SOME~~ **SOME** OTHER MEN, A QUARTER OF A MILE FOFF FROM WHERE THE WAGONS WERE AT THE TIME OF THE ATTACK. WHO COMMANDED THOSE PEOPLE:-? THE ~~INDIANS~~ **EVIDENCE** LEAVES YOU ~~KNOW THE TRACK IN THE DARK.~~ SECONDL, YOU ARE SATISFIED GENTLEMEN, FROM THE TESTIMONY AND MUST BE THZAT THIS IS A CONSPIRACY ON THE PART OF THE WITNESSES HERE, OF JOEL WHITE AND SAMUEL NIGHT, SAMUEL MC MURDY, NEPHI JOHNSON AND JAKE HAMBLIN, HAVE SOME PURPOSE AND THEY A RE ALL COME HERE TO SACRIFICE J HN D. LEE, IN ORDER TO SAVE OTHER PARTIES THAT TOOK A HAND IN THZAT TRANSACTION. THEY TELL YOU THAT THEY HAVE THREE WITNESSES THAT ARE ENTITLED TO BELIEF. SO THEY HAVE,—DANIEL H. WELLS, HIS EVIDENCE IS GOOD PERHAPS. IT IS

WOULD KNOW THAT SOME OTHER AUTHORITY MUST HAVE BEEN CONNECTED TO DO ~~IT~~?. IT IS NO USE TO DISCUSS THE FACT THE PEOPLE THERE THAT WERE IN AUTHORITY DIRECTED THESE PEOPLE TO GO TO MOUNTAIN MEADOWS FOR SOME PURPOSE. WHAT DOES THIS MAN SAMUEL KNIGHT MEAN WHEN HE SAYS THAT THEY DROVE DOWN FROM WHERE THEIR CAMP WAS TOWARD THE EMIGRANT CAMP AND THAT THEIR WHOLE PARTY MOVED DOWN THERE AND STOOD IN LINE I REFER TO THE PEOPLE THAT WERE THERE AND THAT WERE UNDER THE CHARGE OF AND CONTROL OF SOME OTHER MEN A QUARTER OF A MILE OFF FROM WHERE THE WAGONS WERE <sup>[[17]]</sup> AT THE TIME OF THE ATTACK WHO COMMANDED THOSE PEOPLE THE EVIDENCE LEAVES YOU IN THE DARK CONSEQUENTLY YOU ARE SATISFIED GENTLEMEN FROM THE TESTIMONY AND MUST BE THAT THIS IS A CONSPIRACY ON THE PART OF THE WITNESSES HERE OF JOEL WHITE AND SAMUEL KNIGHT SAMUEL MC MURDY NEPHI JOHNSON AND JAKE HAMBLIN HAVE SOME PURPOSE OR OTHER TO COME HERE TO SACRIFICE JOHN D. LEE IN ORDER TO SAVE THE OTHER PARTIES THAT TOOK A HAND IN THAT TRANSACTION. THEY TELL YOU THAT THEY HAVE THREE WITNESSES THAT ARE ENTITLED TO BELIEF SO THEY HAVE. DANIEL H. WELLS HIS EVIDENCE IS GOOD PERHAPS IT IS

**BT**

**PS**

A L RIGHT — ESTIFIES <sup>[[15]]</sup> TO THE TRUTH..

LABIAN MORRIL TELLS YOU

THAT HE LIVED AT FORT JOHNSON; DESCRIBED THAT THERE WERE TWO OR THREE LITTLE TOWNS ~~AND OR~~ SETTLEMENTS AROUND THERE. BELONGING TO ONE OF THESE COUNSELS, THEY MET TOGETHER FOR CONVENIENCE AT CEDAR CITY ONCE A WEEK. AS HE TELLS YOU ~~MTHEY~~ MET AT CERTAIN TIMES TO CONSIDER THE BEST GOOD FOR ~~FOR~~ A NUMBER OF TOWNS IN THAT PART OF THE COUNTRY; AND THAT THEY SHOULD COME TO CEDAR CITY UPON THIS DAY. HE DID NOT SAY THAT HE FOUND SUCH A SOCIETY IN SESSION WHEN HE ARRIVED IN CEDAR CITY; BUT HE TOLD YOU ABOUT THE ARGUMENT OR ~~THE STATE OF EXCITEMENT WHEN HE GOT OR~~ WHAT HE SAID WHEN HE GOT INTO THE COUNSEL. HE FOUND SOME EXCITEMENT AND ENQUIRED WHAT WAS THE EXCITEMENT. SAYS THAT THE PEOPLE TOLD HIM THAT ~~HIS RE~~ THIS TRAIN OF EMIGRANTS THAT HAD GONE THROUGH THERE HAD SAID THEY WOULD DO CERTAIN THINGS, AND THEY ATTEMPTED MORE OR LESS. SAID THEY HELPED KILL OLD JOE SMITH. KLINGENSMITH, ISSAC C. HAIGHT AND SOME OTHERS TALKED ABOUT KILLING THEM. AND UNDER THIS PROCLAMATION ISAAC C. HAIGHT WAS ONLY ACTING A LITTLE

ALRIGHT TESTIFIES TO THE TRUTH *[space]* — HAD BEEN MDR[?] *[space]* AND HAD BEEN SUSPECTED *[space]* INSISTED THAT ~ *[space]* LABIAN MORRIL TELLS YOU TO BE[?] BRIEF[?] IN SOME WAY OR THE OTHER THAT HE LIVED AT FORT JOHNSON DESCRIBED THAT THERE WERE TWO OR 3 LITTLE TOWNS AND SETTLEMENTS AROUND THERE BELONGING TO ONE OF THESE COUNCILS THEY MET TOGETHER FOR CONVENIENCE AT CEDAR CITY ONCE A WEEK — *[space]*

GENERAL BENEFIT OF

THE COUNTRY THAT *ON/SHOULD*[?] COMING TO CEDAR CITY UPON THIS DAY. HE DID NOT SAY THAT HE FOUND —[?]

IN CEDAR[?] SUSPICION TOLD YOU ABOUT THE ARGUMENT OR

HE SAID WHEN HE GOT INTO THE COUNCIL HE FOUND SOME EXCITEMENT AND ENQUIRED WHAT THAT EXCITEMENT WAS THAT THE PEOPLE THERE TOLD HIM THAT THIS TRAIN OF EMIGRANTS THAT HAD GONE THROUGH THERE HAD SAID THEY WOULD DO CERTAIN THINGS TO THE DAMN MORMONS AND THEY ADMITTED MORE OR LESS *[space]* HELPED KILL <sup>[[18]]</sup> JOE SMITH AND *[space]* KLINGEN SMITH AND ISSAC C HAIGHT WERE TALKING ABOUT KILLING THEM AND UNDER THIS PROCLAMATION ISAAC C HAIGHT WAS ONLY ACTING A LITTLE

**BT**

**PS**

AHEAD OF HIS AUTHORITY; ~~FOR IF~~ THIS PROCLAMATION AND THIS LETTER TO DAME IS TRUE. . ISAAC C. HAIGHT WAS INSTRUCTED ON THE 14TH DAY OF THE MONTH AND THE MASSACRE WAS COMMITTED ON THE 11TH OR 16TH OR ABOUT THERE. ISAAC C . AHIGHT WAS TAKING UPON HIMSELF THE RESPONSIBILITY OF DECIDING WHO SHOULD GO THROUGH, WASN'T HE?. HE WAS THE PARTY THAT SENT NEPHI JOHNSON THERE AND TOLD HIM HE MUST OBEY THE INSTRUCTIONS. ISAAC C. HAIGHT WAS ~~ACTING~~ ACTING THEN IN ACCORDANCE WITH THE INSTRUCTIONS THAT HE RECEIVED IMMEDIATELY AFTERWARDS, IF HE DIDN'T HAVE THEM BEFORE.

ISAAC C. HAIGHT WAS TELLING THAT COUNSEL — PRESIDENT OF THE STAKE, AYE, AAND A MAJOR OF THIS MILLITIA — FORBIADIE THAT THAT TRAIN SHA LL ESCAPE FROM THIS TERRITORY. HIS VOIƆCE WAS FOR THEIR EXTERMINATION. KLINGENSMITH ALSO TOOK PART IN ~~IN~~ DEVSING THEIR ATTACK; BUT MORRIL GOT HEM TO WAIT, AND THEY SENY HASLAM TO SALT LAKE <sup>[16]</sup> WHAT ~~DFOR?~~ DO YOU BELIEVE THAT THAT COUNSEL AT THE TIME THAT THEY STZARTED HASLAM FOR SALT LAKE CITY INTENDED TO ~~W~~WAIT TILL THEY HEARD FROM PRESIDENT YOUNG? NO, YOU CAN'T BELIEVE IT. THEY INTENDED THAT AS IT WAS A TIME OF WAR, THAT THEY WOULD KILL THAT

AHEAD OF HIS AUTHORITY IF THIS PROCLAMATION AND THIS LETTER TO DAME IS TRUE. ISAAC HAIGHT[?] WAS S-D[?] ON THE 14<sup>TH</sup> DAY OF THE MONTH AND THE MASSACRE WAS COMMITTED ON THE 11 OR 16 OR ABOUT THERE ISAAC C HAIGHT WAS TAKING UPON HIMSELF THE RESPONSIBILITY OF DECIDING WHO SHOULD GO THROUGH WASN'T HE HE WAS THE PARTY THAT SENT NEPHI JOHNSON THERE —[space] APPARENT[?] REFUSED HE MUST OBEY THE INSTRUCTIONS. ISAAC C HAIGHT WAS ACTING THEN IN ACCORDANCE WITH THE INSTRUCTIONS THAT HE RECEIVED IMMEDIATELY AFTERWARDS IF HE DIDN'T HAVE THEM BEFORE BUT PARTIES/PST[?] PN/COMPANY[?] WHO WAS CALLED THEM TO GO THERE —ISAAC C HAIGHT WAS TELLING THAT COUNCIL— [space] PRESIDENT OF THE STAKE TOO AYE AND A MAJOR OF THIS MILITIA FORBADE THAT THAT TRAIN SHALL ESCAPE FROM THIS TERRITORY HIS VOICE WAS FOR THEIR EXTERMINATION KLINGEN SMITH A HARDENED REPROBATE ALSO TOOK PART IN DEVSING THEIR ATTACK —[?] BUT MORRIL GOT THEM TO QUIT AND THEY SENT HASLAM TO SALT LAKE WHAT FOR DO YOU BELIEVE THAT THAT COUNCIL AT THE TIME THAT THEY STARTED HASLAM FOR SALT LAKE INTENDED TO WAIT TILL THEY HEARD FROM PRESIDENT YOUNG NO YOU CAN'T BELIEVE IT THEY INTENDED THAT AS IT WAS A TIME OF WAR THAT THEY WOULD KILL ALL THAT

**BT**

**PS**

EMIGRANT TRAIN; AND CLAIM THAT IT WAS A MILITARY NECESSITY ~~AND~~ WITH THEMSELVES; THAT THE GOVERNMENT IN UTAH WOULD THINK THAT THEY HAD A RIGHT TO AT LEAST EXCUSE THEM. THEY COULD MAKE OUT THAT BECAUSE THEY SAID THEY HAD KILLED JOE SMITH. OUTLYING SETTLEMENTS THEY WOULD ~~TAKE~~ DO THIS UPON THEIR OWN HOOK. THEY HAD IT IN QUESTION BEFORE THAT.. HASLAM WENT AND MADE A QUICK TRIP. MORRIL SAYS THE MEN SENT SEVERAL. BUT, GENTLEMEN, DID YOU NOTICE WHETHER THAT MESSAGE ~~W~~SENT TO JOHN D. LEE WAS EVER RECEIVED BY HIM OR NOT. THEY HAVE NOT INTRODUCED THAT PROOF TO SHOW THAT THE MESSAGE FORWARDED BY HZAIGHT TO JOHN D. LEE, THAT LEFT CEDAR CITY FIVE MINUTES BEFORE HASLAM FOR SALT LLAKE CITY, THAT IT WAS RECEIVED BY LEE. WE DO FIND THEN THAT THIS MAN JOEL WHITE LEFT ABOUT FIVE MINUTES BEFORE HASLAM TO GO TO PINTO TO ASK THE ~~EMOSE~~ MEN AT PINTO TO RIDE AHEAD OF THE EMIGRANT TRZAIN AND WITHHOLD THE SAVAGES AND LET THEM PPASS; BUT HE CAN'T TELL YOU WHO WENT UP. ONSE HE THOUGHT IT WAS ROBINSON; THEN AS THERE WERE SO MANY MEN THAT THEY HAD IN THAT GREAT BIG SETTLEMENT OF PINTO ~~AND HE WENT HE COULD NOT TELL. OFF.~~

EMIGRANT TRAIN CLAIM THAT IT WAS A MILITARY NECESSITY AND THAT THEN THAT THE GOVERNMENT IN UTAH <sup>[[19]]</sup> WOULD THINK THEY HAD A RIGHT TO AT LEAST EXCUSE THEM THEY COULD MAKE[?] OUT THAT BECAUSE THEY SAID THEY HAD KILLED JOE SMITH [space] OUTLYING SETTLEMENTS THEY WOULD DO THIS UPON THEIR OWN HOOK THEY DID IT NO QUESTION ABOUT THAT. [space] HASLAM WENT AND MADE A QUICK TRIP MORRIL SAYS A MEN SENT SOUTH BUT GENTLEMEN DID YOU NOTICE THAT [space] WHETHER THAT MESSAGE EVER RECEIVED BY JOHN D. LEE OR NOT THEY HAVE NOT INTRODUCED THAT PROOF TO SHOW THAT THE MESSAGE FORWARDED BY HAIGHT TO JOHN D. LEE THAT LEFT CEDAR CITY FIVE MINUTES BEFORE HASLAM LEFT FOR SALT LAKE CITY [space] THAT IT WAS RECEIVED BY LEE WE DO FIND THEN THAT THIS MAN JOEL WHITE LEFT ABOUT 5 MINUTES BEFORE HASLAM TO GO TO PINTO TO ASK THAT MEN AT PINTO RIDE AHEAD OF THE EMIGRANT TRAIN TO WITHHOLD THE SAVAGES AND LET THEM PASS BUT HE CAN'T TELL YOU WHO WENT UP ONCE HE THOUGHT IT WAS ROBINSON THEN AS THERE WERE SO MANY MEN THAT THEY HAD IN THAT GREAT BIG SETTLEMENT OF PINTO THERE COULD NOT TELL ONE[?] WHO WENT UP [space] SUFFICIENT[?] ANSWER TO THIS THAT THE

**BT**

**PS**

<p>HASLAM DOES NOT COME TO JOHN D. LEE WITH THIS TRANSACTION; AND THE EVIDENCE OF JOEL WHIGHT IS <del>THAT</del> TO THE FACT THAT HE STARTED TO COME DOWN UPON THE FIELD 10 MILES FROM MOUNTAIN MEADOWS; HE MET JOHN D. LEE THERE ON HE WAY TO CEDAR CITY; AND JOHN D. LEE ASKED HIM WHAT THE CONCLUSION WAS OF THE PEOPLE AS REGARDS THIS TRAIN AND WHERE HE WAS GOING; TOLD HIM WHERE HE WAS GOING AND FOR WHAT PURPOSE, AND THAT THE CONCLUSION OGF THE COUNSEL TO LET THE PEOPOE GO UNTIL THEY HEARD FROM PRESEIDENT YOUNFG. HE SAYS THAT LEE THEN SZAID THAT "I HAVE OSOMETHING TO SAY ABOUT THAT," OR, "I DON'T KNOW ABOUT IT-;". AND LEE DROVE ON. - I ONLY ASKED HIM ONE <sup>[17]</sup> WUESTION WHETHER HE TOOK PART OR WAS AT THE MOUNTAIN MEADOWS OR NOT. DEAMON THAT HE WAS, JOEL WHITE, WAS ONE OF THE MEN THAT WERE THERE. I HAVE NOTHING FUFRTHER TO SAY ABOUT HIM THAN THIS: HE HZAS NOT TOLD THE WHOLE TRUTH AND YOU ARE ENTITLED TO THROW HIS EVIDENCE ASIDE.. SAMUEL NIGHT SWORN TO TELL THE TRUTH , THE WHOLE TRUTH AND NOTHING BUT THE TRUTH. TRAVELING FROM THE MEADOWS, JOHN D. LEE OVERTOOK HIM AND HEARD HIM TELL HIM CERTAIN THINGS.</p>	<p>EVIDENCE OF MR. MORRIL HASLAM DOES NOT CONNECT JOHN D. LEE WITH THIS TRANSACTION THE EVIDENCE OF JOEL WHITE IS MERELY TO THE FACT THAT AS HE STARTED COME DOWN UPON THE FIELD SOME -0[?] MILES FROM MOUNTAIN MEADOWS HE MET JOHN D. LEE THERE ON HIS WAY TO CEDAR CITY AND JOHN D. LEE ASKED HIM <del>WHETHER</del> AND WHAT THE CONCLUSION WAS OF THE PEOPLE AS REGARDED THIS TRAIN AND WHERE HE WAS GOING TOLD HIM HE WAS GOING TO PINTO AND FOR WHAT PURPOSE AND THAT THE CONCLUSION OF THE COUNCIL <sup>[120]</sup> WAS TO LET THE PEOPLE GO UNTIL THEY HEARD FROM PRESIDENT YOUNG HE SAYS THAT LEE THEN SAID I HAVE SOMETHING TO SAY ABOUT THAT OR I DON'T KNOW ABOUT IT. AND LEE DROVE ON I ONLY ASKED HIM ONE QUESTION WHETHER HE TOOK PART OR WAS AT THE MOUNTAIN MEADOWS OR NOT. DEMON THAT HE WAS JOEL WHITE WAS ONE OF THE MEN THAT WERE THERE I HAVE NOTHING FURTHER TO SAY ABOUT HIM THAN THIS HE HAS NOT TOLD YOU THE WHOLE TRUTH AND YOU ARE ENTITLED TO THROW HIS EVIDENCE ASIDE. SAMUEL KNIGHT SWORN TO TELL THE TRUTH WHOLE TRUTH AND NOTHING BUT TRUTH <del>TOLD</del> <sup>[space]</sup> TRAVELING FROM THE MEADOWS JOHN D. LEE OVERTOOK HIM HEARD HIM TELL HIM CERTAIN THINGS. <sup>[space]</sup> A GOOD HE HAS COME UP HERE NOW IT IS SL/SK[?] GOOD TIME TO TELL THE TRUTH</p>
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**BT**

**PS**

<p>I        ZASKED HIM WHO IT WAS THAT        WAS WITH HIM WHEN LEE MADE        THAT STATEMENT AND HE        DECLINED TO ANSWER.        WHYS?THE        PARTY THAT        WAS WITH HIM WHEN HE WENT        TO THE FARM, WAS A MAN THAT        WAS UPON THE FIELD FOR THE        PURPOSE OF DIRECTING THE        ENTIRE ARRANGEMENT OF THE        KILLING OF THOSE PEOPLE. THAT  <del>THE</del> MAN THAT HE REFUSED TO        EXPOSE WAS ONE THAT HAD        DENIED HIM THE ORDERS AND        THAT WAS THERE TRYING TO RAISE        UP THE PEOPLE TO REDDEN THE R        HANDS IN THE LIFE BLOOD OF        THESE EMIGRANTS. - THAT IT IS        SOME MAN THAT HAS A HOLD UPON  <del>MR. MC</del> MR. NIGHT AND        HE FEELS THAT HE CAN'T FOR THE        SAKE OF HIS OWN SOLE <del>EX</del>POSE        THAT MAN; BUT HIS EVIDENCE AS        HE <del>GIVES</del> GAVE IT THERE ON THE        STAND SATISFIES YOU THAT HE        TELLS NOT THE WHOLE TRUTH. HE        CAN'T RECOLLECT ANY MAN        UNLESS HE IS DEAD. A FEW MEN        WHO HAVE GON TO THE <del>O</del>OTHER        SHORE, A FEW        PEOPLE WHO HAVE PASSED AWAY        TO OTHER NATIONS, HE CAN        RECOLLECT, BUT OF THE ENTIRE        NUMBER OF 50 <del>THERE IS HE</del> SAYS        THAT WAS THERE UPON THE FIELD,        MEN THAT HE WAS WELL</p>	<p><i>NO/ANY/M[?] FURTHER TRUTH BUT/—</i>  <i>[?] ANYBODY/NOBODY[?] BUT/OR HIS</i>        FRIENDS DID THEY THINK ABOUT        THAT WHEN THEY TESTIFY ABOUT I        ASKED HIM WHO IT WAS THAT WAS        WITH HIM WHEN LEE MADE        THAT STATEMENT AND HE        DECLINED TO ANSWER        WHY [<i>space</i>] <i>DARE THEY[?]</i> NO        INTERFERENCE THE PARTY THAT        WAS WITH HIM WHEN HE WENT        TO INTERFERE WAS A MAN THAT        WAS UPON THE FIELD FOR THE        PURPOSE OF DIRECTING THE        ENTIRE ARRANGEMENT OF THE        KILLING OF THIS PEOPLE. THAT        THE MAN THAT HE REFUSED TO        EXPOSE WAS ONE THAT HAD        DENIED HIM THE ORDERS AND        THAT WAS THERE TRYING TO RAISE        UP A PEOPLE TO REDDEN THEIR        HANDS IN THE LIFE BLOOD OF        THESE EMIGRANTS. THAT IT IS        SAME MAN THAT HAS A HOLD UPON        MR. SAMUEL KNIGHT AND        HE FEELS THAT HE CAN'T FOR THE        SAKE OF HIS OWN SOUL EXPOSE        THAT MAN BUT HIS EVIDENCE AS        HE GAVE IT THERE ON THE        STAND SATISFIES YOU THAT HE        TELLS NOT THE WHOLE TRUTH HE        CAN'T RECOLLECT ANY MAN        UNLESS HE IS DEAD A FEW MEN        WHO HAVE GONE TO THE OTHER        SHORE <sup>[21]</sup> OF IT AND A FEW        PEOPLE WHO HAVE PASSED AWAY        TO OTHER <i>NATIONS[?]</i> HE CAN        RECOLLECT BUT OF THE ENTIRE        NUMBER OF 50 <i>OTHERS[?]</i>        THAT WERE THERE UPON THE FIELD        MEN THAT HE WAS WELL</p>
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**BT**

**PS**

<p>ACQUAINTED WITH. - HE CAN RECOLLECT NO NAME OF ANY MAN LIVING EXCEPT JOHN D. LEE.. THEN THE MANNER IN WHICH HE HOLDS HIS HORSES, HIS REFUSAL TO TELL THE <del>WHOLE TRUTH</del> THE ENTIRE TRUTH, SATISFIES YOU THAT YOU CAN'T HANG A MAN UPON HIS TESTIMONY. YOU CAN'T DO IT. TALK AS YOU WILL, A MAN OR MEN ARE NOT <del>CONSTITUTED</del> SO CONSTITUTED THAT THEY CAN TAKE ANOTHERS LIFE UPON THE EVIDENCE OF SUCH A WITNESS.. ¶ THEN LET US TAKE MC. MURDY. SHALL NOT TALK MUCH ABOUT ANY OF THESE WITNESSES YET I DON'T WISH TO PASS THEM. <sup>[18]</sup> GOD KNOWS IT IS BAD ENOUGH TO JUST TELL THE FACT ABOUT THEM. COME HERE WITH THE BLOOD OF OTHER MEN TRICKLING DOWN FROM THEIR FACES, SMARTING AND DARKENING AND DAMNING THEIR SOULS, UNREGENERATE REPROBATES, MURDERERS OF MEN , AND WOMEN AND CHILDREN, APPEALS TO GOD AND MAN TO ASK YOU TO BELIEVE THAT. I WOULD RATHER TAKE SATANS EXCUSE FOR HIS REPRESENTATION IN HEAVEN THAN THE STATEMENT OF ONE OF THOSE MEN CONCERNING ANY AFFAIR IN LIFE. NOT THAT THEY FEEL THAT THE HALL OF JUSTICE HAS BEEN SUSPENDED .....HANGING AND DANGLING FROM THEIR HEADS, AND THAT <del>THOUGH THOUGH</del> MEN MAKE USE OF ALL THE</p>	<p>ACQUAINTED WITH HE CAN'T RECOLLECT ANY<sup>767</sup> NAME OF ANY MAN LIVING EXCEPT JOHN D. LEE. THEN THE MANNER IN WHICH HE HELD HIS HORSES HIS REFUSAL TO TELL THE ENTIRE TRUTH SATISFIES YOU THAT YOU CAN'T HANG A MAN UPON HIS TESTIMONY YOU CAN'T DO IT <i>TALK AS YOU WILL/TAKE HIS</i> — [?] A MAN OR MEN ARE NOT SO CONSTITUTED THAT THEY CAN TAKE ANOTHER'S LIFE UPON THE EVIDENCE OF SUCH A WITNESS. [<i>space</i>] THEN LET US TAKE MC MURDY SHALL NOT TALK MUCH ABOUT ANY ONE OF THESE WITNESSES BECAUSE I DON'T WISH TO ABUSE THEM [<i>space</i>] GOD KNOWS IT IS BAD ENOUGH TO JUST TELL THE FACT BY THEM COME HERE WITH THE BLOOD AND <i>SLD/SRD</i>[?] OF OTHER MEN TRICKLING DOWN FROM THEIR FACES SMEARING THEIR COUNTENANCES AND DARKENING AND DAMNING THEIR SOULS [<i>space</i>] UNREGENERATE REPROBATES MURDERERS OF WOMEN AND CHILDREN OUTLAWS TO GOD AND MAN ASK YOU TO BELIEVE THEM [<i>space</i>] I WOULD RATHER TAKE SATANS EXCUSE FOR HIS REBELLION IN HEAVEN THAN THE STATEMENT OF ONE OF THOSE MEN CONCERNING ANY AFFAIR IN LIFE NOW THEY FEEL THAT THE HALTER OF JUSTICE HAS BEEN SUSPENDED AND IS NOW HANGING AND DANGLING OVER THEIR HEADS AND THAT THEY MUST MEN MAKE USE OF ALL THE</p>
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767. Could also read: CAN RECOLLECT NO.



**BT**

**PS**

SCHEAMING OF THE JUGLER IN  
ORDER TO ESCAPT THE NOOS  
STEALING DOWN UPON THEIR  
GUILTY NECKS AND STRANGLING  
THEIR GUILTY LIVES FROM THEIR  
WORTHLESS CARCASSES; BUT FOR  
THE PURPOSE OF SAVING THAT  
LLI~~V~~FE THAT I SHOULD THINK  
THEY WOULD SHRINK

..... RIDD  
THEMSELVES OF. I CAN'T  
UNDERSTAND WHY THAT SHOULD  
BE; WHAT THEY ARE DOING TO  
SAVE THAT WORTHLESS LIFE. THEY  
COME HERE AND TESTIFY AS  
STRONGLY FOR IT AS THOUGH  
THEY WERE INNOCENT BABES  
STILL FONDELING ON THEIR  
MOTHERS KNEE.. MC MURDY  
TELLS YOU THAT HE DØROVE  
DOWN THERE JUST ABOUT  
WHERE THE FIRST GUN WAS FIRE D;  
SAW EVERYTHING THAT WAS DONE  
ON THE FIELD; BUT, MIND YOU NO  
BODY KILLED; NO PERSON  
THERE EXCEPT JOHN D. LEE. HE  
WAS THE ONLY PARTY, EXCEPT  
WHEN I CAME TO ASK HIM THE  
QUESTION IAND IN HIS GUILTY  
HEAD HE UTTERED NO REPLY.  
WHAT CAN YOU THINK OF SUCH  
TESTIMONFY AS THAT; A MAN  
THAT COMES BEFORE YOU TO DENY  
THAT HE COMMITTED MURDER——  
COMES TO YOU SWEARING  
FOR HIS LIFE-? . SAM. MC MURDEYS  
HANDS, JUDGING FROM HIS ACTION  
UPON THE STAND AND THE FACT  
THAT HE WENT THERE UPON THE  
FIELD AS A WILLING PARTY,  
STANDS WITH THAT HAND  
RAISED TO ALMIGHTY GOD, IAS  
READ WITH INNOCENT BLOOD AS  
ANY MAN EVER STOOD BEFORE

SCHEME OF A JUGGLER IN  
ORDER TO ESCAPE THE NOOSES  
SETTLING DOWN UPON THEIR  
GUILTY NECKS AND STRANGLING  
THEIR GUILTY LIVES FROM THEIR  
WORTHLESS CARCASSES BUT FOR  
THE PURPOSE OF SAVING THAT  
LIFE THAT I SHOULD THINK  
THEY WOULD *SHIRK*[?] *MELT*[?] <sup>[[22]]</sup>  
TOGETHER TO RID  
THEM OF [*space*] I CAN  
UNDERSTAND WHY *THEY/THAT*[?]  
CAN BE WHAT THEY ARE DOING TO  
SAVE THAT WORTHLESS LIFE THEY  
COME HERE TESTIFY AS  
STRONGLY FOR IT AS THOUGH  
THEY WERE INNOCENT BABES  
STILL DANGLING[?] ON THEIR  
MOTHERS KNEE [*space*] MC MURDY  
TELLS YOU THAT HE DROVE  
DOWN THERE *DSPS*[?] NIGH BY  
WHERE THE FIRST GUN WAS FIRED  
SAW EVERYTHING THAT WAS DONE  
UPON THE FIELD BUT MIND YOU NO  
BODY KILLED *ANY/NO*[?] PERSON  
THERE EXCEPT JOHN D. LEE HE  
WAS THE ONLY PARTY EXCEPT  
WHEN I CAME TO ASK HIM THE  
QUESTION HE HUNG HIS GUILTY  
HEAD AND UTTERED NO REPLY  
*HE*[?] —[?] TELL WHAT HE DID THEN  
A MAN  
THAT REFUSES TO DENY  
THAT HE COMMITTED MURDER YOU  
KNOW COMES TO YOU SWEARING  
FOR HIS LIFE SAM MC MURDEY'S  
HANDS JUDGING FROM HIS ACTION  
UPON THE STAND AND THE FACT  
THAT HE WENT THERE UPON THE  
FIELD AS A WILLING PARTY  
STANDS HERE WITH THAT HAND  
RAISED TO ALMIGHTY GOD AS  
RED WITH INNOCENT BLOOD AS  
ANY MAN EVER STOOD BEFORE

**BT**

**PS**

<p>YOU. THEN  WITH HIS HANDS WREAKING WITH  BLOOD, A FACT EXISTING THAT  HE WAS A PARTY TO THE  COMMISSION OF THE CRIME. THE  FACT THAT FOR 10 YEARS HE HAS  REMAINED IN COWARDLY <sup>[19]</sup>  SILENCE SHOWS YOU THAT HE  COMES HERE TO SWEAR AND TO  SWEAR T FOR HIS LIFE AND NOT  FOR JUSTICE. YOU WOULD  NOT HANG A DOG UPON THE  EVIDENCE OF THAT MAN. THERE IS  NOT ONE OF YOU THAT <del>IF TH</del> AT  PARTY WAS TO COME TO YOUR  HOUSE AND TELL YOU THAT AN  ANIMAL THAT BELONGED TO YOU  HAD BEEN BITTEN BY A RABBID  DOG BUT WOULD TAKE THE  CHANCES OF <del>EG</del>GETTING DISEACED  RATHERE <del>THAN</del> RATHER THAN KILL  IT ON THAT MANS WORD . THEN  NEPHI JOHNSON, HE OUGHT TO GO  TO TURKEY AND STAND IN THERE  WITH THE SERV CE; AND IF HE  WOULD JUST TELL ONE OF THOSE  TURKISH HAREMS TO STAND BACK  AND COMM T NO MORE CRINMEEES  THEY WOULD GO HOME. DON'T IT  STRIKE YOU AS A LIT LE PECULI AR.  HOW FUNNY THAT HORSE  STARTED AWAY. HOW EASILY  THAT HORSE LET HIM CATCH HIM.  THE HORSE HAD SENSE ENOUGH TO  BREAK LOOS JUST WHEN THAT  FELLOW WANTED TO SEE.  THEN THAT HORSE <del>F</del>STOOD SO  STILL &amp; QUIET ON THE HILLSIFDE,  THAT AS HE LOOKED DOWN FROM  THE HILLSIDE AND SAW ALL <del>THIN</del>  <b>THIS</b> THEN THE HORSE OBEYED</p>	<p><i>YOUR/YOU[?]</i> MAKER AND THEN  WITH HIS HANDS REEKING WITH  BLOOD THE FACT EXISTING THAT  HE WAS A PARTY TO THE  COMMISSION OF THE CRIME THE  FACT THAT FOR <i>19[?]</i> YEARS HE HAS  REMAINED IN COWARDLY  SILENCE SHOWS YOU THAT HE  COMES HERE TO SWEAR AND TO  SWEAR FOR HIS LIFE AND NOT  FOR JUSTICE. [<i>space</i>] YOU WOULD  NOT HANG A DOG UPON THE  EVIDENCE OF THAT MAN. THERE IS  NOT ONE OF YOU THAT IF THAT  PARTY WAS TO COME TO YOUR  HOUSE AND TELL YOU THAT AN  ANIMAL THAT BELONGED TO YOU  HAD BEEN BITTEN BY A <sup>[<i>23</i>]</sup><sup>768</sup>  RABID DOG BUT WOULD TAKE THE  CHANCES OF GETTING DISEASE  RATHER THAN KILL  IT ON THAT MANS WORD. THEN  NEPHI JOHNSON HE OUGHT TO GO  TO TURKEY AND STAND IN THERE  WITH THE SERVICE AND IF HE  WOULD JUST TELL ONE OF THOSE  TURKISH HAREMS TO STAND BACK  AND COMMIT NO MORE CRIMES  THEY WOULD GO HOME. DON'T IT  STRIKE YOU AS A LIT LE PECULIAR.  [<i>space</i>] HOW FUNNY THAT HORSE  STARTED AWAY [<i>space</i>] HOW EASILY  THAT HORSE LET HIM CATCH HIM  HORSE HAD SENSE ENOUGH JUST  TO BREAK LOOSE JUST WHEN THAT  FELLOW WANTED TO SEE— [<i>space</i>]  THEN THAT HORSE STOOD SO  STILL AND QUIET ON THE HILLSIDE  THAT AS HE LOOKED DOWN FROM  HIS SADDLE AND SAW ALL  THIS THEN THE HORSE OBEYED</p>
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768. Brief doodling on the verso of page 23: 13 cases of *RCHS[?]*, 16 cases of *THE RST/REST[?]*, *OF/TO[?]*, *HAUL/HOLD[?]*, *WATCHES[?]*.

**BT**

**PS**

<p>HIM SO NICELY— TRAVELED DOWN THE HILL—WHY HE TRAVELED RIGHT ALONG; AND LEE CAME UP TO TELL HIM AND TOLD HIM TO KEE P THOSE INDIANS FROM STEALING, WHEN THEY STOPPED STEALING AT ONCE. THE INDIANS THOUGH ANGRY AND EXCITED, THEY STOLE NO MORE-WHEN THAT MIGHTY MAN OF VALLOR STEPPED UPON THE WAGON TONGUE ZAND SAID ““DON’T, DON’T GOOD INDIANS MUST NOT STEAL, GOOD INDIANS PEACABLE INDIANS.” THE MIGHT NEPHI DROVE THEM BACK.</p> <p>WHY DIDN’T HE TRY THAT AUTHORITY A FEW MINUTES BEFORE? WHY DIDN’T HE RAISE HIS €VOIƆCE IN BAHALF OF JUSTICE? WHY <b>DID</b> HE NOT THROW HIMSELF UPON IN THEIR—AND OFFER TO DIE THAT THE EMIGRANTS MIGHT LIVE; BUT NO, HE <del>SAVED HIS</del> RESERVED HIS VALLOR FOR THE JUKES.</p> <p>HE TESTIFIES TO A LOT OF IMMATERIAL MATTER BUT I LET IT GO ALONG JUST TOSHOW THE CHARACTER OF THE WITNESS; BECAUSE I WOULD NOT LET</p>	<p>HIM SO NICELY [<i>space</i>] TRAVELED DOWN THE HILL AND— [<i>space</i>] WHY HE TRAVELED RIGHT ALONG AND LEE CAME UP TO TELL TO KEEP THOSE INDIANS FROM STEALING <i>WHEN</i>[?] STOP STEALING AT ONCE INDIANS WERE ANGRY AND <i>INSISTED/EXCITED</i>[?] THEY STOLE NO MORE WHEN THAT MIGHTY MAN OF VALOR STEPPED UPON A WAGON TONGUE AND SAID DON’T DON’T GOOD INDIANS MUST NOT STEAL GOOD INDIANS PEACEABLE INDIANS [<i>space</i>] THE MIGHTY NEPHI DROVE THEM BACK HUNGRY AND NAKED TO THE MOUNTAIN FASTNESS AND SAVED ALL OF IT ALL LOOSE STUFF SAVED TO COLLECT <i>Ɔ</i> ~ [<i>space</i>] WHY DIDN’T HE TRY THAT AUTHORITY A FEW MINUTES <sup>[[24]]</sup> BEFORE [<i>space</i>] WHY DIDN’T HE RAISE HIS VOICE IN BEHALF OF JUSTICE WHY DID HE NOT THROW HIMSELF IN THEIR APPROACH AND OFFER TO DIE THAT THE EMIGRANTS MIGHT LIVE BUT NO HE RESERVED HIS VALOR FOR THE JUKES<sup>769</sup> COMPANY THE NEXT COMPANY HE TAKES THE GREATEST PLEASURE AND HONOR <i>KNOW/NOW</i>[?] THAT YOU MAY CONVICT JOHN D. LEE WITHOUT A QUESTION FOR THE <i>ABETTING</i>[?] IN DOING UP COMPANY —[?] HE TESTIFIES TO A LOT OF IMMATERIAL MATTER BUT <i>WE</i>[?] LET IT GO IN JUST TO SHOW THE CHARACTER OF THE WITNESS [<i>space</i>] BECAUSE I WOULD NOT LET</p>
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769. Here, as elsewhere, Patterson writes “JKS”, Jukes, when referring to the Dukes Company.

**BT**

**PS**

HIM TESTIFY TO EVERYTHING THAT HAPPENED FROM THE DAY OF THE CRUSIFIXION DOWN TO THE PRESENT TIME BUT FOR THAT PURPOSE; BUT IMMATERIAL, IT IS NOT TO BE BELIEVED <sup>[20]</sup> EVEN WHEN HE TELLS THE TRUTH. AND AS THIS OCCURRED DOWN TO HARMONY AND HE TELLS JOHN D. LEE BLOOD ENOUGH HAS BEEN SPILLED ON MOUNTAIN MEADOWS. YOU CAN'T KILL THIS TRAIN, HE WAS GOING TO PROTECT IT. I WOULD GIVE A PRETTY GOOD HORSE TO HAVE THE HISTORY WHILE IN THE TERRITORY OF THAT EMIGRANT TRAIN. IF THAT EMIGRANT TRAIN ESCAPED THE NEXT ONE DIES; BUT THE CHANCES ARE THAT THAT COMPANY WERE KILLED OR ROBBED.. THE LAST WITNESS THEY HAVE NOW IS JAKE HAMBLIN. JAKE COMES ON THE STAND AND TESTIFIES AS CAREFULLY AND CONSIDERATELY AS IT IS POSSIBLE FOR A MAN TO TESTIFY. BUT HE IS A MAN THAT HAS ALWAYS KEPT SILENT FOR 19 YEARS. THIS IS HE FIRST TIME HE HAS EVER SEEN A PROPER CHANCE. WHY I WONDER IF HE MEANS THZAT THIS IS A GOOD TIME BECAUSE THE PROSECUTION HAS CONCLUDED NOT TO HANG BRIGHAM YOUNG. I DON'TTHANK THAT IS IT;

BUT THAT MUST BE WHAT HE MEANS. I WISH TO CALL YOUR ATTENTION TO THE EVIDENCE OF THE PROSECUTION ONE MOMENT AS COMPARED ~~AS COMPARED~~ WITH JAKE HAMBLIN'S. YOU HEARD THE

HIM TESTIFY TO EVERYTHING THAT HAPPENED FROM THE TIME OF THE CRUCIFIXION DOWN TO THE PRESENT DAY [space] AND/BUT[?] MATERIAL[?] IS NOT TO BE BELIEVED EVEN WHEN HE TELLS THE TRUTH AND AS THIS OCCURRED DOWN THERE TO HARMONY AND HE TELLS JOHN D. LEE BLOOD ENOUGH HAS BEEN SPILLED ON MOUNTAIN MEADOW YOU CAN'T [space] KILL THIS TRAIN HE WAS GOING TO PROTECT I WOULD GIVE A PRETTY GOOD HORSE TO HAVE THE HISTORY [space] OF THE TR PR/TRUTH NOW[?] THAT THAT EMIGRANT TRAIN ESCAPED THE NEXT TRAIN DS/DOES[?] [space] BUT THE CHANCES ARE THAT THAT COMPANY WAS [space] THE LAST WITNESS THEY HAVE NOW IS JAKE HAMBLIN [space] JAKE COMES ON THE STAND AND TESTIFIES AS CAREFULLY AND CONSIDERATELY AS IT IS POSSIBLE FOR A MAN TO TESTIFY BUT HE IS A MAN THAT HAS ALWAYS KEPT SILENT FOR 19 YEARS THIS IS THE FIRST TIME THAT HE EVER SAW A PROPER CHANCE WHY I WONDER IF HE MEANS THAT HE THINKS/FINDS[?] THIS GOOD TIME BECAUSE THE PROSECUTION HAS CONCLUDED <sup>[[25]]</sup> NOT TO HANG BRIGHAM YOUNG I DON'T THINK THAT IS IT I DO NOT THINK THEY EVER HAD A CHANCE TO DO THAT [space] BUT THAT MUST BE WHAT HE MEANS I WISH TO CALL YOUR ATTENTION TO THE EVIDENCE OF THE PROSECUTION ONE MOMENT AS COMPARED WITH JAKE HAMBLIN'S YOU HEARD THE

**BT**

**PS**

<p>EVIDENCE, AND BRIGHAM YOUNG, YOU HEARD HIS REPORT— THAT TO DENVER—WHAT HE SAID ABOUT THE EMIGRANT TRAIN SOME MONTHS AFTER THEY ONLY HEARD OF ANOTHER ARMY; YET JAKE HAMBLIN TELLS YOU THAT A SHORT TIME AFTERWARDS HE TOLD BRIGHAM YOUNG AND GEORGE A. SMITH OF ANOTHER TRANSACTION WITH MR M——— THEN HE DESCRIBED IT TO YOU, THAT HE GAVE IT IN FULLER DETAIL, AND GREATER PARTICULARITY TO THOSE TWO MEN THAN HE HAD GIVEN IT HERE, BECAUSE AT THAT TIME HIS MIND WAS FRESHER. THE SUBJECT WAS FRESHER IN HIS MIND AND HIS MEMORY WAS GOOD AND THAT HE COULD BE ABLE TO DETAIL THE WHOLE TRANSACTION TO THOSE TWO MEN. SO FROM THEIR TESTIMONY HERE THAT THIS IS DENIED, DO YOU BELIEVE, GENTLEMEN OF THE JURY, THAT IF THIS MAN HAD TOLD BRIGHAM YOUNG THE EXACT FACT ABOUT HOW THE MOUNTAIN MEADOW MASSACRE WAS COMMITTED THAT BRIGHAM YOUNG WOULD HAVE WRITTEN THAT LETTER TO DENVER? <sup>[21]</sup> BUT THE RULE CHANGED; THE PROSECUTION INTRODUCED CERTAIN PROOF. HOWARD, HE HAS KEPT HIS WORD MOST CLEARLY. HIS WITNESSES HAVE GONE FURTHER THAN EVEN MY OWN ACCEPTATION COULD HAVE PROMPTED ME TO BELIEVE THAT MEN HAVE TESTIFIED TO TELL A DIFFERENT SET OF</p>	<p>EVIDENCE AND BRIGHAM YOUNG YOU HEARD HIS REPORT WRITTEN THAT TO DENVER WHAT HE SAID ABOUT THE EMIGRANT TRAIN SOME MONTHS AFTER [space] THAT HE ONLY HEARD HAVE[?] ENTIRE/ANOTHER[?] ARMY[?] [space] YET JAKE HAMBLIN TELLS YOU THAT A SHORT TIME AFTERWARDS HE TOLD BRIGHAM YOUNG AND GEORGE A SMITH OF ENTIRE TRANSACTION WITH MR MARTINEAUS THEN HE DESCRIBED IT TO YOU [space] THAT HE GAVE IT IN FULLER DETAIL AND GREATER PARTICULAR TO THOSE TWO MEN THAN HE HAD GIVEN IT HERE BECAUSE AT THAT TIME HIS MIND WAS FRESHER THE SUBJECT WAS FRESHER IN HIS MIND AND HIS MEMORY WAS GOOD AND THAT HE COULD BE ABLE? TO DETAIL THE ENTIRE TRANSACTION TO THOSE TWO MEN SO FROM THEIR TESTIMONY HERE THAT THESE/THIS IS[?] IS DENY/DENIED[?] DO YOU BELIEVE GENTLEMEN OF THE JURY THAT IF THIS MAN HAD TOLD BRIGHAM YOUNG THE EXACT FACT ABOUT HOW THE MOUNTAIN MEADOW MASSACRE WAS COMMITTED THAT BRIGHAM YOUNG WOULD HAVE WRITTEN THAT LETTER TO DENVER [space] I HAVE CHALLENGED THE PROSECUTION AND INTRODUCE CERTAIN PROOF [space] HOWARD HAS KEPT HIS WORD MOST CLEARLY HIS WITNESSES HAVE GONE FURTHER THAN OUR EVEN MOST SINGULAR[?] EXPECTATION COULD HAVE PROMPTED ME TO BELIEVE MEN HAVE <sup>[[26]]</sup> TESTIFIED TO SUCH A DIFFERENT SET OF</p>
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**BT**

**PS**

FACTS. THAT I  
 ACKNOWLEDGE TO YOU THAT IN  
 MY STATEMENT I WAS WRONG  
 BECAUSE I MADE THAT STATEMENT  
 UPON MY KNOWLEDGE OF THIS  
 CASE DERIVED FROM LISTENING  
 TO THE SWORN TESTIMONY OF  
 WITNESSES, AND FROM THE  
 PERSONAL EXAMINATION OF THE  
 SAME CHARACTER AND CLASS OF  
 WITNESSES THAT HAVE TESTIFIED  
 UPON THE STAND HERE THOUGH  
 NOT UNDER OATH. I WAS MISTAKEN  
 BUT I THOUGHT I WAS TOLD THE  
 TRUTH. I BELIEVED THAT A MAN  
 WHEN HE WOULD COME UP TO  
 SWEAR TO IT WOULD SWEAR TO IT  
 AGAIN. I BELIEVED THAT THE  
 MAN WHO WAS TELLING HIM THE  
 FACTS IN THE CASE WAS TELLING  
 HIM THE TRUTH. I BELIEVE NOW  
 THAT THEY HAD TO HAVE SOME  
 REASON OR OTHER. I CAN'T  
 BELIEVE THAT THEY HAVE SWORN  
 TO THE TRUTH. YOU HAVE BEEN  
 ASKED BY MR. DENNY TO  
 DISCOURTENCE ~~THE FACTS THE~~  
**TESTIMONY** ABOUT THE INDIANS,  
 BECAUSE HE TELLS YOU THAT  
 PARTLY CIVILIZED INDIANS WOULD  
 NOT COMMIT SUCH A CRIME. I  
 LEAVE THAT TO YOU WHETHER A  
 BAND OF PARTIALLY CIVILIZED  
 INDIANS THAT ~~THAT~~ WERE  
 SUFFERING FROM FROM SUCH  
 WRONGS WOULD  
 COMMIT **A CRIME** AS A LOT OF  
 MORMONS WOULD BECAUSE ~~THE~~  
 AN INDIANS ~~AND~~ OR A ~~THE~~  
 MORMONS, ONE OR THE OTHER  
 KILLED ~~THOSE~~ **THESE** EMIGRANTS  
 TRAIN. THEY CAN HAVE ~~IT~~ JUST  
 AS THEY WANT TO. I WAS  
 NOT THERE— I WAS NOT. YET I

FACTS TO WHAT I [space] THAT I  
 ACKNOWLEDGE TO YOU THAT IN  
 MY STATEMENT I WAS WRONG  
 BECAUSE I MADE THAT STATEMENT  
 UPON MY KNOWLEDGE OF THIS  
 CASE DERIVED FROM LISTENING  
 TO THE SWORN TESTIMONY OF  
 WITNESSES AND FROM THE  
 PERSONAL EXAMINATION OF THE  
 SAME CHARACTER AND CLASS OF  
 WITNESSES THAT HAVE TESTIFIED  
 UPON THE STAND HERE THOUGH  
 NOT UNDER OATH I WAS MISTAKEN  
 BUT I THOUGHT I WAS TOLD THE  
 TRUTH I BELIEVED THAT A MAN  
 WHEN HE WOULD COME UP TO  
 SWEAR TO IT WOULD SWEAR TO IT  
 AGAIN I BELIEVED THAT A  
 WHO TOLD ME THE  
 FACTS IN THE CASE WAS TELLING  
 ME THE TRUTH I BELIEVE NOW  
 THAT THEY HAD TO HAVE SOME  
 REASON OR OTHER I CAN'T  
 BELIEVE THAT THEY HAVE SWORN  
 TO THE TRUTH YOU HAVE BEEN  
 ASKED BY MR. DENNY TO  
 DISCOURTENCE ALL THIS  
 STORY ABOUT THE INDIANS  
 BECAUSE TELLS YOU THAT  
 PARTLY CIVILIZED INDIANS WOULD  
 NOT COMMIT SUCH A CRIME I  
 LEAVE THAT TO YOU WHETHER A  
 BAND OF PARTIALLY CIVILIZED  
 INDIANS THAT WERE  
 SUFFERING FROM FROM  
 IMAGINARY WRONGS WOULD  
 COMMIT A CRIME AS A LOT OF  
 MORMONS WOULD BECAUSE THE  
 INDIANS OR THE  
 MORMONS ONE OR THE OTHER  
 KILLED THIS EMIGRANT  
 TRAIN THEY CAN JUST HAVE IT  
 AS THEY WANT TO [space] I WAS  
 NOT THERE I DO NOT KNOW [space] I

**BT**

**PS**

BELIEVE THE INDIANS DID SOME OF THE KILLING. I BELIEVE THE WHITE MEN AIDED IN THE KILLING, AND THAT THERE WERE QUITE A NUMBER OF THEM THERE. I SIMPLY CALL YOUR ATTENTION TO THE FACT LIKE THE BEST OF MEN, THAT INDIANS NEVER DID ANYTHING WRONG. WHY DOES NOT LEE TELL US WHERE HE GOT HIS ORDERS FROM? <CAN'T TESTIFY.> IS NOT THAT VERY MATTER OF FACT SHOWED BY THE LETTER? THE LETTER WRITTEN BY LEE HAS BEEN READ TO YOU, TESTIMONY BEEN COMMENTED UPON, AND THIS OTHER EVIDENCE THAT I CAN'T DISPUTE.<sup>[22]</sup> GENTLEMEN OF THE JURY, I SHALL REVIEW THIS CASE WITH YOU FOR A FEW MINUTES. AS IS WELL KNOWN THE HISTORY OF THIS COUNTRY IS VERY PECULIAR IN MANY RESPECTS. IT IS PECULIAR BECAUSE OF THE CONDITION OF THE COUNTRY AT THAT TIME THAT THE CRIME WAS COMMITTED WAS ONE OF THE MOST PECULIAR THAT EVER EXISTED ON THE AMERICAN CONTINENT,

AND THE PECULIAR OTHER EXCITEMENT WHICH OCCURRED. THIS TRAIN HAD ACTED IN A VERY PECULIAR AND UNSATISFACTORY MANNER. THEY HAD ACTED IN A FOOLISH MANNER IF THE EVIDENCE OF THE PROSECUTION BE TRUE. THEY HAD TAKEN EVERY EFFORT TO RAISE MISCHIEF AGAINST THEM. THEY HAD TAKEN EVERY EFFORT TO

BELIEVE THE INDIANS DID THE MOST OF THE KILLING I BELIEVE THAT WHITE MEN AIDED IN THE KILLING AND THAT THERE WERE QUITE A NUMBER OF THEM THERE I SIMPLY CALL YOUR ATTENTION TO THE FACT LIKE THE BEST OF MEN [space] THAT INDIANS NEVER DID ANYTHING WRONG [space] WHY DOES NOT LEE TELL US WHERE HE <sup>[27]</sup> GOT HIS ORDERS FROM [space] CAN/CAN'T? TESTIFY IS NOT THE VERY MATTER OF FACT SHOWED BY THE LETTER [space]. [space] THE LETTER WRITTEN BY LEE HAS BEEN READ TO YOU TESTIMONY BEEN COMMENTED ON AND THIS OTHER EVIDENCE THAT I CAN'T DISPUTE [space] GENTLEMEN OF THE JURY I SHALL REVIEW THIS CASE WITH YOU FOR A FEW MOMENTS. AS IS WELL KNOWN THE HISTORY OF THIS CASE IS VERY PECULIAR IN MANY RESPECTS. IT IS PECULIAR BECAUSE OF THE CONDITION OF THE COUNTRY AT THE TIME THAT CRIME WAS COMMITTED WAS ONE OF THE MOST PECULIAR THAT EVER EXISTED ON THE AMERICAN CONTINENT THE FEELINGS THE EXCITEMENT OF THE PEOPLE WERE PECULIAR THEIR EXCITEMENT GREAT THIS TRAIN HAD ACTED IN A VERY PECULIAR AND UNSATISFACTORY MANNER THEY HAD ACTED IN A FOOLISH MANNER IF THE EVIDENCE OF THE PROSECUTION BE TRUE THEY HAD TAKEN EVERY OPPORTUNITY TO REAR THE SETTLEMENTS THROUGH WHICH THEY PASSED AGAINST THEM THEY HAD TAKEN EVERY EFFORT TO

**BT**

**PS**

REAR THE PEOPLE AGAINST THE  
 OUTSIDERS. THEY HAD MADE  
 THREATS OF VIOLENCE, THREATS  
 OF COMMISSIONS OF CRIME. THEY  
 ADMITTED  
 BEING THE LIFELONG ENEMIES OF  
 THE MORMONS; AND THE  
 MORMONS HAD DECIDED TO &  
 DECLARED THAT THEY WOULD BE  
 BOUND BY THE SAME. THEY  
 WOULD TAKE A DEADLEY  
 STAND WITH THE  
 RABBLE ON THE APPROACHING ON  
 THE SOUTH WHILE AN ARMY WAS  
 COMING IN ON THE NORTH. THEN  
 THERE WAS A PECULIAR STATE  
 OF AFFAIRS AT THAT TIME. THE  
 CRIME

WAS COMMITTED, AND BY  
 WHOM AND HOW? ARE  
 THE QUESTIONS THAT YOU MUST  
 DECIDE. FOR 18 YEARS  
 THIS CRIME HAS GON  
 UNPUNISHED WHILE GOVERNMENT  
 JUDGES, HAVE BEEN IN THE  
 COURTS IN THEIR PLACES IN THIS  
 TERRITORY AND THE COURTS HAVE  
 BEEN OPEN  
 IN ORDER TO  
 DISPENSE JUSTICE. JURIES HAVE  
 WAITED UP FROM  
 TERM TO TERM. THIS CASE HAS  
 BEEN CALLED BEFORE AND TRIED.  
 THESE WITNESSES HAD AN  
 OPPORTUNITY TO COME BEFORE  
 JURIES LONG AGO AND TELL  
 WHAT THEY KNEW OF THE  
 CASE; BUT THEY CAME NOT.  
 THE DEFENDANT WAS ARRESTED.  
 THEIR COUNSEL THEN MESSRS  
**MYSELF & .....**  
 HAD THE CONDUCTING OF THE

REAR PEOPLE AGAINST ALL  
 OUTSIDERS THEY HAD MADE  
 THREATS OF VIOLENCE THREATS  
 OF COMMISSION OF CRIME HAD  
 ADMITTED [space] HAD ADMITTED  
 BEING THE LIFELONG ENEMIES OF  
 THE MORMONS  
 HAD DECIDED AND  
 DECLARED THAT THEY WOULD  
 DOWN/TOWN[?] BY THE SAME THEY  
 WOULD TAKE [space] DEADLY [space]  
 STAND WITH THEM[?] AS THE[?]  
 RABBLE APPROACHED ON  
 THE SOUTH [space] ARMY  
 CAME IN FROM THE NORTH THEN  
 THERE WAS AS A PECULIAR STATE  
 OF AFFAIRS AT THAT TIME WHAT  
 WAS DONE AFTERWARDS WAS  
 GENERAL IN ITS CHARACTER  
 INEXCUSABLE ON ITS OWN. BUT  
 YES IT WAS COMMITTED AND BY  
 WHOM AND HOW [space] <sup>[[28]]</sup> ARE  
 THE QUESTIONS THAT YOU MUST  
 DECIDE FOR 18 YEARS OR NEARLY  
 THAT THE MATTER LAY  
 UNEXAMINED  
 JUDGES HAVE BEEN IN THE  
 COURTS IN THEIR PLACES IN THIS  
 TERRITORY FEW[?] COURTS HAVE  
 BEEN OPEN NOT ONE UPON THE  
 BENCH HAS BEEN READY TO  
 DISPENSE JUSTICE JURORS HAVE  
 WAITED UPON HIM/’EM[?] FROM  
 TERM TO TERM THIS CASE HAS  
 BEEN CALLED BEFORE AND TRIED  
 THOSE WITNESSES HAD AN  
 OPPORTUNITY TO COME BEFORE  
 JURORS LONG AGO AND TELL  
 WHAT THEY KNEW OF THE  
 CASE BUT THEY CAME NOT [space]  
 THE DEFENDANT WAS ARRESTED  
 THEIR COUNSEL THEN  
 MYSELF SPICER AND C BATES[?]  
 HAD THE CONDUCT OF THE



**BT**

**PS**

CZASE. BUSINESS REAASONS AND AFFAIRS HAVE KEPT THEM FROM COMING HERE AT THIS TØIME. AND BROTHER SPICER AND MYSELF WERE COMPELLED TO TAKE THE CASE ALONE; FINA LY MY BROTHER FOSTER ARRIVING KINDLY CONSENTED TO ASSIST BUT THE COUNSEL WHO DLED IN THE DEFENSE BEFORE AT THE OTHER TRIAL HAS BUSINESS A T THIS TIME AND THE RES- <sup>[23]</sup> PONSIBILITY RESTS UPON ME AAND MY ASSOCIATES TO DO ALLF THAT WE CAN. I HAVE APPEARED HERE NØE ON ON THIS TRISAL AS I DID AT THE LAST, AS I ALWAYS EXPECT TO WHEN DEFENDING A MAN CHARGED WITH CRIME. I HAVE APPEARED BEFORE YOU IN FAIRNESS AND HONESTY. CONDUCTING THE CASE ~~IN FAIRNESS AND HONESTY~~ ACCORDING TO THE BEST OF MY SKILL AND ABILITY FOR MY CLIENT. I HAVE NOT ONLY TAKEN OFF THIS COURT THE LAW.

**BUT** I HAVE TRIED TO KEEP BACK NOT ONE WORD OF TESTIMONY. I HAVE AIDED THE PROSECUTION IN EVERY WAY THAT I COULD TO BRING FAIR PLSAY AND THE ENTIRE STATEMENT; TO LET THE WITNESSES TELL ALL THAT THEY KNEW; BECAUSE I BELIEVED THEN AS I BELIEVE NOW, THAT UPON SUCH EVIDENCE AS HAS BEEN INTERODUCED HERE, NO JURY CAN CONVICT. . FORTY ACCOMPLICES STAND THE SAME IN MY JUDGMENT AS ONE. THEN A CONVICTION OF ACOMPLICES THESE ØPARTIES THAT COME HERE

CASE [*space*] BUSINESS REASONS AND AFFAIRS HAVE KEPT THEM FROM COMING HERE AT THIS TIME AND MY BROTHER SPICER AND MYSELF WERE COMPELLED TO TAKE THE CASE ALONE FINALLY MY BROTHER FOSTER ARRIVED AND KINDLY CONSENTED TO ASSIST BUT THE COUNSELWHO LED IN THE DEFENSE BEFORE AT THE OTHER TRIAL HAS BUSINESS AT THIS TIME AND THE RESPONSIBILITY RESTS UPON ME AND MY ASSOCIATES TO DO ALL THAT WE CAN I HAVE APPEARED HERE NOWON THIS TRIAL AS I DID AT THE LAST AS I ALWAYS EXPECT TO WHEN DEFENDING A MAN CHARGED WITH CRIME I HAVE APPEARED BEFORE YOU *TOO*[?] IN FAIRNESS AND HONESTY CONDUCTING THE CASE

ACCORDING TO THE BEST OF MY SKILL AND ABILITY FOR MY CLIENT I HAVE NOT ONLY TAKEN TO THIS COURT OF LAW [*space*] ABUSED YOUR MINDS AND CONFIDENCES I HAVE TRIED TO KEEP BACK NOT ONE WORD OF TESTIMONY I HAVE AIDED THE PROSECUTION IN EVERY WAY THAT I COULD TO BRING FAIR PLAY AND ENTIRE STATEMENT TO LET THE WITNESSES TELL ALL THAT THEY KNEW BECAUSE I BELIEVED <sup>[[29]]</sup> THEN AS I BELIEVE NOW THAT UPON SUCH EVIDENCE AS HAS BEEN INTRODUCED HERE NO JURY CAN CONVICT [*space*] 40 ACCOMPLICES STAND THE SAME IN MY JUDGMENT AS ONE [*space*] THEN A CONVICTION OF ACCOMPLICES THESE PARTIES THAT COME HERE

**BT**

**PS**

WITH THE R HANDS STILL SMOKING  
ZAND STAINED WITH INNOC ENT  
BLOOD,  
AND THEN TESTIFYING AND  
HEARING EACH OTHER TESTIFY  
AND MARKING AN ALL EXCEPT  
SOME MINER DETAIL FOR THE  
PURPOSE OF SECURING A  
CONVICTION. IN THE EVIDENCE  
JUST GIVEN THEY HAVE  
COME UPON THE STAND TO  
PROSECUTE AND  
CONVICT LEE THAT THEIR ONWN  
LIVES MAIGHT BE SAVED.

I ZASK YOU NOW,  
GENTLEMEN, WHEN YOU RETIRE TO  
YOUR JURY ROOM, TAKE THIS  
EVIDENCE AND SCAN IT  
CAREFULLY, AND ASK  
YOURSELVES IF THE EVIDENCE  
THAT HAS BEEN I INTRODUCED ALL  
ALONG AND SEE IF IT  
SHOWS THE GUI LT OF THAT  
DEFENDANT. ~~TAHE~~ TAKE THE  
EVIDENCE OF ALL THE WITNESSENS  
THAT WERE NOT THERE, ALL~~U~~ THAT  
WERE NOT GUI~~U~~LTY AND YOU  
HAVE NOTHING TO SHOW GUILT.  
NOT A THING IN CORROBERATION  
NOTHING OF THE SORT, NOTHING  
OF THE KIND OR CHARACTER. THEN  
CONSIDER THE TALE AS TOLD BY  
HAMBLIN, HOW HE IMPORVE S IN  
IT! HOW EASILY HIS MIND IS  
REFERESHED BY A SHORT RECESS:!  
HOW HE TELLS ALL THAT HE  
KNOWS ONE DAAY AND THEN ~~THE~~  
NEXT DAY  
HE COMES TO THE  
CONCLUSION THAT HE HEARD  
SOMETHING OF THE TWO YOUNG  
~~GIRLES~~ WOMEN. GENTLEMEN, IF  
YOU CAN FIND A VERDICT OF

WITH THE HANDS STILL SMOKING  
STAINED WITH INNOCENT  
BLOOD SWEAR BY AGREEMENT  
AND THEN TESTIFYING EITHER  
HEARING EACH OTHER TESTIFY  
[space] AGREEING IN ALL EXCEPT  
SOME MINOR DETAIL FOR THE  
PURPOSE OF SECURING A  
CONVICTION KNOWING THAT NO  
JUST GOVERNED WILL PERMIT  
THEM TO COME UPON THIS STAND  
AND THEN PROSECUTE THEM  
*CONVICT THEM*[?] SAVE THEIR  
LIVES — [space] *HISTORY/TOO/*—[?]  
PECULIAR [space] MY ACTION  
PECULIAR [space] I ASK YOU NOW  
GENTLEMEN WHEN YOU RETIRE TO  
YOUR JURY ROOM TAKE THIS  
EVIDENCE IN YOUR MIND SCAN IT  
CAREFULLY AND ASK  
YOURSELVES IF THE EVIDENCE  
THAT HAS BEEN INTRODUCED BY  
ANY DISINTERESTED WITNESS  
THAT SHOWS THE GUI LT OF THAT  
DEFENDANT TAKE THE  
EVIDENCE OF ALL THE WITNESSES  
THAT WERE NOT THERE ALL THAT  
WERE NOT GUILTY AND YOU  
HAVE NOTHING TO SHOW GUILT  
NOT A THING IN CORROBORATION  
NOTHING OF THE SORT NOTHING  
OF THE KIND OR CHARACTER THEN  
CONSIDER THE TALE AS TOLD BY  
HAMBLIN HOW HE IMPROVES ON  
IT HOW EASILY HIS MIND IS  
REFRESHED BY A SHORT RECESS  
HOW HE TELLS ALL THAT HE  
KNOWS ONE DAY AND THEN THE  
NEXT DAY COMES —/D[?] AND SITS  
UP AND COMES TO THE  
CONCLUSION THAT HE HEARD  
SOMETHING OF THE TWO YOUNG  
WOMEN GENTLEMEN IF  
YOU CAN FIND A VERDICT OF

**BT**

**PS**

<p>GUILTY <sup>[24]</sup> UPON THAT EVIDENCE YOU ARE DIFFERENT MEN, MADE OF DIFFERENT MATERIAL AND DRAW YOUR CONCLUSIONS FROM DIFFERENT PREMISES TO ANY MEN THAT I EVER KNEW. DO YOU BELIEVE THAT BY CONVICTING THIS MAN UPON INSUFFICIENT EVIDENCE YOU CAN RAISE THE <del>BLOTCH</del> BLACK CLOUD THAT HAS HUNG OVER THE MORMON CHURCH? DO YOU BELIEVE THAT A WRONG VERDICT—DO YOU BELIEVE THAT ANOTHER INFAMOUS ACT, THAT A JUDICIAL MURDER WILL RAISE THAT CLOUD? DO YOU BELIEVE THAT IT WILL <del>AMKE</del> MAKE THE PEOPLE OF THE UNITED STATES BELIEVE THAT THE CRIME WAS LESS CHARGED TO THE AUTHORITIES THAN THEY BELIEVE IT NOW? FOR YOU KNOW THEY WILL BE SAYING, <del>HERE</del> “HERE THE PEOPLE IN UTAH ARE CUNNING; THEY HAVE GONE TO WORK AND TAKEN A FEW OF THE GUILTY WRETCHES AND LET THEM TESTIFY TO JUST ENOUGH TO HANG LEE. THE PROSECUTION HAS INTRODUCED DOCUMENTS ENOUGH TO CLEAR THE CHURCH AND THEY HAVE HUNG LEE AND NOW THE BALANCE GO FREE.” THAT WILL BE THE WAY THE PEOPLE WILL TALK. CALLING YOUR ATTENTION NOW TO THE FACT OF THE VERDICT, AS I HAVE A RIGHT TO. I HAVE A RIGHT TO ASK AND I DEMAND THAT YOU ACT WITH JUSTICE. I HAVE A RIGHT TO EXPECT THAT YOU WILL ABIDE BY THE LAW AND THE</p>	<p>GUILTY UPON THAT EVIDENCE <sup>[30]</sup> YOU ARE DIFFERENT MEN MADE OF DIFFERENT MATERIAL AND DRAW YOUR CONCLUSIONS FROM DIFFERENT PREMISES TO ANY MAN THAT I EVER KNEW DO YOU BELIEVE THAT BY CONVICTING THIS MAN UPON INSUFFICIENT EVIDENCE THAT YOU RAISE THE BLACK CLOUD THAT HAS HUNG OVER THE MORMON CHURCH DO YOU BELIEVE THAT A WRONG VERDICT DO YOU BELIEVE THAT ANOTHER INFAMOUS ACT THAT A JUDICIAL MURDER WILL RAISE THAT CLOUD DO YOU BELIEVE THAT IT WILL MAKE THE PEOPLE OF THE UNITED STATES BELIEVE THAT THE CRIME WAS LESS CHARGED TO THE AUTHORITIES THAN THEY BELIEVE IT NOW FOR YOU KNOW THEY WILL BE SAYING HERE THE PEOPLE IN UTAH ARE CUNNING THEY HAVE GONE TO WORK AND TAKEN A FEW OF THE GUILTY WRETCHES AND LET THEM TESTIFY TO JUST ENOUGH TO HANG LEE THE PROSECUTION HAS INTRODUCED DOCUMENTS ENOUGH TO CLEAR THE CHURCH AND THEY HAVE HUNG LEE AND NOW THE BALANCE GO FREE. THAT WILL BE THE WAY THE PEOPLE WILL TALK CALLING YOUR ATTENTION NOW TO THE EFFECT OF A VERDICT AS I HAVE A RIGHT TO I HAVE A RIGHT TO ASK AND DEMAND THAT YOU ACT WITH JUSTICE I HAVE A RIGHT TO EXPECT THAT YOU WILL BE GUIDED <sup>770</sup> BY THE LAW AND THE</p>
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770. Word may be crossed out.

**BT**

**PS**

<p>EVIDENCE. THAT YOU BELIEVE, <del>AND</del> THAT YOU WILL NOT HAVE ANY IMPROPER PURPOSE OR REVENGE FOR THE PURPOSE OF SATISFYING ANY CLIQUE OR CONVENTION, SACRIFICE THAT MAN. NO. THAT YOU CANNOT DO.</p> <p>GENTLEMEN, THIS CASE NOW GOES TO YOU SO FAR AS WE ARE CONCERNED. THE PROSECUTION IS REPRESENTED BY ONE; I <del>A</del> MAY SAY, OF THE BEST <del>PROSECUTING</del> &lt;UNITED STATES&gt; ATTORNEYS THAT I HAVE EVER HEARD, AND I HAVE HEARD A GREAT MANY. A MAN THZAT IS GUARDED AND CAUTIONS IN HIS ACTIONS, PLANS HIS CAM PAIGN WITH CZARE AND &lt;DUE&gt; CONSIDERATION; AND THEN WORKS RIGHT UP PTO HIS PLAN UNTIL HE COMES TO HIS ARGUMENT ARGUE THE CA SE; THEN HE WORKS AWAY BEYOND IT. HE IS A BETTER TALKER PERHAPS THZAN ANY MAN WHO HAS SPOKEN IN THIS COURT HOUSE IN THE PAST ;AND IT IS BELIEVED BY MANY THAT WHEN HE COMES TO C THEY COME &lt;PAST&gt; TO CONTRZAST HIS ELOQUENCE WITH THE EVERY DAY EXPRESSIONS OF A COMMON MAN <sup>[25]</sup> LIKEE MEYSELF THAT OUF<del>R</del> SPEECHES WILL BE FORGOTTEN, AND THE MUSICAL ELOQUENCE THAT FLOWS FROM MY BROTHER HOWARD WILL CONVINCEN YOU THAT THE INNOCENCE IS GUILTY AND THAT BLACK IS WHITE; AND THAT ALL YOU WILL HAVE TO DO TO BRING A MALEM IS TO CONVICT JOHN D. LEE AND SUSTAIN HIM IN HIS THEORIES. BUT YOU</p>	<p>EVIDENCE THAT YOU BELIEVE THAT YOU WILL NOT HAVE ANY IMPROPER PURPOSE OR FOR PURPOSE OF REVENGE FOR THE PURPOSE OF SATISFYING ANY CLIQUE OR CONVENTION SACRIFICE THAT MAN NO THAT YOU CANNOT DO. [space]</p> <p>GENTLEMEN THIS CASE NOW GOES TO YOU SO FAR AS WE ARE CONCERNED <sup>[[31]]</sup> THE PROSECUTION IS REPRESENTED BY ONE I MAY SAY OF THE ABLEST UNITED STATES ATTORNEYS THAT I HAVE EVER HEARD AND I HAVE HEARD A GREAT MANY A MAN THAT IS CAUTIOUS AND GUARDED IN HIS ACTIONS [space]</p> <p>PLANS HIS CAMPAIGN WITH CARE AND DUE CONSIDERATION AND THEN WORKS RIGHT UP TO HIS PLAN UNTIL HE COMES TO ARGUE CASE THEN HE WORKS WAY BEYOND IT HE IS A BETTER TALKER PERHAPS THAN ANY MAN WHO HAS SPOKEN IN THIS COURT HOUSE IN THE PAST AND IT IS BELIEVED BY MANY THAT WHEN THAT WHEN THEY COME AND GIVE A JURY COMES TO CONTRAST HIS ELOQUENCE WITH THE EVERY DAY EXPRESSIONS OF A COMMON MAN LIKE MYSELF THAT OUR SPEECHES WILL BE FORGOTTEN AND THE MUSICAL ELOQUENCE THAT FLOWS FROM THE MOUTH OF MY BROTHER HOWARD WILL CONVINCEN YOU THAT THE INNOCENT IS GUILTY AND THAT BLACK IS WHITE AND THAT ALL YOU HAVE TO DO TO BRING TO MRM/MORMON[?] IS TO CONVICT JOHN D. LEE AND SUSTAIN HIM IN HIS THEORIES YET/YES/NOT[?]</p>
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**BT**

**PS**

MUST NOT LET ELOQUENCE DECIDE THIS CASE.  
LISTEN TO HIM CAREFULLY, ~~AND~~ **BUT** BELIEVE AS LITTLE OF IT, AS IS NOT WARRANTED BY THE TESTIMONY, AS IS POSSIBLE.  
DECIDE THIS CASE, GENTLEMEN, UPON THE FACTS, UPON THE EVIDENCE THAT YOU BELIEVE.  
DON'T DECIDE IT ~~UPON~~ UPON EVIDENCE THAT YOU DON'T THINK IS SO. WHEN YOU RETIRE TO YOUR JURY ROOM RECOLLECT THIS. THE COURT WILL INSTRUCT YOU ABOUT THIS FACT. THEN YOU HAVE A RIGHT ~~IF~~ YOU BELIEVE THE EVIDENCE TO FIND A VERDICT OF GUILTY OF MURDER IN THE FIRST OR MURDER IN THE SECOND DEGREE OR MANSLAUGHTER OR NOT GUILTY. IN ORDER TO ENABLE YOURSELVES, GENTLEMEN OF THE JURY, TO CONVICT IN THIS CASE, YOU MUST BELIEVE THAT JOHN D. LEE COMMITTED **THE CRIME** AS CHARGED IN THE INDICTMENT. YOU MUST BELIEVE THAT THIS HAS BEEN PROVEN BEYOND THE POSSIBILITY OF A DOUBT. YOU MUST BE SATISFIED IN YOUR OWN MINDS THAT THAT EVIDENCE THAT HAS BEEN DETAILED TO YOU BY THESE WITNESSES IS ~~Z~~ALL OF THE TRUTH, AND ~~THZ~~AT JOHN D. LEE COMMITTED THE ACT AND THAT THERE IS NO QUESTION OR NO EXCUSE. IF YOU BELIEVE THAT HE DIDN'T COMMIT IT; IF YOU DISBELIEVE ~~H~~ THIS EVIDENCE; IF YOU BELIEVE THERE IS AN EXCUSE, LET YOUR VERDICT SHOW IT.  
GENTLEMEN, I CAN DO NO MORE WITH THIS CASE. I LEAVE ~~THZ~~AT

IDEAS HE PRESENTED ON THIS IS *YET/YES/NOT[?]* PERHAPS ONLY IDEAS LISTEN TO HIM CAREFULLY BUT BELIEVE AS LITTLE OF IT AS IS NOT WARRANTED BY TESTIMONY.  
DECIDE THIS CASE GENTLEMEN UPON THE FACTS UPON THE EVIDENCE THAT YOU BELIEVE.  
DON'T DECIDE IT UPON EVIDENCE THAT YOU DON'T THINK IS SO [*space*] WHEN YOU RETIRE TO YOUR JURY ROOM RECOLLECT THIS [*space*] COURT WILL INSTRUCT YOU TO THIS EFFECT THAT YOU HAVE A RIGHT IF YOU BELIEVE THE EVIDENCE TO FIND A VERDICT OF GUILTY OF MURDER IN THE FIRST DEGREE MURDER IN THE SECOND DEGREE OR <sup>[[32]]</sup> MANSLAUGHTER OR NOT GUILTY IN ORDER TO ENABLE YOURSELVES GENTLEMEN OF THE JURY TO CONVICT IN THIS CASE YOU MUST BELIEVE THAT JOHN D. LEE COMMITTED THE CRIME AS CHARGED IN THE INDICTMENT. YOU MUST BELIEVE THAT THIS HAS BEEN PROVEN BEYOND THE POSSIBILITY OF A DOUBT YOU MUST BE SATISFIED IN YOUR OWN MINDS THAT THAT EVIDENCE THAT HAS BEEN DETAILED TO YOU BY THESE WITNESSES IS ALL OF THE TRUTH AND THAT JOHN D. LEE COMMITTED THE ACT AND THAT THERE IS NO QUESTION AND NO EXCUSE [*space*] IF YOU BELIEVE THAT HE DIDN'T COMMIT IT IF YOU DISBELIEVE THIS EVIDENCE IF YOU BELIEVE THERE IS AN EXCUSE LET YOUR VERDICT SHOW IT.  
GENTLEMEN I CAN DO NO MORE WITH THIS CASE I LEAVE THAT

**BT**

**PS**

OLD MANS LIEFE IN YOUR ~~HAND~~  
KEEPING. MY DUTY ENDS HERE  
AND YOUR BEGINS. I HAVE STAID  
WITH HIM DURING THE LONG DAYS  
OF THE PAST; DURING HIS  
ARRAIGNMENT AND CONFINEMENT  
IN THE PRISON. I HAVE LABORED IN  
THIS CASE IN EVERY WAY THAT I  
KNOW HOW TO PRESENT IT  
PROPERLY BEFORE YOU . THAT I  
HAVE FAILED IN MANY RESPECTS  
MUST BE EVIDENT TO YOU;  
BUT I HAVE EQUIPPED MYSELF AS  
WELL AS I KNOW HOW. NOW THE  
LIEFE THAT GOD GAVE HIM STANDS  
IN YOUR KEEPING. IT IS LEFT WITH  
YOU <sup>[26]</sup> TO SEE WHETHER UPON  
THE EVIDENCE OF PURGERED  
WITNESSES— ~~UPON THE EVID~~ UPON  
THE EVIDENCE OF MEN WHOS  
HANDS ARE SMOKING WITH  
INNOCENT BLOOD; UPON THE  
EVIDENCE OF MEN WHO STAND  
HERE CONVICTED OF THE MOST  
FOUL AND UNEQUALED CRIME—  
CRIME THAT THEY ACKNOWLEDGE  
TO HAVE COMMITTED WITHOUT  
ANY REASON WHATEVER ~~THAT THE~~  
~~FACT~~ IF YOU CONVICT UPON SUCH  
TESTIMONY AS THAT THEN,  
GENTLEMEN, MY LABOR HAS BEEN  
FUTILE AND IT IS USELESS FOR ME  
TO WORK LONGER. MAY YOUR  
VERDICT BE SUCH  
AN ONE THAT WHEN YOU RETURN  
HOME, LAY DOWN UPON YOUR  
BED TO SLEEP, WHEN YOU GO TO  
ADDRESS YOUR PRAYERS  
TO THE ALMIGHTY GOD AND ASK  
HIM TO BLESS YOUR AACTION  
HERE; LET YOUR ACTS BE SO ~~HERE~~  
THAT YOU CAN IN CONFIDENCE  
ASK THE ALMIGHT FOR HIS  
BLESSINGS. MAY YOUR ACTS BE SO

OLD MANS LIFE NOW IN YOUR  
KEEPING MY DUTY ENDS HERE  
[space] AND YOURS BEGINS I STOOD  
WITH HIM DURING THE LONG DAYS  
OF THE PAST DURING HIS  
ARRAIGNMENT AND CONFINEMENT  
IN PRISON I HAVE LABORED IN  
THIS CASE IN EVERY WAY THAT I  
KNOW HOW TO PRESENT IT  
PROPERLY BEFORE YOU THAT I  
HAVE FAILED IN MANY RESPECTS  
MUST BE EVIDENT TO YOU [space]  
BUT I HAVE ACQUITTED MYSELF AS  
WELL AS I KNOW HOW NOW THE  
LIFE THAT GOD GAVE HIM STANDS  
IN YOUR KEEPING IT IS LEFT WITH  
YOU TO SAY WHETHER UPON  
THE EVIDENCE OF PERJURED  
WITNESSES UPON  
THE EVIDENCE OF MEN WHOSE  
HANDS ARE SMOKING WITH  
INNOCENT BLOOD UPON THE  
EVIDENCE OF MEN WHO STAND  
HERE CONVICTED OF THE MOST  
FOUL AND UNEQUALED CRIME  
CRIME THAT THEY ACKNOWLEDGE  
TO HAVE COMMITTED WITHOUT  
ANY REASON WHATEVER  
IF YOU CONVICT UPON SUCH  
TESTIMONY AS THAT THEN  
GENTLEMEN MY LABOR HAS BEEN  
VAIN AND IT IS USELESS FOR ME  
TO WORK LONGER MAY YOUR  
VERDICT HAVE <sup>[[33]]</sup> TO[?] BE SUCH  
AN ONE THAT WHEN YOU RETURN  
HOME LAY DOWN UPON YOUR ~~BEDS~~  
BED TO SLEEP, WHEN YOU GO TO  
ADDRESS YOUR ~~PRVRS/PRAYERS~~[?]  
TO THE ALMIGHTY GOD AND ASK  
HIM TO BLESS YOUR ACTION  
HERE LET YOUR ACTS BE SO  
THAT YOU CAN IN CONFIDENCE  
ASK THE ALMIGHTY FOR HIS  
BLESSINGS MAY YOUR ACTS BE SO

**BT**

**PS**

THAT IN YOUR FUTURE LIFE YOU MAY KNOW THAT YOU HAVE NOT BEEN A PARTY TO ZA FOUL CONSPIRACY. GENTLEMEN, IF I AM RIGHT THAT THE WITNESSES HAVE MADE UP THEIR PLAN FOR THE PURPOSE OF ASAVING THEMSELVES, THEN THE CONDUCT OF THESE MEN WOULD BE AS BAD AS ANY CRIME THAT THE ENGLISH LANGUAGE COULD DESCRIBE. I AM NOT HERE TO ASK FOR SYMPATHY, NOR IN PITY TO ASK FOR ALL THAT. I ZASK THAT YOU GO RIGHTLY, FAIRLY, PROPERLY AND JUSTLY IN ACCORDANCE WITH THE LAW AND THE EVIDENCE AND YOUR DUTY AS MEN. I THANK YOU.KINDLY FOR THE ATTENTION YOU HAVE GIVEN ME. <sup>[Bk 5 1]</sup> **(BOOK 5) SECOND LEE TRIAL SUMNER HOWARD'S ADDRESS T TO THE JURY. (FOLLOWING W. W. BISHOP.)** I CAME HERE A SHORT TIME AGO A STRANGER TO YOU ALL, AND TOLD YOU IN PLAIN LANFGUAGE WHAT I CAME FOR I CAME HERE TO TRY A MAN ARRAINGNED FOR AN OFFENSE CHARGED AGAINST HIM. FOR AFTER FOR 18 YEARS HAVE ELAPSED AGAINST HIM AND THIS CRIME HAS BEEN HANGING LIKE AN ECLIPSE OVER THIS PEOPLE.

IT WAS YOUR FAULT. IT WAS BECAUSE SOME MEN DESIRED TO ESCAPE INDIVIDUAL RESPONSIBILITY AND SADDLE THE OFFENSE UPON THE WHOLE PEOPLE., ANDTO DO, IF WHAT IS SAID BY MY BROTHER BISHPOP IS TRUE, THAT THE TERRITORY OF UTAH IS LOOKED

THAT IN F[?] LIFE YOU MAY KNOW THAT YOU HAVE NOT BEEN A PARTY TO A FOUL CONSPIRACY GENTLEMEN IF I AM RIGHT THAT THE WITNESSES HAVE MADE UP THEIR PLAN [space] ——— FOR THE PURPOSE OF SAVING THEMSELVES THEN THE TALKING OF ALL THESE MEN [space] WOULD BE AS BAD AS ANY CRIME THAT THE ENGLISH LANGUAGE COULD DESCRIBE I AM NOT HERE TO ASK FOR SYMPATHY NOR FOR PITY TO ASK ALL THAT I ASK THAT YOU ACT RIGHTLY FAIRLY PROPERLY JUSTLY IN ACCORDANCE WITH THE LAW AND THE EVIDENCE AND YOUR DUTY AS MEN. I THANK YOU. KINDLY FOR THE ATTENTION YOU HAVE GIVEN ME. [space] **SUMNER HOWARD** [space]

I CAME HERE A SHORT TIME A STRANGER TO YOU ALL AND TOLD YOU IN PLAIN LANGUAGE WHAT I CAME FOR I CAME HERE TO TRY THE MAN ARRAIGNED FOR THE OFFENSE CHARGED AGAINST HIM FOR 18 YEARS HAVE ELAPSED AND THIS CRIME HAS BEEN HANGING LIKE AN *NNPS/NKLPS*[?] UPON THIS PEOPLE. OR *PNM*[?] DENOMINATION IT WAS NOT MY FAULT IT WAS NOT YOUR FAULT IT WAS BECAUSE <sup>[34]</sup> SOME MEN DESIRED TO ESCAPE INDIVIDUAL RESPONSIBILITY AND SADDLE HIS OFFENSE UPON THE WHOLE PEOPLE AND TODAY IF WHAT IS SAID BY MY BROTHER BISHOP IS TRUE THAT THE TERRITORY OF UTAH IS LOOKED

**BT**

**PS**

<p>UPON WITH SUSPICION AND DERISION BECAUSE OF THIS OFFENSE. IT IS NOT YOUR FAULT; IT IS NOT MY FAULT; BUT IT WILL BE YOUR FAULT AND MINE AND BOTH IF, WHEN THE TESTIMONY IN THIS CASE GOES OUT <del>GOES OUT</del> FROM THESE MOUNTAINS WHEREVER <del>JUS</del> WORD HAS BEEN RECORDED JUSTICE IS NOT DONE TO THE GUILTY PARTY. THERE NEVER WAS A TIME IN THE HISTORY OF THIS <del>OFR</del> ANY OTHER COUNTRY<del>RTY</del> WHERE THE REPUTATION AND CHARACTER AND STANDING OF A TERRITORY OR CITY OR A COMMUNITY <del>WZAS</del> SO FULLY WITHIN THE HANDS OF 12 MEN AND THE REPUTATION AND <del>CA</del>CHARACTER AND STANDING OF THIS TERRITORY RESTS IN YOURS TO-DAY. . BUT WHY THIS COMPLAINT WERE NEVER BEFORE-<del>THAT AS THESEIS</del> COURTS <del>NEVER DIDNT</del> PROCEEDED I KNOW NOT; BUT IT IS NOT FOR ME TO SAY. IT IS SUFFICIENT <del>FOER</del> ME TO SAY THAT FROM A <del>THE</del> RESIDENCE OF THREE MONTHS IN THIS TERRITORY, LOOKING THIS CASE OVER — BEGINNING AT THE VERY HERAD OF THE CASE AS IT EXISTED IN 1857, AND COMING DOWN TO THE VERY LAST AND MOST HUMBLE INDIVIDUAL<del>;</del>, I FIND HERE A CRIME COMMITTED BY SOMEBODY<del>FY</del>, AND EXAMINING ALL THE WAY DOWN FROM THE TOP TO THE BOTTOM WITH A DETERMINATION TO FIND OUT IF I COULD AND PRESENT TO THE JURY THE FACTS THAT WOULD <b>PLACE</b> THE RESPONSIBILITY OF THAT CRIME WHERE IT BELONGED. I FOUND EVIDENCE—</p>	<p>UPON WITH SUSPICION AND DERISION BECAUSE OF THIS OFFENSE IT IS NOT YOUR FAULT IT IS NOT MY FAULT BUT IT WILL BE YOUR FAULT OR MINE OR BOTH IF WHEN THE TESTIMONY IN THIS CASE GOES OUT FROM THESE MOUNTAINS WHEREVER WORD HAS BEEN RECORDED JUSTICE IS NOT DONE TO THE GUILTY PARTY [<i>space</i>] THERE NEVER WAS A TIME IN THE HISTORY OF THIS OR ANY OTHER COUNTRY WHERE THE REPUTATION AND CHARACTER AND STANDING OF A TERRITORY OR STATE OR A COMMUNITY WAS SO FULLY WITHIN THE HANDS OF 12 MEN AS THE REPUTATION AND CHARACTER AND STANDING OF THIS TERRITORY REST IN YOURS TODAY. BUT WHY THIS COMPLAINT THAT NEVER BEFORE <i>S THIS/ S THIS[?]</i> COURTS DID NOT PROCEED I KNOW NOT IT IS NOT FOR ME TO SAY IT IS SUFFICIENT FOR ME TO SAY THAT FROM A RESIDENCE OF 3 MONTHS IN THIS TERRITORY LOOKING THIS CASE OVER BEGINNING AT THE VERY HEAD OF THE CASE AS IT EXISTED IN 1857 AND COMING DOWN TO THE VERY LAST AND MOST HUMBLE INDIVIDUAL I FIND HERE A CRIME COMMITTED BY SOMEBODY, AND EXAMINING ALL THE WAY DOWN FROM THE TOP TO THE BOTTOM WITH A DETERMINATION TO FIND OUT IF I COULD AND PRESENT TO THE JURY THE FACTS THAT WOULD FASTEN THE RESPONSIBILITY OF THAT CRIME WHERE IT BELONGED I FOUND EVIDENCE</p>
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**BT**

**PS**

<p>DOCUMENTARY EVIDENCE THAT CANNOT BE IMPEACHED. EVIDENCE THAT WILL COMMENT ITSELF TO YOU, THAT THERE WAS AN INDIVIDUAL RESPONSIBILITY FOR THIS CRIME. THAT IT WAS NOT A CRIME THAT STANDS CHARGED UP TO ALL THIS WHOLE PEOPLE <sup>[2]</sup> THAT IT WAS NOT A CRIME THAT SHOULD HAVE MADE THE NAME OF "MORMON" STINK IN THE NOSTRILS OF THE WHOLE WORLD WHEN MOUNTAIN MEADOWS WAS MENTIONED, BUT THAT IT WAS A CRIME WHEN BROUGHT DOWN TO OUR HARD PAN ... WAS COMMITTED AS ALL OTHER CRIMES ARE COMMITTED <b>BECAUSE THE—</b>  <b>——LAYS IN SOME MENS HEARTS &amp; FOR NO OTHER PURPOSE.</b> NOW THESE ARE THE FACTS, AND WHEN I CAME HERE AND PROMISED TO PROSECUTE THIS CASE AGAINST JOHN D. LEE AND HIM ALONE, I DID IT BELIEVING THAT FOR 18 YEARS THAT MAN AND HIS VOTARIES HAD BEEN HIDING FROM JUSTICE BEHIND THE PROTECTION WHICH THEY COULD RECEIVE FROM HOLDING OUT IN THIS COMMUNITY, AS THE INVESTIGATION SHOWS, THAT THEY WERE ACTING UNDER SOMEBODYS ORDERS AND SHIRK THE RESPONSIBILITY THEMSELVES.. I CAME HERE BEFORE A MORMON JURY WELL SATISFIED, WHEN THE JURY WAS FIRST DRAWN AS I WAS WHEN THE EXAMINATION WAS THROUGH. I <del>HAD NO I HAD</del> I DID NOT KNOW A MAN AND HAD NO OBJECTIONS. MY FRIENDS WERE VERY ANXIOUS TO GET EVERY</p>	<p>DOCUMENTARY EVIDENCE THAT CANNOT BE IMPEACHED EVIDENCE THAT WILL COMMEND ITSELF TO YOU THAT THERE WAS AN INDIVIDUAL RESPONSIBLE FOR THIS CRIME THAT IT WAS NOT A CRIME THAT STANDS CHARGED UP TO THIS WHOLE PEOPLE THAT IT WAS NOT A CRIME THAT SHOULD HAVE MADE THE NAME MORMON STINK IN THE NOSTRILS <sup>[[35]]</sup> OF THE WORLD WHEN MOUNTAIN MEADOWS WAS MENTIONED BUT THAT IT WAS A CRIME <i>WHEN</i>[?] BROUGHT DOWN TO HARD PAN WAS COMMITTED AS ALL OTHER CRIMES ARE COMMITTED BECAUSE HELL BREAKS LOOSE IN SOME MEN'S HEARTS AND FOR NO OTHER PURPOSE NOW THESE ARE THE FACTS AND WHEN I CAME HERE AND PROMISED TO PROSECUTE THIS CASE AGAINST JOHN D. LEE AND HIM ALONE I DID IT BELIEVING THAT FOR 18 YEARS THAT MAN AND HIS VOTARIES HAD BEEN DRAWING FROM THE GUILTY CRIMES THE PROTECTION WHICH THEY COULD RECEIVE FROM HOLDING OUT IN THIS COMMUNITY THE IDEA AS THAT INVESTIGATION THAT THEY WERE ACTING UNDER SOMEBODYS ORDERS AND HAVE NO RESPONSIBILITY THEMSELVES I COME HERE BEFORE WHAT IS CALLED A MORMON JURY AS WELL SATISFIED WHEN THE JURY WAS FIRST DRAWN AS I WAS WHEN THE DRAWING GOT THROUGH I DID NOT KNOW A MAN AND HAD NO OBJECTIONS MY FRIENDS WERE VERY ANXIOUS TO GET EVERY</p>
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**BT**

**PS**

GENTILE OFF THE JURY; AND I KEPT STRIKING OFF MORMONS. I LET THEM DO IT BECAUSE I WANTED TO PUT RIGHT BEFORE YOU THE RESPONSIBILITY OF THIS THING. I WANTED 12 MEN THAT **THAT I BELIEVED** WOULD ACT HONESTLY AND JUSTLY AND ACT UPON THE CASE AS ~~THEY WOULD FIND IT~~ IT WAS PRESENTED BY THE RECORD; AND I KEPT STILL AS TO WHAT MY PLAN WAS UNTIL THEY HAD ~~PLANTED THIS~~ PLANTED THEMSELVES WHERE THEY HAD BEEN WORKING OR TRYING TO, SIMPLY UNDER THE MORMON CHURCH. WAS THERE NOT OTHER MORMONS.

HAVE I NOT KEPT MY WORD? HAVE I INTRODUCED A ~~WITNESS~~ A SINGLE WITNESS HERE UPON THIS STAND THAT YOU DON'T KNOW? HAVE I INTRODUCED A SINGLE WITNESS AGAINST HIM ~~AGAINST HIM~~ WHOM AN INDICTMENT OR CHARGE HAS EVER BEEN MADE AGAINST? I MIGHT HAVE INTRODUCED ONE. ~~THAT THAT I REALIZED~~ AS SOON AS THE TRIAL COMMENCED; ~~BUT I DID NOT DO IT BECAUSE I FELT~~ BUT I DID NOT DO IT (ALTHOUGH I MIGHT HAVE DONE IT,) BECAUSE I FELT DETERMINED THAT WHEN THIS CASE WAS HANDED OVER TO YOU THE FATE ALL WAS TO YOURSELVES. <sup>[3]</sup> HE HAS NOT OFFERED US THE TESTIMONY OF A SINGLE WITNESS WHO BY TESTIFYING AGAINST LEE CAN RELIEVE HIMSELF FROM THE LEAST BIT OF RESPONSIBILITY. NOT ONE OF

GENTILE OFF FROM THE JURY AND I KEPT STRIKING OFF MORMONS I LET THEM DO IT BECAUSE I WANTED TO PUT RIGHT BEFORE YOU *[space]* THE RESPONSIBILITY OF THIS THING I WANTED 12 MEN THAT THAT I BELIEVED WOULD ACT HONESTLY AND JUSTLY AND ACT UPON THE CASE AS IT WAS PRESENTED BY THE RECORD AND I KEPT STILL AS TO WHAT MY PLAN WAS UNTIL THEY HAD PLANTED THEMSELVES WHERE THEY HAD BEEN WORKING *TRYING*[?] SIMPLY UNDER THE MORMON CHURCH *[space]* WAS THERE NOT OTHER MORMONS — *[space]* YOU WERE SELECTED TO AND WHAT HAS BEEN THE RESULT HAVE I NOT KEPT MY WORD HAVE I INTRODUCED A <sup>[[36]]</sup> SINGLE WITNESS HERE UPON THIS STAND THAT YOU DON'T KNOW HAVE I INTRODUCED A SINGLE WITNESS AGAINST HIM WHOM AN INDICTMENT OR CHARGE HAS EVER BEEN MADE I MIGHT HAVE INTRODUCED ONE THAT I REALIZED AS SOON AS THIS TRIAL COMMENCED BUT I DID NOT DO IT ALTHOUGH I MIGHT HAVE DONE IT *[space]* — BECAUSE I FELT DETERMINED THAT WHEN THIS CASE WAS HANDED OVER TO YOU AND *VT/VTL*[?] TO SAY TO YOURSELVES HE HAS NOT OFFERED US THE TESTIMONY OF A SINGLE WITNESS WHO BY TESTIFYING AGAINST LEE CAN RELIEVE HIMSELF FROM PUNISHMENT LEAST BIT OF RESPONSIBILITY NOT ONE OF

**BT**

**PS**

THEM. NOT ONE OF MY WITNESSES HAVE EVER BEEN INDICTED. NOT ONE OF THEM EVER ARRAIGNED; NOT ONE OF THEM UNTIL ~~UNTIL~~ ~~UNTIL~~ ~~T~~ THIS TIME ~~THAT~~ WITH WITH A BREATH OF SUSPICION HAS EVER BEEN UTTERED AGAINST. ~~ANY ONE OF THEM—UNTIL~~ NOT ONE OF THEM UNTIL ~~THIS TIME~~ HAS THIS DAY HAS EVER HAD THE EPITHETS APPLIED TO THEM THAT MY FRIEND HAS SEEN FIT TO APPLY TO THEM. I LEAVE THAT TO YOU. THEY ARE MEN THAT ARE BROUGHT UP HERE WHOSE VERY SOLES HAVE BEEN HARROWED BY DETAILING ~~THE~~ ~~THE~~ ~~EVER~~ CIRCUMSTANCES OF THIS TERRIBLE CRIME. AND HE SAYS WHY HAVE THEY NOT TOLD IT BEFORE. HAVE THEY EVER HAD AN OPPORTUNITY. TELL ME THE MAN WHO IN THE HISTORY OF THE MOUNTAIN MEADOWS FROM THE DAY THAT THE DARK CLOUD WAS DRAWN OVER YOUR TERRITORY, HAS THERE EVER BEEN AN INVESTIGATION WHERE THE HONEST TALE OF JAKE HAMBLIN AND THE TALE OF NEPHI JOHNSON AND THE AFFIDAVIT OF BRIGHAM YOUNG AND GEORGE A. SMITH WOULD BE IN HARMONY WITH THE THEORY OF THE PROSECUTION—ANY TIME? NEVER UNTIL NOW HAS THERE A TIME BEEN WHEN THE TESTIMONY OF EYE WITNESSES OF THAT TRANSACTION WOULD HAVE BEEN WELCOMED OR ASKED FOR? I AM GLAD THAT MY FRIEND OCCUPIES THE POSITION THAT HE DOES HERE, BUT HE IS DRIVEN AT LAST TO OCCUPY THE

THEM NOT ONE OF MY WITNESSES HAVE EVER BEEN INDICTED NOT ONE OF THEM EVER ARRAIGNED NOT ONE OF THEM UNTIL THIS TIME WITH A BREATH OF SUSPICION HAS EVER BEEN UTTERED AGAINST NOT ONE OF THEM UNTIL THIS DAY HAS EVER HAD THE —[?] EPITHETS APPLIED TO THEM THAT MY FRIEND HAS SEEN FIT TO APPLY TO THEM [space] I LEAVE[?] THAT TO YOU THEY ARE MEN THAT ARE BROUGHT UP HERE WHOSE VERY SOULS HAVE BEEN HARROWED UP BY DETAILING THE CIRCUMSTANCES OF THIS TERRIBLE CRIME AND HE SAYS WHY HAVE THEY NOT TOLD IT BEFORE HAVE THEY EVER HAD AN OPPORTUNITY [space] TELL ME YOU MEN[?] WHO KNOW THE HISTORY OF THE MOUNTAIN MEADOWS FROM THE DAY THAT THE DARK CLOUD WAS DRAWN OVER YOUR TERRITORY HAS THERE EVER BEEN AN INVESTIGATION WHERE THE HONEST TALE OF JAKE HAMBLIN AND THE TALE OF NEPHI JOHNSON AND THE AFFIDAVIT OF BRIGHAM YOUNG AND GEORGE A SMITH WOULD BE IN HARMONY <sup>[[37]]</sup> WITH THE THEORY OF THE PROSECUTION [space] NOT A[?] TIME [space] NEVER UNTIL NOW HAS THERE A TIME BEEN WHEN THE TESTIMONY OF EYE WITNESSES OF THAT TRANSACTION WOULD HAVE BEEN WELCOMED OR ASKED FOR I AM GLAD THAT MY FRIEND OCCUPIES THE POSITION THAT HE DOES HERE. I AM HERE BUT HE IS DRIVEN AT LAST TO OCCUPY THE

**BT**

**PS**

<p>OPPOSITION THAT HE DOES OCCUPY. THAT WAS MY PURPOSE. AND HAVING REALLY SUCCEEDED IN <b>DRIVING</b> MY GOOD FRIEND IN BETWEEN JOHN D. LEE <del>IN BETWEEN JOHN D. LEE</del> AND THE AUTHORITIES <b>HERE</b> TO SEPARATE THE TWO AND <del>LET</del> <b>LETTING</b> EACH ONE STAND UPON ITS OEWN <del>MERITS</del> RECORD . I HAVE A CCOMPLISHED JUST WHAT I STARTED IN TO DO; AND MY FRIEND WILL FIND IT VERY DIFFICULT TO THROW THE RESPONSIBILITY OFF FROM JOHN D. LEE AND ON TO THIS COMMUNITY BYSTANDING HERE AND DENOUNCING MEN WHO HAVE BEEN AT MOUNTAIN MEADOWS;. EVERY ONE OF THEM CAN BE ACCOUNTED FOR AND ACCONTE<del>D</del> FOR IN PROVEN CIRCUMSTANCES WITH THEIR HONESTY AND INTEGRITY OF PURPOSE.. NOW, GENTLEMEN, I HAVE PROPOSED HERE AND I SHOW TO YOU FRANKLY AND <sup>[4]</sup> <del>POINTED</del><b>FDLY</b> THAT IN THE PERFORMENCE OF MY DUTY FROM THE TIT<del>H</del>ME I FIRST STEPPED FOOT IN SALT LAKE CITY TO THE PRESENT DAY, THE AUTHORITIES OF THE CHURCH AND THE CITY HAVE SECONDED <b>EVERY PROPOSITION</b> AND EVERY EFFORT THAT I HAVE MADE TO UNEARTH BEFORE YOU THE MYSTERIES OF THE MOUNTAIN MEADOWS; AND MY PRPO<del>O</del>POSITION IS TO FOLLOW IT DOWN TO THE END. IF GOD SPARES MY LIFE, WHENEVER A HEAD APPEARS ABOVE THE SERFACE OF A MAN AWHO WENT OT MOUNTAIN MEADOW S AS A</p>	<p>POSITION THAT HE DOES OCCUPY THAT WAS MY PURPOSE AND IF I HAVE SUCCEEDED IN DRIVING MY GOOD FRIEND IN BETWEEN JOHN D. LEE AND THE AUTHORITIES HERE TO SEPARATING THE TWO AND LETTING EACH ONE STAND UPON ITS OWN RECORD I HAVE ACCOMPLISHED JUST WHAT I STARTED IN TO DO AND MY FRIEND WILL FIND IT VERY DIFFICULT TO THROW THE RESPONSIBILITY OFF FROM JOHN D. LEE AND ON TO THIS COMMUNITY BY STANDING HERE AND DENOUNCING MEN WHOSE PRESENCE AT MOUNTAIN MEADOWS EVERY ONE OF THEM CAN BE ACCOUNTED FOR AND ACCOUNTED FOR IN <i>PROVEN/PERFECT[?]</i> CIRCUMSTANCES WITH THEIR HONESTY AND INTEGRITY OF PURPOSE. [<i>space</i>] NOW GENTLEMEN I HAVE PROPOSED HERE AND I SAY TO YOU FRANKLY AND POINTEDLY THAT IN THE PERFORMANCE OF MY DUTY FROM THE TIME I FIRST STEPPED FOOT IN SALT LAKE CITY TO THE PRESENT DAY THE AUTHORITIES OF THE CHURCH AND THE CITY HAVE SECONDED EVERY PROPOSITION AND EVERY EFFORT THAT I HAVE MADE TO UNEARTH BEFORE YOU THE MYSTERIES OF THE MOUNTAIN MEADOWS AND MY PROPOSITION IS TO FOLLOW IT DOWN TO THE END IF GOD SPARES MY LIFE WHENEVER A HEAD APPEARS ABOVE THE SURFACE OF A MAN WHO WENT TO MOUNTAIN MEADOWS AS A</p>
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**BT**

**PS**

LEADER, FOR THE PURPOSE OF THAT FOUL BUTCHERY, HIS HEAD WILL GO OFF HIS NECK. THE DAY HAS COME WHEN MEN CANT SAY THAT THE TERRITORIAL AUTHORITIES, THAT THE CHURSCH AND SOME PARTIES THAT NEVER CAN BE REACHED ARE RESPONSIBLE FOR THAT; AND IT HAS COME WHEN JURIES CAN BE ASKED BY THE TESTIMONY OF WITNESSES TO PALANT THE CRIME SIMPLY UPON INDIVIDUALS; AND WHEN IT IS PLANTED THERE THE LAW IS STRONG ENOUGH TO VINDICATE ITSELF AND UPON INDIVIDUALS. NOW, I AM NOT HERE FOR ~~NAY~~ ANY OTHER PURPOSE THAN THAT. WHO WERE THE LEADERS IN THAT? JOHN D. LEE, CLINGENSMITH, HIGBEE AND OTHERS. LOOK SPRY **TO THE** LEADERS AND RESPONSIBLE ~~MEAN~~ AND **THE** MEN AGAINST WHOM ~~CALL~~ ALL THE TESTIMONY POINTS; AND ~~MEAN~~ WHOSE PERFIDY, WHOSE CRUELTY ENABLED THE INDIANS TO BUTCHER AND MURDER THOSE EMIGRANTS, STANDS HERE TO DAY ARRAIGNED BEFORE YOU. BY A MISGUIDED POLICY THOSE HERETOFORE CONNECTED WITH THIS ACT PROSECUTED THIS CASE WITH GREAT REACH WHISCH CAUSED ITS DOWNFALL.

BUT ANOTHER POLICY HAS BEEN

LEADER FOR THE PURPOSE OF THAT FOUL BUTCHERY HIS HEAD WILL GO OFF HIS <sup>[[38]]</sup> NECK [space] AND THE DAY HAS COME WHEN MEN CAN'T SAY THAT THE TERRITORIAL AUTHORITIES THAT THE CHURCH AND SOME PARTIES THAT NEVER CAN BE REACHED ARE RESPONSIBLE FOR THAT THE DAY HAS COME WHEN JURIES CAN BE ASKED BY THE TESTIMONY OF WITNESSES TO PLANT THE CRIME SECURELY UPON INDIVIDUALS AND WHEN IT IS PLANTED *SAY/SEE*[?] THE LAW IS STRONG ENOUGH TO VINDICATE ITSELF AND UPON INDIVIDUALS [space] NOW I AM NOT HERE FOR ANY OTHER PURPOSE THAN THAT [space] WHO WERE THE LEADERS IN THAT JOHN D. LEE [space] KLINGEN SMITH HIGBEE AND OTHERS *TO/BUT*[?] LOOK *SPRY*[?] A LEADER RESPONSIBLE MAN A MAN AGAINST WHOM ALL THE TESTIMONY POINTS A MAN WHOSE PERFIDY WHOSE CRUELTY ENABLED THE INDIANS TO BUTCHER AND MURDER THOSE EMIGRANTS STANDS HERE TODAY ARRAIGNED BEFORE YOU [space] BY A MISGUIDED POLICY THOSE HERETOFORE CONNECTED THOSE WHO PROSECUTED THIS CASE A GREAT REACH FOUND A *DENIAL*[?] *EVEN*[?] OF JOHN D. LEE STANDS TODAY EXCLUDED [space] WOULD TO GOD THAT I COULD RENDER HIM HERE TODAY [space] ASK YOU TO METE OUT TO HIM THAT JUSTICE WHICH THE CRIMES OF KLINGEN SMITH DEMAND AS THE CRIMES OF JOHN D. LEE DEMAND TODAY. BUT ANOTHER POLICY HAS BEEN

**BT**

**PS**

<p>PURSUED AND TO-DAY WE CAN ONLY DEAL WITH LEE; AND I DON'T HESITATE TO SAY IN THAT CONNECTION THAT SO FAR AS MY INVESTIGATION HAS GONE SO FAR AS THE EVIDENCE IN THIS CASE <del>IS</del><b>HAS</b> DEVELOPED THE CONNECTION OF EVERY OTHER MAN THAT WAS ON THE MEADOWS AT THAT TIME, WITH THE EXCEPTION OF PERHAPS HIGNBEE AND STEWART, THE ACTIION OF EVERY OTHER MAN WAS CONSISTENT WITH <del>EVERY OTHER MAN</del> THE INNOCENCE OF EVERY OTHER MAN OF ANY GUILTY PURPOSE. I TAKE THE GROUND THAT MEN THAT WERE DESIGNED THERE, THAT MEN THAT WERE BROUGHT IN UNDER FALSE PRETENSES THEY <del>POPOSED</del> LEE. NEPHI JOHNSON, THEY <del>OPPOSED</del> HIM; MC MURDY AS HE <sup>[5]</sup> WAS A PARTY AT THAT TIME, <del>WERE</del> LED ON THAT GROUND BY FALSE PRETENSES AND DECEIT, ARE NOT GUILTY PARTIES; AND THEY SHOULD NOT BE PROSECUTED. <b>AND</b> WHEN NEPHI JOHNSON, AS HONEST A MAN AS I BELIEVE HIM TO BE, TOOK THE STAND AS HE DID AND FROM THAT TIME TO THE PRESENT SAID THAT HORRIBLE <b>PICTURE TO HIS MIND COMES TO HIS MIND</b> <del>COMES UPON HIM UPON HIM</del>; AT LENGHT HE TELLS HIS STORY, THE ACTS OF THE PAST THE ACTS OF THAT COUNSEL AND ALL. HE HAS BEEN PUNISHED ENOUGH — IT WAS A TERRIBLE CRIME. WHEN I SAID TO YOU THAT THE ANNALS OFHISTORY FAILED TO FURNISH ITS PARALELL, I BE LIEVE I TOLD THE TRUTH.</p>	<p>PURSUED AND TODAY WE CAN ONLY DEAL WITH LEE <i>BUT/AND[?]</i> I DON'T HESITATE TO SAY IN THAT CONNECTION THAT SO FAR AS MY INVESTIGATION HAS GONE SO FAR AS THE EVIDENCE IN THIS CASE HAS DEVELOPED THE CONNECTION OF EVERY OTHER MAN THAT WAS ON THE MEADOWS AT THAT TIME WITH THE EXCEPTION OF PERHAPS HIGBEE AND STEWART THE ACTION OF EVERY OTHER MAN WAS CONSISTENT WITH THE INNOCENCE OF ANY GUILTY PURPOSE <sup>[39]</sup> I TAKE THE GROUND THAT MEN THAT WERE DECEIVED THERE THAT MEN THAT WERE BROUGHT IN FALSE PRETENSES OPPOSED LEE NEPHI JOHNSON THAT OPPOSED LEE MC MURDY AS HE WAS A PARTY AT THAT TIME [<i>space</i>] WERE LED ON THAT GROUND BY FALSE PRETENSES AND DECEIT ARE NOT THE GUILTY PARTIES THEY SHOULD NOT BE PROSECUTED AND WHEN NEPHI JOHNSON AS HONEST A MAN AS I BELIEVE HIM TO BE TAKING THE STAND AS HE DID AND FROM THAT TIME TO THE PRESENT SAID THAT HORRIBLE PICTURE TO HIS MIND COMES UPON THE STAND AND TELLS HIS STORY THE ACTS AND <i>←PST/BSD[?]</i> THAT HE ACTS FROM COUNSEL<sup>⇒</sup> [<i>space</i>] GO BECAUSE HE HAS BEEN PUNISHED ENOUGH [<i>space</i>] IT WAS A TERRIBLE CRIME [<i>space</i>] WHEN I SAID TO YOU THAT THE ANNALS OF HISTORY FAILED TO FURNISH ITS PARALLEL I BELIEVE I TOLD YOU THE TRUTH</p>
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**BT**

**PS**

<p>MY FRIEND UNDERTAKES TO EXCUSE IT IN PART BY SHOWING THE CONDITION OF THE COUNTRY AT THAT TIME. <del>NOT THIS PAPER</del> NOW, THIS IS A VERY PROPEOR STARTING POINT IN THIS WHOLE TRANSACTION. IN THAT CONNECTION HE ASSERTS THAT HE DIDN'T KNOW WHY I INTRODUCED ALL THESE AFFIDAVITS WITH THE EXCEPTION OF LEE'S LETTER. I INTRODUCED THIS LETTER FOR THE PURPOSE OF SHOWING WHAT THE CONDITION OF THE COUNTRY, <b>WAS</b> AND WHAT THE POLICY OF THE TERRITORIAL AUTHORITIES WAS IN REGARD TO THE <del>TERMINATION</del> <b>TREATMENT</b> OF THE EMIGRANTS; AND FOR THE DOUBLE PURPOSE OF SHOWING <b>YOU</b> THAT THIS BUG-BEAR OF THE AUTHORITIES OF THE CHURCH HZAVING BEEN — WOULD BE SWEEP AWAY BY THE READING OF THESE PA PERS. AND I STAND HERE TO-DAY ON THAT PROPOSITION THAT THIS VERY DOCUMENT ASSUMED TWO THINGS. FIRST, THAT THE AUTHORITIES WERE NOT RESPONSIBLE FOR THAT CRIME; AND, SECOND, <del>THAT THAT</del> THAT SHOWS THAT JOHN D. LEE AND KLINGENSMITH WERE RESPONSIBLE FOR IT. THE ADMINISTRATION OF JAMES <del>BUCHANEN</del> <b>BUCHANEN</b> WAS AN INTERESTING ONE. WHY ALL THAT GREAT TALK THAT NOURISHED AND CHERISHED THE REBELLION THAT HE HAD ENTIRE POWER TO SUPPRESS A STATE IN THE INTERESTS OF THE SPANISH;<del>HOARD</del> .....<b>AND HERE BELIEVEING</b> THAT <del>HE H</del> <b>HE</b> HAD NO POWER TO SUPPRESS</p>	<p>MY FRIEND UNDERTAKES TO EXCUSE IT IN PART BY SHOWING THE CONDITION OF THE COUNTRY AT THE TIME [space] NOW THIS IS A VERY PROPER STARTING POINT IN THIS WHOLE TRANSACTION IN THAT CONNECTION HE ASSERTS THAT HE DIDN'T KNOW WHY I INTRODUCED ALL THIS EVIDENCEWITH THE EXCEPTION OF LEE'S LETTER[space] I INTRODUCED THESE LETTERS FOR THE PURPOSE OF SHOWING WHAT THE CONDITION OF THE COUNTRY WAS AND WHAT THE POLICY OF THE TERRITORIAL AUTHORITIES WAS IN REGARD TO THE TREATMENT OF EMIGRANTS AND FOR THE DOUBLE PURPOSE OF SHOWING YOU THAT THIS BUGBEAR OF THE AUTHORITIES OF THE CHURCH HAVING BEEN [space] WOULD BE SWEEP AWAY BY THE READING OF THESE PAPERS AND I STAND HERE TODAY ON THAT PROPOSITION THAT THESE VERY DOCUMENT SHOW YOU TWO THINGS [space] FIRST THAT THE AUTHORITIES WERE NOT RESPONSIBLE FOR THAT CRIME AND SECOND <sup>[[40]]</sup> THAT THEY SHOW THAT JOHN D. LEE KLINGEN SMITH WERE RESPONSIBLE FOR IT THE ADMINISTRATION OF JAMES BUCHANEN WAS AN INTERESTING ONE <i>WHY[?]</i> ALL THAT GREAT TALK THAT NOURISHED AND <i>CHERISHED[?]</i> THE REBELLION THAT HE HAD <i>NO[?]</i> POWER TO SUPPRESS A STATE IN THE INTERESTS OF EXPANSION HE MAY HAVE BELIEVED THAT HE HAD NO POWER TO SUPPRESS</p>
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BT

PS

<p>A TERRITORY BEFORE THE TERRITORY SENT MEN OUT HERE AND WERE FOUND WHEN THESE MEN CAME KNOCKING AT THE MOUNTAIN FASTNESS OF UTAH— A DIFFERENT POLICY, WHEN CE THE POLICY OF GOVERNOR YOUNG AND THE OTHER POLICY OF THE DEDDLY AND HARD HANDED MURDERER, JOHN D. LEE. <sup>[6]</sup> BRIGHAM YOUNG SENDS DOWN FROM THE LENGTH AND BREADTH OF THIS TERRITORY HIS POLICY IN WRITING. DOES HE SAY WAR IS UPON US? — WHEN IS IT TO BE UPON US? THERE IS TO BE A CROP PLANTED AND GATHERER NEXT YEAR. AL L IS IN DANGER OF THE <del>WAR COMING</del> ARMY COMING. WE DON'T EXPECT THAT YOU WILL HAVE ANYTHING TO <del>DO</del> THIS YEAR; BUT NEXT YEAR IF THEY PERSIST IN COMING WE WILL TAKE A CERTAIN COURSE AND THAT COURSE—THE PREA<del>B</del>MBLE STEP TOWARDS THAT COURSE WILL BE THE HIDIN<del>F</del>G OF ALL YOUR RESOURCES THE NEXT YEAR. PERHAPS WE MAY BE DRIVEN TO THE MOUNTAIN FASTNESS, AND IF WE ARE BURN EVERYTHING THAT WE LEAVE. BRIGHAM YOUNG AT THE SAME TIME SAYS TO THOSE MEN, “NOT ONE DROP OF BLOOD MUST BE <del>SPILLED</del> SHED IF WE CAN AVOID IT. KEEP QUIET. LET THERE BE NO EXCITEMENT. OUR POLICY <del>A</del>IS TO CONDUCTING OURSELVES WELL AND PEACABLY IF IF WE CAN AND IT WILL GIVE US</p>	<p>A TERRITORY BUT HE TRIED IT SENT MEN OUT HERE AND WE FOUND WHEN THOSE MEN CAME KNOCKING AT THE MOUNTAIN FASTNESS OF UTAH AND DIFFERENT POLICIES ONE IS THE POLICY OF GOVERNOR YOUNG AND THE OTHER IS THE POLICY OF THE DEADLY AND RED HANDED MURDERER JOHN D. LEE [space] BRIGHAM YOUNG SENDS DOWN THROUGH THE LENGTH AND BREADTH OF THIS TERRITORY HIS POLICY IN WRITING [space] WHAT[?]? DOES HE SAY WAR IS UPON US WHEN IS IT TO BE UPON US THERE IS TO BE A CROP PLANTED AND GATHERED NEXT YEAR BEFORE IS ANY DANGER OF THE ARMY COMING [space] WE DON'T EXPECT THAT YOU WILL HAVE ANYTHING TO DO THIS YEAR [space] BUT NEXT YEAR IF THEY PERSIST IN COMING WE WILL TAKE A CERTAIN COURSE AND THAT COURSE THE PRELIMINARY <del>COURSE</del> STEP TOWARDS THAT COURSE WILL BE THE HUSBANDING OF ALL YOUR RESOURCES THE NEXT YEAR [space] PERHAPS WE MAY BE DRIVEN TO THE MOUNTAIN FASTNESS AND IF WE ARE BURN EVERYTHING YOU LEAVE BRIGHAM YOUNG AT THE SAME TIME SAYS TO THOSE MEN NOT ONE DROP OF BLOOD MUST SHED IF WE CAN AVOID IT KEEP QUIET LET THERE <sup>[[41]]771</sup> BE NO EXCITEMENT OUR POLICY IS TO CONDUCT OURSELVES WELL PEACEABLY IF IF WE CAN AND IT WILL GIVE US</p>
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771. Two-thirds of the way down the page in the left margin: 6(500/8. It is presumably Rogerson’s word tally.



**BT**

**PS**

STRENGTH ABROAD.” HOW DO YOU GO BACK OF THAT POLICY?. SHISTORY SHOWS THAT IT WAS AN ARMY COMING ALONG— COMING INTO SALT LAKE CITY, AND THEY HADN’T BEEN THERE SIX MONTHS BEFORE BRIGHAM YOUNG BY HIS DIPLOMACY AND HIS MANAGEMENT HAD CLEANED THEM OUT OF EVERY ~~BIT~~ PORK AND THEIR ~~BED~~ AND SADDLES, WAGONS AND HARNES ES. I DON’T KNOW WHETHER HE GAVE THEM MONEY ENOUGH TO GO BACK ON OR NOT. AND YET THERE WAS NOT A DROP OF BLOOD SPILLED. BACON, THOUSANDS AND THOUSANDS OF BARRELS SOLD HERE AT A CENT AND A CENT AND HALF A POUND TO YOUR PEOPLE, AND THEY TOOK IT AND SOLD IT OUT AGAIN FOR 15 AND 20 CENTS. THAT WAS THE POLICY OF BRIGHAM YOUNG. WHAT WAS THE POLICY OF JOHN D. LEE? DO YOU BELIEVE HE HAD ANY POLICY . HIS POLICY HAD NO MORE REFERENCE TO THE APPROACH OF THAT ARMY; HIS POLICY HAD NO MORE REFERENCE TO DEFENDING THIS TERRITORY— FIGURING NO GREATER THAN MY SPEAKING BEFORE YOU TO DAY HAS WITH THE RISING AND SETTING OF THE SUN. HE DIDN’T CARE ANYTHING ABOUT IT. AND , GENTLEMEN, THEY HAVE RECEIVED NO OTHER AID. DAME RECEIVED NO OTHER AID. BRIGHAM YOUNG ISSUED ONE SINGLE DOCUMENT FORESHADOWING <sup>[7]</sup> WHAT HIS POLICY WOULD BE.

STRENGTH ABROAD HE HAD *BACK/PK[?]* OF THAT THAT SOME OTHER POLICY AND HISTORY SHOWS THAT IT WAS AND THE ARMY CAME ALONG CAME INTO SALT LAKE CITY AND THEY HADN’T BEEN THERE 6 MONTHS BEFORE BRIGHAM YOUNG BY HIS DIPLOMACY AND HIS MANAGEMENT HAD CLEANED THEM OUT OF EVERY BIT OF PORK *BY THE/THEIR[?]* AND THEIR SADDLE WAGONS HARNESSSES AND I DON’T KNOW WHETHER HE GAVE THEM MONEY ENOUGH TO GO BACK OR NOT ~~TRADED~~ WITH THEM [*space*] THERE WAS NOT A DROP OF BLOOD SPILLED [*space*] BACON THOUSANDS AND THOUSANDS OF BARRELS SOLD HERE AT A CENT AND A CENT AND A HALF A POUND TO YOUR PEOPLE AND THEY TOOK IT AND SOLD IT OUT FOR 15 OR 20 CENTS THAT WAS THE POLICY OF BRIGHAM YOUNG. WHAT WAS THE POLICY OF JOHN D. LEE DO YOU BELIEVE HE HAD ANY POLICY HIS POLICY HAD NO MORE REFERENCE TO THE APPROACH OF THAT ARMY HIS POLICY HAD NO MORE REFERENCE TO DEFENDING THIS TERRITORY [*space*] *FIGURING/FACTORING[?]* NO GREATER THAN MY SPEAKING BEFORE YOU TODAY HAS WITH THE RISING AND THE SETTING OF THE SUN HE DIDN’T CARE ANYTHING ABOUT IT [*space*] GENTLEMEN HAVE NOT RECEIVED ANY OTHER AID DAME RECEIVED NO OTHER AID BRIGHAM YOUNG ISSUED ONE SINGLE DOCUMENT FORESHADOWING WHAT HIS POLICY WOULD BE

**BT**

**PS**

AND IT IS ALL ~~HUMBUG MUMBUB~~  
TO SATAND HERE AND TALK TO  
YOU OR ANY ONE ELSE TO TALK  
THAT JOHN D. LEE WAS  
GUIDED BY  
THE DISTURBED STATE OF THE  
COUNTRY. IT HAD NOTHING TO DO  
WITH IT. IT HAD NO MORE TO DO  
WITH THE BUTCHERY OF THOSE  
PEOPLE THAN HIS EFFORT TO GET  
NEPHI JOHNSON TO TAKE THE  
OTHER S INTO AMBUSH WHERE HE  
MIGHT BURCHER THEM HAD TO DO  
WITH IT. THEN YOU MAY ASK  
ME WHY I INTRODUCED THESE  
DOCUMENTS. BECAUSE IN THE  
PLAN OF THEIS CAMPAIN I DIDN'T  
THINK IT WAS NECESSARY FOR  
TO SATISFY BRIGHAM  
YOUNG— NOT TO SATISFY  
THIS COMMUNITY; BUT TO  
SEND OUT TO THE WORLD  
WHEREVER THIS FOULÐ CHARGE  
HAS BEEN MANDE AGAINST YOU  
AND YOUR PEOPLE. THIS LIS  
DOCUMENTARY EVIDENCE THAT  
THE HANDS OF THE AUTHORITIES  
OF THIS TERRITORY WERE CLAEAN.

~~THAT THAT~~ WAS MY PURPOSE. .  
~~T~~WHEN I AM TOLD THAT I AM NOT  
TRYING THIS CASE BUT AM  
TRYING TO VINDICATE THE  
CHARACTER ~~AND VINDICATE ALL~~  
~~THE PEOPLE~~ AND INTEGRITY OF  
THE PEOPLE. I SAY TO YOU THAT  
THAT IS TRUE. IF ANYTHINK I CAN  
DO STANDING HERE AS AN OFFICER  
OF THIS GOVERNEMNT TO SEND  
OUT T O THE WORLD THE TRUTH  
THAT WILL VINDIACATE THIS  
TERRITORT FROM THIS FOUL  
CHARGE, I SHALL HAVE DONE MY  
DUTY AND NOTHING SHORT OF IT.

AND IT IS ALL HUMBUG  
TO STAND HERE AND TALK TO  
YOU OR ANY ONE ELSE TO TALK  
THAT JOHN D. LEE WAS  
GUIDED/ACTUATED[?] [space] <sup>[[42]]</sup> BY  
THE DISTURBED STATE OF THE  
COUNTRY IT HAD NOTHING TO DO  
WITH IT IT HAD NO MORE TO DO  
WITH THE BUTCHERY OF THOSE  
PEOPLE THAN HIS EFFORT TO GET  
NEPHI JOHNSON TO TAKE THE  
OTHERS INTO AMBUSH WHERE HE  
MIGHT BUTCHER THEM HAD TO DO  
WITH IT [space] THEN YOU MAY ASK  
ME WHY I INTRODUCED THESE  
DOCUMENTS BECAUSE IN THE  
PLAN OF THIS CAMPAIGN I DIDN'T  
THINK IT WAS NECESSARY IN  
ORDER TO SATISFY BRIGHAM  
YOUNG— [space] NOT TO SATISFY  
THIS COMMUNITY [space] BUT TO  
SEND OUT TO THE WORLD  
WHEREVER THIS FOUL CHARGE  
HAS BEEN MADE AGAINST YOU  
AND YOUR PEOPLE THIS IS  
DOCUMENTARY EVIDENCE THAT  
THE HANDS OF THE AUTHORITIES  
OF THIS TERRITORY WERE CLEAN  
OF THIS *FOUL/VILE*[?] OFFENSE  
THAT WAS MY PURPOSE [space]  
WHEN I AM TOLD THAT I AM NOT  
TRYING THIS CASE BUT [space] AM  
TRYING TO VINDICATE THE  
CHARACTER  
AND INTEGRITY OF  
THE PEOPLE I SAY TO YOU THAT  
THAT IS TRUE IF ANY THINK I CAN  
DO STANDING HERE AS AN OFFICER  
OF THIS GOVERNMENT TO SEND  
OUT TO THE WORLD THE TRUTH  
THAT WILL VINDICATE THIS  
TERRITORY FROM THIS VILE  
CHARGE I SHALL HAVE DONE MY  
DUTY AND NOTHING SHORT OF IT

**BT**

**PS**

<p>THAT WAS MY PURPOSE AND IT IS MY PURPOSE TO-DAY. AND I STAND HERE BEFORE YOU WITH THIS EVIDENCE THAT I HAVE INTRODUCED, RTO-DAY AND ASK YOU MEN, WILL YOU SECOND THE EFFORT? THIS I HAVE MADE TO CLAEEN <del>TO</del> THE ESCUTCHINGSS OF THIS TERRITORY FROM THE VILE BLOT THAT HAS RESTED UPON IT SO LONG. BUT IT IS NOT NECESSARY THAT YOU SHOULD SACRIFICE ANYBODY. IT IS NOT NECESSARY THAT YOU SHOULD DO THAT WHICH MIGHT <del>BE BE STAMPED AS</del> <del>WRONG</del> TERMED IN A STEALING CONVERSATION “GO BACK ON A <del>FRIEND</del> ANYBODY.” IT IS NECESSARY THAT YOU IN THE MAJESTY OR TRUTH, SHOULRD RAISE UP AND SHOW, IN AS MUCH AS WE HAVE A PART TO PLANT THIS CRIME WHERE IT BELONGS. WE NOT ONLY SEND OUR VERDICT TO THE GUILTY BUT WE SEND RIGHT THERE THE ENVIDENCE UPON WHICH WE BASE IT. THESE THINGS CAN’T BE DONE AWAY WITH BY FALSIFYING WITNESSES AND CALLING THEM <sup>[8]</sup> BAD NAMES. THESE FACTS CAN’T BE SWEPT AWAY. THEY ARE FACTS THAT ARE HISTORICAL. THAT FOR 18 LONG YEARS THE DARK CLOUD OF SUSPICION</p>	<p>THAT WAS MY PURPOSE IT IS MY PURPOSE TODAY [space] AND I STAND HERE BEFORE YOU WITH THE EVIDENCE THAT I HAVE INTRODUCED TODAY AND ASK YOU MEN [space] WILL YOU SECOND THE EFFORT I HAVE MADE TO CLEAN THE SKCHS/—[?] OF THIS TERRITORY FROM THE VILE BLOT THAT HAS RESTED UPON IT SO LONG BUT IT IS NOT NECESSARY THAT YOU SHOULD SACRIFICE ANYBODY IT IS NOT NECESSARY THAT YOU SHOULD DO THAT WHICH MIGHT BE TERMED IN A STEALING[?] <sup>[[42]]772</sup> CONVERSATION GO BACK ON ANYBODY [space] IT IS NECESSARY THAT YOU IN THE MAJESTY TRUTH SHOULD RAISE UP AND SHOW IN AS MUCH AS WE HAVE AN OPPORTUNITY &lt; TO [space] PLANT <del>≠</del> WITH THE EVIDENCE TO —[?] US&gt; THIS CRIME [space] WHERE IT BELONGS WE NOT ONLY SIGN/SEND[?] OUR VERDICT OF THE GUILT BUT WE SIGN/SEND[?] RIGHT THERE THE EVIDENCE UPON WHICH WE BASE IT. THESE THINGS CAN’T BE DONE AWAY WITH BY VILIFYING WITNESSES AND CALLING THEM BAD NAMES. THESE FACTS CAN’T BE SWEPT AWAY BY PREVENT[?] A/AND[?] SMLDS[?] AS FAR AS THEY ARE FACTS THEY ARE HISTORICAL THAT FOR 18 LONG YEARS THE DARK CLOUD OF SUSPICION</p>
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772. Shorthand writers typically wrote on one side of each page in a notebook, moving from the front of the notebook to the back, then turned the notebook over and wrote on the verso of each page, moving from back to front. This facilitated rapid page turns, which was important when trying to keep up with a speaker. The previous page was the last page of the notebook, moving front to back. The notebook was then reversed, and shorthand recorded on the verso of each page. This is the first page of shorthand written on the verso of a page.

**BT**

**PS**

LOITERED OVER ONE OF THE MOST BEAUTIFUL TERRITORIES ON THE CONTINENT. ~~AND WITH PITY ALL OF THESE SINFUL YEARS~~ AND IT IS FOR YOU TO SAY ~~TO DAY~~ THAT THAT GUILTY CLOUD HAS BEEN DISPERSED AS THE MURKY CLOUD IN THE MORNING IS DISPERSED BY THE RISING OF THE SUN AND WITH IT THE LIGHT OF TRUTH COMES IN UPON THIS TRAGEDY AND SHOWS IT TO THE FACE OF THE WORLD AS IT OUGHT TO HAVE BEEN SHOWN BEFORE AND ~~A~~WOULD HAVE BEEN SHOWN BEFORE ~~BUT~~ **HAD** IT HAD BEEN THE DESIGN ~~TO TO~~ TRY ~~TO~~ THE MEN WHO COMMITTED THE CRIME; AND IN THEIR DESIGN TO MAKE POLITICAL CAPITAL FOR THE LIVES OF SOME MEN PLACES ~~AND~~ **THEM** IN ~~L~~POWER. I HAVE NO SYMPATHY WITH ANY OF THOSE THINGS. I CARE NOTHING FOR THAT. I KNOW BUT ONE WAY AND THAT IS BY OFFICIALLY AND PROFESSIONALLY DOING MY DUTY. IT IS PLAIN THAT IF JOHN D. LEE IS GUILTY HE SHOULD BE PUNISHED. IF IN THE TRIAL OF JOHN D. LEE THE FACTS SHOULD DEVELOPE THAT SOMEBODY ELSE ~~IF GUILTY~~ IS ~~E~~AQUALLY GUILTY THEY MUST BE PUNISHED. BUT BECAUSE MEN WERE DESIGNED INTO IT; BECAUSE PARTIES WERE BROUGHT THERE UNDER FALSE PRETENCES, WHOSE VERY SOLES HAVE BEEN HARROWED FROM THAT TIME TO THE PRESENT, SHOULD THEY BE CONDEMED? SHOULD THEY BE BLASTED AND THEIR REPUTATION BESMEARED BY EPITHETS? AND YOUR VERDICT

LOITERED OVER ONE OF THE MOST BEAUTIFUL TERRITORIES ON THE CONTINENT AND THAT *TODAY ALL THIS IS FINALLY NOT*[?] TO BE PROVED *PS/PZ*[?] TO THE *CLOUD*[?] HAS BEEN DISPERSED AS A MURKY CLOUD IN THE MORNING IS DISPERSED UPON RISING OF THE SUN AND *THAT*[?] COMES TRUTH COMES IN UPON THIS TRAGEDY AND SHOWS IT TO THE FACE OF THE WORLD AS IT OUGHT TO HAVE BEEN SHOWN BEFORE AND WOULD HAVE BEEN SHOWN BEFORE HAD IT BEEN THE DESIGN TO TRY THE MEN WHO COMMITTED THE CRIME AND NOT THE DESIGN TO MAKE POLITICAL CAPITAL FOR THE LIVES OF SOME MEN AND PLACES *OF/AND*[?] POWER I HAVE NO SYMPATHY WITH ANY OF THOSE THINGS I CARE NOTHING FOR THAT I KNOW BUT ONE WAY AND THAT IS TO BE AN OFFICIAL TO PROFESSIONALLY DO MY DUTY IS PLAIN THAT IF JOHN D. LEE IS GUILTY HE SHOULD BE PUNISHED IF IN THE TRIAL OF JOHN D. LEE THE FACTS SHOULD DEVELOP [*space*] THAT SOMEBODY ELSE IS EQUALLY GUILTY THAT MEN SHOULD BE PUNISHED BUT BECAUSE MEN WERE DECEIVED IN IT BECAUSE PARTIES WERE <sup>[[43]]</sup> BROUGHT THERE UNDER FALSE PRETENSES WHOSE VERY SOULS HAVE BEEN HARROWED FROM THAT DAY TO THE PRESENT [*space*] SHOULD THEY BE CONDEMNED SHOULD THEY BE BLASTED AND THEIR REPUTATION BE SMEARED BY EPITHETS AND YOUR VERDICT

**BT**

**PS**

<p>WILL ANSWER THE QUESTION. YOUR VERDICT IS MORE THAN AN HONEST CHARACTER; IT IS AN INDIVIDUAL CHARACTER OF EVERY ONE OF THESE MEN. YOU WILL EITHER SAY BY YOUR VERDICT THAT NEPHI JOHNSON AND HAMBLIN AND EVERY ONE OF THESE MEN ARE GUILTY OF BEING ACCESSORIES IN THIS TERRIBLE CRIME, OR YOU WILL SAY THAT THIS ENTIRE COMPANY BROUGHT UP HERE BY THE POWER OF SAY SO PROCESS TO TELL WHAT THEY WISH; AND I WOULD THAT THEY WERE <del>TO SHOW</del> COMPELLED TO SHOW, BUT WHAT OF IT, THEY WOULD GIVE ALL OF THEIR WORTH HAD THEY NEVER SEEN IT. THE FACTS IN <del>IN</del> THIS CASE ARE BRIEF. I WOULD LIKE TO ENTER INTO THE DISCUSSION OF THESE FACTS BEFORE DINNER, BUT I PRESUME WE HAD BETTER <sup>19)</sup> LEAVE THEM TO WHEN WE COME IN AFTER DINNER. I PROMISE YOU ACCORDING TO THE BEST OF MY ABILITY TO TAKE UP THE FACTS, FOLLOW THEM THROUGH, SHOWING THEIR APPLICATION TO <del>H</del>JOHN D. LEE; AND <del>Z</del>AT THEIR CONCLUSION ASK YOU IF THEY ASSUME TO BE EQUAL TO A CONFESSION, AND FIND HIM SO ALTHOUGH <del>THEY</del> THEY SHOW SOMEBODY ELSE TO BE <del>GUILTY -</del> EQUALLY GUILTY AND SELFISH; FOR THE DAY IS NEAR <del>T</del>HERE TO AND THE GOVERNMENT HAS BROUGHT HIS <del>PROTE</del>XCTION TO THOSE OTHER MEN WHO ARE NOT ENTITLED TO COME IN HERE</p>	<p>WILL ANSWER THE QUESTION YOUR VERDICT IS MORE THAN <i>NATIONAL</i>[?] CHARACTER IT IS THE INDIVIDUAL CHARACTER OF EVERY ONE OF THESE MEN. YOU WILL EITHER SAY BY YOUR VERDICT THAT NEPHI JOHNSON AND HAMBLIN AND EVERY ONE OF THESE MEN ARE GUILTY OF BEING ACCESSORIES IN THIS TERRIBLE CRIME OR YOU WILL SAY THAT THIS THEY HAVE BEEN BROUGHT UP HERE BY THE POWER OF SAY SO <i>PROCESS</i>[?] TO TELL WHAT THEY WISH AND I WOULD THEY WERE COMPELLED TO <i>SAY/SHOW</i>[?] [<i>space</i>] BUT WHAT OF IT, THEY WOULD GIVE ALL <i>THEIR/THEY'RE</i>[?] WORTH <i>BEFORE THAT NOBLE</i>[?] SCENE. [<i>space</i>] THE FACTS IN THIS CASE ARE BRIEF I WOULD LIKE TO ENTER UPON A DISCUSSION OF THESE FACTS BEFORE DINNER BUT I <i>PRN</i>[?] WE HAD BETTER LEAVE THEM TO WHEN WE COME IN AFTER DINNER [<i>space</i>] I PROMISE YOU ACCORDING TO THE BEST OF MY ABILITY TO TAKE UP THE FACTS FOLLOW THEM THROUGH SHOW THEIR APPLICATION TO JOHN D. LEE AND AT THEIR CONCLUSION TO ASK YOU IF THEY SEEM TO BE EQUAL TO A CONVICTION TO FIND HIM SO ALTHOUGH THEY SHOW SOMEBODY ELSE TO BE EQUALLY GUILTY AND SUFFICIENT FOR THE <i>DAY/DEED</i>[?] IS NEAR <del>T</del>HERE TO AND THE <i>GOVERNMENT/GOVERNOR</i>[?] HAS BROUGHT HIS PROTECTION TO THOSE OTHER —[?] MEN WHO ARE NOT ENTITLED TO COME IN HERE</p>
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AND TELL WHAT THEY KNOW. NO GOVERNMENT WOULD EVER GO BACK UPON THOSE PROMICES. IT IS FOR YOU HERE SIMPLY TO DO AND TO ACT TRY JOHN D. LEE. THE OTHERS MUST REMAIN TO BE TRIED, IF IN THE POLICY OF THE GOVERNMENT IT SHOULD BE IN THE PAST.. RECESS UNTIL 2 O'CLOCK.

<sup>[[10]]773</sup> **(BOOK 5) SUMNER HOWARD'S ARGUMENT (CONTINUED) TO THE JURY IN THE SECOND TRIAL OF JOHN D. LEE (FOLLOWING W.W. BISHOP) HOWARD:** —MR BISHOP IN THE COMMENCEMENT OF THE SIX CASE COMPLIMENTED THE PROSECUTION AFTER I HAD MADE THE OPENING, AND CONGRATULATED HIMSELF THAT HE WAS CALLED UPON TO DEFEND A MAN WHO WAS TO BE TRIED AND THAT WE WERE TO TRY JOHN D. LEE. A CHANGE HAS COME OVER THE SPIRIT OF HIS DREAM SOME WAY, AND HE SEEMS TO BE OFFENDED THAT WE SHOULD HAVE TRIED JOHN D. LEE, AND INSISTS THAT WE SHOULD HAVE TRIED EVERY BODY ELSE. AT THE TIME HE DEFIED US TO BRING ANY PROOF AGAINST LEE, AND IN THE VERY COMMENCEMENT IF NOT IN THE SAME LANGUAGE ACKNOWLEDGES THAT HE WAS

AND TELL WHAT THEY KNOW NO GOVERNMENT/GOVERNOR[?] WOULD EVER GO BACK UPON THOSE PROMICES IT IS FOR YOU SIMPLY HERE TODAY TO TRY JOHN D. LEE [space] THE OTHERS MUST REMAIN TO BE TRIED [space] <sup>[[44]]</sup> IF IN THE POLICY OF THE GOVERNMENT IT SHOULD BE FOR BEST. [space] RECESS UNTIL TWO O'CLOCK

<sup>[[Bk 6 1]]774</sup> **TRANSCRIBED.**

**SUMNER HOWARD'S CLOSING ARGUMENT**  
**JURY**<sup>775</sup> JURY CALLED. [space]

MR. BISHOP, IN THE COMMENCEMENT OF THIS CASE, COMPLIMENTED THE PROSECUTION AFTER I HAD MADE THE OPENING AND CONGRATULATED HIMSELF THAT HE WAS CALLED UPON TO DEFEND THE MAN WHO WAS TO BE TRIED AND THAT WE WERE TO TRY JOHN D. LEE A CHANGE HAS COME OVER THE SPIRIT OF HIS DREAM SOME WAY AND HE SEEMS TO BE OFFENDED THAT WE SHOULD HAVE TRIED JOHN D. LEE; AND INSISTS THAT WE SHOULD HAVE TRIED EVERYBODY ELSE AT THAT TIME HE DEFIED US TO BRING ANY PROOF AGAINST LEE [space] AND IN THE VERY ANNOUNCEMENT/COMMENCEMENT[?] ] IF NOT IN THE SAME LANGUAGE ACKNOWLEDGES THAT HE WAS

773. In the second portion of Howard's closing argument, page numbers restart with page 1. We have inserted page numbers so that all Book 5 page numbers are continuous.

774. On the front cover of the sixth notebook in Rogerson's longhand: **BISHOP'S ADDRESS, 2ND LEE TRIAL** [space] **BOOK NO 6.**

775. Longhand at the top of the page is in Rogerson's handwriting. In the left margin about two-thirds down the page is written: 2.00, 10.25, 3.25, 3.25.

**BT**

**PS**

<p>WRONG WHEN HE TRHREW DOWN THAT DEFIANCE AND ASSUMED THAT WE HAVE HEARD THE PROOF. FNOW THERE IS A VERY OUTSIDE QUESTION, AND A VERY OUTSIDE INFLUENCE, THAT PROOF IF WHAT YOU ARE TO CONSIDER. I CAN APPRECIATER<del>X</del> THE DIFFICULTY THAT HAS SURROUNDED HIM, DIFFISCULY<del>UTY</del> THAT HAS MET HIM AT EVERY STEP. HE WAS DISAPPOINTED WHEN I MADE MY OPENING . THAT DIASAPPOINTMENT WAS ONLY <b>LESSENERD</b> <del>OPENED</del> BY THE WANT OF CONFIDENCE THAT HE HAD IN MY ABILITY OR PERHAPS TO FOLLOW THE CASE. UP TO THE OPENING THAT I HAVE MADE HIS DIASAPPOINTMENT HAS BEEN RE<del>V</del>MOVED, AND I HOPE THAT HIS CONFIE<del>D</del>ENCE IN ME AS AN ATTORNEY HAS BEEN WELL GROUNDED. SO THAT HEREAFTER WHEN I PROPOSE TO TRY A PARTICULAT MAN HE WILL NOT GO OFF IN EXECSTACIES OR IN THE INTHUSIASM AND DELIGHT TILL HE KNOWS WHERE THAT IS GOING TO LAND HIM. HE TELLS US IN THE LATTER STAGE OF THE CASE THAT ALTHOUGH <del>HE HE DID</del> WE DID <del>WH</del> JUST WHAT WE AGREED, JUST WHAT <del>WE THOUGHT</del> WE THOUGHT WAS THE CASE OF THE PEOPLE OF THIS TERRITORY TO CONGRATULATE THEMSELVES FOR, WHAT WE WAS DOING; BUT RATHER INSINUATES <sup>[[1]]</sup> <del>THAT</del> WHAT WE HAVE BEEN DOING HAS BEEN FOR THE PURPOSE OF GAINING POLITICAL POWER, PLACING SOMEBODY ON THE HIGH ROAD OF POLITICAL POWER. I DON'T KNOW WHAT</p>	<p>WRONG WHEN HE THREW DOWN THAT DEFIANCE AND ASSUMED THAT WE HAVE HEARD THE PROOF NOW <i>THERE IS</i>[?] A VERY DECIDED QUESTION AND A VERY DECIDED <i>ANSWER</i>[?] THAT PROOF IS WHAT YOU ARE TO CONSIDER. I CAN APPRECIATE THE DIFFICULTY THAT HAS SURROUNDED HIM, DIFFICULTY THAT HAS MET HIM AT EVERY STEP. HE WAS DISAPPOINTED WHEN I MADE MY OPENING THAT DISAPPOINTMENT WAS ONLY LESSENERD BY THE WANT OF CONFIDENCE THAT HE HAD IN MY ABILITY OR PERHAPS TO FOLLOW THE CASE <i>UP</i>[?] AND THE OPENING THAT I MADE HIS DISAPPOINTMENT HAS BEEN REMOVED AND I HOPE THAT HIS CONFIDENCE IN ME AS AN ATTORNEY HAS BEEN WELL GROUNDED SO THAT HEREAFTER WHEN I PROPOSE TO TRY A PARTICULAR MAN HE WILL NOT GO OFF IN ECSTASIES OR IN ENTHUSIASM AND DELIGHT TILL HE KNOWS WHERE THAT IS GOING TO LAND HIM. HE TELLS US IN THE LATER STAGE OF THE CASE THAT ALTHOUGH WE DID JUST WHAT WE AGREED = JUST WHAT WE THOUGHT WAS THE CASE OF THE PEOPLE OF THIS TERRITORY TO CONGRATULATE THEMSELVES FOR WHAT <i>WE WAS</i>[?] DOING BUT RATHER EXCUSES THAT WHAT WE HAVE BEEN DOING HAS BEEN FOR THE PURPOSE OF GAINING POLITICAL POWER, PLACING SOMEBODY ON THE HIGH ROAD OF POLITICAL POWER [<i>space</i>] <del>&lt;HOWARD</del>[?] I DON'T KNOW WHAT</p>
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**BT**

**PS**

HE MEANS, MY BROTHER BISHOP KNOWS MY POSITION, MY PROFESSIONAL STANDING AND ~~AND MY R3~~RELATIONSHIP TO THIS COURT, AND YOUR HONOR KNOWS THAT CANNOT BE MY MOTIVE. HE KNOWS NOW, AND IF HE DOESN'T KNOW NOW, HE WILL KNOW, THAT I HAVE NO SYMPATHY WITH THE RELIGIOUS VIEWS AND THE BELIEF OF THE PEOPLE HERE, NOR THEY HAVE NO SYMPATHY WITH ME. HE KNOWS NOW, OR HE WILL KNOW, HOWEVER, THAT SO FAR AS THE ADMINISTRATION OF THE LAW IS CONCERNED I RECOGNISE THEIR RIGHTS TO THEIR RELIGIOUS BELIEFS, AND I WILL DO JUSTICE— JUSTICE TO MY RIGHTS, TO MY RELIGIOUS BELIEFS; BUT IF THERE WAS ~~IN ALL~~ **CLOTHED IN** THAT LANGUAGE AN INSINUATION THAT THIS PROSECUTION WAS BEING PURSUED BY ME FOR SUCH PURPOSE, MY BROTHER DOES NOT KNOW THE MAN HE IS TALKING ABOUT. THERE IS AN ACKNOWLEDGEMENT IN THAT IDEA HOWEVER, A SUGGESTION THAT I WOULD MAKE TO YOU: HE SEEMS TO TAKE IT FOR GRANTED THAT THE REASON — THE IDEA OF THE REASON THAT THIS TERRITORY HAS BEEN KEPT IN THE BACK GROUND, ANFD THE ONLY LOAD SHE HAS TO CARRY, SHE HAS GOT TO CARRY IS THE LOAD THIS PROSECUTION WILL HAVE A TENDENCEY TO **SHAKE FROM HER IF WE SHOWED A HAND TO THE ASK A FAVOR HERE**  
.....I SHALL BE GRIEVED IN THE MATTER.....

HE MEANS> MY BROTHER BISHOP KNOWS MY POSITION MY PROFESSIONAL AND OTHER RELATIONS AND YOUR HONOR KNOWS THAT CANNOT BE MY MOTIVE HE KNOWS NOW AND IF HE DOESN'T KNOW NOW HE WILL KNOW THAT I HAVE NO SYMPATHY IN THE RELIGIOUS <sup>[2]</sup> VIEW WITH THE BELIEF OF THE PEOPLE HERE NOR THEY HAVE ANY SYMPATHY WITH ME HE KNOWS NOW OR HE WILL KNOW *HOWEVER*[?] THAT SO FAR AS THE ADMINISTRATION OF THE LAW IS CONCERNED I RECOGNIZE THEIR RIGHTS TO THEIR RELIGIOUS BELIEFS AND I WILL DO JUSTICE = JUSTICE TO MY RIGHTS TO MY RELIGIOUS BELIEFS BUT IF THERE WAS CLOTHED IN THAT LANGUAGE AN INSINUATION THAT THIS PROSECUTION WAS BEING PURSUED BY ME FOR SUCH PURPOSE MY BROTHER DON'T KNOW THE MAN HE IS TALKING ABOUT THERE IS A CATCH IN THAT IDEA HOWEVER A SUGGESTION THAT I WOULD MAKE TO YOU [*space*] HE SEEMS TO TAKE IT FOR GRANTED THAT THE REASON *IDEA/I HAD*[?] AND THE REASON THIS TERRITORY HAS BEEN KEPT IN THE BACK GROUND AND THE ONLY LOAD SHE HAS TO CARRY SHE HAS GOT TO CARRY IS THE LOAD THAT THIS PROSECUTION WILL HAVE A TENDENCY ASK A FAVOR HERE IF WE *SHOWED A HAND*[?] TO THE — /*SL*[?]  
I SHALL BE GRIEVED IN THE MATTER [*space*] *RLD*/—[?]



**BT**

**PS**

<p>.....  GETTING AT THE FACTS AT  THIS CASE ANCD CLEARING THIS  OBLOQUY FROM THE TERRITORIAL  AUTHORITIES, AND PLACE IT UPON  INDIVIDUALS, THE PEOPLE  WILL DERIVE A POLITICAL OR  OTHER ADVANTAGE IT IS THE  LEGITIMATE PART OF THE  PROSECUTION/BUT I  CANNOT FBE. ....  .....TO ALLOW MY BROTHER.  THIS MOUNTAIN MEADOW  MASSACRE HAS BEEN AW A GREAT  BUGBEAR EVER SINCE THIS  OCCURRENCE, BY WHICH YOU  HAVE BEEN CHARACTERIZED AS A  PEOPLE UNWORTHY OF POLITICAL  POWER, AND THE SOONER YOU  REMOEVE THAT <sup>[[12]]</sup> BUGBEAR AND  LET THE DAYLIGHT INTO THE  FACTS THE SOOHNER THE WORLD  AT LARGE WILL KNOW WHERE YOU  STQAND; AND AFTER THIS  INCEVESTIGATION HAS PENETRATED  THE POPULATR MIND AND THROWN  LIGHT UPON THE FACTS, YOU AND I  BOTH WILL HAVE REASON TO  CONGRATULATE OURSELVES THAT  WE HAVE BEEN THEINSTRUKMENTS  OF BRINGING THAT FDESIRABLE  RESULT ABOUT. NOW,  GENTLEMEN, SOMEBODY MUST BE  RESPONSIBLE FOR THIS MURDER,  AS MY FRIEND FOSTER STATED IN  HIS OPENING, FTT WAS A PECULIAR  CASE ON ACCOOUNT OF THE  LENGTH OF TIME THAT HAS  ELAPSED SINÐCE THE COMMISSION  OF THIS OFFENSE AND BECAUSE OF  THE GREAT NUMBER OF THE</p>	<p>SHALL/WISH[?] SEEK PS/NS[?] TRY  THEM BY GETTING AT THE FACTS IN  THIS CASE AND CLEARING THIS  OBLOQUY FROM THE TERRITORIAL  AUTHORITIES AND PLACE IT UPON  INDIVIDUALS THE PEOPLE HERE  WILL DERIVE A POLITICAL OR  OTHER ADVANTAGE IT IS THE  LEGITIMATE [space] PART OF THE  [space] PROSECUTION [space] BUT I  CANNOT BE SORE WINNER WILL  ALLOW MY BROTHER.  THIS MOUNTAIN MEADOW  MASSACRE HAS BEEN A GREAT  BUGBEAR EVER SINCE ITS  OCCURRENCE BY WHICH YOU  HAVE BEEN CHARACTERIZED AS A  PEOPLE UNWORTHY OF POLITICAL  POWER AND THE SOONER YOU  REMOVE THAT BUGBEAR AND  LET THE DAYLIGHT INTO THE  FACTS THE SOONER THE WORLD  AT LARGE WILL KNOW WHERE YOU  STAND AND AFTER THIS  INVESTIGATION HAS PENETRATED  THE PEOPLE AND THROWN  LIGHT UPON THE FACTS YOU AND I  BOTH WILL HAVE REASON TO  CONGRATULATE OURSELVES THAT  WE WERE THE INSTRUMENTS  OF BRINGING THAT DESIRABLE  RESULT ABOUT [space] <sup>[[3]]</sup>776 NOW  GENTLEMEN SOMEBODY MUST BE  RESPONSIBLE FOR THIS MURDER  AS MY FRIEND FOSTER STATED IN  HIS OPENING IT WAS A PECULIAR  CASE BECAUSE OF THE  LENGTH OF TIME THAT HAS  ELAPSED SINCE THE COMMISSION  OF THIS OFFENSE AND BECAUSE OF  THE GREAT NUMBER OF THE</p>
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776. Shorthand in the left margin is too faint to read. A tally of numbers appears in the left margin: 450 + 140 + 140 + 100 = 830.

**BT**

**PS**

<p>PEOPLE THAT WERE AMASSACRED  .....  BECAUSE OF THE APPARENT  WANT OF ANY MOTIVE THAT  COULD ACTUATE ANY MAN TO  VCOMMIT ANY A CRIME THAT HAS  UPON ANY THEORY, THAT HAS  BEFORE THIS TRIAL, EVER BEEN  ADVOCATED. I HAVE NEVER BEEN  ABLE TO SATISFY MYSELF BEFORE  COMING HERE; AND <b>WHEN</b>  <del>READING-IN HEARING</del> OF THIS  CASE WHAT ADVANTAGE THE MAN  WHOM WE CAHARGE WITH THE  COMMISSION OF THIS CRIME COULD  GAIN BY ITS COMMISSION; AND I  SAY NOW, AND I WILL <del>PROE</del> PROVE  IT TO YOU BY FACTS AND  EVIDENCE IN THIS CASE THAT THE  MORTIVE ATTRIBUTED TO THE  AUTHORITIES WHO HAVE BEEN  CHARGED WITH THE COMMISSION  OF THIS CRIME WAS ENTIRELY  INADEQUATE; AND THE ONLY  REASONABLE MOTIVE, AND THE  ONLY MOTICVE THAT COMMENEDS  ITSELF TO THE JUDGMENT OF A  DELIBERATE MAN IS THE MORTIVE  THAT I ATTRIBUTE TO JOHN D. LEE,  AND THAT TO PLUNDER AND  NOTHING ELSE. I WILL CALL  YOUR ATTENTION IN THE FIRST  ;PLACE TO THIS MATTER. THERE  ARE THREE PARTIES, BUT  THERE IS THE INDIVIDUAL THAT IS  GUILTY OF THIS CRIME,  THAT IS JOHN D. LEE, WITH HIS  ASSOCIATE KLINGENSMITH OR THE  TERRITORIAL AUTHORITIES OR  THE CHURCH AS THEY WERE  CALLED. NOW, THAT MAY BE  DISTASTEFUL, BUT THAT HAS BEEN  THE THEORY FROM THE  BEGINNING; THAT IT IS EITHER AN</p>	<p>PEOPLE THAT WERE MASSACRED  [space] I ADD TO THAT [space] —  [space] BECAUSE OF THE APPARENT  WANT OF ANY MOTIVE THAT  COULD ACTUATE ANY MAN TO  COMMIT A CRIME  (UPON ANY THEORY THAT HAS  BEFORE THIS TRIAL EVER BEEN  ADVOCATED) I HAVE NEVER BEEN  ABLE TO SATISFY MYSELF BEFORE  COMING HERE AND WHEN  HEARD OF OF THIS  CASE, WHAT ADVANTAGE THE MEN  WHO WERE CHARGED WITH THE  COMMISSION OF THIS CRIME COULD  GAIN BY ITS COMMISSION; AND I  SAY NOW AND I WILL PROVE  IT TO YOU BY FACTS AND  EVIDENCE IN THIS CASE, THAT THE  MOTIVE ATTRIBUTED TO THE  AUTHORITIES WHO HAVE BEEN  CHARGED WITH THE COMMISSION  OF THIS CRIME WAS ENTIRELY  INADEQUATE AND THE ONLY  REASONABLE MOTIVE AND THE  ONLY MOTIVE THAT COMMENDS  ITSELF TO THE JUDGMENT OF A  DELIBERATE MEN IS THE MOTIVE  THAT ATTRIBUTE TO <u>JOHN D. LEE</u>  AND THAT TO PLUNDER AND  NOTHING ELSE [space] I WILL CALL  YOUR ATTENTION IN THE FIRST  PLACE TO THIS MATTER THERE  ARE 3 PARTIES [space] 3 [space]  THERE IS AN INDIVIDUAL THAT IS  <u>EQUAL TO/GUILTY OF</u>[?] THIS CRIME  THAT IS JOHN D. LEE WITH HIS  ASSOCIATE KLINGEN SMITH [space]  THE TERRITORIAL AUTHORITIES OR  THE CHURCH THAT WERE GUILTY  [space] NOW THAT MAY BE  DISTASTEFUL BUT THAT HAS BEEN  THE THEORY FROM THE  BEGINNING THAT IT IS EITHER AN</p>
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**BT**

**PS**

<p>INDIVIDUAL MATTER, <del>OR</del> IT IS A MATTER WITH THE GOVERNMENT THAT THE GOVERNMENT OF THE TERRITORY OR THE CHURCH IS RESPONSIBLE FOR. <sup>[[13]]</sup> I <del>THINK</del> HAVE THIS DOCUMENTARY EVIDENCE HERE FURNISHED BY THE CHURCH AUTHORITIES THEMSELVES AND FOR WHICH THEY ARE RESPONSIBLE, AND AS YOU HAVE CONFIDENCE IN THEM, YOU WILL GIVE CONFIDENCE <del>THAT</del> TO THE DOCUMENTS <del>TO THE DOCUMENTS</del> THAT THEY BRING UP; THAT THESE DOCUMENTS <del>✓</del>CLEAR THE SKIRTS OF THE CHURCH . I SUBMIT THEM TO YOU <del>WILL</del> WITH THE FULL CONFIDENCE THAT YOU WILL SEE FROM THESE DOCUMENTS THAT THE CHURCH HAD NO PART IN THIS MURDER. THESE DOCUMENTS ARE DATED AT A DAY AND AT A PLACE WHEN IT IS AN UTTER AND PHYSICAL IMPOSSIBILITY THAT THEY COULD HAVE HAD ANY REFERENCE WHATEVER TO THIS OFFENSE. THIS EVIDENCE WAS COMMENCED ON THE 7TH DAY OF SEPTEMBER, 1857; IT WAS CONSUMMATED ON FRIDAY THE 11TH, AND THERE IS NOT A DOCUMENT THAT HAS BEEN INTRODUCED HERE THAT WAS DATED BEFORE THE 12TH DAY, <del>OR</del> OF SEPTEMBER. NOW, HOW CAN IT BE ARGUED HOW CAN IT BE SAID— BY WHAT SYSTEM OF REASONING CAN IT BE SAID THAT THE DOCUMENTS INTRODUCED HERE HAD ANY REFERENCE</p>	<p>INDIVIDUAL MATTER OR IT IS A MATTER THAT THE GOVERNMENT OR THE HEAD OF CHURCH IS RESPONSIBLE FOR. I HAVE/THINK[?] THIS DOCUMENTARY EVIDENCE HERE FURNISHED BY THE CHURCH AUTHORITIES THEMSELVES AND FOR WHICH THEY ARE RESPONSIBLE <sup>[[4]]</sup>777 AND AS YOU HAVE CONFIDENCE IN THEM YOU WILL GIVE CONFIDENCE TO THE DOCUMENTS THAT THEY BRING UP THAT THESE DOCUMENTS CLEAR THE <i>SKIRTS</i>[?] OF THE CHURCH. I SUBMIT THEM TO YOU WITH THE FULL CONFIDENCE THAT YOU WILL SEE FROM THESE DOCUMENTS THAT THE CHURCH HAD NO PART IN THIS MURDER. THESE DOCUMENTS ARE DATED AT A DAY AND AT A PLACE WHEN IT IS UTTERLY AND PHYSICALLY IMPOSSIBLE THAT THEY COULD HAVE HAD ANY REFERENCE WHATEVER TO THIS OFFENSE. THESE EVENTS WAS COMMENCED ON MONDAY THE 7<sup>TH</sup> DAY OF SEPTEMBER 1857 IT WAS CONSUMMATED ON FRIDAY THE 11<sup>TH</sup> AND THERE IS NOT A DOCUMENT THAT HAS BEEN INTRODUCED HERE THAT WAS DATED BEFORE THE 12<sup>TH</sup> DAY OF SEPTEMBER. NOW HOW CAN IT BE ARGUED HOW CAN IT BE SAID, BY WHAT REASON OR SYSTEM OF REASONING CAN IT BE SAID THAT THE DOCUMENTS INTRODUCED HERE HAD ANY REFERENCE</p>
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777. Shorthand in left margin is illegible, mostly too faint to read. The verso of page 4 contains doodling.

**BT**

**PS**

TO THE COMMISSION OF THIS OFFENSE? THE MOUNTAIN MEADOWS IS SOME 320 MILES FROM SALT LAKE CITY, AND YOU KNOW THE DISTANCE JUST AS WELL AS I DO. I SAY THEN, THAT THE POLICY OF THE TERRITORIAL, CIVIL AUTHORITIES IS FORESHADOWED IN THESE DOCUMENTS, IS FORESHADOWED BY THE ~~BY THE~~ VERY ACTS. ....

..... DISPOSE TO PASS UNDER THE OUTRAGE; AND THE IDEA THAT THE TERRITORIAL CIVIL AUTHORITIES HAD ~~NO~~ ANY HAND IN IT; BUT ON THE CONTRARY THEIR EVERY DOCUMENT AND EVERY ACT THAT HAS BEEN BROUGHT TO LIGHT — ~~AND PRINCIPALLY~~ AND PARTICULARLY DOCUMENTARY EVIDENCE AND THE TESTIMONY TOO, SHOWS THAT THEY WERE PURSUING AND ENTIRELY ~~AND~~ DIFFERENT POLICY THAN THAT ~~THAT~~ WHICH WAS LAID TO THE MURDER OF THE EMIGRANTS. BUT I SAY IN ADDITION TO THAT, ASIDE FROM THE TESTIMONY OF THE WITNESSES, ASIDE FROM LEE'S ADMISSIONS MADE TO HAMBLIN, THAT THESE DOCUMENTS WHICH I HOLD IN MY HAND THAT AN INDIVIDUAL ~~AND HE~~ ALONE WAS RESPONSIBLE FOR THE COMMITTING <sup>[[14]]</sup> OF THAT OUTRAGE; AND THAT HIS MOTIVE ~~AS~~ AS SHOWN BY THAT DOCUMENT WAS THE PLUNDER OF THE EMIGRANTS. NOW, I HOPE I AM MADE PLAIN. I THINK I HAVE BEEN TOLD ~~NBY~~ MY GOOD FRIEND

WHATEVER TO THE COMMISSION OF THIS OFFENSE? MOUNTAIN MEADOWS IS SOME 320 MILES FROM SALT LAKE CITY ~ AND YOU KNOW THE DISTANCE JUST AS WELL AS I DO. I SAY THEN THAT THE *SPS/SUSPICIOUS*[?] OF THE *TRIAL*[?] CIVIL AUTHORITIES IS FORESHADOWED IN THESE DOCUMENTS *IS/AS*[?] FORESHADOWED BY THE VERY ACTS [*space*] DISPOSED TO PASS UNDER *ARCH/REACH*[?] THE IDEA THAT THE TERRITORIAL CIVIL AUTHORITIES HAD *NO/ANY*[?] HAND IN IT BUT ON THE CONTRARY THEIR *EVERY/VERY*[?] CONDUCT AND EVERY ACT THAT HAS BEEN BROUGHT TO LIGHT AND EVERY BIT DOCUMENTARY EVIDENCE AND THE TESTIMONY TOO TESTIMONY SHOWS THAT THEY WERE PURSUING ENTIRELY DIFFERENT POLICY THAN THAT WHICH WOULD LEAD TO THE MURDER OF THE EMIGRANTS. I SAY IN ADDITION TO THAT ASIDE FROM THE TESTIMONY OF THE WITNESSES ASIDE FROM LEE'S ADMISSIONS MADE TO HAMBLIN THAT THESE DOCUMENTS <sup>[[5]]</sup> WHICH I HOLD IN MY HAND THAT HE INDIVIDUALLY AND ALONE WAS RESPONSIBLE FOR THE COMMITTING OF THAT OUTRAGE, AND THAT HIS MOTIVE AS SHOWN BY THAT DOCUMENT WAS THE PLUNDER OF THE EMIGRANTS NOW I HOPE I AM MADE PLAIN *I THINK*[?] I HAVE BEEN TOLD BY MY GOOD FRIEND

**BT**

**PS**

<p>NELSON, WHO HAS WORKED FROM THE BEGINNING TO THE END OF THIS CASE. I HAVE NOT TAKEN A STEP BUT WHAT I HAVE FOUND HIM BY MY SIDE. I HAVE NOT MOVED IN A DIRECTION TOWARD THE COMPLETION OF THIS TRIAL BUT WHAT HIS GOOD SOUND JUDGMENT HAS ASSISTED <del>ME</del> ASSISTED ME.</p> <p>WHY, GENTLEMEN, HE SAYS — <del>MR. BISHOP</del> — THAT THE CHURCH DON'T NEED DEFENDING. I SAY THE CHURCH DON'T NEED DEFENDING; BUT WHERE <b>ARE</b> <del>ATREE</del> YOU IN THE MATTER , BROTH R BISHOP? BISHOP: ( MR. BISHOP HERE MADE SOME REMARSKS THAT ARE NOT IN THE REPORTERS NOTES.) HOWARD: <del>IN MY PROPOSITION</del> I MAY PERHAPS SHOW TO YOU THAT JOHN D. LEE AND HIS COUNSEL IN MAKING THAT ASSERTION, NOT ONLY CARRY <del>OF</del> <b>OUT</b> THE PROGRAMME THAT WAS ADOPTED 15 OR 16 YEARS AGO THAT IS BY THE <del>THE MEETING</del> <b>METHOD OF BEST ALLOWING THE TERRITORY</b> .....</p> <p>..... BUT HE IS DOING THAT WHICH THE FACTS IN THE CASE CANNOT JUSTIFY .</p> <p>BISHOP: .....      COULDN'T YOU HAVE CALLED OUT THE AUTHORITIES AT CEDAR CITY , ACTING AS HIS AUTHORITIES THERE. I HAVE NOT REFERRED TO THE AUTHORITIES THERE. HOWARD: I WILL NOW <del>FW</del> <b>MODIFY</b> MY REMARKA A LITTLE. THERE NEVER HAS BEEN</p>	<p>NELSON, WHO HAS WORKED FROM THE BEGINNING TO THE END OF THIS CASE I HAVE NOT TAKEN A STEP BUT WHAT I HAVE FOUND HIM BY MY SIDE. I HAVE NOT MOVED IN A DIRECTION TOWARD [space]</p> <p>HIS GOOD SOUND JUDGMENT HAS ASSISTED ME HERE <del>DOWN/DONE</del>[?] IN THE <del>LANGUAGE/THING</del>[?] BUT HE SAYS THE CHURCH DON'T NEED DEFENDING [space] <del>←</del> [?]<del>→</del> I SAY [space] THE CHURCH DON'T NEED DEFENDING [space] BUT WE ARE <del>MET/MADE</del>[?] BY MY BROTHER BISHOP [space]</p> <p>MY PURPOSE TO SHOW YOU THAT JOHN D. LEE AND HIS COUNSEL IN MAKING THAT ASSERTION NOT ONLY CARRYING OUT THE PROGRAM THAT WAS ADOPTED 15 OR 16 YEARS AGO THAT IS TO BE <del>MADE/MD</del>[?] A <del>BSPTR</del>[?] IN THE WHOLE WORLD</p> <p>BUT HE IS DOING THAT WHICH THE FACTS IN THE CASE CANNOT JUSTIFY. [space]  <sup>778</sup>BISHOP I <del>CAN/CAN'T</del>[?] BELIEVE COULD NOT HE HAVE CALLED OUT THE AUTHORITIES AND <del>POSSES</del>[?] AT CEDAR CITY ACTING AS HIS AUTHORITIES THERE I HAVE NOT REFERRED TO THE AUTHORITIES AT ALL. <sup>779</sup>HOWARD I WILL NOW <del>MYSELF</del> [space] A LITTLE [space] THERE NEVER HAS BEEN</p>
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778. In the left margin in longhand: **BISHOP**.  
 779. In the left margin in longhand: **HOWARD**.

**BT**

**PS**

<p>TILL LAST THURSDAY AN INSINUATION OF ANY OTHER FACT THEN THAT BRIGHAM YOUNG, GEORGE A. SMITH <del>N</del>AND ALL THE HIGH CHURCH AUTHORITIES OF THE CHURCH COMMITTED THIS MURDER . BUT LET US TAKE IT THAT THIS DOCUMENTARY EVIDENCE <del>T</del>EXCUSES THESE MEN, AND NO DOUBT HE WANTS TO <b>PLACE PLAE</b> IT DOWN TO THE SUBBORDINATE BRANCH OF THE CHURCH AT CEDAT CITY. I ASK YOU, I ASK HIM, I ASK THIS COMMUNITY, <del>WHERE</del> <del>THERE IS</del> TO TELL ME WHERE THERE IS AN IOTA OF EVIDENCE THAT POINTS TO THE CHURCH AT CEADATR CITY OR TO ANY OFFICER OF THAT CHURCH AND MAKES THEM RESPONSIBLE FOR THE COMMISSION OF THIS <sup>[[15]]</sup> OFFENSE, EXCEPT THEY GET THAT EVIDENCE FROM THE STATEMENT FROM JOHN D. LEE WHEN HE IN HIS EFFORTS TO EXPALAIN WHY THIS THING WAS DONE WAS LAYING IT ON TO THE HEADOF SOME OFTHE CHURCH ATUHORITIES. THERE IS NOT A SHADOW OF EVIDENCE EXCEPT THE ASSERTION OF JOHN D: LEE THAT HE WAS ORDERED TO FDO THIS GREAT CRIME; AND IT IS FOR YOU TO SAY WHETHER YOUR CONFIDENCE IN THESE AUTHORITIES SHALL BE SHAKEN BY THE STATEMENTS OF A MAN WHO, BY THE TESTIMONY OFTHREE OR FOUR WITNESSES, WAS THERE IN THE VERY MIDST OF THIS <b>UNHOLY ENHOLY</b> MYURDER. IT IS FOR YOU TO SAY WHETHER HE HAVING MADE THESE STSTATEMENTS FOR THE PURPOSE NOT ONLY OF SHEALDING HIMSELF</p>	<p>TILL LAST THURSDAY AN INSINUATION OF ANY OTHER FACT THAN THAT BRIGHAM YOUNG GEORGE A SMITH <sup>[[6]]</sup> AND ALL THE HIGH CHURCH AUTHORITIES COMMITTED THIS MURDER [<i>space</i>] BUT LET US <del>TKST</del>[?] THAT THIS DOCUMENTARY EVIDENCE EXCUSES THESE MEN AND NOW HE WANTS TO PLANE IT DOWN TO THE SUBORDINATE <i>BRANCH</i>[?] OF THE CHURCH AT CEDAR CITY I ASK YOU I ASK HIM I ASK THIS COMMUNITY OR ANY <i>BRANCH</i>[?] IN IT TO TELL ME WHERE THESE IS ONE IOTA OF EVIDENCE THAT POINTS TO THE CHURCH AT CEDAR CITY OR TO ANY OFFICER OF THAT CHURCH AND MAKES THEM RESPONSIBLE FOR THE COMMISSION OF THIS OFFENSE EXCEPT THEY GET THAT EVIDENCE FROM THE STATEMENTS OF JOHN D. LEE WHEN HE IN HIS EFFORTS TO EXPLAIN WHY THIS THING WAS DONE WAS LAYING IT ON TO HEAD OF SOME OF THE CHURCH AUTHORITIES THERE IS NOT A SHADOW OF EVIDENCE EXCEPT THE ASSERTION OF JOHN D. LEE THAT HE WAS ORDERED TO DO THIS GREAT CRIME; AND IT IS FOR YOU TO SAY WHETHER YOUR CONFIDENCE IN THESE AUTHORITIES SHALL BE SHAKEN BY THE STATEMENTS OF A MAN WHO BY THE TESTIMONY OF 3 OR 4 WITNESSES WAS THERE IN THE VERY MIDST OF THIS UNHOLY MURDER. IT IS FOR YOU TO SAY WHETHER HE HAVING MADE THESE STATEMENTS FOR THE PURPOSE NOT ONLY OF SHIELDING HIMSELF</p>
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**BT**

**PS**

<p>BUT BY <del>THE</del> CRIPPLING THE WHOLE OF THESE AUTHORITIES AND ASKING THEM TO BEAR HIM THROUGH IN SAFETY. THESE STATEMENTS USUALLY UNDERMINE YOUR CONFIDENCE IN THE MEN WHO ARE IMPLICATED BY THEIR STATEMENTS. I AM WILLING, GENTLEMEN, THAT YOU SHOULD TAKE THE STATEMENTS OF JOHN D. LEE CHARGING THAT HE DID THIS BY AUTHORITY, CONSIDERING THE MAN THAT MADE THE STATEMENTS, CONSIDERING THE GREAT MOTIVE THAT ACTUATED HIM TO THROW THE BURDEN OF THIS OFFENSE FROM HIS OWN OWN SHOULDERS,</p> <p>AND THROW IT ON SOME OTHER MAN, AND SAY BY YOUR VERDICT WHETHER OR NOT THOSE STATEMENTS UNDER THOSE CURCUMSTANCES WILL UNDERMINE YOUR CONFIDENCE IN THE MEN WHO ARE IMPLICATED BY THE MEN WHO ARE IMPLICATED BY THESE STATEMENTS. NOW, I SAY THAT</p>	<p>AND BY CRIPPLING THE WHOLE OF THESE AUTHORITIES AND ASKING THEM TO BEAR HIM THROUGH IN SAFETY. THESE STATEMENTS <i>SHALL/USUALLY</i>[?] UNDERMINE YOUR CONFIDENCE IN THE MEN WHO ARE IMPLICATED BY THEIR STATEMENTS I AM WILLING GENTLEMEN THAT YOU SHOULD TAKE THE STATEMENTS OF JOHN D. LEE CHARGING THAT HE DID THIS BY AUTHORITY, CONSIDERING THE MAN THAT MAKES THE STATEMENT CONSIDERING THE GREAT MOTIVE THAT ACTUATED HIM TO THROW THE BURDEN OF THIS OFFENSE FROM HIS OWN SHOULDERS, FROM HIS OWN SHOULDERS <sup>[[7]]780</sup> THROW IT ON SOME OTHER MAN AND SAY BY YOUR VERDICT WHETHER OR NOT THOSE STATEMENTS UNDER THOSE CIRCUMSTANCES WILL UNDERMINE YOUR CONFIDENCE IN THE MEN WHO ARE IMPLICATED</p> <p>BY THESE STATEMENTS. NOW I SAY THAT</p>
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780. Longhand note at the top of the page is very faint and partially illegible:

*WHEN/THEM*[?] [space] PLEASE TO —[?] THIS IN *MUST*[?] *CAMP*[?] WILLING TO NEGOTIATE ALONG WITH THE BALANCE OF ~~ENOUGH~~ TO VERY[?] *POWER*[?] YOURSELF SOME OF THEM SEEM YOU MOMENT —[?]. SHORTHAND NOTE IN THE MARGIN READS: *WHAT*[?] DO YOU *STAND*[?] TO SAY CONCERNING THIS S MAN A *NOOSE/WHO KNOWS*[?] [space] JUST WHAT WE CAN STATE IN THIS *CONNECTION*[?] [space] *I KNOW THAT*[?] WHEN *THE/HE*[?] *STATES*[?] *GIVES COMMAND/COMES TO END*[?] EVERY THING SEEMS TO BE *-FR-PR*[?] CORROBORATE *OF/ALL*[?] [*TOO FAINT*]. PLEASE TO *LET/MEET*[?] JUST WHAT CAN STATE [space] KNOWING IT WOULD *APPEAR*[?] TO MANY —[?] OUT OF WHAT WAS TO BE [?] FROM THIS *SKNING/KLNING*!—[?] [space] WOULD BE INTERESTED IN THIS *CONNECTION*[?]. IN THIS *CONNECTION*[?] I HAVE GOT A RIGHT TO RECEIVE [space] *THEN SHOW WHY*[?] YOU *CAN/GAIN*[?] *A/AND*[?] *MF/MV*[?] *FROM THIS*!—[?] *TRUTH/TERRITORY*[?] *SML/SMR*[?] [space] *SINCE/AS SOON AS*[?] —[?] INTEREST IN THIS —[?] *WHEN IS THIS*[?] *NOW/KNOW*[?] IT WOULD *BRING*[?] AND *NOW/KNOW*[?] IT WOULD —[?].

**BT**

**PS**

PLUNDER WAS THE OBJECT OF THIS MURDER . I CALL YOUR ATTEMNTION TO JOHN D. LEE'S LETTER FOR TWO OR THREE PROPOSITIONS. I WILL NOW READ THE WHOLE OF IT: (COUNCSIEL READ LETTER) WE FIND IN THAT LETTER THIS SAYING, DEAR SIR, ( AND CONTINUED TO READ THE LETTER WHISCH WAS NOT TAKEN BY THE REPORTER) TAKE THAT REPORT AND HARMONIZE IT IF YOU CAN WITH THE IDEA THAT IT WAS A REPORT OF TRZNSACTION WHICH HAD BEEN **MADE** BY AUTHORITY OR ORDER TO ENTER UPON, AND SEE IF YOU CAN HARMONIZE IT. <sup>[[16]]</sup> TAKE THA T REPORT AND HOLD IT UP PARALLEL WITH THE IDEA THAT IT WAS COMMUNICATING TO BRIGHAM YOUNG THE FIRST KNOLEDGE HE HAD OF THAT TRANSACTION, AND WHERE DOES IT LEAVE IT? IF HE WAS ACTING AS AN OFFICER, IF HE HAD BEEN INSTRUCTED TO CARRY ON THAT MASSACRE, IF THE PROPERTY HE HAD RECEIVED HAD BEEN TAKEN INTO HIS HANDS BY MEANS OF THAT MASSACRE, AND WAS A LEGITIMATE PILE OF PLUNDER TO BE HANDED OVER TO HIS SUPERIOR OFFICERS HE WOULD HAVE NMADE A REPORT OF IT, OR HE WOULD HAVE EXCUSED HIMSELF FOR HE MUST HAVE KNOWN WHEN HE MADE THA T REPORT, IF MADE IN PURSUANCE OF PREVIOUS INSTRUCTION, THAT HE MUST GIVE SOME ACCOUNT OF THE PLUNDER THAT HE HAD RECEIVED. HOLD IT UP WITH THEIDEA THAT HE WENT IN THER TO MURDER THESE PEOPLE AND TAKE THEIR CATTLE

PLUNDER WAS THE OBJECT OF THIS MURDER. I CALL YOUR ATTENTION TO JOHN D. LEE'S LETTER FOR TWO OR 3 PROPOSITIONS. I WILL NOW READ THE WHOLE OF IT" [space] WE FIND IN THAT LETTER THIS LANGUAGE "DEAR SIR: [space] FOR MYSELF/FMSS[?]"

TAKE THAT REPORT AND HARMONIZE IT IF YOU CAN WITH THE IDEA THAT IT WAS A REPORT OF A TRANSACTION WHICH HE HAD BEEN BY AUTHORITY ORDERED TO ENTER UPON; SEE IF YOU CAN HARMONIZE IT. TAKE THAT REPORT AND HOLD IT UP PARALLEL WITH THE IDEA THAT IT WAS COMMUNICATING TO BRIGHAM YOUNG THE FIRST KNOWLEDGE HE HAD OF THAT TRANSACTION AND *WHERE[?]* DOES IT LEAVE IT IF HE WAS ACTING AS AN OFFICER, IF HE HAD BEEN INSTRUCTED TO CARRY ON THAT MASSACRE IF THE PROPERTY HE HAD RECEIVED HAD BEEN TAKEN INTO HIS HANDS BY MEANS OF THAT MASSACRE, AND WAS A LEGITIMATE PILE OF PLUNDER TO BE HANDED OVER TO HIS SUPERIOR OFFICERS HE WOULD HAVE MADE REPORT OF IT OR HE WOULD HAVE EXCUSED HIMSELF, FOR HE MUST HAVE KNOWN WHEN HE MADE THAT REPORT, IF MADE IN PURSUANCE OF PREVIOUS INSTRUCTION THAT HE MUST GIVE SOME ACCOUNT OF THE PLUNDER THAT HE HAD RECEIVED. HOLD IT UP WITH THE IDEA THAT HE WENT IN THERE TO MURDER THESE PEOPLE AND TAKE THEIR CATTLE



**BT**

**PS**

<p>AND THEIR HORSES AND THEIR WAGONS FOR HIS OWN INDIVIDUAL BENEFIT, AND YOU CAN SEE SOME BEARING THAT THE FALSITY HAS ON THE CASE BY WH CH HE UNDERATAKES TO MAKE THE AUTHORITIES BELIEVE THAT THIS WAS, <del>THAT THIS WAS</del> A COLD BLOODED MURDER INSTIGATED BY THE POISONING OFTHE OX AND SPRING; AND <del>THAT</del> <b>AFTER</b> THE PLUNDERING OF THE WAGONS, AND THE CATTLE HAD BEEN <del>TOO</del> <b>ALL</b> SHOT DOWN OR BURNT UP BY THE INDIANS, WE FIND CROPPING OUT <del>¶</del> IN THAT REPORT THE VERY MOTIVE THAT ACTUATED THIS MASSACRE, THAT OF PLUNDER, HE HAD RECEIVED BY THE MASSACRE OF THE EMIGRANTS, A LARGE NUMBER OF CATTLE, A LARGE NUMBER OF WAGONS HE TOOK CARE TO HAVE. HE SENT A MAN TO WATCH THEM THAT NIGHT <del>BEFORE</del> <b>BUT</b> THAT MAN <del>NEEVER</del> RECEIVED A FARTHING. <del>IF</del> <b>IS</b> THERE ANY EVIDENCE OF IT? DID THIS MAN, THAT MY FRIEND BISHOP TELLS YOU ABOUT, WERE IN CONSPIRACY WITH JOHN D. LEE, CARY OF ANY OF THAT PROPERTY. TAKE MCMURDY, TAKE <del>N</del>KNIGHT<del>S</del>. THEY TELL YOU THAT <del>¶</del>WHEN THEY LEFT THAT SCENE OF CARNAGE IT WAS JUST AS SOON AS THEY COULD RDRIVE AWAY, AFTER THE SCENE HAD BEEN ENACTED; BUT THE IDEA OF LEAVING THE PLUNDER, WHEN WE FIND JOHN D.</p>	<p>AND THEIR HORSES AND THEIR WAGONS FOR HIS OWN INDIVIDUAL BENEFIT AND YOU CAN SEE SOME BEARING THAT THAT FALSITY HAS UPON THE CASE, BY WHICH HE UNDERTAKES TO MAKE THE AUTHORITIES BELIEVE THAT THIS WAS A COLD BLOODED MURDER INSTIGATED BY POISONING AN OX AND SPRING<sup>781</sup> <i>[[8]]</i> AND THAT THE PLUNDER WAGONS CATTLE HAD BEEN ALL SHOT DOWN OR BURNED UP BY THE INDIANS, WE FIND <i>KEEPING/CROPPING[?]</i> OUT THERE IN THAT REPORT THE VERY MOTIVE THAT ACTUATED THIS MASSACRE THAT OF PLUNDER HE HAD RECEIVED BY THE MASSACRE OF THE EMIGRANTS A LARGE NUMBER OF CATTLE A LARGE NUMBER OF WAGONS HE TOOK CARE TO HAVE. HE SENT A MAN TO WATCH THEM THAT NIGHT, DID THAT MAN NEVER RECEIVED A FARTHING? ANY EVIDENCE OF IT? DID THESE MEN THAT MY FRIEND BISHOP TELLS YOU ABOUT WERE IN CONSPIRACY WITH JOHN D. LEE CARRY OFF ANY OF THAT PROPERTY? TAKE MCMURDY, TAKE KNIGHT, THEY TELL YOU THAT WHEN THEY LEFT THAT SCENE OF CARNAGE IT WAS JUST AS SOON AS THEY COULD DRIVE AWAY AFTER THE SCENE HAD BEEN ENACTED <i>BEFORE[?]</i> THE IDEA OF <i>LEAVING/HAVING[?]</i> PLUNDER BUT WE FIND JOHN D.</p>
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781. Very faint longhand note on the bottom, right-hand side of the page: **MOTION TO DISSOL – N[?] UPON SPRINGVILLE MOTION**. Small shorthand characters in the note on the top of image 625 are far too faint to read.

**BT**

**PS**

<p>LEE THERE WATCHING IT. DID THE INDIANS COMMIT THE OFFENSE FOR PLUNDER? NO, THEY WERE <sup>[[17]]</sup> WATCHING IT THAT THEY SHOULD NOT STEAL. IT IS UNNECESASARY TO PREVENT THEM FROM STEALING WHAT THEY HAD ACTUALLY CAPTURED. IT WAS WATCHED BY HIM. IT WAS CARRIED AWAY AND THE CATTLE THAT WEERE TAKEN FROM THESE EMIGRANTS WERE TAKEN TO HIS PLACE <del>OR AND</del> WERE SENT THERE. THEY WERE NOT BUTCHERED BUT ROAMED UPON THE HILLAS OF HARMONY ON JOHN D. LEE'S RANGE. I CARE NOT WHETHER IT IS A RANGE OF LIMITED EXTENT OR NOT. WHY SHOULD HE THINK THIS WAS A MASSACRE THE SCOULD NOT CONTROL. WHY SHOULD HE DELIBERATELY TWO MONTHS AFTER THAT TIME CONCEAL THE FACT THAT ALL THIS PROPLERTY CAME IN HIS HANDS? WHY SHOULD HE DELIBERATE UPON THE PLAN TO REPORT THAT THE PROPERTY HAD BEEN DESTROYED? WHY SHOULD HE SEND JOHNSON THERE TO KEEP THE INDIANS FROM TAKING THAT PROPERTY AWAY IF HE DIDN'T THEN DESIGN TO REDUCE IT TO HIS OWN POSSESSIOHN, AND USE IT FOR HIS OWN PURPOSE? THESE ARE FACTWS THAT CANNOT BE PUT OUT OF THIS CASE BY DENOUNCING THE WITNESSES; THESE ARE FACTS THAT CANNOT BE OVERCOME BY CALLING THE WITNESS A <del>PURGERED</del> <b>PERJURED</b> AND RED-HANDED WITNESS; <del>THESE</del></p>	<p>LEE THERE WATCHING IT. DID THE INDIANS COMMIT THE OFFENSE FOR PLUNDER? NO THEY WERE WATCHING THAT THEY SHOULD NOT STEAL, IT IS UNNECESSARY TO PREVENT THEM FROM STEALING WHAT THEY HAD ACTUALLY CAPTURED. IT WAS AS IT WAS WATCHED BY HIM. IT WAS CARRIED AWAY AND CATTLE THAT WERE TAKEN FROM THESE EMIGRANTS WERE TAKEN TO HIS PLACE <i>UP THERE</i>[?] AND WERE SEEN THOSE THAT WERE NOT BUTCHERED ROAM UPON THE HILLS OF HARMONY ON JOHN D. LEE'S RANGE I CARE NOT WHETHER IT IS A RANGE OF LIMITED EXTENT OR NOT WHY SHOULD HE THINK THIS WAS A MASSACRE THAT HE COULD NOT CONTROL [<i>space</i>] <i>HE HAD</i>[?] HIS LIFE TO CONTROL WHY SHOULD HE DELIBERATELY 2 MONTHS AFTER THAT TIME CONCEAL THE FACT THAT ALL THIS PROPERTY CAME INTO HIS HANDS? WHY SHOULD HE <sup>[[9]]</sup> DELIBERATING UPON A PLAN TO REPORT THAT THE PROPERTY HAD BEEN DESTROYED? WHY SHOULD HE SEND JOHNSON THERE TO KEEP THE INDIANS FROM TAKING THAT PROPERTY AWAY IF HE DIDN'T THEN DESIGN TO REDUCE IT TO HIS OWN POSSESSION AND USE IT FOR HIS OWN PURPOSE? THESE ARE FACTS THAT CANNOT BE PUT <i>TO/O</i>[?] THIS CASE BY DENOUNCING WITNESSES THESE ARE FACTS THAT CANNOT BE OVER COME BY CALLING THE WITNESSES PERJURED AND RED HANDED WITNESS</p>
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**BT**

**PS**

~~ARE FACTS THAT CANNOT BE OVER  
COME BY CALLING THE~~ THESE ARE  
FACTS **WE FIND THERE**  
**COMPOUNDED BY**

..... JOHN D. LEE 20  
YEARS AGO. THEY CAME UP HERE  
& **CONFRONTED HIM** .....  
THEN ISAY , GENTLEMEN, AND  
EVERY DOCUMENT ESTABLISHES A  
**THE** THEORY THAT THIS WAS AN  
INDIVIDUAL MURDER CARRIED ON  
FOR PLUNDER AND IN  
PURSUANCE OF THAT DESIGN, THE  
DOCUMENT WAS PENNED BY HIM  
TO MISLEAD THE AUTHORITIES. IS  
THERE A WORD SAID IN THAT  
DOCUMENT ~~BY~~ **ABOUT** THESE VERY  
RED HANDED VILLAINS? IS THERE A  
WORD SAID IN THAT DOCUMENT  
THAY ~~W~~THEY WERE COMPELLED  
TO DO WHAT THEY DID? IS THERE A  
EPHRASE IN THAT DOCUMENT  
REQUIRING THAT HE SHOULD HAVE  
BEEN FORCED BY ORDERS OF THE  
AUT~~H~~ORITIES HERE AT CEDAR TO  
FG O INTO THAT? IS THERE A  
SINGLE WORD SHOWING THAT  
JOHN D. LEE AT  
THAT MOMENT  
CHARGED ANYBODY ON THE FAC~~E~~  
OF THE EA~~R~~TH EXCEPT THE  
INDIANS, WITH BEING IN THE  
MASSAC~~E~~RE? <sup>[[18]]</sup> I TELL YOU  
WHERE IS SOMETHING THAT SHOWS  
WHAT HE IS:  
WHEN HE COMES  
TO SPEAK OF THAT OTHER  
COMPAN~~H~~Y AND ISN THE  
SAME DOCUMENT, HE TELLS THE  
PRESIDENT ~~THAT~~ THE NEXT  
COMPANY WERE SAVED BY THE  
INTERPOSITION OF COL DAME.  
NOW, TELL ME THAT A MAN HAS  
BEEN FORCED INTO THE

THESE ARE  
FACTS WE FIND THERE [*space*]  
*PUBLISHED*[?] BY  
JOHN D. LEE 20  
YEARS AGO THEY CAME UP HERE  
AND CONFRONT HIM.  
THEN I SAY GENTLEMEN AND  
EVERY DOCUMENT ESTABLISHES  
THE THEORY THAT THIS WAS AN  
INDIVIDUAL MURDER CARRIED ON  
FOR PLUNDER AND THAT IN  
PURSUANCE OF THAT DESIGN THE  
DOCUMENT WAS PENNED BY HIM  
TO MISLEAD THE AUTHORITIES. IS  
THERE A WORD SAID IN THAT  
DOCUMENT ABOUT THESE VERY  
RED HANDED VILLAINS? IS THERE A  
WORD SAID IN THAT DOCUMENT  
THAT HE WAS COMPELLED  
TO DO WHAT HE DID IS THERE A  
PHRASE IN THAT DOCUMENT  
REQUIRING THAT HE SHOULD HAVE  
BEEN FORCED BY ORDER OF THE  
AUTHORITIES HERE AT CEDAR TO  
GO INTO THAT? IS THERE A  
SINGLE WORD IN THAT DOCUMENT  
SHOWING THAT JOHN D. LEE AT  
THAT MOUNTAIN MEADOWS  
CHARGED ANYBODY ON THE FACE  
OF THE EARTH EXCEPT THE  
INDIANS WITH BEING IN THAT  
MASSACRE? I TELL YOU  
WHERE IS SOMETHING THAT SHOWS  
*TREADING/TREATING*[?] RIGHT FROM  
THE *LIFE/EARTH*[?] WHEN HE COMES  
DOWN TO SPEAK OF THAT OTHER  
EMIGRANT COMPANY AND IN THE  
SAME DOCUMENT HE TELLS THE  
PRESIDENT THAT THE NEXT  
COMPANY WERE SAVED BY THE  
INTERPOSITION OF COLONEL DAME.  
NOW TELL ME THAT THE MAN HAS  
BEEN FORCED INTO THE

**BT**

**PS**

MASSACRE. TELL ME THAT A MAN HAS BEEN ORDERED INTO THE MASSACRE. TELL ME THAT A MAN HAS EVEN BEEN IN A MASSACRE WHERE HE TOOK PART TO SAVE HIS OWN LIFE, AND WOULD WRITE A LETTER ABOUT IT TWO MONTHS AFTERWARDS AND WOULD NOTIFY ABOUT THE MASSACRE UPON UPON THAT GROUND. IF IT WERE TRUE THAT HE WERE THERE UPON AN ERRAND OF MERCY TO PROTECT THESE EMIGRANTS, AND THAT HE HAD BEEN ORDERED THERE FOR THAT PURPOSE. PRESIDENT YOUNG WOULD HAVE BEEN NOTIFIED OF IT IN THAT DOCUMENT. IT WOULD NOT HAVE RESTED 19 YEARS, AND THEN HAVE BEEN BROUGHT UP AS A FLIMSY DEFENSE WHEN THE CRIME IS BROUGHT HOME TO HIM. IF SO, JOHN D. LEE WOULD TELL THE TRUTH. IF HE WOULD EVER THROW THE RESPONSIBILITY OF THIS CRIME FROM HIS OWN SHOULDERS AND ON THE SHOULDERS OF OTHERS; IF HE WOULD EVER MAKE IT APPEAR THAT HE WAS ON AN ERRAND OF MERCY, — IT WOULD HAVE HAD BEEN WHEN THERE WAS PLACED IN THE ARCHIVES OF THIS TERRITORY THE DOCUMENT THAT WAS LIABLE TO REMAIN THERE UNTIL HE HAD PASSED FROM THE FACE OF THE EARTH. THIS PARTICULAR DOCUMENT COMES FROM THE TERRITORIAL ARCHIVES, WHERE IT SEEMS TO HAVE RESTED PERHAPS FOR A TWO-FOLD PURPOSE TO SHOW THAT WHEN HE WAS DRIVEN TO THE WALL AND OBLIGED TO GIVE SOME

MASSACRE; TELL ME <sup>[[10]]</sup> THAT THE MAN HAS BEEN ORDERED INTO THE MASSACRE TELL ME THAT THE MAN HAS EVEN BEEN IN A MASSACRE WHERE HE TOOK PART TO SAVE HIS OWN LIFE AND WOULD WRITE A LETTER ABOUT IT 2 MONTHS AFTERWARDS, AND WOULD NOTIFY ABOUT THE MASSACRE UPON THAT GROUND IF IT WERE TRUE THAT HE WAS THERE UPON AN ERRAND OF MERCY [space] TO PROTECT THESE EMIGRANTS [space] THAT HE HAD BEEN ORDERED THERE FOR THAT PURPOSE [space] PRESIDENT YOUNG WOULD HAVE BEEN NOTIFIED OF IT IN THAT DOCUMENT. IT WOULD NOT HAVE RESTED 19 YEARS, AND THEN HAVE BEEN BROUGHT UP AS A SLIMS[?] DEFENSE WHEN THE CRIME IS BROUGHT HOME TO HIM. IF EVER JOHN D. LEE WOULD TELL THE TRUTH IF HE WOULD EVER THROW THE RESPONSIBILITY OF THIS CRIME FROM HIS OWN SHOULDERS AND ON THE SHOULDERS OF OTHERS; IF HE WOULD EVER MAKE IT APPEAR THAT HE WAS ON AN ERRAND OF MERCY [space] IT WOULD HAVE BEEN WHEN THERE WAS PLACED IN THE ARCHIVES OF THIS TERRITORY THE DOCUMENT THAT WAS LIABLE TO REMAIN THERE UNTIL HE HAD PASSED FROM THE FACE OF THE EARTH. THIS VERY DOCUMENT COMES FROM THE TERRITORIAL ARCHIVES WHERE IT SEEMS TO HAVE RESTED PERHAPS FOR THE TWO FOLD PURPOSE OF SHOWING THAT WHEN HE WAS DRIVEN TO THE WALL & OBLIGED TO GIVE SOME

**BT**

**PS**

<p>EXPLENATION OF HIS CONDUCT THAT HE THEN AND THERE LAID IT ENTIRELY UPON THE SAVAGES, AND FOR THE OTHER PURPOSE OF ASSISTING THE <del>TRYTORS</del> AUTHORITIES WHO.....</p> <p>..... ; TO SHOW THAT WHEN HE MADE THE DOCUMENT TWO MONTHS AFTER THE COMMISSION OF THE OFFENSE, THEY THATY HAD NO OTHER KNOWLEDGE, NO <del>F</del>OTHER SUSPICION THAT THIS CRIME HAD BEEN PERPETRATED BY <del>J. D.</del> JOHN D. LEE, BUT THEIR KNOWLEDGE RESTED <del>RESTED</del> UPON <del>WHAT</del> WHAT HAD BEEN REPRESENTED. AND THE ONLY INFERENCE FROM THAT <sup>[[19]]</sup> REPORT WAS THAT IT WAS DONE BY THE INDIANS ALONE UPON THE GROUND. THERE IS ONE THING, GENTLEMEN, IN THIS CASE, THAT I ASSKK YOU AND PUBLICLY TO DECIDE. I MAY NEVER UNDERSTAND IT BUT I ASK YOU TO UNDERSTAND IT, AND THAT IS WHY IT WAS NECESSARY TO HAVE ANY CONSULTATION AT CEDAR AT ALL. NOW, IT WAS NOT BECAUSE OF ANY PROCLAMATION—BECAUSE OF ANY PROCLAMATION THAT HAD REACHED CEDAR O<del>TR</del> THE PEOPLE. IT WAS NOT BECAUSE OF THE DESPERATE STATE OF THE COUNTRY FOR THE INDIVIDUALS THAT CAME THERE WEEKS AFTER THAT ONLY - ?</p> <p>..... THERE MAY BEE SOME TROUBLE FROM THE OUTSIDE. WHY WAS IT THAT THERE WAS ANY DISCUSSION ANY MORE ABOUT THESE EMIGRANTS THAN ANY OTHERS?</p>	<p>EXPLANATION OF HIS CONDUCT, THAT HE THEN AND THERE LAID IT ENTIRELY UPON THE SAVAGES FOR THE OTHER PURPOSE OF ASSISTING THE <i>AUTHORITIES</i>[?] WHO STAND [<i>space</i>] TO SHOW THAT WHEN HE MADE THE DOCUMENT 2 MONTHS AFTER THE COMMISSION OF THE OFFENSE THEY THAT HAD NO OTHER KNOWLEDGE NO OTHER SUSPICION THAT THIS CRIME HAD BEEN PERPETRATED BY JOHN D. LEE BUT THEIR KNOWLEDGE RESTED UPON HIS REPORT <sup>[[11]]</sup> AND THE ONLY INFERENCE FROM THAT REPORT WAS THAT IT WAS DONE BY THE INDIANS ALONE HE DID NOT EVEN SAY HE WAS UPON THE GROUND. THERE IS ONE THING GENTLEMEN IN THIS CASE THAT I ASK YOU AND PUBLIC TO DECIDE. I HAVE MAY NEVER UNDERSTAND IT BUT I ASK YOU TO UNDERSTAND IT, AND THAT IS WHY IT WAS NECESSARY TO HAVE ANY CONSULTATION AT CEDAR AT ALL. NOW IT WAS NOT BECAUSE OF ANY PROCLAMATION BECAUSE NO PROCLAMATION HAD REACHED PEOPLE AT CEDAR, IT WAS NOT BECAUSE OF THE DESPERATE STATE OF THE COUNTRY FOR THE INDIVIDUALS THAT CAME THROUGH WEEKS AFTER THAT ONLY — [<i>space</i>] AND <i>CORRECT</i>[?] THERE MAY BE SOME TROUBLE FROM THE OUTSIDE. WHY WAS IT THAT THERE WAS ANY DISCUSSION ANY MORE ABOUT THAT —[?]</p> <p>EMIGRANTS,</p>
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**BT**

**PS**

THE PROOF SHOWS THIS STATE OF FACTS, THAT THEY IN PASSING ALONG DOWN, HAD BEEN IN THE HABIT OF SHOOTING CHICKENS, USING INSULTING LANGUAGE AND AS MY FRIEND BISHOP SAID TO US MORE THAN ONE OF THEM HAD MADE THE BOAST THAT HE HAD BEEN ONE OF THE MEN WHO ASSASSINATED JOSEPH SMITH, AND THE PEOPLE WERE EXCITED. YOU MAY TAKE IT THAT YOU KNOW MORE ABOUT IT THAN I DO. TAKE THAT FACT, THE ASSASSINATION OF JOSEPH SMITH, IT IS A FACT THAT THE PEOPLE OF THIS TERRITORY ARE PECULIARLY SENSITIVE HERE. THESE EMIGRANTS HAD BEEN PASSING ALONG DOWN, HAD BEEN MAKING THESE THREATS, BEEN ARRESTED PART OF THEM FOR PROFANITY, AND THE DIFFICULTY THAT AROSE WAS OF SUFFICIENT MAGNITUDE TO CALL TOGETHER THAT COUNSEL. THEY CAME TOGETHER AS YOU KNOW THEY DID COME TOGETHER. LEE WAS NOT THERE. HE WAS DOWN BELOW; **GENTLEMEN OF THE JURY** AND I THINK WE WILL NEVER GET AT THE FACTS. I BELIEVE WE ARE WARRANTED ~~IN SAYING~~ AND BECAUSE OF THE DANGER ARISING FROM JOHN D. LEE'S INFLUENCE WITH THE INDIANS IN REGARD TO THEM THERE UPON THE PRETEXT THAT THERE WAS TRUTH IN THE STORY THAT THEY TOLD, THAT THEY HAD BEEN ACCUSED OF THE ASSASSINATION OF JOSEPH SMITH AND BECAUSE OF <sup>[[20]]</sup> THE TROUBLE THEY HAD HAD IN THE DIFFERENT VILLAGES OR CITIES

THE PROOF SHOWS THIS STATE OF FACTS [space] THAT THEY IN PASSING ALONG DOWN, HAD BEEN IN THE HABIT OF SHOOTING CHICKENS, USING INSULTING LANGUAGE, AND AS MY FRIEND BISHOP SAID TO US MORE THAN ONE OF THEM HAD MADE THE BOAST THAT HE HAD BEEN ONE OF THE MEN WHO ASSASSINATED JOSEPH SMITH, AND PEOPLE WERE EXCITED. YOU MAY TAKE IT YOU KNOW MORE ABOUT IT THAN I DO. TAKE THAT FACT, THE ASSASSINATION OF JOSEPH SMITH IS A FACT THAT THE PEOPLE OF THIS TERRITORY ARE PECULIARLY SENSITIVE HERE. THESE EMIGRANTS HAD BEEN PASSING ALONG DOWN, HAD BEEN MAKING THESE THREATS, BEEN ARRESTED PART OF THEM FOR PROFANITY, AND THE DIFFICULTY THAT AROSE WAS OF SUFFICIENT MAGNITUDE TO CALL TOGETHER THAT COUNCIL. THEY CAME TOGETHER AS YOU KNOW THEY DID COME TOGETHER. LEE WAS NOT THERE, HE WAS DOWN BELOW. **GENTLEMEN OF THE JURY** AND ALTHOUGH WE WILL NEVER GET AT THE FACTS I BELIEVE WE ARE WARRANTED —[?] [space] BECAUSE OF THE DANGER ARISING FROM <sup>[[12]]</sup> JOHN D. LEE'S INFLUENCE WITH THE INDIANS IN REGARD TO THEM THERE UPON THE PRETEXT THAT THERE WAS TRUTH IN THE STORY THAT THEY TOLD THAT THEY HAD BEEN ACCUSED OF THE ASSASSINATION OF JOSEPH SMITH, AND BECAUSE OF THE TROUBLE THEY HAD HAD IN THE DIFFERENT VILLAGES OR CITIES

**BT**

**PS**

<p>THROUGH WHICH THEY HAD PASSES, I AM JUSTIFIED IN THAT CONCLUSION BY THIS LITTLE FACT. JOEL WHITE WHEN HE STARTS DOWN FROM CEDAR AND MEETS JOHN D. LEE DOESN'T START FROM THIS COUNCIL THEMSELVES,— LONG BEFORE THE COUNCIL HAD SENT THE MEAN OFF TO SALT LAKE, FOR HE TELLS YOU—WHITE TELLS YOU THAT WHEN HE WENT DOWN THERE AND PASSED LEE LEE ASKED HIM WHERE HE WAS GOING, “TO CARRY WORD TO ROBINSON TO SEE THAT THIS EMIGRANT COMPANY PASSED ALONG WITH OUT TROUBLE.” NEXT MORNING IN COMING BACK WHEN COMING BACK THEY DIDN'T REACH THE MEADOWS. THIS WAS SOME TIME BEFORE THE COUNCIL WAS HELD. THIS MATTER WAS BEING AGITATED ALL THROUGH THIS TIME. AND WHEN IT CAME TO THE POINT, AND YOU FIND MR. MORRIL AND OTHERS OPPOSED IT THERE, AND THEY INSISTED THAT THE EMIGRANTS SHOULD BE ALLOWED TO PASS THROUGH; THAT AT THAT TIME INO MENTION OR IDEA OF MURDERING THESE EMIGRANTS WAS CONTEMPLATED OR SPOKE OF TILL THE SUBJECT OF <del>THEIR DESTRUCTION</del>”WHAT SHALL WE DO WITH THEM?” SHALL WE AREREST THEM FOR THEIR THREATS? SHALL WE PUNISH THEM FOR WHAT SOME OF THEM HAVE SAID, THAT THEY HAD HAD A HAND IN THE ASSASSINATION OF JOWEPH SMITH BACK IN THE STATE OF</p>	<p>THROUGH WHICH THEY HAD PASSED, I AM JUSTIFIED IN THAT CONCLUSION BY THIS LITTLE FACT. JOEL WHITE WHEN HE STARTS DOWN FROM CEDAR AND MEETS JOHN D. LEE, DOESN'T START FROM THIS COUNCIL FOR IS LONG BEFORE THE COUNCIL THAT SENT THE MAN TO SALT LAKE FOR HE TELLS YOU WHITE TELLS YOU THAT WHEN HE WENT DOWN THERE AND PASSED LEE LEE ASKED HIM WHERE HE WAS GOING TO CARRY WORD TO ROBINSON TO SEE THAT THESE EMIGRANT PASSED ALONG WITHOUT TROUBLE. NEXT MORNING GOING BACK DIDN'T REACH THE MEADOWS THIS WAS SOME TIME BEFORE THE COUNCIL WAS HELD THIS MATTER WAS BEING AGITATED ALL THROUGH THIS TIME AND WHEN IT CAME TO THE POINT [space] YOU[?] FIND MR. MORRIL THERE AND HE INSISTED THAT THE EMIGRANTS SHOULD BE ALLOWED TO PASS THROUGH [space] —THAT AT THAT TIME HAVE NO MENTION IN THAT COUNCIL OR IDEA OF MURDERING THESE EMIGRANTS WAS CONTEMPLATED OR SPOKE OF, TILL THE SUBJECT OF DISCUSSION WAS WHAT SHALL WE DO WITH THEM SHALL WE ARREST THEM FOR THEIR THREATS SHALL WE PUNISH THEM FOR WHAT SOME OF THEM HAS SAID THAT THEY HAD HAD A HAND IN &lt; 782&gt;BACK IN THE STATE OF</p>
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782. Insertion mark without an insertion.

<p>ILLINOIS? THAT WAS THE EXTENT OF THAT <b>DISCUSSION</b> <del>DISCUSSION</del>— THE IDEA THAT THEY WERE DISCUSSING THERE PUBLICLY.— MR. MORRIL AND OTHERS. <del>AND OTHERS.</del>— WHETHER THEY SHOULD MURDER THE EMIGRANTS OR NOT IS ENTIRELY UNFOUNDED IN FACT. THERE IS NO EVIDENCE OF IT, AND THE TRUTH IS THAT WHEN THE QUESTION <del>AS IS</del> RAISED AS TO WHAT WAS DISCUSSED IN THAT COUNCIL, <del>AND</del> <b>NOT</b> THAT IDEA OF THE MURDER OF THE EMIGRANTS <del>OR</del> <b>BUT</b> THE DESTRUCTION OF THE EMIGRANTS WAS <del>AT</del> <b>THE MATTER UNDER DISCUSSION, NOT DISCUSSED.</b> BISHOP:</p> <p>.....AFTER THE HEARING OF MR. MORRILL'S TESTIMONY THAT IT WAS TALKED OVER ABOUT THE KILLING OF THE EMIGRANTS, DID HE STATE THAT HE SAID THAT KLINGENSMITH AND HAIGHT WERE IN FAVOR OF THE KILLING OF THE <sup>[[21]]</sup> EMIGRANTS AND THAT KLINGENSMITH WAS THE WORST MAN. HOWARD: ANYTHING THAT YOU CHARGE KLINGENSMITH SAID I AM WILLING TO ADMIT. I ASSUME THAT THAT COUNCIL WAS NOT ALTOGETHER <del>TOGETHER</del> TO DECIDE WHETHER THEY SHOULD KILL THESE EMIGRANTS AT ALL. BUT WHETHER THIS IS A MATERIAL FACT OR NOT THIS IS THE TRUTH, AND IS CANNOT BE DISPUTED, THAT IT WAS THEN AGREED <del>THAT</del> <del>THAN</del> NOTHING SHOULD BE DOWN <del>W TH</del> WITH THE</p>	<p>ILLINOIS THAT WAS THE EXTENT OF THAT DISCUSSION THE IDEA THAT THEY WERE DISCUSSING THERE PUBLICLY [space] MORRIL, AND OTHERS WHETHER THEY SHOULD MURDER THESE <sup>[[13]]</sup> EMIGRANTS OR NOT IS ENTIRELY UNFOUNDED; IN FACT. THERE IS NO EVIDENCE OF IT, AND THE TRUTH IS, THAT WHEN THE QUESTION IS RAISED AS TO WHAT WAS DISCUSSED IN THAT COUNCIL NOT THAT IDEA OF THE MURDER OF THE EMIGRANTS OR THE DESTRUCTION OF THE EMIGRANTS WAS THE MATTER UNDER DISCUSSION [space] <sup>783</sup>BISHOP [space] HAVE TO CALL FOR</p> <p>A READING OF MORRILL'S TESTIMONY THAT IT WAS TALKED OVER ABOUT KILLING EMIGRANTS I STATE THAT HE SAID THAT KLINGEN SMITH AND HAIGHT WERE IN FAVOR OF THE KILLING OF THE EMIGRANTS AND THAT KLINGEN SMITH WAS THE WORST MAN [space] HOWARD: ANYTHING THAT YOU CHARGE KLINGEN SMITH SAID I WILL ADMIT. [space] I ASSUME THAT THE COUNCIL WAS NOT CALLED TOGETHER TO DECIDE — [space] COMPANY/COME/— [?] [space] BUT WHETHER THIS IS A MATERIAL FACT OR NOT, THIS IS TRUE, AND IT CANNOT BE DISPUTED THAT IT WAS THEN AGREED THAT NOTHING SHOULD BE DONE WITH THE</p>
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783. In Rogerson's longhand in the left margin: **BISHOP.**





**BT**

**PS**

BEAVER TO PROTECT THAT COMPANY OF EMIGRANTS IF MURDER WAS IN HEIR HREARTS? WHY SHOULD THEY COME HERE TO THIS CAMP OF EMIGRANTS AND FURNISH TEN MEN FROM BEA#VER BY THE DIRECTION OF THE THEN ACTING BISHOP <sup>[[22]]</sup> AND GO OVER ANDD BRING THE EMIGRANTS TOGETHER THAT HAD BEEN DIVIDED HERE, IF THEIR POLICY THERE WAS NOT CONSISTENT #WITH THE ORDERS THAT #CAME FROM SALT L KE CITY AFTERWARDS, IF THE POLIFCY WAS THAT OF MURDERING TO PLUNDER. THEREIS ANOTHER FACT. THIS VERY MAN, NEPHI JOHNSON, ~~THEN LEFT THEM~~, A STRIPLING OF A BAOY WAS SENT BY THE AUTHORITIES AT CEADAR CITY, NOT BY JOHN D. LEE;. HE WAS SENT BY THE VERY MEAN THEY TELL YOU HAD A DAY OR TWO N BEFORE GIVEN ORDERS FOR THE MASSACRE OF THIS WHOLE ~~COMPANY. MASSACRE;~~ HE HAWAS SENT TO CARRY THE MESSAGE AND TAKE CARE OF THE EMIGRANTS, AND TO PILOT THEM THROUGH THE COUNTRY IN TO THE DESERT BELOW. WHY, THIS CHANGE OF POLICY, TO ASK A COMPANY OF MEN—ORGANIZATION OF MEN, WITH THEIR OFFICERS AND PRIVATE INDIVIDUALS ALL DAY RIDING THEIR HORSES, TRAVELING BY NIGHT, SELEVCTING THEIR INTERPRETERS, MEN OF INFLUENCE T O PILOT THE EMIGRANTS THROUGH SAFELY AND TO KEEP THEM FROM THE ATTACKS OF THE SAVAGES; AND THE NEXT DAY OR ~~TO HERE THE DAY~~ DAY OR

BEAVER TO PROTECT THAT COMPANY OF EMIGRANTS IF MURDER WAS IN THEIR HEARTS WHY SHOULD THEY COME HERE TO THIS CAMP OF EMIGRANTS AND FURNISH COMPANY OF MEN FROM BEAVER BY THE DIRECTION OF THE THEN ACTING BISHOP TO GO OVER AND BRING THE EMIGRANTS TOGETHER THAT HAD BEEN DIVIDED HERE, IF THEIR POLICY THERE WAS NOT CONSISTENT WITH THE ORDERS THAT CAME FROM SALT LAKE AFTERWARDS, IF ~~THE~~[?] POLICY WAS THAT OF MURDERING TO PLUNDER. THERE IS ANOTHER FACT. THIS VERY MAN, NEPHI JOHNSON ALTHOUGH THEN A STRIPLING OF A BOY, WAS SENT BY THE AUTHORITIES AT CEDAR = NOT BY JOHN D. LEE =HE WAS SENT BY THE VERY MAN THEY TELL YOU HAD A DAY OR TWO BEFORE GIVEN ORDERS FOR THE MASSACRE OF THIS WHOLE COMPANY; HE WAS SENT TO GUARD AND TAKE CARE OF EMIGRANTS <sup>[[15]]</sup> TO PILOT THEM THROUGH THE COUNTRY IN TO THE DESERT BELOW. WHY THIS CHANGE OF POLICY TO ~~USE~~[?] A COMPANY OF MEN = ORGANIZATION OF MEN, WITH THEIR OFFICERS AND PRIVATE INDIVIDUALS ALL DAY RIDING THEIR HORSES, TRAVELING BY NIGHT, SELECTING THEIR INTERPRETERS AND MEN OF INFLUENCE TO PILOT EMIGRANTS THROUGH SAFELY AND TO KEEP THEM FROM THE ATTACKS OF THE SAVAGES, AND THE NEXT DAY THE DAY BEFORE

**BT**

**PS**

**TWO SAY THEY ORDERED THE MEN**~~BEFORE WAS THAT ORDERING~~  
~~>OF EN~~ TO SLAUGHTER AND COMMIT OUTRAGES SUCH AS THEAT ~~COMMITTED~~ COMMITTED AT THE MOUNTAIN MEADOWS IS INCONSISTANT. THEIR WHOLE POLICY IS FORESHADOWED BY THESE ACTS AS SHOWN BY THESE ACTS AS FORESHADOWED BY THE ANXIETY TO ~~¶~~ SEE THE EMIGRANTS THROUGH, DOES AWQAY WITH THE IDEA THAT JOHN D. LEE HASD ANY AUTHORITY TO DO WHAT HE DID. NOW, IT STRIKES ME THAT THIS THING IS GETTING DOWN PRETTY CLOSE TO AN INDIVIDUAL MATTER ~~WITH THAT~~ JOHN D. LEE ~~CANNOT~~; THAT IT IS A MATTER THAT THEY CANNOT ~~PASS~~ ~~BY~~ OPPOSE BY SIMPLE ASSERTION AND THROW IT UPON ANYBODY ELSE. BUT THEY TELL US THAT OUR WITNESSES WERE IN A CONSPIRACY; THAT EVERY MAN WE HAVE BROUGHT HERE AND INTRODUCED ON THIS STAND SHOULD BE ~~S~~DISBELIEVED BECAUSE OF THE PART THEY TOOK IN THIS MATTER. THEY ARGUE THAT OUR WITNESSES ARE UNWORTH OF BELIEF, BECAUSE THEY HAVE NE~~CV~~R TOLD OF THIS MATTER BEFORE. I HAVE SAID ALL THAT IS NECESSARY TO BE SAID UPON THAT, ~~AND~~ KNOWING THE MEN~~¶~~. <sup>[[23]]</sup> **I KNOW** THAT THERE NEVER HAS ~~HAS~~ BEENA A TIME IN THE HISTORY OFTHIS TERRITORY WHEN WITNESSES HAVE BEEN CALLED UPON TO GIVE THEIR TESTIMONY IN REGZARD TO THE MOUNTAIN MEADOW MASSACRE. WITH NO IDEA WHATEVER

TO SAY THEY ORDERED THE MAN TO SLAUGHTER AND COMMIT OUTRAGES SUCH AS THAT COMMITTED AT THE MOUNTAIN MEADOWS IS INCONSISTENT THEIR WHOLE POLICY IS FORESHADOWED BY THESE ACTS IS SHOWN BY THESE ACTS IS FORESHADOWED BY THEIR ANXIETY TO SEE THE EMIGRANTS THROUGH DOES AWAY WITH THE IDEA THAT JOHN D. LEE HAD ANY AUTHORITY TO DO WHAT HE DID DO. [space] NOW IT STRIKES ME THAT THIS THING IS GETTING DOWN PRETTY CLOSE TO AN INDIVIDUAL MATTER *THAT/WITH*[?] JOHN D. LEE THAT IT IS A MATTER, THAT WE CAN POSE SIMPLE ASSERTION AND THROW IT ALL UPON ANYBODY ELSE. BUT THEY TELL US THAT OUR WITNESSES WERE IN A CONSPIRACY; THAT EVERY MAN WE HAVE BROUGHT HERE AND INTRODUCED ON THIS STAND SHOULD BE DISBELIEVED, BECAUSE OF THE PART THEY TOOK IN THIS MASSACRE. THEY ARGUE THAT OUR WITNESSES ARE UNWORTHY OF BELIEF BECAUSE THEY HAVE NEVER TOLD OF THIS MATTER BEFORE. I HAVE SAID ALL I THINK IS NECESSARY UPON THAT [space] KNOWING **THE** MEN. [space] THAT THERE NEVER HAS BEEN A TIME IN THE HISTORY OF THIS TERRITORY WHEN WITNESSES HAVE BEEN CALLED UPON TO GIVE THEIR TESTIMONY IN REGARD TO THE MOUNTAIN MEADOW MASSACRE,

**BT**

**PS**

WITHOUT ANY **OTHER IDEA THAN**  
~~OF~~ IMPLICATING THE AUTHORITIES;  
AND ~~FROM~~ THIS IDEA  
NO ~~FO~~ OTHER PROSECUTION EVER  
HAD ~~WAS~~ OF BRINGING IT RIGHT  
DOWN TO THE GUILTY PARTIES  
WHO PERPETRATED THE  
OUTRAGE. I AM JUSTIFIED IN  
THAT CONCLUSION. YOU TAKE  
THESE MEN THAT HAVE BEEN  
INTRODUCED HERE AS WITNESSES.  
WHY SHOULD THEY WHEN THE  
AUTHORITIES OF THE TERRITORY,  
WHEN THE WHOLE COUNTRY  
WAS ARRAIGNING THIS TERRITORY  
FOR THIS TERRIBLE CRIME AND  
CHARGING IT UPON IT AND  
BROUGHT SOMETHING OF A  
POLITICAL NATURE BEFORE ANY  
OTHER THING WAS MADE UPON  
A PRECONCEIVED IDEA THAT THIS  
WHOLE TERRITORY WAS  
COVERED WITH THE BLOOD OF  
THESE EMIGRANTS. WHAT COURSE  
HAD THEY TO PERSUE BUT JUST  
THE COURSE THEY DID FOLLOW.  
MEN ~~NO~~ IN PUBLIC POSITION THAT  
ARE FAVORITES OCCUPYING THE  
UPPER PARTS OF THIS TERRITORY,  
STANDING THERE WITH  
THIS GREAT CRIME, HURLED  
RIGHT IN THE TEETH OF THIS VERY  
COMMUNITY, THIS CRIME THROWN  
UPON THEM AND THEIR  
ASSOCIATIONS IN RELIGIOUS AND  
POLITICAL LIFE AS A TERRITORIAL  
OFFENSE. WHAT COULD THEY DO?  
~~Q.~~ JOHN D. LEE HAS JUST HAD  
SHREWDNESS ENOUGH TO  
ENCOURAGE AND CARRY ON THAT  
VERY IDEA AND TO DAY HIS  
COUNSEL STANDS UP HERE AND  
DOES ALL HE CAN TO MAKE YOU  
BELIEVE AND MAKE THE

*WITH/WITHOUT*[?] ANY IDEA THAN  
ARROGATING THE AUTHORITIES  
IN THE FACE AND FROM THIS IDEA  
NO OTHER PROSECUTION EVER  
*HAD*[?] WAS OF BRINGING IT RIGHT  
DOWN TO THE GUILTY PARTIES  
WHO PERPETRATED THE  
OUTRAGE <sup>[[16]]</sup> I AM JUSTIFIED IN  
THAT CONCLUSION. YOU TAKE  
THESE MEN THAT HAVE BEEN  
INTRODUCED HERE AS WITNESSES.  
WHY SHOULD THEY WHEN THE  
AUTHORITIES OF THE TERRITORY  
AND WHEN THE WHOLE COUNTRY  
WAS ARRAIGNING THIS TERRITORY  
FOR THIS TERRIBLE CRIME AND  
CHARGING IT UPON IT AND  
BROUGHT *SOMETHING*[?] OF A  
POLITICAL NATURE BEFORE ANY  
OTHER *THING/N*[?] WAS MADE UPON  
A PRECONCEIVED IDEA THAT THIS  
WHOLE TERRITORY WAS  
COVERED WITH THE BLOOD OF  
THESE EMIGRANTS. WHAT COURSE  
HAD THEY TO PURSUE BUT JUST  
THE COURSE THEY DID FOLLOW.  
MEN NOT IN PUBLIC POSITION THAT  
ARE FAVORITES OCCUPYING THE  
UPPER PARTS OF THIS TERRITORY  
STANDING THERE *UNITED*[?] WITH  
THIS GREAT CRIME HURLED  
RIGHT IN THE VERY TEETH OF THIS  
COMMUNITY THIS CRIME THROWN  
UPON THEM AND THEIR  
ASSOCIATIONS IN RELIGIOUS AND  
POLITICAL LIFE AS A TERRITORIAL  
OFFENSE. WHAT COULD THEY DO?  
JOHN D. LEE HAS JUST HAD  
SHREWDNESS ENOUGH TO  
ENCOURAGE AND CARRY ON THAT  
VERY IDEA AND TODAY HIS  
COUNSEL STANDS UP HERE AND  
DOES ALL HE CAN TO MAKE YOU  
BELIEVE, AND TO MAKE THE

**BT**

**PS**

<p>WORLD BELIEVE THAT JOHN D. LEE IS BEING SACRIFICED FOR THE PURPOSE OF SAVING ANY FURTHER INSINUATIONS <del>UPON THEM</del> OF THAT KIND UPON THE REPUTATION OF THIS TERRITORY. <del>W</del>NOW, WHAT IS SACRIFICE? A MAN WHO IS SACRIFICED FOR THE <del>B</del>GOOD OF ANOTHER-; A MAN WHO IS SACRIFICED FOR THE GOOD OF A <del>A</del>COMMUNITY; A MAN WHO IS SACRIFICED FOR THE CAUSE OF TRUTH AND RIGHT; AND ALL SUCH AS THIS MAY PROPERLY BE CALLED A SACRIFICE. BUT WHEN A COMMUNITY , A CHURCH OR A STATE <sup>[[24]]</sup> STANDING BEFORE A MAN WHO UNDERTAKES TO <del>C</del>ONVER HIS OWN CRIME AND <del>I</del>NOFAMY BY STICKING HIMSELF <del>I</del>N THE DIRECTION OF THE SHADOW OF THAT COMMUNITY. <del>W</del>HEN THEY EVER SEEK, WHEN THAT VERY INSINUATION COVERS A WHOLE COMMUNITY WITH INFAMY AND DISGRA<del>V</del>CE-, HE A ND HIS COUNSEL STANDS UP AND BOLDLY CALLS THAT A SACRIFICE. IT IS JUST TO HERALD HIM <del>UP OR HOLD HIM UP TO THE WORLD</del> , OR TO HOLD HIM UP TO THE WORLD. IT IS SELF DEFENSE OF YOURSELVES. IT IS SELF PROTECTION OF YOURSELVES THAT THIS MAN <del>WHO</del> WHO IS <b>GUILTY WHOSE GUILT</b> SHOULD <del>SHOULD</del> BE EXECUTED FROM HIS CRIMES; FOR THE WORLD SHOULD KNOW WHERE THE CRIME RESTS, AND THAT IT IS AN <del>AN</del> INDIVIDUAL AND NOT A TERRITORIAL. IT IS SELF DEFENCE TO YOU THAT YOU SHOULD SAY TO HIM, “IF YOU EVER HAD AN AUTHORITY</p>	<p>WORLD BELIEVE THAT JOHN D. LEE IS TO BE SACRIFICED FOR THE PURPOSE OF SAVING ANY FURTHER INSINUATIONS OF THAT <i>KIND</i>[?] UPON THE REPUTATION OF THIS TERRITORY. NOW WHAT IS SACRIFICE? A MAN WHO IS SACRIFICED FOR THE GOOD OF ANOTHER A MAN WHO IS SACRIFICED FOR THE GOOD OF COMMUNITY, A MAN WHO IS SACRIFICED TO THE CAUSE OF TRUTH AND RIGHT AND JUSTICE MAY PROPERLY BE CALLED A SACRIFICE, BUT WHEN A COMMUNITY A CHURCH OR A STATE STANDING A MAN WHO UNDERTAKES TO COVER HIS OWN CRIME AND INFAMY BY STICKING HIMSELF IN THE DIRECTION OF THE SHADOW OF THAT COMMUNITY WHEN THAT <sup>[[17]]</sup> VERY <i>KLK/CLACK</i>[?] WHEN THAT VERY INSINUATION COVERS A WHOLE COMMUNITY WITH INFAMY AND DISGRACE AND HIS COUNSEL STANDS UP AND <i>VERY</i>[?] <i>PR</i>[?] CRIES AND CALLS THAT A SACRIFICE IT IS JUSTICE TO HERALD HIM <i>AND</i>[?] TO HOLD HIM UP TO THE WORLD IT IS SELF DEFENSE OF YOURSELVES [<i>space</i>] IT IS SELF PROTECTION OF YOURSELVES [<i>space</i>] BUT THIS MAN IF HE IS GUILTY SHOULD BE EXECUTED FOR HIS CRIMES FOR THE WORLD SHOULD KNOW WHERE THE CRIME RESTS THAT IT IS AN INDIVIDUAL AND NOT A TERRITORIAL OFFENSE. IT IS SELF DEFENSE TO YOU THAT YOU SHOULD SAY TO HIM IF YOU EVER HAD AN AUTHORITY</p>
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**BT**

**PS**

WRITTEN OR VERBAL, ~~PUT~~ BY WHICH YOU COMMITTED THIS CRIME, PUT IT UPON THE RECORD AND LET US HAVE IT AS PROOF.” IT IS NOT ENOUGH FOR YOU TO CLOSE YOUR MOUTH IN SUCH AN IMPORTANT MATTER AND FOR YOUR COUNSEL WHO STANDS UP BEFORE US AND BEFORE THE WORLD AND TELLS US THAT WE ARE NOT **TRYING** ~~TREATING~~ THIS CASE UPON **PRINCIPLES** OF RIGHT AND JUSTICE, BUT BOASTS OF THE FACT THAT HE TRIES HIS CASES AND \_\_\_\_\_  
IT IS A MATTER OF SELF PROTECTION TO YOURSELVES THAT YOU ~~W~~SHOULD DEMAND WHAT JOHN D. LEE ~~CAN~~ PRODUCE EITHER BY PAROL OR WRITTEN ~~EVS~~ EVIDENCE ABOUT WHAT ORDERS HE HAD IF HE EVER HAD ANY ORDERS. A GREAT DEAL HAS BEEN SAID ABOUT SACRIFICING HIM, **AND BUT** ABOUT THE EFFECT IT WOULD HAVE. NOW WHAT DO YOU CARE ABOUT THAT. YOU CARE JUST ABOUT AS LITTLE ABOUT IT AS I DO, WHAT PEOPLE MAY SAY. I DO NOT KNOW BUT ONE ~~BUT ONE~~ RULE ACTUATING ME IN THE DISCHARGE OF MY OFFICIAL DUTY, AND THAT IS TO DO JUST WHAT I BELIEVE TO BE RIGHT, AND ~~THEY~~ OURSIDE WORLD MAY SAY, THAT HE ~~S~~ IS SACRIFICED, AND THE WISH IS FATHER TO THE THOUGHT; AND I SAY BEFORE YOU TO DAY THAT THERE ARE MEN AND NEWSPAPERS AND POLITICAL PARTIE~~S~~ IN THE TERRITORY OF UTAH, AND IN THIS COUNTRY TO-DAY, THAT WOULD ROLL THIS MORSEL OF CONVICTION OF THE

WRITTEN OR VERBAL BY WHICH YOU COMMITTED THIS CRIME PUT IT UPON THE RECORD AND LET US HAVE IT AS PROOF. IT IS NOT ENOUGH FOR YOU TO CLOSE YOUR MOUTH IN SUCH AN IMPORTANT MATTER AND FOR YOUR COUNSEL WHO STANDS UP BEFORE US AND BEFORE THE WORLD AND TELLS US THAT HE IS NOT TRYING THIS CASE UPON THE PRECEPTS OF RIGHT AND JUSTICE, BUT BOASTS OF THE FACT THAT HE TRIES HIS CASES ALL ONLY OUT OF *HRSRS/WRSRS/—[?]*. IT IS A MATTER OF SELF PROTECTION TO YOURSELVES THAT YOU SHOULD DEMAND WHAT JOHN D. LEE CAN PRODUCE EITHER BY PAROLE OR WRITTEN EVIDENCE ABOUT HIS ORDERS IF HE EVER HAD ANY ORDERS. A GREAT DEAL HAS BEEN SAID NOT ONLY ABOUT SACRIFICING HIM OR ABOUT THE EFFECT IT WOULD HAVE. NOW WHAT DO YOU CARE ABOUT THAT. YOU CARE JUST ABOUT AS LITTLE ABOUT IT AS I DO WHAT PEOPLE MAY SAY —[?] I DO NOT KNOW BUT ONE RULE ACTUATING ME IN THE DISCHARGE OF MY OFFICIAL DUTY, THAT IS TO DO JUST WHAT I BELIEVE TO BE RIGHT THE OUTSIDE WORLD MAY SAY <sup>[[18]]</sup> THAT HE IS SACRIFICED THE WISH IS FATHER TO THE THOUGHT *EVEN[?]* AND I SAY BEFORE YOU TODAY THAT THERE ARE MEN AND NEWSPAPERS AND POLITICAL PARTIES IN THE TERRITORY OF UTAH AND IN THIS COUNTRY TODAY THAT WOULD ROLL THIS MORSEL OF CONVICTION OF THE

**BT**

**PS**

MORMON CHURCH <sup>1125</sup> ~~AND~~ OF THIS GREAT CRIME UNDER THEIR TONGUES AS ~~W~~SEWEEET. THERE ARE MEN THAT DON'T WANT THIS THING TO ~~CO~~ GO WHERE IT BELONGS BECAUSE IT WOULD **KNOCK THE WIND OUT OF HIM AS WELL AS OF THE** ~~INDICATE ENACT A JOY TO THE OFFENDER~~ **OFFENDER OUT OF THE COMPANY** THIS IS NOT MY PROPOSITION. IT IS FOR YOU TO SAY WHETHER YOU WILL LAY IT UPON OTHERS, IT IS NOT FOR ME, ~~HONESTLY~~ AND FEARLESSLY DISCHARGE ~~OF~~ YOUR DUTIES ~~AND~~ ~~IF~~ WILL **DICTATE** ~~INDICATE~~ TO YOU THAT YOU CAN DO NOTHING SHORT OF HEARING THE EVIDENCE THAT IS INTRODUCED IN REGARD TO THE GUILT OF THIS MAN. THEN DEMAND ~~OF~~ ~~HIM~~ EVIDENCE ~~OF~~ ~~HIM~~ THAT WILL EXCULPATE HIM AND LEAVE THE SENTIMENT OR WHAT THE WORLD MAY SAY IN UTTER AND ENTIRE INDIFFERENCE. NOW, IN REGARD TO HIS PERSONAL RESPONSIBILITY. WE FIND JOHN D. LEE THE VERY FIRST ACTOR UPON THE SCENE AT THE MOUNTAIN MEADOWS. WHEN MR. NIGHTS COMES UP FROM ST GEORGE HE MEETS A MAN SIX OR EIGHT MILES BELOW THE MEADOWS AND RECOGNISES HIM AS JOHN D. LEE; THEY GET INTO THE WAGON TOGETHER. WHAT IS LEE DOING DOWN THERE? WHAT IS HIS BUSINESS THERE? HE TELLS MMR. ~~N~~KNIGHT THEN AN DTHERE THAT THE INDIANS NEEDS A LEADERSHIP; THAT THEY ~~HAVE~~ **HAD MADE** ~~ZAN~~ ~~ATTAVK~~ ON

MORMON CHURCH THIS GREAT CRIME UNDER THEIR TONGUES AS SWEET. THERE ARE MEN THAT DON'T WANT THIS THING TO GO WHERE IT BELONGS, BECAUSE IT WOULD KNOCK THE WIND OUT OF THEIR SAILS AND THE OFFENDER OUT OF THEIR CAMPAIGNS THIS IS NOT MY PURPOSE IT IS FOR YOU TO SAY WHETHER YOU WILL LAY IT UPON OTHERS IT IS NOT FOR ME. HONEST AND FEARLESS DISCHARGE OF YOUR DUTY WILL DICTATE TO YOU THAT YOU CAN DO NOTHING SHORT OF HEARING EVIDENCE THAT IS INTRODUCED IN REGARD TO THE GUILT OF THIS MAN. THEN DEMANDING OF HIM EVIDENCE THAT WILL EXCULPATE HIM AND LEAVE THE SENTIMENTS OR WHAT THE WORLD MAY SAY IN UTTER AND ENTIRE INDIFFERENCE. [*space*] NOW IN REGARD *RATHER/WHETHER*[?] TO HIS PERSONAL RESPONSIBILITY WE FIND JOHN D. LEE THE VERY FIRST ACTOR UPON THE SCENE AT THE MOUNTAIN MEADOWS. WHEN MR. KNIGHT COMING UP FROM ST GEORGE HE MEETS A MAN SIX OR EIGHT MILES BELOW THE MEADOWS RECOGNIZES HIM AS JOHN D. LEE THEY GET INTO THE WAGON TOGETHER. WHAT IS LEE DOING DOWN THERE? WHAT IS HIS BUSINESS THERE HE TELLS; MR. KNIGHT, THEN AND THERE THAT THE INDIANS NEED LEADERSHIP. THAT THEY HAD MADE AN ATTACK

**BT**

**PS**

MONDAY MORNING ON THESE EMIGRANTS. IF HE WAS ON AN ERRAND OF MERCY; ~~IF~~ IF HE WAS THERE UNDER ORDERS, WOULD HE NOT HAVE TOLD MR. KNIGHT OF IT, IF HIS DESIGN WAS ~~TO~~ TO PROTECT THESE EMIGRANTS? WOULD HE NOT HAVE BEEN OUT AMONG THE CITIZENS URGING THEM TO COME THERE AND DEFEND THESE EMIGRANTS? WHAT DOES HE SAY ABOUT THAT? HE SAYS, "I RAN A VERY NARROW CHANCE; "I GOT A BULLET THROUGH MY HAT AND ONE THROUGH MY HICKORY SHIRT" AND THEY WERE REPULSED: LEE TOLD YOU THE TRUTH THEN, GENTLEMEN, AND I WANT TO DISPOSSESS YOUR MINDS OF THE IDEA THAT ~~THE~~ A MAN'S STATEMENTS CANNOT BE USED AGAINST HIM IT IS THE BEST EVIDENCE THAT CAN BE PRODUCED. — ANYTHING SAID ABOUT ANY OTHER ~~THE ENTIRE~~ RESPONSIBILITY: **NONE**. MR. KNIGHTS RIDES ALONG AND STOPS AT THE NORTH ENDE OF THE MEADOWS; HIS WIFE WAS SICK. ~~SICK~~; I SUPPOSE HE WAS TAKING CARE OF HIS <sup>[[26]]</sup> WIFE WHO WAS AT THA T T IME VERY SICK. AND THE NEXT WE HEAR OF JOHN D. LEE HE COMES THERE WITH KLINGENSMITH AND ORDERS MR. ~~KNIGHTS~~ KNIGHT TO GO DOWN THERE. FOR WHAT PURPOSE? IS THAT ANY EVIDENCE THAT HE HAD A WEAPON WITH HIM, OR WAS ORDERED TO TAKE A WEAPON WITH HIM. KNIGHT SAID I CAN'T GO. HIS WIFE IS SICK. LEE THERE AND THEN SAID, "I MUST HAVE YOUR TEAM TO

MONDAY MORNING ON THESE EMIGRANTS. IF HE WAS THERE ON AN ERRAND OF MERCY, IF HE WAS THERE UNDER ORDERS WOULD HE NOT HAVE TOLD MR. KNIGHT OF IT? IF HIS DESIGN WAS TO PROTECT THESE EMIGRANTS? WOULD HE NOT HAVE BEEN OUT AMONG <sup>[[19]]</sup> THE CITIZENS URGING THEM TO COME THERE AND DEFEND THESE EMIGRANTS? WHAT DOES HE SAY ABOUT THAT "I RAN A VERY NARROW CHANCE I GOT A BULLET THROUGH MY HAT AND ONE THROUGH MY HICKORY SHIRT WE WERE REPULSED [space] HE TOLD THE THE TRUTH THEN GENTLEMEN AND I WANT TO ~~TELL~~ DISPOSSESS [space] YOUR MINDS OF THE IDEA THAT A MAN'S STATEMENT MAY NOT BE USED AGAINST HIM. [space] IT IS THE BEST EVIDENCE THAT CAN BE PRODUCED. ANYTHING SAID ABOUT ANY OTHER RESPONSIBILITY. NONE. MR. KNIGHT RIDES ALONG STOPS AT THE NORTH END OF THE MEADOWS HIS WIFE WAS SICK STATES WAS TAKING CARE OF HIS WIFE WHO WAS AT THAT TIME VERY SICK AND NEXT WE HEAR OF JOHN D. LEE HE COMES THERE WITH KLINGEN SMITH AND ORDERS MR. KNIGHT TO GO DOWN THERE; FOR WHAT PURPOSE? IS THERE ANY EVIDENCE THAT HE HAD A WEAPON WITH HIM OR WAS ORDERED TO TAKE A ~~WAGON~~ WEAPON WITH HIM? I CAN'T GO HIS WIFE IS SICK LEE SAYS THEN I MUST HAVE YOUR TEAM TO



**BT**

**PS**

<p>THEN GO". IS THERE ANY THING IN THAT THAT TEAM THAT WOULD TELL KNIGHTS IN ADVANCE WHAT <del>HE PRO</del> THE PURPOSE OF THE VISIT WAS? HE DOES GO DOWN THERE. HE GOES LIKE A SHEEP TO THE SLAUGHTER. WHY, DID HE KNOW WHAT HE WAS GOING FOR? HE TELLS YOU THAT HE <del>D</del>HAD NO SUSP<del>O</del>ICIONS AT THAT TIME THAT THESE EMIGRANTS WOULD BE <del>A</del>MASSACRED OR THAT ANYTHING WOULD BE DONE WITH <b>THEM</b>. <del>TH</del> HE HAD BEEN UP THERE ON SOME BUSINESS, AND HAD COME BACK TO TAKE CARE OF HIS WIFE. HE HAD BUT LITTLE KNOWLEDGE OF WHAT WAS GOING ON. HE WAS AWAY HERE AT THE NORTH END OF THE MEADOWS. HE GOES DOWN THERE AS DIRECTED BY JOHN D. LEE-, TO DRI<del>E</del>VE HIS WAGON <del>AROUND</del> ALONG — AROUND TO THE EMIGRANTS CAMP. NOW, GENTLEMEN, IF THEY STICK TO THIS ARGUEMENT, I WILL ADMIT TO <b>YOU THAT</b> <del>THAT</del> UP TO THAT TIME JOHN D. LEE HAD NOT ONLY BEEN FORCED TO GO UPON THE GROUND, HAD BEEN FORCED TO MAKE THE ATTACK UPON THE EMIGRANTS, BEEN FORCED TO LEAVE HIS STOCK WITH THEM <del>THEM</del> ..... AND THAT TOO BY THE INDIANS, THAT <b>HE WAS</b> <del>THEY WERE</del> PERFECTLY HELPLESS, AND STILL THERE IS ENOUGH IN THE CASE TO CONDEMN HIM. WHAT DOES HE DO? IS IT A MATTER <del>P</del>OF PROTECTION TO SEND THAT FLAG OF TRUCE. WHAT DO THE INDIANS KNOW ABOUT A FLAG OF TRUCE. WERE THEY ACKNOWLEDGED WITH A COMMON</p>	<p>GO. IS THERE ANYTHING IN THAT TEAM THAT WOULD TELL KNIGHT IN ADVANCE WHAT THE PURPOSE OF THE VISIT WAS? HE DOES GO DOWN THERE; HE GOES LIKE A SHEEP TO THE SLAUGHTER WHY DID HE KNOW WHAT HE WAS GOING FOR. HE TELLS YOU THAT HE HAD NO SUSPICION AT THAT TIME THAT THESE EMIGRANTS WERE TO BE MASSACRED OR THAT ANYTHING WAS TO BE DONE WITH THEM. HE HAD BEEN UP THERE —[?] BUSINESS OF TAKING CARE OF HIS WIFE. HE HAD BUT LITTLE KNOWLEDGE OF WHAT WAS GOING ON HE WAS WAY HERE AT THE NORTH END OF THE MEADOWS [<i>space</i>] <sup>[[20]]</sup> HE GOES DOWN THERE AS DIRECTED BY JOHN D. LEE TO DRIVE HIS WAGON AROUND TO THE EMIGRANTS CAMP. NOW GENTLEMEN IF THEY <del>SM</del> TO THIS ARGUMENT I WILL ADMIT TO YOU THAT UP TO THAT TIME JOHN D. LEE HAD NOT ONLY BEEN FORCED TO GO TO THE GROUND, HAD BEEN FORCED TO MAKE THE ATTACK UPON THE EMIGRANTS BEEN FORCED TO LEAVE HIS —[?] <i>WITH THEM</i>[?] FROM —/<i>CEDAR</i>[?] [<i>space</i>] AND THAT TOO BY THE INDIANS, THAT HE WAS PERFECTLY HELPLESS AND STILL THERE IS ENOUGH IN THE CASE TO CONDEMN HIM. WHAT DOES HE DO? IS IT A MATTER OF PROTECTION TO SEND THAT FLAG OF TRUCE. WHAT THE INDIANS KNOW ABOUT FLAG OF TRUCE? WERE THEY ACKNOWLEDGED WITH A COMMON</p>
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**BT**

**PS**

NAME THERE THAT THEY C  
 SHOULDHAVE A .....  
 ..... AND  
**IN** DEPTREDATION OF THAT FLAG  
 OF TRUCE COMES FROM THE  
 TESTIMONY OF NEPHI JOHNSON,  
**HE** TELLS YOU THAT LEE WANTED  
 HIM TO TALK TO THE INDIANS  
 AND PROMISE THEM  
 GUNS AND HORSES IF THEY F GOT  
 THESE EMIGRANTS AFTER THEY  
 WAS MASSACRED; THAT NEPHI  
 JOHNSON LAYS TO THAT FLAG A  
<sup>[[27]]</sup> CONSPIRACY AND DECEPTION  
 AND IT HAD ITS ORIGIN IN THE  
 MIND OF JOHN D. LEE. HE SAYS HE  
 REFUSED TO DO IT, BUT MY  
 FRIENDS STAND UP HERE ~~W~~AND  
 WITH A GREAT VOLUMN OF VOICE  
 AND ~~A LITTLE SENSATION~~. AND  
**LITTLE SENSE** IN ~~THAT THE~~ IDEA  
~~HE~~ & TOLD YOU THAT NEPHI  
 JOHNSON, SHOULDHAVE THROWN  
 HIMSELF BEFORE JOHN D. LEE TO  
 PREVENT THAT MASSACRE. A BOY  
 18 YEARS OF AGE, BROUGHT THERE  
 BY THE DIRECTION OF JOHN D. LEE  
 ..... FALSE  
 PREJUDICE. THE IDEA  
 THAT HE AT THAT TIME SHOULD  
 HAVE RAISED HIS HAND AGAINST  
 JOHN D. LEE IS PREPOSTEROUS.  
 THERE WOULD HAVE BEEN NO  
 NEPHI JOHNSON TO DAY HAD ~~HE~~  
 DONE IT. NOW, GENTLEMEN, I CALL  
 YOUR ATTENTION RIGHT DOWN TO  
 WHAT I CONSIDER ~~A~~ **THE** MOST  
 DESPICABLE AND MONSTROUS  
 PEACE OF DAMNABLE INJENUITY  
 THAT WAS EVER RESORTED TO BY  
 ANY MAN , RED WHITE OR BALACK  
 WITH HORNES OFR WITHOUT  
 HORNES, WHOSE HISTORY IS  
 RECORDED EITHER IN SACRED OR

ENEMY THERE THAT THEY  
 SHOULD HAVE  
 A/AND[?][space] THE  
 INTERPRETATION OF THAT FLAG  
 OF TRUCE COMES FROM THE  
 TESTIMONY OF NEPHI JOHNSON  
 TELLS YOU THAT LEE WANTED  
 HIM TO TALK TO THE INDIANS THEN  
 AND THERE AND PROMISE THEM  
 GUNS AND HORSES IF THEY GOT  
 THESE EMIGRANTS IF THEY WOULD  
 MASSACRE THEM NEPHI  
 JOHNSON LAYS TO THAT FLAG HOW  
 CONSPIRACY AND DECEPTION  
 HAD ITS ORIGIN IN THE  
 MIND OF JOHN D. LEE HE SAYS HE  
 REFUSED TO DO IT. BUT MY  
 FRIENDS STAND UP HERE AND  
 WITH A GREAT VOLUME OF VOICE  
 AND  
 LITTLE[?] SENSE[?] IN THE IDEA  
 TELL YOU THAT NEPHI  
 JOHNSON SHOULD HAVE THROWN  
 HIMSELF BEFORE JOHN D LEE TO  
 PREVENT THAT MASSACRE A BOY  
 18 YEARS OF AGE BROUGHT THERE  
 BY DIRECTION OF JOHN D. LEE  
 [space] FALSE  
 PREJUDICE [space] <sup>[[21]]</sup> THE IDEA  
 THAT HE AT THAT TIME SHOULD  
 HAVE RAISED HIS HAND AGAINST  
 JOHN D. LEE IS PREPOSTEROUS  
 THERE WOULD HAVE BEEN NO  
 NEPHI JOHNSON TODAY HAD HE  
 DONE IT. NOW GENTLEMEN I CALL  
 YOUR ATTENTION RIGHT DOWN TO  
 WHAT I CONSIDER THE MOST  
 DESPICABLE AND MONSTROUS  
 PIECE OF DAMNABLE INGENUITY  
 THAT WAS EVER RESORTED TO BY  
 ANY MAN RED WHITE OR BLACK  
 WITH HORNS OR WITHOUT  
 HORNS WHOSE HISTORY IS  
 RECORDED EITHER IN SACRED OR

**BT**

**PS**

PROFANE WRITINGS ; THAT THESE  
 EMIGRANTS THERE WHO HAD BEEN  
 HELD UNDER THE  
 LEADERSHØIP OF THIS MAN, WHEO  
 WAS THEN F  
 WALKING AROUND THESE HILLS  
 SEEKING THE INTERPRETER TO  
 ASSIST IN KEEPING FRIENDS WITH  
 THESE SAVAGES BY PROMISING  
 THEM BOOTY TO **BE GE** GAINED BY  
 THIS MASSACRE; THAT HE SHOULD  
 THEN TAKE THE FLAG OF TRUCE  
 AND ORDER THE MEN TO WALK  
 DOWN WITH HIM TO THE  
 EMIGRANTS ENCAMPMENT

..... TELL  
 ME THAT THAT WAS DONE BY  
 ORDERS. GENTLEMEN STAND UPON  
 THE DIGNITY OF YOUR MANHOOD  
 AND SAY TO THAT MAN IF THE  
 ORDERS F CAME FROM ANYBODY  
**EVEN THAN** FROM THE ALMIGHTY  
 HIMSELF YOU WOULD NOT JUSTIFY  
 A MAN IN DO ING IT; BUT MEN  
 LED OUT BY MEANS OF THE FLAG  
 OF TRUCE ~~BY THE EMIGRANTS~~  
 FROM THE EMBRACE OF HIS  
 CHILDREN AND WIFE, AND THE  
 AGED THAT ARE THERE UNDER HIS  
 CARE TO BE SLAUGHTERED IN  
 COLD BLOOD AND THEN TURNESD  
 AND TELLS YOU HE DIDIT BY  
 ORDERS. GENTLEMEN, THIS SCENE  
 IS TOO OLD TO WDWELL  
 UPON. IF I CO LD PHOTOGRAPH  
 UPON YOUR MINDS FOR A MOMENT  
 THE SCENE THAT TOOK PLACE  
 THEN AND THERE YOU WOULD  
 NOT LEND A WILLING EAR LONG TO  
 THE <sup>[[28]]</sup> ASSERTIONS OR THE  
 INSINUATIONS ~~THAT HAVE BEEN~~  
~~GIVEN EXPRESSION TO YOU IN~~  
~~BEHALF OF THIS VILLAIN,~~ THAT  
 THERSE ~~WERE ARE~~ ACTS OF

PROFANE WRITINGS THAT THESE  
 EMIGRANTS THERE WHO HAD BEEN  
 ASSAULTED UNDER THE  
 LEADERSHIP OF THIS MAN WHO  
~~WERE THEM~~ [space] WAS THEN  
 WALKING AROUND THESE HILLS  
 ASKING INTERPRETER TO  
~~INCITE AND KEEP~~[?] THE FORCES OF  
 THESE SAVAGES BY PROMISING  
 THEM BOOTY TO BE GAINED BY  
 THIS MASSACRE THAT HE SHOULD  
 THEN TAKE THE FLAG OF TRUCE  
 ORDER THE MEN TO WALK  
 DOWN WITH HIM TO THE ~~FLAG~~[?]  
 ENCAMPMENT— [space]

TELL  
 ME THAT THAT WAS DONE BY  
 ORDERS GENTLEMEN RISE UP ~~ON~~[?]  
 YOUR [space] MANHOOD  
 AND SAY TO THAT MAN IF THE  
 ORDERS CAME FROM ANYBODY  
 EVEN FROM THE ALMIGHTY  
 HIMSELF YOU WOULD NOT JUSTIFY  
 A MAN IN DOING IT [space] BUT MEN  
 LED OUT BY MEANS OF FLAG  
 OF TRUCE  
 FROM THE EMBRACE OF HIS  
 CHILDREN AND HIS WIFE AND THE  
 AGED THAT ARE THERE UNDER HIS  
 CARE TO BE SLAUGHTERED IN  
 COULD BLOOD AND THEN TURNED  
 AND TELL YOU HE DID IT BY  
 ORDERS GENTLEMEN THIS SCENE  
 IS TOO *HORRID OLD*[?] TO DWELL  
 UPON. IF I COULD PHOTOGRAPH  
 UPON YOUR MIND FOR A MOMENT  
 THE SCENE THAT TOOK PLACE  
 THEN AND THERE <sup>[[22]]</sup> YOU WOULD  
 NOT LEND A WILLING EAR LONG TO  
 THE ASSERTIONS OR THE  
 EXCUSES,  
  
 THAT  
 THESE WERE ACTS OF

**BT****PS**

MERCY. IF I COULD REPRODUCE IN YOUR HEARING THE WAILS AND CRIES THAT WENT UP FROM THAT BAND OF EMIGRANTS OLD AND YOUNG, MEN AND WOMEN AND LET IT RE-ECHO IN YOUR EARS BUT ONE MOMENT ~~AND~~ YOU WOULD HAVE THEN BUT THE FAINT GLEAMS OF THE HORRORS OF THAT SCENE. YOU ARE FATHERS YOURSELVES, MOST OF YOU. IMAGINE YOURSELVES DRAWN OUT FROM THE PROTECTION OF YOUR LITTLE ONES, WHO HAD BEEN FOR DAYS KLINGEING TO YOU, PRAYING TO YOU, KNEELING TO YOU WHILE THEIR DEFENSES HAVE BEEN APPROACHED WITH THREATS, ASKING YOU ~~W~~FOR THAT PROTECTION WHA~~F~~ICH A FATHER WOULD WILLINGLY GRANT TO HIS CHILD AND THEN LET A MAN APPROACH YOU WITH OFFERS OF MERCY; LET HIM COME TO YOU WITH A FLAG OF TRUCE AND SAY TO YOU, DISARM YOURSELF, PUT AWAY YOUR WEAPONS, AND LET US CARRY THAT OUT BEYOND YOUR REACH. WE WILL TAKE CARE OF YOU AND YOUR LITTLE ONES, AND THEN SAY TO HIM, WE MUST SEPARATE YOU FROM YOUR CHILDREN AND PLACE THEM IN A WAGON WITH THE WOUNDED AND AGED, AND THE DIASABLED; MARCH YOU BEHIND THE TRAIN THAT HE ~~H~~A IS CONDUCTING AND YOU WILL FIND THEN SOMTHING OF A REALIZATION O~~F~~R A ~~F~~PICTURE AT LEAST OF THIS MOST DAMNABLE PIECE OF INFAMY. [space] IS THAT ALL? [space] IS THE DECEPTION OFTHE M~~N~~EN THAT WERE DRAWN THERE FROM THE

MERCY. IF I COULD REPRODUCE IN YOUR HEARING THE WAILS AND CRIES THE THAT WENT UP FROM THAT BAND OF EMIGRANTS, OLD AND YOUNG, MEN AND WOMEN AND LET IT RE-ECHO IN YOUR EARS FOR BUT ONE MOMENT, AND WOULD HAVE THEN BUT THE FAINT GLEAMS OF THE HORRORS OF THAT SCENE. YOU ARE FATHERS YOURSELVES MOST OF YOU. IMAGINE YOURSELVES DRAWN OUT FOR THE PROTECTION OF YOUR LITTLE ONES, WHO HAVE BEEN FOR DAYS CLINGING TO YOU, PRAYING TO YOU, KNEELING TO YOU WHILE THEIR *DGS*[?] HAVE BEEN APPROACHED WITH THREATS, ASKING YOU FOR THAT PROTECTION WHICH A FATHER WOULD WILLINGLY GRANT TO HIS CHILD, AND THEN LET A MAN APPROACH YOU WITH OFFERS OF SAFETY, LET HIM COME TO YOU WITH A FLAG OF TRUCE AND SAY TO YOU, DISARM YOURSELVES PUT AWAY YOUR WEAPONS AND LET US CARRY THEM OUT BEYOND YOUR REACH. WE WILL TAKE CARE OF YOU AND YOUR LITTLE ONES, AND THEN SEE HIM SEPARATE YOU FROM YOUR CHILDREN, PLACE THEM IN THE WAGONS WITH THE WOUNDED AND AGED AND THE DISABLED, MARCH YOU BEHIND THE TRAIN THAT HE IS CONDUCTING, AND YOU WILL HAVE THEN SOMETHING OF A REALIZATION OR A PICTURE AT LEAST OF THIS MOST DAMNABLE *PIECE OF*[?] INFAMY. IS THAT ALL? IS THE DECEPTION OF THE MEN THAT WERE DRAWN THERE FROM THE

FOUR CORNERS OF THIS TERRITORY AND THE ADJOINING TERRITORY, ALL? MEN WHO SINCE THAT TIME HAVE BEEN SKULKING AND MANY OF THEM LEAVING THE TERRITORY BECAUSE OF THE INFAMY THAT THIS THING BROUGHT UPON THEM, MEN WHO WERE MEN TO DAY BUT WERE THEN BEASTS? NO, THAT IS NOT ALL. THIS WRETCH, EVEN, THAT STANDS HERE TO-DAY, WHO, IF HE HAD A THOUSAND LIVES, COULDN'T NEVER WIPE OUT FROM THIS TERRITORY THE INFAMY AND DISGRACE— THIS DAMNING ~~THING~~ **DEED** THAT ~~HAD~~ **HAS** COVERED THE TERRITORY WITH SHAME. THEY COME OUT WITH THESE WAGONS, ~~W~~AND WHAT DOES HE DO THEN? DOES HE DO AN ACT OF MERCY? <sup>[[29]]</sup> HERE ARE TWO MEN, ONE EACH DRIVING A TEAM UNDER HIS COMMAND LOADED WITH THE CHILDREN, LOADED WITH THE WOUNDED UNDER HIS DIRECTION WHO PLACED HIMSELF BETWEEN THE TWO WAGONS . DOES HE DO ANYTHING TO SHOW THIS ERRAND IS AN ERRAND OF MERCY? [space] YES. [space] WHEN THE TEAMS ARE THERE MOVING IN ADVANCE AND GETTING AHEAD OF THE HOSE ON FOOT AND PASSING THE INDIANS THAT WERE IN THE BUSHES AND HIS DOOPS THAT WERE BROUGHT THERE BY HIS PRETENCES, HE IS TOLD BY SOME OF HIS VICTIMS THAT HE IS DRIVING TOO FAST. WHY DID HE DRIVE SO FAST? BECAUSE IF HE HADN'T IT WOULD HAVE INTERFERED WITH

FAR CORNERS OF THIS TERRITORY AND THE ADJOINING TERRITORY TOO? [space] MEN WHO SINCE THAT TIME HAVE BEEN SKULKING AND MANY OF THEM LEAVING THE TERRITORY BECAUSE OF THE INFAMY THAT THIS THING BROUGHT UPON THEM. MEN WHO ARE <sup>[[23]]</sup> MEN TODAY, BUT WERE THEN BEASTS. NO THAT IS NOT ALL. THIS WRETCH EVEN THAT STANDS HERE TODAY WHO IF HE HAD A THOUSAND LIVES COULD NEVER WIPE OUT FROM THIS TERRITORY THE INFAMY AND DISGRACE THIS DAMNING DEED HAS COVERED IT WITH —/PRSS[?]. ≤THEY COME OUT<sup>784</sup> WITH THESE WAGONS AND WHAT DOES HE DO THEN; DOES HE DO AN ACT OF MERCY? HERE ARE TWO MEN, ONE EACH DRIVING A TEAM, UNDER HIS COMMAND, LOADED WITH THE CHILDREN, LOADED WITH THE WOUNDED UNDER HIS DIRECTION, WHO PLACED HIMSELF BETWEEN THE TWO WAGONS. DOES HE DO ANYTHING TO SHOW THAT HIS ERRAND IS AN ERRAND OF MERCY YES AND WHEN THE TEAMS ARE THERE AND MAY/M[?] HAVE LEFT[?]

THE INDIANS THAT WERE IN THE BUSHES AND HIS DUPES THAT WERE BROUGHT THERE BY HIS PRETENSES HE SAYS “YOU ARE DRIVING TOO FAST WHY OBJECT TO THE MEN DRIVING FAST, BECAUSE IT WOULD INTERFERE WITH

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784. In the left margin.

**BT**

**PS**

AND DISARRANGED HIS DIABOLICAL PLAN. "YOU ARE DRIVING TOO FAST." A MAN AT THAT MOMENT HOLLOWS ALL TO "HALT." HE DRIVES ALONG SLOWLY; ALL AT ONCE THEIR EARS ARE GREETED BY THE WORD "HALT". HE TURNS AROUND. THAT COMES FROM JOHN D. LEE AND WITH HIS GUN AT HIS SHOULDER FIRES, AND HIS VICTIM FALLS. IS THAT AN ERRAND OF MERCY? WAS HE FORCED INTO THAT BY THE SAVAGES. IS THAT AN ORDER THAT SHOULD COME COULD COME IS THERE ANY ORDER THAT COULD COME FROM FROM THE THE AUTHORITIES; IS THAT AN ORDER THAT MEN CAN JUSTIFY IS THERE ANY ORDER THAT COULD COME FROM GOD'S GREEN EARTH, THAT A MAN CAN JUSTIFY? NOT FOR THAT ACT. I AM NOT SURPRISED THAT THE CHRISTIAN WORLD FROM ONE END OF THE UNIVERST TO THE OTHER WHEN THEY HEARD THE HORRIBLE DETAILS OF THAT TERRIBLE DEED, AND HEAR IT SOUNDED IN THE SAME BREATH THAT THE PEOPLE OF THIS TERRITORY JUSTIFY IT, THAT THEY OCCUPY THE ATTITUDE TOWARDS YOU TO DAY THAT THEY DO. BUT I THANK MY GOD TO DAY THAT THERE ARE TWELVE MEN WHO SATAND IN A POSITION TO SAY BY THEIR BE VERDICT, BASED UPON EVIDENCE IN OPEN COURT THAT NOW THE FIRST VERDICT THAT HAS EVER BEEN GIVEN TO US WITHOUT PREJUDICE, IS ABOUT TO BE GIVEN TO US, IN REGARD TO THIS DAMNABLE CRIME; AND IT IS NOT

AND DISARRANGE HIS DIABOLICAL PLAN. YOU ARE DRIVING TOO FAST, A MAN HALLOS ALL TO HALT DRIVES ALONG SLOWLY AT ONCE HIS EAR IS[?] GREETED WITH THE WORD HALT HE TURN AROUND THAT COMES FROM JOHN D. LEE TO/AND[?] HAVE HIS GUN AT HIS SHOULDER FIRES AND HIS VICTIM FALLS. IS THAT AN ERRAND OF MERCY WAS HE FORCED INTO THAT BY THE SAVAGES

IS THAT ANY ORDER THAT COULD COME FROM GOD'S GREEN EARTH THAT A MAN CAN JUSTIFY NOT FOR THAT ACT I AM NOT SURPRISED THAT THE CHRISTIAN WORLD FROM ONE END OF THE UNIVERSE TO THE OTHER WHEN THEY HEARD THE REVOLTING DETAILS OF THAT TERRIBLE DEED AND HEAR IT SOUNDED IN THE SAME BREATH THAT THE PEOPLE OF THIS TERRITORY JUSTIFY <sup>[[24]]</sup> IT THAT THEY OCCUPY THE ATTITUDE TOWARDS YOU TODAY THAT THEY DO BUT I THANK GOD TODAY THAT THERE ARE 12 MEN WHO STAND IN A POSITION TO SAY BY THEIR VERDICT BASED UPON EVIDENCE IN OPEN COURT THAT NOW THE FIRST PR/PROSECUTION[?] THAT HAS EVER BEEN GIVEN TO US[?] WITHOUT PREJUDICE PSS/RS/RSS[?] TO THIS DAMNABLE CRIME. IT DOES NOT

**BT**

**PS**

TO STOP THERE. TAKE THE TESTIMONY OF KNIGHTS OF MC MURDY AND NEPHI JOHNSON, AND LET THAT TESTIMONY ANSWER THE QUESTION.. NO, AFTER HAVING SHOT <sup>[[30]]</sup> THE GUN OFF AND DROPPING HIS VICTIM, HE THEN ~~TAKES A~~ MAKES A CLUB OF HIS GUN AND KNOCKS THE BRAINS OF OUT OF ANOTHER; THEN HE DRAWS HIS PISTOL AND KILLS TWO MORE; AND THEN SEIZING ANOTHER BY THE COLLAR HE DRAWS HIM OUT OF THE WAGON BY THE ASSISTANCE OF A SAVAGE INDIAN AND CUTS HIS THROAT. EVERY ONE OF THESE MEN COULD HAVE BEEN SAVED BY HIM. I SAY THE TRUTH IN THIS CASE WOULD JUSTIFY ME IN STOPPING THERE;-BUT IT SEEMS AS IF THE INCARNATE FIEND HIMSELF ~~AND~~ **HAD BEEN LET LOOSE AND** FOUND LODGMENT IN THE BREAST OF THAT MEN. THE EMIGRANTS ARE MASSACRED BY THE SAVAGES AND BY OTHERS THAT WERE WORKING WITH THEM, AND TWO YOUNG GIRLES HAPPEN TO ESCAPE AND GOT TO THE BUSHES ON THE HILLSIDE. THERE THEY FELL INTO THE HANDS OF THE SAVAGE MEN; ~~THE~~ AN INDIANS WHILE WITHOUT THE INFLUENCE OF CIVILIZATION AND CHRISTIANITY, HE BRINGS THEM TO JOHN D. LEE AND HIS NATURAL INSTINCTS SEEM TO HAVE GOT THE BEST OF HIM. ~~HE~~ **THE** INDIAN SAYS "WHAT SHALL WE DO WITH THESE, THEY ARE TOO PRETTY TO KILL?" THIS MAN COMING UNDER ORDERS; THIS MAN HERE IS ON AN ERRAND

STOP THERE. TAKE THE TESTIMONY OF KNIGHT AND MCMURDY AND NEPHI JOHNSON, AND LET THAT TESTIMONY ANSWER THE QUESTION. NO, AFTER HAVING SHOT THE GUN OFF AND DROPPING HIS VICTIM HE THEN TAKES A CLUB OF HIS GUN AND KNOCKS THE *SPIRITS/BRAINS*[?] OUT OF ANOTHER THEN HE DRAWS HIS PISTOL AND KILLS TWO MORE, AND THEN SEIZING ANOTHER BY THE COLLAR, HE DRAWS HIM OUT OF THE WAGON BY THE ASSISTANCE OF A SAVAGE INDIAN AND CUTS HIS THROAT. EVERY ONE OF THESE MEN COULD HAVE BEEN SAVED BY HIM [space] I WISH THE TRUTH IN THIS CASE WOULD JUSTIFY ME IN STOPPING THERE, BUT IT SEEMS AS IF THE INCARNATE FRIEND HIMSELF HAD BEEN LET LOOSE AND HAD FOUND LODGMENT IN THE BREAST OF THAT MAN. THE EMIGRANTS ARE MASSACRED BY THE SAVAGES AND BY OTHERS THAT WERE WORKING WITH 'EM, AND BUT TWO HAVE FOUND AN ESCAPE AND GO TO THE BUSHES ON THE HILLSIDE. THERE THEY FELL INTO THE HANDS OF A SAVAGE MAN, AN INDIAN; WHILE WITHOUT THE INFLUENCE OF CIVILIZATION OR CHRISTIANITY; BRINGS 'EM TO JOHN D. LEE, AND HIS NATURAL INSTINCTS SEEM TO HAVE GOT THE BEST OF HIM. WHAT SHALL WE DO WITH THESE, THEY ARE TOO PRETTY THIS MAN COMING *ON NO*[?] ORDERS. THIS MAN *COMES/ACTS*[?] HERE <sup>[[25]]</sup> ERRAND

**BT****PS**

OF MERCY WHERE HE HAD A CHANCE TO SHOW HIS MERCY, WHAT DOES HE DO? DIES HIS HANDS AND COVERS HIMSELF DEEPER IN DISGRACE AND OBLOQUY, AND SAYS TO THAT SAVAGE WHO SHOWS BETTER INSTINCTS THAN HIM, “THEY ARE TOO OLD TO LIVE, THEY WILL TELL TALLETALES.” WHY SHOULD HE FEAR THAT THEY WOULD TELL TALES IF HE HAD ORDERS TO FALL BACK UPON, IF THE NECESSITY OF THAT MASSACRE HAD BEEN FORCED UPON HIM, IF EVERYTHING HE HAD DONE UP TO THAT MOMENT OF TIME WAS A MATTER THAT HE COULDN’T HELP DOING BECAUSE HE WAS FORCED BY THE SAVAGES, WHY SHOULD HE THEN, AND WHEN PLED TO BY THE INDIANS WHEN PRESENTED WITH THE QUIVERING VICTIMS OF HIS DAMNABLE WRATH, WHY REFUSE TO SAVE THEM — TELL ME WHY! COMPARE THE THEORY OF THE DEFENSE WITH THESE ACTS; TAKE THEIR EXCUSES TO YOUR HEART, VIEW THE MATTER UP TO THAT VERY MOMENT. THAT MOMENT HE ACTS HIMSELF FROM HIS OWN VOLITION; TAKES THOSE GIRLS

AND WHILE HER <sup>[[31]]</sup> TREMBLING FORM LIES THERE QUIVERING, THAT VILE FIEND SEIZES THE OTHER VICTIM THROWS HER UPON THE GROUND AND CUTS HER THROAT FROM EAR TO EAR. TELL ME IN THE NAME OF HUMANITY, I N

OF MERCY *SN/IS ON*[?] —/*HRND*[?] [*space*]

COVER DEEPER *HIMSELF/AS*[?] AND *M*[?] DEEPER WITH DISGRACE AND OBLOQUY SAYS TO THAT SAVAGE [*space*] WHO HAS BETTER INSTINCTS, “THEY ARE TOO OLD TO LIVE, THEY WILL TELL TALES [*space*]. WHY, SHOULD HE FEAR THAT THEY WOULD TELL TALES IF HE HAD ORDERS TO FALL BACK UPON; IF THE NECESSITY OF THAT MASSACRE HAD BEEN FORCED UPON HIM; IF EVERYTHING HE HAD DONE UP TO THAT MOMENT [*space*] OF TIME WAS A MATTER THAT HE COULDN’T HELP DOING, OF BEING FORCED BY THE SAVAGES; WHY SHOULD HE THEN WHEN PLED TO BY THE INDIANS WHEN PRESENTED WITH THE QUIVERING VICTIMS OF HIS DAMNABLE WRATH. WHY SHOULD HE REFUSE TO SAVE THEM [*space*] TELL ME WHY [*space*] COMPARE THEIR THEORY. TAKE THEIR EXCUSES TO YOUR HEART, VIEW MATTER AND *EXCUSING*[?] MATTER UP TO THAT VERY MOMENT, THAT MOMENT HE ACTS HIMSELF *LS/—*[?] AND *SEIZE*[?] *WHAT HER*[?] —[?] *TRODS/THROWS*[?] HER BONNET DOWN FROM HER HEAD AND VIEWS THE VILE DEEDS AND WHILE HER FORM LIES THERE QUIVERING [*space*] THAT VILE FIEND SEIZES THE OTHER VICTIM, THROWS HER UPON THE GROUND AND CUTS HER THROAT FROM EAR TO EAR. TELL ME IN THE NAME OF HUMANITY, IN



**BT**

**PS**

<p>THE NAME <del>OF</del> OF CHRISTIANITY, AND IN THE HEART OF THIS TERRITORY AS THEY WERE ; HOW CAN <del>MA</del> ANY MAN DO SUCH A CRIME AND SHIELD HIMSELF UNDER ANY ORDERS IN ANY NECESSITY. IN THE NAME OF GOD, GENTLEMEN, IN THE NAME OF YOUR COUNTRY, AND YOUR <del>N</del>MANHOOD, GIVE A THAT ASSERTION THE LIE, AS YOU ARE JUSTIFIED IN DOING BY THE TESTIMONY I HAVE BROUGHT BEFORE YOU. [space] NOW, WE HAVE PROVED THESE FACTS TO BE COMPETENT TESTIMONY. WE HAVE BROUGHT MEN HERE NOT ONE OF WHOM EVER APPEARED AS DEFENDANTS ON THE RECORD. WE HAVE BROUGHT MEN HERE AND SURROUNDED THEM BY EVIDENCE SHOWING HOW THAT THEY WERE FORCED AND DECEIVED INTO THAT TRANSACTION; AND WE HAVE FOUND ANOTHER ADMISSION MADE TO JAKE HAMBLIN THAT THEY WERE DECEIVED INTO IT; THAT HE HAD TO USE STRATAGEM TO GET THEM THERE. NOW, I AM NOT GOING TO TRAVERS JAKE HAMBLIN'S TESTIMONY, OR NEPHI JOHNSONS. I SIMPLY SAY TO YOU THAT JAKE HAMBLIN HAS NOTHING TO GAIN AND NOTHING TO LOOSE BY TESTIFYING ON THIS STAND. EVERYBODY CONCEDES THAT HE WAS AWAY AT THE TIME. EVERYBODY CONCEDES THAT HE HAD NOTHING TO DO WITH IT, AND HIS VERY MANNER ON THE STAND MUST SATISFY YOU THAT EVERY WORD THAT WAS DRAWN</p>	<p>THE NAME OF CHRISTIANITY AND IN THE HEART OF THIS TERRITORY AND THEY WERE —[?] CAN A MAN DO <sup>[[26]]785</sup> SUCH CRIMES AND SHELTER HIMSELF UNDER ANY ORDERS IN ANY NECESSITY, IN THE NAME OF GOD, GENTLEMEN, IN THE NAME OF YOUR COUNTRY AND YOUR MANHOOD, GIVE THAT ASSERTION THE LIE, AS YOU ARE JUSTIFIED IN DOING BY THE TESTIMONY I HAVE BROUGHT BEFORE YOU. NOW WE HAVE PROVED THESE FACTS BY COMPETENT TESTIMONY. WE HAVE BROUGHT MEN HERE NOT ONE OF WHOM EVER APPEARED AS DEFENDANT ON THE RECORD. WE HAVE BROUGHT MEN HERE AND SURROUNDED THEM BY EVIDENCE SHOWING YOU THAT THEY WERE FORCED AND DECEIVED INTO THAT TRANSACTION, AND WE HAVE FOUND ANOTHER ADMISSION MADE TO JAKE HAMBLIN, THAT THEY WERE DECEIVED INTO IT; THAT HE HAD TO USE STRATAGEM TO GET THEM THERE. NOW I AM NOT GOING TO TRAVERSE JAKE HAMBLIN'S TESTIMONY OR NEPHI JOHNSON'S. I SIMPLY SAY TO YOU THAT JAKE HAMBLIN, HAS NOTHING TO GAIN AND NOTHING TO LOSE BY TESTIFYING ON THIS STAND EVERYBODY CONCEDES THAT HE WAS AWAY AT THE TIME. EVERYBODY CONCEDES THAT HE HAD NOTHING TO DO WITH IT THEN, AND HIS VERY MANNER ON THE STAND MUST SATISFY YOU, THAT EVERY WORD THAT WAS DRAWN</p>
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785. There is a profile of a man smoking on the verso of page 26. He is labeled "MIKE".

**BT**

**PS**

<p>FROM HIM, CAME AS FROM A MAN THAT REALIZED WHAT HE WAS SAYING WAS THE TRUTH; AND WHOEVER HAS HEARD HIM FROM THAT DAY TO THE PRESENT SAY IT IS A TRUTHFUL STORY. MY GOOD FRIEND SPICER YESTERDAY, WHEN HE ADDRESSED YOU TOLD YOU THAT THE WITNESS WHO FOLLOWED HIM WAS A CLEAN SLICK BO Y. THAT WAS NEPHI JOHNSON: WHY, JAKE HAMBLIN WASN'T A CLEAN SLICK BOY, HE DIDN'T SAY . HE V CERTAINLY SLEPT WITH HIM THREE MONTHS. THE INFERENCE WILL SUGGEST ITSELF TO YOU. NOW, IN REGARD TO NEPHI JOHNSON, I UNDERTAKE TO SAY THAT <sup>[[32]]</sup> A MORE TRUTHFUL AND CANDED WITNESS , NEVER APPEARED UPON A WITNES STAND. I AM NOT HERE TO TELL YOU WHY THESE MEN ARE SO RELUCTANT IN TELLING ABOUT THESE THINGS. ITIS IN THE FIRST TIME IN THE HISTORY OF MY PROFESSIONAL LIFE THAT EVER I HEARD IT SAID , THAT WITNESSES WERE TO BE DISBELIEVED, BECAUSE THEY WERE SLOW. <del>USUALLY A WITNESS</del> SO THAT A WITNESS THAT WANTS TO SWEAR HERE AND HIS LANGUAGE IS FAST YOU CAN CREDIT HIM. HERE WITNESSES HAVE BEEN BROUGHT UP BY FORCE FROM THE FOUR CORNERSOF THIS TERRITORY, PLACED UPON THE STAND WITHOUT ANY OTHER INFLUENCE BOROUGHT TO BEAR UPON THEM THAN THAT</p>	<p>FROM HIM CAME WITH/THAT[?] —[?] WHICH A MAN [space]</p> <p>HAS HEARD HIM FROM THAT TIME TO THE PRESENT IT IS A TRUTHFUL STORY MY GOOD FRIEND SPICER YESTERDAY WHEN HE ADDRESSED YOU TOLD YOU THAT THE WITNESS WHO FOLLOWED HIM WAS A CLEAN SLICK BOY, THAT WAS NEPHI JOHNSON. WHY JAKE <sup>[[27]]</sup>786 HAMBLIN WASN'T CLEAN SLICK BOY HE DIDN'T SAY [space] HE CERTAINLY SLEPT WITH HIM 3 MONTHS, THE INFERENCE WILL SUGGEST ITSELF TO YOU. NOW IN REGARD TO NEPHI JOHNSON, I UNDERTAKE TO SAY THAT A MORE TRUTHFUL AND MORE CANDID WITNESS NEVER APPEARED UPON A WITNESS STAND. I AM NOT HERE TO TELL YOU WHY THESE MEN ARE SO RELUCTANT IN TELLING THESE THINGS. IT IS THE FIRST TIME IN THE HISTORY OF MY PROFESSIONAL LIFE, THAT EVER I HEARD IT SAID, THAT WITNESSES WERE TO BE DISBELIEVED BECAUSE THEY WERE SLOW [space] SO A WITNESS WHO WANTS TO SWEAR HERE AND LANGUAGE IS FAST, YOU CAN CREDIT HIM. HERE WITNESSES HAVE BEEN BROUGHT UP BY FORCE AND SUBPOENAED FROM THE FOUR CORNERS OF THIS TERRITORY PLACED UPON THE STAND WITHOUT ANY OTHER INFLUENCE BROUGHT TO BEAR UPON THEM, THAN THAT</p>
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786. The verso of page 27 contains only a profile of an unidentified man.

**BT**

**PS**

<p>INFLUENCE WHICH FORCES THEM TO TELL YOU THE TRUTH IN REGARD TO THAT [space]. WHEN YOU TAKE THE WHOLE STOREY , THE STOREY OF EVERY ONE, IT MAKES A CASE THAT FORCES EVERY MAN TO SAY , A DIABLOICAL DEED WAS COMMITTED, A GREAT CRIME, AND INFAMOUS CRIME WAS COMMITTED; BUT THE IDEA OF ORDERS, I DON'T BELIEVE TO DAY THAT ANY ONE IOTA OF PROOF — NOT A QUESTION WAS ASKED AND AN ANSWER GIVEN BY WHICH YOU CAN INFER THAT HE DID IT UNDER ANY <del>MOTIVE MOTIVE</del> THAN THAT OF AVERICE, THAN THAT OF GAIN. WHY, IF THESE MEN WERE <del>SUPP</del> AS SUPPOSED, WHY SHOULD THEY RIDE OF FROM THAT FIELD AS SOON AS THEY COULD GET OFF. WHY NOT HAVE THE PLUNDER <del>DE</del>IVIDED? WHERE IS THERE A WORD OF EVIDENCE OR INSINUATION TO <del>O</del>FOUND THAT, <b>UPON</b> EITHER FROM JAKE HAMBLIN, JOHNSON, OR THAT <del>O</del>F MC MURDY OR <del>N</del>KNIGHT'S HAD ONE SINGLE DOLAR OF THIS PROPERTY: WHERE IS THERE EVIDENCE THAT JOHN D. LEE EVER MADE ANY REPORT OF THE DISPOSITION OF THE PROPERTY, EITHER TO THE CEDAR CAUTHORITIES OR ANY ONE ELSE. THE ONLY EVIDENCE YOU HAVE AFTER HE ORDERED NEPHI JOHNSON TO WATCH IT <del>IS HTA</del>HAT IT WAS SUBSEQUENTLY TAKEN AWAY TO THE DEFENDANT. WE FIND OUT THAT IT WAS TRACED</p>	<p>INFLUENCE WHICH FORCES THEM TO TELL <i>YOU/WHAT</i>[?] [space] IN REGARD TO THAT. WHEN YOU TAKE THE WHOLE STORY THE STORY OF EVERY ONE, IT MAKES A CASE THAT FORCES <i>THAT</i>[?] MAN TO SAY A DIABOLICAL DEED WAS COMMITTED, A GREAT CRIME, AND INFAMOUS CRIME WAS COMMITTED [space] THE IDEA OF ORDERS I DON'T BELIEVE TODAY BUT NOT ONE IOTA OF PROOF = NOT A QUESTION ASKED, NOR AN ANSWER GIVEN BY WHICH YOU CAN INFER THAT HE DID IT UNDER ANY MOTIVE THAN THAT OF AVARICE, THAN THAT OF GAIN. WHY IF THESE MEN WERE <sup>[[28]]787</sup> AS SUPPOSED, WHY SHOULD THEY RIDE OFF FROM THAT FIELD AS SOON AS THEY COULD GET OFF. WHY NOT HAVE THE PLUNDER DIVIDED. WHERE IS THERE A WORD OF EVIDENCE OR INSINUATION FOUND THAT EITHER JAKE HAMBLIN JOHNSON MCMURDY OR KNIGHT HAD ONE SINGLE DOLLAR WORTH OF THIS PROPERTY WHERE IS THERE EVIDENCE THAT JOHN D. LEE EVER MADE ANY REPORT OF THE DISPOSITION OF THAT PROPERTY, EITHER TO THE CEDAR AUTHORITIES OR ANYWHERE ELSE. THE ONLY EVIDENCE YOU HAVE IS THAT HE ORDERED NEPHI JOHNSON TO WATCH IT. THAT IT WAS SUBSEQUENTLY TAKEN AWAY TO DEFENDANT, WE FIND OF IT THAT WAS TRACED</p>
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787. The verso of page 28 contains only a man's drawn profile labeled "WILKINS".

**BT**

**PS**

INTO JOHN D. LEE'S POSSESSION.  
MEN DO NOT GO INTO SUCH A  
SCENE AS THAT  
UNLESS THEY ARE ACTUATED BY A  
**THE** COMMON MOTIVE THAT  
ACTUATES THEIR LEADER; MEN DO  
NOT GO AND COVER THEMSELVES  
ALL OVER WITH SIN AND SINK  
THEIR <sup>[[33]]</sup> SOULS INTO PERDITION  
AND THEN QUIETLY WALK AWAY  
AND LEAVE TO THEIR LEADER HE  
PLUNDER AND ALL THE GAIN. I W  
TELL YOU ,GENTLEMEN, IF YOU  
WILL WEIGH ALL THE TESTIMONY  
IN THIS CASE, AND IF YOU CAN GO  
DOWN SO FAR INTO THE INFERNAL  
REGIONS AS TO WEIGH AND  
MEASURE THE MOTIVES OF A MAN  
THAT YOU'D DO SUCH A  
DAMNABLE OFFENSE, THAT YOU  
WILL FIND IT A SORDID SELFISH  
MOTIVE OF GAIN AND NOTHING  
ELSE . NOW, GENTLEMEN, I HAVE  
OCCUPIED YOUR ATENTION TOO  
LONG;. I PRESENT THIS CASE TO  
YOU IN OPEN ASSERTION UPON  
THE FACTS AS PROVEN TO YOU AND  
AS I SPOKE TO YOU IN THE  
OPENING; THERE NEVER WAS AND I  
PREDICT NOW, THERE NEVER WILL  
BE AGAIN, ~~AND PARTICULARLY FOR~~  
~~THE~~ OPPORTUNITY FOR TWELVE  
MEN WHO LOVED THEIR COUNTRY,  
WHO LOVE THEIR GOOD NAME AND  
THEIR NEIGHBORS; WHO ~~THE~~ LOVE  
THE RELIGION THAT THEY PROFES;  
WHO LOVE THEIR RULERS AND TO  
~~EXPULCATE~~ EXCULPATE THE  
RULERS FROM THE ASPERSIONS  
THAT THE CRIMES OF ONE MAN  
HAVE ~~GBROUGHT~~ BROUGHT UPON THEM, TO  
VINDICATE AT ONCE THEIR PEOPLE,  
THEIR RELIGION,  
AND TO WIPE OUT

INTO JOHN D. LEE'S POSSESSION.  
MEN DO NOT GO INTO SUCH A  
SCENE AS THAT AS *PLSS/PLST*[?]  
UNLESS THEY ARE ACTUATED BY  
THE COMMON MOTIVE THAT  
ACTUATES THEIR LEADER. MEN DO  
NOT GO AND COVER THEMSELVES  
ALL OVER WITH SIN AND SINK  
THEIR SOULS INTO PERDITION,  
AND THEN QUIETLY WALK AWAY  
AND LEAVE TO THEIR LEADER THE  
PLUNDER AND ALL THE GAIN. I  
TELL YOU GENTLEMEN IF YOU  
WILL WEIGH THE TESTIMONY  
IN THIS CASE AND IF YOU CAN GO  
DOWN SO FAR INTO THE INFERNAL  
REGIONS AS TO WEIGH AND  
MEASURE THE MOTIVES OF A MAN  
THAT WOULD COMMIT SUCH A  
DAMNABLE OFFENSE THAT YOU  
WILL FIND IT A SORDID SELFISH  
MOTIVE OF GAIN AND NOTHING  
ELSE. NOW GENTLEMEN I HAVE  
OCCUPIED YOUR ATTENTION TOO  
LONG [*space*] I PRESENT THIS CASE  
TO YOU, IN OPEN ASSERTION UPON  
THE <sup>[[29]]</sup> FACTS AS PROVEN AND  
AS I SAID TO YOU IN THE  
OPENING, THERE NEVER WAS AND I  
PREDICT NOW THERE NEVER WILL  
BE AGAIN,  
AN OPPORTUNITY FOR 12  
MEN WHO LOVE THEIR COUNTRY =  
WHO LOVE THEIR GOOD NAME AND  
THEIR NEIGHBORS = WHO LOVE  
THE RELIGION THAT THEY PROFESS  
= WHO LOVE THEIR RULERS TO  
ACQUIT THOSE  
RULERS FROM THE ASPERSIONS  
THAT THE CRIMES OF ONE MAN  
HAVE BROUGHT UPON THEM,  
VINDICATE AT ONCE, THEIR PEOPLE  
= THEIR RELIGION AND  
THEMSELVES AND TO WIPE OUT

**BT**

**PS**

<p>THE ONLY STIGMA THAT HAS SO LONG RESTED UPON THEM, AND WHICH TO DAY THAT MAN .....<b>WOULD LET YOU BY ORDERS</b> ..... AND LET HIM GO SCOT FREE. COURT ADJOURNED TILL TO MORROW MORNING AT 11 O'CLOCK. <b>THE FOLLOWING MORNING JUDGE BOREMAN DELIVERED HIS CHGE TO THE JURY</b></p>	<p>THE FOUL STIGMA THAT HAS SO LONG RESTED UPON THEM AND WHICH TODAY <i>THAT MAN/THOUGH MEN</i>[?] WOULD —[?] YOU AS <i>WE/WITH</i>[?] <i>GN/KM</i>[?] AND WALK OFF OURSELVES SCOTT FREE. [<i>space</i>] COURT ADJOURNED TILL TO MORROW MORNING AT 10 O'CLOCK</p>
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