

MOUNTAIN MEADOW MASSACRE.

Witness below, the affidavit of Philip Klingon Smith one of the bishops who obeyed the orders of Brigham in the butchery of Mountain Meadows. The fearful story requires no comment, nor does it admit of a doubt.

State of Nevada, County of Lincoln ss:

Personally appeared before me, Peter B. Miller, Clerk of Court of the Seventh Judicial District of the State of Nevada, Philip Klingon Smith, who being duly sworn, on his oath says: My name is Philip Klingon Smith; I reside in the County of Lincoln, in the State of Nevada; I resided at Cedar City in the County of Iron, in the Territory of Utah, from A. D. 1852 to A. D. 1859; I was residing at Cedar City at the time of the massacre at Mountain Meadows, in said Territory of Utah; I had heard that a company of emigrants was on its way from Salt Lake City, bound for California; said company arrived at said Cedar City, tarried there one day, and passed on for California; after said company had left Cedar City, the militia was called out for the purpose of committing acts of hostility against them; said call was a regular military call from the superior officers to the subordinate officers and privates of the regiment at Cedar City and vicinity, composing part of the militia of the Territory of Utah; I do not recollect the number of the regiment. I was at that time the Bishop of the Church of Jesus Christ of Latter Day Saints at Cedar City; Isaac C. Haight was President over said church at Cedar City, and the southern settlements in said Territory; my position as bishop is subordinate to that of said President. W. H. Dame was President of said church at Parowan, in said Iron County. Said Dame was also colonel of said regiment; and Isaac C. Haight was lieutenant-colonel of said regiment, and said John D. Lee, of Harmony, in said Iron County, was Major. Said regiment was duly ordered to muster, armed and equipped as the law directs and I prepared for field operations. I had no command nor office in said regiment on the expedition which resulted in said company's being massacred at the Mountain Meadows in said county of Iron. About four days after said company of emigrants had left Cedar City that portion of said regiment then mustered at Cedar City took up its line of march in pursuit of them. About two days after said company had left Cedar City, Lieutenant-Colonel I. C. Haight expressed in my presence a desire that said company might be permitted to pass on their way in peace; but afterwards he told me that he had orders to kill all of said company of emigrants except the little children. I do not know whether said headquarters meant the regiment headquarters at Parowan or the headquarters of the Commander-in-Chief at Salt Lake City. When the said company got to Iron Creek, about twenty miles from Cedar City, Captain Joel White started for the Pinto Creek Settlement, through which the said company would pass for the purpose of influencing the people to permit said company to pass on their way in peace. I asked and obtained permission of said White to go with him to aid him in trying to save life. When we got about three miles from Cedar City, we met Major J. D. Lee, who asked us where we were going. I replied that we were going to try to prevent the killing of the emigrants. Lee replied: "I have something to say about that." Lee was at that time on his way to Parowan, the headquarters of Colonel Dame. Said White and I went to Pinto Creek; remained there one night, and the next day returned to Cedar City, meeting said company of emigrants at Iron Creek. Before reaching Cedar City we met one Ira Allen, who told us that "The decree had passed devoting said company to destruction." After the fight had been going on three or four days a message from Major Lee reached Cedar City, who stated that the fight had not been altogether successful, upon which Lieutenant-Colonel Haight ordered out a reinforcement. At this time I was ordered out by Captain John M. Higby who ordered me to muster "armed and equipped as the law directs." It was a matter of life or death to me to muster or not, and I mustered with the reinforcing troops. It was at this time that Lieutenant-Colonel Haight said to me that it was the orders from headquarters that all but the little children of said company were to be killed. Said Haight had at that time just returned from headquarters at Parowan; where a military council had been held. There had been a like council held at Parowan previous to that, at which were present Colonel Dame, Lieutenant-Colonel I. C. Haight and Major John D. Lee. The result of this first council was the calling out of said regiment for the purpose already stated. The reinforcement aforesaid was marched to the

Mountain Meadows, and there formed a junction with the main body. Major Lee massed all the troops at a spring and made a speech to them, saying that his orders from headquarters were to kill the entire company except the small children." I was not in the ranks at that time, but on one side talking to a man named Slade, and could not have seen a paper in Major Lee's hands. Said Lee then sent a flag of truce to the emigrant camp, offering said emigrants that "if they laid down their arms he would protect them." They accordingly laid down their arms, came out from their camp, and delivered themselves up to the said Lee. The women and children were then, by the order of said Lee, separated from the men and were marched ahead of the men. After the said emigrants had marched about a half mile towards Cedar City the order was given to shoot them down. At that time said Lee was at the head of the column. I was in the rear. I did not hear Lee give the order to fire, but heard it from the under officers as it was passed down the column. The emigrants were then and there shot down, except seventeen little children, which I immediately took into my charge. I do not know the total number of said company as I did not stop to count the dead. I immediately put the little children in baggage-wagons belonging to the regiment and took them to Hamlin's ranch, and from there to Cedar City, and procured them homes among the people. J. Willis and S. Murdy assisted me in taking charge of said children. On the evening of the massacre W. H. Dame and Lieut. I. C. Haight came to Hamlin's where I had the said children, and fell into a dispute, in the course of which said Haight told Colonel Dame that if he was going to report of the killing of said emigrants he should not have ordered it done. I do not know when or where said troops were disbanded. About two weeks after said massacre occurred said Major Lee (who was also Indian agent) went to Salt Lake City and, as I believe, reported said fight and its results to the commander-in-chief: I was not present at either of the before mentioned councils, nor at any council connected with the aforesaid military operations or with said company. I gave no orders except to those connected with the saving of the children, and those after the massacre had occurred, and said orders were given as bishop and not in a military sense. At the time of the firing of the first volley I discharged my piece. I did not fire afterwards, though several subsequent volleys were fired. After the first fire was delivered I at once set about saving the children. I commenced to gather up the children before the firing had ceased. I have made the foregoing statements before the above entitled Court for the reason that I believe that I would be assassinated should I attempt to make the same before any court in the Territory of Utah. After said Lee returned from Salt Lake City, as aforesaid, said Lee told me that he had reported fully to the President, meaning the commander-in-chief, the fight at Mountain Meadows and the killing of said emigrants. Brigham Young was at that time commander-in-chief of the Militia of the Territory of Utah; and further deponent saith not.

(Signed) PHILIP KLINGON SMITH.

Subscribed and sworn to before me this 10th day of April, A. D. 1871.

(Signed) P. B. MILLER, County Clerk.

[Copy of Seal—District Court, Seventh Judicial District, Lincoln County, Nevada.]

Utah Territory, County of Salt Lake.

I, O. F. Strickland, Associate Justice of the Supreme Court of Utah Territory, hereby certify that I have carefully compared the foregoing copy of affidavit with the original of the same, and that the foregoing copy is a true literal copy of said original, and that such comparison was made this fourth day of September, 1872.

(Signed) O. F. STRICKLAND.

Territory of Utah, Salt Lake County.

I, James B. McKean, Chief Justice of the Supreme Court of said Territory, do certify that I have carefully compared the above copy of an affidavit with the original of the same, and know the same to be in all particulars a true copy thereof.

(Signed) JAS. B. MCKEAN,
Chief Justice, &c.

Dated, September 5, 1872.