

REMARKS ON THE LEE TRIAL.

Those Mysterious Orders—Who Connected the Massacre—George A. Smith the Fraud—South—Witnesses Klingensmith Produces a Paper.

Editorial Correspondence Tribune.

BEAVER, July 26, 1875.

These terrible crimes never could have been committed in Utah if a healthy public opinion had existed. There is a tendency in human nature to abuse power, and the only corrective is the assertion of individual right. But when a people abandon the use of their reason, allow their senses to be lulled asleep with the false and fanatical teachings of a parcel of vulgar and ignorant impostors, and pay adoration to a crafty, designing knave as

THE PROPHECY OF THE LORD, such a reversal of the fundamental rules governing society, must lead to mischievous consequences; and the Mountain Meadows Massacre, withholding educational facilities from the people, and the United Order of Enoch, are just such evils as might be expected to result. The prosecution have three or four participants in the bloody scene whom they will place on the witness stand. All three men tell the same story in regard to the motive that prompted them. They had no ill will towards the unoffending emigrants.

THEY MERELY OBEYED ORDERS. Having parted with their liberties, and placed themselves beyond the protecting fold of the American flag, they were mere fools in the hands of their blood-thirsty and crime-stained masters. When summoned to bathe their hands in innocent blood, they had no power of resistance. For lawful government by the people for the people, terrorism prevailed. The midnight bullet and the assassin's knife replaced nominating conventions and a free ballot. When Mr. W. W. Bishop, of Proche, was cross-examining the witness, Klingensmith, on Saturday, the former could not place himself in rapport with his subject. An American citizen was trying to extract reason from the victim of a crushing despotism, and they seemed to be addressing each other from opposite poles of social life.

"If you opposed this massacre,"

said the lawyer, "why did you take part in it?"

"Orders," was the sufficient reply.

"But," said the mystified outsider,

"you are an American citizen, enjoying the same rights and privileges in this State that are enjoyed by citizens in other States, and as a freeman,

it was your duty

TO REFUSE TO DO WRONG."

The witness bestowed a very faint smile of pity upon his interrogator.

"It was more than my life was worth to refuse," he explained.

"You say you passed the emigrants on your way to Pinto creek.

Why did you not notify them of the danger?"

"Had no orders; did nothing without orders."

Again, when the witness testified to visiting Brigham Young and feeding Lee and one or two other murderers in consultation with the prophet, the learned counsel inquired whether he gave "the president" a full report of the horrible butchery.

"I did not," was the reply.

"And why not?" was the natural interrogatory.

"Had no orders, never interfered with things that was not my business."

And this is what comes of the favorite priestly maxim,

MIND YOUR OWN BUSINESS.

The citizen forfeits all right of inquiry and investigation, his masters become absolute in their usurpation of power, and being brutal and malignant in their instincts, their credulous and deluded followers, picked up in the by-ways of Europe, are made the instruments of murder, brigandage and rapine.

The reader would think he could have but slight sympathy for an assassin, who while his victim was expressing gratitude for deliverance from the ruthless savage, places his musket at the latter's breast and shoots him down in cold blood. But these participants in the fearful massacre, move a person's feelings in spite of his determination to hold aloof. These men are wanderers upon the face of the earth, hiding from the argus eyes of justice. Since that terrible day their minds have known no rest. The sickening details of the butchery rise up before them, sleeping and waking, and never more will mental repose be vouchsafed. One tells of a sweet little girl when death and carnage surrounded her, begging piteously for her life. A noble Pute stepped forward and cut her throat. A young mother, falling with a death wound, lost hold of her babe, and it fell to the ground a little distance from her side. An Indian raised a heavy stone and dropping it on the unconscious innocent, crushed it flat. One of the men survived the furore and Higbee advanced upon him with his knife. "The victim knew his assassin and as the latter placed the weapon to his throat, exclaimed, "I would not do so to you, John." Instantly his head was nearly severed, and a crimson tide bathed murderer and murdered alike.

TRACING UP THE CONSPIRACY.

I learn from the counsel who are defending Lee, that they intend to plead no malicious intent. If the terrorism of the Mormon misrule was so crushing that men had to steep their souls in murder for fear of their lives, they acted under duress, they were not free agents. If Klingensmith, a bishop in the Church, acted under constraint, so did Haight, his superior ecclesiast, and Higbee and Dame and all the local authorities.

"Orders?" one and all say here, who have a personal knowledge of the slaughter, "required the destruction of the emigrants." Whence emanated those orders? George A. Smith had ridden through the Territory in advance of the emigrants, forbidden all intercourse with the doomed band, and when the wearied and famishing company at Corn Creek inquired of this high official, where they could rest their tired animals without molestation, he significantly pointed them

TO MOUNTAIN MEADOWS!

This second man from God and factotum of his master, was a generalissimo of the army of Southern Utah, and a word from him to his zealous subordinates would immediately assume the shape of "orders." Not a man in the South, private or official, dared to ask for written instructions, that they might at least partake responsibility as the guilty instrument with the highest officer who ordered the crime. In the court room, the dread mystery which surrounds these "orders" that doomed a hundred and twenty innocent fellow-beings to death, was felt by all. No one could explain how they were received, or who conveyed them. The guilty accomplices of the hellish conspiracy knew better than to place themselves before the people as investigators of the massacre. In Cedar City, Haight broached the matter in council. It met with opposition and he broke the meeting up in duress. At Parowan a meeting was also held, Dame presiding, and there the butchery was decided upon. This gave official character to the order, and the people of Cedar City acquiesced as in duty bound. Is it not the most natural thing in the world, that the prophet's

first counselor when at those two places, whispered a word in the ears of Dame and Higbee? A suggestion from the first presidency is "orders" to any devout saint. Hence, when the counsel for prisoner declare their intention to trace the responsibility to its first source, and justify their client as acting under duress, the reader will readily perceive that these learned gentlemen have taken the right about, and all will admit that in this investigation they are promoting the ends of justice.

A TOUCH OF THE HUMOROUS

Is a welcome relief to such tales of horror, so I will break off to relate an incident. During the cross-examination of the witness, Klingensmith, on Saturday, Mr. Bishop labored with him zealously to extract a confession that some inducements had been held out to him in promises made by Government officers to bring him to Beaver. The ex-bishop is clear witted enough, phlegmatic as an oyster, and he talks with great deliberation. The question in various shapes had been plied a number of times, and in answering one he reached his hand to an inner breast-pocket, saying at the time, "I have got a paper at the back of that." This was too good a thing for the eager lawyer to lose. He returned to the charge and labored persistently until he obtained permission from the Court to examine that paper. Returning to his table with it, the District Attorney captured the documents' pocket for years, and was in the condition of the Deacon's "one-horse shay" at the time of its final collapse. Very gingerly the prosecuting officer unfolded the paper, and half a dozen learned heads gathered around to see what would come out. Presently a broad guffaw arose which was promptly suppressed by the Court.

"What are you unearthing there?"

inquired Sutherland of Whedon,

speaking across his table.

"It's a document from your crazy partner," was the reply.

This erratic genius is always turning up in unexpected places. It was a letter written by George Cowar in 1871, when district attorney, to Judge Waddel (now deceased) requesting him to induce witness to come to Beaver, as he was about to hold a grand inquest here under the protecting bayonets of the military, with a view to finding indictments against the Mountain Meadows assassins. He further promised to intercede with the President for a pardon for witness in consideration of his turning States evidence. This appears to have been forwarded to the ex-bishop with a note from Judge Waddel. The laugh was on the defense—they had found a large sized mare's nest, and they turned their backs upon the discovery with edifying alacrity. Casting a glance upon the witness, it was evident he was utterly unconscious of the huge goal he had perpetrated, by the supernatural solemnity that marked his visage.

Time is being held five hours a day at the request of counsel and to afford time to the reporters to keep up with the proceedings. For want of a hall, the jury camp in the court room. The majority are hardy frontiersmen, and find luxurious repose on the soft side of a plank. Maxwell arrived here last evening with his wife and one or two other spouses for the lawyers—it seems as if they are preparing to fight it out on this line if it takes all summer. THE TRIBUNE'S are in immense demand here. F. L.