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**Abstract** Review of *American Massacre: The Tragedy at Mountain Meadows, September 1857* (2003), by Sally Denton.

# THE DENTON DEBACLE

Robert D. Crockett

Sally Denton's *American Massacre* is the "Native Americans didn't do it" version of the Mountain Meadows Massacre of 1857 near Cedar City, Utah. The massacre has recently attracted much attention with the refurbishing of the memorial at Mountain Meadows and the publication or republication of three other widely acclaimed books: Will Bagley's *Blood of the Prophets*, which I have reviewed earlier;<sup>1</sup> Jon Krakauer's bestseller *Under the Banner of Heaven*; and William Wise's *Massacre at Mountain Meadows*.<sup>2</sup>

Denton's polished writing style is more readable than Bagley's. That is about the best one can say of this work, though, because Denton's pursuit of Native American political correctness fails her

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1. Robert D. Crockett, "A Trial Lawyer Reviews Bagley's *Blood of the Prophets*," *FARMS Review* 15/2 (2003): 199–254.

2. Will Bagley, *Blood of the Prophets: Brigham Young and the Massacre at Mountain Meadows* (Norman: University of Oklahoma Press, 2002); Jon Krakauer, *Under the Banner of Heaven: A Story of Violent Faith* (New York: Doubleday, 2003), reviewed by Craig L. Foster, in this number of the *FARMS Review*, pages 149–74; William Wise, *Massacre at Mountain Meadows: An American Legend and a Monumental Crime* (New York: Crowell, 1976; reprint, Lincoln, NB: iUniverse.com, 2000).

Review of Sally Denton. *American Massacre: The Tragedy at Mountain Meadows, September 1857*. New York: Knopf, 2003. xxiii + 306 pp., with bibliography and index. \$26.95.

when she gets into the tough issue of culpability beyond the direct participants. In an area that demands a thorough knowledge of the relevant literature, Denton is deficient. She also relies heavily on secondary sources, many of which are suspect because of their own failure to adequately document primary sources. Her work, therefore, is largely a reinterpretation of old sources rather than a treatment of new sources and material. Her suggestion that she is an insider to the Latter-day Saint psyche (p. 293) proves unconvincing because she makes mistakes that careful historians of Mormon Americana do not.

*American Massacre* revisits some of the difficulties inherent in the nineteenth-century “Mormon question,” but from a twenty-first-century relativistic perspective. Nineteenth-century American Protestants had developed their own version of manifest destiny (p. 71)—a belief that nothing could stand in the way of democracy, egalitarianism (among white Protestants, at least; blacks, Catholics, and Native Americans were another story), and emerging feminism. This assurance came head-to-head with Mormonism, the alien peoples it attracted, its theocracy, its policy of Native American accommodation, and its doctrine of plural marriage. Mormonism was as antithetical to Protestant manifest destiny as the Jews were to the Spanish crown in the fifteenth century. Denton takes up these “Mormon question” issues, as is appropriate, but she examines them in the light of shallow, twenty-first-century political correctness and postmodernism, the latter of which holds that there are no social or religious truths and that history should be judged against new standards of relativism.<sup>3</sup> Matters of faith, eternal truth, and obedience to ecclesiastical leaders are as foreign to the twenty-first-century skeptic as a challenge to manifest destiny was to the nineteenth-century Protestant, so they do not enter into the discussion at all. To say it more succinctly, Denton discusses the massacre out of context.

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3. David Gergen, *Eyewitness to Power: The Essence of Leadership, Nixon to Clinton* (New York: Simon and Schuster, 2000), 341.

## Denton's Story

Denton's version of the massacre begins in earnest with the Gunnison affair. John W. Gunnison was a lieutenant in the United States Army assigned to Captain Howard Stansbury's survey in 1849. Gunnison developed an unusual interest in frontier Mormonism, traveling with future Mormon apostle Albert Carrington as his guide to the Great Salt Lake area basin (pp. 63–64). In Washington, Gunnison actively worked to defray public misperceptions of Mormons at the height of the “runaway” officials scandal (p. 67).<sup>4</sup> Gunnison's publication of *The Mormons, or, Latter-Day Saints, in the Valley of the Great Salt Lake* in 1852 was a major early glimpse into Mormon theocracy in the Great Basin.<sup>5</sup> According to Denton, Gunnison believed his work to be objective, but the Latter-day Saints did not (p. 67).

The massacre of the Gunnison party on the Sevier River by Native Americans on 26 October 1853 attracted the attention of one of the runaway officials, Judge William W. Drummond, in 1857 (p. 87). In correspondence with Gunnison's widow, he blamed the Mormons for the Gunnison massacre. The *New York Times* published the correspondence on 1 May 1857, raising national ire against the Latter-day Saints (p. 90). President James Buchanan's message to Congress in that same year also blamed the Saints for the Gunnison massacre (p. 90), and General Winfield Scott was ordered west with an army. Albert Sidney Johnston later replaced Scott.

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4. President Millard Fillmore appointed non-Mormon federal judges and a territorial secretary to the territory in 1851. As Stenhouse's sarcastic nineteenth-century work against the church puts it, they “very soon after their arrival concluded that Utah was not the most pleasant place for unbelievers.” They almost immediately fled the territory and published a statement to the Eastern press to explain their departure. The officials' published statement implied that, due to polygamy, there was a shortage of women “for the Federal officers.” Their departure and their published statement led to substantial public ridicule, even from sources hostile to the church. T. B. H. Stenhouse, *The Rocky Mountain Saints* (New York: Appleton, 1873), 278. Later, Judge W. W. Drummond repeated the actions of his predecessors and fled town in 1857. *Ibid.*, 285.

5. John W. Gunnison, *The Mormons, or, Latter-Day Saints, in the Valley of the Great Salt Lake: A History of Their Rise and Progress, Peculiar Doctrines, Present Condition, and Prospects, Derived from Personal Observation, during a Residence among Them* (Philadelphia: Lippincott, 1852; reprint, Brookline, MA: Paradigm, 1993).

Picking up the story of the Fancher train in Salt Lake City, Denton lauds the Fancher train members as “orderly, peaceable, Sabbath-loving and generally Christian people” (p. 156). Her accounts of difficulties with local residents (pp. 122–24) are not groundbreaking, except that Denton recounts a “divine revelation” from Brigham Young, read aloud to massacre perpetrators early in September, commanding them to “raise all the forces they could muster and trust, and with the arrows of the Almighty make a clean sweep of them, and leave none to tell the tale” (p. 153). Denton also mentions a letter signed by Brigham Young, carried by the Native Americans, “ordering the emigrants to be killed” (p. 159). I will discuss also both this “revelation” and the letter below.

Denton’s account of the massacre of over 140 members of the Fancher train from 7 to 11 September 1857 covers the same ground as many others. However, Denton attempts by her account to remove all Native Americans from the scene of the massacre, blaming the Mormons for the entire affair (p. 156). Like Juanita Brooks,<sup>6</sup> Bagley, and Wise, Denton relies heavily on John D. Lee’s uncorroborated report to Brigham Young concerning the massacre in order to tar Young with the brush of a cover-up. None of these writers has given any weight to Brigham Young’s detailed affidavit denying the meeting.<sup>7</sup>

Like Bagley, Denton spends considerable effort recounting Colonel Thomas Kane’s history with the Saints, including his efforts to conciliate the parties to the Utah War (p. 180). Denton spends time on Judge John Cradlebaugh’s early initial investigations (pp. 188–93). Cradlebaugh convened the Provo grand jury, “many of whom were the very men he believed to be participants in the crimes he was investigating” (p. 190). Denton relies very heavily upon Cradlebaugh’s

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6. Juanita Brooks, *The Mountain Meadows Massacre* (1950; reprint, Norman: University of Oklahoma Press, 1962).

7. Brigham Young, affidavit, 30 July 1875, in Brooks, *Mountain Meadows Massacre*, 286 (1962 ed.). Original affidavit is in Brigham Young Collection, Family and Church History Department Archives, The Church of Jesus Christ of Latter-day Saints (hereafter Church Archives). While Brooks attaches the affidavit to her work, she does not discuss it in the context of explaining Lee’s meetings with Young. Brooks, *Mountain Meadows Massacre*, 140–42.

account of his work, or at least upon T. B. H. Stenhouse's 1873 account of Cradlebaugh's work.<sup>8</sup>

Denton devotes only a few pages to the period of time between the successful denouement of the defense against President Buchanan's Utah War and John D. Lee's trial. She covers Brigham Young's pleasant visit to the Lee household in 1861 (p. 210), Young's purported desecration of the rock cairn shrine, and Argus's reports (1870–71) in the *Corinne (Utah) Reporter* (pp. 210–12).<sup>9</sup>

Denton recounts the two trials of John D. Lee, the second of which she reports culminated in a deal to thwart justice. As Denton puts it:

In a calculated and mutually beneficial deal, Young and [United States District Attorney Sumner] Howard came to terms. Young would make available all witnesses and evidence necessary for a conviction of Lee. In exchange, Howard would limit the testimony implicating Young, George [A.] Smith, and other church leaders in the affair, and drop charges against [William] Dame [head of Mormon militia]. (p. 228)

### Denton's Theories about the Native Americans

Readers may find themselves surprised by Denton's treatment of Dimick Huntington's 1 September 1857 diary entry, particularly after reading Bagley's assessment of it. In my review of Bagley, I discuss the fact that Bagley calls this diary entry "disturbing new evidence" that Brigham Young ordered the Native Americans to commit the massacre.<sup>10</sup> Denton uses this diary entry as well, but she and Bagley do not

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8. I have discussed my view of Cradlebaugh's reliability elsewhere in "A Trial Lawyer," 220–24.

9. See *ibid.*, 212–13 nn. 37–38.

10. "Kanosh the Pahvant Chief[,] Ammon & wife (Walkers Brother) & 11 Pahvants came into see B & D & find out about the soldiers. Tutseygubbit a Piede chief over 6 Piedes Bands Youngwuols another Piede chief & I gave them all the cattle that had gone to Cal[.] the southa rout[.] it made them open their eyes[.] they sayed that you have told us not to steal[.] so I have but now they have come to fight us & you for when they kill us then they will kill you[.] they sayed the[y] was afraid to fight the Americans & so would raise grain & we might fight." Dimick B. Huntington diary, MS 1419 2, 12–13, Church Archives.

agree as to its meaning. Because Denton's objective is to demonstrate that the Native Americans were *not* involved in the massacre, she says some remarkable things about the diary entry. A careful reading of her statement is required:

His diary repudiates the Mormon leader's lifelong denials and makes clear that on September 1, Young was met with disconcerting resistance from the Indians as he tried to enlist their support against the wagon train. Church officials have steadfastly maintained that the chiefs left that day in time to travel nearly three hundred miles to marshal their warriors, and begin the massive attack on the Arkansas pioneers just six days later. (pp. 158–59)

In other words, Denton interprets the diary entry as showing that the Native Americans refused to become involved. Her claim that the church has always maintained that chiefs Tutsegabit and Youngwuds then left the meeting and traveled three hundred miles in six days to organize the attack is both contradictory and inaccurate, for the church has never made that argument. Denton thus argues, with no support or citation, that the church made up a story about Tutsegabit and Youngwuds so that it could lay blame for the massacre upon the Paiutes.

Denton's reason for doubting the ability of Tutsegabit and Youngwuds to make such a journey is exactly the same as mine: it could not be done. To that extent, both Denton and I part company with Bagley's use of the diary entry; he offers it to show that Brigham Young organized the first assault on the Fancher train with the Paiutes. But the greater message to be taken from this discussion of the Huntington diary entry is that Bagley and Denton have reached opposite conclusions about its meaning. Bagley says that the diary shows the chiefs preparing to carry out the attack on Brigham Young's orders. Denton says that it shows their refusal to carry out Brigham Young's orders. The reason for the difference? The two authors have different stories to tell. Bagley wishes to implicate the Mormon leaders in a way no serious historian has ever done before. Denton wishes to blame high Mormon officials but to extricate entirely the Native Americans.



Exculpating Native Americans, however, from the massacre is as impossible as it is to implicate high Mormon leaders in the affair. One of the earliest on-the-ground interviews after the massacre was that of Indian agent Garland Hurt, a bitter enemy of the Saints.<sup>11</sup> Hurt reported that after hearing rumors of a massacre, he asked a teenage boy fluent in the language to visit the Southern Paiutes (the Piedes) on 17 September 1857.

He returned on the 23d, and reported that he only went to Ammon's village, in Beaver county, where he met a large band of the Piedes, who had just returned from Sioux county. They acknowledged having participated in the massacre of the emigrants, but said that the Mormons persuaded them into it. . . . [John D. Lee] prevailed on them to attack the emigrants, who were then passing through the country, (about one hundred in number,) and promised them that if they were not strong enough to whip them, the Mormons would help them. The Piedes made the attack, but were repulsed on three different occasions, when Lee and the bishop of Cedar city [Klingensmith], with a number of Mormons, approached the camp of the emigrants under pretext of trying to settle the difficulty. . . . [T]he work of destruction began, and, in the language of the unsophisticated boy, they cut all of their throats but a few that started to run off, and the Piedes shot them.<sup>12</sup>

Denton acknowledges Hurt's report (p. 267) and agrees that his "official report of the massacre was the first and most accurate on the record" (p. 159). However, the only statement she uses from the Hurt report is that the "Indians insisted that Mormons, and not Indians, had killed the Americans" (p. 159). Denton has deceived the reader with the way she uses the Hurt report. The Indians' first report to Hurt, from Indians not affiliated with the Paiutes, was that Indians were not responsible. This is the only quotation Denton uses. But Hurt

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11. Garland Hurt to Jacob Forney, 4 December 1857, 35th Cong., 1st sess., H. Exec. Doc. 71, serial 956, p. 199.

12. *Ibid.*, 203, emphasis deleted.

was suspicious, and he investigated further. He found and reported the truth. Indians and Mormons committed the atrocity. Yet, because Hurt's final conclusions don't square with Denton's thesis, we are not told about them.

Moreover, Hurt's report does not square with Denton's view of Mormon Native American policy. It is certainly correct to say that changing standards of ethical conduct have led to widely swinging views of the Mormon Native American policies.<sup>13</sup> Hurt does not support Denton's very negative recitation of that policy. Perhaps, by relying solely upon a secondary source of Hurt's report, Denton missed Hurt's assessment. Denton tells us that the Native Americans were "mistreated by the Mormons since the sect's arrival among them. Indian agent Garland Hurt was loved by many and held more sway with them than Huntington or Young" (p. 115). On the contrary, we can read from Hurt's report (and again, I cite from the primary source) after he left the territory:

It is due, however, to the Mormon community to admit that [the Native Americans'] wants were greatly mitigated by the liberal contributions of flour and other articles of food, made under the directions of their Indian missionary enterprise, whose agents were unusually active during the past season.

The plan of operating under this missionary system is quite peculiar to Mormonism; and perhaps the most objectionable feature in it is their inordinate desire to court the favor and alliance of the natives to the exclusion and prejudice of all other communities; and yielding too far to this disposition, not only tempt themselves with a violation of the laws of the country, but actually tempt the Indians to take advantage of their position, which they seem well to understand and appreciate, and tax them with a thousand annoyances that might otherwise be obviated.<sup>14</sup>

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13. Sondra Jones, "Saints or Sinners? The Evolving Perceptions of Mormon-Indian Relations in Utah Historiography," *Utah Historical Quarterly* 72/1 (2004): 19–46.

14. Hurt to Forney, 4 December 1857, 201.

Even Hurt, who disliked Latter-day Saints, could not accuse them of abuse or neglect of the Native American population. Instead, he challenged the missionary system for providing aid and sustenance to those he himself referred to as “wild” and “very degraded people.”<sup>15</sup> He said he disapproved of the Saints’ perceived practice of providing aid to the Native Americans “to the exclusion and prejudice” of other (presumably, white) communities. We cannot today fully understand what Hurt meant when he said that the church’s practice of courting favor with the Native Americans would “tax them with a thousand annoyances,” but plainly Hurt objected to things that would benefit the Native Americans.

It is easy to see why Denton failed to accurately assess Mormon Native American policy. The text of her book does not rely upon the primary source for Hurt’s report, relying instead upon a secondary source. This is a strange lapse since she makes reference in her bibliography to the primary source.

### Orders to Kill the Fancher Train

Denton recounts the claim that two Native Americans, Tonche and Jackson, reported to federal investigators that they carried a letter from Brigham Young ordering them to kill the people in the Fancher train. She admits that this vignette is contrary to her conclusion that the Native Americans refused to cooperate with Brigham Young’s request (p. 159). Nonetheless, she cites no source for her claim about the letter.<sup>16</sup>

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15. *Ibid.*, 200.

16. The source is obviously Major James Henry Carleton’s report of 1859. It is difficult to say whether Carleton had firsthand reports. “It is said to be a truth that Brigham Young sent letters south, authorizing, if not commanding, that the train should be destroyed. A Pah-Ute chief, of the Santa Clara band, named ‘Jackson,’ who was one of the attacking party, and had a brother slain by the emigrants from their corral by the spring, says that orders came down in a letter from Brigham Young that the emigrants were to be killed; and a chief of the Pah-Utes named Touche, now living on the Virgin River, told me that a letter from Brigham Young to the same effect was brought down to the Virgin River band by a man named Huntingdon, who, I learn, is an Indian interpreter and lives at present in Salt Lake City.” James Henry Carlton to Maj. W. W. Mackall, 25 May 1859, House Doc. No. 605, 57th Cong., 1st Sess. (reprint, Roy, UT: Eborn Books, 2000). There are two problems with Carleton’s report. First, it is highly unlikely that these two Native Americans could read any

Denton further asserts that it was reported that a “divine revelation from Brigham Young was read aloud” to the participants “commanding them to . . . attack them, disguised as Indians, and with the arrows of the Almighty make a clean sweep of them, and leave none to tell the tale.” Denton tells us that this information comes from some of the participants to the crime (p. 153). Her source for this alleged fact is to a sensational exposé common of the era: Catharine Van Valkenburg Waite’s *The Mormon Prophet and His Harem; Or, An Authentic History of Brigham Young, His Numerous Wives and Children*.<sup>17</sup> Waite was an early suffragist married to a federal judge. She did not name names or provide sources in her book. Her stated objective was to reclaim the “suffering women of Utah.”<sup>18</sup> She is the sole source for this “revelation,” which has no basis in historical fact.<sup>19</sup>

### Colonel Thomas L. Kane

For the length of her work, Denton spends an unusual amount of time discussing Colonel Thomas L. Kane. Non-Mormon Kane is held in high esteem by the Latter-day Saints for his unstinting advocacy of the Saints’ position in the face of an increasingly hostile press and government, as well as for his successful efforts to avert a catastrophe between them and the army.<sup>20</sup> Yet Denton tells us that this hero had feet of clay: she paints him as a silly, fussy, strutting martinet who is

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letter from Brigham Young. Second, according to Dimick Huntington’s diary, Huntington was in Salt Lake City during these events.

17. Mrs. C. V. [Catharine Van Valkenburg] Waite, *The Mormon Prophet and His Harem; Or, An Authentic History of Brigham Young, His Numerous Wives and Children* (Cambridge: Houghton, 1866).

18. *Ibid.*, preface. She hopes the women “rescue themselves from the snares of the religious imposters,” p. 66 of 4th ed.

19. “A revelation from Brigham Young, as Great Grand Archee, or God, was despatched to President J. C. Haight, Bishop Higbee, and J. D. Lee, commanding them to raise all the forces they could muster and trust, follow those cursed gentiles (so read the revelation), attack them, disguised as Indians, and with the arrows of the Almighty make a clean sweep of them, and leave none to tell the tale; . . . for this was the mandate of Almighty God.” *Ibid.*, 76.

20. See Lance B. Wickman, “Thomas L. Kane: Outrider for Zion,” *Ensign*, September 2003, 56–63.

unable to get himself out of bed because of imagined illnesses and who travels incognito to disguise his imagined fame (pp. 176, 180). Denton has little good to say about Kane, contemptuously describing him as arrogant and effeminate (p. 180).

Denton's discussion of Kane is mercilessly out of context. Biographies and journals of nineteenth-century "Renaissance" men reveal that many accomplished men adopted what appear today to be affectations of self-importance and prolixity.<sup>21</sup> Stenhouse, no advocate of Brigham Young nor necessarily fair with his sources when discussing Mormonism, treated Kane respectfully in his nineteenth-century work, *Rocky Mountain Saints*. Stenhouse tells us that "in the relations of Col. Kane with the Mormons at that time, there was exhibited evidence of the highest Christian charity and personal heroism of character."<sup>22</sup>

The claim that Kane was responsible for covering up the massacre (p. 47) finds no support in history, nor does Denton cite primary sources for her view other than Kane's participation in advising Young to respond to federal inquiries in 1858 (p. 208). As I point out in my review of Bagley's *Blood of the Prophets*, the massacre investigation spanned decades and involved sitting presidents, cabinet members, attorneys general, federal district attorneys, federal marshals, territorial marshals, and more. Kane was out of the picture shortly after the massacre.

### The Van Vliet Episode

Denton's scholarship and logic also prove problematic in her discussion of the Van Vliet episode. Army Quartermaster Captain Stewart Van Vliet came to Salt Lake City on 8 September and left after midnight on 14 September 1857 to arrange for the advancing army's provisions.

Denton tells us that Brigham Young carefully shielded Van Vliet to hear nothing of the massacre, because if Van Vliet came to know

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21. See, for example, Edward Rice, *Captain Sir Richard Francis Burton: A Biography* (1990; reprint, Cambridge, MA: Da Capo, 2001).

22. Stenhouse, *Rocky Mountain Saints*, 383.

about it, “an invasion of Utah Territory would be expedited” (p. 165). There is no historical support for this claim. The claim is also impossible to support. Because the massacre was not over until 11 September 1857,<sup>23</sup> there is no possibility that Brigham Young could have known of the massacre before his last meeting with Van Vliet on 13 September 1857. My review of Bagley’s work discusses the factors of distance and chronology in the reporting of an event occurring three hundred miles away in pioneer Utah.<sup>24</sup>

Denton also says that on 13 September 1857, with Van Vliet in attendance at church service, “the sermon was delivered not by Young, who exclaimed he was too furious to conduct the service, but by another church elder” (p. 165). Young, however, delivered two famous sermons that day which have long played important roles in understanding the Utah War.<sup>25</sup>

### The “Deal” to Thwart Justice

Denton’s claim of a deal between the church and U.S. District Attorney Sumner Howard is extraordinary for its lack of support, but by its constant repetition in massacre histories, the “deal” has now become commonly accepted as the truth of the matter by scholars and journalists alike. Denton has only two references to support this charge: Bagley’s work and the *Salt Lake Tribune* (p. 276), although the latter source mentions nothing about a deal. The newspaper did, however, elsewhere float its theories about a deal made with U.S. District Attor-

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23. Robert K. Fielding and Dorothy S. Fielding, eds., *The Tribune Reports of the Trials of John D. Lee for the Massacre at Mountain Meadows, November, 1847–April, 1877* (Higginum, CT: Kent’s Books, 2000).

24. Crockett, “A Trial Lawyer,” 208.

25. Brigham Young, in *Journal of Discourses*, 5:226–31, 231–36 (13 September 1857). Denton’s failure to know of Young’s sermons suggests a rather light review of her secondary sources. On 13 September 1857, in the Bowery, Brigham Young indeed said he was too angry to preach but then filled the day with two lengthy sermons nonetheless. Regardless of who spoke, I would have imagined that anybody writing about this event would have taken time to examine the *Journal of Discourses* to see what was actually said with Van Vliet in attendance.

ney Sumner Howard, which Denton does not cite.<sup>26</sup> In any event, my review of Bagley's book shows that the evidence does not support the theory of a deal. Official correspondence shows efforts by the federal machinery to prosecute others for at least eight years after Lee's trial.<sup>27</sup>

## Conclusion

This brief review points out a number of critical shortcomings in Denton's work. Her efforts to exculpate the Native Americans from the massacre are not supported by any serious scholarly work. This defect alone should warn the reader that a politically correct view of a massacre so deeply embedded among politically incorrect topics such as Mormons, polygamy, federal government misperceptions, and white relations with Native Americans is not going to get very far without an understanding of the context of the evidence. Context is crucial, and Denton has not built it up sufficiently for her book.

I object to the use of secondary sources for her conclusions when primary sources are more reliable. Although her bibliography occasionally refers to primary sources, her analysis relies almost entirely on secondary sources. The older secondary sources—in particular, Catharine Waite's 1866 book—should be viewed with great suspicion. Denton's reinterpretation of these sources is not the type of scholarship or discussion needed to parse the details of the massacre. Brooks's work was a watershed in setting forth the context of the massacre and the details of some of the events. Bagley's work shows years of efforts to aggregate primary sources (although often of suspect quality). Denton's work, however, is merely entertaining rhetoric compiled from secondary sources. For a clear picture of what really happened at Mountain Meadows, one need not look here.

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26. "A Word in Defense," *Salt Lake Daily Tribune*, 27 September 1857, p. 2, col. 1. The only evidence the paper cites in support of a deal theory is that Howard had dismissed the charges against William Dame, selected an all-Mormon jury, affirmed in his opening statement that he had no evidence to indict higher church authorities, and interestingly, disparaged the Liberal party that was so closely affiliated with the *Tribune*. Fielding and Fielding, *Tribune Reports of the Trials of John D. Lee*.

27. Crockett, "A Trial Lawyer," 231–50.