President Young Writes Jefferson Davis about the Gunnison Massacre Affair

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Executive Department
Washington
September 26, 1855.

Sir,

Contrary to my usual custom, in regard to the various false, malicious and slanderous Reports, set in motion against my Character, by wicked and designing Men, I consider the one in regard to the Gunnison massacre, and my alleged Vote, influenced with the aim, influencing their minds in their decision of that case.

As one calling for an lttle help and vindication on my part. I am often made aware of the bitter calculations and folly of seeking to vindicate my character, from unfounded aspersions as are occasionally raised against me on the simple fact, that although the greatest aspersions can be built of as kind words, held to the flattering breeze of every heed, and rolled as a sweet melodic undertone, yet when the vile slander of the most malignant manner is permitted to go quietly upon the shelf to slumber, the

Page one of the preface to the Young-Davis letter, September 8, 1855. On this page, Governor Brigham Young despairs of being able to successfully counter the “false, malicious, and slanderous Reports” about his role in the Gunnison Massacre. Courtesy LDS Church Archives.
President Young Writes Jefferson Davis about the Gunnison Massacre Affair

Detailed evidence, some published here for the first time, suggests the Mormons were not guilty of conspiracy and complicity in the 1853 Gunnison Massacre.

Ronald W. Walker

John W. Gunnison was a West Point graduate who had been sent to Utah 1849–50 as an assistant for Captain Howard Stansbury’s topographical survey. Wintering in the Utah territory, Gunnison found time to study his unusual hosts and their singular religion. The result was his influential book, *The Mormons,*¹ in which he attempted to navigate the usual extremes of the time, Mormon polemics and gentile censure. Three years later in October 1853, Gunnison returned to Utah as a newly named captain of his own government survey. Gunnison divided his command and led eleven men into the Sevier basin for what he thought would be the last mapping session of the season. The expedition had a much greater finality. At daybreak on October 26, a band of Pahvant Indians surprised and killed Gunnison along with seven of his men. Four others fled and narrowly escaped.

A century and a half after the event, the Gunnison Massacre may seem to be a footnote in Utah’s unfolding. But footnotes in history often reflect or even determine larger issues. In the nineteenth century and recently with the publication of a new book dealing with the event, the Gunnison Massacre has been used to suggest that the Mormon kingdom was guilty of criminal acts and conspiracy.² Reflecting the rumors of the alleged violence of pioneer Mormonism, the various conspiracy theories suggest that Brigham Young and other Mormon leaders, supposedly angry with Gunnison for his recent book, either killed the soldier and his
party, or they directly or indirectly created a climate which led their followers to do so. Then the Mormons allegedly tried to conceal their role by manipulating the trial of the Pahvant Natives who were charged with the atrocity.

In the document below, President Young tells his side of the story. In the fall of 1855, almost two years after the massacre, Young wrote to Jefferson Davis, U. S. Secretary of War at the time and Gunnison's former superior. When Young wrote his letter, the Gunnison trial had already been held—with less than favorable repercussions for the Mormon people. An all-LDS jury refused to follow the judge's instructions to convict or acquit on a first-degree murder charge and found the indicted Pahvants guilty, instead, of the lesser charge of manslaughter. The verdict outraged government officials and many American citizens, who clearly hoped the Indians might be executed. The Mormons, it was charged, were disloyally coddling the Indians for their own purposes. So strong was the public outcry that the episode became a turning point in Utah-Federal relations.  

Obviously disturbed over the continuing rumors linking Mormons with the event, Young penned a strongly worded letter which ran twenty-two handwritten pages (not counting several long appendices). Utah's Congressman, John M. Bernhisel, received the letter from Young and dutifully sent it to Davis. But the cautious territorial delegate never published it. He wrote President Young expressing his feeling that "there is not an individual to be found at present who gives any credence to the libelous charge that Captain Gunnison was massacred by some of our people." Bernhisel may have had additional reasons for his decision. Since it documented the tawdry conduct of some of Utah's Washington-appointed officials, the report undoubtedly would have embarrassed the administration. With Young's pungent temper also on display, Bernhisel likely felt the letter was better left to a private circulation. It is published here for the first time.

Young's letter is a good place to begin a study of the Gunnison affair. The letter summarizes what Mormons at the time believed had taken place and therefore contains important, unpublished data about the episode. It also gives a glimpse into the personality and concerns of Brigham Young. The reader, for instance,
will not have to probe too deeply to find evidence of Young's beliefs that he and the Mormon people were chronically misunderstood and that their opponents were sometimes indiscreet or even malicious. Once more, the nineteenth-century Mormon sense of embattlement is clear.

In terms of history, Young's manuscript holds up well. Even without the careful documentation that a modern scholar might give these events, the letter gives a broad outline of what actually happened. In addition to Young's data, the edited text as printed below appends in endnotes further information drawn from Church records, militia reports, and private and government documents. Together, this old and new evidence confirms President Young's basic conclusion: the Mormons were not protagonists in the affair.

Copies of Young's report are found among the Jefferson Davis Papers at Rice University and also among the Governor's Papers, Brigham Young Collection, at the LDS Church Archives in Salt Lake City. The typescript that follows maintains the original spelling, capitalization, punctuation, and grammar insofar as the sometimes faint writing can be accurately read.

Executive Department
Utah Territory
Great Salt Lake City
September 8th 1855.

Sir

(Preface)

Contrary to my usual custom, in regard to the various false, malicious, and slanderous Reports, set in motion against my character, by wicked and designing men, I consider, the one in regard to the Gunnison massacre, and my alleged interference with the Jury, influencing their minds in their decision of that case.

As one calling for a reply, and vindication on my part, I am often made aware of, the utter uselessness, and folly of seeking to vindicate my character, from such foul aspersions, as are occasionally raised against me; from the simple fact, that although, the foul aspersion can be bruited far and wide, held to the fluttering
breeze by every press, and rolled as a sweet morsel under every
tongue, yet when the vile slander is fairly refuted, and truth appears
in the most incontestable manner, it is permitted to lie quietly upon
the shelf to slumber, the [page 2] sleep of death or if by chance, it
should get published in some obscure nook, or corner of this great
Republic, be most religiously suppressed, as though in fear that the
truth should be Known, and beleived. Still in this case under con-
sideration, I feel it incumbent upon me, for my own satisfaction,
and that of my friends, as well, as the relatives of the lamented
Gunnison, who have desired me to furnish all the details, and par-
ticulars of that unfortunate occurrence, and the subsequent trials,
before the U.S. Court, of the Indians supposed to have been
engaged therein; to gather up, and publish to the world, all the
facts in the case, so far as it is possible at the present date.

After premising so much, I will proceed to the details, only
remarking, that I did furnish as full a detail of the massacre, and the
attending circumstances at the time to the War Department, dated
G.S.L. City Nov. 30, 1853. and which I find by comparing with
facts elicited since that time, and now before me, literally true, so
far as it goes.

A Copy of that Report, marked A, is hereby subjoined. [page 3]

The War
On the 18th of July 1853, the Utah Indians commenced open hos-
tilities, by killing a man by the name of Kiel at Payson, and driving
off a few cattle; they continued waylaying, and shooting who they
could find. During the remainder of the summer, and fall, men
were frequently killed while going to the Kanyons for wood, trav-
eling from one settlement to another, and in various places in the
Territory, while pursuing their peaceful avocations.

The Pauvan Indians, are a band of Utahas, inhabiting Millard
County, about 150 miles south of this City. Soon after hostilities
had commenced, they visited Walker Indian Chief, and the Utahs,
who had taken to the mountains with the view of joining him,
and his party in the war against the whites. For some reason
unknown to us, but probably attributable to the uniform Kindness
extended to them by the settlers in Millard County; they soon
returned, and said, that they were not going to fight, unless Walker,
[page 4] and the Utahs made them do so, and appeared to be greatly under their influence when they were ranging in their neighborhood, and not so much when farther away.9

The principal scenes of actual hostilities, transpired at Sanpete, Juab, and Utah Counties, although one person was shot while on guard in Fillmore City, & many Cattle were Killed.10 Kenosha,11 the Pauvan Chief, who was always peaceably disposed, finally concluded, that to take some of his braves into the mountains, on a hunt, would be productive of better feeling than to remain in the settlements, where they were continually excited by accounts of bloodshed enacted elsewhere in the Territory.

It is a difficult matter for an Indian, to restrain his natural propensity; slaughter when the breath of war is on the breeze. It kindles a flame in his bosom, which is only quenched by the flow of blood.

Captain Hildreth & Company,12 before the massacre, during the absence of the Pauvan Chief Kenosha, upon his hunt, were going the Southern route to California, arrived at Fillmore, in Millard County, about the 23rd of September A.D. 1853. For corroborating [page 5] testimony, see statement of Saml P. Hoyt here-with subjoined, marked, B.13

On that night, this Company which traveled under the direction of a Captain Hildreth encamped on Meadow Creek, about Eight miles south of Fillmore City; while encamped some Indians came to their Camp, for the purpose, (as they say) of trading with them as is their usual custom; they were roughly treated; told to leave, &c; but they concluded that it was their land, and they had a right to remain. The whites then required them to give up their arms, which they all agreed to, but one Tonif, who had only bow, and arrows, upon which one of the Company of the name of Hart14 endeavoring to force them from him, he stabbed him in the abdomen, upon which, Hart shot Tonif with his revolver, who, after running a few rods, dropped down, and died.

The Company also fired several times at the Indians, wounding one, or two others, and Kept one in Camp tied to a wagon wheel all night, who said, that he suffered severely with the cold. It is presumable, however, that his sufferings was partly from fright, as the weather was not very cold. [page 6] During this affray,
Captain Hildreth was absent from his camp, taking care of his stock. Upon learning the facts, he regretted exceedingly what had transpired, and said, if he had been present, he might have prevented it. He further said, that he would settle it, if he could by giving presents, not so much upon his own account, as he was able to take care of himself, and Company, but being acquainted with Indian character, he feared that some other persons, or company would have to suffer, in consequence of it. Thus inadvertently predicting the revenge, which, shortly after, was poured out upon the devoted heads of Captain Gunnison, and party.

Kenosh, having been sent for, came in, and succeeded in measureably quieting the excitement, although Kenosh, & Quent said, they would not fight, but they stated, at the same time, that some of the “Pauvan Boys,” as they called them were mad, and might fight; among these, the sons of Tonif, were the principal, although there were many who [held] him in high esteem. Tonif, was an elderly man, of considerable influence among his tribe, and considered one of their head men. It was not supposed, that those who still felt dissatisfied would commit any hostilities upon the whites, except it might be Captain Hildreth’s company. [page 7] They followed them to seek an opportunity of revenge, nearly out of this Territory.16

The excitement died away, and Kenosh went out again upon his hunt, and all appeared quiet.

On the 24th of October Captain Gunnison arrived at Fillmore City, at which place, he visited with a few men, leaving the main party camped at Cedar Springs. about 10 miles north of the City, he transacted various business in that place,—was informed of the peaceable disposition of the Indians in that region, as well as what, had previously occured with them, at Captain Hildreth’s camp.17 He returned to his camp, and on the next day, 25th of Octr, started for the “Sevier” where the party was divided, Captain Gunnison with his scientific, and guide; a Mr. Wm. Potter,18 [parenthesis material erased] who he had employed at Manti, in all 12 persons, proceeded down that stream towards the Sevier Lake, intending to survey the same, and the remainder passing up that river, some fourteen miles, where they encamped, intending to remain, until they should be required by Captain Gunnison & party.[page 8]
Pahvant Chief Kanosh. Kanosh (or Kenosh) came to the chief-tainship as a young man and steadily increased his influence to become one of the half-dozen most prominent Native Americans of pioneer Utah. Peacefully inclined to the Mormons and to most whites, Kanosh tried to prevent the revenge killings of the Gunnison massacre. When they occurred anyway, he cooperated in recovering the stolen U.S. property and turning over the suspects. Courtesy LDS Church Archives.

The Massacre

Captain Gunnison, arrived at the first small Lake, or pond, about 3 P.M. and encamped on a small grass plat, almost entirely surrounded by willows. Mr. Potter, his guide, remonstrated with him, and proposed a more open encampment, a short distance off, but was overruled by Captn. G.\(^\text{19}\) Some of the party went shooting ducks, in and about, the river, and Lake. There were no Indians in sight, but an Indian heard the shooting and crept up, till he could see the hunter, and then followed him, till he saw, where the party were encamped,—he observed their numbers and returned to his tribe. Here he raised the war cry! raised a false scalp upon a war pole, & excited the Indians to revenge upon the Americans, (as he called the party, and which he avered he knew to be Americans, because he had heard them swear,)\(^\text{20}\) the Killing of Tonif, who was his father.\(^\text{21}\)

The Indians held a war dance until about midnight, when they proceeded (about thirty five in number) to the camp of Captain Gunnison, where they remained quiet until after daylight, and when the party were all collected together, eating their breakfast, raised a terrific yell, and made a sudden \(\text{[page 9]}\) and deadly attack upon them.
Captain Gunnison, having every confidence in his knowledge of the Indian character, and ability of Commanding a good, and peaceful influence, immediately sprung upon his feet, and ran out of the tent, raised his hands, and called upon the Indians as friends, assuring them of the fact that they were friends, until he fell covered with wounds. The party, were all killed except 4 persons who succeeding in obtaining their horses, made their escape. Mr William Potter, of Manti city employed by Captain Gunnison, as guide, was among the number who were slain. The entire amount of property, field notes, papers, instruments, firearms, and ammunition in the hands of the surveying party, fell into the hands of the Indians.

After the Massacre

Captain Morris, who was waiting in camp about 28 miles up the Sevier river, waiting the return of the scientific party, upon hearing the horrid news, immediately jumped upon his horse, ordering the party to follow, and proceeded with all haste to the fatal spot. He arrived at the first bodies that were found dead about dark, and encamped for the night; his command were considerably scattered, many of the horses giving out, and not able to keep up, with those belonging to the officers, which were better fed. Those who came into camp passed a sleepless night, holding their bridle reins in their hands, and others who did not succeed in arriving at the Camp wandered about some two days without a morsel of anything to eat, and were finally found by some travelers, in the most destitute condition, without gun, ammunition, horse, and almost without clothing.

Captain Morris, passed on the next morning to where the other dead bodies were lying, and immediately returned to Cedar Springs, the place where he had left on the morning of the 25th with Captain G. & party. He reached this place on the 28th, and on the 29th forwarded by Express furnished by the citizens of Fillmore city, the particulars to me at Great Salt Lake City, which arrived on the evening of the 31st of October 6 P.M. Upon the receipt of the sad intelligence, I immediately sent an Express, accompanied by an Interpreter, and a few presents, to aid Captain Morris, in the recovery of the lost property, and in any such matters as might be needful.
I learned by the Express that Kenosh the Pauvan Chief was not at the massacre, and probably knew nothing of it, until it was [page 11] accomplished. I therefore considered that through him, the property might be recovered, if the proper influences, and appliances were used, and advised, that an effort be made through him for that purpose. This party met Captain Morris, with his command, at Nephi, Sixty-five miles north of Fillmore, with his command proceeding to Great Salt Lake City, where he intended to go into Winter Quarters. They were surprised that no effort had been made to recover the lost property, and also, that the bodies had been left upon the ground, a prey for wolves, and other ravenous beasts, and birds of prey,—not even having received a temporary burial. Captain M. sent one man with the Express, who arrived at Fillmore on the 3rd of November, and proceeded immediately to carry out their instructions, by gathering that portion of the lost property, brought in by friendly Indians, embracing all the Note books, and all the instruments, except the Odometer,26 and on the 4th dispatched Mr. Call,27 with two friendly Indians, and nine men including the man from Captain Morris party, to bring in the remains of Captain Gunnison, and Mr. Wm. Potter, (of Manti) [page 12] the Guide, and bury the rest on the spot.

The soldiers, who knew where the dead bodies were located, this being the only manner of identifying them, as the wolves, and beasts of prey had completely torn off their flesh. The remains were all buried upon the spot, except Captain Gunnison, and Wm Potter. The remains of Captain Gunnison, although the most thorough search was made for it, could not be found, except on[e] leg bone, and some of the hair, the bone, and what was found of Mr. Potter was taken to Fillmore, and decently interred.

Why Captain Morris did not bury the dead bodies, before he thus left them a prey to the ravenous beasts of the Desert, I do not know. True, it is as he said, that he had no tools for digging a grave, but a guard could have been placed over them, or an Express could have been sent to Fillmore for tools, or teams, to have conveyed them thither, which would have been the proper course. Upon having interrogated Captain Morris upon this point, he replied, that he had thought of throwing the bodies into the River, but had no means of burying.28 Kenosh, exceedingly regretted the
occurrence, and said, had he been there, he would have prevented it, [page 13] but it is thought, that it would have been a difficult matter for him. He is a young man, and many of those engaged in this affair, were old men, particularly friendly to Tonif, who was Killed by the emigrants under Captain Hildreth, and although nominally under Kenosh, were considered rather a detached band. 29

In the absence of emigrants or travelers, whereon to wreak their vengeance, these Indians were gathering as many of their tribe as possible, with the intention, of making an attack upon Fillmore, and then passing on join the hostile Utahs, who were still in active hostilities against the whites.

It was not known to the inhabitants of Millard County, that there were any indians in that particular region. It was known that a portion were off hunting, and so far as known at the time Captain Gunnison visited Fillmore City, that they were generally peaceably disposed.

The excitement consequent upon the Killing of Tonif, having measurably subsided; in this however it appears, the inhabitants were mistaken, as they would probably find out, or have soon learned to their cost, had not the arrival of Captain Gunnison & party in their immediate vicinity furnished them the opportunity of venting their pent [page 14] up vengeance. 30

The Arrest

During the fall, and winter of 1854 & 5 Col E. J. Steptoe, who was with this command wintering in this, (G.S.L. City) conceived it his duty, to bring to justice those Indians engaged in this deed of blood. 31 He conversed with me upon this subject, and I freely gave him my views, and advice in relation thereto.

It was my opinion, that inasmuch, as the massacre took place during war, that no Court acting in accordance with Law, and Justice, could convict those Indians before any Court, where, the Laws of either the Territory, or the United States were fairly administered. If it was desirable to bring them before the Courts, it was decidedly my opinion, that they could be obtained much cheaper, and easier, in an amicable, and peaceful manner by presents to Kenosh, and others, than by making any hostile demonstration against them. 32
The Colonel, in my Judgment very properly pursued the peaceable course. He employed Mr. George Bean, Indian Interpreter,\textsuperscript{33} to go to Fillmore, and ascertain the probable success of the undertaking. Mr. Bean, found Kenosh [page 15] willing to do as he was required, and finally succeeded in securing in Fillmore, Seven men, the number required by Col Steptoe to be given up for trial. The Col considered that number satisfactory, and upon the return and favorable report of Mr. Bean, sent a small detachment of troops to receive, and guard the prisoners to this city. They were accordingly brought here, accompanied by one Squaw, the wife of one of the prisoners, and quartered in the Barracks of the soldiers, whose shameful conduct in abusing this Squaw, was made a matter of Complaint by her husband to me, and several others.\textsuperscript{34} He said, he wished that she might be removed, fearing, that the soldiers would actually Kill her: the prisoners were removed to another place, as soon as the Complaint came to the Knowledge of Col Steptoe.

It was during the imprisonment of those Indians, in this city, that it was suggested by Col Babbitt,\textsuperscript{35} and others, to have the indians under the Habeas Corpus act, upon the ground that they were illegally held, not being in the Judicial District, in which the crime was committed, and being held exclusively by [page 16] the Military without an indictment, and not by Judicial Authority. Mr. Babbitt, did ask my opinion upon the subject. I advised him, to leave the whole matter with the court; the very reverse of what was alleged against me, of instructing the Attorney General of the Territory to have them so released.\textsuperscript{36}

The Trial

On the 10th March Hon John F. Kinney\textsuperscript{37} Officers of Court, and Col Steptoe with a large escort of soldiers, with prisoners in charge, met in Nephi City to hold the court, which from various words, and sayings, such as selecting the place of execution on their way down &c was supposed would undoubtedly result in the execution of the Indians; judging from all that was said, a listener would have come to the conclusion, that the case was, (to say the least), prejudged it appeared to be the entire object, and intent of the principal portion to slay some indians; seeming to think, that it would reflect, more, or less Glory upon somebody and a
small share upon all who should act any conspicuous part in the forthcoming tragedy.  

The first two days, after the arrival at Nephi, there was more drunkenness than sobriety, Bacchus, much to our surprise, found among [page 17] his worshippers, and devotees, the highest, as well as the lowest; the civilian clothed with Judicial ermine, as well as Gallant Militaire, first paid their humble adoration to the God of inebriation. The misfortune was, that they all considered themselves capable of doing business: hence, the insults, and abuse to the jurors by the prosecuting Attorney, and others, as shown in the accompanying documents, marked (C).  

Three only of the prisoners were indicted, and just put upon their trial. It appears, that Kenosh, with Indian shroudness, was for making the best bargain that he could; therefor replied, when asked, why he did not deliver those who were the most guilty, that he would rather spare old decript men, and even Squaws who were of little account, than his young men. It is worthy of remark, that those indians who were the very leaders, were known by all the Officers to be at Nephi, as also at Fillmore, while Judge Kinney, and Col Steptoe, with escort were visiting that place in the fall previous, soon after their arrival in the Territory; at which time, Kenosh proposed to give them up, if they would give him some presents, but they declined to take them for this reason, as they avered “owing to [page 18] the unprotected situation of the Southern Settlements.”  

It will also be observed, that they required man for man; for so many Americans, as they called them as was slain, must be paid by claiming so many of that tribe of Indians who committed the deed. This mode of dealing was well understood by the Indians, as it is a custom with them to settle differences in the same manner; with this difference, when they are not very mad, they will substitute horses for men,—taking a horse, instead of a man. To have carried out this policy strictly, eight should have been required, as there were eight men killed, but one of them being a citizen of Utah, Mr. Potter, of Manti. It was not considered of importance sufficient, to require the atoning blood of an Indian, to compensate, unless, indeed, the killing of Tonif by the Americans was considered a set off, of one in the trade as understood by the Indians. The Indians, however, soon found out, that the Americans were not very mad, as they soon released all but
three of the Indians, for the release of which, Kenosh would have been extremely reluctant, to have given a horse each to have them redeemed. Nevertheless the trial went on [page 19] and it was shown, that the prisoners were more or less engaged in the massacre, by Indian testimony alone, but none of them were the leaders. It was shown, that the massacre took place, during the existence of actual hostilities between the Utahs, and whites; that this band had not participated in the Killing of any of the whites, but had suffered the loss of one of their principal men by the whites, during the war.\textsuperscript{45} It has been stated in the public prints, by a Report said to be made by a Reporter at the time upon these points, and testimony leading thereto, was overruled by the Court, but Judge Kinney, who Presided, said to me that they were not. I therefore rather give credit to his own words, than the report alluded to.\textsuperscript{44}

The court did finally charge the Jury, that they must find the prisoners guilty of murder in the first degree, or acquit them entirely. The Jury did find a verdict of manslaughter, and were told by the Court, and other members of the bar, that they had violated their Oaths.\textsuperscript{45} But the court finally accepted of the verdict, and sentenced the prisoners to the extent of [page 20] the Law of the United States for that crime; stating to the Indians, that had it been left to the Court to say, they would have been hung.

There was other business before the Court Grand Jury, and before the Court; one item of which was to indict those men who had killed Tonif; but contrary to all usage, and custom, the Court dismissed the Grand Jury, and adjourned the Court.\textsuperscript{46}

Not having tis true, hung up the Indians, as was manifestly their wish and design, but being partially compensated & mollified by successful worship, and adoration at the shrine of venus, and Mrs. Ammon.\textsuperscript{47} they had successfully tried some of the indians, and some of the Squaws, see accompanying documents marked (D).

They were tried by the Laws of the United States, instead of the Laws of the Territory. An effort was made by Mr. Babbitt, on the part of the defence, to have them tried by the Laws of the Territory, but was overruled by the Court; when however, the verdict was given, the Court enquired, if he could not sentence them under the Law of the Territory, as the punishment for the crime of manslaughter [page 21] was greater under these Laws, than the
Laws of the U.S. The argument of the defence was, that inasmuch as the Court had over-ruled them in their attempt to get the trial before the Court under the Statutes of the Territory, that now it should not depart from its own ruling; this argument, prevailed with the court.

After the Trial

The convicts, were delivered into the Penitentiary near Great Salt Lake City on the 26th day of March A.D. 1855 and made their escape on the night of the 31st on or about of the same month.

After waiting a few days, to see if any one would take interest enough in the matter, to re-capture them, and finding there was not, I sent for, and obtained them, and they are now, and have been since their re-capture in the prison of the Territory according to the sentence of the Court.48

So far as influencing the Jury in their verdict, I utterly disclaim having anything to do with it, neither did the Jury admit that they had received any such instruction from me, or been so influenced in any manner whatever, as alluded, or alledged in the reports [page 22] given, and published, that charge is an unmitigated falsehood, made without the least shadow of proof;49 and we consider, the whole affair, a Judicial farce, unworthy of honorable men, and reflecting no credit upon any of the parties concerned; neither resulting in any good influence upon the Indians.50

Thus I have given, an unvarnished statement of the whole affair, as it is generally understood by all who have any Knowledge of the matter.

The accompanying papers, though not as full and complete as they might be, still most conclusively show all the main facts in the case; whatever is not fully shown therein is of notorious truth, such as Mr. William Potter a citizen of Manti, having been slain with the rest of the party; which fact seems to have been studiously left out in all the reports of the late trials.51

I have the honor to be

Hon. Jefferson Davis
Secretary of War
War Department
Washington City
D.C.
Most Respectfully
Your Obd Sert
signed Brigham Young.
Gov. & Ex-officio Supt of
Indian Affairs.
Ronald W. Walker is Professor of History and Senior Research Historian at the
Joseph Fielding Smith Institute for Church History, Brigham Young University.

NOTES

4John M. Bernhisel to Brigham Young, December 18, 1855, Bernhisel Correspondence, Brigham Young Papers, Archives Division, Historical Department, The Church of Jesus Christ of Latter-day Saints, Salt Lake City (hereafter cited as LDS Church Archives).
5Young often expressed frustration over the unkind and untrue rumors surrounding the Saints—and his inability to do much about it. Several years earlier, he caustically asked Bernhisel if a “standing army of scribes and clerks" might stem the tide? Or failing that, perhaps a newfangled device could be found? “I wish you would just step into the patent office and see if you cannot find some kind of machine or yankee contrivance [to combat the rumors] approximating as near a perpetual motion as possible, and put it connection with the telegraph wire, and let it roll." Brigham Young to John M. Bernhisel, May 27, 1852, Brigham Young Letterbooks, Young Papers.
6Brigham Young, “An Account of the Massacre of Captain J. W. Gunnison, and Seven of His Party on the Sevier River, on the 26th of October 1853,” November 30, 1853, Executive Department, Utah Territory, Great Salt Lake City, copy in Governor’s Letterbooks 1:22–29, Young Papers. Young included a copy of this earlier report, which had been sent to Bernhisel for submission to President Franklin Pierce and the Bureau of Indian Affairs, as an appendage to the current document. Young had also informed Davis about the massacre on this same date. Brigham Young, “An Account of the Massacre,” Governor’s Letterbooks 1:8–9, Young Papers.
7“Utah Indians,” or Utes.
8This Indian turmoil, later called the “Walker War” after the Ute headman, Wakara, had its origin in the usual frontier Indian-white friction over resource control—the Mormons settled and farmed on Indian lands and in the process destroyed game and natural foodstuffs. As a further cause of the war, Mormons had moved firmly against the Ute slave trade, which had enriched the “horse Utes," who sold Indian adolescents, especially young women, in the Californian and New Mexican slave marts. The Indian-white tension climaxed in Utah County during the summer of 1853. After entering the town of Payson to eat with the settlers, several Indian men killed the unsuspecting picket guard, Alexander Keele. Rumor said the killing had been done by Wah-woon-oh, who was furious over the
whites' slaying of a kinsman a few days before. Wakara, after some initial raiding, soon left the territory and was not responsible for the later events of the "war." The eponym nevertheless stuck.

9The Pauvan or Pahvant Native Americans were usually not closely allied with Wakara's band, who regarded the Pahvants as their inferiors and at times treated them so. The excitement of the first skirmishes of 1853, however, drew the two groups into a brief alliance that the Mormon militia had worked to sever. During the summer of 1853, the Mormons sent almost fifty militiamen among the Pahvants to "counteract the influence of the Utahas with them, and for the defense of the settlements of Millard County against marauding parties of the Utahas." See ledger of expenses in papers dated July 24 to August 26, 1853, Nauvoo Legion Letterbook, Young Papers. Later in the summer and fall, some of the Pahvants, who were described as "friendly," helped the fledgling Fillmore settlement harvest its crops. They were paid in provisions. Despite these peaceful acts, the wary settlers paid them close watch. Anson Call Manuscript Autobiography, in Andrew Jenson, Journal History of the Church, October 26, 1853, 5-8, LDS Church Archives (hereafter cited as JH).

10On September 10, 1853, Indians shot William H. Hatten, or Hatton, who was described in a contemporary document as "Sentinel No 4 at the Cattle Corral." Conflicting records of the time identify Hatten either as a Mormon elder or as a non-LDS California emigrant passing through the territory. Young fails to mention the violence that some central Utah citizens engaged in prior to the Gunnison incident. Angered by Hatten's death and by the killing and mutilation of several Sanpete County men, settlers at Nephi summarily shot at least eight Native Americans, whom militia commander George Bradley had asked to come into the town. Hatten's widow ambiguously asserted that this killing of "Lake Pahvants" was "the cause of other hostilities between the Indians and whites"—perhaps a reference to the Gunnison tragedy that soon followed. If true, this information becomes an important and unused document in explaining the unfolding of the massacre, but neither the Native American or white sources repeat Mrs. Hatten's claim. Bradley said that only two of the mixed-member band were Pahvants. See Henry Standage to George A. Smith, September 10, 1853; George W. Bradley to Daniel H. Wells, October 2, 1853; and Henry Standage to James Ferguson, October 30, 1853, Utah Territory Militia Papers, Nauvoo Legion, Utah State Archives, Salt Lake City; and "Memoirs of Adelia Almira Wilcox," in Stanley S. Ivins, "Notes Relating to Utah History," Notebook 12, 78-79, Utah Historical Society, Salt Lake City. For further detailing of the Fillmore shootings, see Martha Spence Heywood, Not by Bread Alone, ed. Juanita Brooks (Salt Lake City: Utah Historical Society, 1978), 97.

11One of the several spellings for the Pahvant chief's name, now usually styled "Kanosh." Kanosh was peacefully inclined to the Mormons and to most whites. Nineteenth-century tradition has him born near the eastern mountains of California and trained as a youth at a padre mission. Whatever his origin, he came to the chieftainship as a young man and steadily increased his influence to become one of the half dozen most prominent Native Americans of pioneer Utah. According to some travelers, Kanosh's penetrating eyes and Roman nose were set off by a thick thatch of black hair which, contrary to the usual Indian style, was brushed to the side of his forehead. See E. L. Black, "Life Story of Indian Chief
The Gunnison Massacre Affair


12Thomas Hildreth was the captain of a company of Missouri emigrants, while his brother John played a leading role in the fray with the Indians. The party was described as “breathing everything but a healthy spirit towards Indians, Mormons, &c.” Henry Standage to George A. Smith, September 29, 1853, George A. Smith Papers, LDS Church Archives. Part of the company’s bad temper may be attributed to an earlier attack upon it by a band of warring Utes. Call, *Manuscript Autobiography*, JH, 5–8.

13Samuel P. Hoyt to Hosea Stout, August 14, 1855, Governor’s Letterbooks 1:355–60, Young Papers. For an important, on-the-spot account of the Pahvant difficulty, see Standage to Smith, September 29, 1853. Overlooked by previous historical studies, Standage’s letter is possibly the first contemporaneous account of the Hildreth difficulty and effectively sets aside the idea that reminiscent Mormon accounts made up or magnified the difficulty with the company. In addition to reporting other significant details, Standage noted that at the time of the letter’s composition both the Hildreth company and the Pahvants were seeking Mormon help in their altercation with the other.

14James Hart.

15Quent, or Queant, was a “Lake band” notable, two of whose sons may have been at the massacre. He was later described as a “good Indian,” perhaps because he made an attempt at white man’s farming. Hoyt to Stout, August 14, 1855, Governor’s Letterbooks 1:355–60; *Deseret Evening News*, September 27, 1870; and Peter Boyce to Jacob Forney, October 31, 1858, Records of the Utah Superintendent of Indian Affairs, 1853–1870, Bureau of Indian Affairs.

16Pursuing the wagon train and seeking an opportunity to punish the white men, the angry Pahvants reportedly killed a mule and drove off some cattle. But they could inflict no greater damage. Despite this action on the Hildreth train, the Native Americans still seemed as “friendly as ever” with the Mormons. See Standage to Smith, September 29, 1853.

17When Gunnison entered the village of Fillmore, he had already seen the embattled measures being taken by the Saints in Sanpete County and elsewhere and therefore knew firsthand of the Indian threat. In addition, the citizens in Fillmore told him of the recent difficulties with the Hildreth company. According to Young, Gunnison nevertheless showed “much confidence in his ability to preserve peaceful relations” with the local Natives. Young, “An Account of the Massacre,” Governor’s Letterbooks 1:29.

Gunnison, however, may have had an additional reason for confidence. The Mormons thought the Pahvants had been pacified and probably told him so. Acting as Utah’s Superintendent of Indian Affairs, Young, in mid-October, had dispatched government interpreter and Mormon scout, Dimick B. Huntington, to settle any remaining difficulties with the Pahvants. Huntington’s superior, Indian Agent Edward A. Bedell, was too sick for the assignment. In explaining Huntington’s mission to local militia leaders, Young was unequivocal: “We must cease our
hostilities and seek by every possible means to reach the Indian with a peaceful message, which shall extend a salutary influence over them which shall cause them to consider us their friends." Brigham Young to P. W. Conover, and others, October 16, 1853, Miscellaneous Indian Affairs Collection, Young Papers. For a few weeks in October, it seemed that Huntington’s mission had been a success, though events would later prove otherwise.

Young’s explicit letter, not cited in Fielding’s The Unsolicited Chronicler, is an important document. It directly counters Fielding’s suggestions that the Huntington mission was part of an anti-Gunnison conspiracy. In dispatching Huntington, Young was likely responding to news of the recent killing of Indians by Mormons in Nephi and in Sanpete County, which reportedly had left him feeling “very indignant.” “Memoirs of Adelia Almira Wilcox,” 78-79, Utah Historical Society.

Earlier, when passing through the Sanpete valley, Gunnison had secured the services of Gardiner G. Potter and William Potter as guides. Since the land through which the Gunnison party was scheduled to travel was reasonably well charted, the employment of the brothers may have had more to do with their ability to speak the Pahvant dialect and their acquaintance with several of the Pahvants. William, for example, was counted as a friend to Kanosh. See James Ferguson to Jefferson Davis, March 28, 1854, Nauvoo Legion Letterbook, Young Papers. William’s service to the party was later praised by Lieutenant E. G. Beckwith, who found the Mormon to be “resolute and determined.” E. G. Beckwith, “Report of Exploration for a Route for the Pacific Railroad, . . .” in Reports of Explorations and Surveys to Ascertain the Most Practicable and Economical Route for a Railroad from the Mississippi River to the Pacific Ocean, 11 vols. (Washington, D.C.: War Department, 1855), 2:10.

Gunnison’s decision probably had something to do with the winter-like conditions. The willows afforded some relief from the icy, westerly winds.

The Mormon president seems anxious to place this detail into his narrative. Probably coming from an Indian informer, it favorably contrasted his people with the rougher-speaking military.

In their dealings with the Indians, the Mormons were often accused of drawing such a distinction between themselves and other Americans—they were “Mormons,” who helped and sympathized with the Natives, while the others were unfriendly “Americats,” or more simply “Mercats.” Government officials understandably often voiced displeasure over this tendency, which they saw as self-serving or even disloyal.

For his part, Young claimed the distinction arose during the California gold rush, when the Indians learned that the non-LDS travelers might shoot at them: “Finding that the Mormons fed them and clothed them instead of killing them [the Indians] soon learned to enquire of every party they met whether they were Mormons or Americans a distinction which they have and probably always will make.” Brigham Young to John M. Bernhisel, November 4, 1856, Young Papers.

The leadership of this band of Pahvants remains uncertain. Some believed that Moshoquop, Toniff’s son and Pahvant war chief, dominated this semi-detached group, with his brothers Pants and Mowquick assisting him. Moshoquop later befriended the Mormons and spoke at Kanosh’s funeral. Deseret Evening News, December 12, 1881; “Biographical Sketch of Charles Reuben McBride,” Tooele Stake History, comp. Andrew Jenson, LDS Church Archives. Other evidence
points to an older Pahvant headman, Parashant. While white men's records often confused Indian relationships, one claimed that Parashant was another of Toniff's sons. Standage to Smith, September 29, 1853. Still other sources claimed that Parashant was Kanosh's uncle. For more than twenty years, Parashant played a major role in Pahvant affairs and was especially active in demanding that the Hildreth emigrants be punished for Toniff's death. Standage to Smith, September 29, 1853.

22Again, Young speaks of Gunnison's confidence, even as the Indians attacked. The point is important because of suggestions that the Mormons had entrapped Gunnison by conveying to him "an unusual feeling of security." See Fielding, Unsolicited Chronicer, 145–54. Certainly some of Gunnison's confidence was of his own making.

23Brevet Captain Robert M. Morris of Washington, D.C., had distinguished himself in the Mexican War engagements of Contreras and Chapultepec. He knew the Mormons. He had previously entered Utah territory as an escort to Indian Agent John Wilson in September 1849. He now commanded more than two dozen noncommissioned officers and men, charged with protecting Gunnison's surveyors and scientists.

24Included with Morris's express was the hastily composed letter of Apostles Erastus Snow and F. D. Richards, October 29, 1853, now on file in the Brigham Young Incoming Correspondence, Young Papers. If the Mormons had been involved in the killing of Gunnison, this first dispatch from Fillmore should have given some hint of it. Instead, Snow and Richards, who seemed distressed by the killing, sketched the facts of the massacre largely as Young now expressed them. Several crucial sentences of their dispatch stated: "The Pauvan chiefs are here and are very sorry about the murder of the Americans. They deny all previous knowledge of or participation in the affair. They say it was the unruly boys of the Lake band." Snow and Richards also noted that Kanosh already had secured a government horse from the raiding Indians and was attempting to secure other lost U.S. property.

25Dimick B. Huntington was once more Young's emissary. Fielding suggests, without documentation, that Huntington may have been sent south to "make sure that everyone at Fillmore had their facts 'straight,'" the intimation being that the Mormon role in the massacre had to be suppressed. Fielding, Unsolicited Chronicer, 172. Fortunately, Young's specific instructions to Huntington are a matter of record, as is Huntington's later report. Brigham Young to Dimick B. Huntington, October 31, 1853, Governor's Letterbooks 1:10, Young Papers; Report of Huntington, Miscellaneous Indian Affairs Files, Young Papers. Neither give the slightest support to a conspiracy hypothesis. For instance, on returning to Salt Lake City, Huntington wrote: "I ascertained from other friendly indians of the Pahvante tribe that the cause of this massacre was the killing of an Indian of the Pah-vantes and the wounding of two others by a party of emigrants who went through the Territory on the southern route to California with a flock of sheep." Report of Huntington.

26Returning to Salt Lake City, Huntington made a list of the recovered property: "1 barometer; 2 compasses; 4 mules; 2 rifles; 2 colt's revolvers; 2 dragoon pistols; 1 double barrel gun; 1 spy glass; 1 old watch; 1 pocket book; 1 note book; 1 pocket book; 1 pass book; 1 small empty case; 1 book." Inventory of Property
Recovered by D. B. Huntington, n.d., Governor's Letterbooks 1:12, Young Papers. Later more of the articles were recovered, including a rifle, finger ring, and portions of the odometer. Brigham Young to R. M. Morris and E. G. Beckwith, February 28, 1854, Governor's Letterbooks 1:55, Young Papers.

27Anson Call (1810-1890) was a native of New England and converted to Mormonism during its first years. While appointed in the 1850s to be one of the leaders of the Fillmore settlement, he centered much of his Utah activity in northern Utah, where he served as bishop of one of the Bountiful wards.

28Morris's failure to bury the remains led to rumors that he and Gunnison had had a falling out and were personally alienated. A more likely reason lay in the natural panic and uncertainty that reigned immediately after the massacre. Morris must have wondered if the attack didn't foreshadow a widespread hostility that would have endangered any men left to guard the bodies.

29Like most Native American chiefs in the Great Basin, Kanosh had little power to enforce his suggestions, other than the Pahvants' own willingness to obey. And this situation was especially difficult. Young's account importantly notes that many "older" bandsmen were active in the massacre—not simply the quick-to-anger, younger men who were sometimes given the responsibility for the attack. Kanosh's ability to influence these tribesmen was minimal. Besides, many came from a "detached" band that apparently was not accustomed to dealing with the young chief directly.

30Young wished to underscore Mormon innocence in the massacre and therefore suggested that when Gunnison visited Fillmore the settlers were unaware of any impending Pahvant danger—an error, Young suggested, they came fully to understand after the massacre. While Young's depiction was accurate, it revealed little of the fluid and dangerous flow of events that had taken place at Fillmore.

Immediately after the Hildreth incident, many of the Natives had remained at peace with the Mormons. See Standage to Smith, September 29, 1853. These Pahvant men and women likely included those most directly associated with Kanosh. On the other hand, other bandsmen became increasingly restive. This latter group was angry over the Mormon refusal to aid Pahvant attacks on the Hildreth company and may have been further estranged over the recent Indian killings at Manti. Above all, these hostile Pahvants wanted the death of white men to balance the death and wounding of their own relatives.

By mid-October rumors spread of a threatened Indian skirmish at Fillmore (frontal attacks on Mormon towns were virtually unknown). Such intelligence may have prompted Huntington's first mission, which for a moment quieted Mormon concerns when he reaffirmed amicable relations with Kanosh. An important letter written by a militiaman, Henry Standage, later connected these various strands: "Br Dimick B. Huntington was convinced when he left . . . [Fillmore] that Kanosh would do his best to break up the party of Indians that were to come against this post." Henry Standage to James Ferguson, October 30, 1853. Thus, when Gunnison entered Fillmore, the settlers thought the immediate threat to their community had passed and probably told him so. Nevertheless, they remained living in their tightly drawn defensive positions, guarded workers in the outlying fields, and generally travelled in armed groups. Whatever the success of Huntington's recent mission, they knew the general "war" continued.
In the spring of 1854, Colonel Edward Jenner Steptoe was ordered to lead an expeditionary force of several hundred men to the West Coast. His orders were later modified to include a stop in Utah, where he was to secure the prosecution of the killers of Gunnison and his party. Steptoe was a native of Virginia, a graduate of West Point, and a veteran of the Mexican War. He later would be offered the governorship of Utah Territory but would decline.

Young had another, perhaps more basic reason for not wanting to use military force against the Pahvant warriors—and, for that matter, for not wanting them brought to court. As he had earlier written to Steptoe, a non-confrontive policy "would . . . leave a much better impression upon the Indians, and better preserve the influence which it has been my constant aim to exercise among them, than to take a course which might end in a collision, which if even successful, would leave with them the impression that we were their enemies." Brigham Young to E. J. Steptoe, February 9, 1855, Young Letterbooks, Young Papers. In short, Young wanted a long-term solution rooted in good feeling and white-man control, which was characteristic of his Indian policy. He sometimes, in cases like this, overlooked and "forgave" Indian depredations in the hope of stable, peaceful relations.

George Washington Bean (1831–1897), one of the first white settlers of Utah county, became a frequent and trusted Mormon intermediary to the Great Basin Natives. An accident left him with a stub for a left arm and the Indian name of "Poorets" or "One-Arm Man." See Autobiography of George Washington Bean, comp. Flora Diana Bean Horne (Salt Lake City: Utah Printing, 1945). For a record of his service under Steptoe, see "Diary of George W. Bean's Mission to the Indians at Las Vegas, 1855-56," February 8, 1855, Manuscript Collection, Brigham Young University.

The woman's name was "Arich" or "Ar-Wich," which in English meant "Midsummer." By some accounts, she was a handsome woman, about twenty years of age. Affidavits of George Peacock, July 18, 1855, and Elijah Averett and Warren S. Snow, July 21, 1855, Governor's Letterbooks 1:343, 346, Young Papers. By citing this incident, Young again underscores American misbehavior.

Almon W. Babbitt (1813–1856) was an early convert to Mormonism and an early pioneer to Utah. Ambitious, articulate, and independent-minded, Babbitt frequently found himself at odds with Mormon leaders. One of Joseph Smith's revelations reads: "With my servant Almon Babbitt, there are many things with which I am not pleased; behold he aspireth to establish his counsel instead of the counsel which I have ordained, even that of the Presidency of my Church; and he setteth up a golden calf for the worship of my people" (D&C 124:84). During the Nephi trial, Babbitt served as the counsel to the accused Pahvants. He was Territorial Secretary when killed by Cheyenne Indians in 1856. Young did not mourn his passing. See Bullock's Minutes of Meetings, October 4, 1856, LDS Church Archives.

These details were confirmed by a May 24, 1855, letter of Thomas S. Williams, a Mormon merchant but no friend of Young's, which was published in the St. Louis Luminary, June 30, 1855:

One of the prisoners, a woman, ravished by the soldiers before the husband's eyes. The latter 'wanted to know if this was the way that white men treated their prisoners.'
As soon as Col. Steptoe learned of this, he at once removed them, and Col. Babbitt, applied to Judge Shaver for a writ of habeas corpus, which was also the duty of their counsel; as the Indians were held in prison, out of the district in which the crime was committed, for which they were on trial. This writ, however, was denied by the Court upon the grounds that the evidence was not properly before them. — This last I had from Judge Shaver himself, and I know that Gov. Young had nothing to do in the matter. But justice demanded that those prisoners should be removed from that den of infamy and corruption.

37Non-Mormon John F. Kinney (1816–1902) was twice chief justice of Utah territory and later congressional delegate for the territory. Like most of the gentile officials directly involved in the case, Kinney found no LDS culpability in the massacre. According to Kinney, the "evidence showed conclusively that the Indians committed the crime of their own volition." Memorandum, 3, John Fitch Kinney Papers, LDS Church Archives.

38Young once more expresses his antipathy for the proceeding, which he believed was improper, perhaps immoral. Earlier he had written at greater length:

It cannot be expected of the Indians, in their present low and ignorant condition, with all their traditions and ferocious natures upon them, to understand and act in accordance with the provisions of law which they never had the least knowledge of, nor any opportunity for obtaining such information. Therefore it becomes those who profess civilization to set them an example, and not, while pretending to execute law upon them, be more brutal and murderous than they are with each other. Let all such persons consider these facts and act wisely, lest the blood of their victims be found upon their own skirts. ("Twelfth General Epistle," April 1855, Messages of the First Presidency, ed. James R. Clark [Salt Lake City: Bookcraft, 1965], 2:166)

39This appendix contained a series of sworn statements by members of the Mormon jury. These affidavits charged State Attorney Joseph Holeman and other Washington-appointed officials with drunkenness and verbal abuse at the trial.

40The comment is confirmed by an entry in Brigham Young’s Office Journal, November 3, 1854, Young Papers: "Col Steptoe had a talk with Kanosh and made him some presents. The murderers of Lieutenant Gunnison were there wearing the clothes of the whites they had killed." Apparently, the "presents" mentioned in this passage were meant as an enticement to Kanosh to begin negotiations, not for the capture of the malefactors.

41Here Young seems unduly harsh. He condemns Steptoe’s cautious policy, which, in truth, was not unlike his own. Both men realized that if the army vigorously pursued the Gunnison killers, the southern settlements, as well as travel on the south California trail, would be put at risk. For Steptoe’s explanations on the question, see Col. Edward Jenner Steptoe to Colonel Cooper, November 20, 1854, November 24, 1854, February 1, 1855, February 24, 1855, and March 26, 1855, in “Selected Letters from E. J. Steptoe, 1854-1855, from records of the War Department, Office of the Adjutant General,” microfilm #MICA/106, Utah State Historical Society.
Young was bothered by Steptoe's apparent failure to count Potter, a Mormon, in his man-for-man negotiations with Kanosh. However, the soldier likely meant no discourtesy. In the rough justice of the times, Steptoe wanted Kanosh to turn over seven of his men—or the same number of men killed at the massacre (eight), minus one (due to the earlier killing of Toniff). Kanosh complied, but officials believed only three of them had been at the massacre. These were the three put on trial.

This statement suggests that the "Lake band" that attacked the Gunnison Party had not been involved in the earlier killing of Hatten or with the death of the Indians at Nephi. In strongly attacking the Nephi proceedings, Young likely glosses over the guilt of the three Pahvant Indians. They probably had been involved in the assault.

Young's point here is unclear. Arguments such as this about the trial's proceeding unfortunately could not be sorted out; no official transcript of its proceedings was made, or at least none was preserved. However, one of the government attorneys, Sylvester Mowry, bitterly anti-Mormon, published one of his own making.

Fearing injustice would result and trying to pursue a middle way, the Mormon jurors had voted to convict the Indians of manslaughter and, in the process, violated the customary oath to accept the judge's charge to the jury. Kinney had ruled that the jury had to convict or acquit on the narrow first-degree murder charge. More than equity was involved in the Mormons' act. Clearly, the interests of the local settlers and the federal-appointed officers diverged. The former wanted Indian pacification, while the latter hoped for a first-degree murder conviction that would please Eastern sentiment.

A later grand jury issued indictments against the alleged killers of Toniff, but no guilty verdicts were ever obtained.

Once more, Young indicted the entire proceeding by alluding to official misconduct at the trial, which was considerable. LDS affidavits claimed that Holeman and other military and territorial officials paid Ammon, a Ute chief, for the prostitution of his wives. According to Samuel Pitchforth's notarized statement: "While Ammon the Indian was following Mr Holman for his Whiskey and Blankets as pay for seducing his Squaw Holman turned round and said he never was ... in such a damned fix before, as to have such buggars hunting him for they kept him on the Trot." "Testimony of Samuel Pitchforth," July 16, 1855, Governor's Letterbooks 1:350, Young papers. Martha Spence Heywood gave additional detail:

Just previous to the breaking up of the court and while liquor was plenty, there was a debauch celebrated by some of the Gentile exquisites of both parties, to wit — military and judicial. The subjects were some squaws who were known by their lawful owner to have the power of transmitting [venereal] disease to the said exquisites and the circumstance boasted of by the Indian (who was Amnon) all over the settlement.

Several of Steptoe's officers had begun the revelry before the trial. Heywood, Not by Bread Alone, 108.

Several Eastern newspapers charged that the Mormons had allowed the Pahvants' escape—but said nothing about their recapture. See, for instance, New
York Times, May 18, 1855, p. 4. col. 1. Young apprehended the Pahvants by requesting several leading Indians of the territory, including the Ute chief Arapceen, to bring the men in. William B. Maxwell to Brigham Young, April 22, 1855; and John A. Ray to Brigham Young, April 25, 1855, Brigham Young Incoming Correspondence, Young Papers. The recapture of the Indians was Young’s responsibility as governor.

At a meeting in Young’s office, the Church leader showed equal petulance over the rumor. Young confronted Kinney, who was present during the discussion, and drew the following denial: “I never thought that you . . . ever did anything, or thought to influence the jury in the Gunnison trail,” Kinney responded, “and never did say so to any one.” Kinney also claimed he had urged compassion for the three Indian defendants when issuing his charge to the Mormon jurymen. Notes taken by David O. Calder, Brigham Young’s Office Minutes, July 10, 1855, Young Papers.

Steptoe was also bitter about the trial. But in his view, it was the Mormons who had subverted the legal proceeding in the hope of gaining favor with the Indians. For years, he complained, Young had pursued “a singularly pacific Indian policy (much too pacific in my opinion, . . .)” that ignored national authority. Steptoe to Cooper, March 26, 1855, and April 15, 1855, “Selected Letters from E. J. Steptoe.”

The matter was important because the death of Potter, an active Mormon, lessened the charge that the Mormons were involved in the massacre.