

May have heard him say "Damn" or something like that, but can't say I have. Have always looked upon him as being a peaceable and orderly man. He has nearly always been an officer. Never saw him manifest any violence. He has a general reputation for being a peaceable and quiet man, and not given to violence. At the time of the shooting think there were four horsemen with horses, and from ten to twenty men in the fort. Not more than twenty. They were near the arms, between them and the Morrisites. Think all the men were armed that were with him. Some of the men went in from behind the breastwork. Some of them were armed, but not all of them behind the battery, because some had to work it.

Cross examination—Think all that went in with Mr. Burton were armed. I was commissary and quartermaster. Can't tell how many men I issued rations to. Perhaps 100. From 50 to 100, that came from Salt Lake. Think there were about 200 in the whole command. Those who came from the other settlements brought their own supplies. Kept an account of the rations issued, and made a report to Burton. I guess he paid for them. Somebody did, I guess. One of the guns was a little brass cannon. Can't tell the size of ball it carried. The cannons were stationed on the south hill. Think they were close together. Can't tell who had command of the artillery; believe it was a man named Ladd. Saw the cannons fired. The balls went north. One went over the camp; the other struck in a wheat field, bounced and went into the bowery. Could see it distinctly. Can't say how high the bluff was. The wheat field was on a level with the fort. The wheat field was not a great way from the bluff. We were shooting quite a distance; should not think it was a mile. The ball struck a few hundred yards from the foot of the bench; perhaps 300 or 400 or 500 yards. From there to the bowery it was about 200 yards. Can't tell the condition of the wheat field, think there was wheat in it; it was soft bottom land. Don't think I saw the first ball. Heard the report. Think it struck on the other side of the river. Can't tell the size of the ball, nor whether they were solid or not. When in the field I acted as Burton's aid. He was around the camp sometimes during the day. I went with him around to the west side. It was late in the evening, towards night. Rode beside Burton when I could keep up with him. He was on an ambitious, good horse. The horse was not excited till the shooting commenced. Don't know whether Burton's men were anxious to follow him into the fort or not. Saw only one white flag. There was a mud wall on the east side of the lane, I think. Could see over it. The men standing in the lane could see the school-house, and see the Morrisites, I think. We could see over the wall. They shot at us as we were riding around from the south side to the west side, outside the fort. We were exposed at one point and were fired at by the Morrisites. One house on the west side was taken by Burton's men. Can't tell how many men there were on the west side; 50 to 75 men. These men did not then follow us down the lane. Don't think those on the other side of the fort were in. Morris stepped out from the middle of the circle. He had his face towards the north, but turned and looked up and down, and said, "All that are willing to follow me unto death, come on." He started in a north-west direction, that would take him towards the arms. Did not see any arms among the Morrisites. Morris went about twelve feet before he stepped. His people made a general rush after him. Morris walked very quickly. He was still going when he was shot. Burton and Stoddard and Croxall had pistols, I guess. I had a pistol. We came pretty close to the arms—between the people and the arms. Morris was about fifty or seventy-five feet from the school-house, and we were eight or ten feet from him. Our men were near the arms. Suppose they were in line. Don't know who shot the bullet that struck Mrs. Bowman. The two shots were so close together, I can't tell who shot it. Burton and Stoddard fired the two shots. Morris was facing north and Burton was facing south. He was going towards Burton. He was six or eight feet from Burton when shot. The ball that killed Mrs.

Bowman went through the clothing of Morris on his right shoulder. The woman was right close behind him with a child in her left arm. It struck her in the neck. Think there were four persons killed, Morris, Banks, Mrs. Bowman, and they say there was another lady, but did not see her. Mrs. Bowman was the only woman I actually knew of being killed. Did not hear her speak or make a noise. She started right out with Morris. The other horses were more or less excited. Burton's horse made a lunge. Did not see any one try to take hold of the horses' bridles. Believe I took charge of the arms, but can't say how many. Don't know of our getting any ammunition from the Morrisites.

To jurors—Suppose Morris was among the Morrisites, but I did not then know. When we rode up we could see people coming and stacking their guns, may be I saw a dozen persons do so. Stoddard and Burton were close together, side by side. Did not see Banks until the thing was all over.

WILLIAM BROWN

Was then sworn: Live in Weber County. Am sheriff of that county. Lived in Weber County at a place called Riversdale, in 1862, about two and a half miles from the Morrisite camp. Had been there and made some service. Was constable and deputy sheriff at the time. They were regarded as a lawless people. When I went there as an officer, I had an execution against John Banks. I went in on the west side. I was stopped by Lord and Peters, guards, who took me over to where Banks was. There was there another guard, and I went in and told Banks my business, and he said to the guard, "take him out," which they did. They escorted me across the fort and I went home. Think it was in April. Never went again in an official capacity. Went there with Burton's force. Joined his force on the 12th of June. In the evening of the 13th we marched to the hill south of the Morrisite fort. I was about ten rods away from the first cannon when it was fired. Either the first or second ball lodged in the field, bounded and then struck a house eight or ten rods from the bowery. Can't say where the other ball struck. On the evening of the first day I took a prisoner; his name was Oakeson. Two cannon shots were fired at the beginning; the firing of small arms afterward, commenced from the Morrisites. No small arms fired until after the two cannons were fired, the Morrisites commencing. I was not engaged near the breastworks. I was near the howitzer, near the fort wall. I knew of the building of the breastwork; it was about 100 yards from me when I first saw it. It was, I believe 5 or 6 o'clock when it came up to the wall, shortly after which I saw a white flag at the southeast part of the fort. A man named Brown carried it, and came to the west lane and met Burton outside of the wall. Heard some of what passed. Heard Burton say to him to stack their arms in some convenient place in the fort. Heard something else, but can't say what. Brown then went back. About five or eight seconds later the people commenced coming out and stacking their arms at the northeast corner of the school-house. Burton rode inside with Stoddard, Golding and Croxall. Some one else said to send in ten men more, I started from the old fort wall, and when we got near the breastwork we were joined by eight or ten men on foot. Went near the school-house; and about the time I got there Burton rode between us and the school-house. The first words were spoken by John Parsons, who asked what was required of him. Burton had a paper in his hand, and I believe read it. He said he wanted five persons, and all others who had taken up arms against the law. Parsons asked if Morris could speak to the people, and Burton said he could if he would be brief and not incite the people to further resistance. Morris then stepped out and said: "All that are willing to follow me and my God, follow," and there was a general rush. By that time I had got near the south end of the school-house. Morris, when he spoke, might have turned to his people, but I could not say. They all followed "Aye, aye!" "To arms!" and made a break in the direction of the arms, others making for the school-house, and I started to go to the door, but a Morrisite got there

before I did and grabbed a gun from the inside of the door. I grabbed him, wrenched the gun from him and dragged him aside. Burton hollowed to Morris to halt, and finally said "Stop them" and fired at Morris. He might have shot twice. Didn't see anyone fall at the first fire. They all fired quick and close together; think about eight or ten shots were fired, occupying not more than four seconds; no more shots were then fired by Burton or his party; four persons fell; at that moment I thought they had got us into a snap; I thought we were going to have a "hell of a time" there in a minute. I went to the school-house because the people rushed there, and I thought it was the strongest place in the camp; there were arms there; didn't see Burton dismount; he was arranging the men before going to camp; it was dark before we went out; men and women had piled all around Morris and we had to drag them away; a party of unarmed men put them in line; the prisoners were placed in the school-house, before being moved away; some might have been north of the school-house, but I did not see them; after the firing I went into the school-house; on the west side of the door the floor was taken up and the floor scooped up, and the dirt was banked up against the wall; a man came out of doors with about six or eight arms and said there were more arms. I went in and could not see any until I went into the place dug and found four guns in the sleepers under the floor. One horse was a large black stallion, I remember, and belonged to Stoddard.

Cross-examined—Found no ammunition in the fort. Don't know that the guns we got in the school-house were loaded. Some guns were fired off in Burton's camp next morning. Two yagers and a shot-gun I took out of the school-house. I saw who did the shooting it was Judson Stoddard and Burton. Stoddard fired the greatest number of shots. Don't know who he fired at. Burton fired at Morris. Think he hit him. People were right up against Morris, perhaps some of them had hold of him. Don't know whether they were men or women. Am sure Burton shot once. Don't think he shot twice. Think Morris turned and fell from the effect of the shots. The people rushed around where Morris was. He fell about five feet from where he stood. The judgment against Banks was for borrowed money. I think that was the last execution served on the camp.

Re-direct—Have known General Burton 29 years. Have known him intimately during that time. Is a man of even temper, slow to anger, and opposed to violence. Have always found him so. A mild, even-tempered man, or he would not have waited as long as he did before firing at Morris. His directions were to be very careful against taking life unnecessarily. He also ordered the men not to shoot at the school-house, as he thought that the women and children were there. When the people left the bowery, Burton saw three or four go towards the river and sent five or six men after them. I was one. We started and a man named Childs came running after me and told me the orders were not to shoot any one; take them without killing. We got one man; he was unarmed.

Re-cross-examination—Gen. Burton thought we might be rash enough to commence shooting unnecessarily. Orders were, to be very careful about shooting, lest we might hit some one going to surrender. Saw the cannon ball strike the field. Did not see the ball strike the bowery. Didn't know it struck the bowery till I captured the man. They were lawless on account of the revelations they had, I looked upon them as half crazy. They made no provisions for looking after themselves, and everything was held in common. Have no other reason for thinking them lawless.

Court adjourned till Thursday morning at 9.30 o'clock.

THURSDAY, Feb. 27, 9.30 a.m.

THOMAS JENKINS

Was first sworn—Live in Salt Lake City; my occupation is farming, came here in 1848; know General Burton; about the 15th of June was at the Morrisite camp; was one of the posse; on the morning of the 13th General Burton gave orders in regard to firing the cannon, that it was to be so sighted as to fire clear

over the camp; this was before the cannon was fired at all; I was quite close to him and heard him distinctly; after the firing of the cannon, he sent a flag down, receiving no reply; as near as I can remember he said, "Good God, are these people going to compel me to use force; I hope they will not," seeming quite agitated; we were on the south side of the fort; have known him for thirty years; have been with him on Indian scouts and in various trying places, and his character has always been considered good and his disposition peaceable.

Cross-examination: Saw Major Ladd sight the gun; he was an artilleryman of some experience I believe; do not remember who sighted the second time; the ball fired was a round shot, perhaps three inches in diameter; went into the fort immediately after the surrender; did not see Morris killed, I was the first to enter the fort the morning after the surrender, being sent by Gen. Burton to see if there were any wounded or suffering; also asked the privilege of going, as I had friends there; saw three or four dead bodies, two being women; there were probably 50 men with us on the south side.

By a juror: saw three or four corpses; two being women.

MARK CROXALL

Was next sworn: Live in Salt Lake City; lived here in 1862; knew Gen. Burton at that time; I acted in the capacity of a bugler in the expedition against the Morrisites; judge that he had about 250 men; I was near Gen. Burton all the time; on the last day after the white flag was shown, Gen. Burton, J. L. Stoddard, R. J. Golding and myself went in on horseback; going in Gen. Burton said he was thankful that so little blood had been shed; and told me that if any hostile demonstrations were made that I should blow the call to advance; while in there I heard the talking and Morris' words to his people; on their making demonstrations I received the signal from Gen. Burton to sound the advance, but only blew two or three measures of it, when my horse became fractious and commenced prancing around, so that I saw no shooting but heard the reports, which only occupied about five seconds; ten or twelve men followed us in; I think we were the first four who entered the fort; I was 17 years old at the time; I had been with Gen. Burton out on the plains just previously.

Cross-examined: In riding around the Morrisite camp we were under fire; there was no firing from the Morrisites after we went in the fort.

Re-direct: When I saw them make a rush toward the arms, I was very much alarmed, and felt that if they got the arms I knew we were gone; I also saw that if they were not immediately and promptly stopped they would soon arm themselves.

By a juror: I was a little behind the other three and saw no shooting; these ten men who accompanied us in stopped behind the school-house.

WILLIAM J. JONES

Was the next witness: Live at South Weber and have done so since 1861; am a farmer; know the Morrisite people; I joined the Morrisites in April, 1861, and moved up to their fort; I took in there 200 bushels of wheat and about 16 head of stock; I had a wife, mother, and three children when I went there; I was most of the time in the fort until Gen. Burton came; a revelation came that if we should put in a crop we should not reap it; I put in my crop and reaped it, and then my faith in the revelation was beginning to get weak; this was the grain I moved to the camp; the property was held therein common; some few were farming, and others kept coming in; we had revelations that the enemy was coming upon us, but that they would be struck dead by the Lord; Christ was to come at the same time the enemy did; received these revelations in 1861; we, on one occasion, were told to wash ourselves and put on our best clothes and wait for him; we waited three days but he did not come; then we were told that we were not ready for him, that we had not washed ourselves clean enough; I washed myself again; another revelation came saying that if He did not come on a certain day we might be justified in considering the revelation as false; this revelation entirely destroyed my faith; during the winter we held meetings; officers frequently

came to serve writs; some being treated pretty rough; Robert Burton, of Kaysville, came there to serve an attachment on some property; two other officers came and a club was thrown at them, one being hit; Lot Smith came there once also with another man to take some property and was about to take a horse but was prevented and ordered to leave; I wanted to leave in April, 1862, but they were not willing to allow me to take my property; (witness then related, much to the amusement of all present, how he succeeded in getting out with his clothes; put on two suits, then went to a neighbor's house outside the fort, and took off one of them; then returned to his house, and repeated this operation until he succeeded in getting away with all his clothing.) I had a yoke of cattle and a wagon which had never been into the fort; so to get away with them I offered to go and get a load of wood for a neighbor; he was much pleased at the offer and threw his axe into the wagon; I also put in a number of children; I asked this neighbor to drive out and I would follow; he did so, and in a short time I started after him. While going across the fort, I saw some of the people washing the prophet's horse, and some others, with soap and warm water, and stopped and talked a little with them, after I got out a ways, I told my neighbor that I was leaving, and sent him back; I stopped about three quarters of a mile away, and was talking with another man when I saw about fifteen men coming after me, but after some watching and dodging, I finally escaped, driving off my cattle with me; the Morrisites searched pretty thoroughly during the day; the next day I went down towards Kaysville, and sent word back by some men who were hauling flour, that I wanted my family from the Morrisite Camp, and unless they were allowed to come, I would not let them take in any more flour; afterwards, my family not coming, thirty men, all armed, came to Kaysville after me and took me, besides also Jensen and Gearson back to camp in a wagon; and put me in a log house (witness pointed out this house on the map, also another house to which they were afterwards removed). I was chained with a log chain; I believe this was about the 8th or 10th of May; asked but never was told, by what authority I was captured; was there confined five weeks; so was Jensen; during this time we made a hole in the wall with a pocket knife to escape; Gearson got away without his shoes; Jensen was just crawling out, handing out the shoes, when he was captured by the guard, a bayonet being run through his sleeve; I called Mr. Hansen and asked him to go to Farmington and tell Mr. Stoddard that I was chained and unlawfully detained (witness here described very accurately how he showed Hansen that he was chained; his actions and ludicrous motions created much amusement); after Gearson had escaped and Jensen was captured, the latter was terribly frightened; I told him to come to bed; just then Klemgard with a big force came in the prison and I stood up with my back to the window; he asked me if I knew of this escape; I replied, "That is a damned foolish question to ask a man, when I have been right here with the boys;" he turned around and said, "You had better dry up, or we will attend to your case." After making another aggravating remark to him he again told me to "dry up," and I thought it prudent to do so; a man named Hewitt told me at one time in a whisper that they were going to kill us, so did a young man named Peter Moss; I could see what was going on in camp; they were drilling about three times a week; in the summer they held meetings in the bowery; we heard some of the preaching and that the hypocrites were to be killed by the faithful; the hypocrites and prisoners were to be drawn up in a line, and the faithful were to stand facing them in three lines; if the first line refused to kill the hypocrites, the second were to kill those who refused; and if both the first and second lines refused to do this the third line was to kill them all. The faithful were to be this army who would kill the hypocrites; saw the beginning of the ceremony on fore-shadowing day; saw Morris with a hat on which had seven stars in it and a long white robe on; he was afterwards crowned; he was consid-

Continued on page 76.