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ered prophet, seer, and revelator, besides being the seventh angel; he had great influence, and the people seemed to obey him perfectly; they took an oath also, that they would obey all the revelations; I saw from my prison Stoddard and two others come to the camp with a writ, but could not hear what was said; Gen. Burton came there on the 13th of June, 1862; I could see them on the bluff; when I first went into prison my family were allowed to come to see me; this privilege was stopped about the time of the escape of Gearson; on the 13th of June, Klemgard came to the prison door and told me there was a revelation that the prisoners should be released; and upon my asking to see the revelation, he brought it and read it to me; I asked for a flag and was marching along with it, firing being very heavy; after making some motions with the flag, the firing from the posse stopped in an instant, and I went right to General Burton's force, going back afterwards for my friend Jensen; I served in the posse and was one of a party of 16 men that took the log house at the west end of the fort, and was the first man to enter that house; a man named Lewis was our leader; we went from the mud wall; one of the 16 men was shot through the head as he was just coming in; including myself there were 16 live men and the dead one; one of the Morrisites was wounded from this house; the Morrisites were frightened at the sight of the moving battery, thought it had powder in it which was going to be exploded, soon after this started I understood that the Morrisites had raised a white flag; I heard Mr. Burton say to the man who carried the flag that he wanted them to stack their arms; I saw Messrs. Burton, Stoddard, Golding and another one going in on horseback; when I again looked out Mr. Golding was calling for more men, and I saw him going in again with 12 or 15 men; did not see any others go in at that time; heard good deal of talking, and Morris' cry for the people to follow him; heard also Gen. Burton cry "Halt," "stop him;" the next thing, after yelling from the people I heard some shots fired in very rapid succession, all being fired in about five seconds, from six to eight shots being fired, and then all shooting ceased; only 12 or 15 men had passed in, as soon as the shooting was heard, a great many men rushed in; heard the bugle sounded about the time of the shooting; when I went in I saw a number of Morrisites standing by the school-house; then I saw Joseph Morris lying on the ground and Mr. Banks lying near the school-house; I saw Mr. Bowman standing by the wounded man, and said: "Don't you know your wife is shot?" He looked up and said "my wife shot?" and said no other words, and started towards the school-house; I saw Gen. Burton on horseback trying to get the men in line; I then went to my mother's house to see about my family.

Cross-examined: I was in the log house with the 16 men, altogether about 25 minutes; after Burton and the horsemen had gone in I sat down in a chair; I saw Golding go back into the fort with the men about five minutes before the shooting was heard; I went out of the house after everything was quiet; Golding would probably have reached the school-house before the firing; the first stack of arms was about two rods northeast of the school-house; when I went in Burton's posse was between the Morrisites and their arms; Bowman was about four rods northeast of the school-house; when I told him his wife was dead he started towards the school-house; Richard Cook and his wife stood behind the posse about three rods from the school-house; about five minutes after I spoke to Bowman I went to see my mother; remained there 10 or 15 minutes; I remained in camp until 10 o'clock that night; the women's bodies stayed in the school-house all night; Morris and Banks' bodies were taken to Gen. Burton's camp that night.

Re-direct—Know a constable from Kaysville by the name of Burton; he arrested me once; I was told by John Banks to go and stop a fuss that was going on in the fort; in stopping that disturbance it was thought I was a participant and I was taken toward Farmington; five Morrisites appeared and at their orders I rode my horse back to camp. I did so fearing if I refused

Burton would be killed and myself too.

The testimony of this witness was frequently interrupted by shouts of laughter, especially when describing and exhibiting his movements on certain occasions; but it was given in an exceedingly straightforward manner and seemed to be convincing.

THURSDAY, 2 p.m.

WILLIAM JONES,

Was recalled—The first day after Burton arrived with his forces, I was in jail in a position to see the Morrisites. They were in the bowery when the cannon was shot, they then scattered. Their arsenal was south and east of where I was. A company of soldiers was placed in the west and others in other parts of the camp. The arsenal stood south an east of where I stood. Two-thirds of the people were in a field to the east of the jail. The first firing I heard was out of Cook's double log house, west of the south lane. First saw firing from small arms from that house, and could hear the discharge of small arms south and west of the camp from Burton's party. The arms captured on the last day were loaded. About two-thirds of them were loaded. I helped to put them in the wagon, and tried a number with a ramrod and found them to be loaded. Helped to discharge them next morning. I found some arms in Klemguard's house under the sleepers in the floor. I went to several houses in search. Nearly every good house had a cellar dug in it.

Cross-examination—The holes were round and square, some three or four feet deep. They were dug for fortification and to place women and children in for protection. Every substantial house was fixed that way. The prison we were in had a window to the west and a door to the south. It was a room about ten by twelve. This is the door that was opened when Klemguard came in to us. Could see from our window in the front of the bowery. Could see through the camp pretty generally. Heard the first cannon shot. One ball dropped into the bowery. Saw a woman carried away. The people went away quietly. I did not see any run. The door was locked, they had three iron bars across the window. No glass in it. After the shot came and the people dispersed, a bugle sounded and a small band came out. The companies came out in about ten or fifteen minutes after the shooting. The first company went to the south, another to the southwest, another to the west. Did not see any on the east side, which I could not see. Could not see that Burton had any men on the east side. There was no shooting when the flag went out. I did not look out because I was attending the dying man. I heard what the man with the flag went out to Burton for. When I went in the camp on Monday I found two pistols and one gun in Klemguard's house. Did not see arms in any other house. They wanted me to get Klemguard's military coat, and I told his wife that Klemguard wanted his coat and she gave it to me. Klemguard did not want the coat, but we did. I took that way to get it. I am not in the habit of getting things that way.

WM. BLOOD

Was the next witness: I live at Kaysville, Davis County, lived there in 1862. Know where Morris' camp was situated. Went there with Burton in 1862. Joined him at Kaysville on the 12th of June, 1862. During the engagement I was generally on the west side. On Sunday afternoon about 7 o'clock, we saw a white flag brought out by Alonzo Brown. I knew him before that. I was about the northwest of the camp, where there was an old fort wall. First saw the flag coming north of the school-house; it came through to the end of the lane. He held a conversation with Burton, but I was not close enough to hear it. Brown went back and I could then see the people bringing and stacking their arms somewhere near the east of the school-house. It seemed immediately after Brown returned that they commenced stacking arms. Burton and three or four or five others rode in on horseback. I knew Judson Stoddard; did not know the others. They went in the lane. Ten or twelve men were rolling in a willow breastwork, who started and followed Burton in as he passed.

After they had started ten more men were sent for. I was one of the 10. There were no more than 10 who went in to take charge of the arms. Went right to the east stack of arms. These arms were over five or six rods away from the school-house. Can't say who stood with me, or that any were with me. It seems to me that I stood nearly alone. Did not notice where the other men went, my attention being drawn elsewhere. I saw the Morrisites about south or southeast of the school-house, the east end of the Morrisites being just south of me. Don't know how many there were. There were men and women. Can't say that I noticed any children. I saw persons coming with arms just as we came there, and put their arms at the stack. Can't tell where Burton and his party were, because I arrived just in time to see the rush of Morrisites commence. Had heard no conversation. Only heard a loud noise and general rush. They came right towards me and I raised my gun ready to fire. One man came out ahead of the rest and was about to take a gun. I told him not to or I would shoot, and he fell back. I then heard the shooting in front of the school-house. There were five or six or seven shots fired, and it did not take over four seconds. Afterwards heard shooting from another side and heard a loud order from some one to stop that shooting. The rush was toward me. That man came within two or three yards of me. I remained there until the firing was over, and was ordered among others to search for arms, but found none. It was almost dark then. Did not see any of Burton's men there protecting the arms as I passed. Am satisfied that some of the men did so, though I did not see them. I was then looking to the south. After these things were quieted, a great many of our men came in rapidly very shortly after the shooting. When I took my position and saw the rush of Morrisites towards the arms, I thought we were in great danger, and that immediate action must be taken, and thought the Morrisites might possibly regain their arms, and that our men were insufficient to prevent it if the rush continued. Did not see General Burton on foot, but I did see him on horseback.

No cross-examination.

WELLS SMITH

Was then sworn and took the stand—Live in Farmington. Have lived there since 1848. I know the defendant. In 1862 I knew the Morris camp. I had been there. Think I was there twice. The first time was in May, 1862. I went with J. L. Stoddard and Thomas Abbott. Stoddard wanted me to go with him to serve a writ. We rode with in a quarter of a mile from the camp and stopped. Stoddard sent Abbott into the camp to bring out one John Smith. Abbott went and returned with the man. Stoddard told Smith he had a writ for certain persons, and Smith thought it impossible for Stoddard to serve the writ, because they did not consider themselves amenable to the laws. He told us if we went in we would never come out alive. We consulted about going in, and Stoddard said if we would go in with him he would go, and we went. We were directed to where Banks lived. We rode to the front of the house, where there were two guards with double-barrelled shot-guns, and a man with a drawn sword. We were told to halt. Stoddard told Banks he had a writ for him and certain other persons, and he read the writ to Banks. Banks said: "Tell Kinney we hold no communication with horse thieves and robbers." Stoddard said he was ordered to leave a copy of the writ, Banks said he did not want it, but Stoddard threw it over his horse's head; it was burned up, a man bringing fire out of the house to do so. Banks said if ever we served another writ there we did so at our own peril; we then left; I was a member of Burton's posse, and went there with it; on the morning of the 13th, I was one of a party of four men detailed to take a proclamation to the Morrisite camp. The others were Howard Egan, Judson L. Stoddard and Thomas Abbott. We left the camp before the forces; as we were going over to the camp we saw an old man and a boy with a herd; told the boy we wanted him to take the paper to Banks or Morris; he readily consented, and we accompanied him a distance and watched him go; did not hear the boy object to go; Stoddard did not

present a pistol at the boy's head to compel him to go; I was with Stoddard all along; Stoddard gave the boy 50c. I believe, but it might have been 25c; am positive he gave the boy some money; on Sunday evening at the surrender, I was north of the fort; in the morning I was to the east; believe Egan had charge of 25 or 50 men; they were on the north-east of the fort; as the Morrisites commenced going away through the north we moved around there to intercept them. This was just before the surrender; I heard the shots. I was with a number of men on the north at the time of the surrender.

Cross-examination—I did not see the writ Burton had. Did not know for whom it was. Had heard who it was for. Only saw two men try to escape from the north side. One ran into the river. The boy we saw on the morning of the 13th was driving cows out to herd. He might have been 12 or 14 years old, have never heard his name. Did not know he was a Morrisite boy. He was with the old gentleman driving out the cows. Do not know that the old man could hear what we said, he continuing to drive the cows along. We simply asked him to take the paper. He said he had the herd in charge and said he did not know that they would like it; but Stoddard offering the boy money, it seemed quite an object with him, and he went right along with us. We went to the foot of the hill on the south side. I watched him go into the door but could not see him deliver the paper. I remained during the night. I went in jail after the surrender, but was not in during the surrender, being out after the men in the willows.

To jury—I think Mr. Stoddard asked me if I had money to give to the boy, but I do not know whether I had any money or not. Cannot say whether I gave Stoddard any money or not. Money was pretty scarce then.

WILLIAM BEESLEY

Was then called—I live in Kaysville. I lived there in 1862. I was one of Burton's posse that went to the Morrisite camp. I belonged to the Davis County militia. During the three day's engagement I served on the west side. We first came to the south and went to the west on the morning of the same day. On Sunday afternoon I was on the west side. I helped to make the rolling breastwork, commenced before dinner time and finished it about two o'clock, quarter of a mile west of the mud wall. We commenced rolling it and kept on rolling it until we got to the slough, but could not get it any further. It was in the evening when we got it there. One half had arms, some rolled it while the others held the arms. About half were armed. After we stopped rolling it, a man named A. Brown came in with a white flag. He came near to Burton, but I could not distinguish the conversation that took place. Brown went back and the people then commenced stacking the arms about the north-west corner of the school-house, and we could see them from where we were. Burton and three men went in on horseback. Knew none of them but Burton. They went along the lane. Some other men were sent for after they got a short distance. Think about six went and we went from behind the battery. Think there were from ten to twelve men behind the battery. We went right across to the arms. I only saw one string of arms. I can't say at what part of the arms I stopped. To the best of my recollection, just as we got to the arms, I heard shooting near the school-house. The Morrisites made for the arms. I heard some one say "To arms!" but can't say who made the call. Heard the call to arms from the direction of the Morrisites. They came so near to the arms that one of them got hold of a thick barreled gun. I wrenched it from him. I did not know him. This was about the time I heard the shooting. It might have been before or later. The shooting was done so quick that I don't think anyone could have counted it. They stopped as soon as they saw the first that got to them were repulsed. I then ran across to see what the shooting was. When I got there I saw John Banks lying near the door of the school-house. Not many feet from it. I also saw Morris lying a little south of Banks, also a woman lying near to Morris, toward his feet. I saw Burton just as I got to the corner of the school-house. He was

still on horseback. It quieted down about that time. Afterwards heard Burton hollow to some men to stop that firing. Never saw Burton dismount. I only saw him on horseback at that time. When the attempt was made to seize the arms there were not to exceed five or six of our men near the arms. I thought fight when they made the rush. The condition was perilous. Of course I knew we were in danger then; still think so.

Cross-examination—Thought the danger was very great of these men getting the arms. Never saw any women or children then. Never saw any till after the affair was over; they were all men that I saw. Can't say how many. They were not armed. There were five or six men with me by the arms. About 15 or 20 rushed for the arms. We had loaded guns, but no bayonets on our guns, that I know of. I had no pistols. The man I got the gun from was short, and I think a Danishman; he had just got hold of the gun when I got there. I thought we were in great danger. Think the gun was loaded because the rest were loaded. Can't tell how many were loaded. Think this was loaded because some of the others were loaded. Think about two-thirds were loaded. Did not see them shot off. I was told so the next morning. Think they told me they had fired the guns off and put them in a wagon. Got the gun away from him; got it away from him about the time of the shooting. Can't tell who did the shooting.

To jurors—There was no obstruction between me and Mr. Burton. I laid my gun down while I was taking that away from the Danishman.

Re-cross-examination—There were other Morrisites near me at the time I took the gun away from the Danishman; can't say how many. I was betwixt the Morrisites and the arms.

HANS O. HANSON

Was recalled—Was on the stand before. I was at the Morrisite camp on the last day of the fighting; was not one of the posse; was a spectator; I lived about three-quarters of a mile below; on Sunday afternoon I went in about the time the breastwork was being moved in; I saw the white flag; I went in after the men who left the breastwork; I saw Burton ride in with Stoddard, Golding and Croxall; they were followed by the men from behind the breastwork; they numbered 12, 15 or 20 men, not more than that; they followed closely after Burton; I went in before them; I went to the east side of the school-house; I saw a person addressing Burton, but did not hear the words; I was just coming in; I saw the person talking to Burton; I was on the north side of the school-house; I saw Burton turn in a southerly direction from where he was talking to this party; also saw that an inquiry was made for Morris; he came presently from the west side of the fort to the east side; Burton and party were on the south side of the school-house; Morris came out from the west side and they met south of the school-house; Morris requested to speak to the people, and was allowed to do so if he would be brief and speak in the interest of peace. He then stepped out and said: "All who will follow me through life, follow," and he started towards the school-house, but did not go far. Heard Burton cry out "Halt" a time or two, or "Stop the prisoners," and a number of shots were fired. Saw Burton and Stoddard fire. Did not see any one else fire. Perhaps six, seven or eight shots were fired very rapidly. The shooting did not take more than six or eight seconds. The people responded loudly to Morris' call, and a rush followed. They answered "Aye, aye!" and "To arms." I heard the call "To arms" from the Morrisites. The Morrisites made a sudden movement to the north. I was near the southeast corner of the school-house. The least part of the Morrisites moved to the north, the others moved towards the house, men, women and children. Morris did not take more than a few steps. He was told to halt or "Stop the prisoner." When I saw this movement I was frightened and thought it was a very critical moment, and I thought they were rushing for their arms.

To jury—Did not see any Morrisites get any arms.

Re-direct—Have testified to some familiarity with their faith and at that moment I thought had not immediate action been taken, much