

not the road that Christensen took when he left us; after we had journeyed some distance I saw some wagon tracks; found that they were Cropper's cart tracks; I stopped awhile; when I saw Cropper; I asked him his advice about the threats that had been made against my life; I told him that I did not wish to give Christensen a chance to shoot me; he told me he would have him arrested, if he were me; he told me where he thought Christensen was; I then left for Bennett's to see about the water right; just as I was starting, my boy said, "Pa, there goes Mr Sorensen" (the deceased); I did not see him till my boy spoke; I rode along slowly on an old trail by the left of the road, probably twenty feet from the road Christensen was traveling; my son rode on the right; I was on the left, so that my son was between me and Christensen when he passed in his wagon; I did not see Christensen; did not look at him even; he stopped his team and said, "You d— s— of a b—, you've come here to kill me." my boy left, I don't know when he went; I told Christensen he would have to take back what he had said about me and my children; he then stooped, as if in the act of getting a pistol from the bottom of the wagon; I said, "Hold on!" and his wife grabbed him; Christensen said to his wife, "You d— b—," and stood up; he then reached over the seat, backwards, and took hold of the butt of a pistol; I again said, "Hold on!" he did not desist, and I then turned my gun, which I had not moved until then, and turned the muzzle on him and fired; I then went to Lee Cropper's, the justice of the peace, and told what I had done, and said I wanted to give myself up; he was surprised, and we went to the wagon; on the way I told him I wanted to get the pistol out of the wagon—that Christensen had hold of it when I fired; I never had any intention of having trouble with Christensen when my son told me he was coming; at no time did I have such intention; I did not threaten his life when he abused me in the morning while I was sitting at the schoolhouse; neither did I run after the wagon he was in.

Cross-examined—Farmed in Missouri; heard of the Guerrilla band there; never saw them that I know of; worked for Soren Christensen for seven or eight years, though not steady; did not like his manner of business; but had to work for him on account of supporting my business; had the first quarrel with deceased about a month before the killing, at his house; it was over the difference in our accounts; the next quarrel we had was two weeks later in the blacksmith shop; he first started the quarrel; he asked me for my gun and I refused to let him have it; at the schoolhouse on the morning of the killing the first words were, "Good morning, Mr. Wright." I answered, "Good morning." He then said he had found out that he was mistaken in saying that I owed him \$18.80,

that it was \$10.30. I told him that I did not owe him anything—that he owed me 85 cents; he then said, "Well, haul me a load of posts down to the house, and we will settle;" I don't think he intended the posts to be in settlement of my account; I refused to settle at his house, but offered to leave the difficulty to disinterested parties; the posts were at my house; I had some 300 there; hot words ensued, and he said he was prepared to fix me right there; he then stooped down as though in the act of getting a pistol; I stepped back into the corner of the schoolhouse; did not see any pistol, but concluded by his words and action that he was armed; I was somewhat scared; went to Wise Cropper's that morning to get some powder; did not have any at my house; used the last before breakfast to load my shotgun; I told Cropper the rumpus I had with Christiesen, and said I wanted the powder for self-defense; he then refused to let me have it; I went home, rather excited; went to bed, and slept some little; had no one stand guard while I was sleeping, although I did not consider I was safe even in my own house; got up and ate my dinner about 3 o'clock; then started out for Lee Cropper's house, to get his advice as to what action he would have me take in securing myself against the threats of Christensen; thought of the trouble all the time; the trouble was not off my mind when I killed him, nor it isn't off my mind to this day; I kept my eyes on Christensen as I rode up to him; he said to me, "You d— s— of a b—, you've got that gun to kill me;" I went on; never paid no attention to him; as I got to the wagon he stopped his team; I stopped the mule I was riding; he then stooped down, as though threatening to get a pistol; he then stood up on his feet, unbuttoned his coat and vest, and exposed his bosom to me and told me to shoot; his wife screamed; don't know whether the baby cried; I said, "Take that back, and stop the racket;" I said nothing further; he didn't give me time; he was standing up; he waived his hand up and down and said, "Shoot! shoot! you s— of a b— and be a—!" He then held his coat and vest open with both hands; I was now badly scared; tried to be cool; was ten feet away from the wagon; I faced the north; Christensen was facing the south; he sat on the spring seat next to me; after he dared me to shoot he leaned back of his seat as though to reach something from the bottom of the wagon; I watched him, and found that it was a pistol he was after; as soon as I saw him grab it I turned my gun over and shot him; his wife held the lines at the time.

Riley Wright, a son of the defendant, was next called and sworn. He said—Am 15 years old; lived at home with father last April; recollect the day of the killing; was in Deseret that day; in the morning was at the schoolhouse, herding horses; went home about 11 o'clock; father was there; helped father fix up his log chain, as he intended to

leave for the canyon next day; had dinner at 3 o'clock; father then told me to go and get the horses; had no conversation in the house before I went to get the horses; afterwards father told mother where we intended going; he said we were going to see Cropper's first, then to Bennett's, then to Allred's; we left about half-past three o'clock; we took a muzzle-loading shot gun with us; father was on the mule and I was on the horse; when we got to Cropper's I saw Thomas Cropper coming; father conversed with him; was not near enough to hear what was said; we then went north; had not gone one hundred yards when I saw Soren Christensen coming in his wagon, with his wife; I told father of it; I was on the east side, father was on the west; we rode side by side; when we got close to the wagon Soren Christensen stopped his team; he asked father what he was doing with his gun; I turned my horse and went south of the wagon; I could hear what was said, but could not see them; when I last saw Christensen he had the lines; was very much excited; heard Christensen jump up in his wagon and say to father, "Here I am now, you d— old s— of a b—; now shoot me, if you want to;" I could not hear what father said, but Christensen leaned back in his seat, and put his right hand over the back to reach for something; father faced the east; the team was in a southerly direction; father, seeing Christensen stoop, said, "Stop!" he would not do so, and father shot him; that was the first time father pointed his gun to him; the trail we were on was an old one; I cried, as father shot, and said, "My God, now you've done it;" we then went to Lee Cropper's and father gave himself up.

After recess Wednesday afternoon Riley Wright was cross-examined by Mr. Evans: I have used the gun; it was loaded that morning; we put No. 4 shot in it, common duck shot; rammed the powder pretty hard; father put all the powder in that he had; after breakfast I went to the schoolhouse to herd the horses; father came half an hour after I got there; never saw Christensen there; father did not have the gun with him; father came to me and told me Christensen had threatened to kill him; he was mad, and looked vicious; we both went home together; father fixed up his logchain, first making a smoke; he did not ask for powder; did not see him leave home till he went to Cropper's, after dinner; he told me to get the horse and mule while he was gone; when he came out of the house he had nothing in his hand; mother came out and said, "Take the gun will you and see if you cannot shoot a duck or a goose;" I then said to father, "Go into the house and get the gun;" father went and got it and we started in the direction of Tom Cropper's; father spoke about Christensen before we got there; he told Tom Cropper that he didn't mind Christensen calling him a s— of a b—, but he wanted to be prepared since he had threatened his life; had