

THE SPENCER CASE.

Following is an account of the proceedings in the trial of Howard O. Spencer, charged with murder, which took place May 7, after the close of our last report:

STEPHEN TAYLOR

was called to the witness stand. He testified—I live in Salt Lake County, and have lived in Utah since 1848; in 1859 I was a member of the police force of this city; have known Howard Spencer since 1849; had known him quite intimately before 1859; I saw him in August, 1859, I believe—or at least about that time—when I had a conversation with him in reference to Sergeant Pike; at the time of the conversation Pike was in this city; he had not been here very long; the conversation I had with Spencer was to the effect that he had better not meet Sergeant Pike; that he felt there would not be justice done in the matter; I told him he had better wait and see what the courts did in the matter, and he finally said: "I'll see about it;" this was on the same day that the shooting occurred—in the morning, I think; he was not armed at the time, I think; he was somewhat nervous, as excited and flurried at the time, as though his passion was working up on him; I next saw Spencer later in the day—about two or three hours afterward, I think; he was crossing Main Street, going from east to west; he was about one hundred yards away from me, and he had what I took to be a pistol in his hand; that was after I heard a shot fired; after hearing the report of the pistol I saw considerable of a tumult, and several people—soldiers and citizens—followed him with pistols in their hands, and crying for someone to stop him; Spencer ran through the block on the west side of Main Street; we started in pursuit and traced the fugitive four or five blocks, but failed to get sight of him; we met a party and then came back; I do not know how long it was after that until Pike died; I did not see him taken away from the Salt Lake House; I do not remember seeing Alma Williams on the day of the shooting, but I did see George Stringam; it was previous to the time Spencer ran across the street; I saw Bill Hickman the same day, after I had the conversation with Spencer; Jace Luce was not present that I know of.

To Mr. Brown—I should say there were about twelve or fourteen men in the street when the shooting occurred; from six to twelve had pistols in their hands, and were in pursuit of the man I took for Spencer; it was not an uncommon thing in those days to see men on the streets with pistols in their hands; I talked with Spencer that day on Second South Street; I can hardly tell you how the conversation began, but I think I began it; I told him John Y. Green had asked me to see him, and ask that he should not see Pike; Spencer's head was in a bad condition at that time—it had healed up some, but its appearance showed that he had re-

ceived a heavy blow. He appeared to me to be excited, which had been caused by me broaching the subject of his injuries to him; I have known Spencer for many years; his general nature was anything but excitable; I should judge his excitability was caused by the demented condition that he was left in, and the idea that he would not receive justice, or that Pike would not be punished for the injury done him.

WM. ALMA WILLIAMS

testified—I have known the defendant since 1854; remember Sergeant Pike being brought here for trial; do not remember the time, but it was when corn had got pretty high; when I first saw Pike he was up stairs in the old Salt Lake House, lying on a bed; he was wounded, or said to be; he was a very sick man; I heard the report of the pistol; I was on the west side of the street, and about ten or fifteen paces north of the Salt Lake House, when I heard the report; I turned around and saw a knot of men gather in front of the Salt Lake House, and also a number crossing the street; eight or ten men were running west, and when they struck the outer edge of the sidewalk, the crowd stopped and one man kept on going; I followed him to arrest him, and went several blocks; the man had something in his hand; I do not remember what it looked like; once, when I got into the lot, I got almost close enough to grab him, but I didn't; I had a revolver; I saw Bill Hickman that day; I lost the man I was chasing in a corn patch; I saw Pike after I came back; he seemed to be in considerable agony.

To Mr. Young—At the time of the occurrence, I was acting bailiff and also deputy United States marshal; there was nothing particularly remarkable about my seeing Bill Hickman; he was on the street quite frequently at all times; Hickman's name was never connected with the homicide, so far as I know; I understood that Pike lived about 24 hours only after he was shot.

WM. APPLEBY

testified—I have lived here since October, 1849; I know Alma Williams; remember the time Pike was killed, in 1859; I saw two individuals I took to be Howard Spencer and Alma Williams on that day; I was on the second block west of the Salt Lake House; both men were running; those were the only men I saw; they passed me within about three rods; I formed the conclusion in my own mind that the men running were Williams and Spencer, but I am not certain of it.

To Mr. Brown—I did not hear either of the men say anything as they passed me; they were three or four paces or three or four rods apart.

HENRY HEATH

testified—I have lived here forty-two years, and am somewhat acquainted with the defendant; I heard the shot fired on the day in question, when I was standing near Jennings' corner. I turned around and saw the crowd; when I got to where the man was injured I heard

them say it was Sergeant Pike; I did not know any of the people who were rushing across the street; I have always been under the impression that Pike died within about twenty-four hours after he was shot.

To Mr. Brown—I should say there were at least 100 people on the street; some twelve or fifteen had their pistols drawn, and there was considerable excitement.

LEHI DANIELS

testified—I live at Echo Canyon; I used to know Howard Spencer, and am acquainted with George Stringam; I have known both since I first came to the Territory; I remember the circumstance of the killing of a man known as Sergeant Pike; I do not know that I ever saw him; I was on the opposite side of the street when my attention was attracted by a crowd of five soldiers going up the street; a man went up and spoke to them; one stopped and the others went on; a few words passed, when the man drew a pistol and fired; the soldier staggered and fell, and the man who did the shooting turned and walked a short distance, when he started to run; some soldiers followed him.

Mr. Peters—To the best of your knowledge, who was it fired the shot?

Witness—To the best of my knowledge I don't know who it was; I was not able to recognize him; he had the revolver in his hand when he went across the street; he ran through an alley-way west; the soldiers were going up the street when I first saw them.

HENRY CUSHING

testified—In 1859 my shoeshop was located about seventy-five feet south of the Salt Lake House; knew a man who was known to the community as Howard Spencer; was also acquainted with George Stringam, Bill Hickman and Jason Luce; remember the killing of Sergeant Pike; I saw Stringam, Hickman, Luce and Spencer together on the morning of the shooting; they were behind my shop examining pistols; each one had a gun; Stringam examined his and gave it to Spencer; it looked to me like a Colt's revolver; they were together probably five or ten minutes, and all went away at the same time; about an hour afterward I heard a pistol shot; I looked up and saw Spencer going across the street, accompanied by Jace Luce and Bill Hickman; they were crying out at the top of their voice: "Keep back; I'll drop him;" Spencer was running in advance across the street; some soldiers ran after them, also with pistols drawn; Spencer ran through Martin's alleyway; there was only one shot fired; Hickman and Luce were talking to the crowd, I suppose.

To Mr. Sheeks—I think Hickman had two revolvers, when the examination was made in the rear of the store.

Mr. Sheeks—Was it anything very unusual to see men looking at their pistols or examining them?

Witness—Not in those times; nearly everybody carried a pistol in those