

enough." The most serious wound I received was by a bayonet stroke upon my forehead. The whole company of soldiers, some twenty in number, then started down Centre street, taking myself and the other prisoner with them. The soldiers attempted to fire into the University building. I escaped from them when down by Bishop Miller's. Blood flowed profusely from the wounds on my head.

Deposition of A. H. Bowen.

I was on patrol duty as a policeman; was at I. M. Cunningham's near six o'clock on the evening of Sept. 22nd. Eight or ten soldiers were present. One of them asked Cunningham if he could furnish supper for thirty or forty persons? Cunningham replied: "I will do the best I can." I went home, got a coat and returned, and saw a load of fourteen or fifteen soldiers arrive at Cunningham's. They said they were going to run the town. At eleven o'clock I saw three or four soldiers go into the street near Cunningham's house, using threatening language. They fired guns eastwardly. One soldier commanded them: "Get your guns and we will clean out the Mormon sons of b—s." They went towards Centre St. I ran across an orchard towards Bishop Miller's, and got there as they commenced hammering. I saw them break in the window and door, saying to Miller: "G—d d—n you, come out here!" I heard Miller ask: "What do you want?" The soldiers replied: "We want you." I then went home for my revolver, having nothing with me but a derringer. I then went to the Court House and commenced arousing the citizens. I heard the soldiers smashing in the windows in the direction of Macdonald's. I was in the orchard opposite the meeting house with three others; I saw the soldiers go to the front door of the meeting house, and strike two or three matches. The soldiers came out of the front gate. The city Marshal ordered us to be ready to fire upon them, when in the centre of the street. At this moment we recognized the voices of two citizens, as prisoners, which prevented us from firing. The soldiers passed down the street. We resorted with other citizens, to the vicinity of Cunningham's, from whence the soldiers soon started for camp.

Alma Brown

Said: On the 21st day of September, I saw some soldiers in Provo who asked me to haul them to camp. I told them I would for pay. They agreed to pay me, and I took them to camp. They, in their talk, said they were going to have a fracas in Provo the next night. One of them called Haws hired me to haul them over to Provo the next night. While at camp the next night, some of the soldiers who came to ride with me, had guns with them and wanted to put the guns in the wagon. I told them I would not take them with their guns. This was about three rods from the cook-house. One of the soldiers spoke up and said he was going to take his gun into town. At this time he was not more than two rods from the sentinel on guard. The sentinel did not make any objection. I saw three or four soldiers take their guns in their hands, and walk out of camp. This was after tattoo. I hauled to Provo two loads, eighteen in all, but did not see any guns or pistols about them. They had overcoats on. I do not know how many soldiers were in town that night, but heard a soldier, they call Haws, say there were not more than five soldiers left in camp besides the officers and guard. Some of them said they had a grudge against Bishop Miller and Bishop Sheets, and they would like to string Bishop Miller through the town. I unloaded the soldiers at Mr. Cunningham's house. Haws took me in the house and gave me my supper, and paid me for hauling them over. They said they were going to have a supper at Cunningham's, and have some music. They tried to engage me to take them back to camp and expected to break up at about two o'clock. I told them I would not like to hitch up my team at that time, and did not do so.

Abram Holladay

Said: On the evening of Thursday, September 22, while on duty, as Captain of Police in Provo, I heard of a dancing party at J. M. Cunningham's house, got up by the soldiers from Camp Rawlins; and I had heard that there were some feelings among the soldiers on account, as they said, of one of their number being hurt. About nine o'clock, being near Cunningham's house with another policeman, Mr. Durfee came along; we had a few words. He referred to the soldiers having a little time

of rejoicing, and thought there would be no trouble. He went over to Cunningham's and afterwards came back to us. He said the soldiers had sent him to say that they were not disposed to have any disturbance or trouble. He was about three-parts drunk. While he was talking some of the soldiers came out and called for Durfee; he didn't go. They called him three times, and while he was with us three shots were fired from Cunningham's house, and two in the street. Durfee left us and went back again to the house. Some of the soldiers started off down the street and had some loud talk among themselves, they came back and went into the house. They afterwards came out, and stood talking in the street, and made considerable threats, from which I understood they were going to Alderman Miller's hall. I went across the lots and expected to meet the city marshal, and some other policemen, but did not see them. I heard the soldiers say they would burn the hall or tear it down. I heard them smash in the door and windows and they called for old Miller to come out. They called him very uncouth names. I saw the marshal and one policeman. We went along to talk to and reason with the soldiers, at which they presented their guns and pistols at us and took us under guard; they threatened us a great deal. We saw a part of the crowd take hold of Alderman Miller, and start towards J. M. Cunningham's house. They said that the Mormons had run this Territory long enough, that they had not got volunteers in the Territory now, but had Uncle Sam's men, who were going to run this town as they G—d d—n pleased. They swore a great deal. They brought Alderman Miller back, and released him, saying they had nothing against him. They also released us, and told us not to get in their way again. They said this had been Utah Territory, but now it was Uncle Sam's Territory, and they were going to run it, as they had men to back them. We thought it best to go and see Mayor Smoot, Alderman Sheets, Col. Daniels and others. We did so, and waked up a number of other men. While doing so we heard the soldiers near the meeting house. We went to Macdonald's house and from there to Mayor Smoot's. We afterwards heard the soldiers at Macdonald's house, and heard them breaking the windows. We thought it was the windows of the drug store, but afterwards found it was Macdonald's and Alderman Sheets' dwelling houses. I went home to get my gun, and on my return I met the soldiers at Lewis' hall. They were then going west. I went to the Court House and saw the city marshal, and some other policemen; we went after the soldiers, but they went off to camp, and there was no more disturbances that night. There were about 25 soldiers that went to Alderman Miller's hall, and they were afterwards recruited by some others. They fired several shots in the streets while they were going about the town.

Ezra Oakley,

On being duly sworn, said that on the night of the 22d of September, while I was coming down from Mr. Bachman's house, I met the soldiers in the street; they took me prisoner and marched me along with them. They went up to the meeting house. At this time we met another party of soldiers,—the ones who were at McDonald's house. There were about 15 in one party and 10 in the other; some of them were very drunk, others not so drunk. They seemed to think of nothing but the Mountain Meadow massacre, and kept calling out about that occurrence and swore considerable. There was a man on the hill near the meeting house; the soldiers took him and struck him on the head several times with their bayonets. Prior to this I told this man he had better get away if he could. I tried to get away, but was too closely guarded. They took down street, and when we got to the store of Mr. Bachman, I told them I wanted to stop there. They asked me if I was Bachman's man? I told them yes, and they let me go. While at the meeting house one of the soldiers swore, and said he would have a fire, and went to the meeting house and struck some matches against the wall. He seemed determined to burn the meeting house. As we were going back, two of the soldiers shot into Alderman Miller's house. This was about half past two or three o'clock in the morning. There were about 25 soldiers in the crowd.

Frederick Bee.

Said on the night of Thursday, Sept. 22, 1870, having been engaged to play an instrument at a supper-party made

by the soldiers from Camp Rawlins, at John W. Cunningham's house, while I was at said house and at supper, one of the soldiers came in and said that one of their number, named Haws, had been hurt in the street. Some of the soldiers went out, saying they would go and see about it. Afterwards I heard three shots fired in the street. Previous to this, three or four of the soldiers had been somewhat disorderly, but they were quieted by the others. They had danced and sung songs for some two hours before this report was made of Haws being hurt. I do not know whether they brought any ladies from Camp, did not see any officers there at the party. There were about twenty or twenty-five soldiers in all. I did not hear any of the soldiers make any threats. The supper was served about eleven o'clock; after supper I went up stairs. The ladies, and about six or eight soldiers were up stairs; the other soldiers did not come up. We stayed and played and sang songs about an hour longer. I went home about a quarter past twelve o'clock. Mr. Minky, a drummer of Company K., seemed to have charge of the party. He did not come till after tattoo at camp. I saw him once at J. M. Cunningham's house after the shooting commenced in the street. I did not see any of them have any guns or pistols. I have never heard any of the soldiers make any threats. I have heard that it was not all those at the party, but another crowd of soldiers from camp who done the mischief in town. I heard considerable shouting and shooting in the streets, but was not near enough to see the soldiers or hear what they said.

Daniel Graves.

On being sworn said that On Wednesday last I was at Camp Rawlins with grapes to sell. While there I engaged with a soldier named Haws to furnish what grapes they would want at the supper party on Thursday evening. He seemed to be the committee for said party. He told me to go to Mr. J. M. Cunningham's house that afternoon, and see Mr. McMahon and others that might be at Cunningham's and tell them not to purchase fruit from anybody else. I did so, and McMahon engaged some peaches also. On the evening of Thursday I took the grapes, &c. to J. M. Cunningham's house. Two loads of beer arrived while I was there. The first load of soldiers came about 7 o'clock. Some ten or fifteen of them, then went up stairs, and then went out with Joseph A. Thompson several times. About half past 7 o'clock the Smith boys and Frederick Bee came with their instruments, and then the dancing and singing commenced. About 8 o'clock another party of soldiers came. At that time a soldier named John, the Major's cook, brought a keg of beer, and the soldiers took hold and drank. About half past eight there was a little disturbance down stairs. About 9 o'clock another crowd came; they had their guns and bayonets with them. About half-past nine o'clock Haws, with another crowd came. Supper was on the table; the table was filled, and while they were eating, some firing was heard outside. The women screamed and those at the table arose, went up stairs and got their firearms. Haws came in and said his shoulder was broke; he said he had fired four shots after the man that hurt him, but did not know if he had hit him. The soldiers threatened if they got the man they would hang him to a telegraph pole. They ate at three tables. About half past 11 one of them brought in a small keg of whisky, which was passed round. After this I heard a fuss out of doors and the soldiers seemed to have no control of themselves. Haws told me that I had better not go home then, as the soldiers might shoot me or anybody else. I went out doors. They had Alderman Miller in custody, and were talking about his hall. There seemed to be some misunderstanding between them. After this I heard a noise on the bench, and from the sound of the shouting and shooting I thought they were coming back. They came up the street and fired several times opposite D. Carter's house. Several of them came into Mr. Cunningham's house, and they got some more beer from the wagon. Haws said it was time to quit. Some of them got to fighting among themselves; one of them swore a great deal and threatened that he would burn every house in town. This man was marked with the small pox. Abram Durfee and Joseph Thompson went out to the soldiers several times. Haws seemed to have charge of the party. They then got the brewer's wagon and went to Camp. There were three or four sergeants and

two or three corporals at the party. I did not hear any threats made, only about the man who had hit Haws.

The above affidavits were duly sworn before me this 24th day of Sept., 1870.

A. O. SMOOT,

Mayor of Provo, Utah.

September 26th.

Alderman Sheets presiding.

Joseph Boren,

On being duly sworn said, one the evening of the 21st of September, 1870, while at Mr. Thomas Kerry's house for a horse, two soldiers came up to us and one of them said, "Kerry, our dance is bursted up." He then said a gang of them were ready, and was coming up the next evening to run the town; that they would not dance if they could not get the hall for nothing. He said if the people wanted a fight with rocks and clubs they could have it, or with guns and pistols either; that they had needle guns and could use them as fast as the people could; that they were going to visit Alderman Sheets first, and then Alderman Miller, as they had a spite against Miller for renting his hall for fifteen dollars and then raising the price to two hundred dollars for four nights. I would know these two men if I saw them. I told Isaac Bullock, Sheriff of this county, on the morning of the 22d, about 11 o'clock; also told the policeman, Harrison, on the evening of the 22d. I heard the shouting and shooting in the town during the night of the 22d, but stayed at home to protect my family.

Wm. D. Roberts,

On being duly sworn said, on the morning of the 23d of September, between two and three o'clock, I heard a gun fired, and about five o'clock. On going to West Main Street, I found a soldier lying on the west side of the street, drunk, he had a gun by his side, I picked up the gun and took the cartridge out of it, and took the gun away. I then notified the Captain of Police, and he, with myself, went to take charge of the soldier; he resisted and attempted to draw a dirk knife. The Captain took the knife from the soldier, and we then took him in custody; he afterwards threatened that, upon being released, he would cause trouble to the people and officers of the city.

George Halladay,

On being sworn said that on the night of the 22nd Sept., 1870. I was at A. F. Macdonald's house at about 11 or 12 o'clock. I was awakened by Marshal Rogers, who informed me that the soldiers were coming to the house. I went up stairs. The family was by this time aroused. Mr. Macdonald was not at home. I placed the woman and children in an up stairs room. The soldiers broke in some window sash and doors, swearing all the time they were doing so. I got out of the north window, and went for help, and returned as the soldiers were leaving. I heard a great deal of swearing and shooting; we had no fire arms in the house, as the boys had them in the cañon with them.

Z. C. M. I.

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Sept. 19th. 1870.
872 W 3d St

Wm. SIMPSON,
West Weber.