

As soon as it became known that Judge Cradlebaugh intended holding a court, and investigating the circumstances of the massacre, and that he would have troops to insure protection, and enforce his writs if necessary; several persons visited him at his room at late hours of the night, and informed him of different facts connected with the massacre. All those that called thus, stated that it would be at the risk of their lives if it became known that they communicated anything to him, and they requested the Judge if he met them in daytime, not to recognize them as persons that he had seen before.

One of the men, who called thus on Judge Cradlebaugh, confessed that he had been engaged in the massacre, and gave the following account of it.

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Such was the substance, if not the exact words of a statement made by a man to Judge Cradlebaugh, in my presence, who confessed that he participated in the horrible events that he related. He also gave Judge Cradlebaugh the names of twenty-five or thirty men living in the region, who assisted in the massacre. He offered to make the same statements in court, if protection was guaranteed to him. He gave as a reason for divulging these facts that they had tormented his mind and conscience since they occurred.

We had been in Cedar city but two days when Capt. Campbell arrived with his command, and informed the Judge that he had received an express from General Johnson to bring back with him all the troops in his command, as the Mormons were assembling in the mountains on the route. Judge Cradlebaugh was left without protection for those who might be called as witnesses, or of arresting any persons who might flee or resist his writs. Without assistance of this kind it was useless to attempt to hold a court, and we accordingly left on the next day with Capt. Campbell's command for Camp Floyd.

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WM. H. ROGERS,
Deputy U. S. Marshall, U. T.

THE PARISH MURDER.

Testimony of Mrs. Aleira L. Parish.

Elvira L. Parish being duly sworn, says, that a few days before my husband and son were murdered, Wilber J. Earl and Alex. F. McDonald came to my house about dusk in the evening and took my husband out. My son followed, and McDonald drove him back. Then I went out and crossed the street into my nephew's house, and stood at the open window, the house being an unfinished one, and heard McDonald tell my husband that he could never see his grey horses any more. My husband replied that if he would let him go to Brigham Young, he would bring papers to show that the horses belonged to him and no one else. McDonald said we dont care for Brigham Young, and if you start to see him you will never live to get there. My husband then opened his bosom and told them if they wanted to kill him to do it now. McDonald said we dont want to shed blood now.

On Sunday following, after I heard this conversation, Mr. Parish started with Abraham Durfee from our house about two o'clock in the afternoon, and in the evening Mr. Durfee came back, and took my two sons out; soon after they left the house I heard a gun fire. This was a little after dark, and shortly after that the police came and searched my house for Orrin, and told me that they

wanted his body dead or alive. I told them he was not there, but Carnes, the Captain of the Police told them to search the house, and they searched it. I remained in the house all night, much alarmed and very lonesome. I went to the door occasionally and saw some men fixing a wagon, and passing frequently with candles in their hands from John Daily's house to the wagon. I saw the wagon move off in the direction that my sons went. It proved to be the wagon that brought in the dead bodies. G. McKenzie told me that he was ordered by the Bishop to drive the wagon out, but did not know at the time what he was going after, that when they arrived at the place they threw the dead bodies of my husband, my son and Mr. Potter into the wagon like dead hogs, and said: "This is the way the *darned* apostates go."

The next morning after this, my brother-in-law, Ezra Parish, came to my house and told me that Orrin was at his house guarded by four policemen. He told me to come over, but to be as calm as possible. I went over and found Orrin there in bed guarded by four men. I knew none of the men but William Johnson. I stepped toward the bed to ask my son if he knew where his father was, but Mr. Johnson jerked me away, and said if I wanted to talk I must talk loud. I then asked him loud, if he knew where his father was? He said he had not seen him. Soon after that, my son Albert came and told me that his father and his brother, and Mr. Potter, were all dead in the school house. Soon after that they came and took Orrin over to the school house. I followed, but was so prostrated by the circumstances that I was not able to go alone, but was assisted by my nephew and brother-in-law. When I got to the school house, I heard them ask Orrin if he had been accessory to the murder. He stated on oath that he had not, and that he did not know who did it. Orrin was at this time very much embarrassed. He was discharged after they found that he knew nothing.

After the burial, I was required to pay \$48 for funeral expenses before I could get back my husband's watch and other things he had with him. On a second visit to the school house, I noticed that a knife had been drawn through my husband's left hand; the fore finger hung by the skin; his hand and left arm were all cut up with a knife; a large gash in the back of his head. One of his suspenders was cut off; the knife pierced his body, then another wound lower down and more in front. There was forty-eight holes in his coat, all caused by stabs; examined and counted them myself. Mr. Parrish's throat was cut from ear to ear; his watch had saved him one stab, there was the mark of a knife on it. There was four bullet holes in the left side of my son. My husband had a Territorial order in his pocket book when he left home, called for \$500; I never got it back; when I got his pocket-book it had a few jewels in it belonging to my sons, a medal, a half dollar, a twenty-five cent piece, the paper containing the conversation my husband and Earl and McDonald was in it, but it was not returned.

* * * * *

Mr. Dibble, who was on the coroner's inquest said, that where he examined the pocket-book on the inquest, he saw no papers of any kind.

I went to Salt Lake City in July, 1857, to see Brigham, in accordance with a promise I had made my husband. Brigham told me he knew nothing of the affair. Springville was fifteen years ahead of him. He would have stopped it had he known anything about it. I asked him about the horses. He said he would do everything he could do to have the horses restored to me—he

would write to me after seeing Mr. Bullock and others. I told him Gee had possession of the horses, and that he had said, nothing but an order from Brigham could get them. Brigham's clerk put down in a book what I said. Brigham never wrote to me. I went to see him this winter—he would't see me. It was between Christmas and New Years—could't see him. I went to Brigham Young's office about 8 o'clock in the morning, and sat there till 4 o'clock in the afternoon. His clerks were present. At 4 o'clock I was told that I could not see Brigham Young that day, but next day to call and see him between 8 and 11 o'clock in the morning. I came next morning and was told I could't see him, that he saw nobody. Mr. Sharp, chief the police in Salt Lake City, when I was going out, called me back, and asked me what I would do about it. I told him I did't know. I went to John Young's, from there to Mr. Long's, and noticed Mr. Sharp and one of the clerks following me; they called after me; they said I should wait till the soldiers left, and I would get back my horses and four fould with them. It would be best for me to drop it. They told me to go to Bishop Hunter and try to settle the matter. I would not go.

The first day I was at Brigham's office, I was told by the clerk, Brigham Young don't want to see you, such business should be put into the hands of the Bishops—to see Bishop Hancock, Bishop Johnson, and Bishop Roeberry, and they would settle it—That Brigham had told him that he didn't want to see me.

There had been public preaching at Springville, to the effect that no apostates would be allowed to leave, if they did, hog-holes in the fences would be stopped up with them. I heard these sermons. Elder Hyde and President Snow, and others, preached that way. My husband was no believer in the doctrine of killing to "save" as taught by the teachers.

(Signed)

ALVIRA L. PARISH

Sworn to and subscribed before me, this 26th day of March, A. D. 1859.

JOHN CRADLEBAUGH, *Judge, &c.*

TESTIMONY OF ORRIN E. PARRISH.

Orrin E. Parish, being sworn, says: He was twenty years old last July; lived with his father's family in Springville, in March, 1857. Family consisted of father, mother, and six children; eldest brother, William Beason, aged twenty-two; witness next. Lived in James O'Bannion's house—double house; we lived in one end, O'Bannion in the other. We came here from Council Bluffs.

Father, brother, and Potter were murdered on the evening of the 14th March, 1857. About a week before the murder, Mr. Johnson, Mr. Metcalf, and a person whose name witness does not recollect, came to father's as teachers, and questioned father about his religion, whether he prayed, and what he intended to do; don't recollect all that was said, but they didn't seem pleased with father's answer.

A night or two after, our four horses and carriage were stolen; they were in the stable on the lot where we lived. We found two of the horses before father's death in Kim Bullock's stable in Provo; got them back after father's death from the Bishop. Bullock said they were brought and put in his stable

at night, and he did not know who by. Lysander Gee, of Tooele city, has the other horses; saw him driving them last fall in Great Salt Lake city, and riding one of them, and another man the other, in Echo Canyon, five or six days after father's death.

Two or three days before the murder, Wilber J. Earl and Abram F. McDonald came to our house, called father out, and went across the street behind an unfinished house belonging to cousin. Witness started to follow, but was driven back by A. F. McDonald, who said they wanted to talk privately to father. Mother went over into the house, and returned in about ten minutes. Father soon after came in. Father afterwards wrote on a piece of paper what was said to him. Witness thinks it read about as follows: "Abram F. McDonald and Wilber J. Earl says that I (William B. Parrish) will never see my grey horses any more, and if I start to the city to see Brigham Young, I will never live to get there." Abraham Durfee was at our house frequently after the 1st of March, and up to the time of the murder he lived half a mile from our house. Pretended to father that he couldn't stand Mormonism any longer, and that he wanted to get out of the country. Durfee and Potter were there most every day. The arrangement was finally made, that father, brother, Durfee, Potter and myself, were to start on Sunday night, the 14th of March, 1857. They talked the matter over, and concluded that it would not be safe to start in the daytime; if we did we would be followed and killed as apostates. It was arranged to go out after dark, and meet about a quarter of a mile south of the city wall, at a corner of the lane fence.

Durfee and Potter were at our house at ten o'clock on the Sunday of the murder. Durfee was there also at two o'clock, at which time he and father left, directing us boys where to meet after dark. Durfee came back before dark, again after dark; last time said father sent word to mother to send us out, whether ready or not. Durfee and brother started; I remained at the door talking to mother a minute or two, then overtook them; we went out through the south gate of the city wall. Two persons followed us on the street; did not talk much. Brother and I carried bundles of provision and ammunition.

Durfee left us at the gate; said he was going home to get his gun; directed us to go to the southwest corner of the city wall; went as directed. Saw no person; heard them inside the wall. Durfee came to us; had his gun; asked brother to go with him to get some things that he said he had hid out during the day; returned to me in ten minutes. Durfee said he could not find the things. While they were absent a gun was fired, apparently about the corner of the lane fence, where we were to meet. When they got back I asked what it meant. Durfee said some Indians might be camped down there; then he said it might be a signal from father or Potter. We then started a southeast course, towards the corner where we were to meet. Crossed the fence one or two hundred yards north into the road. After we got into the road, Durfee called out, "Duff, Duff, Duff," three times. Potter's name was Duff.

We then stopped and looked to the fence on the east side of the road. No one answered. We went on towards the corner; when within fifteen or twenty feet of the corner a person at the corner called out "Durfee" three times. Durfee answered. Immediately a gun or pistol was fired; brother Beason fell, (Beason is brother William's middle name.) I was nearest Durfee; brother farthest away, and ahead of us. Durfee had a blanket and black hat on; had

a gun and revolver. Brother had a black hat on. Durfee knew we had no arms. Durfee said, "My God! what does this mean!" Witness was close to him, but stepped away. Durfee drew up his gun and pointed it at witness, and bursted a cap, the gun failing to go off. Witness went further off from Durfee. Another gun was then fired at corner of fence; then two or three other shots were fired; one ball passed through a cartridge box witness had on, (cartridge box shown with a hole in it.)

Witness jumped fence and ran for the city; climbed the wall at a place where it was low, about seven feet high, and was severely injured in getting off it; when he crossed Hobbles Creek, heard person behind ask which way he went. Witness ran to his uncle's house; some ten or twelve men were standing in the street to the left. Witness got in so quick they could not catch him. Uncle, aunt, and cousins, at home. Told them that Beason had been shot. Asked uncle to go and see if he was alive. Uncle was afraid to go. Got Robert Brooks to go. Brooks went, returned in a short time—twenty minutes, and said he went to the South city gate, was there met by a lot of men who told him to go back if he wanted to live.

Half an hour after Brooks returned, Wilber J. Earl, H. H. Carnes, Daniel Stanton, Sanford Fuller, Andrew Wiles, and a man by the name of Curtis, came to uncle's; Carnes asked for me, said he wanted me, dead or alive. Witness was sick from hurt in jumping the wall, and had laid down in bed; made me get up to see if I was shot. Told him I was sick; got up, sat in chair; felt my shoulders and arms, and examined me to see if I was shot. Said he had a writ for me, and I must go with him. Aunt said I was sick and not able to go. That no matter; when they took me, she would follow them; and that they could guard me: then a guard was left over me. In the morning, John Daily, William Johnson, and a man I don't recollect, were there as a guard. Ten or eleven o'clock, was taken by John Daily and others to the meeting house. John M. Stuart acted as Justice of the Peace; twenty or thirty men there. Durfee and I were sworn. Durfee was examined first; don't recollect all he said; he had snapped a cap at the enemy. I told them I knew nothing about it more than Durfee had stated; that I saw nobody, but saw something dark toward the corner of the fence. My uncle got a chance to speak to me in the morning, and he told me to say that I knew nothing; said that if they found out that I knew anything, they would kill me. That was the reason I testified that way. They discharged me. The voice I heard at the corner of the fence calling Durfee, was Carne's voice; he has a peculiar voice; I knew it well, and cannot be mistaken. The dead bodies were at the meeting or school when we were sworn. Father laid in the middle—his throat was cut; body was covered up. Brother fell forward, when shot, on his hands; five or six shots fired; four ball holes in brother's coat, entering on one side of the breast, and coming out on the back. (Coat produced and identified.) Never suspected Durfee's treachery until he pointed the gun at me. Heard father say that Durfee's life had been threatened. Eight o'clock in the evening when they were murdered.

(Signed) * ORRIN E. PARRISH.

Sworn to and signed before me this 26th day of March, A. D. 1859.

JOHN CRADLEBAUGH,

Judge, &c.

AFFIDAVIT OF JOSEPH BARTHOLOMEW.

TERRITORY OF UTAH, }
 Utah County, } ss:

Joseph Bartholomew of Springville, in the county of Utah aforesaid, being duly sworn, deposes and says:

Duff Potter came to me and notified me to attend a meeting at Bishop Johnson's about the 1st of March, 1857.

In pursuance of that notice we met at Bishop Johnson's in a private council meeting. I do not recollect what was done at this first meeting; there was merely some talk about persons leaving and matters and things connected therewith, of which I do not remember the particulars. In about a week after that they met again, and at that meeting Potter and Durfee were "dropped off" and selected for the purpose of finding out what was going on.

At the meeting the conversation was about the Parrishes, and about persons at the Indian farm. The meeting was called to enter into arrangements to find out what these persons expected to do. This is what I understood was the purpose of these two meetings. I did not attend any meetings after this. At this meeting it was not known what the Parrishes intended to do, and nothing was decided as in regard to them.

Bishop Johnson made a remark, however, that some of us would yet "see the red stuff run." He said he had a letter, and the remark was made by some one that "dead men tell no tales." I do not know whether any other meetings were held or not.

The same night that the Parrishes were killed, at about nine o'clock, I was notified by Carnes to go home and get my gun. I asked him what was up. He said there was enough up. I was just returning from a public meeting which had been held that night; they did not tell me what they wanted with me. Bishop Johnson, Lorenzo Johnson, A. F. McDonald, Mayor; John M. Stewart, Justice of the Peace; Wilber J. Earl, Alderman, now captain of police; Andrew Wiles, William Bird, Lorin Roundy, Simmons Curtis, Abraham Durfee, Duff Potter and myself, were at the council meetings, and other persons I do not remember the name of. There were at least fifteen present.

I went and got my gun and came back, and was told to take my post and watch west of Parrish's house, three rods; I was told to stay there and watch if Orrin Parrish came back. I stayed there some 10 or 15 minutes, when I was notified to repair to the school house; I don't remember who notified me.

When I got there, there was a company formed there with a wagon and team. We were ordered to march south, down the lane, formed as a guard in front of the team; I did not know at that time for what purpose. When we got out at the south gate I learned then what was up. When we reached the bodies we were formed into two companies, one to go to the south-east and one to the west; I went to the west side of the street from where the bodies lay. They were on the east side and we were on the west side. The street is eight rods wide. The companies were divided before we came to the bodies. There were two persons beside myself in the company I was with, and about three in the other. There were some ten or fifteen altogether that went out. Of these I remember the following: A. F. McDonald, John M. Stewart, Philio Dibbee, George McKenzie went as teamster; Davis Clark, Simmons Curtis, John Daley, Moses Daley, jr., and John Curtis. Carnes, the Captain of police, called us together, and told us to start out.

While I and the two with me were standing as guard, the others went and found the bodies. When the bodies were found we were called together, and I saw the bodies of Potter and Wm. Parrish lying side by side.

The body of Beason Parrish was lying about fifty yards to the south east of the other bodies, from the corner of the fence.

The bodies were put into the wagon and taken to the school house. The bodies were searched and a note taken of the effects found on the bodies, the pocket-books, knives, &c.

A guard was put around the school house that night. I was called to take charge of the house, and to wash the bodies and lay them out. Edward Hall and Thomas Cordingly (since dead) assisted me.

Old man Parrish was cut all over with knife wounds. His throat was cut in the left side. He was cut at least fifteen times in the back, in front, on the arms, the hands, in fact all over.

Potter was shot with three balls in his right breast below the nipple, probably with a shot gun; there were no knife marks about Potter.

Beason Parrish was shot through the left arm with four balls, passing through the arm and coming out near the middle of his back. They may have entered at his back and come out through the arm; they were nearer together in his back than in front.

I was invited by Sanford Fuller to go and participate in the killing of Henry Forbea. He told me there was such a thing in contemplation, and wanted me to go with him which I declined doing.

About two days after that Wilber J. Earl spoke to me, and told me that the job which they contemplated was done, and if I had a went he would not have had it to do. He charged me not to tell it, and I am now under the threats of death for doing so. I never saw the body. Some four or five days after, Coles told me that the Indians had found the body some where between there and Provo.

There has been several attempts to put me out of the way. Last fall was a year ago, I was called upon to go with four men up the Kanyon to look for some valley. When we got to camp one of the men asked me to go with him to hunt bears. Their plan was for him to lead me round to a place where the others would kill me and say it was the Indians.

As I went out, however, I could see their manœverings, and I suspected something; so when we got on a piece I left him, and going another course returned to camp. When I got there I found the man with whom I had started, and the others were all gone. When the other men came back they saddled up their horses, and went to a more convenient camp. Abraham Durfee, Wilber J. Earl, Nelson Spafford and Selin Curtis were with me.

In the night, after dark, they tied my horse in an opening, where the light of the fire would shine on him. When we went to get our horses, they said they would take their guns. I said I would take my gun too, and went out, but took care to keep out of the light of the fire. I found my horse tied, but got him loose without getting into the fire-light. They then wanted me to come where they were, and that would have brought me into the light, but I refused, and tied him elsewhere. The guards were arranged so that Spafford and I were on the first guard. I watched them all very narrowly, and satisfied myself from their movements that they had determined to kill me; so, making some excuse, I went out with my gun and ran off. After traveling

some time I laid down and slept; the next day I traveled through the brush as much as possible. Towards evening, however, I was headed by four men on foot, and chased by them until dark. The next morning I found some men getting wood, and came home with them. When I got back I met Earl and the Bishop, and they told me I was crazy—that nothing of the sort was thought of.

It all passed off well enough until two weeks ago; the second time that Marshal Dotson came to my house; then Andrew Wiles and Sanford Fuller came to me and told me I must go into the mountains. I started from Oliver McBride's. The two McBride boys, (Oliver and Harlin,) the two Curtis' (Uriah and Selie,) William McBride and William Johnson, were at the house. Two of them followed me until I went up the mountain about eighty rods; I then stepped to one side into a little kind of a kanyon, and then got away up among the rocks till they passed by and lost me; I then came down the mountain again, and went about half a mile north and went up Rock kanyon.

This was on Friday night; on Sunday night I came into town and went to Uriah Curtis'; there they notified me again that I must go to Wilber J. Earl and Abraham Durfee. I was notified by William Johnson, the Marshal by Uriah Curtis, Harlin McBride and William Bird. We then proceeded—Oliver and Harlin McBride and myself—out to where Earl and Durfee were, up Hubble Creek a piece. As soon as we got there William Bird and U. Curtis came to us with an express that we must go to the city. They would tell who the counsel was from, but said it was counsel; and we were not to be seen by any living being, but were to travel at night and lay by in the day time and keep to the mountains.

We started and traveled along the mountain, and camped the first morning between Brattle creek and the mouth of Provo kanyon, up in a little kanyon. The next night we crossed over the mountain, near Mountainville, and camped the next day at Dry creek, in Salt Lake valley. There Wilber J. Earl began to get uneasy about noon, and wished to go on. Durfee and I opposed it, but Earl would go on, and we finally consented; then, instead of obeying what Durfee and I had understood as counsel, to keep out of sight of men, he took a straight course for Cottonwood Fort. When we got within about half a mile of the fort, Earl took off his pistol belt and buckled it on again so that his pistol would be right in front, and then wanted us to go up in the willows above the fort and wait there till night. It had been snowing all the time since we started; and was still snowing.

Durfee and I believed that there was a plan laid to kill us right there, and we would not go, but determined to go past the fort. When I got opposite the fort I stopped and asked them whether they intended to kill and butcher me, and told them that I believed that was their intention. They both denied it positively; and Earl said that I must be crazy again. About a mile past Cottonwood Fort a man passed us riding at full speed on horseback; he rode at full speed until he got out of sight. When he passed us he did not look at us or notice us at all.

At Big Cottonwood we were tired of carrying our blankets, which were wet and heavy, and left them at a blacksmith's shop. We went on to Gardner's mill, and from there we turned right west through the willow patches. Earl wanted to go that way, and would go no other. We went across until we came to a dam to turn water into a mill race, and here saw a man sitting

down; and when he saw us coming he raised up, and then slipped down again behind the dam out of sight; as he raised up we saw the breech of a gun. Abraham Durfee then stopped and said to Earl, "Wilber Earl, have you anything against me?" Wilber said he had not, and raised his hand and said he had nothing against either of us, and that there was nothing against either of us. He seemed to become very much excited. We turned and went back a piece and crossed the race, and went on and struck into the first street east of the state road. We then went up that street into town.

At the corners of the first cross street there were men posted at each corner. There Wilber J. Earl made a sign with his hand for them to go round us. They then started one way and we went another around the corner. We would not go the way Earl wanted us to go, but kept him with us. At the next corner we turned north, and then at the next corner two men were stationed in the same manner as at the first corner, which we supposed were the same two we had met before. Here Earl put his hand to his pistol, and then made a motion by putting his hand to his forehead. One of the men whistled. We went up this street until we got to Brigham's house, and then turned west to the council house corner. Here we stopped right in the street, Durfee saying that he wanted to go to Stringham's. We talked about it, and Earl seemed willing to have us go. He said he did not want me to go with him with the feeling which I had towards him. Durfee and me then started towards Kinkead's. Wilber J. Earl started on west down the street. A man followed after him, and when we saw him last there were three men talking with him. We went to Kinkead's store, and told Mr. Kinkead about our case, and told him we wanted protection until morning. He took us over to the Secretary's. Mr. Kinkead and his clerk went there with us. We claimed the Secretary's protection.

There was a gun fired close to us when we entered the city.

I have heard it said that a post-race running off would never get farther than Muddy creek.

I do not think that the killing of Potter was intentional, but that he was killed through mistake. He was the one who notified me, and was a leading man.

JOSEPH BARTHOLOMEW,

Sworn to and subscribed before me, on the 29th day of March, 1859.

JOHN CRADLEBAUGH,

Judge 2d Judicial District.

Bartholomew was afterwards examined as a witness, and made the same statements, and in addition said:

"Durfee and Potter were set off by council meeting to watch Parrish's. Saw John Daley about the public meeting on the Sunday night of the murder; he did not go into the house. Council meetings were held in the upper room of Bishop Johnson's house; confident he saw McDonald there. Brother Carnes called on witness, and ordered him to get his gun on the night of the murder. Carnes called out the company; does not know that any person was sworn when we took up the bodies."

THE FARCE OF A COURT OF INQUIRY.

The following is the examination referred to by Orrin E. Parrish in his testimony; it is copied from a loose sheet of paper in the docket of John M. Stuart, and must satisfy any reasonable person that the anxiety manifested by the *diligent* police in searching for Orrin—placing a guard over him when injured and scarcely able to get out of bed; treating him as a criminal in custody; not allowing even his mother to speak to him unless she spoke loud; taking him to the school house as a prisoner then swearing him and Durfee;—was for no other purpose than to find out if he could identify any of the murderers. If he had said he knew any of them, no doubt he would soon after have been killed by assassins to the jurors unknown.

REPORT OF THE COURT OF INQUIRY HELD IN THE SCHOOL HOUSE, SPRINGVILLE,
MARCH 16th, 1867.

Said court was held to inquire into the reasons Abram Durfee and Orrin Parrish should be held in custody of the police.

H. H. Carnes Captain of the police was called, and stated that Cyrus Sandford, city Marshal, delivered into his custody Abram Durfee, who stated "that he had reason to suppose that certain men had been murdered south of the city, and as he also said that the young man Parrish was in company with him and believed he had also come into the city." I directed his arrest, that he also might be in safe keeping until proper investigation could be made.

Abram Durfee being sworn stated, that it had been arranged between myself and G. Potter and the Parrishes, that they would leave the country—that he in company with the two sons of Wm. Parrish left the city by the west gate and proceeded to the southwest corner of the fort wall; he had arranged to meet with Potter and Parrish at the corner of Childs field, they were to go on before. When we reached the corner of the wall we heard a gun fired. I thought it might be Potter and Parrish firing a gun off to let us know their whereabouts. We went on, and when we got pretty near the corner of the field, I spoke and called Potter, but no one answered. I spoke again and some one spoke; I dont know whether it was Potter or not. Just then a gun fired, and the boy Parrish fell on my right. I run; then another gun fired. I then heard a gun fire the third time. There must have been more than one gun fired from the reports. I did not see Parrish or Potter; I dont know whether they were there or not. I did not see anybody, only the two boys, this one that is here and the one that fell; I could not have seen anybody ten feet off, it was so dark. A ball passed just in front of me, at the first time I saw the boy fall. I ran from the spot when I heard the fire and saw the boy fall; this was about 7 o'clock in the evening.

Orrin Parrish, sworn, says he went out with his brother, as Durfee had stated. On the first gun my brother fell; there were four or five guns fired after. I dont know whether I saw any person. I saw something black; I ran off after the first fire I saw my brother fall.

The court decided that there was no just cause to hold the men in custody any longer and that they be released.

Prisoners discharged.

P. S. Durfee also said that he had no idea of any one being aware of their intention to leave the place.

(Signed) P. W. WESTWOOD, *Clerk.*

The decision or verdict of the jury was as follows: "The jurors called to examine the bodies of Wm. B. Parrish, Beason Parrish, and Gardner G. Potter, find that the above named bodies all came to their death by the hands of assassins to the jurors unknown.

J. M. STEWART,
A. F. McDONALD, foreman.
M. N. CRANDALL,
N. J. GUYMAN,
URIAH CURTIS,
S. P. CURTIS,
JOHN DAYLEY,
WM. SMITH,
G. MCKENZIE,
PHILO DIBBLE,
WILBER J. EARL,
JOSEPH BARTHOLOMEW,
THOMAS G. SPRAGUE,

The reader should observe carefully the foregoing documents and consider the same in connexion with the testimony of Bartholomew and Durfee. Several of these persons were on the Grand Jury at Provo. The Mormon county court in Utah having the selecting of the Grand and trial jurors for the Federal courts. It will also be observed, that many of them take conspicuous parts in the Bishop council meetings, at Bishop Johnson's, which determined on killing the Parrishes, for which, also see the affidavits of Durfee and Bartholomew.

AFFIDAVIT OF ZEPHANIAH J. WARREN.

TERRITORY OF UTAH, }
Provo City, Utah County, } ss:
Second Judicial District. }

Zephaniah J. Warren being duly sworn, says as follows: I am fifty-seven years old, I came to Utah in the year A. D. 1852. I came from Iowa to this Territory; I settled in the town of Springville, Utah county, when I came into this valley, and have resided there ever since, with the exception of about seven months absence in California, in the years 1856 and 1857. I reside in Springville now. On my return home from California in the Spring of 1857, I heard of the murder of the two Parrishes and Potter; the day I came to Springville I saw the place where they were murdered. Seeing the place and the appearance of blood; I became somewhat excited and spoke very reproachfully of the leading men of Springville; however, I tried to reconcile my mind enough to stay until I could dispose of my property, and get away with my family.

I did not say much to anybody, unless I was interrogated, during the whole season. I heard of many threats being thrown out against me in the meeting-house by the overseers, but I did not use much caution. I was thrown off my

guard by supposing that they dare not touch me. In the latter part of August, I was very feeble from a severe cold, so that I was confined to my house, and in bed much of the time.

On the night of the 31st August, 1857, I arose from my bed and applied some medicine to my eyes which occasioned great pain. During the time a person knocked at my door; I bade him come in. Two men came in—William Johnson and Oliver McBride. They asked me if Mr. Warren was at home, I told them I was the man, but was very feeble. They told me brother Earl wished to see me a few minutes just here. I said I would not go, but would try to see him in the morning, if I was able. They said they were policemen, and brother Earl told them, if I did not come willingly, they must bring me by force. I insisted they should wait until my son came home, as I did not want to go alone. They said they would not wait and that I must and should go immediately. I told them I would go—that I was not conscious of any crime, and was not afraid to go; and if it was not far I would do my best. I went out into the street in company with these two men. I found six others standing in the street. Their names were Wilber J. Earl, Sanford Fuller, Abraham Durfee, John Curtis, Lehi Curtis, and Simmons P. Curtis. They were all armed with pistols, knives, and guns. Earl told me to be still and go with them out of the city gate. I told them I would not go one step without the knowledge of the public. Earl seized me by the throat, saying "Damn your old heart, if you speak another loud word (applying his knife to my throat) I will cut your throat on the spot." They then, Johnson and Earl took me by force and dragged me on the ground most of the time, for about sixty rods, through the gate; they then suddenly stopped, and some one said "there is some one coming; damn him! stop him, stop him!" Two ran back, and the others then threw me into a fence ditch. Earl then seized me by the throat saying, "you damned old American, you will never write or talk any more about people that have been murdered." Then all but one left me, and held a private conversation on the other side of the road, lasting perhaps an hour; then six of them came back and Earl said, "we have concluded to let you live a few days, if you will now swear before us that you will never divulge what has been done to you to-night to any person, and go within a day or two and settle up your tithing, as all men in these valleys have got to be tithed. We have declared war against the whole world, and at any time we can put you aside very easy. I did promise that I would go and settle my tithing that they required. Then they all addressed me, one by one, and advised me to make friends with the Mormons and never to write any more or try to make myself as one of the Gentiles. They then left me. A short time after I went to the Bishop and tried to settle my tithing. The Bishop became so much enraged at my talking to him, that I could not settle at that time, and I never tried again until the spring of 1858; the Bishop then appeared in a very good humor and soon told me what my tithing was. He did not take my note. Suppose he forgot it. Since that time, which was about the time the army came in, he always appeared very hostile—sending me word to come and settle up my tithings. I always told the men he sent that I never would settle the tithing; that I had been forced by duress to say that I would, in order to save my life.

(Signed) Z. F. WARREN.

Subscribed and sworn to before me, this 26th day of March, 1859.

JOHN CRADLEBAUGH, Judge, &c.

AFFIDAVIT OF ALVA A. WARREN.

TERRITORY OF UTAH,
Provo City, Utah County, } ss:
Second Judicial District. }

Alva A. Warren being duly sworn, says as follows: I am twenty-two years old; I am the son of Zephaniah J. Warren, I came to Springville with my father in 1852, and have resided in Springville ever since, and reside there now. On the night of the 31st of August, 1857, I came up to my father's house, just as two men, William Johnson and Oliver McBride, were bringing my father out of the house. My father asked me to go with him. I said I would. The two men said, "You need not go—we are not going to hurt him." I went till I came to the other six men, and then William Johnson said: "You can't go any further—We are not going to hurt him." I stopped and they went on till they got opposite to Earl's house, and I heard a noise that I thought was father's voice, and I went on, down to where they were, and Lellie Curtis ordered me to be taken back, and John Curtis came and took me back about one hundred and fifty yards from where they were then, and John Curtis and myself staid there till they came back. Then father and I went home, and William Johnson and Oliver McBride came and called for me, and I went up with them to Earl's house, and they made me promise never to say anything about it.

(Signed)

ALVA A. WARREN.

Sworn to and subscribed before me, this 20th day of March, 1859.

JOHN CRADLEBAUGH,

Judge, &c.

AFFIDAVIT OF JAMES W. WEBB.

James Wesley Webb, being sworn states: I lived at Springville in 1857. I lived there when the Parishés and Potter were killed. The morning after they were killed Daniel Stanton came to me to get me to make a coffin for Gardner Potter. About three months after making the coffin for Potter I applied to the city council of Springville for pay for it while the council was in session. Wilber J. Earl, a member of the council, took me out of the house, and remarked that I ought not to have said anything about the coffin or Potter then, that it always made McDonald feel bad. He repeated this remark to me two or three times, as if to impress it strongly on my mind, and to caution me against saying anything again about Potter in the presence of McDonald. Alexander F. McDonald was present in the council when I applied for pay for making the coffin for Potter. I do not know whether he was a member of the council or not. Alex. F. McDonald has been Mayor of Springville, and I think that he was when the Parishés and Potter were killed, though I will not be positive about this.

J. W. WEBB.

Subscribed and sworn to in open court, the 30th day of August, 1859.

JNO. E. RISLEY, *Clerk.*

CONFESSION OF ABRAHAM DURFEE.

TERRITORY OF UTAH,
2d Judicial District.
Provo City, Utah County. }

Abraham Durfee, of his own free will and accord, and without being influenced by any promise of any kind, by any person whatever, or of the hope thereof, now, this first day of April, A. D. 1859, comes before Judge Cradlebaugh, and makes the following confession, viz :

I am thirty-four years old. I have resided in Springville, Utah county, U. T., since the spring of 1851. I came from Iowa in 1850. In Springville I was farming part of the time, and part of the time attending a saw mill and working at millwrighting.

I was notified of a council by Wilber J. Earl in the month of January, 1857; he told me he wanted me to come to the Bishop's house that evening, and he said there would be others there at the room. I went, and there were a number of persons in the room; it was in the upper room in the Bishop's dwelling house, in Bishop Aaron Johnson's house. The Bishop was there, A. F. McDonald, Wilber J. Earl, Abraham Durfee, Andrew Wiles, and Lorenzo Johnson, William Bird, and Gardner G. Potter and Joseph Bartholomew, Simmons Curtis and Lorin Rowndy were there, and there were a number of others whose names I have forgotten. I do not know what the meeting had been called for; there were matters talked of concerning people going away. Some individuals were mentioned by the Bishop; he stated that he had instructions in regard to them. The Bishop said he had received a letter, which he had in his hand; he said that he supposed that was sufficient for us to know; that he did not wish that any inquiry should go any further back than to himself. He stated that there were some individuals at the Indian farm who were about to leave; he said he wanted them watched, and wanted some one to see when they would leave; he said there was word that they were going to steal some horses, and then going to leave the Territory. That was about all I recollect that transpired that night. The understanding was that the persons there were to watch generally for persons going away.

There was another meeting in the neighborhood of a week, or longer—can't say exactly. I was notified by some person to attend that meeting; that meeting was held at the same place, in the room. It was some three weeks before the Parrishes and Potter was killed. The same persons were at this meeting that were at the first I have spoken of. N. T. Guyman was at this meeting; Bishop Johnson presided. There was something mentioned at this meeting about the Parrishes—that they were going to leave the Territory. The Bishop said there were some demands against them, for debts that they were owing; he did not state the debts. It was mentioned, either by the Bishop or McDonald, I don't recollect which, to have some one to find out when the Parrishes were going to start; they nominated or named persons to know when the Parrishes were going to leave. My name (Abraham Durfee) was mentioned, and I objected to it; then they mentioned Potter's name; and then the Bishop decided that both Potter and myself should try and learn when the Parrishes were going to leave the Territory. The Bishop said he did not wish any one to decline when he was called upon. I then told the Bishop I would do the best I knew how, and Potter assented to the same; I can't recollect that Potter made any reply.

There was considerable talk about other matters, but I can't recollect what it was. I saw Potter several times through the course of the week following. I talked with Parrish that week, and with several others who were going away, and I went—I think it was that week—and did some work for him. Parrish's horses were not mentioned in the meetings I have named.

In the course of that week Parrish's horses were taken, and Parrish came over to see me in the morning; he told me that they had taken all his horses; he wished me to help him hunt them up. I went with him to his house; we went from there to John M. Stewart's, the justice of the peace; he got out a search warrant, and went to find the constable, Cyrus Sandford. He was not at home, and I went back to the justice's with Parrish to get deputized to serve the warrant, and the justice refused to do it. Parrish and I went back to Parrish's house, and Potter came up to Parrish's, and Potter took the papers—I mean the warrant; then Parrish and Potter started for Provo.

That is about all that transpired before the next meeting that was held, the evening that Potter returned from Provo, having gone there after the horses, but returned without them. I don't think I was at this third meeting. Potter told me that he went to the meeting after he returned from Provo. He told the meeting that he had found one span of the horses. I asked him what they said about the taking of the horses; he said that the Bishop told him that Parrish or his son was owing Bullock something in regard to an order that Parrish's son had traded to Bullock, and that he (the Bishop) wanted those horses placed where they belonged to, answer the demand.

That evening, at that meeting, Wilber J. Earl and A. F. McDonald were appointed to go and tell Parrish that he should not receive those horses; this was told me by Potter. Parrish the next day told me that he had given up all hope of getting his horses, that they were gone. Parrish told me that he had seen the Bishop and he had agreed to have the horses that had been found at Bullock's in Provo, brought back and put into the custody of Cyrus Sandford, the constable. Parrish, after this had transpired in regard to the horses, proposed leaving right away; he wanted to know if Potter and I would go with him; I told him I would. Potter said he would go too. Parrish made the arrangements to start, I think it was the Saturday before the murder, I cannot recollect the day exactly; Potter told me before this, a day or two, that they arrived to bring them the Parrishes back, if they started, and I went to Parrishes the next Sunday morning and they had not gone yet. Parrish told me then that he had expected to have started before, but the police watched the house so closely that he could not go out of doors. Parrish said he wanted to go that day, or that evening; but he said he could not get his things out so as to start in the day time. Potter came into Parrish while we were talking, and he proposed that he would take Parrish's things out. Parrish got some things for Potter to take with him, some gloves, bridle, a gun, some tape, and some things which I don't recollect. Parrish took the gun apart and gave it to Potter, and Potter said he would take care of them, and bring them to him.

Parrish proposed that he would start out in the daytime, on account of the police and he wanted me to go with him; we started off together, and when we got outside of the house I asked him if he was going to take his gun. He said he would like to have his gun, that he had given Potter one, and he had another one in the house, and he sent me back to the house to get the gun, and then we started off together; we went up the street, east to the edge of the

city, and there turned south and went to the east gate. After passing through the gate we went south and crossed Hobbie Creek, still we came to Dry Creek. Parrish stopped then and said he would stay there, and asked me to go back and bring the boys Orrin and Beason, out to him. They were to meet on the State road near the corner of the fence, they were to meet there after dark.

This was a little while before sundown, and I went back to Parrish's house and told the boys that their father said he wanted them to come to him as soon as they got ready. Potter, while I was there, came to the house or yard, and wanted to know of me which way we were going, that he wanted to carry the things which had been given to him by Parrish. Potter said that he expected Parrish and his boys would be brought back. I told Potter that we were going south to come on the state road south of the field. Potter then started off, and I went into Parrish's house. The boys, Beason and Orrin got their things and we started and went south until we came to Centre street, then we turned west and passed through the west gate, and then turned south until we came to the first corner of the city. We stopped then for a few minutes to look for some things that I had left there, and my gun. While we were there we heard a gun fired; the boys asked what the gun was fired for, I told them I thought it was Potter or their father, who was waiting for them; and the boys said then we had better go on. We started and went a south-east course across the field till we came to the state road. We got into the state road and traveled south, and when we came to Dry Creek or Dry Hollow, I spoke for Potter. I called Duff! and no one answered. We traveled on until we came near the corner, and I called Duff again, I think twice. I heard some one speak, but I could not tell by the voice who it was,—it was a very low sound. Just as the person spoke, there was a gun fired near the corner of the fence. The ball hit Beason Parrish: I and the two Parrish boys were walking abreast, I was near the fence, and Orrin was next to me, and Beason was outside near the middle of the wagon track. Beason was west of myself and Orrin, and the shot came from the south-east. The shot struck Beason and he fell. I sprang back to the right and Orrin passed behind me. I spoke out at the time but I don't recollect the words I said. Beason made some noise after he fell. Then they fired again from the fence, and I started west into the hollow where it crosses the street. Orrin started back north. While I was in the hollow I saw some one who started after Orrin. This person sprang from the fence just as I was going to the hollow. As he came into the street partly on the run, he shot; from the flash of the gun it appeared to be pointed north. This person called me. He said: "Durfee, you need not be afraid, it was all right." He started then right on towards the city. I got over the fence into the same field. We came out and I went back north towards the city. I went into the city through the south gate. After I got into the city this man (that I saw in the road with the gun, came to me and said that he had done the job; he said that I need not be afraid of him, because he said he would not hurt me. This man was William Bird. I went on until I came to the bridge, and met Cyrus Sandford and told him there had been some shooting; that I believed Beason was shot. Sandford then took me into custody, and took me to the Bishop's yard, and called for the Captain of the police, M. Carnes, and delivered me into his charge, and I remained there till about eleven o'clock at night.

William Bird after I left him went right into the Bishop's house. Bird's cloths were somewhat bloody. I don't know what went on the balance of the

evening. Bird washed the blood off his clothes, and he and Wilber Earl went away soon together, from the Bishop's. I saw the blood on Bird's clothes, William Bird told me a short time afterwards, that he was called on by Potter to go out there with him, and to do this deed that had been committed; he did not tell me who was with him but Potter and himself.

Sanford Fuller a month or two after, told me he had been on to go, but did not go. He said Potter had borrowed his gun to go with Bird—told me that after he went out with Potter, that Potter went and found Parrish, and that they came down to the corner together, and that he, Bird, was lying in the corner of the fence. He, Bird, said he shot Potter, as Parrish and Potter walked along the fence, supposing him to be Parrish:—that after he, Bird, had shot, he got up and stepped out to where Parrish stood, and Parrish spoke and wanted to know if it was he that had shot. He said that Parrish had his gun in his hand and laid it down, and they, Parrish and Bird, clinched together. As they clinched, Bird drew his knife, and worked the best he could in stabbing Parrish. Bird said, after Parrish was down, he gave him a lick which cut his throat. He never said anything about any other person's being there, helping him. Bird said, after he got through with the old man, he took Potter's gun and his own, and got into the corner of the fence again, to be ready for us. He said he laid there till we came up—the two Parrish boys and myself. Then he said he fired and he saw one fall; he said he was afraid the one he had shot would run off and he fired at him again.

When Orrin and I started, he said he came out from the fence and shot at Orrin; he said he ran me, or he supposed it was me; when I ran into the hollow. He asked me if I heard him call for me. I told him I did. He wanted to know why I did not come to him. I told him that I did not like to, that I did not know what it meant in regard to their shooting.

The next morning after the murder I heard Bishop Johnson and Bird talking together, and he blamed Bird and Potter for not going further away with them.

The Bishop said he wanted I should be satisfied about the affair, and not tell who was in it,—that if I did, they would serve me in the same way. I did not know that the Parrishes were to be killed. I supposed from what Potter told me that they were to be brought back. In the second meeting which I attended Bishop Johnson said there were some of them that would see the blood run. It was William Bird that called me Durfee. Bishop Johnson, some two or three days before this murder, told me to take a gun out with me.

The young Parrishes had no gun.

About three weeks or a month after the Parrishes were killed, Wilber J. Earl told me he guessed the folks now would think he was a true prophet. I had some idea of leaving, but I did not expect to leave with the Parrishes. My object in going out with the Parrishes was to get them clear of the police, out of the city. When I was put in Carnes' custody on the night of the murder, Carnes called on Oglas Strong to keep me until Carnes got some other person to take charge of me. Carnes left me and went off about other matters.

The Parrish boys said they took the bridle and gloves and things to trade off on the road for provisions.

The next morning when the hearing of myself and Orrin Parrish was before John M. Stewart, I knew that Bird was the man, but I was afraid to state it. Bishop Johnson told me that morning what evidence I should give; and

he said if I told what I learned that night, they would send me the same way; I stated to the justice what the Bishop told me to say.

(Signed) ABRAHAM DURFEE.

Subscribed and sworn to before me, this 1st day of April, 1859.

JOHN CRADLEBAUGH,
Judge, &c.

AFFIDAVIT OF THOMAS O'BANNION.

TERRITORY OF UTAH, }
City of Provo, Utah County. } ss.

Thomas O'Bannion, being duly sworn, deposes and says: I lived in a room adjoining the Parrishes. Parrish didn't keep much of a stove, but sold things to persons coming there. Horses and carriage were taken a few days before the murder; got two of the horses back. Parrish told me three or four days before the murder that he had had a terrible dream, and should be murdered in his own house if he did not leave soon; wrote on a paper that his life had been threatened by Earl and McDonald. On the night of the murder several persons came in front of Parrishes; some went in. I heard Carnes ask for Orrin; he said he had a writ for him. They afterwards came into my house and asked for Parrish; I asked which Parrish; Carnes replied, "any Parrish." They then searched my house and granary. H. H. Carnes; Levi Curtis; Moses Daley, Sanford Fuller, Richard Bird, Henry Rollins and William Johnson were there. Carnes said they must make a clean sweep or search of it; said he always did what he undertook. My best recollection is that the words used were, a clean sweep of it. Did not hear of the murder until the next evening. Went out of town to work in the morning. Didn't say why they wanted Parrish. Curtis and Fuller appeared excited when they were making the search; when they opened my granary door Fuller cocked his gun.

Moses Daley came to me a few days before the murder, and told me to tell Parrish if he did not settle that matter between Beason and Bullock his blood would pay the debt. And further deponent saith not.

[Signed] THOMAS O'BANNION.

Sworn to and subscribed before me, this 1st day of April, 1859.

JOHN CRADLEBAUGH, Judge, &c.

AFFIDAVIT OF PHILLIPS.

TERRITORY OF UTAH, }
Provo City, Utah County. } ss.

Phillips, being duly sworn, deposes and says: I live in Provo. On the Sunday night of the murder I was at a meeting in the street in Provo. President Snow, President of this State, and others, preached from a wagon. Their preaching about that time was pretty much about apostates and persons going to leave the Territory, and how they would be disposed of. After the meeting Pres. Snow inquired if there was anybody going to Springville that day. A man by the name of Nethercot said he was going. Nethercot went up, and Snow handed him a letter, and told him he wanted, it to be de-

livered to Bishop Johnson that day without fail, and remarked that dead men tell no tales. Nethercot took the letter. And further deponent saith not.

(Signed)

PHILLIPS.

Subscribed and sworn to before me, this 1st day of April 1859.

JOHN CRADLEBAUGH, *Judge, &c.*

MURDER OF HENRY JONES AND HIS MOTHER.

Affidavit of Nathaniel Case.

TERRITORY OF UTAH, }
Cedar County. } ss.

Nathaniel Case, being sworn, says: That he has resided in the Territory of Utah since the year 1850. Lived with Bishop Hancock, (Charles Hancock,) in the town of Payson, at the time Henry Jones and his mother were murdered, about the 13th of April, 1858. The night prior to the murder a secret council meeting was held in the upper chamber of Bishop Hancock's house; saw Charles Hancock, George W. Hancock, Daniel Rawson, James Bracken, George Patten and Price Nelson go into that meeting that night. Meetings had been held pretty regularly for three weeks before the last one at the same place. I was not in any of the meetings; I boarded at the Bishop's. About eight o'clock in the evening of the murder the company gathered at Bishop Hancock's; the same persons I have named above were in the company. They said they were going to guard a corral, where Henry Jones was going to come that night and steal horses; they had guns.

I had a good Minie rifle, and Bishop Hancock wanted to borrow it; I refused to lend it to him. The above persons all went away together; I don't know what time they got back. Next morning I heard that Henry Jones and his mother had been killed. I went down to the dug-out where they lived when the sun was about an hour high. The old woman was lying on the ground in the dug-out on a little straw in the clothes in which she was killed; she had a bullet hole through her head, entering near the center of the forehead. In about fifteen or twenty minutes Henry Jones was brought there and laid by her side; they then threw some old bed-clothes over them, and an old feather bed, and then pulled the dug-out on top of them. The dug-out was built on level ground—a hole about twelve feet square dug to the depth of five feet, a ridge pole running from the centre, back, three feet above the level of the ground; small poles are then laid up close together, running from the sides up on to the ridge pole, so that the dirt won't fall through. The dirt taken out of the hole is thrown back on to the poles for a roof, and steps cut down into the end like cellar steps for entrance. There are a great many such houses occupied by poor people in this county who are not able to build houses, and who never will while they stay here.

The next Sunday after the murder, in a church meeting in Payson, Charles Hancock, the Bishop, said; as to the killing of Jones and his mother, he cared nothing about it, and it would have been done in daylight if circumstances would have permitted it. This was said from the stand; there were one hundred and fifty or two hundred persons present. He gave no reason for killing them. And further saith not.

NATHANIEL CASE.