

TESTIMONY

AS TO THE

CLAIM OF BEN HOLLADAY

FOR

Losses and damages sustained by him on the overland stage line during the years 1862, 1863, 1864, 1865, and 1866, with memorial, affidavits, letters, &c., taken under the resolution of the Senate of March 12, 1878.

DECEMBER 17, 1879.—Ordered to be printed.

MEMORIAL.

To the Senate and House of Representatives of the United States in Congress assembled :

■ Your petitioner, Ben. Holladay, of the State of New York, and a citizen of the United States, represents that from the year A. D. 1860, until the 13th day of November, A. D. 1866, he was contractor for the transportation of the United States mails on what has heretofore been known as the Overland Mail-Route, between the Missouri River and Salt Lake City, in the Territory of Utah. That in the performance of his service, in the transportation of the United States mails, amounting, during much of his time of service, to more than fifty tons of mail matter per quarter, he employed one hundred and ten coaches, seventeen hundred and fifty horses and mules, and four hundred and fifty men and upward. That at great expense he was compelled to erect buildings, houses, stables, stations, and shelters for the convenience, and shelter, and protection of his men and animals, along said mail-route and its tributaries, and also to provide, at great expense of cost and transportation, large supplies of food, forage, and wood.

Your petitioner further says that while engaged in the discharge of his duties as such contractor, in the faithful performance of his contract with the Post-Office Department, his service was interfered with, impeded, and obstructed by large and numerous bands of Indians, who murdered his agents, servants, and employés; who captured and carried away his horses and mules; who burned his store-houses, station-houses, barns, stables, large quantities of forage, provisions, wagons, harness, clothing, and other property, which had been provided for properly conducting the business which your memorialist had contracted with the said Post-Office Department to conduct, and which he was compelled to replace, at enormous expense, and with tedious delay and damage, in order to enable him to perform the service which he had contracted to perform.

And your memorialist alleges that very frequently after he had erect-

ed his buildings heretofore mentioned, and secured his supplies for his men and horses, &c., at his several stations along his mail-route, he was compelled, in consequence of the Indian depredations, by military orders to abandon a large number of his buildings and stations, and a very considerable amount of his supplies, and to change the line of his mail-route to parallel lines far distant from the first route. He also was compelled, on making such changes, to erect new buildings, stations, houses, barns, &c., with constantly increasing expenses and losses. Your memorialist also states that large quantities of his hay, grain, and other supplies were taken by the military authorities, and appropriated and carried away for the use and service of the government troops and the government agents, for which no compensation has ever been made to your petitioner. Your petitioner also says that while he lost much of his property by Indian depredations, and by appropriations for the use of the government troops and government agents, a very large amount, both in quantity and value, was lost by the necessity of abandoning the same for want of adequate protection which the government failed to furnish, and which it was under obligation to furnish to your petitioner while engaged in the public service.

Your petitioner, as a reason for his delay in urging his claim of damages for his losses occasioned as aforesaid, says that his claims were presented to Congress in A. D. 1866, and that on the 24th day of January of that year his petition for redress was referred to the Committee on Indian Affairs of the House of Representatives, and that subsequently, by a disagreement of the two houses of Congress as to the proper relief to be granted, the measures of relief failed by the adjournment of Congress. Your petitioner comes now with his proffers of proof of his losses, and asks such relief in the premises as in equity and good conscience he ought to have; and, as in duty bound, your petitioner will ever pray, &c.

BEN HOLLADAY.

MARCH 6, 1872.

PROOFS IN SUPPORT OF CLAIMS.

Affidavit of R. L. Pease.

Before me, William Jackson, a notary public in and for Atchison County, Kan., personally appeared Robert L. Pease, of lawful age, who, being duly sworn according to law, makes oath and says, viz:

From the 31st day of December, A. D. 1861, to the 21st day of March, A. D. 1862, I was one of the trustees in charge of all the property belonging and appertaining to the stage line carrying the mails from Atchison, Kan., to Salt Lake City, commonly called now the Overland Stage Line, holding the same as such trustee in possession for the use and benefit of Benjamin Holladay, and as such trustee I had the chief control and management of said property during the period aforesaid.

Between the 31st day of December, 1861, and the 21st day of March, 1862, the losses to said stage line were reported to me as such trustee, by the officers and employes thereof, and number of mules and horses taken from said stage line by hostile Indians, amounted to one hundred and seventy-three, and that this number of animals employed in said line were so taken by said Indians there certainly can be no doubt. None of said animals were ever recovered, to my knowledge.

I was agent for said stage-line at Denver City, Colo., during the summer of the year 1863, and during that time thirty-four head of stage animals (mules) were taken by Indians off said line, near Fort Halleck. The Indians were pursued, but none of the stock recovered.

The loss of this lot of animals was reported to me, and that they were so taken by Indians there is not any doubt at all.

R. L. PEASE.

Sworn to and subscribed before me this 17th day of November, A.D. 1865.

[SEAL.]

WILLIAM JACKSON,
Notary Public.

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF R. L. PEASE.

From December 31, 1861, to March 21, 1862, on the road, 173 horses stolen or destroyed, \$200 each.....	\$34, 600
In summer of 1863, 34 head of mules near Fort Halleck, \$200 each.....	6, 800

Affidavit of Lemuel Flowers.

Before me, William Jackson, a notary public within and for the county of Atchison, in the State of Kansas, personally appeared Lemuel Flowers, who, duly sworn according to law, on his oath states that he succeeded William A. Reid as division agent for the division then between Pacific Springs and Sweetwater Bridge, on the overland stage line, Ben. Holladay, proprietor, on the 15th April, A. D. 1862, and as such agent took charge thereof, with all the stock, stations, and property therein, and continued in the capacity of said agent on that division until the mail-line was removed south, on a new line, adopted in consequence of Indian hostilities. This affiant states that the first depredation committed upon the property of said line by the Indians, on his division, occurred on the night of the 16th April, 1862, and on that night the Indians stole twenty-two head of mules and horses belonging to said line, which were the property of said Holladay, as well as ten sets of stage-harness; also three (3) head of oxen; all taken from the Three Crossings Stations on Sweetwater. Affiant says that on the 17th of same month the Indians attacked a party of nine men, running two coaches with a double set of men, and commenced a furious fire upon the party, wounded six men, two rifle-balls penetrating the body of this affiant, and after a resistance of four hours the Indians captured nine head of mules, nine sets of harness, and partially destroyed two coaches, damaging the said coaches quite five hundred dollars. Affiant also states that on the 18th of the same month the Indians took from Plant's Station, on my said division, five mules, four horses, and twenty sets of harness. Affiant also states that on the night of the 20th day of same month the Indians took ten mules off said line, and at Ice Spring Station, on the 23d of same month, they took ten mules, five sets of harness, one cow, and one ox; and at Strawberry Station, about the 15th day of May, 1862, thirty-five sacks of barley was destroyed by the said Indians. Affiant also states that the stations at Three Crossings of Sweetwater, Split Rock, and Ice Springs were each of them damaged by the Indians to the extent of five hundred dollars, at least, and at the upper crossings of Sweetwater they destroyed eighteen sacks of barley. Affiant says that all the property alluded to above, of any kind, as destroyed or taken by Indians, and the stations

spoken of as damaged, were the property of the overland stage line, Ben. Holladay, proprietor. The depredations above alluded to were committed, it was generally believed, by bands of the Snake and Bannock tribes. This affiant states that the stage-line aforesaid was moved off the old road, so called (that is, the road where said depredations occurred), by order of the proprietor, to the road which is run at this day carrying the United States mails from Atchison to Salt Lake and California, &c., and that this removal was in July of the year 1862, and was caused by the impossibility of carrying the mails over the old road in the face of hostile Indians, as no military protection was offered whatever between Salt Lake City and Fort Laramie up to the date of removal of said line. Affiant states that the proprietor of said line began to put up new stations on the so-called new road in July, 1862, and prosecuted the work to completion in December following, and at a heavy expense, as labor was only to be procured at Salt Lake City and at Denver, in Colorado, and plank had to be transported from those places, or quite near to them, to the stations in the course of erection. Affiant says he remained in the service of said line up to the month of August last. My residence is in Brown County, Kansas. Affiant says that so far as his knowledge extends none of the stock or other property was ever recovered again by said line, which is mentioned above as stolen or taken away.

LEMUEL FLOWERS.

Subscribed in my presence, and sworn to before me, by Lemuel Flowers, this 15th day of November, A. D. 1865.

[SEAL.]

WILLIAM JACKSON,
Notary Public.

Affidavit of Richard Murray.

This day personally appeared before me, J. F. Kinney, chief justice of the supreme court for the Territory of Utah, Richard Murray, who, on his oath, states that on the 17th day of April, A. D. 1862, he was in the employ of the eastern division of the overland stage line as a driver. And, further, affiant states that in passing from Split Rock Station, west, to Three Crossings of Sweetwater, with the United States mails, on the said 17th day of April, A. D. 1862, in company with eight other men, all of the mail party, that they were attacked by a band of Indians, numbering thirty or more, who commenced a furious fire upon them with rifles and bows and arrows; that resistance was made by the said mail party for hours, when the Indians retreated. Affiant further states that six men out of the nine who composed the said mail party were wounded, one with arrows and five with guns; that said Indians took nine head of mules, worth two hundred dollars each, making for the said mules eighteen hundred dollars; that the two coaches used in transporting the mails and said mail party were damaged to the amount of two hundred and fifty dollars each, making total damage to said coaches five hundred dollars; that the above depredations were committed by Indians unknown, but supposed to be Snake Indians; that said property was well protected and guarded; that said mules and coaches were the property of the overland stage line, and that the total loss in property stolen and damaged by Indians on the said 17th day of April, 1862, was two thousand and three hundred dollars, all the property of the said overland stage line; and further this affiant saith not.

(Sg.)

RICHARD MURRAY.

Sworn to and subscribed before me this 28th day of April, 1862, at Three Crossings Sweetwater River, in the Territory of Utah.

(Sg.)

J. F. KINNEY,

Chief Justice Supreme Court, Territory of Utah.

LOSS AND DAMAGE DONE AS PER AFFIDAVITS OF LEM. FLOWERS AND RICHARD MURRAY.

At Three Crossings Station:		
April 16, 1862.	22 head of mules and horses, \$225 each.....	\$4, 950
	10 sets 4-horse harness, \$110 each	1, 100
	3 head of oxen, \$50 each	150
17.	9 head of mules, \$200 each	1, 800
	9 sets 4-horse harness, \$110 each.....	990
	Damage to 2 coaches.....	500
At Plant Station:		
April 18, 1862.	5 mules, \$200 each.....	1, 000
	4 horses, \$225 each	900
	20 sets 4-horse harness, \$110 each	2, 200
20.	2 mules, each \$200.....	400
At Ice Spring Station:		
23.	10 mules, \$200 each	2, 000
	5 sets 4-horse harness, \$110 each	550
	1 cow and 1 ox, \$50 each	100
At Strawberry Station:		
May 23.	35 sacks of barley, 3,500 lbs., 15c	525
At Upper Crossing Sweetwater:		
	18 sacks barley, 1,800 lbs., 15c	270
	Damage done to stations at Three Crossings of Sweetwater, Split Rock, and Ice Springs, \$500 each	1, 500

Affidavit of J. A. Slade.

This day personally appeared before me, J. F. Kinney, chief justice of the supreme court for the Territory of Utah, J. A. Slade, who, on his oath, states that he is in the employ of the eastern division of the overland stage line, as division or route agent; from Julesburg, on the South Platte, to Sweetwater Bridge, near the Devil's Gate, a distance of three hundred and forty-six miles; that on the 18th day of April, A. D. 1862, or about that time, there was taken from the said overland stage line, at their station at Sweetwater Bridge, eight (8) head of mules and horses, the property of said Overland stage line, and worth two hundred dollars per head, making for said mules and horses the sum of sixteen hundred dollars (\$1,600). Affiant further states that on the 23d day of March, A. D. 1862, there was taken from Horse Creek Station, on said stage line, five horses, said horses worth one hundred and seventy-five dollars (\$175) each, making, for the said horses, the sum of eight hundred and seventy-five dollars (\$875); also from same station at same time, eighteen head of mules, worth two hundred and twenty-five dollars (\$225) each; making in the aggregate for said mules the sum of four thousand and fifty dollars (\$4,050). Affiant further states that about the first day of April, 1862, there was taken from Red Buttes Station, on said stage line, fifteen head of mules and horses, worth one hundred and seventy-five dollars each, making in the aggregate for the said mules two thousand six hundred and twenty-five dollars (\$2,625); and on the

24th day of April, 1862, there were taken from the said Red Buttes Station six head of horses and mules, worth one hundred and seventy-five dollars each, making for the said horses and mules the sum of one thousand and fifty dollars (\$1,050). Affiant further states that about the last of March, 1862, there was taken from the Platte Bridge Station, on said stage line, thirteen head of mules, worth one hundred and fifty dollars each, making for the said mules the sum of nineteen hundred and fifty dollars (\$1,950), making the total loss to the said overland stage line of twelve thousand and one hundred and fifty dollars (\$12,150); that all of the above enumerated property belonged to the said overland stage line, and was taken by Indians unknown, but supposed to be Snakes; that the said property was well protected and guarded.

And further affiant saith not.

J. A. SLADE.

Sworn to and subscribed before me this 29th day of June, 1862, at Horse Shoe, Territory of Utah.

J. F. KINNEY,

Chief Justice Supreme Court Territory of Utah.

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF J. A. SLADE.

At Sweetwater Bridge;			
April	18, 1862.	8 head of mules and horses, \$200 each	\$1,600
At Horse Creek Station:			
March	23, 1862.	5 horses, \$175 each	875
		18 head of mules, \$225 each	4,050
At Red Buttes:			
April	1.	15 head of mules and horses, 175 each	2,625
	24.	6 head of horses and mules, \$175 each	1,050
At Platt Bridge Station:			
March.		13 head of mules, \$150 each	1,950

Affidavit of S. B. Babcock.

Before me, William Jackson, a notary public within and for Atchison County, Kansas, personally appeared Samuel B. Babcock, who, duly sworn according to law, says that in the months of February, March, April and May, and part of June, of the year 1862, he was employed as a driver on the overland stage line between Salt Lake City and Atchison; that in the month of April, on the division just then about to change from the control of one Wm. A. Reid to the control of Lemuel Flowers, there was taken from said line three six-mule teams at Big Sandy Station, on said division, and one four-horse team of stage-horses and harness belonging to the same horses were taken by the Indians also at Green River Station, and one hundred sacks of barley and fifty sacks of oats were destroyed by the said Indians at the last-named station, and none of said stock received to my knowledge afterwards from said Indians.

SAMUEL B. BABCOCK.

Sworn to and subscribed before me this 15th day of November, A. D. 1865.

[SEAL.]

WILLIAM JACKSON,
Notary Public.

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF SAMUEL B. BABCOCK.

At Big Sandy Station:

April, 1862. 18 mules, \$225 each	\$4,050
4 horses, \$225 each	900
1 4-horse harness	110

At Green River Station:

100 sacks barley, 10,000 lbs., 15c	1,500
50 sacks oats, 5,000 lbs., 15c	750

Affidavit of J. E. Bromley.

This day personally appeared before me, J. F. Kinney, chief justice of the supreme court for the Territory of Utah, James E. Bromley, who on his oath states that he is, and has been since the commencement of the overland stage line, division agent from Salt Lake City to Pacific Springs, a distance of two hundred and thirty-three miles, and at the last-named place, intersecting the division of Lemuel Flowers, successor to William A. Reid, and that on his division the following property has been stolen and destroyed by the Indians; said property belonging to said overland stage line, to wit: On the 15th day of March, A. D. 1862, two (2) mules were stolen from the station on Dry Sandy, of the value of two hundred dollars each (\$200), making four hundred dollars (\$400); one hundred and twenty (120) sacks of oats worth five dollars (\$5) per sack, making six hundred dollars (\$600); and on April 20th, 1862, five (5) horses were stolen at Green River worth two hundred dollars (\$200) each, making for said horses one thousand dollars (\$1,000); and six sets of harness worth twenty dollars (\$20) per set, making for said harness one hundred and twenty dollars (\$120); and about sixty sacks of oats destroyed, worth five dollars (\$5) per sack, making three hundred dollars (\$300) for said oats, and four hundred and eighty (480) sacks worth sixty cents per sack, amounting to two hundred and eighty-eight dollars (\$288). Total value of property destroyed at this station, seventeen hundred and eight dollars (\$1,708).

Affiant further states that the damage done to the station by said Indians was at least (\$600) six hundred dollars, making total twenty-three hundred and eight dollars (\$2,308). The Indians that came to this station numbered twenty-three, and killed John Maloy, the station keeper.

Affiant further states that at Big Sandy Station, on the 17th day of June, A. D. 1862, the Indians stole four (4) mules worth two hundred dollars (\$200) each, making for the said mules eight hundred dollars (\$800); and previously at the same station destroyed twenty (20) sacks of oats worth five dollars (\$5) per sack, making for said oats one hundred dollars (\$100), and about three (3) tons of hay worth thirty dollars (\$30) per ton, making for said hay ninety dollars (\$90), and damaged the station to the amount of five hundred dollars (\$500), making total loss at this station fourteen hundred and ninety dollars (\$1,490).

Affiant further states that at Muddy Station, on the 12th day of June, 1862, the Indians stole four (4) mules worth two hundred dollars (\$200) per head, making eight hundred dollars (\$800), and on the 20th of June, 1862, at Bear River Station, the Indians stole two (2) horses worth one hundred dollars (\$100) each, making for said horses two hun-

dred dollars (\$200). Affiant further states that the stations of Pacific Springs, Dry Sandy, and Little Sandy have been damaged by Indians to the amount of five hundred dollars (\$500) each, making fifteen hundred dollars; (\$1,500) and that thirty (30) sacks of oats were destroyed at Little Sandy by the Indians worth five dollars (\$5) per sack, making one hundred and fifty dollars (\$150). Total loss of these stations of sixteen hundred and fifty dollars (\$1,650). All of the above enumerated property of the said stage line was well protected by the employes of said line, and was stolen and destroyed by the Indians, supposed to have been predatory hands belonging to the Snake and Bannack tribes. That the total amount of property thus stolen and destroyed by the Indians on his division of said stage line, in the months of April and June, A. D. 1862, amounted to seven thousand four hundred and forty-eight dollars (\$7,448); and further affiant saith not.

JAMES E. BROMLEY.

Sworn to and subscribed before me at Fort Bridger, Utah Territory, this 23d day of June, A. D. 1862.

J. F. KINNEY,

Chief Justice Supreme Court Territory of Utah.

LOSS AND DAMAGE DONE, AS PER AFFIDAVIT OF J. E. BROMLEY.

At Dry Sandy Station :		
March 15, 1862.	2 mules, \$200 each	\$400
At Green River Station :		
April 20.	5 horses, \$200 each	1,000
	6 sets harness, \$20 each	120
	120 sacks oats, \$5 per sack	600
	480 empty sacks, 60 cents each	288
	Damage done to station	600
At Big Sandy Station :		
June 7.	4 mules, \$200 each	800
	20 sacks oats, \$5 per sack	100
	3 tons hay, \$30 per ton	90
	Damage to station	500
At Muddy Station :		
12.	4 mules, \$200 each	800
At Bear River Station :		
	2 horses, \$100 each	200
	Damage to stations at Pacific Springs, Dry Sandy, and Little Sandy, \$500 each	1,500
At Little Sandy Station :		
	30 sacks oats, \$5 per sack	150

Affidavit of William A. Reid.

This day personally appeared before me, J. F. Kinney, chief justice of the supreme court for the Territory of Utah, William A. Reid, who, on oath, states that he was division agent on the eastern division of the overland stage line, from the 10th day of December, A. D. 1861, up to the 15th day of April, A. D. 1862; that his division extended from Pacific Springs to Sweetwater Bridge, a distance of one hundred and ten miles; that during the time of his said agency the following depredations were committed by the Indians upon the property of the said eastern division of the overland stage line : On the night of the 1st day of March,

1862, a Mexican man in the employ of the line was killed at Split Rock Station by the Indians, and ten (10) head of mules and one (1) horse taken by said Indians, and twelve (12) set of harness destroyed by them. Affiant further states that the mules taken by said Indians were worth at least two hundred (\$200) dollars per head, making in all for said mules and horse two thousand and two hundred (\$2,200) dollars. Affiant further states that the harness taken and destroyed by the said Indians was worth twenty (\$20) dollars per set, making an aggregate of two hundred and forty (\$240) dollars. Affiant further states that on or about the last day of March, 1862, the Indians at the said station of Split Rock took from said line seven (7) head of mules and eight (8) set of harness, and that the mules were the value of two hundred (\$200) dollars per head, and the harness twenty (\$20) per set, making for said mules fourteen hundred (\$1,400) dollars, and for said harness one hundred and sixty (\$160) dollars. Affiant further states that about the 10th day of April, 1862, the Indians took, belonging to said stage line, at the station at Rocky Ridge, six (6) head of mules of the value of two hundred (\$200) dollars per head, making for the said mules twelve hundred (1,200) dollars; all of the said property was in the charge and custody of affiant, as such agent, and belonged to said stage line, and that the total value of the property belonging to said line stolen by said Indians during the agency of affiant amounted to the sum of five thousand two hundred dollars (\$5,200). Affiant further states that all reasonable care was taken by said stage line to protect said property, but that the Indians appeared in large numbers and forcibly drove away and destroyed said property. Affiant further states that after said depredations it was determined to run two coaches at a time with a double set of men, so as to guard the mails, and that on the 17th day of April, A. D. 1862, while thus transporting the mail in company with nine men, affiant making one of the party, between Split Rock and Three Crossings of Sweetwater, the party was attacked by about forty-five Indians, who fired upon them, and six men were wounded, some of them most severely, and after four hours' resistance the Indians retreated, taking with them nine (9) head of mules, as stated in the affidavit of Lemuel Flowers; and further affiant saith not.

W. A. REID.

Sworn to and subscribed before me, at Fort Bridger, Utah Territory, this twenty-third day of June, A. D. 1862.

J. F. KINNEY,

Chief Justice Supreme Court, Territory of Utah.

LOSS AND DAMAGE DONE, AS PER AFFIDAVIT OF W. A. REID.

At Split Rock Station :		
March 1, 1862.	10 head of mules, \$200 each	\$2,000
	1 horse, \$200	200
	12 sets single harness, \$20 each	240
30.	7 head of mules, \$200 each	1,400
	8 sets single harness, \$20 each	160
At Rocky Ridge Station :		
April 18.	6 head of mules, \$200 each	1,200

Affidavit of Seaman Johnson.

This day personally appeared before me, J. F. Kinney, chief justice of the supreme court for the Territory of Utah, Seaman Johnson, who,

on his oath, states that on the 20th day of April, A. D. 1862, there was taken from near Well's Station, between Ham's Fork and Green River, two horses worth one hundred and fifty dollars each, making for said horses three hundred dollars (\$300). Affiant further states that the said horses were his own property, and were stolen by Indians unknown, but supposed to be of the Snake tribe; that he counted seven Indians; that the Indians, to the number of seven, met him and one other man on their way from Green River, near Well's Station, and commenced an attack upon them; that they turned back towards Green River, and that the Indians gave pursuit and got the two said horses. Affiant further states that the said horses were as well guarded and protected as was in his power to do. Affiant further states that on the same day, at the same place, and in the same manner, together with his horses, there was taken by the same Indians two horses worth one hundred and fifty dollars each, making for the said horses three hundred dollars (\$300), the property of the overland stage line; that said horses were well protected; and further the affiant saith not.

SEAMAN JOHNSON.

Sworn to and subscribed before me, at Ham's Fork, Utah Territory, this 24th day of June, 1862.

J. F. KINNEY,

Chief Justice Supreme Court, Territory of Utah.

LOSS AND DAMAGE DONE, AS PER AFFIDAVIT OF SEAMAN JOHNSON.

At Well's Station:

April 20, 1862. 2 horses, \$150 each \$300

Affidavit of Isaac E. Eaton.

I, Isaac E. Eaton, of Leavenworth, State of Kansas, of lawful age, being first duly sworn, deposes and says, that in the year of our Lord one thousand eight hundred and sixty-two he was the superintendent of the overland mail line from Saint Joseph, Missouri, to Denver, Colorado Territory, and also to Salt Lake City, Utah Territory, which was engaged in carrying the United States mails daily from the Atlantic States to the western Territories and the States of California and Oregon; that whilst so engaged war broke out between the whites and the Snake and Bannock Indians, extending over five hundred miles along the line of the road traveled by said mail line; that during that period, the year 1862 (whilst he was superintendent of said mail line), it sustained heavy losses in life and property from the depredations of said Indians on said line of road; that this affiant and Ben. Holladay, the proprietor thereof (to affiant's knowledge), applied to the Government of the United States for military protection against said Indians, in order to enable the proprietor of said line to carry out his contract with the Post-Office Department to transport the United States mail over said line of road; but the Government of the United States being engaged in a war for the suppression of the rebellion in the Southern States, our appeals for protection could not be heard by the War Department, and we were thus left at the mercy of the savages to transport the mails as best we could; that in the spring of the year 1862 we continued to run said line; but after having a number of the employes of said line killed and wounded by said Indians, and having over one hundred and eighty head of mules stolen and run off by said Indians, the property of said line, was compelled to abandon over five hundred

miles of said road, and remove the line to what is known now as the Bridger's Pass and Buttes Creek route; that at the time of the abandonment of the old road the proprietor of the line supposed that as he could get no protection from the Government of the United States, that the line would be more secure from Indian depredations on the new road adopted, and that thereby he could be enabled to transport the United States mails with more safety and celerity than on the old route, which afterwards turned out to be the fact; that in the abandonment of said old route he abandoned twenty-six stations, which this affiant supposes were worth the sum of \$2,000 each, and also a large amount of forage and other articles of value necessary in running a stage line, the amount of which this affiant can form no true estimate thereof; that in removing to the new road it was necessary to build new stations for the accommodation of the line, and there was built twenty-five stations on said new line of road, but as this affiant did not erect said last-mentioned stations, he is unable to state with any degree of accuracy their cost. In addition to the losses sustained, specifically stated heretofore in this affidavit, this affiant would state that the compensation received from the Post Office Department of itself was not sufficient to sustain the cost of such a line of transportation without the additional compensation to be derived from the transportation of passengers, but on account of the government failing to afford military protection to the line the proprietor was almost entirely cut off from this resource; where there was no security to life, passengers would not travel, and in consequence thereof, the amount of passengers was exceedingly limited during that year. This affiant further states that he is unable to state the amount of property abandoned on the old route, as it was desirable that the transportation of the mails should be interrupted for as short a space of time as possible, and a proper regard for the lives of employes of the line demanded that no time should be lost in taking accounts of property that could not be transported to the new line of road.

ISAAC E. EATON.

DISTRICT OF COLUMBIA,

County of Washington, ss:

Sworn and subscribed to before me this second day of March, 1866.

[SEAL.]

JOHN S. HOLLINGSHEAD,

Notary Public.

[Five-cent revenue stamp.]

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF I. E. EATON.

In the spring of 1862.

26 stations abandoned, \$2,000 each	\$52,000
Forage, furniture, and material abandoned	25,000

Affidavit of George H. Carlyle.

Before me, John C. Liddell, probate judge in and for Kearney County, Nebraska Territory, personally appeared George H. Carlyle, of lawful age, who, being duly sworn according to law, doth depose and say as follows:

I have been in the employ of the Overland Stage Line, Ben Holladay, proprietor, in the capacity of master of transportation, from Jan-

uary 1, 1863, to the present time, and during that time have superintended the placing of the supplies at all the stations on said line, from Fort Kearney to the North Platte, a distance of six hundred and fifty miles; my duties compel me to be constantly on the road, passing back and forth. On the 9th of August, 1864, I left Alkali Station for Fort Kearney; on reaching Cottonwood Springs, I learned by telegraph the Indians attacked a train of eleven wagons at Plum Creek, killed eleven men, captured one woman, burnt the wagons, and run off the stock; upon hearing this I started down the road, and when within a few hundred yards of Gillman's Station met a large body of Indians, who had just killed Gillette and two other men, a short distance east of Gillman's Station, and run off Gillman's and Dan Smith's stock; these Indians followed the coach nearly twenty miles, waiting for a chance to attack it. I saw the bodies of Gillette and the two men lying on the ground; they were fearfully mutilated and full of arrows. At Plum Creek I saw the bodies of the eleven men that the savages had murdered, and helped to bury them. I also saw the fragments of the wagons still burning. I saw also the dead body of the man that was killed by the Indians at Smith's ranche, and the ruins of the ranche, which had been burned. On reaching Kearney, I turned back to Cottonwood; on my way up saw seven Indians at Midway Station, from which station the Indians had driven the employes of the line; these Indians seeing the coach coming up, ran off into the hills; on going into the house, found they had destroyed all the dishes, furniture, &c. I then moved the stage-horses to Dan Smith's and Miller and Pennison's ranche, at which places the settlers had flocked for mutual protection against the savages. On returning down the road, I found the Indians had visited Platte Station and stolen four stage-horses. I continued going backwards and forwards over the route until about the 16th of August, when orders were given by Mr. Otis, the general superintendent of the line, to draw off the stock and abandon the road. Previous to withdrawing the stock, application had been made to Brigadiér-General Mitchell, commanding the district, for troops to protect the coaches and stations; he declined to furnish them, giving as a reason that he had not a sufficient number of men to protect his own posts; we were thus obliged, in order to save our lives, to abandon the stations, grain, hay, &c., saving nothing but the stage stock and harness; before we left the road, every ranch on the road from Julesburg to Fort Kearney had been abandoned by their owners to the mercy of the savages; after the abandonment of the road it was impossible to get men or teams to remove the grain, hay, &c., left at the stations belonging to the stage line; in consequence the following property belonging to the line, in addition to what Riddell and Thomas have testified to, was lost, viz: At Plum Creek, two hundred and fifty sacks of corn; at Platte, two hundred and fifty sacks of corn; at Craig Station, two hundred and fifty sacks of corn, and twenty-nine head of work-oxen. I have read the depositions of Thomas and Riddell, and fully concur with them in their estimate of losses sustained on their divisions, having myself placed the supplies at all the stations named, and in no instance have they overestimated the amount lost.

GEORGE H. CARLYLE.

Sworn and subscribed to this 4th day of December, A. D. 1865, before me.

JOHN C. LIDDELL,
Probate Judge, Kearney Co., N. Territory.

LOSS AND DAMAGE DONE AS PER AFFIDAVITS OF GEORGE H. CARLYLE AND SOL. RIDDLE.

Midway Station :	
Aug. 9, 1864. Dishes and furniture destroyed.....	\$500
Platte Station :	
4 horses, \$350 each.....	1,400
250 sacks corn, 28,000 lbs., 20 cts.....	5,600
10 tons hay, \$40.....	400
Plum Creek Station :	
250 sacks corn, 28,000 lbs., 20 cts.....	5,600
Craig Station :	
250 sacks corn, 28,000 lbs., 20 cts.....	5,600
29 head of oxen, \$100 each.....	2,900

Affidavit of Sol. Riddle.

Before me, John O. Liddell, probate judge within and for Kearney County, Nebraska Territory, personally appeared Solomon Riddle, of lawful age, who, being duly sworn, states as follows :

I was in the service of the Overland Stage Line as a division agent, on the route from Fort Kearney to Julesburg, from August 1, 1864, to the 1st of March, 1865.

About the 16th day of August I was ordered to move my stage stock from the stations between Julesburg and Cottonwood Springs, taking part to the former place and part to the latter; this was done to save the same from the Indians, as they had begun to kill our people and commit depredations along the route.

I did move the stock as ordered to the places named, and proceeded to remove my stock also east of Cottonwood Springs, taking part back to Cottonwood and the balance to Fort Kearney. If this had not been done, as events fully proved, the stock of the Overland Stage Line, from Kearney to Julesburg, would have all been taken off by the Indians.

In doing this we had to abandon our stations, all except Cottonwood Springs, on my division. Pressed as we were for time, we could not dare stop to move off hay, corn, or other property connected with the service on the line, and consequently the savages had full possession where they desired it, and took what they pleased from the stations. During this time there was only one company of soldiers at the post at Cottonwood Springs, and these were unable to do more than protect that post.

After our abandonment, it was impossible to have returned at any time in season to save the property of the stage line.

The losses sustained of property by that line in consequence of the abandonment of the stations, any one can see could hardly be detailed fully, owing to the various articles lost and destroyed; and I can only remark that the people employed left in haste, without any care for our property, glad to save their lives by flight, and a few personal goods of light weight.

At Platte Station we abandoned two hundred and fifty sacks of corn and ten tons of hay; at Diamond Springs, two hundred and fifty sacks of corn and fifteen tons of hay; at Sand Hill, two hundred and fifty sacks of corn and fifteen tons of hay; at Alkali, two hundred and fifty sacks of corn and twenty tons of hay; at Elk Horn, sixty-five sacks of corn and ten tons of hay; at Cold Springs, forty sacks of corn and fif-

teen tons of hay ; at Gillman's, thirty sacks of corn ; at Midway, thirty sacks of corn and fifteen tons of hay ; at Willow Island, fifty sacks of corn and ten tons of hay ; at Plum Creek, fifteen tons of hay ; the number of sacks of corn I have not the account of ; at Platte Station, ten tons of hay ; at Craig Station, fifteen tons of hay ; the amount of corn also at Platte and Craig Stations I could not correctly give, as others can and will.

Before we abandoned the stations, as I have stated, the Indians killed three men near Gillette's Ranche, or near it, viz: Gillette, his son, and his partner, who were engaged in putting up a house, having killed Robert Corister a few days before. I saw the first party after they were dead ; was only two miles from the place when Gillette and party were killed, and came down the road so soon after that the bodies were yet warm and bleeding. This day I saw the Indians in large bodies frequently on the route, and saw them that day drive off stock from Gilman's Ranche and Dan. Smith's Ranche also. They followed along after the small party I was with nearly to Midway—say twenty miles. They killed also eleven persons with a train only a mile or so east of Plum Creek, capturing two women and some children, burnt up the train, and drove off the stock ; likewise they killed a man at Smith's Ranche, and destroyed the ranche by fire.

In the latter part of September, succeeding these events, the road was ordered to be stocked again by Mr. Holladay, the contractor. We did restock the road as fast as we could. While doing so the Indians attacked a pack-train near Plum Creek Station, within one hundred yards of it, and killed one man. A party of men who had preceded us on their way to Utah, five in number, were all killed by the Indians. I saw one of the dead.

A few days after this, after the coaches had begun to run again, the Indians fired into a coach at French's Ranche, nine miles west of Plum Creek, doing but little damage.

Somethreedays after this a coach going west was fired at near Freeman's Ranche, a man named Jacobs, of Central City, wounded, a soldier wounded who acted as guard, and a horse killed in the team. The passengers fought off the Indians until the three living horses could be harnessed right and then drove off and escaped.

Again, in the winter following, in November, I think, another coach was attacked, a Mrs. Abbott shot in the arm, and several persons struck with arrows, among them a telegraph operator.

Following this attack, in July, and on the 7th of the month, the coach going west was attacked near Julesburg, but succeeded in getting to that place, as stated by Lieutenant Brown in his affidavit, and on that day the Indians took from the station at Julesburg a riding mule and one set of four-horse harness, while they had temporary possession of the station.

On the 19th of January the Indians killed one of my stage-drivers named McCook, and took a pair of stage horses and harness from him. He was taking them to another station. I saw him dead same day. I then proceeded to remove my stock off the division as far as I could west of Cottonwood Springs, concentrating it at Alkali (as there was a post at Alkali then, and Captain Murphy in command) and Cottonwood Springs.

On the 2nd day of February, 1865, the Indians in large force, say 1,500 warriors, attacked Julesburg Station and destroyed it. I was there and saw all that is perhaps better related, or as well, by others as I could state it. They utterly demolished the whole place, leaving nothing be-

hind of any value; all stores of corn, provisions, goods of any kind, everything destroyed or taken away. The property I speak of as destroyed or taken at any time was the property of the stage line, except when otherwise stated to belong to individuals.

S. RIDDLE,
Division Agent.

Sworn and subscribed to before me this 28th day of November, A. D. 1865.

JOHN LIDDELL,
Probate Judge, Kearney County, Neb. Territory.

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF SOL. RIDDLE.

Diamond Springs:		
August 16, 1864.	250 sacks corn, 28,000 lbs., 20 cts.....	\$5,600
	15 tons hay, \$40	600
Sand Hill Station:		
	250 sacks corn, 28,000 lbs., 20 cts	5,600
	15 tons hay, \$40	600
Alkali Station:		
	250 sacks corn, 28,000 lbs., 20 cts.....	5,600
	20 tons hay, \$40.....	800
Elk Horn Station:		
	65 sacks corn, 7,280 lbs., 20 cts	1,456
	10 tons hay, \$40	400
Cold Spring Station:		
	40 sacks corn, 4,480 lbs., 20 cts	896
	15 tons hay, \$40	600
Gillman's Station:		
	30 sacks corn, 3,360 lbs., 20 cts.....	672
Midway Station:		
	30 sacks corn, 3,360 lbs., 20 cts	672
	15 tons hay, \$40	600
Willow Island:		
	50 sacks corn, 5,600 lbs, 20 cts.....	1,120
	10 tons hay, \$40	400
Plum Creek:		
	15 tons hay, \$40	600
Julesburg:		
January 7, 1865.	1 mule, \$100; 1 set 4-horse harness, \$120.....	220
On the road:		
19,	2 stage horses and harness	450
Sept. 4,	1 horse shot out of team	200

Affidavit of Geo. M. Lloyd.

TERRITORY OF NEBRASKA,
County of Douglas, ss:

Before the undersigned, John R. Meredith, a notary public in and for said county, personally appeared George M. Lloyd, of lawful age, who, being duly sworn, doth upon his oath depose and say that in the month of August, 1864, the deponent was the agent of the Overland Stage Line,

Ben Holladay, proprietor, having charge of the office of said line at Fort Kearney, in the Territory of Nebraska.

That on or about the 9th day of August, 1864, no stage having arrived at Fort Kearney from Atchison for three days previous thereto, the deponent, with a driver and two United States soldiers as an escort, proceeded with a coach and four horses along the stage-road toward Atchison, to learn the cause of the detention of the mails. On arriving at the stage station called Thirty-two Mile Creek, 35 miles from Fort Kearney, we found the station deserted by those who had charge, and we were there met by several families, who alleged they had been living on the Little Blue River, and were fleeing from the Indians to Fort Kearney for protection. These persons reported several persons killed by the Indians a few miles below the station. Deponent and those with him proceeded down the Atchison road six miles, where deponent saw the bodies of six men who had been killed, and were being buried by some employes of the stage-line, who were escaping up the road to Fort Kearney for safety and protection. Deponent being fully satisfied that it was dangerous to proceed any further down the road, or to remain at Thirty-two Mile Creek Station, the deponent and those with him gathered up the stock at said last-mentioned station and returned the same day to Fort Kearney.

At said station the horses that had been driven from Fort Kearney were taken out of the coach and others put in their places. The day was warm, and two of the horses which had been driven 41 miles down the road, from Fort Kearney to the place where the dead bodies were found, died from the effects of severe driving. The urgent necessity of reaching Fort Kearney for safety compelled rapid traveling, and the said horses being led, died before reaching the fort, to which the deponent returned, after traveling 82 miles. Deponent further says that the value of the said horses which died was \$200 each, at that time; and further deponent saith not.

GEO. M. LLOYD.

Sworn to and subscribed before me this 5th day of January, 1866.

[SEAL.]

JOHN R. MEREDITH,

Notary Public.

[Five-cent stamp.]

LOSS AND DAMAGE DONE AS PER AFFIDAVITS OF GEO. M. LLOYD, CHAS. IVINS, AND S. O. JEROME.

Summit Station :

August 9, 1864. Station, furniture, and bedding destroyed..... 2,500

Thirty-two Mile Creek Station :

Furniture, crockery, stores of station destroyed..... 2,500

Little Blue Station :

Furniture and grain destroyed..... 2,000

2 horses killed on the road, \$200 each..... 400

Affidavit of Charles Ivins.

Before me, John W. Hugus, a notary public within and for Kearney County, Nebraska Territory, personally appeared Charles Ivins, who, duly sworn according to law, states as follows :

About the middle of August, A. D. 1864, just after the Indian mur-

ders and outrages on the Little Blue River, I came up on business for the Overland Stage Line, to see the state of things on the road, &c., &c.

I came from the East up to Fort Kearney. The Little Blue Station I found badly injured, windows broken out, doors torn off, floors partly torn up, chinking of the house knocked out, stable doors torn down, grain scattered about on the ground; how much I could not say.

Then at Thirty-two Mile Creek, I found that station badly damaged, the furniture destroyed, table-ware, &c., &c.; in fact, it was so injured that it would have cost near as much to repair as to rebuild it.

Both these stations had been deserted and abandoned wholly by the employés of the said stage line, in consequence of the late Indian murders.

I found Summit station with furniture destroyed, windows and doors torn out, and generally dismantled by violence. This station had also been deserted by the employés. The stations aforesaid were, with their contents, the property of the Overland Stage Line, Ben. Holladay, proprietor.

After this trip I was appointed division agent on said line, on the route from Kearney to Rock Creek.

Since my taking charge of said route the Indians took from Pawnee Rancho, on my division, four stage horses, three of which were after some weeks recovered, but utterly broken down and unfit for service, and worthless for use, having been subjected, as their appearance indicated, to the worst usage; the other horse, or the fourth one, has not been heard of yet, of course.

At Muddy Station last winter, the Indians made a descent on that station, and destroyed some corn belonging to the stage line, some twenty or thirty bushels only. The station then belonged to other parties; at the same period some three or four tons of hay were destroyed at the same place.

In the month of May last the Indians burnt up a station called Lone Tree, a house of logs, with two rooms ready for use, save the windows and doors. This occurred within a few days after a detachment of soldiers were attacked at Indian Hollow, five or six miles south of Lone Tree, and four soldiers killed, and as many wounded, two mortally.

C. IVINS.

Subscribed and sworn to before me, this 24th day of November, A. D. 1865.

[SEAL.]

JOHN W. HUGUS,
Notary Public, Kearney County, Nebraska.

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF CHARLES IVINS.

Pawnee Ranch:	
Aug., 1864. 4 horses, \$200 each	800
Muddy Station:	
1,500 lbs. corn, 12 cts.....	180
Lone Tree Station:	
May. Station burned.	1,000
S. Mis. 19—2	

Affidavit of S. O. Jerome.

STATE OF MISSOURI,

Buchanan County, ss :

Before me, A. B. Lyon, a notary public within and for the county and State aforesaid, personally appeared Samuel O. Jerome, of lawful age, who, being duly sworn according to law, makes oath and says as follows:

I was a division agent on the Overland Stage Line from Atchison, Kansas, to Fort Kearney, from April 26, 1864, to January 1, 1865.

On Sunday, the 6th or 7th day of August, 1864, the Indians made their first raid on the stage line, taking from Lone Tree Station nine head of horses used for staging, the station-keepers flying from the several stations on the Blue River to save their lives, and in their flight killing five more head of horses by hard driving.

All of our stations, and all of the ranches of citizens from Thompson's to Hook's, were abandoned in consequence of this attack, many persons killed by the Indians in the time; eighteen in all killed and four taken prisoners—two women and two children. Kiowa Station, the property of one Douglass, where I kept my stage-teams, was utterly destroyed by fire.

Little Blue Station, the property of the stage line, was greatly injured, all furniture destroyed, floors torn up, windows destroyed, doors also, &c., &c.

Liberty Farm, the property of one Emery, was also burnt up, houses, stables, &c., &c. I kept stage horses there also, and two sets of my harness for the horses were also lost.

Thirty-two Mile Creek was abandoned by the station people, who kept it for the line—furniture destroyed, house damaged, so it would have been useless to repair it; it was the property of the line.

Summit Station was abandoned also by our people; this was the property of the line. One end of the house was torn out, doors, windows, &c., destroyed, so injured that we abandoned it wholly. Over two hundred bushels of corn were lost at this place, and two stoves destroyed. Much damage was done in various ways to the property of the line that I could not pretend at this time to detail and estimate.

When the second raid was made on the stage line, and in the year 1865, I was not employed on it, and cannot state anything about it.

S. O. JEROME.

Sworn to and subscribed before me this 7th day of December, 1865.

A. B. LYON,

Notary Public.

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF S. O. JEROME.

Lone Tree Station :		
August 7, 1864. 9 horses, \$200 each		\$1, 800
5 horses killed while escaping from Indians		1, 000
Liberty Farm :		
2 sets double harness, \$110 each		220
Summit Station :		
200 sacks corn, 22,400 lbs., 12 cts		2, 608

HEADQUARTERS DISTRICT OF COLORADO,
Denver, December 2, 1864.BENJAMIN HOLLADAY, Esq.,
Proprietor Overland Stage Line :

SIR: I am directed to furnish your line complete protection against hostile Indians, which I can only do by its removal from the Platte to the Cut-off Route. As it now runs I am compelled to protect two lines instead of one. You will, therefore, remove your stock to the Cut-off Route, which will enable me to use troops retained for an active campaign against these disturbers of public safety.

I am, sir, with respect, your obedient servant,

J. M. CHIVINGTON,
Colonel Commanding District.

Affidavit of Reuben S. Thomas.

Before me, John C. Liddell, probate judge in and for Kearney County, Nebraska Territory, personally appeared Reuben S. Thomas, of lawful age, who, being sworn according to law, says :

I was a division agent on the Overland Stage Line from January, 1864, to April, 1865, on the route from Julesburg to Denver City.

In the month of June, 1864, Indian outrages began on my route, first, by a battle with the soldiers under Lieutenant Dunn, who pursued them to retake stock stolen by them at Bijou Ranch. About the 2d day of July the Indians killed two emigrants at or near Beaver Creek, on the stage road; I saw the men dead myself.

I saw the graves of two emigrants killed in the same month, by Indians, near Junction Station, as I was informed, and was so generally known to be true.

On the 10th of January, 1865, the Indians killed four men between Valley and Dennison's Stations. I saw these men and helped to bury them; they were mutilated in the most horrible manner.

On the 16th of January the Indians attacked American Rancho, kept by Wm. Mures, whom they killed, and his body was afterwards found in the river; they killed also, then, three other men, whom I saw dead at that place.

I saw Indians often on the route spoken of; on one occasion pursued some of them with a party of men and dispersed them on the hills. Julesburg Station was at the end of my route, and my duty confined me, of course, closely to that road.

During my stay as division agent on said route, while Indian hostilities were carried on, they took from Junction Station five stage-horses, about July 16th, and another stage-horse from Beaver Creek about the same date; one from Lupton Station in August, eight from American Rancho Station in January following, with two sets of harness, and the day that Julesburg was burnt they got two horses belonging to my route, making in all, up to the time I left the route, seventeen (17) head of stage stock taken by them from me as agent aforesaid.

From the month of August to January they took off my route or division, in all, fifty-eight (58) head of cattle, which were taken from the following stations of the Overland Mail Line, Ben Holladay, proprietor, and the property of the same, as well as the horses aforesaid, viz : Antelope, Spring Hill, Pleasant Valley or Valley Junction, Fremont's Orchard, and Living Springs.

I would also state that many other injuries were done to the property of said Overland Mail or Stage Line by the Indians. They burnt up

Antelope Station, with the house of two rooms, a barn, corral, twenty-five tons of hay, and one hundred and twenty-five sacks of corn; they also burnt Julesburg Station entire out and out, with all its warehouses, dwellings, offices, shops, barns, telegraph office, with thirty tons of hay, and not less than thirty-five hundred sacks of corn, and other property I could not pretend to enumerate, as it was not immediately under my charge, and others can better explain the full extent of the losses; they burnt up Spring Hill Station, with its dwelling-houses, barn, twenty tons of hay and ninety sacks of corn, with all the furniture pertaining to the station; they burnt up, also, the barn and corn, all of the Overland Stage Line, at Dennison's Rancho, with twenty-five tons of hay and two hundred sacks of corn; they burnt up the barn of the Overland Stage Line at American Rancho, with thirty tons of hay, and two hundred and twenty sacks of corn.

I would state also, by the superior force of the Indians we were driven to abandon all our forage supplies at Beaver Creek Station, Murray's Station, Junction and Bijou, and in consequence we lost fifteen tons of hay at Murray's, ten tons of hay at Junction, and seven tons of hay at Bijou, as well as twenty tons of hay at Valley Station; we lost also in the same manner seventy-five sacks of corn at Beaver Creek, one hundred sacks of corn at Murray's Station, one hundred sacks of corn at Junction, and forty-eight sacks of corn at Bijou. Likewise we lost under the same circumstances, having no control over our property whatever, in the general confusion and alarm which prevailed, twenty tons of hay at Toll-Gate Station, ten tons of hay at Box Elder Station, fifteen tons of hay at Kiowa, five tons at Living Springs, and seven tons at Rock Bluff.

I would now state, about the first of November, 1864, as well as I can remember the date, I was instructed to move the stage line from Junction Station to Denver City, over on the present stage route from Junction to Denver, an entire new route, and many miles east, and apart from the first-named route.

This new route I was induced to adopt is and was called the Cut Off. The old route to Denver was called one hundred miles; the Cut Off is called eighty-five miles. Under the order alluded to, I had to tear down and move Fourteen Mile Station barn forty miles; Big Bend Station, consisting of a house, barn, and corral, sixty miles; Lotham Station, consisting of a house, barn and corral, also sixty miles; and Eagle's Nest Station, with its barn, house and corral, twenty-four miles, with the hay and grain and all other property pertaining to the said station,

R. S. THOMAS.

Subscribed and sworn to this 27th day of November, A. D. 1866.

JOHN C. LIDDELL,

Probate Judge, Kearney County, Neb. Territory.

Affidavit of William Reynolds.

DISTRICT OF COLUMBIA,

County of Washington, ss:

William Reynolds, of lawful age, being duly sworn according to law, makes oath and says as follows:

I am the general superintendent of the Overland Stage Line, having been such since the 23d of October, A. D. 1864, and familiar with the

running of the same, and its affairs generally, as my business demands a constant supervision of said line, and my presence on the same at some point or other. I left the said line to visit the East on business on the first day of February present, and expect to return in a few days.

Previous to my coming on to the said stage line to take control of the same, the Indians, as I was informed and believed, had committed many depredations upon the same, the extent of which I am not acquainted with as fully as others who were there on the line. From the time I came on the line, as stated, to the month of December, 1865, in the early part of the month, the Indians were engaged at short intervals of time in harassing said line, from Little Blue River, in Nebraska, as far west as Washkie Station, that station being some eighty-four miles west of Fort Halleck. Many of the depredations, of course, could not pass under my eye, as they were committed at points distant from each other often, and I could not be present always; but, as the general superintendent aforesaid, I had the duty devolved on me to repair all damages occasioned by them; that is, to supply horses or mules, harness, forage, grain, stores, and provisions, and to set the line running again, with proper repairs to stations, rebuilding the same when necessary, or building stations on routes assigned to the line by the proper military authority.

For example, over two hundred head of horses and mules were taken from the line referred to during my control of it; a large amount of grain, harness, and other property taken or destroyed, which it was my duty to replace with other property of like nature, and which it was indispensable to replace. In consequence of these heavy losses, depredations by Indians, it became necessary, to protect said stage line and the traveling emigration, as well as the freighters and carriers generally on the plains and mountains, that military forces should be scattered along the route of said stage line to resist the raids of those Indians. A considerable, indeed a large amount of grain and hay was taken and consumed by the military forces referred to above; wood hauled up for the use of the stations was used by them also; several houses and stables destroyed by said forces, to be used for fuel and other purposes by them. The property was used as stated, no vouchers for the same ever having been given by any officer whatever, to my knowledge. If any was given, it was for a trifling amount indeed, and of no official consequence. I have seen the order made by Col. J. M. Chivington, of date December 2, 1864, requiring the Overland Stage Line to be removed from the Platte route, between Junction Station and Denver City, to the so-called "Cut-off" route. The route thus abandoned was about one hundred miles long; that is to say, between said Junction Station and Denver. All the stations on said route had to be given up, and all of them moved on the cut-off route aforesaid, save the station at Fremont's Orchard. When this order was made the Overland Stage Line forked from the route abandoned at a point called Latham, running thence to La Porte and the foot of the Rocky Mountains (the distance from Latham to La Porte thirty-five miles), and thence to Salt Lake City.

Thus, when the order was complied with, the new line traversed by the stages was thrown south of the former or Platte route above referred to some twenty miles, at an average. This, then, forced me to send the mails intended for the country west of Denver, that is, for Salt Lake City, Montana, California, Nevada, &c., from Denver City to La Porte, and to abandon, of course, the route between Latham and that place.

Under the change of route we had to establish a new road, make new

stations over a distance of about one hundred and fifty miles, and wholly abandon the other road; the new stations thus established being twelve in number. All this was done in pursuance of the order of said officer.

WM. REYNOLDS.

Sworn and subscribed to before me this first day of March, 1866.

[SEAL.]

JOHN S. HOLLINGSHEAD,

Notary Public.

[Five-cent revenue stamp.]

LOSS AND DAMAGE DONE AS PER AFFIDAVITS OF R. S. THOMAS AND W. REYNOLDS.

	Junction station :	
July 16, 1864.	5 stage-horses, \$250 each.....	\$1,250
	Beaver Creek :	
	1 horse, \$250	250
	Lupton Station :	
Aug.	1 horse.....	250
	American Ranch :	
Jan., 1865.	8 horses, \$250 each.....	2,000
	2 sets four-horse harness, \$110 each.....	220
	2 horses, \$250 each.....	500
Aug., 1864, to Jan., 1865.	58 head of cattle, \$100 each.....	5,800
	Antelope Station :	
	House, barn, and corral burned.....	5,000
	25 tons hay, \$50.....	1,250
	125 sacks corn, 14,000 pounds, 20 cents.....	2,800
	Spring Hill Station :	
	Dwelling-houses, furniture, barns, &c.....	6,000
	20 tons hay, \$50.....	1,000
	90 sacks corn, 10,080 pounds, 22 cents.....	2,217 60
	Dennison's Station :	
	Barn and corral	2,500
	25 tons hay, \$50.....	1,250
	200 sacks of corn, 22,400 pounds, 22 cents.....	4,928
	American Ranch :	
	Barn	1,500
	30 tons hay, \$50.....	1,500
	227 sacks of corn, 25,424 pounds, 22 cents.....	5,593 28
	Murray's Ranch :	
Aug., 1864, to Jan., 1865.	25 tons hay, \$50.....	750
	Junction Ranch :	
	10 tons hay, \$50	500
	Bijou Station :	
	7 tons hay, \$50	350
	Valley Station :	
	20 tons hay, \$50	1,000
	Beaver Creek Station :	
	75 sacks corn, 8,400 pounds, 22 cents.....	1,848
	Murray Station :	
	100 sacks corn, 11,200 pounds, 22 cents	2,464
	Junction Station :	
	100 sacks corn, 11,200 pounds, 22 cents	2,464
	Bijou Station :	
	48 sacks corn, 5,376 pounds, 22 cents.....	1,182 72

	Toll-gate Station:	
	20 tons hay, \$50	\$1,000
	Box Elder Station:	
	10 tons hay, \$50	500
	Kiowa Station:	
	15 tons hay, \$50	750
	Living Springs Station:	
	5 tons hay, \$50	250
	Rock Bluff Station:	
	7 tons hay, \$50	350
Nov. 1, 1864.	Cost of moving stations, hay, and grain and rebuilding the same on 100 miles of road, known as the Platte Route, to the Cut-off, by order of Col. J. M. Chivington, commanding district of Colorado...	50,000
Oct. 23, 1864, to Dec., 1865.	For grain, provisions, hay, &c., used by the troops, and fuel and stations destroyed by them	30,000

Affidavit of Edward B. Murphy.

Before me, John C. Liddell, probate judge in and for Kearney County, Nebraska Territory, personally appeared Edward B. Murphy, captain of Company A, Iowa Cavalry, of lawful age, who, duly sworn according to law, says:

Indian outrages being reported at the time, I was ordered by the commanding officer at Fort Kearney, with my company, to proceed to the scene of disturbances, and left Fort Kearney on the 12th day of August, 1864, for the country lying in the Little Blue River.

I found, on my way, at Hook's place, ten miles east of Kearney, a number of the people who had fled from that region for protection.

I found all the ranches deserted from Hook's to Little Blue Station, and at a place called Indian Hollow, about thirty-five miles west of Little Blue, I found a number of wagons deserted, with their freight, and a grave where men had been partly buried, seven in number, it was stated by those who knew the fact; goods scattered about, wagons damaged, &c., &c.

Two miles this side—that is, west of Pawnee Ranch, I found a ranch burnt up, except a stack of hay.

At Pawnee Ranch, I found it deserted wholly; at Liberty Farm I found the houses and stables all burnt up. Next week we found a coach burnt up, the property of the stage line, by whom I could not say.

I found the ranches all deserted to Little Blue Station, including it also; there I found a large train corralled, several wagons burnt, and no one on the train, stock all gone, boxes of goods broken open, kegs of liquor destroyed, and general ruin of the freight as far as it was capable of injury. Two miles below we found the bodies of one woman, two children, and two men, the bodies badly mutilated; these we buried.

I then went off north, on the Fort Riley Road, sent out flanking parties, and found Indians herding some six hundred head of cattle; we recovered these cattle and drove them back to the men who had charge of them before on the main road where they had been taken, they returning for that purpose. Before we got back to the main road we had a skirmish with a party of Indians to the number, I think, of one thousand, they having their families with them; we lost two men, but killed twelve that we were sure of; I would remark that we had a piece of

artillery with us. On the next day I returned to the fort, as I was about out of provisions and ammunition; indeed, I had gone further and staid longer than my orders permitted or anticipated, owing to my anxiety to follow up the Indians, see what they had done, test their force, and recover, if possible, property taken by them, and protect life as well.

On this trip the mail stations of the Overland Stage Line I found deserted, left apparently without regard to preserving anything but life. Under orders I left Kearney on the 25th of August, proceeded to Plum Creek, thirty-five miles west of Kearney, remained there to September 2d; I found several ranches of citizens burnt on the way from Kearney to Plum Creek.

The stage line had then ceased to run, and it could not have continued to run without a heavy military force with the coaches, which could not be had at all. On September 2 I went off south of the main road, with the command of General Curtis, returning to the road about the 16th of the month at Cottonwood Springs, about one hundred miles west of Kearney.

I then went up the road with the command of General Mitchel, proceeding as far as Ash Hollow; we found ranches and mail stations all deserted, Baker's Ranch burnt, and the mail station called Elk Horn destroyed by fire.

From this time forward Indian outrages continued from time to time, rendering travel unsafe up to this date, without military protection. During the fall and winter after this period just spoken of, I was engaged in building the post of Alkali, and in command of the same; while in command at Alkali the Indians drove off some cattle of contractors, about one hundred head, and some two hundred head belonging to others in the month of January. In this month I was ordered to relieve some troops at Beauvais Station with a detachment of my company; thence I went to Julesburg on business. About 2 o'clock in the morning of the 7th of January, report came to the post that the mail-coach had been attacked by Indians; the report was not credited at the time; the coach was attacked, however, below Julesburg, about four miles, but was driven to a ranch called Beuler's Ranch, within two miles of Julesburg, and found protection till morning. The report came again that the Indians had attacked a train below Julesburg, and at once the available force then at that post (which was then called Fort Rankin) mounted and proceeded to the scene of disturbance; we found that the Indians had killed two men of the train and retreated to the hills; we pursued them and fought with their advance for some distance, until surrounded by a large force of them, estimated to be from 1,200 to 2,500 warriors; they killed fifteen soldiers, all one platoon that they surrounded, and one man after that, and three citizens near the ranch aforesaid.

Our force retreated to the ranch, part of the men engaged being forced to separate from us, and go in direction of the fort. This day the Indians attacked the mail station Julesburg, and would have destroyed it, no doubt, but for fear of the artillery at Fort Rankin, a mile and a quarter from Julesburg, which was playing on them actively. They were in and about Julesburg four hours, destroying the machinery of the telegraph, breaking open houses, taking and destroying grain, flour, house furniture, bedding, &c. The employés at the station had fled to Fort Rankin to save their lives.

Immediately after the raid the Indians burnt up all the stations of the main line, and every ranch on the road between Julesburg and Valley Station, except Moors' ranch.

They also injured the telegraph line greatly, cutting the wire at intervals, all the way to Valley Station from Julesburg, and at one point they cut the telegraph poles for ten miles. I repaired all this injury under orders given me; they also destroyed the telegraph line for twenty-seven miles, I was informed, on the route from Julesburg toward Laramie. I omitted to state that in February, 1865, the mail station called Sand Hill was destroyed by fire. From August, 1864, to this day the Indians have been in a state of hostility and warfare, committing outrages from time to time, killing our people; and robbing trains; a short respite from these outrages was gained by the advance of General Connor's force into the heart of their country, in pursuit of their villages and main body of warriors, last summer.

E. R. MURPHY.

Sworn and subscribed to before me this 28th day of November, A. D. 1865.

JOHN C. LIDDELL,
Probate Judge, Kearney Co., Neb. Territory.

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF CAPT. E. B. MURPHY, OF COMPANY A,
SEVENTH IOWA CAVALRY.

Liberty farm:	
Aug. 12, 1864. Coach burned.....	\$1,200
Elk Horn Station:	
Sept. 2. Station burned	3,500
Sand Hill:	
Feb., 1865. Station burned.....	2,500

Affidavit of W. M. Hudnut.

STATE OF MISSOURI,
Buchanan County, ss:

Before me, C. M. Thompson, a notary public within and for the county and State aforesaid, personally appeared William M. Hudnut, of lawful age, who, being duly sworn according to law, on oath states as follows:

On the morning of January 7, 1864, one of the coaches of the Overland Stage Line, on which I was at the time in the capacity of a messenger for said line, was attacked by Indians about four miles east of Julesburg, they firing at the same repeatedly, and following it about two miles to Benton's ranch, where we stopped for safety, and the Indians left us.

We proceeded after a time to the station at Julesburg, about a mile and a half distant; changed horses, and went on to Fort Rankin, about a mile further west, to deliver the mail there and apply for an escort to the coach, the officer in command, I understood, being Capt. N. J. O'Brien; we stopped at the fort a short time, and the commander being unable to give us an escort, I returned to the station at Julesburg, considering it folly to proceed further.

I had the stage-horses put up in the stable, and determined to proceed only when assured of safety and protection. In the mean time Captain O'Brien, with a company of soldiers, had passed by the station to pursue the Indians, and soon after I had put up the stage-horses I saw him engaged with them, a short distance southeast of the station, say three quarters of a mile off, and almost immediately I saw the sol-

diers were retreating toward the station, the Indians in pursuit. Very soon the detachment dashed past the station toward the fort, warning the people to save themselves if they could. We did flee at once, and fast as we could, to the fort, with difficulty escaping the enemy. The coach which I had charge of was left standing with all its mail matter, express, and money packages, and abandoned utterly, as well as the station and all its appurtenances.

When the command spoken of reached the fort, Captain O'Brien was re-enforced by some citizens who had stopped there, and a few soldiers whom he had not taken out in the morning, and returned to try and protect the station. He succeeded in repulsing them after they had been in possession only a short time. I found the coach empty, the safe gone, the mail bags cut open, letters scattered all about, as the wind was high. Express goods gone also, with the exception of a letter-press and some light packages of small value, such as ladies' dress trimmings.

One package of \$10,000 in Treasury notes was found, belonging to C. A. Cook, Denver, picked up where the savages had dropped it. Another package of \$150.00 was found, another of \$50.00, also another of \$50.00. Express envelopes that had covered money remittances were found here and there about on the prairie. The fixtures of the telegraph office were torn apart and greatly damaged; grain cut, corn scattered about, flour sacks cut, the flour emptied out, and sacks taken; the bed-clothes and wearing apparel of the station taken, provisions carried off, windows smashed in, doors broken down, and much damage that I could scarcely enumerate done generally.

WILLIAM M. HUDNUT.

In witness whereof I have hereunto set my hand and affixed my notarial seal, at office in Saint Joseph, Mo., this seventh day of December, A. D. 1865.

[SEAL.]

C. M. THOMPSON,
Notary Public.

[Five-cent stamp.]

LOSS AND DAMAGE DONE AS PER AFFIDAVITS OF WM. M. HUDNUT.

Julesburg station :
Jan. 7, 1865. Damage to coach..... \$500

Affidavit of Richard Quinn.

TERRITORY OF COLORADO,
County of Arapahoe, ss :

Richard Quinn, of Julesburg, in the Territory of Colorado, being duly sworn, deposes and says that he now is and during all the time hereinafter mentioned has been the local agent of the Overland Stage Line, Ben Holladay, proprietor, at said Julesburg; that said Julesburg was, during the time hereafter mentioned, the junction and headquarters of two divisions of the said Overland Stage Line, where various shops and buildings, and the supplies for the said divisions, were located and kept, and where much valuable property of the said Ben Holladay, and used in the maintenance of said Overland Stage-Line, was stored and kept. And the said affiant further says that on the seventh day of January, A. D. 1865, the said overland stage station at Julesburg was attacked by hostile Indians at about nine o'clock in the forenoon of that day, and

that during said attack the passenger coach of said stage line, bound westward, and there standing in front of the stage-office at said Julesburg, was robbed of its contents, and the said contents destroyed by said Indians; that there was then destroyed or carried off by said Indians seven sacks of mail-matter and the express-box, with its treasure; also two bales of clothing, the property of the said Ben Holladay; also one mule belonging to the said Holladay was run off and taken away by said Indians.

That on the twentieth day of February, in said year 1865, said Julesburg was attacked by fully fifteen hundred hostile Indians, the whole number of said Indians in the vicinity of Julesburg at that time being estimated at from four to five thousand; that at said attack the employes of said stage line were driven off from said station at Julesburg, and all the buildings of the said stage line, consisting of a dwelling-house, warehouses, shops, stage and telegraph offices, barns and corrals, all the property of the said Ben Holladay, as proprietor of said stage-line, were fired and burned by said Indians; that there was also destroyed by said Indians, by burning the same, thirty tons of hay and about six thousand (6,000) bushels of corn, of which said corn a portion was afterwards recovered or saved from the fire, but in such a damaged condition as to be worthless; that there was there also destroyed, in manner aforesaid, a quantity of other stores belonging to said station, consisting of provisions, the quantity and amount is to this affiant unknown; that all of the said property destroyed or carried off as aforesaid at the said last-mentioned attack, including one horse not before mentioned, belonging to said station, and was for the use of the said Overland Stage Line, and was the property of the said Ben Holladay. That the said property has not been recovered except a portion of the corn as aforesaid, and the whole of said property by said Indians destroyed and carried off is a total loss. That the aforesaid depredations were committed by Indians of the Sioux, Arapahoe, and Cheyenne tribes, as deponent really believes, and depredations could not by any possibility have been prevented by the employes of the said Overland Stage Line then at said Julesburg; that at the time of said attack there was at said Julesburg a number of soldiers, about one-half of a company, which said soldiers were unable to repel the attack of said Indians.

And further deponent saith not.

RICHARD QUINN.

TERRITORY OF COLORADO,

County of Arapahoe, ss:

I, Henry A. Clough, clerk of the district court of the first judicial district of the Territory of Colorado, do hereby certify that on this day, before me personally Richard Quinn, whose signature is attached to the foregoing affidavit, and made oath that the statements contained in said affidavit by him subscribed were true in substance and in fact.

Witness my hand and the seal of said court, at Denver, in said Territory, this 5th day of December, A. D. 1865.

[SEAL.]

HENRY A. CLOUGH, Clerk.

[5-cent stamp.]

TERRITORY OF COLORADO,

County of Arapahoe, ss:

I, William H. Gale, associate justice of the Territory of Colorado, and judge of the district court of the first judicial district of said Territory, do hereby certify that Henry A. Clough now is, and at the time of

making the foregoing certificate was, clerk of said court; that the signature of the said Clough is attached to said certificate, and that his said attestation is in due form of law.

Witness my hand and seal this 5th day of December, A. D. 1865.

WM. H. GALE,
Associate Justice, &c.

Affidavit of Andrew S. Hughes.

STATE OF KANSAS,
Atchison County, ss :

Before me, John J. Ingalls, a notary public within and for the county and State aforesaid, personally appeared Andrew S. Hughes, of lawful age, who, being duly sworn according to law, says as follows:

On the 2d day of February, A. D. 1864, in company with Mr. Clift, then assistant superintendent of the Overland Stage Line, traveling in a coach accompanied by a military escort, we came in sight of Julesburg Station about 2 o'clock, or later, in the evening, when we perceived that place to be on fire, and invested by Indians to the number, I should think, of at least fifteen hundred. We halted some distance east of the place for a time; until the Indians evacuated the premises, and crossed the Platte River to the north side. After this halt for, say, an hour, and the departure of the savages, we went to the station, and found everything in the shape of a house, or building of any sort, on fire, and too far advanced to be extinguished.

We stopped there, however, to try and save something from the flames, but succeeded only in saving some sacks of corn, which was, however, so damaged, smoked, and parched by fire, as to be utterly useless, I should think, and not fit for any animal to eat. Nothing else was saved—nothing at all, that I saw. The destruction of the station was full and complete. After we had been there a short time, some troops came to the station from the post near there, then called Fort Rankin, and we passed on with them to that post the same evening. I remained a week at Julesburg, and while there troops were sent out to repair the telegraph lines on the routes leading west and south of Julesburg, which had been destroyed for some distance by the Indians.

ANDREW S. HUGHES.

Subscribed in my presence, and sworn to before me, this sixth day of December, A. D. 1865.

JOHN J. INGALLS,
Notary Public.

Affidavit of Lieut. J. S. Brewer.

Before me, John W. Hugus, a notary public within and for Kearney County, Nebraska Territory, personally appeared John S. Brewer, first lieutenant Company F, Second Iowa Cavalry, of lawful age, who, being duly sworn according to law, states as follows: I was on duty at Fort Rankin (now called Sedgwick), about one mile and a half from the United States mail station, called Julesburg, on the 2d day of February, A. D. 1865, when said station was attacked by combined bands of Cheyenne, Sioux, and Arapahoes, about seven o'clock in the morning; the force of warriors was variously estimated from fifteen hundred to twenty-five hundred. They were around that station till late in the evening,

our force skirmishing with them frequently, but unable to succeed in driving them off. They drove off the employes of the Overland Stage Line to the fort, and got entire possession of the station, with its appurtenances, and all the property connected therewith, and kept them, taking off stores of different kinds, such as flour, corn, &c., during the day, setting fire to the buildings of the station about two o'clock p. m., and completely destroying them all, with all the hay and stores there contained; some corn was taken out, but this was entirely worthless, to my own personal knowledge, for I let the superintendent have, as a loan, for a short time, some corn to supply his stage teams, by order of Colonel Livingston, then in command of the district.

This same party of Indians, on the 6th of February, drove off nine head of beef cattle of the Quartermaster's Department, sixty odd head of Bridgman & Chandler, who were in the employ of the government, and on that day, it is probable, the amount of cattle taken off by the Indians would not fall short of five hundred head, belonging to various persons.

I was in the battle with the Arapahoe Indians on Tongue River, on the 27th of August, 1865, and recognized some articles taken by them from Julesburg; these articles were found by us, after the defeat of said Indians, in their camp. In 1864 I was stationed at Post Cottonwood, on the Platte River, about one mile and a half from the mail station called Cottonwood Springs. The first attack by Indians on the settlers, or their first hostile demonstration, was in September of said year.

They took some property from North's ranch, about two miles from the post. At the same time they had a professedly friendly deputation visiting the post, under the chief named Two Face. The next day they attacked a party of our men in Cottonwood Cañon, about nine miles south of the post (Cottonwood), and killed two soldiers of the party, which was commanded by Captain Mitchell, of the Seventh Iowa Cavalry. I could go on and give many instances of their outrages, murders, and robberies, but deem it unnecessary. I may as well state that no less than thirty-seven of the men of the company I belonged to were killed in rencounters with them.

I knew, of my own knowledge, that there was a large amount of grain and flour in the warehouses of the stage line when they were destroyed by the Indians on the 2d of February, as stated by me, in their destruction of Julesburg. During the outrages committed by the Indians in January and February, 1865, all the mail-stations of the Overland Stage Line were destroyed by fire, between Julesburg and Valley Station, supposed to be work of the Indians, of course; indeed, well known to be such. After the defeat of the Arapahoe Indians, on the 27th of August, as stated, there was then found horses and mules belonging to the Overland Stage Line, with Ben. Holladay's brand on them, viz, "B. H." The number I do not remember, but they were turned over to the Quartermaster's Department.

On the 7th day of January, 1865, the Indians made a demonstration on a train near Julesburg, and at the same time attacked one of the coaches of the mail-stage line. This fact was reported to the commander of Fort Rankin (now Sedgwick), and about six o'clock in the morning a part of my company was ordered to the scene of trouble, Captain O'Brien in command. I was one of the party. On reaching the place we were directed to, we found three citizens dead. The coach had, however, reached Julesburg. We saw Indians on the hills about a mile off, and gave pursuit, followed them for some miles, found their

force overwhelming, and were obliged to retreat, which we did, with the loss of fifteen men, passing Julesburg on our retreat.

The Indians, on this day, had possession of the mail station for more than an hour, taking off flour, clothing, bed-clothes, and much other property, besides destroying utterly the telegraph office. In stating about the mail station destroyed between Julesburg and Valley Station, I wish to recur to the same subject again and say, that there was not a doubt that these were destroyed by the Indians; the facts duly ascertained by the military authorities as fully as possible.

J. S. BREWER,
First Lieutenant, Commanding Seventh Iowa Cavalry.

Subscribed and sworn to before me the day and date first above written.

[SEAL.]

JOHN W. HUGUS,
Notary Public, Kearney Co., Nebraska.

LOSS AND DAMAGE DONE AS PER AFFIDAVITS OF RICHARD QUINN, R. S. THOMAS, A. S. HUGHES, SOL. RIDDLE, AND LIEUT. J. S. BREWER.

Julesburg Station:		
January 7, 1865.	2 bales of clothing.....	\$1,500
	1 mule.....	200
	Express box and treasure.....	15,658
Feb. 20.	Telegraph office.....	} 35,000
	Frame station.....	
	Large barn.....	
	Warehouse.....	
	Blacksmith's shop.....	
	Corrals, &c.....	} 1,500
	30 tons hay, \$50.....	
	3,500 sacks corn, 392,000 lbs., 20 cts.....	
	Provisions and stores.....	
	1 horse.....	
		200

Affidavit of James Stewart.

Before me, John C. Liddell, probate judge in and for the county of Kearney, Nebraska Territory, personally appeared James Stewart, of lawful age, who, duly sworn according to law, says:

I have been a division agent on the Overland Stage Line since the 17th of November, 1862, and am yet in that service; my route extends from North Platte River to Green River.

On the 19th day of May, 1865, the Indians came to the Bridger's Pass Station in the night; the stock-tender saved himself by flight, and they robbed the station of flour, other articles of small amount, and a Sharp's rifle; the teams were out on the road at the time.

On the same day they attacked a train near the station, and drove off eighty-two head of oxen, the property of emigrants or freighters.

On the 22d of May, at Sage Creek, the Indians drove off nine head of stage-horses pasturing close to the station. Captain Brown, of Nevada Cavalry, pursued them next day; I accompanied him several miles on the Indian trail, which led off north to Sweet Water River. Captain Brown followed the Indians three days, but returned unsuccessful.

On the 26th of May, at Bridger's Pass, the Indians drove off the stock-tender, and took nine head of stage-horses, destroying eight harness, robbing the station of all portable articles of any value.

I saw on the 2d of June two men (emigrants) that had been killed by the savages.

On the 8th of June the Indians again attacked Sage Creek Station, drove off five soldiers and two of my men, pursued them, killed two soldiers, wounded two, and killed both of my men. They got from me this day five stage-horses, and cut up one set of harness, and burnt up the station barn. I saw the men that were killed, and buried one of them next day; the soldiers that were dead being hauled on to Halleck for burial.

At Pine Grove Station, the Indians, on the 9th of June, took off many articles from the station, destroyed the cook-stove, and cut up two sets harness, the station having been deserted by my men previously.

On the 12th of June, the Indians took from my herdsmen at Sulphur Springs thirty-four head of stage horses and nine head of mules; they fired on the men, three in number, and drove off the animals. This lot of stock had been collected in from the other station east of Sulphur Springs for safe-keeping. This party of Indians were about twenty-five strong; Captain Humphreyville, of the Ohio Cavalry, having reached that place that day, escorting a mail with two coaches, or one coach and a wagon, pursued the savages, followed them five miles, and returned unsuccessful. I was at Sulphur Springs at the time.

At Washkie Station, on the 2d of June, the Indians attacked the place, had a fight with the soldiers there, wounding one man and driving off nine head of United States Cavalry horses. I saw the wounded man next day.

JAMES STEWART.

Subscribed and sworn to before me this 27th day of November, A. D. 1865.

JOHN C. LIDDELL,
Probate Judge, Kearney Co., Neb. Territory.

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF JAS. STEWART.

Bridger's Pass:			
May 19, 1865.	Flour, Sharps rifle		\$100
Sage Creek:			
22.	9 horses, \$200 each.....		1,800
June 8.	5 horses, \$200 each.....		1,000
	1 set four-horse harness.....		120
	Station and barn.....		2,500
Bridger's Pass:			
May 26.	9 horses, \$200 each.....		1,800
	8 sets single harness, \$30 each		240
	Supplies about		100
Pine Grove:			
June 9.	Property valued at.....		500
Sulphur Springs:			
June 12.	34 horses, \$200 each.....		6,800
	9 mules, \$150 each.....		1,350

Affidavit of R. J. Spotswood.

TERRITORY OF COLORADO.

County of Arapahoe, ss :

Robert J. Spotswood, being duly sworn, on oath deposes and says

That he is the division agent of the Overland Stage Line, Ben. Holladay, proprietor, on the division of said road or line, extending from the City of Denver, in the Territory of Colorado, to the North Platte River, in the Territory of Dakota, and has been such agent during all the time hereinafter mentioned ; that at the time and places following, the property belonging to Ben. Holladay, proprietor of said stage line, and hereinafter mentioned, was run off and taken away by Indians ; that is to say :

In the month of June, A. D. 1865, at Elk Mountain Station, on said road, twenty-two head of mules, four head of horses, and two ponies were run off and taken away as aforesaid. In the said month of June, at Sulphur Spring Station, on said road, six mules and one horse were run off and taken away as aforesaid. In the month of July, in said year, at Medicine Bow Station, on said division of said road, two ponies were run off and taken away as aforesaid. In the month of July, in said year, at Rock Creek Station, on said division on said road, one pony was run off and taken away as aforesaid.

At Cooper Creek Station, on said division on said road, in the said month of July, one pony was run off and taken away as aforesaid.

At Willow Springs, on said division of said road, and in the month of August in said year, six mules, two horses, and one pony were run off and taken away as aforesaid.

At Virginia Dale, on said division of said road, and in the months of July and August in said year, two mules were run off and taken away as aforesaid ; also one mare and colt, and eight cows.

At Stonewall Station, on said division of said road, and in the month of August in said year, two yoke or four oxen were run off and taken away as aforesaid.

And the said deponent further saith that at the times and places hereinafter mentioned the following property of Ben. Holladay, proprietor of said stage line, was destroyed by Indians, as aforesaid ; that is to say :

At Medicine Bow Station, on said division of said road and stage line, and in the month of July in said year, A. D. 1865, the corral or inclosure for stock was destroyed by Indians as aforesaid.

At Rock Creek Station, on said division of said road, and in the said month of July, one corral or inclosure for stock destroyed as aforesaid.

At Cooper Creek, on said division of said road, and in the said month of July, the corral or inclosure for stock was destroyed ; also at the same time and place, the doors and windows of the station-house were destroyed, and one large cooking stove and one box stove were broken, the value of which said doors, windows, and stoves, at said station of Cooper Creek, deponent believes to have been the sum of three hundred dollars.

At Little Laramie Station, on said division of said road, and in the month of August in said year, the station or stage-house, and the corral or inclosure for stock was burnt and destroyed. At Willow Springs, on said division and road, and in the month of August in said year, one corral destroyed, but whether by Indians or otherwise, after the Indians compelled the same to be abandoned, deponent cannot say.

And deponent further saith that at the times and places hereinafter

mentioned the following property of Ben. Holladay, proprietor said road and stage line, was killed by the Indians:

At the aforesaid station of Virginia Dale, and in the month of July or the month of August of said year, deponent not being able to say which month, one mule was killed by said Indians, and also one bull.

And the said deponent further says: That the said property, so as aforesaid run off and taken away, destroyed; or killed was the property of Ben. Holladay, proprietor of the said stage line, and was taken off, destroyed, or killed by hostile Indians, of the Cheyenne, Arapahoe, and Sioux tribes; that the servants and employes of the said Ben. Holladay, at the aforesaid respective places, were unable to prevent the said Indians from committing the said depredations; that the said property has never been recovered, either in whole or in part, from the said Indians, and is, as the said deponent verily believes, totally lost to the said Ben. Holladay.

ROBERT J. SPOTSWOOD.

UNITED STATES OF AMERICA,

Territory of Colorado, County of Arapahoe, ss:

I, Henry A. Clough, clerk of the district court of the first judicial district of the Territory of Colorado, sitting within and for the county of Arapahoe, do hereby certify that Robert J. Spotswood, whose name is subscribed to the foregoing affidavit, this day appeared before me in person, and made oath that the said affidavit was by him subscribed, and that the same was true. In witness whereof I have hereunto set my hand and the seal of said court, this 30th day of November, A. D. 1865, at Denver, in the county and Territory aforesaid.

[SEAL.]
[Stamp.]

HENRY A. CLOUGH, *Clerk.*

I, William H. Gale, associate justice of the Territory of Colorado, and judge of the district court of the first judicial district of said Territory, of which the county of Arapahoe forms a part, do hereby certify that Henry A. Clough, whose name is attached to the foregoing certificate, is now, and at the time of the signing and sealing thereof was, clerk of the said court, and as such authorized to administer oaths, and that his said attestation is in due form of law.

Given under my hand and seal this 30th day of November, A. D. 1865.

[SEAL.]

WILLIAM H. GALE.

LOSS AND DAMAGE DONE AS PER AFFIDAVIT OF R. J. SPOTSWOOD.

Elk Mountain Station:		
June, 1865.	22 head of mules, \$20 each.....	\$4,400
	4 horses, \$225 each.....	900
	2 ponies, \$50 each.....	100
Sulphur Springs Station:		
	6 mules, \$200 each.....	1,200
	1 horse.....	225
Medicine Bow Station:		
July.	2 ponies.....	100
	Corrall destroyed.....	150
Rock Creek Station:		
	1 pony.....	50
	Corral destroyed.....	250

Cooper's Creek Station :		
	1 pony.....	\$50
	Corral destroyed	} 390
	Doors and windows of station-house.....	
	Cooking and box stove.....	
Willow Springs Station :		
August.	6 mules, \$200 each.....	1,200
	2 horses, \$225 each.....	4,500
	1 pony.....	50
	Corral destroyed	250
Virginia Dale Station :		
July and	2 mules, \$200 each.....	400
Aug.	1 mare and colt	250
	8 cows, \$50 each.....	400
	1 mule killed.....	200
	1 bull killed	75
Stonewall Station :		
August.	2 yoke of oxen, \$100 each.....	200
Little Laramie Station :		
	Station and corral destroyed.....	3,500

Affidavit of William Trotter.

Before me, John W. Hugus, a notary public within and for Kearney County, Nebraska Territory, personally appeared William Trotter, of lawful age, who, being duly sworn according to law, states as follows :

I was in the service of the Overland Stage Line, under Reuben Thomas, division agent on the route from Julesburg to Denver, from August 1, 1864, to February 5, 1865.

About the latter part of December of 1864, the Indians, at night, took off from the stable of said line at American Rancho several horses and some harness ; they got all the horses in the stable but two of them, or took only two of them, and which I cannot now clearly state ; the animals taken were stage horses. A short time after this occurrence, the Indians burnt the barn or stable at the same rancho, with thirty tons of hay stacked there, the property of the line, all of it ; they also, about the same time, burnt the barn at Dennison's rancho, with about twenty-four tons of hay, the property also of said line ; they burnt and utterly destroyed Spring Hill Station, which belonged to the line, consisting of a framed barn, and dwelling-house with four rooms, with furniture complete, destroying stores, &c. ; at this station they burnt up about twenty tons of hay.

In the same raid they burnt up Antelope Station, consisting of a barn and house, with the usual furniture for a home station, and about forty tons of hay. In the raid referred to the Indians destroyed fifty to seventy-five sacks of corn at American Rancho, about one hundred sacks of corn at Dennison's Rancho, about forty to fifty sacks of corn at Spring Hill ; all the property referred to as destroyed by Indians belonged to said stage line, and that it was destroyed by them there is not any doubt.

WM. TROTTER.

Subscribed and sworn to before me the day and date first above written.

[SEAL.]

JOHN W. HUGUS.

Notary Public, Kearney County, Nebraska.

[Five-cent stamp.]

GEORGE HENRY CARLYLE sworn and examined.

By Senator CAMERON :

Question. What is your name, age, and residence ?—Answer. George H. Carlyle. I am fifty years old ; and I live in Saline County, Missouri, at this time.

Q. What is your present occupation ?—A. I am a farmer.

Q. Are you acquainted with Mr. Holladay ?—A. Very well.

Q. How long have you been acquainted with him ?—A. I have known him since 1862.

Q. Were you at any time in the employ of Mr. Holladay ?—A. Yes, sir.

Q. When were you in his employ ?—A. From 1862 until 1866.

Q. What was Mr. Holladay engaged in at that time, and what were you doing in connection with his business ?—A. He was carrying the overland mail from Atchison, Kansas, to Salt Lake ; that was the first portion of his route. I furnished the stations with grain for a certain portion of the distance—650 miles, from Fort Kearney to North Platte.

Q. State what you did in connection with Holladay's business, and what you know of his business connected with the carrying of the overland mail, and state it fully.—A. I was familiar with every part of his business connected with the mail. I sometimes assisted and went over it in company with the paymaster, and I sometimes purchased the grain, and sometimes I acted as division agent, and generally I looked after the business in my idle moments. I acted temporarily at one time, during the stampede, as division agent.

Q. Explain about the stampede.—A. Well, the entire settlement all along the plains and ranchmen along the road got up a stampede on account of the Indians having massacred people along the road, and the division agent from Fort Kearney to Julesburg fell in with the crowd and left, abandoned the line, and I knew the impossibility of keeping the line open, and I telegraphed Mr. Holladay the state of affairs that his division had got into, for everything else had left except the drivers and a few station-keepers ; and I telegraphed him what I should do, and he telegraphed me to try and keep the line running, regardless of expense, until he got there, and he got there shortly afterward himself. I made frequent trips over the road—two hundred miles from Fort Kearney to Julesburg—that was the part deserted by this division agent. I rode that route for two weeks in the coach, until we were compelled to draw off the stock of the line. At times when I could be spared from my business and it was necessary to assist in anything I could do, I generally went over the line. I remember at one time I passed over the line with the paymaster, and he had a good deal of work to do, and thought I could be of assistance, and so I went over the line with him. They settled by certificates that they gave the employés ; the certificate stated on one side what they were employed at, and any money furnished them was entered on the other side. I summed up this account, and all he had to do was to settle them and take them in and issue a fresh certificate.

Mr. Holladay started the stages from Atchison, Kansas, on the Missouri River ; next Nebraska City, on the Missouri River ; and next Omaha, all coming together at Fort Kearney and forming a trunk line. The distance from Atchison to junction, Fort Kearney, was 260 miles ; Nebraska City to junction, Fort Kearney, 200 miles, and from Omaha to Fort Kearney, 210 miles ; from Kearney to Julesburg, 200 miles.

The stations on the road were from 10 to 12 miles apart along the entire route.

Q. Describe them.—A. The stations were either hewn cedar or they were frame, except one or two which were of adobe material.

Q. How much did they cost, generally speaking?—A. It would be difficult to say what they cost, but I would say they were worth at least \$2,000 each.

Q. Why were they worth that?—A. On account of the high price of lumber; lumber had to be freighted from Denver City down there; the logs had to be hewn there 100 miles away; they had to go on the bluffs and hew them, and the lumber had to be hauled from Denver City.

Q. How far was that?—A. Well, from Fort Kearney to Denver City was 400 miles. Generally every other station had a frame house, called a home station; there was a dwelling as well as a stable, and a corral around the hay and barn, which made them expensive. At Cottonwood we also had a warehouse; about every one hundred miles we had a warehouse capable of holding four or five thousand bushels of grain; this was convenient to scatter along the road, the grain, when it was needed. Cottonwood station is half-way between Kearney and Julesburgh. We had a warehouse there capable of holding 5,000 bushels of grain. At Julesburgh we had a large warehouse, a blacksmith-shop, repair-shop, telegraph-office, boarding-house, and a very large corral around them.

Q. Now, you may go on and state about the cost of grain and hay—the average cost of the grain and hay that was used on the route.—A. I have frequently measured the hay for the line, and all the grain that was delivered was delivered by me, or I saw to the delivery. We delivered 250 sacks, which averaged two bushels and a peck to the sack. We delivered that to each station.

Q. How frequently?—A. Twice a year. That grain was purchased at Fort Kearney, and it cost about six cents a pound during the Indian troubles. I saw to the delivery of this grain, and during the Indian troubles it was very difficult to get any one to take the chances of freighting grain. I was offered at Julesburgh, when our grain was burnt up there—General Connor was stationed there, and in the spring intended to make an expedition against the Indians on the Powder River. He had his stock there, and they were short of grain; he came by at Fort Kearney; he said he had not grain enough, and that the contract was to be late in July, and he offered me ten dollars per bushel to deliver 10,000 bushels at Julesburgh, and I tried from the 1st of May until the 14th of June, and could not get anybody to deliver it. Nobody was willing to take their chances and life in their hands in hauling that grain. He offered me that in May and extended the time. That was in the spring of the year. To give you an idea of the cost of freighting grain in the winter season, Holladay was up at Fort Kearney, and he was very anxious to get to running early, and the grass being all burned off, there was no chance for the stock, the grain being scarce; and the division agent thought it would be impossible to start before grass; and I suggested that we would send a train load of oats from Kearney to Julesburgh, and I loaded that train at Nebraska City—six mule wagons—with sixty-five sacks of oats to the wagon, and, of course, I had to feed on that going up, and I had to feed going back, and at each place I left the same amount that I consumed at the place, and I just had ten sacks to each wagon to leave at Julesburgh.

Q. Why was it necessary for you to transport these oats?—A. The stations with all the hay and grain had been burned.

Q. From what point to what point?—A. From Fort Kearney to Julesburgh, and Julesburgh was destroyed; from Kearney I may say almost to Denver, with few exceptions. Fort McPherson was not destroyed, but with few exceptions the entire stations from Kearney to the junction, a distance of 300 miles, was destroyed.

Q. How many stations were there in that distance?—A. About thirty, I think.

Q. When were those destroyed?—A. In 1864. Julesburgh was destroyed in the winter of 1865—February 2d; the others were destroyed in the fall of 1864, and in the summer.

Q. What other property was destroyed except the stations?—A. Grain and hay.

Q. Did you furnish the grain for Julesburgh station in the winter of 1864 and spring of 1865, and how much did you furnish there?—A. I furnished in the neighborhood of 300 sacks, and then I bought 5,000 bushels at Julesburgh.

Q. What was the average price at the time this grain was destroyed to replace it?—A. It could not have been-replaced at all, because money would not do it; but I estimate at 20 cents a pound for corn, because I could get that price. The hay we were in the habit of putting up, 100 tons at each station, and that year, on account of Indian troubles, we did not get more than about 50 tons at each station. I measured the hay, and I think it would average about 50 tons at each station.

Q. Where did you get your hay?—A. We had to get it wherever we could, and if it was not in the neighborhood, we had to haul it with teams.

Q. How far did you have to haul it?—A. Sometimes seventy-five to one hundred miles.

Q. What was hay worth?—A. Upon the average, at least \$50 a ton. It cost that much a ton during the Indian trouble.

Q. Now you can state from your best information how much grain and how much hay was destroyed at the times the stations were destroyed, not counting Julesburgh.—A. Upon the average over the 300 miles I would say, from the best of my recollection, it would average very near two hundred and fifty sacks at each station.

Q. And about how much hay?—A. That would be about forty tons upon the average. We had to cut our hay along the line wherever we could find it, sometimes at a great distance, forty, fifty, and sixty miles from the line. One man would go out to cut hay, and a guard with rifles in their hands would have to be along to guard, and they were taking their lives in their hands every time they went out. Quite a number of these hay parties were killed by the Indians, and when we went to look after them, found nothing but their bones bleaching on the prairie. When I commenced freighting I could get teamsters for twenty to twenty-five dollars a month, but during the Indian troubles I paid fifty dollars and seventy-five dollars all the time.

Q. How long did the Indian troubles continue on the North Platte route where you were?—A. We had no trouble in 1862 or 1863. In 1864 was our first trouble. The first year I freighted only to Julesburgh; that was in 1863, and in 1863 I had an uninterrupted year freighting, but the following year the Indian troubles commenced on the Platte Valley route.

Q. Now state from information when they commenced on the other route.—A. They commenced on the Laramie when I was on the Julesburgh route—in 1862.

Q. You stated in your examination that grain could not be got at any

price after the destruction of Julesburgh?—A. But could be got at Kearney.

Q. But not delivered along the road?—A. No, sir.

Q. They had to have corn?—A. Yes, sir.

Q. How much did it cost to get the corn that you did get?—A. Twenty cents a pound.

Q. After the destruction of this grain you had to take up a train of oats and supply the grain that was destroyed?—A. Yes, sir.

Q. You had to start from the Missouri with the oats?—A. Yes, sir.

Q. And, as you stated, you had to go up, and that the delay was damaging, and from the time you got there and got back you could only leave about ten sacks to each wagon, after starting out with sixty-five sacks to a wagon?—A. Yes, sir. These troubles occurred during the war, when prices were very high. It looks large to speak of twenty cents a pound for corn, but when you take into consideration what it cost to get it there, it is not so large. I passed over the line with the paymaster once, and assisted him in making up his accounts.

Q. What quarter was it?—A. I believe it was in the fall of 1862, when everything was peaceable and quiet, and when there were no Indian troubles. I went over in company with David Street, and assisted him casting up the accounts, and from my recollection he paid over \$300,000. That was from Atchison to Salt Lake City.

Q. What expenses did that include?—A. It was to pay for the employes on the road and all the small contracts, the current expenses of the line, not including the supplies of grain. I do not remember whether the hay was included or not, but I am inclined to believe that it was included in that quarter's settlement.

Q. Did you supply the grain from Denver City west to the North Fork of the Platte?—A. Not all of it.

Q. Well, you put grain at the stations?—A. Yes, sir.

Q. Was there any purchase of corn made and hauled out between the Denver City station and North Platte and deposited at these stations by any other person than yourself?—A. I was making my last trip for the far end of my route, intending to winter in the Laramie Plains, and I got two trains snowed in at Cheyenne Pass, in the Black Hills, and we did not think we could get through until spring. Everybody in the country said we could not get through, and Mr. Holladay saw the condition we were in, and he purchased a train load of grain at Denver, to be delivered where my grain was to be delivered—that was at Fort Halleck and North Platte station—and I remember what the contract was.

Q. What was it?—A. That was twenty cents per pound. He gave fifteen cents for it and was to pay five cents a pound for the delivery, but the man was unable to comply with his contract, and I got through with my grain and assisted him as far as he went. His name was Alexander Majors. The reason Majors could not comply with his contract was on account of the bad weather and snow in the mountains. The reason they were to be refunded was from the fact that the Indians had destroyed it before that.

Q. And you had undertaken to resupply it?—A. Yes, sir.

Q. Now, in relation to these stations, you stated that the average of stations would be worth about \$2,000 each; please state what kind of stations they had west of Julesburg.—A. There we had splendid frame stables capable of holding a great many teams; they were built of pine lumber from west of Denver and they were all well built; a frame cor-

ral, and in addition to these stables there was a dwelling-house of from four to six rooms.

Q. In relation to stock, you had mules?—A. Yes, sir; and horses and oxen.

Q. Do you know something about the value of them?—A. Yes, sir.

Q. What would be a fair valuation for the horses and mules?—A. I know what I had to pay when I bought any.

Q. You did not buy for teams as fine mules as were used on the stage line?—A. No, sir; but I paid five or six hundred dollars a pair for mules to do freighting.

Q. How did they compare with the others?—A. They were not as good as the stage mules. I would not consider \$200 an extravagant price for mules.

Q. Were there any work oxen used, and what for?—A. Yes, sir; they were used for supplying the stations with hay and wood.

Q. What were they valued at?—A. They were worth \$100 per head, or \$200 per yoke.

Q. Do you know of any having been taken by the Indians or destroyed by the soldiers?—A. I know of twenty-nine being taken from Fort Kearney by the soldiers. There was a heavy piece of road from Kearney to Plum Creek, very sandy and muddy, and we picked out of all the horses that were bought in Chicago the best horses and they were put on that route.

Q. You have read these affidavits?—A. Yes, sir.

Q. Please give your knowledge of the affiants' veracity, and whether they are worthy of belief.—A. I have examined those affidavits, and am acquainted with the affiants with few exceptions, and I believe them to be truthful and worthy of belief, and that was their general reputation all through the country. Of those affiants I do not know Mr. Murphy, Mr. Johnson, or Lieutenant Bruell.

Q. What is your opinion in regard to the estimate put upon the loss and damage; is it a fair one of the value?—A. I have no doubt from my experience in putting on supplies but what the losses would amount to what is stated.

Q. What is your opinion, whether due diligence was exercised by Mr. Holladay and his men in protecting the property and stations?—A. I do not know a single exception where they neglected doing everything in their power to protect their property, and in a great many instances risked their lives in the care of the property along the line.

Q. And of your knowledge you know that these Indians did attack the stations at various times?—A. Yes, sir.

Q. Go on and make any statement you may desire to.—A. I will state, if I have not already that from the time the line came into the possession of Mr. Holladay until he left the road, I was with him and I had witnessed the destruction of property in many instances. In speaking of the damage done the line at Julesburgh, I neglected to mention the amount of wood that we had at this point. Coming down Pole Creek on my return trip from Spotswood's division where I delivered grain, I loaded these trains of twenty-five wagons to the train, and several trains, with wood, and deposited it at Julesburgh for convenience of distribution along the road, which I could have sold for from fifty to one hundred dollars a cord at that place. That was taken by the soldiers and burnt for their benefit. I must have had one hundred cords of wood, and I know it was worth fifty dollars a cord, and might have been worth seventy-five dollars.

Q. From October, 1864, to December, 1865, the grain and provisions

used by the troops, including the fuel at Julesburg, including the various stations, the entire loss, according to the estimate, seems to be \$30,000; what is your opinion from what you know personally as to the correctness of that estimate?—A. From what I know to have been destroyed and used by the soldiers, I would say it was not an overestimate, that amount.

Q. Did you hear of any receipt by any officer or any one connected with the troops for the supplies taken?—A. No, sir; I never heard of one being given to any one.

Q. Were there any receipts asked for by the station-keepers or any one else who witnessed the destruction of this property?—A. Yes, sir; the station-keepers have asked for receipts.

Q. What was their reply generally?—A. "I will chalk you out a receipt"—that is, they would invariably refuse.

Q. Were they or were they not in the habit of coming to stations and getting whatever they wanted in the way of grain or anything to eat and refusing to pay for it until an order was issued by General Mitchell prohibiting them from using the property belonging to the line?—A. That was the case. These raids became so frequent that I got our agent at Fort Kearney to go to headquarters at Omaha and complain to the commanding officer of the department; and he wrote to General Mitchell at Fort Kearney, and it was then that General Mitchell issued that order prohibiting the troops from interfering in any way whatever with these stations, or even camping within a reasonable distance.

Q. Do you recollect as to whether an order was issued by Colonel Chivington to remove the line on to the cut-off?—A. Yes, sir; I was in charge of the transportation.

Q. Did you remove the stations from the route you then occupied to the cut-off?—A. I assisted in moving them.

Q. How did you get that grain over; and how did you move the stations?—A. We had to tear the stations all to pieces, and move them over to the new route on the cut-off from the Junction to Denver.

Q. How far was the distance?—A. From twenty-five to sixty miles.

Q. How was the grain removed?—A. It was emptied out in bins; and I remember I had to empty this grain, and took the empty sacks back to Fort Kearney, with a view of selling the sacks in Kansas to people there who could not get sacks, so that they might deliver their corn to Fort Kearney. Then, afterward, I had to make a trip back to Kearney for empty sacks, and we had no way of getting grain over there without the sacks, and we had to resack it and take it over to the new cut-off. That winter I wintered my stock in the cut-off. In moving the stations they had to be taken piece by piece to this new cut-off, and loaded in the wagons and then moved.

Q. What would it cost to do that work?—A. I believe the item of \$50,000, for removing the stations, and loss in grain and hay and corals and wood, and everything, was not overestimated. We had the best stock from Fort Kearney to Denver.

Q. What was the character of the stage-horses and stage-mules to Fort Kearney; was the stock valued at higher prices between Kearney and Denver than on the line east of that?—A. There was the heaviest travel between Kearney and Denver, and therefore we had the best horses there. The sand was heavy, and the travel was greater, and we had to have the heaviest and best stock from Kearney to Denver.

Q. I see the horses are valued at fifty dollars more between Julesburg and Denver?—A. Because that was the heaviest sand we traveled over, and we had the best horses there.

Q. The stations are valued at higher prices between Julesburg and Denver. Why was that?—A. Because they were built better, being built of lumber and shingles, and hauled to such a great distance; the shingles and nails, and everything used to build them, were worth so much more money; besides, they were the best stations along the road.

Q. Were you present at a hearing in the fall of 1864, between Colonel Chiventon and Mr. Ben Holliday?—A. Yes, sir.

Q. Do you remember whether he protested against the removal of the stock and stations?—A. Yes, sir; I remember distinctly the conversation.

Q. What was it?—A. My recollection is, he was urging Mr. Holiday to remove and run the cut-off and pass through Denver.

Q. For what reason?—A. He had few troops along that line and the great travel was on that line, and it compelled him to keep two lines open—the mail line and the one on the cut-off, to protect the traveling. He urged that as a reason—that he had not troops enough to guard both lines.

Q. Was it under this order that the stations were removed over to the cut-off?—A. Yes, sir.

Q. Did you see this order yourself?—A. Yes, sir.

Q. Do you know that an affidavit was made here by R. L. Pease?—A. I saw the affidavit.

Q. Do you know where he resides? and, if so, state it.—A. I understand he resides in Kansas at this time.

Q. Do you know anything about his character as a man of truth?—A. Yes, sir; I know him well and regard him as a man of truth.

Q. Do you know Lemuel Flowers?—A. Yes, sir.

Q. What is his character for truth and veracity?—A. He was as good a man as there was in the employ of the stage line, and I regard him as a man of truth and veracity.

Q. Do you know Richard Murray?—A. Yes, sir; he was a driver.

Q. Where does he live?—A. I do not know.

Q. Do you know Slade?—A. Yes, sir; he is dead.

Q. He makes an affidavit here; do you not consider he would swear to the truth and nothing else?—A. Yes, sir.

Q. Do you know Mr. Babcock?—A. I do know him very well.

Q. What was his character for truth and veracity?—A. He is truthful.

Q. Would you believe him under oath?—A. Certainly.

Q. Do you know James Bromley?—A. I know him very well.

Q. What character has he for truth and veracity?—A. I believe he would swear to the truth.

Q. Where does he reside?—A. I do not know.

Q. Do you know William A. Reid?—A. Very well.

Q. Do you know where he resides?—A. I understand he lives in Wyoming.

Q. What was his character for truth and veracity?—A. He was truthful.

Q. Seeman Johnson, do you know him?—A. No, sir.

Q. Do you know Ezekiel Eaton?—A. Yes, sir.

Q. What was his character for truth and veracity?—A. I believe he would swear to the truth.

Q. Do you know Mr. Reynolds?—A. Yes, sir.

Q. What was his character for truth and veracity?—A. He was truthful and an honest man.

Q. Do you know George M. Lloyd ?—A. Yes, sir; I lived with him at Fort Kearney, a long time.

Q. Do you know where he is ?—A. He was drowned in the Sacramento River; he was a man of veracity and truth.

Q. Did you know Charles Ives ?—A. He is a good man.

Q. Did you know S. O. Jerome ?—A. Yes, sir.

Q. Do you know where he is ?—A. I do not.

Q. What was his character for truth and veracity ?—A. I do not think he would swear to a lie.

Q. Did you know Reuben S. Thomas ?—A. Yes, sir.

Q. What was his character for truth and veracity ?—A. He was a truthful man.

Q. Where is he ?—A. He is in Arizona.

Q. Did you know Mr. Riddle ?—A. Yes, sir; very well.

Q. What was his character for truth and veracity ?—A. He was a truthful and an honest man.

Q. Do you know Captain Murphy, of the Army ?—A. No, sir.

Q. Do you know Mr. Hudnut ?—A. Yes, sir.

Q. What was his character for truth and veracity ?—A. He was a good man; he was a messenger.

Q. Now Richard Quinn ?—A. I know him very well; he had charge of the property at Kearney and Julesburgh.

Q. Do you know where he is now ?—A. I do not.

Q. What was his character for truth and veracity ?—A. He was as good a man as we had on the road.

Q. Do you know Andrew S. Hughes ?—A. Very well; I believe he is in Denver now.

Q. What was his character for truth and veracity ?—A. It was good.

Q. Did you know Lieut. S. Bruell ?—A. I do not know whether I know him or not.

Q. Did you know James Stewart ?—A. Very well; he was first division agent and afterwards assistant superintendent.

Q. What was his character for truth and veracity ?—A. He was a good man.

Q. Where does he reside ?—A. He is in California running a stage-line there.

Q. Do you know William Trotter ?—A. Very well.

Q. What was he ?—A. He was first a driver, then a station-keeper, and then division agent.

Q. What was his character ?—A. It was good.

Q. Do you recollect the burning of Julesburgh ?—A. Yes, sir.

Q. Do you recollect the attack upon Julesburgh before it was burned, and a coach being taken there—if it was taken ?—A. Yes, sir; the coach was robbed at Julesburgh.

Q. At that time were you acting as local agent at Kearney ?—A. Yes, sir.

Q. What were your duties at Fort Kearney ?—A. To make out the local way-bill from Kearney west, and to check for any packages on the through bill.

Q. What do you understand by checking a through bill.—A. Writing your name on it.

Q. That is to say, the name of everything called for is on the coach, and you have to note its date of arrival ?—A. Yes, sir.

Q. Do you recognize this paper ? (Handing paper to witness.)—A. Yes, sir.

Q. What is it ?—A. It is the local way-bill that I made out.

Q. Do you recognize this paper ? (Handing witness a paper.)—A. Yes, sir.

Q. What is it ?—A. It is a duplicate through way-bill.

Q. What is your recollection of the amount of treasure which was on the coach at the time the Julesburgh station was robbed ; when it passed you ?—A. I remember that I told the agent that it was a large amount of treasure ; and that I told him that there was one package alone, directed to C. A. Cook & Co., that had \$10,000 in it. It was the agent who relieved me. The next day we had the news of its loss, and I stated it would be a great loss to the line, because I noticed that there was heavy treasure.

Q. You identify this as a duplicate or copy of the through way-bill ?—A. Yes, sir. I know it from the fact, particularly, that I received a package of \$4,000 myself at that time and receipted for it.

GEORGE H. CARLYLE.

Mr. R. J. SPOTTSWOOD sworn.

By Senator CAMERON :

Question. What is your name, age, and residence ?—Answer. My name is Robert J. Spottswood. I am 38 years old ; and I live in Morrison, Colorado.

Q. What is your present occupation ?—A. I am a United States mail-contractor, carrying mails in Colorado.

Q. Are you acquainted with Mr. Holladay ?—A. Yes, sir.

Q. How long have you been acquainted with him ?—A. I have known him since 1863.

Q. Were you at any time in his employ ?—A. Yes, sir.

Q. When ?—A. From November, 1862, to the fall of 1866.

Q. What was your business while you were in his employ ?—A. I was express messenger between Atchison, Kansas, and Denver, Colorado. I was then appointed division agent from Julesburg to Denver, and from there to Central City, in the mountains, 45 miles from Denver. In 1864 I was sent west by Mr. Holladay to assist in stocking the road from Salt Lake City to Virginia City, Montana. After remaining there six months and getting the road stocked I was sent down to take charge of the first division out of Denver, from Denver to North Platte, 226 miles.

Q. Please look at these (copies of affidavits, marked Exhibit A) and state what you know in reference to the loss of stock and other property owned by Mr. Holladay, as therein stated.—A. I do not remember the days, but the amount of stock and the property destroyed is correct in my affidavit contained in this pamphlet marked Exhibit A.

Q. Do you recollect the contract that was made by Alexander Majors for taking grain out on the line of the mail-route ?—A. Yes, sir.

Q. When was that contract made and executed ?—A. I cannot state from positive knowledge.

Q. What was the price of grain at that time ?—A. I know that the usual price was 20 cents a pound at Denver, and I have paid as high as 25 cents a pound for the stage-line on my division at Big Thompson.

Q. How far was that from Denver ?—A. It was 52 miles west from Denver.

Q. Was there any station destroyed on your division, and how was the station constructed, and what was their order ?—A. There was one

station burnt on my division and that was Little Laramie; that was built of hewn logs; it was daubed and pointed out. This was a swing station, and there was a stable 25 feet front and 45 feet deep. It would hold 25 head of horses, with a well in it, and one room fitted up 8 by 10, and a cooking stove, with furniture, &c. The station and corral there destroyed was worth \$3,500. I think that is a fair valuation. The logs of the corral were dove-tailed together; they were very heavy logs. It would seem impossible for a man to climb over. They were put up for the purpose of protecting the stations, and built so high that no one could climb over. They were destroyed August, 1865.

Q. Between what dates were you in charge of this division of the stage line?—A. From October, 1864, to the fall of 1866.

Q. How long a time during the period of the Indian disturbance was it that you failed to carry the mail there, regularly or irregularly?—A. During the Indian troubles I carried the mail, with few exceptions, regularly once a week from Virginia Dale to the end of my division; from Denver to Virginia Dale seven times a week regularly.

Q. Did the government furnish you any assistance in carrying them?—A. Sometimes, and sometimes not; sometimes five or six soldiers, and sometimes they would furnish the road with a guard, and sometimes I would furnish the guard myself.

Q. Did the government furnish you with any stock at any time?—A. They did on two occasions.

Q. How much?—A. Twelve head of mules, when making a trip between Virginia Dale and North Platte, and six head of mules at another time between North Platte and Sulphur Springs.

Q. What is the distance between Virginia Dale and North Platte?—A. One hundred and twenty-six miles.

Q. What military officer, if any, was in command at North Platte?—A. Captain Humphreysville.

Q. Are you positive that the government did not carry the mail for you, or did they furnish mules or soldiers, except as a loan?—A. They never by themselves carried the mail. They merely assisted as a guard, and no mail was carried over my division unless I accompanied it, and no vehicle of the government went except Holladay's coaches. On one occasion I borrowed an ambulance from an officer at Fort Halleck.

Q. What was done at Sulphur Springs by the Indians?—A. They made an attack in the morning of the 16th of June. I went there with six head of overloaded mules belonging to Mr. Holladay and the ambulance belonging to the government. I had four mules of the stage-line and two mules belonging to the government and a valuable saddle-horse belonging to the stage-line. I got there in the evening, and the next morning about sunrise—I had gone forty-five miles off my own division across a break in Stewart's division to assist him, and the stock was all turned out a quarter of a mile back of the station, in what is called the "meadow." We had a guard of four or five men, and were sitting in the house, and we had a guard of fifteen Indians as an escort from Fort Halleck to Sulphur Springs, and their horses were picketed around the station, and all at once we heard the cry of Indians. Stewart and myself were the first out of the house. As we rushed out we saw the Indians coming over this meadow—seventy-five or one hundred Indians—they running the stock out of the meadow down over the sage brush a quarter of a mile below—running the stock into the mountains. Lieutenant Brown, who was in charge of the soldiers, ordered them to saddle and mount and follow the Indians. Stewart and myself went with them. We followed the trail about six miles beyond the station.

The officer in command remarked there was no use of going any further; that they were too strong and might overpower us, so we returned to the station. Stewart lost about forty-five head of stock belonging to Mr. Holladay, and I lost my horse and six mules.

Q. How did you conduct the business of carrying the mail?—A. I frequently passed over the road, and sometimes would take two coaches and sometimes three. From Denver to Virginia Dale we had no Indian trouble, and the mail ran daily to Virginia Dale. At the end of the week I would have seven mails there, and I would load that seven mails on two or three coaches, and would take the soldiers that were there and what men of my own that I thought were necessary and put a guard upon each coach, armed with breech-loading guns, and I would have this protection. One hundred and twenty-six miles I would drive at night, and lie up in the day-time. In the day-time I would get a high, commanding view, where I could see everything, and lie there all day. I would go to the North Platte, the end of my division, across the break made by the Indians on that part of the road, and if I did not find Mr. Stewart there I would go farther on his division; but if I did find him there we would exchange mails, and by doing that I would keep the mails going.

Q. If an officer had carried mails on Stewart's route, which was directly west of yours, would you have known it?—A. Yes, sir.

Q. Did or did not the government carry it on the west route?—A. No, sir; only to assist Stewart with soldiers, as an escort, in carrying the mails.

Q. You also run a division from Julesburg to Denver?—A. Yes, sir.

Q. The stations seem to be valued, on that division, at a greater price; why was that?—A. They were built differently. These stations were built in better shape than on any other part of the route. The lumber was hauled from the divide southwest of Denver, and the lumber sawed and freighted over there—and lumber was high at that time. The stables were built 50 feet long by 25 feet wide, and they had large granaries built to them, and they were battened up, and shingled roof. The houses were shingled roofs, and had upright bolts, and were battened tight; very neat kitchen and dining-room; most of them had four rooms besides the dining-room and kitchen. These stations were the best on the line. Passengers got their meals there, and they were eating-stations.

Q. Did you ever know of any of the stations being used for any other purpose except for the purpose of the company and except as an eating-station?—A. No, sir.

Q. Did you know of any trading of goods, or anything being sold at any of the stations?—A. No, sir; my instructions were positive, to allow no goods or liquors to be sold within a quarter of a mile of any station. I do not know of any being sold on the route. They were used entirely for the company purposes, for feeding passengers and employés along the line.

Q. Did passengers have any other places for eating?—A. No, sir; there were no other ranches along the line.

Q. Do you know Stewart's route?—A. Yes, sir; his stations were generally stone or wood. Some of them were built as at Sulphur Springs, of hewn logs and shingled roof.

Q. From that down how were they built?—A. They were built of stone. They were large stations. There was a station-keeper and wife at each home station.

Q. What was the length of Stewart's division?—A. Two hundred miles from North Platte to Green River.

Q. What time did you run his division?—A. I was appointed division agent there in 1868.

Q. State what those stations on Stewart's division were worth.—A. I think they were worth about \$2,000 apiece. The Pine Grove Station was partially destroyed.

Q. What kind of stock was there between Julesburg and Denver?—A. At the time I run that division we had mules.

Q. Who was in command in the spring and summer of 1865 on your division?—A. Captain Humphreyville.

Q. Who was the commanding officer at Denver?—A. I know General Moonlight was there a short time. General Connor was in command of the district. General Potter was at Fort Halleck in 1866.

Q. When did the Indians cease to trouble?—A. They quit in September, 1865, and in September again in 1866; the last Indian depredation was in 1866. I had no grain or hay destroyed on my route.

Q. You were there during the Indian depredation?—A. I went there in the fall of 1864, and the Indian troubles began in 1865.

Q. You are acquainted with Mr. Stewart?—A. Yes, sir.

Q. Where is he now?—A. He is in California, I think.

Q. What is his character for truth?—A. I would believe any statement he would make.

Q. You have examined his affidavits?—A. Yes, sir; and believe them to be true.

Q. Were you ever on the old South Pass route?—A. I was there in the summer of 1862, and I commenced working for Holladay in the fall of 1862. I am speaking of between Fort Laramie and the old South Pass road.

Q. In 1862, you went over that road?—A. I have been over it several times. In 1864, when I took stock out to Montana, I went over that route.

Q. In the summer of 1862 did you pass over that road?—A. Yes, sir.

Q. What was the condition of the stations?—A. The stations on the Big Sandy and the Little Sandy, on the Sweetwater, and the last crossing on the Sweetwater, were destroyed.

Q. Were there any troops when you went across there?—A. There were troops stationed at Fort Laramie, then at Louis Guinand Bridge at the upper crossing of the North Platte, and no more troops until you got to Fort Bridger; but the stage line then had been removed from that route to what is known as the Laramie Plains and Bitter Creek route. After the road was located and the stock moved on it, then I was division agent on the new road.

Q. Did you, or did you not, consider that as safer than on the Sweet Water road?—A. I considered the new road safer, because the Sioux could come from the north on to the old road quicker than on the new route, which was farther to the south.

Q. Please look at the statement of loss and damage appended to your affidavit contained in the exhibit marked A; and tell the committee whether that is a correct statement, and the property worth the amount set forth?—A. The statement is correct in every particular, and the values are just and correct.

Q. You have examined the affidavits before the committee in relation to the losses of the claim of Mr. Holladay?—A. I have, sir.

Q. Are you acquainted with most of these persons making the affi-

davits, and what do you know of them?—A. I was personally acquainted with pretty near all of them, with but two or three exceptions. I consider them good and honest men, and I would believe them under oath.

Q. You know Mr. Flowers?—A. Yes, sir.

Q. Do you know what his office was on the road?—A. Division agent.

Q. Please state what were the duties of the division agent?—A. He had charge of from 150 to 200 miles of road daily, which was stocked. It was his duty to see that the stock was properly taken care of, and that the coaches over his division were on time with the mail, and that the mails were taken care of properly, and safely conducted over his division. He had full charge of the drivers, station-keepers, local agents, stock-keepers, and all the employés of his division. It was his duty to see that they performed their duties. He was responsible for everything. He reported from time to time to the general superintendent of losses of stock, &c. A division agent has a position of great responsibility. I received my instructions from Mr. Holladay direct, during the Indian troubles. The first time I telegraphed Mr. Holladay was at the time of the raid on the Laramie plains. I telegraphed him as to what I should do, and he telegraphed me back that, being on the ground, I should use my own judgment, but to conduct the mails through at all hazards; and if we could not run out daily, to run out as often as we could.

Q. What protection did you receive from the government? What number of troops were there in your division during the Indian troubles, and what was the protection afforded?—A. I cannot tell the number, but I can describe the protection. The Indian troubles broke out in June, 1865. There was a post at Camp Collins, and 105 miles west of there, or northwest, there was another military post called Fort Halleck. At each one of these posts, I think, there was about one company of soldiers. I applied to the commanding officer of each post to get soldiers to post along at the different stations, where I considered there was the most danger. I got from three to five soldiers, with a non-commissioned officer; and then at different times I got an escort of mounted troops to go with the coach in times of great danger. Along in the summer of 1865 I got an escort for the coach, and at stations where I considered there was the greatest danger and needed the most protection.

Q. What protection, if any, did you have, aside from the military protection? Was anybody residing on this route?—A. There were some few ranches. A ranch consists of a log house with three or four rooms. dirt roof, staked corral—that is, stakes put into the ground and set very close together, and about ten feet high. They were there to trade with the emigrants along the road, and to trade in stock, sell a few goods and a little whisky; and where they were half a mile or a mile from those stations they would all come in to the station in time of trouble, and the ranchmen and employés and soldiers at the station would combine together for protection.

Q. Do you know of any negligence on your division, or any other, where there was a failure on the part of the employés to carry the mails when it was possible to do so?—A. I never heard of anything of that kind. I never had a man refuse; when I told him to go he always went.

Q. How is it as to the danger?—A. Across from Virginia Dale to Bitter Creek—whenever a man left Virginia Dale and started on that break he was in danger of his life, for an Indian was likely to jump up from behind a bush at any point and shoot him down.

Q. How far is that break?—A. About 280 miles. Virginia Dale was my headquarters, where I kept all of my extra stock, extra supply of grain, and all extras appertaining to running stage-lines, and that made it a very important point. I had more supplies and more soldiers there than at any other point on the route. Some time in August this station was attacked by a large band of Indians. We fought them for two days, and it was only by the most strenuous efforts the station was saved from capture and being burned. They killed James Ennis, an employé of the company. Two men were wounded and a bull and mule killed.

Q. How many men on Stewart's division were killed?—A. He had two men killed at Sage Creek in 1865. He had three or four killed altogether.

Q. How many men were killed on your division?—A. In 1865 and 1866 there were four employés killed.

E. F. HOOKER sworn.

By Senator CAMERON:

Q. Where do you reside?—A. Des Moines, Iowa.

Q. What is your business?—A. Railroading is my business.

Q. What business have you generally been engaged in?—A. Staging all my life—that is, since 1840.

Q. Where did you commence staging?—A. In Ohio.

Q. In your business, did you ever run a stage-line from Fort Kearney to Denver?—A. Yes, sir.

Q. In what years?—A. 1860 and 1861, I think it was.

Q. Had you any difficulties at that time on the road?—A. Nothing serious.

Q. What year did you stop running to Denver?—A. The fall of 1861. We sold out to the C. O. C. and Pike's Peak Express Company, I think, in the fall of 1861.

Q. That was a line between Fort Kearney and Denver?—A. Between Fort Kearney and Central City by way of Denver.

Q. Did you ever pass over the line after you sold out?—A. Yes, sir.

Q. What year?—A. I passed over it once when Mr. Holladay owned it.

Q. Do you recollect the year?—A. I think it was in 1863 I was frequently at Fort Kearney.

Q. Were there any Indian depredations on the road when you passed over it after selling it?—A. No, sir.

Q. Do you know anything about the character of the stock of the overland road after Mr. Holladay commenced running it?—A. Very well; I know all about it.

Q. What was the character of the stock used?—A. Mostly mules, west of Fort Kearney.

Q. In your judgment, what was a fair price for such animals as were used on that road?—A. The average cost of those mules would be about \$200.

Q. How about the horses?—A. The horses cost about the same; that would be the average cost of them.

Q. Do you recollect the road between Julesburg and Denver?—A. Yes, sir; know all about it.

Q. What was the nature of the road?—A. It was a heavy, sandy road, most of it, all but about the last thirty miles.

Q. What kind of stock was required to carry the mails?—A. Very heavy stock.

Q. What was the value of this stock?—A. More valuable, I should think, than it was on the balance of the road. Yes, sir; more valuable on the balance of the road further east.

Q. Do you know anything about the price of grain, what grain was worth in the years of 1862, 3, 4, and 5, after the Indian war commenced?—A. It averaged twenty to twenty-five cents per pound delivered at the stations—corn and oats—oats were just as valuable per pound as corn.

Q. Do you recollect anything about the stations that were on the road, especially those west of Julesburg—what was their value? State all you know about it.—A. The stations that I saw would cost from \$2,000 to \$3,000 apiece, including the stables and corrals and houses. All the lumber for those stations had to be transported from Denver and the mountain country west of Denver. The glass and nails were transported by wagon from the Missouri River, either Atchison or Saint Joseph. The expense of the long haul of material made those stations very valuable; also the nails and glass being hauled from the Missouri River made them very expensive. The wood for fuel all had to be hauled from one hundred to one hundred and seventy-five miles.

Q. Do you recollect anything particular about the situation at Julesburg? If you do, tell what you know about it as to its value.—A. My recollection is, that there were three buildings for supplies and houses for the employes of the stage company to live in; a stable and corral. I do not recollect how large the stable was—probably would accommodate fifty horses. Then there was a storehouse for corn and supplies, which would hold, probably, six or eight thousand bushels of corn; a large shed for coaches, blacksmith's shop, telegraph office, repair shop, and other buildings, but I don't recollect what they were used for; the lumber for which all had to be hauled from the mountain country west of Denver. These buildings were all frame, and of as good material as could be secured at that time—shingled throughout.

Q. Do you think the valuation of \$35,000 was more or less than the property was worth?—A. I should not have supposed it could have been put up for less than that amount. The wages of mechanics were worth from \$5 to \$6 and \$7 a day, and, in addition, they had to be fed; and the supplies for all these men had to be transported from the Missouri River—bacon and everything of that kind. There was nothing in the country then.

Q. What would you consider the average value of stage-harness, such as was required on that road?—A. Probably \$100; they would average that throughout the road; when new they would cost \$110, and during the war the cost was \$120 a set. When I said it cost \$110 a set I meant at Concord; the transportation of harness from Concord west probably averaged \$5 a set.

Q. You have passed up the Platte. Did you ever go on the Cut-off road?—A. Yes, sir.

Q. Have you examined the affidavits of R. S. Thomas and W. Reynolds?—A. I have.

Q. Estimate as near as you can, or approximate the cost of removing eight stations, including the corn and hay, and putting the stations upon the Cut-off road.—A. I have no idea that the labor of removing the hay and grain, and the loss in hay and grain, and putting up the new stations could be done for less than \$5,000 a station.

Q. As far as your knowledge went about the coaches and horses and
S. Mis. 19—4

stock of the road, how did it compare with other stage-routes?—A. It was one of the finest stage-lines, without exception, that there was in the country; they would have been so conceded by all stage-men.

Q. Do you think it was necessary and proper for the maintenance of the line to establish a depot of supplies at Julesburg?—A. I considered it quite indispensable. The road forked there for Denver and for all the country west; consequently it was necessary to have such a depot for supplying those different lines, and this being the only safe, or, at least, the safest place—a military depot being near—I do not consider the outlay for building, under the circumstances, too great. The country both east and west was infested at that time with Indians who at times were very troublesome. Large amounts of grain and supplies for the road, of clothing, coffee, sugar, forage, and everything of that kind, were necessary to be stored at some point where they could be easily transported without loss.

Q. Have you examined the affidavits filed in this case, marked "Exhibit A"?—A. I have.

Q. Do you know the parties making the same—any of the affiants?—A. I know a majority of them.

Q. And as to their character for veracity, would you be willing to take a statement made by them under oath?—A. I would.

Q. And the general opinion in regard to them, was it good or bad?—A. It was good, generally.

Q. And so far as your knowledge goes, the estimates appended to each affidavit as to the value of property lost and destroyed is a fair and equitable valuation?—A. From my knowledge of the country, I should think it was.

Q. And that the amounts, as estimated as having been lost and destroyed, it would be fair, would it not; and that the amount of supplies so estimated was on the ground at the time?—A. I should think it would be quite necessary to have that amount to keep the line running.

Q. And when you had charge of the line yourself, in your opinion the road could not be run unless such an amount of supplies was always on the ground?—A. It would always be necessary to keep that amount of grain on hand for immediate use.

Q. Why was it necessary to keep such a large amount of supplies on hand?—A. The reason was because the supplies could not be hauled in the winter season. It was only during the summer and fall that these supplies could be hauled from the Missouri River, where all grain had to be transported from, and all the supplies necessary for the stations.

Q. How was that transportation usually made?—A. By wagons, both with ox and mule teams.

Q. Could not supplies be hauled in the winter season?—A. It would not be possible, unless at a very great expense, to haul those supplies during the winter time—next to impossible, and it hardly could have been done.

Q. Why would it have been impracticable to convey grain in the winter time by mule-team—either in the fall, winter, or spring?—A. The cause of the impracticability of hauling supplies for the road during the three seasons would be the want of grass, as it would be either killed by frost or burned up. It was the usual custom in the fall and winter to burn it off; and to haul supplies for the road and feed with grain during transportation would require more feed than a train could haul to supply them both ways, and consequently they could not leave any at the different stations.

E. F. HOOKER.

DAVID STREET SWORD.

By Senator CAMERON:

Question. What is your name, and where do you reside?—Answer. David Street, Kansas City, Mo.

Q. You have heard the resolution of the Senate under which you were summoned to appear before this committee to give testimony in the case of Ben Holladay. Please state what you know about his claim.—
A. Ever since 1858 I have been engaged in the business of freighting and staging on the plains; am familiar with all the various routes as they existed prior to the completion of the Union Pacific Railroad, and know all the risks, dangers, and other incidents to which the business was subjected in that country. When the property of the Central City and Pike's Peak Overland Express Company was transferred to the Overland Stage Line, Ben Holladay, proprietor, I entered his service as paymaster, and continued in that capacity until November, 1866. In this position I had to discharge the duties also of auditor and purchasing agent, and whenever Ben Holladay was on the line I acted as his private secretary. In this way I became thoroughly familiar with the business carried on, the capital involved, and the losses and damages sustained from different causes. In May, 1862, I met Mr. Holladay at Fort Kearney and accompanied him to Denver; remained with him during his stay there, and accompanied him to Salt Lake City, he having been instructed by the Postmaster-General to keep the overland mails moving, and if not possible in the face of Indian depredations and want of protection on the South Pass route, to try some other route. From such reports as he received before leaving Denver of the condition of affairs on the stage road on the Fort Laramie and South Pass road, in regard to the depredations of the Indians and the inability of the military forces to afford him protection for his stage line, and upon consultation with persons thoroughly acquainted with that portion of country and the habits and customs of the Indians, he believed that the only safety for the overland stage line lay in getting out of the Sweet Water and South Pass country, which was the favorite hunting ground of several tribes of Indians, and seeking a more southern route, though he was aware in so doing he would have for some two hundred and fifty miles to pass through a region of sage-brush plains, where was no grass, no game, alkali water, and heavy sand, but these disadvantages were the best guarantee of exemption from depredations of the Indians. He therefore sent John Kerr, a practical and competent man, with a party of men over the Bridger Pass and Bitter Creek route, or as it was sometimes called the "Cherokee Trail," with instructions to make a careful examination and measurement of the road, and report to him at Salt Lake City. On our trip to Salt Lake, west of Fort Laramie, from Horseshoe Creek station to Ham's Fork, the part of the line on which the Indian depredations were committed and which was then threatened by Indians, we found the stage line in a disorganized condition; stations and property abandoned. The employes had taken the stock, coaches, and such property as they could haul in them to places which afforded the most security from Indian attacks, or in stage phraseology had "bunched the stock." We found mail matter strewn in and about the station, in some places to the depth of a foot or more, where the Indians had emptied it in order to get the mail bags. It was about three or four weeks after the last raid of the Indians on the line, and the flight of the mail party (nine men and two coaches), had with the Indians near Three Crossings of Sweet Water, in which six out of the nine men were wounded; the employes were ex-

cited and alarmed, for the Indians were known to be still in the vicinity. We were joined at Fort Laramie by General Craig, in command of troops in that district, and at Horseshoe Creek station by J. A. Slade, division agent, whose division comprised a part of the line upon which the most of the depredations had been committed. The only troops we saw between Fort Laramie and South Pass was a small detachment of cavalry under Lieutenant Wilcox, at the last crossing of Sweet Water. General Craig left us at South Pass, and admitted that with the small force of troops at his disposal he could not protect the stage line for such a distance.

From such information as Mr. Holladay gathered from his agents and others, he was confirmed in his belief of the necessity of abandoning the South Pass and Fort Laramie route. John Kerr, the man sent over the Bridger Pass route, arrived in Salt Lake and made his report. After full deliberation, Mr. Holladay determined upon the removal of his stage line to the Bridger Pass route. He ordered Kerr back over the same route, with instructions to get wagons at Fort Bridger, load some tents, and remeasure the road, and locate and stake out places for the stations. I was sent back over the South Pass route, carrying the news of Mr. Holladay's determination to remove the road, and his instructions in regard to the same. In the mean time the stock had been "strung out" at the stations and the mail service resumed. I found the line still threatened with Indians, and the employes alarmed so much that but for my assurances that the removal from that country would certainly be made within the shortest possible time, they would not have remained at the stations. A few days after I passed over the line, and just before the removal the Indians made a raid on different parts of the line, running off stock, and committing other depredations.

In making the removal in the hasty manner in which we were compelled to, we had to abandon a great deal of valuable property. The stations were all of a substantial character, and at the supply stations, especially at Horseshoe Creek station, were blacksmith shop, coach and harness shops, warehouses, lodging houses, offices, and corrals, all of the most substantial character, and owing to scarcity of suitable material in that region had been erected at heavy cost. From my observation and knowledge I was convinced that the mail service could not have been performed on that route in the condition the country was in. I know the most of the employes of the line and others who have filed affidavits in this case, and know them to be men of truth and veracity. I know of the depredations committed from time to time on various parts of the line, bought and paid for horses, mules, and supplies to replace those stolen by the Indians, and paid for stations built to replace those burned by the Indians. I was compelled to buy grain wherever I could find it, to replace that stolen by Indians, and was compelled to pay exorbitant prices for it. To replace that destroyed at Julesburgh, and in that raid, I bought grain of the government grain contractors and of emigrants at a very high price.

Passing as I did over the line every quarter, making the regular quarter-yearly payments of the line, the full details of depredations would reach me. During the stoppage of the service by Indian depredations we were obliged to keep the full quota of men on the pay-rolls, and they were paid their regular wages the same as though they had been at work. The line was subjected to heavy losses in consequence of an order given by Colonel Chivington for the removal of the line from the South Platte to the cut-off route to Denver, at the commencement of winter, when all the supplies for the winter had been put at the stations,

and again subjected to serious losses in consequence of damage done and property taken by United States soldiers. Mr. Holladay's instructions to me were to keep the mails going at all hazards and regardless of cost; and I take pleasure in bearing testimony to the courage and worth of the overland men under Ben Holladay; but for that and the determination and the money of Mr. Holladay, an overland mail service during the above-named period would have been an impossibility.

Q. Have you read the affidavits filed in this case?—A. Yes, sir.

Q. In your opinion founded on your knowledge of the whole matter, do you or do you not think that the amounts appended to each affidavit for losses and damages are fair and just valuations?—A. From my knowledge of prices and the cost of replacing materials, &c., I think it is fairly valued.

Q. Did you ever purchase horses for the line? Where and what prices did you pay?—A. I was continually purchasing horses and mules and paying for horses and mules purchased by the agents of the line, and my recollection is that the average cost of horses delivered on the line was about \$200 each. I purchased at one time two hundred horses from persons in Iowa, delivered at Council Bluffs, at \$190 per head; these horses delivered on the line would have cost more than \$200 each.

Q. In your opinion, could Mr. Holladay afford to carry the mails under the contract for the mail pay alone?—A. I do not think he could without the receipts from passenger and express business. He could not have paid his expenses.

Q. What effect did the Indian war have on the passenger and express business of the line?—A. It had a very disastrous effect on it; at times almost ceasing entirely as the persons would not risk their lives and property on the line at such times.

Q. What do you know about the employment of soldiers in cutting hay, rebuilding stations, and other services for the stage-line?—A. I know that at the solicitation of the men themselves, and frequently at the solicitation of the officers, soldiers were given employment in rebuilding stations, cutting hay, &c., and I have paid considerable sums to them for such services upon the certificates of division agents, and my understanding was that they were always paid in full for every such service done the line.

Q. What do you know about the depredations by Indians on the plains prior to 1862?—A. I crossed the plains in 1858, from Nebraska City to Salt Lake City; part of the distance I was accompanied by only one man, and at no time were there more than ten men in the party. We saw many Indians; but all were perfectly friendly. I remained in Utah and Colorado until I went into the employ of Mr. Holladay in 1862, and was familiar with that country, and know of no Indian depredations committed on that route during that time.

General CRAIG sworn.

By Senator CAMERON:

Question. Please state your present occupation and residence.—Answer. I reside in St. Joseph, Missouri; I am municipal-bond agent for the State of Missouri, appointed by the governor of the State; I have been a railroad-man twenty years, and until very recently.

Q. What was your occupation in 1862?—A. I was in command of the

troops running from the Missouri River to Utah for the protection of the Overland Mail-Route and Telegraph-Line.

Q. What was your military rank at that time?—A. Brigadier-general.

Q. When did you go on that line?—A. In the spring of 1862; probably April.

Q. Go on and state what condition of affairs you found on the line; how many troops you had; what you did, and what was done by the Indians. Give the narrative in your own way.—A. Before I arrived on the line the Indians had broken up a section of the mail route between Green River and Fort Laramie, and before arriving at Laramie I commenced to give orders for the protection of the stations—that portion of the line where the Indians had worked—and to restore the stations and the service on the route. After getting to Fort Laramie, where I made my headquarters for the time, I employed the troops generally in protecting the line between Fort Laramie and the South Pass. The Indians generally seemed to be aware of the United States being engaged in a civil war, and with the advice of and incited by bad white men among them they were disposed to make war upon the whites, that is, the Cheyennes, Arapahoes, Shoshones or Snake Indians, and all of the bands of the Sioux tribe, with perhaps the exception of the band of Little Thunder. I repeatedly asked for reinforcements, and at one time Col. C. C. Washburne was ordered to report to me, but on account of the necessities for troops South, the order was countermanded, and I was left with six companies of Ohio troops, commanded by Colonel Collins, and two small companies of the Fourth United States Cavalry in command of Colonel Alexander, and one company soon afterward sent to me from Kansas. I afterward procured authority from the War Department and asked for troops to Utah, and about one hundred men were sent to me, commanded by Capt. Locke Smith. I found these troops scattered, as I was obliged to scatter them, from Fort Kearney to Fort Bridger, utterly unable to protect a line of that length, and so notified my superior officers repeatedly. I then thought and yet think the removal of the Overland Mail-Route from the Sweetwater to the Cherokee Trail and Bridger's Pass a necessity.

Q. Explain why, in your opinion, it was a necessity.—A. The Sweetwater route was readily accessible to the Snakes, Crows, Shoshones, Arapahoes, and Sioux, with an occasional visit from the Blackfeet. They were all, with the exception noted, both in bad temper, and disposed to bring on a general war. Some of these tribes were enemies to each other, but at that time the government had not adopted the use of Indian scouts, or Indian troops, to fight other Indians with. I had no reliance, therefore, as to the white troops furnished by the United States.

Q. State any personal knowledge that you have of damages done by the Indians to the property of Mr. Holladay on the northern route, or if you have information that you received officially, of any such damages, state that.—A. I had official information of depredations upon and destruction of the property of the Overland Mail Company, and on one occasion I was in sight of a band of Indians, then engaged, or had been the evening before, in the destruction of property; but the Sweetwater was then very high, and between myself and my escort and the Indians, and I could not get to them. I passed over the line from my headquarters at Laramie and Pacific Springs, near the South Pass, and saw the ruins of the property of stations; but I could not even approximate the amount of loss sustained by the stage company on account of

these depredations. I also saw a couple of coaches that had been attacked before that by the Indians, and saw all the rifle-pits that were dug by the men in charge of the coaches, and I also saw one of the young men who was in the fight, and wounded in the back.

Q. Please identify this letter.—A. This letter now shown to me is, I am satisfied, a copy of the letter written by me to General Blunt.

Q. I will ask you whether, at or about the time of the date of that letter, you wrote a communication to the Postmaster-General in regard to matters on this route?—A. I so stated in my letter, and I know I wrote something to him on the subject, but I cannot recall the language used by me or anything particular about the letter, except that it was upon the subject of the dangers of that route and the necessities I wanted.

Q. How long did you remain in command on that route?—A. I removed my headquarters from Laramie to Omaha in the winter of 1862 and 1863, and remained in command of the troops on that line until some time in the summer of 1863, when I resigned.

Q. With your knowledge of the country, was it possible or not for the company to have carried mails on that Sweetwater route with the number of troops you had?—A. It would only be possible with the consent of the Indians.

Q. What time elapsed after the removal of the line to the new route before the stages were interfered with on that route?—A. I cannot remember any interference on that route during the time I remained in command.

Q. Was there a made road on this new route?—A. There was a trail made by the Cherokee Indians in going to San Francisco in 1849 over a portion of it.

HEADQUARTERS FORCES FOR DEFENSE OF OVERLAND MAIL,
Fort Laramie, July 10, 1862.

Brig. Gen. J. G. BLUNT,

U. S. Vols., Commanding Department of Kansas :

GENERAL: I am in receipt to-day of a dispatch informing me that the Postmaster-General has ordered the Overland Mail Company to abandon the North Platte and Sweetwater portion and remove their stages and stock to a route south of this running through Bridger's Pass. As I feel uncertain as to my duty, and as the stages and stock are now being concentrated preparatory to removal, I have thought proper to send Lieutenant Wilcox, Fourth United States Cavalry, to you with this letter. My instructions require me to protect the Overland Mail alone, the telegraph line and emigration not being mentioned. I have, up to this time, directed my attention to them all.

My recollection of the act of Congress is that the mail company are not confined to any particular pass or route; but are to run from the Missouri River to a point in California daily, supplying Denver City and Salt Lake City twice a week. On the requisition of agents I have to-day ordered two small escorts, one of twenty-five, the other of thirty men, to accompany the stages and protect them to the new route; and until I receive your orders I will retain upon the present route the larger portion of the troops to protect the telegraph line and the emigrants, at least, until the emigration, which consists principally of family trains, has passed through my district. I do this because the Indians evince a disposition to rob the trains and to destroy the wires. Indeed, I am satisfied that unless the government is ready to abandon this route; both for mails and emigrants, an Indian war is inevitable; all the tribes in these mountains except perhaps one of the Sioux bands are in bad humor, charge the government with bad faith and breaches of promises in failing to send them an agent and presents. They have come in by hundreds from the Upper Missouri, attacked and robbed emigrant trains and mail stations, and in one instance last week they robbed a mail station within two hours after a detachment of Colonel Collins' troops had passed and carried the herdsman away with them to prevent him from notifying the troops in time for successful pursuit. That renegade white men are with them I have no doubt. I have a white man now in the guard-house who was found in possession of the pocket-book, money, and papers of an emigrant who is missing, and believed to have been murdered. I am satisfied that the mail company and the government would both be benefited by

the change of route at a proper time, and so wrote the Postmaster-General some weeks since. Then everything was quiet. Since that time the Indians have made hostile demonstrations, and I fear if the mails and all the troops leave this route now the Indians will suppose they were frightened away, and will destroy the telegraph line, and probably rob and murder such small parties as are not able to defend themselves. I have directed all officers on the line to urge upon emigrants the necessity of forming strong companies and exercising vigilance. In obedience to your order and the urgent calls of the mail company, I send the Utah troops to Bridger to guard the line from that post to Salt Lake City, which leaves me only Colonel Collins' 6th Ohio Cavalry, about three hundred (300) strong, and two skeleton companies of 4th Regular Cavalry, about sixty men, mounted upon horses purchased seven years ago, to protect the 400 miles intervening between this post and Fort Bridger. I need not say that this force cannot protect a line of such length unless the Indians are willing to behave well. I think I am doing all that can be done with the small force mounted as they are and without any grain forage. My scouts inform me that a portion of the stolen property is now in an Indian village on Beaver Creek, but little more than one hundred miles north of this post. I suppose I could whip these Indians if I could concentrate my command and go against them; but, in the first place, my troops are distributed along a line of 500 miles, and in the second place, if I take the troops all away from the line, the mail, stock, telegraph-line, and emigration would be almost certain to suffer. I am therefore compelled to await re-enforcements, or at least till emigration is out of danger. If a regiment of mounted troops could be sent by boat to Fort Pierre, which is only 300 miles north of this post, a joint campaign could be made against these tribes, which I think would result in giving peace to this region for years to come. Presuming it to be the intention of the government to keep the troops somewhere in this region during the coming winter, I beg to urge the necessity of sending authority to procure hay for the animals, and also to send grain or authority to purchase it in Colorado. Unless the hay contract is let soon it will be difficult to procure it within reasonable distance. Parties here are anxious to furnish it at less figures than it cost last year. I omitted to say above that under your telegraphic order I have kept the escort at this post furnished by you to governor of Utah. I also sent to Denver City to inquire the number and description of troops in that vicinity, and received for answer that there were four officers and six privates, all told. The troops ordered from California on this line have probably not started; they have not got as far east as Carson Valley.

This letter is already too long. I leave Lieutenant Wilcox to explain anything I have omitted. I this evening tendered by telegraph to the superintendent of the telegraph-line the protection and assistance of the troops under my command, if the company desire to remove their line to the new mail-route. I do this because I do not think the line can be kept in working order if the troops leave. The Indians have repeatedly cut the wire within the last two weeks. They fired at an operator when he was repairing it, and it was repaired only with the assistance of a detachment of troops. Regarding the line a public necessity, I felt authorized to make the offer, and hope it will be approved.

I am, general, respectfully, your ob't serv't,

JAMES CRAIG,

Brig. Gen'l Commanding Troops for Defense of Overland Mail-Route.

GEORGE K. OTIS SWORN.

By Senator CAMERON:

Question. State your name and place of residence.—Answer. George K. Otis; I reside in the city of New York.

Q. What is your business?—A. Mail contractor.

Q. Did you ever have any connection with the Overland Stage Line?—A. I did.

Q. In what capacity?—A. As general superintendent.

Q. Please tell what you know about it from the commencement of your connection with it.—A. From the 10th of October, 1861, to September, 1863, I was in the employ of Mr. Holladay, as his general financial agent, auditor, accountant, and purchaser of supplies, and was perfectly familiar with all matters connected with the stage-line. From October, 1863, to September, 1864, I was general superintendent of the entire stage-line from Atchison to Salt Lake; had full control of horses, men,

material, and everything connected with the line; was perfectly familiar with the cost of putting on supplies and the cost of running the road; was frequently over the line, and in many instances saw many of those depredations committed; stages burned and men killed.

Q. Have you read the affidavits which have been submitted?—A. I have read fully all the affidavits which so far have been made concerning the losses and damage sustained by the stage-line. I knew the men, most of them, personally who have made such affidavits, and most of the affidavits were taken in my presence as to the damages sustained, and I can testify that the losses and damages as appended to each statement were estimated at a fair and reasonable price, and that in no instance have they been overstated. The supplies that had to be put upon the road to replace those destroyed and burned by the Indians really cost much more than the losses claimed.

Q. Do you know anything within your knowledge of the protection that was promised Mr. Holladay for the overland road either by the President, Postmaster-General, or officers of the Army, and indemnification for losses sustained?—A. Some time in May, 1862, I accompanied Mr. Holladay to Washington. The Indians had been very bad upon the road, and a great deal of property had been destroyed, and the line was about to be broken up west of Fort Laramie, on the old road. Mr. Holladay went to see President Lincoln, accompanied by Senator Milton Latham. I was not present at the interview, but Mr. Holladay returned and informed me he had a very pleasant interview with President Lincoln, and that President Lincoln said that on no account must the road be stopped; that at all hazards the mail must be carried, and that he would be fully protected by the government, and that he would be indemnified for his losses. At the same time, by instructions from the President, the Secretary of War telegraphed to Brigham Young to send troops east to protect the line; and my remembrance is that about 100 were sent, under the command of Captain Lot Smith, and orders were given to General Craig, whose headquarters were at Laramie, to place troops upon the road to protect the Overland Stage Line.

Q. From your knowledge, as gained from long connection with Mr. Holladay's business, do you believe that he would have restocked the road had not the promises been made by the President for protection and indemnification for losses?—A. Considering Mr. Holladay a very prudent and shrewd business man, I do not think that by any possible chance on earth would he have done so unless he had been promised protection, because he would have been a ruined man to have undertaken this great enterprise without a promise of that sort. In other words, it could not have been done, but would have ruined him financially, and broken his credit. I would also state that in 1864 the Indian troubles assumed very alarming proportions, so much so that our line was stripped and the stock withdrawn for hundreds of miles, and we had them bunched at various points upon the road. I came to Washington (Mr. Holladay being in San Francisco) to see, personally, Mr. Lincoln. Assistant Secretary of the Interior, Mr. Otto; Acting Postmaster-General, Alexander W. Randall; Mr. Bennett, Delegate from Colorado, and the Hon. Nesmith, Senator from Oregon, at my request, accompanied me to see the President and ask him for protection. I saw President Lincoln, and told him what I wanted and what we must have. President Lincoln listened to what I had to say, and said, "Mr. Otis, we are in a great strait with the country to-day; at this time we have very few, if any, troops to spare. But I want you to understand, as the agent of Mr. Holladay, that this line must, under no considera-

tion, be stopped." I said, "Mr. Lincoln, unless we have troops to protect us we cannot restock the line; our men will not go out, and if you haven't any troops that you can furnish us, if you will give me permission to raise 500 or 1,000 men, it can be done in twenty-four hours." Lincoln said he could not do that; "but," says he, "this thing must be protected, and it shall be protected, and I will give you a letter to one of my generals" (putting the emphasis upon the word general), and said, "all these generals are not mine; but I will give you a letter to one whom I consider to be one of my generals, and I think will do what I want, and that is General Curtis, at Fort Leavenworth." He then sat down, and with his own hand wrote a letter introducing me, as the general superintendent of the Overland Stage Line, to General Curtis, saying that he had had a full conversation with me, and that he must, at all hazards, take steps to furnish the line with troops, and see that it was thoroughly and fully protected, as it was of the most vital importance to the welfare of the country. I took his letter and presented it to General Curtis. General Curtis did everything that was in his power to protect us, and the line was restocked, and we continued to run it. After presenting this letter to General Curtis, I requested, as a favor, that he would allow me to retain it, which he did. I kept it for a number of years, but it has been stolen from me.

Q. Have you any knowledge of the order from Colonel Chivington to remove the stage-line from the Platte route to the cut-off route?—A. I have. I was with Mr. Holladay at the time the order was given. At the time the order was given, quite a spirited conversation was had between Colonel Chivington and Mr. Holladay, Mr. Holladay protesting against the removal of his line; that he was entitled to protection on that line; that the expense of the removal would be enormous at that season. It was in the fall or early in the winter. Colonel Chivington, however, insisted and compelled Mr. Holladay to make the removal, threatening that if the removal was not made he would not undertake to protect the route; and as the route could not be run without protection, Mr. Holladay was compelled to make the removal.

Q. As the whole matter was under your charge, what would be your estimate or approximation of the cost of removing the buildings, forage, corrals, &c., from the Platte route to the cut-off route?—A. I gave full instructions to the division agents in regard to the removal, and made a computation at the time and estimated the cost, knowing the number of teams required, and the distance to make, and a fair estimate of the destruction and loss of grain and hay in the removal; and as you will see, my estimate is already appended to the affidavits of Reynolds and Thomas, amounting to \$50,000, and I am well satisfied that it cost us fully that or more. And I might say here that most of the estimates and prices of grain, forage, horses, and stations, that is the cost, were made by myself and appended to these affidavits. I did it fairly and honestly, and I do not think that in any one instance I have overestimated any item contained in any one of the estimates.

Q. Did you make the estimate of \$30,000 damages by the military?—A. I did. I made it upon consultation with the different division agents and men employed upon the line. We could keep no record, and you could not exactly tell what was destroyed, or what was eaten up and consumed, our men not being very much given to writing or keeping accounts; but from the number of troops constantly passing and patrolling up and down the road, I am satisfied that there was that amount fully consumed, which Mr. Holladay, to my personal knowledge, never has received one cent for.

GEORGE K. OTIS.

General ROBERT B. MITCHELL sworn.

By Senator CAMERON :

Question. Where do you now reside ?—Answer. Paola, Kansas.

Q. What military position did you hold in 1864 ?—A. I was brigadier-general of volunteers—brevet major-general.

Q. Where were you on duty at that time ?—A. In the district of Nebraska, embracing a good deal of Colorado, Nebraska, and a portion of Utah, and all the territory this side of the mountains in Idaho and Montana, covering the Overland Mail Route; and in addition to that, a portion of Dakota, all that part south of the Missouri River.

Q. What, if anything, did you do in reference to protecting the Overland Mail Route ?—A. I used all the troops within my reach and endeavored to protect the Overland Mail Route under instructions from the War Department and from the department commander at Fort Leavenworth. I had specific instructions from the War Department to use every means in my power to protect the Overland Mail.

Q. State whether or not you were able to protect it.—A. I was not. I could not possibly protect it in consequence of a lack of forces to cover the country.

Q. State if you know personally, or if you learned officially, of depredations committed on the Overland Mail Line.—A. Yes, sir; I know personally and I know officially. I know better personally than officially that the whole country was laid waste from Kearney; in fact east of Kearney, along the Overland Mail Line. To Fremont's Orchard and to Laramie, and from there to Green River, there were points along that I could protect, but I had not force enough to protect between points.

Q. State what injury was done to the property of the Overland Mail.—A. I think most all the property was destroyed and taken from one point east of Kearney and Fort Kearney clear through to Green River, with the exceptions of these forts, where the forces protected the stage property. We at times protected the line pretty well, and at other times they would make a sweep on us, and divide up for a thousand miles on that line, and lay waste to everything. I really had not force enough to whip the combined forces of Indians. They never whipped us, but their policy was not to stand a fight, but get property, stages, mules, provisions, and everything, and run off. There was scarcely a ranch except at Fort Cottonwood—well, there was no ranch from Cottonwood to this Fremont Orchard left along the road—everything, the citizens and everything were wiped out, the stage company's property and all. At Julesburg I had occasion to examine the Indian affairs there personally; that was the supply post for the entire line for grain and provisions, and there were fine stables and houses there, and that was a good eating-place—it was called an eating-station. I was afterward through there and found it all destroyed; that I know also from official reports. I was not there at the time of the fight, but I was there two days afterward, and saw evidences of the fight. I had fifteen men killed there, and another company three or four. There were only two companies there, and they would all have been killed, but that they had two howitzers and good arms. There were from fifteen hundred to two thousand five hundred Indians; there were about eighty men to a company.

Q. How many men did you have under your command as an average ?—A. I had, covering a country of eleven hundred miles of hostile Indians, sixteen hundred and eighty troops. That was the most I had

during the time of that warfare, and I was occupying eleven hundred miles, or doing the best I could toward it. I do not think any time I had over that number of men.

Q. What Indians were hostile ?—A. Sioux, Arapahoes, and some Cheyennes and Comanches. There was a number of bands of Sioux, Ogalallas, Brulés, and those northern Sioux, and the Arapahoes and Comanches and Apaches from the south. There was a conglomeration, and with bad white men among them.

Q. How were they armed ?—A. They were armed better than my soldiers, and well mounted.

Q. You have read the affidavit of Mr. Murphy ?—A. Yes, sir.

Q. What do you know of him ?—A. He was captain in the 7th Iowa Cavalry, under my command. I knew him, and he is a very reliable man, and was a good officer.

Q. Do you know Lieutenant Brewer ?—A. Yes, sir ; he was lieutenant in Seventh Iowa Cavalry, and was a good, reliable, and truthful man.

Q. You know something about the accounts they have given in their affidavits ?—A. Yes, sir ; I could not specify them, but they are mainly true.

Q. How about the prices of forage, &c. ?—A. They were very high. I remember paying eighty dollars a ton for hay at Fort Kearney. We had a contract out on the hay-ground, but the hay was burned, and there was but one man in the country that had hay. I protested against giving him his price, which was very high, but he would not take less and I had to take it ; and I was informed that he got eighty dollars—the government afterwards paid him. Grain in that country is hard to get. Corn was high, and it was almost impossible to get transportation to haul grain over the line ; and when I did not have sufficient, whenever I found a train loaded with corn coming to Denver, I pressed it into service for the government, used it, and gave them a receipt, and it was paid for.

Horses were almost impossible to obtain in that country. I got authority to buy three hundred and fifty head of horses, and went to Iowa and Omaha and at every point that I thought would be available to purchase horses at reasonable terms. My price was limited to one hundred and twenty dollars, and I could not get a dozen cavalry horses at that price, and finally had to give up horses and use Indian ponies.

Q. How long were you in command out there ?—A. About ten months.

Q. You have looked over these affidavits in relation to the destruction of property on this line ?—A. Yes, sir.

Q. What do you say of the information set forth in them ?—A. I think the affidavits embrace all the facts, as I understand them.

Q. How about fuel in that country ?—A. It was not unusual to haul fuel over sixty miles for military purposes ; and it was a very cold country, and wood was an expensive luxury ; we made it go as far as possible. At Laramie, the largest post of the line, we used to haul fuel twenty to twenty-five miles from the Black Hills ; then there was no fuel from Laramie clear down pretty near to Julesburg on that line except occasionally an old cottonwood tree that could not be used for fuel.

Q. State about the original Overland South Pass route.—A. That was the only feasible route over the plains at the time, but it was dangerous.

Q. Was it or was it not difficult to keep the road running without a large number of troops on that road around Laramie ?—A. There was no possibility of protecting the stages except with a strong escort daily

to go with the stages. The country was easily accessible from the Black Hills and Wind River Mountains, and Indians could not be seen easily until they were ready to attack. I have a general knowledge of the country. I built what is known as Fort McPherson, on the Platte River. It was then called Fort Cottonwood.

Mr. B. HOLLADAY sworn.

By Senator CAMERON :

In April, 1862, I was informed of the Indian depredations on the overland road between Horseshoe Creek and Ham's Fork with the loss of many stage horses, mules, coaches, &c., belonging to the Overland Stage Line; indeed, the entire line for a distance of some 300 miles was destroyed by Indians and abandoned by employes through fear of the Indians; I made up my mind to abandon the mail contract and withdraw my property unless I got protection from the government, and for this purpose I left my home and came to this city; conferred with Postmaster General Blair, who called on the Secretary of War and urged protection. In company with Senator Latham, of California, we called on President Lincoln, who was very much interested, and said: "Mr. Holladay, you must have protection; the mails must be carried." I explained the distances from the military posts and depots, and the necessity of immediate relief, and suggested that Brigham Young, of Utah, be called upon for relief, he being but 150 miles from the west end of the break in the road; he liked the suggestion; said he would call attention to it at cabinet meeting next day; that he feared, however, Secretary Stanton would decline any communication with Young. We called next day, when he showed us the order for 100 mounted men. I told the President that unless I had guarantee of protection, with payment for losses, I could not afford to restock the line and keep it running. I explained the expense and difficulty of sending horses, mules, and coaches 800 miles to replace those that were lost; he said, "You can rest assured Congress will fully reimburse you." On his promise I left within a few days for the plains to superintend in person the restocking of the line. In an interview with the Postmaster-General, before leaving, I explained, from my thorough knowledge of the country northwest of Fort Laramie, along the stage-road from Horseshoe Creek up the Sweetwater, through South Pass, to Green River and Ham's Fork, a mail never could be carried with any certainty, for the reason it was through a mountainous country, with fine grass and water, and full of game, a great hunting-region for several tribes of Indians, all refusing to sell or treat with the government; but little open country; Indians could drop on a station or coach without a moment's warning. After several interviews, I explained my knowledge of the country south of this, having passed through it in August, 1850. There was no road except an Indian lodge-pole trail for 250 miles, no grass, and bad water; but it was an open country, and I believed there would be less Indian troubles. He said the mails must go to the Pacific; if not one road, must try another. After full consultation, I agreed to go to Denver, and from that place send a competent man with men, outfit, and odometer, with instructions to make a measurement and complete a thorough examination of the route, and meet me at Salt Lake City with his report. If I was satisfied from his report the change would expedite and secure

the transportation of the mails, I would order it. From Denver I went to Fort Laramie; found General James Craig commanding. He rode with me over the route west, to join a detachment of soldiers in advance. We found complete destruction at all stations along the lines—mails scattered over the plains, and communication entirely interrupted. At the upper crossing of Sweetwater found his soldiers preparing for a fight with a band of Indians; after some hours the Indians retreated. There was no stock on the road until we reached South Pass. I arrived at Salt Lake, and in due time John Kerr, who had been sent over the new route, arrived with his report of the Bridger Pass and Bitter Creek route. A full interview with him and examination of his notes convinced me I was right, and unless we moved that portion of the route, with the stock and entire outfit, between Julesburg and Green River, over to the Bridger Pass trail, the overland mail would be a failure. It was a great risk on my part, leaving a fine broad road, with excellent water, grass, and fuel, for a country without a road, and for 250 miles no grass, no fuel, and alkali water. I sent Mr. Kerr back with loads of tents and stakes, with instructions to remeasure and at proper distances locate the stations, and designate the location by driving a stake. I hired men, teams, mechanics, loaded supplies, lumber, and material, dispatched them immediately to construct stations, make roads, &c. On July 8th the order was given for removal. I deserted and abandoned all stations and moved south from various points 100 to 300 miles for the new route, where my men were quartered in temporary huts and tents until permanent stations were built; which were completed before winter, with forage and full supplies at each. All this was done without interfering with the regular schedule time of the mails. This removal cost me a large sum of money; passing through an unknown country, building stations, bridges, ferry-boats, and roads. We had no serious Indian troubles on this part of the road until the spring of 1865. I can state under oath that the mails could not have passed over the old road without enormous expenditure of money and loss of life and property. Indeed, I know it was impossible to carry the mails regularly on that route. General Craig agreed with me that it was impossible to afford me protection with his force.

In 1864 the Indian war was begun on the South Platte. Again I had frequent interviews with the Postmaster-General and President Lincoln. The latter expressed the greatest anxiety. He said, "Our sea mails only semi-monthly, conveyed by naval vessels, are liable to be stopped at any time by Confederate cruisers; the overland must be maintained at all hazards without regard to cost." I explained that the mail pay alone would not supply us with forage and fuel, and without passenger travel it would ruin any fortune. The Indians were murdering my people, burning stations, stealing stock, attacking coaches, and that ruin stared me in the face. His reply was, "These are perilous times, Mr. Holladay, all over our country; my anxiety is great." We have no soldiers to spare, but I will do all in my power." "That," I said, "Mr. President, will not pay me for my losses." His reply was, "You will be reimbursed for all losses and damages; like all patriotic men you must trust to the honor of our government," he holding me by the hand while saying this.

As to the Colonel Chivington order, the amount of damages claimed, \$50,000, does not reimburse me by a large amount. I protested against it in person; told him the season was far advanced; all stations had winter supplies of grain emptied from sacks into bins and the sacks sent off several hundred miles to be refilled, and fuel, &c. We would have

stations to tear down, haul, and put up. It would compel us to carry the great through mail at least eighty miles farther. His reply was, "I have no troops to protect you, hardly enough to protect the cut-off; you must move." The order was complied with. The estimate of horses and mules lost from time to time is under the cost of putting them on the spot. As to prices of grain and hay, I know it is under cost. The item of \$30,000 damage by soldiers is, to my knowledge, far less than actual cost.

The average cost of stations at \$2,000 each on the Laramie route, and damages of \$25,000, as per affidavit of Isaac E. Eaton, would not cover the losses.

Q. Did you consider the government bound to you to repay and reimburse you?—A. I did. Having been assured by the President that it was necessary that these mails should be continued, and that I could safely rely upon the honor of the government to reimburse me for losses, I relied implicitly on those promises and assurances. Had it not been for those assurances of protection and reimbursement, I would have been compelled to suspend, and the overland mail would not have been continued in my opinion.

I went back from Washington relying upon those assurances of the President and the Postmaster-General as to this protection and reimbursement in case of loss from hostile Indians, and therefore of course I obeyed the orders of the government through its military officer when it was given to me.

My assurances to the employés that full protection would be given alone kept them on the road.

Q. During the year 1865, or at any other time, did the troops, with their own men, horses, and wagons, transport the mails, as far as you know?—A. No, sir. At all times, and most particularly during the Indian war, I was daily advised by my agents on the road of all depredations, murders, &c., both by telegraph and letters. The military, on various occasions, rendered the line assistance in the way of loaning mules, corn, men to drive when mine had been killed, stations burned, and stock stolen. We always returned the forage and paid the soldiers for their work. At times, also, soldiers, with the consent of their officers, assisted in cutting and hauling hay, rebuilding stations, &c.; but they were paid for all work. (See copies of military reports filed with the committee.) What I have stated included all assistance. All was paid for except the use of mules. I will also state, as a military fact of record from the War Department, and before the committee, that my coaches in dangerous times were escorted by soldiers, either mounted or on the coach; but not always. Frequently they could not respond to our application. As to the removal from the Fort Laramie road to the Bridger Pass one, see General Craig's report to General Blunt, July 10, 1862.

Q. Mr. Holladay, how much had been expended in the establishment of this line?—A. About two millions of dollars in stocking the road and building stations; the whole investment was about two millions of dollars.

Q. You say that you relied upon the assurances of the Executive and the Postmaster-General for payment and reimbursement?—A. Yes, sir, I did; because I thought if the government went down, of course I would go down with it; but if the government was successful in re-establishing the Union, I never doubted but that it would reimburse me for the losses sustained. I was willing to take the risk, as the President had frequently said to me that he regarded it to be my duty as a patriotic

man to go on with this thing and rely on the honor of the government to pay me. The President in all of our interviews stated that it was of the greatest importance to keep up the constant intercourse with the Pacific States, and he was fearful it could not be done by sea; that he did not want me to abandon this line and having the government reduced to the necessity of carrying these mails as a military necessity on its own account. I was the sole owner of the Overland Stage Line; had no partners or parties in interest, either directly or indirectly.

Indian depredations.

As per affidavits of R. L. Pease and others.....	\$41,400 00
Lem. Flowers, Richard Murray, William A. Trotter, et al.....	18,930 00
J. A. Slade et al.....	12,150 00
S. B. Babcock et al.....	8,310 00
J. E. Bromley et al.....	7,448 00
William A. Reid et al.....	5,200 00
Seaman Johnson et al.....	300 00
George H. Carlyle, Solomon Riddle, et al.....	49,086 00
George M. Lloyd, Charles Ivins, S. O. Jerome, et al.....	15,008 00
Reuben S. Thomas, William Reynolds, et al.....	59,217 60
Capt. E. B. Murphy, United States Army, et al.....	7,200 00
William Hudnut, Richard Quinn, R. S. Thomas, A. S. Hughes, Solomon Riddle, Lieutenant Brewer, United States Army, et al. (burning of Julesburg).....	134,958 00
James Stewart, et al.....	16,310 00
R. J. Spotswood et al.....	14,550 00

Damages by removal.

From South Pass route to Bridger Pass route:	
Affidavits of Isaac E. Eaton et al.....	77,000 00
From Platte route to Cut-off route:	
Affidavits of Reuben S. Thomas and William Reynolds et al.....	50,000 00

Damages caused by soldiers.

Affidavits of Reuben S. Thomas and William Reynolds et al.....	30,000 00
--	-----------

ADDITIONAL TESTIMONY AS TO THE CLAIM OF BEN HOLLADAY.

ROBERT FOOTE, called on the part of the United States, sworn and examined.

By Senator CAMERON:

Question. Where do you reside?—Answer. Fort Halleck, Wyoming.

Q. What is your age?—A. Forty-three years.

A. How long have you resided at Fort Halleck?—A. I have been there since 1864, I think.

Q. What is your occupation and business?—A. I am a stock-grower.

Q. How long have you been engaged in that business?—A. I have been engaged in it some sixteen years.

Q. What was your business when you first went to Fort Halleck in 1864?—A. I was trading in stock and raising stock.

Q. Are you acquainted with Ben Holladay?—A. I have seen the gentleman.

Q. When did you first see him, as near as you can recollect the time?—A. I believe I saw Mr. Holladay in 1865; perhaps previous to that time.

Q. You were then at Fort Halleck ?—A. Yes, sir.

Q. Residing there ?—A. Yes, sir ; in 1865.

Q. What business was Mr. Holladay engaged in at that time ?—A. He was carrying the overland mail.

Q. I will state the nature of this case to you. Mr. Holladay makes a claim against the government for losses sustained by him while he was engaged in carrying the overland mail. The losses arise from three causes: First, he says that his property was depredated upon and injured by the Indians; second, he says that the soldiers, the military that were on the line, appropriated more or less of his property; and a third cause is the removal of his route, stations, &c., from one route to another. Now, I have been told that you know something about these things. Please go on and tell the story in your own way—what, if anything, you know in regard to any of these matters.—A. I was at Fort Laramie in 1862, and talked with Slade. From Fort Laramie I moved to Fort Halleck in 1864. I did work for Mr. Holladay in building stations and such like. I built Pine Grove station and Bridger Pass station. For such stations I received \$1,500. They were stations that were burnt by Indians, and when I built those stations the Indians were very troublesome, and I had to keep a guard while men were at work. The wages were very high; also provisions. I do not know of Mr. Holladay giving forage to the troops.

Q. What, if anything, do you know in regard to the cost of labor at the time you were engaged in building those stations, or at any time during the time Holladay was running the overland stages ?—A. Wages were from \$50 to \$60 a month for laboring-men. As to the material that the stations were built of, it was logs; no fancy work about the stations whatever; they were very plain. Labor being high, that brought all prices up.

Q. Did you take the job to do this ?—A. Yes, sir.

Q. You furnished all the material, did you ?—A. Yes, sir.

Q. What buildings did you put up at these stations ?—A. I put up the stations.

Q. Just describe the buildings.—A. The buildings were about 25 by 60 feet, and they had rooms for passengers to eat, and rooms for forage on one side—plain log buildings.

Q. Do you know anything about the destruction of any stations on the line by the Indians ?—A. Those stations that I mentioned are the only ones I know to have been destroyed by Indians.

Q. When were they destroyed ?—A. They were destroyed in 1867, in the spring of that year.

Q. Do you know anything about the destruction of any of his coaches or stealing or stampeding of any of his stock ?—A. I do not, sir.

Q. Were you employed by Mr. Holladay at any time except while you were engaged in building those stations ?—A. I hauled forage from Fort Halleck to Sulphur Springs, in 1866.

Q. How long were you engaged in hauling forage ?—A. From May to July; perhaps into August.

Q. What distance did you haul forage ?—A. Seventy-five miles or more; from Halleck to Sulphur Springs; I think it covered about seventy-five miles.

Q. What compensation did you receive for hauling it ?—A. I hauled for one cent per hundred for one hundred miles. I believe that was the agreement between myself and Spottswood.

Q. Do you know anything about the value of grain on the line or at any station on the line of the overland mail during the time Holladay

was running it?—A. Well, I did a little freighting myself at different times. Grain was from 15 cents per bushel to \$1.50 per bushel. In 1862 I bought for 15 cents at Marysville, and in 1864 at \$1.25.

Q. Corn or oats?—A. It was corn.

Q. Now, anything else that you think would be pertinent you can go on and state.—A. I do not know of anything else at present.

Cross-examined by Mr. WELBOURNE:

Q. Are you not mistaken about the price of freight? I understood you one cent a hundred. Do you not mean a dollar a hundred?—A. I meant a dollar a hundred, or one cent a pound.

Q. Will you explain where Marysville is?—A. It is on the Big Blue and Kansas.

Q. Where did you haul from Marysville; to what point?—A. I hauled to Fort Halleck.

Q. How far was that?—A. It was something over 400 miles, I think.

Q. You say you got one dollar a hundred for hauling that freight?—A. Yes, sir. You mean the freight that I hauled from Fort Halleck to Sulphur Springs?

Q. No; from Marysville. I understood you to say that you hauled from Marysville to Fort Halleck?—A. Yes, sir; I did.

Q. How much did you get for that?—A. It was for myself. I said I bought corn for 15 cents a bushel.

Q. For 15 cents a bushel?—A. Yes, sir; in 1862.

Q. That was back in Kansas, was it not?—A. Yes, sir; I said so.

Q. Was it shelled corn?—A. Yes, sir.

Q. Can you give the price of grain in Colorado and Fort Laramie in 1862, 1863, and 1864, and also at Fort Halleck?—A. I was not at Fort Halleck in 1862. I was at Fort Laramie in 1862.

Q. Do you know the price of it there at that time?—A. I should say it was worth ten cents in 1862.

Q. Ten cents a pound?—A. Yes, sir; ten cents a pound.

Q. What was it worth in 1864 at Fort Halleck, where you were?—A. From ten perhaps to twelve, retail, a pound.

Q. Do you remember this as a fact or are you speaking of it as your impression now?—A. I am speaking of it as a fact.

Q. Did you buy corn or sell any at that time at Fort Halleck?—A. I do not remember that I did now. Fort Laramie—are you speaking of about 1862?

Q. Yes, sir; either time.—A. I do not remember that I did.

Q. You speak of having built two stations?—A. Yes, sir.

Q. Did you have anything to do in the construction of any others except those two?—A. Those are the only two that I remember of at present.

Q. Do you know Robert J. Spottswood?—A. Yes, sir.

Q. How intimately do you know him?—A. Well, I have known him for years.

Q. In what capacity was he when you knew him?—A. He was division agent.

Q. What is the character of the man?—A. He bore a good character.

Q. For responsibility and integrity?—A. He was a good man in every respect.

Q. Did you go over the north route after it was abandoned by Holladay, and he removed to the south route?—A. I went over part of it.

Q. Over what part did you go?—A. After the stages were taken off I went down nearly to Julesburg, and up as far as Horseshoe.

Q. What distance was that?—A. On each side of Laramie, west and east, say thirty to sixty miles.

Q. How many stations did you pass within that distance?—A. Perhaps six—that is, six in all; three on each side of Fort Laramie, immediately after the stages were taken off.

Q. What condition were those stations in when you passed them at that time?—A. They were abandoned apparently; there was some Ohio cavalry camped around and the stations apparently abandoned.

Q. You may describe those stations as you saw them at that time; what material they were constructed with and what was the size of them, &c.?—A. They were made of logs, in size varying from 30 to 50 feet, I should say.

Q. Are you acquainted with the value of such buildings?—A. No more than judging from what I got for the stations that I built myself when the Indians were troublesome. I should say they would cost up from \$600 to \$800.

Q. How far was it necessary to haul the material of which those stations were built?—A. On an average of twenty-five miles—those stations I am speaking of.

Q. Where was the material hauled from?—A. From the bluffs around there and on the streams that were near them.

Q. Were you acquainted with Julesburg before it was destroyed?—A. I was not very often down as far as Julesburg. When I did go down, I did not stop there.

Q. Were you at Julesburg at any time before it was destroyed?—A. Yes, sir.

Q. You may describe the buildings that were destroyed at Julesburg.—A. I could not give a fair description of the buildings at Julesburg.

Q. Can you give us any idea of the value of the buildings destroyed at Julesburg?—A. I could not.

Q. Anything else that you desire to state in regard to these matters?—A. I do not know that I can state anything more.

T. B. MURDOCK, called on the part of the United States, sworn and examined.

By Senator CAMERON:

Question. Where do you reside?—Answer. El Dorado, Kans.

Q. How long have you resided there?—A. About eight years.

Q. What is your occupation?—A. I am publisher of a newspaper.

Q. Where did you reside from 1861 to 1867?—A. From 1861 until the spring of 1865 I was in the army. From 1865 to 1867 I resided at Emporia, Kans.

Q. Where were you stationed in the Army, and to what regiment did you belong?—A. I belonged to Company B, Ninth Kansas Cavalry; was at Leavenworth in the spring of 1862. In the spring of 1862 I was ordered from there to Salt Lake, as an escort to Governor Hardin, Lincoln's appointee for Territorial governor. I started from Atchison on the 1st day of June and arrived at Fort Laramie about the 28th of June. We were there, probably, a week. We were then ordered as an escort, by General Craig, to accompany the Overland Stage Company's stock that was gathered there from points west, on the line of the Cherokee-trail route, or the Laramie plains, through from Julesburg, up by way of Denver.

Q. Over how much of the old stage-route did you go?—A. I went from Atchison to few miles west of Fort Laramie.

Q. About how many stations did you see or pass on the overland route at that time?—A. I could not tell. The stations were about from 10 to 15 miles apart for the distance.

Q. About what distance did you go over the route?—A. About 600 or 700 miles, I should say.

Q. Of what material were those stations built, generally?—A. Of logs covered with poles and dirt. The bulk of the stations were built of logs covered with dirt.

Q. Of what were the stations built that were not built of logs covered with dirt?—A. Frame, or boards.

Q. About how many of them, according to your recollection, were built of boards or frame?—A. Probably one in five.

Q. What, in your opinion, was the value of these stations? Describe them, and give an idea in regard to the value of them. State what information you have in regard to their value, and how you got that information.—A. The stations from Atchison out as far as the timber-line runs—on the Platte River I am not so well conversant with—the stations, though, from the mouth of the Cache la Poudre to Fort Halleck, on west to the North Platte, I believe (I am not certain as to that) where timber could be had (which could be had along that entire route), the stations built of logs—the stations that were not eating-stations—would probably be worth from \$300 to \$500 each. The stations were surrounded with corral generally, of poles or logs put in the ground.

Q. About how much space was inclosed in the corral?—A. Enough to comfortably hold ten or fifteen or twenty mules—not more than a quarter to half an acre of ground.

Q. Were there any stables or barns erected at those stations?—A. At a number of the stations there were; I do not know what they called them, whether Swing stations or not. At least one party would have charge of the station; the eating and sleeping departments would be under the same roof as the stable. There was at Virginia Dale, where Slade resided, a good building, a good house. I cannot tell what it would be worth in that country.

Q. Were you there when the route was changed from the north to the south route?—A. Yes, sir.

Q. Do you know why the change was made?—A. It was reported and believed to be a shorter route, and it was also considered safer. My understanding is they had to carry the mail by the way of Denver, and the passenger traffic was, of course, valuable at that time. It was further removed from the Sioux Indians, and was considered a safer and shorter route, and probably a more profitable one.

Q. Was or was not the north route exposed to the Sioux and other northern Indians?—A. Yes, sir.

Q. And it was easy for them to drop down on the stations and destroy them?—A. Yes, sir.

Q. Were you on the new route after it was established?—A. Yes, sir; from the middle of July, 1862, until the 1st day of November—about the 1st of November—1863.

Q. Were you in the Army at that time, and engaged in guarding the road?—A. Yes, sir.

Q. Who was the commander of the regiment?—A. It was a company. Asaph Allen was the commander of the company.

Q. Who was the district commander at that time?—A. General

Craig a portion of the time. I think Colonel Chivington a part of the time.

Q. Where were Craig's headquarters?—A. Craig was at Fort Laramie when we went there in June, 1862.

Q. Do you know anything about the kind of stock Mr. Holladay had on the stage line—horses, mules, coaches, &c.?—A. The coaches were what are called the Concord coach. They were good. As a rule, the coaches were first class, I should say. Some of the time they run what they call mud-wagons, that is, covered with cloth instead of leather; not exactly a Concord coach. Mules were used almost exclusively in that country. The tongue or pole mules were generally fair-sized animals, and the middle and lead mules were not generally very large.

Q. Did you know anything about the value of mules in that country at that time?—A. There were mules and horses bought there at Halleck of pilgrims coming over the plains. I should say that \$100 or \$125 would be a fair value of the majority of the mules used by the Overland Stage Line.

Q. Did you see any mules bought and sold on the line during the time you were there?—A. Yes, sir.

Q. About how many? State generally what information you have in regard to the value of the horses and mules on the line during that time.—A. I presume 25 or 50 were bought there by traders at our fort while we were there of pilgrims going over the plains.

Q. What was about the usual price paid?—A. About \$100 to \$125 for a fair mule.

Q. Do you know anything about the amount of hay and grain that was usually kept at Mr. Holladay's stations on the line of the road? If so, you can state what the amount was.—A. I have been at a great many of the stations on the road a number of times. A large amount of hay and corn was not kept at the stations, as a usual thing. In the winter, of course, it was put up at the stations, if it was to be had. If not, it had to be hauled from wherever it could be had.

Q. State, if you know, what the usual price of corn and hay and oats was on the line of the road while you were there?—A. Corn was worth 75 cents to \$1 on the Missouri River, or in Kansas, where it could be obtained in large quantities in 1863, but it cost about 8 or 10 cents to transport it to Fort Halleck. I believe that it was about one cent per pound per mile. About \$8 a hundred at least was the government price paid there at Halleck in 1863.

Q. You may state what you know, if anything, about Indian disturbances on the old line and on the new line during the time that you were there.—A. There were six or seven head of mules taken from Pass Creek station, the second station west of Fort Halleck, in the spring of 1863. They were taken by the Ute Indians, and were returned to Halleck station, and a bounty of \$5 claimed for the return of the mules.

Q. Were they captured by some one and taken back?—A. The Ute Indians claimed that the Sioux had been over and stolen some ponies from them, and they wanted to borrow the mules to hunt for their stock. The station agent refused to let them have them, and so they took them anyway. The agent came down to Halleck immediately after, and invited us, and we went in pursuit, but were unable to overtake the Indians. The stock was brought back to Halleck station some time afterwards, to George Launsberry, who was keeping the station at that time, and they claimed \$5 reward for the return of the stray animals. Along in July, 1863, there was a bell-mare shot at the second station east of Halleck by what were supposed to be Ute Indians. The Utes came

down during the summer to Fort Halleck and over to Fort Laramie, and stole from 200 to 400 head of stock, horses and mules, from Renshaw, I think. They came back past Halleck, and our soldiers had a fight with them, and several of our men were killed and a number wounded. I think these are all the Indian depredations I know of, of any kind, on that line of road, while I was there, from the 1st day of June, 1862, until November, 1863.

Q. What was the value of the stock taken during the time that you were there?—A. Six mules were brought back. One horse, a bell-mare, was killed. I presume she died. She was full of arrows when I saw her.

Q. You stated, I believe, that you were there at the time the route was moved?—A. Yes, sir.

Q. State whether or not the mail was carried during the time that the removal was being made.—A. I think not; for a portion of the time.

Q. About how much of the time?—A. A large collection of mail accumulated down the route somewhere—I don't know where—and for, I should say, ten days to two weeks at least we did not get any mail over the route at all.

Q. How long did it take Holladay and his men to remove the line across from the old to the new route?—A. From gathering in the stock from the old route and distributing again on the new, I suppose it could not be done in less than twenty days, probably.

Q. About how many soldiers were on the line of the route during the time that you were there; I don't suppose you know the exact number, but from the general information you had?—A. There was a battalion of the Eleventh Ohio Cavalry, under Lieutenant Collins—I think five companies—and a portion of the Fourth Cavalry—probably two companies—the Fourth United States Cavalry. Our company was full, and a portion of the time two or three companies of the Second Colorado were on the route—were at Halleck at one time.

Q. How effectually did they protect the Overland Stage Line during that time? State, generally, what they did, and how they protected it, &c.—A. We arrived at Laramie in June, 1862; we were out as the escort to the governor, who got to Laramie and did not think it was necessary to take an escort farther, and he went through to Salt Lake by stage without any escort. There were no Indian depredations on the line of that route, except what I have mentioned, during the time that I was there, in reasonable distance up and down the route. We were always notified if there was anything up, to go one way or the other to protect the line.

Q. There were no disturbances on the western end of the route?—A. No, sir; no disturbances for a hundred miles each way while we were there, except the stealing of the six mules and killing of the bell-mare.

Q. Do you know whether or not disturbances occurred after you left, in June, 1863?—A. Yes, sir; they did occur after we left there.

Q. Have you any particular information in regard to those?—A. No, sir.

Q. How far were you from there?—A. I think I was in Chattanooga, Tenn.

Q. You were South?—A. We were South.

Q. Have you examined a copy of the testimony that has been taken in this case?—A. Yes, sir, I have.

Q. Have you noticed the affidavit of Mr. R. L. Pease?—A. Yes, sir. Mr. Pease makes the statement that it was reported (I don't know that he makes the affidavit direct) that the mules were stolen. I was at Fort

Halleck at that time, and it was about that time the six mules were taken or borrowed. There were not 36 mules stolen from that station by Indians, or by anybody else, at that time.

Q. You heard nothing of it?—A. No, sir.

Q. Were you acquainted with stations on the north route—the route that was abandoned?—A. Not very well.

Q. Do you know anything about the value of these stations?—A. I should judge they were about such stations as those on the lower route.

Q. Describe the stations on the lower route; state generally what they were built of; about the size, and what, in your opinion, the value was, there, at that time.—A. The station at Pass Creek, I should judge, was 20 feet square, and of pine logs covered with dirt. I stayed there one night. The station near Halleck was partly of boards and partly of logs. The station at Medicine Bow was probably about the size of Pass Creek station—I should say from 20 to 25 feet in dimensions on the ground, and 8 to 10 or 12 feet in height; of logs, and covered, as a rule, with dirt.

Q. Can you state about what the cost of them would be at that time?—A. I should say from \$300 to \$600.

Q. Did you ever build one there yourself, or have any particular knowledge of the building of any?—A. We built a stable at Camp Collins, and built nearly all the quarters at Fort Halleck; chopped the logs, and hauled them down from the timber, and put them up; we hauled what timber there was in them from Laramie Peak.

Q. Were you at Julesburg before its destruction by Indians?—A. Yes, sir.

Q. Describe what buildings were there.—A. I should judge there were from eight to a dozen buildings of various kinds. There was a blacksmith's shop there, belonging to the Overland Stage Company. We had some horses shod down there. There was a home station, a store-house, probably; a good sized barn and store or ranch. I think probably a dozen buildings altogether.

Q. Of what material were these buildings constructed? Were they frame or log?—A. I think one or two were of frame; probably three of them were frame and the balance were of logs.

Q. What, in your opinion, would be a fair valuation for those buildings that were burned?—A. All the buildings at Julesburg—I should think \$10,000 would put up all the buildings that were there in 1863.

Q. When was Julesburg destroyed; do you know?—A. No, sir; I do not.

Q. According to your general information, how long after you were there was it destroyed?—A. I was there in November, 1863. My recollection is that it was destroyed about eighteen months after that.

Q. You do not know, as a matter of fact, whether the buildings had been increased prior to the time you were there until they were destroyed or not?—A. No, sir; I do not.

Q. Were you ever at Little Laramie station?—A. Yes, sir.

Q. Describe that station and the buildings that were there.—A. It would compare with the others—it was of pine logs, I should think, probably worth \$600. It was not far from timber. Not a very costly building. Of course, under some circumstances it might have been made costly, but they did not put much time or money in those stations.

Q. There has been a good deal said about the cost of wood, fire-wood, at these stations. What information, if any, have you in regard to that?—A. Well, I presume that wood was as costly at Julesburg as at any point on the line of the road. I think on Pole Creek, say fifty-five

miles from Julesburg, wood was plenty—that is, reasonably plenty. If a man contracted to have a certain number of cords delivered at Julesburg, probably it would come pretty high, but if a man had teams and horses of his own, and time, and nothing to do much, it would come cheaper.

Q. Can you state what it cost at Julesburg?—A. We bought wood there, but I don't know what we paid.

Q. On what part of the route was the best stock, the eastern or the western?—A. From Atchison to Fort Kearney.

Q. About what distance was that?—A. From 100 to 200 miles, I should say; I don't recollect.

Q. What was the difference between the stock on that end and beyond that?—A. I think that on the eastern end of the road horses were used more than mules.

Q. Can you give us any other information in regard to the stealing of stock by Indians on the line of the road?—A. No, sir; I have stated about all the stock that I knew of that was molested by Indians while we were there, of my own knowledge.

Q. Do you know whether the soldiers (the military) either helped themselves or received from Mr. Holladay's agents any supplies during the time they were there?—A. No, sir; we received none, and I don't know of any others that received any.

Q. Give us any further information that you can.—A. I don't think of anything now.

Q. Do you know whether any of Mr. Holladay's employés were killed by the Indians during the time that you were there?—A. No, sir; I know of none that were killed.

Cross-examination by Mr. WELBOURNE:

Q. What is your age now?—A. I am thirty-eight years old, I believe.

Q. You joined the Army in 1861?—A. Yes, sir.

Q. Was twenty-one years of age at that time?—A. Yes, sir.

Q. What regiment did you belong to?—A. Ninth Kansas Cavalry.

Q. What time did you go to Fort Laramie?—A. I started from Atchison the 1st of June, 1862.

Q. How long did you remain there?—A. Until about the first day of November, 1863.

Q. You were there sixteen months, then, at Laramie?—A. On the Overland Stage Line, at Fort Halleck, Laramie, and Camp Collins.

Q. How long were you at Fort Laramie—you first went to Fort Laramie, as I understood you to say?—A. Ten days.

Q. In all; from Laramie you went where?—A. To Camp Collins, on the Cache la Poudre.

Q. How long did you remain there?—A. Probably three months.

Q. How far is that from Laramie?—A. I think we were five days going over.

Q. You remained at Laramie three months?—A. At Camp Collins three months.

Q. I mean Camp Collins. So, then, about the 1st of October, 1862, you left Camp Collins?—A. Yes, sir; on the 1st of November; somewhere about that.

Q. Having remained at Fort Laramie ten days. You think that was about 100 miles from Laramie, Camp Collins is?—A. I have no means of knowing—

Q. Except the time it took you to move; it would indicate about 100 miles?—A. I cannot recollect.

Q. In your opinion is it (let us get at your opinion)?—A. I could not make a guess as to the distance.

Q. Which direction is it?—A. South.

Q. Laramie is in Wyoming Territory, is it not?—A. It is now; yes, sir.

Q. Camp Collins is in Colorado?—A. Yes, sir; in Colorado.

Q. Then about the 1st of November, 1862, you left Camp Collins?—A. Yes, sir.

Q. Where did you go?—A. To Fort Halleck.

Q. How far and in what direction is that from Camp Collins?—A. Northwest; north of west.

Q. How far from Camp Collins?—A. I should say 125 to 150 miles.

Q. How long did it take you to go?—A. Five or six days, I should say.

Q. How long then did you remain there, at Fort Halleck?—A. Until about the 1st day of November, 1863.

Q. You were there, then, about one year?—A. Yes, sir; about one year.

Q. What position did you then occupy in the service?—A. I was private, bugler, corporal, and sergeant, while I was there on the plains.

Q. During all that period?—A. Yes, sir.

Q. When you were at Camp Collins, you were a private?—A. No, sir; I think I was a bugler at Camp Collins.

Q. You were made a sergeant after your arrival at Fort Halleck?—A. Yes, sir.

Q. At what time?—A. I do not recollect.

Q. What sort of sergeant—in the line?—A. I think there were eight sergeants in a company; I do not recollect how many there were; just a straight sergeant.

Q. You had nothing to do with the Commissary Department?—A. No, sir.

Q. You described the buildings at Fort Laramie, did you not?—A. No, sir.

Q. At Little Laramie?—A. Yes, sir.

Q. Where is that?—A. On the Laramie Plains, between Camp Collins and Fort Halleck.

Q. How long were you at that point?—A. I have been there half a dozen times, I suppose; a dozen times, probably.

Q. Do you mean during the period you were out there at Fort Halleck?—A. Yes, sir.

Q. You had come back to Little Laramie from Fort Halleck, from the time you were stationed there?—A. I presume I was up and down the road a dozen times.

Q. You say you have built buildings of that character?—A. Helped build them.

Q. As a soldier?—A. Yes, sir.

Q. Did you pay for any of the material?—A. No, sir.

Q. Did you see any paid for?—A. Yes, sir.

Q. By whom?—A. By the lieutenant and post quartermaster at Fort Halleck.

Q. To any extent?—A. Well, yes, sir; considerable.

Q. What did he pay for?—A. Wood, lumber, hay, and corn.

Q. I am speaking about the buildings now; do you know how much lumber it would take to build one of those stations?—A. I know about how much was in them.

Q. Did you then know?—A. I presume I did.

Q. I am asking you as a positive fact?—A. I cannot say positively whether I did or not.

Q. Did you know the value of lumber at that time; what they paid for it at this point?—A. I think we got lumber at Halleck at about \$85, from Laramie Peak saw-mill.

Q. You think you did?—A. Yes, sir.

Q. For what purpose?—A. For the purposes at the fort—building officers' quarters, flooring, and soldiers' quarters.

Q. Did you know what lumber was worth at that time?—A. No, sir; I do not know that I did.

Q. Did not know what it cost to get out those logs and haul them. Suppose they had to haul them 30, 40, or 50 miles. Do you know about what it cost to do that?—A. Yes, sir.

Q. You did know at that time?—A. I had a fair idea.

Q. I am asking you if you knew?—A. I cannot say that I knew.

Q. That is what I want precisely. Did you know at that time what it cost to move those logs from where they were obtained and put them in the buildings?—A. I know what they cost at Fort Halleck.

Q. Did you bring them the same distance to the fort that they were brought to Little Laramie, for instance?—A. Not quite so far.

Q. How did you buy them at the fort? Hire men by the day to get them out?—A. No, sir.

Q. Bought the logs after they were obtained and prepared?—A. No, sir.

Q. How did you do it?—A. Soldiers on extra duty.

Q. You did not pay the soldiers?—A. The government did.

Q. Sixteen dollars a month?—A. No, sir; paid them on extra duty.

Q. How much per day?—A. I think it was forty cents and a jug of whisky.

Q. Twenty-five cents, was it not?—A. I said I thought it was.

Q. You know nothing about what Holladay or his superintendents had to pay at Little Laramie for the building of that building?—A. No, sir.

Q. Nothing as to what he had to pay for lumber or labor for the erection of any of his buildings, of your own knowledge?—A. My own knowledge is that laboring men were getting from \$40 to \$60 a month there.

Q. And kept themselves?—A. No, sir.

Q. Those were common day laborers?—A. Yes, sir; common day laborers.

Q. You say these buildings cost from \$300 to \$600 apiece. Did you at the time you were there estimate their value?—A. No, sir.

Q. Did you look at them with a view of determining their value at the time?—A. No, sir.

Q. You did not know anything of the cost of the material of which they were made?—A. I knew what some of the material cost.

Q. You did not know what they paid for it, as I understand you?—A. I know what a business man would have paid on a business proposition. I do not know what they paid, of course.

Q. How do you know?—A. I know timber was free, to be had for the cutting and hauling; and knew what hay and corn was worth. I knew from my own knowledge about what it would cost to build a station of the kind.

Q. You say you did not estimate the value of the buildings at the time you were there. When did you make those estimates of the cost?

—A. I refreshed my memory in regard to the matter in the last month or six weeks.

Q. For what reason, sir? What occasioned you to refresh your mind in regard to it?—A. I learned that there was a claim of the Overland Stage Company for damages over the line on which I was, and I, from self-interest, probably curiosity, looked over the matter a little and talked with other parties who were there at the time with me. We discussed the matter.

Q. You were a boy at the time you were on the line?—A. I was old enough to be sworn in the Army—twenty-one.

Q. Fifteen years since that time you investigated and looked over the matter?—A. Yes, sir.

Q. At whose instigation were you prompted to investigate or look over the matter?—A. Nobody's.

Q. Purely self-interest?—A. No, sir; I do not know it was purely self-interest.

Q. As you did not know the cost of anything there, is it not a little presumptuous on your part to come here and fix the value of the buildings fifteen years after you had seen them?—A. I did not say that I did not know the value of the buildings. I said I knew the value of lumber, and I knew the value of timber; and I knew the value of dirt.

Q. But you said you did not know what Holladay paid.—A. No, sir; I do not know what he paid.

Q. Nor his agents?—A. No, sir.

Q. What he paid for the lumber, nor what he paid for his hands?—A. No, sir; I knew what hands were getting there at the same kind of business.

Q. How did you know that?—A. Because they were employed at the fort?

Q. By whom?—A. By the quartermaster or sutler.

Q. Did the quartermaster tell you what he was paying?—A. I was his clerk.

Q. When and where?—A. At Fort Halleck, in 1863.

Q. What time of the year?—A. After he was shot in the arm; I do not recollect.

Q. About the time?—A. I should say July.

Q. After the 3d of July?—A. Yes, sir.

Q. How long did you serve in that capacity?—A. I cannot say. He was wounded in the arm, and I attended to his business for him.

Q. Ten days or two weeks?—A. I was the company's clerk, keeping the books for the company.

Q. Did they buy lumber?—A. Yes, sir; they bought some lumber.

Q. For what purpose?—A. I said before for the officers' quarters and for flooring.

Q. Did they pay for it?—A. It was paid for.

Q. Did the company pay for it?—A. I think they paid for part of it.

Q. What did they pay—how much per thousand?—A. I think about \$85.

Q. What fund did the company pay for the lumber out of?—A. We had a beef fund.

Q. To what extent did you purchase out of that fund?—A. I think we bought two or three thousand feet of boards.

Q. As to the value of the mules; at what point was it that you stated you saw a few mules bought?—A. At Fort Halleck.

Q. When was that?—A. In the summer of 1863; some mules and some horses.

Q. Who bought those?—A. I bought some of them myself—two horses.

Q. For what purpose?—A. Speculation.

Q. You bought of pilgrims, you stated?—A. Yes, sir.

Q. And now, do you fix the value of mules and horses in that country during that time according to the price you paid for those horses and mules?—A. I fix the value according to my understanding at the time of the value of horses at Denver and along the line of the road; the value of horses in Kansas and the expense of getting them out there, and the value of mules in New Mexico and of Mexican mules, and the cost of getting them up there.

Q. When did you learn these values?—A. I learned them from time to time as I went along.

Q. While you were a corporal?—A. Probably I learned some of the values while a corporal.

Q. Did you buy any at that time?—A. Two horses.

Q. Stage horses?—A. No, sir.

Q. Do you know the value of stage horses?—A. I know the value of horses at Leavenworth.

Q. Do you know the value of stage horses at Fort Halleck?—A. Constructively I know.

Q. Did you then, sir?—A. Yes, sir.

Q. How do you know it?—A. The way I would know anything.

Q. Did you buy any stage horses?—A. No, sir.

Q. Did you sell any?—A. No, sir.

Q. Did you see any bought?—A. I knew the price of horses at Leavenworth and the cost of getting them out there.

Q. How did you happen to know in the summer of 1863, being at Fort Halleck, what the prices of horses were at Leavenworth?—A. I had some horses to sell, and saw the Leavenworth papers.

Q. The value of stage horses published in the Leavenworth papers?—A. No, sir; government horses—first-class horses.

Q. Did you know the value of mules at that point—stage mules, or such as were used on the stage line?—A. I stated in my testimony about what I thought they were worth.

Q. Those were some you saw purchased. By whom were they purchased?—A. By settlers at Fort Halleck.

Q. On speculation?—A. For use and for speculation.

Q. Was that a fair valuation of property in that country at that time?—A. At that place at that time I presume it was.

Q. You presume it was?—A. It was the market, and the demand governs the price, of course.

Q. How did you find out in 1863 out there, during the time you were serving, the value of mules down in New Mexico?—A. I knew what New Mexican mules were worth at Denver.

Q. How long before?—A. In 1862 and 1863.

Q. How did you find that out?—A. I was down there.

Q. When?—A. Half a dozen times or more, in 1862 and 1863.

Q. Did you inquire as to the value?—A. I do not know that I did, specially.

Q. Upon what information is it that you are willing to swear now?—A. I had some idea of buying some mules there and sending them up to Fort Leavenworth, if there was anything to be made.

Q. Then you did inquire the value?—A. Not specially, as I know of.

Q. Did you know of whom you inquired?—A. No, sir.

Q. Was he a stock man?—A. Probably a livery man, if I made in-

quiries. I tried to keep posted on the value of horses and mules in that country.

Q. You were speculating in them?—A. Yes, sir; a little bit.

Q. What were mules worth in Denver in the summer of 1863?—A. A first-class mule would be worth from \$150 to \$200.

Q. In Denver?—A. Yes, sir; in Denver, in 1863. The average mule was worth \$100 to \$150.

Q. What would he be worth at Fort Halleck?—A. They could be taken up there for two or three dollars a head I suppose, if a fellow had enough of them to take.

Q. If you had bought mules in Denver at \$150 a piece, you would have sold them at Fort Halleck at \$152.50 apiece, do I understand you?—A. I would say the cost would depend on the number of mules a man wanted to take from Denver to Halleck; if he had one mule it would cost more; if he had a large number it would be less per head.

Q. You passed through Julesburg in 1863?—A. I passed through Julesburg in 1860, 1862, and 1863.

Q. How long were you there in 1863?—A. I think we were there a portion of two days.

Q. Did you look at that property then with a view of fixing the value?—A. No, sir.

Q. Did you have any idea at that time of its value?—A. No, sir.

Q. Did you know the cost of any of its construction at that time?—A. Yes, sir; I did.

Q. How?—A. I knew the price of labor.

Q. At Julesburg?—A. No, sir; not at Julesburg; I knew the price of labor on the Overland Stage Line, that is, out in that country.

Q. Did you estimate the amount of labor on that property?—A. No, sir.

Q. Did you at that time fix a value upon that property?—A. No, sir.

Q. When did you do it?—A. I did it from my recollection of the property at that time and the conversation with other gentlemen who were acquainted with Julesburg, its location, number of buildings, &c., within the last six weeks.

Q. And now swear it was worth \$10,000?—A. I now swear, in my judgment, all the buildings in Julesburg in 1863 could be put there for \$10,000.

Q. At that time?—A. Yes, sir; at that time.

Q. You are liable to be very greatly mistaken, are you not?—A. Any man is liable to be mistaken.

Q. It is fifteen years since you were there?—A. Yes, sir.

Q. What was your purpose of fixing a value upon this at all, or coming to this city at all?—A. I saw a pamphlet printed of a claim presented by the Overland Stage Company for damages done by Indians in the years from 1862 to 1866, I believe. I thought the matter over under the impression that the estimate for damages was overestimated. No special object that I know of.

Q. But they may not be?—A. They may not be.

Q. It is just a matter of opinion on your part?—A. A matter of opinion.

Q. Who furnished you with this statement—this printed pamphlet?—A. The first statement I saw was, I think, in some Kansas paper; an Atchison paper probably.

Q. Where did you get the pamphlet testimony?—A. I sent for it here.

Q. To whom?—A. To Colonel Plumb.

Q. Your Senator?—A. Yes, sir.

Q. With whom did you talk in regard to the value of the property at Julesburg?—A. I talked with a gentleman named George Launsberry who kept Latham station and Halleck station, and one or two other stations on the route; with a man named John Betts, a former driver there, and I talked with one or two other parties who had been there.

Q. Did you talk with anybody who built the premises?—A. No, sir.

Q. Or paid for any of them?—A. No, sir.

Q. You say there was no property lost in 1863, that Mr. Pease speaks of?—A. I said that there were those mules taken from that station.

Q. I am speaking about property lost, excepting the bell-mare killed.

—A. And the mules that were taken and returned.

Q. In and about Little Laramie, I am inquiring now; Mr. Pease says there were thirty-odd head of stock lost in and about Fort Halleck; thirty-four stage mules taken from the line in the summer of 1863; what do you say about that?—A. I stated that in my judgment that number of mules were not taken from Fort Halleck that summer.

Q. In your judgment?—A. I am sure they were not taken.

Q. How do you know, and why?—A. I rely on my own recollection and on the conversation with other gentlemen who were there at the time.

Q. Who were those gentlemen?—A. George Launsberry was one; he was there at that time, and an employé named Watson.

Q. Where is Launsberry?—A. He is in Butler County, Kansas.

Q. How far from you?—A. He lives eight miles from me.

Q. What is his business?—A. Farmer.

Q. What was he engaged in at that time?—A. He was keeping Latham Station a part of the time, and another station a part of the time.

Q. For whom?—A. Ben Holladay.

Q. What years?—A. I do not recollect; in 1862 or 1863, I think.

Q. What is the name of the paper you publish?—A. Walnut Valley Times.

Q. Let me call your attention to this, and ask if you ever saw that before (exhibiting paper).—A. No, sir.

Q. I will then ask you this: if you were the author of or if you published a piece in your paper reading as follows:

Senator PLUMB: The Walnut Valley Times devotes a column and a half to exposing Ben Holladay's attempt to steal \$550,000 indemnity for losses sustained by the stage company from depredations by Indians near Fort Halleck, from 1863 to 1865, inclusive.

Were you the author of that?—A. No, sir.

Q. Was it published in your paper with your knowledge?—A. No, sir.

Q. An article similar to this, purporting to be as this states, was published in your paper.—A. An article published in my paper?

Q. As this states.—A. There was an article published in my paper; yes, sir; but that article I never published.

Q. When did you publish that article that you refer to?—A. Three, four, or five weeks ago.

Q. Where did you get your information that you then relied upon?—A. I then wrote on the spur of the moment; probably I was not so well posted then as I would be now.

Q. You then characterized it as an attempted steal?—A. I do not know that I used that language.

Q. You say you published something purporting to be like this?—A.

That editor says that an article appeared in my paper, but he did not attempt to quote any of the language from my paper.

Q. What did you characterize it in your article?—A. I do not recollect what the heading was of the article.

Q. I mean the body of it, what did you term it?—A. I characterized it as an unjust claim.

Q. You did not state where you got the information at the time you wrote this article. Was it based upon your own knowledge of the existence of facts in that country from 1862 to 1865?—A. I saw an item, I think, in some Kansas paper first setting forth some facts in regard to the presentation of this claim. I published my article from the information I obtained from what I saw in another paper; afterward I obtained this printed testimony, and found I was mistaken as to some of the claims that were presented.

Q. Do you know any of the parties who have testified in that pamphlet, whose testimony is set forth?—A. No, sir; I do not believe I know one of them.

Q. Do you know Mr. Pease?—A. No, sir.

Q. Do you know Mr. Spotswood?—A. No, sir.

Q. Do you know Mr. Hughes?—A. I did know him at one time. I presume I would not know him now.

Q. Do you know Mr. Carlisle?—A. No, sir.

Q. Do you know Mr. Otis?—A. I knew Mr. Otis.

Q. Did you know Mr. Street?—A. I do not know that I did.

Q. Do you know many of these gentlemen by reputation?—A. All of them by reputation.

Q. Do you know what their reputation is for truth and veracity?—A. Some of them good and some of them bad.

Q. Do you know Mr. Hughes's reputation?—A. Good.

Q. Mr. Street's?—A. I do not know anything about that.

Q. Mr. Pease?—A. No, sir; I do not know anything.

Q. And about Mr. Spotswood's?—A. No, sir.

Q. Did you base your opinion of the valuation of that property upon the testimony of these gentlemen or the statements that other men made to you?—A. Both; a comparison of ideas.

Q. Not that you knew yourself absolutely?—A. After consulting with other parties, I do not know that I have changed my mind greatly.

Q. To sum up, I will ask you this: Up to a month ago, or six weeks ago, you never had an idea or thought, or expressed one, in regard to the value of this property, did you? You had no occasion to?—A. No, sir.

Q. And it was at that time and since that time you have made up your mind as to the value of the property supposed to have been lost; am I right?—A. Not entirely; I knew the value of some things at that time as I know now.

Q. You made an estimate of the value of the property lost within the last six weeks, have you not?—A. I have refreshed my memory somewhat in regard to the matter.

Re-examined by Senator CAMERON:

Q. You can make any statement now you wish to in regard to this matter.—A. I would state for the information of the committee there are other parties in Kansas who were older than I was at that time, and who know more than I do about that stage line.

Q. Give us the names of such as, in your opinion, would have the

information you speak of.—A. I would say Capt. Henry Brandley, Matfield Green, Chase County, Kansas.

Q. Was he in the military service on that line at that time?—A. Yes, sir.

Q. Was he captain?—A. Lieutenant.

Q. Give the names of others.—A. John S. Watson, Emporia, Kans. Those gentlemen, I would say, were with me all the time I was out there, and probably their knowledge would cover the same ground that I have covered, either to modify or substantiate my testimony; I should call them fair witnesses, gentlemen of standing there in the State. That is all I have to say.

Q. You say that some witnesses who have testified in this claim are not remarkable for a good reputation?—A. I had in my mind's eye one that is since dead, and I have no desire to cast any shame on his name; he was not considered a first-class man in that country at that time.

Q. Do you know anything about the facts that that witness testified to?—A. No, sir; I only know his subsequent reputation in that country, that is all.

Q. Was it a bad reputation for truth or was he a violent man?—A. A violent man, probably.

Q. You probably never heard a great deal in regard to his reputation for truth and veracity?—A. No, sir.

Q. On the border you have frequently found men violent and ugly who would still tell the truth?—A. There are some people in that country who will tell the truth.

Q. If you think of anything else, please state it.—A. I desire to state that I am satisfied that Mr. Holladay has a first and valid claim against the government. All that I find fault with in his claim is, that in my opinion, although I may be mistaken about this, he charges too much for the property destroyed.

N. F. FRAZIER sworn and examined.

Question. Where do you reside?—Answer. El Dorado, Kans.

Q. What is your age?—A. Thirty-one.

Q. How long have you resided in El Dorado, Kans.?—A. Nearly nine years; eight years past.

Q. Were you ever in the employ of Ben Holladay?—A. Yes.

Q. When?—A. From November, 1864, to some time in 1866, I think.

Q. Where were you in his employ?—A. On the overland stage line.

Q. Where were you first employed by him?—A. At Atchison.

Q. What were you doing? Go on and tell the history of your connection with him.—A. I first went out to tend stock for six or eight months. I then went to what is called Little Blue Station, and remained there most of one summer, looking after the herds and most everything.

Q. You were living there, being a herder and something else?—A. Finally I was elevated to be a driver. I first drove a forage-team, a forage-wagon, and hauled lumber and corn to supply those stations along there, and afterward went to driving.

Q. Between what stations did you drive?—A. I think the first driving I did was from Kiowa Station to Big Sandy—distance about twenty-two miles.

Q. When did you drive there?—A. I think some time during the summer of 1865—during the fall of 1865.

Q. Did you ever know any Indian troubles?—A. No, sir.

Q. What, if anything, do you know in regard to the loss of stock on that line?—A. I do not know any that was lost; there were three or four horses that were supposed to have been stolen from Pony Range, and afterward three, I think, were recovered. I supposed they had strayed away.

Q. What was the condition of the horses that were recovered?—A. I think all were in as good condition as when they went away. I knew the horses very well, and saw them before leaving and after returning. I think they were not stolen, only having been turned out and strayed away, and came in some ten or fifteen miles below there, looking as well when they came in as when they strayed away.

Q. How far were you west on the stage line at any time?—A. Prior to 1867 I was not farther than Fort Kearney.

Q. Then all you know in regard to the business or operations of the stage line during and prior to 1867 was east of Fort Kearney?—A. Yes, sir.

Q. You may describe the stations east of Fort Kearney; state what material they were constructed of.—A. They were constructed of logs principally, and covered with dirt and poles.

Q. Do you know anything in regard to the cost of these stations?—A. No, sir; only had a general idea of such things.

Q. You never built or assisted in building any of them?—A. No, sir.

Col. CHARLES G. OTIS called on the part of the claimant.

By Mr. WELBOURN:

Question. Colonel, please state where you were in 1863, 1864, and 1865?—Answer. I was in the Army.

Q. Stationed at what point?—A. In 1862 I was in the Eastern Army of Virginia; in 1862, 1863, and 1864 in the Army in the East. In 1865 I was ordered West with my regiment, the Twenty-first New York Cavalry, and ordered to report at Denver.

Q. What time in 1865?—A. We left Leavenworth in July, 1865.

Q. Over what route did you pass going to Denver?—A. We passed from Leavenworth to Atchison, and then out to Fort Kearney; and from Fort Kearney to Cottonwood and Julesburg, to the junction, to Latham's Crossing; and from there to Cache la Poudre, up to Camp Collins.

Q. Is that over the route owned by Mr. Holladay?—A. Yes, sir.

Q. In what capacity were you serving then?—A. I was a major at that time, commanding the regiment.

Q. How long did you remain in that country?—A. About one year, 1865 to 1866. I left in July, 1866.

Q. Did you know anything about Indian troubles along the line of this stage-route?—A. I knew there had been Indian troubles before we went there, and saw some evidences of them.

Q. What did you see?—A. Very little trouble after we reached there. I saw one of the officers in the hospital at Camp Collins wounded in the elbow by an arrow. He had a brush a short time before we reached there; and I saw the remains of the wagons, and things of that kind; barns that had been burned up on the road somewhere near Latham's Station.

Q. Were you at Julesburg?—A. I went through Julesburg in 1865.

Q. Was that before or after the destruction?—A. It was after.

Q. It had been destroyed then?—A. Yes, sir. There were new buildings constructed at that time; new stations, &c.

Q. After you arrived at Denver, or in that country, was there any demands for your services to protect this stage-route?—A. There were.

Q. To what extent?—A. My regiment was distributed over the line from station to station. Our headquarters at that time were at Camp Collins, and then we had men stationed at different stations. Some men at Virginia Dale, Bitter Creek, Big and Little Laramie, Cooper Creek, Halleck, Platte Crossing, at Sage Creek, at Pine Grove, and at the crossing of the Platte, Bridger Pass, and Sulphur Springs. And the regiment was stationed along those; we sent five mounted men with the stage each way.

Q. Did you know of any property being destroyed belonging to that company after you went there?—A. No, I do not from my own knowledge.

Q. Who was in command of your district at that time?—A. When we first went there I think General Dodge was in command. We reported to him, and afterward Colonel Upton took command. We reported to him at Denver—G. M. Dodge, I think it was.

Q. Did you observe the stations along the line of the company's route?—A. I saw other troops besides ours. There was a wagon brigade.

Q. Did you observe the stations?—A. Yes, sir; I did to some extent; not particularly.

Q. Have you any means of knowing the value or cost of construction in that country?—A. Yes, sir. I have some means. We built some storehouses and things of that kind at Fort Collins while I was there, and I am professionally acquainted with the knowledge of building, because I have served at that trade myself when I was young. I am a mechanic.

Q. Can you state the cost of building any station at any point—in Colorado, for instance?—A. I could only do it as a matter of judgment, not of knowledge; but I would say it was very expensive from my knowledge of the cost of things, because I know that during the winter of 1865, from my knowledge of the cost of wood-forage, we found everything was very high, and I know it seemed like burning money to burn wood there, because it had to be hauled eighty or ninety miles.

Q. What was a cord of wood worth?—A. From \$90 to \$100.

Q. Do you remember the price of lumber?—A. The prices at those stations sometimes run up as high as \$200 a thousand.

Q. Do you remember how low it ever reached?—A. I think \$80 or \$90.

Q. Had you any means of knowing the value of corn and oats?—A. At our station there was a contract—the contract-price for hauling grain was 14 cents a pound. Wallace was one of the contractors. I knew he bought a large consignment of corn there; several hundred thousand pounds, and it was 14 cents a pound for hauling, to my recollection.

Q. What would that make the corn cost at your station?—A. I do not recollect what the corn was worth. It was worth 25 cents a pound. It varied according to the trouble of getting it there.

Q. How was the price of oats?—A. We used very few, but it was about the same as corn.

Q. Do you know the price of labor, or did you at that time?—A. We had a carpenter at our station we paid \$100 a month.

Q. And board ?—A. Yes, sir ; labor was very high at that time, especially at exposed stations.

Q. Do you know where Little Laramie was ?—A. Yes, sir ; I was there.

Q. How long were you there ?—A. Only passed through there.

Q. Do you know how far that was from timber ?—A. There is timber in the mountains, but it is difficult of access. It is not very far ; five or six or ten miles.

Q. Did you ever observe the buildings at Little Laramie ?—A. The buildings that were destroyed were very good buildings.

Q. Can you state about the cost of erecting those buildings ; what, in your opinion, would it cost to build them ?—A. My recollection of the station at Little Laramie was that it was quite a comfortable station.

Q. It is said by Spotswood to be worth \$2,500, and by Murdock to be worth \$600 ?—A. There may be a different standpoint of judgment. If you take the value of buildings when they are built by soldiers, and you have good government employés and government teams to use, it may not cost so much ; but where you have to do it by contract by people where it costs a large price for working, I should think the cost would be \$3,000 or \$3,500 with the surroundings, with the other things, besides the cost of building stables and corrals generally.

Q. Do you know the value of the hay at that time ?—A. It was \$80 or \$90 a ton. Sometimes it ran up to \$200 in some places. It fluctuated in value.

Q. You knew of the quantity and value of the stock and stages used on this line ?—A. I did.

Q. Please state the character of stock used.—A. The stock on the route was the finest stock I ever saw on a stage line. They drove four horses on the eastern end of the line to a coach, and on the western end they drove mules—that is, in the mountains—especially on the eastern end there were five horses. The stage would start each day with four horses. They started every morning and came through in time.

Q. What were such horses worth in that country ?—A. I should think that the stock they had then would cost at least \$200 apiece.

Q. Mules and horses ?—A. Yes, sir ; I think sometimes the mules would cost more than the horses.

Q. State about the coaches used.—A. They were Concord coaches, and hung on leather straps.

Q. Good and safe ?—A. Yes, sir ; splendid, excellent coaches.

Q. Do you know the value of the stock ?—A. Yes, sir ; I do.

Q. Had you any experience ?—A. Yes, sir.

Q. If you had, state what it was.—A. My regiment was sent to Leavenworth, and we had to buy new equipments. We had to refit and remount it, and at Leavenworth the government paid for horses about \$175, but the government horses did not compare with the stock on the stage line. The government was limited in price to pay for horses, and that was \$175, but out on the plains horses increased in value according to the necessities of the occasion.

EXHIBIT A.

The Central Overland California and Pike's Peak Express Company, from Fort Kearney, Neb., to Denver, Jan. 5th, 1865, Wm. Hudnut, Messenger.

No. 42,—TREASURE.

No.	Weight.	Value.	From whom received.	To whom addressed,	Destination,	Advanced charges.	Our charges,	Collect.	Prepaid.		Remarks.
							Local.		Local.	From Denver.	
1 p'k'g		1,802 00	U. S. Express Co.	Messrs. Campbell & Jones.	Denver	7 50	27 00	34 50			J. F. Wisely, North.
1 "		19 50	" "	Dr. J. F. Wisely	Julesburg		2 00	2 00			
1 "			" "	John N. King	Cottonwood	4 00	2 00	6 00			
1 "		60 00	" "	Charles Britty	Central City	1 00	2 00	3 00			
1 val papers			" "	Kountz & Bro.	Denver	4 00	8 00	12 00			Received 2 warrants. K, Bros., per F.
1 p'k'g		250 00	Mr. Clark	Dudley & White.	"		3 75	3 75			
						16 50	44 75	\$61 25			

EXHIBIT B.

Overland Stage Line, Ben Holladay, proprietor, carrying the great through mails between the Atlantic and Pacific States, from Atchison to Denver. Tuesday, Jan'y 3rd, 1865. Hudnett, messenger.

No. 1. Duplicate.

No.		From whom received.	To whom addressed.	Destination.	Expense.	Our charges.	Collect.	Prepaid charges.	
1 pa.	\$10,000	U. S. Ex. Co.	C. E. Blakesby.	Cent. City.	\$2 50	150 00	182 50	-----	Lost.
1 "	2,800	Do.	J. H. Malone.	Do.	-----	49 00	-----	49 00	Do.
1 pd. coll.	\$6	Do.	A. Arbor.	Denver.	-----	75	-----	75	Do.
1 pa.	960	Do.	W. Hussey & Co.	Do.	3 25	14 40	17 65	-----	Five land-warrants saved; one lost.
1 "	1,000	Do.	J. G. Mahoney.	Cent. City.	3 25	15 00	18 25	-----	Lost.
1 "	\$50	Do.	J. W. Buchanan.	Do.	-----	2 00	2 00	-----	Rec'd, Dahler.
1 "	\$50	Do.	R. Teats.	Do.	-----	2 00	2 00	-----	Do. do.
1 "	10,000	Do.	C. A. Cooke & Co.	Denver.	30 00	150 00	180 00	-----	Do. do.
1 "	45	Do.	O. C. Bruner.	Seneca.	-----	1 00	1 00	-----	J. E. Smith.
1 pd. col.	250	Do.	J. W. Hugas.	Kearney.	-----	D. H.	-----	-----	Line Bus.
1 pa.	50	Do.	Solomon & Bro.	Denver.	-----	2 00	2 00	-----	Lost.
1 "	700	Do.	J. N. Field.	Ft. Kearny.	-----	5 00	5 90	-----	Lloyd.
1 "	4,500	W. A. G.	E. F. Bruce, agt.	Do.	-----	D. H.	-----	-----	Line Bus.
1 "	4,000	Do.	Holladay & Carlisle.	Do.	-----	Do.	-----	-----	Do.

CLAIM OF BEN HOLLADAY.

Affidavit of George K. Otis.

WASHINGTON CITY, D. C., ss :

I, George Kingman Otis, being duly sworn, do depose and say that I am forty-five years of age ; that from the 10th October, A. D. 1861, to about September, 1863, I was in the employ of Ben Holladay, mail-contractor, engaged in carrying the United States mails from the Missouri River to Salt Lake City, as agent, in charge of his books and accounts, purchasing supplies, and attending to his private business generally ; and that, in the transaction of such business, I traveled frequently over the line of said mail-route.

That from about September, 1863, to October, 1864, I was general superintendent of said stage-line of said Holladay, so employed in carrying said mails over the whole line from the Missouri River to Salt Lake City, and had the exclusive control and entire management of the stages, horses, mules, employes, and business of said line, and personally superintended said business during the time of transporting said mails on said route ; that I passed and repassed frequently over the said route.

In the month of October, 1864, William Reynolds succeeded affiant as superintendent of said line, and from that date to November 13, 1866, I remained in the employ of said Ben Holladay, as his general financial agent, auditor, and accountant in reference to said business, and had plenary power and entire charge thereof ; and, during that time, went personally over said line frequently.

I further state that I have a full general knowledge of the depredations committed by Indians during the periods aforesaid on and against the property of said Holladay, the horses, mules, coaches, stages, harness, buildings, stations, shelters, barns, store-houses, eating-houses, food, forage, wood, and general supplies requisite and necessary for the maintenance of said stage-route, and by him used in the business of transporting the United States mails over said mail-route between the dates of 1860 and 13th of November, 1866 ; and also of the murders committed by the Indians of the employes of said Holladay, engaged in transporting said mails ; and that I have personal knowledge of the destruction of much of said property, as hereinafter stated ; and I further state that I had personal knowledge of all the property used on said line by said Holladay during the whole of the time as aforesaid that he was engaged in carrying said mails, and also of the value thereof.

I further state that I have carefully examined all the affidavits contained in the printed pamphlet entitled "Spoliations committed by Indians on property of Ben. Holladay while carrying the United States mails," which pamphlet is marked Exhibit A, and made a part of this affidavit.

I further state that the property set forth and described in said affidavits as having been destroyed and carried away by Indians was so destroyed as stated in said affidavits respectively, a large portion of it to my personal knowledge and the remainder from general information of the business as agent and superintendent of said line, and the property lost by abandonment as in said affidavits stated, and that said Holladay was compelled to abandon and lose by reason of said Indian hostilities as therein stated.

And I further state that the estimates of value of all said property as made and carried out in said pamphlet at the end of said affidavits, respectively, are fair and reasonable, and that all said property, at the time so taken, destroyed, and abandoned, as in said affidavits respect-

ively stated, the same was of the reasonable value as stated in the figures at the end of said affidavits respectively in said pamphlet.

I further state that I have carefully examined the memorial of said Ben. Holladay as printed in said pamphlet hereto annexed and made part hereof, and I aver that the statements and averments in said memorial are true.

I further state that I have no interest in the claim of said Holladay, as made in said memorial to Congress.

GEORGE K. OTIS.

Subscribed and sworn to before me this 12th day of Feb'y, 1874, at Washington, D. C.

[SEAL.]

J. MCKENNEY, *Notary Public.*

BELA M. HUGHES, called on the part of the claimant Holladay, sworn and examined by Senator Cameron, deposes and says:

That he resides in Denver, Colo.; that in the year 1861 he became connected with the business of Ben. Holladay as his attorney and general agent for the Overland Stage Line, owned by said Holladay; that from March, 1862, to March, 1863, he had intimate knowledge of the affairs of said line, the contracts and purchases of and for the same coming under his supervision during that year.

He states that the coaches purchased for the use of said line cost from \$1,000 to \$1,200, delivered in the West, at the east end of the said line; that good horses and mules used for staging, having to be the best of such animals, cost during the period spoken of above from \$175 to \$250 each, the high rate being caused by the civil war and great demand which existed for large and active horses and mules; and that oxen, suitable for heavy work, such as needed in the service of the stage-line, would, during that period and some years thereafter, as late as 1866, readily sell for \$175 to \$200 a yoke; and that it was the policy of the managers of the said stage-line to purchase none but the very best horses, mules, oxen, and outfit generally, it being really true economy to do so.

He states that during the disturbances caused by the pillage and murder of the people on the plains, and attacks upon the line directly, the price of wood and hay went up to an enormous rate, the danger and difficulty of procuring both being enhanced by the condition of affairs.

He states that in his opinion the prices charged for hay and wood lost by claimant do not exceed the rates prevailing during the Indian war, related in the evidence filed by claimant and read by this witness.

He states that he was well acquainted with the station destroyed at Julesburg, the buildings thereat, and believes that the cost of the same was not less than \$35,000; as, owing to the distance the material for the erection thereof was necessarily compelled to be hauled, the plank and shingles coming from Denver, 180 miles off, and the logs used in a few of the houses hauled, as he was informed and believes, from near a station called Cottonwood (east of Julesburg), a distance of more than 100 miles.

He states that he remembers distinctly the station known as Spring Hill, one of the best stations on the line, having very excellent houses and barns and corrals; and his opinion is that the cost of these im-

provements, and the value thereof, was not, at the time of the destruction of the same, less than \$6,000.

He states that he was well acquainted with the station known as Little Laramie, on the Laramie Plains; that it was built most substantially, the improvements being quite extensive and thorough in construction, and he is satisfied that it cost not under \$3,500 to put up the same.

That Antelope Station, destroyed (as was the Little Laramie) by Indians, was also well put up in all respects, house, barn, and corral, but his recollection of the extent of the structures is not clear, as in regard to other places on the line; but he can state that the expense of erecting any decent, comfortable station, and substantially to accommodate stock and employes, could not have cost less than \$2,000 to \$3,000, and in the case of home stations, such as Little Laramie, Spring Hill, and others, a much greater sum. Home stations were those at which passengers took meals on the line.

The lumber for all the stations on the plains was hauled from Denver, and the cost of it grew with the distance from that place. Spring Hill was about 175 miles east of Denver, and Antelope Station farther, and it seems to the witness that the building of the latter could not fall short much of Spring Hill.

He states that the barns erected on the line, when a separate warehouse was not put up, were so built as to afford a room to store grain and provisions (when the station was not built for a home station), for the employes at the station, a bedroom for men, and from 40 to 50 horses. Some were smaller, and others perhaps larger, owing to the needs of the particular locality; and these barns were expensive to erect on account of the difficulty of getting timber all along the line after leaving the boundary of Kansas up to Denver, and thence after a distance of fifty miles west of that place, all the way to Salt Lake City, Utah. These barns must have cost, on the line from Julesburg to Denver, not under \$3,000 each, extensive, well finished, and substantial as they were.

He states that the station called Elk Horn, on the line from Kearney to Julesburg, in his opinion cost all of \$2,000 to build it, and may have cost a great deal more, perhaps as much as \$3,000 to \$3,500.

He states that the cost of building, during the years 1861, 1862, 1863, 1864, 1865, and 1866, on the plains, was really enormous, caused, as stated, by the remoteness of the stations from lumber and material, and prices were enhanced greatly as Indian hostilities advanced, of course.

He further states that the price of building in the settlements in the older communities affords no criterion to judge of the cost on the plains and in the mountain country west of the Missouri River, and especially at a season when every movement was accompanied with danger during Indian hostilities.

He states that the stations of the stage-line were used entirely and exclusively for the purposes of the line itself, namely, the occupancy of the men and proper business of the line, with the accommodation of passengers; and he can state that there were no stores or trading-shops in any of the stations, and none were or could be used in that way.

He states, also, that if the Government of the United States or any of its military officers or soldiers ever did carry any mails for Holladay, at any time, he never did hear of such a thing, and is confident, from his position as the attorney of the line, from March, 1863, to November, 1866, that no such thing ever did occur.

BELA M. HUGHES.

I N D E X.

	Page.
Memorial	1
Affidavit of R. L. Pease (with estimate of damage done).....	2
Lemuel Flowers	3
Richard Murray (with estimate of damage done)	4
J. A. Slade (with estimate of damage)	5
J. B. Babcock (with estimate).....	6
J. E. Bromley (with estimate)	7
William A. Reid (with estimate).....	8
Seaman Johnson (with estimate).....	9
Isaac E. Eaton (with estimate)	10
George H. Carlyle (with estimate).....	11
Sol. Riddle (with estimate)	13
George M. Loyd (with estimate)	15
Charles Ivins (with estimate).....	16
S. O. Jerome (with estimate)	18
Letter from J. M. Chivington to Mr. Holladay.....	19
Affidavit of R. S. Thomas.....	19
William Reynolds (with estimate).....	20
Edward B. Murphy (with estimate).....	23
W. M. Hudnut (with statement)	25
Richard Quinn	26
A. S. Hughes	28
Lieut. J. S. Brewer	28
Estimates of damages as per affidavits of R. Quinn, R. S. Thomas, A. S. Hughes, Sol. Riddle, and Lieutenant Brewer	30
Affidavit of James Stewart (with estimate).....	30
R. J. Spotswood (with estimate)	32
William Trotter.....	34
Testimony of G. H. Carlyle	35
R. J. Spotswood.....	43
E. F. Hooker	48
David Street	51
General Craig.....	53
Letter of General Craig to General Blunt	55
Testimony of George K. Otis	56
General Mitchell	59
B. Holladay	61
Statement of losses	64
Testimony of Robert Foote	64
T. B. Murdock	67
N. F. Frazier	80
Col. Charles G. Otis	81
Bela M. Hughes.....	87