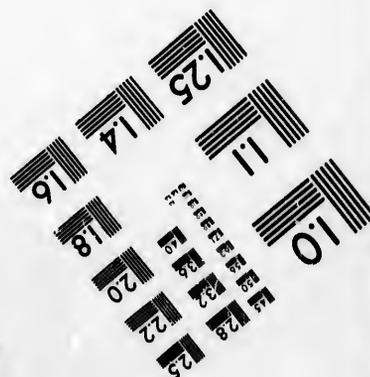
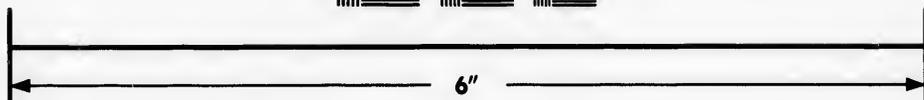
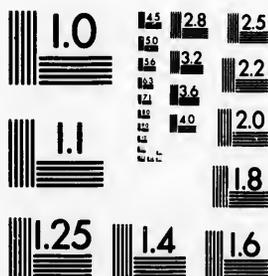


**IMAGE EVALUATION  
TEST TARGET (MT-3)**



**Photographic  
Sciences  
Corporation**

23 WEST MAIN STREET  
WEBSTER, N.Y. 14580  
(716) 872-4503

Canada



**CIHM/ICMH  
Microfiche  
Series.**

**CIHM/ICMH  
Collection de  
microfiches.**



**Canadian Institute for Historical Microreproductions / Institut canadien de microreproductions historiques**



**© 1985**

Technical and Bibliographic Notes/Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured covers/  
Couverture de couleur
- Covers damaged/  
Couverture endommagée
- Covers restored and/or laminated/  
Couverture restaurée et/ou pelliculée
- Cover title missing/  
Le titre de couverture manque
- Coloured maps/  
Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black)/  
Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations/  
Planches et/ou illustrations en couleur
- Bound with other material/  
Relié avec d'autres documents
- Tight binding may cause shadows or distortion  
along interior margin/  
La reliure serrée peut causer de l'ombre ou de la  
distortion le long de la marge intérieure
- Blank leaves added during restoration may  
appear within the text. Whenever possible, these  
have been omitted from filming/  
Il se peut que certaines pages blanches ajoutées  
lors d'une restauration apparaissent dans le texte,  
mais, lorsque cela était possible, ces pages n'ont  
pas été filmées.
- Additional comments:/  
Commentaires supplémentaires:

- Coloured pages/  
Pages de couleur
- Pages damaged/  
Pages endommagées
- Pages restored and/or laminated/  
Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed/  
Pages décolorées, tachetées ou piquées
- Pages detached/  
Pages détachées
- Showthrough/  
Transparence
- Quality of print varies/  
Qualité inégale de l'impression
- Includes supplementary material/  
Comprend du matériel supplémentaire
- Only edition available/  
Seule édition disponible
- Pages wholly or partially obscured by errata  
slips, tissues, etc., have been refilmed to  
ensure the best possible image/  
Les pages totalement ou partiellement  
obscurcies par un feuillet d'errata, une pelure,  
etc., ont été filmées à nouveau de façon à  
obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below/  
Ce document est filmé au taux de réduction indiqué ci-dessous.

10X	12X	14X	16X	18X	20X	22X	24X	26X	28X	30X	32X
					✓						

The copy to the ge

M  
C

The image possible of the original filming c

Original beginning the last p sion, or t other ori first page sion, and or illustr

The last shall com TINED whichever

Maps, pl different entirely beginning right and required method:

The copy filmed here has been reproduced thanks to the generosity of:

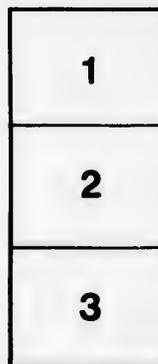
Metropolitan Toronto Library  
Canadian History Department

The images appearing here are the best quality possible considering the condition and legibility of the original copy and in keeping with the filming contract specifications.

Original copies in printed paper covers are filmed beginning with the front cover and ending on the last page with a printed or illustrated impression, or the back cover when appropriate. All other original copies are filmed beginning on the first page with a printed or illustrated impression, and ending on the last page with a printed or illustrated impression.

The last recorded frame on each microfiche shall contain the symbol  $\rightarrow$  (meaning "CONTINUED"), or the symbol  $\nabla$  (meaning "END"), whichever applies.

Maps, plates, charts, etc., may be filmed at different reduction ratios. Those too large to be entirely included in one exposure are filmed beginning in the upper left hand corner, left to right and top to bottom, as many frames as required. The following diagrams illustrate the method:



L'exemplaire filmé fut reproduit grâce à la générosité de:

Metropolitan Toronto Library  
Canadian History Department

Les images suivantes ont été reproduites avec le plus grand soin, compte tenu de la condition et de la netteté de l'exemplaire filmé, et en conformité avec les conditions du contrat de filmage.

Les exemplaires originaux dont la couverture en papier est imprimée sont filmés en commençant par le premier plat et en terminant soit par la dernière page qui comporte une empreinte d'impression ou d'illustration, soit par le second plat, selon le cas. Tous les autres exemplaires originaux sont filmés en commençant par la première page qui comporte une empreinte d'impression ou d'illustration et en terminant par la dernière page qui comporte une telle empreinte.

Un des symboles suivants apparaîtra sur la dernière image de chaque microfiche, selon le cas: le symbole  $\rightarrow$  signifie "A SUIVRE", le symbole  $\nabla$  signifie "FIN".

Les cartes, planches, tableaux, etc., peuvent être filmés à des taux de réduction différents. Lorsque le document est trop grand pour être reproduit en un seul cliché, il est filmé à partir de l'angle supérieur gauche, de gauche à droite, et de haut en bas, en prenant le nombre d'images nécessaire. Les diagrammes suivants illustrent la méthode.

ire  
détails  
es du  
modifier  
er une  
filmage

ées

e

y errata  
d to

nt  
e pelure,  
con à



32X



STATEMENT  
OF THE  
CIRCUMSTANCES ATTENDING THE  
DEATH OF  
WILFRED D. SPEER, ESQ.,

WITH COPIES OF TESTIMONY AND CORRESPONDENCE.

---

LONDON, ONTARIO.  
JOHN CAMERON, BOOK AND JOB PRINTER, DUNDAS STREET WEST.  
1887.

BR  
364.152  
S 74

21/5/63

STAT

WILL

ground  
account  
most p  
He was  
that Co  
will an

In O  
winter  
the mo  
ing wit  
steamer  
point b  
writer

were a  
Indian  
receive

last, br  
The

knowle  
at onc

ten an  
Octay

11th Ju  
proces  
obtain

At C  
who w  
lsion  
injured  
ventin

## CORRESPONDENCE AND TESTIMONY.

---

*STATEMENT of circumstances attending the death of Wilfred D. Speer, Esq., of West End Lodge, Thames Ditton, Surrey, who was shot by a Soldier of the United States Army, on board a Steamboat on the Missouri, on the night of the 7th June, 1867; to which is appended a copy of testimony taken on oath on board the Steamboat the day following his death; together with an additional statement made by the Captain of the Steamboat on his return to St. Louis, Mo., July 16, 1867, and correspondence.*

WILFRED D. SPEER, whose death, or rather as there seems but too good ground for believing, whose wilful murder is recorded in the following brief account, was a gentleman of fortune, who had, during the last few years, visited most parts of the East and West, for the sake of sport or in search of adventure. He was a Magistrate for the County of Surrey and a Captain in the Militia of that County, and one whose manners and character secured for him the good will and esteem of all with whom he came in contact.

In October, 1866, he arrived on this continent and passed the autumn and winter in visiting New Brunswick, Canada, the United States, and Cuba. In the month of May, 1867, he left London, Canada West, where he had been staying with the writer, and proceeded to Omaha, there to embark on board the steamer Octavia on her passage to Fort Benton, on the Missouri, from which point he intended to make his way to San Francisco. His last letter to the writer was dated Sioux City, 23rd May, 1867, in which he mentioned that there were a number of United States troops on board proceeding to the disturbed Indian districts. From that time no further notice of his movements was received until a paragraph appeared in the *New York Times* of the 28th June last, briefly recounting the manner of his shocking death on board the Octavia.

The writer, being an old and intimate friend of his and, to the best of his knowledge, the only personal friend of his family on this side of the Atlantic, at once placed himself in communication with the British Minister at Washington and with the British Consul at Chicago, and learned that the steamer Octavia would be at St. Louis, Mo., on her return voyage, on or about the 11th July, 1867, having on board the remains and effects of Captain Speer. He proceeded there to meet her, with a view of taking charge of the body as well as obtaining authentic statements of the manner of his death.

At Chicago the writer was joined by the acting British Consul of St. Louis, who would have accompanied him to St. Louis, but the train coming into collision with another, the acting Consul was amongst the passengers so much injured, that it was found necessary to send him back to Chicago, thus preventing his giving his aid in the prosecution of the necessary inquiries.

On arrival, however, at St. Louis, everyone seemed animated with but one disposition in the matter, viz.: To render every assistance; and the unqualified opinion of all with whom the writer spoke on the subject tended to confirm him in the conclusion he had previously arrived at; that the death of Captain Speer was in fact a cold-blooded, deliberate murder. A murder by whom, and for what end committed, the subjoined statement of facts leaves little room for doubt.

Particular attention is called to the medical testimony, as to the position of the wound which caused the unfortunate gentleman's death. It is evident that he was not challenged by the sentry, nor had he attempted to force the post. The sentry was lying in wait 42 feet from the post assigned to him; he allowed his victim to pass, and, while in the act of stooping to unfasten the cabin door, took deliberate aim and shot him from behind.

That the crime will be thoroughly sifted at the instance of the British Legation at Washington, and that the perpetrators will be dealt with most strictly according to law, there can be no doubt; but in completion of the sacred duty owing to the memory of a friend, the writer thinks it well to record, whilst the matter is fresh and to circulate amongst those who he is confident will not allow it to be lightly put aside, the results of the preliminary action, which is the only part a private individual has the power to take.

COURTENAY F. TERRY,  
Lieut. 60th Royal Rifles.

London, Ontario, Canada, July 20, 1867.

The following extract from the *St. Louis Republican* of the 13th of July, will serve to indicate to some slight extent the feelings entertained by the fellow passengers of the late Capt. Speer as to the culpability of the soldier who, under the pretext of "orders," murdered an inoffensive English gentleman:—

"DEATH OF CAPTAIN SPEER.—The passengers on the steamer Octavia upon the killing of the English officer, Captain Speer, adopted the following as expressive of their esteem for the deceased and of their condemnation of the criminal act by which he was killed:

"We sincerely deplore the death of our esteemed fellow passenger, Captain Wilfred D. Speer, who was killed on the steamer Octavia on the night of the 7th inst., by the intentional firing of a gun in the hands of the sentinel, William Barry.

"Captain Speer embarked on the steamer Octavia at Omaha City, Nebraska, on Sunday, 19th May, and had by his urbanity of manners, gentlemanly intercourse and conversational and social qualities won the esteem, so far as we know, of all the passengers.

"The day preceding his death was to all outward appearance the happiest of that voyage to him, as he displayed an unusual flow of spirits, and was often during the day seen romping and playing with the children on board.

"Truly, 'in the midst of life we are in death,' and how often is it that the finest and noblest specimens of manhood are stricken down by the Great Author of all things, that it may be written upon the tablets of memory, 'what shadows we are, what shadows we pursue.'"

"Our fellow  
reply sym  
though he  
the prop  
"We also  
investig  
committe  
pended the  
el who con

H. B. M.  
Was

Sir:—

I have the  
copy of the  
Buford, Mi  
board the t

I also en  
the Octavi  
the Court

I beg also  
among the  
committed  
in charge o

I am inf  
and boasts  
private B  
opinion of  
Speer was

In concl  
forwarded  
Benyon,  
M. P.

TESTIM

into

am

JOSEPH

three year

"Our fellow-passenger has gone, and whilst we cannot call him back, we deeply sympathize with the relatives and friends, and we assure them, that although he was in a strange land, yet kind and gentle hands placed his remains in the proper condition to be restored to them.

"We also assure the relatives and friends of Captain Speer, that a committee of investigation was appointed by a meeting of the passengers, and that said committee, after a careful and thorough investigation of the testimony, recommended that the severest punishment known to the law be dealt out to the sentinel who committed the culpable act."

To His Excellency,

SIR FREDERICK BRUCE,

H. B. M. ENVOY EXTRAORDINARY, AND MINISTER PLENIPOTENTIARY,  
WASHINGTON.

{ London, Ontario, Canada,  
July 20th, 1867.

SIR:—

I have the honor to forward for your Excellency's information, the enclosed copy of the Court of Inquiry held on board the steamer Octavia, near Fort Buford, Missouri river, regarding the death of Mr. W. D. Speer, a passenger on board the boat.

I also enclose the statement made to me by Captain La Barge (the Captain of the Octavia), on the 16th inst. of facts that had come to his knowledge since the Court of Inquiry, held on the 8th June last.

I beg also to add, that Captain La Barge told me that the general impression among the passengers, officers and crew of the Octavia was that the murder was committed with the full knowledge beforehand of Lieut. Harrigan, the officer in charge of the detachment.

I am informed that Lieut. Harrigan has just been promoted from the ranks, and boasts of being a deserter from Her Majesty's service; both the sentinel, private Barry, and Lieut. Harrigan, are reputed Fenians, and the general opinion of all classes in St. Louis, with whom I came in contact, is that Mr. Speer was murdered by them, solely because he was a British Officer.

In conclusion, I beg to state for your Excellency's information that I have forwarded copies of the enclosed documents, as well as of this letter, to Richard Benyon, Esq., M. P., George Cubitt, Esq., M. P., and Richard Garth, Esq., M. P.

I have the honor to be,

Your Excellency's most obedient servant,

COURTENAY F. TERRY,

Lieut. 60th Royal Rifles.

*TESTIMONY taken by a Committee appointed on the 8th inst., to inquire into the causes that led to the death of CAPTAIN SPEER, of the British army, on the 7th instant, June, 1867.*

JOSEPH C. LA BARGE, sworn: My name is Joseph C. La Barge; I am twenty-three years of age; I am pilot on the steamer Octavia, plying between Saint

Louis, Mo., and Fort Benton, Montana Territory. I was present on the night of the 7th of June, inst., and was in company with the deceased. When we got to the head of the stairway of the hurricane deck, I stopped to close the doors of the stairway. Deceased preceded me, and was first to meet the sentinel posted on said deck. I heard no challenge from sentinel; heard the report of sentinel's gun; saw and heard deceased fall; was about six or seven feet from deceased when he fell. If the sentinel had challenged deceased, I would have heard him. The sentinel, after deceased fell, challenged me. I remarked to him that he had shot Captain Speer. Sentinel told me to stay there until he called sergeant of the guard; he called the sergeant of the guard, and he came on deck. I know of nothing further.

(Signed,)

JOSEPH C. LA BARGE.

JAMES R. COOPER, being duly sworn: I am twenty-two years of age. I am carpenter of the steamer Octavia; was on the stern of the boiler deck of said boat on the night of the 7th of June inst. About a quarter of an hour to one o'clock a.m. of said night, I heard the report of a gun on hurricane deck of said boat. In a minute or two I went into the hurricane roof of said boat, and found Captain Speer lying at the aft end of Texas, near the door; he was not yet dead. I heard nothing said at the time, only the report of the gun; it was raining at the time, but not very hard. Lieut. Harrigan was present; he remarked to me not to speak of it until morning. Deceased lived about five minutes after I got to him. I went and called Dr. Fowler. Joseph C. La Barge was standing near deceased, and the engineers were looking out of the door of the hall of Texas. The sentinel was also present. Lieut. Harrigan ordered sentinel disarmed and placed under arrest. I know of nothing further.

(Signed,)

JAMES R. COOPER.

ALLEN FOWLER, being sworn, deposed and says: I am twenty-five years of age, and by profession a surgeon and physician; am a passenger on board of the steamer Octavia; am a regular graduate of the Medical College called the "University of Maryland." I was in my stateroom on the night of the 7th June, inst.; was called up about a quarter to one o'clock a.m. I immediately went on to the hurricane roof of said boat, where I found the body of Captain Speer, lying on his back on said roof, with head towards the shore. I proceeded to examine the body; felt for his pulse, but found none; felt for the contraction of the heart, but found it had ceased to contract, and then pronounced life extinct. Upon further examination I found he had been shot, the ball taking effect below and behind the left ear, ranging through the base of the brain, and coming out at the nose, carrying the tip end of the nose away; from the size of wound it must have been made with a musket or army ball; from the effect of said wound Capt. Speer died. There was present at the examination made by me, Jos. C. La Barge, James R. Cooper. I know nothing of the cause that led to the shooting of Capt. Speer.

(Signed,)

ALLEN FOWLER, M.D.

F. H. EASTMAN, being duly sworn, deposed and says that: I am forty-three years of age; am a passenger on board of the steamer Octavia. Lieut. Harrigan, James Cooper and myself were sitting on the stern of the boiler deck of said boat; in about one minute after Capt. Speer and Jos. C. La Barge left

to go o  
I remar  
Lieut.  
I remar  
asked h  
occurre  
This o  
June, 1

Jose  
years o  
in Tex  
7th Ju  
immed  
that  
any ch  
from t  
nothing

ALB  
years o  
board  
for For  
Wilfre  
the hu  
1867.

Vic  
of age  
one of  
steame  
on the  
of Jun  
and o  
name  
guard  
side t  
any b  
fire w  
the h  
watch  
been  
that  
shoot  
halte  
Lieut  
I gav

was present on the night of the deceased. When we stopped to close the door, I was first to meet the sentinel; heard the door; he was not challenged deceased, I challenged me. I told the sergeant of the guard,

#### JOSEPH C. LA BARGE.

Two years of age. I am of the boiler deck of said quarter of an hour to said gun on hurricane deck of said roof of said boat, and near the door; he was not report of the gun; it was Harrigan was present; he deceased lived about five Fowler. Joseph C. La were looking out of the present. Lieut. Harrigan know of nothing further.

#### JAMES R. COOPER.

am twenty-five years of passenger on board of the Medical College called the on the night of the 7th o'clock a.m. I immediately and the body of Captain the shore. I proceeded felt for the contraction did then pronounced life been shot, the ball taking the base of the brain, and away; from the size of ball; from the effect of the examination made by ng of the cause that led

#### JOSEPH FOWLER, M.D.

that: I am forty-three mer Octavia. Lieut. stern of the boiler deck Jos. C. La Barge left

to go on hurricane roof, I heard a shot on said roof, but heard no challenge, I remarked to Lieut. Harrigan that some of his men had let a gun off carelessly. Lieut. Harrigan and James R. Cooper went on to the hurricane roof of the boat. I remained on the boiler deck of the boat until Lieut. Harrigan returned. I asked him what was the matter. "My God, Mr. Eastman, a horrible affair has occurred; be quiet until morning." I went on deck and found Capt. Speer dead. This occurred about half-past twelve o'clock a.m., on the night of the 7th of June, inst., A.D. 1867.

(Signed,)

F. H. EASTMAN.

JOSEPHUS BLAKE, being duly sworn, deposes and says: I am twenty-eight years of age; am assistant engineer on the steamer Octavia. I was in my room in Texas of said boat at about half-past twelve o'clock a.m. of the night of the 7th June, A.D. 1867. I heard a shot fired on the hurricane roof of said boat; immediately after the firing I looked out of my room, and heard some one say that "you have shot that man." I heard no challenge before the shooting; if any challenge had been given I would have heard it. My door is about ten feet from the sentinel, with the door and transom of said room open. I know of nothing further about the matter.

(Signed,)

JOSEPHUS BLAKE.

ALBERT G. LA BARGE, being duly sworn, deposes and says: I am twenty-one years of age; am clerk of the steamer Octavia. Capt. Speer was a passenger on board of the steamer Octavia; got aboard at Omaha, Nebraska, and was bound for Fort Benton; he occupied a room in Texas of said boat; his baggage marked Wilfred D. Speer, Quebec, Canada, he being the same man that was killed on the hurricane roof of the steamer Octavia, on the night of the 7th June, A.D. 1867.

(Signed,)

A. G. LA BARGE.

VICTOR JONES, being duly sworn, deposes and says: I am twenty-four years of age; I belong to the Thirteenth Regiment of the U. S. A.; I am corporal of one of the companies of said regiment; had charge of the guard on board of the steamer Octavia on the night of the 7th June, A.D. 1867. I placed the guard on the hurricane roof of said boat at twelve o'clock m., on the night of the 7th of June, as aforesaid; I placed one guard at the aft end of Texas of said boat, and one at the front end of Texas. The guard at the aft end of Texas is by the name of William Barry; he speaks the English language. My orders to said guards were as follows, to wit:—"If any one approaches the boat from the shore side to halt them once; if they did not halt and answer, they were to fire. If any hand of persons or Indians were seen approaching the boat, they were to fire without halting." I gave no orders in relation to passengers on board of the boat. The guard, William Barry, I think at the time I placed him on watch was sober. The guards were relieved every two hours. Barry had been on guard about half an hour when the shooting occurred. Barry told me that he had shot a man when I went on the hurricane roof after hearing the shooting. Barry said that he thought that the man was an enemy; that he halted him; he made no answer and he then fired. I have had no orders from Lieut. Harrigan or the orderly sergeant to halt any passengers aboard the boat. I gave no orders to the sentinels on duty to halt any of the passengers aboard

of the boat. Lieut. Harrigan ordered me, after the shooting of Capt. Speer, to disarm the sentinel Barry, and put him under arrest; he is now under arrest.

(Signed,)

VICTOR JONES.

JOSEPH LA BARGE, being first duly sworn, deposes and says: I am fifty-one years of age; I am captain of the steamer Octavia, I was in my stateroom in Texas on the night of the 7th of June, A.D. 1867. Between twelve and one o'clock of said night I was called up by my son, Joseph C. La Barge; I got up immediately and went to the aft of Texas, where I found Captain Speer lying dead. I examined the wound; it was such a one that he must have died instantly; from the appearance of the wound deceased must have been stooping at the time he was shot. Standing by the corpse were my first engineer, Chas. Newell, and assistant engineer Graham, Dr. Fowler, one of the stokers, and my son, Jos. C. La Barge; the sentinel also. I understood from the sergeant of the guard that the sentinels were not allowed to permit any one to move about on the roof. When the Lieutenant came up I requested him to remove the sentinel, as I wanted no more shooting there. He (the Lieut.) immediately sent the guard below. It was not through my request that a guard was placed on the hurricane roof. Lieut. Harrigan after leaving Fort Rice said to me if I had no objection he would place a guard on the hurricane roof if he (Capt. La Barge) would permit. I agreed to it on the condition that the guard was not to interfere with the passengers and that they were not to walk on the roof disturbing the passengers. One of the guard was to be placed aft of the wheels and the other in front of the chimneys. Col. Powell said to me at Fort Rice that the troops were not to interfere with the passengers aboard of the boat. I saw the sentinel William Barry on the morning of the 8th of June, who shot Capt. Speer. I asked the sentinel if he was in his right mind at the time he shot Capt. Speer. He replied that he was and that he had done his duty and obeyed orders; his reply was in a most insolent tone. Capt. Speer I met first at Omaha, Nebraska; he telegraphed me from Quebec that he would meet me at Omaha; his name is \*W. D. Speer, Captain of the 79th of the Royal Rifles of London; this information I received through a dispatch from him from Quebec. The sentinel was not on the evening of the 7th at the place agreed upon by Lieut. Harrigan and myself. I do not consider the troops essential to the safety of the boat or its passengers. I took the troops up the river under a contract from the government as deck passengers.

(Signed,)

JOSEPH LA BARGE.

WILLIAM W. SOUTHARD, being sworn, deposes and says: I am twenty-seven years of age. Am second engineer on the steamer Octavia. I was in my room in Texas when the shot was fired. I heard some one remark: "You have killed a friend," and one other remark that "It was the Englishman." I went out after hearing these remarks to the after end of Texas, where I saw Capt. Speer weltering in his blood; he died soon after I reached him.

(Signed,)

WM. W. SOUTHARD.

CHARLES C. NEWELL, being sworn, deposes and says: I am thirty-eight years of age, and first engineer of the steamer Octavia. I went to my

\* This mistake must have occurred in consequence of Captain Speer giving his address to my care.

oom in Te  
867. The  
Texas; he  
he had ord  
ame senti  
where the  
the Texas

Jacob W  
of age, an  
at ten o'cl  
on the aft  
from the o  
halted, to  
approach  
sentinel t  
arrest.

We, the  
death of  
night of

That th  
on the lu  
That the  
sentinel,  
And we,  
and offic  
upon sal  
fellow p  
case.

Signed

My D

ing of Capt. Speer, to  
now under arrest.

TOR JONES.

I says: I am fifty-one  
was in my stateroom  
between twelve and one  
La Barge; I got up  
Captain Speer lying  
he must have died  
st have been stooping  
first engineer, Chas.  
of the stokers, and my  
m the sergeant of the  
me to move about on  
him to remove the  
Lieut.) Immediately  
a guard was placed  
at Rice said to me if  
one roof if he (Capt.  
that the guard was  
t to walk on the roof  
loed aft of the wheels  
l to me at Fort Rice  
aboard of the boat.  
e 8th of June, who  
ght mind at the time  
e had done his duty  
Capt. Speer I met  
that he would meet  
o 79th of the Royal  
dispatch from him  
he 7th at the place  
onsider the troops  
k the troops up the  
ers.

LA BARGE.

I am twenty-seven  
I was in my room  
mark: "You have  
fishman." I went  
where I saw Capt.

UTHARD.

I am thirty-eight  
I went to my  
ain Speer giving

oom in Texas about half past eleven on the night of the 7th of June, A. D. 1867. There was a sentinel on duty standing by the door of the after part of Texas; he did not challenge me. I asked him what his orders were; he said he had orders to shoot any man or thing on the bank. I don't think it was the same sentinel that shot Capt. Speer. I passed on the same side of the boat where the sentinel was stationed. I knew of no guard being stationed aft of the Texas until the night referred to.

(Signed,)

CHARLES NEWELL.

JACOB WARREN, being duly sworn, deposes and says: I am twenty-one years of age, and belong to the 13th Regiment of the regular army. I went on guard at ten o'clock, p. m., on the night of the 7th of June, A. D. 1867; was stationed on the after part of Texas. My orders were to challenge any person coming from the outside to get on to the boat, and if they did not halt to fire; if they halted, to call the sergeant of the guard, and to fire into a number of persons approaching the boat without halting. I gave these instructions to the sentinel that relieved me at 12 m., of the night; that sentinel is now under arrest.

(Signed,)

JACOB WARREN.

We, the COMMITTEE OF INQUEST, appointed to inquire into the cause of the death of Capt. W. D. Speer, a passenger on the steamer Octavia on the night of the 7th of June, A. D. 1867, do make this, our report:

That the said Capt. W. D. Speer was killed by the deliberate firing of a gun on the hurricane roof of the boat in the hands of the sentinel, William Barry. That the shooting was not in accordance with any instruction given to said sentinel, and that he deserves the most rigid punishment known to the law. And we, the Committee, do most earnestly insist (united in by the passengers and officers of said boat) that the extreme penalties of the law shall be inflicted upon said prisoner by the military for the gross violation of orders by which a fellow passenger lost his life. We enclose herewith the testimony taken in the case.

Signed by the Committee,

(Signed,)

THOS. E. TUTT, CHM. COM.,  
GREEN CLAY SMITH,  
SAM. McLEAN,  
RICHARD LEACH,  
F. H. EASTMAN,  
GEO. McLEAN.

Attest.

W. J. McCORMACK,  
Secretary Court.

(Signed,)

(A true copy of the original.)

COURTENAY F. TERRY,  
Lieut. 60th Royal Rifles.

TO COURTENAY F. TERRY, LIEUT. 60TH ROYAL RIFLES.

MY DEAR SIR,—

I desire to make a further statement to my testimony given before the

Court, convened to inquire into the shooting of the late Captain W. D. Speer, which I herewith submit:

After the shooting of Captain Speer the steamer Octavia proceeded on her way to Fort Buford. At this point the matter of Barry's arrest was referred to Col. Rankin, of the 31st Regiment, and he at first consented to keep Barry in confinement until the steamer Octavia had completed the trip to Fort Benton and returned to Fort Buford, when he agreed that Barry should be sent forward and turned over to Lt.-Gen. Sherman.

At this time Lieut. Harrigan interfered and expressed the wish to take Barry to Camp Cook, the place of destination for the men under his command, in order that he might then report him to Col. Andrews, in command of the Regiment to which Lieut. Harrigan and his men belonged, and prefer charges against him. Lieut. Harrigan stated to Col. Rankin his intention to prefer three distinct charges against Barry, as follows:

First.—Murder.

Second.—Disobedience of orders.

Third.—Conduct while on board the steamer unbecoming of a soldier.

To this Col. Rankin assented, stating his belief that this was the best course to pursue. Col. Rankin asked me if I could put Barry in irons. I told him I could. He then directed me to confine Barry and put irons upon him. I put manacles upon his wrists and ankles and had them riveted and kept him upon the main deck.

A few days after the boat left Fort Buford Lieut. Harrigan directed the boat's engineer to remove the manacles from Barry's limbs. This the engineer refused to do unless so ordered by me. He then told the engineer that he could find means for removing the irons without coming to me. He procured a file and entirely removed the irons from Barry's limbs.

After Barry was released he remained quietly on board until we reached Camp Cook.

At Camp Cook Lieut. Harrigan left the boat with his men, and Barry was taken on shore under guard.

At the time of our arrival Col. Andrews, in command at Camp Cook, was absent. Lieut. McGinnis, Post Adjutant, assured me that Barry should be kept safely until the return of Col. Andrews.

The steamer Octavia passed on her way to Fort Benton, and was absent about one week. On my return I stopped at Camp Cook, and had an interview with Col. Andrews, at which he informed me that Lieut. Harrigan had not preferred charges of any kind against Barry.

Col. Andrews made statements to me (the words of which I do not now recollect) which left upon my mind the impression that Lieut. Harrigan justified Barry in the shooting of Capt. Speer, and that he manifested no intention of preferring charges against Barry.

Col. Andrews told me he could not deliver Barry to me to be forwarded to Lt.-Gen. Sherman, he said he felt sure this would become an international affair and it was his duty to retain Barry in confinement in order that he might be ready to turn him over to the proper authorities when required so to do.

I desire further to say that Patrick McShain, Assistant Surgeon, U. S. A., at Fort Rice stated that Lieut. Harrigan was constantly under the influence of liquor, and that he had prescribed for him when he was labouring under attacks of delirium tremens and had several times given Lieut. Harrigan medicine to quiet him when he was suffering from excessive indulgence in liquor.

Surgeon McS  
ort Rice, and  
andall to Fort  
Surgeon McS  
ferred again  
had to him  
ent. Harriga

St. Louis, Mo  
ATE OF MISSO

nty of St. Lo

I, Jo

State afore

mer Octavia

his name to

Terry, Lieut

table person

a witness wh

of July, A.

said.

Captain W. D. Spear,

Octavia proceeded on her  
arrest was referred to  
to keep Barry in  
the trip to Fort  
Barry should be sent  
the wish to take  
under his command,  
in command of the  
ed, and prefer charges  
his intention to prefer

Surgeon McShain was a passenger on board the Octavia from Omaha to  
port Rice, and occupied the same stateroom with Lieut. Harrigan from Fort  
Randall to Fort Rice.

Surgeon McShain gave me his address and stated to me it charges were  
referred against Lieut. Harrigan, and he was brought to trial, reference might  
had to him (McShain) as he was able to make such disclosures as would ruin  
out. Harrigan's character as an officer.

I have the honor to be, my dear sir,

Your obedient servant,

JOS. LA BARGE,

Master steamer Octavia.

St. Louis, Mo., July 16th, 1867.

STATE OF MISSOURI, }  
County of St. Louis, } S. S.

ing of a soldier.  
his was the best course  
in irons. I told him I  
rous upon him. I put  
ed and kept him upon  
Harrigan directed the  
bs. This the engineer  
the engineer that he  
o me. He procured a

I, John C. Coonley, a Notary Public, within and for the County  
State aforesaid, do hereby certify that Joseph La Barge, master of the  
amer Octavia now lying at the port of Saint Louis, did in my presence  
his name to the annexed communication in writing addressed to Courtenay  
Terry, Lieut. 60th Royal Rifles, and I certify that I believe him to be a  
table person and entitled to full credit.

A witness whereof I hereto set my hand and affix my notarial seal this 16th  
of July, A. D., 1867, which is the date of the signing of the instrument  
said.

(Signed,)

JOHN C. COONLEY,  
Notary Public,  
Saint Louis, Co. Mo.

(True copy,)

COURTENAY F. TERRY,  
Lieut. 60th Royal Rifles.

ard until we reached  
men, and Barry was  
l at Camp Cook, was  
that Barry should be

nton, and was absent  
and had an interview  
t. Harrigan had not

which I do not now  
that Lieut. Harrigan  
at he manifested no

e to be forwarded to  
ome an international  
n order that he might  
required so to do.

Surgeon, U. S. A., at  
nder the influence of  
bouring under attacks  
Harrigan medicine to  
e in liquor.

