
RENO
COURT OF
INQUIRY

VOLS. 1-2

CONDUCT
AT BATTLE OF
LITTLE BIG HORN RIVER

JUNE 25-26, 1876

PROCEEDINGS OF
A
COURT OF INQUIRY
IN THE CASE OF
MAJOR MARCUS A. RENO

CONCERNING HIS CONDUCT

At the
BATTLE OF THE LITTLE BIG HORN RIVER
JUNE 25-26, 1876.

Q.Q. 979

*Not To be used
for
publication*

Q. You state that in this position up there there appeared to be no cover for troops, and that therefore this one hundred men could not successfully make any resistance against that number of Indians?

A. Comparatively none, I said.

Questions by Maj. Reno.

Q. State what, in your judgment, was the length of time that a column of the size that Gen. Custer had the place where it was, and surrounded and attacked as it was, lasted.

A. The estimates of the number of Indians range so widely that my answer would depend somewhat upon which estimate I took to answer the question.

Q. Take that number of Indians which, upon examination, has recommended itself to your mind as more likely representing the size of the hostile force.

A. I should suppose that there were about two thousand five hundred Indians there from the best opinion I could form from the various accounts, and I hardly feel qualified to answer a question of that sort, but I should think it would take but a very few minutes to dispose of his command - twenty or thirty, somewhere from thirty minutes to three-quarters of an hour, supposing that he had two hundred men.

The witness then retired.

Lieut. L. R. Hare, 7th Cavalry, a witness called by the Recorder and being first duly sworn to testify the truth, the whole truth and nothing but the truth, testified as follows:

Questions by the Recorder.

Q. State your name, rank, regiment, and where serving?

A. My name is L. R. Hare; I am first lieutenant of the 7th United States Cavalry serving at Fort A. Lincoln.

Q. State what duty you were on the 25th and 26th of June, 1876; where and with what command?

A. I was serving with the 7th cavalry. I was on duty with the scouts under Lieut. Varnum. Lieut. Col. G. A. Custer was in command of the 7th cavalry.

Q. Was Maj. Reno with that command, and if so in what capacity?

A. He was with the command in the capacity of Major of the regiment, second in rank to Gen. Custer.

Q. State whether or not Maj. Reno had command of a separate column on the 25th and 26th of June, 1876.

A. He had command of a battalion of three companies a portion of the time.

Q. Did that column push ahead of Gen. Custer's column? If so state by whose order and the circumstances that gave rise to the order.

- A. Col. Reno's battalion went ahead of Gen. Custer's about five miles from where Col. Reno crossed the Little Big Horn. It was done by Gen. Custer's order.
- Q. State what gave rise to that order.
- A. My attention had been called to some Indians ahead by our scouts, and I spoke to Gen. Custer about it. He told me to take the Indian scouts and go ahead and he would follow. The Indians refused to go and he ordered them dismounted, and turned around to Adj. Cook and told him as the Indians would not go ahead to order Maj. Reno with his battalion ahead.
- Q. State whether this was near the Indian tepee on that bank of the river.
- A. It was within one hundred yards of this tepee and about five miles from the river.
- Q. What did Maj. Reno and his command do on receipt of the order?
- A. They started ahead immediately at an increased gait. It was a fast trot.
- Q. How long was the command in reaching the river?
- A. Twenty or twenty-five minutes.
- Q. State what the command did upon arriving at the river. Was there any halt or stoppage of the head of the column?
- A. There was a halt of the head of the column, and some of the men were watering their horses when I passed them. I was delayed sometime and did not pass them till I reached the ford. When I reached there some of the men were watering and some were halted.
- Q. Where was it that you first saw any body of mounted Indians or warriors?
- A. From the top of a little knoll about two hundred yards from this tepee. I saw forty or fifty Indians on a rise between us and the Little Big Horn. They had evidently discovered us, for they disappeared right away. When I came down to the ford I saw Maj. Reno on the right bank. I merely glanced at him. He was standing there.
- Q. After crossing the river state whether you saw any hostile Indians; if so, when and what they were doing and in what number.
- A. I crossed the stream and rode out to the edge of the timber. I could see some Indians driving in some ponies down stream and to my left. I was at the edge of the timber long enough to fix my saddle-blanket, and when I mounted the head of the column was coming out of the edge of the timber. I rode off three or four hundred yards in front of the column and to the left, and shortly after the command left the edge of the timber and formed in column by bugle-call - that is, I heard a bugle-call or a trumpet-call. The command moved down the valley to within a short distance of the timber and it was there dismounted and a skirmish line was thrown out. Up to the time the command was dismounted there were probably fifty or more Indians riding up and down in front and firing. As soon as the skirmish line was dismounted four or five hundred Indians came out of a cooley which was about four hundred yards in front of us. Those Indians moved down to the left and rear.

- Q. How far were you ahead of the command when it halted, and what view did you have of the Indian village.
- A. I could see the top of the teepees at the upper part of the village. I saw probably 400 or 500 teepees.
- Q. What position did you have in reference to the line.
- A. A little in front and probably 200 yards to the left near the foot-hills.
- Q. State whether during the time you were coming down the valley any Indians were moving out towards Maj. Reno's command that you saw.
- A. They were riding their ponies around in front stirring up a dust, and there was a big dust in the village.
- Q. Did any Indians appear to be advancing towards him before the command halted.
- A. They would ride up and back again - back and forth.
- Q. Was his movement down the bottom opposed by any Indians. Were there any Indians between him and the point where the command was deployed.
- A. If there were any they were very few.
- Q. When the command halted how near were the Indians to the position you were in.
- A. Not over 300 yards - probably not over 200.
- Q. What was the nature of the fire when the command halted; from how many Indians and how near.
- A. As fast as they came out of the coulees they opened fire on the command from their horses. They would ride around and fire as they went.
- Q. Riding around where.
- A. To the left; they would go out in the foot-hills and come down again.
- Q. Was that the principal move the Indians appeared to be making.
- A. Yes sir.
- Q. Did any large body of Indians remain in front of the line.
- A. Yes sir; during the time we were in the bottom there were always Indians in front - that is down stream.
- Q. How far were the Indians and in what numbers that engaged Maj. Reno's line that was in position in the bottom there.
- A. There were different numbers. They kept running about all the time changing position. I estimate that there were 200 Indians in his front constantly - probably more.

- Q. Go on and describe all that occurred within your range, in reference to the disposition of the troops, the orders given by Maj. Reno, the movements of the Indians, up to and including the time the command left the timber or woods.
- A. I did not hear Maj. Reno give any order while I was in the bottom. The Indians worked around to our rear, and the first I knew that we were going to leave there my man came to me with my horse and told me they were leaving. The left of the skirmish line was thrown back - I don't know by what tactical movement it was executed; but the left of the line was thrown back to the vicinity of the timber.
- Q. Where did you go then?
- A. I staid in one place. I sat down on the right of the line near the edge of the timber, where I first came in, and I was there during the entire time. I had no command. The Indians had all left me, and I sat there, firing an occasional shot when I got a chance?
- Q. State if you were as near or nearer to the Indians than the troops generally.
- A. Probably a little nearer.
- Q. State if you had as good a view from your position as the others had.
- A. No I would not have as good a view as the troops farther out on the line.
- Q. After they swept into the timber how then.
- A. I would have as good a view as anybody.
- Q. State what notice you had, if any, that the command was going to leave the timber, or how you happened to go.
- A. My man, leading my horse, came to me and said the command was leaving. That was all the notice I had of it.
- Q. What would have been the result if your man had not come to you with that intelligence at that time; would you have joined the command or been left in the timber.
- A. I should probably have been left in the timber.
- Q. Who was that man.
- A. Private Clare of Co. "K". He was killed.
- Q. While Maj. Reno's command was at or near the timber before you left, how near did the Indians approach it and in what numbers. I mean in anything like a body or force.
- A. They covered the ground from about 200 to 250 yards and to the foot-hills in front and to the left. They were scattered all over as Indians usually are.
- Q. From your position, having the means of knowing what was going on, what would you estimate as the average number of Indians that engaged Maj. Reno's command there.

- A. They would fire and ride around and fire again.
- Q. What do you estimate the average number firing.
- A. It would be a very loose guess. If one fourth of them fired constantly then I would say 250 were firing all the time because I would say there were 1000 Indians there.
- Q. What was the character of the firing; did it come from 100 at a time or only from a part of that number.
- A. Only from a part.
- Q. How many.
- A. I would say about 200.
- Q. State if you saw Maj. Reno any time after the command was halted and before it retreated and what orders did he give if any.
- A. I only saw him once moving down the line about 50 yards off. I heard him give no orders. He was then dismounted.
- Q. From the time the command was first halted and deployed as skirmishers how long was it till the command left the timber on the retreat.
- A. Between 30 and 40 minutes.
- Q. Go on and describe what you saw of the movements of the command on the retreat, from the time it left the timber till it got to the crossing of the river. State everything you saw and heard, and every circumstance connected with it that was brought to your knowledge.
- A. When I rode on to the bench the three companies were individually together - well closed up. The companies seemed to be moving independent of each other. They formed the three angles of a triangle, A company on one side, G company on another, and M company on the other, and they were going at a fast gallop when I first saw them, and I thought at first it was a charge; but after I had gone some fifteen or twenty yards I saw they were making for the bluff. On the other side I caught up with them at the crossing. There was considerable disturbance and confusion there, and for that reason I went below and jumped my horse into the stream off a bank about six or eight feet high.
- Q. State what the hostile Indians were doing during that retreat. On which side did they approach the troops if at all.
- A. I knew of none being on the left flank. They were scattered along on the right flank, from 50 to 100 yards away.
- Q. State whether any troops covered that retreat, if so what troops and by whose order.
- A. I don't know of any.
- Q. Did anybody appear to be in the rear trying to keep the Indians back.
- A. I saw no efforts of that kind.

- Q. Was there any effort made at the river to keep the Indians back or was it every one get over as soon as possible.
- A. There were no troops covering the crossing that I saw.
- Q. There were the hostile Indians at the time the troops were crossing, and what were they doing.
- A. There were Indians on the right flank from 75 to 100 yards off firing into the command as it crossed.
- Q. Was their fire returned then by any troops at all.
- A. I don't remember that it was.
- Q. If it had been would you not have noticed it.
- A. I would.
- Q. State if any large force of Indians pursued the troops to the river, if so in what numbers.
- A. They were scattered all along from the timber to the river. I supposed those in the rear, as soon as the command got away, would follow it up, but after I got on the hill I looked back and there were not a great many Indians in the bottom.
- Q. What became of the great mass of the force.
- A. After we got on the hill probably 100 remained about there until after Capt. Benteen came up.
- Q. State how that movement from the timber to the river impressed you at the time - as a charge, a retreat or a run.
- A. I did not think it was a run, but it was a pretty fast retreat.
- Q. Now state whether any trumpet or bugle calls were sounded in the timber after the troops took position there, before the command left the timber.
- A. I did not hear any.
- Q. Was any sounded to warn the command what the movement was to be.
- A. If there was I did not hear it.
- Q. If there had been were you in a position to hear it.
- A. I think I should have heard it.
- Q. Describe the movement of the command from the crossing to the hill top. State if you saw Maj. Reno and what he was going. What orders or instructions did he give at that time.
- A. I did not get up the hill till most of the men had got to the top. When I got there Capt. Moylan was completing the skirmish line. Maj. Reno was standing there: I heard him give no orders but he was standing there where he could supervise the formation.

- Q. Was there an engagement going on at the time or had it stopped.
- A. There were a few shots being fired from the Indians on the right bank. They killed 3 or 4 men near there.
- Q. Were they killed going from the crossing to the hill top or after they got on the hill top.
- A. Our contract surgeon was killed near the top of the hill. The man I had with me was killed near the edge of the river.
- Q. Where did the fire come from.
- A. The Indians on the bluffs, on the right bank of the river.
- Q. What was the condition of the command at the time it reached the top of the hill; whether demoralized and disheartened, or the reverse?
- A. Well, the command was necessarily scattered, but I don't think it was demoralized, from the very prompt way in which they rallied and formed. Before I got to the top of the hill I heard Lieut. Varnum calling to the men to halt, and when I got there Capt. Moylan was forming his skirmish line. I didn't hear Maj. Reno say anything.
- Q. What would have been the effect on Maj. Reno's command, had the Indians to the number of a thousand followed it to the hill-top?
- A. I think they would have got them all, if they had staid long enough. I don't think they could have got them all, though, before Col. Benteen got up.
- Q. Do you think a command of seventy-five men was in a condition to have resisted all these Indians until Col. Benteen came up?
- A. Yes, sir; I do. They could have got ammunition out of their saddle-pockets.
- Q. Was or was not that command in view of its condition and losses less able to protect itself there than in the timber it had left?
- A. No, sir. The position on the hill was a much better position than the position in the timber.
- Q. Then with a loss of about 30 men going across the bottom, you think the command was in a better condition there to resist the attack of 1000 Indians than it would have been in the timber without the loss of those men.
- A. I think the difference in the position would more than compensate for the difference in the number of men.
- Q. I am not asking with reference to Capt. Benteen's command but that particular command of Maj. Reno.
- A. Yes sir. That is my opinion.
- Q. How long, in your opinion, with the ammunition Maj. Reno's command then had, could it have kept the Indians off in the timber.
- A. If they had charged on him the command could not have stood it but a few minutes, but Indians don't do that. I think we could have stood them off about 30 minutes by using the ammunition judiciously.

- Q. If that command had been given would you have heard it - were you near enough.
- A. If it had been given the way officers usually give commands I should have heard it.
- Q. Might not that glade mistaken for the edge of the timber. How near does the glade come to the edge of the timber.
- A. The fringe of timber around the glade is not very wide - wide enough to protect a man. The place where I went out was 75 or 100 feet.
- Q. At the left of the glade, how near is it to the edge of the timber.
- A. It is right close. The horses were drawn up at the edge of the timber facing the glade.
- Q. For all you know that may have been the formation of the command to leave the timber.
- A. Certainly. I don't know the orders or what had been done. They were standing there.
- Q. You saw how many men.
- A. It looked to me as I glanced at it, and it does today, like a company - probably 50 men.
- Q. Did you see any officer there.
- A. I did not notice any except Maj. Reno.
- Q. Did you hear any order given after the volley was fired.
- A. The order to dismount was given as the volley was fired.
- Q. Then what order.
- A. To mount; that was the last I heard.
- Q. How long after that till you got into the plain.
- A. I went right out; I did not run but I urged my horse along. I was not afraid but I should get through the timber all right. When I got out the troops were running as fast as they could.

Question by Maj. Reno.

- Q. Two orders were given by Maj. Reno during the time you saw him - Dismount and Mount.
- A. Yes sir.

The witness then retired.

The examination of Lt. Hare was then resumed by the Recorder as follows:

- Q. About how many rounds of ammunition had the men expended before they left the timber.

- A. I don't know.
- Q. Did you hear the firing of the men.
- A. The firing was continuous from the time they dismounted till they left the bottom, and they probably expended about 40 rounds per man.
- Q. Of those engaged do you mean, or all.
- A. I refer to the men engaged on the skirmish line.
- Q. Now with a cool and judicious expenditure of the remainder of the ammunition state how much longer they could have remained in the timber before it would become necessary to retire on account of the want of ammunition. Take into consideration the amount of ammunition the command had when it went into action and how much had been expended.
- A. By using the ammunition judiciously it would probably last an hour longer though that would depend a great deal upon the action of the Indians.
- Q. If the Indians had come very much nearer and the ammunition had been used judiciously it would doubtless have disabled many of them.
- A. I judge it would.
- Q. How long was it after Maj. Reno's command got on the hill before it was joined by Capt. Benteen's column.
- A. I think it was about fifteen minutes.
- Q. Had all the men gotten to the top of the hill when you got there.
- A. I think they were all there.
- Q. Did you see the men going up the hill as you went up.
- A. I saw several ahead of me.
- Q. State how long it was from the time Maj. Reno left Genl. Custer at the tepees till Maj. Reno and Capt. Benteen united their forces on the hill.
- A. About an hour and a half.
- Q. After reaching the top of the hill what orders if any did Maj. Reno give you at the time. State all that you saw and heard with reference to Maj. Reno's command until the close of that day.
- A. As soon as we were joined by Capt. Benteen's column Maj. Reno sent for me and told me to go and find out where the pack train was, and get it up as soon as possible. I went back about a mile and a half met the pack train and told them to hurry up as soon as possible and cut out the ammunition as soon as possible and send it ahead. I came back ahead of the pack train. When I reported to Maj. Reno he told me to go ^{and} tell Capt. Weir who had while I was gone for the pack train to open communication with Genl. Custer and he would follow as soon as the pack train came up. After I delivered the order to Capt. Weir I returned to the command and met it coming down stream. I suppose the command moved about a mile down stream when they got to a high hill, the highest point around there, the Indians returned and attacked them. Major Reno said that position would not do to make his fight on and he selected a point further up on the bluff and ordered Capt. Weir's and Captain French's company to cover

the retreat back to that point. He covered the retreat within a few hundred yards of the line when Captain Godfrey's company was dismounted. When I came back I came back with Captain Godfrey's Company. His Company was put in position on the down stream side and I suppose the others were on the other side. The command was placed in an elliptical form with the horses corralled in the centre. There was very little firing in the command that night on the line I was on the men were lying down in position lying there and taking the fire of the Indians.

- Q. How long did it take you to go back after the pack train and ammunition. How long were you gone?
- A. I was gone probably 20 minutes.
- Q. Did you see the ammunition packs come up.
- A. No I got back before any of the packs came up. I rode to the pack train and back as fast as I could.
- Q. State how long it was after Capt. Benteen's command came up and united with Maj. Reno before the movement was made that you speak of down stream in the direction that General Custer was supposed to be.
- A. I was not with the command when it started.
- Q. Give your judgment of the time basing it on the time you were gone down there.
- A. It was fully three-fourths of an hour.
- Q. State if you know what evidences there were that Genl. Custer's column had gone in that direction, that you should receive orders to go and tell Captain Wier to open communication with him.
- A. The supposition was that Genl. Custer would support Maj. Reno by following him up. He knew that he had not done that. There was plenty of time for him to follow Maj. Reno, and everybody supposed that he would attack the villages somewhere if he did not follow up he would attack it somewhere else and that was the only other way he had of going to the village and in addition to that I heard firing down there.
- Q. Describe the firing: When it was, where you were when you heard it and how long it lasted and all you know about it.
- A. It was just after Capt. Benteen came up with his command. My attention was called to it by Captain Godfrey. He asked if I heard that volley, I said yes I heard two distinct volleys that was just before I started for the pack train.
- Q. What impression did it make on your mind at the time or on the mind of the command as far as you observed.
- A. I thought he was having a very warm time.
- Q. I wish you to state whether or not a general movement could have been made in the direction General Custer was supposed to be immediately after the arrival of Capt. Benteen's column.
- A. They could have left but they wanted the pack train up.

- Q. Do you know how many men Captain McDougall had with the pack train.
- A. He had about 45 men of his own and 6 men of the company. I was attached to I don't know about the others.
- Q. Did he not have a non-commissioned officer and 6 men.
- A. No, sir. A non-commissioned officer and 5 men. He might have had more from the other companies.
- Q. How did his force compare with the force Maj. Reno had when he went into the bottom.
- A. I expect Capt. McDougall had about 120 men perhaps not over a hundred. I don't know how many he did have.
- Q. How many wounded men were on the hill there at that time.
- A. I don't know.
- Q. Were there any wounded brought up out of the bottom.
- A. I saw wounded men on the hill side.
- Q. After Maj. Reno got on the hill did they follow him up or did they appear to abandon the attack on him.
- A. I only saw three or four when I got on the hill when I first got up there.
- Q. State if you know where the column was turned back moving down stream in the direction of Capt. Weir - Whether on account of its being engaged with Indians or for some other purpose.
- A. They could see the Indians coming from down stream in great numbers, and I heard Maj. Reno say he did not think that a good position to make a stand, it was very evident we would have to fight for it.
- Q. State if you can where Maj. Reno went at the time that movement was made - did he go to the position Capt. Weir occupied.
- A. He was going to that highest point when I went away.
- Q. Was that the point that Capt. Weir occupied.
- A. No. He went to the right of it, there are two divides Capt. Weir went to the one to the right and Maj. Reno went to the one on the left a little further down stream.
- Q. Describe there relative positions in respect to the river.

The witness indicated on the map by the figure 5 the position occupied by Maj. Reno and by the figure 6 that occupied by Capt. Weir.

- Q. Which was the most advanced position.

- A. They were about perpendicular from the river, but Capt. Weir had to go back to the rear by a ravine before he could come to the position occupied by Maj. Reno.

- Q. How did he join Maj. Reno's command?
- A. He came back and headed off a little Cooley.
- Q. Did he come back and join Maj. Reno's column on the hill marked 5?
- A. Yes sir.
- Q. State whether or not it was generally believed by Maj. Reno's command or by yourself that General Custer would send Maj. Reno's command to attack the Indians and he himself remain out of it.
- A. There was no such expectation or belief.
- Q. State whether to your knowledge or belief any orders, advices were received by Maj. Reno that General Custer would not support him in his attack.
- A. I don't know anything about it there was nothing of that kind to my knowledge.
- Q. State whether or not an attack on the flank by Genl. Custer's column would have been supporting Maj. Reno's attack?
- A. That is altogether owing to the disposition the Indians made. As it was it was not a support it did not amount to anything.
- Q. How do you arrive at that conclusion.
- A. The results of the battle show it.
- Q. Do you know just where General Custer attacked with reference to where Maj. Reno attacked.
- A. I do not.
- Q. State what other order than those you speak of were given by Maj. Reno in reference to the movement down the right bank of the stream in the direction Capt. Weir had taken.
- A. I was not there when the command moved and did not hear any other orders except the command to move back.
- Q. Did the rest of the command reach the Indians there.
- A. Capt. Weir and Capt. French were the only ones who engaged the Indians till within 3 or 4 hundred yards of the final stand. Then Capt. Godfrey engaged them.
- Q. How long was it after the command got back before the general attack on the part of the Indians began that afternoon.
- A. Right away.
- Q. Had the firing been going on before that.
- A. Yes sir Capt. Godfrey held them in check until the rest of the command got into position.
- Q. How long a time intervened after Capt. Weir left to go to that point till the general engagement began.

- A. It was about an hour and a half.
- Q. State after the command had taken position after the advance that afternoon what officer if any gave general directions and seemed practically to be in command, and what was he doing if anything?
- A. The command was all in position and there were no orders given there was no necessity for any.
- Q. Who put the command in position.
- A. I don't know.
- Q. Who selected the position.
- A. I heard Capt. Benteen say to Maj. Reno that he thought that the best position to make a stand and Maj. Reno answered that he thought so too.
- Q. After that command was in position were there not officers putting men in position and making preparations to resist the attack.
- A. I saw Capt. Weir, when Capt. Godfrey first got in disposing men behind a ridge and Capt. Godfrey was around there putting his men in position.
- Q. Had the firing begun.
- A. Yes sir.
- Q. Where was Maj. Reno at that time.
- A. I don't think I saw him there.
- Q. About that time where did you see him.
- A. He was on the left of Capt. Weir's company when I saw him.
- Q. What was he doing.
- A. Not anything.
- Q. What was he doing.
- A. Lying down.
- Q. Behind anything.
- A. No sir, there was not anything except a ridge.
- Q. Was that time you saw Maj. Reno as you have described about the time you saw the officers getting the men into position.
- A. No it was some time after.
- Q. Did you see Maj. Reno during the time those officers were putting the men into position as you have stated.
- A. I do not remember.
- Q. Where did you next see Maj. Reno and what was he doing then.

- A. The next morning early right after reveille he was making some disposition on the line.
- Q. Did you see him between the time you speak of and the afternoon of the 25th and the next morning.
- A. I did not.
- Q. Where were you.
- A. I was asleep.
- Q. During the entire night.
- A. Yes sir, I slept all night till reveille.
- Q. Go back to the timber and give a description of the timber with reference to the stream plain and hostile village.
- A. There was very little large timber there it was mostly underbrush the basin or park was about 200 yards wide, and on the north bank four or five hundred yards long where it runs into the river. There is a cut bank down stream and there is a bend on the other side continuing to where the river makes this cut bank, in this there is a little park containing about ten acres of grounds.
- Q. Take this vacant spot on the map and see if it would answer the description in your mind of the place mentioned.
- A. No. It is all covered with underbrush. There may be a little grade I didn't know.
- Q. Describe the bench around the plain whether it extends from the river below to the river above or how near it comes to it.
- A. The bench runs right into the river down stream. Up stream I don't know how it was. I'm not certain.
- Q. Does the timber widen below there or does it narrow into the river.
- A. It must narrow in towards the river.
- Q. With reference to the hostile village as known to you then or afterwards how far was that from there and what view did you have of the village.
- A. We could not see the village down on the bottom.
- Q. Go up on the bank. Could you see the village from there.
- A. You might have seen the tops of the tepees but I don't think you could.
- Q. How far was it from the village where you were.
- A. Probably 600 yards from the first tepee.
- Q. How did the village extend, out towards the foot-hills or down stream.
- A. It was right down stream in the valley for three or four miles.
- Q. State whether that position of Maj. Reno's command threatened the village.
- A. It did.
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- Q. State whether that position would hold the bulk of the Indians in front of him or around his position.
- A. I don't know what it might be. I don't think it did hold the bulk of them there. I don't think there was at any time one thousand Indians around them.
- Q. He kept about a thousand around him there.
- A. Yes sir.
- Q. State whether or not that timber was tenable for defence.
- A. It was a very good position.
- Q. For Maj. Reno's command?
- A. Yes sir a good position for any command.
- Q. State on what you base your opinion.
- A. The bench or 2d Table was five or six feet above the level of the park and ran entirely around the park and men in behind there were protected by the edge of the bluff.
- Q. State whether or not Capt. Benteen with 120 men and Capt. McDougall with about the same number could have joined Maj. Reno in that timber.
- A. I think Capt. Benteen could have done it. I don't think Capt. McDougall could.
- Q. State why in either case.
- A. In either case they would have had to charge to get there and Capt. McDougall having the pack-train could not have charged.
- Q. State if Capt. McDougall did not have the greater part of the ammunition of the command.
- A. He had 24,000 rounds besides what his men carried on pack mules.
- Q. How many pack mules did he have in his train altogether.
- A. I think there were 140.
- Q. Would not the effect of Capt. Benteen's column joining Maj. Reno in the timber been such that it would render it more practicable for Capt. McDougall to get in.
- A. No sir, I think not. As soon as they got into Maj. Reno the Indians would have closed in around him again.
- Q. Could not Capt. McDougall with his command have kept along the bluff on the right bank of the river along on a high elevated position.
- A. Yes sir but I don't think he could have got down the bluff.
- Q. Why not.
- A. I think 20 Indians could have kept him back or else have got his pack mules.

- Q. State whether or not it was known by Maj. Reno's command that Capt. Benteen was in the rear from the movement made before in the morning and the direction taken.
- A. I don't know whether it was or not.
- Q. Did you have any impression about it. You knew that Capt. Benteen went off with a part of the command.
- A. I did not know till he told us that he had gone off. I left the command 20 miles from the ridge.
- Q. You did not know but that Capt. Benteen was with General Custer.
- A. I did not know where he was. I knew he was not with Maj. Reno.
- Q. Did you not hear remark by the men and officers where Capt. Benteen's command was.
- A. No sir I did not hear a word about them till I saw them come up.
- Q. State whether or not Maj. Reno remained in the timber till all hope had vanished and state why.
- A. I think all hope of support from General Custer had vanished.
- Q. Support from what direction?
- A. From the rear for the reason that he could not have been very far behind. Maj. Reno and we could look up the stream two miles and if he was going to support him from that direction he had plenty of time to do it.
- Q. That being the case state whether you believe Maj. Reno's command left the timber because Genl. Custer's command had not come to support him or whether it left for any other cause and state what.
- A. I don't know why it left there.
- Q. What was the opinion of the officers in regard to leaving the timber.
- A. My own private opinion at the time and my subsequent opinion was that if we stayed there much longer we would be shut in so that we could not get out.
- Q. How much longer.
- A. Say 20 minutes.
- Q. In 20 minutes after the command left there how many Indians were in the vicinity of Maj. Reno's command. Say within rifle range or within one thousand yards.
- A. As soon as Maj. Reno's command got to the top of the hill or shortly after most of the Indians left and went down stream. When Capt. Benteen came up there were 100 or 150 Indians in the bottom still.
- Q. What were they doing?
- A. Taking care of their dead and wounded there.
- Q. Could you distinguish whether they were warriors or squaws?

- A. They were on ponies and I presume they were warriors.
- Q. Don't you know squaws ride ponies as well as warriors.
- A. I have seen them ride ponies.
- Q. Could you distinguish whether they were warriors or old men and women.
- A. I could not distinguish. It was too far.
- Q. State what the orders he gave there in the timber or the movement itself there indicated to your mind - whether coolness, courage and judgment on the part of the officer ordering the movement or overpowering necessity or the reverse. State what the movement indicated.
- A. My impression was that Maj. Reno thought we should be shut up in there and the best way to get out of there was to charge.
- Q. How did the whole thing impress you at the time.
- A. If he was going to get out of there I thought that the best way to do it and I still think so.
- Q. How did the matter impress you at the time leaving the "if" out.
- A. I think and thought so at the time that it was the best way to get out of there the best tactical movement to get out of the bottom.
- Q. You mean if you were going to get out of the bottom that was the best way to get out?
- A. Yes sir.
- Q. I want to get at how the movement in getting out of the timber struck you.
- A. I did not strike me as absolutely necessary at the time.
- Q. With 1000 Indians around that command at the time of leaving and going to the hill and not knowing whether it would get any assistance or not, which would you have considered the most dangerous to stay there or go out where the thousand Indians could ride you down.
- A. We could see the bluffs very plainly and that was a better position than the one we were in.
- Q. But if the command had been pursued and attacked by that 1000 Indians what would naturally have been the result.
- A. They would all have been killed if they kept it up long enough.
- Q. If 1000 Indians had followed that column and closed up upon it how long would it have lasted under the circumstances.
- A. I don't think it would have lasted ten minutes.
- Q. How long do you think it would have lasted in the timber 20 minutes is that your belief?
- A. Yes sir.

- Q. State from what you saw of the Indian village on the 25 or 26 of June or after, what you estimate the number of lodges it contained and what the effective fighting force and state fully the evidence upon which you base your estimate.
- A. I was with the battalion that burned the tepee poles after the fight. I counted 40 lodges at a place where I stood, and estimated the area of that and from that I estimated the whole of the village. I estimate that there were 1500 lodges and 500 wickiups making a fighting force of 4000 men and that is a very low estimate.
- Q. Did you take into consideration in that calculation the entire area of the village.
- A. Yes sir I did, but of course it is a very rough estimate.
- Q. What do you consider its reliability.
- A. I consider taking all the circumstances together that I am not very much out of the way.
- Q. How much may you be out of the way in your estimate.
- A. I may be out but I don't think there could be under 4000 fighting men.
- Q. I mean in the number of lodges how much may you be out of the way.
- A. I have no idea.
- Q. May you be 500 lodges out of the way?
- A. Yes sir, I may be but I don't think so.
- Q. In your opinion from what you have seen of Indian villages, state whether or not the places where lodges have been is any correct indication of the number of lodges in the village.
- A. Not if there been camped there any length of time because they move their lodges very frequently.
- Q. State from what you know of Indians if the tendency is to over or underestimate the number of lodges in a village.
- A. I don't know anything about that.
- Q. Had you had experience with Indians before that.
- A. No sir.
- Q. Had you seen large villages before that?
- A. Yes sir, but I had no experience with them at all.
- Q. State from the movements of Indians in battle that you have seen whether a reasonably correct estimate of the warriors can be made in that way.
- A. It is very difficult to estimate them while in action because they ride around so much they are never still but constantly going.
- Q. Did you see the village moving away, if so when and what was its length

and width and how far was it away from you.

- A. I saw the village moving out on the evening of the 26th about two or three miles away as the pony herd and whole village moved away it was a dark moving mass. I know I estimated at the time that there were twenty or twenty-five ponies in the herd. The whole thing was moving off and I could not distinguish whether they were on their ponies or not. I suppose the women and children would be with the herd.
- Q. State if you know what was the conduct of Maj. Reno on the 25 and 26th of June 1876 in regard to coolness, courage and efficiency as commander of troops.
- A. I know of but one instance of gallantry which I saw him do, and I know of no instances of cowardice at any time. When Capt. Benteen's command joined on the hill Maj. Reno turned around and said in a very inspiring way to his men: We have assistance now and we will go and avenge the loss of our comrades.
- Q. Was that before the command moved down the river.
- A. It was when Capt. Benteen first joined with his command.
- Q. State if you know who ordered Capt. Weir to move out?
- A. I don't know anything about that. He left when I was after the pack train.
- Q. State in your opinion if you know whether Maj. Reno rose equal to the emergency of the circumstances surrounding that command and give the facts upon which your opinion is based.
- A. I can only tell you from the way it turned out he got his command out of there. I think Maj. Reno's action saved what was left of the regiment.
- Q. If you have anything further to state in answer to the question state it.
- A. As I said before I saw no evidences of cowardice, it is very hard for me to answer the question. That was the only action I was ever in of any prominence and I don't know whether he rose equal to the emergency or not. I have not much to go upon in making an estimate.
- Q. State whether he did or not by his conduct and example inspire his command with zeal, confidence and courage, and state fully the circumstances on which your opinion is based.
- A. His conduct was always good. I don't know that I saw anything particularly inspiring about it except what I told you. He seemed to be very cool at all times.
- Q. From the place you last saw Genl. Custer's column when moving and from where you afterwards saw the battlefield state what in your opinion was the point Genl. Custer had reached at the time Maj. Reno's command left the timber or the bottom.
- A. I think Genl. Custer must have opened his fight near about the time that Maj. Reno left the woods - probably a little before. From the fact that the first dead man was found about half a mile from the point B.
- Q. State what route Genl. Custer's command took near the village and describe the route with reference to Maj. Reno's position on the hill, the stream,

the village, and what developments you saw in regard to the fate of General Custer and his command.

- A. I saw what was supposed to be General Custer's trail that went down on the left bank. The first evidences of the fight was a dead man of "E" Company probably 300 yards, from where the final stand was made there were 28 men of "E" Company. I assisted in burying the men of E Company and remember more about them.
- Q. Describe the other evidences of fighting as far as you saw them. How it must have been from the nature of the ground.
- A. I think the Indians must have been around them all the time the country was rough and cut up with ravines, and if they run the Indians from one place they could get from 75 to 200 yards of them all around; there was a deep cooley which run into them near B with cut banks, and there was another cooley over beyond where General Custer was killed.
- Q. Was there any chance for the command to get out by charging through.
- A. I don't know about that. I don't think they could for some distance back by the looks of the country.
- Q. Then the first evidences you found of Genl. Custer's fight was near the point "B" where the first dead body was found.
- A. Yes sir it was.
- Q. Did you find any other evidences of fighting between that and the point "B".
- A. I don't know whether there was or not, about the only evidences we could find were dead men.
- Q. Would ammunition shells indicate it?
- A. I did not see any of ours.
- Q. Were the bodies you found mutilated or changed in any manner.
- A. They were mutilated. I don't know that they were changed. There were evidences on the field of bodies having been dragged off, but I think those were the bodies of dead and wounded Indians.

Questions by Maj. Reno.

- Q. You have said you were not present at the separation of the columns of Major Reno and Captain Benteen from the main body.
- A. I was not present.
- Q. What orders had been given Captain Benteen with regard to uniting with Major Benteen.
- A. I do not know.
- Q. Do you know whether Major Reno had any knowledge of it.
- A. I do not.

- Q. Then in any estimate in which Captain Benteen would figure with his column would it not be necessary for Major Reno to know upon what duty Captain Benteen had been sent, and whether he had been ordered to unite with Major Reno.
- A. Under the circumstances it would be very important.
- Q. Could he form any estimate with regard to his duty as commander based on any action of Captain Benteen's unless he knew what Captain Benteen was ordered to do.
- A. I think not.
- Q. At the time Major Reno's command left the timber was Captain Benteen's column in sight?
- A. I did not see him.
- Q. Were there any evidences of his approach?
- A. Not that I know of - I did not see him.
- Q. State whether there is in the river between the point A and where Major Reno's command crossed to the top of the hill any place where a column of cavalry coming from the right side of the timber could have crossed?
- A. I don't know - I never was over that ground.
- Q. What view of the country does a man have who looks back from the timber in the direction of the point A.
- A. He can see all the way back to the ford.
- Q. What would be about the range of view?
- A. About two miles from the timber back to the crossing.
- Q. You were on detached duty, were you?
- A. Yes sir.
- Q. Not connected with any of the companies in the timber.
- A. No sir, I was on duty with the scouts but not with any company.
- Q. You were subject to no company orders.
- A. No, sir.
- Q. You did whatever your own sense of duty dictated?
- A. I was under no orders.
- Q. How much of Major Reno's action in the timber did you see?
- A. I saw him but once, and he was about fifty yards from me then.
- Q. What was he doing.
- A. He was going from the park out on the skirmish line.

- Q. What part of the park.
- A. Near the edge - toward the outside.
- Q. From what direction was he coming?
- A. From the direction where the horses were.
- Q. Do you know of your own knowledge of his taking company G and going into the timber to ascertain where some Indians in there were firing?
- A. I do not.
- Q. Can you give any opinion whatever as to the correctness of his disposition of the forces in the timber and the coolness of his own behavior.
- A. I can tell nothing of his own behavior as that was the only time I saw him, but the disposition of the troops was a very good one I thought.
- Q. Did you see any evidences of the want of courage or coolness among the men?
- A. I saw no evidences of fear among the men.
- Q. You speak of seeing some Indian lodges and a large cloud of dust raised by the Indians riding back and forth on the plain.
- A. Yes, sir.
- Q. Did that indicate the presence of a very considerable number of Indians that were unseen by the command?
- A. I don't know whether the command could see them or not, they could certainly see the dust, I don't think they could see the tepees.
- Q. What impression did that make on your mind, did it not indicate that there was a considerable body of Indians that had not disclosed themselves.
- A. Yes sir. Everybody knew there were lots of Indians there.
- Q. How far was that cooley in front of the skirmish line.
- A. About 300 yards.
- Q. What body of Indians came from that cooley?
- A. I think there must have been 400 or 500.
- Q. State what in your judgment would have been the effect on the column of Major Reno if he had continued to advance in the direction of the village.
- A. I don't think he would have got a man through.
- Q. State how long the column would have lasted?
- A. Not over 5 minutes, I think.
- Q. If he dismounted his men he would have a better chance.
- A. I am speaking of the men mounted, had he gone 300 yards further mounted, I don't think he would have got a man out.

- Q. Does that dismounting and deploying the men in the way he did, commend itself to your judgment as a soldier.
- A. I think it was the only thing that saved us.
- Q. State if you have any opinion to give in regard to the movement back to the river and then to the high lands beyond - whether disorderly or not.
- A. There is certainly more or less disorder about a cavalry column moving at a fast gait, but I don't think that command was very much demoralized when it got on top of the hill because when I got there the men were halted in column, they were going into line - the men were moving into line without any difficulty whatever.
- Q. Would that be the case if there had been demoralization in the timber or plain. Would they recover themselves with that rapidity.
- A. I never saw a demoralized or panic stricken set of men; but I judge it would be difficult to get them in order.
- Q. You went by Major Reno's order for the pack train?
- A. Yes, sir.
- Q. And returned without waiting for the packs?
- A. Yes sir.
- Q. By whom were you sent to join Captain Weir?
- A. By Major Reno.
- Q. Captain Weir's company belonged to Captain Benteen's column?
- A. Yes, sir.
- Q. That column had not been under fire?
- A. No sir.
- Q. State whether Major Reno lost any time after the pack train came up and the ammunition had been replenished and the wounded men were properly cared for in moving his command in the direction in which General Custer and his men were afterwards found?
- A. I can't say, because as soon as I got back from the pack train I went to Captain Weir and when I came back I met Major Reno going down. He could not have lost much time or he would not have been at the point where I met him.
- Q. How far did the column under Major Reno go down the river in the direction that General Custer was found?
- A. I think about a mile. It may be a little more. My estimate of distances may be very inaccurate.
- Q. To whom did you communicate what Captain Weir's company was doing?
- A. To Major Reno.

- Q. What reason did you give Major Reno, if any, for Captain Weir's ceasing his forward movement.
- A. When I returned I told Major Reno what Captain Weir had said to me and I looked up and saw Captain Weir coming - joining the column.
- Q. What was the reason of Captain Weir's ceasing his movement in the direction of General Custer's battlefield.
- A. The whole country in front of him was covered with Indians.
- Q. Were the Indians in such numbers as to render it hopeless for him to attempt any further advance.
- A. There were probably 1500 Indians in sight at the least calculation.
- Q. Was the character of the country favorable or not for the concealment of a larger number of Indians?
- A. Yes, sir - very favorable.
- Q. With regard to selecting a place where the column should make a final stand, state whether it is not customary for an officer second in command to consult with the commanding officer in regard to questions of that kind?
- A. I don't know. I think that depends a good deal on the commanding officer himself.
- Q. Would it be any evidence of cowardice or indecision for Major Reno to have consulted Captain Benteen, or to have received suggestions from Captain Benteen in regard to the selection of a place to make a stand?
- A. I think not.
- Q. And the selection of the place was according to the best judgment of the commanding officer and the second officer in command.
- A. All I heard about it was this conversation before the position was taken.
- Q. I wish you to speak now with reference to the character of the river at the point B, and state whether there was an opportunity for a command to get from the right bank of the river to the left. State whether the banks were such as to make a good crossing.
- A. It was easily forded. The entire command passed down to water there.
- Q. The approach of Major Reno was almost directly on the printed line on the map.
- A. Yes, sir. We went there on the morning of the 28th.
- Q. State what was the condition of the banks on the other side. Did they present any obstacles to a ford?
- A. Very little. On the right bank it was a gravelly bottom. On the left bank it was a little boggy but not so much as to prevent it being a good crossing.

- Q. State if there were any evidences indicating to your mind that any engagement had taken place at the point B or between that point and the position where Major Reno made his stand.
- A. None.
- Q. State whether the point B did not afford as good a place for fording that stream as A did.
- A. Just about as good.
- Q. How far from the point B were the first dead bodies found.
- A. I think about half a mile or a little less.
- Q. What evidence did the position of the dead men present to your mind of a prolonged struggle.
- A. I don't know anything about that. I can't say anything in particular about the appearances.
- Q. State whether you found any men in skirmish line except those about Captain Calhoun.
- A. I did not see his company. Lieut. Smith's was the only one I saw and 28 of his men were in a cooley.
- Q. Did the position of those men indicate a prolonged resistance.
- A. It indicated skirmish order. They were about at skirmish intervals.
- Q. As far as you know the position of the men and the character of the country where they were found can you give any judgment whatever with regard to the probable length of the struggle those men under General Custer made against the Indians.
- A. I don't think it lasted at the outside over three quarters of an hour.
- Q. State in regard to Major Reno's conduct on the hill. Did you see any indications whatever of cowardice?
- A. I did not.
- Q. State whether in your opinion he was wanting in any particular in the proper disposition and control of his command?
- A. I think the command was under good control and the forces well disposed - the best that could be made under the circumstances.
- Q. Were not his duties at each part of the command such that a general view could not be obtained of the conduct of the Commanding officers at all parts of the command.
- A. Yes sir. You could not see him from all parts of the command.
- Q. Might not the commanding officer be fully discharging his duties without being seen by all the officers in that engagement.
- A. They could not all have seen him at the same time.

- Q. You have been asked a question as to the effect upon the command when retiring from the timber if a thousand Indians had closed up on it. Was not the number of Indians constantly increasing.
- A. I don't know about that. I hardly think they were.
- Q. Was not one of the purposes of retiring from the timber to the hill to prevent those Indians from closing on the command.
- A. I suppose it was.
- Q. You said you believed that some of the men had fired according to your judgment about forty rounds. Do you think that the average number fired.
- A. Yes sir.
- Q. State whether the pack train was on the left or right hand side of the river.
- A. It was on the right hand.
- Q. Do you know whether it was understood or supposed that it would join Major Reno's command?
- A. I do not know.
- Q. Then there would be a third element in the question that is whether the command could make a combination with the pack train?
- A. Yes sir.
- Q. The Indians did not leave until after Major Reno had retired from the timber?
- A. No sir.
- Q. How long was Major Reno in the timber?
- A. Between 30 and 40 minutes.
- Q. What period of time elapsed between the crossing at A and reaching the timber.
- A. About 10 or 15 minutes more.
- Q. What was the total then?
- A. It would be between 40 and 55 minutes.
- Q. Then whatever diversion Major Reno made against the Indians occupied 45 and 50 minutes?
- A. About that time.
- Q. If at the time the line was deploying in skirmish form, a column had been passing at the point B, would it not have had more than time to have reached B before Major Reno's command left the timber?
- A. I think it would have plenty of time to get there.

- Q. Then if the column was there at the point 2 when the line was being deployed would not the command that was passing there have had more than time enough to reach that watering place?
- A. I think it would have had plenty of time to get there.
- Q. If a column was at the point 2 when Major Reno deployed his skirmish line and the column was moving towards B would it not have reached that point much sooner than the Indians on the left bank in the neighborhood of C could have got there after Major Reno retired from the timber?
- A. That would depend on a good many circumstances.
- Q. How much start would a column have, being at that point when the line was being deployed, in reaching the point B over the Indians who did not leave C until Major Reno retired from the timber?
- A. The column would have the 30 minutes that we were in the timber.
- Q. What order, if any, did you hear Major Reno give in the timber?
- A. I did not hear him give any.
- Q. Did you not hear him give any in relation to the deployment of the skirmish line.
- A. I was not paying much attention to the line. I was by myself.
- Q. What orders, if any, did you hear Major Reno give on the hill other than you have already stated.
- A. Yes, I said yesterday I did not hear Major Reno give any orders when the line was being deployed. I am mistaken, I have refreshed my memory and I did hear him give orders about deploying it when being rallied on the hill.
- Q. How soon was that after crossing the river?
- A. It was just as I got on the top of the hill.
- Q. Was it immediately after the retreat from the timber?
- A. Yes sir.
- Q. You heard Major Reno giving orders for the disposition of the troops in proper military form?
- A. Yes sir, I heard him give orders about the disposition of the men in skirmish order.
- Q. Did you communicate to Major Reno the fact that you heard firing in the direction of General Custer's battle field?
- A. No sir.

Questions by the Recorder.

- Q. You state that the Indians were in front of Major Reno's column in a cooley and when the command halted they came pouring out of the cooley. Could Major Reno see there were Indians in that cooley when he halted?
- A. No sir, I could not see them myself and I was in a better position than he was.
- Q. Did he halt before the Indians came out of the cooley?

- A. Yes sir.
- Q. State if you know why he halted the command then and there if he did not know there was that body of Indians in front?
- A. I don't know.
- Q. State whether it is expected of an officer in command of a column ordered to charge the Indians that he will know all about the particular features of the ground he will have to go over?
- A. Not necessarily.
- Q. On the contrary has he not got to make the charge to find out what is there.
- A. That would be the way I would do it.
- Q. Do you know whether General Custer's trail came near to Major Reno's position on the hill.
- A. I think it must have come pretty close to it.
- Q. Why so.
- A. That was the best way to move down that divide and if he was seen on the hill as I have heard, he must have passed close by that place.
- Q. Could not the command have been seen through a notch in the bluffs at a point further down than that.
- A. I don't know. I don't think it could. I think the ridge next the river is higher than the ground back of it some distance.
- Q. How was it farther back up the river?
- A. I think they could have been seen. I am not certain.
- Q. Did you see any evidence of General Custer's trail coming near Major Reno's position on the hill?
- A. I did not.
- Q. You state the ford B is as practicable as the ford A; which is nearest the hostile village B or A?
- A. B is right at the village - right across in the bend.
- Q. In regard to the severity of the fighting on General Custer's battlefield did you see any evidences that there was hard fighting there or the contrary.
- A. I think there must have been very hard fighting especially where General Custer fell.
- Q. You think there was a hard struggle?
- A. Undoubtedly there was a very hard struggle. I found a few shells.

- Q. Do you or not know it was the habit of the Indians to pick up those shells?
- A. Yes sir it is.
- Q. You have been asked in reference to a column being seen at the point 2 at the time Major Reno was deploying his men as skirmishers. Had General Custer seen Major Reno deploying his column at that place would he have had reason to believe or to suppose that Major Reno would retreat from there in 30 or 40 minutes.
- A. He could very easily see that there were five times as many Indians as we had men.
- Q. Could he see into the timber and into the cooley beyond.
- A. If he saw them after the line was deployed he saw the Indians come out of the cooley.
- Q. If he saw that command in the act of deploying would it be any indication in General Custer's mind of the number of Indians in front of them.
- A. Immediately after Major Reno dismounted, those Indians came out of the cooley and if he had been there he could have seen them come out.
- Q. Even if that was the case would he have any reason to believe that Major Reno would retreat from that position in 30 minutes knowing that he had 100 rounds of ammunition per man?
- A. I don't know about that.
- Q. State whether or not General Custer as commanding officer would have presumed that Major Reno would obey his order unless opposed by a greatly superior force and then if he could not obey the order that he would remain in that position in the timber.
- A. If he gave an order as commanding officer I suppose he, as all other commanding officers, would naturally suppose it would be obeyed if possible.
- Q. The command having got into that position would he not expect it to remain there as long as it possibly could?
- A. He would naturally think they would stay there if they could.
- Q. If Major Reno with 100 men could get away from 1000 Indians cross a river and climb a hill, could not General Custer with his command by leaving his dead and wounded, fly the field?
- A. I think he could.

Questions by Major Reno.

- Q. When you speak of the struggle on the bank of the river do you mean that it was a prolonged one.
- A. No sir I think not.
- Q. Does the point 2 afford a view of the Indian encampment below on the plain.
- A. No sir, I don't think it does.
- Q. Does this point a little lower down.

- A. You can see a part of it from there. I can't tell anything about this point 2 from the map. There is a point some distance below where Major Reno made his stand from which you can see the upper end of the village.
- Q. If Major Reno was to be supported from the lower side would the ford B be the proper place to do it.
- A. You would have to go through the village to him and I think that would be a poor place.
- Q. Was there any evidence of any more determined stand at B than there was on the part of Major Reno at the point C.
- A. About the only evidences are dead horses and men and I did not see any at the point B.

Questions by the Court.

- Q. Did you cross the river at B.
- A. I did, personally. The command did not.

The witness then retired.

Then at 2 o'clock p.m. the court adjourned to meet again at 11 o'clock a.m. tomorrow, Wednesday, January 29th.

15th DAY.

Chicago, Illinois
Wednesday, January 29, 1879
11 o'clock a.m.

The Court met pursuant to adjournment.

Present

Col. John H. King, 9th Infantry
Col. Wesley Merritt, 5th Cavalry
Lt. Col. W. B. Royall, 3d Cavalry

Recorder

1st Lieut Jesse M. Lee, Adj't., 9th Inf.

Major Reno and his counsel were also present.

The proceedings of the last session as far as written were read and approved.

Lieut. Charles De Radio, 7th Cavalry, a witness called by the Recorder and being first duly sworn to testify the truth the whole truth and nothing but the truth, testified as follows:

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