



Col. John Chivington & Sand Creek a Historical Mock Trial

Major Scott J. Anthony

Biographical Information:

- rank: major
unit: 1st Regiment, Colorado Cavalry
superior: Colonel Chivington
posting: Denver City, Colorado Terr.
- In early November, 1864, Maj. Anthony replaced Maj. Wynkoop as commander of the garrison at Fort Lyon. On November 29th, he and the soldiers from Fort Lyon rode with Colonel Chivington in their attack on the Indian camp at Sand Creek.

Historical Deposition:

- Following is a collection of excerpts from reports and testimony given by Major Anthony in November and December, 1864.

"The loss on our side was 49 men killed and wounded; on theirs I suppose it was about 125."

"At one time I sent out a scouting party and told them to look over the ground. They came back and reported to me that they had counted 69 dead bodies there. About two-thirds of those were women and children."

"I saw one man dismount from his horse; he was standing by the side of Colonel Chivington. There was a dead squaw there who had apparently been killed some little time before. The man got down off his horse, took hold of the squaw, took out his knife and tried to cut off her scalp. I thought the squaw had been scalped before; a spot on the side of the head had evidently been cut off before with a knife . . . I saw a great many Indians and squaws that had been scalped . . . I heard a report some twenty days after the fight that a scalp three days old - a white woman's scalp - was found in the Cheyenne camp. I did not hear anything about that

continued

until Colonel Chivington had [returned to] Denver. I was with him for ten days after the fights, and never heard a word about a white woman's scalp being found in [the Indian] camp until afterwards . . ."

"I never saw anything of [Indian bodies being mutilated] . . . Yet it was a matter of daily conversation between us at [Fort Lyon]. I however, did myself see some bodies that were mutilated."

Testimony Summary:

- You *estimate* that about 125 Indians were killed, but a scouting party reported that there were only about 69 bodies.
- The scouting party reported that about 2/3 of them were women and children.
- You saw many Indians that had been scalped.
- You did *hear* that a white scalp had been found in the Indian camp.
- You didn't see any mutilations occurring, even though you did see *some* bodies which had been mutilated.