

Stickens an Indian Chief being called on  
the part of the Defendants testified that the  
said Marcus Whitman was at his lodge on  
the Umatilla the day before his death. That during  
the visit of said Whitman he told him that the  
Indians about the Mepois were talking bad  
about him the said Whitman & that he the said  
Whitman was in danger.

Now the Defendants Counsel <sup>is introduced testimony</sup> offered to prove that  
it was the Custom and usage of the Cayuse nation  
to kill their bad medicine men: —

The Court refused to admit such testimony  
to which decision of the Court in refusing to admit  
the same the Defendants except.

There was no evidence given that the Crime  
charged in the Bill of Indictment was committed  
in the County of Clackamas

This was all the Evidence given in the case