

County of Bourbon  
State of Kansas } S.S.

This fifth day of September 1865 before me J. C. Chitwood a Justice of the Peace in and for the Township of Franklin of the County and State afore said personally appeared Edward Bates who being duly sworn according to law deposes and says that I was Chief Clerk in the Quarter Master Dept. at Fort Gibson C.N. under the direction of A.W. Robb 1<sup>st</sup> Lt 3<sup>rd</sup> Ind Reg. and a.a.q.m. from the 22<sup>nd</sup> day of July 1864. to the time the above named officer was relieved from duty as Post Quarter Master at Fort Gibson C.N. that I was thoroughly familiar with the duties and transactions of the aforesaid Officer Lt. A.W. Robb also with the property belonging to the quarter Master Department and for which the said Lieut. A.W. Robb was responsible. That a quantity of Hay belonging to his [ ] ability. Originally one thousand tons stacked at a distance of about 4 miles from the Post of Fort Gibson C.N. the same was without a guard from the 19<sup>th</sup> of September 1864 or until the same was removed to the Post which was not completed until the month of December 1864, that the Guard was removed from the same by order of the Commanding Officer. Col. S. Wattles 1<sup>st</sup> Ind Home Guard on or about the 19<sup>th</sup> of September 1864, that it was entirely without Guards until the latter part of October 1864 at which time a small guard was stationed over one lot of stacks. But one lot of said stacks was still left unguarded. That during the time the Guard was removed. The Refugees, Indians and Negroes, large numbers of which was Encamped in the Vicinity, Kept constantly taking Hay from the stacks that this fact was repeatedly represented to the Commanding officer, and a guard called for, but now furnished, that as near as I could ascertain there was about 50 tons or upwards of said Hay destroyed and stolen in this manner there was no Paulins to cover the stacks when opened the fall and winter was very wet, that Lieut Robb used every Exertion and Energy within his power to prevent the Hay from being damaged. That at our large herd of mules which had been detained by the Provost Marshall while En route from Fort Smith Arkansas to some point in Kansas. Were kept and fed at the Hay stacks this without being know at the time, at the office of Lt. AW Robb, that on the 1<sup>st</sup> of March 1865. at the time the said Lieut. AW Robb was relieved from duty, I assisted in taking an inventory of the property, that in transferring the same

to Lieut Robb's successor that the Commanding officer Col. W.A. Phillips had appointed a board of officers to take an inventory of the property, that in transferring the Hay at the Forage Yard at the Post of Fort Gibson C.N. the board estimated the refuse Hay which had collected from the damaged hay in the Stacks during the fall and winter previous at 50 Tons, that this amount was not included in the amount transferred to Lieut Lavzaler[?sp?] or any other officer, that it was totally unfit for use having been destroyed during the rains, and that no blame can attach to Lieut A.W. Robb a.a.q.m. on account of said loss.

Edward Bates

Sworn to and subscribed before on this fifth day of September 1865 at Henrico, Franklin County State of Kansas      JC Chitwood J.P.