

[INDIAN AFFAIRS ON THE PACIFIC.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

Report in regard to Indian affairs on the Pacific.

FEBRUARY 16, 1857. —Ordered to be printed.

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 19th ultimo, requesting me "to furnish to the House all correspondence and documents, not incompatible with the public interest, relating to Indian affairs in the department of the Pacific—those of the Interior as well as those of the War Department," I transmit accompanying report and documents from the Secretary of War.

FRANKLIN PIERCE.

WASHINGTON, *February 14, 1857.*

WAR DEPARTMENT,
Washington, February 14, 1857.

SIR: I have the honor to submit, herewith, the following papers, required by the resolution of the House of Representatives of the 19th of January, "that the President be requested to furnish to this House all correspondence and documents, not incompatible with the public interest, relating to Indian affairs in the department of the Pacific—those of the Interior as well as those of the War Department."

I. Reports on the numbers, characteristics, localities, &c., &c., of the Indians in the department of the Pacific.

II. Indian affairs in California.

III. Indian affairs in Oregon and Washington Territories.

In conformity with your directions, a copy of the resolution was transmitted to the Secretary of the Interior.

I have the honor to be, very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

The PRESIDENT OF THE UNITED STATES.

I.

Reports on the numbers, characteristics, localities, &c., &c., of the Indians in the department of the Pacific.

Circular in reference to obtaining authentic information concerning the Indians in the department of the Pacific, dated February 7, 1853.

Brevet Brigadier General E. A. Hitchcock to headquarters of the army, October 15, 1853, enclosing report of Lieutenant D. L. Floyd Jones, September 1, 1853.

Report of Brevet Major B. Alvord, July 17, 1853.

Report of Brevet Lieutenant Colonel R. C. Buchanan, August 1, 1853.

Report of Brevet Colonel George Wright, August 1, 1853.

Report of Brevet Major H. W. Wessells, August 2, 1853.

Report of Brevet Major S. P. Heintzelman, July 15, 1853.

Brevet Brigadier Gen. E. A. Hitchcock to headquarters of the army, October 26, 1853, enclosing report of Brevet Major H. W. Wessells, November 14, 1851.

[CIRCULAR.]

HEADQUARTERS PACIFIC DIVISION,
San Francisco, February 7, 1853.

SIR: With a view to furnishing authentic information to the War Department concerning the Indians of this division, and of preserving such information in the proper form, the General Commanding directs that you forward to these headquarters by the 15th August next a detailed and careful report, legibly written on letter paper, with a margin of one inch, concerning the tribes living near your post, or within the range over which your duties would extend.

Taking paragraph 86, regulations of 1847, as a basis, the report will embrace, besides the heads therein specified, the following: The name, locality, and number of each tribe; their kind of government; their customs at marriages, births, deaths, and funerals; their mode of living as to houses or shelter, food and raiment; a description of their agriculture, and other arts, if any; their traffic; their modes of punishment; their superstitions, rites, and ceremonies; their amusements, dances, &c., ball plays, if any; their domestic animals, if any; the general features of the country they inhabit, rivers and mountains, the proportion of arable lands, the natural products; the game, and such other topics as may be deemed of interest.

The general intends to forward your report, with others, to Washington, and he trusts you will be able to prepare it in such manner as to furnish much valuable information upon the interesting subject, which it is not improbable may be published by Congress.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,

Assistant Adjutant General.

The COMMANDING OFFICER, *Steilacoom, Oregon.*

[Similar circulars were addressed to the commanding officers at Dalles of the Columbia, Oregon; Fort Orford, Oregon; Humboldt Bay, California; Fort Reading, northern district of California; Fort Miller, California; Ranch Juness, California; Fort Yuma, California.]

[Endorsement.]

Indian affairs.

Approved, and respectfully submitted to the Secretary of War.

WINFIELD SCOTT.

HEADQUARTERS PACIFIC DIVISION,

San Francisco, October 15, 1853.

SIR: In the execution of my proper duties in this division, I have felt called upon to obtain detailed information in regard to the aborigines of the country, showing their numbers, geographical locality, habits, means of living, &c., &c. To obtain this information I have required reports from officers sent out on special expeditions, and have also required reports from officers in command of posts in the interior of the country. As these reports may be relied upon as entirely authentic, and contain much information which is even now exceedingly interesting, and must become more so in the lapse of time, I have thought proper to forward them for such disposition as may be deemed suitable by the General-in-chief, merely remarking that I should be gratified, as an act of justice to the officers who have so fully and handsomely complied with my instructions, if the report should be filed in the War Department, subject to the disposition of Congress.

I would take occasion to observe that philosophers often direct their attention towards the primitive condition of man, or of man in a supposed primitive state, and speculate at length upon his probable situation in what is called a state of nature. I undertake to say that some of the tribes of Indians on this coast are absolutely in a state of nature, if by this state may be understood man utterly destitute of all arts, and totally void of all intellectual or other cultivation, living upon the natural products of the country, without artificial clothing, and without other shelter than is afforded by the forests and caves of a country itself in a state of nature. Here, then, may be seen man in a primitive state, and here he may be studied in that state, without the chances of speculative error; and it is on this account that I

have supposed the notices of the aborigines contained in the reports herewith forwarded, all of which have been made with a strict regard to facts, may have some special value to a certain class of men, who, though rarely seen in the foreground of active life, do, nevertheless, exercise an immense influence upon the destinies of man by the silent, but sure, operation of truth.

The reports herewith inclosed are from First Lieut. De L. Floyd Jones, 4th infantry, Steilacoom, W. T.; Brevet Major B. Alvord, 4th infantry, Dalles of the Columbia, Oregon; Brevet Lieut. Colonel R. C. Buchanan, 4th infantry, Humboldt bay; Brevet Colonel G. Wright, 4th infantry, Fort Reading and northern district of California; Brevet Major H. W. Wessells, 2d infantry, Fort Miller, California; Brevet Major S. P. Heintzelman, 2d infantry, Fort Yuma, Colorado river, California.

In addition to these, there are two reports from Lieut. G. H. Paige, 2d infantry, in relation to the Pimo and Maricopa Indians, which were forwarded to Washington September 28 and November 30, 1852, and are probably now on file in the Adjutant General's office, and one from Brevet Major Wessells, of the Humboldt and Klamath tribes, which will be forwarded by the next mail; all of which will make the subject more complete, and should be taken in connexion with these.

I have the honor to be, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,

Colonel 2d Infantry, Brevet Brig. General Commanding.

Lieut. Colonel L. THOMAS,

Asst. Adj't General, Headquarters Army, New York.

[Endorsement.]

The reports herewith, from officers of the army, relative to Indians on our Pacific coast, are highly interesting, and I take pleasure in complying with the request of Brigadier General Hitchcock, commanding the department of the Pacific, in submitting them to the Secretary of War, that they may be submitted to the disposition of Congress

Respectfully submitted.

WINFIELD SCOTT.

HEADQUARTERS OF THE ARMY,

New York, December 1, 1853.

STEILACOOM BARRACKS, W. T., *September 1, 1853.*

SIR: Upon relieving Second Lieutenant W. A. Slaughter, fourth infantry, from the command of this post, on the 28th of March last, I received from him the circular issued from your office February 7th, 1853, calling upon the commander of this post for an extended report of the various Indian tribes over which the jurisdiction of this garrison extends. On the 18th of July I was, in turn, relieved by Brevet Major Charles H. Larnard, fourth infantry, and as the report is required at the hands of the commander of the post, I may with pro-

priety consider myself relieved from this duty; having, however, during the short period that I was in charge, gathered some of the information called for, I respectfully submit it.

The Indian tribes that come most directly under the jurisdiction of this garrison, are those residing on Puget's Sound and the small streams that flow into it. They are included in the district of country lying west of the Cascade mountains, and between the forty-seventh and forty-ninth degrees of north latitude—an extensive district, as a single glance at the map will show.

They number between six and seven thousand, and are divided into about thirty different tribes, as follows:

Name of tribe.	About dist. from post.	Supposed numbers.	Location of tribe.
	<i>Miles.</i>		
Squally-ah-mish.....	8	100	Nesqually river, bay, and vicinity.
Swo-tle-mam-ish.....	15	60	Case's inlet.
Puallip-paw-mish.....	15	200	Puallip's river, bay, and vicinity.
Sho-ma-mish.....	20	40	Vashon's island.
Stitchea saw-mish.....	28	25 or 30	Budd's inlet and South bay, vicinity of town of Olympia.
Say-hay-mah-mish.....	35	35	Totten inlet.
Quach-snah-mish.....	35 or 40	100	Case's inlet.
Sno-qua-mish.....	35	30 or 40	Port Orchard, Elliot's bay, and vicinity.
Du-wa-mish.....	36	60	On Duwamish river, and vicinity of the small town of Seattle.
Sko-sko-mish and <i>Tu a-nooch</i> ..	40	300	Head of Hood's canal.
Sah-ma-mish.....	50	100	Country bordering on a lake bet. Nee-wah-mish and Sno-ho-mish rivers.
Sno-ho-mish.....	60	250	South end of Whitney's island, Sno-ho-mish river, bay, and vicinity.
Chim-a kim.....	70	100	Vicinity of Port Townsend.
Steil-la-qua-mish.....	70 or 80	175	Steil-la-qua-mish river and vicinity.
Scal-lum.....	70 to 110	600	The coast between Los Angeles and Port Townsend.
Skuck-stan-a-jumpo.....	80	100	Skuck-stan-a-jumpo river, a branch of Skea-wah-mish river.
Skey-wah-mish.....	90	175	North fork of Sno-ho-mish river, called Sha-wa-mish river.
Sno-qual-a-mick.....	90	225	South fork of Sno-ho-mish river, called Sno-qual-a-mick river.
Kick-u-allis.....	90	160	Mouth of Kickuallis river, and vicinity.
Ska-git.....	90	600	North end of Whidby's island, Skagit river, and vicinity.
Sock-a-muke.....	130	250	Headwaters of Skagit river.
Sah-mish.....	130	150	North of Whidby's island, on river of same name.
Lum-my.....	140	400	On Lummy river, one of the mouths of Skagit river.
Slub-e-a-ma.....	150	400	North of Whidby's island, on river of same name.
Caw-a-chim.....	160	800	North of Bellingham bay, and between it and Frazer's river.
Pis't-chim, formerly Scal-lum	140	100	Near the Scallum tribe.
Swin-a-mish.....	120	200	On river of same name.
Ma-caw, (or Flattery).....	170	400	Vicinity of Cape Flattery.

* Probably.

In the foregoing list I have given the names of these tribes, with their supposed numbers, their location, and their distance from this post. In none of these particulars do I claim to be perfectly accurate. It would be presumptuous in me to do so; their organization is so exceedingly imperfect, and their chief or head men so exceedingly ignorant of the numbers of their tribes, that it is impossible to ascertain, except by means of a regular census, their true numbers. Those, as here given, were ascertained, some by observation, and others through the kindness of the Indian agent, Mr. E. A. Starling. The distances are estimated by the most practicable routes now travelled. In locating the tribe, I have taken that point at which they make their winter quarters; for in the summer they have no permanent location, but travel from point to point, stopping at those places which furnish them most readily a necessary supply of food.

In their tribal organization, their mode of government, their arts, manner of living, rites and ceremonies, amusements, and their customs generally, all these tribes strongly resemble each other. None of them can be regarded as warlike. They all live on the most amicable terms with the whites, and appear rather anxious that settlers should come among them. There are, however, occasionally slight difficulties between settlers and the most remote tribes, but these are generally traceable to the rum which is dealt out to them, either by the settlers themselves or traders upon the Sound. A good number of each tribe are provided with fire-arms; these they have generally obtained from the Hudson's Bay and Puget's Sound trading companies. They are of the old pattern flint-lock musket, and of an inferior quality. I have also found the double-barrelled percussion gun, and occasionally the American rifle. A few only of each tribe are skilled in the use of these weapons. Their mode of subsistence being entirely independent of the chase, they have little cause to perfect themselves in the use of fire-arms. The bow and arrow is rarely found among them, and when it is, it is usually in the hands of boys, and serves as a plaything. Their respect for the military is marked in the extreme. A "soldier-tye," that is, an officer, is regarded as first in the country, and they aim as much as possible to imitate him in their dress. They respect also, at the same time that they fear, the common soldier, and so long as this feeling is preserved, I imagine that their resistance to military authority will be slight.

The organization of all these tribes, as I have before said, is exceedingly imperfect, and in many of them it is difficult to ascertain whom they regard as the chief or head man. In some, however, I found that they have but a single leader, whose authority they all acknowledge. This is particularly the case with the Sno-qual-mish, a well-organized and restless tribe residing on the Sno-qual-mish river. Their chief, Pat-cha-nim, is a wily, shrewd fellow, and they are better able to give us trouble than any other tribe on the Sound. They subsist more than any other tribe by the chase, and many of them are well skilled in the use of fire-arms. It is this tribe that had a difficulty with the Puget's Sound Company in 1849. Two of their number were hung at this post for murder.

Of those on the west side of the Sound, the Scial-lum and Chim-a-

kum tribes are the most troublesome; they are only so, however, when supplied with liquor, which they appear to get more freely than any other tribe on the Sound.

Although none of these tribes are living on hostile terms with each other, excepting, perhaps, the Selal-lum and Mi-caws, still there is a great jealousy existing between them that might readily be turned to account in the event of our having trouble with any particular tribe. It would, no doubt, prevent the combination of any considerable number of the tribes, should they desire to do so.

The habits of all these Indians are exceedingly indolent. Nature has provided them with a delightful climate, which is neither extremely cold in winter nor hot in summer. The waters of the Sound abound in fish of every variety; and in their season, the woods are filled with berries. These, with a few potatoes, constitute their chief subsistence. Fish are their chief reliance, and are procured with but little trouble. Of the salmon they are excessively fond, and in the season for taking them they smoke and dry large numbers for winter use. The salmon do not make their appearance in these waters in very great numbers until the last of September. The potato is the only article of food that they cultivate. These are planted by the women of the tribe and are well cared for. Each family uses about one-quarter of an acre of ground, and this is prepared with the utmost pains. The potato fields of the Sno-qual-mish tribe are as fine as any that I have seen in Washington Territory, and a sight of them well repaid the trouble I had in finding them out. Indian corn they have no knowledge of; in fact, they know none of the grains. The camas root is a favorite article of food with them; it is a small root resembling in size and shape a small onion. This, when boiled or roasted, is exceedingly nice, and resembles in taste the boiled chestnut.

The ties of blood seem with them to be exceedingly strong. Members of the same family, however distantly related, claim the hospitality of each other whenever they happen to meet, and it is rarely refused. Their attachment to the place of their nativity is very marked, and they always seek to return to the home of their birth to pass the last days of life.

Marriage is with them a matter of convenience, and is unattended with ceremonies of any kind. The father of the bride usually disposes of her after his own liking. He aims either to unite her with some family more influential than his own, or to receive such a lover as will pay him best. Blankets, canoes, muskets, slaves, and, in fact, almost everything that is of value to them, are used in these matrimonial arrangements. With marriage commences the drudgery of the wife. The duty of erecting the lodge, supplying the family with food, hoeing, digging, and, in fact, performing all duties that are regarded in the least menial, devolves upon her. A plurality of wives is common, and where such is the case, personal attentions seem to decide the order of precedence. It is generally the wealthiest among them that are blessed with more than a single partner. The Indian women marry exceedingly young. An Indian bride of twelve is quite common. The men wait till a more mature age. Nearly all marry. I have not met with a single instance of where the person has sworn

celibacy. The rearing of children seems to be left entirely to the mother. The flattening of the child's head is universal throughout these tribes, and is regarded as a mark of beauty. The slaves are denied this privilege. It commences shortly after the birth of the child, and continues until the skull becomes so hard as to retain the shape they wish it. All that I have met flatten their forehead, but in some instances, I am told, they shape the head differently. The piercing of the nose and lips is not very general. The Indians farther north are addicted to that practice.

Death with them is a blank; they have no idea of a future state, and, accordingly, make no provisions for it. The fact, however, that they frequently kill the slaves of the deceased, and bury them with the body, as also his blankets and the skin of his horse, would seem to refute the idea that they were ignorant of the future, but upon questioning them, I learned that this was done only as a mark of respect, and not as a provision for the future. When a person dies, the body is usually wrapped in the blankets of the deceased, and after lying a short time, deposited in the grave. Ordinarily this is unattended by any ceremonies. The body is usually accompanied to the grave by the friends of the deceased only. The custom of placing the body upon scaffolds is quite general; when this is done, the body is first put in a box. They sometimes place the body in a canoe, and suspend it from the branches of trees, or elevate it upon posts; this I observed is most usually done by those Indians living upon rivers. No regard appears to be paid to the cardinal points in placing the body. Flags are sometimes displayed over the bodies of distinguished chiefs. Gravestones, or monuments of any description, I have not found, nor do I believe they ever pay to the dead a respect of this nature. Mourning for the dead is, I believe, confined chiefly to the females, who exhibit their affliction by lamentable cries.

Their amusements are limited. Dancing cannot be considered as a national trait of any of the tribes; I have not found, in the whole course of my experience, a single party dancing. Singing, they are more fond of, and they practice it to a very considerable degree, but their chief amusement is gambling; they carry it to the greatest length. The games of chance that they most use are called *Sla-hal* and *Li-hal*. The latter is their favorite, and by far the most extensively used; it is very simple; hardly more than guessing, "as in odd or even." But simple as it is, they become perfectly infatuated with the game, and frequently lose their all at a single sitting. Their blankets, canoes, guns, slaves, and even the clothing on their backs, are staked. This love for gambling is general throughout the tribes; even children of only eight or nine years indulge in it. Gambling does not appear to have any prejudicial effect upon them. Their games are unattended by drinking or dissipation of an injurious character, and they submit to their losses with the most perfect good grace imaginable.

The lodges of all the tribes that I have visited are similar in character. For their winter quarters, they erect houses or sheds of a permanent character. These are made with plank or boards, which they hew from the trees of the forest. In form, these lodges sometimes re-

semble the rude houses of the whites; without windows or doors, but with a hole at one end, to admit of ingress or egress. Sometimes they are built like our common sheds. Where this is the case, they are of immense length, and sufficient to shelter the whole tribe under a single roof. The Skagit tribe have the largest winter quarters that I have seen. The beds are arranged along the sides of the lodge, sometimes upon rude benches, sometimes upon the ground. The middle of the lodge is always appropriated for their fires, the smoke from which usually finds its way out through the crevices of the roof. Their summer quarters are built entirely of mats, supported by sticks. Their general form is not unlike those for winter, only much smaller. A single lodge is rarely occupied by more than two or three families. They can be readily taken down, and transported from place to place, and they rarely move about in summer without taking their lodge with them. The duty of taking them down, of removing and reconstructing them, devolves almost entirely upon the women.

Residing, as all these tribes do, upon the water, and depending almost entirely upon its products for their subsistence, they have become not only adepts in the management of canoes, but they also construct the most beautiful and graceful that I have ever seen. They are always made from the solid log, and are either of cedar or fir—their size varying with the taste or wants of the builder. The log is excavated either by partially burning, and then digging them with a rude axe, or they dig them out entirely. The bow and stern of some of these canoes are the most beautiful imaginable, and they are so shaped as to enable them to withstand a very heavy sea. The Cape Flattery Indians use them in the killing of the whale, and in so doing they venture in them a long distance at sea. In travelling upon the Sound, there is nothing that can equal the Indian canoe in point of comfort and convenience. I have made frequent excursions in them, and can testify to their merit.

In their dress, they all strive to imitate, as far as possible, the whites. They have discarded entirely the former articles of covering, such as skins, and the like, and now use only those that are worn by the "Bostons"—the Indian name for an American. In their intercourse with us, the Chenook jargon is used as a means of conveying their ideas; with each other, the Nesqually language is generally employed. Some of the tribes, however, do not understand it. Where this is the case, an interpreter is necessary. There are always more or less of each tribe that are familiar with the Chenook jargon, hence we have little difficulty in making ourselves understood.

As a body, they may be regarded as an inferior race of Indians. They possess little or none of the energy that characterizes their neighbors, the Indians east of the Cascade mountains. They are exceedingly indolent and lazy. They are content with little, have no ambition, and submit, without resistance, to the encroachments that are daily being made upon their old planting grounds.

The practice which exists throughout the Territory, of settlers taking from them their small potato patches, is clearly wrong, and

should be stopped. A few years later, and the poor Indian will not have an inch of soil for his own use.

Respectfully submitted.

DE L. FLOYD JONES,
First Lieutenant 4th Infantry.

Major E. D. TOWNSEND,
Assistant Adjutant General, U. S. A., San Francisco, Cal.

Report of Brevet Major Benjamin Alvord, captain 4th infantry, commanding at Dalles of the Columbia, Oregon, concerning the Indians in the Territories of Oregon and Washington, east of the Cascade mountains, made pursuant to the orders of Brevet Brigadier General E. A. Hitchcock, commanding Pacific division, dated San Francisco, California, February 7, 1853.

PART I.

MILITARY REPORT.

I propose to give first such information as I have been able to procure which might be regarded as of a military character, such as commanders are directed to obtain by paragraph No. 86 of the army regulations.

As I am required to make a report concerning the Indian tribes within the range of my duties, I shall extend it to those residing in the two territories east of the Cascade mountains, there being no other military post in this region.

The *Nez Percés* Indians have about five hundred warriors, and have always been friendly to the Americans. They are mostly armed with the Hudson Bay Company rifle. Their country is about two hundred and fifty miles east northeast from this post, extending from the mouth of Salmon river to the mouth of the Pelouse, and eastward to the St. Mary's mountains, a lofty range separating them from the Flat-heads. These mountains are so high and difficult to traverse that, within the memory of men of the *Nez Percés* now living, they had never crossed it. They were a half century ago more inclined to move towards the Columbia for fish, and did not cross eastward to hunt for buffaloes, until they began to own horses. They and the Bonacks are and always have been enemies, and they obtained their horses first from the Bonacks in war towards the latter end of the last century. They now fight on horseback, own fine horses, and frequently have to go to war against the Blackfeet, who cross the Rocky mountains and make marauding and hostile incursions upon the neighboring tribes in Oregon. Though they are brave and active warriors, the *Nez Percés* boast, with the Choctaws, that they have never shed the blood of white men. They refused to join the Cayuse in the war of 1847 against the whites. When large bribes, in the shape of scores

of horses. were sent to their chiefs by the Cayuse, to induce them to join in the war, those stern and steadfast old chiefs firmly and indignantly refused the tempting offer. They merit, in every sense, the kind consideration of the government of the United States.

The *Cayuse* speak the language of the *Nez Percés* and have much intercourse with them, but are by no means as friendly to the whites. They reside mostly on the *Umatilla*, one hundred and twenty miles east of this post, claiming an extent of country (large in proportion to their present reduced numbers) from the *Willow creek* on the southwest to the *Blue mountains*, and including the *Grande Ronde*, and northward to within fifteen miles of *Fort Walla-Walla*. They have about one hundred warriors, one half of whom are slaves of *Shasta* and *Walla-Walla* extraction. The tribe has been much reduced by the measles and other diseases, and contains but fifty pure *Cayuse* warriors. They are rich, owning large herds of horses and cattle, are good horsemen and are warlike in their disposition. Two-thirds of the remnant of this tribe are descendants of chief families, and are, therefore, haughty, disdain labor, have many slaves, and, like the modern *Poles*, their people are all nobles.

For the murder of *Dr. Whitman* and others, at the *Presbyterian mission*, in *November, 1847*, they suffered severely in the war which ensued in the summer of *1848*, and five of the murderers were afterwards executed.

They are exceedingly fearful of being dispossessed, by force, of their lands, but are likely to remain at peace with the Americans, unless such forcible settlement of their country should be attempted.

The *Yakimas* live eighty miles north-northeast of this port, on the *Yakima river*, which empties into the *Columbia* on its right bank, just above *Fort Walla-Walla*. They are made up of different bands, and number in all about fifteen hundred souls, and have about three hundred and fifty warriors. They are well armed with the *Hudson Bay Company rifle*; are rich, proud, haughty, and cannot be considered friendly to the Americans, though they may make many professions of friendship. They speak the language of the *Walla-Wallas*, but are not on very good terms with these Indians. They sympathize rather with the *Cayuse*, and would be likely to join them in case of war. They are well supplied with horses and cattle. Their country will interest the whites soon, as the new road which, according to a recent act of Congress, is to be cut from *Puget's Sound* to *Fort Walla*, will doubtless pass through the valley of the *Yakima*.

The *Walla-Wallas* border upon the *Cayuse*, and occupy the country around *Fort Walla-Walla*, upon the south bank of the *Columbia*. They number about eight hundred souls, or two hundred and fifty warriors. They and the *Cayuse* have lost so many children by measles, that the number of warriors, in comparison with the whole number of souls, is large. They are much under the influence of the *Hudson Bay Company*, and are friendly to the whites. They are warlike, are well armed, and own a large number of fine horses and cattle. They are not on very friendly terms with the *Cayuse*, refusing to join them in the war of *1847*. The aversion of the *Nez Percés* and *Walla-Wallas* to join certain other tribes in any war

pon the whites, is an important fact in estimating the state of Indian affairs in this region.)

In the immediate neighborhood of this port are the *Waskows*, on the left bank of the Columbia, three hundred souls in number; the *Wishrans*, on the right bank, one hundred and fifty in number, and the *Des Chutes*, three hundred in number. The latter speak the Walla-Walla language, and live on the river Des Chutes. The Waskows, Wishrans—those around the Cascades—and the Clackamas Indians, near Oregon city, all speak the same language.

Many *Molales* and other Indians, perhaps five hundred, are found south of this on the upper Des Chutes. They are wanderers from the body of the tribe whose proper haunts are west of the Cascade mountains. They speak the same language as the Cayuse, and would sympathize with that people in war.

The *Flathead Indians* occupy the country between the St. Mary's mountains and the Rocky mountains—a large portion live in the valley of the Bitter Root or St. Mary's river. They have about seventy warriors, and, like the Nez Percés, are a brave, noble, and intelligent race, and have always been friendly to the whites. Though called Flatheads, it is a misnomer; the name properly belongs to the Walla-Wallas, Waskows, and other tribes. But these have gradually given up the barbarous custom of flattening the head of their infants, once regarded as a mark of beauty. The Flatheads are subjected annually to the hostile incursions of the Blackfeet, who, residing east of the Rocky mountains, are at war with all the surrounding tribes.

The *Spokanes*, *Pend d'Oreilles*, *Cœur de Alenes*, *Colville*, and *Okanagan Indians*, together with other tribes, all living north of the Nez Percés, number about two thousand five hundred souls, and are generally friendly to the whites. The *Snakes* occupy from the Wind river chain of the Rocky mountains to the neighborhood of Fort Hall. Near the South Pass they have been very friendly to the emigrants, as also the richer Indians of the same tribe in the vicinity of Fort Hall. But many of them are poor and degraded "Root-diggers;" own no horses, and often live by stealth. They speak the same language as the Comanches. The Snakes claim to be the original tribe, (I know not with what truth,) and that the Comanches left them and emigrated southeasterly into the large prairies towards the Arkansas. According to their traditions, no buffalo ever ranged west of the Rocky mountains, and their migration was made to get into the buffalo country. They number about fifteen hundred souls, a few horses, and are armed with the Hudson Bay Company rifle.

The *Bonacks* speak a different language from the Snakes, with whom they are often confounded. They occupy from the Snake country, near Fort Hall, down the Snake river to the Grande Ronde, and westwardly towards Klamath lake. They are generally poor, distressed Indians; they hardly ever kill any game, and live chiefly on salmon. The Klamath Indians, on the lake of that name, are properly Bonacks.

The *Root Diggers* are the most degraded portions of the Snake and Bonack tribes. The Snake and Bonack Indians appear to be often at

war with the Nez Percés, Cayuse, and other Indians in this part of Oregon.

The great body of the Oregon Indians have always been remarkably friendly to the whites. When Lewis and Clarke crossed the Rocky mountains in 1805, and entered the Nez Percés country, they received the new comers with open arms, and have since remained undeviatingly friendly to the Americans. When, about eight years later, the parties of Astor entered the mouth of the Columbia for the purposes of trade, the Chinooks received the Americans in the kindest manner. After that date the Hudson Bay Company commenced its establishment in Oregon, which was facilitated by the pacific and tractable character of the majority of the natives.

As yet the government of the United States has done nothing for any of these Indians. They have received no schools, ploughs, blacksmiths, or vaccination. Many elements of improvement have been implanted by the missionaries, especially among the Nez Percés and Waskows. It is to be hoped that definite arrangements will be made with all these Indians, and that the Indian title to the land will be extinguished by treaty before further settlements are made. The President, by the act of Congress of 5th June, 1850, was authorized to commence negotiations to extinguish the Indian title to lands west of the Cascade mountains. As many of the whites are now settling among them upon the bare sufferance of the Indians, and intrusions are likely to lead to collision and bloodshed, I trust that Congress will speedily authorize the President to open negotiations with any of the tribes east of the Cascade mountains at any time he may consider that it would be conducive to the public good. But such attempts at negotiations should not be made except where their lands are wanted for the progress of the white settlements. It is now desirable that the Indian title should be extinguished in the vicinity of the Cascades, and also of the Dalles, and on the Columbia river between those points, leaving to the Indians liberal reservations. It is to be regretted that the treaties negotiated three years since with the tribes west of the Cascade mountains were such as not to be confirmed by the Senate. The Indians in this vicinity do not understand these long delays, and, bordering upon California, whose gold mines are often visited by them, they fear that they may share the fate of those of the Willamette valley, or of their red brethren in California. The old Spanish and Mexican laws did not recognize in the Indians the right of property in the soil; but the organic law of the 5th July, 1845, of the provisional government of Oregon, and the act of Congress of the 14th August, 1848, creating the territorial government of Oregon, fully recognize those rights. It is to be hoped that negotiations to extinguish the Indian title will be commenced in time to prevent collisions, which are even now threatened by the large immigrations into Oregon. All these Indians are fond of money, and, with good management, it will therefore be easy eventually to negotiate for the purchase of their lands. Their traffic in horses and cattle and provisions with the emigrants have made some of them rich, and taught all the value of money. In treating, small reservations should be left to the Indians, especially their salmon fisheries,

which are of prime necessity to them. In the northeastern part of Washington Territory, east of the Columbia river, is a tract which it may be desirable to reserve entirely as an Indian territory.

The boundary line of the new Territory of Washington, the latitude of forty-six degrees north runs through the heart of the Walla-Walla and Nez Percés country, and the governor of that Territory is superintendent of Indian affairs within its limits. The superintendent of Indian affairs in Oregon remains in charge of the southern half of those tribes. It will be perceived that the whole region east of the Cascade range to the Rocky mountains should be placed under one superintendent.

PART II.

Concerning the manners and customs, the superstitions &c., of the Indians in Oregon.

The instructions of the General request that the report shall embrace information concerning "their kind of government; their customs at marriages, births, deaths, and funerals; their mode of living as to houses or shelter, food and raiment; a description of their agriculture and other arts, if any; their traffic; their modes of punishment; their superstitions, rites, and ceremonies; their amusements, dances, ball-plays, if any; their domestic animals, if any; the general features of the country they inhabit, rivers and mountains; the proportion of arable land, the natural products, the game," &c., &c.

To give anything satisfactory upon some of these topics, would require the observation of years and the record of long volumes. It will be in vain for me to attempt to fill up such a programme. I shall select a few prominent heads, to give briefly what I have gathered during the few months which I have passed in the country; also premising that, at this remote post, I have not access to various works upon Oregon which would enable me to avoid the repetition of items already set forth by former travellers.

On the following points, upon which I shall endeavor to give some information, the manners and customs of all these tribes are generally altogether similar; I have enjoyed the best opportunities of learning the characteristics of the Nez Percés and Waskows, but they apply, with slight variations, to nearly all the Indians in the Territory. Concerning the former, I have derived much information from Mr. William Craig, long a resident among them.

The murdering of their doctors, and mode of initiation to the order of medicine men.—The form of government is patriarchal. They acknowledge the hereditary principle. Blood generally decides who shall be the chief.

It is the same among the Nez Percés with the medicine men. They are a distinct order in the tribe, and inherit the position from father to son.

With the Cayuse, Walla-Wallas, and Waskows, the candidates for

medicine are not always sons of a doctor. With them any child of the tribe may be trained for the office. A universal belief prevails among all the tribes that the medicine man possesses wonderful faculties of conjuration, and a god-like power of killing those against whom he shall hurl his direful charms or glances. His mere look, if inimical to the victim, can kill. They will hide or avert their heads in his presence to escape his glances. Such is the fixed faith of these poor Indians, and I have had occasion to witness frequent instances among the Waskows in my immediate vicinity. If once possessed with the idea that they are subjected to the dire frown of their medicine man, they droop and pine away, often refuse to eat, and die of starvation and melancholy, if not of necromancy—thus confirming and verifying, with their neighbors, a belief that this portentous power is actually possessed.

The natural consequence of such deep-seated faith in these powers is, that when a death occurs it is often attributed to the doctor, who is murdered by the relations of the deceased to avenge the fate of the victim. All the murders which I can hear of among them occur in this manner, and three doctors have been killed in the last four months in different tribes, within the distance of forty miles of this post. It is therefore a perilous as well as a powerful and honored craft, but perhaps this very danger operates, as with the soldier, to give additional fascination to the profession. Certain it is, that I cannot learn that the custom of killing the doctors, in any tribe, has operated to deter the novitiate from entering the profession.

I will now describe the process by which the novitiates receive their call, and are initiated into their order. As before stated, the position of medicine man is often inherited, running in families from father to son. Some daughters are also trained to the profession. But the female doctors (or sorceresses) are not so much feared, have not the same power over life and death, and are not murdered and held to such strict responsibility as the male doctors. But it seems that not all his children receive a call, but a mode is adopted in their early youth to determine which shall be the favored ones.

Children who are candidates are sent out, when they arrive at eight or ten years old, to sleep by themselves on the ground or in a lodge, there to await communications or visitations from their good spirit, (or Taminoise.) This spirit appears in the shape of a bear, eagle, cayote, buffalo, or some wild bird or animal. If the child, when he returns in the morning, has heard nothing, he is sent back again, and (if bent on making him a candidate) they will continue to send him day after day to sleep alone in this way, and he is often made to fast the whole time, until he is worried into believing or asserting that he has had some wonderful visitor in his sleep in the shape of the spirit of some animal. He will tell to some medicine character what he has heard and seen, who will instruct him that, when he is in want of anything, he must call on that spirit (or good genius) to assist him in all his undertakings. This seals his character as being destined to the profession, but until grown up they do not act as doctors. Long fasting and stoicism under it is regarded as an essential part of the process. With the Waskows, if the boy when sent out to sleep by him-

self, should on his return ask for food, he is looked upon as utterly unfit for any such high trust.

On reaching manhood, the novitiate is initiated into his sacred profession in a medicine dance, which is partly of a religious character, or a mode of worshipping their idol. Those idols are the spirit of certain animals. They will move in the dance imitating those animals, as the bellowing of the buffalo, or the howling of the wolf. One curious instance was described to me by an eye-witness, as occurring last winter. The nevitiate wished to imitate the elk, who had from his youth been the good spirit or guardian genius of his life. At certain seasons the elk has a habit of wallowing in the mud. The Indian poured several buckets of water into a low place in the ring in which they were dancing, and after whistling like the elk, laid down to wallow in the mire. During the ceremony of initiation, some of the chief doctors chant certain songs or incantations, and go through certain passes not unlike mesmerism, to put the candidate to sleep. When awakened from this sleep he is pronounced fit to practise in his lofty and potent profession.

Notwithstanding all this ceremony of initiation, they are far from being a harmonious brotherhood; a rival doctor often breeds mischief, and causes the murder of the one first called in; visiting a patient already under treatment, he inquires: "What is the reason you don't get well?" The patient answers: "I don't know; the disease holds on to me." He slyly hints "perhaps your doctor is working on you with his baleful charms." If the patient acknowledges before his relations that this is so, the doctor who has charge of him will probably be killed.

They are prophets as well as physicians. If one of them prophesies that a patient cannot live beyond a certain length of time, he may be so possessed with faith in the power and foreknowledge of the doctor, that he gives up, thinks he is fated to die, and gradually wastes away, and expires, perhaps, in perfect agreement with the ill-boding prophecy. The doctors are often killed for the mere failure to cure a patient, though it is always attended with a belief on the part of the bloody avengers in his having exercised a malign or necromantic power. In a recent case, a doctor of the Wishrans, when the small-pox was raging, was foolish enough to threaten, openly, what havoc he would spread among them, making use of the pestilence to magnify his office; and, to surround his person with greater elements of power, boasting that he held the fearful quiver in his own hands, ready to hurl the arrows of death in any direction. The people rose in a body and hung him in the most barbarous mode. Tying his hands and feet, they put a rope round his neck, threw it over the pommel of a saddle, and, starting the horse, his life was taken in this shocking manner. This might be termed a judicial murder, performed by the mass of the tribe.

These superstitions, so firmly rooted in their minds, and leading to such sanguinary results, form one of the most prominent features in the character of the Oregon Indians, and have had a direct bearing upon the most important events which have occurred in their relations with the whites. I refer to the massacre by the Cayuse in November,

1847, of the family of Dr. Whitman, and other white persons, (seventeen souls in all,) at the Presbyterian mission in the Cayuse county. There is no doubt that the immediate impelling cause of the murders was the fact that Dr. Whitman had endeavored to cure them of the measles, and still many had died under his treatment. It pervaded the whole Cayuse tribe. The misfortune was that they would not follow his advice. They would, with fever on them, plunge into the cold water of their streams, which often caused a fatal result. Notwithstanding the exceeding kindness of Dr. Whitman, the imbruted superstition of the Cayuse got the better of every recollection of his benevolent deeds. They were also possibly, in part, impelled to the crime by the fact that the emigrants who arrived that fall had brought the measles with them, and some of them were wintering with Dr. Whitman, and were massacred with him. In the spring of 1849 an expedition of Oregonians against the Cayuse led to some bloodshed on both sides, and the seizure of a great number (some five hundred head) of their cattle and horses.

In the spring of 1850 five of the murderers surrendered by Ta-wai-ta, their head chief, were tried, and hung at Oregon city. This punishment has made a deep and salutary impression on all the surrounding tribes, and will affect their conduct and color their history for a long period of time.

PUNISHMENTS.

It will be asked if these murders of the doctors are sanctioned among the Indians. The answer must be, that the punishments inflicted are very inadequate and inefficient.

A council of the headmen is called by the chief, and he decides that a certain number of horses and blankets will be turned over by the murderers to the family or the relations of the deceased. It is remarkable that the murderer never attempts to run away, and indeed generally comes forward and confesses his crime. It may be edifying to remember that superstitions just as direful were dominant in Massachusetts two hundred years ago, when witches were burnt at the stake who were more innocent than the murdered medicine-men, martyrs to the healing art among the savages.

Strenuous exertions have been made by the missionaries, and the commanding officer of this port, to induce the chief to cause punishment for murder to be made by hanging. As yet no such punishment has been inflicted. On the contrary, the effect of our advice has, it would seem, fallen thus far upon one of the doctors, instead of being used for their protection. In the case of the doctor among the Wish-rams, as narrated above, he is duly hung, though in a savage mode, for the mere threat of the exercise of his dangerous functions.

Notwithstanding all these disadvantages, candidates are still found eager to enter the order of medicine men.

But these crimes are rare among some of the tribes. I am informed that but two murders in twelve years have occurred among the Nez Percés, but they were doctors.

Remarkable simplicity and purity of conduct and manners exist among some of the tribes most remote from the whites, such as the

Pend d'Oreilles, Spokans, and Flatheads; crime of any kind is almost unknown among them. The principal punishment is the reprimand of the chief among the Pend d'Oreilles; I am informed that the rebuke of the chief is very efficient, but it is made the point of honor with them, when charged with any offence, to come and submit to the chief, whose severest punishment is a tap of a stick upon his shoulders, inflicting, it is understood, temporary disgrace upon the unfortunate recipient.

Rarely among any of these tribes is whipping resorted to. Their laws against prostitution are very severe upon the women. They are often punished among the Nez-Percés with from fifty to one hundred lashes on the bare back. But it is a very rare vice. They are generally remarkable for their chastity.

Under the head of punishments it will be proper for me to allude to their treatment of prisoners taken in war; from time immemorial they have been in the habit of making slaves of them. In that manner the Cayuse acquired their numerous slaves.

In lower Oregon, by which I mean the part west of the Cascade mountains, I was told of a recent act of cruelty and superstition of a remarkable character; within a year or two, upon the death of a master, his slaves have been killed, that they might accompany and attend his spirit in the other world. I was also informed, from a credible source, that, in that portion of Oregon a revolting custom had prevailed among some of the tribes of putting out one eye of a slave, in order that if he escaped he might be marked and known as such by the surrounding tribes.

My memoir is intended mainly to treat of the Indians east of the Cascade mountains, but the manners and customs of all are very similar. It would seem, however, that those residing near the Rocky mountains are living less on fish, and more on buffalo and other game, are, and always have been superior races to those living on the lower Columbia, or who subsisted mainly upon salmon.

MARRIAGE.

In all the tribes of this region polygamy is acknowledged. Generally they confine themselves to two wives, but sometimes have three or four. The Catholic priests have labored to inculcate the propriety of having but one wife, but have failed. When partially successful, these efforts have only resulted in making them have but one at a time. When dissatisfied with a present wife, the Indian turns her off and gets a new one, and the priest has been compelled to be satisfied with making them abandon to that limited extent their ancient habits.

The Presbyterian mission established among the Nez Percés, established by the American Board of C. F. M., succeeded better than any known in training the Indians to the habit of having one wife. When the mission was abandoned upon the occurrence of the Whitman massacre, a large body of the tribe adopted the rule for about eight years. However, for some time previous to that event, the Nez Percés began to relapse from the contagion of example, seeing all the neighboring tribes adhering to their old habits.

In their marriages they have no wedding ceremony; to be legal it would seem that the consent of the parents is all that is necessary. The suitor never in person asks the parents for their daughter, but he sends one or more friends, whom he pays for their services. They sometimes effect their purposes by feasts. The offer generally includes a statement of the property which will be given for the wife to the parents, consisting of horses, blankets, or buffalo robes. The wife's relations always raise as many horses (or other property) for her dower as the bridegroom has sent the parents, but scrupulously take care not to turn over the same horses, or the same articles. He likewise graduates his gifts to the parents to their power, and that of her friends, to raise an equal amount. This is the custom alike of the Walla-Wallas, Nez Percés, Cayuse, Waskows, Flatheads and Spohans; with all of them, marrying the eldest daughter entitles a man to the rest of the family as they grow up. If a wife dies, her sister or some of the connexion, if younger than the deceased, is regarded as destined to marry him. Cases occur in which upon the death of a wife, (after the period of mourning referred to below expires,) her younger sister, though the wife of another man, is claimed, and she deserts her husband and goes to the disconsolate widower.

The right of a man is recognized to put away his wife and take a new one, even the sister of the discarded one, if he thinks proper. The parents do not seem to object to a man's turning off one sister and taking a younger one, the lordly prerogative, as imperious as that of a sultan, being a custom handed down from time immemorial. He seldom has his wives in the same lodge. Their lodges are sometimes in different villages, but they are generally in the same camp. When they will not agree well in the same camp, he dismisses one to preserve harmony.

After the death of a wife, a man will not take another for one or two years, even if he has no other with him in the same lodge. He helps to take care of the children, who go into the immediate charge of the wife's mother. A man having in the same lodge but one wife, who is sick and likely to die, will sometimes make haste to seek another wife so as to avoid the force of the law, that upon the death of the former he must go unmarried for a year.

Upon the mother devolves all the care of the children, and she is never relieved from her other labors on that account. Thus, polygamy makes a degeneracy and depopulation in the races, as the women cannot take proper care of many children. Contact with the whites leads to their decay, but, even without that destructive influence, degeneracy seems to have been their doom. However, they never will (or but rarely) marry a cousin; thus that mode of degeneration is avoided.

When a wife is discarded, the rule is, that the children must go with the mother. A wife is often taken back after she has been banished for a year or more. After a separation the father has no care or responsibility connected with their children, and will not visit them even when they are sick.

Sometimes, when the parents refuse their consent to a marriage, a runaway match occurs, but it is not regarded as a legal marriage,

and the woman thereafter is considered a prostitute and is treated accordingly. The parents have a right to seize the man's property wherever they find it, and they frequently get back their daughter.

When about to be confined, the wife is placed in a separate lodge, a little girl or an old woman lives with her to build a fire and take care of her. She remains there until a month after the birth of the child. If the camp is moved, a separate lodge is again provided for her. They generally wean their children when about eighteen months or two years old.

DEATHS.

The sick are neglected. The women generally look after them, and have so many other cares that this duty is neglected, or cannot be properly attended to. Such faith is placed in the conjuring powers of the doctors, that they look blindly to them for aid and neglect the sick. But, when a man dies, then there is much parade and exhibition of empty feeling, which, we would say, comes rather late. The dead body is wrapped up in a blanket. If the grave is too distant to carry it by hand, they make, with a blanket and two poles, (one on each side of a horse,) a kind of drag (or litter which drags on the ground) and place the body in it. The Nez Percés bury in deep graves. The Waskows and Chinooks, residing along the Columbia river, were in the habit of burying on islands in small houses above ground, and in canoes, piled one above another, or lodged in trees. To this day, some of the Waskows resort to the islands, but most of them are learning to bury in the ground.

The women howl and cry at the death of a relative. If a man's wife dies, he shows grief by tears, but rarely by howling. If a child or father dies, little grief is evinced. The death of a father naturally incites less grief than that of a mother, as so little care is taken of the child by the father.

MISSIONS.

Much good was effected for the Nez Percés by the missions established among them. They had learned much of agriculture. They are now even strict in observing the Sabbath. A white man who staid the past winter in the Nez Percés country informed me that in a small band of two hundred Indians, with whom he lived, they assembled every morning and evening for prayer and psalm-singing. It should be noted that this is five years subsequent to the breaking up of the missions. It is to be regretted that missions, so permanent in their influence, should have ever been abandoned. The Cayuse were also on the high road of improvement when the Whitman massacre occurred. They often now express their regret at the event, and have wished that similar missions could be re-established.

Catholic missions are now kept up at the Dalles, at Fort Colville, at the Cœur-de-Lion, at the Chaudiere, on the Yackemoon river, and in the Cayuse country. They have no doubt exercised a softening and beneficial effect upon the Indians. But from the Protestant missiona-

ries, I suppose, they have learned more practical and useful arts, including the cultivation of the soil.

It is but just to say, also, that the course of the Hudson Bay Company has been undoubtedly very beneficial to the Indians of Oregon, teaching them agriculture, introducing ploughs and hoes, and in training them to boating, herding, and various kinds of labor. Their transactions with the Indians have been of a fixed and systematic character, no doubt looking well to their own interest. Acting in good faith themselves, they have exacted good faith and good discipline from the Indians, and prevented the introduction of spirituous liquors.

GAME.

The region is very poor for game until you approach the Rocky mountains. Elk, deer, and big-horn sheep; black, brown, and grisly bear are found in all that portion of Oregon east of Walla-Walla, but no buffaloes range west of the Rocky mountains. Parties of Indians leave every summer to hunt them on the other side of those mountains, although they often have to encounter and fight their hereditary enemies, the Blackfeet. Salmon fisheries abound in all these branches of the Columbia, as high up on that river as the falls, just above Fort Colville, and on Snake river to the falls above Fort Boisé. It is said that there is a marked difference between the Salmon-eating Indians and those near the Rocky mountains, who live on buffalo meat, the physical development of the latter being much superior. As examples, the large frames and finely developed forms of the Blackfeet, Flathead, and Nez Perces Indians are instanced.

PRODUCTIONS.

I can hear of no nuts being found in the country. Wild cherries, the service-berries, the cranberry, the raspberry, the blackberry, whortleberry, and in some places the strawberry are found.

There are two kinds of wild roots used by the Indians for food, which are almost as univerval as the potato with us. They are the "couse" and "camas" roots.

The "couse" is dug in the spring of the year, in April or May. It is found in poor rocky positions on the hills or mountains, and will grow where grass does not or cannot grow. It is a white root, and tastes like the parsnip. The Indians dry it and pulverize it into a white flour, which they keep for consumption throughout the whole year. It is found in great quantities, and is sometimes called the bread or biscuit root. They sometimes boil it with meat, making a kind of soup.

The "camas" grows in great quantities in wet swampy land, and is dug in June and July, by which time the stalk of the "couse" is dried up and not to be seen. The camas, when taken out of the ground, resembles a white onion. In order to preserve it, it is baked in kilns or furnaces in the ground, and when cooked has a dark brown color. It is then dried in the sun and will keep for one or two years.

It is sweet in taste and is used like sugar. When boiled it is often made into a kind of molasses.

At the proper seasons the Indians leave their winter camps and move *en masse* to the root grounds, making a regular business of laying in their supplies.

As to the amount of tillable land east of the Cascade mountains in the Territories of Oregon and Washington, it must be admitted that it is a very barren region, and not one twentieth part of the soil will ever be fit for cultivation. Though in the latitude of Lower Canada, its climate probably averages that of Pennsylvania or Virginia. In the western portion it is subject to the alternations of wet and dry seasons, common to Mexico and California. Approaching the Rocky mountains, especially in the Flathead country, the rains are distributed throughout the year as in the Atlantic States. The richest portions are probably in the country of the Flatheads, Spokanes, Cayuse, and Walla-Wallas, or, to describe these regions by the rivers and lakes, they are the vallies of the St. Mary's, the Umatilla, the Walla-Walla, and Powder rivers, and in the vicinity of the Grande Ronde at the Cœur d' Alene lakes.

I do not doubt that the land *west* of the Cascade mountains, especially that lying on Puget's sound, and in the valleys of the Willamette, Umpqua, and Rogue river, contains highly fertile and desirable tracts. But the Cascade range appears to divide the country into two distinct parts. This eastern portion, which is seven-eighths of the area of both Territories, embracing one hundred and eighty thousand square miles, is liable to the remarks I have made.

The surface of the country is generally one vast stretch of barren, rolling, hilly, prairies, with trees skirting the rivers, along whose valleys some narrow tracts of fertile land can be found, especially adapted to the cultivation of wheat. But these prairies and hills (some deserving even the name of mountains) are covered with the celebrated "bunch grass," so nutritious to all domestic animals, which will always make it a fine grazing country. But this grass, valuable as it is, does not grow densely enough to cover the hills with verdure and remove their desert appearance, scarcely even in the spring of the year. It does not redeem the soil from the epithet of barren, which I have applied to it. In vain do we look for that vernal green in April or May so welcome after the snows of winter; and the artist or poet must resign the hope of receiving inspiration from such sources. He can only resort to the scenery, to the rocks, and mountains, and lofty snow-capped peaks, and the curious grotesque shapes of the columnar basalt, sometimes resembling old feudal castles or immense amphitheatres, to excite his enthusiasm and reward him for the toil of his pilgrimage.

Respectfully submitted,

BENJ'N. ALVORD,

*Captain Fourth Infantry, Brevet Major U. S. A.,
Commanding the Post.*

FORT DALLAS, COLUMBIA RIVER,
Oregon, July 17, 1853.

HEADQUARTERS DETACHMENT FOURTH INFANTRY,
Fort Humboldt, California, August 1, 1853.

SIR: In obedience to the "circular" from the headquarters of the Pacific division, February 7, 1853, which I received on the 17th March, I have the honor to submit such information as I have been able to collect relative to the Indians residing in this vicinity.

The Indian name of the tribe living on Humboldt bay, and the lower portions of Eel and Mad rivers, is So-lot-luck, but by the whites they are usually designated by the locality which they inhabit, as Eel river or Mad river Indians, &c. The country which they occupy does not extend on either river more than forty miles above its mouth, and along the borders of these streams and the bay they have their principal settlements. They belong to that class of Indians commonly called, in California, "Diggers," and take this name from the mode in which they procure a large portion of their subsistence. This consists principally of roots, berries, hazle-nuts, and various kinds of seeds. They also collect quantities of salmon, which run twice a year on Mad and Eel rivers, and which they dry and smoke, besides clams and small fish from the bay. Their mode of digging for roots is peculiar, and, as is usual with Indians, this is mostly if not exclusively done by the women and children. Each woman is provided with a short, stout stick, pointed and charred at the end, and when she finds a place at which to dig, sits down on the ground, and using both hands, thrusts the end of her stick as deep in the earth as she can, turning and twisting it about in order to loosen as much ground as possible; then, having it there, gathers up her hands full of dirt, and shakes out of it the roots for which she is searching into a basket used for the purpose. This, of course, is a tedious process, but about the bay less so, perhaps, than elsewhere, on account of two things: first, the sandy character of the soil, which enables them to loosen it with ease; and second, the fact that all of their esculent roots are either *tubers* or *bulbs*. Their peculiar habits of life render them especially liable to scrofulous complaints, and accordingly it is a most common thing to see them grievously afflicted in this way. From the character of their food, the very general habit of continued intermarriage, and the miserable huts in which they dwell, it follows that they have much hereditary disease, and are consequently not long lived. The majority of those with whom I have met seem to be chiefly affected in their *eyes*, in very many instances having *lost one*; and I am informed by assistant Surgeon Dyerle, who has been over a large portion of California, that there are decidedly more severe cases of these scrofulous affections among them than among any others that he has seen. Their houses, if they can be so called, are made of slabs, split from the red-wood, laid against small poles, for the winter; and for the summer, brush piled up so as to shelter them from the cold winds from the ocean. As may be supposed, they are lazy, indolent and timid, never fighting if they can help it, nor never doing so, unless they consider the odds to be decidedly in their favor. Like the most of the Indians in California, their arms are a bow and arrows, and a knife made usually of hoop iron. The bow is made of wood, tightly wrapp-

ed with the sinews of deer and elk. They are not very expert with the bow, and it is not considered a dangerous weapon in their hands, at the distance of *fifty* yards. They have no animals, and in time of war act on foot, in small parties, scattered in such way as to enable them to make a simultaneous attack at different points, in order to create confusion among their enemies. In general, however, their indolence of character inclines them to live peaceably, and keep on good terms with their neighbors. Their mode of declaring war is by striking the first blow, and during its continuance all information of success or defeat is conveyed to the tribe by runners, or by signal fires on the mountains. Their allies are the Mad river Indians proper, and the *Wee Shotch*, or Indians of the Van Dusen's fork of Eel river. Their *enemies*, the mountain Indians, who speak the Trinity river language, called by them, *The Ock-co-witth*. The *So-lot-lucks* number about *eight hundred* souls, two-thirds of whom are women and children, and about two hundred and fifty warriors. The form of their government is *patriarchal*, the tribe being divided into ranches or families, and the oldest Indian is the head of the ranch. These petty chiefs are under a sort of control of a head chief, whose authority over them, however, extends no further than *his own personal* influence. For instance, he cannot take the canoe of the meanest individual of the tribe, for even mere temporary use, *without his consent*. This it is, that makes it so difficult to come to any understanding with them, as the act of the chief is only binding within the sphere of his own influence, and cannot be calculated on as a sure index of any promised result. Their raiment is of the simplest kind; that of the men being the skins of deer or rabbits, worn as most other Indians wear blankets, wrapped around the body, or, as is sometimes done, fastened about the neck, and hanging loose about them like a cloak. The *women* wear a kind of skirt, or kilt, made of deer skins, extending from the waist, and also make use of the deer and rabbit skin robes. Like all other Indians in California, the women are tattooed on the cheeks and chin; but, unlike any other Indians with whom I have ever met, neither men nor women use any *paint*. Their marriage ceremonies are very simple, the women being considered as mere articles of traffic; and hence, the preliminaries being the most important part of the business, when a man wishes to marry, he goes to the parents of the squaw, and offers for her such articles as he may consider to be equal to her value, and if his offer be deemed sufficiently liberal by *them*, the bargain is concluded—the girl herself having nothing to say in the matter; the day previous to his marriage the man does not eat any food, and his fast is continued until noon of his wedding day, at which time he goes for his bride, when, after having eaten with her and her relations, and made a present to each, he takes her home to his own lodge, which ends the ceremonies; whilst the whole affair is a simple matter of business, an absolute *refusal to sell* a squaw will engender vindictive feelings, which frequently cause the death of some of the family. The only peculiarity in their customs at births is, that the father must, if possible, be present on the occasion. When one dies, the funeral is conducted in a manner somewhat resembling that of the whites; a grave is dug, on the bottom of

which slabs of wood are laid; the body is then laid on these, his arms, if the deceased be a male, being put in also; slabs are next laid *over* but *not on* the body, and the grave filled up; in the case of a squaw, her stick, with which she used to dig roots, and her basket for carrying them, are placed at the head of the grave. Their superstitious rites and ceremonies are so very numerous it would be difficult to give any detailed account of them; in fact, every act of their daily lives is influenced by superstition, in the belief that it will result in good or evil to them, according to the manner in which it is performed. There would not seem to be anything peculiar in their modes of punishment; their children are corrected by them in pretty much the same way as the whites correct theirs; and I cannot hear of any law to punish an offence against the tribe. They have but *one* regular stated dance, which I cannot describe, and which takes place every year, shortly after the salmon commence to run, and is continued at intervals for two or three weeks. As to the arts, they are very expert in making baskets, small nets for catching salmon, and grass ropes, which they use for snaring deer and elk. They do not cultivate the soil, and therefore do not use agricultural implements. Their traffic is very limited, and is carried on principally with the mountain Indians, with whom they exchange clams and sea-shells for acorns, pine-nuts, and a kind of grass, which they use for making their baskets; in trading among themselves they use skins, beads, knives, sea shells, canoes, and women; these last being the most valuable article of exchange that they possess. They have no ball plays, nor have they any distinctive amusements. Like all Indians, they are excessively fond of gambling, and frequently stake everything they possess on the game; this is played with a bundle of sticks about a foot long, one of them being marked by a spiral cut through the bark, giving it a striped appearance; one of the players takes the sticks in his hands, and having rolled them about several times by rubbing his hands together, as it were, suddenly divides the bundle by taking half in each hand, and placing them by his sides, waits for the *better* to guess which the *striped stick* is in; should the stake be large the loser will usually scarify his breast and arms, and very frequently make wounds on them which do not heal for weeks.

The country which they inhabit, in common *now* with the whites, is composed of about equal proportions of mountains and valleys; part being prairie lands, but by far the greatest part being heavily timbered. The arable land is estimated at about fifty thousand acres, which is, perhaps, about *one fourth* of the whole, and is very fertile, producing heavy crops of wheat, oats, rye, barley, potatoes, and all kinds of garden vegetables. There are three principal streams running through their country: Eel, Elk, and Mad rivers. The first empties itself into the ocean, about a mile to the *south* of the bay; the second runs into Humboldt bay, and the third into the ocean, about three miles to the *north* of the bay, which, on a north and south line, is just *fourteen* miles long. Eel and Mad rivers take their rise in the coast range of mountains, and are quite rapid streams until they approach the ocean, when the tides affect them and diminish their velocity. By the melting of the snow in the mountains, as well as by heavy

rains, sudden freshets are frequently caused in them, rendering them very turbid; and, as a consequence, the opposing forces of current and tide cause a deposit to be made at the mouth of each, thus forming a shoal and rough bar. The country is abundantly and heavily timbered; the principal woods being redwood, spruce, Oregon pine, fir, alder, ash, cottonwood, crab-apple, madrone, willow, and a variety of the myrtle; the first four making excellent lumber, and giving employment to numerous saw mills on the bay. The game consists of elk, black and grizzly bears, coyotes, silver foxes, rabbits, and grey squirrels. Among the feathered tribes, geese, brant, ducks, and curlew are very abundant, in their proper seasons, in the small ponds and marshes about the bay. Elk river furnishes an abundant supply of beautiful brook trout, and the bay salmon, bass, flounders, and sardines, besides crabs and four varieties of clams.

The foregoing account embraces, I believe, all the subjects which the circular requires to be noticed, and as much, perhaps, as I am expected to allude to in my report. It would, therefore, seem unnecessary for me to favor the department with any reflections on the subject of our Indian relations, as such reflections would probably be considered much more sound by myself than by any one who might read them. I will, therefore, content myself with the remark, that among these people, and all others of the Indian tribes of our country, the great laws of civilization and progress are surely developing themselves, and as a consequence a few years more will number them with the things that *were*. From their difference of habits and interests, engendering hostility among themselves, no *general war with them* need ever be apprehended; and hence the steady encroachments of the white man, from every direction, will produce the certain, though perhaps gradual, result of their utter annihilation.

I am, sir, respectfully, your obedient servant,

ROBERT C. BUCHANAN,

Bvt. Lieut. Col., Capt. 4th Infantry, commanding.

Major E. D. TOWNSEND,

*Assist. Adjt. Gen., Pacific Division,
San Francisco, California.*

HEADQUARTERS NORTHERN DISTRICT OF CALIFORNIA,
Fort Reading, August 1, 1853.

SIR: During the interval which has elapsed since receipt of the "circular" from the headquarters of the Pacific division, under date of the 7th of February last, I have taken all practicable measures, both from personal observation and by communication with the best informed and most reliable gentlemen residing in the northern section of the State, to obtain the desired information concerning the Indians within this district. The great extent of country which this district embraces, and the innumerable small bands of Indians residing in it, many of them never having had any intercourse with the white people,

renders it impossible, with my present information to prepare such a report as is required.

I have prepared a tabular statement which is herewith transmitted, embracing all the information I can obtain in relation to these Indians. A gentleman in Shasta was kind enough to prepare for me a report on the subject, but it was destroyed by the late conflagration of that city, and, unfortunately, cannot be replaced.

These Indians live in huts made of tule grass and skins, and subsist principally on game, salmon, acorns, and roots. They have an abundance of food, except in the winter season.

Although some of these bands of Indians are reported as hostile to the white people, it is believed that their enmity is rather the result of the encroachments on their hunting and fishing grounds, and the consequent scarcity of food at certain seasons of the year, than from any premeditated design of making war on the white people. Their want of firearms, their dispersion over such a vast extension of country, their precarious mode of subsistence; the little intercourse they have with each other, and their indolent and apathetic habits generally, all contribute to remove any apprehension of a union of their forces for hostile purposes.

I apprehend no difficulty in the execution of the proposed plan of collecting these Indians within fixed boundaries; but most of the places suitable for their location are already occupied by the white people. They must be placed where they can procure salmon, game, acorns, roots, &c.; otherwise, they must be subsisted entirely by the government, as I place but little confidence upon any efforts that may be made in cultivation, especially in a country like this, with comparatively so little arable land, and most of which requires irrigation to render it productive.

I enclose herewith an outline sketch of this district, by Lieut. Williamson of the topographical engineers.

Very respectfully, your most obedient servant,

G. WRIGHT, *Bvt. Col. U. S. Army,*
Comd'g N. Dist. of California.

Maj. E. D. TOWNSEND, *Asst. Adjt. General,*
Headquarters Pacific Division, San Francisco, Cal.

*Report of Indians living within the northern military district of California, commanded by Brevet Colonel George Wright,
U. S. Army.*

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INDIAN AFFAIRS ON THE PACIFIC.

Name of tribe.	Locality.	Number of warriors. Distance from Fort Reading, (miles.) Distance from Fort Jones, (miles.)			Arms.	Mode of subsistence.	Horses or mules.	How moved—by land or water.	Peaceable or warlike.	Means of making war.	Disposit'n towards whites.	What kind of government.	Nomadic or stationary.	Total population.
Cow Creek....	Cow creek....	150	15	120	Bows and arrows.	Game, fish, acorns, seeds and roots.	...	Land	Peaceable	Bows and arrows	Friendly.	Chiefs of rancheries.	Stationary	400
Ukavos	Pit river.....	...	50	100	.....do.....		...	...do.....	Warlike..	.....do.....	Hostile ..	.....do.....	.....do....	...
Cottonwood ...	Cottonwood .	...	50	120	.....do.....		...	...do.....	...do....	...do.....	...do....	.....do.....	.....do....	...
Upper Klamath.	Upper Klamath lake	100	280	150	.....do.....		50	Land and water..	...do....	.....do.....	Friendly .	Chiefs of tribes.....	.....do....	300
Lower Klamath.	Lower Klamath lake	100	220	80	.....do.....		50	...do.....	...do....	.....do.....	...do....	.....do.....	.....do....	250
Modanks	Rhett lake	100	240	90	Bows and guns ..		50	...do.....	...do....	.....do.....	Hostile ..	.....do.....	.....do....	300
Shoshones.....	Goose lake.....	300	300	170	.....do.....		...	...do.....	...do....	.....do.....	...do....	.....do.....	.....do....	1000
Shastas.....	Shasta valley	50	100	40	Bows and rifles..		30	...do.....	Peaceable	Powder and ball..	Friendly .	.....do.....	.....do....	150
Scott's Valley..	Scott's valley	50	130	7	.....do.....		20	Land .....	...do....	.....do.....	...do....	One chief.....	.....do....	150
Trinity*	Trinity.....	...	...	...	.....do.....		...	...do.....	Warlike..	Bows and arrows.	...do....	Chiefs of rancheries.	.....do....	...
Rogue River†...	Rogue river.....	...	...	...	.....do.....		...	.....do.....	.....do.....	.....do.....	.....do.....	.....do.....	.....do....	...

* Numerous warriors.

† Unknown.

G. WRIGHT, *Bvt. Col. U. S. Army,*
Commanding N. Dist. of California.

HEADQUARTERS, NORTHERN DISTRICT OF CALIFORNIA,
Fort Reading, August 1, 1853.

HEADQUARTERS FORT MILLER, CALIFORNIA,
August 2, 1853.

MAJOR: On assuming command of this post in the month of May last I received from my predecessor, Brevet Major Patton, 2d infantry, your circular of February 7th, calling for a report agreeably to paragraph 86, Regulations of the Army, in relation to the Indian tribes coming under the influence of this station, their habits, customs, means of subsistence, and such facts connected with their mode of living as may be of interest to the War Department.

A work of this kind, to be complete and satisfactory, would require much time and long continued contact with some of the more prominent tribes. All information derived from the white settlers is of a very uncertain kind, and from the Indians themselves, owing to their stolid ignorance, it is almost impossible to obtain a satisfactory reply to the simplest question. The ordinary means of communicating with them is now through the Mission Indians who speak the Spanish language, there being no person within my control who, with a knowledge of the English language, can communicate directly with their chief men and in their own tongue. One language seems to prevail throughout the whole extent of this valley, with the exception of the Noo-tah-ahs or "Mono" bands, living habitually in the mountains, and who are supposed to have emigrated from the eastern slope of the Sierra.

That portion of country properly embraced within this report seems to extend from the Stanislaus river on the north to the Tejon Pass on the south, a distance of 300 miles; which territory is naturally divided into two sections: first, that of the San Joaquin river and its tributaries; and, secondly, the Tularé country lying between King river and the pass; Fort Miller occupying a position between the two. This whole country is enclosed on its eastern and western borders by the Great Sierra and the coast range, forming a vast basin, watered through its centre by a chain of lakes and the San Joaquin river, all flowing towards the north, and fed by numerous tributaries from the snows of the Sierra.

The Indians of the first section, although similar in appearance, language and habits, have little intercourse with those of the Tularé section, except such tribes as lie adjacent and occupying generally a rich mining region, comparatively thickly settled with whites, have, through this influence, become somewhat domesticated; many of them have been employed by the settlers and miners in labor, and families or small bands are often found permanently located in their immediate neighborhood.

Under these circumstances they are fast acquiring the vices of our own race, it being no uncommon thing to see them under the influence of intoxicating drink, though as yet a drunkard is rarely met with; chastity among their women seems no longer to be a virtue. I have not been able to discover that they have any knowledge or conception of a higher power, either for good or evil; neither can they be made to comprehend such things, unless it is forced upon them through the operation of the senses, and these remarks apply to all, as far as my information extends.

The San Joaquin river, having its sources among the farthest snows of the Sierra, flows in a rapid torrent towards the foot hills, and entering the great valley it bends to the right and takes a northerly direction to the upper waters of San Francisco bay; its tributaries, commencing on the north, are the Stanislaus, Tuolumne, Merced, Mariposa, Chow-chi-la and Fresno; the three last, in the dry season, losing themselves among the sands of the plain. These branches taking their rise in the Sierra at greater or less elevation, flow in a direction parallel to that of the upper portion of the main river, and their magnitude and quality of their water depend entirely upon the elevation of their sources. These streams are well timbered with pine and oak until leaving the foot hills, from which point to the main river the country is an arid waste during the summer, and in the wet season almost impassable; their course through the plain can be traced by a line of scattered trees, and on their immediate margin may be found occasionally a tract of arable land; this space, lying between the foot hills and the San Joaquin, is not much frequented by Indians, it possesses few requisites for their comfort or subsistence, there being a scarcity of wood and shade, and consequently a deficiency of acorns; the water is warm, and fishing is less successful than among the rapids of the hills, where salmon are taken in time of low water in great abundance.

In numbers these Indians have been much over-estimated, and at this season of the year being scattered among the mountains in search of food, it is impossible to arrive at an accurate count; and even from the chiefs at all times it is extremely difficult to obtain satisfactory information. A reliable census can never be taken until some proposition is made or inducement held out sufficient to excite their curiosity, when they may be collected at different points and an approximation to their numbers obtained.

Those bands which frequent the Stanislaus and Tuolumne rivers, called Wal-lal-sim-ne, Pah-ka-nu, Thresé, and Wah-ki-la, numbering from five to seven hundred souls, are at a distance of one hundred miles from this post, through a region of country passable only for pack mules, whilst they can be reached from Stockton in a less distance, and supplies can there be transported over a good wagon road to a point at least ten miles beyond the town of Sonora.

Those tribes having their haunts on the Merced and Fresno, called O-ke-chum-ne, Po-toy-en-tre, Se-an-tre, and Yo-sem-a-te on the former river, and Chu-ke-chan-se, Chow-chi-la, Po-ko-na-tri, Nu-tre-cho, and No-ke-tro-tra on the latter, can be reached from this point, at distances varying from twenty five to seventy miles; the latter distance referring to the Yo-sem-na-te valley, a level space, some eight miles in length, enclosed on all sides by precipitous mountains, and in which the Merced is said to have its source. This valley lies at a great elevation above the plain, and the tribe which occupies it, now much reduced in numbers, have the reputation of thieves, and are rarely known to visit the tribes of the foot hills.

The Indians of the main river, called Pit-ca-che, and Noo-tah-ah, or Mono, have been for the last two years in close relations with the whites, wear clothes, and seem to have lost all inclination both for

war and hunting. They number in all, perhaps, five or six hundred souls.

The Indians of the first section, amounting to about two thousand five hundred or three thousand souls, all speak the same language, with one exception, that of the Noo-tah-ah, or Mono; the latter, according to some authorities, signifying "unknown," though I think it very doubtful, and believe it to be the Spanish word meaning "monkey."

Bows and arrows are the only arms in use throughout the valley, and horses are habitually used by only one tribe; and with that exception their subsistence and manner of living is similar in almost every respect.

In the summer season grass seed is collected by the women in considerable quantities, pounded and made into a kind of paste; grass-hoppers are caught and roasted; the manganita is collected, pounded in mortars, and water filtered through the mass, making a palatable drink resembling cider. The seed of the pine cone is also used for food, and a small root resembling the chesnut in taste. They also collect barley when able to do so. In the fall of the year their chief article of food is the salmon, but they are too indolent to prepare a sufficient supply for the winter, depending almost entirely upon the acorn, which are collected in large quantities and made into a kind of flour by pounding. They are docile in disposition, in habit opposed to war, and confiding in all their relations with the whites, although often imposed upon and deceived by them.

The tribes of the Tularé section, numbering about 5,000 souls, occupy the foot hills along the streams flowing from the Sierra into the lakes, at distances varying from 25 to 150 miles, and, although wagons can pass the whole distance, pack mules would be required to operate against them in the hills; their habits, character, means of subsistence, arms, &c., are the same as those of the first section, except a tribe on the Tejon Pass, consisting of about 300 souls, who own horses and to some extent cultivate the ground; in this respect they differ from all others, seeming to retain their old mission habits; they raise wheat, corn, pumpkins, melons, peas and beans; their chief, Tapatero, lives in a house of adobes, and I am informed by Captain Jordon and Lieutenant Nugen, who have recently visited that valley, that they were there entertained with genuine hospitality; his table being spread with plates, knives and forks. They use horses for plowing, and have spades, hoes and other implements for agriculture.

Every tribe is governed by a chief, under whom are sub-chiefs, according to the number of smaller bands or rancherias composing the nation. Their authority seems to depend much upon the character and ability of the man, and he is sometimes deposed by his own people.

I have not been able to learn whether or not this rank is in general hereditary.

In leaving this post and going towards the Tejon pass, King's river is crossed at a distance of about 25 miles, on which stream are found the Chow-e-nim-ne, Wa-che-ha-ti, I-te-che, Cho-ke-min-nah, Mi-chah-ha, Hol-ko-ma, To-ke-ma-che, O-po-no-che and We-mil-che tribes, extending from the lake to a considerable distance among the foot hills.

On the Cah-wi-ah and the other four creeks, at a further distance of 30 to 35 miles, are the Tah-lum-ne, Cho-i-nook, Cah-wi-ah, Wich-achim-ne, Yo-kul, Pol-we-sha, Wok-sach-e and Eu-tem-pe-che's, and in that same region, though I am unable to fix their locality, are found the Choo-noot, Wah-wol, Co-ye-te, Yo-el-cha-ne and Go-ke-nim-non's.

Still further to the southward on Tule river, Moore's creek, Posa creek, Kern river, and the region of Walker's Pass, are the Mon-tos, Ta-ches, Che-tic-ne-wash, Po-la-ga-mis, Che-bon-tes and other tribes of whom little is known, that portion of country being seldom visited for that kind of information.

During the heat of summer these Indians live habitually in temporary huts of bushes, shelter from the sun being the only object, but in the rainy season their roofs are thatched with grass or covered with canvas and hides, whenever such material can be procured; boards are unknown, but most of the tribes are acquainted with the manner of making adobes, though none are used except a small quantity at the Tejon Pass, and at that place are found the only domestic animals, horses and a few chickens.

Their marriages are attended with no ceremony, it being a voluntary act between a man and woman, and dissolved apparently at the pleasure of either. In some tribes, it is said, that by established laws, a woman must yield to the wishes of a man whenever the demand is made.

Before the occupation of this country by the whites, it was a custom to burn their dead on a funeral pile, and it is still kept up by some of the tribes; but in this vicinity they are buried in the ground, attended by a procession according to the rank and character of the deceased.

Their dances seem to have no reference to particular days or seasons; they dance because they wish to, and the whole performance, to me, is perfectly unintelligible. In fact they seem to have no object in life but to eat and lounge about.

Their most attractive game is played by two or four men—one or two on a side. Having leveled and cleared a space of ground some twenty yards in extent, the players are provided with two flexible rods ten or twelve feet in length, and a ring made of rope about two inches in diameter, wound closely with pack thread, two of them; with the ring and rods, take their position at one extremity of the space; the ring is rolled along the ground by one of them with considerable force, and both at the same time dart their rods, sliding them along the ground. If the point of a rod enters the ring, a marker sitting by scores a certain number of points towards the game; or if the ring, in ceasing to roll, inclines against a rod, he also marks. They then run to the other extremity of the space and cast the rods as before. This game consists of about a hundred points, and upon it they stake beads, clothing, or any thing they possess. Another game is much in use in some seasons of the year, which is played by any number of men, each provided with a rod similar to the above, but sharpened at one extremity. A perpendicular wall of bushes, impervious to sight, and about twelve feet high, having been previously constructed, the players take their places on one side of it and the bets are made. One of the number, with a longer and heavier rod, commences the game

by darting it over the wall so that its point will strike the ground on the opposite side, the others immediately follow, and the rod whose point is found nearest to that of the first marks a certain number of points in the game; they then throw from the other side in the same manner, and so continue until the game is finished. Their accuracy in judging of the position of the first rod is wonderful.

They also have games of ball, played with small bats, but I have had no opportunity of seeing them, likewise some unintelligible games of cards.

Having no knowledge of agriculture, or means of cultivating the soil, their habitations are fixed solely with reference to facilities for procuring subsistence; this brings them almost entirely within the foot hills of the Sierra, and consequently they occupy but a small portion of arable land.

The tribes on the Fresno have suffered much from sickness during the last two years, and their numbers have considerably diminished, whilst on the other rivers they seem to be robust and healthy. They are generally well clothed, the women wear skirts, shawls and handkerchiefs, and the men, shirts and pantaloons. A naked Indian is rarely seen.

It is with much regret that I am compelled to submit a statement so meagre in detail. To obtain an accurate knowledge of their numbers, habits, &c., would require a close and protracted intercourse with the several tribes, since one nation can give but little information of its neighbor, or any others living at a distance. Beyond their ordinary physical wants and necessities, they seem to be incapable of making a mental effort, and the sub-division of their tribes into smaller bands, or rancherias, renders it impossible to get from their head chiefs even an approximation to their actual numbers, they can only reply "mucho," which may mean fifty or five hundred.

In disposition they are peaceful and tractable, and from the Fresno to the Tejon Pass there is a constant inquiry as to the movements of the superintendent, and what is going to be done for them.

In almost every tribe are found a few mission Indians, or "Christianos," speaking the Spanish language, and having considerable influence both for good and evil. From these men they have an indistinct idea of the old mission establishments, and referring the plan of reservations to that system, seem very anxious to make the experiment, but all having a preference for some particular locality. The plan is evidently the best that can be devised, and worthy of the government. With judicious management, and the employment of a few Spanish priests, it can be fully perfected, and would raise from ignorance, idleness, and filth, many thousands of human beings to a position in life of some use to themselves, and that portion of country in which they are established.

Respectfully, your obedient servant,

H. W. WESSELLS,

Captain 2d Infantry, Brevet Major Commanding Post.

Major E. D. TOWNSEND,

Assistant Adjutant General, Pacific Division,

H. Ex. Doc. 76—3

HEADQUARTERS, FORT YUMA, CALIFORNIA,
July 15, 1853.

MAJOR: I have the honor to make the following report on the subjects embraced in the circular of the commanding general of the date of February 7:

Fort Yuma was established by three small companies of the second infantry, under my command, in November, 1850. In June following, on account of the expense of supply by wagon train across the desert, the troops, with the exception of a small guard, were withdrawn to Santa Isabel. This guard was reinforced by a small party under Captain Davidson, 2d infantry, again in November, and the place abandoned by him a few days after, being threatened by Indians; he first destroying some of the stores and caching others. It was again occupied on the last day of February, 1852, by the original command, another company of infantry, and two of dismounted dragoons—the three latter only remaining a month. All the stores which had been cached were dug up by the Indians, and, with the boats carried off.

Since then, the navigation of the Colorado by steam has been assured, and it is now in a fair way of being a permanent station. It is the most important in southern California, as it protects the southern route of American emigration into California—the Sonora emigration—controls numerous tribes of warlike Indians, and commands the passage by land on the Pacific side into Sonora and the Mexican republic. It is also spoken of as a point on the great Pacific railroad.

The post is situated on the right bank of the Colorado river, opposite its junction with the Gila, on an irregular rocky hill, about eighty feet high. The part occupied by the camp is tolerably level, sloping to the east, 500 feet from east to west, and 400 from north to south. A branch ridge runs off to the south, through which is a cleft 180 yards wide, affording a passage to the combined waters of the Colorado and Gila.

This is the site of a presidio, established about seventy-seven years ago by the Spaniards. Padre Pedro Garces came out here with a San Gabriel Indian, and reported this a favorable position for a mission. The next year, he and Padre Kino came out with troops and established a mission in the junction, and José Maria Ortega, son of Don Francisco Ortega, captain and commandante of the expedition of the discoverers of Alta California, the presidio. The position is described as being between the sierras of San Pedro and San Pablo. A little east of north from here, forty-five miles on the top of a ridge of barren mountains, is a detached rock, several hundred feet high, resembling a dome, which may have given the name of St. Peter, and in a direction west of north, about eighteen miles distant, on another range of similar mountains, rises a solitary rock, 500 feet high, which we here call Chimney Peak, must have borne the other name. The Colorado winds its way between these two ranges, runs south along the base of the hill we are on, then turns short to the west, through this cleft, for nearly seven miles, giving us both banks for that distance, and turns again more to the south, and finds its way to the Gulf.

There were thirty soldiers in the presidio, and about eighty persons in the mission seven or eight years after its establishment, when the Indians attacked the place. It held out stoutly for three days, when the supply of bullets failing, they had only powder to fire. The Indians soon discovered the difference, and rushing in with clubs and knives, killed all the men but one, made prisoners of the women and children, and burned the place. Martinez Ortega, brother of Joaquim, both now living at Santa Maria, in this county, was a child of three years of age, and was made a prisoner. His father was relieved in the command eight days before. Full accounts of the establishments will probably be found in the convent of San Fernando, in the city of Mexico, and some accounts in Humboldt's travels.

When we occupied this point the rough stone foundations of the houses, with their earthen ruins, could be clearly traced. The buildings appear to have been of mud, between upright poles or forks, to support the roof. The charred ends we dug up, with the remains of a copper, urn-shaped vessel, of the capacity of about a quart. There were eight or ten buildings, fifteen or twenty feet, nearly square, irregularly placed, covering an area of about an acre, and including the site of the present commanding officer's quarters.

It was an excellent position for defence against Indians; the only point above it being beyond the range of arrows, and commanding a fine view of the surrounding country.

During the high water a broad slough, in the rear of the post, is filled, and cuts off all communication with the main land, except by the means of boats.

On a detached sandy plateau, above the rise of the river, near *Hutami-né*, are also the ruins of an old Spanish establishment.

My first efforts were directed towards obtaining some knowledge of the numbers of the Indians. Several captains of the *Cu-cha-no* and *Yum*, or New River Indians, with many of their people, were present. Their knowledge of numbers does not extend beyond counting the fingers of both hands, and the repetition of this. They are lost before they arrive at a hundred.

They attempted to give me their numbers by scratching, with a stick, marks on the dirt floor of my tent. On counting these I got the numbers of the accompanying table A. This gives 1,433 men, 595 women, and 682 children; or a total of 2,710. This is evidently incorrect. Vicente has 386 men, and no women or children; and Manuel no men.

I next tried to have each band represented by three sticks notched—men, women, and children separate. This took a long time, but at last the sticks came, with large escorts. Some of the sticks were covered with notches representing portions of different bands, with any number of queer divisions.

The table marked B gives a view of these, with the divisions reduced and arranged. This gives for the *Cu-cha-nos* 183 men, 137 women, and 178 children, or a total of but 498. Here Macedon has men and women and no children. Two chiefs, then living above, with considerable bands, have one eighteen, and the other seventeen persons, all told. If I add the combined bands of José Maria and

Sebastian, from table A, it gives 377 men, or a total of 972. This comes the nearest to my idea of the truth, though still below the true number. At the time a portion of the tribe was passing down the river to settle below us, they floated past on balsas with their household effects. I had these rafts counted as they passed through the cañon, and in four days, on forty-six rafts, there were 114 men, 122 women, and 128 children, or a total of 364. This does not include a great number of young men, women, and children, who landed above and came through our camp. There were in camp over 100 of these in one day. This, however, includes some New River Indians, who were on their way to settle below.

On table A, there are more than twice as many men as women, or more men than women and children together. The proportion of children, as compared with whites, would be small, as at an early age the boys are warriors and the girls women.

As the result of considerable intercourse with them, and inquiry, I am of the opinion they cannot bring 400 warriors into the field. There are but twenty-three horses on table B, and of these fourteen were lost in the massacre by the Co-co-pas. I think the number of horses given in below the true number. The horses are evidently not so numerous as they were the first time we were stationed on the river. During the war, when they were distressed from the want of food or lost men, some must have been eaten.

Since the massacre, they have drawn nearer, to be under our protection; and when they get settled, and their crops begin to ripen, there will be a better opportunity to learn their numbers. They are now very shy about answering questions the exact object of which they do not fully understand.

The Cu-cha-no, or as they are usually called, the Yuma Indians, live on the Colorado, commencing about sixty miles above its junction with the Gila, and extending below it forty or fifty miles. At present, the greater part of the tribe live on the Mexican side of the line. They never leave the river bottom or go into the mountains to live.

The river bottom is wide and fertile, covered with a heavy growth of arrow wood, grease wood, cotton wood, willow of three varieties, and mesquite of two, the flat pod and screw bean, and is intersected by a great number of sloughs and lagoons, former beds of the river. On these the Indians plant in the month of July, or so soon as the waters of the annual rise commence to subside. No vegetables will grow beyond the influence of the overflow.

They cultivate water melons, musk melons, pumpkins, corn and beans. The water melons are small and indifferent, musk melons large, and the pumpkins good. These latter they cut and dry for winter use.

Their agriculture is simple. With an old axe, (if they are so fortunate as to possess one,) knives and fire, a spot likely to overflow is cleared. After the waters subside, small holes are dug at proper intervals, a few inches deep, with a sharpened stick, having first removed the surface for an inch or two, as it is apt to cake. The ground is tasted, and if salt the place rejected; if not, the seeds are

then planted. No further care is required but to remove the weeds, which grow most luxuriantly wherever the water has been.

Wheat is planted in the same manner, near the lagoons, in December or January, and ripens in May and June. It has a fine plump grain, and well filled ears. They also grow grass seed for food. It is prepared by pounding the seed in wooden mortars, made of mesquite, or in the ground. With water the meal is kneaded into a mass, and then dried in the sun. The mesquite bean is prepared in the same manner, and will keep till the next season. The pod mesquite begins to ripen the latter part of June; the screw bean a little later. Both contain a great deal of saccharine matter; but the latter is so full, it furnishes, by boiling, a palatable molasses, and from the former, by boiling and fermentation, a tolerable drink may be made. The great dependence of the Indian for food is upon the mesquite and his fields.

The river and lagoons are alive with several kinds of fish; all are soft, of a muddy taste, full of small bones, and of the most inferior quality.

Mules are a favorite article of food, but horses are so highly prized they seldom kill them, unless pressed by hunger or required by their customs.

The summer of 1851 there was no overflow here, and but a partial one below. The last year our military operations prevented them from planting below, between us and the Co-co-pas, and above within fifty miles. This caused great suffering the past winter; for months our camp was filled with men, women, and children, begging for something to eat.

The river bottom is bounded by deserts and barren rocky mountains, with scarce a vestige of vegetation. Between these the river has deposited clay and sand, and is continually changing its bed. From Auk-ulk-se-que-pa-wa, sixty miles above here, descending fifteen miles to Hut-ta-mi-ne's village, is a fine wide bottom, in which, last year, were the cultivated fields of the Indians.

Last September, on the morning of the fifth day after we left the post, we were in the mist of their fields, covered with all they expected to live on till the mesquite season of the next year. The first intimation they had that we had left the post, the tramp of a hundred men roused them from their slumbers. The guides were mistaken in the distance, and it was still an hour to day-light. In a twinkling not even a child was left at the fires; they abandoned everything. We here got Cavallo en Pelos, papers, given him by the Mexican boundary commission. His village was south of the line, but close to the emigrant road, where it leaves the river to go on the desert.

Below this the river is hemmed in by barren rocky mountains till you get within twenty-five miles of the junction; fifteen miles further down the river passes through the Santa Isabel mountains. For a short distance, and from these to the salt marshes near the mouth of the Colorado, is a wide fertile bottom, more subject to overflow as you descend the stream, and more valuable for planting.

The water of the Colorado is always very muddy, generally of a yellowish brown approaching red, sometimes with quite a reddish

tinge, soon settles, and is not unpalatable drinking when cool; putrifies very soon during the summer; there is an immense deal of earthy matter carried to the gulf; there is no stability to its banks, and the channel ever shifting.

The Gila water is warm and brackish, unpleasant to drink, from the large quantities of earthy salts. It is usually tolerably clear, or with a bluish grey tint.

The salts of potash, soda, magnesia, &c., are found in the soil and water. Where a whitish efflorescence appears on the surface of the ground, it is useless to plant, as nothing edible for man or beast will grow there.

There is excellent land in the junction of the Gila and Colorado rivers; and in Lower California, where watered by New river, and the numerous sloughs which branch off from the main river, wheat, cotton, corn, and the sugar-cane will grow, and lower down rice. The soil and climate are well adapted to the cultivation of the vine, fig, and tropical fruits.

On the expedition we made up the Colorado last September, when we brought the Cu-cha-nos and Yums to terms, we ascended the river to a place called Auk-ulk-se-que-pa-wa, supposed to be about one hundred miles below the great cañon. As far as we went, and as far as we could see, the mountains had the same black, barren, rocky appearance, destitute of vegetation. To the northeast, beyond a range of mountains, blue in the distance, the country of the Yum-pis was pointed out. To the west, the Che-ma-wa was live, and higher up the river, a little west of north, the Mohaves.

The Colorado has been navigated by a light draft steamboat as far as its junction with the Gila. Above, for eighteen or twenty miles, the river spreads over a broad surface; from there, as far as we went, some eighty miles by water, the river is narrower, and, I have no question, navigable to the great cañon, one hundred and fifty miles (at least) above its junction with the Gila, as it receives no tributaries except during the annual floods. I cannot learn that the Mohave discharges any water during the dry season. The Gila has been dry at its mouth in summer, and at no time does it furnish much water.

The length of the great cañon has been variously stated at from 200 to 500 miles, nearer the former, probably; but all agree it is of great length—a narrow gorge hemmed in by perpendicular walls of rock, many hundred feet in height, so that travelling along it for days, you cannot approach the right bank, and entirely impracticable for navigation. In the present rise of water, a fine log of tamarack was picked up from the river, opposite the post, which evidently grew in a dense forest, and from its rounded ends, must have come from or above this cañon. Nowhere this side does any timber grow, more valuable for building purposes, than an indifferent specimen of cottonwood of moderate size.

The earthquake of the 29th November last appears to have altered the relative levels of the surrounding country. The water of the river at the outlet of the cañon, below the junction, was not so high this year as it was the previous one by 16 inches. In the junction and low grounds in the rear of the post it was considerably higher.

Sloughs, still further back from the river, which were then dry, are now filled with water.

The river banks overflowed this side of Pilot Knob, making it difficult for wagons to pass between the river and the rocks. The low ground was full of cracks—from many of which there gushed forth sulphurous water, mud, and sand. At the time, lower down, great changes were made in the river bed.

The earthquake appears to have been occasioned by an accumulation of gases and steam in the caverns of the earth. The elasticity of these forced an escape through a pond 45 miles below us, on the desert between the river and the coast mountains; the repeated escapes occasioning the rumblings and shakings.

It is an old orifice which had been closed several years, so that the first effort occasioned the most violent explosion. The steam rose in a beautiful snowy jet, more than a thousand feet into the air, and spread, appearing above the tops of the mountains like a white cloud, and gradually disappeared. This was repeated several times, but on a much smaller scale.

When I visited the place three months later, these jets took place at irregular intervals of 15 or 20 minutes, and had a beautiful effect as they rose, mingled with the black mud and water of the pond. The temperature in the principal pond was 118° , and in a smaller one 135° , and in one of the mud-holes from which gas escapes 170° . The air is filled with sulphuretted hydrogen, and in the crevices are beautiful yellow crystals of sulphur. The ground is covered with a white efflorescence, tinged with red and yellow. On the edge of a smaller pond were collected acicular crystals (of sal ammoniac?) an inch and a half long.

In winter the days are usually warm and the nights cold, the difference in temperature being great. Owing to the exceeding clearness of the sky the radiation is very great, and on the low ground ice has been seen. Spring commences in February. Without rain, the willows and cotton-wood are seen to put forth fresh leaves; the heat rapidly increases until the latter part of May; and in June, July, August, and part of September, it is excessive. The mercury last month, on the hill, rose to 116° , and on the river bottom to 121° in the shade. Every thing around you is hot to the touch. In the month of June occasional blasts of wind are burning like the blasts from a furnace.

The winter and spring are rendered disagreeable by the frequent violent dust storms, usually from the northwest. They can be seen approaching for some hours, gradually obscuring the sun, when they burst upon you with sudden fury, filling the air and every thing around you with a fine dust. The high winds come up suddenly and are extremely violent, calming away as fast as they come. These dust storms sometimes last three days.

During the winter, the time of the coast rains, we have sometimes a few drops to fall here. In the months of July, August and September, the rainy season in Sonora, almost daily, heavy clouds are seen passing to the N. E., accompanied with rain, thunder and lightning, cooling the air. Occasionally these reach us, and are most refreshing. Last year there fell but a little over two inches of rain.

The climate is such during the greater part of the year that very temporary shelters suffice for the Indians. For the same reason, dress appears to them a superfluity, though they are always ready to beg cast-off clothing to deck themselves, more for ornament than use.

The home of the Yum or New River Indians is on New river. When the ponds and lagoons connected with it dry up, these Indians take shelter amongst their friends, who live outside the desert. Two small bands are now with the Cucha-nos, under José Marie, or Chimi-a-ke, and Fernando or Haltow. These two frequently visit our camps, and have given different accounts of their numbers. Fernando had at one time one hundred and eighteen men, and at another, both together, but forty-seven men. The large number must have included but a small part of the tribe, as when New river is full of water they are scattered in a straight line over seventy miles in length, from north to south, or taking the windings of the river on the flat desert, near one hundred. I saw more than the latter number in the month of October, 1850, at Heironimos' rancheria, situated at the extreme northern limits of New river, near the mud volcano and Salt Lake. In the month of June of the next year, I met another considerable band (Antonios) on a fresh water lagoon, twenty miles south of the wagon road across the desert. When at the northern settlement, I was told Indians lived all along the course of New river; that they are frequently seen in numbers near the Big Lagoon, fifteen miles north of the Signal mountain. These latter, probably, live on the borders of Lake Bechico, a considerable body of water, a few miles in a northeast by east course from the Big Lagoon.

Luis or Sa-pa-na-co is the principal chief of these Indians, in place of Heironimo Cherow, or Burning Fire, uncle to Heironimo, who was a powerful chief, and had the control of all the Indians of the desert and neighboring sierras, after his victory over Huta-neal or Indigo Horse, a Mexican Indian chief of the Jacums, many years ago. His authority fell upon Heiromino, whose power gradually decayed, until now it is nearly lost from the hands of his successor, and they are mingled among their more powerful neighbors. The Cu-cha-nos and Yums speak dialects of the same language.

The chief, Pascual, (a Cu-cha-no,) who is now not less than fifty years of age, states that when he was a child the band to which he belongs lived at the Alamo Mocho, where water then ran in the arroyo, and that there were fine planting grounds, plenty of grass and mesquite. Then there was water in New river all the year, or, as he expressed it, the water ran all the time. It was called the Huta-pil, because tulas grew there.

The whole extent of country through which it now flows is covered with fresh-water shells, and has the appearance of having been the bed of a shallow fresh-water lake. This is particularly so twenty miles north of the wagon road. All the drains from both sides tend towards it. New river terminates thirty-five miles north of this road, or eight miles south of the mud volcano. When this lake was regularly fed, it must have been seventy miles long; and from twenty to thirty broad.

On the eastern side of the desert, commencing a little below Pilot

Knob, is a strip of drifting sands, several miles wide, convex towards the desert. From the action of the northwest winds they are continually progressing, and will soon reach the river. Some of the hills are from seventy to one hundred feet high. In the midst of these yellow sand hills are spots several miles in area, into which you descend on to a hard level surface, the original plane of the desert, on which are growing scattered mesquites and the creosote plant.

This mud volcano I visited in October, 1850. We started from the volcano, with Heironimo as guide, and Captain Thomas Chiry, and a pack mule to carry water. We went that afternoon as far as San Felipe. The next morning, at two o'clock, when the moon rose, we started, crossed the high ridge of mountains on the east, forming one side of the valley, by following up a rocky gorge, crossing a small ridge, and descending another gorge on the other side, into a broad valley. This valley we followed some twelve miles, and, turning short to the left, emerged through a cleft in the mountains on to the desert. By travelling steadily nearly east until four o'clock in the afternoon we struck a salt branch of Carisso creek, and following down it a few miles, encamped for the night where it joined the fresh-water branch.

Crossing the swells of the desert for hours we could see a long white line, the borders of the Salt lake. The next morning we wished to go to the volcano, but the Indians told us tales of the bad spirits in the shape of large birds, making it dangerous to approach, until, finally, we were compelled to go to the village twelve miles off. After a considerable time spent in talking they consented to guide us, and eight Indians went along.

It is situated in a low mud plain, so soft that we had to dismount and leave our animals. It is similar to the one near the Colorado. It presented a busy scene, with its boiling cauldron of mud and water, and hundreds of mud cones, from all sizes to the height of eight feet, from which issued steam and gasses, some in a steady stream, others intermitting, like the escape-pipe of a small steam-engine in a manufactory. There was no eruption whilst we were there; but about the principal cauldron the mud lay scattered around, not yet dry. At the distance of a mile and a half is another collection of these mud cones, which, however, did not appear to be in operation. The plain is covered with pumice.

There is a small eminence of volcanic rocks rising out of this plain near by, from which the barren mountains to the northward and eastward can be seen, apparently not more than thirty-five miles distant, and bounding the desert in those directions. When at the Cayote village, east of Ague Caliente, in December, 1851, we sent messengers to a band of Indians called Rason's People, two days' journey off in this direction. They described the intermediate country destitute of water, except a little near the mountains.

I do not know the extent of this lake, but it furnishes abundance of salt sufficiently pure in its crude state for salting beef. The Californians resort to it with pack mules in the winter season for salt to use on their ranches. They cross the mountains where we did, but then keep more to the north. Hieronimo, although he knew every foot of the way, would give no definite information, and only guided

us when he found us determined to proceed without him. He had a wife here, and another at a village back of San Felipe. As soon as we reached Carrizo creek, he made a great smoke, and the next day, when within half a dozen miles of his village, another, so as to give notice of our approach to his people. They have the art of making a slender column of black smoke rise to a great height into the air. We found in this village the remains of a fat horse on which they had been feasting. Carrizo creek, which comes from the mountains near Vallecitas, and in the bed of which for several miles is the wagon road, turns off to the north, and empties into this salt lake. The water is seen on the surface for but a short distance where this road passes. It then disappears till it is met with again on the desert, twenty miles off. Returning from Hieronimo's village, we kept further east, and struck the bed of the creek higher up, where it was dry, and followed its general direction till we reached the wagon road from there into Vallecitas. This is the best route to take on account of water.

There is a lake of brackish water lying south of Signal mountain, between the range to which it belongs and the next west towards the coast, or a continuation of the mountains at Vallecitas. Their general direction is northwest and southeast. The ridges are very broken. The lake is six or eight miles wide at its northern end, and extends further than the eye can reach, probably to near the Gulf of California, with which it may communicate during spring tides and the annual floods of the Colorado. The water is barely drinkable. We saw no Indians on it, but signs of their frequenting its shores.

The Co-co-pa Indians all live in Mexico, on the lower Colorado, from the lower limit of the Cu-cha-nos to the mouth of the river, on both sides, but principally on the right, and in the mountains of Lower California. They were formerly a most formidable tribe, and it is said could muster 5,000 warriors. I know but three bands, under Chi-pi-ti, Colorado, and Jose. Chi-pi-ti was found last year by one of our scouting parties, a short distance below the Algodomes, with 125 warriors, and brought into camp. He professed to be on a war party against the Cu-cha-nos and Yums, with whom they were then at war. The probability is the three bands together do not now number over 300 warriors.

I made the same arrangements with the Co-co-pas I had with the Cu-cha-nos to get at their numbers, but the recent massacre will prevent all intercourse for some time, and may make these Indians hostile towards us. Hitherto they have been very friendly and of much service in communicating with our supplies in the mouth of the river.

The banks of the Colorado at its mouth are very low and flat, and during spring-tides overflowed for miles. A heavy bore comes in them, dangerous for small boats. It is not necessary for the river to rise so high, as in the Cu-cha-no country, to overflow its banks, and there are more sloughs and lagoons. The usual time for planting is the same as above. This year they planted in the spring, and lost by the overflow some fine fields of corn already in the silk.

They plant corn, melons, pumpkins, and beans, and live on grass seeds, roots, and the mesquite. Those near the sea have in addition

to fish, oysters, clams, and muscles. Like most Indians, nothing edible comes amiss.

Their arms are bows of an inferior quality, made of willow—arrows of cane; the part of the shaft next the head of arrow-wood, and neatly tipped with stone or glass. They use clubs of mesquite, usually straight, sometimes with a knob, and from $2\frac{1}{2}$ to 3 feet long.

They own but few horses; make their war expeditions mostly on foot, relying more on stratagem and surprise than force, falling on their enemies in the night, and beating out their brains with clubs when caught asleep, or in surprising the villages when the warriors are absent, killing the old people, and carrying off the young women and children.

Two years ago there was amongst them a fine looking Indian, six feet four inches in his bare feet, well built, square shouldered, large head and massive forehead. On our return to the river I inquired for him from his people, and learned he was killed by the Cu-cha-nos.

In the fall of 1851, about the time of the outbreak of Antonio Garra, the Co-co-pas planned a feast, to invite all the Cu-cha-no captains and kill them. This was overheard, and told the latter. The same night they fell upon the Co-co-pas and killed this man, with a number of others, taking some women and children captive.

The Co-co-pas were upon a visit to the Cu-cha-nos, and got some of their captives back; when the invitation was given, which threw the latter off their guard, and resulted in the massacre of Macedon, their principal chief, a few other men, and a large number of women and children killed and prisoners. Macedon was an intelligent, excellent man, and had exerted himself in having a captive boy restored to his mother.

They are in alliance with the Jacum Indians and others south in Lower California, and usually at war with the Yum and Cu-cha-no tribes. I have twice brought about a peace, but never entire confidence between them. There are intermarriages; the languages they speak dialects of the same, and they resemble the Cu-cha-nos so much in arms, dress, manners, and customs, it is difficult to distinguish one from another.

The Yacum Indians live in a fine valley in the mountains near their eastern slope, between the desert and the coast. Part of this valley lies in Lower California, and there are jealousies between the persons on the opposite sides of the line. They do not number 200; increased from the neighboring tribes in summer, when the means of subsistence are plenty, and decreased during the scarce season of the winter months.

They are Diguenos, and were once formidable to the Spaniards and Mexicans, and still consider their mountain fastnesses impregnable. They are more warlike than their neighbors near the coast, and disposed to be troublesome, instigated by evil disposed persons near the line. The small force kept there as a stopping place for our express and proximity of troops on both sides, will no doubt curb their warlike propensities.

They plant in the spring, and irrigate; raising corn, melons, pumpkins, chili, onions, beans, &c.; in summer, gather manzanitas

and piñones ; in the fall, acorns ; in winter, live on hares, rabbits, rats, &c., and on their friends at the ranches.

Santiago, an old man, is the principal chief ; Juan Pedro, or Masty, another chief, speaks Spanish, and was guide during the war to Commodore Stockton.

The Chi-mi-hua-hua, or Mat-jus tribe of Indians, live in the mountains on the right bank of the Colorado, two days' journey, or about sixty miles above the post. They have the Cu-cha-nos on the south, Mohaves on the north, Jum-pys on the east, and Cah-willas on the west. With the latter they claim relationship.

I was visited by a deputation of them a few months since. All the country from the Colorado to that of the Cah-willas is described by them as a mass of irregular, rocky, barren mountains, destitute of running streams or vegetation. They depend for drink on the waters collected from the rains of heaven in the holes of the rocks, and on the mountain sheep, deer, and smaller animals for food. Those I saw are not so good looking a race as the Cu-cha-nos ; they dressed in buckskin, wore a kind of buskin, and looked half starved.

They are divided into five bands. The principal chief is In-yil. Some of the others are Te-pa-no-ya, or, a bad fellow after the women, Qua-mi-i, or El Cielo, and Nan-a-has-pal, or El Sol. They have no horses or cattle, and have but one wife each. They say it is twenty days' journey to Los Angeles, where they sometimes go with their friends, the Cah-willas. They describe themselves as more numerous than the Cu-cha-nos, and as numerous as the Cah-willas or Mohaves. They are friendly with these three tribes. I do not believe the account they give as to their numbers. The country they describe as their home could not subsist them.

North of the Chi-mi-hua-huas live the Mohaves, on the Mohave river and along the Colorado towards the Great Cañon. Of the extent and nature of their country, or of their numbers, I have no reliable information. They are at peace with the Cu-cha-nos, and the latter tell me a deputation will be down on a visit this fall.

In the mountains on the east of the Colorado, and nearly opposite to the country of the Chi-mi-hua-huas, lives the Jum-py, or Ya-pa-pi tribe of Indians. They tried to make us believe it was thirty days' travel to their country. It is not more than three. They are similar to the Cu-cha-nos in arms, dress, and appearance. They live more upon game, and have more buckskins. In their country are found deer, mountain sheep, and antelope. They look rather suspiciously upon us, but are friendly. I know very little of their numbers, but do not think them near so numerous as the Cu-cha-nos. I have heard of but one running stream (Santa Maria) in their country, and water in that for only a part of the year. It heads near one of the branches of the San Francisco, and affords a route for communication from the Gila, near the Pimo villages, to the Colorado.

More towards the Gila, and further up the Apache, Tontos are said to live ; none of them have ever been to see us. Above them still, and on the Gila, are the Pimos and Maricopas. The latter are a branch from the Cu-cha-nos, separated on the occasion of an election, when two rival chieftains separated the tribe. They are now bitter

enemies. Both of these are on the great emigrant route, and have been often described by persons who have spent some time in their country. They never come down so far as this.

In the month of February, 1851, an emigrant family was murdered on this emigrant route, about eighty miles from here. I got a letter from the man asking aid, and sent a small party to meet him; they reached the place after he was murdered. Some of his friends who had endeavored to detain him at the Pimos till they were ready, had been down and buried the bodies. They found all of the family, but a boy who had escaped back and two girls, one a child. The deed was most unjustly laid to the Cu-cha-nos. They never venture so far up the Gila.

I have made diligent enquiries of all the Indians I have seen, and can get no trace of the missing girls, or that they have any knowledge of the transaction. The man had made an incautious display of a quantity of Indian goods, and was followed by some Maricopas. I don't think it is necessary to go further to look for the murderers.

In Sonora, in the direction from here of Altar, the first Indians you meet with are the Papagos, about 600 souls, living at and around Sonorita, 130 miles from here. They are not troublesome, and have never visited us.

None of these tribes have fire arms; they use bows and arrows and clubs, and rely more on stratagem and surprise than force in their war expeditions. A small party of well armed Americans, if always on their guard, would not run much risk in passing through the country.

The Cu-cha-nos have the reputation of being the most treacherous tribe in all this region of country. There are several facts in their history which go far to support this reputation.

They were paid in their own coin in the recent massacre. At a time when they and the Co-co-pas were particularly friendly, the latter invited them to their territory; they went with so much confidence they kept no look out. The fourth night their camps were surrounded by about one hundred Co-co-pas, part mounted, and eight men, thirty-three women and children killed, and twenty-two women and children made prisoners, with twenty horses stolen, and a great many of their household effects. Very few persons escaped; the few men killed shows the confidence with which they went.

I enquired of the Cu-cha-nos for the cause of this unprovoked attack; they appeared not to think it anything unusual. They said the Indians were in the habit of doing such things when the opportunity offered. The temptation was too great for the recent friendship of the Co-co-pas. The reason they were not on their guard, they had confidence in our protection, as we were the friends to both parties, and would not permit any more war parties.

I endeavored, through Captain Thomas Chiry, a Santa Isabel Indian, who understands the language of these Indians, and has some knowledge of Spanish, to learn from the Cu-cha-nos their religious belief, superstitions, &c. I soon found very little reliance could be placed on what he said. He has been instructed by the padres, and

has mingled the ideas obtained from them and those of the Santa Isabel Indians with those of the Cu-cha-nos.

To account for the different languages, he states that all people lived in a rich country to the north, Indians and whites. The latter being the better people, were the most favored, which is the reason for their being so much better off. The country was not big enough when they increased, and they had to separate and seek other countries. All that took one trail leading out understood each other. All the Indians that live from here to the coast passed out on the same trail. Time has changed the intonation and dialect.

The name of the Great Spirit is To-cho-pa, who placed all people here. We, all black and white, have the same God.

Another account he gave is, they adore the sun and moon, and believe in an invisible spirit. Their god lives in a chasm in the rocks between here and the Chimney Peak, or San Pablo mountains. He was a very good Cu-cha-no who lived here, and had a raccoon. He disappeared, and now the raccoon is still seen guarding the place. The deity is no longer seen; but to show he is still there, they say there is a well-worn path in front of the chasm, and leading to a water-hole, on which his foot-prints are seen.

Santiago appears to have been the chief priest as well as the head civil chief.

They believe that all animals were in the beginning human beings, but from eating grass were changed to animals, and that now, when they die, they are changed into animals.

There are two old women among them said to be acquainted with the hidden virtues of all earthly things, and who are consulted when they are sick. I have no information as to their mode of practice.

I have endeavored from other sources to arrive at their belief, but the tales they tell vary, and are withal so vague I must leave the subject for a more favorable opportunity.

Of the government of the Cu-cha-nos I can learn but little. There appears to be two classes of chiefs; one appointed by themselves, the other by us, in the same manner as was done by the Spaniards. There is a chief to each band, and he acts in all important matters with the advice of the members of his band. Any matter affecting the whole tribe is determined on by the principal men of the different bands. I think the chieftainship is hereditary, but not followed rigidly. There is one principal chief, and the rest equal, each having the control of his own people.

I never could get from them the difference between Santiago and Cavallo en Pelo; they evidently looked up to them with great deference. My impression is the former was the civil and the latter the war chief. I deposed them for commencing the war, and directed the nation to choose a principal chief. They chose Macedon, to whom I gave a writing to that effect. He was an excellent man, and a good friend to the Americans. No one has been appointed in his place. They are now busy planting; when that is over, I will try again to get at their polity.

Wars are commenced by a party laying in wait to attack some defenceless rancheria, when they rush upon the occupants, kill all the

men, old women and small children, making prisoners of the able-bodied women and larger children.

Peace is made through the women who have intermarried.

They can have more than one wife. There does not appear to be any particular ceremony. When the man is tired of his wife, he sends her away, and both parties are free. José Maria, one of the chiefs, who has lived in Sonora, and speaks tolerable Spanish, told me this a few days ago, on the occasion of his marrying his wife's sister. He lost a wife when we were up the river last fall.

They burn their dead. Their property is said to be now bad, and is burned or destroyed. The horses are killed and eaten.

Wood is heaped around the body, dressed, surrounded with the effects, and set fire to. No care is taken of the ashes.

The bodies of some we killed down the river were burned by them, and on the evening of the fourth day the fire was still burning. Bones were seen in the embers.

When Macedon was killed, a mortar for pounding seeds, he had left in my tent, was called for by several Indians, saying it was now bad. I gave it to one to throw into the river. A fine horse he had was killed, and, I presume, eaten.

A sister of Macedon's, who was made prisoner and escaped, when she met members of her tribe, seated herself on the ground and sang a monotonous song.

I do not learn whether they have a feast or any ceremonies on the occasion of a birth.

Their houses are of the rudest description; some only a few bushes drawn together to break the wind, or in summer to keep off the sun. The better class, for winter, are made of a few upright poles, from three and a half to five and a half feet high, set in the ground, on which are laid poles and brush and then earth. The back part, or towards the prevailing wind, is a slope to the ground, and sometimes on the sides, but with a steeper slope. On this roof they deposit their effects and dry their seeds. The enclosure is ten or twelve feet, according to the size of the family. The favorite place for a rancheria is in the deep sand or dust, without any regard to shade. In the back of these places they build a small fire in cold weather. When they were with us in the field in cold weather they would select a sheltered sandy spot, scrape places to lie down, and two or three collect around one small fire. When they retired they stripped and covered with their clothes, with nothing below them.

The dress of the men consists of a piece of coarse cotton, the common width, a yard or a yard and a half long, passed between the legs, and the ends drawn over a cord or strap around the waist. This is an essential article, worn by all the men. To this are added any articles of dress, male or female, of which they can possess themselves, a shirt being the favorite article. You will see an Indian walking about camp in the gravest manner dressed in a cast-off uniform cap, blue jacket, and shoes or stockings. One chief appears on all state occasions dressed in a soldier's uniform coat and corporal's epaulettes. Before the white man supplied them with manta they went entirely naked.

The women wear the inner bark of the willow, drawn into strips an inch wide, and woven into a selvage sufficient to go about half way around the body. One of these pieces is placed behind and another in front, so as entirely to surround the body from above the hips, and secured in place under a girdle of strips of bark. The front piece is woven plain, and the back into an angle, with a bump on each side, making a kind of bustle. In front this dress extends to the knees, and behind as low as the bottom of the calf of the leg.

When they can get the material the belles have the front of white worsted cord, about five-eighths of an inch in diameter, terminating in bits of red flannel, with a handsome worsted cord—red, white, and blue—wound around the waist half a dozen times. This is their usual dress; but, like the men, they are glad to decorate their persons with our cast off clothes—all except the breeches.

The hair of the men is usually cut square across the forehead, just above the eyes, and the sides and back long, usually in rolls as thick as a little finger, of two twisted into one. This they make useful in crossing the river, to tie their clothes, or bows and quivers, on their heads.

The young women wear their hair cut across the eyebrows, and long behind; but not so long as the men's. Some of the old women wear it cut square all around. They have a fashion of filling their hair with mud, and wearing it for a day or two tastefully gathered up into the form of a turban, to destroy the insects, I presume.

When dressed they paint with black, blue, and vermilion. A favorite form is a blue mark around the edges of the eyelids, and a straight line beyond to the hair, with straight lines on the arms and breast.

Some are tattooed—generally the women—mostly in lines radiating from the angles of the mouth, with intermediate ones covering the chin, or lines of large black specks. They are made by cutting with flint, and then dusting in charcoal. A few of the men have marks on the forehead, and the ears and nose bored. Ornaments of a pearl shell are worn by a few men. Some of the youngest children wear strings of beads in their ears. Both sexes, indifferently, wear beads or shells around their necks. As a general thing they wear but little ornament. I never met with Indians having so little taste for dress and finery.

Their manufactures are of the simplest kind. They make headstalls and hair ropes for their horses; nets of the fibre of the *fijole*, for fishing or carrying things in; fish-hooks of hard wood, such as the screw mesquite.

The women make baskets of tula so tight as to be impervious to water, and earthen vessels for cooking and household purposes generally.

The earthen vessels are made by means of a small roll of clay about a quarter of an inch in diameter, and by the application of a continuous succession of these rolls; the woman moulds them into a mass by wetting her fingers and pressing them, until finally a handsomely shaped vessel is formed. This is generally slightly baked in the fire, and sometimes ornamented by angular figures. Those least baked suffer the water to ooze out slowly, and we find them very useful to

cool our drinking water. They seal up the seeds they wish to keep for planting in such vessels, covered with a fragment, and the edges closed with the gum, from the mesquite.

They make large baskets of small willows, woven together with the split roots. They have also a mortar made of arrow-wood, woven together in the same manner, placed in a hole in the ground. In this the mesquite bean is pounded with a cylindrical stone sixteen inches long, four or five inches in diameter, with round ends, or a long wooden pestle. The meal is then pressed into an earthen vessel and set aside to dry. In this state it keeps till the next season. The beaux make love on a flute made of cane.

They have no canoes. When they wish to descend the river, they make rafts of sticks of wood, or balsas of bundles of rushes, on which they place their household effects and themselves, with pole in hand, to keep in the channel, and trust to the current. Sometimes they use a log to cross the river, or float down stream, two or three in company. The women use large flat earthen vessels or baskets, into which they put their bark and their small children, to cross. They appear as much at home in the water as on the land.

They have nothing to trade with. They kill but few deer. The river banks are filled with beaver, as far as we have explored it, but its fur is of no use to them.

The captains beat delinquents with sticks. They are very affectionate towards each other. It is no uncommon sight to see two young men walking with their arms around each other's necks or waists, like two school girls.

They have no ball plays. They have dances with songs at night, but whether on any special occasion I am, as yet, unable to learn. They are, apparently, solely for amusement.

A favorite amusement is a play called *mo-turp* or, in Spanish, *redendo*. It is played with two poles fifteen feet long, an inch and a half in diameter, and a ring wrapped with twine four inches in diameter. One rolls this ring along the ground, and both run after it, projecting their poles forward. He on whose pole the ring stops, counts one, and he has the privilege to roll the ring. Four counts game. They do not count when a pole enters the ring. Old and young, chiefs and the common people, all take great delight in this game. They follow it for hours in the hot sun, raising clouds of dust, the perspiration making their dusky skins glossy.

Another game is with short sticks or pebbles, which one hides in his hands, and another guesses. They play *monté* and other games of cards.

Their domestic animals are horses and dogs. The only mode of salutation I have seen among them is to shake hands—no doubt learned from the whites.

There are some among them who have lived in Sonora, or at some mission, and speak a little Spanish, through which language is our only medium of communication. A very few have learned to relish drink.

The first time we were on the river, the women had the reputation of being very chaste; now they have shown themselves like other

Indians, and they will, in consequence, suffer from their intercourse with degraded whites.

The Cu-cha-nos are of several shades of light or dark brown color, bright where the skin is not exposed to the sun; of the medium height, well formed, but slender, not muscular; active and clean limbed, cheek-bones high, nose large and broad, and lips thick; hair coarse, long, straight, and black. Their chests are well developed, and figures handsome, indicating more activity than strength. Their hands small and pretty, and their feet would be so if they did not go barefooted.

The women are below the medium height, with fine, plump figures. At about the age of twenty, they become fleshy. Very pretty hands and fine limbs. Their deportment modest; the gait or carriage of both sexes very graceful. They are extremely good-natured, affectionate, laughing and joking, playing and romping together, like a parcel of children, without reserve or care.

I never saw a more dignified exhibition of strong feeling than was shown by them on the occasion of the misfortune which befel the tribe when Macedon was murdered.

The Yacum Indians are too powerless to give us any uneasiness. The Co-co-pas live on Mexican soil, and too far from us to ever disturb our people. They might attempt to interrupt the navigation of the river, but as that will have to be by steamboat, they would soon find them too formidable to molest.

The Cu-cha-nos are entirely subdued, and are now planting close to us. The unprovoked massacre of so many of their people was a severe blow, and has brought them nearer to the post, to be more under our protection.

They will remain friendly so long as there is a sufficient garrison here to curb their robbing propensities. They will soon learn to respect our strength, if they have not already done so, and in time become accustomed to get from us things they now consider luxuries, but which will become necessities. The vices of contact with whites will cause them to dwindle rapidly away, and another race soon occupy their places.

They have a disposition to labor, and have made great preparations to supply us with vegetables, and will soon see the advantage of being more provident. There are some kinds of labor the men consider degrading, such as gathering and preparing the mesquite; but they work at clearing the ground and planting.

Between them and the Co-co-pas there is now a large tract of country neither party occupies. The same is the case between them and the Maricopas, on the Gila, a kind of neutral ground.

The withdrawal of the greater part of the troops from Camp Yuma, in the summer of 1851, and subsequently from their next position in the mountains, gave occasion for the combination by Antonio Garra—admirably planned, and well calculated to overwhelm the whole of southern California. He and Heironimo came out to the river and induced the Cuchanos to join the combination; and the attack on some sheep drovers on the Colorado, attempt to surprise the small guard here, and murder of Americans at Ague Caliente, were nearly

simultaneous. The attempt to surprise the guard failed, and his action in the mountains was paralyzed by a defection in his own ranks. The government acted promptly, and before he recovered the insurrection was crushed.

The outbreak would never have taken place had the troops been, as might have been the case, maintained on the river, or at least withdrawn no farther than Ague Caliente or Santa Isabel. But other influences prevailed.

With a steamboat on the river to send an expedition up the Colorado as far as the Great cañon, and leave a strong detachment there, or at some suitable point lower down, for a few months, would, no doubt, exercise a controlling influence on the Indians living near the river. By filling up these companies, the force might be spared from here for a few months in summer. It would involve little more expense, other than the transportation, as from the season only the most temporary kind of shelter would be required. The railroad explorations, with their escorts, will also have a beneficial influence. I doubt, however, whether a route for a railroad can be found along the river. The best route will probably be found along the Gila and south of it, part of the way on Mexican territory.

The Maricopas have recently evinced a disposition not entirely friendly towards the Americans, arising partly from the natural Indian character, and partly from the conduct of evil disposed persons in the emigration, and which can easily ripen into a war. A company sent up there for two or three months in the summer, the season of emigration, would control the bad of both parties.

By adding two companies to this garrison, these detachments could be made, and a company be available for a temporary station at Ague Caliente for the summer months, to keep the Cah-willas in check. But one company would be required at San Diego.

This would give the opportunity to detach the companies in succession, and avoid the debilitating stay of two or three summers in succession in this excessively hot climate. No quarters would be requisite only here. In a few years our advancing population would render most of these posts unnecessary.

From the difficulty of communicating with the Indians through a third, and sometimes a fourth language, much of the information about their manners and customs is so vague or contradictory, I have deemed it better to withhold it, and wait for prolonged intercourse and more favorable circumstances. They cannot comprehend the object of such inquiries, and their character, like that of all ignorant people, being suspicious, they give vague or contradictory answers.

Table D will give some idea of the manner in which the troops were employed during the period of active operations.

It there appears that in seven months of 1852 the officers did 431 and the men 7,412 days' scouting. This is taken from the morning reports, and does not include those scouts that commenced and ended the same day, or those commanded by non-commissioned officers. From our peculiar position, having an uninterrupted view 7 miles down the river to Pilot Knob and 18 up to the Chimney Peak range of mountains, there were many scouts terminated the same day.

Two-thirds of the camp guard went out daily to guard the herders in charge of the animals whilst grazing; we had not a grain of forage. At night the animals were corraled close to camp and the number of sentinels increased. There was a picket of a non-commissioned officer and ten men daily with canteens filled and provisions in haversack ready, at a moment's notice, to march. The post being on a hill, a sentinel was posted on its highest point, and whenever a dust was seen or any unusual appearance this picket marched. At night they were distributed on the approaches to the camp.

The paper marked C will show the temperature for a part of this time. For the five months of May, June, July, August, and September, the average temperature at 3 p. m. was over 100° , and as high as 112° in two of the months. During this period the troops were the most actively employed.

Late in March the three small companies here, of 56 total, were reinforced by 129 raw recruits, many without shoes or blankets, and some who before had never loaded a musket. They asked what to do with the percussion caps. These men had to be put on guard and sent on scouts. Being totally undisciplined, they evinced an insubordinate, mutinous disposition, and nothing but the few staunch old soldiers who had remained true to their colors through all the temptations of the first years in California, prevented them from attempting to desert in a body. All this was aggravated by a scarcity of provisions and no vegetables, many of the old soldiers suffering from scurvy. To correct these evils drills were kept up under every disadvantage, till now, with increased comforts and the certainty that no attempt to desert will succeed, they have become contented and cheerful.

During the time when not engaged in scouting, the men were kept employed erecting shelters of brush. When nearly completed, a fire in a moment swept off near one-half of our shelters, most of our provisions and quartermaster's stores, leaving many men without a blanket or even a suit of clothes, when the cold nights were following the debilitating summer. These shelters have been replaced by others, with adobe walls, and brush roofs—a little more secure, but still no better than tinder-boxes, which the careless act of one man may destroy in a few moments. Three times since fire has made its appearance suspiciously, but we were fortunate to discover it before it did any damage.

In January, 1851, I descended the Colorado in a small boat to meet the schooner *Invincible* sent around to try the mouth of the river with a small supply of provisions. From the notes I took, the sketch of the mouth of the river by Lieutenant Derby, topographical engineers, and the notes taken by me on our expedition against the Indians in September, 1852, the accompanying sketch of the river for near 250 miles has been made. It is merely a rude reconnoissance, but sufficiently accurate to give an idea of its course for that distance. No railroad can follow its banks.

Much of the country north and east of us we are in the habit of calling unexplored and unknown, was traversed many years ago by those enterprising men, the Spanish Padres, and no doubt very

interesting accounts of the country and Indians will still be found among the archives of some of the convents in the city of Mexico.

I have recently had a route explored for our express, leaving the wagon road near Signal mountain, and going in by Gacum. The distance on the boundary line is about 145 miles, and we have had our mail in two days and nine hours from San Diego, showing it must be very direct. With some labor it might be made a wagon road, and perhaps, if the great railroad comes by this point, it would afford a short route to the coast.

I have the honor to be, sir, very respectfully, your obedient servant,

S. P. HEINTZELMAN,

Captain Second Infantry, Brevet Major.

Major E. D. TOWNSEND,

Asst. Adj. Gen. U.S.A., Pacific Division, San Francisco, Cal.

A.

Census of Cu-cha-nos and Yum, or New River Indians.

Cuchanos.	Men.	Women.	Children.	Boys.	Girls.	Horses.
Vicente.....	386	---	---	---	---	---
Macedon.....	409	107	---	30	---	---
Anastacio (Pascual).....	388	69	---	40	52	---
				*29		
Manuel.....	---	87	---	36	26	---
José Maria and Sebastian.....	144	171	---	47	112	8
Antonia.....	106	161	310	---	---	---
Total Cuchanos.....	1,433	595	310	182	190	8
Fernando of New river.....	118	82	54	---	---	---

* Small boys.

B.

Cuchano and Yum, or New River Indians.

Cuchanos.	Men.	Women.	Children.	Boys.	Girls.	Horses.
Anastacio	30	12	17	-----	-----	1
Macedon	11	17	-----	-----	-----	3
Manuel	30	30	-----	40	30	-----
Vicente	44	45	-----	20	12	3
Anton (below on Colorado)	29	8	-----	11	12	8
Anton, (above,) or Hut-mutcho	5	6	7	-----	-----	-----
Hum-lo-quatch-pa (above)	6	7	4	-----	-----	-----
Anton, or Mis-ca-né-me-sabe	28	12	25	-----	-----	-----
Total Cuchanos	183	137	53	71	54	15
José Maria (New river)	32	11	-----	10	11	5
Fernando	15	10	-----	11	8	1
Total Yum Indians	47	21	-----	21	19	6

C.

*Extract from the meteorological register of Fort Yuma, California:
Observations of the thermometer.*

MONTHLY MEAN.

Month.	1852.					
	Sunrise.	9 A. M.	3 P. M.	9 P. M.	Daily mean.	Rain.
	°	°	°	°	°	
May	70. 14	83. 00	95. 05	82. 05	81. 85	-----
June	78. 13	92. 16	105. 20	89. 05	91. 66	-----
July	82. 25	92. 54	104. 83	91. 00	93. 54	. 28
August	82. 04	91. 02	103. 41	91. 12	92. 74	. 33
September	74. 06	84. 30	95. 07	88. 77	84. 56	1. 45

HIGHEST TEMPERATURE.

May	82	98	108	92	95	-----
June	83	98	109	90	96	-----
July	86	100	112	96	99	-----
August	84	98	112	98	98	-----
September	86	96	106	91	96	-----

LOWEST TEMPERATURE.

May	60	70	82	68	71	-----
June	76	86	96	88	86	-----
July	84	90	94	82	89	-----
August	78	77	84	82	81	-----
September	66	80	94	74	80	-----

C—Continued.

HIGH TEMPERATURE AT 3 P. M.

Month.	1852.															
	No. of days.	Temperature.	No. of days.	Temperature.	No. of days.	Temperature.	No. of days.	Temperature.	No. of days.	Temperature.	No. of days.	Temperature.	No. of days.	Temperature.	No. of days.	Temperature.
May.....	1	100		100		100	2	104		108	5	108		109		110
June.....	1	100	1	101	6	102	1	104	7	106	8	108	1	109	3	110
July.....	3	100			3	102	7	104	6	106	6	108			3	110
August.....	2	100			3	102	4	104	6	106	7	108			2	110
September.....	2	100			1	102	4	104	1	106						
Total.....	9		1		13		18		20		26		1		8	

Table of scouts during the war with the Yuma and Cuchano Indians in 1852.

Officers commanding scouts,	Commencing.	Ending.	Officers.	Non-commissioned officers, &c.	No. of days.	No. of days, officers.	No. of days, non-commissioned officers, &c.	Remarks.
Second Lieut. Stoneman, 1st dragoons -----	1852. Feb. 27	1852, March 6	2	43	9	18	387	Dr. Griffin. After boats down the Colorado, 10 Indians killed.
Brevet Major Fitzgerald, captain 1st dragoons.	March 3	8	3	40	5	15	200	To communicate with vessel in mouth of river—Dr. Griffin, Bvt. Capt. Steele, 2d inf, 1 sergeant, 5 privates, and 1 teamster, killed in affair with Indians.
Brevet Major Heintzelman, captain 2d infantry.	8	23	4	60	15	60	900	Dr. Griffin, M. S., Bvt. Capt. Steele, 2d inf., Lt. Stoneman, 1st dragoons, communicated with supplies in mouth of river.
Captain Davidson, 2d infantry -----	10	15	2	40	5	10	200	First Lieut. Hendershott, 2d infantry.
Brevet Major Fitzgerald, captain 1st dragoons.	18	19	1	50	1	1	50	
Second Lieut. Roy, 2d infantry -----	19	24	1	10	5	1	50	
Brevet Major Fitzgerald, captain 1st dragoons.	26	April 3	3	40	9	27	360	First Lieut. Hendershott, 2d inf., Second Lieut. Ogle, 1st dragoons.
Captain Davidson, 2d infantry -----			2	40	9	18	360	
First Lieut. Hendershott, 2d infantry -----	27		2	20	8	16	160	First Lieut. Sweeney, 2d infantry.
Brevet Captain Steele, 2d infantry -----	28		2	16	7	14	112	Brevet Second Lieut. Curtiss.
Second Lieut. Stoneman, 1st dragoons -----	30		2	35	5	10	175	Second Lieut. Roy, 2d infantry.
Captain Davidson, 2d infantry -----	April 8	18	1	20	10	10	200	
First Lieut. Hendershott, 2d infantry -----	18	25	1	20	7	7	140	
Brevet Major Andrews, 3d artillery -----	27	May 5	1	30	9	9	270	
Second Lieut. Paige, 2d infantry -----	May 7	8	1	15	1	1	15	
Brevet Second Lieut. Curtiss, 2d infantry ----	1	14	1	15	5	5	75	To dig a well at the "Big Mesquite."

First Lieut. Sweeny, 2d infantry	11	14	1	25	3	3	75	
Brevet Major Andrews, 3d artillery	14	18	1	30	4	4	120	
First Lieut. Hendershott, 2d infantry	14	17	1	25	3	3	75	
Captain Davidson, 2d infantry	21	30	1	16	9	9	144	To repair the Alamo wells.
First Lieut. Sweeny, 2d infantry	26	-----	1	21	4	4	84	Two privates missing; sent after, but one never found.
Brevet Second Lieut. Curtiss, 2d infantry	-----	-----	1	21	4	4	84	
First Lieut. Hendershott, 2d infantry	28	June 4	1	15	8	8	120	
Second Lieut. Paige, 2d infantry	June 1	3	1	6	3	3	18	
Brevet Second Lieut. Curtiss, 2d infantry	-----	2	1	3	2	2	6	
First Lieut. Sweeny, 2d infantry	3	13	1	3	10	10	30	
Brevet Major Andrews, 3d artillery	5	6	1	16	1	1	16	
Captain Davidson, 2d infantry	-----	-----	1	16	1	1	16	
Brevet Second Lieut. Curtiss, 2d infantry	-----	-----	1	16	1	1	16	
Second Lieut. Paige, 2d infantry	12	July 21	1	27	39	39	1,053	Escort to the United States boundary commission as far as Pimo village.
First Lieut. Hendershott, 2d infantry	16	June 17	1	11	1	1	11	
Brevet Second Lieut. Bond, 2d infantry	27	28	1	15	1	1	15	After scow down the Colorado.
Brevet Second Lieut. Curtiss, 2d infantry	July 22	July 23	1	16	1	1	16	
Brevet Major Andrews, 3d artillery	25	29	1	12	4	4	48	
First Lieut. Sweeny, 2d infantry	28	Aug. 2	1	16	6	6	96	
Brevet Second Lieut. Bond, 2d infantry	-----	-----	1	16	6	6	96	
Brevet Second Lieut. Curtiss, 2d infantry	Aug. 9	14	1	16	5	5	80	
Brevet Major Andrews, 3d artillery	13	20	1	27	7	7	189	
First Lieut. Sweeny, 2d infantry	24	26	2	14	2	4	28	Bvt. Second Lieut. Curtiss, 2d infantry.
Major Heintzelman, 2d infantry	-----	25	4	90	1	4	90	Bvt. Maj. Andrews, 3d artillery, Capt. Davidson, 2d inf., Dr. Milhau, M. S., Bvt. 2d Lt. Bond, 2d inf. 800 Indians reported at tattoo in junction. Crossed Colorado and Gila at 10 p. m.
Brevet Major Andrews, 3d artillery	Sept. 3	Sept. 4	1	22	1	1	22	
Do-----do-----	18	19	2	10	1	2	10	Dr. Milhau, M. S.
Do-----do-----	23	Oct. 10	1	20	13	13	260	Taking a flat-boat with provisions up the Colorado.
Major Heintzelman, 2d infantry	24	-----	6	80	12	72	960	Expedition into the heart of the Indian country. Capt. Davidson, Dr. Milhau, Lts. Sweeny, Morris, Curtiss, and Bond.
First Lieut. Hendershott, 2d infantry	Oct. 17	27	1	3	10	10	30	In pursuit of deserters.
Second Lieut. Morris, 2d infantry	-----	20	2	8	3	6	24	Brevet Second Lieut. Bond, 2d infantry.

TABLE—Continued.

Officers commanding scouts.	Commencing.	Ending.	Officers.	Non-commissioned officers.	No. of days.	No. of days, officers.	No. of days, non-commissioned officers, &c.	Remarks.
	1852.	1852.						
Brevet Major Andrews, 3d artillery-----	Oct. 21	Oct. 26	1	5	5	5	25	To the schooner at the mouth of the river.
Brevet Second Lieut. Curtiss, 2d infantry-----	24	25	1	3	1	1	3	In pursuit of deserters.
Major Heintzelman, 2d infantry-----	Dec. 14	Dec. 19	2	4	5	10	20	To the Co-co-pa country.
Total -----			74	1,122	287	463	7,514	

HEADQUARTERS, PACIFIC DIVISION,
San Francisco, October 26, 1853.

SIR: I have the honor to forward herewith a copy of Brevet Major H. W. Wessell's report of Indians near Klamath, Trinity, &c., referred to in my letter of the 15th instant.

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,
Col. 2d Infantry, Br. Br. Gen. Com'g.

Lieut. Col. L. THOMAS,
*Assistant Adjutant General,
Headquarters of the Army, New York City, N. Y.*

POST NEAR BENICIA, CALIFORNIA,
November 14, 1851.

SIR: Agreeably to instructions from headquarters Pacific division, of 31st July last, I have the honor to report that, in obedience to division orders of that date, I proceeded to Sonoma, and on the 8th of August assumed command of a detachment of thirty-six privates, 1st U. S. dragoons, destined as an escort for Redick McKee, an agent of the Indian department, who was desirous of visiting such Indian tribes as inhabit the waters of Clear lake, Russian and Eel rivers, Humboldt bay, and, if the season would permit, the Indians of Klamath and Trinity rivers. The object of the visit was to make treaties of peace, reservations of land, to issue provisions, clothing, and other presents, for their temporary use; also to make provision for their future welfare and comfort.

The agent having reported himself ready, the command marched from Sonoma on the morning of August 11, with a well-appointed train of pack mules, three wagons, and provisions for thirty days. The agent was also provided, from the quartermaster's department, with a separate train of mules, for the transportation of his private stores and Indian goods. Assistant Surgeon Griffin, U. S. army, accompanied the expedition.

The command proceeded up the valley of Sonoma, and through those of Willicos and Santa Rosa, into the valley of Russian river, each of which is gradually merged into the one succeeding it, affording an excellent wagon road, through a country of great beauty and fertility, fast filling up with an enterprising and industrious class of citizens. Russian river was crossed at Fitch's rancho, and on the 14th the command remained in camp, on the river at the Soda spring, about 50 miles from Sonoma, in order to meet Indian runners, who had been previously sent forward to notify the Clear Lake tribes of our approach. A large herd of cattle, intended for issue to the Indians, here joined the expedition, prepared to follow it across the mountains.

The 15th and 16th days of August were consumed in crossing the hills which form the lower cañon of Russian river, a distance of

twenty-two miles, by what is called the wagon road, but which, for business purposes, is totally impracticable for other transportation than pack mules.

In order to meet the tribes about Clear lake, a temporary depot was established at the rancho of Fernando Feliz, and on the 17th a portion of the escort accompanied the agent to that place, a distance of fifteen miles, it being separated from the waters of Russian river by a ridge of considerable height, and on its eastern declivity almost inaccessible. Having formed a camp in the valley, about two miles from Kelsey's rancho, several conferences were there held with representatives from all the bands claiming the general appellation of Clear Lake Indians, or Lu-pi-yu-ma, (Stone,) numbering, according to their own account, about 700 souls, though they have been generally represented by the whites as exceeding 1,500, and even 2,000. These tribes, though occupying one of the most beautiful and fertile valleys in the State, abounding with game, and susceptible of cultivation throughout its whole extent, and which borders upon a lake 30 miles in extent, well stocked with fish, present an appearance of squalid misery, calculated to excite pity and commiseration rather than a single feeling of hostility. The obligations of a treaty were explained to them, as far as their stupid ignorance would permit, and on the 20th a paper was executed, and duly signed by the principal chief, defining the limits of a reserve on which they were to reside as their own possession, stipulating also for the removal to it of all the tribes on Russian and headwaters of Eel rivers. The treaty further provided for a resident agent, to whom they were to refer all grievances, and an annual distribution of beef and flour, with working oxen and certain implements of husbandry. These Indians, though of indolent and brutal habits, are extremely docile, and by judicious management, out of the hands of speculators, could be made useful as laborers, particularly in the care of stock.

On the 20th of August the detachment joined the main body, and on the day following a council was held with some 200 Indians, representing a portion of the Russian river tribes; on the 22d a treaty, similar in character to the former, was signed by the chiefs present, a part of the bands only agreeing to move to the reservation on Clear lake, though it is very doubtful if they understood the full import of this condition.

As well as could be ascertained, these tribes number from 1,000 to 1,100 souls, similar in appearance and habits to those of Clear lake, but, perhaps, less docile, and more stupidly ignorant. Many of them have been for years employed, or have been residents on the different ranchos of the valley, and seem to have become identified with the estates, though producing little in proportion to the numbers so employed.

The tribes thus far met with seem to possess a common dialect, though in some few instances it was found necessary to employ a second interpreter.

Clothing, though eagerly worn, seems to be a matter of little importance to the males, the only article manufactured by themselves being a short mantle called steet, made of the skins of hares. Pos-

sessing nothing of sufficient value to barter, they obtain little except occasional presents from the whites, or from the rancheros who employ them.

The march was resumed on the 23d, and the wagons having with great difficulty been brought this far, were sent back to the depot at Benicia. The route hence, for about twenty miles, lay along the right bank of Russian river, and its south fork; thence across the dividing ridge, between it and Eel river, a rough and broken country, though letting down gradually into the valley of Be-tum-ke, which contains the headwaters of the latter stream.

Our camp, formed at the lower end of the valley, was visited by Indians in considerable numbers, and two days were expended in futile attempts to explain, and enter into a treaty of peace and friendship with their several chiefs. They could in nowise comprehend its obligations, and positively refused to leave their native valley. Five tribes, numbering about 400 souls, were represented in council. They seem to have had but little intercourse with whites, were evidently suspicious of our intentions, and declined bringing in their women and children.

This valley, about four miles in length, well wooded and watered, communicates with another of greater extent, through a difficult cañon, which it was necessary to turn, and, although the distance is less than twenty miles, three days were consumed in effecting a passage, the route being difficult, and our guide inexperienced. This second valley, called by the natives Be-tum-ti-ki-ah, was reached on the 30th, and our camp was freely visited by its inhabitants, and with them another fruitless effort was made to form a treaty. They could not be made to understand the obligations of a contract, and were very suspicious of our designs. These tribes probably number 500 souls, have had little or no intercourse with the whites, and, in every respect, appear to advantage, when compared with those living among the settlements. Their women and children, as at Be-tum-ki, were not seen, nor could they be induced to bring them in. The men are in a state of nature, unusual, I believe, in any of the most savage tribes of our continent, scarcely an article of clothing being seen. The mocassin and breech-cloth are unknown, and a single thread, fastened close around the waist, is all the clothing they wear, though, even in summer, the nights are cold. They are quick and active in all their movements, well armed with bows and arrows, but, though living in a country abounding with game, seem to have little success in hunting, or, at least, make no use of skins. Small parties passing through their country should do so rapidly, and be constantly on the alert, for they are a thievish race, and, with sufficient temptation, may proceed to extremities, provided success is very apparent.

In crossing the range between the two valleys, a species of chestnut tree was met with, bearing burs in clusters, each containing a nut similar to the chinquopin of the middle States.

Not being able to effect an arrangement with these Indians, the march was resumed September 1st: and leaving the valley, entered upon the coast range, the route hence being a continued succession of

mountains, though fortunately affording an abundant supply of excellent grass and water. A few Indians were seen at distant points, but, either from fear or suspicion, could not be induced to visit our camp. This whole region abounds with game, such as bears, elk, and deer, and in the fir forest, the pinnated grouse is frequently seen. A wild cherry, of the astringent kind, grows in these mountains.

In consequence of rain, and to refresh the animals, we encamped on the south fork of Eel river during the 4th of September, (at this place a considerable stream, even at low water, being some thirty yards in width,) and on the following day crossed a mountainous bend of the same stream, encamping on it again, in a small valley, some twenty miles below. Here a few Indians came in, but having no interpreter, they were dismissed with presents, and without being able to obtain from them any information as to their numbers, condition, &c. Having halted at this place another day, on account of rain, the march was continued two days down the bed of the river, and on the 7th we encamped on the main stream, four miles below the junction of its forks. This route, in time of high water, would be attended with great difficulty, the mountain spires (almost impassable in many instances) jutting out so abruptly into the stream, that, to turn them, it becomes necessary to cross it. At this season, however, the river being fordable at almost any point, we experienced little difficulty, except from the stony character of its bed and the trouble of frequent crossing. Indians were seen in small numbers, but there were indications of its being much frequented for the purpose of fishing. A few canoes were seen at the junction.

No portion of this region is suitable for agricultural purposes, being mountainous and heavily timbered with forests of redwood. The trees are of gigantic size, one of which, lying on the surface of the ground, contained a diameter higher than my head, though mounted on a horse of large size, and another measured 325 feet in length.

The route still lay along the river's bed, as far as Van Dusen's fork, a large tributary coming in from the north, and thence down its right bank, to a camp ten miles from the ocean, and about the same distance from the town of Humboldt. The lands adjacent to Van Dusen's fork, and on the main river below it, are well calculated for farming purposes, well timbered with oak and redwood, with abundance of excellent water, and are already occupied by a considerable number of thriving settlers. The mouth of Eel river is not accessible for sea-going vessels.

Another fruitless attempt was made to form a treaty with the tribes inhabiting the lower waters of this river, but our means of communication were so imperfect, and the different bands evinced so much jealousy of each other, that nothing was effected, although five days were consumed in endeavoring to bring them to terms. These tribes, numbering about 300 souls, have generally been on friendly relations with the whites since the settlement of that portion of the country, and seem to be under good subjection, few complaints being heard for aggressions on either side. They are, however, as low in the scale of humanity as is possible to conceive, of brutish habits, hideous, repulsive features, and loathsome from disease.

To this point, which should be reached in fifteen marches, the distance from Sonoma was computed at 240 miles, and little inconvenience will be experienced in crossing over, except from the altitude and steepness of the mountains. The climate throughout is cool and agreeable, grass and water abundant, and of excellent quality, and annoyance from insects almost unknown. Though well stocked with almost every variety of game, the natives seem to depend entirely upon acorns, grasshoppers, roots, and grass seeds for their sustenance, except those near the coast, who subsist chiefly upon fish and clams.

The march was resumed on the 15th *via* the town of Humboldt, a small settlement on a tongue of land near the lower extremity of the bay, and opposite its entrance; thence skirting the bay across Elk river, which at low tide is fordable near its mouth to Bucksport, and from that place to Uniontown, over a difficult trail across mountain spurs and an extensive marsh, interrupted by tide waters from the bay, the distance from Humboldt being about twenty miles. Arrived at Uniontown, the march was again delayed to enable the agent to transport his goods from Port Trinidad, some eighteen miles up the coast, and the point to which they had been shipped. The animals were turned out to graze, but though grass was plenty, they were so harassed and worried by mosquitoes, as to fall off both in flesh and spirit during our stay here.

On the 23d the march was again resumed, in a northerly direction, crossing a succession of mountains, separating from each other Mad river, Redwood, Pine creek, and the Klamath, and halted at Bloody camp, an elevated position, two miles from the junction of Trinity and Klamath, and the nearest point to that place affording grass. It was here discovered that a considerable quantity of Indian goods were yet to be transported from Port Trinidad, and accordingly a train of mules was despatched on the 28th, and, to communicate more readily with the Indians, moved camp on the following day to the mouth of Trinity, leaving the horses and pack trains with a guard on the mountain.

The junction of these two rivers is at the bottom of an immense chasm, almost inaccessible in its approach from every direction, and but for the persevering search after gold deposits, would scarcely have been trodden by the foot of white man. It occupies a central and commanding position with regard to numerous tribes on both rivers above, and on the Klamath itself below the junction. As a military point, it would exercise a controlling influence over the tribes above named, as well as the hostile bands infesting the waters of Redwood. Unfortunately, however, it possesses no resources for the establishment of a permanent post, the character of the ground being unsuitable for gardening, or even building purposes. The expense of supplying a garrison would be enormous, and it may be doubted if there is sufficient interest in that quarter at present to justify such an expenditure. In view of quieting all difficulties and animosities between these Indians and such miners and parkers as occasionally pass through their grounds, I would respectfully suggest that a small force, well mounted on mules, forming a movable camp, be sent through that country, when the season will permit, authorized to issue a limited

quantity of provisions and suitable presents, halting at central points long enough to familiarize those savages to the presence of troops, who, by their peaceful conduct, will inspire confidence as friends, and show, by their arms and discipline, that they are able not only to protect themselves, but to resent all injuries and impositions. A temporary depot, established at Bucksport or Uniontown, could supply the camp by means of a pack train. The former town is on the eastern shore of the bay, and at all times accessible by water; whilst the latter is situated at its northern extremity, a day's march nearer the Klamath, but inaccessible for anything but small launches. I would also venture to recommend the same course with respect to those Indians living on the upper waters of Eel river, in order to accustom them to the presence of soldiers, to teach them the obligations of a bargain or contract, and, if possible, remove their fears and suspicions.

The Klamath and Trinity Indians, with few exceptions, came freely into camp, bringing their women and children, and exhibiting an appearance of open, cheerful frankness entirely different from that of any tribes heretofore met with. They are generally of a light copper color, straight and well formed, and apparently of active habits. Each warrior has a bow and arrows, armed with flint or iron heads, besides a long dagger, or kind of "couteau de chasse," of foreign manufacture, which it seems they have obtained from occasional intercourse with more northern tribes. Mantles of dressed deer-skins are worn by both sexes, and, in some instances, ornaments of feathers on the head. Their dwellings are simple in construction, but far superior to those of any tribes in the upper part of California. An excavation some ten or twelve feet square being made in the ground, a house of boards placed upright along its sides is formed, with sloping roofs, and entirely closed, except a circular opening in front, which permits ingress and egress to the occupants. A pavement of smooth stones is always laid before each dwelling. The bodies of deceased friends and relatives are enclosed in a rude box of boards and deposited in the ground, in the immediate vicinity of their houses, the grave being ornamented with rows of baskets securely fastened, and frequently enclosed by a rectangular paling, the upper end of each picket being decorated with the feathers of birds. Ornaments formerly worn by the deceased are also suspended within the enclosure. Their fishing dams exhibit considerable skill and great perseverance, being formed of timbers laid horizontally, securely fastened together, and strengthened by uprights; the whole extending across the river, and necessarily possessing great solidity, in order to resist so rapid a torrent as the Klamath. Salmon are taken in large quantities, and in some seasons constitute their chief article of food. These fishing dams, however, prove a constant source of trouble and complaint, the upper tribes being often dissatisfied, because the salmon are obstructed in their passage by the dams below them. Their females are virtuous, and, as far as we could observe, during our stay among them, behaved with propriety; in fact, the whole people manifested much satisfaction in their intercourse with the command, it being the first detachment of soldiers they had ever seen. The dress of the women is uniformly the same, consisting of a petticoat of dressed deer-skin, fastened

around the waist, and reaching nearly to the knee, with a thick fringe of the same material extending to the calf of the leg, the upper edge falling over, and embroidered with threads of grass differently colored. To complete the costume, an apron is worn, formed of strands of braided grass, and ornamented with horizontal rows of small shells. A small saucer-shaped basket of woven grass is worn on the head, and all are tattooed with three lines of deep blue, from the corners of the mouth and centre of the under lip, reaching below the chin, these lines being narrow in childhood, and widened as they advance in years. Our means of communicating with these tribes were so imperfect that it was impossible to gain an accurate knowledge of their customs, ceremonies, &c., or their notions as to their own origin or a future state. I was also unable to ascertain their numbers, and it is extremely doubtful if any reliable information on that point can at present be obtained.

After much delay, arising from misunderstandings and jealousies between different tribes, a treaty of peace and friendship was formally signed on the 8th by such chiefs as were willing to do so, and a reservation marked out, embracing the point where the two rivers join and extending along the crests of the mountains for some miles above and below on each of them. It is impossible, at this time, to find any one sufficiently familiar with their language to explain abstract ideas, or to teach them, according to our notions, the obligations of a bargain or contract; and it is hardly probable that they had a very clear conception of the character of the instrument to which their marks are affixed, though I believe them to be sincere in their promise to remain good friends in future. Mr. Durkee, an enterprising adventurer from New England, has resided on these rivers for several months, and by good management has acquired considerable influence among the tribes near the junction; he has also some knowledge of their language, and in due time may qualify himself so as to render valuable service as an interpreter. There is also a chief called Momcas at the head of a tribe on Klamath river, some miles below the Trinity, whose fearless and determined character renders him feared and respected by the bands around, which controlling influence, with his general friendly deportment towards the whites, may prove valuable in future intercourse with that people. The distance from this point to Uniontown was estimated at 45 miles.

On the 9th of October the command crossed the Klamath, by means of a good ferry, established below the junction, and continued on up its right bank almost due north. On the 11th encamped nearly opposite the mouth of Salmon, a considerable stream coming in from the east. This route is both difficult and dangerous; several horses and mules were precipitated from the side of a mountain several hundred feet below, and some of them crushed to death by the fall. At this point a treaty was formally signed by chiefs representing several tribes in that vicinity, similar in appearance to those below, but differing somewhat in language, which rendered communication with them still more difficult and imperfect. These Indians were admitted into the former treaty, by an *addendum*, and entitled to all the privileges therein conferred.

The Klamath river throughout all its course is a rapid torrent, sweeping the bases of an almost endless succession of precipitous mountains, which rarely recede from it a sufficient distance to allow a pathway between them and its margin; hence the trail must either pass over their summits or wind along their nearly perpendicular sides. The same description will also apply to its tributaries on either side. All the bars are more or less rich in gold, but the great expense attending the transportation of supplies will for a long time render them of little value to the miner.

The march was resumed on the 12th of October, continuing along the river, and the trail is so difficult that it was necessary, every day, to send in advance a strong pioneer party to render it passable for the horses, which were now found to be entirely useless in a country of such rugged character, and affording so little nourishment. They also suffered much, and caused a considerable delay in crossing a succession of low rocky points, whilst the pack mules moved over them without much difficulty or detention.

On the 19th we encamped two miles below the mouth of Scott's river, and ninety-five above Trinity, having, the day previous, crossed to the left bank of the Klamath, the latter stream being nowhere fordable below the mouth of Scott's river, though readily passed by means of canoes. A few Indians were seen along the river, peaceable in disposition, but an inferior race to the tribes lower down. Small parties of miners were also quietly at work on the different bars, and there seemed to be no signs of hostility on either side. At Scott's bar, four miles above the mouth of that river, a considerable mining town has sprung up, and the efforts of its inhabitants have been attended with great success, though its population has been recently much diminished by the excitement consequent to the discovery of quartz veins in various parts of that country.

After passing the bar, the route continues up Scott's river two or three miles, and thence over a mountainous bend, into a valley of the same name, its lower extremity being about 15 miles from the Klamath. We encamped here on the 20th.

The agent, desiring to return to San Francisco, by way of Port Trinidad, a verbal arrangement was made between us before leaving the mouth of Trinity river, to separate at this point, as the services of an escort were no longer necessary in conferring with the Indians living around the settlements. I accordingly marched on the 24th, having halted three days, in order to procure a supply of provisions and give rest to the animals.

This beautiful valley, some 30 miles in length, extends along either bank of the river, and from the productive character of its soil and its proximity to a large mining region is fast attracting attention and rapidly filling up with actual settlers. It was a matter of regret that no suitable means were at hand to ascertain its elevation above the sea, which must be very great, to judge from the constant rapid fall of Scott's and Klamath rivers, during their whole extent. Even at that season, water froze in ordinary camp vessels every night during our stay there.

On the 26th the command crossed the dividing ridge between Scott's

and Trinity rivers, a rugged chain of great altitude and difficult of passage, from the rocky character of its surface, and being often blocked up with snow, even during the early rains of winter.

The trail hence continues down the Trinity river, which winds through a narrow valley, and is fordable at almost any point during the dry season, though in winter a deep and rapid torrent, impassable for pack trains, as are also several creeks coming in from the west. This valley affords excellent grazing. Such Indians who live in the mountains enclosing it are represented as hostile and thievish in character, and traders use much caution in passing through it. None were seen by our party, and we had no means of determining their numbers or condition.

On the 29th the high dividing ridge between this and Sacramento river was crossed at French Gulch, on Dry creek, a tributary of the latter, and next day encamped at Shasta city, better known as Reading's springs, distant 100 miles from the foot of Scott's valley, and the highest point in that direction accessible for loaded wagons.

The route hence was along the usual road down the Sacramento valley, and on the right bank of the river, the command arriving at Benicia, 196 miles from the Springs, on the 9th of November.

The whole circuit marched over from Sonoma, the point of departure, to the depot at Benicia may be estimated at about 720 miles.

At this season no grazing was found from the summit of Trinity mountains to the end of the march, which rendered it necessary to purchase forage daily during that period, increasing materially the aggregate cost of the expedition.

From my intercourse with the natives inhabiting the country adjacent to our line of march, and from as careful observation of their dispositions and habits as circumstances would permit, I have no hesitation in saying that, although thievish and suspicious in their natures, they are more docile, and more readily controlled by judicious management, than any tribes I have ever met with. Mutual injuries have been sustained by this people and the miners, traders, &c., passing through their domain, frequently resulting in death, and creating a feeling of inveterate hostility among certain whites, which, in all probability, will lead to further outrages. It is to allay this feeling that I would respectfully suggest the movement of small parties of *soldiers* among those tribes where this mutual desire for revenge is known to exist, particularly along Redwood, Trinity, and Klamath rivers.

With the tribes who agreed to treaties of peace and friendship stipulations were made to furnish them with supplies of food for a limited period, mainly consisting of fresh beef and flour; and I deem it my duty to call attention to the loose manner in which those supplies are furnished, and most urgently to recommend that a commissary or other suitable officer of the army be alone charged with that duty. There seems to be no check, no strict accountability, nothing, in fact, to secure the government from injury by mismanagement and fraud. The contractor or individual furnishing the beef has only to report that so many pounds have been issued, and the quantity stated may at once be charged to the tribe, without further investigation, thus

leaving it entirely to the integrity of the agent and contractor. These men may possess unscrupulous principles, or, if honest in ordinary business transactions, may be tempted by the ease and facility with which the treasury can be defrauded.

Having no officer with me, or other suitable person, I am unable to accompany this report with a topographical sketch of the route, but respectfully refer to Mr. George Gibbs, of New York city, a gentleman of high standing and scientific attainments, who accompanied the agent in the capacity of interpreter. Mr. Gibbs, with indefatigable industry and perseverance, made himself thoroughly acquainted with the country through which he passed, and took accurate sketches of it as far as Scott's valley. These data he will furnish Lieutenant Williamson, topographical engineers, who will be able to construct from them a valuable map of a country now imperfectly known.

With much respect, your obedient servant,

H. W. WESSELLS,

*Captain 2d Infantry, Brevet Major,
commanding escort for Indian Agent.*

Brevet Lieutenant Colonel J. HOOKER,
Assistant Adjutant General Pacific Division.

II.

Indian affairs in California.

Brevet Brigadier General E. A. Hitchcock to War Department, February 12, 1853, enclosing copies of—

Letter of Brevet Colonel G. Wright to assistant adjutant general Pacific department, January 25, 1853.

Letter of Brevet Colonel G. Wright to Lieutenant E. Russell, January 23, 1853.

Letter of Lieutenant E. Russell to assistant adjutant general Pacific department, January 25, 1853.

Brevet Brigadier General E. A. Hitchcock to the War Department, March 14, 1853, enclosing copies of—

Letter of Brevet Colonel G. Wright to assistant adjutant general Pacific department, February 11, 1853.

Letter of Lieutenant Colonel B. L. E. Bonneville to same, February 23, 1853.

Letter of assistant adjutant general Pacific department to Brevet Colonel G. Wright, March 1, 1853.

Brevet Brigadier General E. A. Hitchcock to headquarters of the army, March 31, 1853.

Secretary of War to Brevet Brigadier General E. A. Hitchcock, April 13, 1853.

Brevet Brigadier General E. A. Hitchcock to headquarters of the army, August 15, 1853.

Same to same, September 15, 1853.

Same to same, September 30, 1853, enclosing extract from "San Francisco Placer and Times," September 30, 1853.

Brevet Brigadier General E. A. Hitchcock to headquarters of the army, February 1, 1854.

Same to War Department, February 11, 1854, enclosing copy of letter of Lieutenant A. V. Kautz to assistant adjutant general Pacific department, February 3, 1854.

General Wool to the War Department, December 14, 1854, enclosing copies of—

Letter of Captain E. D. Keyes to assistant adjutant general Pacific department, December 12, 1854.

Letter of General Wool to T. J. Henley, superintendent Indian affairs, December 14, 1854.

Assistant adjutant general Pacific department to commanding officer Fort Tejon, July 28, 1855.

Secretary of War to Secretary of Interior, September 29, 1855.

General Wool to headquarters of the army, August 14, 1855, enclosing copies of—

Letter of General Wool to T. J. Henley, superintendent Indian affairs, August 10, 1855.

Letter of assistant adjutant general Pacific department to Brevet Lieutenant Colonel R. C. Buchanan, August 10, 1855.

General Wool to the War Department, September 18, 1855, enclosing copies of—

Letter of T. J. Henley, superintendent Indian affairs, to General Wool, August 14, 1855.

Letter of General Wool to T. J. Henley, superintendent Indian affairs, September 18, 1855.

Secretary of War to Secretary of the Interior, October 30, 1855.

Secretary of the Interior to Secretary of War, November 5, 1855, enclosing copies of—

Instructions from Commissioner of Indian Affairs to Superintendent T. J. Henley, May 17, 1855.

Letter of same to Secretary of the Interior, November 1, 1855.

The Adjutant General to General Wool, December 5, 1855.

Secretary of War to Secretary of the Interior, February 4, 1856.

Assistant adjutant general Pacific department to War Department, January 2, 1856, enclosing copies of—

Letter of Captain J. W. T. Gardner to assistant adjutant general Pacific department, July 17, 1855.

Letter of assistant adjutant general Pacific department to Capt. J. W. T. Gardner, July 28, 1855.

Letter of General Wool to T. J. Henley, superintendent Indian affairs, August 10, 1855.

Letter of Captain H. M. Judah to assistant adjutant general Pacific department, November 2, 1855.

General Wool to Governor Johnson, January 21, 1856.

Secretary of War to Secretary of the Interior, March 6, 1856, enclosing copies of—

Letter of General Wool to T. J. Henley, superintendent Indian affairs, January 26, 1856.

Letter of Captain H. M. Judah to assistant adjutant general Pacific department, November 2, 1855.

Letter of T. J. Henley, superintendent Indian affairs, to Captain H. M. Judah, December 29, 1855.

Letter of Captain H. M. Judah to assistant adjutant general Pacific department, January 21, 1856.

Letter of T. J. Henley, superintendent Indian affairs, to General Wool, January 25, 1856.

Assistant adjutant general Pacific department to Brevet Major F. O. Hise, March 30, 1856.

Secretary of War to Secretary of the Interior, April 1, 1856.

General Wool to headquarters of the army, February 19, 1856, enclosing copies of—

Letter of General Wool to T. J. Henley, superintendent Indian affairs, February 13, 1856.

Letter of Brevet Colonel G. Nauman to assistant adjutant general Pacific department, January 28, 1856.

Letter of Captain H. S. Burton to same, January 27, 1856.

Certificate of S. Argüello, January 2, 1856.

General Wool to headquarters of the army, May 17, 1856, enclosing copies of—

Letter of Lieutenant Colonel B. S. Beall to assistant adjutant general Pacific department, May 3, 1856.

Letter of Lieutenant J. Stewart to assistant adjutant general Pacific department, May 1, 1856.

Letter of W. C. Kibbe, quartermaster, &c., to General Wool, May 14, 1856.

Letter of assistant adjutant general Pacific department to Wm. C. Kibbe, quartermaster, &c., May 15, 1856.

Letter of Lieutenant Wm. A. Winder to Captain H. S. Burton, April 29, 1856.

Secretary of War to Secretary of the Interior, October 18, 1856.

General Wool to the War Department, July 3, 1856, enclosing copies of—

Letter of Captain H. S. Burton to assistant adjutant general Pacific department, June 15, 1856.

Proceedings of meeting at San Bernardino, May 20, 1856.

Treaty of peace with Dicguino Indians, January 7, 1852.

Letter of assistant adjutant general Pacific department to Captain H. S. Burton, June 26, 1856.

Letter of same to T. J. Henley, superintendent Indian affairs, June 27, 1856.

Letter of Governor Johnson to General Wool, June 17, 1856.

Letter of General Wool to Governor Johnson, June 20, 1856.

General Wool to the War Department, September 3, 1856, enclosing copy of letter of Lieutenant L. R. Livingston to assistant adjutant general Pacific department, August 17, 1856.

General Wool to headquarters of the army, November 3, 1856, enclosing copies of—

Letter of Lieutenant J. Edwards, jr., to assistant adjutant general Pacific department, August 24, 1856.

Letter of Lieutenant Colonel B. S. Beall to same, September 29, 1856.

Letter of Lieutenant L. Soeser to same, October 28, 1856.

Letter of assistant adjutant general Pacific department to T. J. Henley, superintendent Indian affairs, August 5, 1855.

Letter of Hon. J. B. Weller to General Wool, October 4, 1856.

Letter of General Wool to Hon. J. B. Weller, October 5, 1856.

Secretary of the Interior to the Secretary of War, November 5, 1856.

Secretary of War to the Secretary of the Interior, November 19, 1856.

Adjutant General to General Wool, December 4, 1856.

HEADQUARTERS PACIFIC DIVISION,
San Francisco, February 12, 1853.

SIR: Herewith I have the honor to enclose I, Brevet Colonel Wright's report, with accompanying papers, A and B, of the apprehension of two Indians accused of the murder of a white man. I send the documents entire as they illustrate to what extent mischief, in indiscriminate massacres of Indians, may be prevented by the prompt and efficient action of our troops, distributed as they now are, among the several ill disposed tribes. * * * * *

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,
Col. 2d Infantry, B. B. Gen., com'g P. D.

Colonel S. COOPER,
Adjutant General, U. S. A., City of Washington, D. C.

HEADQUARTERS NORTHERN DISTRICT CALIFORNIA,
Fort Reading, January 25, 1853.

SIR: On the evening of the 22d of the present month, a rumor reached me that a citizen, belonging to a party living about ten miles above this place, had been murdered by Indians a few days previous. This report came from Shasta, and it was intimated to me that a party was organizing in that place for the purpose of attacking the Indians residing north of us, on branches of Cow creek. Although I had no reliable information, and, in fact, it rather looked to me as if the affair had been studiously concealed, yet I was determined to take prompt measures and, if possible, supersede the indiscriminate murder which I was apprehensive would be the result of an onslaught by the white people.

Accordingly, on the morning of the 23d instant, I dispatched Lieutenant Russell, of the 4th infantry, with a small command, to apprehend the murderers, or in case of failure in effecting that object, he was instructed to seize and bring to this post the chiefs and head men of the tribe.

Lieutenant Russell succeeded in arresting two Indians, whom I have no doubt committed the murder, in conjunction with another, who escaped to the Pitt river country. These Indians are now in irons at this post, and I shall deliver them to the civil authority for trial. These men do not belong to the tribe near us but they are from the Pitt river.

I enclose herewith a copy of my letter of instructions to Lieutenant Russell; also his report of the execution of his orders.

Very respectfully, your most obedient servant,

G. WRIGHT,
Brevet Colonel U. S. Army, commanding.

Major E. D. TOWNSEND,
Ass't Adj't General, Headq'rs Pacific Division, California.

HEADQUARTERS NORTHERN DISTRICT OF CALIFORNIA,
Fort Reading, California, January 23, 1853.

SIR: A rumor has just reached me that a citizen has been murdered by Indians about ten miles above this place. You will therefore proceed to that point with a non-commissioned officer and ten men, and take the most active and energetic measures to apprehend the murderers.

In the event of your not being able to secure the guilty, seize upon the chiefs or headmen of the tribe and bring them to this post.

Should you find it necessary you are authorized to employ an interpreter and guide.

Very respectfully, your most obedient servant,

G. WRIGHT,

Bvt. Col. U. S. Army, Comg.

First Lieut. E. RUSSELL, *4th Infantry, present.*

FORT READING, CALIFORNIA,
January 25, 1853.

SIR: I have the honor to report for the information of the colonel commanding the northern district (of California) that pursuant to instructions received on the 23d instant I proceeded immediately with a party of twelve men to the camp of a party of hunters about ten miles above this post, where one of the party was reported to have been murdered by Indians on the 13th instant. The camp had been abandoned and no person was found in its vicinity. A grave without a corpse and some clothes covered with blood were found adjacent to the camp, which confirmed my belief in the truth of the report we had heard. I then went to the nearest ranch, (according to the best information I have of the country,) about four miles above, where I arrived at dark, but could obtain there no information desired, except that the occupants (a party of Frenchmen) were of the impression that a man had been murdered, and that the rancheria of the chief Numptorama was in the same valley as their ranch, about four miles above. I proceeded thence in the direction of Numptorama's rancheria, with the design of surprising it and arresting the chief and headmen. En route, however, I met with a Mr. Woodman, (at his ranch,) who very kindly offered his services (which I needed much) as a guide, and to whom I am indebted for every assistance he could give me and for every kindness to my party. As Mr. Woodman was of opinion that I could get an interview with the chief without surrounding the rancheria, I left my party and went with Mr. Woodman to the rancheria where I found the chief, and succeeded in making him understand that a white man had been murdered by Indians, and that I relied upon him to do the best he could in the case for the white people, and for his own. He had heard of the murder and seemed to be of the opinion the murderers were somewhere south of him. He impressed me with a great deal of confidence in him; he is a man of intelligence

and shrewdness, and can be made very useful in Indian difficulties; he went with me to Mr. Woodman's ranch, from where he despatched a runner for me with a letter to Messrs. Quick & Gibson's ranch for an *interpreter*, (which, for some reason unknown, I did not get.) The chief as soon as he had sent my letter returned to his *rancheria*, and despatched runners to his different bands for information. In a short time he brought me intelligence that one of the murderers had gone that day to Pitt river, and that one of them was then at a *rancheria* about five miles north of them, to which place I immediately repaired with the chief for my guide, surprised the *rancheria* and arrested the man he pointed out to me. Here the chief learned that another of the murderers was then at a *rancheria* about six miles east from where we were, and urged me continually to hurry to the place, which I did accordingly, and surprised the *rancheria*, and arrested the Indian he pointed out, and returned to Mr. Woodman's at daylight. From here I sent messages to different places in order to communicate with a party of volunteers, organized according to the best information I heard, for the purpose of attacking different bands of Indians on this side of the Sacramento and north of this post. I went with my party in the direction in which I thought I was most likely to meet with the party of volunteers, taking the chief with me as a guide, and several Indians for runners if occasion should require them. I crossed from the north branch of Cow creek to the Middle creek, where I was disappointed in not finding the party looked for. But I found here an Indian boy who could speak a little English, through whom I was enabled to communicate better with the chief, and through whom I learned from the prisoners (as the chief had told me) that they are from *Pitt river*, that they belong to the band of *Monetske*, and are of the party of three that committed the murder, though they say it was the other one, "a bad Indian," who struck the murdered man with an axe.

The chief here expressed great anxiety to return, saying that the "Yuca's" (Pitt river Indians) would attempt to revenge themselves upon him as soon as they heard he had exposed the murderers. As I was now convinced that he had given me the guilty ones, and as nearly everything he had told me was already proven to be true, I believed that he had acted honorably through the whole of my intercourse with him, and did not think it advisable to take him at this time beyond the vicinity of his lands. But he promised to come in four days to Fort Reading with a party of his men, and, if possible, with the chief *Pawtamée*, to have a conference with the commanding officer of the district. I left Numptorama and his party here and crossed over to Clover creek, where I met with the party of hunters to which the murdered man belonged.

The party recognised the blankets taken upon the prisoners as being exactly of the description of those taken from their camp, but there was no name or private mark upon them.

I have learned that a letter which I despatched in the morning, soon after making the arrest, reached one of the volunteer party, who promised to convey it to the others.

In my tour I was upon all the large streams emptying into Cow

creek from the north, and did not see a man residing upon any of them who did not express great anxiety that the Indians in his vicinity should not be attacked promiscuously on account of this barbarous murder. They do not believe that any of Numptorama's bands were engaged in it.

I am, sir, very respectfully, your most obedient servant,
EDWARD RUSSELL,
1st Lieut. 4th Infantry.

Lieut. FERDINAND PAINE,
2nd Infantry, Acting Assis't Adj't Gen'l, Fort Reading, Cal'a.
FERDINAND PAINE,
Lieut. 2nd Inf'ry, Acting Post Adj't.

HEADQUARTERS PACIFIC DIVISION,
San Francisco, March 14, 1853.

SIR: I enclose herewith a letter from Brevet Colonel G. Wright, dated February 11, and an extract from Lieutenant Colonel Bonneville's letter of February 23, in relation to settlements upon Indian lands in California and Oregon; also a copy of my reply to the former, which I respectfully submit for such instructions upon the subject as may seem proper.

I am, sir, very respectfully, your obedient servant,
E. A. HITCHCOCK, *Col. 2d Infantry,*
Brevet Brig. Gen. Commanding.

Colonel S. A. COOPER,
Adj't. General U. S. Army, City of Washington, D. C.

HEADQUARTERS NORTHERN DISTRICT OF CALIFORNIA,
Fort Reading, February 11, 1853.

SIR: I desire to obtain certain information from the headquarters of the division in relation to settlers on the public lands in California not surveyed; I speak of lands not surveyed by the general government, and not covered by any grant either before or after the acquisition of the country by the United States.

Is there any law authorizing persons to settle on such lands? or are they not now considered as Indian reservations, and subject to the laws in relation thereto?

Has the general government transferred to the State of California the right to authorize settlements on such lands and to guarantee possession to the occupant?

The country on Cow creek, and between it and the Sacramento, north, has, I believe, never been granted to any person, and I am under the impression that it is to be considered as "Indian country," and if so, the 10th, 11th, 12th, and 13th of section 3d, of act of 3d March, 1847, are applicable. This country being within the limits

of the State, I suppose that a concurrent jurisdiction would be exercised in certain cases.

I am far from wishing to throw any obstacles in the way of persons desirous of locating on lands in good faith, and for the purposes of cultivation and improvement; but the prohibitions contained in laws above referred to must be enforced if it is "Indian country."

Very respectfully, your most obedient servant,

G. WRIGHT,

Brevet Col. U. S. A., Commanding.

Major E. D. TOWNSEND, A. A. G.,

Headquarters Pacific Division, San Francisco, California.

HEADQUARTERS, COLUMBIA BARRACKS,

Oregon Territory, February 23, 1853.

MAJOR: Looking over the papers I observed the bill of Mr. Lane, which I cut out to enclose to you. This, I believe, is looking to an important question, both on the score of humanity to the Indian as well as in a military point of view. The question is this: Can the citizen lawfully locate his claim for settlement anywhere he pleases in the Territory, spreading alike over that claimed by all Indian tribes; or are there any limits assigned for the settlements of the whites? The Nez Percés, Walla-Walla, and Cayuse tribes are located near Fort Walla-Walla, about 250 miles east of this post. These tribes are represented to be numerous and very prosperous, owning immense droves of horses and many cattle. The two first have always been very friendly, and rapidly adopting the habits of the whites. Their climate is most inviting, their soil exceedingly fertile. These are great attractions for our people, who are already looking that way, and contemplate forming settlements in that vicinity this summer; that towards fall immigration there will be greatly increased. Whatever policy the government intends to pursue on this subject, I believe the sooner it is decided upon the better it will be for all parties. These people are not to be crowded from their present locations without exciting a good deal of angry feeling on their part. Their village grounds are generally well selected for health, soil, range, &c., &c. If settlements can lawfully be made anywhere within the imaginary limits of the Indian possessions, may it not cover the village ground itself, and expel the Indian from his own wigwam? This can easily be avoided, by giving the Indian his limits with an agent residing among them to superintend matters and things. I have not met Dr. Dart, the superintendent of Indian affairs for Oregon; perhaps, intending to resign soon, may not feel much interest with regard to it.

* * * * *

I am, major, very respectfully, your most obedient servant,

B. L. E. BONNEVILLE,

Lieutenant Colonel 4th infantry.

Major E. D. TOWNSEND,

A. A. Gen., Headq'rs Pacific Div., San Francisco, Cal.

HEADQUARTERS, PACIFIC DIVISION,
San Francisco, March 14, 1853.

A true extract.

E. D. TOWNSEND,
Assistant Adjutant General.

Congressional.

"In Senate, December 29, Mr. Weller presented several petitions from merchants and others in California, praying a restoration of the law allowing the receipt of ingots and bars in the payment of sureties at custom-houses.

"Mr. Gwinn entered into a long explanation of his course upon this subject, and upon the legislature, out of which these complaints of the petitioners have grown, and justified his conduct as tending most to the benefit of California. The petitions were then referred.

"In Senate, December 30, the House bill, allowing the secretary of Oregon to select new school lands in cases where the sixteenth section has been taken up in grants to actual settlers, was considered and passed.

"The President, on the 4th of January, nominated to the Senate Senator Badger for judge of the supreme court. Some think he will be confirmed, more think not. The democrats in the Senate were to hold a caucus in relation to the nomination.

"Mr. Lane introduced a bill giving bounty lands to officers and soldiers of the Cayuse war in Oregon Territory, and a bill providing for the location of bounty lands there."

HEADQUARTERS PACIFIC DIVISION,
San Francisco, March 1, 1853.

SIR: Your two letters of February 11 have been received. The commanding general desires me to say that the one enquiring as to the right of settling upon lands in California neither granted nor ceded in any way, presents the question in so clear a manner that it will be referred to Washington for a decision. In the meantime the general directs that no obstacle be made to the occupancy of the country by citizens.

There are two points which may be borne in mind on this subject: one, that it may be claimed that California came into the Union with the usages of the Spanish and Mexican governments in regard to (or disregard of) Indians; the other, that under existing laws it requires an order from the President of the United States to remove, by military force, intruders upon Indian lands.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Brevet Colonel G. WRIGHT,
U. S. Army, Commanding, &c., Fort Reading, California.

HEADQUARTERS PACIFIC DIVISION,
San Francisco, March 31, 1853.

SIR: It is with extreme regret that I report the probable murder, by Indians, of 1st Lieutenant *Edmund Russell*, 4th infantry. I have received no official report of this event, but a statement has reached this city through the papers that Lieutenant Russell had been sent with a small command by Brevet Colonel Wright from Fort Reading to punish some marauding Indians; that he had captured several whom he disarmed, and was proceeding in pursuit of others when his prisoners seized an opportunity while he was separated a short distance from his men and killed him with clubs and arrows.

An Indian war may be said to exist on the upper waters of the Sacramento, extending many miles to the north and east beyond Yreka, over 150 miles from Fort Reading. In making this report I cannot forbear stating that I have received similar information through two separate channels, making it probable that an inextinguishable desire of vengeance towards the whites exists along that border. A party of citizens under the conduct of Captain Ben Wright last fall massacred over thirty Indians out of forty-eight, who had come into Captain Wright's camp by invitation to make a "peace." Lieutenant Williamson, topographical engineers, and Captain Miller, assistant quartermaster, have each informed me of substantially the same particulars, derived by them from separate individuals of Captain Wright's party, to the effect that Captain Wright determined not to return to Yreka without bearing some evidence of success in his expedition against the Indians, and having failed to find them by hunting for them he invited them into his camp by means of a squaw. Upon this invitation forty-eight Indians came to his camp, and while there Captain Wright directed his men to charge their rifles afresh to make a sure fire, which was done in presence of the Indians without exciting their suspicion, and then, upon a signal indicated by Captain Wright, they suddenly fired upon the Indians and succeeded in killing about thirty-eight. The signal was the discharge of a revolver by Captain Wright, by which he killed the two principal Indians with whom he had been engaged in talk. Captain Wright returned to Yreka, which place the papers state he entered in triumph, his men bearing on their rifles the scalps of the Indians, and was received with a general welcome by the citizens of the town. Captain Wright reported that he had demanded of the Indians a return of stolen property, and on their refusal to deliver it up he had thus punished them.

I state these particulars as I have heard them from what I suppose to be a reliable source, in order to explain the probabilities of an exterminating war on that frontier. The country belongs to the district to the command of which Brevet Colonel Wright has been assigned with two companies of dragoons and two of infantry. A third company of infantry has been ordered to the district from Columbia barracks; with this force everything will be done called for by the condition of things.

To give security along the route of travel between Fort Reading and

Yreka I have directed Colonel Wright to establish a system of dragoon escorts of which the citizens can avail themselves.

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,

Colonel 2d Infantry, Brevet Brigadier General, Com'g.

Colonel S. COOPER,

Adjutant General U. S. Army, City of Washington, D. C.

WAR DEPARTMENT,
Washington, April 13, 1853.

SIR: By an act passed at the last session of Congress, of which I enclose a copy, the President is authorized to make five military reservations from the public domain of not exceeding twenty-five thousand acres each, in the State of California, or in the Territories of Utah and New Mexico, bordering on said State, with the view of removing the California Indians thereto for subsistence and protection.

These reservations will be made subject to your approval by an officer whom you are hereby directed to detail for the purpose, in conjunction with the superintendent of Indian affairs in California, who will receive the necessary instructions from the Department of the Interior, and will report to you. You will please give such orders as will cause the selection to be promptly made.

The reservations being for sites of military posts as well as for Indian settlements, should be located with a view to intercommunication, and to accessibility from points of supply, as well as with regard to their adaptation to the Indians, not only in their present condition, but also when they shall apply themselves to agricultural pursuits.

In making the reservations, it will not be necessary to locate each within the limits exclusively of a single State or Territory, but it may be composed of contiguous tracts lying in different Territories, the whole constituting one body of the prescribed quantity of land.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Brevet Brigadier General E. A. HITCHCOCK,
*U. S. Army, Commanding Pacific Division,
Benicia, California.*

P. S.—A copy of the instructions of the Secretary of the Interior to the superintendent of Indian affairs is herewith enclosed.

HEADQUARTERS PACIFIC DIVISION,
San Francisco, August 15, 1853.

SIR: I have the honor to report that by unofficial information I am advised of an Indian disturbance of considerable extent in the

northern part of the State, within the district under the command of Brevet Colonel Wright.

I have anticipated something of this kind as a natural result of the treacherous massacre of a number of Indians last fall by a man known as Captain Benjamin Wright, and partly in view of it sent Captain Alden's company, 4th infantry, from Columbia barracks into that district. Captain Alden is now out in pursuit of Indians, with a few remaining men of his company. I had also directed Captain A. J. Smith to proceed from Fort Orford with his company of the 1st dragoons, now very greatly reduced, into the same district, and expect daily to hear of his having reached that country to unite with Captain Alden, who, acting under the immediate orders of Brevet Colonel Wright, will doubtless accomplish everything to be desired.

I trust that measures have been taken to send recruits to this division at an early day.

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,

Col. 2d Infantry, B. B. Gen., Commanding.

Lieut. Col. L. THOMAS,

Ass't Adj't Gen., Headq'rs Army, New York City, N. Y.

HEADQUARTERS PACIFIC DIVISION,
San Francisco, September 15, 1853.

SIR: I have the honor to report that since my communication of the 31st ultimo on the subject of Indian hostilities on Rogue river, on the dividing line between California and Oregon, there has been a fight with the Indians by volunteers, under the conduct of Governor Lane, in which Captain Alden of the 4th infantry participated, with about a dozen men of his company; and I regret to say that Captain Alden was badly wounded, gallantly leading a charge against the Indians, as subsequently reported by Major Alvord of the 4th infantry, from whose report of August the 29th, the battle having occurred on the 24th of August, I am happy to learn that Captain Alden's wound is not considered dangerous.

It is now understood and relied upon, though I am in want of official reports to this effect, that the difficulties on Rogue river have been brought to an end by the submission of the Indians and the surrender of their arms, under some treaty, the precise terms of which have not transpired.

In view of the increased and constantly increasing extension of white settlements on the trail from the Willamette to the Sacramento river, crossing Rogue river, I deem it important that a post be established on or near that river, and near the trail; and for this purpose I respectfully request that two companies of infantry—or three would be preferable—may be added to the troops nominally in this division.

I hope that I may soon hear that recruits are on the way to fill up the companies already here.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,

Col. 2d Infantry, B. B. Gen. Commanding.

Lieut. Col. L. THOMAS,

Ass't Adj't Gen., Headquarters of the Army.

HEADQUARTERS PACIFIC DIVISION,

San Francisco, September 30, 1853.

SIR: I have the honor to forward herewith a slip from the Placer Times and Transcript of this morning, containing a report from General Joseph Lane of the operations against the Rogue River Indians, to which I have nothing to add, having received no statements more full or differing in any particular from the report.

Captain Alden reports that he is rapidly recovering from his wound, his arm being yet stiff, however. He is now at Fort Jones.

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,

Col. 2d Infantry, Brevet Brig. Gen'l Comg.

Lieut. Col. L. THOMAS,

Assistant Adjutant General,

Headquarters of the Army, New York city.

[From the Placer Times and Transcript, San Francisco, Friday morning, Sept. 30, 1853.]

HEADQUARTERS CAMP ALDEN,

Rogue River, O. T.

SIR: On the 17th of August I received information, at my residence in Umpqua valley, that the Rogue River Indians, assisted by the Klamaths, Shastas, the bands living on Applegate and Grave creeks, had united and attacked the settlements in Rogue River valley, near Jacksonville; that a number of persons had been killed, a large amount of stock killed or driven off, and houses and grain burned; and that companies were being formed for the defence of the settlements, and for the purpose of a general war upon the Indians. I promptly notified the citizens of the neighborhood, and advised with Major Alvord, who was then present, engaged in the location of the road from Myrtle creek to Camp Stewart, and immediately proceeded, accompanied by Captain Armstrong, Messrs. Cluggage, Nickol, and some ten others, to the scene of hostilities. On the 21st I arrived at the headquarters of our forces, on Stewart creek, where I found Captain Alden of the 4th infantry, who had promptly, upon the first information being received by him at Fort Jones, on Scott's river, repaired to Jacksonville with ten men of his command, all who were

fit for duty, and forthwith proceeded to take energetic measures for an active and effective campaign, by appointing four commissioners of military affairs, and mustering into service all the volunteers for whom arms could be procured. His force, on my arrival, consisted of companies under Captains Goodall, Miller, Lamerick and Rhodes, commanded by Colonel John Ross, the whole under the command of Colonel Alden. These troops had been actively engaged in scouring the country in all directions, and had succeeded in driving the main body of the Indians to their strongholds in the mountains; pack trains were being collected in view of an extended pursuit of the Indians, and all other preparations were being made with the utmost despatch.

At the request of Colonel Alden and the troops, I assumed the command of the forces, and on the 22d, at 4 o'clock a. m., left camp for the mountains, having divided the forces into two battalions, in order better to scour the whole country. One battalion, composed of Captains Miller and Lamerick's companies, under the command of Colonel Ross, were directed to proceed up Evan creek, which emptied into Rogue river from the north, and continue on, if no traces of the Indians were found, until the two detachments should meet at a point designated, but if the trail was found, to follow it, and bring the Indians to battle. At the head of the other battalion, composed of Captains Rhodes' and Goodall's companies, commanded by Colonel Alden, I proceeded by the way of Table Rock, in the direction of the point designated on Evan creek. After advancing about fifteen miles beyond Table Rock, I discovered the trail of the Indians, and encamped upon it. I took up the line of march early next morning, and followed the trail with great difficulty, the Indians having used every precaution to conceal it. The country was exceedingly mountainous, and almost impassable for animals, and as the Indians had fired the country behind them, the falling of the burning timber and the heat delayed our progress, while the dense smoke prevented us from ascertaining with certainty the face of the country. About noon we came to the place at which they had encamped a few nights before, by the side of a stream in a dense forest; here they had killed a mule and a horse they had captured in a battle some days previous, and used them for provision. From this point we had more difficulty in finding the trail, it having been very carefully concealed and the mountains lately fired, but after some delay we again struck it. Late in the evening we came to the main fork of Evan creek, now called Battle creek, where we came to a spot at which the Indians had again encamped.

Beyond this all trace of the Indians seemed to be lost, and after searching in vain for the trail until dark, we were forced to encamp. The valley was very narrow, and almost entirely covered with an impenetrable thicket of maple vines, leaving scarcely room for the men to lie down on the bank of the creek; the animals were closely tied to the bushes, there being no grass or forage of any kind. The command was ready to move by daylight; a party on foot early discovered the trail, and after cutting out the brush for nearly a quarter of a mile, we succeeded in reaching it with the animals. About a mile further

up we crossed Battle creek, and ascended a high, steep mountain, which forms the dividing ridge of the numerous branches running into Rogue river; this part of the country had not been fired. About 9 o'clock a. m. we arrived at another Indian camp, on the ridge, at a spring, very difficult of access, on the side of a mountain. On leaving this camp we found that the woods had been recently fired, which induced me to believe that the Indians were not far in advance of us. About half a mile from the spring, as I was riding slowly in front, I heard the crack of a rifle in the direction of the enemy. Without halting I proceeded to a point commanding the rapid descent of the trail from the mountain, and, halting, could hear persons talking in their camp, about five hundred yards distant, in a dense forest, thick with underbrush, which entirely obstructed the view. As the troops came up they were ordered, in a low voice, to dismount, tie their animals, and prepare for battle. Colonel Alden, at the head of Captain Goodall's company, was directed to proceed on the trail, and attack the enemy in front, while a portion of Captain Rhodes' company was directed to follow a ridge running to the left of their trail, and turn their flank. Colonel Alden proceeded to engage them in the most gallant manner, his well-directed fire being the first intimation of our approach. It being found impracticable to turn their flank, Captain Rhodes proceeded at once to engage them on their right. The men were now deployed, taking cover behind the trees, and the fight became general. I was delayed a few minutes on the hill for the arrival of the rear guard; these were dismounted, and all, except fifteen men, I immediately led into action. On arriving on the ground I found Colonel Alden, who had been shot down early in the fight, dangerously wounded, in the arms of his faithful sergeant, and surrounded by a few of his own men. The battle was now raging with great fierceness; our men coolly pouring in their fire, unshaken by the hideous yells and war-whoops of the Indians, or by their rapid and more destructive fire. After examining the ground, and finding that the enemy were securely posted behind trees and bogs, and concealed by underbrush, and that it was impossible to reach them, except when they carelessly exposed their persons in their anxiety to get a shot at our men, I determined to charge them. I passed the order, led forward in the movement, and within thirty yards of their position, received a wound from a rifle-ball, which struck my right arm near the shoulder joint, and passing entirely through, came out near the point of the shoulder. Believing at the time that the shot came from the flank, I immediately ordered our line to be extended to prevent the enemy from turning our flank, and the men again ordered to cover themselves behind trees. This position was held for three or four hours, during which time I talked frequently to the officers and men, and found them cool, and determined on conquering the enemy. Finding myself weak from the loss of blood, I retired to the rear to have my wound examined and dressed. While here the Indians cried out to our men—many of whom understood their language—that they wished for a talk; that they desired to fight no longer; that they were frightened, and desired peace. Mr. Tyler was despatched, by Captain Goodall, to inform me of the desire of the In-

dians to cease firing and make peace. By this time Robert Metcalfe and James Bruce had been sent into their lines to talk, and having informed them that I was in command, they expressed a great desire to see me. Finding that they were much superior in numbers, being about two hundred warriors, well armed with rifles and muskets, well supplied with ammunition, and knowing that they could fight as long as they saw fit, and then safely retreat into a country exceedingly difficult of access, and being desirous of examining their position, I concluded to go among them. On entering their lines, I met the principal chief, Ive, and the subordinate chiefs, Sam and Jim, who told me that their hearts were sick of war, and that they would meet me at Table Rock in seven days, where they would give up their arms, make a treaty, and place themselves under our protection. The preliminaries having been arranged, the command returned to the place where they had been dismounted—the dead were buried, and the wounded cared for. By this time, Colonel Ross, with his battalion, arrived, having followed our trail for some distance. This gallant command were anxious to renew the attack upon the Indians, who still remained in their position; but as the negotiations had proceeded so far, I could not consent. That night was spent within four hundred yards of the Indians, and good faith was observed on both sides. At the dawn of day I discovered that the Indians were moving, and sent to stop them until a further talk had been held. Accompanied by Colonel Ross and other officers, I went among them and became satisfied that they would faithfully observe the agreements already made. By the advice of the surgeon, we remained that day and night upon the battleground, and then returned to Table Rock. Too much praise cannot be awarded to Colonel Alden—the country is greatly indebted to him for the rapid organization of the forces, when it was entirely without defence—his gallantry is sufficiently attested by his being dangerously wounded while charging at the head of his command, almost at the enemy's lines. Captains Goodall and Rhodes, with their companies, distinguished themselves, from the beginning to the end of the action, for their cool and determined bravery—no troops could have done better. The command of Colonel Ross, under Captains Miller and Lamerick, although too late to participate in the action, made a severe march through the mountains, and arrived on the ground one day sooner than I expected them; their presence was of great assistance to us.

Our loss in the battle was three killed—Captain Pleasant Armstrong, privates John Scarborough and Isaac Bradley; and five badly wounded—Colonel Alden, myself, and privates Charles C. Abbe, (since dead,) Henry Fleshor, and Thomas Hays. The Indians lost eight killed and twenty wounded, seven of whom we know to have since died.

Soon after my return from the mountains, Captain A. J. Smith, first dragoons, arrived at camp with his troop from Port Orford. His arrival was most opportune; his presence during the negotiations for a peace was of great assistance, while his troop served to overawe the Indians.

The governor of the Territory, upon the first information being received by him, promptly ordered out a company under Captain Nes-

mith, and sent them as an escort for a large quantity of arms and ammunition which were procured from Fort Vancouver. Captain Nesmith arrived after the negotiations had been commenced, but was of great service to me, from his intimate knowledge of the Indians and their language. Lieutenant Kautz, fourth infantry, accompanied Captain Nesmith, and had in charge a twelve-pound howitzer and caisson, which he brought safely into camp, although the road is a very difficult one, and seldom travelled by wagons.

A commission from the governor, as brigadier general, reached me a few days after I had assumed command at Colonel Alden's request.

A treaty of peace has been made with the Indians, and I have no doubt with a proper care it can be strictly maintained. The tribe is a very large one, and to a great extent controls the tribes in this part of the country—a peace with them is a peace with all. This, in my opinion, can only be perfectly secured by the presence of a considerable military force in this valley. I would therefore most earnestly recommend the establishment of a military post in the Rogue River valley without delay.

To Robert Metcalfe, who acted for me as a scout and guide, I am indebted for the faithful discharge of his duty. John Crosby and James Bruce also did good service in the same capacity.

On the expedition to the mountains, from the 22d to the 26th, N. G. T. Vault acted as my volunteer aid. At that time Captain C. Lewis joined the command, and handsomely performed the duties of assistant adjutant general until the 29th, when compelled by sickness to resign. Since that time, Captain L. F. Mosher, late of the fourth Ohio volunteers, has performed the duties of that office.

Dr. Edward Shiel, George Dart, Richard Dugan, and L. A. Davis, the commissioners appointed by Colonel Alden, were most active in the discharge of their duties, and kept the command supplied with provisions, transportation and other necessities for carrying on the war.

Major Charles S. Drew, assistant quartermaster, with his assistants, performed their duties with promptness and accuracy.

Doctor E. H. Cleveland, surgeon general, and his assistants were unremitting in their attention to the sick and wounded.

I have the honor to be, very respectfully, your obedient servant,
JOSEPH LANE.

Brigadier General HITCHCOCK.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, February 1, 1854.

SIR: By a report from Brevet Colonel Wright, commanding Fort Reading, of the 21st January, I am informed that Captain H. M. Judah, 4th infantry, commanding Fort Jones, Scott's valley, started in pursuit of Indians on the 16th with twenty-four men of his company. It would appear that a party of citizens from Yreka undertook to chastise the Indians for alleged thefts of cattle, and were driven back with the loss of four men. The Indians referred to are said to be near Cottonwood, on the Klamath, about fifteen miles from Yreka.

The particulars of this affair cannot be further known until a report shall be received from Captain Judah.

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,

Colonel 2d Infantry, B. B. General.

Lieut. Col. L. THOMAS,

Assist. Adj. General, Headquarters Army, New York.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, February 11, 1854.

SIR: I have the honor to forward herewith a copy of a report from Lieutenant A. V. Kautz, 4th infantry, commanding at Fort Orford, in which, under date of February 3, he describes a massacre of Indians near Fort Orford. The circumstances of this transaction are like many others which I have had occasion to lay before the department, showing that whatever may be the provocation alleged against the Indians, actual collision is usually precipitated by the whites, often eventuating in what is called an Indian war.

I am, sir, very respectfully, your obedient servant.

E. A. HITCHCOCK,

Col. 2d Infantry, B. B. Gen., commanding.

Colonel S. COOPER,

Adj. Gen., U. S. Army, City of Washington.

FORT ORFORD, O. T.,
February 3, 1854.

SIR: I have the honor herewith to enclose to you the post return of this post for the month of January, 1854.

I take this opportunity to inform the commanding general that a difficulty between the miners, in the vicinity of Coquille river, and the Indians of that neighborhood, led to an attack on the latter by the former, which resulted in the loss of sixteen Indians killed and four wounded; two of the latter and one of the former were women. No whites were killed or wounded. The affair occurred on the morning of the 28th ultimo at the mouth of the Coquille river. The miners were thirty in number, headed by Mr. Abbott, recently a sergeant of the 1st dragoons, discharged from this post. His party was divided into three detachments, and they attacked the three different lodges of families living there at daylight, before they were up, and fired upon them as they endeavored to escape into the woods. All the huts but one were burnt.

On application from the Indian agent, on the receipt of the first information of any difficulty, I accompanied him. I accompanied him to the Coquille river, and on our way were met with a despatch informing us of the attack and its result. From all that we could

gather of the circumstances, there does not appear to have been sufficient cause to justify such a hasty attack, and the whole proceeding has been strongly disapproved of by the Indian agent. The alleged cause was, that the chief had threatened war; that he would not treat with the whites; that he had fired a shot at the house at the ferry; that they had had a great many things stolen by the Indians; horses had been caught up and ridden by them, and one horse had been killed in this manner, and the rope at the ferry had been cut away. These were the complaints against them, many of which I have reason to doubt the truth, or at least the hostile purport of. The chief states that he had fired at ducks in the river, and not at the houses.

The Indian agent had been sent for, but, without awaiting his arrival, they proceeded to the above extremity. Whether there was cause or not, it is apparent that there was no need of such haste, when it is borne in mind that there are in the vicinity of the Coquille river over three hundred miners, and that the Indians in the whole country about there cannot raise a hundred and fifty warriors, and Abbott informed me that he believed they could muster about sixty or seventy. But it is not maintained that there were any others except those at the mouth of the river concerned in the affair; and they, before the fray, could muster about forty; this I learned from Abbott also. The Indians were not prepared for an attack, and made no resistance. They were found to have but three good guns, and two of these belonged to an adjoining tribe.

I make this communication in order that the commanding general may not be misled by newspaper statements. What the result will be, I am not prepared to say. The Indians at the council with the Indian agent were very much intimidated, and willing to assent to anything. I do not think that there is anything to apprehend from them in future, but it might be necessary to increase the number of troops at this post, in order to prevent the repetition of such an attack by the miners.

Very respectfully, your obedient servant,

AUGUST V. KAUTZ.

2d Lt. 4th Infantry, commanding post.

Major E. D. TOWNSEND,

Adj. Gen., Pacific Div., San Francisco, Cal.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, December 14, 1854.

SIR: I have the honor to forward, for the information of the honorable Secretary of War, copies of a report from Captain E. D. Keyes, and my letter to Colonel Henley, superintendent of Indian affairs, in relation to a new military reserve for the Indians, 20 miles west of Tehama, on the Sacramento river.

I can add nothing to the information contained in these papers.

I am, sir, very respectfully, your obedient servant.

JOHN E. WOOL,
Major General.

Colonel S. COOPER,

Adj. Gen., U. S. Army, City of Washington, D. C.

PRESIDIO OF SAN FRANCISCO,
December 12, 1854.

SIR: In obedience to the orders of Major General Wool, of the 26th of September, and of his verbal instructions communicated to me, I proceeded, in company with Colonel T. J. Henley, Indian agent, to the northern Indian reservation, and in his company rode over it and examined it in every part.

My verbal instructions from Major General Wool required that I should select a site for a military post, and that I should give my opinion of the reservation generally, and the facilities of subsisting a garrison upon it.

After examination, I concluded to recommend, as the most proper site for a military post, a place on Thomas' creek, just above the fork, and on the southerly side of the reserve. At this point there is good land for gardens, a constant supply of running water, wood in sufficient abundance, and grazing for public animals. The country about the reserve appears healthy, and the people living on Thomas' creek, some distance below, appeared as well as in the most salubrious portions of the State.

The landing place on the Sacramento river for supplies for this reservation is Tehama, about thirty-five miles below Fort Reading. The reservation is situated about twenty miles to the west of Tehama, from whence to the point selected for the military post, the road, in the dry season, is as good as any natural road in the world, and over which ordinary teams can haul the heaviest loads without doubling or unloading. In the wet season, I learned, the road is bad, as is the case with all roads in the river-bottoms of California.

The reservation, as laid off by Colonel Henley, is nearly of a rectangular form, bounded at the north and northeast by Elder creek, at the south and southwest by Thomas' creek, at the west by mountains, and at the east by a strip of worthless land. There are no inducements to tempt settlers in the immediate vicinity of the reserve, nor is there any reason for a thoroughfare through it; so that no white man can have any business on the reserve, except such as is connected with the Indian department.

It is not less than six miles across the reserve, north and south, and about five miles across east and west. The reservation, as laid off, contains, therefore, about twenty thousand acres, or double the area allowed for Indian reservations in California by act of Congress. The amount of good arable land, which lies in valleys in different parts of the reserve, I do not think will exceed three thousand acres. A greater number of acres, however, are good for grazing, and the larger part of the reservation produces wild oats, bunch grass, and such seeds and roots as the Indians gather for food. In some of the valleys the soil is very rich.

There is not a very large amount of wood on the reserve, though trees are growing in many places, and in some stand thick. The supply is sufficient for the Indians, and for a garrison for several years. There are several springs on the reserve, which afford an abundant supply of excellent water, and there are several streams which run a

portion of the year ; none, however, run all through the driest seasons.

It appears to me that Congress ought certainly to confirm this reservation as set off by Colonel Henley. If its limits are more restricted, so that settlers may establish themselves in contact with the Indians, the greatest disorders will ensue. As it is now, there is no more good land than the Indians will require to cultivate, and the selection of the reserve appears to have been most judiciously made, and to be perfectly adapted to the purposes for which it is intended.

I am informed by Colonel Henley that, in reference to the rancherias he has already established, and which he contemplates establishing, the point recommended by me as the site of a military post is as good as any that can be selected on the reserve.

I have the honor to be, sir, very respectfully, your most obedient servant,

E. D. KEYES,
Captain Third Artillery.

Major E. D. TOWNSEND,
*Ass't Adj't General, Department of the Pacific,
Benicia, California.*

Official:

E. D. TOWNSEND,
Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, December 14, 1854.

SIR: I have just received from Captain Keyes a report of an examination of the proposed reserve for Indians, twenty miles west of Tehama, and have the honor to inform you that I fully approve the site, so far as the instructions of the President make it incumbent upon me. I shall be glad to hear, also, that your wish to include the area of about 20,000 acres marked off by you is approved by the proper power. It is undoubtedly of the first importance that the Indians should be isolated, and shut off by natural impediments from contaminating influences with white men, and this can only be done by a judicious selection of tracts of land presenting natural barriers to the location of settlements near the reserves.

Captain Keyes indicates, in the following words, a site for a military post upon the reserve, which, if agreeable to your views, may be set apart for that purpose:

"After examination, I concluded to recommend as the most proper site for a military post a place on Thomas' creek, just above the fork, and on the southerly side of the reserve. At this point there is good land for gardens, a constant supply of running water, wood in sufficient abundance, and grazing for public animals."

Upon receiving from you an intimation that this selection will agree with your plans, I will detail an officer and six men to take post immediately at that site. I will direct the quartermaster's department

to send lumber there for the construction of a temporary shelter for the party, and will rely upon your having the building erected, as intimated to Major Townsend a few days since. I will also direct the officer to take with him a few extra muskets and ammunition, to be placed in the hands of men in your employ in case of emergency ; which plan I prefer to turning over the arms to you, as suggested in your letter of the 6th instant.

At present I have not troops available to station a larger number on the reserve, but, presuming that the party of six suggested by you will be sufficient for present purposes, I shall await the arrival of other companies, expected to arrive in the course of this winter, before erecting a permanent post there.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Hon. T. J. HENLEY,
Superintendent Indian Affairs, San Francisco.

Official :

E. D. TOWNSEND,
Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, July 28, 1855.

SIR: In reply to your letter of July 17, enclosing the letter of Mr. Ridley, sub-Indian agent, asking that a command of dragoons may be sent to collect a band of Indians, and bring them on the reserve, the commanding general directs me to say that he has no authority to order the troops upon such service. He supposes the residence of the Indians upon the reserve to be optional with them, and that the government guarantees to them protection from aggression while they do reside there. The troops are stationed upon the reserve to carry out this guarantee, and to prevent outbreaks or disorders which may suddenly occur among the Indians there collected. In case of such outbreaks, if a band of Indians leave the reserve in a state of excitement which might lead to bloodshed or disturbance among the settlers, the troops may properly pursue them to prevent such difficulties, and may, if possible, bring them back to the reserve. The troops may also be employed properly in punishing Indians who have committed acts of hostility upon the whites ; and if these Indians have refused to avail themselves of the advantages of living upon the reserve, after they have been offered to them, they cannot expect that the troops will be employed to protect them against aggression from the whites. It is well known that the Indians are easily influenced by military authority, and it is expected that assistance will be given by all proper means to the Indian agent in carrying out the views of the government ; but it is believed this assistance does not extend to collecting the Indians and keeping them, against their will, on the reserves. The duty of placing and retaining Indians on the reserves belongs to the superintendents of Indian affairs, or their agents, who,

it is supposed, possess the requisite qualifications to induce the Indians to accept the proffered boon of the government.

The General desires you to make a report in detail of the number of Indians on the Sebastian reserve, the mode of managing and feeding them, the number of citizens employed, and the number of acres of land under cultivation.

I am, sir, very respectfully, your obedient servant.

E. D. TOWNSEND,
Assistant Adjutant General.

COMMANDING OFFICER,
Fort Tejon, California.

WAR DEPARTMENT,
Washington, September 29, 1855.

SIR: I have the honor to transmit, herewith, for your information, a copy of a letter from Major General Wool, commanding department of the Pacific, enclosing copies of two letters from him to Superintendent of Indian Affairs Henley and Brevet Lieutenant Colonel R. C. Buchanan, on the subject of Indian affairs in Scott's valley and near Humboldt bay.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Hon. R. McCLELLAND,
Secretary of the Interior.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, August 14, 1855.

SIR: I have the honor to forward herewith copies of two letters on the subject of Indian affairs in Scott's valley and near Humboldt bay, which letters will explain themselves.

It is worthy of remark, that very nearly all the difficulties which occur with the Indians in this department originate with the whites, who seem bent on carrying out their threats to exterminate them.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Lieut. Col. L. THOMAS,
Asst. Adjt. General,
Army Headquarters, New York city.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, August 10, 1855.

SIR: In recent communications from the commanding officers of Forts Jones and Lane, I am informed of an outbreak among the In-

dians, on the Klamath river, about eighteen miles from Yreka, in which a number of whites are reported to have been murdered. Captain Judah, from Fort Jones, and Brevet Major Fitzgerald, from Fort Lane, moved promptly with detachments of troops to the scene of difficulty. A report from Fort Jones, Scott's valley, dated the 2d instant, states that the inhabitants of the valley had assembled with the avowed purpose of exterminating the unoffending Indians, known as the Shasta tribe, but some of the better disposed of the people, aiding the commanding officer of Fort Jones, about one hundred Indians, of all ages and sexes, were collected at that post on the military reserve. The officers of the army in that quarter, acting under their standing instructions, will do all in their power to suppress hostilities, bring the offenders to punishment if they be Indians, and protect the inoffensive savages from destruction. Nevertheless, I must strongly concur in the suggestion of one of the officers commanding a post, that a special agent be sent there, as soon as practicable, to provide for the sustenance and protection of the Indians in a suitable manner, which it is not in the power of the military authorities to do. Those now assembled on the military reserve, at Fort Jones, are subsisted for the present by issues of the army ration, but this is only authorized by the emergency, and cannot be continued.

I learn from Lieutenant Colonel Buchanan, commanding at Fort Humboldt, that the Red Cap, and other tribes in that vicinity, are at present all quiet. There seems to have been little or no concert between the Indian agent, Mr. Whipple, and the officers, Captains Judah and Floyd Jones, who have commanded detachments in that quarter, the indisposition seeming to be on the part of the agent to communicate with the officers. The troops will remain in their camp on the Klamath until the approach of the rainy season, when I shall direct them to be withdrawn to Fort Humboldt, as it would appear there will be no necessity for keeping them out during the winter.

I have to request that you will take such measures as will insure the payment of certain debts incurred in that quarter by Captains Judah and Floyd Jones "for provisions furnished to Indian allies and Indian prisoners." The amount contracted by the latter officer he represents to be from one hundred and fifty to two hundred dollars. You are aware that when the trouble first commenced, the officers commanding the detachment were obliged to employ Indian allies and scouts to discover the hostiles in their lurking places, and to keep the prisoners brought in, to protect them from massacre by the whites. It is for the subsistence of these Indians that I understand the debts were incurred.

I have only to add that the public interest seems to demand your immediate attention to the foregoing subjects.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Hon. T. J. HENLEY,
*Superintendent Indian Affairs,
San Francisco, California.*

Copy for army headquarters.

E. D. TOWNSEND,
Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, August 10, 1855.

SIR: Your letters of the 1st and 4th instant have been received.

The commanding general directs me to say, in reply, that he has not yet received any notice from the superintendent of Indian affairs of the intended location of an Indian reserve on the Klamath, and will, consequently, take no steps to recognize it, or to establish a post there. He approves the suggestion of yourself and Captain Floyd Jones as to withdrawing the command to Fort Humboldt at the approach of the rainy season. The general has written to Mr. Henley on the subject of providing funds for payment of the debts contracted for feeding the Indian allies and prisoners. In regard to the detention of Lieutenant Bates at Fort Humboldt, the general desires me to say that there is a great want of officers throughout the department, owing to the recent transfer of upwards of twenty captains and subalterns to other regiments. Lieutenant Bates was ordered to report in person to his regimental commander; if the latter assents to his being detained at Fort Humboldt, the general has no objection.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Bvt. Lt. Col. R. C. BUCHANAN.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, Cal., September, 18, 1855.

COLONEL: Herewith I forward a copy of a communication to Thomas J. Henley, superintendent of Indian affairs, relating to some one hundred and fifty Indians on the military reserve at Fort Jones. It is reported to me that these Indians were friends to the whites, yet the husbands of the squaws were killed by the white inhabitants, who, it appears, are determined to exterminate all Indians in that section of California. The Indians, mostly women and children, are under the protection of the troops commanded by Captain Judah. When they leave the reserve, unless under military protection, it is believed that they will be all destroyed. If the superintendent of Indian affairs will not grant relief, which he says he has no authority to do, what shall be done with the women and children? Shall they be subsisted at the expense of the United States?

Herewith I send a copy of Colonel Henley's communication of August 14. See my communication of the 10th August, already transmitted.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Colonel S. COOPER,

Adjutant General U. S. Army, Washington city, D. C.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, California, August 14, 1855.

SIR: I am in receipt of yours of 10th instant. The suggestion to send a special agent to the vicinity of Fort Jones cannot be adopted. By my instructions of the 17th of May last, I am expressly prohibited from employing special agents; nor have I any authority to provide for the Indians in the manner suggested. The law provides only for "colonizing and subsisting Indians on three military reservations," and the appropriation cannot be diverted to any other end. The accounts of Captains Judah and Jones, for provisions furnished "Indian allies and Indian prisoners," I have no authority to pay, but if those gentlemen will forward their bills to me, I will send them to the Commissioner of Indian Affairs for his decision.

I regret that the commanding general is of opinion that he cannot allow the assistance of the military to convey Indians to the reservations. The Indians respect the military, but know very little of the civil authority.

I could mention several instances where a small escort of soldiers would enable me to take large numbers to the reserve, and in many instances to prevent those conflicts that are of such frequent occurrence in mining districts. The Indians, especially those who have hostile intentions, will not leave their old haunts without some coercion, but when once removed they immediately become satisfied and contented. I will give one instance: I have twice had the Trinity Indians collected together for removal to Nome Lackee reserve. They are anxious to come. A portion of the tribe is now there. Those that remain are in a destitute and suffering condition, and there is constant danger of an outbreak, such as lately occurred at Humboldt, in Yreka county. Some of their squaws are kept by white men. They will not remain if their tribe leaves, and the white men will prevent the tribe from going to keep their squaws. Our force of white men is necessarily small. In the last instance, in Trinity county, there were but two white men. When the removal party was ready to move, those owning squaws came into camp with their revolvers, and drove the women away. Then a considerable portion of the Indians refused to go, and the removal was defeated.

It is my intention to leave here on Friday, in the steamer Columbia, for Humboldt, Klamath, and Yreka, and should be glad to bear any communication the general may see proper to send the officers in

command in that region, in regard to their co-operation with me in whatever it may be necessary to do for the restoration of peace in that quarter.

Respectfully, your obedient servant,

THOMAS J. HENLEY,
Superintendent of Indian Affairs.

Major General J. E. Wool,
Commanding Pacific Division, Benicia, California.

True copy :

R. ARNOLD,
1st Lieutenant 3d Artillery, A. D. C.

BENICIA, CALIFORNIA,
September 18, 1855.

SIR: Some hundred and fifty men, women and children, mostly women and children, whose husbands have been killed by the white inhabitants of California, are now on the military reserve at Fort Jones, and fed by Captain Judah. I would again call your attention, as Superintendent of Indian Affairs, to this subject, in order that some provision may be made for their subsistence. Can they not be received at the reservation of Nome Lackee, or some other reserve which you may have selected? If you will receive them at the Nome Lackee reserve, I will direct Captain Judah to send them down accordingly. It appears to me something ought to be done for these miserable creatures, who, it appears, were not in the wrong, and whom the white inhabitants are determined to exterminate.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

THOMAS J. HENLEY, Esq.,
Superintendent Indian Affairs, San Francisco, California.

WAR DEPARTMENT,
Washington, October 30, 1855.

SIR: I have the honor to transmit herewith, for your information, a copy of a letter from Brevet Major General Wool, commanding the Pacific department, enclosing his correspondence with Superintendent of Indian Affairs Henley, with regard to subsisting certain Indian women and children on the reserve at Fort Jones, and to invite your attention to the case presented.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Hon. R. McCLELLAND,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, November 5, 1855.

SIR: For your information, on the subject of your letter to this department of the 30th ultimo, I have the honor to enclose herewith a copy of the instructions to Superintendent Henley from the Commissioner of Indian Affairs, of the 17th May last, and a copy of a communication from the Commissioner addressed to this department on the 1st instant, in reply to the reference to him of your letter above referred to.

I am, sir, very respectfully, your obedient servant,
R. McCLELLAND,
Secretary.

Hon. JEFFERSON DAVIS,
Secretary of War.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, May 17, 1855.

SIR: Having received several communications from you of a recent date, enclosing reports of special agents employed in the Indian service of California, I have to remark that, Congress having authorized the employment of three sub-agents, to be regularly commissioned, and the recent act of March 3, 1855, embracing a proviso, which it is understood restores to California three agents, under the provisions of the act of September 28, 1850, the department must regard the provision thus made by Congress for that class of officers in California as sufficient for the efficiency of the service.

You will therefore discontinue the practice of employing special agents, and in pursuance of your instructions of August 12, 1854, nominate persons to fill the offices of sub-agent as provided by law, that in case the nominations be approved by the Secretary of the Interior, in whom the confirming power vests by the act of July 31, 1854, the persons may be duly commissioned and execute the necessary bonds, and take an official oath as prescribed by law.

The appointment of special agents can only be sanctioned when demanded by extraordinary circumstances, and it is not practicable that the required service be performed by regular officers of the department; and then only so long as is necessary to attain the special end or object which induced the appointment.

When special agents are charged with disbursing moneys, they are required by law (14th sec. act. 4th Aug., 1854, Civ. & Dip.) to give bond.

When the regular agents and sub-agents are duly appointed and qualified, they will relieve you in a great degree from making disbursements in detail. Funds turned over to them will be charged to them and accounted for directly to the treasury; and they will be under your supervision, the principal disbursing officers for the reservations or agencies at which they are respectively located.

It is in contemplation of law, and is the intention of the department, to change the policy too long acquiesced in as to California, of entrusting all the appropriations made for the Indian service in that State to a single officer for disbursement.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,
Commissioner.

THOMAS J. HENLEY, Esq.,
Superintendent Indian Affairs, San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 1, 1855.

SIR: I have considered the correspondence between Major General Wool, commanding Pacific division United States army, and Thomas J. Henley, esq., superintendent of Indian affairs in California, in relation to the superintendent receiving and subsisting certain Indians (principally women and children) which are on the military reserve at Fort Jones, and in charge of officers of the army, a copy of which was referred from your office on yesterday in the letter of the Secretary of War of the 30th ultimo, calling your attention thereto, and I would respectfully report, that I see no objection to the reception of the Indians in question by the superintendent, if delivered at one of the reserves in his charge.

Referring here more particularly to the letter of August 14, 1855, from Superintendent Henley to General Wool, refusing to receive these Indians because of my instructions to him of the 17th May last, I would call your attention to so much of those instructions (copy herewith) as relate to the employment of special agents, from which you will perceive that the employment of special agents for specific purposes of an extraordinary character, for limited periods during which such special services are requisite, was not only not prohibited, but impliedly sanctioned.

I would also remark, as connected with the expression of Superintendent Henley in that letter, "nor have I any authority to provide for the Indians in the manner suggested. The law provides only for colonizing and subsisting Indians on military reservations, and the appropriation cannot be directed to any other end;" that inasmuch as a copy of the letter to which he was replying is not with the papers referred, that I am not prepared to express an opinion as to whether he had not authority to provide for them "in the manner suggested."

However, under date of the 17th March last, when calling the attention of the superintendent to such clauses of the Indian appropriation bill as relate to Indian affairs in California, among other clauses of that bill I quoted (without special comment) that by which it is "Provided, That the superintendent of Indian affairs in that State be authorized, should he deem it expedient, to expend an amount not exceeding \$20,000 of the sum herein appropriated to relieve the temporary wants of the Indians outside to reservations."

A copy of the letters of General Wool of the 18th, copies of which accompany your references, will immediately be forwarded to Superintendent Henley, and he will be instructed to make arrangements, if he can, to receive the Indians in question.

In this connexion, permit me to call your attention to the facts stated by Superintendent Henley, in the letter of August 14, to General Wool, and the importance of provision being made by the Department of War to furnish small escorts to the superintendent of Indian affairs, when necessary, to enable him to effect the removal of the Indians to any of the reservations set apart for colonizing them.

The papers referred are now returned.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,
Commissioner.

Hon. R. McCLELLAND,
Secretary of the Interior.

P. S.—Superintendent Henley will be instructed, if the accounts for the subsistence of these Indians whilst in the charge of the officers of the army are presented to him, to forward them here for the decision of the department thereon.

G. W. M.

ADJUTANT GENERAL'S OFFICE,
Washington, December 5, 1855.

GENERAL: Your communication of September 18, 1855, enclosing a copy of your correspondence with Thomas J. Henley, superintendent of Indian affairs, in relation to subsisting certain Indians upon the reserve at Fort Jones, was duly submitted to the Secretary of War, and by him referred to the Secretary of the Interior; and I have the honor herewith to transmit for your information the letter of the former upon the subject, with the reply thereto.

I am, sir, very respectfully, your obedient servant,

S. COOPER,
Adjutant General.

Brevet Major General J. E. Wool, U. S. A.,
Commanding Department Pacific, Benicia, California.

WAR DEPARTMENT,
Washington, February 4, 1856.

SIR: In connexion with the letter from this department of the 30th October last, transmitting copies of papers received from Brevet Major General Wool in relation to the subsisting of Indians on the reservations in California, I have the honor to enclose for your information

copies of other papers on the same subject, just received from the assistant adjutant general of the department of the Pacific.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Hon. R. McCLELLAND,
Secretary of the Interior.

DEPARTMENT OF THE PACIFIC,
Benicia, January 2, 1856.

COLONEL: In order to a more full understanding of the subject of your letter of December 5, and its enclosure, I deem it proper, in the absence of Brevet Major General Wool, to forward the enclosed copies of letters on Indian affairs.

The letter to Colonel Henley of August 10 is referred to in Commissioner Manypenny's letter of November 1, as not having been furnished. Captain Gardiner's letter of July 17, and the reply, dated July 28, will show that the general principle of not furnishing troops to force Indians to move on the reserves against their will was all that General Wool intended to lay down as a rule for commanding officers of posts. In cases where it was supposed Indians would move if protected on the route, escorts have always been detailed; see, for instance, paragraph 4 of department special orders, No. 83, of September 24, 1855, which relate to Scott's Valley Indians. Colonel Henley consented to receive them on the Tehama reserve, but they refused to move, and Captain Judah has repeatedly reported their miserable condition since that time. In a letter of December 13, he says, enclosing a communication to Colonel Henley, "I am powerless, either in my capacity as commanding officer, or acting Indian agent, to alleviate the sufferings of the Scott's Valley Indians in camp at my post. Their neglect, under the severity of the weather, amounts to cruelty." The copy of his letter of November 2 sets forth the wants of the Indians, and Colonel Henley has been informed upon the subject.

I have the honor to be, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Colonel S. COOPER,
Adjutant General U. S. Army,
City of Washington, D. C.

FORT TEJON, CALIFORNIA, *July 17, 1855.*

MAJOR: I have the honor to enclose an application from Mr. Ridgely, Indian sub-agent, for a force to bring in certain Indians.

Not being informed whether it is the intention of the general com-

manding the department to employ the troops on such duty, and believing that it will impose a very great amount of harassing service on the troops, and in some instances bring them in hostile collision with the Indians, I have declined furnishing a command until I should receive instructions on the subject.

Mr. Ridgely informs me that the Indians near Tule lake will probably come in peaceably ; but there are some others near Walker's pass, who, in his opinion, will resist the troops. He further informs me that in all probability, from time to time, it will be necessary to send out parties to bring back such Indians as may leave.

In view of the probability of bringing on hostilities with Indians now peaceable, and the constant harassing of the troops in bringing in such Indians as may be discontented, (and they will be numerous,) I would very respectfully suggest that it would be better to leave the Indians unmolested.

Very respectfully, your obedient servant,

J. N. T. GARDINER,

Captain 1st dragoons, commanding.

Major E. D. TOWNSEND,

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

Benicia, July 28, 1855.

SIR: In reply to your letter of July 17, enclosing the letter of Mr. Ridgeley, Indian sub-agent, asking that a command of dragoons may be sent to collect a band of Indians and bring them on the reserve, the commanding general directs me to say that he has no authority to order the troops upon such service. He supposes the residence of the Indians upon the reserves to be optional with them, and that the government guaranties to them protection from aggression while they do reside there. The troops are stationed upon the reserve to carry out this guaranty, and to prevent outbreaks or disorders which may suddenly occur among the Indians there collected. In case of such outbreaks, if a band of Indians leaves the reserve in a state of excitement, which might lead to bloodshed or disturbance among the settlers, the troops may properly pursue them to prevent such difficulties, and may, if possible, bring them back to the reserve.

The troops may also be employed, properly, in punishing Indians who have committed acts of hostility upon the whites ; and if these Indians have refused to avail themselves of the advantages of living upon the reserve after they have been offered to them, they cannot expect that the troops will be employed to protect them against aggression from the whites. It is well known that the Indians are easily influenced by military authority, and it is expected that assistance will be given, by all proper means, to the Indian agents in carrying out the views of the government ; but, as is believed, this assistance does not extend to collecting the Indians and keeping them against their will on the reserves.

The duty of placing and retaining Indians on the reserves belongs to the superintendents of Indian affairs, or their agents, who, it is supposed, possess the requisite qualifications to induce the Indians to accept the proffered boon of the government.

The general desires you to make a report in detail of the number of Indians on the Sebastian reserve, the mode of managing and feeding them, the number of citizens employed, and the number of acres of land under cultivation.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Captain J. N. T. GARDINER,
First Dragoons, Fort Tejon, California.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, August 10, 1855.

SIR: In recent communications from the commanding officers of Forts Jones and Lane, I am informed of an outbreak among the Indians on the Klamath river, about eighteen miles from Yreka, in which a number of whites are reported to have been murdered. Captain Judah, from Fort Jones, and brevet Major Fitzgerald, from Fort Lane, moved promptly with detachments of troops to the scene of difficulty. A report from Fort Jones, Scott's Valley, dated the second inst., states that the inhabitants of the valley had assembled with the avowed purpose of exterminating the unoffending Indians, known as the Shasta tribe; but some of the better disposed of the people, aiding the commanding officer of Fort Jones, about one hundred Indians, of all ages and sexes, were collected at that post on the military reserve.

The officers of the army in that quarter, acting under their standing instructions, will do all in their power to suppress hostilities, bring the offenders to punishment—if they be Indians—and protect the inoffensive savages from destruction. Nevertheless, I must strongly concur in the suggestion of one of the officers commanding a post, that a special agent be sent there, as soon as practicable, to provide for the sustenance and protection of the Indians in a suitable manner, which it is not in the power of the military authorities to do. Those now assembled on the military reserve at Fort Jones are subsisted for the present by issues of the army ration; but this is only authorized by the emergency, and cannot be continued.

I learn from Lieut. Col. Buchanan, commanding Fort Humboldt, that the Red-Cap, and other tribes in that vicinity, are at present all quiet. There seems to have been little or no concert between the Indian agent Mr. Wipple, and the officers, Captains Judah and Floyd Jones, who have commanded detachments in that quarter; the indisposition seeming to be on the part of the agent to communicate with the officers. The troops will remain in their camp on the Klamath until the approach of the rainy season, when I shall direct them to be withdrawn to Fort Humboldt, as it would appear there will be no necessity for keeping them out during the winter.

I have to request that you will take such measures as will ensure the payment of certain debts incurred in that quarter by Captains Judah and Floyd Jones, for provisions furnished to Indian allies and Indian prisoners. The amount contracted by the latter officer he represents to be from one hundred and fifty to two hundred dollars. You are aware that when the troubles first commenced the officers commanding the detachment were obliged to employ Indian allies and scouts to discover the hostiles in their lurking places, and to keep the prisoners brought in to protect them from massacre by the whites. It is for the subsistence of these Indians that I understand the debts were incurred.

I have only to add that the public interest seems to demand your immediate attention to the foregoing subjects.

I am sir, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Hon. T. J. HENLEY,
Supt. Indian Affairs, San Francisco, Cal.

FORT JONES, CALIFORNIA,
November 2, 1855.

SIR: I have the honor to enclose herewith for transmission to Colonel Henley, superintendent of Indian affairs, a letter written by me in the capacity of acting Indian agent.

The recent murders by Indians of women and children on Rogue river valley were *literally* retaliatory of, and immediately succeeded the massacre by Major Lufton and his party of eighteen women and children out of twenty-five killed.

The Scott's Valley Indians, unless located upon the military reserve are at any moment liable to an attack similar to that made by Major Lufton, and the whites in the valley and its vicinity to the same deplorable results.

The Indians have as yet enjoyed no opportunity of laying in food for the winter, and the necessity for provision of some kind in the way of blankets and clothes is imperative. As soon as I can receive another wagon from Fort Lane, I shall endeavor to supply them with slabs from a saw-mill about five miles distant, for sheds to protect them from snow.

In view of the unexampled previous good conduct of the Scott's valley Indians, the neglect they have experienced at the hands of the Indian department, and their present necessities, I trust my communication to Colonel Henley will not be considered by the general commanding as unwarranted in tone or character.

Very respectfully, your obedient servant,

H. M. JUDAH,
Captain 4th Infantry, commanding.

Major E. D. TOWNSEND, U. S. A.,
Asst. Adjt. General, Dep't of Pacific, Benicia, Cal.

A true copy.

E. D. TOWNSEND,
Asst. Adjt. General.

BENICIA, HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, California, January 21, 1856.

SIR: I had the honor to receive yesterday, through General Kibbe, your communication of the 19th instant, relating to the protection of the people of Crescent City.

In reply, it affords me pleasure to say that not only your wishes, but those of the people of that city, were anticipated some two months since, when I ordered a detachment of fifty men for their protection. This force is now there, under the command of Captain D. F. Jones, a very efficient officer, who, no doubt, will be able to defend them in any attack that may be meditated by the few remaining Indians in that section of California. I would further remark that it is my intention, should it be deemed necessary, to send another company for the protection of the inhabitants of that region and Rogue river valley. These, with the three companies at Forts Lane and Jones, one at Humboldt, and another at Fort Orford, constituting a force of more than four hundred regulars, will, I trust, be all sufficient to protect the people of southern Oregon and northern California from Indian barbarities, without the aid of volunteers, especially as I am well informed that there are not now to exceed one hundred, at most, one hundred and twenty-five Indians in arms in all that region, against the whites. It is, however, greatly to be regretted that there are too many white inhabitants, both in Oregon and northern California, who go for exterminating the Indians, and, consequently, do not discriminate between friends and foes, the result of which has been the cause of the death of many innocent and worthy citizens both in southern Oregon and in northern California. Could the citizens be restrained from private war, I have no doubt peace and quiet would soon be restored to the people of that region of country.

Captain Judah, who has been exceedingly active and efficient in his efforts to protect the inhabitants on the frontier, says in his report, before me, of the second of November, that "the recent murders by Indians of women and children in Rogue river valley were literally retaliatory of, and immediately succeeded, the massacre by Major Lupton (a volunteer) and his party of eighteen Indian women and children, out of twenty-five killed." These were friendly Indians, going on to the reserve for protection.

Captain Judah further says, that "the Scott's Valley Indians, unless located upon the military reserve, are at any moment liable to an attack similar to that made by Major Lupton, and the whites, in the valley and its vicinity, to the same deplorable results. The Indians have as yet enjoyed no opportunity of laying in food for the winter; and the necessity for provision of some kind in the way of blankets and clothes is imperative." Such are the fruits of private warfare. In most cases, the innocent and most worthy are the sufferers.

It seems to me that with the ample means furnished by the United States for the Indians in California, something might be done for the Scott's Valley Indians. It is a cruel policy to leave these poor creatures in so miserable a condition, more especially as they have, under

all circumstances, remained friendly to the whites. The superintendent of Indian affairs says he is not authorized to give assistance to any Indians who will not go upon reserves.

All who are acquainted with the Indian character know that they cling with great pertinacity to the land of their forefathers and of their nativity, and these Indians, then, will not do the bidding of the superintendent so long as they can possibly exist without compliance. Last fall I called his attention to this tribe with the hope that he would lend an assisting hand, but he declined for the reason above given. I then asked him if he would receive them on the Tehama reserve, if I could get them to remove. He answered in the affirmative. I sent my aide-de-camp Lieutenant Bonnycastle, who was well acquainted with, and had exerted considerable influence over them, to remove them. They, however, refused to leave their country. I have thought proper to say thus much in relation to the Scott's Valley Indians, because I have been informed that the superintendent had said that I had taken upon myself to manage them, and he thought he would not interfere. I have no authority whatever to interfere, nor means to provide for the Indians. It belongs exclusively to the Indian department, and it was the special duty of Colonel Henley to have looked after these naked and miserable creatures. He had the means to provide for them, and he might at least have made an effort to remove them, which he refused to do when I offered my services in his aid if they could be induced to remove.

In conclusion I have only to remark that I shall ever be ready to co-operate with your excellency in any measure that will, in any respect whatever, tend to preserve and protect the inhabitants of the frontiers of California from Indian barbarity.

I have the honor to be, with considerations of the highest respect,
your obedient servant,

JOHN E. WOOL,
Major General.

His Excellency J. N. JOHNSON,
Governor of California.

WAR DEPARTMENT,
Washington, March 6, 1856.

SIR: I have the honor to transmit herewith for your information a copy of correspondence of Brevet Major General Wool, commanding department of the Pacific, with Colonel Thomas J. Henley, superintendent of Indian affairs, relating to the Scott's Valley Indians, and also of his letter to Governor J. N. Johnson, of California. I make no comment on these papers, as they need none.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Hon. R. McCLELLAND,
Secretary of the Interior.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, California, January 26, 1856.

SIR: I have just received your communication of the 25th instant. In reply, I would remark that I have nothing to do with removing the Indians to reservations; that is a duty which belongs exclusively to you. Escorts to give them protection from the whites, both in travelling and when on the reserves, will always be furnished.

Owing to the peculiar condition of the Scott's Valley Indians, apprehensive of being destroyed by the whites, they sought protection of the troops at Fort Jones. Over a hundred are now on the military reserve of that post, and are supplied with subsistence by Captain Judah from the army stores. To relieve Captain Judah from the care and subsistence of these Indians, which does not properly belong to the army, but was temporarily assumed, until you could provide for their care, your attention was called to this subject as early as September last. You replied that you could do nothing for them, unless they would remove to some reservation. Anxious to have them removed, I asked if you would receive them at the Nome Lackee reserve if I would induce them to remove. You replied in the affirmative. Accordingly I sent my aide-de-camp, Lieutenant Bonnycastle, who was well acquainted with, and had exerted considerable influence over them, to make the attempt. He, however, failed; the Indians refusing to leave the country they had so long inhabited.

The Indians have since remained on the military reserve, whilst they have been subsisted from the military supplies of the post; no attention being paid to them by the Indian department. Thus the matter stood until, I think, Tuesday last, when you proposed to remove them to the Nome Lackee reservation, if I would furnish you with mules, as you had none to transport their baggage, I replied that I would, and that I would do all I could to aid in their removal. I have, however, no means to aid you, beyond furnishing mules for the transportation of their baggage. I have neither money nor goods to give them to induce them to remove, nor authority to furnish them with provisions whilst travelling from Fort Jones to the reservation. The Indian department has all the means necessary at its disposal, and it should not hesitate to apply them. You have only to appoint an efficient agent to conduct them, at the same time furnishing him with the means of subsisting them, and a few clothes to cover their nakedness.

The superintendent of Indian affairs in Oregon removes the Indians of that Territory to reservations at the expense of the Indian department. He asks no assistance to remove them. He furnishes subsistence and transportation. He simply asks military protection to the Indians after they have removed to the reservation.

I have thought proper to say thus much, because in your communication you say "it is with the understanding that you are willing to remove the Indians, provided I can induce them to go willingly, that I make this agreement with Major Steel." I repeat that I have nothing to do with removing them, except by way of advice. That duty belongs to you and not to myself.

Captain Judah will be instructed to do all in his power to aid you in inducing them to remove.

As soon as you will let me know when you will attempt the removal of the Indians at Fort Jones, and the name of your agent, I will give orders for the mules necessary for the transportation of their baggage. The mules must be taken from Fort Reading, as we have not a sufficient number at the present time to spare from Fort Jones. The mules must be foraged at the expense of the Indian department. It would be well to ascertain the number of Indians who will remove. This is necessary, in order to determine the number of mules that will be required for the transportation of their baggage.

Herewith I forward a copy of a letter dated November 2, 1855, relating to the condition of the Indians in question.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Colonel T. J. HENLEY,
*Superintendent of Indian Affairs for California,
San Francisco.*

P. S.—I would remark that I have no authority to furnish mules for the transportation of Indian baggage. I consent in this case, with the hope that it will be sanctioned by the War Department. I would also remark, that whether or not I can furnish them will depend on the number required. Most of the mules on hand will be required for Oregon and Washington Territories, in the transportation of supplies, &c., for the troops there.

JOHN E. WOOL,
Major General.

FORT JONES, CALIFORNIA, *November 2, 1855.*

SIR: I have the honor to enclose herewith, for transmission to Colonel Henley, superintendent of Indian affairs, a letter written by me in the capacity of acting Indian agent.

The recent murders by Indians of women and children in Rogue River valley were *literally* retaliatory of, and immediately succeeded, the massacre by Major Lupton and his party of eighteen women and children out of twenty-five killed.

The Scott's Valley Indians, unless located upon the military reserve, are at any moment liable to an attack similar to that made by Major Lupton; and the whites in the valley and its vicinity to the same deplorable results.

The Indians have as yet enjoyed no opportunity of laying in food for the winter, and the necessity for provision of some kind in the way of blankets and clothes is imperative.

As soon as I can receive another wagon from Fort Lane, I shall endeavor to supply them with slabs, from a saw-mill about five miles distant, for sheds, to protect them from snow.

In view of the unexampled previous good conduct of the Scott's Valley Indians, the neglect they have experienced at the hands of the Indian department, and their present necessities, I trust that my communication to Colonel Henley will not be considered by the general commanding as unwarranted in tone or character.

Very respectfully, your obedient servant,

H. M. JUDAH,

Captain 4th Infantry, Commanding.

Major E. D. TOWNSEND, U. S. A.,

*Assistant Adjutant General, Dep't of Pacific,
Benicia, California.*

True copy.

RICHARD ARNOLD,

1st Lieutenant 3d Artillery, A. D. G.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, California, December 29, 1855.

SIR: I am this day in receipt of yours of the 1st November and December 13.

This is the first information I have been able to get (though I have made frequent inquiry,) in regard to the Indians at Fort Jones, to which you allude. It is true I have not paid an official visit to Fort Jones. I am not, however, ignorant of the condition of those Indians. The enclosed correspondence will acquaint you with the fact that I had already made such provision for them as met the approbation of the commanding general. An arrangement entirely consistent with the plan of colonizing the Indians on reservations, and perfectly within the scope of my powers. I was informed by General Wool, in September last, that he had dispatched an officer to Fort Jones to remove them to Nomee Lackee, in conformity with this arrangement, and I was for some time in the daily expectation of their arrival. It was only very recently that I was informed they were not to be sent. Of the cause of this, or the influence which prevented their removal, I am not advised. It must be obvious to you that I could not have been expected to provide for the subsistence of those Indians at Fort Jones at the time that I was expecting their arrival at Nomee Lackee, where ample provision had been made for them.

Your letter of the 1st of November was not forwarded to me from General Wool's office until this date, or it would have received an immediate answer.

I have been informed verbally by Generals Wool and Cross, that the reason why those Indians were not removed was because they were unwilling to leave their present location. Now, what I understand to be my duty on this subject is to provide as speedily as possible for the reception of all suffering Indians on the reservations. This I have done, and have no doubt of being able at all times to receive and take care of Indians situated as those are to which you allude; and though it may appear, and no doubt does appear, to you, that "something

must surely be amiss, either in the organization or administration of the Indian department in this State," I am at a loss to perceive the particular appropriateness of the rebuke. In regard to the question of providing for those Indians, under existing circumstances, if they have, under the advice of the acting agent, declined the relief and protection offered them at the reservation, it would seem to be a doubtful question whether they are entitled to any other.

I have no doubt of the meritorious character of those Indians, but I regard the policy of feeding those who refuse to go to the reserve as injurious to the policy of colonization, as contemplated by the system now in operation.

Respectfully, your obedient servant,

THOMAS J. HENLEY,
Superintendent Indian Affairs.

Capt. H. M. JUDAH,
Commanding Fort Jones.

A true copy.

D. R. JONES,
Assistant Adjutant General.

FORT JONES, CALIFORNIA,
January 21, 1856.

SIR: I have the honor to enclose herewith a copy of the answer of Colonel Henley, superintendent of Indian affairs in this State, to my communications to him forwarded through your office.

Colonel (Henley) should be, and is, acquainted with the duties of the Indian department in this State. I must, however, confess my surprise at their limited character, and according to the statement of Colonel Henley that their exercise is confined to the administration of Indian affairs upon an *established* reserve I *had* supposed that the necessary preliminaries to the removal of Indians upon a reserve, including their preparation for the so serious a change to them, was one of the most delicate, if not difficult portion of the duties appertaining to the Indian department. It however appears from the letter of Colonel Henley that such is not the case, and that the Indian department passively awaits upon their reserves the reception of Indians who may be pleased to claim the privileges which they are said to afford. How the Indians are to be reconciled to the relinquishment of their homes, what inducements are to be legally offered them, how the expenses of their removal are to be provided for, Colonel Henley does not pretend to say or advise upon; his silence in reference to these details is appropriate, if, as he states, or at least plainly intimates, that his duties are restricted to the reception of Indians who may present themselves for admission upon the reserve.

I beg to be excused for having been thus explicit in making the above deductions from the communication of Colonel Henley; for a correct understanding of his views and intentions, particularly in ref-

erence to the Scott's Valley Indians, is necessarily preliminary to any steps which may be taken towards their permanent disposition.

A small band of the Scott's Valley Indians, under a sub-chief named Jack, has for some time past evinced a disposition, if not actually hostile, by no means pacific. With a view to prevent, if possible, any communication with the hostile Indians, I have insisted upon their close and continued residence upon the military reserve, where I could easily detect any attempt at such, as well as any disposition to change their existing friendly relations towards the whites. Some two weeks since Jack, with his small party of six, without my knowledge or consent, removed from the Indian camp upon the reserve to the hills, some four miles distant. Upon sending after him he left the rancheria and appeared upon the hills with his men, all armed with rifles, which hitherto had been kept concealed, while I was led to believe that all the guns had been given up to me. Without entering into tedious details, I will merely state that I succeeded, without making any promises of pardon, in getting in his party, who delivered to me their guns. I confined three of them for a few days, but released them, aware that without the influence of Jack they were powerless.

Jack has ever been a bad Indian, and but for the absence of co-operation would ere this have taken up arms against the whites. I am perfectly satisfied that as soon as spring opened he intended to commence his depredations; indeed, he has since his confinement confessed to me that during my absence in Rogue River valley he was visited by hostile Indians living in the vicinity of the cave. His movement, as above stated, was made with a view to more frequent and unrestrained intercourse of the same description, preparatory to a descent upon the whites in this valley in the spring. Under these circumstances, I have him, with another one-eyed Indian, equally as bad, ironed and in close confinement, and shall never feel justified in releasing him, his previous intentions being now confirmed and strengthened by revengeful feelings induced by his confinement.

The public interest demands that some permanent and safe disposition should be made of the Scott's Valley Indians before the opening of the spring. Although, if unmolested by whites, and while actually present among them, I will be answerable for their good conduct, they may, under other circumstances, become infected with the hostile feelings which seem to be general among the entire race, and inducements will, no doubt, as they have been, be offered them to join their hostile brethren. I cannot safely allow them their usual range, while at the same time it would be cruel to withdraw the supply of food. I have been obliged to furnish them, without restoring their guns, with which to supply themselves, and this I cannot, *under any circumstances*, do. I therefore respectfully request some specific instructions as to what steps I may take with a view to their location upon one of the reserves. I would advise that two of their number be allowed to visit both the Nome Lackee reservation and that upon the Klamath, under charge of an officer, and that they be led to believe that a choice between the two is imperative, otherwise their strong attachment to the land of their birth will render their removal, except by force, impossible. I have no doubt but that hostilities will be resumed

by the Indians in the spring with a renewed vigor, and should not be at all surprised at the occurrence of depredations in Scott's valley, a contingency which will seriously compromise the safety of the Scott's Valley Indians, let their relations towards the whites be of ever so peaceful a character.

Very respectfully, your obedient servant,

H. M. JUDAH,

Captain 4th Infantry, commanding.

Major E. D. TOWNSEND, U. S. A.,

Assist. Adj. Gen. Dept. of Pacific, Benicia, Cal.

A true copy.

D. R. JONES,

Assistant Adjutant General.

OFFICE OF SUPERINTENDENT OF INDIAN AFFAIRS,
San Francisco, Cal., January 25, 1856.

SIR: I have had to-day a conversation with Major Steel, of Yreka, who is well acquainted with the Indians now at Fort Jones, having resided for several years in Scott's valley; and for the purpose of providing for the removal of those Indians, according to your wishes, I have made arrangements to appoint Major Steel a special agent to accompany the chiefs of this tribe to Nome Lackee reservation, and if the chiefs report favorably to removal, to aid in starting them to the reserve. But it will not be convenient for Major Steel to superintend the removal party to the reservation; it will, therefore, be necessary, in case of removal being consented to, for you to detail an officer for that purpose, with a sufficient number of mules for the transportation. It is with the understanding that you are willing to remove the Indians, provided I can induce them to go willingly, that I make this agreement with Major Steel, who is confident that he can obtain their consent to removal without difficulty. It appears to me necessary, and I would therefore suggest that the officer in command at Fort Jones should be instructed to co-operate fully with Major Steel in preparing the minds of the Indians for the proposed change in their location.

You will observe that this proposition differs from the one I made to you in conversation on Monday last, for the reason that Major Steel can only spare time for one trip to the reservation.

I am, sir, very respectfully, your obedient servant,

THOS. J. HENLEY,

Superintendent of Indian Affairs.

Major General JOHN E. WOOL,

Com'g Pacific Division, Benicia, Cal.

A true copy.

D. R. JONES,

Assistant Adjutant General.

FORT READING, CALIFORNIA,
March 30, 1856.

MAJOR: The general commanding the department directs that instead of complying with department special orders No. 30 of the 24th instant, directing you to move south with your company, you will proceed with it, without delay, to Fort Jones, and take command of that post, and give such protection to the inhabitants of that vicinity as circumstances may require. As soon as you arrive at Fort Jones the general wishes you to transmit to him a detailed report of the state of affairs in that region by the most expeditious route.

I am, sir, very respectfully, your obedient servant,

D. R. JONES,
Assistant Adjutant General.

Brevet Major F. O. WYSE,
Third Artillery.

WAR DEPARTMENT,
Washington, April 1, 1856.

SIR: I have the honor to transmit herewith for your information copies of letters from Colonel Nauman, Captain Burton, and Don S. Arguello, transmitted to this department by Major General Wool, together with a copy of his letter to Colonel T. J. Henley, superintendent of Indian affairs, all relating to Indian affairs in southern California.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Hon. R. McCLELLAND,
Secretary of the Interior.

BENICIA, CALIFORNIA, February 19, 1856.

COLONEL: Herewith you will receive reports from Lieutenant Colonel Nauman, Captain Burton, Don S. Arguello, and one from myself to T. J. Henley, superintendent of Indian affairs in California. All which are respectfully submitted with the request that they be forwarded to the Secretary of War.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Lieutenant Colonel L. THOMAS,
Assistant Adjutant General, New York.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, February 13, 1856.

SIR: Herewith I enclose copies of letters from Lieutenant Colonel Nauman, Captain Burton, and Don S. Arguello, relating to Indian affairs in southern California, which no doubt will claim your attention. We have war at the present time with the Indians on the Rogue river, the Walla-Wallas, Umatillas, Pelouses, part of the Cayuses, and the Yakimas. The last five tribes are east of the Cascade mountains, and the Klikatats on Puget's Sound.

From the letter of Colonel Nauman I apprehend no danger from the Indians on the Colorado. He, however, deems it essential, in order to preserve peace, that an agent should be appointed over the Indians in that section of country, and some provision be made to supply them occasionally with subsistence.

From Captain Burton's letter it would appear that the Indians occupying the country, as described in the map herewith sent you, are restless and discontented. You will also perceive by Don S. Arguello's letter that the Indians of the pueblo of San Pasqual complain of great injustice.

Altogether, I think them of sufficient importance to claim your immediate attention, in order that those Indians and other tribes may be kept quiet until the war in the north is brought to a close, when I shall have troops sufficient at my disposal to give ample protection to the inhabitants of southern California.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Colonel T. J. HENLEY,
*Superintendent of Indian Affairs,
San Francisco, California.*

FORT YUMA, CALIFORNIA,
January 28, 1856.

SIR: I have the honor to report that I arrived at Fort Yuma on the 22d instant, and that on the 23d, and in accordance with instructions, I minutely inspected the post and its garrison. I find both to be in excellent condition and the command to be conducted with firmness, vigilance, and in a manner calculated to inspire confidence and give entire satisfaction. I consider the commanding officer quite equal to his position. The place is abundantly strong, and with but little skill may be successfully defended against a very large body of such people as the Yumas, whose weapons are clubs and bows and arrows.

It appears to have been understood that a portion of the military supplies of the post are beyond the reach of proper protection in case of hostilities with the Indians. Such is not the case. It is true, a large storehouse to serve as a depot for quartermaster and commissary stores has been constructed at the base of the hill at the entrance of the fort,

and rather too far off for protection with musketry against Indians in case of serious attack; but it is not used, and need not be under existing circumstances. All stores are brought within the *enceinte* of the place and deposited in buildings near the guard-house, and are thoroughly protected. I have given the necessary instructions to leave nothing to hazard. All reasonable precautions are taken to guard against surprise. No Indian remains in or about the fort after retreat; even the most important chiefs depart for their homes at that time with apparent alacrity, so well does the rule seem to be understood and acquiesced in. The ammunition pertaining to the post is at present deposited under canvass cover on the parade near the guard-house.

It is under complete control of the garrison. Authority has arrived for constructing a magazine, and a suitable building in a proper place for such purpose has been commenced.

On the 24th, I had a conference with Pasqual, the principal chief of the Yumas and Colorado, the principal chief of the Coeapas, and several sub-chiefs of both nations. They all profess the most anxious desire to live in amity with each other and the whites. They assert most positively that they have no hostile intentions either against us or against each other; but that a bitter feud of very ancient date exists between the two people, and that it is constantly likely to break out into overt acts. I do not think these people could easily be prevailed on to combine for scarcely any purpose whatever. I have made the most sedulous inquiries to ascertain if there were any intercommunication between these tribes and those far north, and have come to the conclusion that there is none whatever. They do not seem in the slightest degree to be acquainted even with the banks of the river Colorado; beyond a few hundred miles, all beyond seems to them a land of mystery. All these Indians at this moment are restless because, as they say, they are hungry. A few rations of hard bread and flour judiciously bestowed on them will, I think, keep them quiet. They seem to be exceedingly improvident. I am satisfied that if there were an Indian agent permanently resident at this point, or in the vicinity, a vast deal of good would result from it, and it would certainly save the military much trouble and vexation, and which, from the present state of things, they are necessarily forced to assume, although in nowise pertaining to them. I believe there are several persons who claim to be Indian agents for this region. If George F. Hooper, for instance, who has a fixed abode here, could be appointed, I am convinced most beneficial effects towards keeping the Indians quiet might be immediately expected from it. Some such an appointment seems to me an indispensable necessity.

With a respectable force here, say 200 men, and with strict discipline, I am of opinion nothing whatever need be apprehended from the savages in this neighborhood. The present garrison, in its aggregate, presents numbers 131, and there are some thirty other white men always on hand, well armed, and who may be relied on. Besides, there are some Mexicans, but I do not think any assistance from them should be taken into serious consideration. People travel about here very

frequently, perhaps too much so, without any arms whatever, a fact which will best show the general pacific temper of the natives.

I have been unable to discover the cause of the recent alarm at the fort, but it seems universally conceded now that it originated in some misapprehension.

The steamer on the river made a very successful return trip a few days ago, so that no apprehension is entertained on the score of supplies.

Very respectfully, your obedient servant,

GEORGE NAUMAN,

Brevet Lieut. Col., Major 3d Artillery.

Major E. D. TOWNSEND,

Ass't Adj't Gen., Dep't of the Pacific, Benicia, Cal.

MISSION SAN DIEGO, CALIFORNIA,
January 27, 1856.

MAJOR: I have the honor to report that I left this post on the 17th inst., with a mounted force of 27 non-commissioned officers and privates, and during an absence of eight days visited the different Indian tribes living between this point and Temecula, 70 miles to the north, by my route.

The accompanying map will show you the different localities to which I refer in this report.

On my arrival at *San Bernardo*, on the 17th instant, I sent for *Panto*, captain of the San Pascual Indians, and during a long conversation with him he urged most forcibly the right to protection from our government against the encroachments of squatters upon the lands legally granted to his people.

The letter from Don Jose J. Ortega, accompanying my previous report, and the letter I now send you from Don Santiago Arguello, (marked "A") will give the reasons why *Panto* is so urgent in his wishes for protection against some five or six squatters, who are taking possession of the best lands granted to his people. It appears to me, that this is a very just and proper occasion for the personal interference of the superintendent of Indian affairs.

The Indians of San Pascual are friendly and are anxious to remain so, but if their lands are taken from them without scruple, they must retire to the mountains, naturally discontented, and ready to join in any depredations upon the whites.

When I arrived at Temecula, on the 19th instant, Manuel Cota, captain general of the San Luis Rey Indians, and Juan Antonio, captain general of the *Carvilla* Indians, were sent for. Manuel presented himself to me on the 20th instant, and, to my surprise, I met a very intelligent and well informed man, for his class. He is a half-breed, and has great control over his people. He complained very much of the number of Indian sub-agents in this country, and of the difficulty he met with in deciding who he ought to obey. He very properly said, "let us have one agent and we shall know what to do, but as it

is we are in trouble, we do not know what to do, we do the best we can, but sometimes make mistakes; we wish the superintendent of Indians to visit us, that he may see how we are living; we wish to talk with him, and tell him our wants, why does he not come to see us as well as the Indians of the Tulare and the Indians in the north, we claim his attention as much as they do?"

I discovered that an intense hatred existed between these Indians and those of Juan Antonio, (the Carvillas,) so much so that Manuel asked permission to join me with 500 warriors, if it should be necessary to make any hostile movements against the *Carvillas*; I declined his offer, although I think the policy of using friendly Indians in this country, under such circumstances, would be advantageous.

The number of Indians of the San Luis Rey tribe is 2,470, and of these nearly 600 are able bodied men.

I send you with this (marked "B") a copy of a paper given to me very lately. The object of this paper is very evident. The date is August 27, 1855, the date of the yearly feast at San Luis Rey, when many persons congregate there. It is generally believed in this country that Cave J. Coutts, esq., Indian sub-agent, whipped to death the two Indians about the 4th of July, 1855.

You will observe that this paper sustains my former opinion, that it is best to have but one Indian sub-agent in this country.

This opinion has been somewhat changed since my march to Temecula. One agent would have enough to do (if he performed his duty properly) in looking after the interests of the San Luis Rey Indians, and I would recommend that *two* agents be appointed for this county; one for the San Luis Rey and one for the San Diego Indians, *entirely independent of each other*.

This division among the Indian had its origin at the time the missions of San Luis Rey and San Diego were flourishing, and the descendants of the Indians belonging to these missions continue the same system.

The *differences* between the Indians in the time of the missions still continue.

The policy of appointing one Indian captain general over the different villages of one tribe is of doubtful policy. If this captain general is a man of character, he acquires an immense influence. His Indians become ready to obey him at all hazards, and if he wishes to cause difficulties his whole tribe follow him.

By making the captains of the different villages independent of one another, receiving their orders and instructions direct from the Indian agent, no one of them will have influence enough, usually, to cause a general outbreak of their tribe. It must be partial, owing to the jealousies that will arise among the different captains.

Manuel Cota deserves the most cordial approbation for his management of the San Luis Rey Indians thus far, but if he becomes discontented he can do great harm. In the paper marked B, I notice a recommendation that "Manelito" Cota be appointed as captain general of the San Luis Rey and Diegino Indians, with a *proper and reasonable salary*. This will be a bad precedent to establish among these Indians. It will give one Indian too much influence over the others. If it could be determined that this influence would be used in

our favor *always*, it might do very well, but as it is the experiment will be dangerous.

On the 22d instant Juan Antonio, captain general of the Carvilla Indians, presented himself to me at Temecula. At first his general manner and bearing was quite haughty, almost insolent.

My first question to him, "what were you doing among the Yumas in August last?" took him by surprise, and during my intercourse with these Indians I have never met with one so completely astounded. This question was followed by several others of a similar character, showing him that his movements for the past five months were known to the government. His manner was entirely subdued before the conclusion of the council.

I am satisfied that he endeavored to form a combination with the Yumas and the Molxaves for the purpose of attacking the white settlements in this region of country during the months of August, September, October, and November last, but failed; first, because the Yumas would not join him and the Molxaves hesitated too long; and second, because the Mormons at San Bernardino sent fifty or sixty men and made him a prisoner before his plans were matured.

The number of the Carvilla Indians under the command of Juan Antonio is much larger than persons generally suppose. A few days before I arrived at Temecula a census of his tribe was taken, and the number of men alone amounts to 3,500; of these at least 1,500 are fighting men.

Juan Antonio stated to me that he and his people wished to see the superintendent of Indian affairs. They wish to have a long talk with him about their wants—about the twelve or thirteen American families who have settled upon their land without their permission; they wish to be furnished with ploughs, hoes, spades, cattle, &c., in compliance with the treaty made with them in 1852 by Indian commissioner O. M. Wozencraft. He was advised to go home to his people and keep them quiet, and probably something would be done for them; that their wishes would be made known to the general commanding the troops; and that they would be punished if they caused difficulties. He intimated that there were but few troops; that most of them were occupied with the Indians away up north. He was told that six hundred well-armed men, with plenty cannon, could be brought against him immediately.

I mention this to show the manner of reasoning of this Indian. My impression is, that Juan Antonio and his people require watching; and I recommend that, as often as once in four or six weeks, a party under the command of a commissioned officer, and from twenty-five to thirty strong, be sent to visit them. The march will occupy from eight to ten days.

I am happy to inform you that a force of from three hundred to five hundred well armed men can be raised at San Bernardino, whenever the authorities there are called upon by the proper officers of the general government.

I have no doubt that the prompt movement of the force from San Bernardino, in the early part of November last, checked Juan Antonio in his projects; and I think my visit to Temecula was beneficial.

Mr. John Rains, Indian sub-agent at Temecula, placed at my disposal all the means in his power to aid me in accomplishing the object of my visit in a satisfactory manner, and thanks are due him for so doing.

The different villages inhabited by the Carvillas, are San Timétéo, San Gorgoño, Cabezon, Toro, Los Coyotes, Juan Bautista, and San Jacinto. The village of Cabezon is much the largest and most important. Juan Antonio lives at San Timétéo.

The information respecting these different localities was given me by a Mr. Rowan, an old mountaineer, who has lived among these Indians for the past five years. The village of Francisco belongs to the Molxaves.

A tribe of the Pah-Utahs are living about Owens' lake, and are represented as quite numerous. All of these Indians are in constant communication, either direct or indirect, with the Carvillas.

Very respectfully, your obedient servant,

H. S. BURTON,

Captain Third Artillery.

Major E. D. TOWNSEND,

Assistant Adjutant General,

Department of the Pacific, Benicia, Cal.

[Translation.]

The undersigned certifies, on honor, that the "pueblo" of San Pascual, in San Diego county, was founded by order of the superior government of Upper California, in consequence of the secularization law of the missions, for which reason the parcel of land named San Pascual was granted to these same Indian families from the mission of San Diego, according to the regulation or order given by the government. At the same time were founded San Dieguito, Las Flores, &c., all by the same order; and the documents ought to exist in the archives, because those orders were sent to the undersigned, being then the authority of San Diego and its jurisdiction. In confirmation of the abovesaid, I will mention that, in the year 1846, Dr. Bonafacio Lopez made a petition for this same land, and the government (declared) decreed "that the land could not be given because it belonged to the Indians of San Pascual;" therefore it seems unjust to deprive them of their lands with the pretext that they have no titles, when it is so well known that, in foundations of this kind, they only report to the government, and place all the documents in the archives.

This is all I can say for the sake of truth and at the request of the interested.

Given in my rancho of San Antonio Abad a Ti Juan.

S. ARGUELLO.

JANUARY 2, 1856.

I certify that the above is correct.

H. S. BURTON,

Captain 3d Artillery.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

Benicia, May 17, 1856.

COLONEL: By the enclosed letters, marked 1 and 2, from Lieutenant Colonel Beall and Captain Stewart, the general-in-chief will perceive that we have another war on our hands with the Indians in middle California, brought on by whites who seem determined to exterminate the Indians in that part of the State. It was caused by some Indians stealing a cow. A meeting of the inhabitants was called in reference to the subject, when the majority appeared in favor of mild measures; but the minority insisted upon punishing the Indians collectively, which resulted in the killing of some fifteen friendly Indians. This caused a concentration, it is said, of about 500 warriors. These were attacked by a detachment of regular troops commanded by Second Lieutenant Livingston, from Fort Miller, and some volunteers, but compelled to retire by the Indians.

Governor Johnson of California, in consequence of the outbreak, made a requisition upon me for arms and ammunition, to be deducted from the quota due the State from the United States, which I approved to the extent of sixty rifles and equipments, and five thousand cartridges.—(See the enclosed correspondence, marked 3 and 4, between the governor and myself.)

If the lawless whites, who seem to control, could be induced to abandon their determination to exterminate these poor, miserable creatures, and the superintendent of Indian affairs would pay more attention to their wants, there would be no difficulty, and peace between the whites and Indians could be preserved.

To restore and preserve peace, however, under the existing circumstances, I would respectfully request that another regiment, or, if a regiment cannot be spared, at least five companies of regular troops, with as little delay as practicable, be sent to the department of the Pacific, to be landed at San Diego, if not there, at San Francisco. These are not only necessary for the present time, but the future, as will be perceived by the letter of Lieutenant Winder, herewith enclosed, marked 5, which I could hope might claim attention. I sent a copy to the office of the superintendent of Indian affairs in California; I received a reply from the clerk stating that a special agent would be sent immediately to attend to the wants of the Indians referred to in Lieutenant Winder's communication.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,

Major General.

Lieutenant Colonel L. THOMAS,

Asst. Adjt. Gen., Headquarters of the army, New York city.

P. S.—The steamer Columbia is just in from the north. I have not yet received the mail; but the news is favorable in regard to the operation of the troops in Rogue River valley and Puget Sound. It is reported that the volunteers under the command of Colonel Corne-

lius, encamped opposite the Dalles, were, by fifteen Indians, deprived of all their horses.

JOHN E. WOOL,
Major General.

MAY 19, 1856.

HEADQUARTERS, FORT TEJON, CAL.,
May 3, 1856.

CAPTAIN: In compliance with the instructions contained in your communication of the 8th ult., which was received on the 18th, I directed forty men to be detailed from company "A," first dragoons, for the purpose of making an expedition to the Indian tribes near the "head" waters of the Mohave, and along that river as "far down as the sink, if grazing could be found" for the animals. This detachment I placed under the command of first lieutenant Benj. Allston, first dragoons. The detachment has been delayed in marching, in consequence of having to put the wagons in suitable order, and believing that in many parts of the country it would be impracticable for wagons to go, I directed the assistant quartermaster to furnish ten pack mules, with drivers or packers. The assistant quartermaster reported that he had not the number of pack mules on hand, but that he could hire them for a reasonable price—say thirteen mules, with all the necessary equipments for packing, two drivers, for two hundred and fifty dollars per month; vide his letter to me on the subject, which is herewith enclosed.

A further delay has occurred in sending out this command, in consequence of my having received a communication from the Indian agent of the Sebastian Indian reservation, in which he states that he has been informed by the Tejon chiefs that in all probability an attack would be made on the reserve by a band of Indians under a chief named "Pacific," and requesting me to send fifteen or twenty men to assist him in defending the reservation. Immediately on receipt of this communication I dispatched Lieut. Allston, with twenty-eight men, to the reserve for the purpose required, at which place they arrived in two hours from the time they left this post. I herewith enclose the Indian agent's letter to me requesting this aid, and also one from Lieut. Allston, written to me immediately on his arrival at the reserve, from which it appears that it was an unnecessary alarm in regard to Pacifico and his band having any intention of making an attack on the reserve. I have since ascertained that the alarm was occasioned by the Indians being informed that the whites on or near White river had captured five Indians and had killed them, in consequence of their being suspected of stealing cattle, and that Pacifico's brother was one of them, and that they (the whites) intended to come down to the reserve and have further satisfaction, as they believed that there were other Indians residing on the reserve also implicated in stealing cattle. This I do not believe. The Indians have been informed that they will be protected by the troops from this command

from all aggression that may be attempted by the whites upon them. The Indians in this vicinity are all peaceable and well behaved, and I have not the least doubt will remain so if not molested by designing whites. In fact, I heard a white man say not long ago "that he wished we could get up an Indian war south, as it would make times brisk."

Three surveyors from the Mohave arrived at this post on Tuesday last. They say that all the Indians in that vicinity were perfectly peaceable and friendly; grass and water in many places was scarce. I shall, so soon as the alarm has subsided at the Sebastian reservation, send out the command to the Mohave.

I would most respectfully suggest to the commanding general of the department of the Pacific, the propriety of causing this post to be augmented by an additional company, say infantry, as it would enable me to send out a much larger force of dragoons in all cases of alarm. At present, when a call is made on this post for troops, it becomes necessary to relieve men from extra duty in the quartermaster's department in order to have a sufficient force for garrison duty.

There is another section of this country which in my opinion should be visited by a military force—Owen's Lake, as there are a large number of Indians residing in that vicinity, and the country, I believe, is known to but few individuals. I would propose that a command be sent there so soon as that returns from the Mohave. It will have a good effect, provided the command be sent out for the purpose of cultivating amicable relations with the Indians, and that they be informed that they will be protected in all their rights so long as they behave themselves and do not molest the whites in their lawful pursuits.

A Mexican was apprehended at this post last week, for stealing horses from Tulare county; he had five stolen horses with him. I had him confined in the guard-house, and the next morning he was sent to Tulare county to be delivered to the civil authority for trial.

It has been said that since this post has been established there have been fewer horses stolen from Los Angeles and Tulare counties than heretofore. Three notorious horse thieves have been apprehended here within the last two years.

I would most respectfully request a reply by the return mail.

Respectfully submitted for the consideration of the commanding general department of the Pacific.

Very respectfully, your obedient servant,

B. L. BEALL,

Lieut. Colonel Dragoons, commanding Post.

Captain D. R. JONES,

Assistant Adjutant General, Benicia, California.

P. S.—Since writing the foregoing, I have had an interview with the Indian agent of the Sebastian Indian reserve, Mr. Vinegard, and he is of opinion that some difficulty or outbreak may take place with the whites and Indians in the vicinity of White river and the Four Creeks, in consequence of the former having killed five of the latter and wounded several others, under suspicion of having been engaged in stealing cattle. I have therefore thought it advisable to send the

command destined for the Mohave to White river and Four Creeks, in order to prevent further disturbances.

I would thank the general to give me discretionary power to act in all such cases.

B. L. BEALL,
Lieut. Colonel Dragoons, commanding Post.

FORT MILLER, CALIFORNIA,
May 1, 1856.

SIR: I was waited on this afternoon by three gentlemen of Tulare county: Mr. Jennings, Indian agent or sub-agent at Four Creeks; Mr. Campbell, in charge of the Indian farm on King's river; and Mr. Wallace, bringing a communication, of which I enclose herewith a copy, marked "A."

It appears that last week a single cow, if I mistake not, was killed by an Indian or Indians, and at a meeting of the citizens it was the wish of the majority (about two-thirds) to demand the aggressor or aggressors of the chiefs; but some of the citizens insisted upon punishing the Indians collectively, and for this purpose organized a company and gave pursuit, but returned soon after, with the news that the Indians, to the number of about five hundred warriors, had made a stand on the Tule river, some forty miles above the crossing of the Tejon road. I will here remark that very little indeed is known with regard to the number of Indians inhabiting this part of the Sierra Nevada.

Day before yesterday, some friendly Indians consulted a white friend of theirs as to their safety during the then state of excitement, and they were assured that so long as they remained peaceable they would be in no danger. Unfortunately, within one hour of this they were attacked by a party of whites, six of them killed, several more wounded, and the balance dispersed. Another party of friendly Indians had five killed, several wounded, and the others dispersed; and one of the gentlemen mentioned a third case of the same kind. The number of hostile Indians encamped at the head of Tulare Valley may not, therefore, be overstated.

These events have caused great excitement and no little anxiety on the part of the more peaceable inhabitants, who are anxious to avoid all hostilities, thinking such hostilities unnecessary.

Under these circumstances, I have ordered Lieutenant Livingston to leave to-morrow morning, with a detachment, for the Tule river. A copy of his orders is enclosed herewith, marked "B."

These gentlemen informed me that the "war party" (whites) were going to send or had already sent an express to Sacramento, to petition Governor Johnson for arms. They left here this evening, hoping to be able to allay the excitement around their homes, but speaking of the possibility of a general outbreak having taken place

since they left, yesterday. In their opinion, an attack on the Indian camp at this time would immediately lead to such a result.

I have the honor to be, sir, very respectfully, your obedient servant,

J. STEWART,

1st Lieut. 3d Art., Com'g post.

Capt. D. R. JONES,

Asst. Adjt. Gen'l, Headquarters Pacific.

OFFICE QUARTERMASTER AND ADJUTANT GENERAL,
California, Sacramento, May 14, 1856.

SIR: I am directed to inform you, by his excellency the governor, that information has just been received of a reliable character representing the Indian difficulties in Tulare valley to be such as to require immediate action for the better protection of the citizens of that section of the State, and to request that you would forthwith inform him of the number of United States troops in that vicinity, and whether an additional force can be sent there immediately for the purpose of protecting that country from the depredations of the hostile Indians. This information is asked for the purpose of determining whether it will be necessary to add a force of volunteer troops to the force under your command, which can be readily brought into service in the Tulare county.

I have the honor to be, general, your obedient servant,

WM. C. KIBBE,

Quartermaster and Adjutant General, California.

Major General JOHN E. WOOL, Benicia

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, May 15, 1856.

SIR: Your letter of yesterday to General Wool, requesting information in regard to the number of troops in the Tulare valley, &c., was duly received, and in reply the general directs me to state, for the information of his excellency the governor of California, that there are two companies of regulars, one of artillery, at Fort Miller, and one of dragoons at Fort Tejon, for the protection of the inhabitants of that part of the State. Detachments from both these commands are now in the field, and no doubt would be able to preserve peace with the Indians were it not for the determination of a few designing white men, as it would appear, to wage a war of extermination against the Indians. No additional force of regular troops can be sent to the Tulare at this time, nearly all of them being now in the field against the hostile Indians in Oregon and Washington Territories, and in the northern part of this State. The general has received information, from reliable citizens and officers of the army in that part of the State,

that the Indians are peaceably inclined, and if properly treated by the whites would remain quiet.

On the 1st instant, Messrs. Jennings, Campbell, and Wallace, (of the peace party,) from Tulare county, called on the commanding officer at Fort Miller, and informed him that the difficulty was about a single cow, which the Indians had stolen. They stated that war was unnecessary, and that at a meeting held by them two-thirds of the settlers were opposed to attacking the Indians, but were in favor of demanding the aggressors of the chiefs. The others (the war party) insisted upon attacking the Indians collectively, and accordingly organized a company and gave pursuit, the result of which has been made public. We have yet to learn that the Indians in Tulare county have struck a blow against the whites, save in their own defence; and the general is of opinion that the regular force now in the southeastern part of the State is sufficient to protect the settlers from Indian aggressions, provided the frequent murders and aggressions on the part of the whites against the Indian tribes are checked before the latter are driven to a combination and general war against the former. The general desires that you will say to his excellency the governor, that it will afford him great pleasure to co-operate with him, and that he will do all in his power to protect the citizens of the State, and to preserve peace with the Indians.

I am, sir, very respectfully, your obedient servant,

D. R. JONES,

A. A. General.

Hon. WM. D. KIBBE,

Quartermaster and Adj't Gen. of California.

Sacramento City, California.

MISSION OF SAN DIEGO, CALIFORNIA,

April 29, 1856.

SIR: In obedience to your instruction of April 21, I proceeded to the rancho of San Jacinto, in the vicinity of San Gorgonia. On my arrival there I sent for Juan Antonio, the principal captain of the Carvilla Indians, from whom I learned that the Indians were all quiet, having at present no serious difficulty with the whites; but the whites were encroaching upon the lands now occupied by the Indians. He complained that the commissioners had promised to send him farming utensils, and told him to live on this land, where he would not be disturbed, neither of which promises had been fulfilled. He says that the Indians living around him have raised small crops this year, but the greater portion of the tribe were almost entirely destitute of the means of subsistence, owing to the failure of their crops.

I ascertained from other sources that the whites were in the habit of taking the gardens or other lands from the Indians without paying them either for crops or improvements, and, on the other hand, the Indians, being without food, steal the cattle of the whites, who

threaten to burn the houses and drive the Indians off, unless the government should take steps very soon either to remove the Indians or prevent further depredations; these courses, you will readily perceive, must lead to a troublesome and expensive war.

At the request of Juan Antonio, I promised to notify him several days previous to the departure of the next expedition, in order that he may assemble his captains to hear what was said. I feel satisfied that this chief will do all in his power to preserve peace and keep the Indians quiet, which, however, cannot be a great while, under present circumstances; and I am of the opinion that it would be cheaper to issue beef to these Indians than to fight them, at all events, until some superintendent of Indian affairs is appointed who will attend to the duties pertaining to his office.

I was informed that a Mr. Spitler, an American, living near Juan Antonio, is the only man who has endeavored to prevent trouble; and that he has not only been very efficient in settling all disputes, but has fed and protected the Indians as far as lay in his power; this I believe to be true, as Juan Antonio appeared to have confidence in him. He is an old soldier, and was severely wounded at the battle of San Pasquale; I would, therefore, respectfully suggest that something be done to remunerate him for his trouble, as he is a very poor man, and scarcely able to assist the Indians.

I would further suggest that measures be adopted to mark the boundaries of the Indian lands, and that the whites be prevented from encroaching further.

I enclose herewith a letter from Mr. Rains, the sub-agent at Temecula, from which you will perceive that the San Louis Indians are also in destitute condition, and will therefore be compelled to steal cattle, in order to prevent starving; also, the great danger of an outbreak, should the threats of the whites be carried out.

For many years these Indians have been in the habit of cultivating their fields without fencing, but at present, the cattle of the whites overrun and destroy their crops, and they have no means of redress.

The foregoing facts will, I think, show the absolute necessity of adopting, at an early day, some means for protecting the Indians from the whites, and to prevent the former from stealing the cattle of the latter.

I am, sir, very respectfully, your obedient servant,

WILLIAM A. WINDER,

First Lieutenant Third Artillery.

Captain H. S. BURTON,

U. S. A., Commanding Mission San Diego.

WAR DEPARTMENT,
Washington, October 18, 1856.

SIR: I have the honor to transmit herewith, for the information of the Department of the Interior, the copy of a letter from General John E. Wool, enclosing Captain H. S. Burton's report of his visit to

the Carvilla Indians, and other papers relative to the Indian affairs in California.

Very respectfully, your obedient servant,
ARCH'D CAMPBELL,
Acting Secretary of War.

Hon. R. McCLELLAND,
Secretary of the Interior.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, Cal., July 3, 1856.

COLONEL: I have the honor to enclose herewith, for the information of the War Department, Captain H. S. Burton's report of his visit to the Carvilla Indians, dated June 15, 1856, accompanied with three enclosures, marked No. 1, my reply, dated June 26, marked No. 2, and a letter to Colonel T. J. Henley, superintendent of Indian affairs, dated June 27, in reference to Indian affairs in middle and southern California, marked No. 3, also, copies of the correspondence between his excellency J. N. Johnson, governor of California, and myself, of June 17th and 20th, in reference to Indian affairs in the northern part of the State, marked Nos. 4 and 5, all of which, I could hope, might claim attention.

I am, very respectfully, your obedient servant,
JOHN E. WOOL,
Major General.

Colonel S. COOPER,
Adjutant General, Washington city, D. C.

No. 1.

MISSION, SAN DIEGO, CAL.,
June 15, 1856.

CAPTAIN: I have the honor to report that I left this post on the 26th of May, with 40 non-commissioned officers and privates from my company, and visited the San Luis Rey and Carvilla Indians. I arrived at San Timétéo, the village of Juan Antonio, captain of the Carvilla Indians, on the 29th of May. I regret to inform you that great bitterness of feeling exists between the Americans and Mormons living in and near San Bernardino. I send you herewith a copy of the proceedings of a meeting held at San Bernardino, May 20, 1856, (marked A.) In addition to this, a Mr. John Brown, who seems to be a respectable man, living in Ucaissa, informed me, that in October last, two of the prominent Mormons of San Bernardino, (Mr. Calvin Reed and Mr. Joseph Mathews,) told him to tell the Indians "that the Mormons and Indians are friends; the Americans are enemies of the Mormons and Indians, and had driven both from the great waters of the east. Then, when you (Brown) see the Indians killing the Americans, tell the Indians you are a Mormon, and give them a sign

that will be given to you hereafter, and then the Indians will not disturb you, or molest anything you have got." This man tells me that he is ready to make oath to this statement whenever it may be required.

The day I arrived at San Timétéo, I met in council Juan Antonio, with all of his sub-captains, except *Cabeton*. A few days after this, *Cabeton* was present at a feast given by Juan Antonio, and conducted himself in so insolent a manner, that Juan Antonio deprived him of his office. I am told that *Cabeton's* personal influence among his people is very great, and that his disgrace from his office will not diminish it. Juan Antonio, with the assent of his captains, spoke to me as follows:

"In former years I lived at the rancho of San Bernardino, when it belonged to the Luyo family. When the Mormons came there, I arranged with them to come and live here, (San Timétéo.) The Americans are now squatting here, and taking away my land, wood, and water. The man Weber, living at San Gorgonio, has our animals killed whenever they go there. We have not land enough to plant; my people are poor and hungry; they want something from the government. Some Americans tell us we must go away to the mountains to live; other Americans tell us that we must all live together on some land. We do not understand it; we do not like it. A Mormon, Kinney, has been preaching to us that we must be baptized as Mormons—that the Mormons are our friends, the Americans are our enemies; they are fools, liars, bad people, and we must not believe them; that the Mormons always tell us the truth, the Americans never do; that soon the Mormons will whip the Americans, and then they and the Indians will live happy; that the Indians *must* be baptized as Mormons, and all of the Carvilla nation must come to live at San Bernardino; the Mormons, like good friends, will then help them to live, and not treat them as the Americans do. The Mormons and Americans are enemies, and will fight, I suppose. I do not tell lies; I tell the truth. You are an officer of the government—what shall we do?"

This speech I wrote in my note-book as Juan Antonio delivered it, and I am satisfied that he told the truth. Some Americans have squatted among these Indians, taking possession, as the Indian states, of a large portion of the lands formerly planted by the Indians, and depriving them of wood and water. With reference to the Mormon bishop, Kinney, twenty witnesses will take oath to the truth of Juan Antonio's statement. I answered him as follows:

"I have heard you, and will relate what you have said to my general. If you have been wronged, he will endeavor to see you righted. You must remain quiet, and keep your people so. You must mind your own affairs, and not permit bad people to put bad thoughts into your head. You must not permit any one to come to your village, or among your people, and preach as the Mormon Kinney has done. He has not told you the truth. The Mormons are living under and enjoying the protection of the American laws. You will not remove your people from their present location, unless you are directed to do so by the government. You will have nothing to do with the diffi-

culties between the Americans and Mormons. You must not harm either; you will mind your own business, and keep your people quiet and peaceable. I will come to you again soon. The government is watching you, and if you do wrong you will be punished."

Juan Antonio said he liked the advice given him, and promised to follow it. Perhaps he will; but, in my opinion, frequent visits to his people will be requisite, at least as long as the present excitement between the Americans and Mormons lasts. As soon as I received your letter of May 27, I sent for Manuel Cota. He came here on the 12th instant, and has consented to resume his captaincy. He is anxious to have his acceptance announced to all of the captains of the different villages of the tribe, when they are together, and the 20th instant has been the date fixed for them to meet at this post. Something may then be done to stop the evil of cattle stealing at present so prevalent among the San Luis Rey Indians.

On the 9th inst., a deputation from the San Diego Indians, headed by their Captain, Tomas, visited me, and asked compliance with the terms contained in a document styled—

"Treaty of peace and friendship with the Disguino Indians, January 7, 1852." I send you a copy of this document, (marked B.) Tomas stated that the Disguinos had always been friendly to the Americans; had never received anything, while the Indians in the north had been killing Americans and had a great many presents given to them. The Disguinos were poor and wanted something to eat. I told him that the treaty would not be complied with, but that I would report the matter to the general. In the meantime, to go home and keep his people quiet. Tomas intimated his intention of visiting the general himself.

Very respectfully, your obedient servant,

H. S. BURTON,
Captain 3d Artillery.

Capt. D. R. JONES,
Ass't. Adjt. Gen. Dept. of the Pacific, Benicia, Cal.

SAN BERNARDINO, *May 20, 1856.*

At a meeting called by the citizens of the city and county of San Bernardino, State of California, for the purpose of considering the teachings of Nathan C. Kinney, bishop of the Mormon church in this place; Mr. Frederick Van Luven was called to the chair, and Mr. William McDonald appointed secretary.

Mr. Charles Chapman, esq., and D. Sparks, esq., and others addressed the meeting:

Setting forth the excitement existing among the Indian tribes in the vicinity, in relation to the Americans, and stated that they were informed that the Indians had been lately taught by the Mormons, that the Mormons were the Indians, friends and the Americans were their enemies, and the Mormons were calling upon the Indians to be baptized by them, and assist them to conquer their common foe, also

many other things tending to exasperate the Indians against their defenceless American neighbors, who are thinly scattered abroad south of the city of San Bernardino.

After fairly considering the subject, the following resolutions were unanimously adopted :

Resolved, That we proceed to obtain affidavits from the Indians and others as to the teachings of Bishop Kinney, missionary from San Bernardino to the Indians in the vicinity of the white settlements.

Resolved, That Esq. Brown be appointed to take said affidavits.

Resolved, That we forward said affidavits as soon as possible to the governor of the State, together with any facts that we can obtain touching these matters

Resolved, That a committee of five be appointed to carry into effect these resolutions, and report at a future meeting of the citizens of this county.

Zind G. Ayers, Duff G. Wever, John Brown, V. G. Herrin, and D. P. Van Luven, were appointed on said committee.

The meeting then adjourned until May 24, at 1 o'clock, p. m.

F. VAN LUVEN, *Chairman*,
WM. McDONALD, *Clerk*..

SAN BERNARDINO, *May 24, 1856.*

Pursuant to adjournment the citizens of San Bernardino met in large numbers at the democratic headquarters, Mr. Frederick Van Luven in the chair, Mr. N. Parks, secretary.

The report of committee was called for. The chairman stated that the distance the committee had to travel, the shortness of the time, &c., would not enable the committee to make a full report. However, they submitted the following affidavits:

STATE OF CALIFORNIA, }
County of San Bernardino, } ss.

Personally appeared before me, on this 22d day of May, A. D. 1856, Juan Antonio, principal chief of the Carvilla nation, and Manuel Largo, interpreter for the same, and being by me duly sworn, deposes and says: That on or about the eighth day of May, A. D. 1856, one Nathan C. Kinney came to my village and called the Indians together, and stated that he (Kinney) had come on a mission to baptize the Indians into the Mormon church, and that the said Kinney proceeded to preach and admonish the Indians in the following language: That the Americans were a bad people, were not Christians, and were the enemies of the Mormons, and that the Americans were not to be relied on or believed in nowise, for the Americans were fools and devils, and should any one of them come among the Indians the Indians should in nowise believe them; and that the Mormons were the rulers of the country, and not the Americans; and the said Kinney furthermore proposed to gather the Indians into the settlement of San Bernardino, and there to partially provision or maintain them, and that the Mormons were not Americans, but a different people; that

the Mormons and Indians were a good people, and the Americans were their enemies.

JOHN BROWN,
Justice of the Peace.

In presence of—

D. G. WEVER.

V. JOHNSON HERRING.

ZINA G. AYERS.

O. H. CARTER.

STATE OF CALIFORNIA, }
County of San Bernardino, } ss.

On this 24th day of May, A. D. 1856, personally appears before me Sidney Van Luven, who, being duly sworn, deposes and says: On the tenth day of this month I was riding with an Indian, and he asked me if I was a Mormon. I told him I was not, and never should be. He then said I am going to kill you. I asked him what for? He said because Bishop Tinney had been among the Indians and told them that if we would kill you, he (Tinney) would give the Indians the cattle and horses of the Americans. I asked him to talk on; and he said there was an American surveyor behind us, and he would kill him if he heard this conversation. He then told me if I would ride out one side he would tell me more; after I had done so, he refused to tell me more; he said he was afraid I would tell the Americans. He asked me, while on the road, if my father was a Mormon; I told him I thought not. He asked me if he was ever a Mormon; I told him yes. He then said my father was an American devil, and all your brothers are American devils.

SIDNEY VAN LUVEN.
JOHN BROWN,
Justice of the Peace.

The meeting was addressed by Mr. D. G. Wever, Mr. Ayres, L. Sparks, Dr. Andrews, and others, who were warmly greeted by the house. The following resolutions were unanimously adopted by the meeting:

Resolved, 1st. That we cheerfully accept the name of "Americans," as now applied to us by the Mormons—Lamonites, the red brethren of the Mormons.

Resolved, 2d. That as Americans we are identified with the institutions of our common country; that we love the genius of liberty, the freedom of speech, purity of the ballot-box, and liberty of conscience.

Resolved, 3d. That we will sustain the flag of the republic, the glorious stars and stripes, and that we will maintain our liberties as free men at all hazards.

Resolved, 4th. That we repudiate the name of anti-Mormons and mobocrats, as applied to us by the head of the Mormon church in this place, C. C. Rich, and his myrmidons.

Resolved, 5th. That we strongly censure, deeply deprecate, and utterly condemn the course taken by an incendiary villain, known as Bishop Nathan Tinney, in visiting the Indians in different places in this county, in preaching treason and sedition, and in making inflammatory harangues to the said Indians; and that the said course of said Tinney is a source of much annoyance and disquietude to the families of the Americans in this city and vicinity.

Resolved, 6th. That we loudly condemn the course taken by the dominant party in this place, in tampering with the judiciary.

Resolved, 7th. That we, as Americans, pledge to each other mutual protection of person, family and property, against all depredations, intended or committed, by white or red Indians, or Lamonites, Danites, or Brothers of Gideon.

And may God protect the right.

Motion, seconded and carried, that the proceedings of this meeting be submitted to the San Diego Herald, San Francisco Chronicle, Evening News, Sunday Dispatch, Christian Advocate, and State Tribune. Motioned and carried, that the Democratic party in San Bernardino correspond with all friends of the adjoining counties.

F. M. VAN LEUVEN,

Chairman.

NATHAN PARKS, *Clerk.*

A true copy:

H. S. BENTON,

Captain 2d Artillery.

A treaty of peace and friendship, made and concluded at the village of Santa Isabel, California, between the United States Indian agent, O. M. Wozencraft, of the one part, and the captains and headmen of the nation of Dieguino Indians:

ARTICLE 1. The several tribes of the above mentioned nation do acknowledge the United States to be the sole and absolute sovereigns of all the soil and territory ceded to them by a treaty of peace made between them and the republic of Mexico.

ART. 2. The said nation of Indians, and the several tribes, acknowledge themselves jointly and severally under the exclusive jurisdiction, authority, and protection of the United States, and hereby bind themselves hereafter to refrain from the commission of all acts of hostility and aggression towards the government or citizens thereof, and to live on terms of peace and friendship among themselves, and with all other Indian tribes which are now or may come under the protection of the United States; and furthermore, bind themselves to conform

to, and be governed by, the laws and regulations of the Indian Bureau, made and provided therefor by the Congress of the United States.

ART. 3. To promote the settlement and improvement of said nation, it is hereby stipulated and agreed, that the following district of country, in the State of California, shall be, and is hereby, set apart forever for the sole use of, and occupancy by, the aforesaid nation of Indians, still reserving to the government of the United States all minerals found thereon, to wit: commencing on the southern line of the State, at the eastern base of the Sierra Nevada mountain, and on the desert, and running in a northern direction to the southeastern corner of the reservation set apart for the Kah-we-as, San Luis, and Co-cou-eah-ra Indians; thence following the southern lines of the same to the north-western corner of the grant of San José del Valle; thence following the boundaries thereof, by south and east, to the southeastern corner of it; thence on a right line to the northwestern corner of the San Felipe grant; thence on the western line of the same to the south-western corner thereof; thence southerly to the southern line of the State, at a point twenty miles from the place of beginning; thence along said southern line to the place of beginning: to have and to hold the said district of country for the sole use and occupancy of said Indian nation forever; provided, that there is reserved to the government of the United States the right of way over any portion of said Territory, and the right to establish and maintain any military post or posts, public buildings, school-houses, houses for agents, teachers, and such others as it may deem necessary for its uses or the protection of the Indians. The said nation and its tribes, and each of them, hereby engage that they will never claim any other lands within the boundaries of the United States, nor ever disturb the people of the United States in the free use and enjoyment thereof.

ART. 4. To aid the said nation of Indians in their subsistence while removing to, and making their settlement upon, the said reservation, the United States will furnish them, free of all charge, with (1,800) one thousand eight hundred head of beef cattle, to average in weight (500) five hundred pounds; (350) three hundred and fifty sacks of flour, of (100) one hundred pounds each, within the term of (2) two years from date of this treaty.

ART. 5. As early as convenient, after the ratification of this treaty by the President and Senate, in consideration of the premises, and with a sincere desire to encourage said nation in acquiring the arts and habits of civilized life, the United States will also furnish them the following articles, to be divided among them by the agent, according to their respective number and wants in the different tribes during each of the two years succeeding the said ratification, viz: (1) one pair of strong pantaloons and (1) one red flannel shirt for each man and boy, (1) one linsey gown for each woman and girl, (5,500) five thousand five hundred yards of calico, (3,000) three thousand yards of brown shirting, (60) sixty pounds of Scotch thread, (4) four dozen pairs of scissors, (14) fourteen dozen thimbles, (5,000) five thousand needles, (1) one 2½-point mackinaw blanket for each man and woman over fifteen years of age, (6,000) six thousand pounds of iron and

(5,500) five thousand five hundred pounds of steel; and in like manner, in the first year, for the permanent use of the said nation, and as the joint property of the several tribes thereof, viz: (120) one hundred and twenty brood mares and (6) six stallions, (500) five hundred young cows and (30) thirty bulls, (15) fifteen yoke of working oxen, with yokes and drains, (16) sixteen work mules or horses, (32) thirty-two ploughs, assorted sizes, (300) three hundred corn hoes, (120) one hundred and twenty spades, and (16) sixteen grindstones, and the necessary seeds of various kinds. The stock enumerated above, and the product thereof, and no part nor portion thereof, shall be exchanged, killed, sold, or otherwise parted with, without the consent and direction of the agent.

ART. 6. The United States will also employ and settle among the said nation, at or near their towns and settlements, one practical farmer, who shall superintend all agricultural operations, with two assistants, men of practical knowledge and industrious habits; one carpenter, one wheelwright, one blacksmith, one principal school teacher, and as many assistant teachers as the President may deem proper, to instruct said nations in reading, writing, &c., and in the domestic arts upon the manual labor system. All the above named workmen and teachers to be maintained and paid by the United States for the term of (5) five years, and as long thereafter as the President shall deem advisable.

The United States will also erect suitable school-houses, shops, and dwellings, for the accommodation of the school teachers, mechanics, agriculturists and assistants above specified, and for the protection of the public property.

In testimony whereof, the parties have hereunto signed their names [L. s.] and affixed their seals this seventh day of January, in the year of our Lord one thousand eight hundred and fifty-two.

O. M. WOZENCRAFT, *U. S. Indian Agent.*

Signed, sealed, and delivered, after being fully explained, in the presence of—

DELOSIER DAVIDSON,

Captain Second Infantry.

E. MURREY.

T. T. WARNER.

For and in behalf of the Dieguino Indians—

Panto, of San Pascual,	his x mark.	[L. s.]
Jose Apan, of Fo-co-mae,	his x mark.	[L. s.]
Juan Pablo, of Ca-ma-jal,	his x mark.	[L. s.]
Mateo Co-mi-po-ip, of Tah-wie,	his x mark.	[L. s.]
Lorenzo Wo-to-pe, of Prick-a-way,	his x mark.	[L. s.]
Tamouroo, of Too-wed,	his x mark.	[L. s.]
Heperera, of Mileo-to-nac, San Felipe,	his x mark.	[L. s.]
Eloo, of Matmork la Puerta,	his x mark.	[L. s.]
Oon-Ah-Oon, of Su-ah-pi,	his x mark.	[L. s.]
As-so-tore, of Hon-wee-Vallecito,	his x mark.	[L. s.]
Santiago, of Ha-coom,	his x mark.	[L. s.]
Kwa-pi, of Ta-cah-lay,	his x mark.	[L. s.]

Soldado, of Matironn,	his x mark.	[L. s.]
Ne-cah-hal-by-coo-lim, of Wah-ti,	his x mark.	[L. s.]
Swido, of Saquan,	his x mark.	[L. s.]
At-chu-cal, of Ha-soo-male,	his x mark.	[L. s.]
Tascahpan, of Co-quilt,	his x mark.	[L. s.]
Leandro, of San Diego Mission,	his x mark.	[L. s.]
Tadeo, of San Diequito,	his x mark.	[L. s.]
Lazaro, of Santa Isabel,	his x mark.	[L. s.]
Thomas, of Santa Isabel,	his x mark.	[L. s.]
Felipe Am-coo-si, of Matajuiai,	his x mark.	[L. s.]

Addenda.—From the above district of country, set apart for the Indians, is reserved to the present owner thereof, the Hon. T. T. Warner, one square league at Agua Caliente, to be selected by him, for the purpose of improving the warm springs at said place, in case the said ownership be adjudicated in his (Warner's) favor by the land commissioners of California.

T. HAMILTON,
Secretary of the Indian Agency.

No. 2.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, June 26, 1856.

SIR: I have the honor to acknowledge the receipt of your report of a visit to the Cawilla Indians, and of Indian affairs in the southern part of this State, with enclosures.

The general commanding directs that, in case the superintendent of Indian affairs does not attend to the wants of the Dieguino Indians, and should you deem it necessary, you will issue rations to them, in accordance with the 89th paragraph of the general regulations of 1847. Occasionally they may be allowed a beef.

I am, sir, very respectfully, your obedient servant,

D. R. JONES,
Assistant Adjutant General.

Captain H. S. BURTON, *Third Artillery,*
Com'g Mission San Diego, California.

Official:

D. R. JONES,
Assistant Adjutant General.

No. 3.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, June 27, 1856.

SIR: I am directed by the general commanding the department to enclose to you, for your information, a copy of a letter, dated the 26th

instant, to Captain Burton, commanding at the Mission of San Diego, in regard to the Dieguino Indians; and also to inform you that information has been received here that the Indians in the Tulare valley are all anxious for peace and willing to go on reserves, and to be removed from the settlements—all of which, it is understood, is agreeable to the settlers; and it is thought that, if the proper steps are taken, there will be no further hostilities.

I am, sir, very respectfully, your obedient servant,

D. R. JONES,

Assistant Adjutant General.

Colonel T. J. HENLEY,

Superintendent of Indian Affairs,

San Francisco, California.

True copy :

RICHARD ARNOLD,

First Lieut. 3d Artillery, and A. D. C.

No. 4.

EXECUTIVE DEPARTMENT,

Sacramento City, California, June 17, 1856.

SIR: I herewith enclose you the copy of a letter this day received from John Cosby, major general sixth division California militia, who is also a senator from that district, and a reliable gentleman. I know him well, and can assure you he is no alarmist, neither one of those who are desirous of precipitating a conflict between the whites and Indians; but, on the contrary, during a prolonged residence in that portion of the State, has, by his influence, done much, very much, to prevent such results. Please, as soon as possible, inform me what are the extent of resources at your command, and what immediate aid can you, if any, render to our people who are now in that quarter menaced with Indian warfare. I have no desire to invoke the aid of the State troops for this purpose, unless the regulars are insufficient for the purpose. Unless you can send additional troops there, I much fear the necessity will devolve on me to call out a volunteer force for the purpose.

Very respectfully, your obedient servant,

JOHN N. JOHNSON.

JOHN E. WOOL, *Major General,*

Commanding Pacific Division U. S. A., Benicia.

A true copy :

D. R. JONES,

Assistant Adjutant General.

No. 5.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

Benicia, June 20, 1856.

SIR: In reply to your communication of yesterday, received last evening, I would observe that, from my last advices from Lieutenant Colonel Buchanan, after whipping the Indians three times, when some forty warriors were killed, and perhaps as many wounded, the Indians were on Rogue river surrendering at discretion. He had at that time in his possession two hundred, of whom sixty-five were able to bear arms. The next day all those on Upper Rogue river were to come in, except the old chief, John—his band and the Klamaths numbering twenty-six warriors. These are determined to die game. Old John says he knows the whites are determined to kill him, and he might as well die fighting as any other way.

The colonel apprehends no difficulty with the Indians on the lower part of Rogue river. I anticipate that all the Indians in Rogue river valley, except those above mentioned, are, or soon will be, on their way to the coast reservation.

All the troops I have at my disposition at this time are engaged in removing the Indians. Major Wyse is ordered to be stationed at Fort Jones, and another company at Fort Lane, to watch old John and his band. I do not believe, with prudent management, and some little attention on the part of the superintendent of Indian affairs to the Indians in northern California, you would have any difficulty with them. The whites, however, when they desire it, can have war with the Indians.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,

Major General.

His Excellency J. N. JOHNSON,

Governor of California, Sacramento city, California.

A true copy :

D. R. JONES,

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

Benicia, Cal., September 3, 1856.

COLONEL: Herewith I forward a copy of a letter, dated the 17th of August, from Lieutenant La Rhett L. Livingston, at Fort Miller, relating to Indian affairs in that country. The Indians fled to Fort Miller for protection. I ordered the officer in command not only to give them protection, but rations, until Colonel Henley, the superintendent of Indian affairs, arrived, who left for that region at my request. I have not heard of the result. I presume the difficulties have been settled. A copy of Lieutenant Livingston's letter was sent

to Colonel Henley, as also numerous complaints from officers in various parts of this State.

Very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Colonel SAMUEL COOPER,
Adjutant Gen. U. S. A., Washington city, D. C.

FORT MILLER, CALIFORNIA, *August 17, 1856.*

SIR: The citizens of King's river, about twenty in number, principally those living about the farm of Mr. William Campbell, known as the Indian farm, on the 11th instant pursued some Indians who had left the river for the mountains, and killed three men and one woman. They claim that the Indians stole a horse on the 10th instant belonging to Mr. Patterson, of the same place; they demanded the thief, and told the Indians that if he was not given up they would kill them all. From these threats the Indians were frightened into going into the mountains, but were firm in saying that none of them had stolen the animal.

They attacked the camp as aforesaid on the morning of the 12th, and then returned to the settlements. They destroyed all the property found in the camp, and took several Indian horses; these they still hold as spoils of war.

It is a matter of great doubt if Indians ever did steal the animal. The chief said he would find out if it was stolen, and would give some of his own horses to make up the loss. The whites, then, on the 13th, at night, went to a ranch of Indians on Dry creek, within twelve miles of this post, and, at daylight, burned and destroyed everything they could find. The Indians had been notified of the intention of the whites, and had left for this post. Mr. Campbell, in charge of the King's river Indian farm, knew of all this, and did not notify me of it. The whites probably used endeavors to prevent his informing me, as he says they did. I knew nothing of it till the Indians came in for protection. It was the intention of the whites to kill all the Indians. These are a well-disposed band of Indians; raising some grain and vegetables, and not interfering with the whites, that I have ever heard of. The whites justify this act on the ground that some of the horses taken in the mountains belong to the Dry creek Indians—that they were a part of the guilty ones. Before going against these Indians, they gave Mr. Campbell notice that he must remove every Indian from the Indian farm before a specified time, or they would kill them. Mr. Campbell did not inform me of this either, but removed the Indians to this river, and visited me only this morning. Many Indians have come into the fort, and many more will come. There are not supplies *here* to feed them all, and, with at least a nominal Indian agent on either side, they are very poorly provided for. Many of the Indians who ran to the mountains were those that were brought to the river during former troubles in

Tulare county, and placed by proper authority on the farm. The acts of the whites, so far, seem to me to be utterly lawless. Those owning stock on King's river allow the stock to feed upon the Indian's acorns, and some even say assist them to them.

The commanding officers of posts are not authorized, as I understand it, to make purchases for the support of Indians, where there is a well organized Indian department, whose business it is to attend to the welfare of Indians. The Indians must be fed and collected in suitable spots, or they must be allowed to go to the mountains, where they can collect their own food. In this latter case, every theft or evil that is committed will be charged to their account, and they will be hunted and shot down. Several men on King's river have worked many Indians, reaping a considerable pecuniary benefit thereby, and, in return, treated them *worse* than slaves; this has caused a great many jealousies among the whites, and is continually working evil.

I shall collect all the Indians living in the foot-hills, and threatened by the whites, at the fort, for protection, till instructions can be received from department headquarters. It is impossible, of course, for me to give protection to every little band while scattered through the country.

If the animal has been stolen, I shall be able to ascertain the fact, and produce it, if possible.

The Indian agents have never fed or attended to one-tenth part of the Indians here. Still the whites appropriate their country, and drive them from it.

Respectfully, sir, your obedient servant,

LA RHETT L. LIVINGSTON,
Lieut. 3d Artillery, Commanding Post.

Major W. W. MACKALL,
Ass't Adj't General, Benicia, California.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, California, November 3, 1856.

COLONEL: Herewith I have the honor to forward sundry communications and reports relating to Indian affairs in California, for the information of the lieutenant general commanding the army and the Secretary of War.

First. A copy of Lieutenant Edwards' report, dated August 24, 1856, which states that about one thousand Indians, of all ages, are fed at the so-called Nome Lackee reserve. Lieutenant Edwards was stationed at the reserve for more than a year.

Second. A copy of Lieutenant Colonel Beale's report, dated September 29, 1856. The colonel states that he does not believe "there are more than four hundred Indians on the reservation, including women and children, and those at a rancheria, about four miles from this post," but not on the reservation. The Indians on this rancheria "do not generally depend upon the reservation for subsistence, but cultivate small gardens, visit the mountains in the fall of the

year for wild fruit and game for their winter supplies. They are all friendly and peaceable Indians, and will remain so, so long as they are not molested by the whites." The colonel states that the expenses of agents to look after these four hundred Indians amounts to \$1,065 per month. See his report.

Third. A copy of Lieutenant Loeser's report, dated October 28, 1856. The Indians referred to in this report had been attacked by the whites, who destroyed all their supplies, consisting principally of acorns. During the absence of Colonel Henley, superintendent of Indian affairs at Washington, Governor Johnson, of California, through Brigadier General Beale, former superintendent of Indian affairs, made an arrangement with the Indians to remain at a place designated, to be fed by an agent who was present and assented to the arrangement until Colonel Henley returned, when the Indians, as promised, would go to any place he might select for their future residence. The agent, however, refused to supply them with subsistence; consequently the Indians, to avoid being attacked by the whites, moved to the military reservation, where I ordered them to be furnished with subsistence until Colonel Henley should visit them. As soon as I heard of his return, I urged him to visit those Indians, as set forth in my letter to him, dated August 5, 1856, herewith forwarded.

The colonel visited that section of country; but probably for the reasons set forth in Lieutenant Loeser's report, did not stop to see the Indians—500 in number, waiting with their chiefs to see him. The lieutenant reports about 50 Indians on the Fresno farm, a large part of them house servants, and about 100 that receive benefit from the King's river farm. The rents of these farms and the pay of agents to look after the Indians must amount to a considerable sum.

The report, dated June, 1856, of Lieutenant Rundell, on Klamath river, was transmitted through the headquarters of the army the 17th June, 1856. This report shows that but little at that time had been done for the Indians on the so-called Klamath reservation, but never yet examined or recognized as such. Very little as yet has been done for the Indians in northern California. About four hundred have been stationed near the mouth of the Klamath. They were sent there to prevent their being killed by the whites, and for a time subsisted by the Indian agent Whipple. A new agent, Mr. Patterson, refused to give them more than fifty rations per day. Apprehensions being entertained that these Indians would be compelled to return to their hunting grounds for subsistence, which would be resisted by the whites, I ordered subsistence to be furnished them by Lieutenant Garber until the Indian agent would supply them. I presume they are at the present time furnished with rations by Lieutenant Garber. It is much cheaper to feed than to fight them.

I also enclose a correspondence on the same subject between Senators John B. Weller and myself, dated October 4th and 5th, which may claim attention.

By all which, I think it will be discovered that the Indian affairs in California are not managed to the best advantage, neither on ac-

count of the United States nor the Indians. All which is respectfully submitted.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Lieutenant Colonel L. THOMAS,
Assistant Adjutant General,
Headquarters of the Army, New York City.

[Endorsement.]

INDIAN AFFAIRS.

The views of Major General Wool are approved and respectfully submitted.

WINFIELD SCOTT.

BENICIA, CALIFORNIA,
August 24, 1856.

SIR: Agreeably to the direction of the commanding general, I have the honor to report that the Indians upon the Nome Lackee reservation are apparently well fed; with regard to the quantity or quality of food furnished them I have no positive information; I merely observed that the principal article issued was wheat, and in their season such vegetables as were raised at the reserve.

The number of Indians permanently at the reserve, in my estimation, may be set down at about one thousand of all ages.

I am, very respectfully, your obedient servant,

JOHN EDWARDS, Jr.,
First Lieutenant 3d Artillery.

Major W. W. MACKALL, A. A. G.,
Hd'qrs Dep't of the Pacific, Benicia California.

HEADQUARTERS, FORT TEJON, CALIFORNIA,
September 29, 1856.

MAJOR: On my return to this post from San Francisco, I found that Captain J. W. T. Gardiner, 1st dragoons, had made a report, dated the 11th instant, in reply to the instructions from the major general commanding department of the Pacific, contained in your letter of the 26th August last, requiring a report in regard to the number of Indians on the Tejon reservation. I fully concur in this report.

In reply to the major general's instructions, contained in a letter from Major O. Cross, quartermaster United States army, dated the 20th, and received 26th instant, I have to state that, from information

received from the best source, I do not believe there are more than *four hundred Indians* on the Tejon reservation, including women and children, and those at a ranheria situated about four miles from this post, and between here and the reservation. This ranheria is not on the reservation, and the Indians living thereon do not generally depend upon the reservation for their subsistence, but cultivate small gardens, visit the mountains in the fall of the year for wild fruit and game for their winter supplies. They are friendly and peaceable Indians, and no doubt will remain so, so long as they are not molested by designing whites.

There are about three thousand Indians inhabiting the country between this post and the Four Creeks, a distance of about one hundred and twenty miles; many of these Indians are very destitute, so much so that they are at many times compelled to steal cattle for their subsistence.

I have been informed that the superintendent of Indian affairs in California has directed Mr. Ridley to select a reservation for these Indians in that vicinity. This gentleman was formerly employed on the Tejon reservation, and I can truly say that he is a very energetic man, well acquainted with many of the Indians, and with their character generally. I know of no one better calculated to induce the Indians to come on and reside on this latter reservation, should it be established. It will never do to use *coercive measures* to induce them to do so. The Indians must have the confidence of their agent. I am well aware that in many instances this has not been the case.

I herewith subjoin a list of employés, with their compensation, now on the Tejon reservation, viz:

	Per month.
J. R. Vineyard, agent.....	\$250 00
Thomas Henley, clerk	150 00
One vaquero	100 00
One blacksmith	100 00
One saddler.....	100 00
One cook.....	75 00
One gardener.....	65 00
Three others, performing various duties, at \$75 each.....	225 00
Total amount of compensation per month	<u>1,065 00</u>

There may be others employed, but of this fact I have not been able to ascertain. There has been raised on this reservation, during the present year, about *one thousand five hundred bushels* of wheat; how much of this crop has been saved I have not been able correctly to ascertain, but if it has been properly secured, I am of opinion that it will be sufficient to answer the wants of the Indians now on the reservation. I will here state that there is also a *fisherman* employed on this reservation. I do not know his compensation, but this I do know, that it is an useless employé, as the Indians generally catch their own fish, and are much more successful in their *piscatory* employment than that of the white man; in fact, the squaws can beat them in this amusement.

Many Indians are employed in the quartermaster's department at this post in excavating the foundations for the additional buildings, and a greater number of them are employed by persons making adobes for persons from whom they are purchased by the assistant quartermaster. This is a great saving to the government by thus employing Indians as laborers, as they do not charge for their labor near as much as the whites; and further, I am of opinion, by thus employing them it gives them more confidence in the whites, and has a great tendency to make them, as well as others not thus employed, cease committing depredations on the white settlements.

I would most respectfully refer the commanding general of the department of the Pacific to my report on this subject dated August 11, 1855, from which he will be able to glean further information in relation to this subject. No material change in relation to the condition of the Indians has taken place since the date of that report.

Very respectfully, your obedient servant,

B. L. BEALL,

Lt. Col. 1st Dragoons, commanding post.

Maj. W. W. MACKALL,

Ass't. Adj't. Gen. U. S. A., Benicia Cal.

FORT MILLER, CALIFORNIA,

October 28, 1856.

SIR: In reply to your letter of August 21, 1856, I have to state that the superintendent of Indian affairs (Col. Henley) did visit the vicinity of this post (though not the immediate vicinity) about the 28th of August—that is, he visited the Indian reservations on either side of this place. I was not informed of his visit till he had left for San Francisco.

The Indians from King's river were on this river at the time of his visit, and were not taken back to their own homes till three days ago. I did not see Col. Henley. I learned from his sub-agent, Mr. Campbell, that he said "he did not intend doing anything with the Indians till after he saw how the next election went."

At the time Col. Henley passed near this place many Indians were here, and wished very much to see him. Among them was the mountain tribe that the whites had the late disturbances with. The number was, in all, five hundred.

In reply to your letter of September 20, I have to say, on the Fresno farm there was not to exceed fifty Indians at the time I was in Benicia, a large part of them house servants. On the King's river farm there was not at the same time to exceed one hundred Indians ever receiving benefit from the farm.

All the Indians in this country, as far as I can learn, are in a state of great destitution.

I am, sir, very respectfully, your obedient servant,

LUCIEN LOESER,

1st Lieut. 3d Reg. Art. com. post.

Maj. W. W. MACKALL,

Ass't. Adj't. Gen., Benicia, Cal.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

Benicia, August 5, 1856.

SIR: Since I transmitted the copy of Mr. Gorge's letter, the general has learned from General Beale that, by the treaty made by him with the Indians in and about Tulare valley, the Indians were to be fed on the grounds designated by General Beale until the superintendent of Indian affairs designated other places, and, on these latter places, were to be fed as long as the necessity of the case demanded. By Mr. Gorge's letter, it appears that your agents (and some of them were present and consenting to the treaties) refuse to feed these people, and the peace of the State is again endangered. It is said that there are 60,000 Indians in California, and not more than 2,000 of these on reservations; and on these 2,000 and the employés of your department the whole of the large appropriation for Indian affairs in this State is expended. To this state of affairs the general bids me to call your attention, and to say that a few hundreds of dollars judiciously expended on such treaties as above referred to, would go far towards the preserving of peace and saving of blood and treasure. He hopes you may find it convenient to visit these Indians, examine for yourself, and preserve the peace.

I am, sir, very respectfully, your obedient servant,

W. W. MACKALL,

Acting Adjutant General.

T. J. HENLEY, Esq.,

Superintendent of Indian Affairs, San Francisco, Cal' a.

True copy :

RICHARD ARNOLD,

1st Lieut. 3d Artillery, A. D. C.

SAN FRANCISCO, CALIFORNIA,

October 4, 1856.

MY DEAR GENERAL: With much regret I learn the military forces have been withdrawn from the principal Indian reservations in this State. I have no doubt much good has resulted heretofore from their restraining influences; and where Indians of different tribes, strangers to each other, of a nature wild, and accustomed to no restraints of life, are thrown together, surrounded even remotely by white population, troubles and serious difficulties must ensue, and a powerful restraining influence should be constantly at hand. I earnestly hope some measures may be speedily adopted, in this regard, which will prevent the enactment of scenes of hostility and bloodshed between the Indians and our white population, such as have already cast some stain upon our State, and occasioned large expenditures of money.

I trust you may find it in your power to afford the necessary means

to protect the Indian reservations from the terrible consequences of an outbreak.

With high consideration and esteem, your obedient servant,
JOHN B. WELLER.

Major General JOHN E. WOOL,
Commanding Pacific Division, U. S. Army.

True copy :

RICHARD ARNOLD,
1st Lieut. 3d Artillery, A. D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, California, October 5, 1856.

MY DEAR COLONEL: I had the honor to receive last evening your communication of the 4th instant, in which you say, "with much regret you learn the military forces have been withdrawn from the principal reservations in this State."

A piece of land, although it may be called an Indian reservation, does not become so until surveyed, metes and bounds given, embracing a certain number of acres, "and submitted to the commanding officer and by him approved" and "declared to be an Indian reserve, so that all Indians and whites, troops inclusive, may know the exact limits thereof." We have but one such reserve in California, and that is at Tejon. If there is not a military post established on it, it is because the present superintendent of Indian affairs did not wish to have one there, and recommended to have it placed where it is, some fifteen miles distant. He, no doubt, will furnish you with the reasons which induced him to desire the post elsewhere than on the reservation.

The Nome Lackee tract, although it is two years since it was examined with reference to the location of an Indian reserve, has not been surveyed, nor its metes and bounds given, with the number of acres, nor approved, as prescribed by law and regulations, and therefore cannot in any wise be considered an Indian reservation, and consequently the military could have no more right to interfere with a white man on the so-called Nome Lackee reserve than they would have in the city of Benicia or San Francisco.

Being a citizen of California, a senator of the United States, and a lawyer, you, no doubt, are aware that the Indians and whites in California are subject to and amenable to the laws of the State. By these laws the occupants of the Nome Lackee tract must be governed, until the superintendent of Indian affairs complies with the law and regulations creating reservations.

Colonel Henley reported to me some time since that a reservation had been declared and approved, by the President of the United States, at Mendocino, and requested me to send some troops there, as he was about to settle some Indians on the tract designated as a reserve. As soon as the tract is surveyed, the metes and bounds given, with the number of acres, and the same approved, I will establish a military post on it, if it should be required. If Colonel Henley has any other

tracts which he calls reserves, they have not been reported to me, at least, not with reference to examination and approval.

With the foregoing remarks, allow me to ask, can the United States exercise exclusive jurisdiction over Indian reserves before the State surrenders its jurisdiction by cession? A general law was passed by the legislature of California ceding to the United States, in certain cases, jurisdiction. This law is considered too general and not sufficiently specific, and therefore invalid. I should be glad of your opinion on the subject if you feel authorized to give it. I ask it because it is an important question, and ought to be settled before military posts are established on reserves without the jurisdiction of the State being first ceded to the United States. Without the precautions suggested, officers stationed on reserves might become involved in great difficulties and mulct in heavy penalties. Under these circumstances, as it appears to me, the military would have no right to expel a white man from the reserve, nor to interfere with him even if he should take from the reserve one or more squaws, or one or more Indian children. In such cases the civil law of the State would be invoked to prevent the evil, and not the military. The same remarks are equally applicable to Indians, who are alike punishable for offences committed under the laws of the State. California is in no respect considered an Indian country, and therefore the military have no control over whites or Indians, excepting only where jurisdiction is ceded to the United States for such purposes. I, however, have never failed to protect and defend the whites when attacked by Indians.

To conclude, I hold it strictly correct, and in accordance with the Constitution of the United States and the institutions of the country, that the military is ever to be subordinate to the civil, and never to assume any power not clearly and specifically defined and authorized by law or regulations. In this, as you are a law-abiding senator, I feel assured not only of your approval, but that of the President of the United States.

With considerations of the highest respect and esteem, I am, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

HON. JOHN B. WELLER,
Senator of the United States, San Francisco, Cal.

P. S. I do not apprehend any outbreak on the part of the Indians. As soon as three companies of dragoons arrive, which are expected in all this month from New Mexico, I have ordered a company to take post at Fort Reading; on its arrival at that post I will be able to furnish any assistance that may be needed to restrain the Indians on the so-called Nome Lackee reserve. I have no power, however, to restrain the whites if they choose to make war on the Indians.

W.

DEPARTMENT OF THE INTERIOR,
November 5, 1856.

SIR: The Commissioner of Indian Affairs informs me that General Wool has withdrawn the United States troops from the Indian reser-

vations in California, for the reason that the outlines of the reservations have not yet been surveyed; and, in reply, I have suggested the expediency of having the requisite surveys made as early as practicable. It is important, however, that in the meantime our agents should be under the protection of the troops; and I have the honor respectfully to request that such instructions may be issued to the commanding officer in that region as will secure that object, if it can be done with propriety.

I am, sir, very respectfully, your obedient servant,

R. McCLELLAND, *Secretary.*

Hon. JEFFERSON DAVIS,
Secretary of War.

WAR DEPARTMENT,
Washington, November 19, 1856.

SIR: I have the honor to acknowledge the receipt of your letter of the 5th instant, stating that you have been informed by the Commissioner of Indian Affairs that General Wool had withdrawn the troops from the Indian reservations in California, and asking that the protection of the troops may be afforded to the Indian agents in that State.

In reply, I have to inform you that, at the date of the latest returns received at this department, the troops were stationed on the Tejon and Klamath reservations, but that they were withdrawn from the Nome Lackee reservation on the 7th August last.

A copy of your letter will, however, be sent to the commander on the Pacific coast, with instructions to furnish the protection desired, if the exigencies of the service will permit.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

Hon. R. McCLELLAND,
Secretary of the Interior.

ADJUTANT GENERAL'S OFFICE,
Washington, December 4, 1856.

GENERAL: I have the honor herewith to transmit a copy of a letter addressed by the Secretary of the Interior, under date of November 5, 1856, to the Secretary of War, in relation to the withdrawal of the troops from the lands set apart for the Indians in California.

The Secretary of War desires that, if the exigencies of the public service within the limits of your command will permit, you extend military protection to such Indian reservations in California as may be perfected according to law and the instructions heretofore conveyed to the commander of the department of the Pacific upon this subject.

I am, sir, very respectfully, your obedient servant,

S. COOPER, *Adjutant General.*

Brevet Major General J. E. WOOL, U. S. A.,
Commanding Department of the Pacific, Benicia, Cal.

III.

Indian affairs in Washington and Oregon Territories.

Governor Curry to the Secretary of War, February 22, 1855, transmitting copy of resolution of Oregon legislature, January 27, 1855.

Adjutant General of the Department of the Pacific to Captain A. J. Smith, May 14, 1855.

General Wool to Major G. J. Rains, May 24, 1855.

Same to same, May 24, 1855.

Adjutant General of Oregon to the Adjutant General of the United States army, October 24, 1855, transmitting copies of orders to Oregon mounted volunteers.

Governor Stevens to the Secretary of War, May 23, 1856.

General Wool to headquarters of the army, June 3, 1856, transmitting copy of proceedings of meetings of the bar and citizens of Pierce county, Washington Territory, relative to the arrest of Judge Lander, May 7, 1856.

Governor Stevens to the Secretary of War, June 8, 1856, enclosing copy of letter of William Craig, Indian agent, to Governor Stevens, May 27, 1856.

Governor Stevens to the Secretary of War, July 7, 1856.

Secretary of War to the Secretary of the Interior, September 3, 1856.

Governor Stevens to the Secretary of War, July 24, 1856.

Secretary of War to Governor Stevens, September 3, 1856.

Governor Stevens to the Secretary of War, August 14, 1856,

Enclosing copies of—

Letter of Lieutenant Colonel B. F. Shaw, Washington Territory volunteers, to Governor Stevens, July 12, 1856, with

Records of "talk" with Nez Percé Indians, at Mill Creek, July 11, 1856.

Records of "talk" with Nez Percé Indians, at Lapwai, July 14, 1856.

Records of "talk" with Nez Percé Indians, at Lapwai, July 28, 1856.

General Orders, No. 5, (Washington Territory volunteers.)

Report of Lieutenant Colonel B. F. Shaw, of an engagement with Indians at Grande Ronde, dated July 24, 1856.

Report of Doctor Burns, of killed and wounded, July 24, 1856.

Extract of a letter of Lieutenant Colonel B. F. Shaw, Washington Territory volunteers, to Governor I. I. Stevens, July 26, 1856.

Colonel F. R. Cornelius, Oregon mounted volunteers, to Governor Curry, in reply to charges of General Wool, June 13, 1856.

Governor Curry to the Secretary War, August 14, 1856,

Enclosing copies of—

Notice to settlers in Walla-Walla and Umatilla valleys, by Indian Agent Olney, October 12, 1855.

- Letter of Major G. J. Rains to chief of Yakima Indians, November 13, 1855.
- Letter of Narcisse Raymond to the commanding officer at Fort Walla-Walla, November 14, 1855.
- Letter of Assistant Surgeon J. R. Bates, Oregon mounted volunteers. Statement relative to the death of Pu-Pu-Mox-Mox, June 19, 1856.
- Letter of Lieutenant Colonel James Kelly, Oregon mounted volunteers. Statement relative to the death of Pu-Pu-Mox-Mox, January 15, 1856.
- Letter of Lieutenant Charles B. Pillow, Oregon mounted volunteers. Statement relative to the death of Pu-Pu-Mox-Mox, June 15, 1846.
- Letter of Captain A. V. Wilson, Oregon mounted volunteers. Statement relative to the death of Pu-Pu-Mox-Mox, June 15, 1856.
- Letter of Captain D. Layton, Oregon mounted volunteers. Statement relative to the death of Pu-Pu-Mox-Mox, June 18, 1856.
- Proceedings of court-martial at Camp Cornelius, March 6, 1856.
- Letter of Governor Curry to Colonel G. Wright, United States army, May 10, 1856.
- Letter of Lieutenant H. L. Abbot, United States army, to Governor Curry, November 20, 1855.
- General Orders, No. 7, (Washington Territory volunteers,) October 30, 1856.
- General Wool to headquarters of the army, November 1, 1856.
- Same to same, November 3, 1856.
- Enclosing copies of—
- Letter of Lieutenant Colonel S. Casey to Assistant Adjutant General Pacific Department, October 21, 1856.
- Same to Governor Stevens, October 20, 1856.
- Letter of Governor Stevens to Lieutenant Colonel S. Casey, October 20, 1856.
- Letter of Lieutenant Colonel S. Casey to Governor Stevens, October 21, 1856.
- General Wool to headquarters of the army, November 19, 1856,
- Enclosing copies of—
- Letter of Colonel G. Wright to Lieutenant Colonel S. Casey, July 23, 1856.
- Letter of Governor Stevens to same, October 30, 1856.
- Letter of Lieutenant Colonel S. Casey to Governor Stevens, November 2, 1856.
- Letter of Lieutenant Colonel S. Casey to Assistant Adjutant General Pacific Department, October 29, 1856.
- Same to same, November 2, 1856.
- Letter of the Assistant Adjutant General Department of the Pacific to Lieutenant Colonel S. Casey, November 19, 1856.
- General Wool to headquarters of the army, November 19, 1856,

Enclosing copies of—

Letter of Colonel G. Wright to Assistant Adjutant General Pacific Department, October 30, 1856.

Same to same, October 31, 1856.

Same to same, October 31, 1856.

Letter of H. D. Wallen to General Wool, November 12, 1856.

Extract from Steilacoom Herald, November 17, 1856, with remarks of General Wool.

Governor Stevens to the Secretary of War, November 21, 1856.

Same to same, November 21, 1856.

Same to same, November 21, 1856,

Enclosing copy of—

Letter of Governor Stevens to General Wool, May 22, 1855.

General Wool to headquarters of the army, December 3, 1856,

Enclosing copies of—

Letter of Governor Stevens to Lieutenant Colonel S. Casey, November 4, 1856.

Letter of Lieutenant Colonel S. Casey to Governor Stevens, November 6, 1856.

Same to Assistant Adjutant General Pacific Department, November 11, 1856.

Same to same, November 18, 1856.

Governor Stevens to the Secretary of War, December 6, 1856.

General Wool to headquarters of the army, December 18, 1856,

Enclosing copies of—

Letter of Lieutenant Colonel S. Casey to Assistant Adjutant General Pacific Department, December 1, 1856.

Letter of Lieutenant J. Nugen to Captain S. Swartwout, United States navy, November 18, 1856.

Report of Captain S. Swartwout, United States navy, of an engagement with Indians at Port Gamble, November 23, 1856.

Assistant Adjutant General Pacific Department to Lieutenant Colonel S. Casey, December 17, 1856.

General Wool to headquarters of the army, December 18, 1856,

Enclosing copies of—

Letter of Captain J. Stewart to Assistant Adjutant General Pacific Department, November 25, 1856.

Letter of Assistant Adjutant General Pacific Department to Captain J. Stewart, December 16, 1856.

Same to T. J. Henley, superintendent Indian affairs, December 17, 1856.

General Wool to headquarters of the army, January 3, 1857,

Enclosing copy of—

Letter of Assistant Adjutant General Pacific Department to Brevet Lieutenant Colonel E. J. Steptoe, January 1, 1857.

TERRITORY OF OREGON, EXECUTIVE OFFICE,
Salem, February 22, 1855.

SIR: I have the honor to acknowledge the receipt of your communication of the 2d ultimo.

The legislative assembly of the Territory, at the recent session, contemplated the authorizing of an expedition, by voluntary enrolment on the part of our citizens, to afford protection along the immigrant trails conducting into the settlements of Oregon, and to apprehend the perpetrators of the massacre of American citizens near Fort Boise, on the 20th of August last; but a copy of your communication of the 27th November last, to General Lane, in reference to the subject, having been brought to their knowledge, they abandoned the proposed expedition, and adopted a resolve, a copy of which I herewith enclose.

I would again respectfully urge the necessity of a military establishment at or near Fort Boise, as the proper base for any and all operations against the hostile Indians of the surrounding country.

I am, very respectfully, your obedient servant,

GEO. L. CURRY,
Governor of Oregon.

Hon. JEFFERSON DAVIS,
Secretary of War.

Resolved by the legislative assembly of the Territory of Oregon, That the governor is hereby directed to correspond with General Wool, and also with Colonel Bonneville, relative to the number and kind of available troops to be sent out against the Snake Indians; and if, in his judgment, the regular forces are insufficient to meet the exigencies of the occasion, he shall call out such number of volunteers, and prescribe such rules and regulations for their action as he may deem best.

Passed the house of representatives, January 27, 1855.

Passed the council, January 29, 1855.

L. F. CARTER,
Speaker of House of Representatives.
JAMES K. KELLY,
President of the Council.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, May 14, 1855.

SIR: Brevet Major E. H. Fitzgerald left this post the 10th instant, with about forty men and horses, for Fort Lane. The commanding general directs that, as soon after his arrival as possible, you fit out an expedition to march towards Fort Boise. The first object of the expedition will be to protect the immigrants *en route* to Oregon and Washington Territories. If it should be practicable, without delaying

the return of the troops too late in the season, the general desires that an attempt shall be made to capture or punish the authors of the outrage committed last fall upon immigrants by a body of Snake Indians, called *Win-nes-tes*. The expedition will be commanded either by yourself or Brevet Major E. H. Fitzgerald, at your discretion, and the general leaves it to you to determine how far the expedition shall proceed. The general also wishes to have such a sketch and notes of the route travelled over as the circumstances of the march will permit to be prepared.

I am, sir, very respectfully, your most obedient servant,
E. D. TOWNSEND,
Assistant Adjutant General.

Captain A. J. SMITH,
First Dragoons, Commanding Fort Lane, O. T.

MAY 24, 1855.

Major G. J. Rains will personally superintend the fitting out of the expedition above directed. He will see that everything is provided necessary to make it efficient, and give such instructions as will insure, as far as may be practicable, all the objects contemplated.

The country bordering on the Columbia river and its branches, and Puget Sound, will be considered a district under his command and supervision.

JOHN E. WOOL,
Major General.

Major G. J. RAINS,
Commanding fourth regiment infantry.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Vancouver, W. T., May 24, 1855.

SIR: You will fit out an expedition for a campaign in the Snake River country, among the Wehinnas Indians, for the purpose of giving protection to immigrants "en route" to Oregon and California from the eastern States, and, if practicable, to obtain and bring to justice the Indians of that tribe who massacred the immigrants last season at or near Fort Boise. The troops for the expedition will number at least one hundred effective men, and as many more as can be spared, and will be taken from the artillery and infantry now at forts Vancouver and Dalles, all to be mounted and equipped on horses, now in the quartermaster's department at those posts.

The following detail of officers is suggested for the command.

1. Brevet Major G. O. Haller, 4th infantry, commanding.
2. Captain D. A. Russell, 1st Lieut. H. Dryer, and 2d Lieut. H. C. Hodges, commanding the infantry.
3. 2d Lieut. E. H. Day, and Brevet 2d Lieutenant A. Gracie, jr.,

in charge of artillery, two howitzers and travelling forge, with equipments.

4. 1st Lieut. H. Dryer, 4th infantry, A. A. Q. M. and A. A. C. S. Supplies for three and a half months to be taken, and the expedition to leave as early as practicable, say about the 15th of June next. Two howitzers (mountain) and fifty rounds of ammunition to be taken, with a pack saddle and affixtures for one to be carried along in a wagon, and two hundred rounds of musket and rifle cartridge per man. It is, however, left to the discretion of Lieut. Day and his commanding officer to carry the howitzer in the manner they may deem most proper. Twenty long-range rifles will accompany the expedition, and be put into the hands of selected men, ten to each company. Assistant Surgeon J. J. Milhan will accompany the command, and will obtain the necessary medicines and hospital stores from this post.

Lieut. G. H. Mendell will also accompany the expedition for reconnoissance of the country, reporting the results, through the commanding officer of this post, to the headquarters of the Pacific department, and on his return will remain on duty at Fort Vancouver until further orders. The quartermaster's department at the two posts will furnish the necessary transportation for provisions and other supplies, with horses and mules for the officers and men.

The commandant of the regiment will order the necessary officers to take charge of the post at the Dalles until the expedition returns.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Major E. J. RAINS.

4th infantry, commanding, &c., Fort Vancouver, W. T.

TERRITORY OF OREGON, ADJUTANT GENERAL'S OFFICE,
Portland, October 24, 1855.

SIR: I have the honor herewith to enclose certain papers, which I deem it my duty to forward to you, relating to an Indian war now raging in this Territory.

The intelligence of the late engagement of Major Haller with the United States troops under his command, against the Yakima Indians, in the vicinity of Fort Dalles, has doubtless reached your office by the last steamer, and apprized you of the serious and threatening nature of Indian hostilities in this quarter.

The reports and letters of the governor of this Territory, George L. Curry, which go out by the same mails with this, will fully apprise the Departments at Washington city of the character of the war and of the military force called into the field in this country against the combined hostile tribes—comprising the Yakima, Palouse, Klikitat, Walla-Walla, Cayuse, Des Chute, Umatilla, and other tribes in the north, and the Rogue River, Klamath, Shasta, and other bands in the south.

The extent and number of those hostile tribes which have joined the confederation against the whites is at this time not fully known.

Copies of newspapers published in this place, and herewith sent, will give the particulars of these hostilities more fully than time will permit at the present to give.

The rough draught from which was taken the accompanying sketch of the theatre of the war on the north, has been furnished by an old mountaineer and agent of the Hudson Bay Company, and may be relied upon as very correct.

Of the progress of the war and its termination, I will endeavor to keep you fully advised. Meanwhile, allow me to ask for instructions in the further duties of the office of which I am the incumbent.

I am, very respectfully, your obedient servant,

E. M. BARNUM,
Adjutant General of Oregon.

General SAMUEL COOPER,
Adjutant General, U. S. A.

GENERAL ORDER No. 1.

HEADQUARTERS, ADJUTANT GENERAL'S OFFICE,
Portland, O. T., October 15, 1855.

SIR: You will purchase, at market prices, the following articles, and in such quantities as are herein given, for the use of the troops called into service by proclamation of the governor of Oregon Territory, dated Portland, O. T., October 11, 1855. You will purchase such articles, to be approved and accepted by yourself, and upon the condition that the payment for the same will be made from appropriation made by the Congress of the United States, to be applied to defraying the expenses of the campaign under said proclamation, viz:

1,000 horses and mules; 400 saddles and bridles; 100 pack-saddles and rigging; 300 guns; 2,000 pounds buckshot; 2,000 pounds Beck's rifle powder; 3,000 pounds bar lead; 100 revolvers; 100 pounds percussion caps; 300 powder flasks and shot pouches; 10 coils lasso rope. Forage for 30 days for all animals procured; also stationery, as required by the several departments of this regiment. Also,
1,500 heavy blankets; 1,000 heavy flannel shirts; 1,000 pairs pants; 1,000 pairs shoes; 1,000 pairs socks; 200 iron or tin 6-quart camp kettles; 200 tin 2-quart coffee pots; 1,000 tin pint cups; 1,000 tin plates; 1,000 sheath-knives; 200 tin 8-quart pans; 25 camp tents; 50 axes, with handles; 100 hatchets, with handles.

And you will forward all of the said ammunition, one-half of the horses and mules, saddles, and camp equipage, clothing, &c., to the Dalles at the earliest possible despatch; and the remainder of said supplies you will retain at this point, Portland, to await further orders, and report to this department.

By command of the governor:

E. M. BARNUM,
Adjutant General.

A. ZIEBER,
Assistant Quartermaster General.

GENERAL ORDER No. 2.

HEADQUARTERS ADJUTANT GENERAL'S OFFICE,
Portland, O. T., October 15, 1855.

M. M. McCarver, commissary general, will be prepared to furnish subsistence for at least thirty days for the entire command which has been called into the field by proclamation of the governor, dated 11th October, 1855.

Meanwhile he will have ample time to procure further supplies, if the campaign be prolonged beyond that number of days, and he will hold himself in readiness for that purpose upon further orders from this office.

By command of the governor :

E. M. BARNUM,
Adj't General.

GENERAL ORDER No. 3.

HEADQUARTERS ADJUTANT GENERAL'S OFFICE,
Portland, O. T., October 15, 1855.

By proclamation of the governor this day made, two battalions of mounted volunteers have been called for from southern and middle Oregon, for the purpose of suppressing Indian hostilities in those sections of our country; and in view of the probable concert of action among the tribes upon both our northern and southern borders, it is indispensably necessary that a free communication should be kept open between the Rogue river and Willamette valley.

The officers who may be chosen to the command of these battalions, as soon as they are mustered into the field, will therefore employ their respective commands in protecting the settlements in those sections from which they have been raised, and at the same time will keep open the line of communication between the Uriquia and Rogue River valleys. Their movements for those objects must necessarily be left very much to their own discretion. For the purpose of effectually chastising those savages who have perpetrated the merciless outrages in their midst, they will treat all Indians as enemies who do not show unmistakable signs of friendship, and deal with them accordingly; and they will also bear in mind that, so far as is practicable, a concert of action will be maintained with the United States forces that may be engaged in that section of the Territory.

No change in the plan of operations for carrying on a vigorous war against the Indians at the north will be made in consequence of the call for battalions from the south.

The commanding officers will keep this office fully advised, from time to time, of their operations and success.

By order of the governor :

E. M. BARNUM,
Adj't General.

GENERAL ORDER No. 4.

TERRITORY OF OREGON,
Headquarters, Portland, October 16, 1855.

The regiment of Oregon mounted volunteers, authorized by the proclamation of the governor of the Territory, of the 11th day of October instant, for the suppression of Indian hostilities on the northern frontier, will establish its base of operations at the Dalles of the Columbia, and with all possible despatch enter the enemy's country, secure indemnity for the past, and conquer a lasting peace for the future. The means necessary to effect the object of the campaign will be left very much to the prudence, skill, and experience of the colonel in command of the regiment, who will, as far as practicable, co-operate with the commanding officer of the United States troops, which now are or may hereafter be in the field.

Great care will be taken not to confound friendly with hostile Indians; but unmistakable evidence of friendship will be required of any of the Indians within the field of the regiment's operations, or they will be treated as confederated with those openly in arms. As far as possible, under the circumstances of the case, respect will be paid to the property of the enemy, and the campaign conducted to a successful issue with that humanity which should characterize a brave and powerful people in the infliction of merited chastisement upon a treacherous and savage foe. The chiefs of the commissary and quartermaster's departments will make such arrangements immediately as are necessary to promote the efficiency of the regiment for a campaign of three months' duration.

The surgeon of the regiment will organize the medical department, and report to the commanding officer of the regiment.

By the governor :

E. M. BARNUM,
Adjutant General.

GENERAL ORDER No. 5.

HEADQUARTERS ADJUTANT GENERAL'S OFFICE,
Portland, O. T., October 16, 1855.

Commissary General M. M. McCarver will proceed without delay to southern Oregon, and make all necessary arrangements to subsist the two battalions called for by proclamation of the 15th October, 1855.

He will inculcate the necessity, on the part of his subordinates, of the exercise of perspicuity and carefulness in the records of all official transactions, and of the utmost prudence and economy in purchasing the supplies that may be requisite for the war.

By command of the governor :

E. M. BARNUM,
Adjutant General.

GENERAL ORDER No. 6.

HEADQUARTERS ADJUTANT GENERAL'S OFFICE,
Portland, O. T., October 16, 1855.

Quartermaster General John F. Miller is required, without delay, to make the necessary arrangements for insuring efficiency and despatch in his department in furnishing the arms, ammunition and other supplies which may be required by the volunteer force called into the service to suppress Indian hostilities by proclamation of the governor of the 15th October, 1855.

He will inculcate the necessity, on the part of his subordinates, of the exercise of perspicuity and carefulness in keeping the records of all official transactions, and of the utmost prudence and economy in purchasing the supplies that may be requisite.

By command of the governor:

E. M. BARNUM,
Adjutant General.

GENERAL ORDER No. 7.

TERRITORY OF OREGON,
Headquarters, Portland, October 17, 1855.

Hostile Indians, in straggling parties, are reported to have recently passed and repassed the Cascade mountains by the immigrant road. Companies "C" and "D" will therefore constitute a detachment of the regiment of Oregon mounted volunteers, and proceed immediately to the Dalles of the Columbia by that road, and report to the senior officer of the regiment there.

All Indians that may be encountered on the march will furnish unmistakable evidence of friendship, or be treated as enemies.

On the line of march the detachment will afford every assistance and protection to our citizens and their property.

By the governor:

E. M. BARNUM,
Adjutant General.

GENERAL ORDER No. 8.

TERRITORY OF OREGON,
Headquarters, Portland, October 18, 1855.

The urgency for a force at the Dalles of the Columbia imposes a necessity for the utmost celerity on the part of the troops authorized by the proclamation of the 11th of October instant; forty-eight horses only will therefore be allowed to each company of the regiment of Oregon mounted volunteers at rendezvous after being mustered into service.

At the Dalles, facilities will be afforded for completing the equipments of any company unavoidably compelled to leave the rendezvous without being fully equipped within the time allowed by this order.

By the governor :

E. M. BARNUM,
Adjutant General.

GENERAL ORDER No. 9.

TERRITORY OF OREGON,
Headquarters, Portland, October 19, 1855.

Companies "E" and "F" of the regiment of Oregon mounted volunteers will constitute a detachment, and proceed to the Dalles of the Columbia forthwith, by way of the mouth of the Sandy, and report to the senior officer of the regiment there.

All Indians that may be encountered on the march will furnish unmistakable evidence of friendship, or be treated as enemies.

On the line of march the detachment will afford every assistance and protection to our citizens and their property.

By the governor :

E. M. BARNUM,
Adjutant General.

GENERAL ORDER No. 10.

TERRITORY OF OREGON,
Headquarters, Portland, October 20, 1855.

Information having been received that armed parties have taken the field in southern Oregon, with the avowed purpose of waging a war of extermination against the Indians in that section of the Territory, and have slaughtered, without respect to age or sex, a friendly band of Indians upon their reservation, in despite of the authority of the Indian agent and the commanding officer of the United States troops stationed there, and contrary to the peace of the Territory, it is therefore ordered that the commanding officer of the battalion authorized by the proclamation of the governor of the 15th day of October, instant, will enforce the disbanding of all armed parties not duly enrolled into the service of the Territory by virtue of said proclamation.

The force called into service for the suppression of Indian hostilities in the Rogue River and Uruqua valleys, and chastisement of the hostile party of Shasta, Rogue River and other Indians now menacing the settlements in southern Oregon, is deemed entirely adequate to achieve the object of the campaign ; and the utmost confidence is reposed in the citizens of that part of the Territory that they will support and maintain the authority of the executive by cordially co-operating with the commanding officers of the territorial forces, the commanding officers of the United States troops, and the special agents of the Indian department in Oregon.

A partisan warfare against any bands of Indians within our borders or on our frontiers is pregnant only with mischief, and will be viewed with distrust and disapprobation by every citizen who values the peace and good order of the settlements. It will receive no countenance or support from the executive authority of the Territory.

By the governor :

E. M. BARNUM,
Adjutant General.

GENERAL ORDER No. 11.

TERRITORY OF OREGON,
Headquarters, Portland, October 20, 1855.

So much of "General Order No. 9," heretofore issued to companies "E" and "F," regiment of Oregon mounted volunteers, directing said companies to proceed to the Dalles of the Columbia, by way of the mouth of the Sandy, is hereby recalled.

They will hold themselves in readiness, on and after the morning of the 21st instant, to proceed to the Dalles of the Columbia, by way of the Willamette and Columbia rivers, as far as the Cascades, on steamboats provided for their transportation, and from thence as indicated in General Order No. 9.

At the Dalles the detachment will report to the senior officer of the regiment.

By command of the governor :

E. M. BARNUM,
Adjutant General.

TO COMMANDING OFFICERS OF COMPANIES "E" AND "F."

GENERAL ORDER No. 12.

TERRITORY OF OREGON,
Headquarters, Portland, October 22, 1855.

Company G of regiment of Oregon mounted volunteers will proceed, immediately upon receipt of this order, to the mouth of the Sandy, and there await transportation to the Cascades ; from thence it will proceed to the Dalles of the Columbia without delay, there to report to the senior officer of the regiment of Oregon mounted volunteers.

By command of the governor :

E. M. BARNUM,
Adjutant General.

SPECIAL ORDER No. 1.

TERRITORY OF OREGON,
Headquarters, Portland, October 16, 1855.

COLONEL: You will proceed at once to the Dalles, after the receipt of this order, and superintend the organization of the regiment under your command. The object of the campaign in which it is to be engaged is stated generally in "General Order No. 4," herewith.

On your arrival at Fort Dalles, although you will hold your command at all times subject to the orders of the governor of the Territory, you will confer with Major G. J. Rains, commanding officer of the United States troops in Oregon and Washington Territories, and, so far as is practicable, co-operate with him in a vigorous prosecution of the campaign.

Before the complete organization of the regiment, should you deem the disposable force at your command sufficient to warrant such a step, you will commence field operations against the enemy. The *PASSES* into the settlements in the Willamette valley will demand and receive your constant and vigilant attention, so that a surprise shall be avoided. Indians professing friendship, especially on the south side of the Columbia river, you will require to place themselves wholly under the protection of our people. The advanced state of the season is favorable to the enemy, and demands the utmost celerity in your movements.

If executed promptly by a detachment in sufficient force, a detour by the John Day's, Unatilla, and other rivers towards Fort Colville, might afford protection to many of our fellow citizens at or returning from the neighborhood of the Pen de Oreille mines, and enable you to fall upon the rear of the enemy, should retreat in the direction of the swamps and lowlands on the Frazier's river be resorted to as an escape from an attack in front, in Yakima country proper. This suggestion is left to your discretion, with the entire active operations of your command in the field, relying with the most complete confidence upon your experience, prudence and bravery to achieve the object of the campaign, and return with your brave officers and men to receive with them the congratulations and applause of your fellow citizens.

Be assured always of cordial support and implicit confidence in yourself and command, and from time to time report your progress in the delicate and responsible duties entrusted to you.

By the governor:

E. M. BARNUM,
Adjutant General.

Brig. Gen. J. W. NESMITH, *of the Oregon militia,*
Col. com'g reg't Oregon mounted volunteers.

SPECIAL ORDER No. 2.

TERRITORY OF OREGON,
Headquarters, Portland, October 18, 1855.

COLONEL: To expedite the movements of troops from the rendezvous, General Order No. 8, herewith, has been issued.

Information has been received that the steamboat Wasco, usually plying between the Cascades and the Dalles, has been laid up at the latter place, and that, in consequence, great delay is experienced by the departments of subsistence and supply in forwarding the movements of the regiment under your command.

You will make the necessary arrangements for obviating any delay from this cause, involving (if requisite and unavoidable) the seizure and appropriation of the boat to the service of those departments.

Company A you will mount as soon as it can be done, either before or after its arrival at the Dalles. The exigencies of this campaign render this order imperative and without condition.

By the governor:

E. M. BARNUM, *Adjutant General.*

Col. J. W. NESMITH,

Commanding Regiment Oregon Mounted Volunteers.

SPECIAL ORDER No. 3.

TERRITORY OF OREGON,
Headquarters, Portland, October 19, 1855.

The medical department for the Territory will be organized forthwith under your superintendence, commission herewith.

That branch connected with the Oregon regiment of mounted volunteers in service on the northern frontier has been hitherto under the superintendence of T. A. Nicholson, surgeon to the regiment. He will report to you.

Dr. R. W. Shaw has been commissioned an assistant surgeon, and is under orders to report to the commanding officer of the regiment of Oregon mounted volunteers.

Dr. Lucius Danforth has been commissioned an assistant surgeon, and is under orders to report to the chief of the medical department for service. He will be employed with the forces in the field in southern Oregon.

The emergency requires the utmost promptitude on your part in organizing the branch of your department for service in the south. Surgeon Nicholson's report will advise you of the present efficiency of that branch in service on the northern frontier. Great care will be requisite to secure and maintain perspicuity and accuracy in the reports and accounts of your department. You will report immediately in person at headquarters.

By the governor:

E. M. BARNUM, *Adjutant General.*

A. M. BELT, *Surgeon General of the Territory of Oregon.*

EXECUTIVE OFFICE, WASHINGTON TERRITORY,
Olympia, May 23, 1856.

SIR: Although the exact phase which the Indian war will assume the present summer is not yet fully developed, enough is known to point out clearly the preparation which should be made to meet the probable contingencies.

I propose, therefore, in this communication, to set forth the present condition of the war, and the measures of preparation and precaution taken by me as the executive of the Territory and the commander-in-chief of the volunteer forces.

1. *The war in the Territory of Washington, west of the Cascades.*

The war has been prosecuted with exceeding vigor, energy, and success. The Indians have been defeated in two hard battles: one by the regulars at the crossing of White river; the other by the volunteers at Connell's prairie.

The Indians have been repeatedly struck since by the regulars, by the volunteers, and by the Indian auxiliaries. The country has been thoroughly and repeatedly scouted, in every direction and is now firmly held by block-houses and roads.

Two hundred Indians have been got in back of Seattle by the volunteers, and those believed to have been engaged in the war are now being tried by a military commission ordered by me at Seattle.

On the Puyallup and Nesqually, the Indians have been got in, to the number of nearly three hundred—more are still coming in. Some have been tried by a commission ordered by Lieutenant Colonel Casey, others by a commission held under my orders.

The principle adopted in all these commissions is to try and punish summarily those accused and proven to be instigators of the war and parties to murders. The remainder are sent to reservations in charge of local agents.

The main body of the hostiles have been driven across the mountains, and, under the lead of Leschi, are in the camp of the confederated hostile force on the Nachess.

Their spies are on this side, and constantly communicating information to them, and the plan of the hostiles is to send parties through different passes to lay waste and burn the settlements. This suggests the plan to be pursued to meet the emergency:

1. To move over the Nachess with two hundred horsemen, to strike the enemy in conjunction with the regular troops, to closely pursue him and drive him across the Columbia. Thus the war will be transferred from the settlements to the interior.

2. But as small parties may defy the utmost exertion and vigilance of a vastly superior force, and cross the mountains to the settlements, troops should be in position to watch the passes, and at suitable points in reserve to protect any point unexpectedly attacked.

A volunteer force of one hundred strong is in the neighborhood of the Falls of the Snoqualmie, at the depot. Fort Tilton, below the

Falls, at a post on a large prairie, above the Falls, and at an advanced post on Cedar creek.

Their orders are to watch the passes, to send scouts even across the mountains, to maintain their position in case of attack by a superior force, and send back for reinforcements.

This flank is a very important one, and must be maintained at all hazards; because it gives direct access to the great body of the friendly Indians on the reservations, and if broken, considerable accession might accrue to the hostiles.

The regular force, in conjunction with a small volunteer company raised at Seattle, is now occupying the country on White and Green rivers, the lower portion of the Cedar creek, and the country about Black river and the Duwamish lake. They also occupy the lower crossing of the Puyallup and the country about Steilacoom.

The volunteer force occupies the country with posts thence to Vancouver.

The report and map already furnished will explain where posts have been established.

Since that report was transmitted, a post has been established on South Prairie, a large block-house built on the Tenalquit plains, a short line of communication opened from the Yelue to Grand mound, and a wagon road nearly pushed through from the Cowlitz landing to Monticello. Two ferries have been established on the Cowlitz.

A company of nearly ninety men has been raised on the Cowlitz. It is divided into an active and reserve list. The former consisting of about forty men, is constantly engaged on scouting duty up the Cowlitz river, and towards the Lewis River pass.

A small company of Indian auxiliaries will be employed with them. The reserve will meet once a week for inspection, but except for the day of inspection, they are not provided with rations, nor will payment for service be recommended by me.

It is here proper to state, that the utmost cordiality prevails between the regulars and volunteer force. They have scouted together, and have practically held the whole field in co-operation, and brought about the present condition of things.

All this has been essentially done in the rainy season. The toils, hardships, and marches, and the blows struck by all the troops in heavy rains and inclement weather, is worthy of special commendation.

But the passes are now open, leaves are on the trees, food is abundant for Indians. I consider this the critical period of the war west of the Cascades. Let us look, therefore, to—

2. *The war east of the Cascades.*

It is not to be disguised that the tribes east of the mountains thus far consider themselves the victors. When Colonel Wright commenced his march into the Yakima country early this month, they practically held the whole country for which they had been fighting. Not a white man now is to be found from the Dalles to the Walla-Walla; not a house stands; and Colonel Wright, at the last advices

H. Ex. Doc. 76—11.

was in the Nachess, in presence of twelve or fifteen hundred warriors, determined to fight. All the confederated bands are there.

Colonel Wright met the hostiles on the 8th of May, and made an effectual attempt to treat with them till the 11th. On the evening of the 11th he despatched an express to the Dalles for reinforcements. His force probably now numbers some 475 effective men.

If the Indians are so emboldened by their successes as to believe they can overcome Colonel Wright in a hard fight, it will be fortunate, as the regular force will strike a severe blow, and may drive them across the Columbia.

It seems to me probable that they will simply attempt to harass and annoy him; try to steal his animals, will draw him further north into their country, will send parties to the rear to compel him to make detachments, will gain time, so that his provisions may be consumed, and reduce his operations mainly to occupying a post or two and supplying it.

Two hundred horsemen over the Nachess, well supplied, well mounted, under a vigorous officer, at this juncture will, with the operations of the regular troops, drive him across the Columbia.

This force I am organizing at fort Montgomery; it will be ready in ten days.

In this view the Walla-Walla country must be held, communication re-established with the Nez Percé auxiliaries, and the enemy restricted to the country north of the Snake, and on the immediate banks of the upper Columbia.

I am now organizing a force of two hundred men to occupy the Walla-Walla.

One hundred men are already at the Dalles. They will move with one hundred days' provisions, and some to spare, for the Nez Percé auxiliaries, and the troops which may be concentrated there from the Yakima country.

The Yakima and Walla-Walla country firmly held, the passes well watched over the Cascades, the main force of the enemy on the Snake and upper Columbia, we may then be able to disband the bulk of the remaining volunteers on the Sound.

This most favorable view of the progress of the war, which cannot be developed in a shorter period than four to six weeks, will practically keep in service all the volunteers for their six months' term of service, and may render it necessary to extend the term on the part of those occupying the Walla-Walla.

I cannot too strongly urge the policy of accumulating supplies in Yakima country and in the Walla-Walla, in readiness to wage a winter campaign.

On the 1st of November there should be six months' supplies for all the troops in both the Yakima and Walla-Walla country; there should be ample supplies of forage; there should be a post and ferry at or near the site of old Fort Walla-Walla; one at or near the mouth of the Palouse.

With proper preparations a winter campaign can be waged, and the war ended.

I have personal knowledge of the winter features of the country.

To diminish transportation, make use of ox-teams, send forward salt, return the wagons with two yokes instead of three, use fresh and dried beef as much as possible, and reduce the ration of flour to one half pound per day.

Troops would be perfectly healthy with one-third of a pound of flour per man, each day, using fresh or dried beef.

Thus to transfer the war from the settlements on the Sound and the Columbia river to the interior, to strike such blows as opportunities may offer, and to be in readiness to prepare for a vigorous winter campaign, I shall in ten days be ready to move over the mountains with two hundred horsemen and one hundred and fifty pack animals, and to the Walla-Walla with two hundred horsemen and one hundred days' provisions.

For the lower Columbia a company has been organized in Clark county; several block-houses have been built; a portion are constantly kept scouting, the remainder will form a reserved list, without pay or rations.

I am, sir, very respectfully, your most obedient servant,

ISAAC I. STEVENS,
Governor Territory Washington.

Hon. JEFFERSON DAVIS,
Secretary of War, Washington City, D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, California, June 3, 1856.

COLONEL: I have the honor to report, for the information of the general-in-chief and the War Department, that the steamer Columbia is just in from the north. By her I received the gratifying information that the war in Puget Sound and Rogue river valley is nearly or quite at an end. Lieutenant Colonel Casey reports, April 19: "So far as the Indians on this side are concerned, the contest is about ended, and, should no considerable reinforcements be received, will soon die out. It may, however, be prolonged by the military territorial organization existing in this Territory, over which I have no control."

Lieutenant Colonel Buchanan has prosecuted the war in Rogue river valley with great activity, skill, and judgment. The Indians are surrendering themselves unconditionally, and will be conducted to the coast reservation as soon as collected together. Joel Palmer, superintendent of Indian affairs in Oregon, is with Colonel Buchanan.

Colonel Wright was, at his last dates, May 18, on the Nahchass river, beyond the Atah-num mission, with five well prepared companies. Lieutenant Colonel Steptoe was on his way from the Dalles to join him with four more. Major Garnett, with two companies, is also on his way from the Sound, via the Cowlitz and the Columbia rivers, to join Colonel Wright. Altogether, he will have eleven companies, an ample force to conquer all the Indians he will meet in Washington Territory. The Indians were in considerable force on the opposite side of Nachess river, which at the time could not be forded. They

had proposed peace. The Colonel thinks he will soon make peace, with or without fighting.

From all the information I have received, I have no doubt I will be able to communicate by the next mail, the 20th instant, the gratifying intelligence that the Indian wars have ceased in the department of the Pacific. We shall have no enemies to contend with but the exterminators of the Indian race.

Governor Stevens had placed the county of Pierce, Puget Sound, under martial law. The supreme judges of the Territory, not regarding the measure legal, held their court in the county as usual, when an armed force, acting under orders from Governor Stevens, arrested the chief justice in his seat, and the clerk. The citizens held meetings, when the conduct of the governor was denounced.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Lieutenant Colonel L. THOMAS,

Asst. Adj. General, Headquarters of the army, N. Y.

P. S.—Herewith I transmit the proceedings of a meeting of the bar, &c., in Washington Territory, regarding the conduct of Governor Stevens. It will show how the governor is carrying on the war in his Territory.

JOHN E. WOOL, *Major General.*

Proceedings of a meeting of the bar, 3d judicial district, Washington Territory, on the arrest of the Hon. Edward Lander, chief justice of said Territory, and John M. Chapman, clerk of the district court, by an armed force under orders of Gov. Isaac I. Stevens; together with the proceedings of a mass meeting of citizens of Pierce county, W. T. Steilacoom, May 7, 1856.

NOTE.—On the 7th day of May, 1856, the Hon. Edward Lander, chief justice of Washington Territory, and John M. Chapman, esq., the clerk of the district court of the United States of the third judicial district, were forcibly arrested in the court-house at Steilacoom, W. T., while engaged in holding a United States district court for the county of Pierce, by a volunteer force acting under instructions from Governor I. I. Stevens, and carried under guard to Olympia, the seat of the territorial government.

MEETING OF THE BAR.

Immediately upon the removal of the Hon. Edward Lander and J. M. Chapman, esq., from the district court room, Colonel Wm. H. Wallace requested the members of the bar to remain. Those in attendance consisting of Messrs. Wallace, Gibbs, Clark, Pease, Hewitt, Murden, Kendall, and Evans, on motion, organized by the appointment of William H. Wallace, esq., chairman, and George Gibbs, secretary.

B. F. Kendall, esq., being called upon, stated the object of the meeting to be a consideration of the extraordinary proceedings of the

arrest of the judge and clerk by an armed force, acting under instructions of Gov. I. I. Stevens, and under pretext of a proclamation of martial law over the county of Pierce. Mr. Kendall, on the conclusion of his remarks, moved the appointment of a committee of three to draft resolutions expressive of the sense of the bar at this outrage against law and judicial authority. The motion was adopted, and Messrs. Gibbs, Evans, and Pease were placed upon said committee.

On motion, the chairman of the meeting was added to the committee, and the meeting then adjourned until 2 o'clock p. m. of the same day.

Adjourned meeting.—Accordingly, at 2 p. m., the members of the bar again met, when the chairman of the committee on resolutions made the following report:

A meeting of the bar has devolved upon this committee the task of giving expression to the sentiments entertained by that body of the gross outrage this day inflicted upon the court and bar of this district by the exercise of military power over civil authority.

This day marks an era in the territorial history. For the first time in the annals of our country, does the exhibition present itself of an armed force marching into a court of justice, and while the presiding judge thereof is in the exercise of judicial authority, the court is overawed, its judge taken from the bench, its clerk arrested, the records seized, and they removed by an armed force out of the county in which by law the court was to be held. In view of these circumstances, we deem it our solemn duty to make a statement of the facts, submitting it with confidence to the judgment of the world.

A war existing against Indian murderers and marauders in this Territory, it would have been a subject of gratulation if the gallant volunteers in its service had been employed in punishing those Indians, rather than in sustaining lawless violence, and in the infliction of outrages upon our courts and people. For so violent an assumption of power, we conceive that some little basis of reason should be found to justify it. But it becomes our duty to assert that no such reason exists, and that the proclamation of martial law was unnecessary, inexpedient, illegal, and void; to sustain which declaration the following statement of facts is confidently relied upon. It is our wish to treat this subject, not in a spirit of excitement, although that would be fully justified by the circumstances, but with coolness and moderation. Satisfied as we are that the bare statement of the facts is sufficient, we need no appeal to passion or prejudice.

Several citizens of Pierce county, one of the most populous in the Territory, who had been ordered in from their claims to the town of Steilacoom, on suspicion of intercourse with the hostile Indians, and had subsequently returned to their homes, were arrested without process of law, in the latter part of March, by a force of volunteers acting under direction of Governor Stevens, and having been first carried to Olympia, in the county of Thurston, were by the Governor remitted to the military post of Fort Steilacoom, with request to the commanding officer to detain them on a charge of *treason*. Colonel Casey having replied that he could not hold them in defiance of civil authority, and the persons arrested having sent to the nearest judge, who resided in Leland county, a distance of about a hundred miles,

for a writ of *habeas corpus*, Governor Stevens, on the 3d of April, issued a proclamation in the following words:

"Whereas, in the prosecution of the Indian war, circumstances have existed affording such grave cause of suspicion, such that certain evil disposed persons of Pierce county have given aid and comfort to the enemy, as that they have been placed under arrest, and ordered to be tried by a military commission; and whereas, efforts are now being made to withdraw, by civil process, these persons from the purview of the said commission—

"Therefore, as the war is now being actually prosecuted throughout nearly the whole of the said county, and great injury to the public, and the plans of the campaign be frustrated, if the alleged designs of these persons be not arrested, I, Isaac I. Stevens, governor of the Territory of Washington, do hereby proclaim MARTIAL LAW over the said county of Pierce, and do, by these presents, suspend for the time being, and till further notice, the functions of all civil officers in said county.

"Given under my hand, at Olympia, this third day of April, eighteen hundred and fifty-six, and the year of independence of the United States the eightieth.

"ISAAC I. STEVENS."

This document, it will be observed, alleges no other motive than that the persons so arrested, without warrant, and by the sole authority of military force, were about to sue out the great *writ of right*, to relieve themselves from illegal confinement.

It is to be observed, that there was at this time in the county of Pierce, three companies of United States troops, under the command of a veteran and energetic officer. There were, also, one or more volunteer companies, engaged in scouting; the Indians had been driven from the settlements to take refuge in the woods, and if any danger had ever existed of communication between these persons and the enemy, it had ceased.

Following upon the heels of this extraordinary document, which was *without seal* and *without attestation*, which found no other publication than the transmission of written copies to a few military officers, the persons so charged were taken once more from the county of Pierce and removed by a military guard to Olympia, out of the district where martial law had been proclaimed. Yet notwithstanding this removal of the suspected parties, the proclamation was continued in existence, and the volunteer officers directed to enforce it.

After a few days some of the persons so arrested were permitted to return, on their parol, to Steilacoom, while the others were, and are still, in custody at the seat of government, and, as is reported, and believed, are to be tried by a military commission of volunteer officers, to be held in Pierce county, on a charge of treason against the United States.

The United States judge, assigned to this judicial district, being detained at home by severe illness, at the time when, by law, the term of the district court was to be held, the Hon. Edward Lander, chief justice of this Territory, who resides in the adjoining district, at the special written request of Hon. Judge Chenowith, undertook to hold said

court, and on Monday, the 5th May instant, arrived at Steilacoom and opened the court in due form. Having been informed, however, on his way to the court, by Lieutenant Colonel B. F. Shaw, commanding a volunteer force under authority of the Governor of this Territory, that if he attempted to hold said court he would be forcibly prevented, Judge Lander, in order to prevent a collision between the executive and judicial authority, suggested that he would simply open and adjourn the court until Wednesday, that the governor might be advised to withdraw his proclamation.

About three days previous to opening court, Col. Shaw, commanding the volunteer forces, who had received written instructions from Gov. Stevens to enforce martial law until further orders, being directed at the same time to inform him immediately, if, in his opinion, it was no longer necessary, had written by express to the governor, stating that no occasion existed in the county for its continuance; informing him that important business was to be transacted before the court, and recommended that, in consequence, the proclamation be abrogated. Judge Lander now himself wrote to Governor Stevens, informing him of the course he had taken; that there were important causes to be tried before the court, one of which, the suit of the United States *vs.* the former Collector of Puget's Sound, ought to be tried; that there was imminent danger of a collision between the civil authorities and the military, and recommending that martial law be at once abrogated, especially as the present condition of the county seemed not to require it.

In reply, Governor Stevens, on the 6th instant, while declining to withdraw his proclamation, suggested that Judge Lander adjourn his court to the first Monday in June, and informed him that he had examined the law, and found no difficulty in his adjourning from any time to the next term of the court.

Upon the receipt of this information, Judge Lander, having done his duty as a citizen, in endeavoring to prevent the expected collision, proceeded to fulfil those of his judicial office by opening court at the appointed time; accompanied by the clerk, United States deputy marshal, and sheriff, he went to the court-house, opened the court by proclamation in usual form, and caused the grand jury to be empanelled and sworn. During this time a company of volunteers, (many of them citizens of Oregon, although enrolled in this Territory,) drawn from Clark county, on the Columbia river, entered the court room with loaded rifles and drew up around the bar; another company was kept in reserve without, to assist them if necessary. Judge Lander then directed the deputy marshal to prevent the entry of any armed men within the bar; but the commanding officer having announced that he acted under orders from Governor Stevens, directed his men to arrest the judge and clerk. In obedience to that order they entered the bar, the deputy marshal being unable to prevent it, and arrested the judge in his seat; the judge stating that he only succumbed to force, and declined calling upon the *posse comitatus*, because he wished to avoid bloodshed. Judge Lander and the clerk, T. M. Chapman, were then removed by the military from the court-house, and on the same day taken out of the county and carried to Olympia. The records of the

court, which were at first seized, were subsequently returned to the deputy clerk.

During this time the citizens present, though manifesting a deep feeling of indignation at the transaction, refrained from any disorderly or violent acts. The conduct of Judge Lander was, throughout, dignified, firm, and worthy of his high position, and was, we are satisfied, dictated only by a strict sense of duty.

Upon these facts the committee report the following resolutions:

Resolved, That we look upon the act this day perpetrated by an armed force, under the authority of Governor I. I. Stevens, in arresting the judge and clerk of this judicial district, as an outrage, which, if tamely submitted to, would be entirely subversive of our liberties.

Resolved, That as members of the bar we solemnly protest against this assumption of power by the executive; that the doctrines of our profession teach us that there is no warrant for such a procedure; that the course of the executive is without a precedent in law or justice, and that it is a violation of every principle of constitutional privilege and liberty.

Resolved, That the proclamation of Governor Stevens, suspending the writ of *habeas corpus*, was an improper exercise of authority, and a usurpation unheard of in the history of our country; that the right of *habeas corpus* is one of those dearest to our people—the right more powerfully protected by the national constitution than any other, its suspension being an exercise of authority only conferred upon Congress with extreme restriction, and not inherent in any officer in our national confederacy.

Resolved, That the governor's proclamation, in showing that certain parties were arrested on a charge of *treason*, in itself shows the necessity of a court of law for the trial of such prisoners, a military commission or court martial being incompetent to try men charged with such offences.

Resolved, That the peaceable manner of the citizens of Pierce county, in submitting quietly and without resistance to the outrages this day inflicted upon them, shows conclusively that no necessity exists for martial law; no exigency requires it; no public necessity invokes its aid.

Resolved, That the judiciary of our country is the palladium of our best rights; that its protection from outrage is one of the first duties of a public officer—its subversion a most despotic assumption of authority; that it is a separate branch of our institutions, independent of and not subservient to the *executive*, and that the act of Governor Stevens this day consummated is a violent outrage upon law, and upon the rights of this people.

Resolved, That we unanimously tender to Chief Justice Lander our sympathies on this trying occasion; that his manly course, in holding the court until surrounded by an armed *posse*, and forcibly removed from the bench, merits our thanks to him; to the deputy United States marshal and to the clerk we tender our thanks, for their zealous effort to protect the court-house from invasion, and to maintain the dignity of the bench.

The report and resolutions were unanimously adopted; and on motion, the secretary of the meeting was instructed to forward a copy

of the same to the President of the United States, our delegates in Congress, and the members of the Committees on *Judiciary* and *Territories* of both Houses of Congress.

On motion, it was resolved, that the members of the bar participating in this meeting, express their concurrence by appending their signatures to these proceedings.

W. H. WALLACE, *Chairman.*

GEORGE GIBBS, *Secretary.*

EDWARD EVANS.

C. C. HEWITT.

FRANK CLARK.

B. F. KENDALL.

WILLIAM C. PEAS.

E. O. MURDEN.

H. A. GOLDSBOROUGH.

Mass Meeting.

A meeting of the citizens of Pierce county, Washington Territory, was held at the court-house, in Steilacoom, on the 7th of May, 1856, to take into consideration the outrage committed by the executive of this Territory upon the civil rights of its citizens. Thomas M. Chambers, esq., was called to the chair, E. Schroter was chosen secretary, and E. M. Mecker, assistant secretary.

On motion, W. H. Wallace spoke at some length, stating the object of the meeting to be the consideration of the outrage committed upon the civil rights of the people of this Territory, by the violent and illegal seizure of the chief justice and the clerk of the court of this Territory, by the orders of the executive.

On motion of J. M. Bachelder, George Gibbs, esq., also stated, in a brief and forcible manner, his views on the same subject.

On motion, the chair appointed Messrs. Samuel McCaw, R. S. Moore, Hugh Patterson, W. R. Downey, and W. M. Kincaide, as a committee to draught resolutions expressive of the sense of the meeting on the occasion. The committee reported the following resolutions:

Whereas Isaac I. Stevens, governor of Washington Territory, has proclaimed martial law over the county of Pierce, in said Territory, and has this day, by an armed force, interrupted the proceedings of the United States district court by arresting the judge and clerk thereof while in the legal discharge of the duties imposed upon them by their respective appointments: Therefore,

Be it resolved by the citizens of Pierce county assembled, That, in declaring martial law over this county, in order to suspend the writ of habeas corpus, the governor has violated the civil rights of the citizens, and trampled their dearest privileges under foot; that, while nearly all the citizens of this county have volunteered and served faithfully in this war, now being carried on against the Indians, we have seen

no feeling manifested that justified the assumption by the executive of all civil law and the suspension of all legal protection.

Resolved, That Chief Justice Lander, in the discharge of his official duties, has exhibited every disposition to avoid any collision between the executive and judicial authorities consistent with the position in which he was placed by the Executive of the United States, and his manly course has won our sympathy and regard.

Resolved, That in the seizure of the chief justice of this Territory while on the bench, in the quiet discharge of his duties, we recognize a usurpation of authority unheard of in the annals of our free republic, an indignity cast upon our courts of law, and upon a free people, ever holding themselves amenable to the civil authorities.

Resolved, That the tyrannical and despotic acts of the executive of this Territory are such usurpations of law and authority as requires the interposition of the supreme authority of the United States; and that the secretary of this meeting be directed to transmit copies of these resolutions to the President of the United States, to our delegate in Congress, to the Committees on the Judiciary and on Territories in each house of Congress, with a request that they will take such action thereon as may protect the people of this Territory from future usurpation, and in the exercise of their civil rights and personal liberties.

S. McCRAW, *Chairman*.

R. S. MOORE.

HUGH PATTERSON.

WILLIAM M. KINCAID.

WILLIAM R. DOWNEY.

The resolutions were unanimously adopted, and the meeting adjourned without day

THOMAS M. CHAMBERS,
Chairman.

E. SCHROTER, }
E. M. MEEKER, } *Secretaries*.

EXECUTIVE OFFICE, WASHINGTON TERRITORY,
Olympia, June 8, 1856.

SIR: In my last communication I gave at length my views and suggestions in regard to the Indian war in this Territory, and presented the measures of precaution and preparation which the present condition of affairs demanded.

The two expeditions referred to—one over the Cascades into the Yakima country, the other from the Dalles to the Walla-Walla—are nearly ready for the movement. Both expeditions I deem of vital consequence, in view of the present condition of things in the interior.

All the information which I have received goes to satisfy me that, unless the most vigorous action is at once taken, all the tribes from the Cascades to the Bitter Root will be in the war, a portion of the Nez Percés alone excepted. The long delay of Col. Wright on the Nachess, and his entertaining propositions of peace before striking

the enemy, in connexion with the withdrawal of the Oregon volunteers, has emboldened the Indians, and has probably enabled them to effect a general combination of the tribes; *but no overt act has yet been committed.*

The enclosed copy of a letter from Lieut. Col. Wm. Craig, special agent of the Nez Percés, discloses the condition of things in the interior. It was written on the 27th of May, and reached me on the evening of the 5th of June—a distance by land of about 400 miles, and by water of 150 miles, or 550 miles in all.

I shall, to-morrow, push to the Dalles, and urge the Walla-Walla expedition forward with all possible despatch. I trust it will be in season. The troops all reached the Dalles on yesterday, but it was supposed that a portion of the animals, which were taken over the emigrant trail from the Willamette to the Dalles, will be a day or two behind.

If the troops reach the Walla-Walla before an overt act has been committed, I am certain that the combination can be broken up, and that the Nez Percés, and the Indians on and in the neighborhood of the Spokane, will remain friendly.

I am, sir, very respectfully, your most obedient,

ISAAC I. STEVENS,
Governor Washington Territory.

Hon. JEFFERSON DAVIS,
Secretary of War, Washington, D. C.

HEADQUARTERS, COMPANY M,
SECOND REGIMENT WASH. TER. VOLUNTEERS,
Lapwai, May 27, 1856.

SIR: On receiving your instructions I sent expresses to Colville, Cœur d'Alene, and to Montour; their answers I send enclosed. A few days after the express arrived a large party started for this place, which was raised, perhaps, after the express left there.

There is no doubt but the Spokanes, or at least a part, have joined the war party; they are determined on fighting the Nez Percés, who beg and pray their Big Chief to send them some help; they are here in the middle of their enemies, without ammunition, and they ask for their white friends to come and help them. The volunteers having all abandoned the country, and hearing nothing of the regulars, there is a cloud of Indians collected in the Spokane country, they say to rub out the few whites and Nez Percés there are here.

There is very little doubt but the Indians in the direction of the upper Columbia have joined the war party, as they have received their horses for pay for so doing. There are now Cayuses, Pelouses, Spokanes, Okin-e-Kanes, Cœur d'Alene, and Colville Indians, a part of each of which are now this side of the Spokane prairie. They say they have made all the whites run out of their country, and will now make all the frienly Indians do the same. They have sent to the Snakes, and a party has already joined them.

What are the people of the lower country about ; have they abandoned the country forever, or are they giving the Indians a chance to collect from all parts, and break up all friendly parties? They say : "What can the friendly Indians do? they have no ammunition, and the whites will give them none ; we have plenty, come and join us, and save your lives, or we will take your property any how."

A party came a few days ago, of Cayuses, Spokanes, and of other bands, to the number of seventy, to the Red Wolf country, and crossed from there to the Looking-glass, on their way to this place. They talked very saucy. The volunteers* went to prevent them from crossing Snake river. The Looking-glass told them they would not cross. They said they had come to get horses for the Spokanes to ride; that Garry was going to head their party to the Nez Percé country, and learn those people who their friends were; and they would find out who said the Cayuses should not pass through their country. And the Nez Percés are very much alarmed, as there are but few of them that can be depended upon.

The Lawyer says that the people on Snake river and the north side of Clear Water cannot be depended upon, as they do not come near us. I sent for them when I received your instructions, that I could talk with them, but they did not come. They said that Governor Stevens was too far off to talk with him, but that when he comes up they would see him; and as there are but few from the Forks up to the Lawyer's country, and Salmon river people, that will fight if attacked, they wish me to move up to their country. They say, we have no ammunition to defend ourselves here, so near the enemy's country.

Now, sir, you can see how I am situated at this place. You said, when we parted in Walla-Walla valley, that you would send me some supplies early in the spring, and I have been expecting them since that time, but have received none, nor even heard of any. I am entirely out of everything; I have not even salt for my bread, and I cannot remain in this country entirely destitute of everything. I want powder, ball, caps, flints, sugar, coffee, salt, tobacco, clothing for men and families. If we do not get supplies, we will be compelled to move to where we can get them. It is necessary for two companies to be sent into this country immediately, for the safety of the people and property in it.

Hoping to hear from you shortly, I remain your obedient servant,

WILLIAM CRAIG,

Special Agent Nez Percés, Lt. Col. W. T. Volunteers.

ISAAC I. STEVENS, Esq.,

Governor, and Superintendent of Indian Affairs, W. T.

EXECUTIVE OFFICE, TERRITORY OF WASHINGTON,
Olympia, July 7, 1856.

SIR: The two columns moving from the Sound over the Nachess

* The Nez Percé Indian country.

pass, and from the Dalles up the Columbia, are probably now assembled in the Walla-Walla valley. They are well mounted, are in good condition of discipline, and have one hundred days' supplies.

The force from the Sound, under the immediate command of Lieutenant Colonel B. F. Shaw, moved from Camp Montgomery on Wednesday and Thursday, June 11 and 12, and crossing the mountains, with the loss of only one animal, camped on the Wenass, on the 20th. At that point Lieutenant Colonel Shaw received orders from me to push on to Walla-Walla, unite his force with that moving from the Dalles, and take command of the whole.

The force at the Dalles moved from the camp five miles beyond the Des Chutes river on Wednesday, June 25, and was expected to reach the Walla-Walla on the 4th July.

Each column numbers nearly two hundred men. The whole force consists of three hundred and sixty enlisted men, and about one hundred quartermaster and Indian employés.

From the Walla-Walla Indian supplies will be pushed to the Nez Percés and Spokanes; and an escort will accompany them should the simple presence of a force in the Walla-Walla valley be not sufficient to insure the safety of the train, protected, as it is expected it will be, by Indian auxiliaries.

Letters have been received from Lieutenant Colonel William Craig, agent of the Nez Percés, of the 29th May and 8th June, speaking more favorably of the condition of things in the interior.

Kam-i-ah-kun, at a council held with the Spokanes, on the 25th May, wherein he urged that tribe to join the war, received a negative to his proposition. The Spokanes, however, harbor the hostile Cayuses, which has caused me to be somewhat apprehensive of the sincerity of their professions.

I was at the Dalles from Saturday, June 16, to Monday, June 30, getting the expedition off, and collecting information in relation to the Indians. At that time the hostile bands were much scattered. Some three hundred hostiles were at the head of John Day's river; a large camp of hostiles, supposed to be the Walla-Wallas, under the son of Pui-pui-mox-mox, were at Fort Walla-Walla; the Cayuses were in the Spokane; the Clicketats and Yakimas were at the Pischouse river, and probably small parties at Priest's rapids. The large camp reported by Lieutenant Colonel Craig, in his letter of May 27, and composed of individuals of several tribes, including the Snakes, I have no information that they have moved from the place where they were when Colonel Craig wrote.

There were Snakes with the party at the head of John Day's river, and the force was increasing.

It is proposed to strike the party at the head of John Day's river by a force of about one hundred and seventy-five men, consisting of one hundred volunteers, of Oregon, under Major Lughton, and seventy-five volunteers, of Washington, under Captain Goff.

The plan was to move from Well Springs on the 30th June, which point is on the emigrant road, some eighty-five miles from the Dalles.

Lieutenant Colonel Shaw, in moving to Walla-Walla, will strike the hostiles wherever he finds them.

On occupying the Walla-Walla valley, he is also directed to spare no exertion to reduce to unconditional submission any hostiles within reach.

This decisive policy is believed, by me, indispensable to secure the permanent peace of the Indian country.

Very truly and respectfully, your most obedient,

ISAAC I. STEVENS,

Governor Territory of Washington.

Hon. JEFFERSON DAVIS,

Secretary of War, Washington, D. C.

WAR DEPARTMENT,

Washington, September 3, 1856.

SIR: I have the honor to transmit you herewith, copy of a communication from the Governor of Washington Territory, giving an account of the situation of affairs in that section of the country.

Very respectfully, your obedient servant,

JEFF'N DAVIS,

Secretary of War.

Hon. R. McCLELLAND,

Secretary of the Interior.

EXECUTIVE OFFICE, WASHINGTON TERRITORY,

Olympia, July 24, 1856.

SIR: I have the honor to report that the volunteer troops that have been called into the service on the Sound are now being disbanded.

I propose simply for a limited period to keep on the line of the Sno-qual-mie a small company of about fifty or sixty men; and the head of the Sound, at the Yelm and Tenalquit prairie, some forty men.

It is possible that a small force, say some twenty men, may be required at Bellingham bay.

In consequence of the killing of a northern Indian at Steilacoom, some two weeks since, by some soldiers from the garrison in a drunken frolic, the tribe are greatly exasperated, and have threatened to make reprisals. In consequence, a small force of fifteen men has been sent to Whitby's island from the line of the Sno-qual-mie. The naval forces, however, are attending vigilantly to the matter, and the two steamers, the "Massachusetts" and "John Hancock," are cruising diligently.

The trouble, it is to be hoped, will be soon arranged. Lieut. Col. Casey is using every exertion to bring to justice the soldiers who committed the offence.

The volunteer forces east of the mountains met on Mill Creek in the Walla-Walla valley on the 8th instant. The Nez Percés are

entirely friendly, and it is believed the Spokanes will also continue friendly.

Truly and respectfully yours,

ISAAC I. STEVENS,
Governor Washington Territory.

Hon. JEFFERSON DAVIS,
Secretary of War, Washington, D. C.

WAR DEPARTMENT,
Washington, September 3, 1856.

SIR: I have to acknowledge the receipt of your letter of the 24th July last, in relation to the disbandment of the volunteers that have been called into service on the Sound, and to the future prospects of Washington Territory.

Very respectfully, your obedient servant,

JEFF'N DAVIS,
Secretary of War.

His Excellency I. I. STEVENS,
*Governor of Washington Territory,
Olympia, Washington Territory.*

VANCOUVER, W. T., *August 14, 1856.*

SIR: In my last communication relating to the Indian war in this Territory I dwelt upon the proposed Walla-Walla expedition as absolutely indispensable to preserve the peace of the Indian tribes of the interior, and I expressed the opinion that the indecisive and procrastinating course pursuing and pursued in the Yakima country *had* brought, or nearly brought, about a general combination of the tribes eastward. That combination I hoped to break up.

The Walla-Walla expedition has been completely successful. Col. Shaw was on Mill creek, Walla-Walla valley, on the 8th of July, with all his command, except a force of seventy-five men under Captain Goff, who, in conjunction with Major Lughton, of the Oregon volunteers, had ascended John Day's river, and was then actively in pursuit of the enemy. On Mill creek were assembled on that day 190 men, who crossed the Cascades, over the Nachess, under the immediate orders of Lieutenant Colonel Shaw; 100 men from the command of Goff, who escorted the wagon and pack train from the Dalles; and the Nez Percé auxiliaries, 60 strong, under the command of the chief, the Spotted Eagle, and accompanied by the agent, Lieutenant Colonel William Craig.

Supplies were immediately sent forward to the Nez Percé country, Special Agent Robie taking there one hundred pack animals without an escort.

Colonel Shaw learning there was a large force of hostiles in the Grande Ronde, determined to attack them. Moving in the night of

the 14th, he struck them on the 17th, and, after a running fight of some fifteen miles, he entirely defeated them, captured a large number of their animals, destroyed nearly all of their provisions, and also got possession of about one hundred pounds of their ammunition. The loss of the enemy was at least forty killed on the field of battle.

This gallant fight of Shaw has broken up the combination, for, on his return to Mill creek, he found there Special Agent Robie, who had almost been driven out of the Nez Percé country. He brought back the words of the chiefs, ordering white men out of their country. Robie, on his return from the Nez Percés, marched one hundred miles without halting.

Lieutenant Colonel Shaw immediately sent the Nez Percé chief, Captain John, to the Nez Percés with this message: "I am your friend; I have not come to fight you, but the hostiles. But if you beat your drums for war, I will parade my men for battle."

On the arrival of Capt. John, the Nez Percés had heard of Colonel Shaw's defeat of the Indians in the Grande Ronde, and they immediately sent back the most friendly messages.

Thus have the vigorous movements of the volunteers of Washington, under Lieutenant Colonel Shaw, secured the fealty of the Nez Percés, and prevented a general combination of the interior tribes.

I enclose a copy of Lieutenant Colonel Shaw's report of this engagement with the Indians at the Grande Ronde, and also a copy of his letter stating the message he sent to the Nez Percés by Captain John. Also the records of three councils held with the Nez Percés—one by Lieutenant Colonel Shaw, on his arrival at Mill creek; one in the Nez Percés county, by Captain Robie; one by Lieutenant Colonel Craig, when they received Shaw's message through Captain John.

On an interview held yesterday with Colonel Wright, I learn that he designs sending forward a force of four companies to occupy the Walla-Walla, under the command of Lieutenant Colonel Steptoe. I shall accordingly raise no more troops. The terms of service of those under Colonel Shaw will expire on the 8th September. On being relieved by the command under Colonel Steptoe, they will be withdrawn and mustered out of service. All the troops on the Sound have been mustered out of service.

I push forward in person to Walla-Walla to-morrow, to meet the Indians and establish relations of friendship with the tribes generally, and especially those struck by Lieutenant Colonel Shaw.

Truly and respectfully your most obedient,

ISAAC I. STEVENS,

Governor and Commander-in-Chief.

Hon. JEFF. DAVIS,

Secretary of War, Washington City, D. C.

HEADQUARTERS, CAMP ON MILL CREEK, W. T.,

July 12, 1856.

SIR: I arrived on the Columbia, opposite Fort Walla, on the 29th June, but the boats did not arrive until the 4th July. On the 5th I

commenced crossing over the command, and completed it on the 6th. We arrived here on the 8th with the wagons and pack train, and found Colonel Craig, with his company of Nez Percés, waiting for us. They fired us a salute as we passed, which was returned, and the best feeling prevailed throughout.

On the 6th I received an express from Captain Goff, stating that Major Laton had found a large encampment of Indians on the head of John Day's river, and had requested him to co-operate with him. Captain Goff immediately moved to his assistance with seventy-five men and twenty days' rations. The two forces, when together, would amount to about one hundred and fifty men. The body of Indians was reported to be about four hundred, though most probably exaggerated. I hope to hear from them in a few days, and think they will give a good account of themselves.

I think, from information received, that there is a body of Indians at the Grande Ronde. I shall move in that direction as soon as arrangements are made for taking care of the horses and supplies by making corrals and block-houses. If I find them, I will strike them, and follow them, until I drive them out of the country.

From the best information that I have, the hostiles had broken up since the council with Colonel Wright, the Yakima's going up on the Columbia, a portion of them crossing over to the Spokane river, near Walker & Eel's mission, with the intent to make a large camp in connexion with the Spokanes, for the purpose of fishing during the summer and fall. The Traht, Des Chutes river, and a portion of the Klihatats, are the Indians that Major Laton discovered on John Day's river. Their intentions were to go on the head of that river, and if not interrupted to remain there; but if disturbed to go south on the California road, to some large lakes which lie east of the Cascades, opposite to the upper settlements of the Willamette, where there is a good chance to gather berries. A large portion of the Cayuses have probably gone to the Grande Ronde, though this is not certain.

Yesterday I took most of the officers of the command, went to the Nez Percés camp and had a talk with the "Spotted Eagle," and other chiefs and head men present, Colonel Craig acting as interpreter. I explained to them, as well as possible, the reasons why you had not visited their country at the time you had set. I assured them of your appreciation of their services and good conduct, and expressed the hope that the same friendly relations would always continue. I then asked each of the officers in turn, whether they had anything to say, to which all answered that I had said what they would say, that the governor's heart was their heart. This was interpreted and produced an excellent effect. I then asked them to speak, which they did, as you will see by the enclosed document, notes taken by Captain De Lacy during the conference.

I was pained to learn from Spotted Eagle, that some of his people looked down upon him because he had become a volunteer, and said that he was no longer a chief. I assured him that he was a chief, and would always be considered as such by you and all the whites; that he had acted justly and rightly, and would always be respected

for it. I would respectfully suggest that you refer to this matter when you write again.

The Nez Percés will remain neutral in the war, but will do everything in their power to bring the war to a close.

I shall send the wagon train back to the Dalles as soon as possible for supplies. The plan that you recommend would, in my judgment, be inexpedient, as the road across the Cascades is a bad one, and but little could be hauled over it. Colonel Craig moves to-morrow for the Nez Percés country.

Major Maxon's company has not yet reported to me for duty, but continue separate.

Colonel Craig informs me that he is somewhat at a loss with regard to the distribution of the Indian goods. He has received no instructions relative to it, and would like to hear immediately.

I shall express you again when Captain Goff returns.

Respectfully,

B. F. SHAW,

Lt. Col., Com'g right wing, 2d regiment, W. T. V.

Governor ISAAC I. STEVENS,

Commander-in-chief W. T. Volunteers, Olympia.

Rough notes of a talk held with the Nez Percés band, under the command of the Spotted Eagle.

MILL CREEK, July 11, 1856.

After Colonel Shaw had made some remarks and explained why the governor had not come into their country at the time appointed, and had expressed the governor's satisfaction at their peaceable and friendly conduct, and had also explained that the hostile tribes would be warred with until the murderers and instigators of the war were given up, the chiefs were then invited to speak, whereupon several of them delivered themselves as follows :

SPOTTED EAGLE.—A year ago Governor Stevens spoke to us on this council ground, and asked us, the chiefs, to go to the Blackfoot council with him. Many did not go; but I wanted to go and see the people that I always liked to fight with. Then I saw them, and both parties talked as if we had always been friends. There we heard that Ka-mia-kin and the Americans were fighting, and started from there and came to our own country. Then we heard that the Cayuses were fighting with the Americans.

The Cayuses were my friends and relations; we ate and drank, played and were merry together. I thought of them; if it is your heart to go to war, it is not mine. I will not follow you. I will never raise my gun to an American. No one has ever seen my hands bloody with the blood of an American. My forefathers were always friendly with the Americans and French; so will I be. I thought I would look on and see you fight. The white chiefs told me to keep them

out of my country ; and, therefore, when they came I told them to go away, and that is the reason I have sat and watched my country. You and the Cayuses are fighting ; but keep the disturbances out of my country. My own people tell me that the Cayuses are mad at me. It was not I who fixed my heart against them ; it was their own bad conduct. I hear that they say that they will kill us. I don't want to see them do it. My own people tell me I am not a chief any more, and I don't call myself such any more. If they kill William (Craig,) then I will die too. My own people tell me that I am no longer a chief.

COLONEL SHAW answered that the white people recognised him as a great chief, and respected him as such. That Governor Stevens had been bred up a soldier, and that all the white chiefs then present had been private volunteers.

JOSEPH.—I have heard what you have said ; you have spoken on the right side ; those who speak right don't shed blood ; those who talk left (sinister) shed blood. I make my children talk right. I am glad to hear that you have not come to shed the blood of those who talk right ; those you have come to seek talk left, and are bad men.

TIMOTHY.—From my own heart I have nothing to say, but I talk for the Lawyer. Lawyer says, " my children, I am a cripple, and can't go to meet American friends. When you see our friends from Governor Stevens, you will greet them for me. I can't travel now, but when I can I will." I heard what the Lawyer said, and hear what you say, and my heart is glad. We saw last year the laws the President sent us, and we then adopted them with all our hearts, and have kept them since.

BILLY.—I have heard my chiefs speak, and that is our heart. We are a poor people, and when we have no one to think for us we are poor. We are in hopes that you will go straight by what you say. The President has sent us word to be friendly, and we will do so. We have one man to tell us what to do, and we will do it. We have our horses, cattle, and country as we have always had, and they are ours as they always have been. If we follow the bad people it is just the same as if we gave everything away. We are glad to have you talk thus ; we are a poor people, and you have pity on us.

WE-OS-KUS.—Every little country has its chiefs ; the little country I come from has no chief. Gov. Stevens made the Lawyer the big chief ; we, therefore, listen to him. When the big chiefs speak, I listen, and say " yes." I took my gun to guard the white people, and 'tis the reason why the Cayuses killed my horses. I have listened to what the older men have said, and agree with them.

JOSEPH, again.—I have no heart to say anything ; I listen, and say " yes." One has spoken, and on that account I speak ; it is no one here, however. It is not on account of the young men here that I speak. (Col. Craig here explained that he alluded to something

which had been said by another member of the tribe who was absent.) I never talk when the white chiefs talk. Why should I? If I should speak, it would be about taking care of my children. (Col. Shaw here explained that he alluded to the reservation to be formed.) I will speak of my children some other time.

TALKING TOBACCO.—I can only say, “thank you.” What you say comes as if from the President, and I am glad to hear it. I heard what the governor said before, and I said yes to it. He showed us the laws, and I have had them ever since. I have heard what the white chiefs say; they speak as if we had one body and one soul with the Americans. We are poor. They give us the laws, and we are thankful.

JOSEPH.—There are a great many of our people who are not here, and who are waiting to hear what is said; we will tell them, and report it straight. We don't know the Cayuses hearts; perhaps they give up, perhaps not; we cannot tell. There are other chiefs above, but their hearts are the same with us. Billy says true; we have not different hearts; what our chiefs tell us, we do.

COL. SHAW.—If the Cayuses give up the instigators of the war, to be dealt with according to law, we would make a treaty with the rest. The best way would be for the tribe to deliver them up. However, it makes no difference in the end. We will hunt them out whatever time it takes. It may take a month, a year, five years, but we will hunt them out; and it would be better for the tribe to give them up, and thus avoid the loss and destruction which a war always occasions.

TIMOTHY.—There were many who expected the governor to come over and see them this season. There were many of the Nez Percés at the time of the council over the mountains. These people expected to hear this season all about the council from the governor himself. The winter set in very hard and no express could reach them; that it was only this summer that they heard the news; that it was only this time that they heard that those who had stopped to guard Craig and the government property would be fed.

There being no one else disposed to speak, the council adjourned.

Speeches of several Nez Percés chiefs at a council held at Laperai, Nez Percés country, Washington Territory, in presence of Captain Robie, July 14, 1856.

THE MAN-WITH-THE-ROPE-IN-HIS-MOUTH.—I was on the other side of the mountains; I was listening on both sides; I was looking to the east, then I looked in this direction, and the chiefs of this country were looking at me. Then I heard from the chiefs of this country. I did not know what they were doing; it was like they were bitten by mosquitoes; and I did not know what was biting my chiefs. The news passed by letter, and I heard they were hanging people in this country; and I said here the wives and children should come and hear

him speak, for I expected that it was I that was the cause of them being hanged. I knew white man. I speak from a paper. The people are not that put white man to death. I heard that they were paid for hanging them. I would like for the people that hanged them to be here and hear what I say. I believe that the people that hanged them, their blood will be sold; that the children of those people, their blood will be sold also. These things all come to me as if on paper. The Great Spirit is all around us; the earth is the Great Spirit; the light is the Great Spirit. Children are not to be punished for the offences of their parents. Those who say the children must be punished have to live without law. See these people; the laws bear them down; it is as though a heavy load lay on them; they can't stand under it. I will show the reason before I am done; he that is the cause will burn by and by. In the east there are seven stars; they talk to one another, and collect together, and they sent one of them down on the earth; that star was sent on the earth to take charge of the people, that their bodies will never return to dust again; and that star is the chief that takes care of the bodies of the people; that told them to be patient and wait for good counsel; that is the reason why I say, why do the Americans trouble a civil people about their country? In heaven, and far beyond, there is light, and my brothers cannot lead me about by their laws. The Americans cannot take a bird off my head. I will take hold of the bird and put it on my head; in that way I would lose my life. That is the reason why I have nothing to say about the people, and they have nothing to say to me. The Great Spirit will speak his own mind. This is all I have to say.

EAGLE FROM THE LIGHT.—I am anxious to hear my people speak their hearts. We met last night, but it was too late. We kept our friend here to-day to here us tell our hearts. When I was on the other side of the mountains, I heard of three of my people being killed and hanged. That has been on my mind ever since. At one time I heard of a relative of mine being killed, and another hanged. The man who was killed was a near relative of mine. The man who was hanged at Red Wolfe's ground, was also a relative of mine. I learn that he was hanged for burning a house. I am ignorant whether he did so or not. Property is not equal to a man's life, therefore the man should not lose his life for burning a house. Another man for some reason was hanged. I understood that Gov. Stevens said at the council that our bodies (lives) should all be on an equality. There was no council held between the Indians and whites about the hanging of these men—it was only among the whites. I do not know what these people were put to death for. I heard that four of the Americans disputed as to which of them killed the Nez Percés last fall. I don't hear the Americans say: Fetch out these men and have them hanged; nor do I say that they should be hanged. Last year we all talked in friendship; but it is since that talk that this blood has run. The death of those three men, I consider, has broken the treaty; and I say to the Americans, *move off*. This is what I say. The death of those three men *has broken the treaty with the United States, and the Americans had bet-*

ter move off. Our country is as though no treaty had been made. No council was called to try these three men. The law is, a council should be held to make law; but no council was held to make law to kill these three people. I am here to attend such councils; but there was no council about it; and this can never be made straight. There were chiefs on the other side of the mountains, but they were not called to the council. I have always thought a great deal of the Americans, and I thought they would do everything justly and by council; but I now know the hearts of the whites, and I now wish them to know my heart. That is the reason why I wish the Americans to stay away and not come to my country. The President sent his talk to us, and now I wish this to go to the President. I don't wish to do any thing in an underhanded manner. That is all I have to say.

RICHARD.—The Looking-glass orders me to speak. These councils that have been held, and the governor and the people that held them, I have seen none of them. The governor has spoken to us and called us his friends. He spoke about our lives and our country. The council was held as though by only one-half of the people. I want Governor Stevens and the American people to think of us a poor people. The American laws are that we meet always without guns, and in that way we can always have friendship. I want to see Governor Stevens himself, and not his people. I am afraid, and that is the reason I want to see him in person. I like his talk when he said he liked my people. It is about that one thing I should like to hear one word from him, and then we could meet and rejoice. I don't just speak for myself, but for my people, that all might hear him talk. I am friendly to the Americans, and I don't like to hear of blood being shed in our country. We are a poor people. I would like the Americans to look upon us as a people, and not shed blood in our country. We don't want to see it. I am showing my heart, and if they will have pity on a poor people, I will be thankful. That is all I have to say.

STICKAS.—Last year all these people were at the council by the treaty there made. They were all bound, and from it we have not gone astray. Now the young men think of the proceedings at the council. From that time we have not had a chance to see our chief. That is the reason we don't know how to act. Since that time our bodies have been laid on the prairies. Now I can turn round and see the people, and it is time to help one another. I have spoken; I don't know whether it is right or not; perhaps I have spoken too quick—without thought. I am just as though I was alone here—alone by myself. That is the reason why I speak to my children, to have strong minds—to look at me. I am walking about without anything to eat. Although I am naked, I have not thought of going to war. My whole mind is to do what is right. I am just speaking as though I was speaking in the rain. It is dark all around. Things are just as dark all around as ever they were. This is all I have to say.

SPEAKING EAGLE.—All the people sitting here know that I still live and listen to the laws. I have not lost my faith in them. Although I am bad, I have the same forefathers that the rest have. I am from the same place. When the laws came from the President they taught what was right and what was wrong; and when I heard what the governor had said, I said amen to it, although I was not present. Things are not now going right. When will they be made straight again? I call for my chief, Governor Stevens, to come here and make them straight again. That is all I have to say. There is my chief, the Lawyer, he talks for me.

ESCOTA.—Last year, when we were talking, the Lawyer was our head man. We then listened to what was said. It was from afar that the commissioner was sent to us. I told them you would talk right. Then our head man told them what Ellis had told them. He (Ellis) told them that they must listen when a big chief came to speak to them; they must respect him, and they would hear what he had to say. But I find a great many things have not been respected that were given to us. Our head chief, before the laws came, gave us laws about our bodies and our country. He told us to always respect our friends and take care of ourselves. That is the reason why I speak for Governor Stevens and keep things straight, and the people (all not being present) cannot, or do not, understand it. The time has about expired when I was to hear from Governor Stevens, and he promised to come and see us this spring. It is different with the whites; they have the laws and they know them. When these people came from the other side of the mountains they asked me if the time was not out when Governor Stevens should have been here. Perhaps Governor Stevens thinks these people all know, but they don't. I never hear the Lawyer call his children together and tell them the laws. The news that we hear from the President all comes to Governor Stevens first, and then we hear it from him by Mr. Craig. That is all I have to say.

EUTES-A-MELICAN.—I will speak to my chief from the east. He has given me talk. It is not from any thing I know of myself; it is what I have been taught. I have heard that all that has been told me has come straight; he said for us to appoint a head chief among us; he has given me laws, and I am not going to throw them back to him. I like them, and when I hear news from them I believe; I do not doubt; I am not one who always doubts. Governor Stevens has given us laws, and we have not followed them straight; he has also given us an agent who is now present. That is the reason why I cannot give him back the laws; he has given them to us, and I can't give them back. When I heard that he was sending some things to this country, I said yes, I am glad of it, I am not a man that doubts these things. I told my children to speak straight, and tell their hearts. And now I have spoken my heart.

Talk of the Nez Percés chiefs to Colonel B. F. Shaw, as taken by Colonel Wm. Craig, at Lapurai, Nez Percés country, July 28, 1856.

FROM LAWYER, head chief.—Governor Stevens knew our hearts when he came here last fall. When he left here the chiefs from both rivers went with him, and I rejoiced when I heard he had got to his own people in Whitman valley. I know Governor Stevens has not forgotten us, and I am thankful to say my people have not forgotten him. All the people, even the Blackfeet, are thankful to know he got home safe, for he is our friend and chief. I am speaking to my friend Colonel Shaw, although I never saw him; but Governor Stevens knows me, and I am anxious to see Colonel Shaw. He asks our chiefs what they mean by such talk, and I am glad to hear them say they will talk so no more; they will have just one heart with their chief. Although there are some of our chiefs absent, yet I know their hearts; they are not different from those of us who are present. This day we speak with one heart and one voice.

Your friend,

LAWYER.

FROM THE TALKING OWL.—Yes, my chief, you ask me to speak my heart, and I will do it straight. It is good to ask questions and answer them straight. My friend, I have never taken my gun to fight the whites, nor never will. I do not differ from my chiefs. If I have said anything bad I am sorry for it; I now speak from my heart. I say no more bad things. If Governor Stevens has any provisions for us, I am thankful to receive them, or anything else. I am glad to say that we take hold of others hands and hold them—not to let them go. Colonel Shaw tells me it is right. Although we are far apart, our hearts are together, and we say yes to all our chiefs, and to Colonel Shaw and Governor Stevens.

Your friend,

TALKING OWL.

FROM EAGLE FROM THE LIGHT.—Yes, my friend, you have asked me some questions which I think are right, I answer them truly. We are a poor people; tell us what to do, and we will do it. The meaning I had in saying no more provisions to come, and for the whites to stay where they were, was because they are at war in the country between us and Governor Stevens, and I thought they had better stay away until peace was made. If I said wrong, I am sorry for it, for I know Governor Stevens, and he is my friend. We are all of the same flesh and blood, and why should we have different hearts. We have all one heart.

Your friend,

TIPPE-LANNA-COWPA,
(Or, Eagle from the Light.)

FROM THE LOOKING-GLASS.—Gov. Stevens knows my heart. It is the same as I have told him; it is not changed. He has spoken of his children; he pitied them. I have done all I could to get them to go and give up, and not act as they are doing. It is all false if any

person has said that I had any notion to ever take my gun in hand to fight the whites.

A friend,

LOOKING-GLASS.

FROM THE THREE FEATHERS.—Last fall I talked with Gov. Stevens, and my heart has not changed. I know of no one that wishes to take his gun. If there is any, he's not known to me.

A friend to the white man,

THREE FEATHERS.

FROM HOWLISH-WON-POOL, a *Cayuse chief*.—Now that I hear the chiefs speak with one heart, I come to listen to them; and I am glad they have but one heart, and my heart is with them. I heard them speak myself, and they talk straight. I know their hearts are right; and we all send the same talk to Col. Shaw. I know him to be the friend of all good people. This is all I have to say to our friend, Col. Shaw.

HOWLISH-WON-POOL.

GENERAL ORDERS—No. 5.

The commander-in-chief, for himself and the inhabitants of Washington Territory, desires me to express to Lieutenant Colonel Shaw, the gallant officers and men of the right wing of the 2d regiment, and the officers and men of the commands of Major Sayton, of Oregon Territory, and Captain Goff, of Washington Territory, his high appreciation of their late brilliant and successful achievements at the attles of Grande Ronde and Burnt river.

The intelligence of these successes has given the highest gratification to those of their fellow-citizens of the Territory, who are well aware the blessings of a permanent peace with the savages can be obtained only through such vigorous and decisive blows as those inflicted at the Grand Ronde and Burnt river.

Orders are issued to raise 200 men to strengthen the command of Lieutenant Colonel Shaw. Ample supplies are being collected, and nothing will be left undone to furnish every support to the brave and gallant territorial forces, whose energetic, active, and intelligent officers are so ably seconded by gallant and willing men, with the assurance to the right wing of the 2d regiment that its patriotic and vigorous services are fully understood at headquarters, and that the present and future citizens of Washington Territory will fully appreciate them, and perpetuate their memory in history.

By order of the governor and commander-in-chief,

JAMES TILTON,

Adjutant General W. T. Volunteers.

Report of Lieutenant Colonel Shaw.

HEADQUARTERS, CAMP ON MILL CREEK,
July 24, 1856.

SIR: In my letter of the 12th instant, I announced my intention of making a scout towards the Grande Ronde, as soon as I could make the necessary arrangements for placing this post in security during my absence.

The trails toward it were reconnoitred, and an excellent guide secured—"Captain John," a Nez Percé chief.

I started at dark, on the evening of the 14th instant, with the majority of the command, consisting of six companies, viz: Lieutenant Williams, Lieutenant Wait, Captain Miller, Captain Henness, and Major Maxon, in all one hundred and sixty men and officers, besides the pack train, with ten days' rations. We marched all night, so as to get into the mountains before daylight, so that the dust could not be discovered. We took a trail only travelled by Indians, and but little frequented by them lately. We arrived in the Grand Ronde valley on the evening of the 16th, and camped on a branch of the Grande Ronde river, in the timber, sending spies in advance, who returned and reported no fresh sign.

On the morning of the 17th, (leaving Major Blankenship, of the central, and Captain Miller, of the southern battalions, assisted by Captain DeLacy, to take up the line of march for the main valley,) I proceeded ahead to reconnoitre, accompanied by Major Maxon, Michael Marchmean, Captain John, and Doctor Burns. After proceeding about five miles, we ascended a knoll in the valley, from which we discovered dust arising along the timber of the river. I immediately sent Major Maxon and Captain John forward to reconnoitre, and returned to hurry up the command, which was not far distant. The command was instantly formed in order, Captain Miller's company in advance, supported by Maxon's, Henness', and Powell's companies, leaving the pack train in charge of the guard, under Lieutenant Goodwin, with a detachment of Goff's company, under Lieutenant Wait, and Lieutenant Williams' company in reserve, with orders to follow on after the command.

The whole command moved on quickly in this order, until within half a mile of the Indians' village, where we discovered that the pack train had moved to the left, down the Grand Ronde river. At this moment a large body of warriors came forward, singing and whooping, and one of them waving a white man's scalp on a pole.

One of them signified a desire to speak, whereupon I sent Captain John to meet him, and formed the command in line of battle. When Captain John came up to the Indians, they cried out to one another to shoot him, whereupon he retreated to the command, and ordered the four companies to charge.

The design of the enemy, evidently, was to draw us into the brush along the river, where, from our exposed position, they would have the advantage—they no doubt having placed an ambush here. To avoid this, I charged down the river, towards the pack train. The

warriors then split, part going across the river, and part down towards the pack train. These we soon overtook and engaged; but the charge was so vigorous, and so well sustained, that they were broken, dispersed, and slain before us. After a short time, I sent Captain Miller to the left, and Major Maxon to the right; the latter to cross the stream and cut them off from a point near which a large body of warriors had collected, apparently to fight, while I moved forward with the commands of Captain Henness and Lieutenant Powell, to attack them in front.

The major could not cross the river, and on our moving forward, the enemy fled, after firing a few guns—part taking to the left, and part continuing forward.

Those who took to the left fell in with Captain Miller's company, who killed five on the spot; and the rest were not less successful in the pursuit, which was continued to the crossing of the river, where the enemy had taken a stand to defend the ford. Being here rejoined by Captain Miller and Lieutenant Curtis, with part of Maxon's company, we fired a volley, and I ordered a charge across the river, which was gallantly executed. In doing this, private Shirley, ensign of Henness' company, who was in the front, was wounded in the face. Several of the enemy were killed at this point.

We continued the pursuit until the enemy had reached the rocky canyons leading towards Powder river, and commenced scattering in every direction; when, finding that I had but few men with me, and the rest of the command scattered in the rear—most of the horses being completely exhausted—I called a halt and fell back, calculating to remount the men on the captured horses, and continue the pursuit after night.

I found the pack train, guard, and reserve, encamped on a small creek not far from the crossing, as I had previously ordered them to do, and learned that a body of the enemy had followed them up all day and annoyed them, but had inflicted no damage beyond recapturing many of the animals which we had taken in the charge and left behind.

I learned, also, that Major Maxon had crossed the river with a small party and was engaged with the enemy, and wanted assistance. I immediately despatched a detachment, under Lieutenants Williams and Wait, sending the man who brought the information back with them as a guide. They returned after dark without finding the Major, but brought in one of his men whom they found in the brush, and who stated that one of the Major's men was killed, and that the last he saw of them they were fighting with the Indians. At daylight I sent out Captain Miller, with seventy men, who scouted around the valley without finding him; but who, unfortunately, had one man killed and another wounded, whilst pursuing some Indians. I resolved to move camp next day to the head of the valley, where the emigrant trail crosses it, and continue the search until we became certain of his fate. The same evening I took sixty men, under Captain Henness, and struck up on the mountain and crossed the heads of the canyons, to see if I could not strike his trail. Finding no sign, I returned to the place where the Major had last been seen, and

there made search in different directions, and finally found the body of one of his men, (Tooley,) and where the Major had encamped in the brush. From other signs, it became evident to me that the Major had returned to this post by the same trail by which we first entered the valley.

Being nearly out of provisions, and unable to follow the Indians from this delay, I concluded to return to the camp and recruit for another expedition in conjunction with Captain Goff, who had, I presumed, returned from his expedition to John Day's river.

I should have mentioned previously, that in the charge, the command captured, and afterwards destroyed, about 150 horse loads of lacamas, dried beef, tents, some flour, coffee, sugar, and about 100 pounds of ammunition, and a great quantity of tools and kitchen furniture. We took also about 200 horses, most of which were shot, there being about 100 serviceable animals.

There were present on the ground, from what I saw, and from information received from two squaws taken prisoners, about 300 warriors of the Cayuse, Walla-Walla, Umatilla, Tyh, John Day, and Des Chutes tribes, commanded by the following chiefs: Stock Whitley and Sim-mis-tas-tas, Des Chutes and Tyh; Chick-iah, Plyore, Wic-e-cai, Wat-ah-struar-tih, Win-ini-swoot, Cayuses; Tah-kim-Cayuse, the son of Pen-pu-mox-mox, Walla-Walla; and other chiefs of less note.

The whole command, officers and men, behaved well. The enemy was run on the gallop for fifteen miles, and most of those who fell were shot with the revolver. It is impossible to state how many of the enemy were killed. Twenty-seven bodies were counted by one individual, and many others we know to have fallen and been left, but were so scattered about that it was impossible to get count of them. When to these we add those killed by Major Maxon's command, on the other side of the river, we may safely conclude that at least forty of the enemy were slain, and many went off wounded. When we left the valley, there was not an Indian in it; and all the sign went to show that they had gone a great distance from it.

On the 21st instant, we left the valley by the emigrant road, and commenced our return to camp. During the night, Lieut. Hunter, of the Washington Territory volunteers, came into camp with an express from Captain Goff. I learned, to my surprise, that the Captain and Major Layton had seen Indians on John Day's river; had followed them over to the head of the Burnt river, and had had a fight with them, in which Lieutenant Eustis and one private were killed, and some seven Indians. They were shaping their course for the Grand Ronde valley, and had sent for provisions and fresh horses. I immediately sent Lieutenant Williams back with all my spare provisions and horses, and continued my march. On Wild Horse creek I came across Mr. Files, a packmaster, who had been left in camp, who informed me, to my extreme satisfaction, that Major Maxon and his command had arrived in camp safe, and were then near us with provision and ammunition. These I sent on immediately to Captain Goff.

I learned that Major Maxon had been attacked in the valley, by a

large force of Indians, on the day of the fight, had gained the bush and killed many of them; that at night he tried to find our camp, and hearing a noise like a child crying, probably one of the captured squaws, had concluded that my command had gone on to Powder river, and that the Indians had returned to the valley by another cañyon. He moved his position that night, and the next day saw the scout looking for him, but in the distance thought it was a band of Indians hunting his trail. Conceiving himself cut off from the command, he thought it best to return to this camp, thinking that we would be on our way back to Grand Ronde with provisions and ammunition.

Enclosed you will find the surgeon's report of the killed and wounded.

Respectfully, &c.,

B. F. SHAW,

Lieut. Col., Commanding Expedition to Yakima.

JAMES TILTON, Esq.,

Adjutant General W. T. V., Olympia.

DR. BURNS' REPORT.

HEADQUARTERS RIGHT WING 2D REG'T W. T. V.

Camp Mill Creek, Walla-Walla Valley, July 24, 1856.

SIR: I send you my report of the killed and wounded in the engagements on the Burnt river and Grand Ronde on the 15th and 17th July, 1856.

Lieutenant Eustis, company N, killed, residence, Luckiamute, O. T.; Daniel Smith, company K, killed, residence, French Prairie, O. T.; James Cherry, company K, wounded in the thigh, slightly, residence, O. T.; William F. Tooley, company A, killed, residence, Cape Horn mountain; Wm. Irven, company A, killed, residence, Vancouver, W. T.; William Holmes, company K, killed, residence, Thurston county, W. T.; Thomas Como, company A, dangerously wounded, residence, Vancouver, W. T.; Shirley, ensign, company C, wounded in the nose and cheek; William Downey, company D, wounded in the knee with an arrow, slightly; T. N. Silley, company T, forearm fractured and head cut, by an Indian, with an empty gun.

I remain, respectfully, yours, &c.,

MATTHEW P. BURNS, M. D.,

Surgeon 2d Regiment W. T. V.

JAMES TILTON, Esq.,

Adjutant General W. T. V. Forces.

HEADQUARTERS MILL CREEK,

July 26, 1856.

SIR: * * * * *

On the 24th I arrived here in the evening, and found that Mr. Robie had just preceded me from the Nez Percé country by about two hours.

He brought me the disagreeable intelligence that the Nez Percés had shown a hostile disposition; said that they wished no white man in their country, and, moreover, that the treaty was broken.

Pearson informed me that they were painting, beating their drums, and dancing war-dances all night.

Pierre Mortia, Howlish Wan-pool, and several Nez-Percés accompanied Mr. Robie.

I had a talk with these men, and then sent "Captain John" with a message to the Nez Percé chief.

"I told them that I did not come to fight the Nez Percés, but the hostile Indians; that I was tired of persuading people to be peaceable, and that if their drums beat for war, we would parade for battle; that we would be friendly if they were friendly, and if hostile, we would be hostile too; that they had said that they were willing for Governor Stevens to send men through their country, and that if he thought proper he would do so."

I am expecting his (Captain John's) return every day.

* * * * *

Respectfully,

B. F. SHAW,

Lieut. Col., Comd'g Expedition to Walla-Walla.

Governor ISAAC I. STEVENS,

Commander-in-chief W. T. Volunteers, Olympia.

HEADQUARTERS, FIRST REGIMENT O. M. VOLUNTEERS,
Portland, O. T., June 13, 1856.

SIR: In a communication under date at Benicia, California, April 2, 1856, published in the *National Intelligencer*, over his own signature, General Wool indulges in several direct and weighty charges against the volunteers who were under my command in the Walla-Walla country, indirectly reflecting upon myself. It is due the volunteers and the people of Oregon, that these malicious inventions, unsupported by a single circumstance, and having no foundation in truth, should be noticed and refuted.

General Wool asserts: "As the volunteers, having no boats, could not cross Snake river, the retreat of the Indians closed the winter campaign, except to plunder the friendly Cayuses of their horses and cattle." This charge is unqualifiedly false. It has no relationship with truth. And as General Wool has never placed his foot within a distance of nearly two hundred miles of the "friendly Cayuses" camp, he cannot consistently make claim to any personal knowledge of the correctness of his grave accusation. Not an officer or soldier under him has visited the Walla-Walla country since the inception of the present Indian war. Who imparted to him the information he so boldly declares and vouches to be true, he does not disclose; but whoever his informant is, that man has imposed upon the aged and credulous General, and deceived him by statements the reverse of truth. On the approach of our troops in December last, to the occupancy of

the Walla-Walla country, the friendly Cayuse and Walla-Walla Indians implored our protection from the threatened vengeance of their own brethren. These friendly Indians numbered, men, women, and children, about one hundred and thirty. The remainder of the Cayuse and Walla-Walla, the Umatilla and Deshutes Indians, were in open hostility to us, and this rupture had long been planned and determined. It was the result of no sudden impulse. It was not produced by the forward movement of our troops to their country. The legitimate certainty of these facts will be apparent from the testimony adduced on the trial of certain Indians in February last, a report of which will be submitted to you by Judge Advocate W. H. Farrar.

The protection claimed by the friendly Indians was readily promised and afforded, although to the serious inconvenience and detriment of the service and the company employed therein.

Throughout the winter, and until the removal of those Indians to the Nez Perces, they were encamped at a distance of ten miles from the encampment of our troops, except that, at their urgent solicitation, the French and half-breed company, (K,) encamped at their village. Several times in the winter I was at the Indian village, and held council with the chiefs and principal men. Never a word of complaint was lisped to me about company (K.) Twice, and twice only, did the Indians complain of any wrong having been done them by the volunteers, and both acts consisted in taking of a horse. In each instance the horses were restored, and the Indians were satisfied. On one occasion some three hundred head of horses were driven into our camp. Nearly all were wild, unbroken animals. They were believed to belong to members of the war party. They were, however, claimed by some of the friendly Indians as their individual property; and although the brands upon the animals did not correspond with the brands given to us by the Indians as their own, in order to prevent any ill feeling and difficulty, all but one horse was turned over to the Indians on their mere claim of ownership. The retention of the single horse I justify. It bore the brand of the notorious Fine Crow, one of the principal hostile chiefs. It was identified by a large number of volunteers as having been used by him in the battle of Walla-Walla, and it bore the evidence of a gun-shot wound received in that battle. It is true we obtained, and used for subsistence, some of the cattle claimed by the friendly Indians. This was never done, however, when we had or could procure beef from any other quarter. But in every instance the cattle were *purchased* from the Indians, and the price agreed on therefor, was the same as allowed to our own citizens with whom we contracted for cattle. The Indians repeatedly expressed themselves as perfectly satisfied with the business transactions between us. The imputation that the volunteers and their officers "*plundered* the friendly Cayuse" is a malignant fabrication. I hesitate to believe that General Wool has so grossly debased himself as to originate this shameless defamation. In his distempered spleen, he has suffered to be palmed upon his eager willingness to believe all things detrimental to the citizens of Oregon, these shameless libels, which had their origin in the vicious brain of one or two persons, whose reputation for truth

and veracity is not of a very high order in the community of their residence.

General Wool should have made some little inquiry as to the character of his informants, before lending the prestige of his name and official station to the endorsement of so grave a charge. It would have been far better for his own reputation for prudence and a willingness to accord to the volunteers their just deserts, had he resorted to this precautionary measure. It would have saved him from the painful exposure of a portion of his vindictive sentiments to our citizens, which he has frequently and weakly suffered to become manifest.

Another statement made by General Wool I beg to notice. He says: "In February, thirteen wagons loaded with supplies, including ammunition for the volunteers, guarded by only four men, were captured by the Indians between the Umatilla and Fort Walla-Walla." This charge is as basely false as the one to which I have above replied. Until I read this, in the letter of General Wool to the *National Intelligencer*, the report had not reached my ears, and I was not aware that this unmitigated untruth was employed by General Wool to the disparagement of the volunteers and the discredit of our whole people. From the commencement of the war to the month of March last, not a single wagon belonging to the volunteer service had been between the "Umatilla and Fort Walla-Walla." At no time were there as many as "thirteen wagons" in any train, loaded or unloaded. From first to last, the Indians have not "captured a wagon train loaded with supplies." *During the whole period of the war, the Indians have not succeeded in capturing a single article of quartermaster or commissary stores or supplies, ammunition, or a wagon.* In this respect the volunteer service presents a much clearer record than does that of General Wool. The Indians have captured, from the forces of General Wool, supplies for the regulars, while from the volunteers they have not such success to boast. In this connexion I may allude to the fact that in April last, in the Yakima country, my command recaptured from the Indians a portion of the ammunition obtained by them when they attacked and captured the Cascades, within rifle range of the veteran Wool's own trained bands.

I have thus noticed the only accusations preferred by General Wool against the volunteers and their officers since the date of my commission as colonel of the northern regiment—the 21st December. I regret the necessity that demanded of me the refutation of the grave and serious falsehoods promulgated by General Wool, and so persistently adhered to by one who might have added to his laurels, and enhanced the esteem in which he was once held by the people of Oregon, if he had applied his strength to the defence of our wide spread and unprotected settlements, in lieu of having wasted his energies in unmanly dissemination of base detractions and false accusations of those brave and gallant men I had the honor to command.

I have the honor to be, very respectfully, your obedient servant,

THOS. R. CORNELIUS,

Colonel 1st Regiment O. M. Volunteers.

His Excellency GEO. L. CURRY,

Governor and Commander-in-chief.

WASHINGTON, *August 14, 1856.*

SIR: Since my arrival at Washington, my attention has been drawn to certain letters from General John E. Wool, addressed to the Department of War, and the newspaper press of the day, in reference to the Indian war in the Territories of Oregon and Washington.

I have no controversy with General Wool, and I most cheerfully confide in the government to determine whether there is not just cause of complaint against this distinguished officer. If his official action, as chief in command of the department of the Pacific, requires him to resort to such means to justify himself as exhibited in his vindictive efforts to manufacture public opinion, and to prejudice the government against the people of those Territories, then I have to say, that it may well be questioned whether that conduct can stand the test of honest and faithful investigation.

I desire to have it understood that I am ready at any moment to be held to the strictest accountability for all my undertakings in defending the people of Oregon from Indian aggression.

I have the honor to call your attention to the enclosures herewith, with the request that they may be properly filed for future reference.

I am, very respectfully, your obedient servant,

GEO. L. CURRY,
Governor of Oregon.

Hon. JEFFERSON DAVIS,
Secretary of War.

FORT WALLA-WALLA, *October 12, 1855.*

To the settlers in the Walla-Walla and Umatilla valleys:

I am of the opinion that the Indians in this vicinity are about to join in the war commenced upon the whites on the north side of the Columbia by the Yakimas and others. In view of such an event, I have written to the commanding officer at the Dalles for a military force to escort the settlers out of the country.

You will, therefore, hold yourselves in readiness to go on the arrival of such escort. Meanwhile, you will take such precautionary steps as seem to you best calculated to ensure your safety until the arrival of said force.

I do not deem it advisable to make a rush, all at once, to get out of the country, as it would cause an alarm amongst the Indians that might cause an immediate outbreak.

NATHAN OLNEY,
Indian Agent.

HEADQUARTERS YAKIMA EXPEDITION,
Roman Catholic Mission, November 13, 1855.

KAM-I-AH-KIN, *Highass Tyee of the Yakima Indians:*

Your talk by Padre Pandozy is just received.

You know me, and I know you. You came among the white people and to my house at the Dalles with Padre Pandozy, and gave me a horse, which I did not take, as Pan-a-wok had given Lieut. Wood another horse for him. You came in peace—we come in war. And why? Because your land has drunk the blood of the white man, and the Great Spirit requires it at your hand.

You make the sign of the cross, and pray to the God of Truth for mercy, and yet you lie when you say you “were very quiet, the Americans were our friends, our heart was not for the war,” until Governor Stevens changed your feelings; for long before the treaty, which you agreed to, you proposed to the Walla-Walla chief, Pe-pe-o-mox-i-mox, to go to war, and kill off all the whites. He told us so. You had been preparing for this purpose a very long time; and your people agreed with the Cayuse, at the Walla-Walla council, before the treaty was made, to murder all the whites there, which was only prevented by the Nez Percés disagreeing.

You know that you murdered white men going to the mines, who had done you no injury, and you murder all persons, though no white man had trespassed upon your lands. You sent me a delegation to stop Hamilton and Pierce settling in your country. I wrote them a letter, and they left. You murdered your agent, Bolon, for telling you the truth: that the troops would come upon you for these murders. Has his death prevented their coming? I sent a handfull of soldiers into your country to inquire into facts. It was not expected that they should fight you, and they did right to return back.

Your foul deeds were seen by the eye of the Great Spirit, who saw Cain when he killed his brother Abel, and cursed him for it. Fugitives and vagabonds shall you also be, all that remain of you, upon the face of the earth, as well as all who aid or assist you, until you are gone.

You say now, “if we will be quiet, and make friendship, you will not war with us, but give a piece of land to all the tribes.” We will not be quiet, but war forever, until not a Yakima breathes in the land he calls his own. The river only will we let retain this name, to show to all people that here the Yakimas once lived.

You say that you will fight us with thousands, and if vanquished, those of you that remain will kill all your women and children, and then the country will be ours. The country is ours already, as you must see from our assembled army; for we intend to occupy it, and make it too hot to hold you. We are braves, and no brave makes war with women and children. You may kill them, as you say, but we will not; yet we are thirsting for your blood, and want your warriors to meet us, and the warriors of all tribes wishing to help you, at once to come. The snow is on the ground, and the crows are hungry for food. Your men we have killed; your horses and your cattle do not

afford them enough to eat. Your people shall not catch salmon hereafter for you, for I will send soldiers to occupy your fisheries, and fire upon you. Your cattle and your horses, which you got from the white man, we will hunt up, and kill and take them from you. The earth which drank the blood of the white man, shed by your hands, shall grow no more wheat nor roots for you, for we will destroy it. When the cloth that makes your clothing, your guns and your powder are gone, the white man will make you no more. We looked upon you as our children, and tried to do you good. We would not have cheated you. The treaty which you complain of, though signed by you, gave you too much for your lands, which are most all worthless to the white man; but we are not sorry, for we are able to give; and it would have benefitted you, after you signed the treaty with Governor Stevens and General Palmer, had you have told us that you did not wish to abide by it; it would have been listened to. We wanted to instruct you in all our learning; to make axes, ploughs, and hoes to cultivate the ground; blankets to keep you from the cold; steamboats and steam-wagons which fly along swifter than the birds fly, and to use the lightning which makes the thunder in the heavens to carry talk and serve as a servant. William Chinook, at the Dalles, Lawyer, chief of the Nez Percés, Stickus, and *We-atti-nati-timine*, Highass Tyee of the Cayuses, and many others of their people, can tell you what I say is true. You, a few people, we can see with our glasses a long way off, while the whites are as the stars in the heavens, or leaves of the trees in summer time. Our warriors in the field are many, as you must see; but if not enough, a thousand for every one man will be sent to hunt you, and to kill you; and my kind advice to you, as you will see, is to scatter yourselves among the Indian tribes more peaceable, and there forget you ever were Yakimas.

G. J. RAINS, *Major U. S. A.,*
Brig. Gen. W. T., Com. troops,
in the field.

WALLA-WALLA VALLEY, W. T.,
 November 14, 1855.

SIR: However urgent and important the news I have to communicate, I almost despaired to despatch any, from want of hands, who were willing to risk his life at this critical time; but Mr. McBean came to my assistance, and offered the services of his son John, who, in company with another man, will be the bearer of this. The news is gloomy, and very different from what I had reason to expect when I left the Dalles on my way hither. *Serpent Jaune* has shows his colors, and is a declared foe to the Americans. He has forcibly taken possession of the fort and pillaged it, government as well as Hudson Bay Company's property; has placed himself on the south side of the Walla-Walla river, on the hills, guarding the road with a force, it is said, of a thousand.

The young men on the Umatilla river are disposed for war, and

John Whitford and Tolman instigate them to it. The chiefs of that place, at least the majority of them, are on the balance, and have not yet decided; but Stockolah and Welaptolick, with their people, have joined the Cayuses, and are doing all in their power to have them join against the Americans. The chiefs of this valley have remained firm, and will not join the unfriendly Indians. Their conduct since Mr. Olney's departure hence has been praiseworthy, and did all they could to prevent Mr. Brooks' house from being burned and pillaged, but in vain. The chief *Howlish Wampool* did it at the risk of his life.

Two Nez Percés chiefs, now here, *Joseph* and *Red Wolf*, desire me to tell you that all their tribe is for peace; that they will suffer no hostile Indians to remain among them. In justice to Pierre, (Walla-Walla chief,) I beg to say that he stuck to his charge until forced away by *Serpent Jaune* and his people, but not until they had robbed three different times out of the fort. He was alone, and of course could not prevent them. As affairs stand, it is my humble opinion that it might not be prudent to make your way hither with the force at your command, one hundred and fifty men. I have requested the bearers of this despatch to proceed to the Dalles with the letters to the respective addresses of Messrs. Olney and Noble; and placed as we are, a mere handful of men, destitute of ammunition, the sooner assistance is tendered to us the better, for *Serpent Jaune* daily threatens to burn our houses and to kill us, and he is not the only enemy we have to dread.

In haste, I remain, sir, respectfully, your obedient, humble servant,
NARCISSE RAYMOND.

The COMMANDER *in charge* coming to Fort Walla-Walla.

I certify the foregoing to be a true copy from the original letter on file in my office.

W. H. FARRAR,
Adjutant first regiment Oregon Mounted Volunteers.

DALLES, OREGON TERRITORY, *June 19, 1856.*

SIR: I was requested, by Major Layton, to report to you, in writing, some of the facts connected with the capture and death of Pee-pee-mox-mox.

On the morning of the 5th December, 1855, Lieutenant Colonel Kelly divided his command into two divisions, one, commanded by Major Chin, taking up the Walla-Wallah river; the other, commanded by Colonel Kelly, taking across the country toward the Touchet river, where it was supposed the Indians were encamped. We reached the Touchet river, travelled up it a short distance. A party of sixty or seventy Indians were observed coming towards us; we moved towards them at full speed, found it to be Pee-pee-mox-mox and a party of his warriors, one of whom was carrying a flag of truce. We did not fire on them, but halted about three hundred

yards from them. Colonel Kelly, Mr. Olney, the Indian agent, and two or three others, went to the Indians to talk with them. Pee-pee-mox-mox said he did not wish to fight; that his people were not prepared for battle yet, and wished to treat. Colonel Kelly requested him to go and camp with him, and then he would talk with him, as it was near night at this time. Pee-pee-mox-mox objected, and requested the Colonel to go with him to his camp, and he would have a beef killed for us. The Colonel consented, and off we started for the old chief's camp, expecting to get a good fat bullock for our supper, as we were quite hungry. We had reached near the camp when our commanding officer observed that the Indians were leading us into a deep cañon, where their men were awaiting our arrival, and could have surrounded us, so that it would have been very difficult for us to make our escape, as they would have outnumbered us. After discovering the trap laid for us, the command turned, and went down the river, until a suitable camping place was found, taking Pee-pee-mox-mox and six or seven of his men to camp, and taking their arms from them. Pee-pee-mox-mox told the Colonel if he would let him send a man to his camp he would fetch a beef. The man was let go for the beef, but did not return.

The next morning we started up the river to the Indian camp, where Pee-pee-mox-mox said his people would remain until he would come; but, upon reaching camp, we found the Indians had left camp with all their stock. Quite a number of Indians were on the hills near by, but would not talk. Colonel Kelly sent a messenger to them, with a white flag, and requested them to bring it in, if they did not wish to fight. They would not do it, but showed signs of fight. The same message was sent to them repeatedly, but no satisfaction. We then started to the mouth of the Touchet to meet Major Chinn's division, a number of Indians following some distance behind. We reached camp just at dark, where we remained over night; during which time one of the prisoners tried to make his escape, but was caught and tied. The next morning there were about sixty or seventy Indians on the hill near by, halloing for their chief. Colonel Kelly sent a messenger to them as before, requesting them to come in and surrender their arms, if they did not wish to fight. They would not do it, but threatened us if we attempted to pass that way. The command then moved in route up the Walla-Walla river, where the Colonel told Pee-pee-mox-mox he expected to travel until he found a good camping place, where he expected to stop some time, and then they could talk about a treaty; and he could send for his people to come in and talk, requesting him at the same time to instruct his men not to fire upon us, if they did not wish to fight. He said he had so instructed them, and they would mind him. The command had travelled but a short distance, when the Indians fired upon two young men, who were driving loose cattle. The men were ordered to charge on them, which resulted in a running fight of about ten miles. About 2 o'clock p. m. we encamped at a place now known as Fort Bennett, finding it impossible to travel further, as the Indians were coming thick in almost every direction, and a number of our men were killed and wounded already. The officer of the guard was

ordered by Colonel Kelly to tie the prisoners, as it would take more men to guard them than was to spare at that time, if not tied. They refused to be tied, Pee-peu-mox-mox and one other drawing their knives, (which they had concealed about their persons,) and endeavored to make their escape; but before they could make their escape, or do much injury with their knives, they were killed by the guard there, and then they were all killed, except one Nez Percés boy, who did not show fight, consequently was saved. The fight lasted three days after that with the Indians on the hills near by. The night of the fourth day they moved camp, (which was in a short distance of our camp,) leaving us to bury our dead and take care of the wounded, which was six killed and sixteen wounded.

Yours, respectfully,

J. R. BATES,

Assistant Surgeon First Regiment O. M. V.

W. H. FARRAR,

Adjutant First Regiment O. M. V.

Subscribed and sworn to before me this 19th day of June, 1856.

WILLIAM C. LAUGHLIN,

Judge of Probate in and for the County of Wasco, O. T.

SALEM, January 15, 1856.

DEAR SIR: In compliance with your request, I beg leave to submit the following statement of facts, to correct a wrong impression prevailing in the minds of many persons respecting the capture and death of Peu-peu-mox-mox, the late chief of the Walla-Walla tribe of Indians. This erroneous impression, I have reason to believe, has been caused by unfounded rumors put in circulation by an officer of the United States army at Fort Vancouver. For what purpose these untrue reports were made you can conjecture as well as I.

In my dispatch of the 8th ultimo, I briefly gave the reason why Peu-peu-mox-mox and his companions were put to death; and in my report of the 14th December, 1855, I stated how they were captured by the volunteers. As those statements were very brief, I now deem it proper to make you acquainted with all the facts connected with this affair. I have already reported to you how, by a forced night march from the Umatilla to Fort Walla-Walla, directly across the hills, my command arrived in the vicinity of the hostile Indians before they were aware of our presence. On the morning of the 5th of December I divided my force, sending Major Chinn with about one hundred and twenty-five men to escort the baggage and pack trains to the mouth of the Touchet river. With the remainder, I started in a northeasterly direction so as to strike the Touchet about fifteen miles from its junction with the Walla-Walla, supposing that Peu-peu-mox-

mox and his warriors were encamped on that stream. About 2 o'clock in the afternoon, as we were proceeding towards and within three miles of the hostile village, that chieftain, with about seventy or eighty armed warriors, made his appearance, approaching towards us. An order was at once given to attack them, but as we moved rapidly up, I observed six or seven Indians a short distance in advance of their main body, bearing a white flag. Halting my command, I went where they were in company with Hon. Nathan Olney, Indian agent, the interpreter, and three or four others. One of these Indians was the chief Peu-peu-mox-mox, who asked why we had come armed into this country, and was told that we had come to chastise him and his people for the wrongs they had done to the whites. He said he desired peace; that he did not wish to fight, and that he had done us no wrong. I then recapitulated the wrongs of which he had been guilty, telling him that he pillaged and destroyed Fort Walla-Walla, seized the United States property left there by Governor Stevens, pillaged and burned the houses of Brooks, Bumford, and Noble and McKay, and drove off the cattle of the settlers in Walla-Walla valley. At first, he denied having done these things, but after some further conversation said these acts were done by his young men, and that he could not restrain them. I told him that we had the evidence of Howlisle Wampoo, a friendly Cayuse chief, that he, Peu-peu-mox-mox, with his own hands had distributed the goods when Fort Walla-Walla was pillaged, and that he had laid out a pile of blankets to be given to the Cayuses when they would join him in the war. To this he made no reply, but said he would make his people restore the goods taken by them, so far as they could be restored, and pay for the balance. I stated to him that this would not be sufficient; that, in addition, he should make his people surrender their arms and ammunition, give us cattle for beef, and horses to remount my command, so that we might pursue the other hostile Indians who were leagued with him. To these terms he assented, and said he would come on the morrow and comply with them by delivering up his arms, &c. Being well convinced that he only desired time to remove his people, and that he would not return if permitted to go, I told him that we came to wage war against him and that he could not return without exposing his villages to an immediate attack, as I had no faith whatever in his promises to come back. I observed to him that if his promises of reparation were made in good faith; he could well come and remain with us until they were fulfilled. I then directed the interpreter to state distinctly to him, that he might go away under his flag of truce, if he chose, but that if he did so we would without delay commence an attack upon his villages; that if, on the other hand, he and his six followers would consent to remain and fulfil the terms of his proposed treaty, his tribe would not be molested. To save his people from attack he reluctantly consented to remain as a hostage for the fulfilment of his promises, saying that the next morning he would go with us to his village and make all right. He moreover assured me that none of his people would remove during the night. I then placed a guard around him and his six men. At his request, we started to go towards his village to get some beef cattle

for food, while his seventy or eighty warriors were marching along with us unmolested. We had gone but about half a mile, when I observed that he was leading us into a deep and rugged ravine, through which the Touchet flowed, and in which his village was situated. Upon consultation, it was deemed advisable not to venture into the ravine so late in the evening, lest we should be surprised by an ambuscade. I ordered the command to march back about two miles, to a more secure and open place, where we encamped. At night Piu-piu-mox-mox asked permission to send back one of his six men to apprise his people of the terms of the proposed treaty, and that they would be expected to fulfil it. This permission was granted, and one of them left, but did not return, as he promised to do. On the morning of the 6th December I went up with my command to the Indian village, and found it entirely deserted, and everything removed. This removal had been made during the night, as appeared by the rain and snow that had fallen late in the evening. None of the Indians could be seen except those who were on the distant hills, armed, and watching our movements. A flag of truce was passed several times between us, and every effort made to induce the Indians to conform to the terms of the treaty proposed by their chieftain. All, however, was unavailing. After waiting until about two o'clock p. m., and seeing no hope of coming to any terms, I marched down to the mouth of the Touchet, where Major Chinn had camped, taking Piu-piu-mox-mox and his five remaining companions with me. That night one of these men attempted to escape, but after running about one hundred yards he fell, was seized, and brought back. To secure them, I ordered all to be tied. At daylight on the morning of the 7th they were untied, and I then told Piu-piu-mox-mox that I considered he had acted in bad faith towards me; that we had refrained from making an attack upon his people when we had them in our power, solely upon the condition that he and his companions should remain with us until his promises were fulfilled, and that now his people refused to fulfil them, and that he and his men wished to escape. I informed him that the next time either one of them should attempt to run away he would be slain.

Early this morning the Indians appeared in considerable force on the hills about half a mile from our camp, all armed and mounted. I then had no apprehensions of an attack, and leisurely prepared to march to Whitman's station. The advance guard and one or two companies had moved out on the plain, when the Indians commenced firing on some of the men engaged in driving up some beef cattle. The fire was returned, and a general fight ensued. The enemy were rapidly driven before us for about ten miles, along the Walla-Walla river, until we reached the farm-house of La Rogue, when they were reinforced, and made a stand. Piu-piu-mox-mox and his companions were in the meantime closely guarded and brought up to our camp at La Rogue's. All this time they were exceedingly restless and uneasy. At the latter place, as I was passing from the right to the left wing of the regiment, I went by where the prisoners were. The sergeant of the guard said to me that they were greatly excited while the battle was raging, and that he feared they would escape while the men

were out in the field. I told him to tie them all, and if they resisted or attempted to escape, to kill them. I then rode on, and when about two hundred yards distant heard the report of firearms at the place where the prisoners were. I did not stop, but passed on to where the left wing was engaged with the enemy, and was shortly afterwards informed that when my order to tie the prisoners was about being carried into effect they resisted, one of them having drawn a concealed knife from his coat sleeve, with which he wounded Sergeant Major Miller in the arm. Piu-piu-mox-mox attempted to wrest a gun from the hands of one of our men, when he was knocked down with the butt of a rifle and put to death, as were also all the other prisoners who attempted to escape, except one, a Nez Percé youth, who made no resistance, and who was tied.

I regretted the necessity of putting these men to death, as I was in hopes that they could have been made useful in prosecuting the war against the other hostile tribes; but I am well satisfied that the guard was fully justified in taking away their lives in their efforts to escape.

Very respectfully, your obedient servant,

JAMES K. KELLY,

Lieut. Col. Com'g First Reg't Oregon Mounted Vols.

His Excellency GEORGE L. CURRY,

Governor of Oregon.

DALLES, O. T., June 18, 1856.

SIR: Seeing the position that Gen. Wool is trying to place the Oregon volunteers in in regard to the Walla-Walla chief, Pee-pee-mox-mox's death, I deem it my duty at this time to report to you some of the facts in the case to which I was an eye witness.

On the night of the 2d of December, 1855, the command, under Lieutenant Colonel Kelly, marched from Fort Henrietta, en route for the Hudson Bay Company's Fort Walla-Walla. Arrived, after a tedious night's march, with severe rain and wind, in sight of the fort at or about 11 a. m. of the 3d, and camped on the Walla-Walla river, about three miles from the fort. At evening of the same day scouting parties started for the fort. They found the walls still standing, but the inside of the fort nearly destroyed, and all the goods belonging to the Hudson Bay Company stolen or destroyed; also, a large amount of goods belonging to the Indian department of the United States, stored there by Governor Stevens, of Washington Territory. Mr. Sinclair was along with the command and went down to the fort accompanied with Lieutenant Colonel Kelly, Major Chinn, Captain A. T. Wilson, of company A, with several others, and passed the night of the 3d inside of the walls of the fort. On the morning of the 4th, quite early, they saw a party of Indians on the opposite bank of the Columbia river, which engaged the party for some time in a fight. At, or about the same time, as some of the men from the camp were strolling about the hills, they were fired upon by a party of Indians well mounted, from Pee-pee-mox-mox's camp. They imme-

diately returned to camp and gave the alarm. Lieutenant Shephard, of company "F," with twelve men, and myself, with twelve from company "H," was sent out as a reconnoitering party. We found the Indians to be about forty in number, reported the same, and skirmished with them most of the day; they commencing the attack about 4 o'clock. Finding we could not engage them at close quarters, and our horses being much wearied, we concluded to return to camp, and on our return we met the command coming to our relief, under the command of Major Chinn, with parts of companies A, B, H, I, and R, accompanied with Mr. Nathan Olney, Indian agent. They proceeded on and found the Indians. Mr. Olney commenced a conversation with them, and the Indians informed him where Mox-mox's camp was, on the Touchet river, and said that if the command would come there in the morning with these they would meet them there and have a talk. On the morning of the 5th Lieutenant Colonel Kelly divided his command, taking about one half of each company with him, and sending the other half, under the command of Major Chinn, with the pack-train and ammunition wagons, to make a camp at or near the mouth of Touchet, on the wagon road; Colonel Kelly moving his command over the hills to the camp of Pee-pee-mox-mox. On arriving at the place designated we found they had moved camp, and the only vestige left was a few dogs and a wounded horse, that was probably wounded the day before. The command then moved up the Touchet about two miles, where there was a halt ordered, and Colonel Kelly conferred with his officers in regard to his movements, and it was decided to move on in pursuit of Mox-mox's camp. Just as the command was moving there was seen from the hills beyond a number of Indians approaching us at a furious gait, but as soon as they came near enough to be distinctly seen we found them well mounted and armed, and with a flag of truce, which was received as such, and all due respect to the great chief, Pee-pee-mox-mox, was paid. A long talk was had with him, and it was decided that the chief and his attendants should remain in camp with us that night and go to his camp in the morning, and he would have a talk, restore the property stolen from Fort Walla-Walla, &c., &c. The next morning the chief, Pee-pee-mox-mox, wished to send one of his men to his camp above to tell his people that he was safe and not to move camp; that he was coming up with the Bostons, and to have a beef killed for them. The Indian was permitted to go, and in a short time, probably one hour, after the Indian departed the command moved. On the arrival of the command at Pee-pee-mox-mox's camp they found it vacated, and that in great haste. Their fires were still burning, some of their lodges still standing, as well as some of their horses. A few Indians were to be seen on the hills. The white flag was sent out to them time and time again for them to come in and have a talk, but to no avail. The men all this time, though suffering from hunger, having nothing to eat for the past sixty hours, were quiet and orderly, and the time passed on till near evening, when Lieutenant Colonel Kelly, finding that he could not accomplish anything, resolved to return to his camp on the Touchet. The command then moved, taking Mox-mox along with his companions, and arrived in camp about two hours after dark.

A supper was prepared for the chief and his comrades, the best the camp afforded, and all was quiet. About 10 o'clock p. m. an alarm was given by the guard that the prisoners were escaping. The men were up in arms in a moment, and although the night was dark he was re-captured, and then they were confined for the first time by having their hands and feet tied. On the morning of the 7th the Indians were on the hills opposite our camp in large numbers. The white flag was sent and returned time and time again, until the patience of Lieutenant Colonel Kelly was exhausted, and he gave an order for the command to move across the Touchet into the Walla-Walla valley, where he intended to make his headquarters for the winter. As soon as the advance of the command crossed the Touchet river the fight commenced, and the command had a running fight of it for ten miles, when the Indians made a stand and fought us most desperately. The cause of the chief Pee-pee-mox-mox's death and his comrades was that they refused to be confined and showed fight. Mox-mox and one of his men came very near escaping.

All of which is respectfully submitted.

Respectfully, your obedient servant,

CHARLES B. PILLOW,
2d Lieut. Company A, First Reg't O. M. V.

W. H. FARRAR,
Adjutant First Regiment Oregon Volunteers.

HEADQUARTERS O. M. RANGERS,
Tiah Valley, June 15, 1856.

SIR: I have before me your letter of 2d instant, making inquiries as to the manner of, and the particulars relating to, the capture and death of the Walla-Walla chief, Pee-pee-mox-mox.

On the morning of the 5th of December, 1855, Lieutenant Colonel Kelly, commanding the 1st regiment O. M. volunteers, marched with the larger portion of his command in search of the camp of Pee-pee-mox-mox. We found his camping place on the Touchet river, but he had left. Colonel Kelly decided to follow up the stream still further; had gone but a short distance when we saw Pee-pee-mox-mox in the distance, with about sixty armed Indians, displaying a flag of truce. The command halted, and Pee-pee-mox-mox advanced with seven of his warriors. He stated to Colonel Kelly, through an interpreter, that he wished to settle the difficulties without fighting, at the same time acknowledging that he had pillaged and destroyed the property of the white settlers in that valley, and that he had burned and spoliated Fort Walla-Walla. Colonel Kelly told him that he had come there for the purpose of fighting, and if he did not surrender himself and arms he could leave our command with his white flag; then he might expect us to fight him. Whereupon he gave himself up, with seven others, as prisoners of war. On the morning of the 6th he sent one of his men out to bring in the other Indians that they might settle the difficulties. He returned not. We then moved up the river

to his second encampment. On approaching it the Indians withdrew to the adjoining hills. Another messenger was sent out to them, requesting them to come in. They again refused. Entreaties were in vain. The command then marched down to the mouth of the Touchet river to join Major Chin. Here one of the prisoners attempted to escape, when they were all secured for the night. On the morning of the 7th a party of Indians made their appearance on the hills in front of our camp. Here Colonel Kelly sent another messenger, asking them to come in and give up their arms. They again refused, but demanded of us their chief, and ordered us to pass no further up the river or they would fight us. We then left camp on our way up the Walla-Walla river; had not gone more than three-quarters of a mile when the Indians fired on two men who were driving cattle. Orders were then given to charge on them, which was done. Here commenced a running fight of ten miles, in which some of our men were wounded. Colonel Kelly was then inquired of what should be done with the prisoners. He ordered them to be tied. In attempting this the prisoners tried to make their escape. One drew a knife and stabbed a man in the arm. Pee-pee-mox-mox seized a gun in the hands of a Mr. Warfield, whereupon Warfield struck him such a blow as to fell him to the ground. He raised again, and a second blow from the gun brought him to the ground again. The guard then fired upon him, and his existence soon ended.

I regretted exceedingly the death of Pee-pee-mox-mox at that particular time. Not but what he justly deserved it, but the necessity for it; and I am well convinced it was unavoidable, and that the guard only done their duty.

I am, sir, respectfully, your obedient servant,

H. V. WILSON,

Capt. Company "A," 1st Reg. O. M. V.

WILLIAM H. FARRAR,

Adjutant 1st Reg. O. M. V.

DALLES, OREGON TERRITORY,

June 18, 1856.

SIR: In compliance with your request I copy the following from my journal:

On the morning of the 5th of December, 1855, Colonel Kelly, dividing his command, sent a detachment of men up the Walla-Walla river, under command of Major Chinn, while he, with about two hundred men, left in search of Pee-pee-mox-mox's camp. Marched over to Touchet river. Here found his camping place, but he had left. After discussing the propriety of further searching, we decided to follow up the stream still further. Had gone but a short distance when we saw Pee-pee-mox-mox in the distance, accompanied by about 60 armed Indians, bearing a flag of truce. On approaching him he stated that he did not wish to fight. That he wished to settle the difficulties without fighting, acknowledging that he had pillaged and

destroyed the property of the white settlers there in that valley, but was willing to pay for all of it. Colonel Kelly told him that he had come there for the purpose of fighting, and if he did not surrender himself and arms that he could leave our command with his white flag. Then he might expect us to fight him. Whereupon he gave himself up with six others as prisoners of war. On the morning of the 6th he sent one of his men out to bring in the other Indians, that they might settle the difficulties. He returned not. We then moved up the river to his second encampment. On approaching it the Indians all withdrew to the adjoining hills. Another messenger was sent out to them requesting them to come in, but refused. Entreaties were in vain. We then marched down to the mouth of the Touchet river to join with Major Chinn. Here one of the prisoners attempted to escape; whereupon they were all secured safely for the night. On the morning of the 7th a party of Indians made their appearance on the hills in front of our camp. Here Colonel Kelly sent another messenger to them asking them to come in and give up their arms. They refused to do so, but demanded of us their chief, and ordered us to pass no further up the river, or they would fight us. About 8 o'clock we left camp on our way up the Walla-Walla river. Had not moved more than three-quarters of a mile when the Indians fired at two men who were driving some loose cattle. Orders were then given to charge on them, which were immediately obeyed. Here commenced a running fight of ten miles, in which a few of our men were wounded. After chasing in pursuit of them ten miles our horses began to fail, and the Indians began to increase in number. By this time the command was all up to a place now called Fort Bennet. Colonel Kelly was enquired of what should be done with the prisoners; his reply was to tie them. In attempting this, the Indians tried to make their escape; one drew a butcher knife and stabbed a man in the arm. Pee-pee-mox-mox undertook to seize a gun from a Mr. Warfield, whereupon said Warfield struck him such a blow upon the back of the head that knocked him to the ground. He then raised to his knees, when a second blow from the same gun brought him to the ground again. Several guns were discharged at him and his life was soon ended. All the others were killed excepting one, who did not resist or show fight. This was a Nez Percés Indian. The battle continued until dark, when both parties retired to their camps. Soon after arriving in camp they fired into our midst. A strong guard was kept out during the night. Early in the — of the 8th the battle was renewed again with increased vigor; continued fighting until night, when both parties withdrew again. On the 9th the Indians again made their appearance, when they were attacked by our party. This day's fighting was not so hard as the former. Early in the morning of the 10th it was seen that the Indians had got possession of our ditches. A party was sent out to attack them. A hot fire was kept up for five or six hours, when the Indians were routed, and all were driven far above their camping ground; left the field and were seen no more. On the field our loss in killed and wounded was twenty-two—six were killed. The loss of the enemy was not definitely ascertained. Supposed to be about seventy killed and the same number wounded.

As for the wounded, we have no further evidence than that the Indians say there was a great many wounded. Judging from the number that was killed, I suppose that there must have been at least that number wounded.

The above is as full an account as time will permit of my giving at present.

This, to the best of my knowledge, is a true statement, in substance, of the facts connected with the taking, or capturing, and death of the Indian chief, Pee-pee-mox-mox.

Yours, respectfully,

DAVIS LAYTON,
Captain company H, 1st regiment O. M. V.

Major W. H. FARRAR,
Adjutant 1st Regiment O. M. V.

P. S. Enclosed in this I send you a certificate of the same facts, given by Dr. J. R. Bates, assistant surgeon 1st regiment O. M. V.

Proceedings of a court martial held at Camp Cornelius, Whitman's valley, Washington Territory, by virtue of the following order:

HEADQUARTERS 1ST REGIMENT O. M. VOLS.,
Camp Cornelius, W. T., February 16, 1856.

A court martial, to consist of seven members, (a greater number cannot be detailed without manifest injury to the service,) will assemble at Camp Cornelius, Washington Territory, on the 17th instant, at the hour of eight o'clock a m., for the trial of a certain Nez Percés Indian, called Te-pe-al-an-at-ke-kek.

The court will consist of—

Captain Hiram Wilber, company D.
1st Lieutenant John P. Hibler, company E.
2d Lieutenant Charles P. Pillow, company A.
2d Lieutenant W. H. H. Myers, company D.
2d Lieutenant Wm. G. Haley, company H.
2d Lieutenant John H. Smith, company D.
2d Lieutenant J. J. Griffin, company E.
Major Wm. H. Farrar, judge advocate.

Per order:

T. R. CORNELIUS,
Colonel Commanding 1st regiment O. M. Vols.

W. H. FARRAR,
Adjutant of the Regiment.

FEBRUARY 17, 1856.

The court met pursuant to the foregoing order. Present—

Captain Hiram Wilber ; 1st Lieutenant John P. Hibbler ; 2d Lieutenant Charles B. Pillow ; 2d Lieutenant W. H. H. Myers ; 2d Lieutenant W. G. Haley ; 2d Lieutenant John H. Smith ; 2d Lieutenant J. J. Griffin, members.

Major Wm. H. Farrar, judge advocate.

The judge advocate informed the court that, at his suggestion, the colonel commanding the regiment had requested Lieutenant Wright, company E, to act as counsel of the prisoner.

The court was duly sworn in the presence of the prisoner, who was previously asked if he had any objection to the members named in the order, and answered in the negative. Peter M. La Fontaine and Antoine Placie were sworn as interpreters. Lieutenant Wright and the interpreters, before the court was sworn, had informed the prisoner that he might object to such of the members of the court as he desired. The prisoner being duly arraigned the court proceeded to the trial of *Te-pe-al-an-at-ke-kek*, a certain Nez Percés Indian, on the following charges and specifications, preferred against him by Lieutenant Thomas J. Small, company K:

Charge.—Prisoner is a spy, and, as such, came into an encampment of the volunteers.

Specification. In this, that the said *Te-pe-al-an-at-ke-kek*, a certain Nez Percés Indian, on the morning of the 15th day of February, A. D. 1856, without permission first obtained so to do, came within the limits of Camp Cañon, where was then encamped company K, 1st regiment O. M. volunteers, in the character and capacity of a spy, for the purpose, and with the deliberate intention, to obtain information of the situation and condition of said camp, and of the number and disposition of the troops therein, and of the plans and movements of the whites, with the intent to convey the same to the enemy for their information and advantage.

Charge 2nd.—That he was, and is, an agent and emissary of *Kamaiaken*, war chief of the hostile tribes of Yakima, Walla-Walla, Cayuse, Umatilla, De Shutes, Tiah, and Palouse Indians.

Specification. In this, that he was employed, and acted, in the months of September, October, November, and December, 1855, and in February, 1856, by *Kamaiaken*, war chief of the Yakima and other tribes of Indians, in fomenting active hostilities to the Americans and destroying their property.

The charges and specifications were read and interpreted to the prisoner, to all which he pleaded *not guilty*.

Lieutenant Thomas J. Small, company K, 1st regiment O. M. volunteers, a witness for the prosecution, being duly sworn, says:

On the 15th of February instant I had command of company K, 1st regiment O. M. volunteers, and was encamped at Camp Cañon. My company consists of half-breeds, French, and a few Americans. I was encamped ten or twelve miles from the main body of the regiment. There are several French families encamped at the same place—some ninety persons in all. There are from one hundred and

thirty to one hundred and fifty Indians encamped there who claim to be friendly to the whites. I am encamped there to afford protection to those settlers and Indians, and this relation has existed since the 17th or 18th of December, 1855. I did not see the prisoner until his arrest by my men. He had not previously been in my camp. He had no authority or permission to come into camp or its vicinity.

Question by the Judge Advocate. Whether or not you saw the prisoner immediately after his arrest?

Answer. I did, soon after his arrest.

Question by the Judge Advocate. Whether, or not, you had any conversation with him then, and, if yea, state the same fully.

Answer. I had but little conversation with him. He was not inclined to talk. I asked him where he was from, and he answered that he was from the Nez Percés country. I asked him if he had a pass from Colonel Craig, the Indian agent, to come down, he said no. I asked him how long he had intended to remain in, or near, our camp. He replied he meant to have slept there two nights, and then go off. He said he was a Nez Percés, and that I knew they were friends of the whites. I told him I should keep him a prisoner.

Question by the Judge Advocate. Did he make any reply when you informed him you should detain him a prisoner, and if yea, what was it?

Answer. He did not.

Question by the Judge Advocate. State, if you know, where he was first found, or seen, after he had got into camp.

Answer. One of the guard discovered him in one of the friendly Indians' lodge, and took him into custody.

The judge advocate requested the court to allow Lieut. Wright, counsel for the prisoner, to examine the witness, and all the witnesses who might be produced against or for and in behalf of the prisoner, to which the court assented.

No questions on the part of the prisoner.

Antoine Placie, a settler on the public lands in the Walla-Walla valley, a witness for the prosecution, being duly sworn, says: I am not a member of any volunteer company, or connected with the service. For a long time I have resided in the Walla-Walla country, and am well acquainted with the Indian tribes of this region. I have before seen the prisoner. First saw him last summer on the north side of the Columbia river, at the mouth of the Yakima river, in the camp of the Walla-Walla chief, Piu-piu-mox-mox. It was about the time of Major Haller's battle with the Yakimas. Piu-piu-mox-mox's band was then camped at the mouth of Yakima river. I went there at request of Nathan Olney, the Indian agent, to get Piu-piu-mox-mox to come over to Mr. Brooks' house to have a conference with Mr. Olney, but he would not go to see Olney. Piu-piu-mox-mox told me it was the intention to go to war with the whites. He had about one hundred of his warriors with him. There was talk of going to join *Kamaiaiken*. The day I reached there the news came in that *Kamaiaiken* had had a battle with Maj. Haller in the Simcoe. The scalp of a white man was brought into camp that day, and that night the Indians held a scalp dance over it. Five of Piu-piu-mox-mox's war-

rriors brought the news of the battle. The head one of the five was a nephew of Pui-pui-mox-mox. I saw them when they arrived in camp. Pui-pui-mox-mox told me they were all in the fight with Haller. That night, or the next morning, the prisoner and fifteen other Indians left the camp to join *Kamaiaken*. This party was composed of Nez Percés and Palouses.

Question by the judge advocate. If, as you state, it was the intention of Pui-pui-mox-mox, and his tribe, at that time, to go to war with the whites, how was it that you were not killed or detained?

Answer. I am a half-breed; have been long in the country; know them well; knew Piu-piu-mox-mox well; and his son was very friendly to me. He did once, soon after, detain me in his camp, but his son took me away, and let me go.

Question by the judge advocate. When and where did you next see the prisoner?

Answer. At Camp Cañon, and on the day of his arrest as a spy.

Question by the judge advocate. Whether or not you had any talk with the prisoner last evening?

Answer. A little. I asked him if he knew what he was arrested for. He said you had told him that you were going to give him a trial.

Question by the judge advocate. What did he say he was in custody for?

Answer. He did not tell me. I did not ask him.

Question by the judge advocate. Whether or not he said anything to you, last evening, respecting the burning of Lloyd Brook's house?

Answer. Yes, sir. He told me he was there when it was burned.

Question by the judge advocate. Where was Brook's house situated; and when, and by whom was it destroyed?

Answer. It was in the Walla-Walla valley. I don't recollect the date it was burned. The Indians have often told me it was destroyed by Indians, who are now with the war party. It was burned after I went to Pui-pui-mox-mox's camp for Olney.

Question by the judge advocate. Can you state whether the volunteers then were, or had been, in the Walla-Walla country?

Answer. They had not been here then.

Question by Lieutenant Wright. When you saw prisoner at Camp Cañon, did you at once recognise him as having seen him in Pui-pui-mox-mox's camp?

Answer. I did.

Question by Lieutenant Wright. Did you then tell him you saw him there?

Answer. I did tell him so last night, and he told me he recollected seeing me there.

Question by Lieutenant Wright. Did Pui-pui-mox-mox, at the time you went to his camp for Olney, say anything more than you have already stated about Olney?

Answer. The morning after the scalp dance, Pui-pui-mox-mox said, if Olney had come to his camp, that the Palouses then in camp said they would have killed him.

Peter M. La Fontain, a white man, a witness for the prosecution.,
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being duly sworn, says: "I have lived between the Dalles and Nez Percé's country for the last five years; have known the prisoner for the last three years; he is a Nez Percés. I have frequently seen him in the camp of Red Wolf, one of the chiefs of that nation. That is his home. He is a "medicine man," and owns a great deal of property. Last night he said he wanted to talk to you. I told him you would not talk to him, and then he wanted I should go to you, and ask you if you would not go and hear what he had to say. I told him he could tell me what he wanted to say to you, and I would tell you. He said he heard long before the battle of Major Haller with *Kamaiaken*, that there would be a war with the whites. Then, afterwards, he heard that Major Haller had gone from the Dalles with his soldiers to fight *Kamaiaken*; and he further said he went over there to learn if *Kamaiaken* could break the soldiers' guns, and keep the bullets from hitting him; that he got there about the time *Kamaiaken* had defeated Haller, and drove the soldiers out of the country. That *Kamaiaken* and the prisoner talked together; that *Kamaiaken* told him to come over into this (Walla-Walla) country, and burn Brook's house; that *Kamaiaken* told *Cushim* and the prisoner to go to the Walla-Wallas, Cayuses, and Nez Percés, and tell them he had begun the war, had beaten the soldiers, and that they must all fight till they had killed all the whites, and fight every year. That prisoner then said that *he*, *Cushim*, and a good many other Indians, came into the Walla-Walla country, burned Brook's house, and then had a big smoke around the fire; that *Cushim* and himself went to the camp of the Cayuses, on the Upper Umatilla river; that a war council was held there; that he (the prisoner) did not talk any, but that *Cushim* did; that *Cushim* told them what *Kamaiaken* had done, and the message he had sent them, and wanted them to move across the country to Mill creek, in Whitman's valley, so as to be ready for war. That the Cayuses moved camp, came into Whitman's valley, and camped on Mill creek, where they had the big war camp, at the time of the battle of Walla-Walla, last December.

Question by the judge advocate. Whether or not he told you to tell me anything as to his connexion with the battle at Walla-Walla?

Answer. He said that a large party, of which he was one, left the big war camp of the Cayuses, and were on their way to Fort Walla-Walla, when an express from Pui-pui-mox-mox met them and told them the Bostons (whites) were coming; that they went a little further, and then held a council; that they then went on; that most all the Cayuses and Walla-Wallas were in the battle; that he was in it; that they fought close at times; and that at one time, when they were running the Bostons, and he was close to them, he had his horse shot under him, and then he went back to the big camp, and as he had a poor gun, he did not fight any more; that, when the battle was over, he went with the war party over Snake river, remained there until the severest of the cold weather was over, and then went into the Nez Percés country to see *Looking-Glass*, the chief; that *Tou-hi-tee's* son went with him, and they, too, concluded they would come down where the Bostons were; that they started; that *Tou-hi-tee's* son got alarmed and did not come any farther, and went to the war camp

again; that he thought he would come and stay two nights, and then go back, and if you will let him go, he will not fight any more.

Question by Lieutenant Wright. Did he tell you whether he assisted in burning any of the other houses of the settlers in this valley?

Answer. He told me the only house he aided to burn was Mr. Brook's; that the other houses were burned by Pui-pui-mox-mox and his men—the Cayuses and De Chutes Indians.

Question by Lieutenant Wright. Did he tell you what he supposed would be done with him?

Answer. He said he had supposed, if he came down, that the Americans would try him and let him go back; but now he knew their chief was going to hang him, and that was the reason he wanted to talk to Adjutant Farrar, and tell him all he had done.

Howlish Wampool, an Indian chief of that portion of the Cayuses who have remained friendly, was called as a witness for the prosecution.

Lieutenant Wright objected to his being sworn, on the ground that he did not know the nature and obligation of an oath. The judge advocate proposed to submit him to an examination on this point. The court directed him to be examined touching his acquaintance with the nature, efficacy, and solemnity of an oath.

Question by the judge advocate. What is your name?

Answer. Howlish Wampool.

Question by the judge advocate. Of what nation, people, or tribe are you?

Answer. I am a Cayuse. I was not born a chief; but now that our people are at war, have fled the country, and are not the white man's friend, I am the chief of those who remain, and make no war.

Question by the judge advocate. Have your people ever had any missionaries among them.

Answer. Yes.

Question by the judge advocate. Did you ever see a white man's court before?

Answer. Yes.

Question by the judge advocate. You have seen the witnesses to-day hold up their hands to be sworn. Do you know what it is to be sworn?

Answer. Yes, he must tell the truth.

Question by the judge advocate. Suppose you are sworn as the white man is, what will you have to do?

Answer. Speak the truth to you.

Question by the judge advocate. Suppose you should tell a lie to any question put to you, what would be the consequence? What would be done to you?

Answer. God would be angry. I should be punished.

Question by the court. Who has taught you that you would be punished if you told a lie?

Answer. The missionary; the white man.

Question by the court. Would you be punished for it after you die?

Answer. Do you think I am a fool? God would punish me if I told a lie.

The court decided that the witness, Howlish Wampool, should be sworn ; and he being duly sworn, says :

Question by the judge advocate. Do you know the prisoner ?

Answer. Yes.

Question by the judge advocate. Where is his home, and to what nation does he belong ?

Answer. He belongs to the Nez Percés ; his home is at Red Wolfe's creek.

Question by the judge advocate. What do you know of his connexion with the war ?

Answer. He is a bad man. He was not at the robbery of Fort Walla-Walla. Pui-pui-mox-mox stole the goods from the fort. This man was at the burning of Brook's house. I know he went over into Kamaiaiken's camp. Then he came back. He came back in the evening. He went to *Freeze's* lodge. He did not talk much there, as *Freeze* is a praying man. He got a good many of our people, and went to Brook's house and burned it. I did not know before they fired it that they meant to burn it. A great many went with him. I went to the priest's house that day. Was there a little time and saw the flames. I took my horse and went there fast. The house was burning. A good many horses were there. I met two little persons. I went right to the fire. Plenty persons there. They talked very bad to me. They told me not to speak, that they would not listen to me. A good deal was said. I was alone to talk to them. They had everything divided among them. *Tallmann*, a white man, was there. He had his load to carry away. I got from my horse. I told them they had got to put all the goods in a pile and leave them, and it was done. I drove them off ; they came back ; they were too many. I had none to help me. They stole the goods and carried them away. He (the prisoner) was there. He came from Kamaiaiken and robbed the house and stole the goods. He was not the principal. Wild Cat was the head man, and he got thirty-five sacks of flour for his portion of the stolen goods.

Question by the judge advocate. Do you know anything of *Five Crow* having sent an express to the Nez Percés ?

Answer. Yes, he sent a messenger there.

Question by the judge advocate. When was it ?

Answer. It was last season.

Question by the judge advocate. Do you know where the volunteers were then ?

Answer. No.

Question by the judge advocate. At the time *Five Crow* sent the messenger into the Nez Percés, had the volunteers come up as far as the Umatilla ?

Answer. No.

Question by the judge advocate. Can you not tell me about when this was ?

Answer. No, I can't remember the time ; it was last season.

Question by the judge advocate. Had you at that time heard anything about volunteers or soldiers coming to this country ?

Answer. No.

Question by the judge advocate. What was the message *Five Crow* sent to the Nez Percés?

Answer. He sent Too-toy-na-tosh-watish to tell them that the whites and Indians were going to have a war; that Olney had been to the Umatilla and killed an Indian; that the Indians had plenty of powder and balls, and wanted the Nez Percés to come down and join them, and that *Kamaiaiken* had defeated the soldiers in his country.

Question by the judge advocate. At the time *Five Crow* sent the messenger to the Nez Percés, had the prisoner returned from *Kamaiaiken's* country?

Answer. Yes.

Question by the judge advocate. Had he seen *Five Crow* since he came back?

Answer. Yes.

Question by the judge advocate. Was *Five Crow's* heart good towards the Americans before the soldiers came up here?

Answer. No, his heart was very bad towards them.

Question by the judge advocate. Did he at that time talk of fighting the Americans?

Answer. Yes, his heart was for war.

Question by the judge advocate. State whether or not it was the intention of a large part of your tribe to go to war before the prisoner went to the Cayuse camp or the Upper Umatilla with a message from *Kamaiaiken*.

Answer. *Stickus* was not for war. *Tin-tim-mit-see* and I were not for war. The chiefs were for war. Most of the young men were for war. I tried to talk with them; they would not listen to me; their hearts were bad.

Stickus, a Cayuse Indian, was called by the judge advocate as a witness for the prosecution.

Lieutenant Wright, for the prisoner, objected to his being sworn, by reason of his want of knowledge of the obligation of an oath.

The court decided that the witness be examined on this point.

Question by the judge advocate. You heard me ask *Howlish Wampool* if he knew the obligation of an oath; are you willing to be sworn?

Answer. Yes; and will talk "straight."

Question by the judge advocate. Do you know why the white man holds up his hand when he is sworn?

Answer. Yes. He points to the Great Father, and tells him he will talk with one tongue.

Question by the judge advocate. What do you suppose the Great Father would do to the white man, if he told a lie then?

Answer. He would be angry; he would punish him.

Question by the judge advocate. If you are sworn as the white man is sworn, and should tell a lie, do you suppose the same punishment would be inflicted on you as on the white man?

Answer. Yes; the Great Spirit is the Father of us all.

The court decided to admit the witness, whereupon *Stickus*, being duly sworn, says:

Question by the judge advocate. Do you know the prisoner?

Answer. Yes; he is a Nez Percés. Last year he came to our coun-

cil from *Kamaiaken*; he talked there; he talked bad, very bad. He did not speak to those of us who were friendly to the whites, as his heart was for war. A band of five Indians came from *Kamaiaken*, who were to follow *Kamaiaken's* talk.

Question by the judge advocate. At the time the prisoner was at the council on the Umatilla, had Brooks' house been burned?

Answer. Yes; he told us *Kamaiaken* had told him to burn the house.

Question by the judge advocate. At the time of the war council of the Cayuse and Umatilla Indians, did you have any talk with the prisoner?

Answer. I asked him how his heart was to-day. I told him I liked horses and goods; that he had done bad; that his burning houses and taking the whites' goods made me sick; that when I had a horse which strayed off, and was lost, it made my heart sick; and he (the prisoner) laughed at me. That is all I told him, and that is all I know.

Question by the judge advocate. What news did he bring the Cayuses from *Kamaiaken*?

Answer. He brought us word that we all had to fight, in every place; all must go to —; this was what *Kamaiaken* said.

Question by the judge advocate. Where have you camped this winter?

Answer. With *Howlish Wampool*, *Pierre*, and *Tin-tim-mit-see*. You know where.

Question by the judge advocate. Have there been any soldiers camped with you since the battle on the Touchet?

Answer. Yes; some of your people.

Question by the judge advocate. Are all the friendly *Cayuses* and *Walla-Wallas* camped together?

Answer. Yes; where I told you.

Question by the judge advocate. Has the prisoner a family in that camp?

Answer. No.

Question by the judge advocate. Had he any business there?

Answer. No; we don't want those who belong to the war party to come near us.

Question by Lieutenant Wright. Do you suppose he came into camp to know who was there, so as to tell all he could find out to the war party?

Answer. I can't say. I do not know what he came for. He is a bad man.

The evidence for the part of the prosecution here closed.

Lieutenant Wright announced that he had no witnesses for the defence, and that he would submit the whole subject to the court without further remark.

The court being cleared, and the whole of the proceedings read over to the court by the judge advocate, the following finding and sentence were pronounced:

The court, after mature deliberation on the testimony adduced, find the prisoner, *Te-pe-al-an-at-ke-kek*, a Nez Percés Indian, guilty of the specifications and guilty of the charges preferred against him, and

sentence him to be hanged by the neck until he be dead. The sentence to be carried into execution within twenty-four hours after its approval by the colonel commanding.

The court adjourned *sine die*.

HIRAM WILBER,

Captain Co. D, 1st Reg't O. M. V., President.

WM. H. FARRAR,

Judge Advocate.

HEADQUARTERS, 1ST REGIMENT O. M. V.,

Camp Cornelius, March 6, 1856.

By a court-martial, of which Captain Hiram Wilber, company D, is president, was tried a certain Nez Percés Indian called Te-pe-al-an-at-ke-kek, on charges and specifications preferred against him by Lieut. Thomas J. Small, Co. K, 1st regiment Oregon mounted volunteers, to all which the prisoner pleaded not guilty. The court, after mature deliberation on the testimony adduced, find the prisoner guilty of the specifications and guilty of the charges, and sentence him to be hanged by the neck, until he be dead; the sentence to be carried into execution within twenty-four hours after its approval by the commanding colonel.

The commanding colonel approves the finding and sentence of the court-martial, and orders the sentence to be carried into effect at the hour of 9 o'clock to-morrow morning.

By order of

T. R. CORNELIUS,

Col. Commanding 1st Regt. O. M. V.

W. H. FARRAR,

Adjutant of Regiment.

I certify the foregoing to be a true copy from the original record.

W. H. FARRAR, *Judge Advocate,*

1st Regiment O. M. Volunteers.

TERRITORY OF OREGON, HEADQUARTERS,

Portland, May 10, 1856.

COLONEL: Your communication of the 27th ult. has been received, with its enclosures, a copy of letter addressed to you by Indian Agent Thompson, in which he complains of the conduct of the Oregon volunteers towards certain alleged friendly Indians at the Dalles. If the complaint be justly founded against individuals of the Oregon volunteers, no one can regret or reprobate such offensive conduct more than myself. I have no information that will justify your use, in general terms, and by an indiscriminate application of the harsh expression, that you are much embarrassed by these wanton attacks of the Oregon volunteers on the friendly Indians.

In preferring the wish that the volunteers be withdrawn from the Columbia river, you seem to be unaware of the fact that they have only been kept in the field because that portion of the United States army, stationed in northern Oregon, has not been actively employed in guarantying security to the frontier settlements in that section of the Territory. The presence of the United States troops out of garrison, was to be, as it has been, the signal of recall to the volunteers.

In presuming that the executive of this Territory retains authority over the Oregon volunteers, wherever they may be employed, you are fully justified by the cheerful respect they have always paid to the executive authority. Instead of reproach, they are entitled to the highest encomiums. Responding to the concluding paragraph of your communication generally, I take this opportunity to say, that in the pursuit and chastisement of hostile Indians, aggressors upon the peace of our settlements, the present incumbent of the executive office of this Territory will be actuated by the belief that it is unimportant to consider, and unnecessary to be controlled by limits of territorial jurisdiction.

It is a matter of congratulation that the United States troops have at length made a forward movement, and I trust that nothing will occur to render nugatory your proposed campaign into the Yakima country.

I am, very respectfully, your obedient servant,

GEORGE L. CURRY,
Governor of Oregon.

Colonel G. WRIGHT,
Ninth Infantry, Comd'g Northern Dist., Dept. of the Pacific.

FORT READING, CAL., *November 20, 1855.*

DEAR SIR: I send this note to inform you of the safe arrival of myself and party at this post, and to tell you how much I feel indebted to you for my successful trip. I reached the Umpqua cañon just in time to go through with the companies of Captains Morgan and Bowie, those under the immediate command of Major Martin. I told the Major of my situation, and showed him your orders. He very kindly offered me every assistance in his power. I went through the cañon with his command, and camped with it a few miles on the other side. In the evening the volunteers from the battle-field came in very much exhausted by the prolonged fight. They reported that all the troops, both regulars and volunteers, had left the field for supplies, and to wait for reinforcements. The regulars had gone to Grave creek, about six miles from our camp. The next morning Major Martin very kindly escorted me with Captain Bowie's company to Captain Smith's camp, who then furnished me with an escort of regulars through the valley to Fort Lane. The state of the country was such that, without the Major's assistance, it would have been very dangerous for my party to attempt to pass through it, and I very much doubt if I could have made my men attempt it. I therefore

feel, sir, that much of the success of the survey is due to your kindness, for which I beg you to accept my sincere thanks.

Truly, yours,

HENRY L. ABBOT,
Lieut. U. S. Topographical Engineers.

G. L. CURRY,
Governor of Oregon Territory.

GENERAL ORDERS—No. 7.

HEADQUARTERS, WASHINGTON TERRITORY VOLUNTEERS,
Olympia, W. T., October 30, 1856.

1st. The volunteers of Washington Territory, of both staff and line, are hereby disbanded.

2d. The adjutant general, quartermaster, and commissary general, with such officers and employés as they may require to perfect and finish the muster-rolls and accounts, are retained in service till further orders.

3d. All officers commanding companies will be discharged upon rendition of their muster-rolls at the office of the adjutant general, and the settlement of their accounts for public property with the quartermaster and commissary general.

4th. The senior officers of the late 2d regiment Washington Territory volunteers, and the military clerk to the commander-in-chief, will be retained in service till further orders.

5th. No purchases of property or supplies, after this date, will be made by any officer or employé without special orders from the quartermaster general.

6th. The commander-in-chief desires me to express to the officers and men of the right wing of the 2d regiment, commanded by Lieutenant Colonel Shaw, the northern battalion, commanded by Major Van Bokkelen, the southern, by Major Maxon, and the central, by Major Blankenship, his most cordial thanks for the signal gallantry, resolute endurance, and excellent discipline they have displayed and maintained during their six months' arduous, faithful, and efficient services.

The nature of the vast region of country traversed, the wily and resolute character of the savages overawed or subdued, and the privations endured by the citizen-soldiery of the 2d regiment, are well known and appreciated by the inhabitants of Washington Territory, who will know how to honor, for all future time, the devoted and fearless men who have maintained the foothold of civilization upon this remote frontier.

History will present the fact, with credit and honor to the volunteer force, that during the six months of active service of one thousand of the citizens of Washington Territory not a single friendly Indian has been harmed in a volunteer camp or scout; no Indian has been plundered or molested, and the captured property of defeated

savages has been, in every case, turned over to the proper officers, and faithfully accounted for by them.

To the efficient staff, commissioned and non-commissioned, both personal and of transportation and supply, the commander-in-chief begs to make his hearty acknowledgments.

Devotion to the service, aided by the patriotism and generosity of the citizens, has enabled a widely scattered community of seventeen hundred American citizens to keep on foot, feed, clothe, arm, and partly mount, one thousand most efficient and serviceable troops.

With these facts for the future historian, the year 1856, although disastrous in material prosperity, is rich in honorable achievements, and will be dwelt upon by the descendants of the troops, now returning to their avocations of peace, with pride and exultation.

JAMES TILTON,

Adjutant General W. T. Vols.

By order of the governor and commander-in-chief of Washington Territory volunteers.

HEADQUARTERS, DEPARTMENT OF THE PACIFIC,
Benicia, California, November 1, 1856.

COLONEL: For the information of the lieutenant-general commanding the army, and the Secretary of War, I transmitted, on the 19th October, several communications relating to Indian difficulties with Governor Stevens and his party on Mill creek, near Fort Walla-Walla. It appears to have originated in the attempt of the governor to force upon the Indians treaties made with them in the summer of 1855, but not confirmed by the Senate of the United States. This attempt, at the time, was extremely injudicious, knowing, as he no doubt did, that his former treaties were in part, if not entirely, the cause of the war with the Yakimas. The governor and his party were driven out of the country protected by the regulars.

Since which, Colonel Wright, with an additional company, proceeded to Walla-Walla without meeting with any hostile Indians. He reports that he apprehends no difficulty whatever with them. All is quiet, and I have no doubt will remain so if the whites will only let the Indians alone.

Governor Stevens has returned to Puget Sound, where it is hoped he will remain, although it is apprehended he will attempt the renewal of the war in that region. By his efforts to cause another outbreak at Walla-Walla, he induced Looking-Glass, the great war chief of the Nez Percés, a numerous and powerful tribe, to favor Kamaiaiken, of the Yakimas, who has a few followers. He, however, has informed Colonel Wright that he is friendly to the whites, and does not want to fight. The Walla-Wallas and Cayuses say "that they do not desire to fight, but want to be paid for their lands before any more talk is had about taking them away for the whites to settle upon, and prescribing them to certain limits." Lieutenant Colonel Steptoe says, he urged Governor Stevens to adjourn his council with

the Indians weeks before it was brought to a close, as it was plainly to be seen that no good would result from it. He further says: "There would have been no further disturbance but for the council; it was premature and inopportune." It was no doubt an effort to create another outbreak with the Indians, with the hope by such a course to induce Congress to pay the enormous debt contracted to carry on the war, which there was no circumstance to justify. The scrip has been sold as low as ten and twelve cents in the hundred.

If the United States desire to extinguish the Indian title to the lands east of the Cascade range of mountains, which, with the exception of the Colville mines, is entirely uninhabited by whites, the effort should be made by commissioners of high character and standing, and not interested or residents of the country. I do not believe it can be done by residents of either Oregon or Washington without a large force to support them. It appears to me the country is not worth the expense. It is a mountainous region with valleys that could, perhaps, be advantageously used for raising stock, but not for cultivation. This is the opinion of all I have conversed with on the subject acquainted with the country. Regular officers, however, would undoubtedly do much better than civilians in making treaties with the Indians; indeed, under any and all circumstances, they can control Indians much better than civilians. The Indian department, in my opinion, ought not to have been taken from under the control of the War Department.

From the exaggerated and false reports by the newspapers in Oregon, lest they should produce a panic among the people of Oregon and Washington, and consequently volunteers go against the Indians, I was induced to order Brevet Major Wise with his company to the Dalles.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Lieutenant Colonel L. THOMAS,
Ass't Adj't Gen., Headq'rs of the Army, New York city.

[Endorsement.]

Indian Affairs.

The views of Major General Wool approved and respectfully submitted.

WINFIELD SCOTT.

HEADQUARTERS, DEPARTMENT OF THE PACIFIC,
Benicia, Cal., November 3, 1856.

COLONEL: Herewith, for the information of the lieutenant general commanding the army and the Secretary of War, I have the honor to

forward a letter from Lieutenant Colonel Silas Casey, dated the 21st October, and a correspondence between him and Gov. I. I. Stevens, dated the 20th and 21st October, 1856, relating to Indians on Puget's Sound, and endorsements approving of his course in all respects. From the first moment of his arrival in the Sound, the Colonel has been active, enterprising, and skilful in conducting the Indian war in that region, at the same time with discretion and sound judgment.

Very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Lieut. Col. L. THOMAS,
Ass't Adj't Gen., Headquarters of the army, N. Y. city.

[Endorsement.]

Indian Affairs.

The views of both Major General Wool and Lieutenant Colonel Casey approved. Respectfully submitted.

WINFIELD SCOTT.

HEADQUARTERS, PUGET'S SOUND DISTRICT,
Fort Steilacoom, W. T., October 21, 1856.

MAJOR: I have the honor to enclose, for the information of the general, copies of communications which have passed between Gov. Stevens and myself on Indian affairs.

I place no confidence in the report with regard to the intentions of Leshi, as contained in the communication of the governor. Leshi came to Dr. Tolmie's the other day, and sent to me, wishing to see me. I did not see him, but sent word to him to remain quiet. The Indians desire to remain in peace, and I have no idea they will break out again, unless they are driven to it. So far as my observation and information go, they are much neglected by the agents. Those who have been friendly all the time, are still kept on the reservations, on which they were located on the breaking out of the war. They frequently come to me in their troubles, but I have no power to aid. With regard to those Indians whom the governor wishes me to take, I have no idea that they can be convicted of any murders, if a fair chance is given them. Leshi, in particular, I have always understood, opposed them. Idle stories, having no foundation in truth, are constantly being fabricated by those who are interested in keeping alive excitement about Indians. Those Indians who are encamped near this post, and whom I have taken in charge, out of regard to the quiet of this community, (although the duty belongs to another,) as well as those whom Governor Stevens mentions by name in his communication to me, are a portion of those who surrendered themselves to Colonel Wright last summer. Whether Colonel Wright did or

did not exceed his authority in receiving and making peace with them, it is not my intention to discuss; but of one thing I am quite sure, that after peace has been made with Indians without such conditions, to hold them accountable as murderers for acts committed in the war, is certainly inaugurating a new policy in the general government, and should receive the assent, at least, of the highest executive officer of the republic. I shall await the instructions of the general on the subject.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieut. Col. 9th Infantry, Com'g P. G. district.

Major W. W. MACKALL,

Ass't Adj't Gen. Dep't of the Pacific, Benicia, Cal.

P. S.—Mr. Ford, an agent, from whom Governor Stevens received his information with regard to Leshi, called upon me yesterday, and informed me that he had since ascertained that the information which he had conveyed to the governor with regard to him was not correct.

S. C.

Endorsement.

Respectfully forwarded, with the remark that I approve, in all respects, of Lieut. Colonel Casey's conduct. No officer could have conducted the affairs in Puget's Sound with more skill, enterprise, and activity, at the same time with great discretion and sound judgment, than the colonel.

JOHN E. WOOL,

Major General.

HEADQUARTERS, PUGET SOUND DISTRICT,

Fort Steilacoom, W. T., October 20, 1856.

GOVERNOR: For several weeks past there have been more than an hundred Indians, including women and children, encamped near this post. Your agents have taken no charge of them, and, as I understand, decline so doing. I sent them to the reservation soon after they came in, and was informed by Mr. Ford, your agent, several days after, that he had taken no charge of them, and did not intend doing so. I received them again, in order to prevent any disturbance that might ensue from the strange conduct of your agent.

In consequence of this, I have considered that the public tranquility required that I should ration them, and I have since then done accordingly.

Inasmuch as hostilities have ceased in this district, I do not consider that it is my province to take care of these Indians, and I respectfully request that you will relieve me from the responsibility.

Permit me to say that I am firmly of the opinion that if the Indians of the Sound are treated with kindness and justice, and lawless men

restrained from violence towards them, there will be no danger of any outbreak on their part.

In conclusion, I would remark that I sincerely desire the prosperity and happiness of the people on this Sound, and I am confident that they will be the recipients of those blessings only so far as they prove themselves a law-abiding, just, and forbearing people.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieut. Col. 9th Infantry, commanding P. S. District.

His Excellency I. I. STEVENS,

Governor W. T., and Sup't Indian Affairs, Olympia, W. T.

EXECUTIVE OFFICE, WASHINGTON TERRITORY,
Olympia, October 20, 1856.

SIR: I have received your letter of this date, requesting me to take charge of the Indians, more than one hundred in number, encamped near your post, and stating that you had received them, when sent back from the reservation, in order to prevent any disturbance that might ensue from the strange conduct of my agent.

Captain Ford has, in this matter, acted under the instructions of the general agent, Colonel Simmons, who, I am informed, notified you that the Indians would not be received, previous to your sending them to the reservation.

Although hostilities have, for the present, ceased on the Sound, yet, in my judgment, the Indians at your post, most of whom have come from the east side of the mountains, are not in that condition of submission which makes it safe to incorporate them with the friendly Indians, nor will they, in my judgment, be in that condition till the known murderers of that band are arrested for trial. If those murderers are not apprehended and tried, and punished, if convicted, we shall be at all times exposed to a renewal of the war and its scenes of death and devastation.

The Indians at your post, during the short time they were at the reservation, endeavored to create disaffection among the friendly Indians, and it is not to be wondered at, as Stahi and other known murderers were sent to that reservation.

I have, therefore, to request your aid to assist me in apprehending Leschi, Quiemuth, Kitsap, Stahi, Nelson, and other murderers, and to keep them in custody, awaiting a warrant from the nearest magistrate; which being accomplished, I will receive the remainder, premising, however, that I will provide for them, in the neighborhood of your post, till the return of Colonel Simmons.

In regard to Leschi, I will state that, from recent information in my possession, I am almost certain that he is now endeavoring to raise a force to prosecute the war anew. The Indians under Kitsap and Nelson have a camp on Green river, where not only have they their arms and ammunition, *but the arms and ammunition of the Indians now at your post.* Leschi is here for no other purpose, in my judgment, than

to renew the war; and what has recently occurred in the Walla-Walla valley should admonish men upon whose shoulders rests the responsibility of the management of affairs, *not to feel too secure* yet. I have learned since my return, that Leschi, within a few days, has been at Nisqually, and that Dr. Tolmie had communicated the fact to you. No effort, however, was made to arrest him, not even to the extent of sending me the information.

In conclusion, I have to state that, I do not believe any country or age has afforded an example of the kindness and justice which has been shown towards the Indians by the suffering inhabitants of the Sound, during the recent troubles. They have, in spite of the few cases of murder which have occurred, showed themselves eminently a law-abiding, just, and forbearing people. They desire the murderers of Indians to be punished, but they complain, and have a right to complain, if Indians, whose hands are steeped in the blood of the innocent, go unwhipped of justice.

Very truly and respectfully, your most obedient servant,
ISAAC I. STEVENS,
Governor and Superintendent.

Lieut. Col. S. CASEY,
Commanding P. S. District, Fort Steilacoom, W. T.

HEADQUARTERS, PUGET SOUND DISTRICT,
Fort Steilacoom, W. T., October 21, 1856.

GOVERNOR: Yours of the 20th instant has just been received. I desire, in the first place, to correct one piece of information which you have received. You state that you had been informed that Colonel Simmons, your agent, had notified me previously, that the Indians would not be received on the reservation. I received no such notification from Colonel Simmons, and the first information that I had of any unwillingness to take them, was from Mr. Ford, several days after they had been sent over.

I can see no reason for changing the opinion with regard to Indian matters, which I had the honor to communicate to you in my letter of yesterday.

The Indians on the Sound, there is no doubt, can, by neglect and ill usage, be driven to desperation. Those whom you wish my assistance to take, are some of those who were driven from this district across the Cascade mountains. They delivered themselves up to Colonel Wright, when in the Yakima country, made their peace with him, and were promised protection. Colonel Wright informed me of these facts, and, although it might be said that, commanding an independent district, I was not bound by his acts, still it would be bad policy, if not bad faith, to pursue a different course towards them. Indians, not being able to understand the difference, would look upon it as a breach of faith.

Now, with due deference to you, sir, I would suggest that the better way would be to consider that we have been at war with these Indians and now we are at peace.

To be sure they have killed some of the people, but that is incident to war. Most of those who committed murders have been killed, and the Indians have suffered much.

You say that some of the Indians who killed whites are still at large; it may be so, but are there not whites at large who have wantonly murdered innocent Indians in this district?

For the reasons above mentioned, I cannot assist in arresting the men whom you have named, but I will submit the matter to the general commanding the department of the Pacific, and be governed by his order in the premises.

Although I do not consider that I can assist in taking the Indians you named, unless they recommence the war, still, from my regard for the civil authority, I will, as I informed Judge Chambers and others, receive, for safe keeping, any Indians whom, by due process of law, they may commit.

I presume you were not informed that Leshi had seen Dr. Tolmie, from the fact that you were then in the Columbia.

Very respectfully, your obedient servant,

SILAS CASEY,

Lt. Col. 9th Infantry, Comd'g Puget Sound District.

His excellency I. I. STEVENS,

Governor of Washington Territory, and

Superintendent of Indian Affairs, Olympia, W. T.

Endorsement.

Respectfully forwarded to the Secretary of War, with the remark that I fully approve of the course pursued by Lieutenant Colonel Casey in regard to the Indians in question. Governor Stevens, no doubt, is determined on a renewal of the war with the Indians. His removal from office alone can prevent it. *His object is to establish the fact that peace can only be preserved by volunteers.* Having been foiled in his efforts to renew the war with the Walla-Walla Indians, he seems determined to renew it with those on Puget Sound. I have instructed Lieutenant Colonel Casey to use all the means in his power to preserve peace in his district.

JOHN E. WOOL,
Major General.

NOVEMBER 2, 1856.

HEADQUARTERS, DEPARTMENT OF THE PACIFIC,
Benicia, California, November 19, 1856.

COLONEL: Herewith I have the honor to forward, for the information of the lieutenant general commanding the army, and the Secretary of War, sundry communications from Lieutenant Colonel Casey, viz: One from Colonel Wright, dated the 23d of July, 1856; one from Governor I. I. Stevens, dated October 30; and three from

himself, dated the 29th of October, and two of the 2d of November, 1856, relating to Indian affairs in Puget Sound.

I also enclose a copy of a letter to Lieutenant Colonel Casey, dated the 19th of November, 1856, approving of his course in refusing to surrender for trial Leschi and others, demanded by Governor Stevens, with instructions as to his future course should an attempt be made to renew the war in Puget Sound.

All which is respectfully submitted.

Very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Lieut. Col. L. THOMAS,
Assistant Adjutant General,
Headquarters of the Army, New York city.

Endorsement.

I concur fully in the views of Major General Wool and Lieutenant Colonel Casey, as expressed within. Respectfully submitted.

WINFIELD SCOTT.

[Extract.]

HEADQUARTERS, NORTHERN DISTRICT, DEPARTMENT OF PACIFIC,
Camp near Fort Naches, W. T., July 23, 1856.

COLONEL: * * * * * * *

At the Kittetas there is a party of Nisqually Indians, amongst whom are Leschi, Nelson, and Kitsap. They wish to go back to the Sound, if they can do so in safety. The three men above named may have been guilty of some great atrocities during the war, but I have never been able to obtain any reliable information on the subject. If they have committed murders of men, women, and children, I suppose they regard that as legitimate warfare with them. They are now willing and anxious to go back, either to the reservation, or any other place that may be decided on. This morning, eight men belonging to the same people (Nisquallys) came to see me; they are living on the Naches, about forty miles above this point, and probably number eighty or one hundred in all; Leschi is their chief; and they also desire to go back, provided it is safe for them to do so.

If all these people can be received back and placed on the reservation, I think it would be the best thing that could be done with them. If the superintendent of Indian affairs will receive them, and guaranty their safety, I will send them over to your nearest post. I desire you to communicate with the superintendent, and advise me of the result as early as possible.

Very respectfully, your obedient servant,

G. WRIGHT,
Col. 9th Infantry, comdg.

Lieut. Col. S. CASEY, *9th Infantry,*
Commd'g Fort Steilacoom, W. T.
H. Ex. Doc. 76—15

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Olympia, W. T., October 30, 1856.

SIR: I have the honor, herewith, to enclose a copy of a letter of instructions from Colonel Wright to Major Garnett, directing the latter to turn over to me for trial before the courts, of Leschi, Nelson, Kitsap, Qui-e-muth, and Stahi.

These instructions show conclusively that Colonel Wright had made no terms with these men guarantying to them immunity from punishment for their misdeeds.

I trust that you will feel authorized by your views of duty to comply with the requisition which I have twice made upon you, and which I take again this occasion to renew.

I will observe that the instructions to Major Garnett were enclosed to me for the use of Colonel Shaw, who goes to the Yakima as soon as his business on the Sound is settled, which will be in a few days.

It is competent for any officer of the Indian service, or for any sheriff, or other executive officer of the law, to seize an Indian guilty of wrong and hold him in anticipation of a warrant. This has been the general practice on the Sound. I have several times had the assistance of the troops, who have gone to the Straits, to Bellingham bay, and other points on such duty. After the Indians were secured, the warrants were got out, and the Indians thus brought within reach of the courts. I cannot see any objection to this practice, but on the contrary, I do not see how it can be well done in any other way in the present case.

Truly and respectfully, your most obedient,

ISAAC I. STEVENS,
Governor and Superintendent.

Lieut. Colonel S. CASEY, *9th Infantry,*
Com. Puget Sound district, Fort Steilacoom, W. T.

True copy.

RICHARD ARNOLD,
1st Lieut. 3d Artillery, A. D. C.

HEADQUARTERS, PUGET SOUND DISTRICT,
Fort Steilacoom, W. T., November 2, 1856.

GOVERNOR: Yours of the 31st ultimo is received. As with your prior communications a copy will be transmitted to the General commanding the department of the Pacific. I shall in the meantime, comply with the requisition of the civil authority, so far as it can be done without a recommencement of hostilities on my part.

In all ordinary cases I should have no hesitation in complying with the requisition of the Superintendent of Indian Affairs, but this is a case in which, in my opinion, the rights and usages of war are some-

what involved, and in consequence I consider myself and military superiors the proper persons to judge in the matter.

Very respectfully, your obedient servant,

SILAS CASEY,

Lt. Col. 9th Infantry, Com'g P. S. District.

His Excellency, I. I. STEVENS,

Gov. W. T., and Supt. of Ind. Affairs, Olympia, W. T.

HEADQUARTERS, PUGET SOUND DISTRICT,

Fort Steilacoom, W. T., October 29, 1856.

MAJOR: I have the honor to enclose, for the information of the General, a copy of a communication received from Governor Stevens, with my reply.

I have also enclosed a copy of a portion of a communication which I received from Colonel Wright with regard to these Indians.

I am more and more confirmed in the opinion that the Indians of the Sound sincerely desire a permanent peace; and if the Indian agents do their duty, there need be no fear of its interruption.

The chiefs whom Governor Stevens wishes me to take are now at large, but anxious to come in, as I learn, if promised protection.

I shall not attempt a reply to Governor Stevens' special pleadings, although not difficult, as I do not wish to be drawn into a controversy; but will simply remark that my sentiments, as contained in my communication of the 21st instant, remain unchanged. I shall await the order of the General in the matter.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieut. Col. 9th Infantry, Com'g P. S. District.

Major W. W. MACKALL, A. A. G.,

Department of the Pacific, Benicia, California.

HEADQUARTERS, PUGET SOUND DISTRICT,

Fort Steilacoom, W. T., November 2, 1856.

MAJOR: I have the honor to enclose, for the information of the General, a copy of a communication received from Governor Stevens, with my reply.

The Indians of the Sound have, in my opinion, been sufficiently subdued, (and in this opinion Judge Chenoweth expressed to me, yesterday, his agreement.) If properly dealt by and cared for they will not, in my opinion, again break out.

The best policy would be to let by-gones be by-gones, and commence anew with them. Let agents be appointed over them who will have their true interest at heart, and hold them to a strict account for any future depredations. Until otherwise ordered I shall act on this policy, complying, as far as possible, however, with the requisitions

of the civil authority, which I consider it my duty to respect, although I may not agree with the policy of its action.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieut. Col. 9th Infantry, Com'g. P. S. District.

Major W. W. MACKALL, *A. A. G.,*

Department of the Pacific, Benicia. California.

Endorsement.

I entirely concur with the views of Lieutenant Colonel Casey, as herein expressed, and of his just and humane course towards the Indians.

JOHN E. WOOL, *Major General.*

HEADQUARTERS, DEPARTMENT OF THE PACIFIC,
Benicia, Cal., November 19, 1856.

SIR: Your several communications and your correspondence with Governor I. I. Stevens, relating to the surrender of Leschi, and several other chiefs, for trial, were received yesterday and laid before Major General Wool. The following is his reply:

He approves of your course in not complying with the requisition of Governor Stevens. "It is evident," he says, "that Stevens, persisting in demanding the surrender of Leschi and others for trial, is dictated by a vindictive spirit, caused by his recent attempt to renew the war in the Walla-Walla country, first, by sending Colonel Shaw, with two hundred volunteers, against the Cayuses, when they killed a few old men, women, and children, and, as reported at the time, captured three hundred head of horses and cattle; second, his own failure in the attempt to enforce upon the Walla-Walla, and other tribes, treaties to which the Indians were decidedly hostile, and which were no doubt the cause of the war with the Yakimas."

He directs, "that you will not fail to give protection, if necessary, to Leschi, and all other Indians peaceably inclined to the whites, and not in favor of renewing the war. And in case the Indian agents refuse to furnish them with rations, you will do so, taking care to keep a distinct and separate account of the same. If an attempt should be made by Governor Stevens, or other persons, to renew the war in Puget Sound, you will resist it to the extent of your power. Should the whites attack the Indians, the power of the Indian agent ceases, and the whole power of peace and war will be vested in yourself, under the instructions of the commanding general and none other. Volunteers will in nowise be recognised, and should any be sent into the field to make war on the Indians, they will, if you have the power, be arrested, disarmed, and sent home."

I am, sir, very respectfully, your obedient servant,

W. W. MACKALL,

Assistant Adjutant General.

Lieutenant Colonel SILAS CASEY,

9th Infantry, Commanding Puget Sound District,

Fort Steilacoom, W. T.

HEADQUARTERS, DEPARTMENT OF THE PACIFIC,
Benicia, Cal., November 19, 1856.

COLONEL. For the information of the lieutenant general commanding the army and the Secretary of War, I have the honor to forward three communications received by the last mail from Colonel George Wright, of the 9th infantry, relating to Indian affairs, east of the Cascade range of mountains.

The first and second, dated the 30th and 31st of October, relate to establishing a military post on Mill Creek, in the Walla-Walla country, and of several councils held with the chiefs and warriors "of the Nez Perces, Cayuses," &c. All which is no less interesting than the Indians, as it appears, manifested the greatest desire for peace, and to live on the most friendly terms with the whites, but expressed themselves decidedly opposed to the treaties made with Governor Stevens more than a year since, and which no doubt were obtained contrary to the general will and wishes of the tribes interested, and, as it is asserted, was the cause of the war with the Yakimas. The Colonel says, "I must express my decided opposition to the treaty of Walla-Walla." He prays "that it may never be confirmed." He further says that all the chiefs, including the Nez Perces, a tribe more powerful than all the others interested, are opposed to it.

I fully concur in the views entertained and expressed by Colonel Wright on the subject, with an earnest hope that the treaties made by Governor Stevens, not yet approved or confirmed, will not be entertained by the President. If they should be, and confirmed by the Senate, a long and an expensive war will, beyond all question, be the result.

The third, dated 31st October, relates to another council with the Indians, when Howlish Wampum, the Cayuse chief, gave a history of the expedition last summer of Colonel Shaw, with two hundred volunteers, to the Cayuse country, when he killed several old men, women, and children, and, as was asserted at the time, captured three hundred horses and cattle.

All which is respectfully submitted, with the hope that the subject will receive all the attention it merits. I have, however, no expectation of a continuance of peace in Oregon or Washington Territory as long as they are governed by men, who are no less hostile than they manifest the most vindictive feelings against the Indians, and to an extent, if not checked, will lead to the depopulation at least of Washington Territory, where, it is said, there are not at this time to exceed two or three thousand inhabitants, if so many.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Lieutenant Colonel L. THOMAS,
*Assistant Adjutant General,
Headquarters of the Army, New York city.*

P. S. Herewith I forward a letter from Captain H. D. Wallen, 4th infantry, dated the 12th November, with an article from the Oregonian

and a printed slip from Steilacoom, dated the 4th October. All which shows the means resorted to deceive the public, and determination of Governor Stevens to renew the war in the Sound.

JOHN E. WOOL.

Endorsement.

I concur fully in the views of Major General Wool and Colonel Wright, as expressed within.

Respectfully submitted,

WINFIELD SCOTT.

HEADQUARTERS, COLUMBIA RIVER DISTRICT,
Camp Fort Walla-Walla, O. T., October 30, 1856.

MAJOR: I have selected this position for a winter camp. It is on "Mill Creek," six miles from its junction with the Walla-Walla. The troops are busily employed in erecting temporary quarters. The block-house, store-houses, hospital, and company huts are well advanced; they will be completed within ten days, and the huts for the officers by the 20th of November.

After the council of Governor Stevens, the Indians dispersed, and it has been a work of great difficulty to communicate with them—many are so remote that it is impossible to communicate with them. I have, however, in my camp about forty, embracing the principle chiefs of the Nez Percé, Cayuse, &c. I have had several talks with them, all very satisfactory; the result of which I will communicate hereafter.

From appearances I apprehend no serious difficulties with any of these Indians. The council of Governor Stevens was unfortunate; the Indians, many of them, are hostile to the governor; they are opposed to the treaty, and will never be contented until it is restored to them. I am fully satisfied it should not be confirmed. I have told them plainly that I was sent there to establish a military post to remain permanently; that I did not ask their permission to do this; that our Great Father took as much land as he wanted for his soldiers. Thus far they appear perfectly satisfied with all I have said to them.

I have directed Captain Jordan to make arrangements for the transportation of the public stores from the mouth of the Des Chutes, fifteen miles above Fort Dalles, to the mouth of the Walla-Walla, by water. I am sure that the cost of transportation by water will be much less than by land. It is believed that four boats will keep this post well supplied, and all four will cost less than two wagons, mules, and harness.

I have an application from Captain Wallen, 4th infantry, for the command of the post at the Cascades. Captain Wallen is senior to any captain of the 9th infantry. The post at the Cascades is at present garrisoned by a company of the 9th infantry, Captain Winder's; neither Captain Wallen's or Captain Winder's company have been with me the past summer.

I did propose to send Brevet Major Lugenbeel, the senior captain of the 9th, to relieve Captain Winder ; the latter to move to Fort Dalles, and at a convenient season thence to this place, as for certain reasons I desired to remove company "K" of the 9th infantry, now here, to Fort Dalles.

Fort Vancouver being the headquarters of the 4th infantry, I cannot of course remove the only company there without replacing it with another of the same regiment.

All of which please submit to the consideration of the major general commanding.

Very respectfully, your most obedient servant,

G. WRIGHT,

Colonel 9th Infantry, commanding.

Major W. W. MACKALL,

Assistant Adjutant General,

Headquarters, department Pacific, Benicia, California.

Endorsement.

Approved and respectfully forwarded. Brevet Major Wise with his company, instead of Captain Wallen's, has been ordered to the Cascades.

JOHN E. WOOL,

Major General.

HEADQUARTERS, COLUMBIA RIVER DISTRICT,
Camp at Fort Walla-Walla, O. T., October 31, 1856.

MAJOR : I have the honor to submit to the major general commanding the department the result of my visit to this place.

In accordance with the instructions from department headquarters, I have seen and talked to the chiefs and headmen of the tribes in this region.

Yesterday we assembled in council at noon ; there being present the chiefs *Red Wolf*, *Eagle from the Light*, *Howlish Wampum*, *Tintonmetey*, and *Stickus*, also two sons of Looking-Glass, besides several sub-chiefs and headmen of the Nez Percés and Cayuse nations.

I stated to them that I wished to have a full and frank expression of their feelings and dispositions towards the white people ; the causes which brought on the war, &c.

The chief, *Howlish Wampum*, said : " I was at the Dalles when I first heard it intimated that the commissioners were about proceeding to Walla-Walla for the purpose of making a treaty for the purchase of our lands. I came up here ; I found the commissioners in council with the Nez Percés. Subsequently the Cayuses were invited to come in. Beef was killed and presents offered ; we would accept of nothing ; the Cayuses did not want to sell their land ; but when we wished to speak, the Nez Percés forbid us. It was Lawyer and his people who sold the country. Our hearts have been crying ever since. The hearts of the Indians were bad from that time. The first drop of blood that was shed was caused by that treaty. We had thousands of horses and

cattle; the hills and valleys were covered with them; where are they now? Not an animal is to be seen over this wide expanse. Between the hostile Indians and the whites we are stripped of every thing."

The speeches of the other chiefs amounted to the same thing in substance. They all denounced the treaty; both the Cayuses and the Nez Percés were very severe on Lawyer and his party, whom they accuse of having been bought over.

"Eagle from the Light" was sent by Looking-Glass as his representative. He is the sense-bearer and mouth-piece of Looking-Glass. He is a man of much character, and destined, I think, to reach the chieftainship of all the Nez Percés nation. His views of the treaty were the same as those of the other chiefs; to it he attributed the first shedding of blood. He said he understood that I came here to "straighten out things;" he wished to know whether the "bloody cloth" was to be washed, to be made white, and all that is past forgotten; or whether the war was to be continued between the white and red man. For his part he was for peace. He desired to see the good talks of the white chiefs and the Indians planted in good soil and grow up together. He desired to live in peace and harmony with the white people.

I remarked to the chiefs and people that the "bloody cloth" should be washed; not a spot should be left upon it. That the Great Spirit had created both the white and red man, and commanded us to "love one another." That all past differences must be thrown behind us. That the hatchet must be buried, and that for the future perpetual friendship must exist between us. That the good talks we had this day listened to should be planted and grow up in our hearts, and drive away all bad feelings, and preserve peace and friendship between us forever. I told them to put what I said in their hearts, and when they returned to their homes to repeat it to all their friends.

I have not pretended to give, *verbatim*, all that was said by the chiefs or myself, only the substance of our talk, but sufficient to enable the General to understand their feelings and wants. I am fully satisfied with all that has been said. Peace and quiet can easily be maintained. The Indians are perfectly satisfied with the establishment of a military post here. All they want is quiet and protection.

The Walla-Walla chief, *Homely*, has gone far off, and I cannot see him. He is our firm friend, and has with him some thirty or forty men.

With regard to the property of the Hudson Bay Company, taken by the Indians at old Fort Walla-Walla, I understand it was distributed among the Indians by old Pen-pen-mox-mox.

I must express my decided opposition to the treaty of Walla-Walla. I pray it may never be confirmed. All the chiefs in this and the Yakima country, whom I have seen, are violently opposed to it. Give them back those treaties and no cause for war exists. They proclaim that unfair means were used; whether so or not, the Indians will not be contented until those treaties are restored.

During a long service I have had much to do with Indians, and the opinion which I have ever entertained has been that their entire management should be in the hands of the War Department. The interest

of the Indians, alike with that of the government, demands it. The Indian department cannot control the Indians without the aid of the military. The latter can perform all the duties of the Indian department. The Indians will be much better satisfied. They will not be embarrassed by conflicting councils. They will know what to rely upon. If we expect the Indians to put faith in us, we must have a unity and singleness of purpose. This can only be accomplished by placing them under the jurisdiction of one white chief.

Very respectfully, your most obedient servant,

G. WRIGHT,

Colonel 9th Infantry, commanding.

Major W. W. MACKALL, *Assistant Adjutant General,*

Headquarters, department of the Pacific, Benicia, Cal.

HEADQUARTERS, COLUMBIA RIVER DISTRICT,
Camp at Fort Walla-Walla, October 31, 1856.

MAJOR: To-day I have had another council with the Indians. The speakers were the chiefs and some of the young men. All express themselves highly gratified at the prospect before them, and a firm determination to preserve the peace.

"*Howlish Wampum*," the Cayuse chief, gave me a history of Colonel Shaw, and his volunteers, during the last summer. He says: "When Colonel Shaw arrived in this valley I went to see him. Colonel Shaw said to me, that he had come to make peace; that he had thrown his arms behind him. I told him my heart was made happy. Soon after, Colonel Shaw marched for the Grande Ronde. The Cayuses were encamped there—that is, the women, old men, and children, with a few of the young men. The chiefs were absent when Colonel Shaw approached. He sent *Captain John*, a friendly Nez Percé, to open a communication with the Cayuses. No persons authorized to talk were in the Cayuse camp. The women and children became alarmed at the advance of the volunteers, and commenced packing up. The volunteers then charged the camp, and killed several old men, women, and children."

Very respectfully, your obedient servant,

G. WRIGHT,

Colonel Commanding Ninth Infantry.

Major W. W. MACKALL,

Asst Adj't Gen. Department of Pacific, Benicia, Cal.

FORT VANCOUVER, WASHINGTON TERRITORY,
November 12, 1856.

MY DEAR GENERAL: I enclose you a slip, taken from the Oregonian of the 8th instant, just to show you what articles we get up in Portland for the east. Colonel Wright arrived here this morning from

Walla-Walla; did not see a hostile Indian at Wild Horse creek, nor did he encamp at that spot, awaiting the arrival of the Indians, to make a treaty of peace. This intelligence was never brought to the Dalles, but fabricated by some bad person for mischievous purposes. The Indians do not evince the slightest hostility to the regular troops, but, on the contrary, invite them to settle in their country, and afford them protection. The colonel tells me that there will be no more trouble, in his opinion, either in this or Oregon Territory.

All well, and write in the kindest regards.

Yours, very truly,

H. D. WALLEN.

Major General Wool,

Commanding Pacific Division, Benicia, Cal.

"Indian fight at the north—The regulars attacked by the Yakimas.

"Friday night, 8 o'clock.

"The steamer Fashion has just arrived from the Cascades. We learn by her officers that an express had arrived at the Dalles with the news that Colonel Wright, of the 9th regiment, United States army, had been attacked by the Indians at Wild Horse creek, and was fighting when the express left. Wright had been encamped there for several days, awaiting for the Indians to come in, according to promise, to make a treaty. They came in and attacked him, for the purpose, we suppose, of making a peace. This is the way the Indians usually make a treaty of peace."

[The Herald—Monday morning, November 17.]

Below we add some extracts we have since received from a private letter, in which the author speaks in strong terms of the governor:

"STEELACOOM, October 4, 1856.

"As regards the Indians, we anticipate trouble. Most, if not all, of the hostiles are back this side of the mountains, visiting the towns and settlements as formerly, with an air of braggadocia, plainly indicating that they consider themselves the victors in the late outbreak. Leschi, Kitsap, and others, are prowling about the country as of old, apparently peaceful, but how long before they commence their old game is a matter of uncertainty. Of one thing you may rest assured, that we are to have trouble. In fact, it is quite apparent to my mind (although I may be mistaken) that Governor Stevens wishes the war to recommence. It is essential to a maintenance of his position and the discomfiture of General Wool. If the governor can satisfy the people in the Atlantic States of a war here, he will have gained a victory over General Wool, and in a measure justify his course of action in the past. The reasons for forming such an opinion are these: During the past summer the Indians on the reservation opposite this place were informed that they could go on to the Puyallup bottom and there remain permanently. No sooner are they comforta-

bly situated, busily engaged in procuring salmon, and drying them for winter use, than an order comes for them to pack up and betake themselves to the old reservation, before they had time to secure their winter's provisions. I heard from Puyallup yesterday, and am informed that they refuse to go, giving, as a reason, that they will starve. And I believe you think they are about right. Another reason is, that Governor Stevens, it is reported, does not acknowledge the treaty made with the hostiles by Colonel Wright; and it is also reported that he is taking steps to have the ringleaders arrested and tried for murder; which step, if carried into execution, will lead to an outbreak. Other signs of the times I might give, but space will not permit. The truth cannot be disguised. A storm is gathering over the horizon of our happiness and safety as a people. It may pass; but, should it fall, terrible will be the result. No milk and water work, but good earnest hard fighting—war to the knife.”

Lieutenant Colonel Casey denies the charge that *Leschi*, or any other Indians in the Sound, are anxious to renew the war. On the contrary, he says, and believes, that they are sincere and anxious for peace. He further says, if the Indian agents will do their duty towards the Indians, there will be no difficulty whatever.

JOHN E. WOOL,
Major General.

EXECUTIVE OFFICE, TERRITORY OF WASHINGTON,
Olympia, November 21, 1856.

SIR: I have the honor to report, for the information of the department, that the sales of property remaining on hand at the disbandment of the volunteer forces of this Territory have been made, and have resulted in the cancelling of about one hundred and fifty thousand dollars of scrip. The sales in the aggregate exceeded the original cost, particularly as regards animals, which, it has been alleged, have been purchased at extravagant rates. I trust that hereafter, in view of the fact that our transportation has cost us nothing, that our people have let their animals go into the service from three to nine months, and have taken them back at a premium, the enemies of the Territory will be more guarded in their speech.

All the papers have been kept with regularity, both as regards the service of, and issues to volunteers, and purchases and sales by the quartermaster's department.

Our whole scrip will not exceed nine hundred and fifty thousand dollars, which deducting the cancelled scrip, will leave not exceeding eight hundred thousand dollars to be redeemed.

But some seventy or eighty thousand of this will be charged upon the muster rolls, reducing the scrip that amount in the estimates for pay of the volunteers.

I indulge the hope that Congress will, at this session, authorize the payment of the war debt of both Territories. The people deserve well

of the nation. They have protected their families and vindicated the honor of the American flag. The war has been especially disastrous to this Territory, and the people need prompt payment of their claims.

I am, sir, very respectfully, your most obedient,

ISAAC I. STEVENS,

Governor of Territory of Washington.

Hon. JEFFERSON DAVIS,

Secretary War, Washington City, D. C.

EXECUTIVE OFFICE, WASHINGTON TERRITORY,
Olympia, November 21, 1856.

SIR: Referring to my communication of the 22d of October, giving the particulars of the council held by me at the Walla-Walla the previous month, and my views in reference to the operations of the regular troops under Colonel Wright, I have now to report that I learn from reliable authority, though not from Colonel Wright himself, that in his recent trip to Walla-Walla, he met the Nez Perce chiefs who attacked my party, and effected another quasi peace, by surrendering to their demands. My informant states that "some chiefs, Eagle from the Light, Red Wolf, &c., met Colonel Wright in a 'talk' the other day. The colonel took the ground which I urged you to take, that the treaty of Walla-Walla ought not to be insisted upon."

Now the Red Wolf and Eagle from the Light belonged to the hostile party. Red Wolf's people were in the attack upon me after the adjournment of the council. The Eagle from the Light, though hostile, brought none of his people to the council ground.

It would seem that to get the consent of Colonel Wright to take the ground that the treaty should not be insisted upon, it was simply necessary for the malcontents to attack the Superintendent of Indian Affairs and his party.

Now one-half of the Nez Perce nation, including the head chief Lawyer, wish the treaty to be carried out. They have suffered much from their steadfast adherence to it. Are their wishes to be disregarded?

It seems to me that we have in this Territory fallen upon evil times. I hope and trust some energetic action may be taken to stop this trifling with great public interests, and to make our flag respected by the Indians of the interior. They scorn our people and our flag. They feel they can kill and plunder with impunity. They denominate us a nation of old women. They did not do this when the volunteers were in the field.

I now make the direct issue with Colonel Wright, that he has made a concession to the Indians which he had no right to make; that by so doing he has done nothing but to get the semblance of a peace, and that by his acts he has in a measure weakened the influence of the service, having the authority to make treaties and having the charge of the friendly Indians. He has, in my judgment, abandoned his

own duty, which was to reduce the Indians to submission, and has trenched upon and usurped a portion of mine.

I am, sir, very respectfully, your most obedient,

ISAAC I. STEVENS,
Governor Washington Territory.

Hon. JEFFERSON DAVIS,
Secretary of War, Washington City, D. C.

EXECUTIVE OFFICE, TERRITORY OF WASHINGTON,
Olympia, November 21, 1856.

SIR: As a part of the history of Indian relations in this Territory the past two years, I enclose a copy of a letter which, learning that General Wool had just arrived at Vancouver, I addressed him on the 22d day of May, 1855, the second day after my arrival at Walla-Walla last year, and some six days before going into the council which resulted in treaties of cession from the Nez Percés, Yakimas, Cayuses, Walla-Wallas, and Umatillas. General Wool, however, returned to San Francisco, where my letter reached him, and I passed on to the sources of the Missouri. I have never received any answer to the letter. I had previously, in a letter to you, dwelt upon the importance of the occupation of the Walla-Walla.

I am, sir, very respectfully, your most obedient,

ISAAC I. STEVENS,
Governor and Superintendent.

Hon. JEFF. DAVIS,
Secretary of War, Washington City, D. C.

COUNCIL GROUND, CAMP STEVENS,
Walla-Walla Valley, May 22, 1855.

SIR: I feel it my duty to call your attention to the urgent necessity of establishing the greater portion of the troops, now stationed on the Columbia river, at or near this place, and to express the opinion that, as regards the Indian service, depots only are required at Vancouver and the Dalles. Its location, to overawe hostile Indians and to protect the several emigrant routes, is remarkably central. It is in direct connexion with the great South Pass emigrant trail, and with all the northern trails explored by me from the sources of the Missouri. Roads run to the Nez Percé country, to the Yakima country, and over the Cascades, to the Sound and to Colville. It is the central point of Indians within two to three hundred miles—of the Yakimas, the Clickitats, the Pischouses, the Okinekanes, the Walla-Wallas, the Indians below the Walla-Walla to the Dalles, the Cayuses, the Palouses, the Spokanes, the Colville Indians, the Cœur d'Alenes, the Nez Percés, and the Snakes, numbering some nine thousand.

No force is required at the Dalles for the protection against Indians in that neighborhood. A garrison here would have the effect of a

garrison at the Dalles for the Indians in that quarter. The Indians, however, are generally friendly, except the Cayuses and the Snakes. The Cayuses have been so insolent since measures have been taken to call the neighboring tribes into council, to purchase their lands, and place them on reservations, that the settlers have been put in jeopardy, and Superintendent Palmer and myself have made a requisition on Major Rains to send a military force to this place to be present at the council—a requisition with which he has promptly complied.

Our camp is in the heart of the country claimed by the Cayuses.

The Snakes have been unusually insolent of late, having seized cattle, within the last few weeks, at the very gates of Fort Boise; and their insolence has incited the Cayuses to assume a tone of defiance towards the settlers and the authorities. The Snakes ought to be summarily punished for the outrages of the past year.

A post at this place, to be effective, should consist mainly of cavalry, and should be garrisoned by a force large enough to furnish movable columns for the protection of emigrant trails during the season of emigration. A wagon road is to be built by authority of Congress from Fort Benton, near the falls of the Missouri, to this valley, which will open an emigrant trail from the States bordering the great lakes. The movable columns, besides protecting the trails, might be called on to furnish one or two small detachments to occupy, under canvass, temporary stations, such as Grand Ronde and Fort Boise, where Indians at certain seasons resort in great numbers for the purposes of trade.

I am aware the force at your disposal is inadequate to accomplish all that is desired; but I respectfully urge that such force as you have at your disposal will be most effective at this point.

This valley affords great facilities for the maintenance of a military post. Inexhaustible grass, summer and winter; abundance of timber and fuel; beef for a large force through the year; already settlers enough in the vicinity to furnish vegetables; lands adapted to the cereals and to grass to furnish bread and forage, after the first year.

There is an admirable site for a post near the mill of Whitman's mission, some seven miles above the site now occupied by Bomford, Brooke, and Noble.

As you are now in the country, I will urge that you visit this valley, and judge from your own observation and investigation of its character as a military centre of operations. It can be supplied by wagon trains through nearly the entire year from the Dalles.

The experience of the Cayuse war, in connexion with the outrages of the Snakes of last year, and the present insolent deportment of both, has impressed me with the conviction that, unless some step of the kind I have indicated be taken, a contingency may arise which will involve the country in even greater expenditures than those for which Congress has recently made appropriations.

I am, very respectfully, your obedient servant,

ISAAC I. STEVENS,

Governor, and Supt. Indian Affairs, Washington Ter.

Major General JOHN E. WOOL,

Commanding Pacific Division, Vancouver, Wash. Ter.

I certify the above to be a true and correct copy of a letter on file in this office.

R. M. WALKER,
Military Clerk.

EXECUTIVE OFFICE,
Olympia, November 21, 1856.

HEADQUARTERS, DEPARTMENT OF THE PACIFIC,
Benicia, California, December 3, 1856.

COLONEL: The steamer has arrived from Oregon, bringing intelligence that all is quiet in Oregon and Washington Territories.

Lieutenant Colonel Silas Casey, 9th infantry, in his letter dated November the 11th, herewith transmitted, says: "I am of the opinion that peace will prevail in spite of all the adverse influences at work." I have no apprehensions of war in any other part of Washington or Oregon. In Puget Sound Governor Stevens, by the course he is pursuing, may cause the death of a few whites, but he cannot get up a general war. The Indians are tired of war, and are for peace; they have not the means of carrying on war. (See letters dated the 4th, 6th, 11th, and 18th of November, herewith transmitted.) All which is intended for the information of the lieutenant general commanding the army, and the Secretary of War.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Lieutenant Colonel L. THOMAS,
Assistant Adj't Gen., Headq'rs of the army, N. Y.

P. S. It is reported, unofficially, that the three companies of dragoons, *en route* to this department, arrived at Fort Yuma on the 10th of November, and will probably be at Fort Tejon on the 6th of December.

JOHN E. WOOL,
Major General.

Endorsement.

This report is satisfactory.

Respectfully submitted.

WINFIELD SCOTT.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Olympia, November 4, 1856.

SIR: I enclose the copy of a letter from G. A. Page, esq., local agent in charge of the friendly Indians in the vicinity of Seattle, to the general agent, Colonel W. J. Simmons, which has just reached me.

He, Page, states that the Indians left in large numbers on the 28th of October to go up the river, in consequence of a permission given to them by Lieutenant McKibben, for the purpose of drying salmon, and that this was done without his knowledge and permission; and that two hundred have left the reservation and are now with your troops, or running at large on White or Black river.

He, Page, furthermore states that, if the interference be persisted in, the Indians will become entirely unmanageable, and he is informed by his assistant, Mr. James Gundy, that Lieutenant McKibben, in the presence of the latter, told the Indians that they were at liberty to go up the river whenever they pleased.

From my knowledge of Lieutenant McKibben, I am inclined to think that there must be some misunderstanding in the matter; for I cannot suppose he would commit the impropriety of assuming any control over the friendly Indians, and thus come between the Indians and their agent.

I will respectfully call your attention to this matter, and if it be proved that Lieutenant McKibben has interfered with his, Page's, management of his Indians, that the necessary action be taken to prevent its occurrence hereafter.

I will observe that I have directed the agent at Seattle to keep the Indians on the reservation, and not to give them passes to go up the river, except in the case where a requisition is made upon the agent for Indians in the military service.

With a copy of his, Page's, letter to Colonel Simmons will be joined a copy of a note given by one of Lieutenant McKibben's sergeant's to Mr. James Gundy, stating that "William" has the permission of Lieutenant D. B. McKibben to get some Indians to go up the river to dry salmon.

Very respectfully, your obedient servant,

ISAAC I. STEVENS,
Governor and Superintendent.

Lieutenant Colonel S. CASEY,
*9th Infantry, com'g Puget Sound district,
Fort Steilacoom, Washington Territory.*

HEADQUARTERS, PUGET SOUND DISTRICT,
Fort Steilacoom, W. T., Nov. 6, 1856.

GOVERNOR: Yours of the 4th instant is just received. Neither Lieutenant McKibben, or any other officer, has been authorized by me to permit Indians to leave the reservation without authority from their agents; and if Lieutenant McKibben has so far exceeded his authority, such orders will be given to him as shall prevent its recurrence.

The Indians near the outlet of the Duamish lake are those who were permitted by the Indian agent, at my request, to go to that point for the purpose of constructing a fish weir. I understand they are catching a large number of fish, and I trust will be permitted to stop until the run of fish has passed.

As I remarked to you in a communication a few days since, I will

again repeat, that, as hostilities had ceased in this district, I wished to be released from the responsibility of the charge of any of these Indians. I have only taken charge of Indians when it has been refused by your agents, and I considered it my bounden duty so to do in order that the peace and tranquillity of the community may be preserved.

With regard to the reports which your agents and others carry to you about hostile Indians, &c., I would merely say, that I find it necessary to receive all such reports with great caution. The one which I heard a few days since, stating that more than one hundred Indians had left the reservation for the purpose of joining "Leschi," proves to have been, what I believed at the time, a baseless fabrication.

With a sincere desire to do justice to all, I will say, that it is my firm belief, after weighing, I trust, with due consideration all the circumstances connected with the matter, that if, in dealing with the Indians on this Sound, a spirit of justice is exercised, and those who have charge of them are actuated by an eye single to their duties, and the peace of the country, there need be no further difficulty. If, on the contrary, undue credence is given to the many reports which are constantly being circulated in this community, (most of them false,) made either from mere wantonness, the spirit of revenge, or from interested motives, the acts of outrage on the Indians, which their belief by unreflecting persons will instigate, may lead to retaliation, and the peace of the country endangered.

Very respectfully, your obedient servant,

SILAS CASEY,

Lt. Col. 9th In., com. P. S. district.

His Excellency I. I. STEVENS,

Gov. W. T. and Supt. Indian Affairs, Olympia, W. T.

HEADQUARTERS PUGET SOUND DISTRICT,

Fort Steilacoom, W. T., November 11, 1856.

MAJOR: I have the honor to enclose for the information of the general a communication from Governor Stevens, with my reply.

On the reception of the governor's communication, I directed Lieut. McKibben to make me a written report respecting the charges which the agent had brought against him. That report has just been received, and I can only say that I am perfectly satisfied that the charges were false.

I have been particular myself about interfering with the Indians on the reservation, and have strictly enjoined like conduct upon officers serving in this district.

Winyea, one of the Indians who came from across the mountains, and who was called one of the murderers, has just been tried by the civil authority in Steilacoom on two separate indictments; the jury acquitted him on both, after being out but a few minutes each time. Nelson is anxious for trial, and will come in for that purpose whenever the court is ready for him. He is near to Muckleshute, with his people.

The Indians on the Sound have been subdued, and they have no wish to recommence hostilities.

It is not the Indians that I have to contend with, but false reports and unwise policies connected with them.

But, notwithstanding all, I am of the opinion that peace will prevail, in spite of all the adverse influences at work.

Very respectfully, your obedient servant,

SILAS CASEY,

Lt. Col. 9th In., com. P. S. dist.

Major W. W. MACKALL,

Ass't Adj't Gen., dep't of the Pacific, Benicia, Cal.

HEADQUARTERS PUGET SOUND DISTRICT,
Fort Steilacoom, W. T., November 18, 1856.

MAJOR: I have the honor to report, for the information of the general, that the Indian chief Leschi was committed to me a few days since for safe keeping by the civil authorities. I received him in accordance with what I had told them previously, although I do not approve of the policy. Yesterday he was tried, and I have been told the jury could not agree. I shall keep him for another trial; and if he has justice done him, I am confident he will be cleared.

I have just received a complaint with regard to a party of northern Indians. A short distance from here they so alarmed the captain of the little steamer "Traveller" that he left a raft which he was towing, and got away from them. A few days since, I directed a party of fifty of them to be sent off from Steilacoom, where they had landed and were becoming very annoying. I understood they were from the neighborhood of the Russian possessions, and were, I believe, the same who frightened the captain of the "Traveller." Inasmuch as I am powerless to pursue them with any chance of success, I find it necessary to pursue towards them a policy more forbearing than their case properly requires. I have laid the matter before Captain Swartwout for his action.

I consider the steamer which I have required absolutely necessary for the proper protection of the Sound, and that independent entirely of our Indians who inhabit those waters. I have enclosed a copy of a communication which has been addressed by me to the adjutant general, with regard to the reservation on Bellingham bay. I have also enclosed charges against men for desertion, and request that a court be ordered for their trial.

Very respectfully, your obedient servant,

SILAS CASEY,

Lieut. Col. 9th infantry, Comdg. Puget Sound District.

Major W. W. MACKALL,

*Assistant Adjutant General Department of the Pacific,
Benicia, California.*

P. S.—Quee-moth, brother of the chief Leschi, was killed in Olympia, on the evening of the 18th instant. I am told he was murdered by a man by the name of "Bunting," in the office of Governor Stevens.

EXECUTIVE OFFICE, WASHINGTON TERRITORY,
Olympia, December 6, 1856.

SIR: In addition to other causes of apprehension on the Sound, the intentions of the northern Indians have of late been more unequivocal, and their depredations have resulted in a severe chastisement at the hands of the naval forces under Captain Swartwout. A large party came up the Sound, landed at several of the Indians' villages, stole clothing and provisions from the friendly Indians, under the eyes, in one case, of the local agent; were pursued by Captain Swartwout and overtaken at Port Gamble. Every effort to effect their peaceable removal from the Territory having failed, they were attacked in their camp by a charging party, under cover of the guns of the Massachusetts, one of which had been transferred to the Traveller, a small steamer plying in the Sound, and which had been moored near the Indian village. Twenty-seven Indians were killed and twenty-five wounded. The remainder unconditionally submitted to the demands of Captain Swartwout, who took them to Victoria, on Vancouver's island. These Indians are very hardy and revengeful; and as their numbers are very numerous, there is cause of apprehension that they will return in large force to make reprisals. As, however, Governor Douglass, of Vancouver's island, has great ascendancy over them, from our having pursued a peremptory course in cases of depredations or of injury to persons, his exertions to keep them at home, with the lesson which they have received of the watchfulness and efficiency of our naval forces, may deter them from embarking in a renewal of their depredations.

There was, I have reason to believe, some understanding several weeks before the blow was struck, whereby a large party of the northern Indians were to land secretly at the head of the Sound, join the hostiles still scattered in a few small parties through the Sound country, and the hostiles east of the Cascades, and strike our settlements.

Soon after I learned of this, which at the time gave much alarm to the friendly Indians, the hostile leaders, Leschi and Quiemuth, were apprehended, which caused the whole arrangement to fall to the ground.

There has been some tampering with the friendly Indians of the Sound, which may lead to difficulty, and which, if unadjusted, may become the subject of a report to the War Department.

I am, sir, very respectfully, your most obedient,

ISAAC I. STEVENS,
Governor of Washington Territory.

Hon. JEFFERSON DAVIS,
Secretary of War, Washington City, D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, Cal., December 18, 1856.

COLONEL: The steamer Columbia with the mail has arrived from Oregon, bringing the gratifying intelligence from Colonel Wright and

Lieut. Colonel Casey that all is peace and quiet in the two Territories. Under present arrangements, I do not believe that war can be renewed by the whites. The posts are well arranged to preserve peace, and to protect the inhabitants from any hostility on the part of the Indians residing in the Territories. From the latter, however, none are anticipated. If the war should be renewed, it will be brought on by the political and pecuniary speculators of the two Territories, who will spare no efforts to make it appear that the war is not ended, and this, too, to create a sympathy in Congress in favor of their claims, caused by a war brought on by themselves, and for no other reason than to promote their own ambitious ends, under the pretence of enriching the country.

Since my last communication of the 3d December, "117 men, exclusive of squaws and boys," from the Russian settlements, it is said, visited Puget Sound, and commenced depredating upon the inhabitants. It appears they had a brush with the Indians on the Steilacoom reservation, when the former had two Indians killed, and a canoe captured. They left, and proceeded to Port Gamble, where they were overtaken by Captain Swartwout, commander of the Massachusetts, who, after several efforts to induce them to surrender, attacked them, when he killed 27 and wounded 21, including a chief. At the same time he destroyed all their property and canoes. The remaining Indians then surrendered, numbering over 87. These the captain transported to Victoria, Vancouver's island, on a promise never to return to the Sound.—(See Captain Swartwout's report, dated the 23d November, 1856; Lieut. Nugent's letter, dated the 18th November, by order of Lieut. Colonel Casey; a letter from the latter, dated the 1st December, enclosing Captain Swartwout's report and a copy of my letter to Lieut. Colonel Casey, dated the 17th December, acknowledging the receipt of the several communications herewith forwarded.

I have no doubt that the chastisement inflicted upon these northern Indians will prevent any future trouble from that quarter. The Indians in the British possessions did not manifest any hostile intentions against the whites in the Sound during the recent war. On the contrary, they offered to join the whites and drive the Indians from the Sound.

I am, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Lieut. Col. L. THOMAS,

A. A. G., Headquarters of the army, New York City.

HEADQUARTERS PUGET SOUND DISTRICT,
Fort Steilacoom, W. T., December 1, 1856.

MAJOR: On the 18th ultimo I had the honor to communicate to the general commanding the department with regard to a party of northern Indians, who had been about the neighborhood.

I have enclosed the copy of a communication which I directed to be written to Captain Swartwout on the subject, and have enclosed for the information of the general the report which I have received from that officer.

I am of the opinion that Captain Swartwout and both officers and men deserve commendation for the prompt and gallant, and, at the same time, discreet manner in which the duty was performed.

I trust the northern Indians have been taught a lesson by them which they will not soon forget.

Everything quiet here at present. I understand that three Klickatats have just come across, who report everything quiet on the east side of the Cascades.

My health has been rather bad for the last month.

Very, respectfully, your obedient servant,

SILAS CASEY,

Lieut. Col. 9th Infantry, commanding P. S. District.

Major W. W. MACKALL,

Ass't Adj. Gen., Dep't of the Pacific, Benicia, Cal.

HEADQUARTERS PUGET SOUND DISTRICT,
Fort Steilacoom, W. T., November 18, 1856.

SIR: I am directed by Colonel Casey (who is too ill to write) to address you this letter, and to forward to you a copy of a letter written by L. Balch to Colonel Casey, "requesting that measures be taken to remove certain northern Indians from the Sound."

This band of Indians from the north has been very troublesome to the citizens residing on the Sound for some time past. A few days since, the troops drove them away from Steilacoom, with an order to leave the Sound and return to their own country; but as we have no steamer to assist the enforcement of orders that are given to them, they pay no attention to our demands.

Colonel Casey requests that you take this matter in hand, and take such steps as you may think best calculated to advance the interests of all concerned.

I am, sir, very respectfully, your obedient servant,

JOHN NUGEN,

Second Lieut. 4th Infantry, A. A. A. G.

Captain SAMUEL SWARTWOUT,

U. S. S. Massachusetts, Puget Sound, W. T.

U. S. STEAMER MASSACHUSETTS, PORT GAMBLE, W. T.,
November 23, 1856.

SIR: Lieutenant Nugen's letter, dated the 18th instant, written at your request, and enclosing a copy of a letter from Captain Balch, in relation to the depredations of a large party of northern Indians in the vicinity of Steilacoom, was handed to me the same evening by Major Goldsborough. The following morning I got under way, and proceeded to Steilacoom reservation and Swan's logging camp, in Henderson's bay, where I found that the Indians alluded to had been

recently committing depredations at both of these places, and at the reservations they had a fight with the Sound Indians, in which two of the northern Indians were killed, and one of their canoes captured. Ascertaining that the northern Indians had left Henderson's bay the day before we arrived, on their way down the Sound, I proceeded with all despatch in pursuit of them, and was informed the same evening that they had been committing depredations at Port Madison, but had left there, going down the Sound. I therefore passed Fort Madison, and proceeded to Fort Gamble, where I arrived on the afternoon of the 20th instant, and found the northern Indians encamped in large force. Soon after anchoring, I despatched two boats containing eighteen (18) armed men, including an interpreter, under the command of Lieutenant Young, with orders to have a friendly talk with them, and endeavor to prevail upon them to leave the Sound peaceably in tow of this vessel for Victoria, Vancouver's island. I also directed him to say to them that I wished two or three of their chiefs to come on board and have a friendly talk with me, promising to forgive them for all the depredations they had committed, provided they would comply with my demands, and not return to the Sound any more.

The Indians came down to the beach, close to the boats, in large force, armed, and in a menacing manner, threatening to shoot any one who landed, treating my propositions with contempt and ridicule, shaking their fists at the officers and men in the boats, and daring them to come on shore and fight them.

As Lieutenant Young had positive orders from me not to land or come in collision with the Indians, but to endeavor to prevail upon them to leave the Sound, by observing forbearance and conciliation, finding this course unavailing, he returned on board. I immediately fitted out a larger expedition, consisting of the "launch," with a howitzer and two cutters, the whole force being composed of about forty-five (45) men armed, with an interpreter from Port Gamble, under the command of Lieutenant Young, with orders to communicate with these Indians again, by sending the interpreter in advance with a flag of truce, and to make the same demands, observing a conciliatory course towards them, and to return to the ship without landing, or molesting them, in case they should still refuse to comply with these demands. I also directed the interpreter to say to them, that I had a large force under my command, which it would be impossible for them to resist, and to prevail upon them by every persuasion in his power to yield to my demands, and not compel me to resort to compulsory measures in order to remove them from the Sound; promising again to forgive them for all the depredations they had committed, provided they would leave the Sound peaceably.

They refused most positively to accede to my propositions, saying they would go as soon as they got ready, but not with me; and, if possible, treated Lieutenant Young in a more insulting and threatening manner than when he first landed there. He therefore returned on board again, failing to accomplish anything. Finding a temporizing course no longer available, and it being now dark, I determined in the morning to make preparations for an attack, for which purpose I removed the ship as close as possible to their encampment, and abreast

of it, keeping her broadside to bear upon it by springs upon the cable, and at 7 o'clock the next morning I despatched Lieutenant Semmes in the first cutter to the steamer "Traveller," (which vessel, with the launch, under the command of Lieutenant Forrest, both having "field pieces" on board, had been anchored the night before above the Indians' encampment, so that their guns had a raking fire upon it,) with orders to communicate with the Indians again, through a "flag of truce," and reiterate the demands which had been twice made upon them, and to point out to them our preparations, and the folly on their part to make any further resistance; but if they still persisted in refusing to comply with my propositions, I should be compelled, very reluctantly, to resort to force. After the interpreter had been communicating with them some twenty minutes, Lieutenant Semmes landed with a force of twenty-nine sailors and marines, accompanied by Lieutenant Forrest and Mr. Fendall, commander's clerk, in order to charge them, should it become necessary. The disembarkation was successfully effected, although it was blowing very fresh at the time from the northward and westward, with a heavy swell on. They were obliged to wade up to their waists in the water, and carry the boat howitzer in their arms.

After forming the party on the beach, Lieutenant Semmes advanced alone to where the interpreter was having a talk with several of the chiefs, and delivered my message to them, through the interpreter. They made some trivial objections about acceding to it, showing a great deal of defiance in their manner, and those who were unarmed armed themselves immediately, commenced carrying their goods to the woods, dancing a war-dance, and making every preparation for a fight. I had directed Lieutenant Semmes to endeavor, if possible, to bring them to terms without having a rencontre, and it was the impression of everybody here that they would hold out no longer, when they saw the formidable preparations we had made.

It was not until after every argument had failed to convince them of the folly of any further resistance, and they had taken positions behind logs and trees, with their guns pointed towards our party on the beach in a hostile manner, that the order was given to fire the field-piece from the Traveller, and it appeared that this fire and that from the Indians were simultaneous, many of our party thinking the Indians fired first. As soon as the firing commenced, I gave orders to direct the battery of this ship towards the encampment of the Indians, and that part of the woods where they appeared to be concealed, and to fire upon them with round shot and grape, which appeared to do great execution. Under the cover of our guns, the field-piece on board of the Traveller, in command of acting master's mate Cummings, and the boat howitzer on the beach, in charge of Mr. Fendall, Lieutenants Semmes and Forrest, with a party of twenty-nine sailors and marines, made a very gallant charge upon the Indians, driving them from their encampment into the woods, and were ably supported by the howitzer.

All who were engaged in this charge behaved with the coolness of veterans. The encampment was situated at the base of a high and very steep hill, upon which the trees and underbrush were so very

thick, and there was so much fallen timber upon the ground, as to render it almost impassable, except for savages.

After setting fire to their huts, destroying their property, amounting to several thousands of dollars, and disabling all but one of their canoes, (which were hauled up near to their encampment,) Lieutenant Semmes, agreeably to my orders, returned with all his party, in the Traveller, and boats, alongside this ship, having held possession of the encampment from about twenty minutes past seven until ten, a. m.

The Indians fought with desperate courage and determination, and worthy of a better cause.

During the whole day a fire was kept up from this vessel upon the Indians, whenever they were seen in the woods, and with great execution.

I regret to say that early in the engagement one of my best men was killed, and another wounded in his left hand. These were the only casualties on our side, although several of the officers and men attached to the shore party were struck by slugs, which glanced off from their pistols and bowie knives, with little or no injury to their persons.

Lieutenant Young, I am sorry to say, was disabled the night previous to the fight, from a fall in the launch. Lieutenant Fairfax, although on the sick list, being aware of the small number of officers on duty, very promptly offered his services, which I found invaluable, from the able manner in which he conducted operations on board this ship, especially as I was absent part of the time in a boat, supervising ashore, and on board of the Traveller.

The weather having moderated, and the sea becoming smother in the afternoon, I despatched Lieutenant Semmes, Third Assistant Engineer Rind, Mr. Fendall, and Acting Master's Mate Moore, with a party of thirty-seven sailors and marines on shore, to destroy the good canoe which they left in the morning, and see that the others were rendered unseaworthy, in order to prevent the Indians from leaving here during the night. This duty was performed in a gallant manner and, I am happy to say, without the loss of a single man, although during the whole time they were subjected to a heavy fire from the enemy.

During both of these shore attacks, a constant and very effective fire was kept up from the battery of this ship and the field-piece on board of the Traveller. On the afternoon of the fight, I sent a squaw who had been taken prisoner to the Indians, offering to forgive them if they would surrender, go with me to Victoria, and from thence proceed to their homes, and never return again to the Sound. In reply they sent me a message of defiance, saying they would fight as long as there was a man of them alive.

On the morning of the 22d instant, I received a message from the Indians, suing for peace, and shortly afterwards I was visited by two of their principal chiefs, who surrendered unconditionally, and begged for mercy in a most humble and suppliant manner.

They informed me when the fight commenced they had one hundred and seventeen (117) men, exclusive of the squaws and boys; that there had been twenty-seven killed, one chief wounded in the thigh,

and a number missing, whom they presumed were wounded in the woods. They said they were in a deplorable condition, having lost all their property, and that they had little or nothing to eat for the last forty-eight hours.

I furnished them with provisions, and promised to let them off without any further chastisement, provided they would go in this ship to Victoria, and never return again to the Sound. This they promised most faithfully to do.

I shall receive them all on board to-day, and proceed with them immediately to Victoria.

Our whole available force, including officers, during this engagement, amounted to ninety-six, forty-one of which we detailed for the shore party and steamer "Traveller." The remaining fifty-five were left on board of this ship for the purpose of working her battery. The majority were composed of officers, officers' attendants and boys.

The following officers, Lieutenant Fairfax, 1st Assistant Engineer Patterson, Civil Engineer Sutton, Acting Gunner McAlpine, Acting Boatswain Izler, Acting Carpenter Berry, Acting Masters' Mate Howard, Mr. Slater, pilot, and part of the time Third Assistant Engineer Rind, and Acting Masters' Mate Moore, were on board of this ship, who, together with the crew, performed the duties devolving upon them in a most praiseworthy manner.

As so much gallantry and zeal was displayed by the officers and crew engaged in this fight, it would be invidious for me to particularize any further.

NOVEMBER 24, 1856.

The total loss of killed and wounded on the part of the Indians is now ascertained to be twenty-seven killed and twenty-one wounded; among the latter one of their chiefs. This great mortality is doubtless owing to the coolness of the officers, sailors, and marines, their deliberate aim and accuracy of fire in discharging the "great guns," howitzers, and small arms, which has been attained from frequent drilling and target practice.

The sailors and marines who composed the shore party fired their pieces with deliberate aim and great coolness, and loaded them whilst charging, without stopping. Great credit is due to Lieutenant Young and Sergeant Quinlan, under whose instructions these sailors and marines have been drilled. Our loss would have been more had not the charging party been so ably protected by the battery from this ship and the howitzers. The shot and shell were thrown from the guns with surprising accuracy.

I have now eighty-seven of these Indians on board. As soon as the remainder of them come on board I will proceed to Victoria, land them there, and see that they are sent to their own country.

The above statement is, in substance, my report to the Navy Department, which I have concluded to forward to you, presuming it would be interesting.

I am, very truly and respectfully,

S. SWARTWOUT, *Commander.*

Lieut. Col. SILAS CASEY,

Fort Steilacoom, Washington Territory.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, California, December 17, 1856.

SIR: Major General Wool has read with much satisfaction the statement you enclosed in relation to Captain Swartwout's engagement with the Indians on Puget's Sound. "It belongs," he says, "to another department and a higher functionary to give to Captain Swartwout the reward due to his conduct, and to commend the gallantry and skill displayed by his officers and men. He may, however, be permitted to express his thanks for the essential service Captain S. has rendered him by the security he has given to one of the most exposed portions of his command, and one for which his means of defence were the least effective. He will entertain no apprehensions for the future. The severe lesson these foreign savages have received from the navy will be the more impressive from the humanity with which the punishment due to their crimes was postponed till all persuasion was shown to be useless."

His prudence and humanity in trying to avoid the shedding of blood, the prompt and decisive blow when this failed, each in its turn excited his admiration. He desires you to communicate this to Captain S., and inform him "that he has brought to the notice of the War Department the important services he has rendered the country."

I am, sir, very respectfully, your obedient servant,
 W. W. MACKALL,
A. A. General.

Lieut. Col. S. CASEY, *9th Infantry,*
Commanding Puget's Sound District, Steilacoom, W. T.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, California, December 18, 1856.

COLONEL: I transmit herewith for the information of the lieutenant general commanding the army, and the Secretary of War, a communication of Captain J. Stewart, 3d artillery, dated the 25th of November, commanding the military post of Umpqua, by which it will appear the brigantine Fawn was shipwrecked near that post. She had on board Assistant Surgeon E. P. Vollum and lady, destined for that post, and supplies for the same. All the persons on board, except three who were washed overboard, were saved by an Indian with his canoe. On landing, it seems from the statement of the captain, the utmost attention and kindness were extended to the assistant surgeon and Mrs. Vollum.—(See my instructions to Captain Stewart herewith transmitted, dated 16th December, 1856.)

I also transmit a copy of a letter to the superintendent of Indian affairs of California, dated the 17th December, which will show that but little attention is paid by the department to Indians in northern California.

I am, very respectfully, your obedient servant,
 JOHN E. WOOL, *Major General.*
 Lieut. Col. L. THOMAS, *Asst. Adjt. General,*
Headquarters of the army, New York.

NEW POST AT UMPQUA CITY, O. T.,
November 25, 1856.

SIR: For the information of the commanding general I have to report that the Brigantine *Fawn*, Captain Buncker, destined for the Umpqua, and having on board as passengers Assistant Surgeon E. P. Vollum and lady, was, on last Friday morning, about six o'clock, when about five miles from shore, and to the northward of this, struck by a heavy sea and thrown on her beam ends. The mate and five men were washed overboard; but three of the men succeeded in regaining the wreck by catching in the rigging. The vessel righted immediately, with the loss of her bowsprit, foremast, and forward rigging. A second sea carried away the mainmast, and in this condition she drifted rapidly towards the coast, and about twelve o'clock she entered the mouth of the Sinsclair, in doing which one of the three unfortunate men, who had been washed overboard in the morning, was again washed overboard and lost. The vessel struck upon the middle ground, and under the influence of the storm gradually worked towards the north, the sea breaking over her in the most fearful manner, except at low tide. During Friday afternoon and night, and the whole of Saturday—a period embracing three tides—those on board were engaged in efforts to reach the land. The rafts which, with extreme difficulty, they constructed proved useless; and on Saturday afternoon, towards nightfall, while on a sand bank trying to construct another of drift wood, they saw a solitary Indian—the first human face to greet them—who put them all ashore in his canoe. They were thus thirty-six hours on the wreck during the most terrible gale that has occurred on this coast within the knowledge of the oldest white settler, subsisting on a small supply of biscuit and wine, being unable to procure anything else whatever.

A little after four o'clock Sunday afternoon I received a note from Dr. Vollum informing me of the disaster, and I gave orders for a detail of ten men to proceed to the wreck, with the necessary supplies, whilst Dr. Milhau and myself started immediately, reaching their camp (on the north side of the Sinsclair) a few minutes after ten o'clock. We found the party, with the exception of Mrs. Vollum, who was completely prostrated, and somewhat delirious, doing tolerably well, their immediate and most pressing wants having been supplied by the Indians and M. Garnier, an old French gentleman, living upon the river a few miles from the mouth.

Yesterday was an exceedingly inclement day, but we, nevertheless, brought down Dr. and Mrs. Vollum, Captain Buncker, and one of the crew, who is now in the hospital, having had his arm broken on the wreck.

The *Fawn* contained clothing and other supplies for this post, the greater part of which, if not the whole, will, I think, be saved, as the men can work aboard of the wreck for about an hour and a half at each low tide; and the vessel appears to have settled without any probability of breaking up immediately. Portions of her cargo are continually floating ashore.

The schooner *Umpqua*, also having supplies for this post, is sup-

posed to have been lost, as she was seen off the coast evidently seeking an opportunity of entering the river for several days previous to the gale, and was most probably exposed to its full fury.

Under the circumstances of the case, I have disregarded the general's instructions, with reference to whites going upon the Indian reservation, so far as to permit those interested in the wreck and cargo to go up to the vicinity of the wreck. I have no doubt this will meet with the general's approval. Before leaving yesterday, Captain Bunker gave orders to have all the liquor found on the wreck destroyed, and I gave the same order to the sergeant with regard to any that might float ashore.

The Indians on the Sinsclair have shown a disposition to pilfer, which they doubtless consider perfectly legitimate. It is, however, due to them to say, that with this exception they have acted most nobly in this case, evincing a sympathy for the sufferers and an anxiety to alleviate their miseries which have completely won their gratitude. When Mrs. Vollum was carried ashore, an old squaw met her and wrapped her up in her own blanket, and endeavored to impart to her warmth and vitality by breathing on her, chafing her hands, &c., in the most kind and motherly manner.

I have the honor to be, major, very respectfully, your obedient servant,

J. STEWART,

Captain 3d Artillery, Commanding Post.

Major W. W. MACKALL,

Assistant Adjutant General,

Headquarters Department Pacific.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

Benicia, California, December 16, 1856.

SIR: Your letters of November 22 and 25 have been submitted to Major General Wool. He directs me say that, if the wreck of the vessels cause any want of supplies of any kind, a prompt attention will be given to your requisitions.

He was pleased to hear of the humanity displayed by the Indians to the sufferers from the Fawn. Suggests that you issue rations to the Indians for the time they were engaged in this work of humanity, and try to induce the Indian agent to testify his satisfaction by such presents as may be proper and in his power to give.

I am, sir, very respectfully, your obedient servant,

W. W. MACKALL,

Assistant Adjutant General.

Captain J. STEWART,

3d Artillery, Commanding, Umpqua.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, Cal., December 17, 1856.

SIR: Under date of December 11, Major General Wool has a report from Crescent city, showing that there are at this time some four hundred Indians collected on an island at the mouth of Smith's river, engaged in fishing, and that your agent declines taking charge of these people unless they are brought back to Crescent city. The report shows that these Indians can only be brought back by force at present or until their fishing season is over. Rumor among the settlers makes the general fear that some attempt may be made by evil-disposed people to exert this force, or at least to excite such discontent among these people as will drive them to the mountains, perhaps to acts of hostility.

He submits to you, sir, that it is better, under all the circumstances, that they be permitted quietly to continue their fishing, and not be forced back, in a state of discontent, among a population not kindly disposed towards them.

He has instructed his officer at that point neither to attempt himself, nor to assist others, in their removal at present; and, if you agree with him in thinking this the better course to preserve the peace of the State, he hopes you will instruct your agent to receive the Indians, protect and supply them where they are.

I am, sir, very respectfully, your obedient servant,

W. W. MACKALL,
A. A. General.

Hon. T. J. HENLEY,
Superintendent of Indian Affairs, San Francisco.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, California, January 3, 1857.

COLONEL: For the information of the lieutenant general commanding the army, and the Secretary of War, I have the honor to report that peace and quiet pervades throughout the department of the Pacific, and I have no doubt will thus continue as long as the Indians are treated with ordinary justice. Efforts, for reasons heretofore again and again presented by me, no doubt will be made to disturb the quietude of the department, which I think will not succeed. The disposition of the troops is such as not only to prevent it, but to give protection to the white settlements and to restrain the Indians should they exhibit indications to renew the war, which, from the information I have received, I do not in the least apprehend.

The Oregonians will have no cause or justification for any attempt on their part to renew the war. The Indians from whom they might, from bad treatment, anticipate hostilities, are concentrated without arms on the coast reservation, guarded by three companies of infantry and one of dragoons.

From those in Puget Sound Lieutenant Colonel Casey apprehends no danger whatever. With few exceptions they are concentrated on

reservations and manifest a sincere desire to remain at peace with the whites.

From the Indians east of the Dalles and the Cascade range of mountains no danger is anticipated. They will not interfere with the whites if the latter will only let them alone and not plunder them of their horses, cattle and women. The Indians, however, would not, under any circumstances, attempt to cross the Cascade range of mountains to attack the white settlements. They could only reach the Oregonians by the Dalles and Cascades, which are well guarded, and the inhabitants of Puget Sound by the Nahches Pass, which cannot be passed in the winter. This pass is guarded by four companies stationed in the Simcoe valley.

If the money appropriated by Congress to preserve peace with the Indians could be properly applied and expended, I am confident there would be no future war with the Indians in the Pacific department, unless unnecessarily and improperly provoked by the whites, who have hitherto been unjustly the cause of all the Indian wars in California and Oregon, including the crusade of Governors Curry and Stevens against the Walla-Walla tribe, &c., during the winter and summer of 1856.

In conclusion, I would again call attention to the extinguishment of the Indian title to lands east of the Cascade range of mountains, and especially to those lying within the boundaries of Washington Territory. If it is the desire of the United States to extinguish the title to those lands, I think it ought to be done by commissioners of high character and standing, and not interested persons or residents of Washington or Oregon. Commissioners taken from either Territory I do not believe could form treaties with tribes residing in Washington without a strong military force to protect them. It is, however, thought by those who are well acquainted with the country, that it is not worth the expense which the government would be subjected to in extinguishing the title, it being a mountainous region fit only for the raising of stock, but not for cultivation.

I have deemed this subject of sufficient importance to again call attention to it, in order that the proper and necessary investigation might be made to ascertain whether the suggestions here presented are worthy of consideration.

Herewith I forward a copy of a letter of instructions to Lieutenant Colonel Steptoe, dated January 1, 1857.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,
Major General.

Lieutenant Colonel L. THOMAS,
Asst. Adjt. Gen., Headquarters of the Army, New York.

[Endorsement.]

Indian affairs—interesting and satisfactory.
Respectfully submitted.

WINFIELD SCOTT.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
Benicia, California, January 1, 1857.

SIR: Your letter to Colonel Wright of December 5, 1856, has been submitted to Major General Wool. "Your suggestion of the benefits to accrue to the service and the Indians from a good, industrious colony at Walla-Walla, is a question that has presented itself to the general, and engaged his most serious consideration. He has arrived at a different conclusion as to what is the best in the case.

"The door once open to settlers, could he insure that those who entered would go to make up a good, industrious colony? Would he not have cause to fear a very different class would soon be in the midst of the Indians, causing trouble by their lawless conduct?

"The army on all our borders has had to contend with the ever recurring trouble of being closely pressed by population; as soon as military posts are pushed in advance of the population, they crowd around them, and they are again moved to the front, leaving behind a sparse and widespread population, weak in themselves and clamorous for protection.

"The Territory of Washington presents some natural advantages of which the army should avail itself. The Cascade range divides the mass of the white population, all except the Colville miners, from the most numerous and most warlike tribes. The agents of the Hudson Bay Company, old trappers and French, intermarried and assimilated with the Indians, need no protection and make no exception. This range forms, if not an impassable barrier, an excellent line of defence. A most valuable wall of separation between two races always at war when in contact. The Cascades and the Dalles are our frontier posts, closing the passage through the frontier, and giving, while closed, perfect security to the whites.

"Simcoe and Walla-Walla advanced posts not for the immediate protection of the whites, but to keep the Indians in awe, to be advised of their feelings and intentions, and to check and change these when they become inimical.

"To permit settlers to pass the Dalles and occupy the natural reserve, is to give up this advantage, throw down this wall, and advance the frontier hundreds of miles to the east, and add to the protective labors of the army."

Again: you are not yet satisfied that the peace is permanent, and feel that it will require much tact and management to prevent a war next summer. Relying on your better information and your sound judgment in the case, the general would find in this fact good reasons for not inviting or permitting a population to gather round your post. Such a population, in the event of trouble in the summer, would much embarrass, if not paralyze, your operations against the enemy.

"The army cannot furnish guards to farm houses dotted among hostile tribes.

"He, then, desires you to carry out his orders strictly, viz: permit no settler to come into the country until the Indian titles are extinguished. Do not disturb the Hudson Bay Company or the Colville miners, if the latter do not interfere with the Indians. Those persons

who claim to have gained rights of settlement under the donation law must wait until a peace is secured, or until the government, to whom the general has reported his orders, countermands them. Thus far he has reason to suppose his course is approved."

The general has been thus lengthy in expressing his views, colonel, that you may see your suggestions have been weighed. Relying much on your judgment in the difficult command you hold, he hopes you will always communicate your views freely, and be assured that, when forced to differ with you, he does so with regret and hesitation.

I send an order for the inspection of arms, &c., of the dragoon company, and, in anticipation of their condemnation, a full set will be despatched to Vancouver.

I am, sir, very respectfully, your obedient servant,

W. W. MACKALL,
A. A. General.

Brevet Lieut. Col. E. J. STEPTOE,
*Major 9th Infantry, U. S. A.,
Commanding Walla-Walla, W. T.*

True copy :

RICHARD ARNOLD,
Lieut. and A. D. C.