36TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 29.

INDIAN DEPREDATIONS IN OREGON AND WASHINGTON

LETTER

FROM

THE SECRETARY OF WAR, AD INTERIM,

IN ANSWER TO

A resolution of the House calling for information in relation to depredations by the Indians in the Territories of Oregon and Washington.

JANUARY 12, 1861.—Laid upon the table, and ordered to be printed.

WAR DEPARTMENT, *January* 11, 1861.

SIR: I have the honor to transmit herewith copies of papers containing all the information, so far as this department is concerned, called for in the resolution of the House of Representatives of the 17th ultimo, by which "the Secretary of War and the Secretary of the Interior are requested to report to Congress all information in their possession in relation to depredations committed by the Indians in the State of Oregon and the Territory of Washington during the present year, and especially in relation to the late massacre of emigrants by the Snake River Indians; also the relation now existing between this government and said Snake River Indians."

Very respectfully, your obedient servant,

J. HOLT,
Secretary of War, ad interim.

Hon. WILLIAM PENNINGTON,
Speaker of the House of Representatives.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., May 14, 1860.

COLONEL: I have the honor to enclose copies of a correspondence with John M. Work and James A. Grahame, agents of the Hudson's Bay Company; also a copy of my letter of the 5th of March last, to the quartermaster general, on the subject of this correspondence.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

On the 10th instant Mr. A. G. Dallas, president of the council of the Hudson's Bay Company, in North America, notified me of the intention of the Hudson's Bay Company to vacate Fort Vancouver and the adjoining lands so soon as the necessary arrangements can be made, and which it is supposed will occupy one or two months. A copy of his communication is enclosed, and also a second letter from Mr. A. G. Dallas, under the same enclosure, but in his individual capacity, tendering an explanation of his conduct in the events of last year which resulted in the occupation of San Juan island by a force from this command. Copies of my replies to these letters are submitted.

In the paragraphs marked 1 and 2 of this letter of explanation Mr. Dallas is careful to use the present tense in speaking of Governor Douglas and himself in reference to events which occurred ten months ago. To show how flimsy is this statement in evading the question at issue which compromises Governor Douglas as having been in the interest of the Hudson's Bay Company in July last, I have the honor to report a fact, not heretofore mentioned, and which places his control over the Hudson's Bay Company at that time beyond dispute.

On my arrival at Victoria last year in the month above stated, Governor Douglas honored the occasion with a salute of guns according to my rank. The salute was fired from the guns of the Hudson's Bay Company at their fort, by the order of Governor Douglas, and I visited the fort with my staff upon the Governor's invitation while the salute was being fired.

Three British ships-of-war were lying within three miles of Victoria at this time, all under the order of Governor Douglas, and any one of which could easily have been used for the purpose of the salute.

From this circumstance I was impressed with the belief that Governor Douglas had the forces of the Hudson's Bay Company as well as the British navy under his control, nor has anything transpired since that time to change the opinion then formed from what I saw.

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

WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

FORT VANCOUVER, W. T., *March* 1, 1860.

SIR: It is my duty, in the absence of Mr. Grahame, to endeavor, so far as I have ability, to protect the rights and property of the Hudson's Bay Company, and, at least, to object as firmly as possible to any encroachment upon them.

Having been informed that it is proposed to open some of the enclosures of the company now in actual cultivation, and claimed as

an undoubted part of their possessory rights secured to them by treaty between the United States and Great Britain, thereby depriving the company of their fields already leased for the present year; and having also been informed that one of the company's oldest and most faithful servants, who has occupied his present residence, which, with the adjoining field cultivated by him, is a part of the company's property, for more than ten years, has been informed that he must leave his house next week, or be forcibly removed by a file of soldiers, as his house was to be torn down and his garden thrown open, I feel compelled, in behalf of the company, to protest most earnestly against any interference or encroachment upon the company's rights in the manner proposed, not less because of the great damage which will result, than because of the violation of right.

Hoping that no act will be permitted by your authority which can be regarded as an encoachment like those referred to, and that you will pardon my suggestions in the matter in the absence of those whose position and larger experience might perhaps give greater weight to their objections, I have the honor to be, very respectfully, your obedient servant,

JOHN M. WORK,
Agent of Hudson's Bay Company.

Brigadier General W. S. HARNEY,
Com'g Depar't of Oregon, Fort Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 3, 1860.

SIR: Your communication of the 1st instant to the general commanding has been received, and I am instructed to state, in reply, that the Hudson's Bay Company is not recognized as having any possessory rights in the soil of the military reserve, in consequence of the expiration of their charter as a trading company on this coast.

The land in question is needed for military purposes by the command within whose limits it exists. The material of the fences and other fabrications will be placed at your disposition on being removed from the reserve.

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

A. PLEASONTON,
Captain 2d Dragoons, Acting Assistant Adjutant General.

JOHN M. WORK, Esq.,
Agent of the Hudson's Bay Company, Fort Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 5, 1860.

GENERAL: I have the honor to enclose, for the information of the War Department, a copy of a communication from John M. Work, esq., agent of the Hudson's Bay Company; also my answer to the

same, with a copy of the proceedings of a board of officers convened by my orders to assess and report the value of the improvements in question.

The land upon which these improvements rest is needed for public purposes, particularly as a drill ground for the battery of light artillery stationed here by the orders of the Secretary of War; and as it is within the limits of the military reserve, I have directed these improvements to be removed. The possessory rights of the Hudson's Bay Company having expired with their charter in May last, this establishment can only now be considered as remaining in position at this point by sufferance.

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

WM. S. HARNEY,
Brigadier General, Commanding.

Major General T. S. JESUP,
Quartermaster General U. S. Army, Washington City, D. C.

Proceedings of a board of officers which convened at Fort Vancouver, Washington Territory, pursuant to the following order:

SPECIAL ORDERS No. 25.—[Extract.]

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., February 28, 1860.

I. A board of officers will convene at Fort Vancouver on the 1st day of March, 1860, at 11 o'clock a. m., or as soon thereafter as practicable, to examine and report upon the value of certain improvements on the military reserve placed there by the Hudson's Bay Company, in the event of any compensation being allowed for them hereafter by the government.

Detail for the board: Captain A. J. Smith, 1st dragoons; Captain J. A. Hardie, 3d artillery; First Lieutenant Chauncey McKeever, 3d artillery.

By order of General Harney.

A. PLEASONTON,
Captain 2d Dragoons, Acting Ass't Adj't General.

FORT VANCOUVER, WASHINGTON TERRITORY,
March 1, 1860, 11 *o'clock a. m.*

The board met pursuant to the above order; all the members present. The board then proceeded to examine certain improvements on the military reserve, placed there by the Hudson's Bay Company many years ago, and lying to the west of a line of stakes commencing at a point about eighty yards to the east of the Catholic church, and running from thence, in a southerly direction, to the river. The board find that upon this portion of the reserve there are some four

or five hundred yards of fence and eight buildings claimed by the Hudson's Bay Company, (not including the house occupied by Mr. Tubbs, which, the board understand, is not intended to be removed at present.) The board find that the fence is so much decayed as to be of no value, and that the buildings are mere shells, rapidly going to decay, most of them propped up to prevent them from falling down, the only exception being the dwelling-house in front of the depot, (quartermaster's office,) which, although occupied, is in a dilapidated condition.

The board estimate the *total value* of the above improvements at $250, (two hundred and fifty dollars.)

There being no further business before it, the board adjourned *sine die.*

A. J. SMITH, *President,*
Captain First Dragoons.
CHAUNCEY McKEEVER, *Recorder,*
First Lieutenant Third Artillery.
JAS. A. HARDIE,
Captain Third Artillery.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 5, 1860.

Approved.

W. S. HARNEY,
Brigadier General, Commanding.

FORT VANCOUVER, W. T., *April* 12, 1860.

SIR: I was much surprised to find, on my arrival here on the 25th ult., that extensive depredations had been committed by your orders on the lands and tenements of the Hudson's Bay Company at this place, and that further aggressions were intended and have since been put in execution.

In the name of the company I hereby enter my solemn protest against this course, claim your protection as the highest military authority of the United States at this place, and request, in common courtesy, for the information of the company and the British government, that a copy be furnished me of your authority to dispose so summarily of the rights of the Hudson's Bay Company under the treaty concluded in 1846 between Great Britain and the United States of America.

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

JAMES A. GRAHAME,
Chief Trader of Hudson's Bay Company.

Brigadier General W. S. HARNEY,
U. S. Army, Com'g Depar't of Oregon, Fort Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 16, 1860.

SIR: I am instructed by the general commanding to acknowledge the receipt of your communication of the 12th instant, and, in reply, to state no claim of the Hudson's Bay Company to any lands within the military reserve at Fort Vancouver is recognized.

Any privileges permitted that establishment on the military reservation at Fort Vancouver since the 30th day of May, 1859, have been conceded by the courtesy of the commanding general.

I am further directed to communicate to you that the style of your correspondence with these headquarters is considered improper and objectionable, and, unless changed, will receive no attention in the future.

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

A. PLEASONTON,
Captain 2d Dragoons, Acting Assist. Adj't General.

JAMES A. GRAHAME, Esq.,
Chief Trader of Hudson's Bay Company, Fort Vancouver, W. T.

FORT VANCOUVER,
Washington Territory, May 10, 1860.

SIR: In consequence of the aggressive acts instituted by your authority against the Hudson's Bay Company at this place, and your plain intimation that you no longer recognized the rights of the company, and that our further stay at Vancouver is permitted only by courtesy and forbearance, I have, on behalf of the company, obviously but one course to pursue, viz: to withdraw entirely from the Territory. I have, therefore, the honor of intimating to you that it is the intention of the Hudson's Bay Company to vacate Fort Vancouver and the adjoining lands so soon as the necessary arrangements can be made, and which may occupy from one to two months. During this period I presume we may rely on your further courtesy and forbearance.

In taking this step, I have only to renew and confirm the protests of Mr. Work and Chief Trader Grahame against the infringement of the treaty of 1846, and to throw upon the United States government all the responsibility of the act, holding it liable for reclamation of damages.

The question being one not of disputed boundary, but denial of right of occupancy of any portion of soil, I cannot but express my surprise that no formal intimation of this interpretation of a treaty right was made to the Hudson's Bay Company through the British government by that of the United States.

The company was quite prepared to abide by any interpretation of that treaty which might have been arranged by the respective governments concerned, and I cannot fail to notice the want of courtesy displayed towards the company in the manner of effecting its ejectment from American territory.

Early in March one of our oldest servants, who had occupied his

house, and the ground on which it stands, for ten years, is notified that he must vacate the premises, or be ejected by a file of soldiers. On the 19th of March the doors and windows were removed, and on the following day the house was burnt. It was only on the third of March, subsequent to the threats above mentioned, that you intimated to Mr. Work, our acting agent, that you no longer recognized any possessory rights by the company at Vancouver, *and your intention of placing our fences and fabrications at our disposal after removal.* On the 16th of April you confirmed your previous imtimation as to the non-recognition of the company's possessory rights, adding that since the 30th of May last our privileges have been conceded by courtesy and forbearance only. On the 5th of March Captain Ingalls, acting quartermaster, kindly intimates that Williams, the old servant above alluded to, may occupy another old house, while his own is being pulled down, *and while the company is closing its business at this place.*

Such are the circumstances, coupled with other aggressions of a similar nature, which compel the Hudson's Bay Company to withdraw from a land which they occupied by treaty right, and which they reclaimed from the wilderness and from the savage—and against the hardships and famine of the one, and the deadly hostility of the other, they have on more than one well known occasion preserved the lives and the footing in the country of the early American settlers.

It is with deep regret I feel called upon to terminate in such a manner the friendly connexion which has so l ng existed between the federal officers of the United States and the Hudson's Bay Company in this Territory.

I have the honor to remain, sir, your most obedient servant,

A. G. DALLAS,
President of Council of the Hudson's Bay Co., in N. A.

Brig. Gen'l W. S. HARNEY, *U. S. A.*,
Comm'g Dept. of Oregon, Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, Washington Territory, May 10, 1860.

SIR: Your communication of this date to the general commanding, intimating it is the intention of the Hudson's Bay Company to remove from Fort Vancouver so soon as the necessary arrangement can be made, and which is supposed will occupy one or two months, has been received.

I am directed to acknowledge its receipt, and to state instructions will be given to afford every facility to the Hudson's Bay Company in the fulfilment of this intention that may not be to the prejudice of the public interests of the United States.

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

A. PLEASONTON,
Capt. 2d Dragoons, Acting Assist. Adj't Gen.

A. G. DALLAS, Esq.,
President of the Council of the Hudson's Bay Co., in N. A., Fort Vancouver, Washington Territory.

FORT VANCOUVER, W. T.,
May 10, 1860.

SIR: I beg leave to address you upon the subject of the recent occupation of San Juan island by American troops, in which my name has been so freely and unwarrantably made use of, and to give the most unqualified contradiction to the part attributed by you and others to me, as having given occasion to that act.

I can come to no other conclusion but that you were imposed upon in making and acting upon the statements contained in your letters of August 7, 8, 25, and 29, to the adjutant general, to Governor Douglas on the 6th of August, to Captain Pickett on the 18th of July, and to General Scott on the 19th of July.

1. Though the son-in-law of Governor Douglas, I have no connexion with, nor influence whatever in, the affairs of government, nor has he any interest, directly or indirectly, in the affairs of the Hudson's Bay Company. On the contrary, the respective interests under our care are rather conflicting and antagonistic.

2. It has been frequently stated that I am a member of the council of Victoria. This is not the case. I hold no office, honorary or otherwise, under the crown or colonial government.

3. I am not a chief factor in the service of the Hudson's Bay Company, as has been stated, but a director of the company, and president of council in North America.

4. I never visited the island of San Juan in any man-of-war. My arrival there on the afternoon of the day upon which Cutler committed the trespass was purely accidental. I landed from the company's steamer "Beaver," used solely for purposes of trade, accompanied by two friends. Next day, accompanied in addition by Chief Trader Griffin, our agent upon the island, we took the opportunity in passing Cutler's hut or tent to call upon him. I remonstrated with him in regard to his offence, which he admitted, offering to pay the value of the animal killed, which was not accepted. No demand of $100 or any sum of money was made upon him, nor did I threaten to apprehend him or take him to Victoria. On the contrary, I stated distinctly that I was a private individual, and could not interfere with him. I have, fortunately, three unimpeachable witnesses to prove this. Cutler was perhaps alarmed at seeing four of us approach him on horseback, and, conscious of being in the wrong, not unnaturally took it for granted we had come to seek reparation. After some further general talk, in the course of which Cutler threatened to shoot any more of our animals that might interfere with him, we rode away, and the only further notice taken of the affair by me was in a conversation held with Governor Douglas, when I suggested to him to appeal to the authorities of Washington Territory, requesting them to restrain their citizens on San Juan island from committing further trespasses. He declined to adopt my suggestion, and the matter dropped.

5. Cutler did not use any threat to me, and I gave him no cause to do so. What has been dignified by the name of his "farm," consisted of a very small patch of potatoes, partially fenced on three sides, and entirely open on the fourth. The boar was shot in the adjoining

forest. With a stock of 5,000 sheep, and a number of horses, cattle, pigs, &c., it will be apparent to you that it would have been impossible for us to restrain any of these animals from committing depredations on such "farms" as Cutler's. The loss and annoyance occasioned to us by squatters in the midst of our sheep-runs must be also equally apparent. Under circumstances of great provocation, the utmost forbearance has been invariably exercised by the Hudson's Bay Company towards American squatters and others.

6. The Hudson's Bay Company has never threatened to stir up the northern Indians against American citizens on San Juan island or elsewhere. On the contrary, we have always cautioned them to treat American citizens as friends and brothers. The policy of the Hudson's Bay Company has always been a peaceful one.

7. I cannot, as you state, use a British ship-of-war without the authority of Governor Douglas or the British admiral, nor have I done so, or ever attempted anything of the kind. No British ship-of-war has, to my knowledge, taken the slightest supervision of the affairs of the Hudson's Bay Company.

8. In your letter of August 29, to the adjutant general, you say: "a British man-of-war lands Mr. Dallas, the chief factor of the Hudson's Bay Company, who abuses one of our citizens in the harshest manner, and threatens to take him by force to Victoria for trial and imprisonment. Finding the citizen resolute in the defence of his rights, the Americans were informed the British Indians would be sent down upon them to drive them from the island. I shall substantiate these facts by the affidavits of American citizens of such position and character as cannot leave a doubt of their truth, and showing the attempted denial of Governor Douglas in his communication of 13th instant is only a quibble."

On reference to the affidavits of Paul K. Hubbs, jr., and Lyman A. Cutler, I find it certified that I landed from the Hudson's Bay Company's steamer "Beaver." I also find, in a memorial to yourself from the American citizens resident on San Juan on the 10th of July, the memorialists state that but for the timely aid of the Hudson's Bay Company the United States inspector would have fallen a victim to the savage designs of the Indians. Such is the manner in which the accusations brought against me are substantiated.

9. I cannot conclude without taking notice of a letter from Paul K. Hubbs, of Fort Townsend, under date of September 3, addressed to the President of the United States, in which he states that Governor Douglas is the chief director of the Hudson's Bay Company. This is, as I have already stated, utterly untrue. Another portion of Mr. Hubbs's unintelligible letter, in so far as I can understand it, states that "the Hudson's Bay Company, with a half a dozen armed steamers, did land and go to the man that shot the boar, and that five of them (the steamers, I presume) could not take him, but threatened to send the 'Plumper,' a British frigate, for him." The "Plumper" is a small and well known surveying bark, and this whole statement is too absurd to require refutation. It is only the fact of a letter of a private individual, containing some statements as false as others are unintelligible, having been addressed to the President of the

United States, and circulated by him, which induces me to notice it at all.

As the representative of a large public company, I feel compelled to come forward thus emphatically to contradict the misstatements and accusations, which have been so repeatedly and extensively circulated regarding the company and myself. I have endeavored to do so as courteously as emphatic denial would admit, and with the view also of removing from your mind any misapprehension which might still exist under a complication of circumstances, in regard to which you have evidently been misinformed.

I have the honor to remain, sir, your most obedient servant,

A. G. DALLAS.

Brig. Gen. W. S. HARNEY, U. S. A ,
Commanding Dep't of Oregon, Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., May 10, 1860.

SIR: The general commanding directs me to acknowledge the receipt of your communication of this date, in explanation of your conduct in the recent events which resulted in the occupation of the island of San Juan by a force from this command.

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

A. PLEASONTON,
Captain 2d Dragoons, A. A. Adjutant General.

A. G. DALLAS, Esq.,
Fort Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., May 29, 1860.

SIR: I have the honor to report, for the information of the general-in-chief, that a part of the engineer detachment, under the command of Second Lieutenant Henry M. Robert, corps of engineers, have nearly completed the bridge on the Cascade Portage, agreeably to the instructions of Special Orders No. 78, of last year, from these headquarters.

This bridge has been built in the most substantial manner. The piers are crib-work, filled with stone, of sufficient height to keep the roadway out of water at the highest stages of water, which sometimes rises from fifteen to twenty feet, from the freshets of the Columbia river.

This is an important work, insuring uninterrupted communication with the upper Columbia river; and the zeal and intelligence Lieutenant Robert has displayed in its construction are entitled to high commendation. As all the material of this bridge, except the plank

for the roadway and the rails, were procured from the neighboring forests by the labors of the troops, its cost has been comparatively trifling.

Enclosed is a copy of the elevation of this bridge.

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

WM. S. HARNEY,
Brigadier General, Commanding.

The ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., May 29, 1860.

SIR: Since the receipt of Special Orders No. 37 of this year, from the headquarters of the army, organizing four companies of recruits for this command, to march by the way of Forts Benton and Walla-Walla, certain facts have come to my knowledge, in reference to the difficulties in obtaining transportation on this route, which I desire to be placed before the general-in-chief for his information, in case further action on his part becomes necessary.

It appears the quartermaster general has been induced by the representations of Lieutenant Mullan, of the 2d artillery, in charge of the Forts Benton and Walla-Walla wagon road, to depend upon the transportation Lieutenant Mullan will have on reaching Fort Benton to supply the above-named command of recruits with the amount necessary to complete the march to Fort Walla-Walla.

Lieutenant Mullan does not correspond with these headquarters, his duties being those of a civil character, under the orders of the War Department; no direct information, therefore, has been received from him on the subject of this transportation.

The enclosed copy of a communication from Lieutenant White, 3d artillery, commanding Lieutenant Mullan's escort, shows that the amount of transportation of both Lieutenants Mullan and White was extremely limited as early as February last. This is the latest report received from Lieutenant White.

A few days since I was informed, unofficially, that Lieutenant Mullan has sent an officer to Utah to purchase animals; but the information from that country assures me they are not to be procured. There is no transportation to be had at Fort Benton, and I cannot see how this command of recruits is to be supplied unless it is done from this department. Existing orders do not anticipate this; and as animals must be purchased, should this course be decided upon—the time also being limited—I request the necessary instructions in the case.

The transportation on this route will be very expensive. The Indian department is now paying $800 per ton from Fort Benton to the Bitter Root, about half the distance to Fort Walla-Walla. I shall make every exertion to enable this detachment to cross the mountains as soon as possible after I have heard of its departure from

Fort Benton, for the snows set in early in October. Two hundred pack mules will be required for the subsistence alone of these recruits.

This communication is transmitted by the "Pony Express," time being an important element in this matter; and I have the honor to request that any answer the general-in-chief may deem proper to communicate, requiring my action, will be sent by the same speedy conveyance.

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

WM. S. HARNEY,
Brigadier General, Commanding.

The ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

CANTONMENT JORDAN,
Valley of St. Francis de Borgia, W. T., February 18, 1860.

CAPTAIN: I have the honor to transmit herewith a monthly return of my party for the month of January, 1860.

Nothing worthy of note has transpired since the date of my last special report, (8th ultimo,) beyond the information received in regard to the state of our animals. The escort, at latest accounts, had lost, altogether, 108 oxen, leaving eleven still alive; 32 mules, leaving six still living; a few horses still survive, but all that remain are represented to be in the worst condition. We have yet about two and a half feet of snow about us; bnt the rains having commenced, it will probably not last long. Lieutenant Mullan's loss in animals is said to be nearly as great as that of the escort.

I am, very respectfully, your obedient servant,

J. L. WHITE,
1st Lieutenant 3d Artillery, Commanding Escort.

Captain A. PLEASONTON, *A. A. A. G.*,
Headquarters Department of Oregon, Fort Vancouver, W. T.

HEADQUARTERS OF THE ARMY,
New York, July 14, 1860.

Soon after the issue of Special Orders No. 37, directing the movement of recruits to Oregon, the general-in-chief directed the following letter to be written to the adjutant general, viz:

"It has been stated, but I know not by what authority, that the transportation for the recruits under orders for Oregon from Fort Benton is to be furnished by Lieutenant Mullan.

"That officer has encountered a very severe winter, and is now in the Bitter Root mountain, which, as well as the valleys, are covered

with snow, and little or no forage can therefore be procured for the animals. Indeed, it is inferred from private letters received from Oregon that most of his animals have perished, or become so weakened as to be almost useless. I would refer you to the report of Lieutenant White, of November 14, 1859, forwarded to your office February 14 last, which will give some information on this subject."

Not knowing what arrangements were finally made for the transportation of this command for the long march beyond Fort Benton, the general-in-chief can make no recommendation in the case, and therefore submits the communication for the action of the War Department.

By command of Brevet Lieutenant General Scott.

L. THOMAS,
Assistant Adjutant General.

The quartermaster general is respectfully requested to state what arrangements have been made by his department for the transportation beyond Fort Benton of the detachment of recruits within referred to. This information is desired that it may be laid before the Secretary of War with this communication.

Respectfully,

W. A. NICHOLS
Assistant Adjutant General.

ADJUTANT GENERAL'S OFFICE, *July* 16, 1860.

QUARTERMASTER GENERAL'S OFFICE,
Washington City, July 18, 1860.

SIR: In reply to the request indorsed on a communication from the headquarters of the department of Oregon, addressed to the headquarters of the army, which you yesterday referred to this office, you are respectfully informed that the main reliance of the quartermaster's department, when the recruits for Oregon left St. Louis, for their transportation from Fort Benton to Walla-Walla, was on the means Lieutenant Mullan had offered for the purpose. Soon, however, after a contract had been made for their conveyance up the Missouri river, doubts arose as to his ability to perform all he had promised, fifteen or twenty large wagons, with appropriate teams, being required; and the ox wagons prepared for the road were shipped to Fort Benton by the boats that conveyed the recruits, and with them twenty teamsters were ordered, capable of driving either mules or oxen. The oxen to haul the wagons, and as many more as might be found necessary, M. C. Choteau, in behalf of the firm of P. Choteau & Co., of St. Louis, engaged to furnish; a promise to that effect having been verbally given by him to the Secretary of War. Besides the wagons, two hundred pack saddles and two of Buchanan's portable boats were ordered; wagon floats to be substituted for the latter pro-

vided they did not reach St. Joseph, as fears were entertained they might not, in time to meet the steamer at that place.

Very respectfully, your obedient servant,

J. E. JOHNSTON,
Quartermaster General.

The ADJUTANT GENERAL U. S. A.,
Washington, D. C.

General Harney's letter, with an enclosure, is herewith returned.

Respectfully submitted to the Secretary of War, with a report from the quartermaster general respecting the arrangements made for the transportation of the command within mentioned.

Respectfully,

W. A. NICHOLS,
Assistant Adjutant General.

ADJUTANT GENERAL'S OFFICE, *July* 20, 1860.

The quartermaster general will please report whether the means of transportation which have been supplied are sufficient for the command, in view of the facts stated in General Harney's communication.

WAR DEPARTMENT, *July* 31, 1860.

QUARTERMASTER GENERAL'S OFFICE,
Washington, August 7, 1860.

SIR: I have the honor to return herewith the report from this office of the 18th of July, 1860, with the papers enclosed, relative to the arrangements made for the transportation beyond Fort Benton of the recruits *en route* for Oregon, which was sent down on the 31st ultimo for information as to the sufficiency of the means of transportation supplied to the command in view of certain facts stated by General Harney.

From a report from Lieutenant Smith, 6th infantry, acting assistant quartermaster to the detachment of recruits referred to, it appears that the party arrived at Fort Benton on the 2d of July last without accident; that Lieutenant Mullan's party will not reach that post before the 1st of August instant; that the quantity and quality of his transportation was uncertain; that though the party was given to understand, before leaving St. Louis, that Lieutenant Mullan had at least some forty teams of oxen, it appears that he has not one-half that number; and that it is impossible to obtain at Fort Benton even an ox or a mule to do the ordinary hauling for the necessities of the camp.

Captain Kirkham, assistant quartermaster at Fort Walla-Walla, writes, May 26 last, that ten days before seeing notice of the movement, *via* Fort Benton, in the newspaper, he sent an express to Lieutenant Lyons, acting assistant quartermaster to Lieutenant Mul-

lan's party, that he could start a pack train of one hundred animals to his assistance if he desired it; that this train would not be able to travel the road much before the 1st of July, and would be probably forty days in reaching Fort Benton, so that if the command has a good supply of rations—say to October 1st next—there would be no trouble in bringing it through, even if Lieutenant Mullan has not the means.

This is all the information on the subject in the possession of this office in addition to that already given.

Very respectfully, your obedient servant,

J. E. JOHNSTON,
Quartermaster General.

The SECRETARY OF WAR,
Washington City, D. C.

No further directions from this department are deemed to be necessary at this time. If any additional provisions should become necessary for the transportation of the command, they must be made by the officers in command according to the exigencies of the case.

J. B. FLOYD,
Secretary of War.

WAR DEPARTMENT, *August* 15, 1860.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 7, 1860.

COLONEL: I have the honor to enclose for the information of the War Department a copy of a letter from Lieutenant Colonel J. S. Hawkins, royal engineers, her Britannic Majesty's commissioner of the northwest boundary, requesting some aparejos for packing purposes; also my reply to the same, with a copy of my instructions to the commanding officer at Fort Dalles to cause the equipments required to be furnished to Colonel Hawkins at cost price.

In obtaining supplies the English commission labor under much greater disadvantages than our own, and it is sometimes impossible for them to obtain what they need unless they obtain it from our military establishment, as in this instance. I trust the Secretary of War will give his approval to the course I have pursued in this matter, and I would suggest authority be given to furnish the commission under Colonel Hawkins with such articles as they are not able to obtain, except at great expense of time and money, at cost price, and provided the military service will not be embarrassed by such disposition at the time.

There being no mail route between Fort Walla-Walla and Colville, I have considered it becoming and proper to direct the military express between those two points to convey the mail matter of the

commissioner in common with our own. A copy of these instructions are enclosed.

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

W. S. HARNEY,
Brigadier General, Commanding.

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

NOTE.—The copy of the instructions to the commander of Fort Dalles, referred to in this communication, has not been received at the War Department.

BOUNDARY COMMISSION CAMP,
Dalles, Oregon, W. T., June 5, 1860.

SIR: I have the honor to address you respecting a subject on which I shall be placed under very great obligation to you if, in your official capacity, you feel enabled to extend your assistance to me.

One of the gentlemen attached to her Britannic Majesty's boundary commission under my charge has recently arrived from California with a train of mules purchased there; but he was unable to procure a sufficiency of aparejos for them, and I am, besides, making some further additions to my stock. I am also unable to obtain any such articles here. One of your exploratory expeditions, under Major Stein, has, I understand, just taken the field with pack-mules fitted with saddles in preference to aparejos; and on taking the liberty to make inquiries of Lieutenant Myers, the acting commissary at the Dalles, I learn from him that he has in store, belonging to the United States government, a number of aparejos, some of which he thinks might, with your permission, be spared to me. I understand that Lieutenant Myers has twelve aparejos fitted for immediate service, which have been in use, and several packages (six I think) which he believes to contain twelve unfitted aparejos each. It will be conferring a great favor on me if you can authorize the issue to me of the twelve fitted, and of one or two of the packages of unfitted aparejos, for which I would propose to make payment of their value or cost on behalf of the British boundary commission.

With high consideration, I have the honor to be, sir, your most obedient and faithful servant,

J. S. HAWKINS,
Lieutenant Colonel Royal Engineers,
H. B. M. Comm'r, N. W. Boundary.

Major General W. S. HARNEY,
Com'g N. W. District, &c., &c., &c.,
Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 7, 1860.

COLONEL: At the request of the general commanding, I have the honor to acknowledge the receipt of your communication of the 5th instant, and, in reply, to enclose for your information a copy of the instructions directing the issue of the equipments required by the commission under your order.

The general desires me to state the pleasure it affords him in being able to render you assistance.

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

A. PLEASONTON,
Captain 2d Dragoons, A. A. A. General.

Lieut. Col. J. S. HAWKINS, *Royal Engineers,*
H. B. M. Commissioner N. W. Boundary,
Boundary Commission Camp, Dalles, Oregon.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., May 16, 1860.

CAPTAIN: Lieutenant Colonel J. S. Hawkins, royal engineer and commissioner of the northwest boundary survey, on the part of her Britannic Majesty's government, desires to obtain the speedy and certain transmission of his mail matter to his station at Colville, and the express established by your department between Fort Walla-Walla and Colville has been placed by the general commanding at the disposition of Colonel Hawkins for this purpose. You are accordingly instructed to forward all communications for the British commission by this express.

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

A. PLEASONTON,
Captain 2d Dragoons, A. A. A. General.

Captain R. W. KIRKHAM,
Ass't Quartermaster, Fort Walla-Walla, W. T.

ADJUTANT GENERAL'S OFFICE,
Washington, August 1, 1860.

SIR: The communication of the brigadier general commanding the department of Oregon, dated June 7, 1860, respecting supplying the English commissioner of the northwest boundary "with such articles as they are not able to obtain, except at great expense of time and money," &c., from the military posts, has been indorsed by the Secretary of War, as follows:

"The action of General Harney is approved. It is not necessary

or expedient to give a general authority for the commission to draw upon the military posts for supplies."

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

E. D. TOWNSEND,
Assistant Adjutant General.

The COMMANDING OFFICER,
Department of Oregon, Fort Vancouver, W. T.

ADJUTANT GENERAL'S OFFICE,
Washington, June 16, 1860.

SIR: Your letter of the 25th of April last to the assistant adjutant general at the headquarters of the army, in reference to the location of the new post ordered to be established in the vicinity of Fort Boisé, has been forwarded to this office and laid before the Secretary of War, by whom I am instructed to say, in reply, that "the delay in the establishment of the new fort is approved."

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

E. D TOWNSEND,
Assistant Adjutant General.

Brigadier General W. S. HARNEY, U. S. A.,
Or Commanding Officer Department of Oregon,
Fort Vancouver, W. T.

[Letter of April 25, 1860, above referred to.]

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver W. T., April 25, 1860.

SIR: I have the honor to report that, in obedience to General Orders No. 6 of this year, from the headquarters of the army, I have directed special reconnaissances to be made, with a view to obtain the most suitable location for the new post ordered to be established in the vicinity of Fort Boisé.

The explorations and discoveries of the past season render this the more necessary since they indicate the establishment of a new route for emigrants some distance to the west of Snake river, to avoid the sandy and barren portions of that route.

To enable the general-in-chief to observe the positions of these proposed routes, a copy of the map of that section of country taken from Captain Wallen's explorations, is herewith enclosed. It is probable, from the distance of country to be passed over, that a suitable location for the post may not be ascertained in time to place the troops in position before the coming winter, in which event I shall cause all the preparations to be made, but defer the movement until early in the spring.

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

W. S. HARNEY,
Brigadier General, Commanding.

The ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 18, 1860.

COLONEL: In my communication of the 14th ultimo you were informed of the intention of the Hudson's Bay Company to vacate their position at this point.

This determination has since been carried out, as the enclosed copy of a communication from Captain R. Ingalls, assistant quartermaster, will show you; and I accordingly ordered a board of officers to inspect and report the value of the buildings and improvements thus abandoned. I have now the honor to enclose the proceedings of this board, with my orders approving the same, for the information of the Secretary of War. It will be seen, from the report of the board, how extravagant have been the claims this company have advanced heretofore for these improvements which in reality are of so little value from their ruinous condition.

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

WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General U. S. Army, Washington City.

OFFICE OF ASSISTANT QUARTERMASTER,
Fort Vancouver Depot, W. T., June 14, 1860.

CAPTAIN: James A. Grahame, chief trader of Hudson's Bay Company, and the company's agent here, has just turned over a large bundle of keys, which belong to Hudson's Bay Company's fort, and has notified me, or rather told me, that the "Otter" will leave in half an hour. The company has *abandoned* its possessions here, and voluntarily turned them over to the United States.

Persons, no doubt, are now trespassing on the premises. I would suggest that a guard be placed *around* or *in* the old fort to secure and protect what the company has left behind until the general can take such action in the case as he may deem called for by the event.

I am, very respectfully, your most obedient servant,

RUFUS INGALLS,
Captain, Assistant Quartermaster.

Captain ALFRED PLEASONTON,
Acting Assistant Adjutant General, Present.

Proceedings of a board of officers which convened at Fort Vancouver, Washington Territory, by virtue of the following order, viz:

SPECIAL ORDERS No. 68.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 15, 1860.

A board of officers will convene at Fort Vancouver, Washington Territory, to-day, at one o'clock, to examine and report the value of the buildings on the military reserve at Fort Vancouver vacated by the Hudson's Bay Company. The board will further report whether any of these buildings can be useful to the public service.

Detail for the board.

1. Brevet Lieutenant Colonel G. Nauman, major 3d artillery.
2. Surgeon J. K. Barnes, medical department.
3. Brevet Major John F. Reynolds, captain 3d artillery.

First Lieutenant Chauncey McKeever, 3d artillery, recorder.

By order of General Harney:

A. PLEASONTON,
Capt. 2d Dragoons, A. A. Adj't General.

FORT VANCOUVER, W. T.,
June 15, 1860, 1 *o'clock p. m.*

The board met pursuant to the obove order. Present: All the members and the recorder.

The board then proceeded to examine and appraise the buildings on the military reserve vacated by the Hudson's Bay Company.

The board determined respecting the probable value of these buildings, as follows:

No. 1.—Storehouse on the bank of the river, in rear of the government wharf, known as the salmon house. This building has been used by the department quartermaster at different times as a temporary storehouse, but is now useless for that purpose. Estimated value of material, $15.

No. 2.—Two-storied building, with adjoining shed and outhouse, used by the ordnance department as storehouse, &c.; out of repair, and useless except for the most temporary purposes. Estimated value of material, $50.

No. 3.—Principal dwelling-house inside of pickets, known as governor's house; sills, flooring, and wood-work generally, so much decayed as to be uninhabitable; entirely useless for any military purpose. Estimated value of material, $100.

No. 4.—Kitchen (governor's house) entirely out of repair; useless to the public service. Material of no value.

No. 5.—Butcher shops, &c., in a ruinous condition. Material of no value.

No. 6.—Bake-house, in a ruinous condition. Material of no value.

No. 7.—Long building, used as quarters for employés, so much out

of repair as to be uninhabitable, and useless for any military purpose. Estimated value of material, $25.

No. 8.—Small storehouse, long since abandoned by the company; in a ruinous condition. Material of no value.

No. 9.—Blacksmith shop, long since abandoned by the company; in a ruinous condition. Material of no value.

No. 10.—Fur-house, long since abandoned by the company; in a ruinous condition. Material of no value.

No. 11.—Porter's lodge, useless for any military purpose. Material of no value.

Nos. 12, 13, and 14.—Three large storehouses, useless for any purpose connected with the public service. Estimated value of material, $300.

No. 15.—Hudson's Bay Company's store, entirely unsuitable for any military purpose. Estimated value of material, $150.

No. 16.—Blockhouse, in a ruinous condition. Material of no value.

No. 17.—Granary, entirely unsuited to any purpose of the public service. Material of no value.

No. 18.—Carpenter and wheelwright shop, long since abandoned by the company; in a ruinous condition. Material of no value.

No. 19.—Company's office, in tolerable repair; might be made use of temporarily. Estimated value of material, $75.

No. 20.—Guard-house, long since abandoned by the company; in a ruinous condition. Material of no value.

No. 21.—Dwelling-house, formerly occupied by Mr. Grahame; in a ruinous condition. Material of no value.

No. 22.—Small magazine, useless to the public service. Material of no value.

No. 23.—Dwelling-house on the bank of the river, near the eastern edge of the reservation. Estimated value, $100.

No. 24.—Dwelling-house on the bank of the river, near the government wharf. Estimated value, $100

Finally, four hovels, outside of and near the southeast corner of the pickets, in a dilapidated condition, and useless to the public service. Material of no value.

The board is of the opinion that none of the buildings within the pickets are worth repairing for any military purpose, and that, in consequence of the age, decayed condition, and crowded position of the buildings, the sanitary police of the place demands that they be destroyed by fire, after removing such of the material as may be found to be of sufficient value.

The board having no further business before it, then adjourned *sine die*.

GEORGE NAUMAN,
Brevet Lieut. Col., Major 3d Artillery.
JOSEPH K. BARNES,
Surgeon United States Army.
JOHN F. REYNOLDS,
Captain, Brevet Major 3d Artillery.
CHAUNCEY McKEEVER,
First Lieutenant 3d Artillery, Recorder.

SPECIAL ORDERS No. 7.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 18, 1860.

I. The proceedings of the board of officers, convened by virtue of Special Orders No. 68, from these headquarters of this year, to report upon the buildings on the military reserve at Fort Vancouver vacated by the Hudson's Bay Company, are approved and confirmed.

II. Captain R. Ingalls, assistant quartermaster, will take charge of the buildings in question, with the exception of the one occupied by the ordnance department, and dispose of them agreeably to the recommendations of the board.

III. The board of officers, of which Brevet Lieutenant Colonel George Nauman, major 3d artillery, is president, is dissolved.

By order of General Harney.

A. PLEASONTON,
Capt. 2d Dragoons, A. A. Adj't General.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 18, 1860.

SIR: I have the honor to enclose, for the information of the War Department and the general-in-chief, copies of a report from Captain Pickett, 9th infantry, commanding Camp Pickett, San Juan island, and accompanying papers.

The course pursued by Captain Pickett to restore quiet and order to the people committed to his care meets my approval, a concert of action between the military and civil authorities on the island being necessary to effect that object.

I am, sir, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

The ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

CAMP PICKETT,
San Juan, W. T., June 1, 1860.

CAPTAIN: I have the honor to report that, immediately upon assuming command at this post, I forwarded to Captain Bazalgette a notice to that effect, accompanying it with an "extract" from my "letter of instructions," as directed by the general commanding the department. Captain Bazalgette, immediately upon its receipt, with his officers, paid me an official call, and acknowledged the receipt of the communication in person. He has since informed me that it was duly forwarded to Admiral Baynes; up to this time no reply has been made, nor indeed do I now look for one. Captain Bazalgette has

evinced every disposition to be on most amicable terms with us, and the two commands are on very pleasant relations with each other. The silence of the admiral is, I think, equivalent to acquiescence in the general's view of the subject. I wish I had it in my power to report that an equally good feeling existed amongst our own people inhabiting this island. Ever since the knowledge of the joint occupancy advised by General Scott, and agreed to by the British government, desperadoes of all countries have flocked hither. This has become a depot for murders, robbers, whiskey-sellers—in a word, for refugees from justice. They declare openly and boldly that there is no civil law here. For three weeks after taking command there was no civil magistrate; I used my every endeavor to get one appointed, and at last wrote a letter to the county commissioner, (copy enclosed,) urging such appointment. I must do them the justice to say that Mr. Gillette, who had received the commission, has been unable for some days to reach here, though using every exertion to do so. All the Indian tribes in this neighborhood—the Lummie, Scodgete, Swinamish, and even the Cow-a-gions and Victoria Indians—flock here in quantities to supply themselves with poisonous whiskey. The consequence is, that the town has become a perfect bedlam by day and night, and after many robberies being committed (by white men) it has at last wound up by some rascal murdering an Indian of the Hyders, (a large and powerful tribe from Queen Charlotte's island,) and robbing him. The matter was reported to me the next morning, and there being no civil magistrate on the island, I informed the parties reporting the circumstances that I would take in charge any one pointed out to me by a responsible man as the person who had committed the deed, and hold him in custody until he could be brought up before a civil court. This, however, no one could or would do. I immediately sent to Whatcom the letter above referred to, and sent a guard, which was posted regularly for several nights in the town to protect the inhabitants from the Indians and each other. In the meantime I gave the widow of the murdered man some provisions for herself and family, and told them an investigation would be made as soon as possible. There is one man now in the guard-house, arrested by the justice of the peace, on suspicion; and in order, if possible, to prevent some good citizen being assassinated in retaliation for the chief who was killed, and also, if possible, to bring the murderer to justice, we some days since sent off a constable on private express to Dungeness, where the reported murderer is reported to be, (he has not yet returned.) Many have been brought before the justice for selling liquor without a license, and to Indians; they all disputed his authority, some resisted, and he called upon me for assistance, which I rendered, telling him, however, that he must use all his civil authority before calling on the military. All of these men are still defiant, and say there is no law on this island, and are backed up by some individuals who should know better. Mr. Gillette read to them in open court that portion of the general's instructions to me about enforcing the *laws* of Washington Territory, and also the opinions of the judges of the Territory, (McFadden, Strong, and Fitzhugh,) all agreeing on this point, so that there is not the shadow of an excuse for their contumacy. It is

such as these who are preventing the island from being settled by good citizens and farmers; many want to come, but are afraid on account of the apparent state of anarchy and lawlessness which has been existing for some time past. I have done all in my power to bring about a better state of things, and hope, if the civil authority will only act (and I think they will) judiciously, I may be enabled, before very long, to make a more satisfactory report. I have been thus explicit, as I wish the general commanding to know the exact state of affairs, as many reports are in circulation of letters from the governor and General Cass, supporting these people in their course of conduct. Something should be done by the executive of this Territory to show these anti-Americans that at least their opinions and acts do not meet with any favor from the territorial officers.

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

G. E. PICKETT,
Captain 9th Infantry, Commanding.

Captain A. PLEASONTON, *2d Dragoons,*
Acting Assistant Adjutant General, Department of Oregon,
Fort Vancouver, Washington Territory.

P. S.—In making the above report, I do not wish the general to infer that there are *no* good citizens on this island; on the contrary, there are between thirty and forty actually engaged in agricultural pursuits, and who are good and peaceable citizens, who are desirous of seeing the law maintained, being deterred from taking a stand on account of their scattered and isolated position; but I feel confident that a different state of affairs will exist here in a short time.

G. E. PICKETT,
Captain 9th Infantry, Commanding.

CAMP PICKETT,
San Juan, W. T., May 21, 1860.

GENTLEMEN: Two weeks have now elapsed since Judge Fitzhugh left here with Mr. Gillette, one of your body. The immediate and constant necessity for the presence of a civil magistrate being well known to them as well as yourselves, a justice of the peace and a United States commissioner were to be appointed, and to enter on the functions on this island as soon as the trip to Whatcom and back to this place could be effected. Up to the present moment, nearly two weeks, I have not heard one syllable on this subject, so vital to the interests of the inhabitants of this precinct. A week since I wrote a pressing letter on this matter to Judge Fitzhugh, begging that, in case of the sickness of Mr. Gillette, a temporary appointment be made. I made a similar statement on Wednesday last to Mr. Roeder, then on the steamer for Whatcom, entreating him to have something done at once. Since then matters are going worse, if possible. Whiskey-sellers without number are here, and are still coming. Two-thirds

of the Indians on this end of the island are drunk day and night. I have daily applications for protection. The good inhabitants of the town are in actual bodily fear. Numerous robberies have been committed, many others attempted, and last night an Indian was shot down, murdered in the street of the town, and robbed. There the body still lies, with the relatives surrounding and mourning over it. If some immediate steps are not taken, these Indians (the Hydes) will certainly be avenged. But on whom will the vengeance fall? Not on the guilty, but on some good citizen. I shall send a guard to the town to-night for the protection of the inhabitants against both robbers and Indians. What need I say more? The people expect me to act. You know, gentlemen, my hands are tied. I am to assist the civil authority; where are they? Things cannot remain in this position. In order that there shall be no further delay, I now send over my whale-boat, with a *request* that you may despatch by it either a magistrate or a commission for some individual here. My commisseration for the good citizens residing here induces me to this course, and my duty will compel me to make a full report of all the circumstances if immediate action is not taken.

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

GEORGE E. PICKETT,
Captain 9th Infantry, Commanding.

Messrs. PAGE and ROEDER,
Com'rs County of Whatcom, Whatcom, W. T.

ORDERS No. 27.

HEADQUARTERS CAMP PICKETT,
San Juan Island, W. T., June 4, 1860.

I. In consequence of a seeming misapprehension on the part of the inhabitants of this island in regard to the respective powers of the civil and military authorities—

The commanding officer of the United States troops stationed at this camp deems it his duty to publish the following "extract" from the instructions of the general commanding the department, viz:

[Extract.]

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., April 10, 1860.

CAPTAIN: * * * * * * * * * *

Third. Under the organic act of the Congress of the United States, for the establishment of the territorial government of Washington, the first legislative assembly in 1854 passed an act including the island of San Juan as a part of Whatcom county; this act was duly submitted to Congress, and has not been disapproved; it is, therefore, the law of the land; you will be obliged consequently to acknowledge and respect the civil jurisdiction of Washington Territory in the discharge of your duties on San Juan. The general commanding will inform

the governor of Washington Territory that you are directed to communicate with the civil officers on the island in the investigation of all cases requiring his attention.

I remain, captain, very respectfully, your obedient servant,

A. PLEASONTON.

Capt. 2d. Dragoons, Acting Asst. Adj. Gen.

Captain GEORGE E. PICKETT,
Commanding Company D, 9th Infantry,
Fort Bellingham, Puget's Sound, W. T.

II. The judiciary of this Territory agree, and have so given their written opinion, to the effect that the laws of the United States and the Territory are binding on all American citizens on this island.

III. In obedience to the instructions of the general, and in acordance with the opinion of United States judges, the commanding officer will therefore assist, to the utmost of his power, the civil authorities on this island in carrying out the laws of the United States and Territory. He hopes that all Americans on this island will see the necessity of sustaining the law, and will not hereafter render it necessary for the civil magistrate to call on the military for aid.

By order of Captain Pickett.

JAMES W. FORSYTH,
2d Lieutenant 9th Infantry, Post Adjutant.

DEPARTMENT OF STATE,
Washington, June 20, 1860.

SIR: I have the honor to transmit for your information the enclosd copy of a despatch from Lord Lyons, accompanied by a copy of a letter addressed by A. G. Dallas to General Harney.

I am, very truly, your obedient servant,

LEWIS CASS.

Brevet Lieutenant General WINFIELD SCOTT,
Commanding United States Army, New York.

WASHINGTON, *June* 14, 1860.

SIR: It is not with any view of entering into a discussion upon the subject to which it relates that I do myself the honor to transmit to you the enclosed copy of a letter, addressed to General Harney by Mr. Dallas, a director of the Hudson's Bay Company, and the company's president of council in North America.

The object of Mr. Dallas, in writing the letter, has been to place upon record a true account of the visit made by him in July last to San Juan, which was alleged as one of the causes which induced General Harney to place a detachment of United States troops upon that island. Mr. Dallas has felt it to be due to himself and to the company which he represents to clear himself from the imputations upon his

conduct contained in some of the papers printed among the correspondence laid before the United States Senate, with the President's message of the 30th January last. Being particularly desirous that his proceedings should be represented in their true light to the President and to General Scott, he has requested me to take measures to bring his letter to General Harney to the notice of those illustrious persons.

It is in order to comply with this request, and (as I have already said) not with any view of entering into a discussion on the subject, that I have done myself the honor to communicate the letter to you.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. LEWIS CASS, *&c., &c., &c.*

FORT VANCOUVER, W. T., *May* 10, 1860.

SIR: I beg leave to address you upon the subject of the recent occupation of San Juan island by American troops, in which my name has been so freely and unwarrantably made use of, and to give the most unqualified contradiction to the part attributed by you and others to me as having given occasion to that act.

I can come to no other conclusion but that you were imposed upon in making and acting upon the statements contained in your letters of 7th, 8th, 25th, and 29th August to the adjutant general, to Governor Douglas on 6th August, to Captain Pickett on 18th July, and to General Scott on 19th July.

1. Though the son-in-law of Governor Douglas, I have no connexion with, or influence whatever in, the affairs of government, nor has he any interest, directly or indirectly, in the affairs of the Hudson's Bay Company. On the contrary, the respective interests under our care are rather conflicting and antagonistic.

2. It has been frequently stated that I am a member of the council of Victoria. This is not the case; I hold no office, honorary or otherwise, under the crown of the colonial government.

3. I am not a chief factor in the service of the Hudson's Bay Company, as has been stated, but a director of the company and president of council in North America.

4. I never visited the island of San Juan in any man-of-war. My arrival there on the afternoon of the day upon which Cutter committed the trespass was purely accidental. I landed from the company's steamer "Beaver," used solely for purposes of trade, accompanied, in addition, by Chief Trader Griffin, our agent upon the island; we took the opportunity, in passing Cutter's hut or tent, to call upon him. I remonstrated with him in regard to his offence, which he admitted, offering to pay the value of the animal killed, which was not accepted. No demand of $100, or any sum of money, was made upon him, nor did I threaten to apprehend him or take him to Victoria. On the contrary, I stated distinctly that I was a private individual

and could not interfere with him. I have, fortunately, three unimpeachable witnesses to prove this. Cutter was, perhaps, alarmed at seeing four of us approach him on horseback, and, conscious of being in the wrong, not unnaturally took it for granted we had come to seek reparation. After some further talk, in the course of which Cutter threatened to shoot any more of our animals that might interfere with him, we rode away, and the only other notice taken of the affair by me was in a conversation held with Governor Douglas, when I suggested to him to appeal to the authorities of Washington Territory, requesting them to restrain their citizens on San Juan island from committing further trespasses. He declined to adopt my suggestion, and the matter dropped.

5. Cutter did not use any threat to me, and I gave him no cause to do so. What has been dignified by the name of his "farm" consisted of a very small patch of potatoes, partially fenced on three sides, and entirely open on the fourth. The boar was shot in the adjoining forest. With a stock of 5,000 sheep and a number of horses, cattle, pigs, &c., it will be apparent to you that it would have been impossible for us to restrain any of these animals from committing depredations on such farms 's Cutter's. The loss and annoyance occasioned to us by squatters in the midst of our sheep-runs must be also equally apparent. Under circumstances of great provocation the utmost forbearance has been invariably exercised by the Hudson's Bay Company towards American squatters and others.

6. The Hudson's Bay Company has never threatened to stir up the northern Indians against American citizens on San Juan island or elsewhere. On the contrary, we have always cautioned them to treat American citizens as friends and brothers. The policy of the Hudson's Bay Company has been always a peaceful one.

7. I cannot, as you state, use a British ship-of-war without the authority of Governor Douglas or the British admiral; nor have I done so, or ever attempted anything of the kind. No British ship-of-war has to my knowledge taken the slightest supervision of the affairs of the Hudson's Bay Company.

8. In your letter of August 29, to the Adjutant General, you say: "A British man-of-war lands Mr. Dallas, the chief factor of the Hudson's Bay Company, who abuses one of our citizens in the harshest manner, and threatens to take him by force to Victoria for trial and imprisonment. Finding the citizen irresolute in the defence of his rights, the Americans were informed the British Indians would be sent down upon them to drive them from the island. I shall substantiate these facts by the affidavits of American citizens of such position and character as cannot leave a doubt of their truth, and showing the attempted denial of Governor Douglas in his communication of 13th instant is only a quibble." On reference to the affidavits of Paul K. Hubbs, jr., and Lyman A. Cutter, I find it certified that I landed from the Hudson's Bay Company's steamer Beaver. I also find in a memorial to yourself from the American citizens resident in San Juan, on 10th July, the memorialists state that "but for the timely aid of the Hudson's Bay Company the United States inspector would have fallen a victim to the savage designs of the Indians."

Such is the manner in which the accusations brought against me are substantiated.

9. I cannot conclude without taking notice of a letter from Paul K. Hubbs, of Port Townsend, under date September 2, addressed to the President of the United States, in which he states that Governor Douglas is the chief director of the Hudson's Bay Company. This is, as I have already stated, entirely untrue. Another portion of Mr. Hubbs's unintelligible letter, in so far as I can understand it, states that "the Hudson's Bay Company, with half a dozen armed steamers, did land and go to the man that shot the boar, and that five of them (the steamers, I presume,) could not take him, but threatened to send the 'Plumper,' a British frigate, for him." The "Plumper" is a small and well known surveying bark, and the whole statement is too absurd to require refutation. It is only the fact of the letter of a private individual, containing some statements as false as others are unintelligible, having been addressed to the President of the United States and circulated by him, which induces me to notice it at all.

As the representative of a large public company, I feel compelled to come forward thus emphatically to contradict the misstatements which have been so repeatedly and extensively circulated regarding the company and myself. I have endeavored to do so as courteously as emphatic denial would admit, and with the view, also, of removing from your mind any misapprehension which might still exist under a complication of circumstances in regard to which you have evidently been misinformed. I have, &c.,

A. G. DALLAS.

General HARNEY, *&c., &c., &c.*

Indorsement of the General-in-chief.

HEADQUARTERS OF THE ARMY,
New York, June 26, 1860.

The general-in-chief conceives that these papers should be filed with the correspondence respecting the difficulties at the island of San Juan.

Respectfully forwarded to the adjutant general.

L. THOMAS,
Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 21, 1860.

COLONEL: The instructions from your office of the 18th ultimo, releasing First Lieutenant Henry C. Hodges, adjutant of the 4th infantry, from arrest until the further order of the War Department have been received. In the same communication I am required to explain "wherein there was a breach of duty on the part of the lieutenant in transmitting the court-martial record; 2d. In what his letter was disrespectful; 3d. What aggravated circumstances (Army

Regulations, paragraph 213) made it necessary to put an officer in close confinement for so long a period; and 4th, the reasons for which you denied to him the right of writing to you in the ordinary mode on his official business.'' In answer to these interrogatories, I have the honor to state, 1st. Lieutenant Hodges neglected his duty, as judge advocate of a general court-martial, by enclosing the proceedings of the court to this office without a letter of transmittal, which was necessary to assure me, the reviewing officer of the court, the proceedings came from that body in the proper manner. I therefore directed the proceedings to be returned to him with instructions to furnish the letter required.—(See copy of indorsement of March 14, of this year, to Lieutenant Hodges, which is enclosed.)

2d. His letter of transmittal was disrespectful in omitting the rank and proper designation of my staff officer.—(See copy of his letters dated March 15, 1860, also enclosed.)

3d. Lieutenant Hodges was not placed in close confinement when first arrested.—(See my letter of March 15, 1860, to commanding officer, Fort Vancouver, enclosed.) The next day, the 16th, he applied to have his limits extended a mile, for the purpose of amusing himself in the neighboring town. This request was refused, and I was induced to do this because his commanding officer, Captain A. P. Smith, 1st dragoons, had informed Lieutenant Hodges of his misconduct, and that he could be released by writing a letter acknowledging his error. He told Captain Smith his conduct had been unintentional, but declined to acknowledge it officially, and, indeed, attempted to force a second letter, addressed as that of March 15, upon him for transmission, but was ordered by the captain to direct it properly; and it will be observed that his communications after that date have the proper designation.

4th. Lieutenant Hodges was not denied the right of writing to these headquarters until it became evident his only object in doing so was from a disposition to annoy. In connexion with the letters referred to within, I have the honor to enclose all the correspondence with Lieutenant Hodges on the subject of his difficulty, and I respectfully express the conviction that the discipline of the army cannot be maintained if officers in arrest are permitted to make *ex parte* statements to higher authority before the charges against them have been examined by the proper military tribunal. This correspondence is numbered from 1 to 8, inclusive.

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

WM. S. HARNEY,
Brigadier General, Commanding.

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

The indorsement to Lieutenant Hodges of March 14, 1860, and the letter of General Harney to the commanding officer of Fort Vancouver, dated March 15, 1860, above mentioned, have not been received at the War Department.

[Instructions from the Adjutant General's office, dated May 18, 1860, referred to in the foregoing communication.]

ADJUTANT GENERAL'S OFFICE,
Washington, May 18, 1860.

GENERAL: Your letter of the 4th ultimo, transmitting charges and specifications against First Lieutenant Henry C. Hodges, adjutant 4th infantry, is received; also an appeal by him to General Scott.

The secretary does not, from the papers submitted by you, see that the lieutenant has committed any offence, and therefore directs that he be discharged from arrest until the further order of the department. In the meanwhile, and to enable the Secretary to give a final order in the matter, he desires you to explain wherein there was a breach of duty on the part of the lieutenant in transmitting the court-martial record; 2d, in what his letter was disrespectful; 3d, what aggravated circumstances (Army Regulations, paragraph 213) made it necessary to put an officer in close confinement for so long a period; and, 4th, the reasons for which you denied to him the right of writing to you in the ordinary mode on his official business.

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

E. D. TOWNSEND,
Assistant Adjutant General.

Brigadier General W. S. HARNEY,
U. S. Army, Commanding Department of Oregon,
Fort Vancouver, Washington Territory.

FORT VANCOUVER,
Washington Territory, March 15, 1860.

SIR: Enclosed you will find the proceedings of a general court-martial.

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

HENRY C. HODGES,
First Lieut. and Adj't. 4th Infantry, Judge Advocate.

A. PLEASONTON,
Acting Ass't Adj't Gen., Fort Vancouver, W. T.

FORT VANCOUVER,
Washington Territory, March 16, 1860.

SIR: I have to request that the limits of my arrest may be extended by the general commanding to a mile in every direction from this garrison.

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

HENRY C. HODGES,
First Lieut. and Adj't 4th Infantry.

Captain A. PLEASONTON,
Second Dragoons, Act. Ass't Adj't Gen.,
Fort Vancouver, Washington Territory.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 16, 1860.

CAPTAIN: The application of First Lieutenant H. C. Hodges, adjutant 4th infantry, to have his limits of arrest extended, has been submitted to the general commanding, and I am directed to reply this request cannot be granted.

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

A. PLEASONTON,
Captain 2d Dragoons, Acting Ass't Adjutant General.

The COMMANDING OFFICER,
Fort Vancouver, Washington Territory.

FORT VANCOUVER, W. T.,
March 20, 1860.

SIR: I have to request that the general commanding may inform me for what I am arrested.

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

HENRY C. HODGES,
First Lieutenant and Adjutant 4th Infantry.

Captain A. PLEASONTON,
Second Dragoons, Acting Ass't Adj't General,
Fort Vancouver, Washington Territory.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 21, 1860.

CAPTAIN: The general commanding instructs you to inform First Lieutenant H. C. Hodges, adjutant 4th infantry, he was arrested for neglect of duty as judge advocate of a general court-martial, in not transmitting properly the proceedings of the court to the general commanding, which conduct he rendered more aggravated, when required to correct this neglect, by transmitting a disrespectful letter with the proceedings to these headquarters.

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

A. PLEASONTON,
Captain 2d Dragoons, Acting Ass't Adj't General.

The COMMANDING OFFICER,
Fort Vancouver, Washington Territory.

FORT VANCOUVER, W. T.,
March 21, 1860.

SIR: On the 19th instant I sent to the commander of this post a respectful communication to be forwarded to the headquarters of the depot of Oregon for the action of the commanding general, (a copy of this I enclose.) This was returned to me with the following indorsement: "respectfully returned, for the reason that your (my) application to the commanding general of the department for an extension of your (my) limits was refused in a letter of the 16th of March, of which you (I) have a copy."

From this I was led to believe that the commanding officer of this post had confounded this application with the first one, which applications are totally different in character; explaining this difference to him, and sending him a duplicate of my application, I requested him to send it to its destination, as I am required to do by the general regulations of the army of 1857, paragraph 441.

He returned a second time my application with this indorsement: " respectfully returned, as I consider the decision of the commanding general, in his letter of the 16th instant, as final in regard to the extension of your (my) limits "

Now, sir, as I consider that it is the duty of the commanding officer of this post to forward all communications of a respectful character, for the action of higher authority, from those under him who are compelled by the regulations of the army to send such communications through him; and knowing no reason why the commanding officer of this post should judge what the decision of the commanding general will be in a matter never brought to his notice, different entirely in character from a former matter; and as the refusal of said commanding officer to forward my application has a direct effect to keep me under restraints, from which I might be relieved could my request be made known; and as I am debarred from preferring such requests to any one in this department except the commanding general thereof, I do consider that this action of the commanding officer of this post, in refusing to forward my respectful application, does me grievous wrong; and I do hereby, agreeable to the 34th article of war, complain of said action, and respectfully request that the commanding general of this department will see that I am redressed.

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

HENRY C. HODGES,
First Lieutenant and Adjutant 4th Infantry.

Captain A. PLEASONTON,
Second Dragoons, Acting Asst. Adjt. General,
Fort Vancouver, Washington Territory.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 24, 1860.

CAPTAIN: The communication of Lieutenant Henry C. Hodges, adjutant 4th infantry, of the 21st instant has been submitted to the

general commanding, who directs me to say your action in the case complained of is approved.

Lieutenant Hodges will be instructed not to send any further communications to these headquarters in reference to the extension of his limits of arrest, nor upon any other subject, without first requesting permission to do so, and at the same time stating the nature of the case he desires to refer.

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

A. PLEASONTON,
Captain 2d Dragoons, Acting Asst. Adjt. General.

COMMANDING OFFICER,
Fort Vancovver, Washington Territory.

FORT VANCOUVER, W. T.,
March 25, 1860.

SIR: I desire to know if the commanding general of this department will forward to the lieutenant general commanding the army the papers mentioned below, viz:

1st. An appeal from the course of the commanding general of this department in arresting me.

2d. An appeal from the decision of the commanding general of this department, sustaining the commanding officer of this post in refusing to forward letters on "official business."

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

HENRY C. HODGES,
First Lieutenant and Adjutant 4th Infantry.

Captain A. PLEASONTON,
Second Dragoons, Acting Asst. Adjt. General,
Fort Vancouver, Washington Territory.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., March 27, 1860.

COLONEL: The general commanding instructs you to limit the arrest of First Lieutenant H. C. Hodges, adjutant 4th infantry, to his quarters, and no further communications from that officer will be forwarded to these headquarters while in arrest.

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

A. PLEASONTON,
Captain 2d dragoons, Acting Asst. Adjt. General.

COMMANDING OFFICER,
Fort Vancouver, W. T.

ADJUTANT GENERAL'S OFFICE,
Washington, August 16, 1860.

SIR: The communication of Brevet Brigadier General Harney, commanding the department of Oregon, under date of June 21, 1860, relative to the arrest and charge against First Lieutenant H. C. Hodges, 4th infantry, being explanatory thereto, has been submitted to the War Department, and returned to this office with the following indorsement:

"The omission of Lieutenant Hodges to send a letter of transmittal with the proceedings of the court was an irregularity which it was proper to notice; the letter which he did write when the matter was brought to his attention is liable to the criticism of betraying a curt and irritated mood, for which silence and the officer's own reflection were the best reproof; but neither of these errors demanded the extreme measures which were subsequently adopted towards him. The officer will be returned to duty.

"J. B. FLOYD,
"*Secretary of War.*

"WAR DEPARTMENT, *August* 15, 1860."

I am, sir, very respectfully, your obedient servant,
E. D. TOWNSEND,
Assistant Adjutant General.

Colonel GEORGE WRIGHT,
Comd'g Dep't of Oregon, Fort Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., June 26, 1860.

COLONEL: I have the honor to enclose, for the information of the War Department, a copy of the reply of Lieutenant Colonel J. S. Hawkins, royal engineers, her Britannic Majesty's commissioner of the northwest boundary, to my communication of the 7th instant, a copy of which was forwarded to your office with my letter of that date.

I am, colonel, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

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

H. B. M. BOUNDARY COMMISSION CAMP,
Dalles, Oregon, W. T., June 11, 1860.

SIR: I have the honor to acknowledge the receipt of a letter dated on the 7th instant, from your assistant adjutant general, informing me of your having, in the most obliging manner, authorized the issue

to me, at cost price, from the stores of the United States government, of certain articles of pack-equipment for the use of the British boundary commission. I beg to offer you my acknowledgments for the assistance you are thus prepared to afford me, of which I shall gladly avail myself, and I propose to communicate to you at a future time the extent to which I shall have done so.

I take this opportunity to express to you my further acknowledgments for your disposition to assist her Britannic Majesty's boundary commission in other matters, respecting which I am informed by Captain Pleasanton that you propose to refer to the War Department at Washington.

I have the honor to be, sir, with high respect, your most obedient servant,

J. S. HAWKINS,
Lieut. Col. Royal Egineers, H. B. M. Commissioner.

Major General W. S. HARNEY,
Commanding Dep't of Oregon, Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 5, 1860.

COLONEL: Being about to leave this coast, and not having received any answer from the Secretary of War to my communication of the 26th of December last, respecting the position which has been recommended for an arsenal site, I have the honor to inform you that I have disposed of my right and title to the place in question to other parties.

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

W. S. HARNEY,
Brigadier General, Commanding.

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

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 5, 1860.

SIR: I have the honor to enclose copies of communications from Captain Pickett, commanding on San Juan island; also copies of my instructions to Captain Pickett and Colonel Casey, relative to the northern Indians.

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

W. S. HARNEY,
Brigadier General, Commanding.

ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City,

CAMP PICKETT, SAN JUAN,
Washington Territory, June 19, 1860.

CAPTAIN: I have the honor to enclose a copy of Colonel Casey's instructions to Captain Fauntleroy, of the steamer Massachusetts. I am anxious to obtain from the general commanding his wishes as to how far I am to co-operate with Captain Fauntleroy.

In order to *keep* all northern Indians from these shores a much larger force will be necessary than what I now have, and even that is decreasing daily; by the 1st of August my company will not be more than forty strong. The British command is up to our standard of a full company, viz: eighty-four men. There are now in the vicinity of Victoria some four thousand northern Indians, and many more on their way from the north, as reported by the "Plumper" and "Labonichiere." They have always heretofore been allowed to land on this island; many coming to the salmon fisheries between this point and the British camp. Even last summer when Colonel Casey was in command here with over five hundred men no attempt was made to drive off these northern Indians from the island. It would be folly for me to attempt it unless reinforced. There is another point which I wish to present to the attention of the general commanding. The Hudson's Bay Company employ many of these Indians; at least half of the Americans do the same. If we remove one we must remove all, for I know, by my experience at Bellingham Bay, this to be the only method of keeping clear of them; the question then is, would it be politic at this present time to commence this wholesale movement. In case of an outbreak it might prove very disastrous to the farmers in the interior of the island; these scattered and unprotected settlements rendering them fair marks for these marauders, who are notorious for striking at isolated positions. I lay this view of the matter, together with Captain Fauntleroy's orders, before the general, as I should much like to know his wishes in the case, and, if possible, be ready to act efficiently, or not commence the war.

I have at present a northern Indian in the guard-house, confined by the civil magistrate for robbing an American citizen; he was an employé of the Hudson's Bay Company. The Hudson's Bay agent was desirous of paying a fine and taking him out of custody; of course this was refused. Captain Bazalgette and myself have not communicated with each other, as yet, on this subject, and I doubt very much whether a northern Indian can be considered a British subject.

I am sorry to say the whiskey sellers are still in full blast, and the majority of the people of the island take no notice of the governor's proclamation. Many of them, on the contrary, are constantly importing quantities of *northern women* from Victoria for their nefarious purposes. I also have the honor to enclose a copy of a letter to Colonel M. Simmons, superintendent of Indian affairs on Puget's Sound.

I am, captain, very respectfully, your obedient servant,
GEORGE F. PICKETT,
Captain 9th Infantry, Commanding.

Captain A. PLEASONTON,
2d Dragoons, Adjutant General,
Department of Oregon, Fort Vancouver, W. T.

HEADQUARTERS, *Fort Steilacoom, June* 11, 1860.

SIR: You will proceed immediately with the steamer "Massachusetts" to San Juan island, communicate with Captain George E. Pickett, 9th infantry, show him this letter of instructions, and from there you will make cruises among our islands and in the vicinity of Victoria, observing the movements of the northern Indians in that vicinity, and such party or parties of them as you may meet in our waters or on our shores you will warn off, and in the event of their refusing to leave, you are to make them prisoners and turn them over to this post. You will return to this post at the latter part of this month.

By order of Lieutenant Colonel Casey.

Very respectfully, your obedient servant,

ROBERT N. SCOTT,
2d Lieut. 4th Infantry, Post Adjutant.

Captain W. H. FAUNTLEROY,
Comd'g U. S. steamship Massachusetts, Steilacoom, W. T.

CAMP PICKETT,
San Juan, W. T., June 19, 1860.

SIR: I have the honor to state that I think the presence of a special Indian agent on this island of great importance. It has unfortunately become a depot for whiskey traders.

Not only do the northern Indians flock here for their supplies, but our own tribes make this their market. Liquor has been and is now being sold wholesale. It is useless for me to expatiate on this subject; the consequences are but too obvious.

Robbery, rapine, and even murder are among the crimes committed here.

By a determined combination of the civil, Indian, and military authorities we may be enabled to check this unpleasant and disgraceful state of affairs. Feeling confident of your co-operation and immediate action, I remain, sir, very respectfully, your obedient servant,

G. E. PICKETT,
Captain 9th Infantry, Commanding.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 3, 1860.

CAPTAIN: Your communication of the 19th ultimo has been received. The general commanding desires me to call your attention to the instructions of July 18 of last year, addressed to you from this office, on the subject of the northern Indians, and I am further directed to say the requirements therein specified will be enforced.

Much depends upon the discretion in the execution of this duty; and the general wishes you to be mild but firm with these Indians, until you are satisfied that they are determined to oppose your measures; then, you will report to Colonel Casey the state of affairs, who will be directed to support you with his whole force, if necessary.

To maintain your company to its maximum legal strength, Colonel Casey will be directed to detach the requisite number of men for that purpose, until recruits can arrive from the east.

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

A. PLEASONTON,

Capt. 2d Dragoons, Acting Assistant Adj. General.

Captain GEORGE E. PICKETT,

9th Infantry, Com'g Camp Pickett, San Juan Island, W. T.

[Instructions of July 18, 1859, referred to in the foregoing communication.]

HEADQUARTERS DEPARTMENT OF OREGON,

Fort Vancouver, W. T., July 18, 1859.

CAPTAIN: By Special Orders No. 72, a copy of which is enclosed, you are directed to establish your company at Bellevue or San Juan island, in some suitable position near the harbor at the southeastern extremity. The general commanding instructs me to say the object to be attained in placing you thus is two-fold, viz: First. To protect the inhabitants of the island from the incursions of the northern Indians of British Columbia and the Russian possessions. You will not permit any force of these Indians to visit San Juan island or the waters of Puget's Sound in that vicinity over which the United States have any jurisdiction. Should these Indians appear peaceable you will warn them in a quiet but firm manner to return to their country, and not visit in future the territory of the United States; and in the event of any opposition being offered to your demands, you will use the most decisive measures to enforce them; to which end the commander of the troops stationed on the steamer Massachusetts will be instructed to render every assistance and co-operation that will be necessary to enable your command to fulfil the tenor of these instructions.

* * * * *

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

A. PLEASONTON,

Capt. 2d Dragoons, Acting Assistant Adj. General.

Captain GEORGE PICKETT,

Commanding company "D," 9th Infantry,

Fort Bellingham, Puget's Sound.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T, July 3, 1860.

COLONEL: The general commanding instructs you to furnish a detachment of men from your command to Captain Pickett on San Juan island, of sufficient number to maintain his company up to the legal standard, eighty-four.

You are further instructed, in case of diffiulty between Captain Pickett and the northern Indians, to assist the captain, and, if necessary, take your whole force and drive the Indians from San Juan island and the waters of the United States in that vicinity.

Enclosed are the instructions of Captain Pickett on the subject.

I am, colonel, very respectfully, your obedient servant,
A. PLEASONTON,
Capt. 2d Dragoons, Acting Assistant Adj. General.

Lieutenant Colonel S. CASEY,
9th Infantry, Commanding Fort Steilacoom,
Puget's Sound, Washington Territory.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 5, 1860,

COLONEL: I have the honor to enclose a communication from Lieutenant Colonel J. S. Hawkins, of the royal engineers, her Britannic Majesty's commissioner of the northwest boundary survey, requesting my assistance in the recovery of two deserters from the troops of his command; also a copy of my reply and the instructions given to the commanders of the two posts at Walla-Walla and Colville.

I am, colonel, very respectfully, your obedient servant,
W. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General U. S. Army, Washington City.

BOUNDARY COMMISSION CAMP,
Walla-Walla, W. T., June 27, 1860.

SIR: I beg permission to inform you that while encamped on the Dalles, on the 9th of June, two sappers of the detachment of royal engineers attached to the British boundary commission deserted. Search was made for them without success, but I have since received information that they proceeded down the river by the steamer on the 11th June, and the United States marshal, at Portland, was informed of their arrival at that place by a gentleman who had recognized them and knew them to be deserters.

Under such circumstances, I think it right to address you, hoping that in so peculiar a case you may think it consistent with your duty to assist me in recovering these men, in the same manner that

would be adopted with deserters from the United States service; it is obvious that when deserters are out of my reach I have no power to move the civil authorities in the matter. I am quite aware that desertion is not one of the crimes included in the extradition treaty between the two countries, and I consequently never took any steps to reclaim men deserting from Vancouver's island, though the detachment under my command was then, as now, employed upon our international duty, but thrown as we now are into the heart of the United States territory, in the position, I may say, of allied troops, and being probably in some measure entitled to diplomatic privileges, I have the honor to request your favorable consideration of the case I submit to your judgment in the hope that you may think yourself authorized to aid me.

I beg to enclose descriptions of the men in question.

With high consideration, I have the honor to be, sir, your most obedient, humble servant,

J. S. HAWKINS,
Lieut. Col. Royal Eng'rs, H. B. M. Com'r, N. W. B.

Major General W. S. HARNEY,
Commanding, Department of Oregon.

Description of sappers James Power and Michael Cottrell, deserted from the detachment of royal engineers employed on the British North American Boundary Commission at the Dalles, June 9, 1860.

Name.	Where born.	Age.	Trade or calling	Height.	Complexion.	Eyes.	Hair.	Length of service.
				Ft. in.				*Yrs. mos.*
James Power...	Parish of St. James, near the town of Duncannon, county of Wexford, Ireland.	36	Mason and surveyor.	5 8¾	Fresh ...	Blue.	Fair and short.	14 8
Michael Cottrell.	Parish of Middletown, near the town of Middletown, county of Cork, Ireland.	26	Clerk and surveyor.	5 7½	Fair.....	Gray.	Fair.	6 7

J. S. HAWKINS,
Lieut. Col. Royal Eng'rs, Commanding.

CAMP NEAR FORT WALLA-WALLA, *W. T., U. S., June* 27, 1860.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 3, 1860.

COLONEL: Your letter of the 27th ultimo to General Harney, commanding, requesting his assistance in recovering two deserters from the detachment of royal engineers attached to the British boundary commission, has been received.

I am requested by the general to communicate to you his desire to aid you in this matter to the extent of his ability, which he regrets to confess is limited. The laws of the United States authorize the payment of thirty dollars to any citizen who apprehends and delivers to the proper military authorities a deserter from the service, but it not unfrequently happens, the sympathies of the citizens are in favor of the deserter, from misconception of his delinquencies; in such cases they assist the deserter to avoid the military in pursuit, and he is seldom taken. We have no laws compelling citizens to surrender a deserter, and as a consequence, a large number of men are lost to the army annually from desertion.

The general will give orders to the commanders at Colville and Walla-Walla to secure, under charge of their guards, such of your men as may be reported to them as deserters, to be held subject to your disposition. Any expense incurred in this way can be settled for by you with the officer concerned.

It would be well for you to furnish the officers commanding at Colville and Walla-Walla descriptive lists of your detachment. Should the two men you mention come within the limits of our military jurisdiction, they will be detained until you can assume charge over them.

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

A. PLEASONTON,
Captain 2d Dragoons, Acting Asst. Adjt. General.

Lieutenant Colonel J. S. HAWKINS,
Royal Engineers, her Britannic Majesty's Commissioner,
Northwest Boundary Survey, Colville, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., July 3, 1860.

SIR: Lieutenant Colonel J. S. Hawkins, royal engineers, her Britannic Majesty's commissioner of the northwest boundary survey, having applied to these headquarters for assistance in recovering deserters from his command, the general commanding instructs you to detain, under charge of your guard, any persons passing your post who you may be satisfied are deserters from the royal engineers under Colonel Hawkins.

You will be furnished by Colonel Hawkins with descriptive lists of his men, and any expense you incur in detaining his deserters will be defrayed by him.

Send reports to these headquarters and to Colonel Hawkins, at Colville, whenever a deserter is apprehended.

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

A. PLEASONTON,
Captain 2d Dragoons, Acting Asst. Adjt. General.

COMMANDING OFFICER,
Harney Depot, Colville, W. T.

Duplicate forwarded to commanding officer, Fort Walla-Walla.

ADJUTANT GENERAL'S OFFICE,
Washington, August 9, 1860.

SIR: The communication of Brigadier General Harney, under date of May 5 last, reporting the withdrawal of troops from Forts Bellingham and Townsend, has been laid before the Secretary of War, and returned to this office, with the following indorsement:

"Fort Townsend having been but recently reoccupied by order of the general-in-chief, General Harney will report on what ground it has again been abandoned."

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

E. D. TOWNSEND,
Assistant Adjutant General.

The COMMANDING OFFICER,
Department of Oregon, Fort Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., September 13, 1860.

COLONEL: I have the honor to acknowledge the receipt of your communication of the 9th of August, 1860, requiring General Harney to report on what grounds Fort Townsend has again been abandoned.

The reasons assigned by General Harney in his communication to the headquarters of the army, under date of April 11, 1860, a copy of which was forwarded to your office, embraced all the information in my possession on the subject.

Very respectfully, your obedient servant,

G. WRIGHT,
Colonel 9th Infantry, Commanding.

Colonel S. COOPER,
Adjutant General United States Army, Washington, D. C.

Extract from General Harney's communication of April 11, 1860, *above referred to.*

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, Washington Territory, April 11, 1860.

SIR: * * * * * * * *

In consequence of the expense attending the maintenance of the position at Fort Townsend, and its want of usefulness in a military point, I have directed the company there to be withdrawn to Fort Steilacoom.

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

W. S. HARNEY,
Brigadier General, Commanding.

The ASSISTANT ADJUTANT GENERAL,
Headquarters of the Army, New York City.

WASHINGTON, *August* 27, 1860.

GOVERNOR: On Saturday last, the 25th instant, I was informed for the first time of a printed correspondence of the affairs in the department of Oregon as late as the 20th of June of this year. I was ignorant of the existence of any such correspondence until that date, and was therefore unable to understand my summons to this city.

I shall prepare a report of the facts animadverted upon in that correspondence as soon as practicable, and I have the honor to request I may be permitted to obtain from the War Office copies of such papers as will be necessary for this object.

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

WILLIAM S. HARNEY,
Brigadier General, United States Army.

Hon. JOHN B. FLOYD,
Secretary of War, Washington City, D. C.

ADJUTANT GENERAL'S OFFICE,
Washington, September 1, 1860.

SIR: I am directed by the Secretary of War to inform you, in reply to your communication of the 27th ultimo, that you will be furnished with copies of such papers on file in the department as you may desire.

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

W. A. NICHOLS,
Assistant Adjutant General.

Brig. General W. S. HARNEY,
U. S. Army, Washington, D. C.

WASHINGTON, D. C., *August* 30, 1860.

SIR: My attention was called for the first time on Saturday, the 25th instant, to executive document No. 98 of the House of Representatives of the present Congress, styled "Correspondence with General Harney." Certain remarks of the general-in-chief, bearing date the 14th of May, 1860, upon my correspondence with the department, are so injurious to me, and so unjust to my administration of the department of Oregon, and my good faith and reputation as an officer, that I requested and have received permission to submit an answer.

As the remarks of the general-in-chief relate to my administration of the department of Oregon, in connexion with the San Juan question and the arrangements of General Scott with the British authorities, I shall begin with a narration of the principal events that transpired during that period, and my intercourse with him. The department of the Pacific, by General Order No. 10, dated the 13th of September, 1858, was divided into two parts. The southern part, called the department of California, was assigned to the command of General Clarke. The northern part, called the department of Oregon,

embraced the Territories of Washington and Oregon, excepting Rogue river and Umpqua districts. The same order assigned the department of Oregon to the command of General Harney, and directed him to proceed with all possible despatch to his post, where an Indian war was then raging. My arrival at Fort Vancouver, the headquarters of the command, on the 24th of October, 1858, and the state of affairs in the department, were from time to time duly reported.

I entered upon my duties without any special instructions, and with no expectation of being called to act upon any international question. The instructions given by Mr. Marcy to Governor Stevens to regulate the action of the civil authorities of Washington Territory were not communicated to me by my government until after my occupation of San Juan island.

The island of San Juan, in Puget's Sound, is within the territorial limits of the department of Oregon, as claimed by the United States. Citizens of the United States were settled upon the island; the civil jurisdiction of Washington Territory had been for years extended over it, and a revenue officer of the United States was established there. My visit to the island of San Juan on the 9th of July, 1859; the aggressive acts of persons acting under color of British authority against citizens of the United States; their exposure to Indian outrages, and the call by American citizens upon me, as the military commander of that department, for protection against Indian incursions and British outrages; and all the circumstances that induced and followed the establishment of Captain Pickett and his company upon the island of San Juan by my orders were communicated to the War Department, in my report of the 19th of July, 1859, and the accompanying documents.

The published correspondence between the War Department and myself, contained in executive documents of the 36th Congress, 1st session, No. 10 Senate, No. 65 House of Representatives, and No. 98 House of Representatives, renders it superfluous for me to enter into any detail of my reasons for placing forces upon the island, more especially as the President, referring to my reports in his last annual message, thus clearly states my object: "From this it is quite clear his object was to prevent the British authorities on Vancouver's island from exercising jurisdiction over American residents on the island of San Juan, as well as to protect them against incursions of Indians." The views of the United States government were expressed, as follows, on the 3d of September, 1859, in the answer of the War Department to my report: "If you had good reasnes to believe that the colonial authorities of Great Britain were about to disturb the *status* by taking possession of the island and assuming jurisdiction over it, you were in the right to anticipate their action." No disapprobation of my proceedings was then, nor at any time since, expressed to me by the department. The necessity of a military force on the island to protect citizens of the United States was recognized by the President in the instructions to General Scott, declaring it to be the understanding "*that Captain Pickett's company shall remain upon the island.*" General Scott, by special orders, retained a company in command of Captain Hunt upon the island, and a military force has been maintained there by the government until

this day. No proceeding by a military commander has ever received a fuller and more complete sanction from his government than the establishment of a military force upon the island of San Juan by my orders.

Having no authority to consent to a joint military occupation, the proposition of the British government to that effect was communicated to the department by me, and instructions were applied for. By orders of the 16th of September, 1859, General Scott was directed to proceed to Washington Territory to assume the immediate command, if necessary, on the Pacific coast. Intelligence of that appointment was received by me with pleasure, and a sincere determination to co-operate cordially in whatever measures the general-in-chief, under his instructions, might deem proper to adopt for the preservation of peace and the settlement of the questions pending between the two governments.

General Scott arrived, in the steamer "Northerner," half a mile below Fort Vancouver, in the Columbia river, on the night of the 30th of October, 1859, and sent his aide-de-camp, Lieutenant Colonel Lay, at two o'clock in the morning, to report to me the fact.

I informed Colonel Lay that I was ready to report in person to General Scott, and would do so at once; but he stated that the general was asleep, and did not wish to be disturbed; that he would see me at eight o'clock, when he wished to see my orders and correspondence concerning San Juan.

I desired Colonel Lay to offer the free use of my quarters to General Scott, and to express the hope that he would spend some time at Fort Vancouver, as there were many subjects of importance to the public interests requiring his attention; he replied, that the general was anxious to proceed to Puget's Sound, and did not propose to land at Vancouver.

At eight o'clock on the morning of the 21st, accompanied by my staff, I reported to General Scott, on the steamer "Northerner."

After the usual salutations on such occasions, I was asked into General Scott's state-room to enable him to examine my correspondence. One of my staff officers read to him such letters as he desired. When several letters had been read to the general, the captain of the steamer came to the state-room and asked him how long he would be detained? I replied that, rather than detain him, I would go over to Portland in the steamer; whereupon General Scott remarked, "Then it is unnecessary to continue reading at this time." The business thus postponed was not renewed.

The "Northerner" left Vancouver about nine o'clock in the morning. I accompanied General Scott to Portland. We reached there before twelve o'clock the same day, and I remained until three o'clock in the afternoon. General Scott being engaged with the ceremonies of his reception, I was favored by him with no conference upon the public business with which we were respectively charged until just before my departure, when, upon my request for a private interview, I was invited into his state-room. I then mentioned to him my opinion as to the importance of not disturbing the *status* of affairs on the island of San Juan until further advices from the government could be received. He became excited, and said, "We both have our superiors, and must

obey orders." I answered, that I always endeavored to do so; and, bidding him good morning, I returned to my headquarters at Fort Vancouver. We had no other interview; he never visited my quarters, nor invited me to meet him elsewhere, and I have not seen him since we parted at Portland. My reason for the suggestion that has been mentioned was this: I knew that before General Scott set out for Oregon the government at Washington could have received no intelligence from San Juan later than my report of the 19th of July. Later events had transpired between that time and General Scott's arrival at Vancouver, which had been duly reported by me to the department, together with proof in respect to the exposed condition of the American citizens on San Juan island, and the aggressive acts of British authorities. Uninformed as to the extent of powers committed to General Scott, it seemed to me expedient to await the judgment of the President upon those facts before any change of *status* should be made; hence the suggestion which was repulsed in the manner that has been stated. General Scott did not in any way communicate to me the instructions he had received or the nature of the arrangements he contemplated making with the British authorities. He remained two weeks in Puget's Sound.

When about returning to the east, a communication was addressed to me from General Scott's headquarters, enclosing certain papers for my "*information and guidance.*" These papers were mailed to my address, and were all the orders, instructions, and communications received by me, as the commander of the department of Oregon, from the general-in-chief, in relation to San Juan island. He furnished me with no copy of his propositions to Governor Douglas for a joint military occupation of the island, nor was it intimated in any of the papers received from him, or in any manner, that such an offer had been made, or that such occupation had been established or agreed upon. I was not only left in ignorance of the arrangements specified in his "*projèt for a temporary settlement,*" and in his other propositions to Governor Douglas, but the papers communicated to me could only operate to misguide me on that point; for let it be observed that the letter to me of November 9, 1859, from General Scott, after enumerating the papers transmitted, adds this statement: "THESE PAPERS WILL SHOW YOU TO WHAT EXTENT THE GENERAL HAS INTERFERED IN THE AFFAIRS OF THE DEPARTMENT OF OREGON."

The papers referred to are subjoined in appendix A, and were thus enumerated:

"1. Copies of the general-in-chief's communications to his excellency Governor Douglas, dated the 5th and 9th instant.

"2. A copy of special orders, dated the 5th instant.

"3. A copy of my (General Scott's) letter to Captain Hunt, dated the 9th instant."

Now, after the most careful and critical reading of these papers, no mention, or even allusion, can be found in them to any joint military occupation of the island of San Jnan, or any occupation of it by British force—no word or expression from which General Harney or any one else could infer that any proposition or consent to a joint

military occupation had been made, considered, rejected, or agreed upon. But in the official correspondence of General Scott, published in answer to the resolution of the Senate, (Ex. Doc. No. 11,) the following papers (*no one of which was communicated to me*) do appear:

1. A letter from General Scott to Governor Douglas, dated at Port Townsend, October 25, proposing as a basis for temporary adjustment a joint military occupation of the island of San Juan.

2. A communication by General Scott to the War Department, dated at Port Townsend, October 24, announcing the proposition that he had submitted to Governor Douglas, and that he would also send a telegram from Fort Leavenworth.

3. A telegram from Fort Leavenworth, announcing that the proposition had been made, and predicting that it would be accepted.

4. A "hasty memorandum," dated the 26th October, by Colonel Lay, of his interview with Governor Douglas respecting General Scott's propositions.

5. A letter from Governor Douglas to General Scott, dated the 29th of October, declining to accede to General Scott's propositions, and making counter propositions.

6. A letter from General Scott to Governor Douglas, dated the 2d of November, expressing regret that his proposition "had not received acceptance," objecting to the propositions of Governor Douglas, and submitting a "projèt of a temporary settlement," &c., which he had "somewhat elaborated."

7. The "projèt of a temporary settlement," &c.

8. A letter from Governor Douglas, regretting that General Scott had not accepted *his* suggestions as a "temporary expedient," and proposing that if General Scott would divest the large military force of the United States on San Juan of its menacing attitude, by "*removing it from the island,*" the British naval force would be withdrawn; and then, as soon as he would receive instructions from his government, he would co-operate with General Scott in arranging a plan for the temporary maintenance of order and protection on the island; promising in the meantime not to disturb the STATUS by taking possession of the island, or assuming jurisdiction there, to the prejudice of the position in which the question of title was placed by Secretary Marcy and the British minister in 1855.

Not one of the foregoing papers, I repeat, were communicated to the commanding general of the department, or any intimation given him of the facts they exhibit. On the contrary, he was assured that "General Scott's letters to Governor Douglas, of the 5th and 9th of November, the special order of the 5th, and the letter to Captain Hunt, of the 9th," would show "to what extent the general has interfered with the affairs of the department of Oregon."

It needs but a glance at the papers *not communicated* to the commanding general to see that he could not fail to be misled by those which were communicated. General Scott deemed his proposition for joint military occupation so important as to be immediately reported to the department, and announced by telegram even before an answer had been received. *Why, then, it may be asked, was not this most important of all the features in the San Juan question commu-*

nicated to the commanding general of the department, especially if it were considered as remaining open and to be acted upon by him after General Scott's departure? Without any further information in respect to General Scott's arrangements than is contained in the papers transmitted on the 9th of November, I continued in command of the Oregon department. But on his way home, the steamer being detained at St. Helen's, General Scott transmitted to me, from that place, the following proposition for me to relinquish the command of the Oregon department and take command of the department of the west:

"HEADQUARTERS OF THE ARMY,
"*St. Helen's, Oregon, November* 15, 1859.

"SIR: Intending at the first moment to urge that the two departments on the Pacific should be thrown back into one, and being aware of your preference for that having St. Louis as its headquarters, I have already suggested to you a change. Another motive has just occurred to me for renewing the subject.

"I have no doubt that one of the preliminary demands which will be made by the British government upon ours, in connexion with your occupation of the island of San Juan, will be your removal from your present command. In such an event, it might be a great relief to the President to find you, by your own act, no longer in that command. I make the suggestion from public considerations solely, and have not received the slightest hint to that effect from Washington. To take effect in conformity with your own wishes, I enclose herewith a conditional order to repair to St. Louis, Missouri, and assume the command of the department of the west. If you decline the order, and I give you leave to decline it, please throw it into the fire; or, otherwise, before setting out for the east, call your next in rank to you and charge him with the command of the department of Oregon.

"We have been forced into this river by a defect in a boiler, and to take in a new supply of coal. I may not have time to hear, in reply, from you on this side of the continent, unless we arrive at San Francisco too late for the Panama steamer of the 20th instant, which we begin to fear.

"I am, sir, very respectfully, your obedient servant,
"WINFIELD SCOTT.

"Brigadier General W. S. HARNEY,
"*Commanding Department of Oregon,*
"*Fort Vancouver, W. T.*"

This proposition was peremptorily rejected in the following terms:

"HEADQUARTERS DEPARTMENT OF OREGON,
"*Fort Vancouver, W. T., November* 17, 1859.

"SIR: I have the honor to acknowledge the receipt of a communication from the headquarters of the army, dated St. Helen's, Oregon, November 15, 1859, and signed by the general-in-chief, enclosing a conditional order for me to repair to St. Louis, Missouri, and assume the command of the department of the west.

"The general-in-chief is pleased to express himself in the following language in this communication, viz:

"'I have no doubt that one of the preliminary demands which will be made by the British government upon ours, in connexion with your occupation of the island of San Juan, will be your removal from your present command. In such an event, it might be a great relief to the President to find you, by your own act, no longer in that command.'

"The general-in-chief states this is his own opinion in the matter, as he has not received the slightest hint to that effect from Washington, and concludes by giving me the liberty of declining this order.

"In reply to this communication of the general-in-chief, I desire to inform him I am not disposed to comply with such an order. I do not believe the President of the United States will be embarrassed by any action of the British government in reference to San Juan island, nor can I suppose the President would be pleased to see me relinquish this command in any manner that does not plainly indicate his intentions towards the public service.

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

"WM. S. HARNEY,

"*Brigadier General, Commanding.*

"The ASSISTANT ADJUTANT GENERAL,

"*Headquarters of the Army, New York City.*"

My refusal of this overture was not from any desire to retain the command of the Oregon department. It was assigned me without my solicitation, and it was true, as General Scott says, that personally I preferred the command he offered me. But I could not act on the reasons he suggested.

They are thus stated by General Scott, and are worthy of observation:

1st. "I have no doubt that one of the preliminary demands which will be made by the British government upon ours, in connexion with your occupation of the island of San Juan, will be your removal from your present command."

2d. "In such an event, it might be a great relief to the President to find you, by your own act, no longer in that command."

Without questioning General Scott's motives, the reasons he suggested for a general of the United States army to leave a post of danger and responsibility like that of Oregon, in which he had been placed by the President of the United States, were not such as have governed my action through life. Accustomed to dischage my duty with firmness and fidelity to my country, and face the consequences, I could not regard any demand of the British government as a reason for leaving my post, nor did I believe that the President required from me the relief suggested. My respect for the President forbade my entertaining the idea that he needed relief from any demand of the British government, and, least of all, that a general of the United States should retreat from his command either to escape responsibility to his own government or evade a demand by a foreign government for his removal. This overture, and my rejection of it, was the last

communication between General Scott and the commanding general of the department during his visit to the Pacific coast.

The only military arrangements by General Scott disclosed to me, as has been seen, were those specified in the special order of November 5, 1859, the letter to General Harney of November 9, and the documents thereto annexed.

By these Captain Hunt was left in command on the island with his company, and the other forces were withdrawn. In this state affairs remained without change for some months after General Scott's departure. But early in the spring difficulties sprang up between Captain Hunt and citizens of the island. He instituted civil prosecutions under the laws of Washington Territory against some persons on the island, and, in the face of verdicts of acquittal in favor of the accused, force was threatened, and in one instance resorted to for the removal of a person obnoxious to him. Complaints of the injustice and irregularity of Captain Hunt's proceedings were made to me. Whichever party might be in fault, the evils arising from such a state of affairs upon the island were obvious, and demanded prompt remedy. By Special Orders No. 41, issued on the 10th of April, 1860, Captain Pickett with his company were accordingly replaced upon the island of San Juan, and Captain Hunt with his company were ordered to Fort Steilacoom.

From that time until General Harney was relieved from command of the department no complaint was made by the American citizens or British authorities, and nothing occurred to disturb the peace and tranquillity of the island.

Shortly before the change just mentioned notice was given to General Harney that a detachment of royal marines had been landed upon the island by Admiral Baynes, "for the purpose of establishing a joint occupation, agreeably to the propositions of General Scott." No orders or instructions had been left by General Scott with the commanding general in respect to a joint military occupation, nor had he communicated the President's instructions nor his own propositions on that subject. Some months after his departure, General Scott's propositions to Governor Douglas, of the 5th of November, and his "projet for a temporary settlement, &c ," appeared in the public prints, and thus unofficially, and for the first time, came to the knowledge of General Harney. But it also appeared that Governor Douglas did not accede to those propositions, and had offered others not acceded to by General Scott. So far, then, as concerned any definite arrangement, General Scott not only left affairs in respect to the military occupation of San Juan in a state quite as unsettled and cnoflicting as he qad found them, but also left the commanding general without information of important transactions respecting this subject between himself and the British governor. The pledge of Governor Douglas not to attempt to dislodge the United States troops by force *without instructions from his government*, and the withdrawal of all the United States forces from the island except Captain Hunt's company, constituted the only change of affairs that had resulted from General Scott's visit to the department of Oregon. That no effort would be made to dislodge the United States troops by force without instructions from the British

government had become evident, without any pledge, long before General Scott's arrival. But whether, and how soon, such instructions would be given, and how soon an effort might be made to execute them, were events left in as much uncertainty by General Scott as they were when he arrived. The only thing sure was, that by the withdrawal of the American forces no resistance could be made. General Harney, moreover, had no knowledge or information in respect to any arrangement for joint occupation *after* Governor Douglas's refusal to accede to General Scott's proposition. That there was no such arrangement after that refusal was to be inferred from the fact that General Scott had left the department without even informing General Harney that he had submitted a proposition.

How, then, was General Harney to act, when, in the month of March, 1860, British marines were landed upon the island? Was he to consider a proposition rejected by the British governor five months before as still open, and by his sanction commit his own government, or compromise relations which, in the meantime, for all he knew, might be materially changed? If the proposition of General Scott was to be considered as remaining open, would he not have, at least, informed General Harney that it had been made, and given some information or instruction in regard to his action in case it should be accepted or acted upon by the British authorities after his departure? Without official information or instruction upon the exigency presented by the landing of British troops upon the island of San Juan, without authority to assent to such occupation, and deprived of means for resistance, General Harney was placed in a position of no ordinary embarrassment. He met the exigency by instructions to Captain Pickett, which, while opposing no resistance to a joint military occupation, were designed to avoid committing the government of the United States by any act of his, and yet preserve friendly relations between the military forces of the two nations, and maintain peace and tranquillity until a final settlement of the boundary question. To that end, and for that object, the instructions to Captain Pickett were given.

Another serious embarrassment had arisen, after General Scott's departure, from the proceedings of Captain Hunt, already mentioned. That officer, as appears from his own report, failing to secure convictions in suits instituted by him before the civil authority of Washington Territory, claimed the right of removing obnoxious persons from the island by military force. He had also employed a file of United States soldiers in searching the premises of a British subject for stolen property. The necessity of removing evil-disposed persons, who might transgress discipline or provoke dangerous disorders upon the island, was recognized by General Scott, and provision for that purpose, pending the joint military occupation, was wisely incorporated into his projet, but that provision failed by Governor Douglas's rejection of the projet. And now, when, by the landing of British marines, a joint occupation was in fact established without any arrangement upon this point, it was plain to be seen that any such exercise of military power as Captain Hunt had employed might bring on collision. Military force had been placed on the island by General Harney with the sole view of protecting American citizens from aggres-

sive force by British and Indians. He had no thought of subverting the civil authority of Washington Territory, already existing there, or of substituting military force beyond the absolute necessity of protection. Specific instructions were, therefore, given Captain Pickett "to acknowledge and respect the civil jurisdiction of Washington Territory in the discharge of his duties on San Juan." Whether that authority would be respected or ignored by the British commander was left to his own discretion and responsibility; but, so far as concerned officers of the United States army, such respect and acknowledgment of the jurisdiction of Washington Territory appeared plainly necessary to avoid complaint and conflict with civil authority of the United States in an exposed condition and critical circumstances. From the time Captain Pickett was replaced on the island under those instructions until General Harney was relieved the instructions were observed, and peace and harmony maintained. The change thus made, the reasons that induced it, and the instructions given to Captain Pickett, were promptly reported to the department. On the documents relating to these proceedings the general-in-chief has been pleased to make the following remarks:

Remarks of the general-in-chief.

"These papers are important—

"1. Brigadier General Harney has substituted Captain Pickett for Captain Hunt in the command at the San Juan island—reversing my act. My reason for substituting Hunt for Pickett was this: Pickett, on landing on the island, in July, 1859, under the orders of Harney, issued a proclamation declaring the island to belong to the United States, and containing (I speak from memory) other points or language extremely offensive (as I learned) to the British authorities, and, as my mission *was one of peace*, I thought it my duty to substitute Hunt for Pickett, after I had named Pickett for the command. Hunt (as our officers informed me) was remarkable for firmness, discretion, and courtesy. The Secretary of State can probably confirm the character of Hunt.

"2. It will be seen by Brigadier General Harney's instructions to Pickett of the last month (herewith) that Harney considers San Juan island as a *part of Washington Territory*, and Pickett is directed 'to acknowledge and respect the *authority of that Territory*.' If this does not lead to a collision of arms, it will again be due to the forbearance of the British authorities, for I found both Brigadier General Harney and Captain Pickett proud of the *conquest* of the island, and quite jealous of any interference therewith on the part of higher authority. I beg it may further be remembered that I intimated a doubt to the War Department whether Brigadier General Harney would carry out my pacific arrangement respecting the occupation of the island with good faith, or even with courtesy; and hence one of my reasons for wishing to relieve him from his command.

"Respectfully submitted to the Secretary of War.

"WINFIELD SCOTT.

"MAY 14, 1860."

The foregoing remarks of the general-in-chief involve three points, to which I beg now to direct attention.

1st. That General Harney had substituted Captain Pickett for Captain Hunt—reversing General Scott's act.

2d. That the instructions to Captain Pickett show "that Harney considers San Juan island as a part of Washington Territory, and Pickett is directed to *acknowledge and respect* the authority of the Territory."

3d. That General Scott intimated a doubt to the War Department whether Brigadier General Harney would carry out my (General Scott's) pacific arrangements respecting the occupation of the island with good faith, or even with courtesy; and hence one of my (General Scott's) reasons for wishing to relieve him of his command.

Each of these points I shall briefly notice in their order.

1st. Some of the reasons for substituting Captain Pickett for Captain Hunt have already been stated, but may again be adverted to. When General Scott left the department, I remained in command, with authority to act as the exigency of the public service might require. Without questioning the merits of Captain Hunt for firmness, discretion, and courtesy, it is no disparagement of him to say that in these qualities he does not excel Captain Pickett. Whether the complaints against Captain Hunt, by citizens of the island, for his proceedings after General Scott's departure, were just or groundless, it is certain that an unhappy state of feeling, endangering the peace of the island, had sprung up, which his course of action was not calculated to allay. The resort to what he terms his "reserved rights," the removal by force, after acquittal, of those whom he had prosecuted, and the employment of a file of United States soldiers to search the premises of a British subject for stolen property, were proceedings well adapted to produce disturbance and collision. The firmness, discretion, and courtesy of Captain Pickett, and the discipline of his company, had been proved by a successful occupation of the same post for several months without disturbance or complaint. The understanding of the President that Pickett's company should remain upon the island was stated in the instructions to General Scott. The general-in-chief had himself given notice that Captain Pickett was to remain on the island. While these circumstances, occurring after General Scott's departure, impressed upon the commanding general the necessity for changing the command on the island, they also indicated Captain Pickett to be the proper person to be substituted. General Scott remarks that he had substituted Hunt for Pickett because Pickett had issued a proclamation offensive to the British authorities by declaring the island to belong to the United States. But that proclamation was nothing more than an explanation of the authority under which he had been ordered upon the island, and a public notice to enable the inhabitants to avail themselves of the protection he was directed to afford. In face of the aggressions of the British authorities, was it improper for the American officer present to assert the title of his own country under which he entered, and the purpose for which he had been sent there? It will be seen by a copy of Captain Pickett's proclamation, hereto annexed, that it contains no offensive

word or expression, but is a public declaration in respectful terms of the nature that has been mentioned. The remark of General Scott is the first intimation General Harney ever received that the British authorities conceived any offence from that proclamation. But even if offence had been taken by the British authorities because an American officer had ventured to assert the title of his own government in answer to a British claim, would that be any good objection to placing that officer in command of a post for which he was well qualified, and where he had already served with success? Besides, the reason mentioned by General Scott for substituting Captain Hunt for Captain Pickett was not disclosed to the commanding general. The supposed offence taken by the British authorities to Captain Pickett's proclamation, and the influence of that offence upon General Scott, as a reason for changing the command, were secrets unknown to General Harney. In answer, therefore, to General Scott's remark on this point, it is submitted that the facts mentioned afford a sufficient explanation, and justify the commanding general in substituting Captain Pickett for Captain Hunt.

2d. It is certainly true that General Harney's instructions show that he "considers San Juan island as a part of Washington, and also that he directed Captain Pickett to acknowledge and respect the jurisdiction of that Territory." And who but the British government considers the island *not* to be a part of Washington Territory? Have not the President, the Congress, the United States commissioners, the Secretary of the Treasury, the War Department, and all the authorities of the United States shown that they also consider San Juan island a part of Washington Territory? Did not General Scott so consider it? Why else has it been for more than twelve months past, and at this very moment, in occupation by United States troops? If General Scott does not consider it a part of Washington Territory, why was Captain Hunt ordered to remain there? If General Harney had not so considered it, he would never have placed forces upon the island, nor would they have been allowed to remain there if the Government of the United States had not considered the island of San Juan a part of Washington Territory.

Finding the government and jurisdiction of Washington Territory extended over the island of San Juan, and civil authority established there before military force, was it not the duty of General Harney and his subordinate to acknowledge and respect a jurisdiction that has been established and existing on the island for a period of eight years? The commanding general was not authorized to subvert the territorial jurisdiction, and never designed to do so. He therefore specifically enjoined Captain Pickett to acknowledge and respect the existing territorial jurisdiction, in order to avoid the evils that might result from an opposite course. This instruction was not only proper in itself, but repels the remark of General Scott, "that he found both Brigadier General Harney and Captain Pickett proud of their *conquest* of the island, and quite jealous of any interference therewith on the part of higher authority." That remark is justified by no word or act of General Harney. He appeals to his whole conduct in the Oregon department as conclusive proof that the idea of *conquest* could

never have entered his mind. Forces were placed upon the island, in the first instance, as territory belonging to and in possession of the United States, and they were maintained there with the sole view and object to protect and maintain existing and long-established jurisdiction. These facts, and the instructions to Captain Pickett, exhibit the character of General Scott's remark, so far as relates to General Harney. Its propriety and decency as respects Captain Pickett is left without observation to the judgment of the Department of War.

3d. General Scott's avowal that he intimated a doubt to the War Department whether Brigadier General Harney would carry out his pacific arrangements respecting the occupation of the island with good faith, or even courtesy; and hence one of his reasons for wishing to relieve me of my command is an extraordinary disclosure. Taken in connexion with his St. Helen's letter to me, it is not easy matter to determine how that disclosure should be treated. Nothing in my administration of the department of Oregon, or in my whole life, can justify or excuse the injurious doubt which General Scott says he intimated to the War Department respecting my good faith. My personal character, my military services, the responsible trusts committed to my charge by this and preceding administrations, vindicate me from a reproach so unjust and irresponsible. My correspondence with the British authorities bear witness to the frankness and courtesy that uniformly marked my intercourse with them, and their acknowledgment in the published correspondence contradicts General Scott's imputation. That General Scott desired to relieve me of my command is no doubt true; but it will be observed that in his St. Helen's letter very different reasons were assigned. It is also true that if my removal from that command formed a part of General Scott's pacific arrangements, he had not only reason to doubt, but very well knew, by my answer to that letter, that such arrangement would not be carried out by my own act upon such reasons as he suggested. My rejection of his overture, because my mind could not be influenced by apprehensions of what the British government would or would not demand, furnished no just ground to impeach either my good faith or courtesy. It will also be observed that General Scott, writing from St. Helen's on the 9th of November, a few days after Governor Douglas had declined to accede to his proposition, says that he has "no doubt that one of the preliminary demands which will be made by the British government upon ours, in connexion with your occupation of the island of San Juan, will be your removal from your present command." No communication of the British authorities, disclosed in the published correspondence, intimates that any such demand had been or would be made. My occupation of that island was, as has been seen, for the protection of American citizens in territory claimed by the United States, and over which the jurisdiction of this government had been long established. By maintaining that occupation until the present time, the government has, in the most solemn manner, sanctioned that act. But if the British authorities, refusing to accede to the propositions submitted by General Scott, could only be propitiated by my removal, or gave any reason to believe that pacific arrangements could only be effected by such means,

it should have been made known to me, without intimating doubts of my good faith in carrying out arrangements of which I had no knowledge. When, moreover, it is borne in mind that General Scott left the department of Oregon without informing me of the propositions he had submitted to Governor Douglas for a pacific arrangement, by joint occupation, that he gave me no information respecting his transactions with the British authorities in relation to that subject, the credit due to his imputations upon my good faith and courtesy in carrying out his arrangements can be properly estimated. General Scott has not specified any word or act of mine that impeaches my good faith in carrying out any pacific arrangement communicated to me. Am I not therefore justified in declaring that the injurious doubt he intimated to the War Department is groundless and unmerited?

That intimation has occasioned the necessity for this vindication, and will, I trust, excuse the lengthened detail required for the full explanation of my administration of the Oregon department, and my relations while there with the general-in-chief.

My aim has been simply to vindicate my fidelity in the administration of an important military command, without complaint or imputation against any one else, and to do so in the spirit and language becoming a gentleman and officer of my rank.

Acknowledging your kindness in affording this opportunity, I have the honor to be, sir, very respectfully, your obedient servant,

WM. S. HARNEY,
Brigadier General, U. S. Army.

Hon. JOHN B. FLOYD,
Secretary of War.

APPENDIX A.

1.

HEADQUARTERS OF THE ARMY, *U. S. Propeller Massachusetts, Off Port Townsend, W. T., November* 9, 1859.

GENERAL: By direction of the general-in-chief, I enclose for your information and guidance the following papers, viz:

1. Copies of the general-in-chief's communications to his excellency Governor Douglas, dated the 5th and 9th instant.
2. A copy of special orders, dated the 5th instant.
3. A copy of my letter to Captain Hunt, dated the 9th instant.

These papers will show you to what extent the general has interfered in the affairs of the department of Oregon, except that he has made free use of the United States propeller Massachusetts, on board which vessel he made his headquarters.

Captain Hunt will be left on the island of San Juan, under your instructions of July 18, modified by my letter to him, dated the 9th

instant; but the general-in-chief wishes it to be remembered that the sovereignty of the island is still in dispute between the two governments, and until definitely settled between them, that British subjects have equal rights with American citizens on the island.

Captain Fauntleroy represents that the Massachusetts leaks badly, and that repairs are necessary, which can better be done at San Francisco this winter. The general-in-chief concurs, but gives no orders on the subject.

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

L. THOMAS,
Assistant Adjutant General.

Brigadier General W. S. HARNEY,
Commanding Department of Oregon, Fort Vancouver, W. T.

2.

HEADQUARTERS OF THE U. S. ARMY,
False Dungeness Harbor, W. T., November 5, 1859.

SIR: I have the honor to acknowledge a second communication from your excellency, dated the 3d instant. Being assured therein that there is no intention on your part to attempt to dislodge by force the United States troops now in the temporary occupation of the island of San Juan, without instructions to that effect from your government, and being perfectly persuaded that the very cordial relations which now happily subsist between the United States and Great Britain render the receipt of such instructions extremely improbable, I do not hesitate at once to order the number of the United States troops on that island to be reduced to the small detachment (Captain Pickett's company of infantry) originally sent hither in July last for the protection of the American settlers (such protection being petitioned for by them) against neighboring and northern Indians.

A copy of my orders in the case I enclose herewith for the information of your excellency. They will be fully executed as soon as practicable by the employment of the United States propeller Massachusetts, the only craft suited to the purpose in these waters.

I have the honor to remain, with high consideration, your excellency's most obedient servant,

WINFIELD SCOTT.

His Excellency JAMES DOUGLAS, Esq., C. B.,
Governor of the Colony of Vancouver's Island
and its dependencies, and Vice Admiral of the same.

3.

HEADQUARTERS OF THE ARMY,
U. S. Propeller Massachusetts, W. T., November 9, 1859.

SIR: I have the honor to acknowledge the receipt, at the same time, of your two notes of the same date, the 7th instant.

I am pleased to learn "her Majesty's authorities (on San Juan island) will be enjoined to abstain from any acts of interference or of exclusive jurisdiction (in respect to American citizens) until the question of title is settled."

In the same spirit I had earlier determined to instruct our commanding officer on the island to allow no person, claiming to be a "functionary of Washington Territory, to interfere with any British subject residing or happening to be on the same island, whilst it shall remain in dispute between our respective governments;" and I shall add this further instruction, that if any British subject should become a disturber of the peace of the island or a seller of strong liquors to American soldiers, without permission from their commander, the latter shall represent the case to the nearest British authority, and respectfully ask for the instant removal of the offender; and if afterwards he shall return to the island without permission, the American commander may expel him therefrom without further ceremony.

I touch the complaint of William Moore, supported by his deposition, presented to me by your excellency, with great reluctance; first, because the wrong done him, if any, was mainly at the hands of a judge, I presume, of Washington Territory, and consequently beyond my control; and second, because I do not doubt that Moore has grossly misstated or exaggerated his case. I am at a distance from the island, and from every officer who may have known anything of the transaction in question, and, am moreover, in the act of taking my departure for Washington, but shall refer the matter especially to Lieutenant Colonel Casey, the present commander on the island, who will investigate the complaint carefully, and who, I am sure, will take pleasure in redressing, so far as may be in his power, any wrong Moore may have sustained. And your excellency will not fail to perceive that I have in my instructions to Captain Hunt, as shadowed forth above, taken measures to guard against future interference with British subjects.

I have the honor to remain, with high consideration, your excellency's most humble servant,

WINFIELD SCOTT.

His Excellency JAMES DOUGLAS, Esq, C. B.,
Governor of the Colony of Vancouver's Island
and its dependencies, and Vice Admiral of the same.

4.

SPECIAL ORDERS.

HEADQUARTERS OF THE ARMY,
U. S. Propeller Massachusetts, W. T., Nov. 5, 1859.

As soon as practicable, Lieutenant Colonel Casey, or other commanding officer on the island of San Juan, will proceed to send therefrom all the companies under his orders, except Captain Hunt's, to the posts to which they had previously belonged, viz:

Company "I" of the fourth infantry to Fort Townsend; company "A" of the fourth, and "H" of the ninth infantry to Fort Steilacoom; company "D" of the ninth infantry to Fort Bellingham; and last, the companies of the third artillery to Fort Vancouver.

Captain Hunt and his company, and Assistant Surgeon Craig, will remain on the island till further orders, for the protection of the American settlers.

Lieutenant Colonel Casey will cause the heavy guns on the island to be replaced aboard of this propeller, and will send the light battery to Forts Townsend, Bellingham, and Steilacoom.

By command of Lieutenant General Scott.

L. THOMAS,
Assistant Adjutant General.

5.

HEADQUARTERS OF THE ARMY, *U. S. Propeller Massachusetts,*
Off Port Townsend, W. T., November 9, 1859.

SIR: Your company, with only its appropriate arms, is to be left alone on San Juan island, when you will revert to the instructions from the headquarters of the department of Oregon, dated July 18, 1859.

For your information and guidance, I put under cover, with this, copies of the general's communications to the governor of Vancouver's island, dated the 5th and 9th instant, respectively, as also a copy of his special orders on the same subject. These papers will show you the spirit in which it is expected you will execute the delicate and important trust confided to you, the general having full confidence in your intelligence, discretion, and (in what is of equal importance in this case) your *courtesies.*

It is further the direction of the general, that after the departure of Captain Pickett's company you occupy his part of the camp, where your men will be better sheltered during the winter, and also be further removed from the establishment of the Hudson's Bay Company. Captain Pickett will, of course, be at liberty to take back to Fort Bellingham the property carried over to the island, such as doors, window-

sash, &c., as also his company property, but it is hoped that some part of the excellent shelter he erected may be transfered to you.

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

L. THOMAS,
Assistant Adjutant General.

Captain LEWIS C. HUNT,
Commanding Company "C" Fourth Infantry, San Juan island.

Order of Captain Pickett.

MILITARY POST, SAN JUAN ISLAND,
Washington Territory, July 27, 1859.

ORDER No. 1.]

1. In compliance with orders and instructions from the commanding general, a military post will be established on this island, on whatever site the commanding officer may select.

2. All the inhabitants of the island are requested to report at once to the commanding officer in case of any incursion by the northern Indians, so that he may take such steps as he may deem necessary to prevent any further occurrence of the same.

3. This being United States territory, no laws other than those of the United States, nor courts, except such as are held by virtue of said laws, will be recognized or allowed on this island.

By order of Captain Pickett.

JAMES W. FORSYTH,
2d Lieutenant 9th Infantry, Post Adjutant.

ADJUTANT GENERAL'S OFFICE,
Washington, October 27, 1860.

GENERAL: I am instructed to communicate to you the following:

WAR DEPARTMENT, *October* 26, 1860.

Having given the most careful examination to all the events which have lately occurred in the department of Oregon, and to the explanation of his conduct therein, submitted by General Harney to this department, the Secretary of War feels it his duty to express his disapproval of the orders issued by General Harney, under date April 10, 1860, by which Captain Pickett was placed in command of Camp Pickett. A question having arisen between the governments of the United States and Great Britain as to the sovereignty of the island of San Juan, and danger being anticipated to the friendly relations of the two countries from the condition of affairs upon the island itself, General Scott was sent on the 16th of September, 1859, empowered by the government of the United States to make such a temporary arrangement as would avoid all collision until the whole matter had been amicably adjusted by the diplomatic action of the two nations.

In pursuance of these powers General Scott repaired to San Juan, and having taken the steps which he deemed advisable, returned, leaving with General Harney, for his guidance and instruction, letters and orders of the following dates: November 5, 1859, and November 9, 1859. The essential points of these instructions and orders were:

1. The removal of the larger part of the United States force on San Juan island.

2. The retention of one company of United States troops under Captain Hunt.

3. The special injunction to General Harney to remember "that the sovereignty of the island is still in dispute between the two governments, and until definitely settled between them that British subjects have equal rights with American citizens on the island," accompanied by a copy of General Scott's assurance to Governor Douglas of his intention "to instruct our commanding officer on the island to allow no person claiming to be a functionary of Washington Territory to interfere with any British subject, residing or happening to be on the same island, whilst it shall remain in dispute between our respective governments."

In opposition to these instructions General Harney removed Captain Hunt and substituted Captain Pickett in his place, issuing, at the same time, to Captain Pickett the following order:

"*Third.* Under the organic act of the Congress of the United States for the establishment of the territorial government of Washington, the first legislative assembly of 1854 passed an act including the island of San Juan as a part of Whatcom county. This act was duly submitted to Congress, and has not been disapproved. It is therefore the law of the land. You will be obliged, consequently, to acknowledge and respect the civil jurisdiction of Washington Territory in the discharge of your duties in San Juan, and the general commanding is satisfied that any attempt of the British commander to ignore this right of the Territory will be followed by disagreeable results out of his power to control."

The Secretary of War disapproves this order of General Harney, in violation of the order of General Scott, and of the agreement between the two governments respecting the island of San Juan, which might have been attended by disastrous consequences. At the same time, whilst expressing this disapprobation, he has no doubt of the good intentions of General Harney in the premises, and, from his known high character and distinguished services, he is not disposed to be severe in his condemnation.

JOHN B. FLOYD,
Secretary of War.

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

J. P. GARESCHÉ,
Assistant Adjutant General.

Brig. Gen. W. S. HARNEY,
U. S. Army, Washington, D. C.

WASHINGTON, D. C., *October* 29, 1860.

COLONEL: I have the honor to acknowledge the receipt of a communication from your office of the 27th instant, in which the opinion of the War Department is expressed in relation to my conduct while commander of the department of Oregon, in connexion with the island of San Juan.

Previous to the receipt of the orders directing me to report in person to the Secretary of War a leave of absence for twelve months had been granted in my favor. I have, therefore, the honor to request permission to avail myself of that leave, unless the department desires my services on duty.

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

WILLIAM S. HARNEY,
Brigadier General U. S. Army.

Colonel S. COOPER,
Adj't Gen. U. S. A., Washington City, D. C.

ADJUTANT GENERAL'S OFFICE,
Washington, October 30, 1860.

GENERAL: Your letter of yesterday has been laid before the Secretary of War, and he directs me to say that you have authority to avail yourself of the leave of absence granted you in paragraph I of Special Order No. 93, current series from this office.

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

S. COOPER, *Adjutant General.*

Brig. Gen. W. S. HARNEY,
U. S. A., Washington City, D. C.

WASHINGTON, D. C., *September* 6, 1860.

SIR: Among the papers sent from the War Department to the House of Representatives on the 11th of April last, and printed in executive document No. 65, I find a report of the colonel of ordnance of the 25th of February, in regard to the arsenal at Fort Vancouver, in which he takes a different view of his instructions to Lieutenant Welcker of the 15th of September, 1859, from that taken in his note of the 2d of November, which was before me when I charged the lieutenant in my letter of the 26th of December, 1859, with misrepresenting those instructions to me. In the note of the 2d of November Colonel Craig understands his own instructions to be "*to leave the ground,*" and to take the steps to "*certify the title,*" and "*to prepare and have the deed executed*" for the purchase.

In his report of February he interprets those instructions as authorizing the tract "*to be abandoned and turned over,*" and as "*disapproving the purchase*" of it.

I really did not see that the instructions were susceptible of two

such opposite constructions. But if they be so, in the opinion of the officer who issued them, I am far from holding the officer who received them to any responsibility for his construction of them. I therefor cheerfully and entirely retract my charge against Lieutenant Welcker, and desire that this letter be placed on your files, and a copy sent to him.

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

W. S. HARNEY,
Brigadier General U. S. Army.

The ADJUTANT GENERAL
U. S. Army, Washington, D. C.

[Correspondence referred to in the foregoing communication.]

ORDNANCE OFFICE,
Washington, February 25, 1860.

SIR: After carefully reading General Harney's letter in relation to the site of an arsenal near Vancouver, with the enclosures therein referred by you to this office, I return them, with the following remarks:

Under authority of the act of August 30, 1856, appropriating money for the erection of suitable magazines and other arsenal buildings in Washington Territory, arrangements were made by the Ordnance department for the erection of such buildings on a portion of the military reserve at Fort Vancouver, which had been selected for the purpose by Lieutenant Colonel Ripley, then principal ordnance officer in the Pacific department, and had been set aside as an arsenal site by General Wool, then commanding that military department. A difficulty having arisen soon after as to the title of the United States to that site, it was deemed advisable to suspend the execution of the arrangements which had been made for the erection of permanent buildings until the question of title could be settled. Lieutenant Welcker, on being ordered to the command of the ordnance depot at Fort Vancouver, by Special Orders No. 84, of May 12, 1859, was informed of all this, and was instructed as to the course he should pursue in case the difficulty of obtaining a valid title should continue, and the wants of the service should in the meantime render it necessary to enlarge the operations and increase the supplies at the depot.

Those instructions are contained in full in the letter to him from this office, of May 30, 1859, and authorize him to make such arrangements as the necessities of the service may require, by erecting certain temporary buildings, to be superseded by permanent ones when a title to the reserve shall be acquired. This precaution was taken to avoid the possible loss to the government of valuable buildings and improvements, in case the land on which they were built should be hereafter adjudged to belong to others. After his arrival at Vancouver's depot Lieutenant Welcker reported to this office, by letter dated August 1, 1859, (and enclosed herewith,) that a portion of the site for the

arsenal (20 acres) which had been added to the original reserve was claimed by two or three citizens under the donation law, and that he had taken measures for obtaining from the Hudson's Bay Company a quit-claim to the ground set aside for the arsenal site. He then, for the first time, mentioned and recommended as a desirable site, superior to the one which had been set aside for the purpose, General Harney's tract, which he stated to be subject to the possessory rights of the Hudson's Bay Company, like the rest of the land in that vicinity. He stated that General Harney was willing to transfer this tract to the Ordnance department at its cost, supposed to be $1,200 or $1,500, and subsequently corrected by a letter dated September 1, 1859, stating that it was about twice that amount. General Harney, on the 12th of October following, informed Lieutenant Welcker that the amount was $3,480. Lieutenant Welcker's letter of the 1st of August, 1859, was answered by the letter to him from this office of September 15, 1859, informing him that he could neither purchase General Harney's tract nor erect thereon any buildings, but the most temporary shelter for ordnance stores and employés, until after a deed of conveyance to the United States had been executed and pronounced valid and satisfactory by the Attorney General; but that he might, if he, on the spot, saw no objection to it, lease the tract at a reasonable rent from General Harney for a term to the end of his lease from the Hudson's Bay Company, and might erect thereon the necessary temporary structures. Before the letter of the 15th of September, 1859, from the Ordnance office to Lieutenant Welcker could have reached him, that officer, as will be seen by his letter herewith enclosed, dated October 15, 1859, had taken possession of General Harney's tract by his permission and authority, if not at his instance, (as the letter will explain,) with the assurance that he had no doubt that the War Department would take the place. The conditions on which that possession was taken were, that Lieutenant Welcker should hold undisturbed control and possession until informed by the Colonel of Ordnance whether it was the intention of the War Department to purchase the tract with its improvements or not; that if the purchase was determined upon, General Harney should give a valid and perfect title, subject only to the possessory rights of the Hudson's Bay Company, for the sum of $3,480; that if the purchase was not determined upon, or if the Hudson's Bay Company failed to give a quit-claim for their possessory rights, the tract of land was to be vacated, and its possession restored to General Harney or his agent; and that in the event of non-purchase, the United States were to be at no charge or expense in consequence of the agreement.—(See agreement herewith, dated Fort Vancouver, Washington Territory, October 8, 1859.) The authority to lease having been previously given to Lieutenant Welcker by my letter of September 15, 1859, no reply was deemed necessary to his letter of October 15, 1859, and none was made. When my letter of the 15th of September reached Lieutenant Welcker, he abandoned and turned over to General Harney the tract which had been conditionally taken possession of, regarding the instructions in that letter as disapproving of a purchase of that tract. He so reported to this office by his letter of the 1st of

November, 1859, herewith enclosed, in which he also reports that he is making the necessary temporary arrangements for sheltering the public property and employés on the arsenal reserve, and that as we are to retain the reserve there would be no advantage, but the reverse, in renting General Harney's place. Lieutenant Welcker's operations in the erection of any buildings were arrested by General Harney's order of the 21st of December, 1859, which is among the papers accompanying his letter referred by you to this office.

The foregoing summary of the facts in this case is given to enable the proper authority to judge how far General Harney may be justified in the course he has pursued, and in the harsh and opprobrious imputation he has cast upon Lieutenant Welcker in his letter to you. I can see nothing in Lieutenant Welcker's course of conduct to justify the use of such language respecting him. The error of that officer was in proceeding to take possession of General Harney's tract, and to make arrangements for its occupancy, before receiving an answer to his letter of August 1, 1859, suggesting a change of the site which had been previously selected and set apart for the purpose, and the extent of that error is to be judged in connexion with the agency of General Harney in the matter, as reported in Lieutenant Welcker's letter of the 15th of October, 1859. He was not directed to make a lease, but only intrusted with authority to do so if he saw no objection to it. No purchase of General Harney's tract could or can be legally made without a law authorizing such purchase, and there is no such law; nor could or can any contract to that effect be made under the 904th paragraph of Army Regulations. The course of General Harney, in stopping the erection of buildings at the ordnance depot in Washington Territory, without directions for the purpose from the War Department, is in direct violation of the regulation of that department of 7th April, 1843, published from the Adjutant General's office on the 8th of that month, which is in these words: "To prevent any conflict from ar sing among the different corps of the army in relation to quarters, barracks, arsenals, &c., the Secretary of War has laid down the following rules, which will govern all cases, except where a deviation may, *under special circumstances*, be found necessary, when directions for the purpose will be given by the War Department: 1. Arsenals being under the control of the Ordnance department, will not be interfered with by any other branch of the service;" which regulation was reiterated in the 2d article of the ordnance regulations prepared in accordance with the act of Congress of February 8, 1815, and published by the Secretary of War for the government of all concerned, and has not been repealed.

I request that this report may be laid before the Secretary of War, or whomsoever the letter of General Harney may be submitted to, and I unite with him in requesting early attention to the case.

Very respectfully, your obedient servant,

H. CRAIG,
Colonel of Ordnance.

Col. S. COOPER,
Adjutant General U. S. Army.

VANCOUVER DEPOT, W. T.,
August 1, 1859.

COLONEL: I have the honor to report my arrival at this post on the night of the 26th of July past.

I have relieved Lieutenant Sill of the charge of the stores and funds and the command of the detachment, which consists of an acting sergeant and three men.

I find a small cabin on the ordnance reserve, erected by Lieutenant Sill, with the assistance of the detachment, in which are quartered the two unmarried men, while the acting sergeant has erected another, at his own expense, near the first. The remaining soldier, with his family, is in the village of Vancouver, where he pays rent, he informs me, at the rate of eight dollars a month.

Lieutenant Sill has no quarters at all, but is permitted, by the kindness of Mr. Grahame, to have rooms in Hudson's Bay Company's fort. The same courtesy has been extended to me.

By reference to the map of this reserve, you will perceive a twenty-acre tract, in addition to the portion of the original tract set aside for ordnance purposes by General Wool. This addition I made myself, when stationed here before, by order of Lieutenant Colonel Ripley. It is a parallelogram, with its length perpendicular to the main body of the reservation. I learn, since my arrival, that these twenty acres are claimed by two citizens, and perhaps a third, under the donation law. This ground was so shaped as to take in the continuation, as far as convenient, of a beautiful bench, upon which the officers' quarters of Fort Vancouver are situated, and is, in my opinion, almost essential to the building of the arsenal. This bench continues parallel to the Columbia river, about half a mile distant, for a mile or two. Between it and the river there is low ground, much of which is subject to overflow in high water, and from it backwards the plateau is covered with fir timber.

I have had an informal interview with James A. Grahame, esq., a chief trader in the Hudson's Bay Company, and representative of their interests here, and proposed to him to give the ordnance department a quit-claim to the ground set aside for an arsenal. He would or could not give me a decided reply himself, but requested me to address him a letter on the subject, which I have done; and he promises to consult Mr. Dallas, the agent for their company in this region, when he goes to Victoria shortly, and thinks it *probable* they may be able to give me an answer, though it is not improbable that the matter will have to be referred to Sir George Simpson, in Canada.

General Harney has a tract of 100 acres of land, lying about one mile east of Fort Vancouver, which is his private property, subject, however, to the possessory rights of the Hudson's Bay Company, like the rest of the land in this vicinity, which tract he proposes to turn over to the ordnance department for an arsenal site. It is on the continuation of the bench referred to above, and would be known to Colonel Ripley by the name of the "Dundass Castle" place. There is a fence enclosing one-half of the tract; a house of wood planks, intended for a stable and barn, but which is now occupied as lodg-

ings by some men; and there is in process of erection a dwelling-house of planks, with kitchen attached. This land and the improvements on it, I understand from the general, he is willing to transfer to the ordnance department, if desired, at cost, which, he told me, he thought was near $1,200 or $1,500. I examined the spot, and I think it would be advantageous to the department to purchase, for I do not think the United States can possibly put up on the present reserve the same improvements for anything like the sum which I understand the land and improvements both can be procured for; and the situation I think superior to the present one, because much more handsome, having fine ornamental trees on it, and a beautiful view from it. It is separated from the town and fort, which I think very important, and no portion of it is claimed by any other person. I am told by General Harney that he has a lease from the Hudson's Bay Company for five years, at five dollars a year. General Harney directed me to send him a communication, stating whether I thought the place desirable for an arsenal, and my reasons, which I did. I transmit a copy of the document. He intends sending it, with his remarks, to the Secretary of War, and I presume it will go on this mail. The delay necessary for your decision to arrive here, if made by return mail, (which I respectfully beg may be the case,) will not be more time, nor so much, as it would have taken me to put up similar improvements; besides, I am awaiting the answer from the Hudson's Bay Company,

I believe I have stated my views on this subject clearly, and I submit it to your superior judgment to decide; but I hope I will be excused if I take the liberty of recommending in the strongest manner that the department will make an immediate decision for it or against it, as delay is very much to be deprecated, and nothing can be done until I hear from you. In the meantime the affairs of the depot and the interests of the ordnance service are in a very bad way; no proper storehouse for the stores; no sufficient quarters for even the small detachments here; none for myself; no means of repairs; of making ammunition; and the old storehouse which I have totally unguarded, as I have not men enough yet to do that duty.

Respectfully, your obedient servant,

WM. T. WELCKER,
First Lieut. Ordnance, Commanding Vancouver Depot.

Colonel H. K. Craig,
Chief of Ordnance, Washington, D. C.

P. S.—Will the colonel please inform me whether the War Department has confirmed the ordnance reserve, and particularly the twenty acres additional, and how to proceed with respect to the claimants to it? Is the reservation on the Willamette river of twenty acres still in possession of the Ordnance or War Department? I do not think it a good position any how, as it is up a small river not navigable for large ships. The Cascades of the Columbia is in many respects a good position for an arsenal, but has an objection which I think insuperable—its great dampness. It is in the mountains, whose tops collect and retain the

clouds which come up from the sea; and the rains there are much heavier than elsewhere in this region, making a bad place for powder magazines and stores of arms. The title to the post reserve is there also disputed by several citizens. Vancouver was selected by Colonel Riply, and I think is the best place. I must again urge upon the department the necessity of prompt decision as to whether General Harney's place be taken or the present reserve; both are claimed by the Hudson's Bay Company.

Respectfully, your obedient servant,

WM. T. WELCKER,
First Lieutenant of Ordnance.

Colonel H. K. CRAIG,
Chief of Ordnance.

Know all men by these presents, that this agreement, made and entered into this the eighth day of October, A. D. 1859, between Brigadier General William S Harney, United States army, on his own part, and Lieutenant William T. Welcker, ordnance corps United States army, on the part of the United States, witnesseth and agreeth as follows:

First. The said General William S. Harney is to deliver and turn over his tract of ninety-eight acres of land, more or less, lying near one mile east of Fort Vancouver, Washington Territory, with the houses, barns, stables, fences, and improvements of whatsoever nature, on and belonging to said land, to said Lieutenant Welcker and the ordnance soldiers under his command, for the uses and purposes of a United States arsenal; said Lieutenant Welcker to have and hold undisturbed control and possession until such time as he shall be informed by the colonel of ordnance whether it is the intention of the War Department to purchase the said tract of land, with its improvements, or not.

Second. In case the purchase is determined upon, General Harney is to give to the United States a good and perfect title to the said land, subject only to the possessory rights of the Hudson's Bay Company, for and in consideration of the sum of money which said land and improvements have cost him, and which sum is three thousand four hundred and eighty dollars.

Third. If the purchase be not determined upon, or if it be refused by the War Department, then Lieutenant Welcker and the soldiers under his command are to vacate the premises, and deliver them to General Harney or his agent; and also, if the authorities of the Hudson's Bay Company shall fail to give to the United States a quit-claim of their possessory rights to said tract of land, then Lieutenant Welcker is to vacate said premises and restore the possession to General Harney, or the person whom he shall appoint to receive them.

Fourth. It is understood that if the United States do not purchase

the said tract of land, they are to be at no charge or expense in consequence of this arrangement.

WM. S. HARNEY,
Brigadier General United States Army.
W. T. WELCKER,
First Lieutenant of Ordnance.

FORT VANCOUVER, W. T., *October* 8, 1859.

VANCOUVER DEPOT,
Washington Territory, October 15, 1859.

COLONEL: I have the honor to report that I and my detachment are quartered at General Harney's place. This arrangement has been made provisionally, and subject to your approval. General Harney sent for me towards the end of last month, and said that his improvements were near finished, and if I chose I could occupy the place at once, as he did not doubt the War Department would take the place. As two of the men had no quarters at all, but were paying rent in the town while working for the United States, and as the others were not so well quartered as they could be at the above-mentioned place, and all scattered, none being near where I was staying, I thought it well to accept the offer, subject to your approval, and on the condition that there should be no charge against the United States. I enclose a copy of the articles of agreement. The sum of money which is demanded by the owner for the place—$3,480—was inserted since the articles were signed, as at that time he said he did not know the amount.

The dwelling-house is of fir timber weather-boarding, and is in two parts: the main house and an L. The first part has two rooms below and two above, with a hall below and one above; two brick chimneys, and the rooms and halls papered. The "L" part has a large dining-room, a pantry room, kitchen, and servants' room, and detached sink.

The barn or stable is a plank house, 24 by 18 feet, and two stories high. About twenty acres are enclosed by a fence, which on two sides is plank, and the rest of posts, and poles nailed to them. There are about 98 acres (I am told) in all, with a considerable amount of timber upon it.

There is no water nearer than the river, which is the case with the whole military establishment here, town and vicinity. The quartermaster here, Captain Ingalls, tells me that he is going to undertake an artesian well, as the present well—which, I forgot to mention, is at Fort Vancouver—does not work well.

The house upon General Harney's place is not finished, there being no shutters to the windows, no mantel-pieces to the fireplaces, and some few other things to be done. I have one man, with his family, occupying the servants' quarters and kitchen of the house, while I have fitted up the building intended for a stable as quarters for the rest of the men.

I have done this with their own labor, and material left on the place by General Harney, with the exception of about a dozen planks.

I need scarcely remind the department of additional and large appropriations for the arsenal here being necessary, for but little could be done with the amount on hand, wherever the site may be fixed. Not only is there an immediate demand for an arsenal here, but that arsenal should be a large one, and, as far as possible, self-sustaining.

There is, practically, no land communication with California, and the recent and still pending trouble out here with the British forces places in a strong light the great mistake of depending upon sea communication.

There is one more point to which I beg your attention. I have done everything in my power to raise the detachment to fifteen men since my arrival, but I have only seven, of whom one is now on his final furlough. The officers of the line will not consent to transfer any man who is of any account, and I can do very little enlisting. I cannot get mechanics, even the least accomplished, to think of it. I would consequently request you to have men sent out from the Atlantic side. And I think fifteen men are not sufficient for the guard and police of the establishment. If one or two men go on the sick report, there could be no means of keeping up a guard, even if I had fifteen men. My storehouse is in a very unsafe situation, and has been robbed once or twice. I think that forty or fifty ordnance soldiers could be employed in future at this station, to the interest and economy of the government. For the present, Major John F. Reynolds, of the artillery, has stationed a sentinel over my storehouse. This is only a temporary accommodation, however.

Respectfully, your obedient servant,

WM. T. WELCKER,
First Lieutenant of Ordnance.

Col. H. K. Craig,
Chief of Ordnance, Washington, D. C.

P. S.—Since writing the above I have found, I think, that there can be found an abundance of water, within thirty feet of the surface, at General Harney's place.

WM. T. W.

Vancouver Depot,
Washington Territory, November 1, 1859.

Colonel: By last mail I informed you that, with my detachment, I had taken possession, provisionally, of General Harney's place; but as soon as I received your disapproval of the idea of purchase, it was abandoned and turned over to the owner. My detachment are in the same situation as before, but as for myself, I have not yet been able to find any quarters anywhere.

I am now building upon the arsenal reserve a temporary cottage for quarters for the ordnance officer, and a plank house for the ordnance men. I have not rented General Harney's place, as there could be no advantage in so doing, as we are to retain the reserve; but, on

the contrary, it would be highly disadvantageous, being a mile from the ordnance stores and office.

The cottage I shall build in the most economical manner, of planks and fir lumber, using whatever of the lumber on hand that is fit. I propose a small house, one and a half story, with a parlor, bed-room, dining-room, and kitchen on the first floor, and attic rooms above; to be finished inside with paper, or muslin tacked to the boards. The men's quarters to be 90 feet by 25, with a plain veranda in front. I will divide the house by partitions into five tenements, 12 feet wide for married men, which will leave a hall 30 by 25 feet for the bachelors. This house will be one and a half story, giving attics above, and the tenements for the married men to be divided into front room and kitchen. I am also putting up a cheap stable for two horses which I have purchased, saddle and harness rooms, &c., &c.

As soon as these buildings are finished I shall proceed, as the weather permits, to put up shops, a laboratory, and a fence around the part of the reserve upon which the buildings will be. The fence will be near a mile and a half in extent necessarily, and will be an item of some expense, though made in the cheapest manner

I must beg you, colonel, to excuse a detailed plan and estimates for these purposes, as, in the press of business, I cannot prepare them before the mail goes, and time presses.

I have on hand of the appropriation for arsenals $2,610 25, and request, for the present, $5,000 more. A magazine of greater dimensions than is here now is becoming daily of more necessity, and if the title is not soon obtained from the Hudson's Bay Company, it will be necessary to put up one of wood. Shops are very much needed, especially saddlers', as the dragoons are making continual requisitions for the materials and tools of such; and in consequence of the purchases made and probable, I have to request that you will add $500 to $200 upon my estimate for this quarter for the purchase of "tools and materials to issue."

I beg you, colonel, to have the money, or, rather, the treasury warrant, sent by return steamer, as I fear I shall be entirely out of money by that time.

Respectfully, your obedient servant,

WILLIAM T. WELCKER,

First Lieutenant Ordnance, commanding Vancouver Depot.

Colonel H. K. Craig,

Chief of Ordnance, Washington, D. C.

P. S.—I have the honor to enclose the enlistment of Benjamin Jones, enlisted the third day of November.

W. T. W.

Headquarters Department of Oregon,

Fort Vancouver, W. T., December 26, 1859.

Colonel: I have the honor to return the enclosed letter from Lieutenant Welcker, referred to by the Secretary of War, for the purpose

of ascertaining the value of the improvements on the tract of land recommended by Lieutenant Welcker as an appropriate site for an arsenal at this point.

In reply to the Secretary, I desire to inform him that on the 12th of October last I caused a note to be addressed to Lieutenant Welcker, a copy of which is enclosed, stating the cost of the improvements had been three thousand four hundred and eighty dollars, and for this sum I was willing to relinquish the place to the government. In the matter of lease, until the title has been secured by the government, I should not have asked more than the sum I agreed to pay the Hudson's Bay Company for their "possessory rights," viz: five dollars per year. As those rights have expired, according to a late decision of the State Department, I shall not ask any rent of the government for the occupation of the property should it be determined to accept it.

The title to the land is not encumbered by any other claim; half the land is enclosed by a good cedar post fence, besides the other improvements that have been placed upon it. These improvements consist of a good dwelling-house, containing seven rooms and a kitchen, with outhouses, stables for three horses, with covers for vehicles, and a large cistern. The title to this property can be confirmed to the United States sooner than any other piece of property in this vicinity. The position which was at first contemplated for the arsenal site has three or four different claimants, including the mission claim, besides being inferior in point of locality to the place now under consideration.

Early in October Lieutenant Welcker was so well satisfied of the fitness of the position, and his convictions that the department would authorize its purchase on the terms proposed, that, with my permission, he took possession of the premises for some weeks, when he suddenly came to me and said he had received an answer from the colonel of ordnance to his proposition to procure the land for arsenal purposes, which answer, he stated, contained several objections to the proposals, and declined to entertain it.

Having implicit confidence in Lieutenant Welcker's word, I believed the colonel of ordnance had formed his plans, and that Lieutenant Welcker was instructed accordingly, for the latter quitted the premises and commenced building upon the original site proposed.

On receiving the indorsements of the Secretary of War, with that of the colonel of ordnance made upon Lieutenant Welcker's letter of the 2d of August, I found the colonel of ordnance had been grossly misrepresented to me by Lieutenant Welcker, and that, instead of entertaining the opinion Lieutenant Welcker had expressed to me, he had authorized a lease to be obtained of the property for a term of years until the title could be confirmed to the United States. I regret to report that Lieutenant Welcker never made any offer to lease the property, or spoke of the authority which had been given him to do so.

I called upon Lieutenant Welcker for an explanation of the authority by which he commenced to build, and his answer is not at all satisfactory. This correspondence is enclosed, and, in connexion with the indorsement of Colonel Craig, exposes Lieutenant Welcker

to the imputation of having told a deliberate and wilful falsehood to his commanding officer in the line of his duty.

I have directed Lieutenant Welcker to stop building, as he is not regarding the instructions of the colonel of ordnance in so doing, having commenced two houses out of all proportion to the wants of himself and his detachment.

I cannot understand the inducement Lieutenant Welcker has had to cause him to conduct himself as he has done, and I trust the Secretary of War will give this subject an early attention.

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

WM. S. HARNEY,
Brigadier General, Commanding.

Colonel S. COOPER,
Adjutant General, Washington City, D. C.

ORDNANCE OFFICE, *Washington, May* 30, 1859.

SIR: You have been informed verbally in regard to the building of a new arsenal at Vancouver, and to the difficulty of obtaining a valid and satisfactory title to the site. If this difficulty shall continue, and the wants of the service shall in the meantime render it necessary to enlarge the operations and increase the supplies at the department, you are authorized to make the following temporary arrangements, or such of them as you may find to be necessary, before you can go on with the permanent buildings, bearing in mind, however, that such arrangements are only for temporary purposes, to be superseded by those of the permanent arsenal, to be built as soon as possible after the title to the site is acquired.

You may increase the detachment of ordnance to fifteen men, by enlistment or transfer, and may have the following grades, to wit: 1 master workman, 4 mechanics, 5 artificers, and 5 laborers. You may put up temporary shops for armorers, blacksmiths, and carriage-makers, and a temporary laboratory; also temporary shelter for the enlisted men and officers of the ordnance department, if necessary, and such temporary storerooms as may be absolutely necessary for the shelter and preservation of the ordnance stores at the depot.

I enclose a list of building materials pertaining to the arsenal in Washington Territory, which are now in store at Benicia, and all or any portion of which you can obtain by requisition on Captain Callender when you may want them for use at Vancouver.

If, after you take charge of the depot, you should find it *necessary* for the service of the post to do your own hauling, you may purchase a horse and cart, or two horses and a wagon, if less will not answer.

The funds which will be turned over to you will be sufficient for present expenditures, and you will have the opportunity to prepare estimates for what may be required in future.

Respectfully, your obedient servant,

H. K. CRAIG,
Colonel of Ordnance.

Lieutenant W. T. WELCKER,
New York City.

VANCOUVER DEPOT, W. T., *August* 2, 1859.

CAPTAIN: Having been informed by General Harney of his willingness to transfer to the ordnance department, for the purposes of an arsenal site, a tract of land of 100 acres, lying near a mile east of Fort Vancouver, and which tract is his private property, subject to the claims of the Hudson's Bay Company, I have visited said tract and seen the improvements thereon; and having been directed in conversation by General Harney to furnish him with a communication stating whether I deem said tract desirable for the purposes of the ordnance department, I have the honor to present this and to say that I deem the tract more suitable for an arsenal than the present ordnance reserve, as it is a little more remote from the buildings and people of the town and fort of Vancouver, and consequently a better situation for magazines of powder. This tract is also a much more beautiful situation, in my opinion, than the present reserve, and it possesses the additional and great advantage of not being claimed by any other party, while to twenty acres of the present reservation there are, I am told, two, if not three, claimants.

I am authorized by Lieutenant Sill, of the ordnance corps, to state that he concurs in these views.

Respectfully, your obedient servant,

WM. T. WELCKER,
First Lieut. Ordnance, Commanding Depot.

Captain A. PLEASONTON,
2d Dragoons, A. A. Adjutant General Department of Oregon.

[Indorsements.]

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W.T., September 20, 1859.

This communication is respectfully transmitted for the consideration of the War Department, with the information that I am willing to transfer the 100 acres spoken of for the purpose of an arsenal, should the department be disposed to return to me the cost of the improvements I have placed upon the land in fences and buildings.

I agree with Lieutenant Welcker in the opinion of its fitness for arsenal purposes, and having procured it for amusement at a nominal value I shall be satisfied with the amount I have placed upon it.

WM. S. HARNEY,
Brigadier General, Commanding.

ADJUTANT GENERAL'S OFFICE, *November* 1, 1859.

Respectfully referred to the colonel of ordnance.

S. COOPER,
Adjutant General.

ORDNANCE OFFICE, *November* 2, 1859.

An appropriation for an arsenal in Washington Territory was made by act of August 30, 1856, and General Wool set apart a portion of the land at Fort Vancouver for it. Measures were at once taken for the erection of the necessary buildings when the Hudson's Bay Company objected to our going on till their possessory claim under treaty had been quieted, and consequently the ordnance, men, and stores have never been duly sheltered there.

On the 1st of August last Lieutenant Welcker sent me a copy of this letter, and said he was told by General Harney that he had a lease of this 100 acres from the Hudson's Bay Company for five years at $5 a year. In reply, I reminded Lieutenant Welcker of the joint resolution of Congress, September 11, 1841, forbidding the expenditure of money on any site purchased till the Attorney General shall certify the validity of title; and as till then none but the most temporary buildings should be erected, I authorized him to lease from the general this 100 acres, with the buildings thereon, to the end of the term of the general's lease from the Hudson's Bay Company. I have had no reply yet, but presume the offer has been made.

From what Lieutenant Welcker has written to me, I think 100 acres of General Harney's would afford a most eligible site for the contemplated arsenal; and as the lease itself would present no obstacle to its purchase, I would recommend that as soon as a definite price has been agreed upon, some one learned in the law be employed to investigate and certify the title and prepare and have the deed executed by the general and Mrs. Harney, and the papers forwarded to this office to be submitted to the Attorney General through the Secretary of War.

H. K. CRAIG, *Colonel of Ordnance.*

ORDNANCE OFFICE,
Washington, September 15, 1859.

SIR: I have received your letter of the 1st of August, in relation to the selected site for the arsenal at Fort Vancouver; to your having proposed to an officer of the Hudson's Bay Company for them to quit-claim the site so selected; to claims set up by citizens of the United States to the twenty-acre site selected outside, and adjoining the original Fort Vancouver reservations, and which twenty acres you consider almost essential (for reasons you give) as the part on which to erect the arsenal buildings, and also in relation to a tract of one hundred acres owned by General Harney, and known as the "Dundas Castle" place, lying about one mile east of Fort Vancouver, which he offers to sell to the United States as the site for the arsenal, at about what it cost him, which he thinks is from $1,200 to $1,500, to which offer he requests an early reply.

The joint resolution of Congress, of the 11th September, 1841, provides that no money shall be expended upon any site or land *purchased* for arsenals, armories, forts, &c., until the written opinion of the At-

torney General shall be had in favor of the validity of the title. This would forbid not only the paying of General Harney for the land until the deed, made and executed by himself and his wife, shall have been sent on, accompanied by a brief of title and papers referred to in it, and then investigated and certified as above, but no money, it will be seen, could be expended in the erection of buildings on the site until all this was done; and from examples we have already had, it is not probable that the certificate could be obtained for many months.

As to the twenty-acre tract, I think we are sufficiently protected from any extravagant claims by donation or pre-emption settlers by the 14th section of the act of 27th September, 1850; yet until the lands already selected shall have been legally confirmed to us for an arsenal, or the titles thereabouts shall have been so quieted that we can purchase a valid fee simple title, nothing more than the most temporary shelter for our stores and employés must be built. It may, however, be well, if General Harney will lease to us the one hundred acres with the buildings thereon at a reasonable rent, to enter upon such a lease; and if you, on the spot, see no objection to it, I hereby authorize it, say for a term to the end of his lease from the Hudson's Bay Company. If this is done, you may then add the necessary temporary structures to those already there.

I am, sir, respectfully, your obedient servant,

H. K. CRAIG,
Colonel of Ordnance.

Lieutenant W. T. WELCKER,
Ordnance Depot, Fort Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., October 12, 1859.

SIR: General Harney desires me to say the cost of the improvements on the place you are desirous to obtain for an arsenal site is $3,480, and for this sum he is willing to relinquish it to the government.

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

A. PLEASONTON,
Captain 2d Dragoons, A. Ass't Adj't Gen'l.

First Lieutenant W. T. WELCKER,
Ordnance Department, Commanding Vancouver Arsenal.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., December 24, 1859.

SIR: The general commanding instructs you to stop all building on account of the Ordnance department, the War Department not having determined upon a site for an arsenal at this point.

You are further instructed to report by what authority you commenced to build, and also to furnish this office copies of all communications you have received from the colonel of ordnance on the subject.

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

A. PLEASONTON,
Captain 2d Dragoons, A. Ass't Adj't Gen'l.

First Lieutenant W. T. WELCKER,
Ordnance Department, Fort Vancouver, W. T.

VANCOUVER DEPOT, W. T.,
December 26, 1859.

SIR: I have received your communication of the 24th instant, informing me of the order of the department commander to me to stop all building on account of the Ordnance department, and to report by what authority I commenced to build, and to furnish your office with copies of all communications I have received from the colonel of ordnance on the subject.

I obey this order, but I do so under protest. I cheerfully recognize the right of the department commander to order any issues of ordnance stores which he thinks proper, but I feel it to be my duty to protest, in a respectful but most emphatic manner, against this interference with my special duties as the agent of the Ordnance bureau at this point, and against his overhauling my instructions from the chief of ordnance.

I was sent here by the Ordnance department to carry out (in addition to furnishing the troops of this military department with ordnance supplies) certain designs of its chief, and it is impossible for me to do this in a successful manner if I am to receive orders on the subject from two separate and independent sources.

I have stopped work on the buildings I commenced to build by the authority of the chief of ordnance.

I transmit herewith a copy of instructions received from the Ordnance bureau while in New York, and I forwarded on Saturday last, to your office, a copy of a letter received from Colonel Craig, since I was here, in which he says, "yet until the land already selected shall have been legally confirmed to us for an arsenal, or the titles thereabouts shall have been so quieted that we can purchase a valid fee simple title, nothing more than the most temporary shelter for our stores and employés must be built."

It may be well to state that the effect of this order of supervision is to leave the larger part of my command very uncomfortably and inadequately quartered, while a few days, say four or five, would have finished the building, so that not only all of the present detachment, but all whom I expect to join it, would have been comfortably housed.

Respectfully, your obedient servant,

WM. T. WELCKER,
First Lieut. Ordnance, Commanding the Depot.

Captain A. PLEASONTON,
A. A. Adjt. General, Dept. Oregon.

ADJUTANT GENERAL'S OFFICE,
Washington, D. C., July 18, 1860.

SIR: The letter of Brigadier General Harney, dated the 26th of December last, returning a communication addressed to the acting assistant adjutant general, at his headquarters, by First Lieutenant W. T. Welcker, ordnance department, under date of August 2, 1859, in relation to a site for an arsenal at Fort Vancouver, which communication was referred, by direction of the War Department, to General Harney, the owner of the tract of land in question, for information as to the value of the improvements placed by him thereon, has been laid before the Secretary of War, and the following is his decision in the matter:

"WAR DEPARTMENT, *July* 13, 1860.

"The question of the lease or purchase of the land referred to is dismissed.

"The error of Lieutenant Welcker consisted in entering into an arrangement and taking possession of the land without proper authority. Further than that, as far as the facts are presented, there does not seem to have been cause for any imputation against his conduct or motives in the matter.

"The suspension of the work of the ordnance department at Fort Vancouver, by the order of General Harney, is approved, if a due regard for the interests of the service made the suspension necessary, that is, if the buildings were not needed, or were greater in extent or of more expensive quality than were needed for temporary use, in regard to which a report, with full particulars, will be forwarded by the department commander for the information of the War Department.

"JOHN B. FLOYD,
"*Secretary of War.*"

I have the honor to be, sir, very respectfully, your obedient servant,
W. A. NICHOLS,
Assistant Adjutant General.

The COMMANDING OFFICER,
Department of Oregon, Fort Vancouver, Vancouver, W. T.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 7, 1860.

SIR: I have the honor to report to the lieutenant general commanding-in-chief that I have received a communication this day from Captain Dent, commanding the relief expedition into the Snake country, reported in my letter to you of the 10th of October. The expedition has been fortunate enough to rescue from starvation twelve members of the party of immigrants attacked by the Snake Indians at the Salmon Falls. They were found on Burnt river in a state of great destitution, and had been compelled latterly to subsist

themselves on the dead bodies of their companions. The enclosed copy of Captain Dent's report gives the names of the rescued and of those who have been killed, accounting for the whole party. Search for the children of Mr. Vanorman, supposed to be in the hands of the Snakes, will be made as soon as the season sufficiently opens. I hope to retake them. Captain Dent reports himself in the snows, but it is believed he will be in before the severity of the season will occasion any serious inconvenience to his command. Upon his return to Fort Walla-Walla, and the rendering of his report in full, I will again report to the headquarters of the army. The rescue by this expedition from a horrible death of so considerable a number of this unfortunate party is a most gratifying result. No further objects, it appears, could be attained in the present state of the season.

I think it proper to add that the officers and families at Fort Walla-Walla promptly forwarded to the sufferers an abundance of clothing and other necessaries and comforts.

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

G. WRIGHT,
Colonel 9th Infantry, Commanding.

Lieutenant Colonel L. THOMAS,
Assistant Adjutant General, Headquarters of the Army, New York, N. Y.

MILITARY ROAD EXPEDITION,
Camp at Fort Walla-Walla, W. T., November 1, 1860.

SIR: I would respectfully submit to the colonel commanding the department of Oregon the following statistics and views relative to an annual military movement of recruits from Fort Snelling to Fort Walla-Walla, and would request that the same be laid before the general-in-chief and the quartermaster general, with such remarks as the colonel may deem necessary or pertinent.

As you are aware, during the summer of 1859 and 1860 the Missouri river was proved to be navigable within one hundred miles of the Rocky mountains, and during the present season a military detachment of three hundred recruits, under Major Blake, ascended in steamers as high as Fort Benton, where, taking land transportation, they moved safely and in good season to Fort Walla-Walla.

This demonstrated that the Missouri river, together with the intervening land transit to the Columbia, could be used as a military line whenever the necessity for a movement existed, and provided the proper season for navigation be taken advantage of. But in future years, or until the condition of the interior shall guarantee an abundance of land transportation at the head of navigation on the Missouri, the element of uncertainty must ever enter into the movement of any body of troops to this coast, *via* the Missouri and Columbia.

During the last season it was practicable, because we had land transportation at hand for the movement westward. Doubtless this

transportation would be had in sufficient abundance at all times at Fort Benton by private enterprise, provided the government would hold out any assurances of a certainty of movements, which, however, will not be guaranteed. Under the peculiar circumstances, therefore, under which this line would have to be made use of, the following has seemed to me to be not only judicious, but feasible and economical; and as it is one in which the colonel commanding would feel a direct interest, courtesy to him and my interest in seeing this line practically opened have dictated my officially submitting the subjoined views.

Suppose, then, it is intended to send a detachment of three hundred recruits (which we will take as a unit of estimate) to supply the more eastern posts of the department of Oregon, say Fort Vancouver, Fort Dalles, Fort Walla-Walla and Fort Colville. Let these troops be rendezvoused at Fort Snelling by the 1st of May, with transportation for their baggage and two months' supply, and take up the line of march for Fort Walla-Walla, *via* Fort Union, (mouth of the Yellowstone,) Fort Benton and the Bitter Root valley. By the steamers that annually leave St. Louis in May for the mountains send up for these troops one month's supplies to be deposited at Fort Union, and two months' supplies to be deposited at Fort Benton. The troops starting from Fort Snelling with supplies for two months, a liberal allowance of time to the Yellowstone, will reach the latter point with empty wagons; here they will replenish their stores by the month's supply there left. The wagons now being only half laden will be light, and the animals thus enabled to make good time and improve in flesh on the march. In one month more they reach Fort Benton, again with empty wagons, where they again replenish their stores with two months' supplies there left, with which they reach Fort Walla-Walla in good season. Thus it is seen that though the troops may be five months on the march they are not compelled at any one time to carry supplies for more than two months, thus saving the heavy outlay of starting with a large train, which by the time they completed one-half of their journey would be half empty, and thus to be either abandoned on the road or brought to the Pacific at heavy cost.

The advantages growing out of overland movements through large bands of Indians are admitted by all, and for one I am free to believe that the presence of a large force alone at Fort Benton during the past season prevented the turbulent and uncertain spirit of the Blackfeet from finding a vent in an attack upon my own or other smaller parties passing to and fro through the country; and I am convinced that an annual movement thus initiated, under auspices so favorable, can be successfully repeated, and be the means of not only keeping the Indians of the eastern section of the department of Oregon quiet and contented, but will give that feeling of security to the two borders of our frontier that will cause the now scattered settlements making out both from the Columbia and the Missouri at no distant day to form a single belt across the country.

The question, then, of efficiency to the men and the advantages both in subjecting the Indians and giving a feeling of security to the

settlements and protection to the lives of overland emigration, are easy of solution, and so fraught with importance that they cannot be silently passed over.

On the score of economy I will submit an estimate of costs, which may safely be taken as a close approximation to truth.

Suppose, then, that we purchase every item of transportation needed for this movement, taking, say, forty wagons, to be drawn by six mules each:

40 wagons at Fort Snelling will cost $200 each	$8,000
240 team mules will cost $110 each	26,400
60 mules for herding and contingencies, $110 each	6,600
40 sets 6-mule harness, $72 a set	2,880
Necessary tools and general equipments for the march, say	2,000
2 wagon-masters, at $100 each, for 5 months	1,000
50 employés, cooks, herders, and teamsters, at $25 per month each, for 5 months	6,250
Value of 5 months' rations of civil employés, at 40 cents a ration, 7,800 rations	3,120
Contingencies, &c	3,750
Making total cost	60,000

In this estimate no figures are included for the first cost, and transportation of three months' supplies from St. Louis to Forts Union and Benton, because if this enter as an element of cost we should be compelled to include the cost on the western slope for the same period, and an accurate estimate shows these items to be about one and the same, and hence may be regarded as cancelled. The actual outlay to the government that this movement calls forth may be therefore estimated at $60,000. On arriving at Fort Walla-Walla the wagons, mules, and harness, as is well known, are worth their eastern cost, which is $43,880, leaving the actual cost $16,120, or $54 per man, from Fort Snelling to Fort Walla-Walla, or about the same per man as the actual cost of transportation this season from St. Louis to Fort Benton.

The value of a ration at St. Louis is, say	20	cents.
Transportation to Fort Union is 3 cents a pound	9	"
Value of ration at Fort Union	29	"
Value of ration at St. Louis is, say	20	"
Transportation to Fort Benton is 10 cents a pound	30	"
Value of ration at Fort Benton	50	"
Value of ration at Fort Walla-Walla is	35¼	"
Transportation to Colville, say 15 cents	15	"
Value of ration at Fort Colville	50¼	"

Thus it will be seen that the first cost of the ration plus the transportation on each side will be about equal.

Fort Walla-Walla is a large and important depot post, from which the large military operations against the Indians in the interior must take place. Concentrating, then, at this point annually, the new transportation thus brought across the country enables the quartermaster's department to replace their old wagons, harness, and animals, which last can be disposed of in the country advantageously, and when it is known that every wagon used in the department is made of material shipped from the east to this coast, it will be readily seen that, on the score of econony alone, thousands of dollars can be saved to the government. For, taking $150 per man as the unit of estimate of transporting each recruit from New York to Fort Walla-Walla, you incur in transporting 300 men an expense of $45,000, whereas the overland route costing, say, $16,000, leaves an actual saving to the government of $29,000.

This is an advantage that we can readily and accurately estimate in dollars and cents, but when we couple with this the natural and incidental advantages, both to the recruits and the Indians, growing out of an overland movement, truly it seems to me that every consideration would appear to be in favor of the recommendation set forth.

The only objection which, it seems to me, would be validly urged against the department of Oregon being supplied with recruits, *via* this route, might be that they would not arrive in the department in time to take part in any campaign contemplated during the same season. But when it is remembered that the contingency of a campaign might render the region over which these troops must pass the field of operations, with as much probability as the other sections of the department where Indian difficulties are likely to arise, this objection must lose much of its force; for the troops in movement to the department actually wage a bloodless campaign, and thus do that for which otherwise an expensive expedition must be specially organized. Excepting the Snake country, there is no region within the department of Oregon where difficulties are more likely to arise than on the eastern line of the department. Here we have, in and bordering upon the department, the large bands of Blackfeet, Crows, Bannacks, and also Snakes, none of which tribes are our fast friends. Intervening we have smaller bands, whose moods are still turbulent. On the score of probability of a field of operations, therefore, this line compares but too favorably with others, and renders this objection, which at first glance might be of importance, weighless in the scales of military prudence. As the colonel is aware every mile of the road from Fort Snelling to Fort Walla-Walla, 1,600 miles, has been passed over by wagons, and therefore the uncertainty of wagon road practicability no longer exists.

I lay before the colonel the foregoing views for his consideration. They have appeared to me pertinent to my present labors, and if they contain anything of value that could be practically carried out I shall rest content.

I am, sir, truly and respectfully, your obedient servant,

JOHN MULLAN,
First Lieutenant, 2d Artillery,
Charge of Militray Road Expedition, &c.

Captain A. J. HARDIE, *Acting Assistant Adjt. General,*
Headquarters Department of Oregon.

HOMEWARD BOUND,
Camp on Burnt River, October 28, 1860.

CAPTAIN: I know that the colonel commanding is anxious to hear to what extent we have succeeded.

Our success has been greater than I expected. I shall, as soon as I reach Fort Walla-Walla, make an official report and give details. Here I will only mention that I have in my camp twelve of the emigrants that we have rescued from horrors that will not admit of relation. Suffice it to say that when found on the Owyhee they were living on the putrified corpses of those who had died, and when found by us had consumed five human bodies, (children and husband.) The living that are with us are Mr. Chaffee, Mr. Munson, Mr. Myers, Mrs Myers, five children of Mr. and Mrs. Myers, Mrs. Chase and one child, and Miss Emeline Trimble. Two brothers by the name of Rutt came into the Umatilla agency.

We found, murdered by the Indians, near the camp Mr. Vanornan, Mrs. Vanornan, Mr. Gleason, Mr. Charles Otter, Mr. Henry Otter, and Mr. Marcus Vanornan, aged 17. These were found and buried by Lieutenant Reno, who also found and rescued Messrs. Chaffee and Munson. Lieutenant Anderson found and relieved Mrs. Myers and family, Mrs Chase and child, and Miss Trimble; he also found the remains of Henry Trimble. All of Vanornan's family were not killed. I am inclined to think that four of his children are in the hands of the Indians, who have fled into the mountains on the other side of Snake river. We can now account for all.

Killed with the wagon.

Lewis Lawson, William Otley, Charles Keshnell, Judson Cressy, John W. Myers, Mr. Otter, Mrs. Otter, Mary Otter, Emma Otter, Abbey Otter, Wesley Otter

Killed by the Indians on the road.

Alexis Vanornan, Abigal Vanornan, Marcus Vanornan, Charles Otter, Henry Otter, Christopher Trimble, Samuel Gleason.

Died in camp and eaten.

Mrs. Chase, Daniel Chase and Albert Chase, children; Elizabeth Trimble, infant of Mrs. Otter; Shamberg and Murdock, comrades of Schneider, lost in the mountains of Mathew.

Supposed prisoners in the hands of the Indians.

Eliza, Minerva, Lucinda, and Reuben Vanornan.

15 saved.
11 killed with train.
7 killed by Indians and buried by us.

5 died in camp, and eaten.
4 supposed to be prisoners.
2 lost in the mountains.

44 the original number in train.

The snows are all around us, and our emigrants are much reduced, but I hope to get in by the 7th of November.

In great haste and very cold.

F. T. DENT,
Captain 9th Infantry, Commanding Expedition.

Captain HARDIE.

HEADQUARTERS DEPARTMENT OF OREGON,
Fort Vancouver, W. T., November 22, 1860.

SIR: I have the honor to transmit herewith the report in full of Captain F. T. Dent, 9th infantry, commanding the expedition for the relief of the survivors of the late massacre on the emigrant route into this country. This narrative substantiates, it will be perceived, the painful accounts before received of the sufferings of these unfortunate people. I am satisfied that Captain Dent's course in returning at once with the party rescued was necessary, humane, and proper under the circumstances. He and his officers, Assistant Surgeon L. Taylor, Lieutenant Reno, 1st dragoons, and Lieutenant Anderson, 9th infantry, with the non-commissioned officers and men of the expedition, are deserving of praise for the zeal and energy which characterized the discharge of their duty in this service. They have at least no slight reward in the consciousness of having saved from additional horrors and a miserable death these wretched sufferers.

I have learned that the party originally would have probably made a successful defence against the Indians, for they appear to have fought desperately, but for the base desertion of four or six of the men, who, mounted on the best animals, embraced the first opportunity for escape. Thus abandoned, the remaining men were too weak in numbers to defend the women and children. A deserter from the army, (perhaps more than one,) it is said, was amongst the runaways.

The most energetic measures for the rescue of the Vanorman children, if they prove to be in the hands of the Indians, as well as for the punishment of the savages concerned in this outrage, will be carried into effect at as early a moment as possible.

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

G. WRIGHT,
Col. 9th Infantry, Commanding.

Lieutenant Colonel L. THOMAS,
Asst. Adj. Gen., Headquarters of the Army, New York.

[Indorsement.]

HEADQUARTERS OF THE ARMY,
Washington January 4, 1861.

Respectfully submitted to the War Department by the general-in-chief, who thinks it would be well that this handsome service of humanity, and the information it has brought out, should be made public.

By order.

GEORGE W. LAY,
Lieutenant Colonel, Aide-de-camp.

FORT WALLA-WALLA, *November* 8, 1860.

CAPTAIN: I have the honor to report for the information of the colonel commanding the department of Oregon, that on the evening of October 4, 1860, being at Fort Dalles, Oregon, I received from yourself department orders No. 105, directing me to take command of an expedition to be fitted out at Fort Walla-Walla for the purpose of recovering or rescuing any survivors that might be of the massacre of emigrants which took place on the 9th and 10th of September, 1860, in the vicinity of Salmon Falls on Snake river.

I left Fort Dalles at 12 a. m. on the 5th, and reached this place on the 9th of October, and presented orders No. 105 to Capt. A. J. Smith, 1st dragoons, then in command, who immediately ordered the organization of my command, in accordance with those orders, and so prompt was the action of all departments that I was enabled to move my party out from the post to a camp on the Tumalum on the evening of the 11th of October.

The command as organized consisted of—

	Officers.	Enlisted men.
Company E, 1st dragoons	1	40
Detachment of company J, 1st dragoons	0	20
Company B, 9th infantry	1	20
Detachment of company E, 9th infantry	1	20
Field and staff	1	0
	4	100

Mr. T. Wright, agent of quartermaster's department, in charge of train and public property.

Captain F. T. Dent, commanding.

Assistant Surgeon L. Taylor, medical officer.

Second Lieutenant M. A. Reno, commanding dragoons.

Second Lieutenant R. H. Anderson, commanding infantry.

The infantry were mounted on mules, and our stores, ammunition, and camp equipage transported on pack mules. Our march was slow, and the command moved together until we reached Powder river, on

the 17th of October. Not being satisfied with the speed we were making, I determined to scout the country forward with strong parties unencumbered, and accordingly ordered Lieutenant Reno, with forty men, 1st dragoons, and two guides, with ten mules lightly packed, to scout thoroughly the Burnt river and its vicinity, the main command following him as fast as it could. On the evening of the 19th Lieutenant Reno discovered on a small branch of Burnt river two emigrants almost naked, without fire, and starving; the names of these two, as given me by themselves, are Civilian G. Munson and Charles M. Chaffee. Lieutenant Reno clothed them and supplied them with food, and leaving a corporal and ten men with them, he proceeded rapidly to the front; on arriving at the place on Burnt river where the road leaves it, and having found no trace of the remainder of the emigrants, Lieutenant Reno put in camp twenty-five of his party, and with five men and Mr. Craigie, the guide, proceeded riding day and night to the Malheur; having made no discoveries on the Malheur, Lieutenant Reno returned toward Burnt river; at some points on the road finding tracks of women and children, their trail passing over rocky ground, and rain having fallen on it since made, it was hard to follow until he came to where the emigrant road between Malheur and Burnt river touches on Snake river; here the trail was fresh and his hopes were roused of speedily finding them; the daylight was nearly gone, but the search continued, and when he had proceeded to within two miles of the camp he had left on Burnt river, he came on, at a short distance from the road, and in the sage brush a scene of murder and mutilation, only to be found where the warwhoop has signalled the scalping-knife's deadly work; gleaming in the moonlight, dead, stripped, and mutilated, lay the bodies of six persons. They were identified by Mr. Reith as Mr. Alexus Vanorman, his wife, Abigail Vanorman, and son, Marcus Vanorman, Charles Otter, Henry Otter, and Samuel Gleason. Mrs. Vanorman had been whipped, scalped, and otherwise abused by her murderers; the boys, Charles and Henry Otter, were killed with arrows; Mr. Vanorman, Marcus Vanorman, and Gleason had their throats cut, and besides were pierced by numerous arrows. They appeared to have been dead from four to six days; the wolves had not yet molested them; decomposition was going on however, and Lieutenant Reno buried them. I arrived immediately after at Lieutenant Reno's camp, and found him absent on a scout with a guide and ten men, he having found in the vicinity of the place where the Vanormans were killed a trail of Indians with whom he supposed might be some of the Vanorman family; this he supposed from finding a small barefoot track among the moccasin tracks. He followed the trail to where it wentin to the Salmon River mountains, first crossing the Snake river at their bases; having no means of crossing Snake river which is here very rapid and deep, he returned to camp and reported to me. I deemed it best not to pursue the trail at that time, as I had learned from Mr. Munson during that day that on Snake river, some fifteen miles beyond Owyhee, he had parted with the Vanorman, Chase, Myers, and some of the Trimble and Otter families. A long time had elapsed since he left them, yet I had hopes of finding some of them alive, as the Vanormans who had

evidentlyparted from the others had been so recently killed; I therefore determined to push forward with all haste. Lieutenant Anderson, 9th infantry, with thirty-five men and light packs, moved forward with orders to make a thorough search of the Malheur and Owyhee, the main command moving on the same route. On the morning of the 25th of October, when *en route* to the Owyhee from the Malheur, I received an express from Lieutenant Anderson, informing me that the evening before he had found on the Owyhee twelve emigrants alive and five dead; those still alive were keeping life in them by eating those who had died. I will not attempt to describe the scene of horror this camp presented, even when I reached it at 12 o'clock that day; those who were still alive were skeletons with life in them; their frantic cries for food rang in our ears incessantly; food was given them every hour in small quantities, but for days the cry was still kept up by the children.

Those found and relieved by Lieutenant Anderson, were: Mr. Joseph Myers, Mary E. Myers his wife, and their five children, Isabella, Margaret, Eugene, Harriet, and Carry Myers; Mrs. Elizabeth Chase, and her daughter, Mary Chase; and Miss Emeline Trimble.

The dead in the camp (consumed) were: Mr. Daniel Chase, and his two sons, Daniel and Albert Chase; Elizabeth Trimble; and an infant of Mrs. Otter, half sister of Miss Trimble.

An hour or two before my arrival at Lieutenant Anderson's camp, he found the remains of Christopher Trimble, who had been murdered by the Indians; his body had been much disturbed by the wolves, but sufficient remained to identify it. These remains were found a short distance beyond the Owyhee. This boy, of eleven years of age, deserves especial mention. He had killed several Indians in the fight; he left the fugitives and went forward to the Malheur, where he obtained of Chaffee some horse flesh, which he took back to the women and children; he then became a prisoner voluntarily with the Indians, in order that he might get salmon taken to the camp, and did succeed in so doing and in going with the Indians there. Two weeks had elapsed since his last visit; it must have been at that time that he was killed.

Lieutenant Anderson's party buried the remains found in this camp, and also the remains of young Trimble.

The 26th of October we remained in camp on the Owyhee, constructing litters and panniers for transporting the women and children. In conversation with Mr. Myers, I learned that when Vanorman left the Owyhee his party consisted of ten persons. Besides those mentioned above as killed, there were four children, Eliza, Minerva, Reuben, and Lucinda Vanorman, the eldest being fourteen years of age. We now felt assured that our conjecture was correct, that they were captives with the Indians whose trail Lieutenant Reno followed to where they crossed Snake river. I determined to follow that trail on my return to the vicinity of Burnt river, and recover them or learn their fate. We also learned that all who had left the wagons were with us on, or had passed, the Owyhee, and that all who remained at the train were dead before the fugitives left. To save the lives of those we had recovered now became our paramount duty. Officers

and men gave them the larger portion of the clothing and blankets they had brought for their own use, yet I feared we should lose some of them from cold. The snow was all around us on the hills. I therefore determined to return to Burnt river, and on Saturday, the 27th, in a heavy storm of rain and sleet, we commenced our march. Four of the children were in narrow hampers on pack mules, and two with their mothers in a mule litter. One of the women was carried in a hand litter; this I abandoned, and had her placed on a mule with a man on each side to hold her. It was a weary and painful march to them. On the 27th we arrived on Burnt river, and to my regret, I was forced to abandon all idea of a pursuit of the murderers of the Vanorman family, as the snow had fallen heavily in the mountains and obliterated their trail. This being the case, and the snow still falling on us and around us, I deternined to push homeward and cross the Blue mountains before the snow became too deep for marching over those mountains. At Grand Road river we met the ambulances sent out from Walla-Walla by Major Steene with abundance of clothing, blankets, provisions, &c., sent to the emigrants by the officers, ladies, laundresses, and men of the post. Captain Kirkham greatly facilitated our arrival by sending forage to feed our worn out animals, and wagons to relieve them of their burdens. We arrived at Fort Walla-Walla at 11 a. m. on the 7th of November, 1860.

To the officers and men of my command, the employés of the quartermaster's department, and our guides, my thanks are due for the zeal, skill, energy, and humanity which they displayed. To *their* zeal, skill, and energy, I attribute our success, and to *their* humanity, the fact that we have brought into this post, alive and safe, the wrecks of fellow beings we found on the banks of the Owyhee and Burnt rivers.

Very respectfully, your obedient servant,

F. T. DENT,
Captain 9th Infantry, Comm'g Expedition.

Captain JAMES A. HARDIE,
A. A. A. General, Department of Oregon.

I enclose herewith a list of all the emigrants who were with the train at the time of the attack. The remarks opposite each name will account for each individual.

List of emigrants who were with the train.

1. Lewis Lawson killed in the fight, at the corral.		
2. William Ottley,	do.	do.
3. Charles Kishnell,	do.	do.
4. Judson Cressey,	do.	do.
5. John W. Myers,	do.	do.
6. Mr. Otter,	do.	do.
7. Mrs. Otter,	do.	do.
8. Mary Otter,	do.	do.
9. Emma Otter,	do.	do.
10. Abbey Otter,	do.	do.
11. Wesley Otter,	do.	do.

12. Alexus Vanorman, killed near Burnt river by Indians.
13. Abigail Vanorman, do. do. do.
14. Marcus Vanorman, do. do. do.
15. Charles Otter, do. do. do.
16. Henry Otter, do. do. do.
17. Samuel Gleason, do. do. do.
18. Christopher Trimble, killed by Indians on Owyhee.
19. Eliza Vanorman, killed or captured near Burnt river.
20. Minerva Vanorman, do. do.
21. Ruben Vanorman, do. do.
22. Lucinda Vanorman, do. do.
23. Daniel Chase, senior, died on the Owyhee of starvation.
24. Daniel Chase, junior, do. do. do.
25. Albert Chase, do. do. do.
26. Elizabeth Trimble, do. do. do.
27. An infant, (Otter's,) do. do. do.
28. Shaumberg, reported by Snider as killed by Indians on Wallen's
29. Murdock, do. do. do. [road.
30. Henry Snider, came in and relieved by Indian department.
31. Joseph Reith, came into Umatilla agency.
32. Jacob Reith, do. do.
33. Civilian G. Munson, found by command; brought to Walla-
34. Charles M. Chaffee, do. do. do. [Walla.
35. Joseph Myers, do. do. do.
36. Mary E. Myers, do. do. do.
37. Isabella Myers, do. do. do.
38. Margaret Myers, do. do. do.
39. Eugene Myers, do. do. do.
40. Harriet Myers, do. do. do.
41. Carry Myers, do. do. do.
42. Emeline Trimble, do. do. do.
43. Elizabeth Chase, do. do. do.
44. Mary Chase, do. do. do.

F. T. DENT,
Capt. 9th Infantry, Commanding Expedition.