

Agencies--1856

Lot Whitcomb, special sub agent to Joel Palmer at Milwaukie--
(Whitcomb was special sub agent) Agreeable to your ~~180~~ instructions directed to me Oct 19, 1855, I collected all Indians on west side of the Columbia between mouth of Sandy & Willamette rivers..made encampment on temporary reserve occupied by Chief Talmas' band...Cold weather destroyed roots... must be fed or disbanded..

R.R. Thompson, Indian agent, Agency Office, Dalles to Joel Palmer, Jan 20-1856"...late news from the Walla Walla gives an account of the most shameful treatment of the settlers and friendly Indians, their property is taken and wantonly destroyed for no other reason than that the volunteers have the power to do it... there is no discipline or order in the camp, if the settlers protest their property, their lives are threatened, one of them writing to a friend says that if their lives were in danger when surrounded by hostile Indians they are doubly so now...

A. McDonald, Colville, Jan. 27, 1856 to Gov. Stevens...

"the most unrelenting barbarities are told here of your volunteers... it is said they murdered Serpent ~~James~~ Jaune, scalped and skinned him, turned his skin into razor straps, disinterred him after burying him, then cut off his ears --preserved in liquor of which an American officer drank afterwards...by accident.. If this be true, if so as an historical fact tis worth salting to show our progress..."

Joel Palmer supt. to Maj. Gen. John E. Wool, comd Dept of the Pacific U.S. Army Benecia, Calif..."Portland, O.T. Jan. 27, 1856..."I enclose herewith a copy of a letter written by Father Cheriouse of "alla to the Watcher at the Dalles Mission...I am of opinion that nothing short of the immediate occupancy of that country by regular U.S. Troops can save these tribes from a participation in this war...to enable

this dept. to maintain guarantees secured these Indians by treaty stipulations and carry out ~~the~~ the policy of government in its efforts to colonize these Indians upon the reservations designated I have to request that you will direct at least one hundred United States troops to procede (sic) at once to the Cayuse country to aid the agents

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Copy of Letter of Father Cherouse transmitted to Gen'l Wool.

Translated from the French Jany. 15, 1856.. "e thought ourselves saved and released from embarrassment by the victory of the whites and the flight of the savages but have been greatly mistaken. The volunteers without discipline, without order and similar to the madmen of the revolution menace with death every day. They have entirely disposed of their provisions, the inhabitants of the country and the Indians who have so nobly followed the order of Mr. Palmer to remain faithful friends to the Americans... I will soon be no longer able to restrain them, the Indians. They are indignant at conduct so unworthy of the whites who have made them so many promises to respect and protect them if they remain... I am very sure if the volunteers are not arrested in their brigand actions our Indians will save themselves by flying to the homes of their relatives, the Nez Perce... I pray you my dear sir for the love I have for my government and this new country, for the love of heaven and justice to ~~present these things~~ present these things to General Wool...

John E. Wool, Major general to Gen. Joel Palmer, Supt from headquarters, Dept of the Pacific, Benicia, 7th Feby 1856---I have just received your communication of the 27th ultimo through Col. George Wright. I have sent the col. instructions to comply as soon as practicable with your wishes as well as of those of Father Cherouse that is, to send four companies to the Walla Walla country.. although the volunteers barbarously murdered Peu Piey Mox Mox and his companions whilst under the sacred

colors

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of a flag of truce which no doubt greatly excited them against the whites, I think they can be brought to terms... If extermination is not resolved upon by the persons whom you most correctly described as the authors of all our troubles I cannot but doubt the war in a few months may be brought to a close.

~~Remembered~~ B.F. Shaw, special Indian agent, Vancouver, W.T. Feb 10 to ~~Mr.~~ Isaac I. Stevens (Regarding Haller) the result of the blunder on this part of the military was instantly heralded to all the tribes west of the mountains inviting them to join and exterminate the Americans....~~there~~ ...in the month of November Major Hains moved into the Yakima with 400 regulars and accompanied by Col. Nesmith with 450 volunteers who had insts. from Gov. Curry to cooperate with the major in any movement he wished to make. On reaching the valley ...troops ordered into winter quarters at Vancouver, leaving the Indians to return into the valley... this ended the campaign as far as the regular troops were concerned. Walla Walla battle followed, Peu PMM killed... this was the first blow struck in the war.. if the government had provided a sufficient number of agents for these tribes to reside among them I do not think the war would have broken out in the summer of 1855.

Several chiefs were exciting a feeling against the Americans and without any agent to contradict them many of their lies were believed. Taking these reports together with the defeat of Major Haller and the abandonment of the Walla Walla valley by the Americans by the American settlers made all the Indians suspicious the more for the fact that the troops were now advancing into their country. The Indians who were for war took advantage of the favorable moment and circulated the report that the soldiers were coming to kill all of them and that they might as well die with guns in their hands as not...it will be the work of years to get everything right among these tribes as ~~one of our best men~~ ~~one of our best men~~

The Indians to the governor, ~~xxx~~ When Gov. Stevens and Gen. Palmer called on us we all assembled as children at the call of their father...everyone knows that they said. They spoke with a loud voice, every one heard them, they spoke distinctly, every one understood them...Gov Stevens and General Palmer assured us that they ~~wxx~~ were sent by the Great Chief of the whites to be our second Fathers, to protect us and our children and to secure our happiness---they proposed to us a treaty in regard to the lands on which the Creator used us to be born and to live...we have all acquiesced to their proposition ~~xxxxxx~~ because we thought them just sincere and friendly and we all have put our ~~xxxxxxxx~~ names to the Great Paper of the treaty as a witness of our consent. But alas. Men are always men, and everywhere there are some ~~xxxx~~ who will commit faults, especially those who are ignorant and blind. (best omitted unless necessary because of reference to Yakimas) ... the volunteers were to be our protectors but they threaten us ~~xxxxxx~~ every day to kill us.

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H.H. Tobin to Gov I.I. Stevens, March 3, 1856...under your instructions that the Indians under my charge numbering 150 strong were yesterday removed to a small bay selected by them situated on the east side of Bainbridge Island, three miles from its head, known as Deun's Point." Intended to remain with them, but no subsistence arrived so returned to this place (Seattle) to await such stores as are furnished other reservations

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R.H. Lansdale, Ind. Agent W.T. ~~Page~~ to J.W. Nesmith, March 8, 1855(56)

In reporting upon the propriety of ratifying the treaties made with the Nez Perce and other tribes of Indians of the middle region of Oregon and Washington territories by Palmer and Stevens in 1855--I have to say that the Indians interested have got most firmly fixed in their minds the idea that the treaties mentioned are become too old and inoperative and void by reason of the delay in ratifying them. Besides they have been told

by official personages that those treaties never would be ratified, that the whites did not want their lands for settlement yet awhile.

...I would rather advise that new negotiations be held, and new treaties be made with all the tribes you mention, for besides the reason above given the treaties themselves are all founded on a wrong principle that of giving the Indians large reservations common where the true policy and far the best for the Indians is to give them small portions of lands to be held in severalty, and in which each family can feel and know they have an individual right of property....

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Jno. F. Noble to I.I. Stevens, from the Dalles, O.T. March 27, 1856
As local agent for the Wish-ham tribe near this place ..as many of their supplies were destroyed ...during expedition was about moving into the Yakima country

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C.J. Palmer to Stevens, Cascades W.T. April 14, 1856-- On the 26th of March band of hostile Indians made an attack upon this place and the adjacent neighborhood killing our people, burning our homes and plundering our property.

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May 26, 56

Indian Agent J. Cain from Vancouver to Stevens... Col. Wright camp on the Naches, bridging the Yakima, priest and half breeds came in from Walla Walla...

June 3, 1856... ~~Reported~~ Thompson, the Dalles to Joel Palmer, June 3, 56, the col is building a block house on the south side of the Naches River while the opposite bank is occupied by Indians

C.P. Higgins to Stevens, July 6, 1856 from the Dalles... Father Pandosy came on Col. Wright's invitation with 40 Indians... Father Pandosy has gone out to collect and bring in the Indians to the Naches, the point that Col. Wright wished to meet the Indians and make treaty with them..

...it is generally supposed that the war will be closed on the north side of the Columbia in about a month... Col Wright crossed the Yakima river on the 2nd July on a 16 day scout and when he returns he will establish two posts in the Yakama country and then return to the Dalles

Instructions to R.R. Thompson, Ind. Agent office supt. Indian affairs Dayton, O.T. July 18, 1856...your application for permission to make Wascopam on the Dalles headquarters for the time being is granted (Palmer to Thompson)

Stevens, governor and supt, to Hon Geo W. Mannypenny, commissioner of Indian Affairs, Washington, D.C. July 24, 1856--- I have to report that the Indian war may be considered to be ended on the Sound. The Indians on the reservation are contented and the hostiles of the Sound who have ~~not surrendered~~ not surrendered are still east of the mountains.

W. K. Sear, local agency, Cascades, W.T. Aug 1, 1856. to Stevens.. Capt. Winder taken charge of Indians, (who was in command of this place) The whites will not allow them to fish on the river.

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F. Robie, local agent, Dalles, Aug 30, 56 to Stevens... nothing new in Yakima country, Capt. Dent is ~~so~~ progressing on his road and will soon have a wagon road from this place to Simcoe.. Major Garnett is getting on well with his improvements...they are now engaged in removing the Indians from Vancouver to the Cascades to the White Salmon...

A. Hedges, supt. Ind. Affairs to Geo. W. Mannypenny, commissioner Ind. Affairs, Wash D.C., ~~see~~ from Ore. City Oct 10, 1856..."the Indians east of the Cascade mountains in the immediate charge of Agent Thompson should be located upon their reservation as soon as it can be done with safety which ~~will~~ will not be until the war in the north is closed... it will be necessary to subsist them through the ~~see~~ winter and it is hoped the war will close in time to allow the removing of them to the

reservation early enough to put in spring crops..."

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from

J. Cain, Indian Agent to Stevens, Vancouver, W.T. Dec 12, 1856 ...

Mr. Noble has 900 Indians at White Salmon, Mr. Townsend reports 1,000 to 1,100 and from the last information I can get some 1,200 in the Simcoe Valley making in round numbers something like 3,000 to 3,300 all told up to this time and a prospect of more coming in.

later...1,000 to 1,200 at White Salmon, 1,000 the Dalles, 1,000 to 1,200 in Simcoe Valley making in round numbers 3,300 to 3,400. will need 1,500 pounds of flour per day, say for January 233 bbls at a cost of \$550 to \$700, take at least one beef a day costing \$90 per head...

~~and Indians~~

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Dalles Agency Dec. 19, 55 to Palmer (R. R. Thompson)

...with the friendly Indians under our charge we are compelled to be very strict, almost to severity in order to protect them from the volunteers. Many things have occurred since the commencement of hostilities which for the honor of our manhood and civilization I dare not pen...to think of volunteers meting out justice to friendly Indians is an idea preposterous. ...their trade with other tribes is broken off, cut off from sources of subsistence, dare not go to fisheries if they do they are shot at by the volunteers... necessary to call in many heretofore employed by whites as herders for the reason if seen on the hills they may be shot.

I understand that an officer high in the volunteer service boasts that the volunteers who had been stationed in this vicinity have killed twelve of the "damned red rascals."

1856--

F. Robie, local agent at the Dalles, Aug 30, 56 to Stevens

Nothing new in the Yakima county. Capt. Dent is progressing on his road and will soon have a wagon road from this place to Simcoe. Major Barnett will be getting well on well with his improvements.

They are now engaged in removing the Indians from Vancouver to the Cascade Cascades to the White Salmon.

J. Cain, Indian Agent to Stevens from Vancouver, W.T. Dec. 12, 1856

Mr. Noble has 900 Indians at White Salmon, Mr. Townsend reports 1,000 to 1,100 and from the last information I can get some 1,200 in the Simcoe Valley, making in round numbers something like 3,000 to 3,300 all told up to this time and a prospect of more coming in.

Will need 1,500 pounds of flour per day, say for January 233 bbls at a cost of \$550 to \$700, take at least one beef a day costing \$90 per head.

Agencies --1857

Thompson to A. Hedges, comm. Ind. Affairs, Feby. 24, 1857 "the winter has been unusually severe, great numbers of animals have died of starvation...the Indians themselves have suffered for want of food

A.H. Robie, special Ind. Agent from Dalles, March 2, 1857 to Stevens... I have had a conversation with Mr. White who was captured at Simcoe by Skloom. He was released at the Palouse River and arrived at the Dalles on the 1st inst. He informed me that Kamiakin, Skloom and Showawa are encamped on the Palouse with a part of their people, two hundred. He was treated kindly by all the chiefs.. Kamiakin says that Looking Glass is the man that first proposed to make war upon the whites. Peu Peu Mox Mox and He said let us wait three years and then if the whites prove false and treat us bad it will be time to go to war, but Looking Glass said that it would then be too late and proposed that he should go to the Blackfoot country, kill Gov. Stevens and during his absence the rest should all unite in a general war...not long after that sent a messenger back to report that he had accomplished his object. When we heard this, says Kamiakin, we were all of one mind which was to drive the white people out of the country. It was then and not till then that K joined in the war... There are some 600 friendly Indians encamped at Simcoe... Their chief is a man they call Chis is Kane.. He informs me that they are opposed to the Simcoe reservation and the country which they desire to have lays about 100 miles north of Simcoe at a place called Kit-ta-tash plain...please advise me whether I had better make an effort to move them to the White Salmon or let them go to the Kit-ta-tash.

Vancouver W.T. March 4, 1857...copy of laws regulations of the Indian Bureau 1850...Page 48, Sec 39 reads: The ration shall consist of one pound of fresh beef or fresh porke, or of three fourths of a pound of salt porke and of three fourths of a quart of corn or bran meal or of one pound of wheat flour for each person and four quarts of salt for every one hundred persons,"

J.W. Nesmith, supt. to Col. George Wright, 9th infy commanding fort Dalles, O.T., ... Frequent applications have been made to me by citizens for permission to locate with their stock in the Walla Walla Valley and the neighborhood ... I have invariably refused ..and have heard of persons declaring their intention to settle in that region regardless of the view or wishes of the Indian Department on the subject... I am fully impressed with the difficulties which exist in our relations with the Indians by reason of the legislation of Congress in allowing a portion of Oregon and Washington territories to be settled by the whites prior to the extinguishment of the Indian title to the land. It would seem that prior to the making of treaties east of the Cascade Mountains that the Indian Dept considered the intercourse laws in force and applicable to that region. Subsequently however to the making of these treaties Governor Stevens and Supt. Palmer published a notice declaring the country open to settlement which declaration seems to be predicated on authority derived from the stipulation contained in the treaties... Col. Steptoe issued an order prohibiting the immigration of persons to that country. Two years have now elapsed since those treaties were made during which time they have failed to receive the constitutional sanction of the executive and senate which would render them in operation. this delay I think practically amounts to a rejection and inasmuch as the government has totally failed to comply with the provisions of the treaties I am at loss to know how it has acquired any rights under them and rights which might have previously been claimed by settlers by virtue of the donation law... cease to exist since those laws have expired by their own limitations. Therefore the treaties being inoperative and the donation law having expired I concluded that no person not having acquired rights during the existence of the donation law can now claim the right to settle in the country referred to .. I have directed the different agents to explain to the Indians that the treaties were void and suspended...

Olympia, June 27, 1858---R.M. Walker, executive clerk to Nesmith

Mr. Doty this mornin put an end to himself by shooting. The
ball passing through the head. An inquest is summoned. G.W. Corliss .

(James Doty, he shot himself this morning at 9 o'clock)

(Occurred on the 24th of June)

Pandosy letter.. white paper, last of 1857 file (Agencies)

1857 James C. Geer from Fort Simcoe, August 27, 1857..

to Nesmith .."I have since 28th of last march been acting as local agent for the friendly Indians in the Yakima country.

Bonner & Co have license to carry on trade at or near Fort Simcoe. They have established their trading post about a mile more or less from the fort, ordered off by Maj. Varnett. asked for reserve lines, military forced pulled down their house, ~~packed~~ packaged up goods and moved them to the Topnish creek, distance about four miles from the Fort.

Subsequently moved back to 1/2 miles of the fort where they have remained with a file of soldiers and officer to guard them. Soldiers forbidden to trade with them.

Skloom sent word he was coming to pass winter with me at Simcoe. Had been on the Tieton.

Rations: One pound of fresh beef or fresh pork, or three fourths of a pound of salt pork and of three fourths of a quart of corn or bran meal or one pound of wheat flour ~~and~~ for each person and four quarts of salt for every one hundred persons

Suptcy. 1858

Feb. 22, 1858--W.W. Mackall from Head Quarters Dept. of the Pacific, San Francisco, ~~to~~ to Maj. R.S. Garnett, 9th Infy. Comdy, Fort. Simcoe
,, the superintendent has directed the agent to whom you refer to tell the Indians on all proper occasions that the murderers of Colon would ~~be~~ finally be obliged to surrender and submit themselves for trial.

J.W. Nesmith, supt. to Hon Charles F. Mix, commissioner, Wash D.C.,...
Salem Ore, Nov. 19, 1858-- enclose copy of General order issued by Brig. Gen. Harney commanding this dept, Date Oct. 31, 1858.. While the order on its face seems only intended to invite and authorize settlement in the neighborhood of military posts, the practical effects resulting from it will be to throw open the entire Indian country within the superintendency, to immediate occupancy and settlement and in utter disregard as I conceive of the first and established policy of the government ... of the acts of Congress and in violation of the repeated promises made from time to time to the Indians by both the civil and military affairs...

As you are doubtless well aware our relations with the Indians within the superintendency have always been in an anomalous condition growing out of the fact that the settlement of our citizens have preceded not only the extension of the laws of the United States over the country but commenced prior to the time when the stipulation for joint ~~occupancy~~ ^{occupancy} with Great Britain terminated.

Our position is without precedent and hence it is not strange that a great--opinion exists among the people how as to the (undecipherable) rights of the whites as well as those of the Indians in their present unprecedented attitude. Hitherto.. had been preceded by treaties or other steps to extinguish the right of occupancy by the aboriginal inhabitants

The act of Congress of Augu. 14, 1848 organizing the territory of Oregon and that of September 27th, 1850 making donations to settlers therein embraced territory wholly within the Indian country as it was

described by the law of the land and regarded by common consent and no provisions even previously made by treaty by which the prior rights of occupancy on the part of the Indians had been changed or in any way modified...

... ~~there no longer~~ yet remains large portions of land in Oregon and the greater portion of that in Washington west of the Cascade mountains which is now settled upon by claimants and which the Indian title has not been extinguished. No efforts have been made by men or to my knowledge by my predecessors to prevent settlement upon any lands in either territory west of the Cascade mountains not included within Indian reservations established according nor has there been any efforts made to enforce the intercourse laws within the region referred to except that for the punishment of selling liquor to Indians. The act of Congress making donations of land to actual settlers expired by its own admission on the 1st day of December, 1855. Under its operation but few settlers have established themselves east of the Cascade mountains and since the expiration of the acts referred to that country east of the Cascades excepting the portions to which rights had been acquired under the donation law has been treated and regarded by the military and officers of the Indian Department here as Indian country within the meaning of the acts of Congress upon that subject.

In 1855 orders were issued by the military officers in command of the Dept. forbidding settlement east of the Cascade Mountains beyond the Dalles of the Columbia. Again on the 29th of June, 1857 the order was reiterated by Gen. Clarke commanding the dept. Forbidding intrusion upon the land within certain specified limits and when the treaties had not been ratified.

The second paragraph of that order "...be at pains to explain to the Indians that they have the same right to their country now as they had before the treaties were made." ...explanations and promises had therefore been

made to these Indians by both the military and officers of the Indian department as to induce them to believe that settlers would not be permitted to occupy this country until the treaties with them had received validity by the constitutional sanction of the president and senate of the U.S.

On a recent visit in company with Commissioner Mott to the country east of the Cascade mountains we held several councils with the Indians of different tribes. They all complained of the intrusion of white settlers upon their lands before the ratification of the treaties. In every instance I promised them their country should not be thrown open for settlement until the treaties were ratified.

Under this state of ~~and~~ facts and ~~now~~ after having made these promises you may judge of my surprise on learning of the ~~and~~ existence of General Harney's order promulgated without the knowledge of any officer of the Indian Department and while they were engaged in making promises to the Indians that they should be protected in their rights.

It is not pretended that any ~~title~~ right can at present be acquired to their lands by settlers inasmuch as the donation laws have expired and in order to make them liable to be taken by preemption it is necessary that the Indian title should be extinguished and the lands surveyed--neither of which ~~has~~ has been done.

It therefore concludes that the order of General Harney to give every encouragement to settle thereon is contrary to law and void and in support of my opinion I beg leave to refer you to the following ..14th Constitution of the U.S. gives congress the exclusive powers to regular commerce with the Indian tribes; 2nd the ordinance of July 13th, 1787 provides in its third section that the utmost good faith shall always be observed towards the Indians, their lands and property shall never be taken from them without their consent..third, the people of Oregon in their act organizing a constitutional government, 1845, reenacted the very language above quoted from the ordinance of 1787, 4th

Congress on the 14th day of August, 1848 incorporated one provision of the 14th section of the laws of Oregon extending the ordinance of 1787 over all the Territory..

... as it will be useless for me to attempt to enforce the laws without the cooperation of the military I therefore submit the subject to your decision and orders...I do think that the rights of the Indians ~~be recognized~~ as recognized by the laws as well as the general usage and policy of the government should be protected. I therefore again would respectfully urge that the treaties pending before the senate be ratified so that settlers may choose to occupy may have some more stable and reliable tenor to make their improvements than that to be deprived from a mere military order liable to be changed, modified or revoked by the next commanding officer...

J.W. Nesmith, supt Ind. Affairs O and W T to A.H. Morse, esq.
Fort Simcoe, ~~Sale~~ from Salem Ore., June 1, 1858 re. writer's application ~~to~~ for appointment as special Indian agent at or in the vicinity of Fort Simcoe, acknowledging Major Garnett's recommendation thereto;
"...instructions from the Department ordering a retrenchment of the expense of the service together with the exhausted state of the appropriation for the present fiscal year utterly precludes my making any such appointment for the present..."

~~Nesmith~~ Nesmith to Edward Geary of Linn County Ore., from Salem, May 10, 1859 (obvious error in pagination)

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J.W. Nesmith to Maj. W.W. Mackall, Fort Vancouver, Aug. 30, 1858...
...in reply to your interrogations I have to say that I have not changed the opinion which I expressed to Brig. Gen. Clarke in June, 1857 in relation to the propriety of preventing persons from settling

in the Indian country beyond the limits which we then agreed.

There is not one foot of land in Oregon and Washington Territory East of the Cascade Mountains to which the Indian title has been extinguished nor can it be extinguished until the treaties receive the constitutional ratification of the President and Senate... the laws of Congress excluding settlers from the Indian country are stringent in their character and have been extended over the district of country referred to...

If the restrictions to settling opposite the Dalles should be removed or violated and the country thrown open to settlement the same demands would be made in relation to the Walla Walla Valley and in fact to all portions of the Indian country.

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Nesmith to Charles E. Mix, commissioner, from Salem, Sept. 30, 1858 ... at the last advices the Col. expected to return from the expedition with his command and contemplated reaching Walla Walla by the 15th of October... I understand that Col. Wright reports the war closed and that the Indians are now suing for peace...

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Nesmith to Charles E. Mix, commissioner: ...although the treaties with them were not ratified I took the responsibility of directing Agent Pennison to remove them from the Dalles to their present location eighty miles south of the Columbia River upon the ground assigned them by the treaty of June 25, 1855. ~~Copy~~

Message of the governor of the Territory of Washington, delivered December 7, 1858-... Sheer justice to the Indian and the better security of lives and property of the citizens demand the speedy confirmation of the Treaties... in connection... I will call your attention to the necessity of a separate Indian superintendent for the Territory of Washington. The extent of the Territory, the number of Indians (some

twenty-five thousand) and the amount of business to be transacted render imperative that this office should be created . It must be borne in mind that the faster settlements progress, and the more rapidly citizens ...upon lands over which the Indian has been accustomed to rove, the more intricate and laborious become the duties of the officers of that department. The present state of affairs demands that there should be... to this department of the public service in the Territory.

O.H. Mason.