

Correspondence Fayette McMullin, 1857-1858
List of Letters

To Gov. McMullen from Col. E. C. Fitzhugh, Sept. 12, 1857
Requests loan of rifles for blockhouse on Bellingham Bay

To Gov. McMullin from Capt. G. E. Pickett, Oct. 10, 1857
Encloses copies of two letters concerning Indian affairs, originally sent to US Army's Dept. of the Pacific.

Enclosures:

To Major Wm. Mackall from Capt. G. E. Pickett, May 21, 1857
Describes the tribes and relationships with settlers.

To Major Wm. Mackall from Capt. G. E. Pickett, Sept. 10, 1857 - Extract
Reports rising discontent among the tribes.

To Gov. McMullin from James Catlin, Oct. 18, 1857
Declines offer of commission in militia.

To Gov. McMullin from Judge Wm. Strong, Oct. 22, 1857
Declines offer of commission in militia.

Receipt for public property, W. Miller, Quartermaster, W.T., Sept. 25, 1857

To Gov. McMullin from Wm. M. Morrow, Jan. 11, 1858
Argues that the governor should carry out the execution of Chief Leschi.

To Gov. McMullin from Brig. Gen. H. I. G Maxon, Feb. 5, 1858
Concerns appointment of aide to Gen. Maxon.

To Gov. McMullin from Ordnance Office, Feb. 6, 1858
Reports the territorial allotment for muskets.

To Gov. McMullin from Franklin Matthias, Mar. 5, 1858
Accepts commission in territorial militia.

To Gov. McMullin from Judge F. A. Chenoweth, Mar. 6, 1858, leaf 3
Concerns the Judge's role in and opinion of the proclamation of martial law and the arrest of Chief Justice Lander.

To Gov. McMullin from Col. T. K. Craig, May 15, 1858
Confirms shipment of rifles to W.T.

To Gov. McMullin from Capt. F. D. Callender, June 3, 1848
Concerns the transmission of arms.

From Gov. McMullin to W. S. Ebey, Oct. 9, 1857

Regrets that it is not possible to send a military expedition north to avenge the murder of Col. I. N. Ebey.

From Gov. McMullin to Wm. W. Miller, Oct. 10, 1857

Concerns settlement of claims from Indian War.

From Gov. McMullin to John B. Floyd, Secretary of War, Nov. 19, 1857

Requests navy steamers to patrol the Sound against attacks from the northern Indians.

From Gov. McMullin to Wm. W. Miller, Apr. 29, 1858

Authorizes use of force to prevent use of the Capitol as a ball room.

From Gov. McMullin to John B. Floyd, Secretary of War, May 5, 1858

Attempts to correct mistakes in an earlier letter in several legal matters.

From Gov. McMullin to Capt. D. G. Farragut, June 18, 1858

Requests naval ships to patrol Sound and protect settlements.

Belle. Bay. W.T.

Septem 12th/57

465
13
Hon: Fayette M^cMullen

Gov of Washington T^g

Olympia.

Sir,

As I am living in the border County of the T^g & am constantly liable to be attacked by the Northern Indians - I would be glad to have the loan of ten U S rifles to keep in my block house, for the protection of those working at the Belle. Bay Coal Co's Mine & those generally living on this Bay. I will be responsible for the safe delivery of the rifles, whenever they are demanded of me.

Very respectfully
Yours obt Servt

E C Fitzhugh

Land by
Genl Tilton

Gen Hazette M^c Miller

Olympia
W. T.

To be
Admission

From

Cas. E. C. Fitzhugh

Bellingham Bay

Sept^r 12. 1857.

Receipts the loan of Rifles
+
will account for them.

Fitzhugh

Fort Bellingham W.S.
Oct 10th 1854.

Governor

I have the honor in accordance with your
wish to enclose the copies of two letters in reference to Indian
affairs in this vicinity, addressed to the Hd Qrs of the Dept
of the Pacific - San Francisco Ca -

I am Sir
Very Resp^{ly}
Yours &c
W. H. Putnam
Capt 1st Infy
Cong Post.

To His Excellency
Governor F. McMillen
Olympia
W.S.

From
Capt. G. E. Pickett
Comm. 29
Fort Bellingham W.T.
Oct. 10. 1857

Transmits Copies of
Letters &c

X

Pickett

Enclosure, Oct. 10, 1854

Fortellingham W.S.
May 21st 1854.

Sir;

I have the honor to acknowledge the receipt of your communication of the 9th instant, requiring a "detailed report of the state of the Indians in this vicinity."

The tribes of "Aborigines" who live on the shores of this Bay are as follows—First the "Lummi"—numbering probably five hundred souls—One hundred and thirty warriors. They are, as are all the Salt water Indians a Magratary race—living principally on fish, Salmon particularly. They catch large quantities of them in the summer,—dry them, and preserve them for their winter rations. They also, during most of the "Fall", winter, and Spring, kill, sell, and subsist on the numerous geese, geant, and ducks, with which this Country, or rather Sound, abounds. They also cultivate potatoes, both for their own use, and for sale to the "Whites". They are like all savages, indolent, and fond of ardent spirits, of which unfortunately they get too much, in spite of the strenuous efforts of the part of Col. Fitzhugh the Indian Agent and myself to prevent it.

The other Salt water tribes in this vicinity are the "Swinamish" and "Samish". The land claimed by the "Lummi" tribe—lies immediately at, and about the mouth of the Lummi River, and that claimed by the others, on some Islands lying to the South-South East, of this Post and Bay, forming the South boundary, and between us and Whitley's Island, (called Island County) on this last named Island live the Peadjette, who, I suppose come

more properly under the Supervision of the next Post.

The "Lamish" and "Koinamish" together number I suppose Warriors. These tribes during all the difficulties in this territory have continued friendly with the "Whites". They are all most intensely afraid of the Northern Indians, which hostility it behooves us all to keep alive, for it is one of the greatest safeguards to the interest and security of the people of this Sound.

These three tribes are all intimately connected with each other, both by intermarriage and friendly relations. Reservations have been laid off for them although they have ^{never} been compelled to confine themselves to them. They fish on one place, hunt on another, and plant potatoes on a third. For the present I anticipate no difficulty with them, unless excited to some act of desperation by liquor and ill usage from some of the inferior class of Settlers - for this Country, although not exactly settled, has claims located on all the land bordering on the Bay.

In our rear on the upper and head waters of the "Lummi" or "Nooksack river" are the "Nooksack tribe", extending from the foot of Mount Baker towards the "Kwihomish" river, and together with the "Stick Indians" who live on some lakes some eight or ten miles distance, as it were encircle this Bay. It is from these I shall expect the first outbreak, not that they are unfriendly now - on the contrary, they profess amity, and as long as they remain undisturbed, they will remain quiet, and be as much inclined to bring down their game, furs, skins and potatoes for trade and barter as they are at this moment. But unfortunately I foresee that this policy will not be pursued. Whilst they are perfectly willing to bring their articles of value to exchange, they have an insuperable objection to have their

land and fastnesses encroached upon. They have not, and never will permit without resistance, an entrance into their country - unless some equitable arrangement may be made with them.

No treaty has ever been ratified. A Reservation was laid off at the mouth of the "Lummi River" on an Island. Could such a treaty be made with them, it would be cruel, not to say impracticable to carry it out. They differ entirely from the Saltwater Indians. They are a sturdy, sinewy, athletic race, used to a great deal of exercise of limb and muscle, living principally by the chase. To confine such a people, numbering say over a thousand to a small Island, or rather to attempt it, would be, to say the least, of it, a certain failure - and yet even before any treaty has been made or attempted, the people of this Country are cutting a road into the heart of the territory now occupied by these "Nooksacks". They are more than premature, they are rash; not strong enough in their present position to protect themselves against the Northern Indians. Still they wish to, and are now invading a neighboring and peaceful tribe, for the purpose of taking claims, and inevitably bringing on a war.

Whilst I shall do all in my power to protect the Citizens, I cannot but state this to the Department, as my opinion founded on observation, and that unless timely measures are taken, a war disastrous to the inhabitants of this territory, and one which cannot redound to the ^{and credit} honor of the U. S. troops will, and must be the consequence.

It was my intention to have made the above report to the General Commanding by this mail, and had announced such intention to those who are foremost in the undertaking. It must be recollected that I have a detachment of ten men and a field piece in their village at this time, to protect them from the hordes of Northern Savages; of the latter, I have heard nothing recently, and everything is quiet at present.

1627

I am Sir, Very respectfully
Your Obedt Servt
(Signed) G. R. Pike

Capt. G. J. Lufky
Comdg Post.

Major Mr Mackall

Adj Genl -

Dept of Pacific

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From Capt. Pickett
Bellingham Bay
Sept 10th 1837

A true Copy -

G. R. Pike
Capt & Adj

X

Pickett

Fort Bellingham W. I.
Sep. 10th 1854.

Extract

Major,

The Steamer "Seabird" has just landed some stores for this Port, and leaves direct for San Francisco. I cannot allow the opportunity pass without reporting to Dept. Head Quarters.

A very strong feeling of discontent seems to be at work amongst most of the Indian Tribe on this Sound. As reported in obedience to Order No. Head Quarters Dept. Pacific - certain treaties have been made two years since of rather disadvantageous character to them, but still, even those, with one exception have never been ratified. The consequence is, that great dissatisfaction is arising from the fact that their land is being continually occupied by the "Whites", and no remuneration, or attempt at it.

The Indians living in the interior are peculiarly jealous of any encroachment on their lands and right.

There is doubtless an under current of bad feeling towards us, coming from the other side of the Cascade Mountains, "Hamiakie", "Chohi" and others are connected by blood and marriage with many of our Sound Indians, and exercise an influence amongst them, the extent of which is scarcely known, even with the principal portion of the savages themselves.

There have been frequent reports, ripe of the ill feeling of the Nootacks towards us, and even of their intention to attack this Port. This however, I regard as mere rumour, - but still there is no doubt a necessity for some immediate action on the part of the Government with regard to these our

own tribes— Then again, there is a feeling of total insincerity amongst the white settlers of this sound, with regard to the invasions of the Northern tribes.

It is useless for me to mention the murder of Col. Eby of Whitney's Island, that of course having been reported by Major Hallen. Since that time I have received a letter from Judge Chemerorth of the Supreme Court of this territory, living on said Island, asking in his own name, and that of the Citizens, for a detachment of men for their protection. Major Hallen also wishes me to relieve his detachment of seven men on the Island.

The people of Whatcom and its vicinity have previously made a similar demand for protection. I do not think I ought to spare men from my Post to go to such a distance— There are three Companies at Sitlacoom, and a Guard was sent formerly from that Post to the Island.

There is but one policy to pursue towards the Northern Indians, to prohibit them from our waters, and to have a Steamer as recommended by Col. Casey to transport troops from point to point, and pursue them if necessary into their own Country.

The death of Col. Eby has not been atoned for— and unless it is by some striking example, such as to organize an expedition into their Country (They are British Indians, and I understand Gov. Douglas would either cooperate, or at any rate throw no obstacle in the way of their punishment), or by taking immediate vengeance on all parties who may make their appearance in these waters.

The policy I have pursued since being in command at this Post, is to order them not to come in here, and have sent

them would what they should expect in case of infringing such orders.

x

x

x

x

x

I am Major, very respectfully
Your obt. Servt

(signed)

G. R. Pike

Capt. 9th Infy

Comdg Post.

Major W. Mackall

Capt. Sew

Dept of Pacific

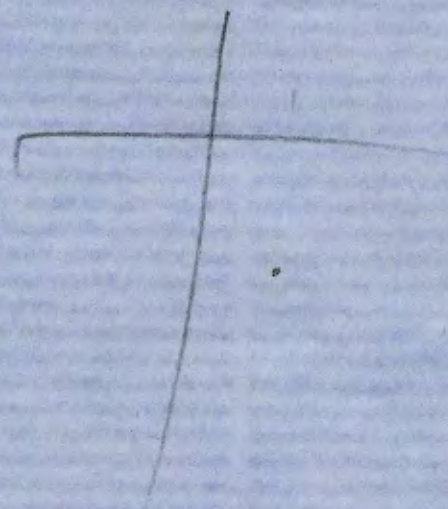
True Copy

G. R. Pike

Capt 9th Infy

1626

From Capt Pickett
Bellingham Bay
Sept 10th 1857



Pickett

W. J.
Monticello County Conn
Oct 18th 37

Gov. McMillen.

Sir I received your
communication together with a commi-
ssion for Major for this district a few
days since. But have failed to qualify
within the time prescribed by law.
My occupation being such that I could not
well attend to the duties of office. I have
therefor very respectfully declined

Yours truly

Wm J. Serot
James Catlin

From

2137

James Catlin

October 18th 1857

Declines the appointment of
Major in the Militia: —

Finis

Catlin

Montreal Co. 22nd 1884

His Excellency

Fayette L. Mallin

Gov. N.H.

Sir -

While thanking you for the honor I must beg leave to decline the office of Col. for this district - It is entirely out of my line. I would recommend Lorenzo P. Smith, who is I believe every way suited for the office - He resides at this place.

Very Respectfully

Yours obt. S^{vt}

Wm. Strong

From

Judge Wm Strong
Monticello.

Oct. 22 57

Declines the appointment of
Colonel of Militia.

Strong

Received of Fayette M^cMullen Governor of Washington Territory the following public property belonging to said Territory.
 viz: September 23th, 1857

Twenty six	96	United States Muskets (Complete)
Thirty nine	39	Stand of Arms (Consisting of United States Muskets. American Rifles Hudson Bay Muskets and Double barrel Shot Guns in various Conditions of repair)
Four	4	Carbines (in good order as to breakage)
Fifty one	51	United States Rifles, several of which in bad order
Fifty five	55	United States Cartridge boxes with Belts
Forty six	46	United States Cap boxes
Twenty six	26	United States Cartridge boxes
Eight	8	United States Bayonets, Scabbard + Belts
Fifteen	15	Cavalry Sabres + Belt Straps
One	1	Copper Magazine
Twenty nine	29	U. S. Cartridge boxes + Belts
Nine	9	U. S. Cartridge boxes
Twenty six	26	U. S. Cap boxes
Five	5	Gun Powder flasks
One hundred & forty two	142	Breast Plates
		Recessed Cases
Five hundred & sixty four	564	Muskets (Complete)
Forty thousand	40,000	U. S. Musket Cases

William H. Allen
 Lt. M. Gen. H. L.

J. M. Allen

The following public property, comprising a portion of the foregoing Catalogue, was used in the late Volunteer Service, and turned in through the Quartermaster's Home Dept. and by Volunteer Officers, to R. M. Walker Ordnance Officer of the Volunteer Service and by him receipted for to said Dept and officers to wit

Thirty Two	32	United States Muskets
Fifty One	51	United States Rifles
Eleven	11	American Rifles
Two	2	Musketoons
Two	2	Carbines
Thirty Nine	39	Stands of ^{arms} Consisting of U.S. Muskets. Hudson Bay Enns. Dbl bbl ^d Shot guns & American Rifles in various stages of repair.
Eighty One	81	U.S. Cartridge Boxes
Fifty Five	55	Belts
Thirty Eight	38	W.T. Cartridge Boxes
Twenty Nine	29	W.T. Belts
Forty Six	46	U.S. Cap Boxes
Twenty Six	26	W.T. Cap Boxes
Fifteen	15	Cavalry Sabres & Belts
Eight	8	U.S. Bayonets, Scabbards & Belts
Five	5	Iron Powder Flasks
One	1	Copper Magazine

Receipt
of
2^d M^r Gen^l W. W. Miller
for
Public Property—

Sept 25. 1857

Olympia Washington Territory
Jan. 11th 1858.

His Excellency ^{rev} Hayette McMillen

Dear Sir having so little confidence in myself it is with great reluctance that I address this note to your Excellency, and would not do so only from considerations of the highest interest not only to the citizens of the county of Sawamish which county I have the Honor to represent in the present legislative assembly. But to the ~~whole~~ people of the whole ~~people~~ Territory, I understand that a petition signed by more or less citizens of the Territory has been presented to your Excellency, praying for a reprieve for the Indian Leshi who has been found guilty of the murder of one of our most respectable citizens of the Territory. I have not seen this petition and know nothing of the reasons set forth by the petitioners. I would not presume to dictate to you as Executive of the Territory nor to claim superior judgment to any respectable citizen of the ~~Territory~~ ^{same} entertaining opinions different to my own. But being a citizen in common with all other citizens of the Territory, it is very natural for me to feel that I have a common interest at stake in this matter never in my life have I been called upon to decide Between life and death this most solemn

question is now before your Excellency and I have no fears but that you will give it your highest consideration. if you will recollect. I was in your office a few evenings subsequent to your visit to the reservation in Sawamish county where you saw several hundred Indians of this the Puget Sound district. you then and there stated to me that the Indians seemed to have a great desire for the liberation of Leshi. That they made some very powerful appeals to your sympathy. That some of the officers of the Regular Army were anxious in his behalf. That Doct Solmie was much enlisted in his favour and that some persons. perhaps officers of the Army had presumed to give expression to their feelings on the subject in your presence. But that you had stopped them stating that the matter was not yet legally before you. That whenever the petition was presented. that you would then feel willing to hear reasons assigned both for and against his Reprieve. I did not then. nor have I since presumed to give an expression in your presence I did not feel that I was at liberty to do so knowing you to be eminently capable of judging for your self in the premises. nor would I now do so but from the fact that I thought from the way you expressed yourself that I as well as others was not only at liberty to do so but that you invited council from the people if I was mistaken I hope that you will

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Forgive me on the ground of my misunderstanding
I will state to you frankly that I prefer
that the judgment of the courts and the jury
of the country sworn to well and truly try
the case according to law and evidence. Take
its legal course in this case and I will with
the same frankness state some of my reasons
In the first place it is believed if not positively
known that he was one of the leading spirits in
the late Indian War in this and Oregon Territories
and it is said that he was present at the
first wholesale massacre of men women and
children on White River. and it is unquestionably
true that he did visit the various Indian Tribes
in the two Territories for a distance of six or seven
hundred miles north and south adding fuel to the
war spirit this the Indians acknowledge themselves
if I am not incorrectly informed. during the
year previous to the breaking out of hostilities.
That it was a premeditated plan there can be
no doubt with well informed men in the country
It has been charged in the Puget Sound Courier
a paper published at Steilacoom that it was
Gov Stephens War, But you have heard
our old Revolutionary Fathers denounced as rebels
against the King of England. you have heard
the late War with England with great
heat denounced as Jim Madisons War.
you have heard the late War with Mexico

as clamorously and with equal zeal denounced as Jim Palk's War. Consequently, you will know how to put an estimate on any plea that may be made on that ground.

Now Sir this Indian Leski is condemned to die by a jury of well informed men citizens of the country. Because the evidence of a respectable citizen is ~~conclusive~~ positive and conclusive and to the point that he is guilty of the murder of Col A. B. Moses. In regard to the wishes of Doct Solmie who is said to be a very respectable man, I would suggest that he is one of the chief factors of ~~the~~ a foreign corporation that has an existence in our midst which corporation has made a large profit no doubt by selling munitions of war to both parties and moreover I have heard it rumored, (with what certainty I do not know) that his wife is distantly related to the Klickitat Nation I give this however as common rumor under these considerations it is very natural that his sympathies should be for the prisoner. As to the anxiety of certain officers of the Army, I would suggest that they too are said to have their Indian women that they keep either for wives or concubines hence a good reason to suppose that their sympathies should be in favour of the prisoner. It is considered by many in this Territory a very grave question to tell whether the Indians or the whites receive the greater sympathy by some of the officers of the Regular Army. General Meade at the head.

5
As to the names of any of the officers
of the Indian Department that may be
to the petition. I would also suggest that
there is a very good reason why they should
manifest a desire ^{for the prisoner} whether it be real or not
Because they are brought in daily conference
in some way with the Indians consequently
they very justly for their own personal safety
^{desire} the continued confidence of the Tribes.

And as to the names of any other citizens
that may be on the petition. I would
suggest that you search and see whether
there are any names attached who have
Indian women as wives or concubines and if so
you will give it its due weight in
making up your mind. These are things
that suggest themselves to my mind and
I call your attention to them.

I am clearly satisfied that three fourths
of the people of this Territory would
desire that the law take its course
Because in every portion of the Territory
full that number of the inhabitants
had to assemble and live in block houses
for one year which is a very great loss
in dollars and in improvements on their
farms and all in consequence of the
hostile leaders in the Indian Camp of
which the prisoner was one of the
leading spirits.

6 I will also say to you that there are others of the hostiles running at large on Both sides of the Cascade mountains who are murderers of our people. atrocious deeds committed previous to the commencement of hostilities among whom I would mention the names of Mr Bowler Indian agent and Mr Mattice a very Respectable citizen of this very Town of Olympia.

Now sir if Leski is pardoned it would at once be a strong plea for the others in case they are ever arrested and Brought to trial which ought to be done and I here call your attention to it, as the executive of the Territory.

Again if the prisoner is reprieved it will give them confidence to believe that you will pardon others who might be in the same difficulty and thus be emboldened to murder other citizens and again it would be taken as a plea by white men. That if the authorities do not execute an Indian who is convicted for killing a white man, They certainly will not execute a white man for killing an Indian. To my judgment it would open the door wide open for renewed hostilities by committing atrocious murders on each side

7
it is essentially necessary to the
safety of our people that the Indians
be taught that to commit murder on their
part is certain death they must be taught
to fear us it is our only safety,
and as to the anxiety of the Indians to have
Leslie set free, it was not so a few months
ago in my neighbourhood for they manifested
quite an indifference as to the result
in fact some of them said he ought to
die. the people of this Territory have
been slandered and grossly so by letter
writers to eastern papers from among
our selves seemingly for selfish motives
these letters have given offence to the mass
of our people and very justly so,
and the very large majority given to
Gov Stephens for Delegate to Congress ^{was} because
the masses thought that it would be
the best vindication of our cause of any
thing they could do and that it would
strengthen our chances for remuneration for
our losses, now you have come here as gov
of the Territory from a distant State where
none of the circumstances were known
if you should under these circumstances
set the prisoner free it would in my
judgment be taken advantage of by
members of Congress as an evidence that

& the statements of Gen Wool and these
other letter writers was true and
thus imperil the Chances for the payment
of our War debt. which debt is as just
as is the curse on the serpent, and will
be so considered by the masses of the
people of this Territory
with considerations of high respect
I am sir your most obedient servant

His Excellency } Wm M Morrow

Hayette McMullen
Gov of Washington
Territory

dated ~~at~~ olympia
as above

Olympia Wash - Ter -
February 5th 1858.

Sir;

I have this day appointed George
Gallagher my "Aid" with the rank of Captain,
in accordance with the law for the organiza-
tion of the Militia, passed February 4th 1858.

Very respectfully

Gov. F. M. Mullen
Comdr. in Chief
Militia Wash - Ter -
Olympia W. T.

Yours Most Obedient,
H. J. G. Maxon
Brig. General
Militia Wash - Ter

274

From
Brig. Genl A. G. Mason
of Militia of W. S.

Sept. 5th 1858

Appointment of
Geo. Gallagher as Aid -

274

1491

8.11.11

Mason

ORDNANCE OFFICE,

Washington, *July 6th* 1858.

His Excellency

the Governor of *Washington Territory*

Sir:

Olympia

In order that arrangements may be made to answer the calls of the States and Territories for arms to be issued during this year, under the laws for arming and equipping the militia, you are respectfully requested to inform this Office, what description of arms will be required by the Territory for the year 1858

The quota assigned to *the Territory* for this year, amounts to *137* muskets; deducting *therefrom 1/3th* of a musket, over-drawn on last year's quota, there remain *undue 136 2/3 muskets*

The States and Territories are credited with their annual quotas in terms of muskets. If other descriptions of small arms or field artillery are required, they are charged at their cost, by their equivalent in muskets, as per accompanying statement.

Requisitions for arms should be transmitted direct to this Office, and should state particularly, whether the appropriate accoutrements, harness, &c., will be required with the kind of arms that may be designated, and also the place where, and the person to whom, they are to be delivered.

No other arms or equipments will be issued but those of the patterns regularly adopted for the United States troops.

By the existing regulations, the arms will be delivered at any place within the *Territory* situated upon navigable waters, or otherwise easily accessible, which may be designated by the Governor, or other authorized officer of the *Territory*.

The United States cannot, however, incur any extraordinary expense for transporting the arms to the interior by land.

Respectfully,

Your obedient servant,

A. R. Cady
Colonel of Ordnance.

Statement of the cost of small arms, field artillery, &c., at their equivalent in muskets.

10 Percussion muskets including* appendages,	equal to	$10\frac{2}{13}$	muskets.
10 Percussion rifles " "	"	$9\frac{11}{13}$	"
10 Hall's carbines " "	"	$13\frac{1}{13}$	"
10 Artillery musketoons, with bayonets and appendages,	"	$9\frac{3}{13}$	"
10 Cavalry " including appendages,	"	$8\frac{6}{13}$	"
10 Sappers' " "	"	$9\frac{5}{13}$	"
10 Colts' revolvers "	"	$18\frac{6}{13}$	"
10 Percussion pistols "	"	$5\frac{5}{13}$	"
10 Cavalry sabres	"	$5\frac{10}{13}$	"
10 Horse artillery sabres	"	$4\frac{3}{13}$	"
10 Foot artillery swords	"	$3\frac{1}{13}$	"
10 Non-commissioned officers' swords	"	$4\frac{3}{13}$	"
10 Musicians' swords	"	$3\frac{5}{13}$	"
10 Sets infantry accoutrements	"	$2\frac{10}{13}$	"
10 " rifle "	"	$2\frac{6}{13}$	"
10 " cavalry "	"	$4\frac{12}{13}$	"
10 Horse artillery sabre belts	"	$1\frac{1}{13}$	"
10 Foot artillery sword belts	"	$1\frac{2}{65}$	"
10 Non-commissioned officers' or musicians' sword belts	"	$\frac{73}{130}$	"
1 6-pounder bronze gun	"	$31\frac{1}{13}$	"
1 12-pounder bronze howitzer	"	$27\frac{11}{13}$	"
1 6-pounder gun, or 12-pounder howitzer carriage } with implements and equipments complete. }		$23\frac{11}{13}$	"
1 Caisson with tools and spare parts complete	"	$29\frac{9}{13}$	"
1 set of artillery harness for 2 wheel horses	"	$5\frac{2}{13}$	"
1 set of artillery harness for 2 lead horses	"	$4\frac{4}{13}$	"

*Appendages include screw-drivers, wipers, ball screws, spring vices, and bullet moulds.

From

2158

Ordinance officer
requesting information
regard to this case quota of
arms.

February 6th 1858

Appropriates include when desired, officers' baggage, baggage, and outfit money.

1 set of artillery harness for 2 lead horses

1 set of artillery harness for 2 wheel horses

1 Carriage with tools and spare parts complete

1 6-pounder gun, or 12-pounder howitzer carriage
with implements and equipments complete

1 12-pounder gun, or 12-pounder howitzer carriage

1 12-pounder gun, or 12-pounder howitzer carriage

1 12-pounder gun, or 12-pounder howitzer carriage

1 12-pounder gun, or 12-pounder howitzer carriage

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1 12-pounder gun, or 12-pounder howitzer carriage

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1 12-pounder gun, or 12-pounder howitzer carriage

10 Colts' revolvers

10 Sabres

10 Cavalry

10 Artillery muskets, with bayonets and appendages

10 Hall's carbines

10 Percussion rifles

10 Percussion muskets including appendages, complete, equal to 10th muskets.

Statement of the cost of small arms held by the Ordnance Office, at their respective depots in muskets.

Seattle March 3rd 1858

Hon Fayette McMullen
Gov. Wash. Ter.

Sir.- I have the honor to acknowledge the receipt of my commission as Adjutant General in the Militia of the Territory of Washington. I accept the position and will endeavor to perform the duties of the office to the best of my ability.

Very Respectfully yours

Franklin Matthias

7

1490

Frank Matthias

Acceptance of Commission
as Adjutant General

March 5th 1898

mattheas

March 6th 1852

His Excellency Jayette M^d Muller

Governor of Washington Territory

Sir. At your request I proceed to make a plain ~~brief~~ brief statement of the part I took in the exciting matter of Martial Law. It is true as has been suggested the whole truth does not appear in the published accounts of that transaction. The only prominent press of the Territory at that time was under the control and in the interest of the Governor and gave but one side of the case. The facts then are briefly these I was sick at home at the time. My court was to have been held at Steilacoom. I requested Judge Lander to hold my court which he did or attempted to do and as to how his court was broken up and he made a prisoner you have already learned. But as you are anxious to know the particular part I took in the transaction I will say that at the request of the members of the bar I went to Steilacoom as soon as my health allowed me and did up such business as could be done at "Chambers" while Martial Law was still in force. On arriving at Steilacoom I learned that an effort would be made to arrest me and break up my court and make me a prisoner as was done with Judge Lander but I determined to stand upon my rights and pursue

My ^{ignorance of consequences} duty & ^{accordingly} I ordered the Sheriff to summon
from the body of the County fifty men to protect
the court which was done. The men appeared in
court in obedience to the summons. ~~that~~ as to how
well they were armed or whether they were armed
at all I could not tell they had no arms that
were visible but I was assured by one of the Dept
Marshals that they were armed and I had no
reason to doubt that what a pitch battle would take
place and I was fully determined to defend my self
with my life I believed I was in the discharge
of my duty and was willing to risk my life in it
Capt Curtis with thirty men were sent from
Camp Montgomery to arrest me Capt Curtis on
finding that I had a strong posse sent back
for a reinforcement and I applied to Col Cozy
of U. S. A. for troops to protect me. He declined
to furnish them at that time but intimated that
a state of things might arise in which he should
interfere and remarked that he would go and
talk ^{with} Capt Curtis which he did and the result
was Capt Curtis withdrew his men and the court
was not disturbed and on that night Martial
Law was abrogated. The business transacted
that day was the hearing of a case in Admiralty
Dunn and others vs the Steamer Waterbury and the
granting attachments in the matter of the Boheas
for the body of Edward Louder de justin and others
the opinion given in that case you have seen

on the following day the attachments were returned
by his legal Benjamin F. Shaw before me and as
he refused to make the return according to law
I committed him to prison and ordered the Marshal
to keep him in close confinement without bail until
he made the return. As Martial Law had now been
abrogated and as Gov. Stevens ~~saw~~^{seeing} I was determined
to enforce the law he addressed me a respectful
note asking me to dispose of the matter by a fine or
accept bail in Cal. Shaw's case and allow him
to return to his command. This letter was so different
from the haughty and dictatorial language that had
been held to ~~the Chief Justice and in relation~~
~~to the courts up to that time~~ that I determined
do what I could to comply with the request
for while I was determined to do my duty I did
not wish to widen the breach between the
Judiciary and the Executive. So I informed Cal.
Shaw that if he would order the prisoners to be
turned over to me and give me his parole of honor
to appear at the next term of the District Court
and submit to such order as I might then make
I would discharge him to which he agreed and was
discharged. I may be allowed here to state briefly the
reasons why I think and have always thought there was
no manner of necessity for Martial Law. As far as I
could all the Indians were conquered at the time especially
those on the west side of the Mountains. The people had
begun to feel secure and return to their farming and
other occupations in the country.

The reasons assigned by Governor Stevens for
this extreme measure have been so various and
contradictory as to show clearly that it was a desperate
struggle to save a sinking cause. The reason that
has figured most prominent is that previous to
Martial law the enemy could not be found but
that afterwards they were "frequently struck and readily
subdued;" Now where are the facts to support any
such argument as this. The only two battles that
were ever fought in Pierce or Thurston Counties
were the battles of White River & the one on
Cornells prairie both of which were fought before
the proclamation of Martial law (I respectfully call your
attention to Governor Stevens report of these battles)
No engagement of any description took place
after the proclamation of Martial law except the
little party shot by Major Moxon that only
numbered 5 or 6 men & some women in which
the Major killed a portion of this small party and
took the remainder prisoners. Whether this
argument is good for any thing or not I will not
pretend to say but one thing I can say that the facts
on which it ^{purposes to be} founded are not true.
Again at the time Martial law was proclaimed these
suspected persons were in prison at Skitacoon
- five in number - Pierce & Thurston Counties were
both placed under Martial Law both large and populous
counties embracing at least one third of all the inhabitants
of the Territory. Now why could not these prisoners have
been taken to the head quarters at Camp Montgomery

5th Apr

and have ^{been} placed ^{under} the same guard ~~over them~~
~~that~~ that was placed over Judge Lander and
other Citizens that were held as prisoners and
if Martial Law was necessary for the safe keeping
of these prisoners it could have been confined
to the camp & need not have interfered with
the people generally. There was a large number of
troops employed in enforcing Martial law in the two
counties for no other purpose than to prevent the
release of these prisoners. Now who can seriously say
that this was necessary? Who will say that these men
could not have been just as safely kept at
Camp Maryouney? And that if Martial law was
necessary at all it was only necessary to extend over
the camp that contained the prisoners.
Again did Governor Stevens know that these suspected
persons would be released? He surely had no reason
to think so if there was evidence of their guilt.
Would it not have been better to have waited and
seen whether the District Court was likely to discharge
them? He could have had his troops near the court
house door and if they were improperly discharged
could have arrested them again. The Governor complains
of no disturbance in the community at large or any
general unreasonable plot simply these five persons
looked under suspicion. The people did not seek to
screen them if guilty. The people all had one
common interest in subduing the Indians and

And in protecting themselves these are the principles

facts of case ~~the determined stand I took~~ ~~the ground~~ My determined energy I am told
he solemnly swore he would "hail me to the counter
and show me what path I crossed" And the
manner he has followed me since shows how
sincere he was when he said it

I might refer you to the correspon-
dence with the Secretary of State under the former
administration for a more full exposition of the
matter I am Sir very respectfully

your obedient servant

F A, Cherrineth

From
F A Cherrineth
repared to Nathaniel Dean

March 1838

Cherrineth
4



Providence Office
Washington, May 15. 1858

His Excellency
J. M. McKim
Gov. of Washington Territory
Olympia, W. T.

Sir

I have the honor to acknowledge the receipt of your Excellency's letter of the 27th March last, and to state, that in compliance with the request therein contained, 117 Percussion Rifles with their appropriate accoutrements, have been ordered to be forwarded to your address at Olympia, from the Benicia Arsenal, Calif^a. These arms and accoutrements, are equivalent to 136 $\frac{2}{3}$ muskets, and cover the quota of the Territory for the present year.

Respectfully
yours,
J. K. Cain
Colonel of Artillery

50



203

From

A K Craig

Col of Ordnance

Ordered 117 Percussion
Musk Rifles from Benicia
to Olympia - as quota for
present year

Washington May 15th
1858

Craig

Puget Arsenal, Cal.
June 3rd 1858.

His Excellency
The Governor of Washington Territory,
Olympia, W.T.
Sir;

Enclosed herewith I have
the honor to transmit Bill of Lading of Arms and accoutrements
shipped to you, together with Blank Receipts for your signature
when the goods arrive. I respectfully request that you will
return them to this office with the Bill of Lading duly indorsed,
in order that I may pay the freight.

Very Respectfully
Saml Stratton

F. D. Callender

Capt. Ordnance

FromF A Callender. "Benicia Arsenal"In regard to Transmission of ArmsJune 3^d 1858.Callender from

Executive Office, Territory of Washington
Olympia October 9th 1857

W. S. Eby Esq.

Whidbey Island. W.T.

Sir.

Your communication of the 15th Ultimo, referring to a statement appearing in the Pioneer and Democrat to the effect that Governor Douglas of Vancouver Island had proposed sending a vessel of war to the North in search of the murderers of the late Col. J. N. Eby. Inquiring the Authorities of this Territory would send a similar vessel. and Enquiring whether the Executive of the Territory had the power to act in concert with Gov. Douglas; has been received.

In reply I have to state that in an interview I had with Gov. Douglas some ten days since at Victoria. in relation to the atrocious act committed by the Northern Indians in the murder

of your brother. I told him I had
received information from various sources
that he had expressed his willingness
and intention of sending a vessel of
war to the North in case the authorities
of Washington would send a similar one.

His reply was, that I had been misin-
formed upon the subject. that he had
not the power or the means of fitting
out any expedition of that kind, and
could not do so without direct authority
from the "Home Government".

I regret exceedingly that it is at
present out of my power to send an
expedition into the Indian Country for
the purpose of demanding the murderers
of Col Egan.

~~By the next mail I~~
I have already addressed a ^{communication} letter
to the President of the United States,
in which I have set forth in strong
terms, ^{the present exposed & unpromising condition of the territory in the}
^{nothing parts of the territory} ~~the~~ position ^{and have urged} necessity of having

of their being

two war Steamers placed upon the
Northern Waters <sup>of the Sound & the Straits of Fuca at the
earliest possible moment</sup> for ~~the protection of~~
in order that any further incursions of the Northern Indians may be
~~the settlements~~ ^{also communitated} and I have ~~made~~
presented to the President the facts as I have ascertained them
full statements. of the ~~fact~~ relation
to the murder of your brother.

^{It is my belief}
It ~~is~~ ~~no~~ ~~doubt~~ that from these
representations, immediate action will
be taken in the premises, and ^{it} will
soon be in the power of the authorities
to take the necessary steps for demanding
of the tribes to which they ^{may} belong, the
perpetrators of the late ^{atrocious} ~~melancholy~~
~~affair on Whistys Island~~ murder of
Col Eby.

I and shall transmit to him a copy of the proceedings of
the meeting held by the citizens in relation thereto.

To

W. S. Eby
of
Island County

Relative to fitting out an
Expedition to apprehend the
Murder of Col. Eby. —
Oct: 9. 1857

X

Copied
Executive Office W.T.

Olympia Oct: 10th. 1857.

To

Mr W Miller

D^r Martin Gen. W.T.

Sir,

As there ~~is~~ still remains certain out-
standing accounts & claims arising out
of the volunteer service for the late
Indian War, you are hereby requested
and directed to proceed in your capacity
of D^r Martin General of the Territory of
Washington to settle the same in the
same manner and on the same
principles pursued by you while
acting as D^r W^r Gen^l of said Volunteer
Service.

Very Respectfully
Yours most Obedt^{ly}
(Signed) H. McMillin
Gov^r & Commanding Gen^l
Wash Territory

To

Genl. W. W. Miller

D. Master Genl

Oct. 10th 1857

I directed to proceed to enter
open ops. now unadmitted of
War claims

+

McMullen

1730

39

Territory of Washington
Executive Office, Olympia.

November 19th 1857.

Hon John B. Floyd.

Secretary of War.

My Esteemed Friend,

You have not forgotten the conversation which took place at our last interview relative to the necessary defenses of this Territory.

I then gave it as my opinion, based upon reliable information which I had received, that it was absolutely necessary that one or two War Steamers be placed upon the waters of Puget Sound for the proper protection of the people against the hordes of savages occupying the British and Russian possessions to the north of us.

I am now perfectly satisfied from personal observation, and from information received from the most reliable sources, that I was correct in the opinion I then expressed.

Now allow me respectfully but

urgently to request that you see and
confer with the President and Secretary
of the Navy, and take into consideration
the matters set forth in my official
communication to the President, of the 20th
Ultimo. to wit, the placing of two small
but fleet War Steamers upon these waters,
as of the greatest importance to the
retention of our small population. And
I would respectfully suggest that while
one be subject to the orders of the Navy
Dept. with instructions to cruise almost
entirely in the northern portion of the
Sound, the other be attached to the
Quartermaster Service here, and subject to
the orders of the Military Commandant
of the Puget Sound District, with general
instructions ^{however} from the Sec of the Navy,
to keep constantly cruising between the
head of the Sound and Whidby Island.

I make the suggestion that the one
attached to the Master Dept. be subject to
the orders of the Commandant of this District,
rather than the Commanding Genl. of the
Pacific Division, for the reason that
the head quarters of the latter Office
is too remote to give orders where

I think I gave my views and suggestions and precautions and precautions which the present condition of affairs demand

necessity requires prompt action for the preservation of the lives and property of our Citizens

If any apology is necessary for having seemed to trespass upon the Departments it is to be found in the alarmed state of the public mind here, and the deep solicitude I feel for the protection of our people.

I do not desire any accession of the Military force here, but would give it as my opinion that ^{two or three Companies of} Mounted troops ^{might with advantage take the place of the same} ~~would be far more effective~~ ^{number of infantry force, which latter are} ~~in operation against bands of Indians~~ ^{as fleet than} ~~than~~ ^{infantry force,} mainly servicable here in garrisoning posts, but powerless off shore in the pursuit of bands of mounted Indians.

In Conclusion I do most respectfully and urgently request the Consideration and adoption of my suggestions as far as may be compatible with the views and interests of the Govt. —

I am Sir respectfully

Your Most Obedt Servt.

S. McMillan

Signed

Governor Territory Washington

To
Hon John B. Floyd
Secretary of War
November 19. 1857

Relative to placing two
War Steamers upon the
Sound, & suggesting the
propriety of Dragoons instead
of Infantry. -

X

M. Mullens

Executive Office
Olympia Washington Territory
April 29th 1888

W W Miller
Br. Master General
Territory of Washington
Sir;

In the absence of
the Adjutant Genl. of this Territory you are
hereby directed if necessary, to prevent the halls
of the Capitol of this Territory being used as
a Ball Room this evening, by force if required
and for your assistance in so doing, you are
empowered herein to summon a sufficient
number of men, out of the body of the Militia
of Washington Territory, in the County of Thurston.

Very Respectfully

I have the honor to remain
truly yours &c., &c.

Gov of Wash. Territory

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To

W W Miller

Dr Mr. Genl W.L.

April 29th 1858

X

Territory of Washington
Executive Office Olympia
May 5th 1888

Hon John B Floyd
Secretary of War

Sir:

I stated in my communication of April 22^d to you, that the Grand Jury, ~~at the last term of the Court here~~ had found an indictment against Jas. M. Bachelder, and Lieut. D. B. McKibbin at Fort Steilacoom for Perjury, which was a mistake. Bachelder, and McKibbin, were indicted by the Grand Jury for obstructing Lawful Process, and Bachelder was also indicted for Perjury; which crime he is charged with having committed in his sworn answer to interrogatories propounded to him when charged with ~~the~~ Contempt.

I also stated in regard to the first trial of Leschi, that the Jury had disagreed "9 having been for Conviction & 3 for acquittal." This information I received from a reliable, but not an official source.

I transmit also herewith a communication from Mr B. P. Anderson, (a Brother of J. P. Anderson ^{over} the late Delegate ^{to Congress} from ~~this Territory~~ ^{the Territory})

& Prosecuting Attorney of this Washington
Territory, to myself; it being an expression
of his opinion called for by me, in regard
to the correctness of my letter to you of
April 22^d.

Very Respectfully

I have the honor to be

Truly yours &c

Layette M Mullins

Gov. Wash. Territory

To
J B Floyd Secy of War

Correcting letter of
April 22^d

May 5th 1858

8981
1858

X

Ms Mullin

Executive Office
Olympia Washington Territory
June 18th 1858.

Capt. D G Farragut
Comdg U S Navy Yard
Marine Island Cal.

Sir,

I have the honor
to inform you that it has recently come to my
knowledge that a large number of "Northern
Indians" from the British and Russian Possessions
are now within our waters (and more are
expected) infesting the passages among the
Islands north of the Straits of Fuca, and in
the Straits of Rosario, where they waylay
and murder and rob all they can who
pass that way in Boats and Canoes on
their way to Bellingham Bay, and from thence
to the mouth of Fraser River. There is great
reason also to apprehend attacks from them
on our settlements on Whidbey Island
and in Bellingham Bay. We have no
naval defence here whatever, and it is only
through this arm of the Service that we
can cope with, and chastise, the daring
marauders that are now and have been
so long preying upon us. I would also

McClellan

Call your attention to the fact that since the defeat of Col. Steptoe on Snake river we have every indication, from recent depredations committed by the "Mountain Indians" of another general Indian War. This being the state of affairs, I would most respectfully and at the same time most urgently request that you will immediately send one or two fleet War Steamers into these waters to drive this Northern horde from our midst and give them that chastisement they so richly deserve.

Enclosed I send you copies of letters from E C Fitzhugh, a Sub Indian Agent at Bellingham Bay, and from O P Muter of Stilacon, who was a member of the last Legislature which I feel convinced will assure you of the necessity of immediate action.

Very Respectfully,

I have the honor to be
your most Obedt Servt.,
Fayette McMullin
Gov. Wash. Territory

If you are unable, to render us any assistance in this matter, I would beg that you forward this communication to the Officer Comdg U.S. Squadron on the Pacific.

Very Truly &c F McMullin



Geo. M^r. Mullin