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MURDER OF AN INDIAN.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Report of commanding officer at Camp Gaston, California, relative to the unprovoked murder of an Indian by a white settler.

DECEMBER 15, 1869.—Referred to the Committee on Indian Affairs and ordered to be printed.

WAR DEPARTMENT, *December 10, 1869.*

The Secretary of War has the honor to submit to the House of Representatives the accompanying report by the commanding officer at Camp Gaston, California, of the unprovoked murder of an Indian on the Klamath River by a white settler, and the trouble occasioned thereby with the tribes in the vicinity, and to concur in the opinions of the commanding general on the Pacific Coast and the General of the Army as to the urgent necessity of additional legislation for the protection of peaceful Indians against such outrages, and the suppression of one of the chief causes of Indian wars.

WM. W. BELKNAP,
Secretary of War.

Report of the movements of a portion of the command of Camp Gaston, California, to prevent an Indian outbreak on the Klamath River, caused by the killing of an Indian boy by a white desperado.

HEADQUARTERS CAMP GASTON, CAL.,
October 22, 1869.

COLONEL: I have the honor to report that on Sunday last, at midnight, a committee of the citizens of Klamath River reported the Klamath Indians about to rise against the settlers and inaugurate an Indian war; that the tribes on Klamath River, the Bald Hills, and Hoopa Valley would join, and it was feared the outbreak would occur before I could place a sufficient force on the lower Klamath to prevent it.

At 1 o'clock a. m. I started a force of fifty-five men with one howitzer and marched to Elk Camp, twenty-seven miles distant from this post.

Upon my arrival I learned no disturbance had yet occurred, and would not until after the following day. I went into bivouac at Elk Camp that night, and, at four o'clock a. m. Tuesday, marched to the Klamath River, a distance of twelve miles. I found the settlers shut up in their houses, and the Indians absent from their ranches, supposing I would have to come by the river. My appearance by land was unforeseen by them, and the rapid march made a strong impression.

On that day I held a council with the head men of the ranches, and found their grievance to be the assassination of an Indian named Charlie, from Morock Ranch; that they had selected two citizens named Young and Lewis to be killed in satisfaction for the death of this Indian, and purposed a general rising of all the Indians upon the river simultaneously with this. In the council of Tuesday and one held on Wednesday morning I gave the Indians to understand that, in case of a disturbance resulting in the murder of any white settlers, I would hold the whole ranch responsible, and exterminate it root and branch; that the murderer of the Indian was in the hands of the civil authorities at Eureka, and subject only to said authorities. At the first council the Indians demanded the immediate hanging of the murderer, and were determined upon this and nothing less. Seeing it impossible to arrive at any modification, I prepared my command for immediate action, as the only alternative. I believe the disposition manifested by me had the best effect, for they were not prepared to fight and saw I was. Upon assembling another council—that of Wednesday—the Indians seemed to have found that no fear of them existed in the command and every readiness manifested for a fight. They then came to agree that no white man should be molested, and that they would wait upon the actions of the civil courts. I am reliably informed that this is one of the worst cases that has been amicably settled upon the Klamath River for many years.

It seems one John Goodman, a worthless character, living in and about Eureka, shot this Indian without any provocation whatever; that the Indian was a boy of good character and favorably considered by the whole community; that he was unarmed and peaceable in his actions and reputation.

I cannot too strongly urge upon the notice of the major general commanding the great danger to the lives and property of innocent settlers, caused by the acts of such worthless whites in pursuit of lawless pleasures. I believe that the timely arrival of my command prevented a long and desperate war with a well-armed, powerful, and united body of Indians, excited to this by the willful assassination of one of their number by a worthless white man, with a fair prospect of little redress.

I respectfully report that, in my opinion, a company post should be established at Cappell Ranch, on Klamath River, for the following reasons, viz: This position is central as regards the size and number of the ranches in that section, is the building site of the former reservation, and the most available spot for a post, being a flat of arable land of sufficient extent for a post and its necessities of area. Under the command of an experienced and capable officer, the whole river below the Trinity would be safe for the settlers thereon, because I believe that, without a standing menace in their midst, the Indians will attempt to revenge upon the whites the murder above referred to, and because if these measures be taken to prevent an outbreak at this point none will occur in the Klamath country. The post would dominate the largest and most warlike ranches on the Klamath River; is easy of access for supplies by land and water. I consider permanent security exceedingly doubtful under any other arrangement. I have posted twenty-five men and one

howitzer for the time being at Packwan Ranch; this is about six miles below Cappell Ranch, but not a desirable location for a post. After receiving the assurance of peace from the chiefs of the ranches, I ordered the remainder of the command to Camp Gaston, returning to this post myself on the following day; and now respectfully submit my report for the information of the major general commanding the department.

Very respectfully, your obedient servant,

P. W. STANHOPE,

Capt. 12th Inf'ty, Bv't Lieut. Col. U. S. A., Commanding Post.

Brevet Colonel J. P. SHERBURNE,

Assistant Adj't Gen. Dep't of Cal., San Francisco, Cal.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
San Francisco, November 1, 1869.

Respectfully forwarded. Such cases as the within are not unfrequent. A harmless Pi-Ute Indian boy was murdered in cold blood by a worthless vagabond a few rods from Camp McDermit, Nevada, last summer, who escaped; and other similar murders of Indians have occurred in Arizona since I took command of this department, but the military authorities have no control over such murderers. The State or Territorial authorities in these Indian districts are either powerless or indifferent to the killing of Indians by whites, so that the murderer almost always escapes. But if an Indian shoots a white man, it is immediately demanded by the white people of the district that the whole tribe shall be held responsible, and war against them commenced. I think further legislation of Congress might meet the difficulty; it would act as a preventive, if in such cases the murderers could be arrested by the military and held or turned over for trial by the nearest United States court, and it would give the Indians some little show of equal justice.

E. O. C. ORD,

Brigadier and Bv't Major General Commanding.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
San Francisco, Cal., November 4, 1869.

Respectfully forwarded to the Adjutant General of the Army for the information of the General-in-Chief, with the request that Congress be urged to pass some law by which willful depredations upon Indians by white men can be punished by civil authority, and I can see no better method than to extend civil authority over the Indians now within the settlements, and enable them to appear as witnesses in all cases affecting their own conduct and that of whites towards them. This affair is a fair instance of the cause of Indian troubles in this military division, and until the white murderers and robbers of Indians are punished, a large force of troops will be necessary to protect peaceful white inhabitants in the thinly settled regions of this command from Indian revenges. I was present at McDermit a few days after the murder of the Pi-Ute referred to by General Ord, and know the excitement produced in the peaceful camp of Pi-Utes by the willful, unprovoked, and unpunished murder of one of their number.

GEO. H. THOMAS,

Major General U. S. A., Commanding.

NOVEMBER 24, 1869.

Respectfully referred to the Hon. Secretary of War, with a recommendation that he submit it to Congress with such recommendation as may be deemed proper.

This case illustrates the origin of most Indian wars. On our frontier a citizen may murder an Indian with impunity, but if the Indian retaliates war results, and the United States must bear the expenses.

W. T. SHERMAN, *General*.