

Governor Lane thus comments:

In my instructions to Mr. Thornton I said nothing about the murder of Wallace, nor did I intend that he should interfere in the premises, as it was my intention on the arrival of the troops at Nesqueally to visit the Sound and demand the murderers, and make the Indians know that they should give them up for punishment, and that hereafter all outrages should be promptly punished, being well satisfied that there is no mode of treatment so appropriate as prompt and severe punishment for wrongdoing. It is bad policy, under any consideration, to hire them to make reparation, for the reasons, to wit: First, it holds out inducements to the Indians for the commission of murder by way of speculation; for instance, they would murder some American, await the offering of a large reward for the apprehension of the murderers; this done, they would deliver up some of their slaves as the guilty, for whom they would receive ten times the amount that they would otherwise get for them. Second, it has a tendency to make them underrate our ability and inclination to chastise by force, or make war upon them for such conduct, which, in my opinion, is the only proper method of treating them for such offences.

May I here digress to refer to the situation of the American settler, the relation borne by him to the native population, to the presence of the Hudson's Bay Company and the paramount influence exerted through its able and discreet officials over that population, and also to the then recognized preference by the Indians for the "King George," the name by which the company's officials and employes were known, over the "Boston," the name by which our pioneers were called by the Indians? It is doubtless true that the presence of the company had rendered the native population acquainted with the white race; that the dangers to be apprehended by American settlers from hostility of the Indians were greatly lessened by the fact that the natives were in awe of the company's authority. The Indian trade had proven a source of considerable wealth, and to secure its continuance, as also to maintain its own prestige, the company continued here pursuing its wise and beneficent Indian policy of making the Indians dependent upon them, and at the same time utilizing and appropriating all their labor. On the advent of Americans a struggle between the latter and the company for the control of the native element, both for the purposes of trade and self-protection, was inaugurated. The company had completely molded the Indian mind to its purposes. The American was therefore compelled to render the Indian friendly to his presence and measurably to wean him from his devotion to the rival power. Constituted as is the Indian mind how delicate and difficult such a task. It is not claimed that the influence of the Hudson's Bay Company incited direct Indian hostility to the Americans; but it cannot be successfully denied that the educated preference for the "King George" was an actual prejudice akin to hostility against the "Boston." Nor is it necessary to condemn the company for the effect of a policy which is rather due to the peculiar characteristics of the Indian than to any effort or design. The British and American elements were hostile in interest. Their objects, too, were widely variant. The former cared only to reap the wealth of the country—to carry it away. The latter, intending to appropriate the country itself, desired to retain within it all its elements of wealth for the benefit of its resident population. The friendship of the Indian for the time being was alike essential to both; but the method of securing it, based on such different objects, was necessarily essentially different.

"No man can serve two masters, for either he will hate the one and love the other, or else he will hold to the one and despise the other." In this exalted authority is illustrated the relation of the Indian to the white races then present in this country. Where, then, did he incline in his sympathies? Dr. Tolmie, through Agent Thornton, made Hudson's Bay Company blankets induce the Snoqualmies to give up the murderers. English influence brought temporary peace. General Lane's attempt to assert American supremacy was entirely ignored. To the Indians it appeared that the American authorities were dependent upon the company's influence to secure the redress of American grievances. The success of the

Hudson's Bay Company was contributed to by employment of the Indian. Bands or tribes were broken up, hunting parties were fitted out and kept constantly on excursions, and thus was defeated concentration of Indians. Nor did their purposes require dispossession of the Indian, and their surest reliance for profit was in putting to the best account the native habits of the Indian upon his own hunting grounds—in fact, making to him his lands the more appreciable. He was the company's servant in peace; he was their willing volunteer if occasion invoked the necessity. On the other hand, the American settler came here to stay. He required the exclusive occupancy of land, the cultivation of which destroyed its value as estimated by the Indian. The presence of settlements dissipated the game upon which he subsisted. Such a population was dangerous in its native disposition, but vastly more so when molded or impressed by the presence of the quasi hostile Hudson's Bay Company. On previous occasions I have compared the then situation with a tinder box. The flint and steel may represent the American and British elements, the Indian population the tinder. While the flint and steel do not collide the tinder is harmless. In such a tinder box, at any moment liable to ignition, the tinder was around and about our pioneers and their homes.

To return: The Hudson's Bay Company blankets purchased the surrender of Wallace's murderers. The Snoqualmies came to Steilacoom as a war party, in all the paint and paraphernalia of Indian parade, the six accused in their ranks. With Indian audacity and native perfidy they had fully reckoned upon their ability to fix the guilt upon Quarthlimkyne, the D'wamish dupe who had participated in their raid. It was their purpose to have given him up, as the compensation or forfeiture for the life of Leander C. Wallace. It must be remembered that one of the purposes for which Indian captives were taken was if a murderer or thief was demanded for punishment a slave or member of some other tribe would be surrendered in lieu of the real offender. As the names of the six accused were called each stepped forward and was made prisoner. The news of the surrender of these Indians reached Oregon City while the Legislative Assembly (the first under the Oregon territorial government) was in session. An act attaching Lewis County to the First Judicial District, and providing for a special term of Court at Steilacoom, to be held by Chief Justice Bryant, on the first Monday of October, was promptly passed. That Court commenced on the 1st of October, 1849, the first United States Court held north of the Columbia River. Kusnass, Quallawot, Stulharrier, Tatam, Why-ek, all Snoqualmies, and Quarthlimkyne, were indicted for the murder of Leander C. Wallace. The prosecution was conducted by Judge Alonzo A. Skinner. David Stone, Esq., defended the prisoners. The Court lasted two days. On the third day the two condemned murderers were executed in the presence of their tribe and a large concourse of natives.

Chief Justice Bryant thus reported the trial:

OREGON CITY, October 30, 1849.

To His Excellency JAMES LANE:

Sir—In compliance with your request to know the result of the trial of the six Snoqualmie Indians for the murder of Wallace on the 1st of May last, I have the honor to inform you that in pursuance of the provisions of an act of the Legislative Assembly of the Territory of Oregon, attaching the county of Lewis to the First Judicial District in said Territory, and appointing the first Monday in October at Steilacoom as the place of holding the District Court of the United States for said county, I opened and held said Court at the time and place appointed. Captain B. H. Hill, of the First Artillery, U. S. A., delivered to the Marshal of the Territory six Indians of the Snoqualmie tribe, given up by said tribe as the murderers of Wallace, namely: Kusnass, Quallawot, Stulharrier, Tatam, Why-ek and Quarthlimkyne, all of whom were indicted for murder, and the two first named, Kusnass and Quallawot, were convicted and executed, and the other four were found not guilty by the jury. Those who were found guilty were clearly so; as to those of the others who were acquitted, I was satisfied with the finding of the jury. It was quite evident that they were guilty in a less degree, if guilty at all, than those convicted. As to the fourth (Quarthlimkyne), I had no idea that he was guilty at all; there was no evidence against him, and all the witnesses swore they did not see him during the affray or attack on Fort Nesqueally.