

tree; but before going far the prisoner was shot from an ambuscade, when his escort tumbled him into a mining shaft, and returned to Deadwood to report progress.

When the news reached Scott river, the rougher element captured Rising Sun and another peaceable Indian, who were working in a claim, and took them to Scott bar. By this time night had set in, and the crowd gathered about in the darkness to see their champion, Ferd. Patterson, a noted desperado, who finally met his death in Walla Walla, shoot the two prisoners. One of them he killed, but Rising Sun sprang through the crowd, brandishing a huge knife some friend had given him, and rushed down to the river. He ran nimbly across the foot-log, and then dropped silently into the stream and lay under the log with only his nose and mouth out of the water, while his pursuers passed over his head and ranged up and down the river, firing at every stump and shadow their imagination could torture into the semblance of an Indian. When all was quiet, Rising Sun departed for happier scenes. The next day after this, a large party of half-drunken men went from Humbug City to the mouth of Humbug creek, where was a small rancheria of peaceable Indians, and killed two old bucks, two boys and a squaw, the others escaping across the Klamath. While these twelve innocent Indians were being killed, preparations were going on for a pursuit of the guilty ones. About the first of August four companies, one from Scott river, under Captain John Hale, and three from Humbug, under Captains Lynch, William Martin and Daniel Ream, left the Humbug for the north side of Klamath river. They numbered, in all, one hundred and seventy men. As the volunteers approached, the Indians retreated toward Oregon, and finally scattered, so that they could

not be followed. Two of these were found to have gone to the Fort Lane reservation, on Rogue river, and proved to be members of the Rogue river tribe, living on the reservation.

Here was a difficulty. The fugitives were under the sheltering wing of the United States. The first instinct of an American citizen, when dangers threaten or calamities fall, is to meet and pass resolutions. It is the great safety valve of the nation. Having met and given vent to his feelings, the American citizen feels that his duty has been nobly done, and retires to his home with quiet satisfaction. The volunteers called a meeting and drew up resolutions, preceded by a long "whereas," which stated their grievances, and wound up with the following significant passage: "That if at the expiration of three days, the Indians and property are not delivered to us, and the permission to seek for them is not granted, then we will, on our own responsibility, go and take them wherever they can be found, at all and every hazards."

A committee of one from each company was deputed to present these resolutions to the commandant of Fort Lane. This individual was "Old Baldy," well known to the nation as Gen. W. F. Smith. To him the committee presented themselves and made known their errand, placing in his hands the formidable document that was to make the army of the United States quake with fear, and turn pale the cheek of the brave captain who received it. He read it, but his cheeks blanched not; instead, they were suffused with crimson. The paper trembled in his hand, but it was passion, and not fear, that shook his frame. He burst out with an oath, and said he had a notion to arrest them all; that the Indians were under his protection, and would be delivered up to the proper authorities when demanded in a legal man-