

EARLY SETTLEMENT OF TILLAMOOK COUNTY

(Continued from page 3)

so on account of being a son of a great chief. Charlie doctored him for quite awhile but without doing him any good and eventually Charlie told him that he must have a "Boston Sick" Es Kecuya, said no, it was Indian sick. So Charlie said again to his patient "Now surely you must have a Boston Sick and you must tell me how you got it or I can't cure you". The Indian doctors have such control over their patient that they will divulge any secret no matter how bad the affair may be, so Eskecuya told his doctor all about the murder of the family, and Charlie in turn told his father.

The old chief accompanied his son back to the patient who acknowledged to the murder, the robbery and destruction of the cabin with the victims therein. Kilchis upon his return sent his two slaves up to my house, I was cooping at the time. They informed me of what had been said and wanted to know whether we had ever heard of such an affair taking place. They said they did not know the names of the persons killed. I told them to go over with me to Aldermans and see him. There we found O. S. Thomas, and the two slaves repeated their story. We all remembered reading the account of the supposed accident in the "Oregonian" We hunted around and found the newspaper, and then went over to Hiram Smith's and told him what we had heard and handed him the paper for him to read the account, asking him what steps we had better take in the matter. He said, "Let us go and see Kilchis about it as he has been good enough to send us word about it." So all four of us went down to have a "pow wow" with the chief. He said if we wanted the Indian he would deliver him to us next morning. The Indians met at his house every morning being engaged in fishing and he would detain the murderer until we arrived. This Eskecuya lived on what is known as the Davidson place.

We were at the chiefs house early in the morning and found both of his doors closed by two Indians. Kilchis met us at the door and pointing to a form lying in the middle of the floor with a blanket covering it, said, "There is your man." Mr. Thomas removed the blanket from over him but he never moved a muscle. We raised him and found he had a large knife in his hand but he did not attempt to use it. We took it from him and tied his hands behind his back. Mr. Alderman took him in charge he being a J. P. for the bay precinct, and he was taken up to my house where I held him while Thomas and Alderman went to breakfast. Eskecuya told me all about the murder and said he did not intend to kill anyone when he entered the cabin, all he wanted was to steal the keg as he was sure it contained liquor. Upon the return of Alderman and Thomas I got my breakfast after which we decided to try Eskecuya. I went down to Kilchis and told him we were ready to try the case and he must come up to hear the trial and bring all witnesses and see that the man had justice done him. About 10 a. m. Kilchis together with a number of Indians, also the two squaws that was with Eskecuya at the time of the murder. O. S. Thomas was appointed to act as constable and Smith took charge of the case. Eskecuya at once admitted his guilt and the two squaws corroborated his statement. The

Indians did not try to shield him in the least. Chief Kilchis said the Indian had killed two whites, and said he, no Indian should try to protect him for he knew the man was guilty. The court decided to hand over the prisoner to the sheriff of Tillamook county under commitment to Yamhill county, James Quick was then the sheriff and Thomas turned over the prisoner to him, but the justice of the peace failed to make out the commitment for the sheriff. On thing was that we had no statute or law book therefore when the sheriff arrived at Lafayette and handed him over to the sheriff of that county the latter gentleman asked him for the commitment. Quick had to say he did not have one. "Well," responded the sheriff, "I cannot receive him without the proper papers." It was finally decided to lock him up for the night, Sam Howard and Quick acting as guards over the prisoner, but sometime between sunset and midnight some seven or eight men assembled and said it was too bad to set the Indian at liberty. Dave Logan, a noted lawyer of Yamhill county then living in Lafayette was one of the leaders, and they agreed to take the Indian and hang him for they said this would stop all proceedings and save costs, so they obtained their man, marched him off a few rods and strung him up on an oak tree. Howard then stated that Eskecuya admitted to him that another Indian by name "Cockshaton" was with him and helped in the murder. This story we disbelieved as Eskecuya said he did it alone the squaws also stated there were three only of them at the place at that time. We discovered afterwards that Howard wanted to get Cockshaton's wife and he adopted this plan of getting the man out of his way. However, his story, which went to show that another murderer was free created an immense excitement throughout Yamhill county and a volunteer squad of thirty was quickly formed.

Their object was to come over to Tillamook and hang Eskecuya's accomplice. The first intimation we had of the affair was when early one morning as I was working in my cooper shop, I saw Kilchis' two slaves running up the road as fast as possible. They came to me saying, "Oh! come down to Kilchis point, fast, the Boston soldiers are big there are are going to kill all the Tillamook Indians before night so Sam Howard says." I asked them if Sam was there, and they said yes with lots of Boston soldiers. They were terribly afraid, but I told them to go on to Aldermans and I would go down to the point. I was soon on the spot, and as I neared the point on the prairie I saw two me with rifles in their hands. Seeing one was Sam Howard, I asked him the meaning of what the Indians had told me. He replied by informing me how the affair ended at Lafayette adding that Eskecuya had implicated Cockshaton, that himself and eight men had come down from the landing the balance, twenty-two in number, were coming by land, piloted by Hiram Smith and they intended catching their man, bring him to Aldermans and try him, but when they came near the Indian houses the latter seeing armed white men broke for the brush, and they failed to catch him. Just at daylight next morning when the Indians were getting into their canoes to go out fishing, the eight men who were on watch stepped forth leveled their guns at them, made them disembark and draw their canoes up on the beach, drove the Indians into their houses and

placed a guard over them. When ever one would put his head out of a doorway a gun was bearing on him. This was the state of affairs on my arrival.

I asked Sam if he had informed Kilchis of this matter, he replied, "no, we are going to hold the redskins where they are until the rest of the company arrives which is looked for every minute." "I said, "Well, I am going to see the old chief about this." Upon this Sam replied, "No one is allowed to go to the houses" and he leveled his gun at me. I said, "Shoot me if you dare, I am going to see Kilchis," and I walked forward, he did not shoot for he dared not.

As I approached the old chief's house he met me at the door and asked, "Where is your gun?" I placed my hand upon my heart and said, "Here it is." The old man took my hand and I thought he would have crushed it sure he grasped it so tight, and pointing to the guard he asked, "What does this mean, what have we done to receive such treatment, are we dogs or wolves?" I told him what had transpired at Lafayette, and the object the men had

in coming. He asked why they did not come to him, "I could get the man very soon," he added. He opened the door a little more and said to look there, and this was what met my eye: twenty or more Indians with loaded guns in their hands, and that the plank of the walls had been pried apart thus making loopholes to shoot through. One or two Indians had covered each of the guards, and at a signal from the old chief could have dropped every man in his tracks. He said the other houses were fixed in the same way. I asked him if he intended to shoot those men. He shook his head and said, "Not if they leave my people alone." I stepped out to one of the guards and told him how things were in the Indian houses and if you ever saw men get out of range quicker than did those guards, then I'll forgive you. (Continued next week)

LEGAL NOTICES

NOTICE FOR PUBLICATION

United States Land Office, Portland, Oregon, Dec. 16, 1924, Serial 07654.

Notice is hereby given that William H. Davis, whose postoffice address is Blaine, Tillamook County, Oregon, has filed in this office his application to make Additional Homestead Entry No. 07654, for the SW 1-4 NW 1-4 Sec. 22, T. 3 S., R. 8 W., W. M., under the act of April 28, 1904, which application was filed in this office on December 8 1924.

Any and all persons claiming adversely the lands described, or desiring to object because of the mineral character of the land, or for any other reason, to the disposal to applicant, should file their affidavits of protest in this office on or before the 2nd day of February, 1925.

WALTER L. TOOZE SR. Register.

Act 4-28-04 Tillamook Co. 10-15

SUMMONS BY PUBLICATION

In the Circuit Court of the State of Oregon for the County of Tillamook. Complaint in Equity No. 3541 Ole B. Redberg and Elma A. Redberg, husband and wife, plaintiffs,

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kitchen cabinets

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Lillie G. Elliott and E. P. Elliott, husband and wife; the known heirs of James B. Upton, deceased, to-wit: Charles S. Upton, single, Maude Upton Scott, and R. O. Scott, her husband, Marietta Upton Ostrander and G. H. Ostrander, her husband, George H. Upton and Mary Upton, his wife, Jay H. Upton and Maude J. Upton, his wife; and the unknown heirs of James B. Upton, deceased; the known heirs of Anna A. Upton, deceased, (formerly wife of said James B. Upton, deceased) to-wit: Charles S. Upton, single, Maude Upton Scott and R. O. Scott, her husband, George E. Upton and Mary Upton, his wife, Marietta Upton Ostrander and G. H. Ostrander, her husband, Jay H. Upton and Maude J. Upton, his wife; and the unknown heirs of Anna A. Upton, deceased; Elmer E. Shaffer and Olive A. Shaffer, his wife, and the unknown heirs of Elmer E. Shaffer and Olive A. Shaffer; L. J. Redberg, otherwise known as Lars J. Redberg, also known as John Redberg, and Lillie G. Redberg, husband and wife; the known heirs of John B. Porter, deceased, to-wit: Louisa Porter, (formerly wife of said John B. Porter, deceased) Mary Wheeler and Wheeler, her husband, whose given name is unknown to plaintiff; W. A. Porter and Annie Porter, his wife, Lura Truscott and Truscott, her husband, whose given name is unknown to plaintiffs; and the unknown heirs of said John B. Porter, deceased, the known heirs of Truman A. Porter, deceased, to-wit: Constance L. Porter, formerly wife of said Truman A. Porter, deceased) Orilla S. Roberts and Ed Roberts, her husband, Armela Wonsler and E. J. Wonsler, her husband, Lillie G. Redberg and Olive A. Shaffer, his wife, and (Continued on page 7)



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