

A HISTORY OF THE PUGET SOUND COUNTRY

ITS RESOURCES, ITS COMMERCE AND ITS PEOPLE

With some Reference to Discoveries and Explorations in North America
from the Time of Christopher Columbus Down to that of George
Vancouver in 1792, when the Beauty, Richness and Vast
Commercial Advantages of this Region Were
First Made Known to the World.

BY
COL. WILLIAM FARRAND PROSSER

Ex-President of the Washington State Historical Society.

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VOLUME I

“Examine History, for it is Philosophy teaching by Experience.”—*Carlyle*.

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CHAPTER XXVIII.

POLITICAL SKETCH OF WASHINGTON TERRITORY.

As the early settlers of the Puget Sound country were chiefly men of high character and noble purposes, whose ideas had been broadened by the long journeys or voyages that were necessary to reach this part of the north-west coast, and whose patriotism had been deepened by practical knowledge of the extent of their country and the certainty of its future greatness, so the political history of this region is of more than ordinary interest. Even in those exceptional cases, where men of prominence were found whose devotion to correct moral principles did not correspond with their intellectual capacity or their personal endowments, they were yet men of unusual ability, who made their mark not only at home but elsewhere, and their influence was felt in many parts of the country. During the long period of thirty-six years which elapsed between the time in 1853, when the territory of Washington was organized, until in 1889 it was admitted as a state, of course all of its principal officers were appointed by the national government, but the great majority of those appointees were men of excellent character and were well fitted in a variety of ways for the several positions in which they were placed, and usually gave entire satisfaction to all concerned, in the territory as well as at the seat of the national government. As a matter of fact some of these appointees, as for example Governor Isaac I. Stevens, the first governor of the territory, was singularly well qualified by education, by temperament, by experience and natural ability to discharge the responsible and multifarious duties imposed upon him, in a most creditable, patriotic and honorable manner. He was not only made the first governor of the territory, but was charged with the work of superintending the surveys for a transcontinental railroad over what was then known as the Northern route, extending for two thousand miles through an unknown and uninhabited wilderness, full of savages who looked with suspicion upon every stranger not connected with the Hudson's Bay Company, and in addition thereto, he was appointed superintendent of Indian affairs for all the tribes in the territory of Washington and in northern Idaho. Yet such were his extraordinary skill and energy and such were his powers of endurance that he made the surveys required, organized and put in operation the territorial government, made treaties with nearly all of the numerous Indian tribes within his jurisdiction, representing more than thirty thousand Indians, conducted a wide-spread and general Indian war to a successful issue, extinguished the Indian title to more than one hundred and fifty million acres of land, was twice elected a delegate to Congress, where his labors were of inestimable value to the territory, the first time July 13, 1857, the second, July 11, 1859, offered his

services to President Lincoln in behalf of the Union in March, 1861, and gave up his life in its defense on the battlefield of Chantilly, August 30, 1862. Few men are permitted to make such a record of brilliant achievements in the short space of nine years and six months, but this is only a brief statement of the leading facts in Governor Stevens' busy life during the years from 1853 to 1862. Much of the work he accomplished in that time must of course be omitted, but a study of his life and character only deepens the impression that he was most admirably qualified as a soldier, a civilian and an engineer for the many positions he was called upon to fill. If at any time he erred in judgment or gave occasion for criticism, it was because his impulsive nature was impatient for the beneficial and patriotic results he desired to see brought about, and could brook no unnecessary delay in their accomplishment. If he erred at all it was an error of the head and not of the heart, for his motives were always of the best and purest character.

At the time of the organization of the territory of Washington and for eight years thereafter, the national government was in the hands of the Democratic party, and the territorial appointees were members of that political organization. The first appointees were Brevet Major Isaac I. Stevens, United States Engineer of Massachusetts, governor and ex-officio superintendent of Indian affairs; Charles H. Mason, of Rhode Island, secretary; John S. Clendenin, of Mississippi, attorney; James Patton Anderson, of Tennessee, marshal; Edward Lander, of Indiana, chief justice; Victor Munroe, of Kentucky, and Obadiah B. McFadden, of Pennsylvania, associate justices of the supreme court of Washington territory; James Tilton, of Indiana, was appointed surveyor general, and Isaac N. Ebey, an old resident of the territory, who was afterwards brutally murdered by the Indians on Whidby Island, was appointed collector of customs for the district of Puget Sound. In the spring of 1854 Victor Munroe was superseded by Francis A. Chenoweth, an early pioneer of Oregon, residing in Clark county. Henry C. Mosely, of Steilacoom, was appointed registrar, and Elias Galee, of Indiana, receiver of a land office which had been located at Olympia. Charles H. Mason, the secretary of the territory, and at various times—some of them very critical—acting governor, owing to the absence, for the time being, of the governor, died on July 25, 1859, universally lamented by the people of the territory. He was a man faithful to every trust, and, without brilliancy, was nevertheless a man who inspired confidence by his native good sense and by the sterling integrity of his character. The county of Mason, elsewhere referred to, was subsequently named in his honor by the legislature of the territory.

Here, as elsewhere, in accordance with the custom of the country, which would be "more honored in its breach than its observance," territorial officers

were appointed more as a reward for personal or political services than because of their fitness for the places to which they were assigned, yet the governors of the territory were, in the main, honorable men who discharged their responsible duties faithfully and efficiently. Fayette McMullen, R. D. Gholson, William Pickering, George E. Cole, Marshall F. Moore, Alvin Flanders and Edward S. Saloman occupied the gubernatorial chair from time to time down to the year 1872, when the beginning of railroad construction and increasing commerce on the Sound gave an impetus to development which has continued with some intervals down to the present time. These improved conditions gave to the position of governor more of importance and responsibility than had usually attached to it prior to that time, and, fortunately for the interests of the territory, Hon. Elisha P. Ferry, who had been its surveyor general in 1869-71, was appointed governor in 1872, and served in that capacity until 1880.

Governor Ferry received his appointments for both positions from General U. S. Grant, then president of the United States. A lawyer by profession, having had large experience in public affairs, a man of unusual ability and unblemished integrity, he was admirably qualified to fill the place of governor not only as a man of rare capacity for business but as a statesman, who discharged every duty connected with this office for eight years, and subsequently those of first governor of the state of Washington for three years, and, indeed, various other places of honor and trust during his long and useful life, to the entire satisfaction of all good citizens. Gov. Ferry was a lifelong Republican in politics and was a member of the first Republican convention ever held in the United States, but in all his official and personal relations with his fellowmen he so conducted himself that he merited and received the esteem and confidence of men of all parties and all sections of the territory and state. Upon the award by Emperor William I, of Germany, of the Archipelago de Haro to the United States, Governor Ferry made it a part of Whatcom county for the purposes of civil government, until the legislature could take appropriate action, and during his term or terms the Hudson's Bay Company ceased the occupation of its claims in the territory through its subsidiary agent, the Puget Sound Agricultural Company.

In 1880 William A. Newell, of New Jersey, was appointed by President Hayes to succeed Ferry as governor, and for four years he labored zealously to promote the interests of the territory in that office. He had been twice elected to Congress from New Jersey, and once its governor, and was a man ripe in years, in experience in public affairs, and his activity on patriotic lines was continual throughout his term. After its expiration he established his permanent residence in Washington, where for many years thereafter he lived an honored and useful life, as a physician, always taking, as well, a

lively interest in public affairs. He was succeeded in 1884 by Watson C. Squire, of Ohio and New York, who had large property interests in the territory. Governor Squire had served with credit in the Civil war, was a man of varied business experience which proved valuable in his administration of the affairs of the territory as governor from 1884 to 1887.

The elaborate reports made by Governor Squire to the secretary of the interior, describing in detail the advantages, resources and opportunities to be found in the state of Washington, did much to attract attention to this region both at home and abroad. Many thousands of copies of these reports were published and circulated, not only by the national government and the territorial authorities, but also by the Northern Pacific Railroad Company, then constructing its road across the territory. This company was then, as it is now, interested in the settlement and cultivation of the country and the development of its resources in order that the business of its various lines might be increased and its immense land grants disposed of. During his terms as governor the Chinese riots took place at Seattle, Tacoma and other towns in the territory, when a concerted effort was made by certain labor organizations to drive the Chinese out of the country. These riots occasioned the loss of several lives and for a short time unusual disorder, but Governor Squire's course throughout these troubles was prudent as well as energetic, and was cordially approved by the great mass of intelligent and law-abiding citizens, as well as the national government. The Chinese were driven out of Tacoma and have not since been permitted to return to that city, although the Northern Pacific Railroad Company, in order to secure laborers for railway construction, had been the chief agent in bringing them into the territory. Elsewhere they have since not been molested.

The Democratic party having secured control of the executive department of the general government at Washington, D. C., by the election of Grover Cleveland, the territorial officials were correspondingly changed, and after some delay Eugene Semple, of Oregon, was appointed, in 1887, to succeed Governor Squire. Governor Semple's administration of two years, although obliged to deal with a variety of complicated and difficult questions, such as that of woman suffrage, the removal of the capital from Olympia and others growing out of the rapidly changing conditions in the territory and the desire for statehood, was nevertheless eminently satisfactory, when the personal feeling growing out of these mooted questions had subsided. To the discharge of the duties of his high office he brought studious habits, pure and patriotic motives inherited from illustrious ancestors, and unimpeachable integrity of character. His efforts to promote the interests of the territory were indefatigable, and he left a record of which any man might be proud to his successor, Miles C. Moore, of Walla Walla, who was ap-

pointed in 1889. Mr. Moore had been for many years a resident of the territory where he had been well and favorably known as a prominent banker and a leading and active Republican. His term of seven months expired upon the admission of the territory as one of the United States, on the 11th of November, 1889. It was too short for a display of statesmanship, but it was entirely creditable to himself and satisfactory to the people. His long residence in the territory had made him familiar with its needs, its conditions and its inhabitants. The limits of this history do not permit of anything more than a brief resumé of the legislative branch of the territorial government.

The first legislature met in accordance with the proclamation of Governor Stevens on the 27th day of February, 1854. Its members made their way as best they could, by trails through the forest or by canoes, from the various parts of western Washington that could be reached by water. This first legislative assembly was composed of a council of nine and a house of representatives of seventeen members. The members of the council were Daniel B. Bradford and William H. Tappen of Clarke county, William T. Sayward of Island and Jefferson, Seth Catlin and Henry Miles of Lewis and Pacific, Lafayette V. Balch and G. N. McConaha of Pierce and King, D. R. Bigelow and B. F. Yantes of Thurston, H. M. Frost of Pierce, chief clerk, and W. E. Hicks of Thurston, assistant clerk.

Elwood Evans, long and honorably identified with the history of the territory, came with Governor Stevens in his surveying party across the continent and served it in a great variety of positions, was elected chief clerk and served from March 8 to May 1, after the resignation of Frost had been accepted. From the time, in 1851, when Evans first arrived in the territory, until his death at Tacoma, January 28, 1898, he was indefatigable in his efforts to promote, in every honorable way, its manifold interests, and seemed to have at all times a prophetic vision of its future greatness. The people of the entire northwest coast as well as those of the territory are deeply indebted to him for his historical labors, which are a lasting monument of his zeal and industry in the work of collecting material and publishing a history of the discovery, growth and settlement of Oregon, Washington and the entire north Pacific coast. His services in that regard cannot be overestimated, and otherwise in all the relations of life he did well his part as a true patriot and good citizen. The members of the first house of representatives were as follows: Island county, S. D. Howe; Clarke, J. D. Biles, F. A. Chenoweth, A. J. Bolan, Henry R. Croslin, A. Lee Lewis and D. H. Huntington; Jefferson, D. F. Brownfield; King, A. A. Denny; Pierce, L. F. Thompson, John M. Chapman and H. C. Mosely; Thurston, Leonard D. Durgin, David Shelton, Ira Ward and C. H. Hale; Pacific, John Sauter, who died before taking

his seat, and another election being ordered, James C. Strong was chosen, who was sworn in April 14, 1854; B. F. Kendall was elected chief clerk; J. Phillips, assistant; Jacob Smith, of Whidby Island, sergeant-at-arms; and J. P. Roundtree, doorkeeper.

The work of territorial legislatures is usually unimportant and confined to the consideration of but few subjects, because their more important legislation is provided by Congress. The legislature of Washington was no exception to the general rule. The work it accomplished consisted largely of memorials to Congress asking for much needed assistance in the construction of roads, for additional mail facilities, for lighthouses, for the payment of expenses incurred in their Indian war, and other items of relief and assistance for which the territory was obliged to look to the general government. Several acts, however, passed by the first legislature, deserve special mention. The first was an act passed March 1, 1854, creating a code commission, consisting of Judges Edward Lander, Victor Munroe and William Strong, which prepared a highly creditable code of laws, chiefly the work of Judges Lander and Strong, which practically answered the needs of the territory until its admission as a state. Other important acts were for the creation of the counties of Whatcom, Clallam, Chehalis, Cowlitz, Wahkiakum, Skamania and Walla Walla, all of which were organized by this legislature. At the second term of the general assembly held in December, 1854, and January, 1855, laws were enacted establishing the State University at Seattle, the penitentiary at Vancouver and the capital at Olympia. In later years, when railroad construction and other attractions of the territory had caused a large influx of settlers, the work of the legislature became more complicated and important. The question of woman suffrage was a mooted one for several years.

The territorial legislature of 1883-4 passed an act granting the right of suffrage to women at all elections. For two years they were accordingly allowed to vote, they served on juries and held a variety of offices, when the act was pronounced unconstitutional and they were disfranchised. It remained for some years thereafter a question much discussed in the newspapers and in social and political circles, and was not finally decided until it was voted upon in 1889, at the time of the adoption of the state constitution.

The political complexion of the territory between the years 1853 and 1903, has varied materially, never remaining the same for any considerable length of time. The first delegate elected to Congress in 1854 was Columbia Laucester, a Democrat, who left no record worthy of special mention. In 1855 another election for delegate took place, which resulted in the election of J. Patton Anderson, the United States marshal for the territory, who was a secession Democrat, subsequently joining the Confederate army. In

1857 and again in 1859, Governor Isaac I. Stevens, a Union and War Democrat, was elected, whose services in Congress were extremely valuable and are referred to elsewhere. In 1861 William H. Wallace, then a Republican, formerly a Whig, was elected. In 1863 George E. Cole, a Democrat, was elected, and in 1865 A. A. Denny, a Republican, whose eminent character and services are mentioned elsewhere. In 1867, Alvin Flanders and in 1869-70 Selucious Garfield were elected as Republicans. Garfield had been a Democrat, but became a convert to the Republican party. He was a man of unusual ability, as an orator had few if any equals, and, had his loyalty to correct principles corresponded with his talents in other directions, he might have achieved much for the territory and for his own reputation, but unfortunately he did neither, because his moral failings were allowed to destroy his capacity for usefulness. In 1872, as the Republican nominee, he was defeated by O. B. McFadden, a Democratic nominee whose high character as a lawyer and a jurist and whose unimpeachable integrity as a man commended him to the good will of all classes of people. In 1874 and 1876 Orange Jacobs was elected as a Republican to serve two terms, which he did to the satisfaction of all concerned. During these terms Judge Jacobs made special efforts to provide for the admission of the territory as a state, but Congress did not favor the proposition at that time. Full of years and honors he still lives to grace the bench and bar with his wide range of judicial knowledge, having but recently served a term in Seattle as one of the superior judges of King county. He was followed by Thomas H. Brents, also a Republican, who was elected for three terms in 1878-1880, and in 1882, and whose services as delegate were universally commended. He is now serving very acceptably as one of the superior judges of Walla Walla. In 1884 and again in 1886, Charles S. Voorhees, a Democrat, was elected for two terms. In 1888 John B. Allen, a popular lawyer, who had served acceptably as United States district attorney for the territory for eleven years, was elected as a Republican. Before his term expired the territory was admitted as a state, and he was elected as one of its first United States senators.

During the Civil war and for several years thereafter political feeling ran high in the territory, including the Puget Sound country, because of the number of secession Democrats, either private citizens or holding official positions, but the Union men were at all times in the majority. In later years the Republican party could usually command a majority of the votes at the polls, but factional divisions frequently enabled the Democrats to succeed in electing their candidates. Prior to the admission of the territory as a state, the nominees of both parties were, in the main, men of high character, and the opportunities for the corrupt use of patronage and political power were few in number compared with those which were in evidence after the territory became a state.

The record of the judiciary of the territory during the entire period of its existence is one which, with few exceptions, merits unqualified praise. From the time when Judges Lander, Strong and McFadden first presided over its courts, until Hon. C. H. Hanford filled the place of chief justice in 1889, there was a long line of illustrious men occupying places on the bench of the territory. The names of those first mentioned, with those of Orange Jacobs, J. R. Lewis, S. C. Wingard, Roger S. Greene, Richard A. Jones, John P. Hoyt, George Turner, L. B. Nash, Frank Allyn, William H. Calkins, Thomas Burke, and other territorial judges who might be included in this list, would be an honor to any state in the Union. They rendered the people of the Puget Sound country, and elsewhere in the territory, invaluable services as able, upright and impartial judges, learned in the law and having the courage to administer it without fear, favor or affection. The primitive conditions existing in the early days of the territory made the position of judge no sinecure, but justice was probably meted out to litigants and criminals, in those days, more speedily than in recent years, when legal processes are more complicated, delays more frequent, and the refinements of legislation and jurisprudence often favor formal technicalities at the expense of rightful conclusions.

The first term of the federal court ever held on Puget Sound was that which convened at Steilacoom on the first Monday of October, 1849, for the trial of certain Snoqualmie Indians for the murder of Leander C. Wallace and the attack upon Fort Nisqually, about the first of May preceding. In this attack two other Americans, Walker and Lewis, were wounded and only prompt action on the part of those present prevented the capture of the fort, and perhaps the massacre of all those within it.

Chief Justice W. C. Bryant of the territory of Oregon, to which the Puget Sound country then belonged, presided, A. A. Skinner conducted the prosecution, and David Stone the defense of the Indians. The jurymen, attorneys and officers of the court traveled on horseback and in canoes, some of them two hundred miles, to reach Steilacoom.

Two of the Indians, Quallawort and Kassass, were found guilty and were hanged the next day. The remainder, four in number, were acquitted and discharged. The costs of the trial amounted to \$1,899.54, in addition to \$480, which were expended for blankets paid to Patkanim, the chief of the tribe, for the delivery of those charged with the murder to the proper authorities. The jurors and attorneys were each paid \$250 cash for their services.

The first court ever held at Olympia met in January, 1853, and was presided over by Judge William Strong, at that time in charge of one of the Oregon judicial districts to which the Puget Sound country was attached.

The principal business of this court was the trial of certain cases growing out of the seizure of the *Beaver* and the *Mary Dare*, vessels belonging to the Hudson's Bay Company, for a violation of the revenue laws of the United States. Quincy A. Brooks served as clerk and A. M. Poe as deputy marshal, Simon B. Mayre and David Logan, of Portland, Oregon, represented the Hudson's Bay Company and the United States, respectively. At this time, S. P. Moses, I. N. Ebey and Elwood Evans were admitted as members of the bar.

Volumes as interesting as they would be instructive might be written in regard to the courts of the territory and state, from that date down to the present time. These annals would be almost uniformly creditable and honorable to the judges who presided over them, to the district attorneys who represented the government, to their other officers, and to the people whom they served in the administration of justice. Since the admission of the state, Judge C. H. Hanford, the last chief justice of the territory, has occupied the position of United States district judge for the state of Washington, and, as the son of an honored pioneer, he has been the worthy representative of the sturdy and unflinching integrity which characterized the great majority of the pioneers of Washington territory.

CHAPTER XXIX.

POLITICAL SKETCH OF STATE OF WASHINGTON.

(Continued.)

The long minority of the territory came to an end in 1889. On February 22 of that year an act of Congress was approved by the president to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments and to be admitted into the Union on an equal footing with the original states, and to make donations of the public lands to these states when admitted. It provided for the election of seventy-five delegates, who should meet in Olympia on the 4th day of July, 1889, and form a constitution to be submitted to the people of the territory for adoption or rejection. These delegates were elected accordingly, met on that day and organized a convention, which in its session of fifty days framed a constitution which was adopted by the people on the first day of October by a vote of 40,152 for and 11,789 against it. On other questions submitted to the people the vote stood as follows: For woman suffrage 16,527, against 34,515; for prohibition 19,546, against 31,487; for the state capital, Olympia 25,490, North Yakima 14,718, Ellensburg 12,883, scattering 1,088, leaving the seat of government where it had been since the organization of the territory, at Olympia. At the next general election the question