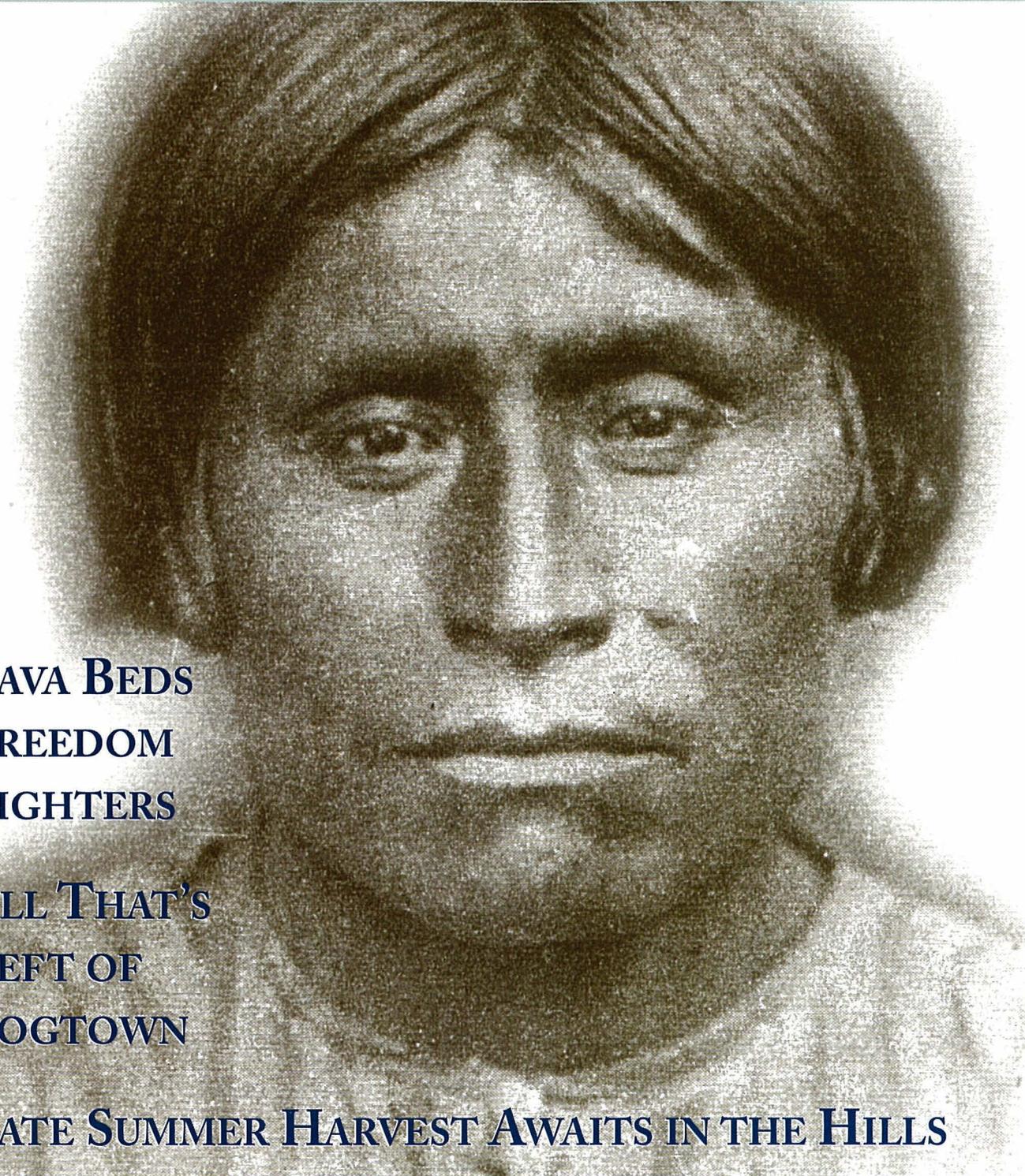


# SOUTHERN OREGON HERITAGE

August 2001 Vol. 3, No. 8

*Today*

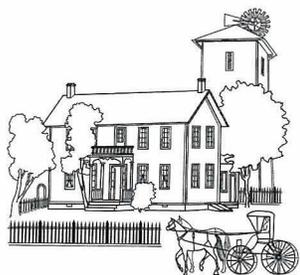


**LAVA BEDS  
FREEDOM  
FIGHTERS**

**ALL THAT'S  
LEFT OF  
LOGTOWN**

**LATE SUMMER HARVEST AWAITS IN THE HILLS**





# Historic HANLEY FARM

1053 HANLEY ROAD, BETWEEN CENTRAL POINT & JACKSONVILLE  
(541) 773-6536 • sohs.org



## Friday, Saturday, & Sunday

through September 30

11AM - 4PM

Admission: \$5 adults,  
\$3 children 6-12 & seniors 65+,  
children 5 & under and SOHS  
members free



Arrive in style!

## Jacksonville-Hanley Farm TROLLEY

tickets sold at the History Store  
California & 3rd, Jacksonville

## Special Theme Weekends include:

### • NATIVE AMERICAN LIFEWAYS

August 3, 4 and 5

Tom Smith will demonstrate flint knapping and tool making. SOU intern Justine Ritchey will interpret an archaeology site with hands-on activities.

### • PIONEER LIFEWAYS

August 10, 11 and 12

Soap making demonstrations. Dairy days on Saturday and Sunday with visiting calf and making butter. Enjoy wagon rides, talks with "pioneers" and "travelers" of the Oregon and Applegate trails, and heritage craft demonstrations of blacksmithing, pottery, woodworking, and spinning.

### • 20TH CENTURY FARM LIFE

August 17, 18 and 19

Friday at 2 p.m.: "Food Preservation Methods through the Years," will look at old and new ways of preserving home-grown bounty. Focus is the Hanley family, their interests, and their lives. Explore farm chores, rug hooking, and gardening. Guided garden tours. Special oral history collecting program Friday and Saturday at 3 p.m., "Remembering the Hanleys." The Early Day Gas Engine & Tractor Association will visit the farm on Saturday and Sunday.

### • 19TH CENTURY FARM LIFE

August 24, 25 and 26

Friday at 2 p.m.: "A Celebration of Stories," presents authors Jane Kirkpatrick, Sharon Heisel, and Bernice Curler exploring the power of stories in everyday life. A book signing will follow their program. On Saturday and Sunday, wagon tours and horse-drawn farm equipment demonstration by the Southern Oregon Draft Horse Association will take place. Saturday, the Jacksonville Museum Quilters will provide an opportunity to try your hand at quilting! Sunday, a woodworking demonstration will be featured. Games, gardening, and farm chores.

• REMEMBER: FRIDAYS AT 2 PM IS STORYTELLING TIME FOR AGES 3-6.

Hanley Farm is a Century Farm and is listed on the National Register and the Jackson County Register of Historic Places.

Hanley Farm: owned & operated by the Southern Oregon Historical Society

SOUTHERN OREGON HERITAGE TODAY

Editorial Guidelines

Feature articles average 3,000 to 4,000 (pre-edited) words. Other materials range from 500 to 1,000 words. Electronic submissions are accepted on 3-1/4-inch disks and should be accompanied by a hard-copy printout. Cite all sources and construct endnotes and citations using the Chicago Manual of Style. The author is responsible for verification of cited facts. A selection of professional, unscreened photographs and/or line art should accompany submission—black-and-white or color. The Southern Oregon Historical Society reserves the right to use Society images in place of submitted material. All material should be labeled with author's name, mailing address, and telephone number. Manuscripts will be returned if accompanied by a self-addressed envelope stamped with sufficient postage. Authors should provide a brief autobiographical note at the end of manuscripts.

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SOUTHERN OREGON HERITAGE Today



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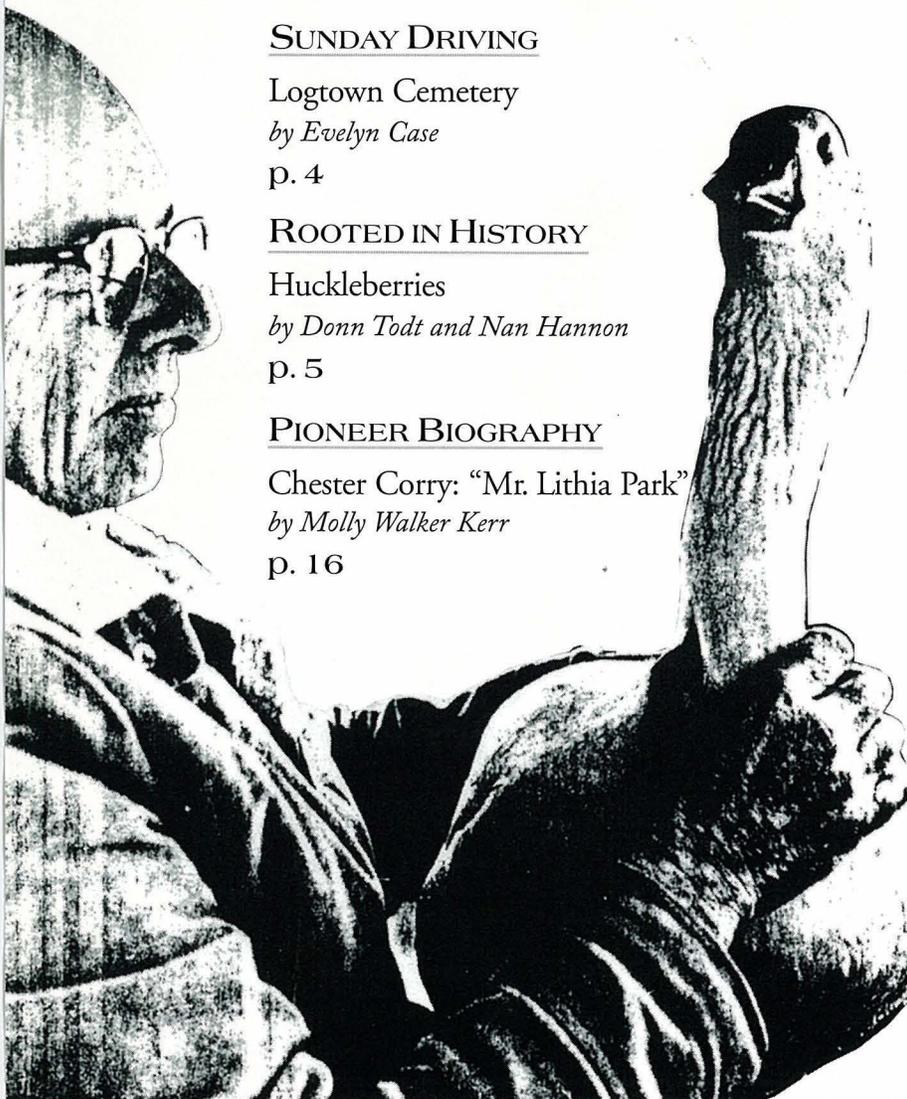
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COURTESY OF THE MODOC TRIBE OF OKLAHOMA

ON THE COVER

This portrait of Captain Jack was taken shortly after the Modoc leader's capture in 1873 and an army barber had cut his hair short.

COURTESY OF ASHLAND DAILY TIDINGS, JANUARY 27, 1968



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# Logtown Cemetery

by Evelyn Case

FROM DOWNTOWN JACKSONVILLE, A SIX-MILE DRIVE southwest on Highway 238 will take you to a pioneer cemetery, all that is left of a once-bustling mining community that got its start nearly 150 years ago. The Logtown Cemetery lies on the east side of the highway on a gentle, madrone-shaded slope looking west across a small valley dotted with recent homes where Poormans Creek and Forest Creek (first known as Jackass Creek) join.

It was a much busier place in the nineteenth century. Logtown, which may have been named for early settler Francis Logg, grew up around the homestead of John and Maryum McKee, who settled on a mining claim on Poormans Creek that they bought from Logg about 1853.<sup>1</sup> Located on the pack trail between Jacksonville and Crescent City, the community became a supply point for miners, and at one point boasted two blacksmith shops, a livery stable, two meat markets, a general store, hotel, school, church, three saloons, and two Chinese stores. In the 1860s, the population reached 650–400 of those souls Chinese. But

soon the mines played out and fire destroyed the commercial buildings about 1885. Another fire in 1910 destroyed the last home, leaving only the rustic four-acre cemetery to mark the place.<sup>2</sup>

In 1939 an association was formed to renew the neglected site. Members of the first board of directors included Mrs. Harry Whitney, Leonard McKee, John Black, and Mrs. Anna Jeffrey Lozier. Mrs. Ed Smith compiled records and markers were placed at all unidentified graves. Relying on volunteer labor and community generosity, they built a wire fence where once a rail fence stood, added a log archway over the gate, and drilled a well.<sup>3</sup>

After a survey was completed, the group discovered that only about half the cemetery was on the property of the original McKee homestead, then owned by Paul Pearce. The other portion belonged to W.W. Bell. Both owners signed deeds over to the association and the name Logtown was adopted. An old sign at the graveyard called it the “Laurel Grove Cemetery.” But the oldest permit found was issued in 1918 under the name “Logtown Cemetery,” so that name was chosen.<sup>4</sup>

In 1958 the Applegate Garden Club planted cuttings of the famous “pioneer rose” also known as the “Jacksonville Rose,” the “Logtown Rose,” and “Maryum’s Rose.”<sup>5</sup> Then on September 27, 1959, the Jacksonville Garden Club dedicated a granite marker.<sup>6</sup>

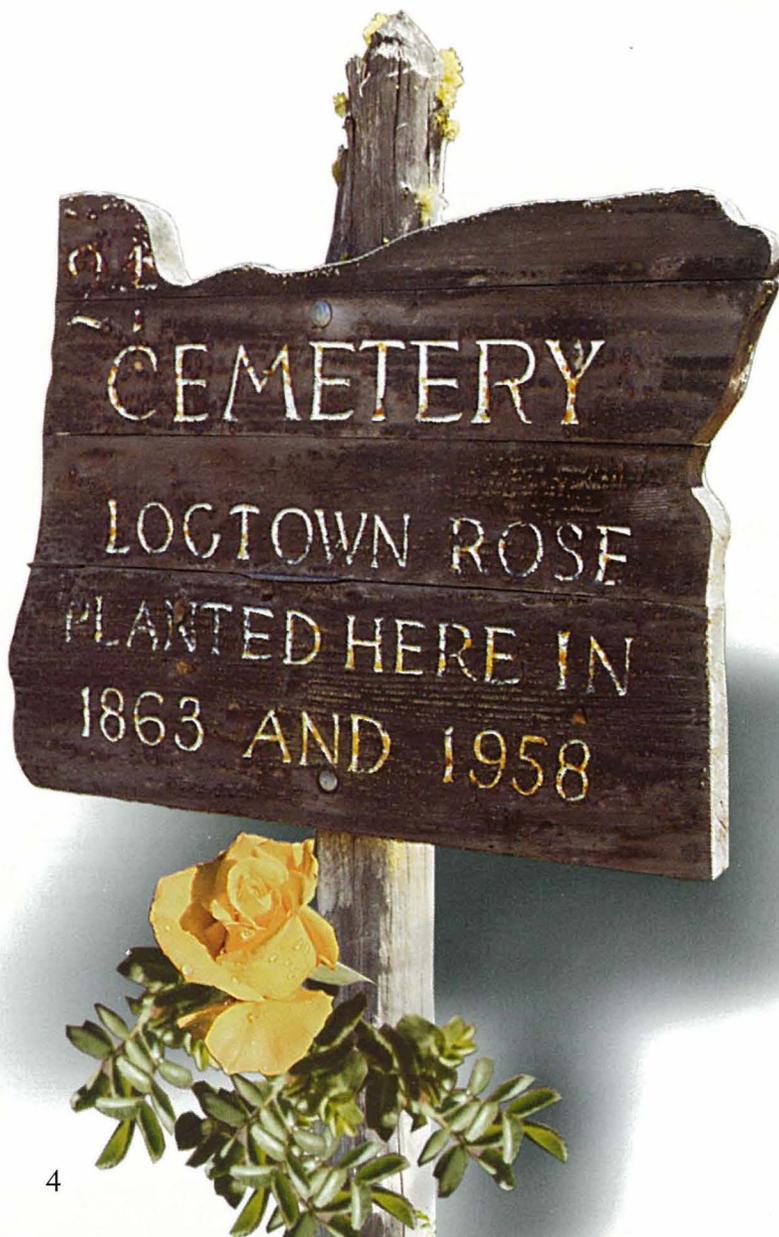
James Dunlap was the first person laid to rest at Logtown, in 1862. Another of the souls resting there is the husband of Mrs. Roxy Ann Bowen (the stepmother of Maryum McKee). The Bowens and the McKees came to Southern Oregon by covered wagons pulled by teams of oxen in the year 1852.<sup>7</sup> It is said that Roxy Ann Peak was named after her since she was the first “white” woman to settle there. She and Maryum McKee are also credited with bringing the yellow rose bush. When her husband died, he was buried in Logtown Cemetery, and she returned to Missouri to live with children from a previous marriage.

Logtown Cemetery is the only physical evidence left of a once-thriving community. What the visitor may not realize is that beyond the graves of these ancestors, living not far from blossoms of the yellow rose, are many descendants. Like the rose, with its several names and the many cuttings it has yielded, so too have the pioneers’ descendants been assimilated into the neighboring communities. The old names and places may have faded, but the roots are still the same. ■

*Evelyn Case is a freelance writer and a volunteer for the Southern Oregon Historical Society.*

#### ENDNOTES:

1. Marjorie O’Harra, “Maryum’s Rose Blooms for Memorial Day,” *Medford Mail Tribune*, 28 May 1978.
2. *Ibid.*
3. *Medford Mail Tribune*, 3 April 1960; interview with John Black, 1 June 2001.
4. John Black interview.
5. *Southern Oregon Heritage Today*, Vol. 2, No. 4, April 2000, p. 16.
6. Southern Oregon Historical Society archives, Logtown photo file.
7. Marjorie O’Harra, *Southern Oregon Short Trips in History* (Jacksonville: Southern Oregon Historical Society, 1985), pp. 39-41.





*Blue Huckleberry*

# Huckleberries

by Donn Todt and Nan Hannon

**H**UCKLEBERRIES RIPEN NEAR the end of Southern Oregon's dry season. The warm mountain air thickens with haze and sometimes smoke sifts up the canyons from fires feeding upon conifers. On the way up to Huckleberry Mountain east of Union Creek, dust coats your pickup truck windshield. When you turn off the engine and step down the road bank, in the sudden silence you hear the end-of-summer insect hum. And there they are: ripe huckleberries.

In the 1800s, following tradition, many Klamath Indian people journeyed from the Klamath Basin up to the high country huckleberry fields. In 1897, botanist Frederick Coville recorded that "about the third week in August nearly all the old women of the Klamath Tribe and many whole families cross the divide of the Cascades by way of Anna Creek to Huckleberry Mountain. They called the place E-wan-can, the place of the huckleberries. Here they spend a few weeks picnicking, feasting and gathering and drying their supply of huckleberries for winter use."

Gathering huckleberries characterizes the traditional seasonal round of Pacific Northwest Indians. Tribes from Western Canada to Southern Oregon made the traditional trek to high country huckleberry fields. South of the volcanic cone of Mount McLoughlin, huckleberry shrubs become much less common and productive; the Klamaths are the southernmost group to partake of the traditional northwestern huckleberry harvest.

In good years, people gathered the berries and dried them in the sun. Coville noted that for containers the Klamaths used buckets of lodgepole pine bark. The manufacture of bark containers is a particularly northwestern craft. A section of the bark was slipped from a tree. "The cylinder of bark is sewed together on the slitted side and at one end, the bottom therefore being wedge-shaped. Huckleberries when placed in such receptacles and properly covered with large



PHOTO BY BILL POWELL

*In Southern Oregon, huckleberry patches thrive in open areas along the spine of the Cascades. Here, Ellie Powell picks berries in the cool mist of a late-summer cloud scraping a mountain hillside near the Rabbit Ears, north of Union Creek.*

leaves retain their freshness for a long time."<sup>1</sup>

Emigrant westerners quickly developed an appreciation for Cascade huckleberries. By the early 1900s, Rogue Valley residents made regular late summer visits to the most productive patches, where they set up canvas tent camps for weeks at a time. "Huckleberry City" had an active social life. Before a dance platform was built, "the dancers would kick up a cloud of dust that would make a buffalo ashamed," recalled an early observer.<sup>2</sup> They picked berries into coffee cans or lard buckets, and processed them in large Mason jars, providing a delicious preserve that could be used at home, given to grateful neighbors, or traded to relatives for their own regional specialties.

By World War I, although people

continued to pick huckleberries, the size of the huckleberry camps declined with the change to a market economy. But today there are still those who rise above economic considerations to glean high-country berries along the crest of the Southern Oregon Cascades.

Some years ripe berries weight the plants, while in other seasons a hillside yields only a handful of fruit. Huckleberries depend in large part on bumblebee pollination. Production plummeted in 1980, after megatons of ash from Mount St. Helens disrupted nearby bee populations. In Southern Oregon, cold springs and consecutive dry years affect fruiting.

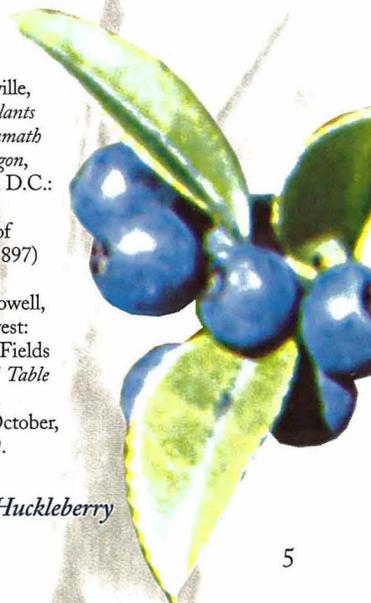
Shade also decreases production. In the absence of fire, conifers encroach on huckleberry shrubs, eventually suppressing them. Locally, the Forest Service has the challenging responsibility of curating this resource so that people may continue the long tradition of gathering this wild fruit.

In September, as the last of the berries ripen, the huckleberry foliage turns the red-orange color of the sun setting in a hazy western sky. Soon the first cold front from the North Pacific washes across the Cascades, clears the air, settles the dust on mountain roads and marks the end of the harvest for another year. 🌲

*Ethnobotanist Donn L. Todt and anthropologist Nan Hannon garden in Ashland.*

## ENDNOTES

1. Frederick Coville, *Notes on the Plants used by the Klamath Indians of Oregon*, (Washington, D.C.: United States Department of Agriculture, 1897) pp. 89-103.
2. William B. Powell, "Purple Harvest: Huckleberry Fields and History," *Table Rock Sentinel*, September/October, 1988, pp. 2-9.



*Evergreen Huckleberry*

# SOUTHERN OREGON HISTORICAL SOCIETY

## Things To Do in August

**PROGRAMS :** *(see listings below for complete descriptions)*

	<u>DATE &amp; TIME</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>
Craft of the Month	Museum hours	CHILDREN'S MUSEUM	Toys to Remember; families; 50¢
Story Time	Fri., Aug. 3, 10, 17, 24, 31 2 p.m.	HANLEY FARM	Farm Stories
Living History Program	Wed. - Sun., 1 - 5 p.m.	BEEKMAN HOUSE	Enter the year 1911; fee
Jacksonville-Hanley Farm Trolley	Fri., Sat., Sun., 11 a.m. - 4 p.m.	3RD & CALIFORNIA STREETS	Guided tour; fee
Hanley Farm	Fri., Sat., Sun., 11 a.m. - 4 p.m. Fri., August 17, 2 p.m.	HANLEY FARM	Activities, programs; fee "Putting By: Food Preservation Methods through the Years"
Fort Rock Basin Region	Fri., August 24, 2 p.m. Sat., August 25, 7:30 p.m.	HISTORY CENTER	"Celebration of Stories" Slide Show/Lecture; free

### PROGRAM DETAILS

*FOR TIMES AND LOCATIONS, SEE SCHEDULE ABOVE.*

#### JULY CRAFT OF THE MONTH

##### *Toys to Remember*

Add to your toy chest by creating an old-fashioned toy to take home. Choose from a tumbling acrobat, buzzsaw, or optical toy.

#### BEEKMAN HOUSE LIVING HISTORY

Step back in time to the year 1911 and enjoy a visit with costumed interpreters portraying Cornelius C. Beekman (Jacksonville's first banker) and his family members.

Admission: \$3 for adults; \$2 children and seniors; ages five and under free; Society members, free.

#### JACKSONVILLE-HANLEY FARM TROLLEY RIDES

The trolley will tour hourly—11 a.m.–4 p.m.—between Jacksonville and Hanley Farm on Fridays, Saturdays, and Sundays through September 30. Tickets: adults, \$4; children six–twelve, \$2; ages five and under, free. Purchase of trolley ticket at History Store provides \$1 off Hanley Farm admission.

#### HISTORIC HANLEY FARM EVENTS

Visit Hanley Farm by way of the trolley and receive \$1 off admission. All events are free with price of admission.

FRIDAYS are designed for young children and adults. Each Friday at 2 p.m., a special story hour for ages 3–6 will be held.

• 2 p.m. on Friday, August 17, "**Putting By: Food Preservation through the Years,**" will look at old and new ways of preserving home-grown bounty, and include living history character Ann McCormick, a 1918 Home Demonstration Agent, and a modern-day Master Food Preserver.

• 2 p.m. on Friday, August 24, "**A Celebration of Stories,**" presents authors Jane Kirkpatrick, Sharon Heisel, and Bernice Curler exploring the power of stories in everyday lives. A book signing will follow the program. Kirkpatrick will premiere the third in her "Kinship and Courage" series, a historic novel set in Jacksonville.

(Plan to arrive 15 minutes early as there is a limit of 20 participants for Friday programs.)

##### *Special Theme Weekends Include:*

**August 3, 4, 5**—Explore Native American lifeways through demonstrations, hands-on activities, and games. Tom Smith will demonstrate flint knapping and tool making. SOU intern, Justine Ritchey, will interpret an archaeology site with hands-on activities.

**August 10, 11, 12**—Explore pioneer lifeways all weekend long. Soap making will be featured. On Saturday and Sunday, join us for dairy days as we have a visiting calf and will make butter. Then enjoy wagon rides, talks with "pioneers" and "travelers" of the Oregon and Applegate trails, and heritage craft demonstrations of blacksmithing, pottery, woodworking, and spinning.

**August 17, 18, 19**—Focus will be on early 20th century farm life and the Hanley family.

Explore farm chores, gardening and rug hooking. Guided garden tours will be featured. Friday and Saturday at 3 p.m., join in a special oral history collecting program "Remembering the Hanleys." On Saturday and Sunday, the Early Day Gas Engine & Tractor Association will visit the farm.

**August 24, 25, 26**—Enjoy learning about early 19th century farm life. Saturday and Sunday the Southern Oregon Draft Horse Association will demonstrate horse-drawn farm equipment and provide wagon tours. On Saturday, the Jacksonville Museum Quilters will provide you with an opportunity to try quilting. On Sunday, a woodworking demonstration will be featured, along with farm chores, gardening, and games.

#### SOCIETY SPONSORS FORT ROCK BASIN REGION PROGRAM

"10,000 Years of Cultural Change and Stability in the Fort Rock Basin Region, Central Oregon," a slide show-lecture by Dennis Jenkins, Ph.D., will be presented free of charge at the History Center. Jenkins will explain—in an easily understood format—the investigative methods and results employed by an archaeologist in the quest for understanding how Native Americans adapted their lifestyles to survive in the ever-changing, always unpredictable Fort Rock Basin. Preregister by August 21. Program made possible by funding from the Oregon Council for the Humanities, an affiliate of the National Endowment for the Humanities.

# EXHIBITS : (see listings below for complete descriptions)

	LOCATION	MUSEUM HOURS
"What's Cookin'?" Century of Photography: 1856-1956 The History of Southern Oregon from A to Z	HISTORY CENTER	Mon. - Fri., 9 a.m. - 5 p.m.
Miner, Baker, Furniture Maker Native American Experience Camp White Military Uniforms Pioneer Potters on the Rogue Hall of Justice	JACKSONVILLE MUSEUM	Wed.- Sat., 10 a.m. - 5 p.m. Sunday, noon - 5 p.m.
Ongoing 'hands on history' exhibits	CHILDREN'S MUSEUM	Wed.- Sat., 10 a.m. - 5 p.m. Sunday, noon - 5 p.m.
Weaving Demonstrations/Sales	3RD STREET ARTISANS' STUDIO	Sat., 11 a.m. - 4 p.m.

## EXHIBIT DETAILS

FOR TIMES AND LOCATIONS, SEE SCHEDULE ABOVE.

### "WHAT'S COOKIN'?" *Two Centuries of American Foodways* (through August 17)

People express many aspects of their culture through the foods they eat, as well as how they prepare and serve foods. Portions of "What's Cookin'?" explore such topics as the impact of immigration on food history, how technology has changed the availability of food, food preparation at home, the increase in dining out, and changing images of what constitutes healthy eating. This exhibit was produced by the Rogers Historical Museum, Rogers, Arkansas, and supported in part by a grant from the Historical Resources and Museums Services section of Arkansas State Parks in the Department of Parks and Tourism.

### CENTURY OF PHOTOGRAPHY: 1856-1956

Highlights the work of two area photographers, Peter Britt and James Verne Shangle, with cameras from the Society's collection.

### THE HISTORY OF SOUTHERN OREGON FROM A TO Z

Do you know your ABC's of Southern Oregon history? Even local oldtimers might learn a thing or two from the History Center windows along Sixth and Central as each letter of the alphabet tells a different story about the people, places, and events that have shaped the region we live in.

### MINER, BAKER, FURNITURE MAKER

Explores the development of the Rogue Valley and the impact the industrial revolution had on the settlement of Oregon.

### POLITICS OF CULTURE: *Collecting the Native American Experience*

Cultural history of local tribes and discussion of contemporary collecting issues.

### HANNAH POTTERY

Examples of pottery made over four decades ago by the Hannah family.

### HALL OF JUSTICE

History of this former Jackson County Courthouse.

### THIRD STREET ARTISANS' STUDIO

Rogue Valley Handweavers, Far Out Fibers, and the Saturday Handweavers Guild will present an exhibit of their handwoven Expressions of the Rogue Valley at the Third St. Artisans' Studio in Jacksonville. Artisans were asked to weave items inspired by colors and posters representing Rogue Valley venues. Members will also demonstrate traditional art forms of spinning and weaving. The exhibit runs through August 25.

### CHILDREN'S MUSEUM

Everyone enjoys exploring the home and work settings from the 1850s to the 1930s through "hands-on-history."

**Award Winning!**

### *A Century of the Photographic Arts in Southern Oregon:*

*A Directory of Jackson County Photographers, 1856 - 1956*

\$7.50 • SOHS Members

\$8.95 • Non-members

Available at the SOUTHERN OREGON HISTORICAL SOCIETY RESEARCH LIBRARY  
History Center, 106 N. Central Ave., Medford  
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## SOUTHERN OREGON HISTORICAL SOCIETY SITES

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unless listed otherwise

FAX: (541) 776-7994  
E-MAIL: info@sohs.org  
WEBSITE: sohs.org

**HISTORY CENTER**  
106 N. Central, Medford  
Mon. - Fri., 9 a.m. to 5 p.m.

**RESEARCH LIBRARY**  
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**JACKSONVILLE MUSEUM & CHILDREN'S MUSEUM**  
5th and C, Jacksonville  
Wed. - Sat., 10 a.m. to 5 p.m.  
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(541) 773-2675

**C.C. BEEKMAN HOUSE**  
California & Laurelwood, Jacksonville  
Wed. - Sun., 1 to 5 p.m.

**C.C. BEEKMAN BANK**  
3rd and California, Jacksonville

**JACKSONVILLE HISTORY STORE**  
3rd and California, Jacksonville  
Wed. - Sun., 10 a.m. to 5 p.m.

**THIRD STREET ARTISANS' STUDIO**  
3rd and California, Jacksonville  
Sat., 11 a.m. to 4 p.m.

**U.S. HOTEL**  
3rd and California, Jacksonville  
Upstairs room available for rent.

**CATHOLIC RECTORY**  
4th and C streets, Jacksonville



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Your membership will support: preservation of Southern Oregon's rich heritage; Society exhibits and educational events; outreach to schools; workshops for adults and children; living history programs; and tours and demonstrations at historic Hanley Farm.

Members receive *Southern Oregon Heritage Today*, the Society's monthly magazine with newsletter, providing a view into the past and keeping you up-to-date on services provided by the Society.

For membership information, call Susan Smith at 773-6536.

### MEMBERSHIP CATEGORIES

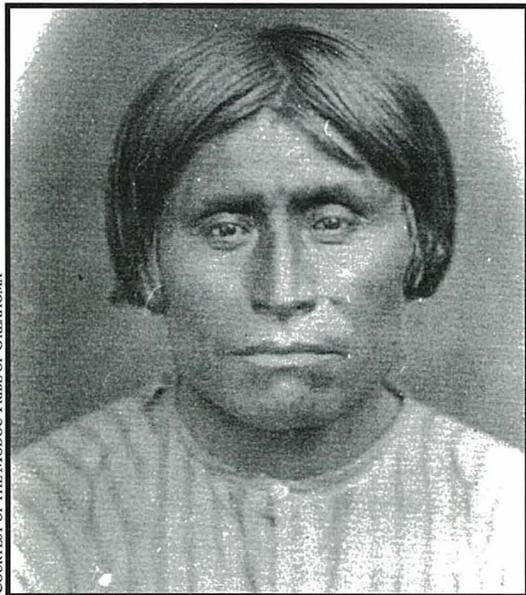
Friend .....	\$20
Family .....	\$30
Patron .....	\$60-\$90
Curator or Business .....	\$120-\$200
Director .....	\$250-\$500
Lifetime .....	.\$1,000

# Heroes or Villains?

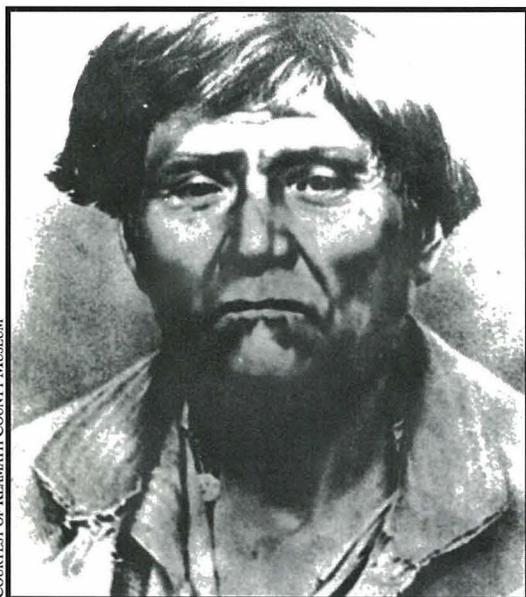
## The 1873 Modoc War Crimes Trial

*At the end of the Modoc Indian War in 1873, at Fort Klamath, Oregon, the U. S. Army tried the defeated Modocs' leaders; this was the only time in our country's history that American Indians were tried for committing war crimes. All the Modoc defendants were found guilty of war crimes for killing two members of a Peace Commission "under a flag of truce." Captain Jack, Schonchin John and two other Modocs were hanged at Fort Klamath, and two other Modocs had their death sentences commuted to life in prison.*

by Doug Foster



COURTESY OF THE MODOC TRIBE OF OKLAHOMA



COURTESY OF KLAMATH COUNTY MUSEUM

“I WAS PROUD OF MY GREAT-GREAT-GRANDFATHER,” said Lynn Schonchin, great-great-grandson of Schonchin John. “He fought the U.S. Cavalry for his people. He and Captain Jack and the others laid down their lives for their land and for their freedom. They should be honored as patriots and heroes ... like George Washington. They are by Indian people.”<sup>1</sup>

Ken Tanner, chief of the Coquille Tribe, said that as a boy in Coos Bay he grew up on stories of Captain Jack: “Both my mother and my father looked up to Captain Jack and the Modoc people as real heroes. Captain Jack had the courage to stand up against those who sought to take his homeland.”<sup>2</sup>

*Above, Kientpoos, or Captain Jack, the Modoc chief, fought the U.S. Army to avoid being moved to a reservation. This documentary photo was taken after he surrendered and the army cut short his long hair. Oregon news reporter S.A. Clarke observed that, on the day Captain Jack surrendered, he “bore himself with dignity and sat there like a Roman hero.” Below, Schonchin John was dubbed the “Daniel Webster of the Modocs” by one contemporary journalist. The day before Schonchin John was scheduled to be executed by the government, he said: “My heart tells me I should not die—that you do me a great wrong in taking my life. War is a terrible thing. All must suffer ... I can now only say, let Schonchin die!”*

In 1873, though, the national and international press vilified the Modocs for killing two peace commissioners: General Edward Richard Sprigg Canby and the Reverend Eleazar Thomas. *Harper's Weekly* denounced the Modocs as "wild beasts." The *San Francisco Chronicle* labeled Captain Jack a "red Judas." The *Times of London* called the killings a "dastardly outrage." The *Philadelphia Public Ledger* demanded an eye for an eye. The Chicago papers, the *Tribune* and the *Inter-Ocean*, demanded the extermination of the Modocs.<sup>3</sup>

Local citizens were even more outraged. A Yreka, California, newspaper labeled the killing of Canby as the "most dastardly assassination yet known in either ancient or modern history."<sup>4</sup> Canby's death gripped people like no event since the assassination of Lincoln. In Jacksonville, flags hung at half-mast.<sup>5</sup> Secretary of the Interior Columbus Delano, the architect of the Peace Commission policy, was hanged in effigy in Jacksonville and Yreka.<sup>6</sup>

Some local, contemporary travel brochures still label Captain Jack and Schonchin John as "renegades" and "savages." Lynn Schonchin, a retired Chiloquin High School history teacher and former chairman of the Klamath Tribes, says these brochures anger him. "I'm not saying it was right to kill," he explains, but there was killing on both sides. "I don't know if I'd have the courage to do what my great-great-grandfather did: take on the whole U.S. Army, knowing he'd lose."<sup>7</sup>

Indeed, it was a lopsided war: fifty

Modoc warriors in a lava-bed stronghold held off up to 1,000 soldiers for five months.<sup>8</sup> Considering the number of Indians involved, it was the most costly American Indian war in terms of lives lost and money spent.<sup>9</sup>

"There would have been no war crimes trial," Schonchin said, "if the war had been fought to the end." The Modocs were tried, he said, because of all the media attention and because of who they killed: Canby, the "Christian General," and a missionary.<sup>10</sup> Canby was the first U.S. Army general to be killed during the western Indian wars.<sup>11</sup> Although eclipsed in the public mind by the battle at Little Big Horn three years later, the 1872-1873 Modoc War received extensive national press coverage and was the only Indian campaign covered by a foreign journalist, receiving periodic headlines in the *Illustrated London News*.<sup>12</sup>

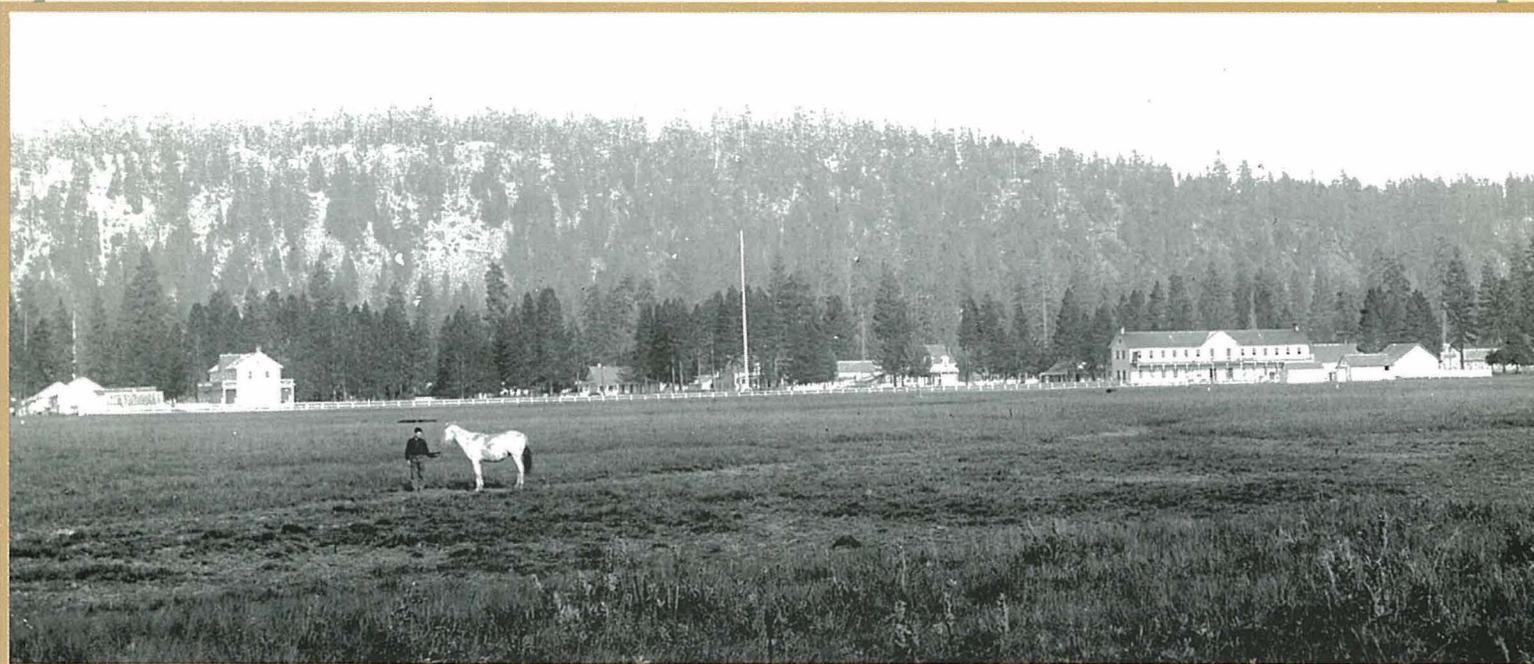
Whether one views Captain Jack and the other Modoc war leaders as heroes or villains, of course, depends in large part on one's background and perspective, on one's views of the nature of war and "war crimes,"<sup>13</sup> and on one's moral beliefs about the expansion of Western civilization into what had been, for thousands of years, exclusively Indian country. Still, it can be informative to closely consider how the army treated the Modocs after winning the war: Why did the army try some Modoc war leaders and not others? What kind of trial were the Modocs given? What evidence was considered, what was

ignored? Was the verdict preordained? Were pleas for clemency duly considered?

The Modocs, ironically, were tried at Fort Klamath on the border of the Klamath Indian Reservation, the reservation they fought so hard to avoid. It was an isolated post: thirty miles from the nearest community, Linkville (now Klamath Falls); 120 miles by year-around wagon road from the county seat, Jacksonville. Every Modoc who had participated in the war—forty-five men, forty-nine women and sixty-two children—had been marched north under heavy guard to Fort Klamath. The Modoc leaders were locked in cells in the post guardhouse; all the rest were confined in a 100-by-50 foot stockade of upright pine logs, which left each Indian about thirty-two square feet to sleep, cook, and handle sewage.<sup>14</sup>

Schonchin John and Captain Jack wore leg irons, and each man's shackles were joined to the other's with a heavy metal chain. They had been bound together since Captain Jack surrendered and would remain so until their deaths.<sup>15</sup> Schonchin John was a fortyish, dour-looking, square-jawed man; in Modoc, *schonchis* means "big chin." Captain Jack's Modoc name, Kientpoos, literally means "Having-the-Waterbrash" (pyrosis or heartburn). He was a fortyish, youthful-looking man with a handsome, open face and calm, intelligent eyes. Like the other Modocs, they were dressed in cast-off dungarees or army pants, ragged shirts and work shoes—the same clothes they'd worn during the war.<sup>16</sup>

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*Fort Klamath, Oregon, where the Modoc leaders were tried for war crimes, was built in 1863 on the fringe of a forested area in the lush Wood River Valley, situated along the edge of the Klamath Indian Reservation—the reservation Captain Jack's band fought to avoid.*

The trial was held in the fort headquarters building, where uniformed soldiers stood guard holding Springfield rifles topped with polished angular bayonets. The judges—a military commission of five U.S. Army officers in new dress uniforms—sat at a long, narrow table in the center of the room. The prosecutor—an army officer called the judge-advocate—sat at a table across from the judges. Nearby sat the court reporter and two interpreters; because most Modocs spoke so little English, everything had to be translated from English to Modoc.<sup>17</sup>

A month before the trial began, General Jefferson Davis, Canby's successor as commanding officer, said that a military commission to try the Modocs "should" be staffed by officers of high rank "who have no immediate connection with the Modoc difficulty" and that each Modoc would probably get a separate trial and that the process would take six months.<sup>18</sup> In fact, Davis selected several officers who had fought the Modocs to act as their judges; all six Modocs were tried together; they were not represented by counsel; and their collective trial took only four days.

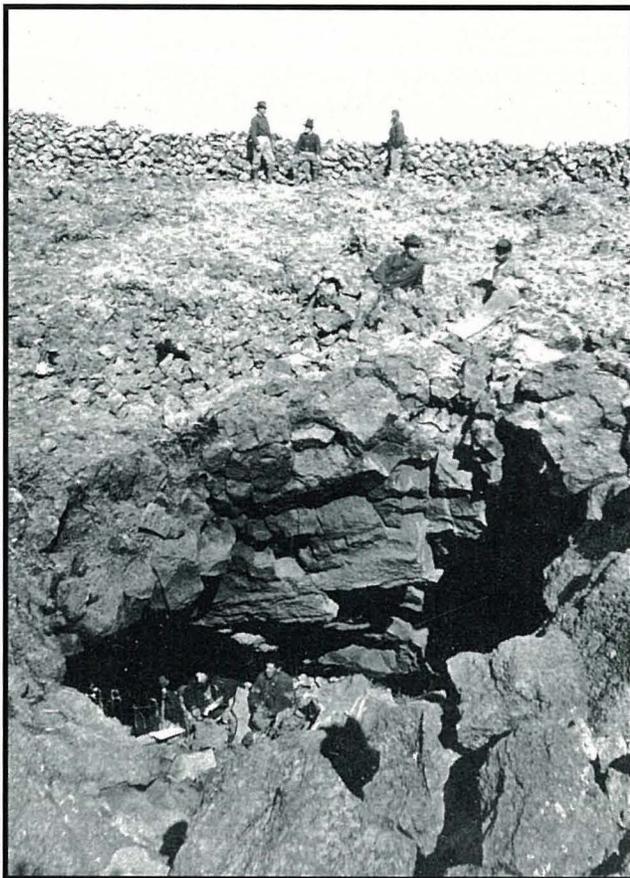
Although military commissions were often composed of individuals with more of a stake in the outcome of the case than usually occurs in a civil trial, rarely were members so personally involved in the events leading to the charges as were the members of this military commission. Four of the five members of the commission had been directly involved in the Modoc War, and so were asked to try Modoc prisoners accused of killing their former commanding officer; of these four, three had fought in battles against the Modocs, and thus had been under attack by the very individuals on whom they now were asked to pass judgment. The trial began just a month after Captain Jack was captured and hostilities had ceased. Passions were still inflamed.<sup>19</sup> Alfred Meacham—one of the wounded peace commissioners and the government's star witness at the Modocs' trial—criticized the composition of the military commission, since the members' "love for the memory of General Canby, together with hatred for the Modoc chief, disqualify them for impartial hearing."<sup>20</sup>

The army was incensed that a small, ill-equipped band of Indians had killed an officer as popular and important as Canby. Canby's Civil War duties had ranged from restoring order in New York City following the draft

riots of 1863 to commanding the Military Division of West Mississippi, which included the Gulf states and the Southwest. At the time of his death, Canby was not only the commanding officer of the Department of the Columbia, but also acting head of the Military Division of the Pacific, responsible for the entire West Coast army.<sup>21</sup>

On learning of Canby's death, General of the Army William Tecumseh Sherman advised his subordinates not to leave a Modoc man, woman or child alive to boast of Canby's murder. He ordered Col. Alvan Gillem to launch an attack, advising, "You will be fully justified in their utter extermination."<sup>22</sup> After Captain Jack was captured, Sherman telegraphed General Davis as to the disposition of the Modoc prisoners: "Some should be tried by Court Martial and shot."<sup>23</sup>

The Modoc defendants were accused of war crimes for violating a flag of truce. Significantly, this was the only time that the United States tried American Indians for violating the laws of war.<sup>24</sup> "War consists largely of acts that would be criminal if performed in time of peace," according to Professor Telford Taylor, the former army brigadier general who served as the lead military officer at the Nuremberg war crimes trials after World War II. But "(s)uch conduct is not regarded as criminal if it takes place in the course of war, because the state of war lays a blanket

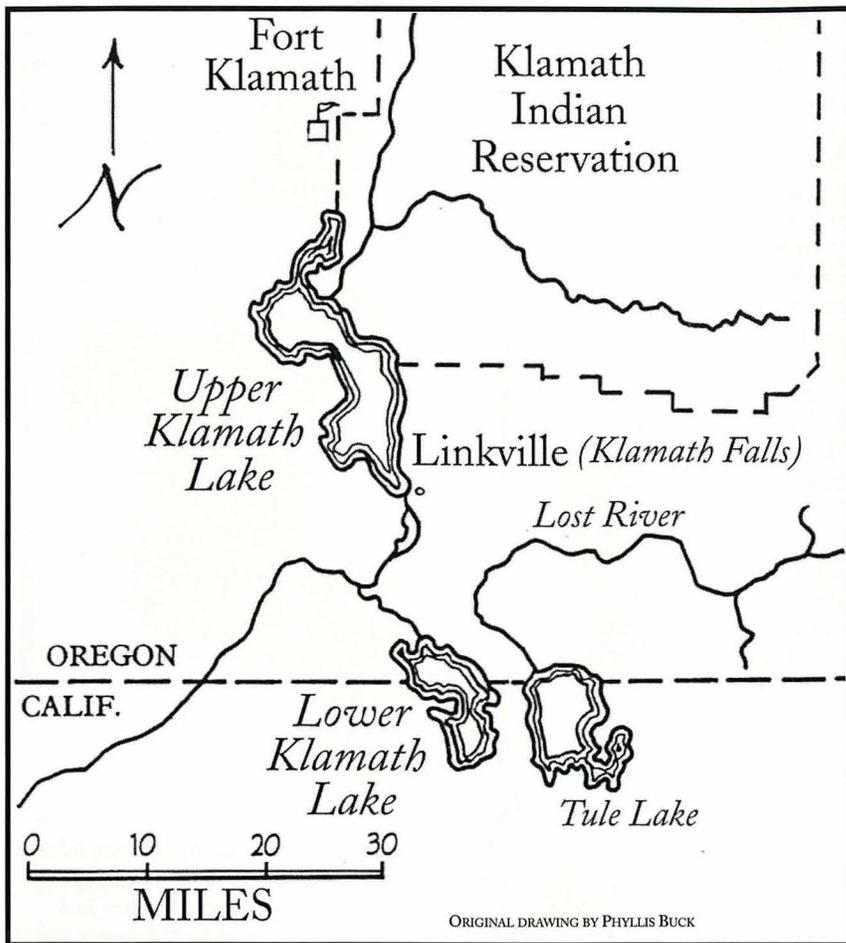


PHOTOS COURTESY OF THE MODOC TRIBE OF OKLAHOMA

*Captain Jack's family lived in the cave in the center of the Modocs' Lava Beds Stronghold, then a natural fortification of jagged rock outcroppings and crevices in the lava flow where Jack's band withstood an army force nearly twenty times its size for five months. This photo, showing federal troops at rest, was taken shortly after Jack's band fled the Stronghold.*



*Captain Jack's family, who stayed with him during the Modoc War and then surrendered with him: from left, his young wife Lizzie, his sister Mary, his four-year old daughter Rose, and his "Old Wife". After Captain Jack was executed, his family, and all other surviving members of his band, were sent to live in the Indian Territory, now Oklahoma, where Rose, his only child, died.*



COURTESY OF THE LANDRUM COLLECTION, SHAW HISTORIC LIBRARY

*Brigadier General Edward Canby was killed by Captain Jack while engaged in negotiations to end the Modoc War; he was fifty-six when he died.*



COURTESY OF THE LANDRUM COLLECTION, SHAW HISTORIC LIBRARY

*A studio portrait of Alfred Meacham, who had served as superintendent of Indian affairs for Oregon before the Modoc War and who was the chairman of the Peace Commission during the war. Although he was wounded and partially scalped by Modocs on the day Canby was killed, Meacham continued to advocate for the rights of Modocs and other Indians.*

of immunity over the warriors." A war crime is an act that "remains criminal even though committed in the course of war, because it lies outside the area of immunity prescribed by the laws of war."<sup>25</sup>

To justify trying the Modocs for war crimes, U. S. Attorney General George Williams wrote that, "All the laws and customs of civilized warfare may not be applicable to an armed conflict with the Indian tribes upon our western frontier; but the circumstances attending the assassination of Canby and Thomas are such as to make their murder as much a violation of the laws of savage as of civilized warfare, and the Indians concerned in it fully understood the baseness and treachery of their act."<sup>26</sup>

Modoc War historian Walter Palmberg disagreed with the attorney general's conclusion: since the peace commissioners had been amply warned of what could be expected and knew that a state of war existed, "what followed could be interpreted as not necessarily against the laws of war and certainly not as far as the Indians were concerned." Recounting the many massacres of Indians by soldiers during the western Indian wars, Palmberg wryly noted that "(o)bviously, laws of war, flags of truce, and suspensions of hostilities were only applicable at the army's discretion."<sup>27</sup>

The Modocs, like other Indians, traditionally fought with methods quite different from those of the Europeans and the Americans. In intertribal Indian wars almost all members of the enemy nation were legitimate targets of attack, and captives were rarely taken. These practices were largely a matter of necessity. Among other things, the Indians lacked prison camps in which to confine captives.<sup>28</sup> One of the Modoc prisoners, Boston Charley, admitted that they hoped that by killing their leaders, "the other white men would give up and go home." It was not unnatural that the Modocs might believe this. In intertribal wars, once a tribe's leaders were killed the other warriors quit fighting.<sup>29</sup> The commission, arguably, should at least have given consideration to these differences in culture and military methods in arriving at its conclusion.

According to Telford, war is "(i)ntrinsically a desperate and violent business" that "is not readily limitable in terms of the means to be used in its prosecution." Just as otherwise law-abiding individuals will commit crimes to save their own lives, national governments will likewise break international rules and treaties, if necessary, for their own preservation.<sup>30</sup>

Captain Jack and his band were fighting for their preservation as a people in a David-and-Goliath war. Jack's warriors were outnumbered on the battlefield more than twenty to one. And this imbalance doesn't begin to reflect just how lopsided this "war" was. In 1870, the U.S. population numbered nearly 40 million, while the entire Modoc tribe numbered less than 400; the United States encompassed nearly 3 million square miles, while Captain Jack's band fought for the rights to a six-square-mile reservation on their ancestral homeland;<sup>31</sup> and the U.S. Army numbered more than 37,000 active duty soldiers, while Jack's band had but 50 warriors.<sup>32</sup>

The most dramatic witness to appear at the Modoc war crimes trial was Alfred Meacham, the former Oregon Indian commissioner and head of the Peace Commission. The Modoc defendants were shocked to see Meacham enter the courtroom, since they'd left him for dead with the bodies of Canby and Thomas. Meacham testified that he'd been shot several times and knocked unconscious. At trial, his right hand was still useless, paralyzed by a pistol ball through the wrist, and his forehead was scarred by a long knife wound where a Modoc had tried to scalp him with a pocketknife—a difficult task as Meacham was bald.<sup>33</sup>

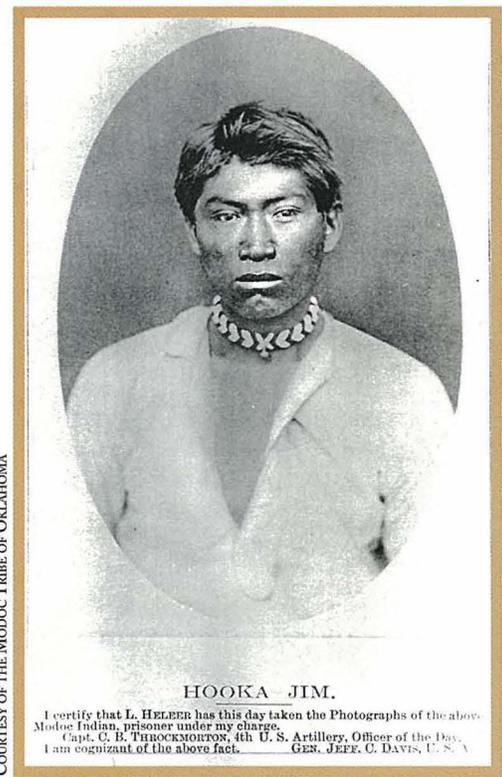
Since the Modocs had disfigured Meacham, one would expect, if anything, that he might be biased against them. In fact, Meacham later offered damaging evidence against Canby; according to Meacham, Canby was the first to violate the armistice. Unfortunately, this was not revealed at trial and was not publicized until nearly three years after the trial when Meacham wrote two lengthy books about the Modoc War.<sup>34</sup> The truce between the Modocs and the federal government—as negotiated by Meacham, the chairman of the Peace Commission—provided that "no hostile movements" were to be made by either side "during the existence of the armistice,"<sup>35</sup> and that "no act of war" would be committed "while negotiations for peace were going on."<sup>36</sup> At that time the army was divided into two groups, one located twenty-five miles to the north of the Modoc position in the Lava Beds, the other twenty miles to the south.

Shortly after making this agreement, the army captured the Modocs' only band of horses, which Meacham considered a "breach of the peace"<sup>37</sup> and "a violation of the armistice."<sup>38</sup> Both the Modocs and Meacham requested that the horses be returned, but Canby refused. On March 22, the secretary of the interior turned over entire control of the Peace Commission to the army. Canby, deciding to tighten the screws on the Modocs and force them to make concessions, then ordered the army to move forward.<sup>39</sup> By the first day of April, the two divisions of the army had moved to within two miles of the Modocs' stronghold, one on each side of the Modoc position.

Meacham characterized these troop movements as a "breach of the compact for peace negotiations."<sup>40</sup> Canby ordered that cannons be dragged into position; one of Canby's officers warned the Modocs that a hundred Indian scouts would arrive from Warm Springs to strengthen the soldiers' ranks.<sup>41</sup> Canby telegraphed Washington that he had "the army in position to compel surrender."<sup>42</sup>

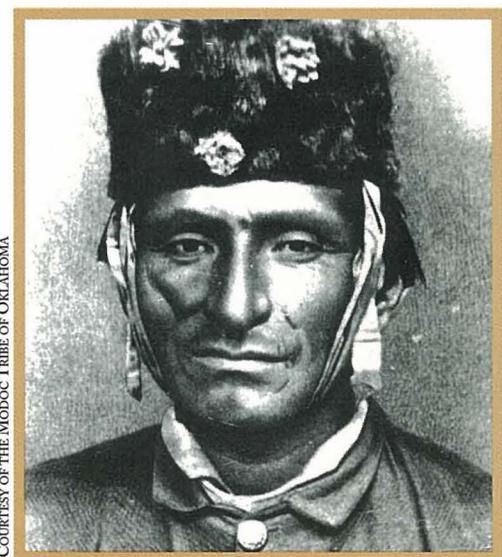
On April 5, 1873, Captain Jack and Meacham met in the Lava Beds. At this fateful meeting—one week before Canby was killed—Jack reminded Meacham of their agreement that "no more preparations for war would be made" during the truce. Jack said, "I have kept my promise—have you kept yours? Your soldiers stole my horses, you did not give them up; you say 'you want peace'; why do you come with so many soldiers to make peace: I see your men coming every day with big guns; does that look like making peace?"<sup>43</sup>

*Captain Henry Hasbrouck led army troops to victory against the Modocs at the pivotal battle of Dry Lake and then sat on the military commission that tried the Modoc leaders for killing Canby, his former commanding officer. This portrait dates from the 1880s when, as a lieutenant colonel, Hasbrouck was the commander of cadets at West Point.*



COURTESY OF THE MODOC TRIBE OF OKLAHOMA

*Hooka Jim, or Hooker Jim, was the warlike Modoc who won amnesty by switching sides and helping the army track down and capture Captain Jack. This photo—showing him with short hair but still wearing a traditional beaded necklace—looks like a police "mug shot," because of its frontal view and attached certification card. Such portraits of Modoc prisoners were reproduced by a commercial studio and sold as postcard-sized, souvenir "cabinet cards" for \$1.50 per dozen.*



COURTESY OF THE MODOC TRIBE OF OKLAHOMA

*Scar-faced Charlie, a brilliant war leader, won the respect of all during the Modoc War, even the federal troops he defeated on the battlefield. Because he did not participate in the assassination of General Canby, Scar-faced Charlie was not tried for war crimes; and he later became the new leader of the Modocs who were exiled to the new Indian Territory.*

Although the Modocs were accused of violating a flag of truce, no white flag flew at the meeting where Canby was killed. The expression “flag of truce,” according to the judge-advocate general, was used at trial to mean that there was “a subsisting truce between the parties,” a “suspension of hostilities.” According to Meacham, however, Canby had already committed acts of war in violation of the peace accord. Captain Jack also viewed Canby’s actions this way.<sup>44</sup> A lawyer could have argued that Canby’s actions nullified the terms of the peace accord so that no armistice was in effect when he was killed and that, therefore, his killing wasn’t a war crime.

It is true that Captain Jack drew a concealed pistol and shot Canby while he was unarmed at a peace meeting held between two armed camps. Since two members of the Peace Commission, Meacham and L.S. Dyar, carried concealed derringers that day, though, it was not just the Modocs who violated the agreement to attend the meeting unarmed. In any event, Captain Jack never denied that he killed Canby; Jack’s ultimate defense was that the Modocs did not start the war, the army did.<sup>45</sup> It could also have been argued: what recourse did the Modocs have after Canby violated the armistice agreement by capturing Modoc horses and bringing in more soldiers? They couldn’t call up more warriors, for they had no more warriors. They couldn’t appeal to a neutral, international tribunal because one did not exist. To have given formal notice that Canby had broken the truce and that the parties were once again at war would have left Canby with a significant military advantage because of his own violations of the armistice.

The military commission, nonetheless, convicted the Modocs of war crimes. Soon thereafter, humanitarians began petitioning the government to treat Captain Jack with leniency, citing past wrongs done to the Modocs. A Quaker group in Maryland asked President Grant to grant the Modocs executive clemency, arguing they should not be held to a higher standard than Indian fighter Ben Wright, who had slaughtered a group of Modocs in 1852 in violation of a “flag of truce.”<sup>46</sup> One letter to the secretary of the interior questioned why Captain Jack should be executed for killing Canby, since Ben Wright had been rewarded with an Indian agency for his treachery.<sup>47</sup> Another East Coast humanitarian group, The National Association to Promote Universal Peace, wrote Grant that, from the Indians’ perspective, killing Canby was “just retribution” for the Ben Wright massacre.<sup>48</sup>

Local newspapers, in response, justified Wright’s attack as retribution for prior Modoc attacks on immigrant wagon trains using the Applegate Trail, and as an attempt to recover two young women whom the Modocs had allegedly taken captive. A Yreka newspaper ran a story titled the “So-Called” Ben Wright Massacre, which claimed that the Modocs had been planning treachery and Wright just beat them to the punch.<sup>49</sup> A former editor of a Salem newspaper ridiculed “Eastern sentimentalists” for “shedding crocodile tears in profusion” about the Ben Wright attack, calling their version of the incident “rot.”<sup>50</sup>

What really happened in 1852? The historic record shows that Wright and a group of Yreka “volunteers” invited the Modocs to a feast. Wright’s posse “quite freely admitted that they planned treachery” at this feast, but that they

*Jack said, “I have kept my promise—have you kept yours? Your soldiers stole my horses, you did not give them up; you say ‘you want peace’; why do you come with so many soldiers to make peace. I see your men coming every day with big guns; does that look like making peace?”*

intended to shoot the Indians, not poison them.<sup>51</sup> According to Meacham, however, witnesses claimed that Wright had purchased strychnine, intending to poison the Modocs, and he resorted to calling for a “peace talk” only when the Modocs declined the feast.<sup>52</sup> While Wright’s men were armed with rifles, the Modocs only had bows and arrows and Hudson’s Bay Company knives.<sup>53</sup>

Wright’s posse surrounded the Modoc village at night. In the morning, Wright entered the village wearing a long serape that concealed his pistol. When Wright pulled out his pistol and shot the Modoc chief, that was the signal for his concealed men to begin shooting.<sup>54</sup> The fleeing Modocs “were searched out from among the sagebrush and shot like rabbits. Long poles were taken from the wickiups and

those taking refuge in the river were poked out and shot as they struggled in the water. To avoid the bullets the Indians would dive and swim beneath the water, but watching the bubbles rise as they swam, the men shot them when they came up for air.”<sup>55</sup>

Forty-one of the forty-six Modocs there were killed, including many women. None of Wright’s group were hurt.<sup>56</sup> Schonchin John was one of the five survivors of the massacre. According to one historian, Captain Jack’s father was one of those killed.<sup>57</sup> Wright’s men scalped and mutilated the bodies of the dead Modocs. Wright even boasted of the fingers and noses he had cut from the bodies of dead and wounded Indians.<sup>58</sup> When Wright’s posse returned to Yreka with many Modoc scalps, they were feted with a big dance and proclaimed heroes.<sup>59</sup> Two years later, in 1854, Oregon Indian Superintendent Joel Palmer appointed Wright as Indian agent in charge of all tribes south of Coos Bay.<sup>60</sup>

The Ben Wright affair helps explain why the peace commissioners were killed, according to Lynn Schonchin. Since the Modocs’ prior experience with peace meetings was when Ben Wright slaughtered forty Modocs, he said, they might have thought that “peace meetings” always had a violent ending and decided “to get them first.”<sup>61</sup>

In any event, learning of the Ben Wright massacre did not sway President Grant, who approved the scheduled executions of the Modoc leaders. On October 3, 1873, throngs of curious spectators descended on Fort Klamath to see the hangings; one school in Ashland declared a week’s holiday so the students could attend.<sup>62</sup> According to Lynn Schonchin, every member of the Modoc Tribe was forced to watch; Peter Schonchin, only a teenager, and his young brothers and sisters had to stand and watch their father be hanged. They and the rest of Captain Jack’s band were then shipped off to live in exile in the distant Indian Territory, now Oklahoma.<sup>63</sup> “Forcing families watch their men die,” said Lynn Schonchin, “was a lesson in power.” Forcing the tribe to watch the hangings, he said, was telling them “they had no rights, no freedoms ... if you stand up this is what we’re going to do to you.”<sup>64</sup>

After the executions, morbid souvenir hunters went wild at Fort Klamath. Strands of the rope that had hanged Captain Jack and locks of his hair sold for as high as five dollars each. One of the judges of the military commission, Lieutenant George Kinsbury, mounted short lengths of the hangman’s hemp rope

on printed cards that read, "The Rope That Hung [sic] the Chief of the Modoc Indians, Captain Jack, Oct. 3rd 1873." He either gave them to friends or sold them; one card can still be seen at the Arizona State Museum in Tucson.

When the bodies of Schonchin John and Captain Jack were taken from the scaffold, an army surgeon cut off their heads for shipment to Washington. While the *San Francisco Chronicle* called this barbaric, the *Army and Navy Journal* defended it as a case of medical dissection for scientific craniology studies. For over a century, the two men's skulls rested on shelves at the Army Medical Museum and later the Smithsonian Institution before finally being returned to the tribe in the 1990s.<sup>65</sup> Lynn Schonchin is still concerned for his great-great-grandfather's spirit: cutting off Schonchin John's head means that "his spirit never rests."

There should have been more understanding and compassion for Captain Jack's band, according to Lynn Schonchin, since they only wanted to live in freedom on their own land. Before the war, Captain Jack's band even sought to file applications with the government to take up a very small part of their ancestral homeland along Lost River, so that by improving the land and paying taxes they could receive legal title to a three-mile plot that had a good fishery. But the Modocs were not allowed to acquire title to any of their ancestral lands in this way because as Indians they were not then considered to be citizens of the United States.<sup>66</sup>

Immigrants to America left Europe because they wanted freedom of religion and the chance to own their own land, Lynn Schonchin notes, but once here they treated the Indians just the way the kings and nobles had treated them in Europe. If he had been able to speak in behalf of Captain Jack's band, Lynn Schonchin would have argued that "both sides made mistakes," so that the only way to have dealt objectively with the situation would have been to "try everybody."

There is a long military tradition in the Schonchin family. Lynn's uncles, Jacky and Ted, fought in World War II, one in the Normandy invasion. Lynn served in the military, too. His great-grandfather, Peter Schonchin, was the youngest Modoc to fight in the Modoc War. When Lynn cleans the family graves at the Old Schonchin Cemetery near Chiloquin, he takes special care of the grave of Cain Schonchin and the nearby grave of Cain's father, Peter. Cain has a bronze military grave marker because he fought with the U.S. Cavalry in Europe in World War I. "We put an American flag by his grave,"

Lynn says. Cain's father, Peter, fought against the U.S. Cavalry, "so we put a feathered staff in front of his grave."<sup>67</sup> 🏠

*Doug Foster, an Ashland writer and historian, published a lengthier and more detailed analysis of the Modoc War Crimes Trial in the Fall of 1999 edition of the Oregon Historical Quarterly.*

#### ENDNOTES:

1. Interviews with Lynn Schonchin in Chiloquin, Oregon, on 23 June 1994, and 9 September and 10 October 1997.
2. Interview with Ken Tanner in Mount Shasta, California, on 6 September 1997.
3. Richard Dillon, *Burnt-out Fires-California's Modoc Indian War* (New Jersey: Prentice-Hall, 1973), p. 246; *Harper's Weekly*, 3 May 1873, p. 364.
4. *Yreka Journal*, 16 April 1873, p. 2.
5. Keith Murray, *The Modocs and their War* (Norman Okla.: University of Oklahoma Press, 1958), p. 203.
6. Dillon, *Burnt-out Fires*, p. 245.
7. Schonchin interviews.
8. *Oregonian*, 25 April 1988.
9. Murray, *Modocs*, p. 81.
10. Schonchin interviews.
11. Murray, *Modocs*, p. 196; Schonchin interviews.
12. *Oregonian*, 25 April 1988.
13. See generally, Telford Taylor, *Nuremberg and Vietnam, an American Tragedy*, (Chicago: Quadrangle Books, 1970).
14. Murray, *Modocs*, p. 280.
15. Irwin Thompson, *Modoc War—Its Military History and Topography*, (Sacramento, Calif.: Argus Books, 1971), pp. 118, 124.
16. Murray, *Modocs*, pp. 147-148; Dillon, *Burnt-out Fires*, p. 57.
17. Dillon, *Burnt-out Fires*, p. 312.
18. *Yreka Journal*, 14 June 1873.
19. *Daily Oregonian*, 12 July 1873; Francis Landrum, *Guardhouse, Gallows and Graves* (Klamath Falls: Klamath County Museum, 1988) pp. 38-41.
20. Walter H. Palmberg, *Copper Paladin—A Modoc Tragedy*, (Bryn Mawr, Pa.: Dorrance & Co., 1982), p. 151.
21. Thompson, *Modoc War*, pp. 141-142, n. 13; Murray, *Modocs*, p. 319.
22. Dillon, *Burnt-out Fires*, p. 247.
23. 3 June 1873 telegraph to General Davis from General Sherman, in Olaf Hagen, "Modoc War—Official Correspondence and Documents, 1865-1878," (Office of Archaeology and Historic Preservation, National Park Service, May 1942, typescript), a 1,780-page document available at the Klamath County Museum, Klamath Falls, at p. 1,054.
24. Carol Chomsky, "The United States—Dakota War Trials: A Study in Military Justice," 43 *Stanford Law Review* 13 (1990) p. 74, n. 383 and p. 75. See also, Colonel William Winthrop, *Military Law and Precedents*, (U.S. Government Printing Office, 1920 reprint of 1896 2nd edition) at p. 838, n. 98.
25. Taylor, *Nuremberg*, pp. 19-20.
26. George H. Williams, U. S. attorney general, "The Modoc Indian Prisoners," 7 June 1873, 14 *Opinions of the Attorney General* 249, p. 252-253.
27. Palmberg, *Copper Paladin*, p. 157.
28. Chomsky, "Dakota War Trials," p. 88.
29. Murray, *Modocs*, pp. 177, 302.
30. Taylor, *Nuremberg*, p. 33.
31. *Historical Statistics of the United States*, Vol. I, (U.S. Department of Commerce, 1975), p. 8.
32. *Ibid.*, Vol. 2, p. 1,142.

33. Landrum, *Guardhouse, Gallows*, p. 10; Dillon, *Burnt-out Fires*, pp. 218, 312.
34. Alfred B. Meacham, *Wi-ne-ma and Her People* (Hartford, Conn.: American Publishing Co., 1876) p. 161.
35. *Ibid.*, at 44.
36. Alfred B. Meacham, *Wigwam and Warpath, or the Royal Chief in Chains* (Boston: John P. Dale and Co., 1875) p. 423.
37. Meacham, *Wi-ne-ma*, p. 44.
38. Meacham, *Wigwam*, p. 436; *Wi-ne-ma*, p. 44.
39. Murray, *Modocs*, pp. 163-164; Dillon, *Burnt-out Fires*, pp. 206-207.
40. Meacham, *Wi-ne-ma*, pp. 44-45.
41. Meacham, *Wigwam*, pp. 439, 444.
42. Meacham, *Wi-ne-ma*, p. 52.
43. Meacham, *Wigwam*, pp. 449-450.
44. 12 August 1873 letter to the secretary of war from J. Holt, judge-advocate general, in House Executive Document 122, 1st Session, 43rd Congress, *Official Copies of Correspondence Relative to the War with the Modoc Indians* (U.S. Government Printing Office, 1874), pp. 134, 195; Meacham, *Wigwam*, pp. 449-450.
45. Murray, *Modocs*, pp. 184, 190-191; House Executive Document 122, pp. 173, 176.
46. 13 September 1873 letter to President Grant from Ben'j'n Hallowell, in behalf of the Baltimore, Maryland, Indian Concern Committee of the Quaker Church. House Document 122, p. 328.
47. 8 June 1873 letter to the secretary of the interior from Mrs. Mary L. Benham. House Document 122, p. 291.
48. 18 July 1873 letter to President Grant from John Beeson. House Document 122, pp. 315-316. Beeson, an Englishman and naturalized American, lived in the Rogue River Valley near the present city of Talent seventeen years before, in 1856. When Beeson championed Indian rights during the Rogue River Indian Wars, he was threatened by his neighbors and, in fear of being lynched, fled in the middle of the night, abandoning his home, family and the West Coast. See John Beeson, *A Plea for the Indians* (Fairfield, Wash.: Ye Galleon Press 1982, a reprint of the 1857 edition privately published in New York), p. vii; Palmberg, *Copper Paladin*, p. 158.
49. *Yreka Journal*, 26 April 1873.
50. Colonel William Thompson, *Reminiscences of a Pioneer*, (San Francisco, private printing, 1912) pp. 73, 80.
51. Murray, *Modocs*, pp. 26-27.
52. Meacham, *Wigwam*, pp. 298-299.
53. *Yreka Journal*, 7 May 1873.
54. Murray, *Modocs*, pp. 26-27.
55. Thompson, *Reminiscences*, p. 82.
56. Jeff C. Riddle, *The Indian History of the Modoc War* (Medford: Pine Cone Publishers, 1973, reprint of the 1908 book), p. 30; Meacham, *Wigwam*, p. 298.
57. Thompson, *Modoc War*, p. 5; Murray, *Modocs*, pp. 26-27.
58. Murray, *Modocs*, pp. 21, 26-27.
59. Riddle, *Indian History*, p. 30.
60. Murray, *Modocs*, p. 30.
61. Schonchin interviews.
62. Landrum, *Guardhouse, Gallows and Graves*, p. 69.
63. Murray, *Modocs*, p. 297; Schonchin interviews.
64. Schonchin interviews.
65. Thompson, *Modoc War*, pp. 125-126; Dillon, *Burnt-out Fires*, pp. 333-334; Murray, *Modocs*, p. 304.
66. 26 May 1873 letter to I. Steele from Elijah Steele, in Riddle, *Indian History*, pp. 278-279.
67. Schonchin interviews.



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# Chester Corry: "Mr. Lithia Park" by Molly Walker Kerr

**H**ISTORICALLY, ASHLAND HAS BEEN A TOWN OF UNIQUE visionaries with the ability to make things happen, people like Chester Corry, the city's parks superintendent for thirty-three years. "Without him," says current parks superintendent Ken Mickelsen, "the 100-acre Lithia Park would not be what it is today."<sup>1</sup>

Born in Columbia, North Dakota, in 1906, Corry grew up on his father's orange grove in Glendora, California. In 1930, he graduated in landscape architecture from Oregon Agricultural College (now Oregon State University) and in 1931, he met and married Doris Gardner, a young teacher. His landscaping positions at Mount Lassen National Park, then Portland's Lambert Gardens, gave him the experience to become Ashland's assistant parks superintendent in 1936.

When the Corrys arrived in Ashland, most of the land beyond the lower duck pond was nothing but a wilderness following Ashland Creek up the rugged canyon. Corry's job was to develop the plans laid out by John McClaren, designer of San Francisco's Golden Gate Park, who had been commissioned by the city of Ashland. However, the Great Depression held the country in its grip, and the city couldn't afford to hire a crew. But that didn't stop Chet. The Corrys moved into a small house inside the park and the one-man crew rolled up his sleeves and got to work.

According to his wife, "Chet had a calm personality, but there was a twinkle in his eye. He tackled anything that happened with confidence."<sup>2</sup> With help from New Deal-era Works Progress Administration and National Recovery Administration crews, he relandscaped the Chautauqua area and developed the new nineteen-acre parcel donated by the C.W. Roots.

In 1937, Corry became parks superintendent—a job he cherished. He combed the hills for plant specimens, dug holes, planted, pruned, created tumbling falls, gentle rapids, bridges, a nursery, a playground, and a zoo.

COURTESY OF ASHLAND DAILY TIDINGS, JULY 3, 1986



*Chet Corry enjoys the scent of a flower toward the end of a long career that left an indelible mark on the landscape of Ashland's beautiful Lithia Park.*

"We couldn't afford tractors," Corry later recalled. "We did it the hard way—by hand."<sup>3</sup>

After a time, the Corrys moved into another house inside the park. Their little daughter Janet took naps with a zoo fawn and basked in the park's magical surroundings. Doris taught school. The Corrys participated in community and church activities, but their lives mainly centered on the park and its needs.

The late councilman David Kerr claimed, "The council voted to fund whatever Chet Corry needed because he was a man of integrity who did his homework."<sup>4</sup>

Corry and the park survived floods, snow, draughts, vandalism, servicemen's pranks, the 1960s counterculture, huge crowds, geese wandering into town, and zoo animals' antics. (Corry was once locked in the monkey cage!)

According to Lois Walker, longtime Medford resident, "Chet Corry loved the park. He was 'Mr. Lithia Park'!

Everyone raved about the wonderful work he was doing."<sup>5</sup>

Chet Corry retired in 1969 and spent his remaining years as a consultant until he died in 1989. Evidence of his handiwork can still be seen today in the older rhododendrons throughout the park. He may be gone, but the park winds still whisper his name. 🏡

*Molly Walker Kerr is a Medford freelance writer, whose childhood memories of Lithia Park spurred her to later become a Medford parks commissioner.*

#### ENDNOTES:

1. Interview with Ken Mickelsen, Ashland parks superintendent, June 1989 and 17 November 2000.
2. Interview with Doris Corry, 23 June 1989.
3. *Medford Mail Tribune*, 13 January 1980.
4. Interview with Ashland City Councilman David Kerr, author's father-in-law, in 1964.
5. Interview with Lois Walker, author's mother, 26 September 2000.

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