Murder at Butler Cove

By Drew W. Crooks

The Tlingit, Tsimshian, and Haida Indians have lived for thousands of years on the North Pacific Coast in areas that are now part of Alaska and British Columbia. Members of these Tribes occasionally visited the Puget Sound area during the 1850s for social and economic reasons. One primary motivation was a desire to exchange labor for Euro-American money and goods.

A group of Northern Indians came to Puget Sound in 1854 under the leadership of a young chief named Tsus-sy-uch. Their journey resulted in tragic bloodshed as Tsus-sy-uch was brutally murdered by American settlers at Butler Cove on the western shore of Budd Inlet near Olympia. Because governmental authorities in Washington Territory failed to provide any justice, the killing led to further violence between American Indians and Euro-Americans.

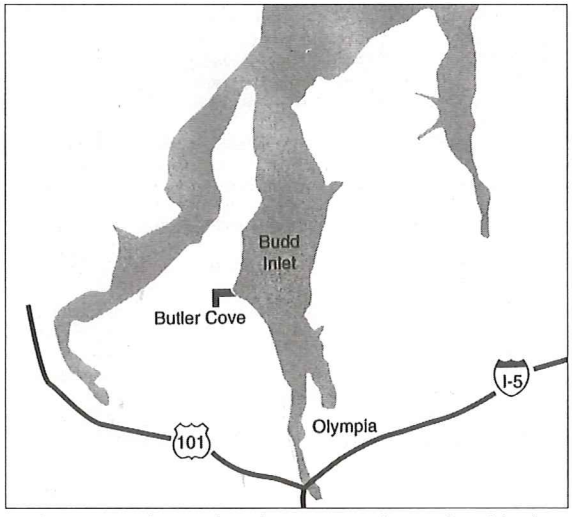
Tsus-sy-uch was twenty-two or twenty-three years old at the time of his death. He came from a proud culture where hereditary chiefs were highly respected. The father of Tsus-sy-uch was Tsimshian and his mother Tongas Tlingit. Since both Tribes were matrilineal in social organization, Tsus-sy-uch would have been identified as Tongas from the Native American view point. This branch of the Tlingit inhabited the area at the mouth of Portland Canal in southeast Alaska.

In the spring of 1854 Tsus-sy-uch traveled to Fort Nisqually, the Hudson's Bay Company post located near the Nisqually River. For several weeks the young chief and his party of followers and slaves stayed at the trading station. Then the Tongas leader made a journey to Olympia where he met an American settler named John L. Butler. This individual hired Tsus-sy-uch to clear some acres on his farm at Butler Cove.

Butler Cove was named for John L. Butler. The American had taken a 321.6-acre donation land claim by the Cove. Since Butler was often away due to his work as a steamship's mate or pilot, he employed James Burt to manage the farm. Both Americans were involved in the labor agreement with Tsus-sy-uch.

According to the reminiscences of Edward Huggins of Fort Nisqually, "Butler, in the presence of Burt, made a square contract with the young Indian to clear so much land for a stipulated sum. The bargain was settled, and the Indian and his followers went to work, and labored steadily and faithfully, week after week, until the land was cleared, strictly in accordance with the terms of the contract." [1]

The Northern Indians asked for their money after finishing the job. Their request was met with violence on



Butler Cove is located on the western shore of Budd Inlet near Olympia. *Courtesy Fort Nisqually Living History Museum.*

Tsus-sy-uch came from a proud culture. This Tlingit box drum is one example of magnificent Northern Indian artwork. *Courtesy Burke Museum of Natural History and Culture, catalog number 1-1586.*

May 7, 1854. Elwood Evans, an early Pacific Northwest historian, wrote that "A quarrel ensued between the Indians and the White men, Butler having refused to pay what the Indians claimed. That demand for wages was the occasion of the death of the chief of the Indian laborers at the hands of Butler and Burt." [2]

Tsus-sy-uch's party returned to Fort Nisqually from Butler Cove with the body of their leader who had been shot by the settlers. His corpse was temporarily buried in a Native American cemetery near the post. The Tlingit/Tsimshian Indians waited for justice at Nisqually, expecting the murderers to be punished by American authorities. In addition, traditional Native justice required the payment of compensation to a clan for the death of one of its members.

The Americans provided no justice. Though James Burt and John L. Butler were arrested for killing Tsus-sy-uch, they were soon released by magistrate William W. Plumb. Perhaps Plumb, a Justice of the Peace, accepted the defendants' claims of self-defense. Historian Elwood Evans, however, recorded that "the prosecuting attorney of the second Judicial district of the territory . . . moved for the discharge of the accused, 'because Thurston county has no jail, and it would be an expense to the county to retain them in custody.'" [3] This attorney was Daniel R. Bigelow, an individual extensively involved in civic affairs at the time.

In any case, Burt and Butler were let go by judicial authorities. James Burt quickly left Washington Territory, and John L. Butler remained unpunished. Neither American settler paid compensation in money or goods to the aggrieved Northern Indians. According to Elwood Evans, "there were many in the [Euro-American] community who denounced that needless, unprovoked homicide as a wanton murder, and the miserable travesty on law and justice which succeeded its commission." [4]

The angry Tlingit/Tsimshian Indians associated with Tsus-sy-uch decided to return to their home on the North Pacific Coast. Realizing the potential for hostilities, Dr. William Tolmie of Fort Nisqually sent a trusted representative (Pierre Lagace) to accompany the group as far as Fort Victoria on Vancouver Island. Indeed, the efforts of Legace to prevent violence on the journey to Victoria proved successful.

After the party of Northern Indians arrived with Pierre Lagace at Fort Victoria, news of the chief's death quickly spread among fellow Tribal members visiting the post. Turmoil broke out with several skirmishes on the Island. There also followed a raid against American settlers in the Bellingham Bay area of Washington Territory. Fear and rumors swept the American communities on Puget Sound. Certainly, the senseless death of Tsus-sy-uch brought more violence to American Indians and Euro-Americans.

Some American settlers even believed that the British on Vancouver Island helped the Northern Indians carry

out the Bellingham Bay attack. This hearsay was strongly (and accurately) denied by British Governor James Douglas. In any case, the settlers generally agreed that their communities needed more military protection.

A number of Euro-Americans responded to the perceived Native American threat by attending a public meeting in Olympia. They gathered at the 'Nonpariel' saloon on June 3, 1854. A volunteer company was raised to help defend the young community.

Acting Governor Charles Mason left Olympia on June 3rd for northern Washington Territory to see the situation at first hand. With a detachment of U.S. soldiers from Fort Steilacoom, he visited Bellingham Bay. Mason then traveled to Fort Victoria. His discussions at the post with Governor Douglas brought assurances of British support against Northern Indian raiders, and dispelled the rumor that Douglas has assisted hostile Native American actions.

Apparently Mason at this point accepted a suggestion by Governor Douglas to compensate the Northern Indians for the death of Tsus-sy-uch. There is no written evidence, however, to indicate that such a payment was actually made. After Fort Victoria, Charles Mason stopped at Dungeness (on the Strait of Juan de Fuca) and again at Bellingham Bay before returning to Olympia.

Fears of Northern Indian revenge raids subsided during the summer and fall of 1854 with no new attacks against American settlers. Another attempt was made in November of that year to bring John L. Butler and James Burt to justice. A Grand Jury of Washington Territory's Second Judicial District indicted the two men for the murder of Tsus-sy-uch. This effort also failed. Burt no longer lived in the Territory, and Butler managed to avoid any punishment.

John L. Butler remained in the region and continued to work on various steamships. His personal life was troubled by two divorces. In 1860 he sold the Butler Cove farm to William Winlock Miller. Port Townsend became Butler's home. When he died on May 17, 1890, that community's newspaper called him "one of Port Townsend's oldest and most respected citizens." [5]

The Butler Cove area became a favorite spot for recreational camping and picnics later in the nineteenth century. Today it is a peaceful residential district. Nothing exists in the neighborhood to remind visitors of the young chief who died there. Perhaps a historical marker should be erected at the Cove which would tell the story of the Tlingit/Tsimshian leader. Even more, maybe now is the time to change the place name from Butler Cove to Tsus-sy-uch Cove. For too long we have commemorated the murderer John L. Butler.

Endnotes

1. Edward Huggins, "The Murder of Colonel Isaac N. Ebey on Whidbey Island," in *Reminiscences of Puget Sound*, transcribed by Gary Fuller Reese (Tacoma, WA: Tacoma Public Library, 1984), page 343.
2. Elwood Evans, *History of the Pacific Northwest: Oregon and Washington*, Vol. I (Portland, OR: North Pacific History Company, 1889), page 469.
3. Ibid., page 469.
4. Ibid., page 469.
5. "Captain Butler Dead," *The Morning Leader* (Port Townsend, WA), May 18, 1890, page 5.