



# Whitman Trial Indictment, 1850

Transcription of 1850 document (original document starts on page 3)

<http://sos.oregon.gov/archives/exhibits/highlights/Pages/whitman.aspx>

## UNITED STATES OF AMERICA.

District Court of the United State of America, for the District of Oregon, county of Clackamas.

At a District Court of the United States of America, for the District of Oregon, began and holden at Oregon City in said county within and for said District and on the thirteenth day of May in the year of our Lord one thousand eight hundred and fifty

The Jurors of the United States, within and for said District, on their oath present: That on the twenty ninth day of November in the year of our Lord on thousand eight hundred and forty seven, at Wai-it-at-pu in said county, the said place being then and there in the Indian country certain Indians named Telakite, Tomahas, otherwise called the murder, Clokomas, Isiaasheluckas, Isholhot, and Kiamasumkin, Indictmentwith certain other Indians whose names to the Jurors are unknown, with force and arms , in and upon one Narcissa Whitman, she not then and there being an Indian, feloniously, wilfully, and of their malice aforethought, did make an assault, and that the said Indians, certain guns, muskets, and pistols, each of the same then and there being loaded and charged with gunpowder and bullets, which guns, muskets, and pistols, they the said Indians in their hands then and there had and held to, against, and upon the body of the said Naricissa Whitman, then and there feloniously, wilfully, and of their malice aforethought did shoot and discharge, and that the said Indians with the bullets aforesaid, out of the muskets, guns and pistols aforesaid, then and there by force of the gunpowder shot and sent forth as aforesaid, the said Narcissa Whitman, in and upon the body of her the said Narcissa Whitman, then and there wilfully, feloniously, and of their malice aforethought, did strike, penetrate and wound, giving to the said Narcissa Whitman then and there with bullets aforesaid so as aforesaid, shot, discharged an sent forth out of the muskets, guns, and pistols aforesaid, by the said Indians in and upon the body of the said Narcissa Whitman, several mortal wounds. of which said mortal wounds, the said Narcissa Whitman then and there died. And so the jurors aforesaid upon their oath aforesaid do say that the said Telakite, Tomahas, otherwise called the murderer, Clokomas, Isiaasheluckas, Isholhot, and Kiamasumkin, with certain Indians whose names to the said Jurors are unknown, her the said Narcissa Whitman did then and there in manner and form aforesaid feloniously, wilfully and of their malice aforethought, kill and murder, and then and there in and upon the body of said Narcissa Whitman, did commit the crime of wilful murder, in manner and form aforesaid, against the peace and dignity of the said United States, and contrary to the fore of the statute in such case made and provided. And the

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Jurors aforesaid, on their oath aforesaid, do further present, that on the twenty ninth day of November in the year of our Lord on thousand eight hundred and forty seven, at Wai-it-at-pu in said county and district , the said place being then and there in the Indian country, certain Indians named Telakite, Tomahas, otherwise called the murder, Clokomas, Isiaasheluckas, Isholhot, and Kiamasumkin, with certain other Indians whose names to the said Jurors are unknown, with force and arms, in and upon one Narcissa Whitman, she not then and there being an Indian, feloniously, wilfully, and of their malice aforethought, did make an assault, and that the said Indians, with certain knives, tomahawks, and other weapons as yet unknown to said Jurors, which said knives, tomahawks, and weapons, the said Indians then and there in their hands had and held, her the said Narcissa Whitman, in and upon her head, neck, shoulders, breast, and back, then and there feloniously, wilfully and of their malice aforesaid did strike, cut, and thrust, giving to the said Narcissa Whitman then and there with the knives, tomahawks and weapons aforesaid, in and upon the body of her the said Narcissa Whitman, several mortal wounds, of which said mortal wounds the said Narcissa Whitman then and there died: and so the Jurors aforesaid upon their oath aforesaid, do say that the said Telakite, Tomahas otherwise called the murderer, Clokomas, Isiaasheluckas, Isholhot, and Kiamasumkin, with certain other Indians whose names to said Jurors are unknown, her the said Narcissa Whitman , in manner and form aforesaid , then and there feloniously wilfully and of their malice aforethought did kill and murder, and did then and there, upon the body of the said Narcissa Whitman, in manner and form aforesaid, commit the crime of wilful murder,

Against the Peace and Dignity of the said United States, and contrary to the form of the Statute in such case made and provided.

A true Bill.

[signed F.W. Pettygrove] Foreman

[signed Amory Holbrook] U.S. Attorney, for Dist. Of Oregon

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United States of America.

District Court of the United States of America, for the District of Oregon, *County of Clatsop.*

At a District Court of the United States of America, for the District of Oregon, begun and holden at *Brownsville* in said county within and for said District, on the *thirteenth* day of *May* in the year of our Lord one thousand eight hundred and fifty

The Jurors of the United States, within and for said District, on their oath present:

That on the *twelfth* day of *November* in the year of our

Lord one thousand eight hundred and *fifty*

*at Brownsville in said county, the said place being then and there in the Indian country, certain Indians named Telakite, Tomahas, otherwise called the murderers, blotkomas, Idiracheluckas, and Kiamasunkin, with certain other Indians whose names to the jurors are unknown, with force and arms, in and upon one Narcissa Whitman, she not then and there being an Indian, feloniously, wilfully and of their malice aforethought, did make an assault, and that the said Indians, certain guns, muskets and pistols, each of the same then and there being loaded and charged with gunpowder and bullets, which guns, muskets and pistols, they the said Indians in their hands then and there had and held, to, against and upon the body of the said Narcissa Whitman, then and there feloniously, wilfully and of their malice aforethought did shoot and discharge, and that the said Indians with the said bullets aforesaid, out of the muskets, guns and pistols aforesaid, then and there by force of the gunpowder shot and sent forth as aforesaid, the said Narcissa Whitman, in and upon the body of her the said Narcissa Whitman, then and there wilfully, feloniously and of their malice aforethought, did strike, penetrate and wound, giving to the said Narcissa Whitman then and there with the said bullets aforesaid, shot, discharged and sent forth out of the muskets, guns and pistols aforesaid, by the said Indians in and upon the body of the said Narcissa Whitman, several mortal wounds, of which said mortal wounds, she the said Narcissa Whitman then and there died. And to the jurors aforesaid upon their oath aforesaid, do say that the said Telakite, Tomahas, otherwise called the murderers, blotkomas, Idiracheluckas, and Kiamasunkin with certain other Indians whose names to the jurors are unknown, her the said Narcissa Whitman did then and there in manner and form aforesaid feloniously, wilfully and of their malice aforethought, kill and murder, and then and there in and upon the body of the said Narcissa Whitman, did commit the crime of wilful murder, in manner and form aforesaid, against the peace and dignity of the said United States, and contrary to the form of the Statute in such case made and provided. And the jurors aforesaid, on their oath aforesaid, do further protest, that on the twelfth day of November in the year of our Lord one thousand eight hundred and fifty, at Brownsville in said county and district, the said Narcissa Whitman, she not then and there being an Indian feloniously, wilfully and of their malice aforethought, did make an assault, and that the said Indians, with certain knives, tomahawks and other weapons as yet unknown to the jurors, which said knives, tomahawks and weapons, the said Indians then and there in their hands had and held, her the said Narcissa Whitman, in and upon her head, neck, shoulder, breast and back, then and there feloniously, wilfully and of their malice aforethought did strike, cut and thrust, giving to the said Narcissa Whitman then and there with the knives, tomahawks and weapons aforesaid, in and upon the body of her the said Narcissa Whitman, several mortal wounds, of which said mortal wounds, she the said Narcissa Whitman then and there died; and to the jurors aforesaid upon their oath aforesaid, do say that the said Telakite, Tomahas, otherwise called the murderers, blotkomas, Idiracheluckas, Iskolhol, and Kiamasunkin, with certain other Indians whose names to the said jurors are unknown, her the said Narcissa Whitman in manner and form aforesaid, then and there feloniously, wilfully and of their malice aforethought did kill and murder, and did then and there, upon the body of the said Narcissa Whitman, in manner and form aforesaid, commit the crime of wilful murder,*

Against the Peace and Dignity of the said United States, and contrary to the form of the Statute in such case made and provided.

A true Bill.

*J. M. Pitzer*

Foreman.

*Amery Holbrook*

U. S. Attorney, for Dist. of Oregon.