

Tideland Tales

Drama and Death on Oyster Bay

BY LLYN DE DANAAN

Oyster Bay in southern Puget Sound is home to an important shellfish industry. During the 1880s and 1890s, immigrants—some with dreams of wealth—displaced the original population. It was a transition period economically, culturally, and politically. Katie and Joseph Gale exemplify the hardship and heartaches of this time. Katie, especially, represents a tenacity and spirit that deserves a place in the historical record.

The thick mud and clay that forms the bottom of Oyster Bay once was encrusted with that jewel of bivalves, the tasty little Olympia oyster. They were known to Indian people all over Puget Sound and beyond. Anecdotal histories suggest that once the European-Americans tasted those delicious tidbits roasted, they could not but vote to make Olympia the capital of Washington. Doing the business of government would be less tedious, they reckoned, if a plate of succulent shellfish lay close at hand.

The TEpi'lkwtsid descendents and Indians from other inlets and bays associated with the Squaxin Indian Reservation traveled to and from the island by water. Flotillas of long canoes bearing families are mentioned in memoirs. People still living on the island in the 19th century were seen leaving regularly on their way to clam bakes and oyster roasts at Kindred's Point on Oyster Bay. Those living off the reservation were busy, nearly daily, selling produce and fishing. Some families lived on houseboats, which provided considerable mobility. After 1875 and the passage of the Indian Homestead Act, a number of Indians, including Dick Jackson, applied for homesteads off reservation. They built homes, cultivated fruit trees and gardens, and raised animals. In exchange for declaring themselves unattached to their "tribes," they were promised all the rights and immunities of American citizenship. This was one of the several pathways by which Indians could become citizens until Congress passed the 1924 Indian Citizenship Act, which granted these rights to all United States-born Native Americans.

AUTHOR'S NOTE

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Meanwhile, most of the land around and near Oyster Bay, Little and Big Skookum, and close to Squaxin Island—all former and important resource areas of Indian people—was claimed by immigrant non-Indians from all over the world. Some donation claims were filed even before the treaty was signed. In September 1853, Michael T. Simmons

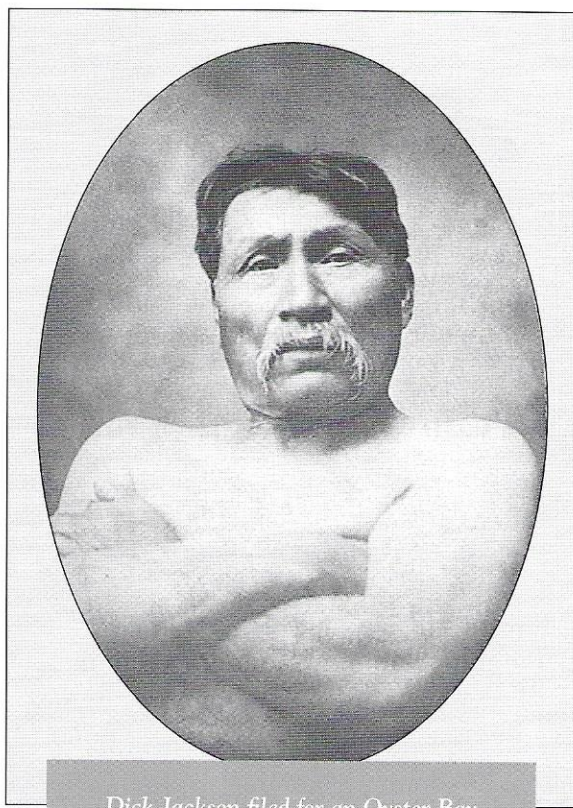
300 Indians, presumably Sahehwamish, in laying claim to his homestead.

Homestead filings for land around and near the bay swiftly followed the ratification of the Medicine Creek Treaty in April 1855. William Krise from Dayton, Ohio, was at the head of Little Skookum by September 1855. Franklin Kennedy and his wife Ann laid claim to land at the head of Oyster Bay. Others who filed for land adjoining the bay were Andrew McClure, Adam Korter, Marion Simmons, Dick Helser, Samuel Coulter, and Henry Burns. The Northern Pacific Railroad received acreage on both sides of the water, according to homestead and land maps from the period. Farmers like Dick Jackson allowed their animals free grazing on these railroad claims, ownership notwithstanding.

John Campbell, who kept a daily diary of his life and his neighbors' comings and goings from the time he arrived in 1869 until 1894, settled farther up the Kamilche Valley. He was a neighbor of the Varner family whose son Dan became a star pupil at Puyallup Indian School and later attended Carlisle Indian School. Campbell provides the earliest documented evidence of the

active use of the Indian labor force by non-Indian settlers on the bay, as well as written evidence of their enterprise. Whites and Indians were assisting each other with haying, obtaining marriage licenses, witnessing proofs of homesteads, cutting firewood and shakes, and clearing brush and stumps. They were also involved in negotiations with each other over such things as the price of cattle.

The Indians who lived and worked around the bay grew crops and livestock and continued to gather and sell oysters. In one account, "Indians had sleds with iron tops. On the sleds they built fires of pine pitch to light up the oyster beds as they selected the largest oysters." Indian farmers and fishers continued to eschew full-time residence on the troubled and



Dick Jackson filed for an Oyster Bay homestead patent in 1879. In the application he was required to swear that he was an Indian "formerly of the Squaxon [sic] tribe" and that he had "adopted the habits of...civilized life."

filed for 640 acres on Hammersley Inlet, or Big Skookum, near the traditional home of John Slocum, who later founded the Indian Shaker Church. Adjoining his claim was that of Alfred Hall for 315 acres. Another neighbor, Wesley Gosnell, filed for 248 acres earlier in the same year. Gosnell and Simmons went into the timber business together and built a sawmill on Gosnell's Creek. This required damming the creek, one that had hosted a good fish run. One source notes that Gosnell apparently displaced an "encampment" of

Courtesy: Mason County Historical Society, Shelton

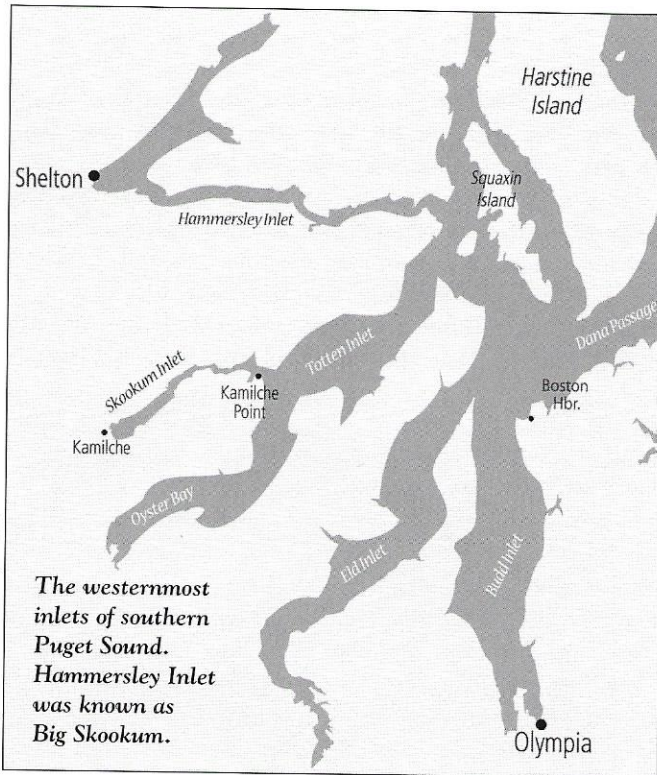
inappropriate Squaxin Reservation, and instead made use of the resources they knew well and enjoyed while supplementing their livelihood with wages earned from their labor.

By the late 1870s and through the 1890s the bay, the Kamilche Valley, Little Skookum, and the little towns of Kamilche and New Kamilche had become home to people from nearly all parts of the globe, in addition to the area's indigenous occupants. Japanese, Irish, Chinese (some of whom operated a floating laundry), Scots, Swedes, Canadians, Bavarians, and English found work and land. There were

occasional dances that rocked float houses and sent the sound of fiddles and pounding feet echoing across the waters. There was, for a time, even a bagpiper—a man named Charley Hildebrand—who is described in one account as “Buffalo Bill gone to seed.”

Life was not easy for anyone. Cows got stuck in mud, neighbors disputed fence lines, and a brazen young man was run out of the area for making sexual overtures to one of John Campbell's daughters. Land had to be cleared of dense growth. Diseases made their deadly rounds—there was an outbreak of diphtheria on the bay in 1883, and tuberculosis raged throughout the last 20 years of the century, taking many lives. Fires destroyed lovingly constructed homes. People drowned. And there were suicides. Still, there were the parties, the dances, the festive gatherings of Indians on Kindred's Point and elsewhere, and the active trading of the labors of one's own hands for the necessities of life.

The 1880 census of the area counted only two households with more than two generations living together, and the average family size was a little over four. In other words, there were few “elders.” There were some young families and



Courtesy Brit Communications, Seattle

many single white men. Households, including boardinghouses, consisted of people from many cultures. In some ways, the community was in a sort of “free-fall,” unsettled, drifting like a float house unmoored in a storm. For a generation or two, people in this new world were sorting out and inventing their relationships to one another. Indians as well as whites were separated from their original communities. The Indians had suffered losses from displacement, death, and government policies that ripped the fabric of their villages and cultural lives to shreds. The white men and the few white women who came with them as wives had left homes, families, and institutions that bound them to traditional mores.

Even as Indian and white farmers and small-scale oyster operators were coming to terms with the land, each other, and their new circumstances, the economic and social organization of the bay was in for another jolt. With the arrival of three men, Joseph A. Gale, A. J. Smith, and Dick Helser in 1878, a new era began. These men saw that statehood was on the horizon and realized there was money to be made by acquiring tidelands where oysters could be cultivated, grown, and shipped to high-demand markets. And labor was cheap. When Gale, Smith, and

Helser arrived, other growers, brokers, and investors began to consolidate tideland holdings as well. Indians who did not file claims for their own beds were hired to pick oysters for the middlemen. More and more people—Indians, whites, Chinese, and, later, Japanese—worked for wages, and the large growers hired and paid them by the piece, one to two dollars for a two-bushel bag. A dollar in 1893 could buy enough flour, bacon, butter, and potatoes for several family meals. So, though the work was slow and hard, one could make a living wage. Workers seem to have filled an average of a bag a day over the course of a year,

though work was, of course, seasonal.

Joseph Gale, though already married to Calista, a white woman who remained at their home in Olympia, soon established a relationship with a young Indian woman on the bay named Katie Kettle. Katie had relatives on the bay and ties to people on Little Skookum and Hammersley Inlet. She had lived in the area since at least the age of 12. There is evidence that she came to the bay from the White River area, the scene of important skirmishes during the Puget Sound Indian war. She was born in the year of the war, 1856.

Katie was about 22 and had two babies, Hattie and Henry, near the time she met Joseph Gale, aged 30. Calista left the Gales' Olympia home in 1878, citing her husband's “other woman,” and their marriage was dissolved at Joseph's behest in 1880. In court documents he complained that Calista had abandoned him. The other woman could well have been Katie.

Katie and Joseph were legally married in 1886, some six or seven years after they had been cohabiting and working together. The first child of their union died as a youngster, but two others, Ray and Maud, lived to adulthood.

As elsewhere in the region, many Indian women were legally married to

White Racial Ideologies of the Late 19th Century

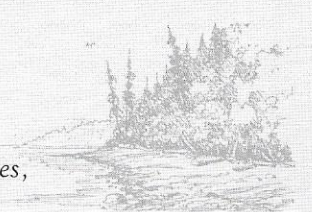
TURN-OF-THE-CENTURY white scholars used the terms “savage,” “barbarian,” and “civilized” to describe theoretical “stages” of human development. These ideologies were furthered by writers such as Lewis Henry Morgan and Herbert Spencer. If they studied geography at Oyster Bay School, Ray and Maud—Katie and Joseph Gale’s children—would have read that American Indians had a manner of life called “savage” or “barbarian” and that the “Caucasian race includes the most enlightened people in the world.”

“Scientists” gathered data from human specimens, measuring “cephalic indices,” some positing links between cranium size and intelligence in support of European superiority. Even generally antiracist anthropologist Franz Boas visited the Puyallup Reservation in 1890 and measured, he said, 35 “full blooded” Indians as part of his effort to collect anthropometric

data for the World’s Columbian Exposition. Katie’s friends and relatives could have been part of the Boasian “sample.”

Rudyard Kipling’s *White Man’s Burden*, first published in 1899, was an exemplar of dominant white European views toward people of color during this period and the language used to describe them:

... Take up the White Man’s burden—
Send forth the best ye breed—
Go send your sons to exile
To serve your captives’ need
To wait in heavy harness
On fluttered folk and wild—
Your new-caught, sullen peoples,
Half devil and half child....



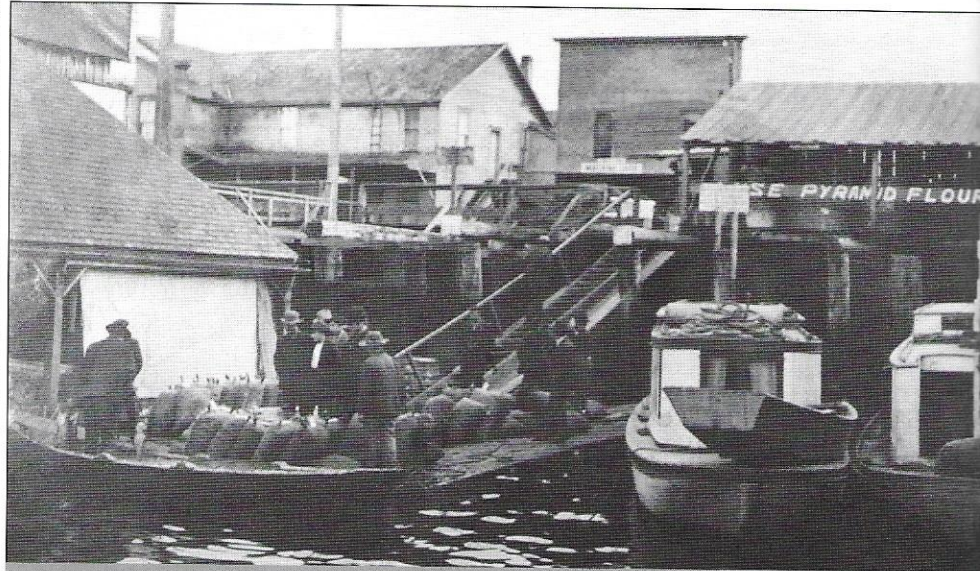
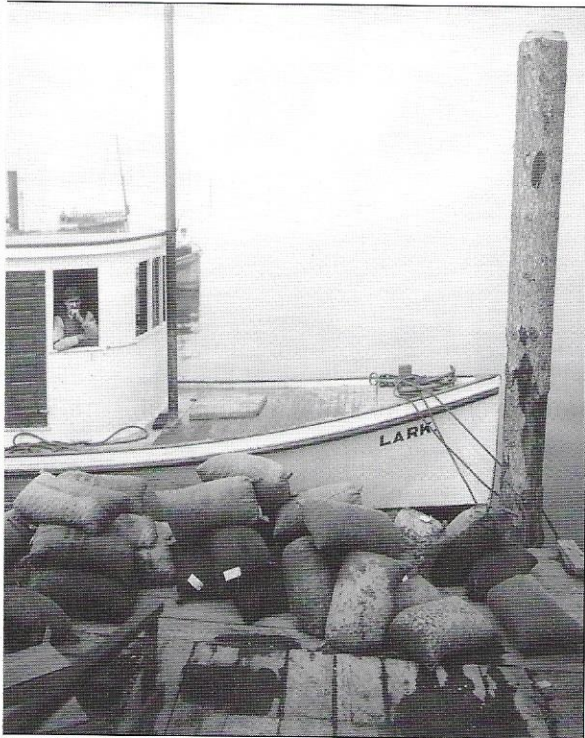
Oyster Bay School class of 1897-98. Miss Frances Galusha (top row, far left) presided over year-end festivities during which Ray Gale recited “The Drummer Boy of Waterloo” by Julia A. Moore.

or living in common-law unions with white men around the bay. Among them were Harriet Korter, Nellie McClure, Jennie Krise (remembered to this day as an excellent midwife), and Louisa Smith. There were economic, political,

There were sometimes tragic misunderstandings between these spouses from significantly different cultural backgrounds, regardless of the initial attraction or motivation of either. That was the case with Joseph and Katie Gale.

even hired a steamer to bring them from Olympia to Shelton for the occasion.

But Gale was apparently a testy and contentious individual and was involved in several altercations with neighbors. In 1880, just two years after Gale came to



LEFT: Launches like the Lark transported oysters from about 1905 to 1914, stopping daily at oyster culling operations along Oyster Bay. ABOVE: Oysters in bushel burlap bags were sold at the Olympia docks. Those who picked, culled, and bagged the oysters were paid by the piece, receiving two dollars per bag.

and cultural advantages to these unions on both sides. The Indian Homestead Act and later the Dawes Act offered perquisites that encouraged assimilation, as did other policies and laws. Marriage to a white man furthered the process. During some of the territorial period, children who were half Indian had legal advantages full Indians did not. Most European or American men who came to the bay were single and must have needed or wanted a helpmate. Some may have used their wives to leverage more land. Under the Donation Land Act of 1850, settlers could obtain 160 acres of land if single but 320 acres if married. This, however, did not seem to be a factor in the marriages on Oyster Bay.

Some writers have suggested that marrying an Indian woman “legitimized” claims to oyster tidelands, but the number and circumstances of these marriages cannot be explained as purely expedient or commercially motivated on either side, as anecdotal histories suggest.

Joseph Gale is a complicated character. His family left his birthplace in Illinois and arrived in Cottage Grove, Oregon, in 1853 when he was about five years old. At the age of 20 he came to seek his fortune in Olympia. After a time, he became a successful entrepreneur, well-established in the shellfish business with outlets in Seattle and, at the time of his death in 1901, pending enterprises in Tacoma. During his lifetime he was an active community member. He had fronted money so that a young journalist could launch the still-flourishing *Mason County Journal*. He served as a director of the Oyster Bay School, a deputy fish commissioner for the state, and a justice of the peace. In 1881 he cofounded the Puget Sound Oystermen’s Association. Gale was a member of several lodges, including the Order of the Redmen, and when he died was accorded a grand funeral and solemn procession to his resting place by his lodge brothers. Some of them

Oyster Bay, Adam Korter, an oysterman living on his 170-acre homestead not far from Gale, filed a complaint against him, his partner Smith, and Smith’s “Indian woman.” This was perhaps Oyster Bay’s first environmental case. Korter charged that Gale had raked, gathered, and shipped oysters from their natural beds and left many on the shore to die, thus violating acts of the Washington Territorial Legislature to “Encourage the Cultivation of Oysters.”

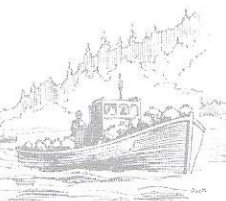
Later, in an 1897 incident, Gale was threatened by an unnamed Chinese man who brandished a knife at him. Around that same time, an unknown enemy disliked him enough to mutilate his cattle by removing their tongues. There were, the *Morning Olympian* reported at the time of his death, other threats against him from neighbors. He was also a hard drinker who left his wife and children to fend for themselves, according to accounts from an 1898 court proceeding.

By the 1890s there were as many as 40 floating houseboats plus oyster culling float houses on Oyster Bay. Steamers loaded bushel burlap bags of the delicate little Olympia Oysters from their waiting spots on "sink floats" and carried them to the Olympia docks from where they were shipped to other ports. A small post office called Kloko (from Salish for oyster, Tlóxtlox) was established on the bay in association with a store run by Bush Hoy. Seams of shell middens on either side of the store site suggest that the store location was a gathering spot where local inhabitants held feasts for many years, even perhaps into the 1890s while waiting for supplies or mail to arrive. From there, a steep lane led to the "hard scrabble road." It wound its way to Old Kamilche and from thence to Shelton. There was, for a time, even a small Indian Shaker church on the Thurston County side of Totten Inlet, not far from the opening to the bay at Dick Jackson's homestead. In general, the bay was full of life, unlike the quiet, idyllic place it is today.

Down the bay, nearly at the head, was the Oyster Bay School off Joliff Road. On the other end, at "The Point" and the mouth of Little Skookum, sat a small community fueled by the booming lumber business. Known as New Kamilche, the town was connected to the outside world by a railroad and daily steamers to and from Shelton and Olympia. The town had an Odd Fellows Hall where lively dances took place.

This was the local social and cultural milieu in which Katie and Joseph Gale lived with Katie's elder children and their own two offspring. Katie and Joseph's house was similar to those of their neighbors Nellie and Andrew McClure and Adam and Harriet Korter. The McClures' wood house, built around 1879, was about 16 by 24 feet with three windows, two doors, and a tongue-and-groove floor. The Korters' house, farther up Totten Inlet, was built around 1872 after their first house, built in 1869, burned down. The newer house was of lumber construction, about 22 by 24 feet, with a "good shingle roof and dressed lumber floor." It had two rooms,

Katie and Joseph fought each other that day. He hit and kicked her, and she grabbed him by his long whiskers and wouldn't let go.



three doors, three windows, and a fireplace and chimney.

Though the Gale home was no doubt simple, the pair had acquired tideland and upland property and by 1893 were doing a bustling business in oysters. Their net worth was far beyond the \$500 said to be the median in 1893. Katie's name, however, was not mentioned on sales documents associated with the land she had helped acquire and for which, according to her account, she had paid with earnings from her own labor on the oyster beds. And, she complained, even after their marriage, Joseph did not share the income of sales the business received but paid her, as he paid everyone else, for "piece work" in compensation for the bags of oysters she filled. He "allowed" her, he said, "to pick oysters on my own oyster beds" and then bought the shellfish from her. This, he believed was fair and adequate to her needs. If she had no money, it was because she "squandered" it on her "tilicums or kindred," he said.

The Gales' relationship took a dramatic turn in the summer of 1893. Before that spring, people prospered and the economy was booming. In the new state of Washington, the Great Northern Railway completed its transcontinental line to Seattle on January 6, 1893. But a national economic panic, partly a result of overextended railroad bonds, began in the spring of 1893, seriously reducing employment and investment in the state over the next four years. There was no money for expansion, no money with which to repay loans, and no money to pay workers. And Joseph Gale, like many other business people, was overextended. In consequence of the panic, Gale was running the oyster business in the red and could not meet his obligations. His was "a losing

business," he said. Katie feared that he was set to sell or encumber what they had acquired and she would lose what was equally hers. Tensions were clearly high in the Gale household.

Katie and her elder daughter Hattie, about 18, went to Tacoma and the Puyallup reservation for the Independence Day festivities, returning on July 8. Back at home, Hattie taunted Katie for allowing Joseph to call an old friend of hers "blind Lucy." According to Joseph, the mother and daughter spoke to each other in their own first language, fueling his fear that Katie was teaching the children to hate whites. This, in addition to Katie's association with her Indian kin and the Shaker church at Jackson's place, galled him. Clearly, Katie and Joseph fought each other that day. He hit and kicked her, and she grabbed him by his long whiskers and wouldn't let go. The story of the fight that day, in several versions, circulated around the bay for years and is recounted in at least two memoirs.

Within ten days of the fracas, Katie had retained an attorney and filed for divorce in Mason County Superior Court. She cited Gale's cruel treatment of her and particularly the beating she received on July 8. Since only 10 days had passed, the bruises and wounds she noted in her written grievance must have been evident to the judge. In the divorce petition she asked that their property be divided and a substantial share put in her name. Joseph was enjoined from doing anything that might jeopardize their holdings until the case was decided.

Joseph denied any wrongdoing and brought forward several witnesses, including oystermen A. J. Smith, S. K. Taylor, Dennis Hurley, and two of his Chinese employees, Jim Song and Wing Tom, to swear that Katie had verbally attacked him on more than one occasion,

Early History of Southern Puget Sound

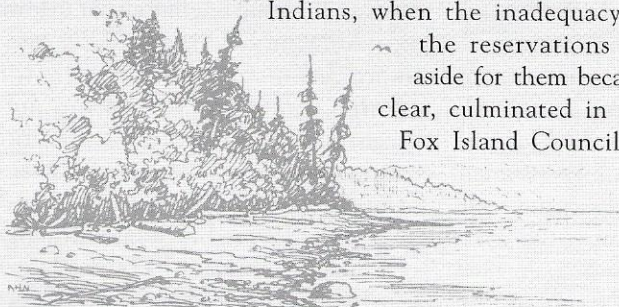
AT THE HEAD OF TOTTEN Inlet in southern Puget Sound lies a shallow bay, gouged and scoured by the glaciers that retreated 13,000 years ago. Oyster Bay, as it is called now, played host to Indian immigrants as they occupied the newly hospitable environment for perhaps thousands of years before the first Europeans discovered its delights and challenges. There were fish and shellfish, including the salmon that found the conditions to their liking around 5,000 years ago. The bay shares the mild winters of other southern Puget Sound environs. Numerous freshwater springs seep from the banks and etch labyrinthine patterns across the mudflats, visible when the tide is low. Small protected coves provide calm waters for ducks. Raccoons and deer follow trails to the water's edge by dark, their feet leaving deep impressions in the muck. Herons make noisy flyovers, and the occasional seal snorkels its nose aloft to snuffle along in the wake of a kayak. This was an ideal place to live a thousand years ago, and it still is.

Kennedy Creek, previously Simmons Creek, is a stream that originates high in the Black Hills at Summit Lake and meanders to Oyster Bay. It was called, in the Salishan language spoken by the area's original inhabitants, TEpi'lkwtsid, or "caving mouth," and near its entrance sat an important village called Suxwe', a term for a "singing" or "toad" fish. The creek provides an inviting habitat for spawning chum every November.

The TEpi'lkwtsid people enjoyed the bay for centuries. In 1854 they were party to the Medicine Creek Treaty between the United States, with Governor Isaac Stevens acting as agent, and "the undersigned chiefs, headmen, and delegates of the Nisqually, Puyallup, Steilacoom, Squawskin, S'Homanish, Steh-chass, T'Peeksin, Squi-aitl; and Sa-heh-wamish tribes and bands of Indians, occupying the lands lying round the head of Puget's Sound and the adjacent inlets." Article two of the treaty provided reserves for the Indians. The TEpi'lkwtsid (T'Peeksin), from Totten Inlet and Oyster Bay were to go to "the small island called Klah-che-min," as were the Squi-aitl (Sqwaya':iL) from the Eld Inlet watershed, including Mud Bay, the Steh-Chass (stEtc! ä's) from Budd Inlet, the Sa-heh-wamish from Hammersley Inlet, or Big Skookum, and the Squawskin (tuxsqwa'ksud) from Case Inlet.

Klah-che-min, now known as Squaxin Island, was situated "opposite the mouths of Hammersley's and Totten's inlets, and separate from Hartstene [now Hartstine] Island by Peale's Passage, containing about...twelve hundred and eighty acres, on Puget's Sound." Stevens's plan to "colonize" the Indians hit a snag almost immediately. A war waged in 1856 by disgruntled

Indians, when the inadequacy of the reservations set aside for them became clear, culminated in the Fox Island Council in




August of that year. Stevens committed to certain alterations in the Medicine Creek Treaty reserves during that council. By early 1857, however, Commissioner George Manypenny of the Office of Indian Affairs wrote that "a permanent settlement of the Indians has not yet been effected." Many Indians did not go to the reservations and passively resisted Stevens's plan for "colonization." If they went, they did not stay, and at the very least engaged in seasonal hunting, fishing, and gathering activities in "usual and accustomed places." To continue these harvests and have access to their traditional foraging lands and fish camps was a right they had reserved in the treaty.

By most accounts in both the written record and oral tradition, there was good reason not to stay on Squaxin Island. In the 1870 annual report of the Bureau of Indian Affairs commissioner to the interior secretary, Major Samuel Ross wrote that, in general, "much dissatisfaction prevailed among many of the tribes, especially those party to the treaties of Medicine Creek and Point Elliot." That would include those Indians on the Squaxin Island reservation. He noted that "annuity goods" had not been distributed for several years. "No attention has been paid to their repeated complaints of wrongs and injustice. Agency buildings needed repairs," and many employees were deemed by him to be "worthless."

Ross disagreed, however, with recommendations made by his predecessors in two previous annual reports that the Squaxin Island reservation be sold. He opined that the six-mile-long by two-mile-wide island was well supplied with good farmland. An effort to cultivate vegetables had been launched by some residents with the supervision of the government blacksmith, Edwin G. Harmon. There was, Ross wrote, a fine growth of valuable timber on the west end of the island. He claimed that though Indians were previously migratory, leading their lives "along the shores of the sound," they were now resident on the island and left only with permission of the "person in charge."

Ross's official, generally upbeat view of Squaxin Island stands in stark contrast to other evidence from the period. Survey field notes from 1874 contain this summary statement:

This Indian Reserve is an island...there is very little good arable land on the island, the soil being clay and gravel. There are some small clearings situated in [sections] 34 and 35, the balance of the island being covered with timber and a dense undergrowth of salal, young evergreens, Huckleberry and fern. The fires have destroyed nearly all the timber in sections 34 and 35.

Partly in consequence of the poor reservation, Mud Bay and Oyster Bay people seem to have either stayed on or near their respective former homes or traveled between these and the Squaxin reserve. Indeed, accounts from the late 1860s onward depict an Oyster Bay and Mud Bay occupied by Indian people, independent entrepreneurs who found work with homesteading white farmers to whom they sold various goods and regularly harvested fish and shellfish for their own subsistence. 

to allege that she neglected Maud and Ray, and to deny Katie's charge that her husband was often intoxicated. Gale was painted as Katie's victim, a long-suffering, gentle man who took abuse no other man could withstand.

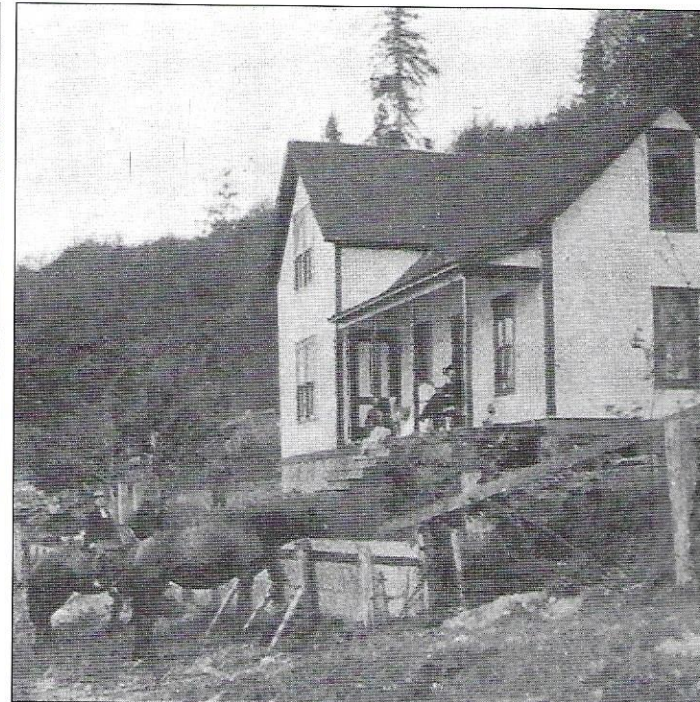
Nonetheless, the judge gave credence to Katie's claims and petition. On August 29, 1893, Joseph was compelled

later in a court document, though the scars of his beating were still visible on her forehead. Joseph said that the two were "determined to live together as husband and wife" after the contentious proceedings. But by January 1898 they were in court again. This time it was Joseph suing for divorce. And this time he drew on the racial prejudices of

the oyster beds, Chinese were displacing many of them as laborers on the bay and being promoted to managerial jobs. Ray and Maud, in school at Oyster Bay, were said to be bright, capable, and well-cared-for children. Katie was known on the bay as a hard worker and a businesswoman. Even her cooking was notable. Decades later a classmate and



ABOVE: Katie Gale's home site and oyster beds. Her culling house and the associated float house can be seen here. RIGHT: Joseph Gale built a splendid home on Oyster Bay for his new wife Lillian around 1900. It was subsequently occupied by other families who worked the oyster beds.



to sign a document that gave Katie a strip of land "two hundred and ten feet wide on the water front," the west half of the northwest quarter of one section of land nearby, and eight acres of first-class oyster beds. She also received the household property and sewing machine and half of all the livestock the two had held jointly. The estimated value of the property and goods they had acquired since their marriage was approximately \$14,000.

One witness to the agreement was Tacoma judge and attorney James Wickersham; a controversial figure who was elected to the state House of Representatives the following year and who had recently assisted in the incorporation of the Indian Shaker Church.

The divorce Katie sought in 1893 was not finalized. We can only speculate on what kept the pair together. Katie had forgiven Joseph, she declared years

his time to attack Katie and attempt to estrange their children from her.

These race-charged ideologies were reflected in documents Joseph prepared for the court, particularly as he depicted his wife and co-worker of many years. In Joseph's petition for a divorce he said it had become impossible for them to live together. The attempt to do so caused him "great mental anguish and pain" and rendered his life "burdensome" because, in sum, Katie was "an uncivilized Indian."

By 1898 much had transpired in their personal lives since Joseph and Katie were last in the courtroom. Henry and Hattie, Katie's elder children, died in 1895 and 1897, respectively. Most of Katie's closest relatives on Oyster Bay had either died or were now living on Mud Bay. Many prominent old-timers, both Indians and American settlers, were dead. Though Indians still worked

friend of Ray's still remembered Katie's creamed salmon on biscuit with praise.

Since 1893 Joseph and Katie had acquired more property. In 1896 the couple had negotiated contracts with the State of Washington to acquire five more parcels of tidelands. Only one contract, however, bore Katie Gale's name. They had by this time a herd of fifteen beef cattle, three cows, and four heifers, nearly double the number they had owned six years earlier.

Joseph was becoming a rich and prominent man. A deputy state fish commissioner, he had a wholesale shellfish business on Madison Street in Seattle and, apparently, a mistress. He oversaw and reaped the benefits of the oyster harvest from all the tidelands the Gales owned except the small strip in Katie's name. Yet Katie received

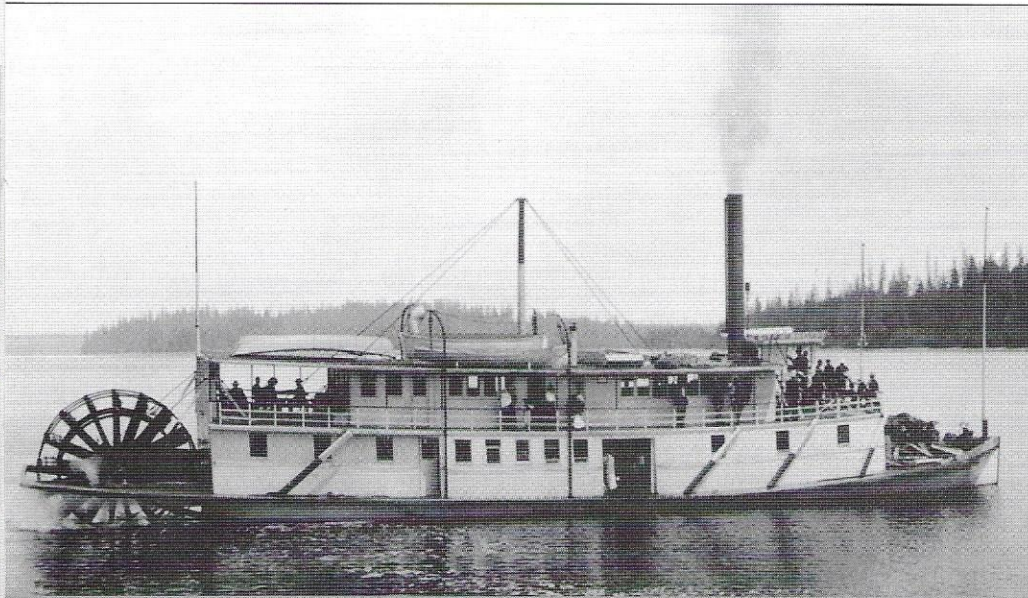
Courtesy Mason County Historical Society, Shelton

income for her children's support and her own use only from that tract of oyster tidelands that she personally worked and managed. In fact, Joseph had been absent from the bay for up to a year, and had left the oyster business in the hands of his overseer, Tom Kee.

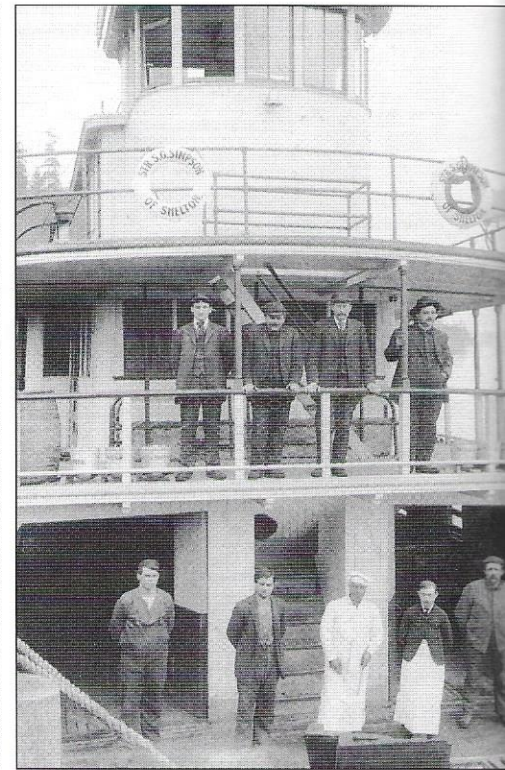
living with another woman in Seattle. These men cited long acquaintance with Katie. Joseph Kullrich, a store owner in Kamilche, added his support to her good character. He noted that Katie purchased shoes and groceries and always paid for them.

to be with her mother but wrote that she feared her father and believed he would "whip" her if she attempted to return to Oyster Bay.

Joseph was determined to convince the court that his was a righteous cause. The defendant, he said, "is of the same



ABOVE: At the end of the 19th century, Puget Sound towns were connected by steamers, among them the City of Shelton, which ran between Shelton and Olympia via New Kamilche.
RIGHT: John Leslie, chief engineer on the S. G. Simpson (upper deck, right), testified in the 1898 Gale divorce trial, at which time he was a City of Shelton crew member.



Special Collections, Washington State Historical Society

Katie claimed that she was supporting Maud and Ray alone, and this was affirmed by witnesses who came forward on her behalf in the 1898 proceedings. Frank Gingrich, whose family worked for Katie and lived in a houseboat near her home, swore in an affidavit in support of Katie that she was a "virtuous woman" who was forced to support herself and her children while Gale was netting nearly \$500 worth of oysters per month from their beds.

Gingrich's remarks were a pointed counter to Joseph Gale's suggestions of Katie's indiscretions. A virtuous Katie Gale was a moral Katie Gale. And this small, close-knit community would know if she were not. William Krise agreed with Gingrich. C. C. Simmons had known Katie for 30 years. He swore that Katie was a good and faithful woman and that Gale was "becoming a drunkard" known to be

Despite the evidence against his own suitability as a parent, Joseph wanted not only a divorce but custody of the children. He complained that Katie was not a "fit person to have charge, care, and control" of them because she could not "educate them in the manner necessary for the station in life they are entitled to occupy." In February 1898, Gale forcibly removed Maud from her mother's home and boarded her with the Sisters of Providence at St. Peter's Hospital in Olympia where she received some instruction. John Leslie, a Carlisle Indian School graduate and, at that time, a crew member on the *The City of Shelton*, testified that he had witnessed this abduction.

When Katie finally found her, she and her friends and relatives visited Maud regularly—against Joseph's wishes. The lonely 13-year-old wanted

uncivilized members of the race from which she springs." He was, he said, "unable to educate or win the defendant [to] the manners or modes of civilized life." Katie countered that her husband was living openly in an adulterous situation and that he was a habitual drunkard who neglected his family. In answer to his denigrating reference to her ethnicity and race, she replied, I am "an Indian woman but...fully appreciate and realize the duty of a woman to her husband," this, "regardless of race." Clearly her sense of duty did not include being cheated of the fruits of her labors or allowing herself and her children to be abused and neglected.

During the course of the proceedings Joseph begged, wheedled, was charged with contempt, claimed extreme indebtedness, and even asked the court to have pity on him, a man who under doctor's orders could not, he said, go, "upon

the oyster beds to work or superintend gathering." That was in a declaration filed in June 1898.

By December 1898 Katie was suffering from tuberculosis. In a document filed by Joseph, he admitted that she was "sick unto death with a mortal illness to-wit quick consumption and confined to her bed and not in condition to come into this court." He allowed Maud to return to her side and dropped the divorce proceedings.

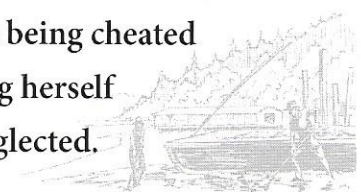
Katie had made a will in November of that year in which she specified that her debts be paid, that she be decently buried, and that all of her estate be given to her "beloved children, Maud Gale and Ray Gale." She left the sum of "One Dollar" to her husband. Her witnesses included Jennie Slocum, a daughter of John Slocum, and she appointed Mitchell Harris as her executor.

Katie Gale died on August 6, 1899, at age 43. The *Mason County Journal* printed an account of her death and the provisions of her will. In one article she was called a "good mother to her children." Another article noted that, "Although of Indian birth, she made the best of her opportunities."

She left, the *Olympian* reported, "80 acres of first class oyster land which is said to yield about \$1,500 per year revenue and is valued at from \$300 to \$400 per acre" and "about 40 acres of upland real estate of lesser value." The report exaggerated the amount of oyster land Katie owned. There were 8.8 acres of tidelands in her name and a total of 46 acres of upland property. The acreage reflects the lands she received in the 1893 agreement with no adjustment for properties acquired since that time. Joseph Gale successfully contested Katie's written wish that Mitchell Harris act as executor of her will.

Three months after Katie's death, Gale married Lillian McDonald. He quickly built a showplace home on the Oyster Bay property overlooking the tidelands Katie had worked all her life. A 1900 supplement to the *Mason County Journal* noted that Gale had

Katie's sense of duty did not include being cheated of the fruits of her labors or allowing herself or her children to be abused and neglected.



"forty acres of most excellent oyster lands under a high state of cultivation." The paper reported, "He shipped 2,500 sacks of oysters last season and during the busy season employs twelve men." He was said to have "a ranch of 214 acres, with a quarter of a mile of waterfront." The house was described as "one of the most pleasant and delightful homes in the county," even equipped with a telephone. It stood until the early 1990s on the site of the present Olympia Oyster Company.

Gale's new life did not last long. He met his own demise in September of 1901, the same year Queen Victoria had died after 64 years on the throne and President McKinley was gunned down and replaced by Theodore Roosevelt. Indeed, it was a new century, a new world, and the beginning of a new era on Oyster Bay.

Joseph and Lillian had been attending a Saturday night dance on Francis Carr's homestead, only a mile or so up the road from their own home. The party, like most Kamilche frivolities of the period, included a lot of drinking. The gathering broke up around four in the morning, and Gale went to the barn to harness his horse to his buggy for the short ride home. It was alleged that the horse kicked him, but there were no witnesses. He did not recover, though attended by several physicians. He died three days later, at age 53, in the Olympia hospital.

Some of his brothers in the Order of the Eagles called for an investigation. Several who examined the six-inch wound thought it had been caused by a knife, not a horse's hoof. There had been threats from neighbors in the past, and rumors flew. Gale, some opined, had been murdered.

In a memoir published years later, Adolph Johnson, a good friend of Ray Gale's, said he had been standing

outside the barn when Joseph fell. "I got to thinking it over, and standing a few feet from where it happened I don't think Joe got kicked by a horse at all." Johnson saw Gale's death as retribution: "He got his just desserts for the way he treated his Indian family." The investigation that had been called for was dropped out of respect for the widow.

Maud and Ray inherited half of their father's property and all of the property that Katie had secured in her own name. The children lived, at least for a short time, with Lillian Gale in Olympia. Maud had some further schooling with the Sisters of Providence. Maud married and gave birth to a daughter before her death in 1905. The child, Inez, died in 1930 in Tacoma, apparently without an heir. Ray later attended People's University in Olympia, an early 20th-century experiment in higher education that foreshadowed The Evergreen State College in some of its goals and values. Ray became a bottler at Olympia Brewery. His trail disappears after June 5, 1917, the date he registered for the draft in Los Angeles. At that time he was married and still working as a bottler. He had been described as tubercular in earlier documents and wrote that on his draft registration. Searches have not lead to a record of his death or any heirs.

The year after their father's death, Maud and Ray erected a beautiful pink marble stone in memory of their mother. Its inscription reads, "Katie, Wife of J. A. Gale. Gone but not forgotten." Near it is a marker for Henry and Hattie. The graves, high on a hill overlooking Oyster Bay, now lie covered with brush, the stones toppled from their foundations. ☪

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